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# The Christian and Government

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## IV \*)

GOVERNMENT is not above the Moral Law, but subject to it. In fact, government exists for the maintenance of the moral order. "For he is the minister of God to thee for good; but if thou do that which is evil, be afraid" (Rom. 13:4). Governments cannot abrogate the Moral Law nor any of the Commandments of the Decalog. The legislation and administration of law must be in harmony with the Moral Law. Governments are responsible to God. "For he is a minister of God." Machiavelli was the first in modern times to take the position that law, whether civil, natural, or divine, was not binding for the ruler, but is subordinated to that higher law whose principle is the good of the State by whatever means that good may be obtained, whether by lying, deceit, or any other form of knavery. The principle "The end justifies the means" is always wrong, whether followed by an individual or by a government. In practice the modern States have generally followed the principle that the end justifies the means. The State as a State is regarded essentially nonmoral or amoral. That point of view has grown at least in part from a confused idea of separation of Church and State. Morals, though based on religion, cannot be separate from the State. Society cannot exist without morality, and hence it must be the business of government to preserve and maintain the moral order. When governments become subversive of morality or destroy morality, they are no longer ministers of God.

"Law derives its essential authority not from the will of the State, but from true justice based on moral judgment," says Kroblie, and the Oxford Conference was correct when it declared that since all believe in the holy God as the source of justice, we do not consider

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\*) In this article—the second section of which is offered in this issue, and the final section scheduled for publication in an early issue—the author discusses a topic which lies in the realm of Christian social ethics and political science. In this area there can be honest differences of opinion not only among jurists and sociologists, but also among theologians. — EDITORIAL COMMITTEE.

the State as the ultimate source of law, but as its guarantor. "Banish justice," says Augustine, "and what are kingdoms but great robber bands?"<sup>23</sup> And Peter said to those who would have him set aside God's will: "We ought to obey God rather than men" (Acts 5:29). When Jesus said to those who tempted Him: "Render therefore unto Caesar the things which are Caesar's and unto God the things that are God's," He does not co-ordinate God and Caesar. Caesar is always subordinate to God. By placing the church flag and the national flag to the right and left of the altar in our churches we are apt to create the impression by this symbolism that the two are co-ordinated and that God and Caesar are on an equal basis in our lives and in our church.

## V

In the fifth place, the power of government is not absolute. The power of government over the individual is relative. It is limited to the individual's relation to his fellow men or to society as a whole. It is the business of government to safeguard the fundamental rights of a free personality. Government exists for the good of man, not for his harm. Government is not a law unto itself, cannot act arbitrarily, is always subject to the fundamental law of human rights in its dealing with individuals or nations. All governments tend to go beyond this.

Power creates a desire for more power. The State always tends to make itself absolute, says Brunner. Because the State possesses unconditional, supreme power over everything within its sphere, the idea easily arises that it also possesses an absolute sovereignty in the ultimate religious sense of the word. The Christian religion meets this claim to absolute sovereignty and the unconditional surrender to government with the words: "We ought to obey God rather than men" (Acts 5:29).

The proposition that the State exists for the benefit of the individual and not vice versa is fundamental for free human existence. Such fine watchwords as "The common weal before self-seeking," derived from the different totalitarian ideologies, are false formulas designed to justify the abuse and the exploitation of the people by single powerful groups. They are pretexts to deprive the individual of his rights and his liberty. If the right of the individual is surrendered, freedom has been abandoned.

John Foster Dulles stresses this point well when he writes:

It is only individuals who have souls to be saved, and God, it seems, is not concerned with nations, races, and classes as such. He is concerned with individual human beings. Christians who believe that, want a political society which, recognizing the value and the sacredness of individual personality, gives the individual the opportunity to develop in accordance with the dictates of his own conscience and reason, and also puts in him a responsibility to exercise freedom with regard for the welfare of fellow men.<sup>24</sup>

And Professor Osignach writes:

Whoever repudiates the true teaching of the origin of man, of his social nature, and of his ultimate end, or goal, deprives himself of all necessary weapons to resist total despotism, which robs him of his true dignity as man and renders him a slave of the state, motivated only by servile fear. But every human being is a proper personality, having a divine origin and a sublime end in virtue of which he becomes a sharer of time and of eternity. Therefore, it is a strictly philosophical axiom that while the state is created for time, the individual is created for eternity; that the state is not an end in itself but only the means to an end. Hence, the state is not a master, but a servant bound to treat the individual as a free and responsible person, as a creature endowed with immortality. Only thus can the individual vindicate his personal dignity and the proper place which belongs to him in the natural order and in his social relations. . . . In relation to his ultimate goal, man takes up an entirely special position. In this regard it is no longer the individual that must serve the state, but the state is bound to serve the individual because the state is made for time only, while the individual is created for eternity.<sup>25</sup>

In America we say that government must guarantee life, liberty, and the pursuit of happiness, these being the inalienable rights of every human being. "The primary purpose of the state," says Reu, "is to safeguard the inherent, inalienable, God-given rights of its citizens and arrange for their orderly enjoyment of those rights."<sup>26</sup>

As an individual human personality every citizen has the right to exist, to be free, and to hold property. As a member of a family he has those rights which are divinely established in the relation of husband and wife and parents and children. As a religious being he has the right to his own convictions and beliefs and to the prac-

tices of those beliefs both individually and collectively with others of the same conviction. These rights the State does not create, for they already existed independently of the State; but it must give them official recognition, guarantee them, and make possible their orderly enjoyment and exercise.

Link says:

Even the doctrine of immortality, frowned upon by science, becomes in Christianity a dramatic expression of the supreme value of personality. The soul, not the political or economic system, lives on. The individual, not the state, has ultimate value. Therefore, the state exists for the individual, as in democracy; and not the individual for the state, as in fascism or communism. Indeed, the rise of Christianity as a power in western civilization rests squarely on the doctrine that citizenship in the immortal kingdom of God is far more important than life in any temporal kingdom. This very concept has made democracy as we know it possible, because Christianity insisted on a minimum of regimentation by any temporal government so that the individual could assume a maximum personal responsibility in a permanent kingdom of spiritual value.<sup>27</sup>

## VI

The government is limited in its function.

Government is the political function of society, or saying it another way, government is society functioning politically. It is the business of the government to make laws for the good of society and to administer and enforce such laws, but these laws must be in general harmony with the Moral Law. It is the function of the government to maintain the moral order among men and thus make human society possible. The Moral Law is the fundamental law of human society. Without it human society is impossible. "For he is the minister of God to thee for good . . . a revenger to execute wrath upon him that doeth evil" (Rom. 13:4).

Peter writes: "Submit yourselves . . . unto governors as unto them that are sent by Him for the punishment of evildoers and for the praise of them that do well" (1 Pet. 2:13-14). And Paul writes: "That we may lead a quiet and peaceable life in all godliness and honesty" (1 Tim. 2:2).

"We are called," writes Brunner, "and who else is called if not Christians, to raise our protest against any form of State absolutism

and omnipotence. Times have changed since the Reformation. At that time the great need was to release the State from bondage to the church; today the need is to deliver life from suppression by the state."<sup>28</sup>

We must distinguish between sovereign function and proprietary functions of government. Minting money, raising armies, making laws, administering the law, conducting foreign policy, fall in the first category; government participation in business, operating coal mines, steel mills, or business enterprises are examples of the second. And in this latter case the courts ought to apply the same rules and principles of law as are applied to private persons and private groups. The principle that workers dare not strike against the government, established during the war, when the government operated coal mines, may lead to absolutism and tyranny.

There is an ominous tendency to expand the sphere and increase the power of government in our day. The industrialization of the social order and the materialism that has permeated every class of Western society since the Industrial Revolution have left one universal concern in the hearts of men, and that one dominant concern is economic security. For the sake of securing a freedom from want the masses today are willing to surrender to the government all the other freedoms. The process begins with social security, grows into the welfare state, and ends up in some form of totalitarian government. Americans might well ponder the observation of Jacques Ellul, who writes:

We do not deny the value of the State. The State is willed by God and has its own part to play in God's plan of salvation. Without it an ordered life in society is impossible. But the State may fall a prey to demons if the power which it represents refuses to recognize the supremacy of God. At the present time we are faced by an extremely dangerous type of State in every country of the world. This must not be regarded as an isolated phenomenon which would easily be overcome. For the present evaluation of the State is due to economic and technical developments, and has taken place with the consent of the larger part of mankind. . . . Even if there is no authoritative doctrine of the State, we are forced to admit that the power of the State is perpetually growing through the development of the administration; that the sphere of action is continuously expanding; that in itself it tends to be-

come the criterion of good and evil (the supreme crime in Europe today is high treason, that is, crime against the state); that it tends to absorb the life of the nation completely and to form a nation in which the State is the dominant factor; that it is becoming increasingly abstract, that is to say, that it obeys its own laws and ignores regencies and persons; that everyone in Europe (and, we would add, in America, too) assumes that the State provides the solution for all problems. This is true even of democrats and liberals. What they want is a different kind of a State, but they do not want to change the nature of the State in its technical form (police, finance), which actually determines everything else. All the European States have not reached the same point of development, but they are all moving in this direction.<sup>29</sup>

And Bishop F. R. Barry of Southwell, England, writing out of his experience in the English Welfare State, utters this warning:

On a purely secular theory of human nature the content of the welfare demanded will be little more than material well-being. It will mean, in effect, the provision of full employment, good wages, food, housing and social services, ample amenities and recreation. These are things which no Christian may despise. Nor can the Christian conscience rest content till this material basis of the good life has been brought within reach of all, and that not only in the advanced nations. But this alone is a slavish ideal; a people content with such an idea of welfare may only too easily lose its soul in asking for it. For if this is all, the function of the State is just to provide the average sensual man with what he wants with a minimum of effort or corresponding service on his own part. It is terribly reminiscent of Bread and *circenses*. Not only does it paralyze initiative by the expectation that "they" will supply everything, it opens the door to political corruption and reckless competition in vote-catching. It undermines the sense of responsibility and degenerates with fatal ease into "an ever-spreading conspiracy to get something for nothing." That was the state of affairs in the Roman Empire at the end, just before the final crash. It had so demoralized the populace that its powers to resistance, both to internal tyranny and to external enemies, had decayed. When the barbarians wanted to come, they came. It has been said that all surrender to tyranny begins with self-corruption . . . the readiness to give up precious political rights in return for a life of undisturbed self-indulgence.<sup>30</sup>

Anyone who has observed the tendency in America will agree that the same is true in this country. Reviewing the social and political conditions as they are in America today, a writer in *Human Events* makes this observation:

The false hope of security based on increased centralization of power, the trumped-up excuses for denying liberties of speech and opinion, the gradual relinquishment of personal responsibilities and duties: these are the dangerous symptoms which Americans must consider today for what they may easily become tomorrow.<sup>31</sup>

The difference between the countries in this respect is no longer a difference in kind, but a difference of degree. They are all moving in the same direction, but are at different stages. And this kind of society, which tends to be constituted by a mere combination of material force and thus demands more significance, is totalitarian, even if no explicit totalitarian doctrine is invoked.

The function of government is purely secular and not spiritual — taking spiritual in the religious sense. The care of souls is removed from the jurisdiction of the State because it is concerned only with the material and not the eternal. Religion is a matter of the individual conscience and conviction, and no secular authority has any right of probing into conscience or doctrine. Religion is a relationship of man to God and totally outside the sphere or jurisdiction of civil government.

This does not mean that government of necessity is unreligious or irreligious, but it means that the functions of the government do not lie in the sphere of the eternal. The government deals with matters concerning life here and now and therefore its business is to protect the citizen's freedom to exercise his religion according to the dictates of his own conscience. We therefore say the government must guarantee freedom of conscience to all; but government does not prescribe religion. The government does not establish religion, nor has it the right to destroy it.

Bishop Barry states the relation of the State to the Church very well when he writes:

The State is justified by its moral end. It exists to provide the conditions for the good life; and there can be no good life for man in the Christian understanding of man's nature, without con-



scious outreach towards God and the satisfaction of man's need for worship. It is therefore part of the duty of the State, not, indeed, to usurp the functions of the church, or to interfere with the spiritual autonomy, but to see to it that the church has full scope for the unimpeded exercise of its mission. The higher the view we take of the earthly state in its responsibility before God, the more clearly we see that its God-given task is to provide the mundane conditions for man's pilgrimage towards eternity. The State exists to safeguard religion, not religion to safeguard the state.<sup>32</sup>

And Luther says:

Worldly government has laws which extend no further than to life and property, and what is external upon earth. For over the souls God can and will let no one rule but Himself. Therefore, where temporal power presumes to prescribe laws for the soul, it encroaches upon God's government and only misleads and destroys the souls. . . . Furthermore, every man is responsible for his own faith, and he must see to it for himself that he believes rightly. As little as another can go to hell or heaven for me, so little can he believe or disbelieve for me; and as little as he can open or shut heaven or hell for me, so little can he drive me from faith or unbelief. Since this belief or unbelief is a matter of every-one's conscience, and since this is no lessening of the secular power, the latter should be content and attend to its own affairs and permit men to believe one thing or another as they are able and willing, and constrain no one by force. For faith is a free work to which no one can be forced. Nay, it is a divine work done in the Spirit, certainly not a matter which outward authority should compel or create. Hence arises the well-known saying found also in Augustine, "No one can or ought be constrained to believe."<sup>33</sup>

Wengert states:

Religious liberty . . . is a legal right to worship God or not to worship God under the political organization of society; within the form of a political system the individual's conscience is the sole sanction for his conduct. No governmental power and no ecclesiastical censorship can infringe this liberty under any pretense of authority without thereby immediately denying its sanctity. Not even divine authority has delegated to any social group or to any political organization the legal right to impose restraint upon the freedom of conscience, but has reserved solely unto itself the exclusive jurisdiction of passing judgment.<sup>34</sup>

This separation of Church and State has been one of *the great blessings* we have enjoyed here in America until now. But this blessing was conferred over the objection of the Church. John Locke, an Englishman, is the real father of religious liberty in America, through the efforts of his ardent disciple Thomas Jefferson. Protestants usually point with pride to Roger Williams as the real founder of religious liberty in America, but his action had little bearing on the Constitution of the United States. Besides, the churchmen themselves had repudiated the doctrine of Williams in the bitter controversy with Jefferson, and the latter was reluctant to accept any source whose origin stemmed from religion. Whatever Jefferson's religious convictions may have been, the fact is that in his advocacy of religious liberty he was motivated completely by the rationalistic philosophy of the Age of Reason and Enlightenment. He had not intended to confer a benefit upon organized religion, as it eventually proved to be. He was determined that political freedom and the economic welfare of the nation must reject the intolerable contention that the State owes the Church any financial support and moral co-operation in the proclamation of its doctrines. Each is an independent entity and has its own specific objectives, which cannot be harmonized without imposing coercion upon the individual conscience and denying both political liberty and religious liberty in the relationship.<sup>35</sup>

The question might well be raised, however, whether the government has the duty or the right to tolerate open propaganda for atheism or tolerate the organization of atheistic societies. In America our practice has been that both atheism and Christianity are equally protected. But atheism is fundamentally immoral and therefore fundamentally subversive of the security of society.

The opinion of the Supreme Court of the State of Illinois in the case of *Mrs. Vashti McCullom vs. the School Board of Champaign, Ill.*, is apropos of this point. In this opinion the learned judges of this court said: "Our government very wisely refused to recognize a specific religion, but this cannot mean that the government does not recognize or subscribe to religious ideals. To deny the existence of religious motivation is to deny the inspiration and authority of the Constitution."

## VII

Government is limited geographically in its jurisdiction and power. It is limited in its authority to the nation which has created it and over which it has power.

A nation might be defined as a group of people occupying a common tract of country with definite geographical boundaries and bound together in a common state by common history, common sentiment and traditions, common social organization, and usually, though not always, by a common language.

The Oxford Conference adopted the following statement concerning government:

We recognize the existing states as historically given realities, each of which in the political sphere is the highest authority, but which as it stands itself under the authority and judgment of God, is bound by His will and has the God-given aim of upholding law and order, and of ministering to the life of the people united within it. . . . Since we believe in the holy God as source of justice, we do not consider the state as the ultimate source of law, but rather as its guarantor. It is not the lord, but the servant of justice. There can be for the Christian no ultimate authority but very God.<sup>36</sup>

We subscribe wholeheartedly to this pronouncement of the Oxford Conference. A sovereign State is a complete society and is independent of any other. Sovereignty does not depend upon size or the wealth and power of a State. The sovereignty of Switzerland is as real and as complete as the sovereignty of the United States. Strong States have no right to constitute themselves the masters over other States or to appoint themselves world policemen over their fellow States. They have no jurisdiction beyond the confines of their own borders. The right to punish those that do evil is confined to the geographical territory over which a government has legal jurisdiction. The U. S. Government has no human or divine authority to punish evildoers in Canada, Mexico, Germany, Japan, or in any other place that is outside U. S. territory. God has not appointed one nation as supergovernment over any other nation of the world. In the light of this fundamental principle a number of recent events raise serious problems not only in the field of political science, but also in the area of Christian ethics. The Christian as

an American citizen will, for example, endeavor to determine the righteousness or unrighteousness of the Nuernberg and Tokyo trials. We hold that victory in war does not yet constitute a rightful government and that these courts did not have the legal right and therefore the jurisdiction over the war criminals. Might does not make right.<sup>37</sup>

We hold furthermore that it was a violation of this basic principle when the U. S. tried to interfere with the government of Argentina in the election of 1946. The people of Argentina rightfully resented this interference and elected by an overwhelming majority the candidate opposed by the U. S. Government.

Likewise it is a flagrant violation of this principle when the U. S. and other allied powers are interfering in the affairs of Spain. If Spain wants Franco and the Catholic Church, that is solely the business of Spain and not ours.

It is a flagrant violation of justice on the part of powerful nations to seize land from weaker nations for commercial or economic exploitation. The desire for world markets is the motive of colonization. China, Japan, Eastern Asia, India, and Africa are such glaring examples of the weaker nations and peoples being exploited by the stronger. There should be an honest and fair economic co-operation between nations instead of seizure of lands and products of the less civilized and weaker nations. "The imposition of civilization upon a people in the interest of commerce is not liberty, but enslavement, and a contradiction of the real spirit of civilization."<sup>38</sup>

Even the attempts to advance a backward nation by another nation are a violation of sovereignty and justice if the backward nation does not freely consent.

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#### REFERENCES

<sup>23</sup> *De Civitate Dei*, IV, 4. "Remota itaque iustitia, quid sunt regna nisi magna latrocinia."

<sup>24</sup> John Foster Dulles, *Man's Disorder and God's Design*, The Amsterdam Assembly Series (New York: Harper & Bros.), Book IV, 80.

<sup>25</sup> Augustine J. Osignach, *The Christian State* (Milwaukee, Wis.: Bruce Publishing Co.), p. 183.

<sup>26</sup> Reu-Buehring, *Christian Ethics*, p. 323.

<sup>27</sup> Link, *Rediscovery of Man*, p. 326.

<sup>28</sup> Brunner, *Justice and the Social Order* (New York: Harper & Bros.), page 462.

<sup>29</sup> Jacques Ellul, *Man's Disorder and God's Design*, The Amsterdam Assembly Series (New York: Harper & Bros.), III, 53.

<sup>30</sup> F. R. Barry, *Recovery of Man*, p. 91.

<sup>31</sup> *Human Events*, John Montgomery, Chairman of the Department of Government of Babson Institute of Business Administration, Nov. 30, 1949.

<sup>32</sup> Barry, *op. cit.*, p. 93.

<sup>33</sup> Martin Luther, *Holman ed.*, VII, pp. 251, 253—254.

<sup>34</sup> Eugene Wengert, "The Interrelation of Church and State," *Quartalschrift*, January, 1949, p. 28.

<sup>35</sup> Wengert, *op. cit.*, p. 39.

<sup>36</sup> *Official Reports of the Oxford Conference*, pp. 66—67.

<sup>37</sup> Read Montgomery Belgian, *Victor's Justice* (Chicago, Ill.: Henry Regnery Co.). (There are, however, many jurists and many Christians who believe that after the German surrender the Army of Occupation constituted a government *de facto*. — EDITORIAL COMMITTEE.)

<sup>38</sup> Haas, *Freedom and Christian Conduct*, p. 308.



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