

# ANTITHESIS

A Review of Reformed/Presbyterian Thought and Practice

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I was in the process of covering up my crime when suddenly God saw me. I felt His gaze inside my head and on my hands. I whirled about in the bathroom, horribly visible, a live target...

...He doesn't exist, I said with polite surprise; never have I had the temptation to bring Him back to life. But the Other One remained, the Holy Ghost, the one who guaranteed my mandate...

...I collared the Holy Ghost in the cellar and threw him out; atheism is a cruel affair... I've given up the office but not the frock: I still write. What else can I do?

*Jean Paul Sartre*

For the wrath of God is revealed from heaven against all ungodliness and unrighteousness of men, who suppress the truth in unrighteousness, because that which is known about God is evident within them; for God made it evident to them...they are without excuse. For even though they knew God, they did not honor Him as God.

*Romans 1:18, 19, 21*

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ANTITHESIS

# ANTITHESIS

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### ANTITHESIS

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# Observing the Current ...

## Hailing Mandela

Through the years, the unbelieving mind has been capable of many amazing feats, perhaps foremost of which is the agility with which it warmly embraces glaring contradictions and rhetorically lashes out against those who dare challenge such contradictions.

Dare to challenge the unbeliever's contradictions regarding one of his many little "darlings" like homosexuality, pornography, or abortion, and you will quickly meet one of his secret weapons: argument by epithet. You know it well — appealing to labels in lieu of rational arguments in an attempt to entrap an opponent between lifesize parentheses. Dare to disagree with a homosexual, for instance, and you're a "homophobe." Dare to disagree with a pornographer and you're a "bookburner." Dare to disagree with an abortionist and you're a "sexist." That's it. Period. End of argument.

Recent national and international events are case in point. The modern unbeliever, for example, hails Nelson Mandela, a self-avowed militant

who was instrumental in forming the Umkhonto we Sizwe, the military wing of the African National Congress which, at Mandela's command, was responsible for countless deaths and acts of sabotage. Yet, while the unbeliever generally hails Mandela and the African National Congress, he generally condemns non-militant pro-life leader, Randall Terry, and Operation Rescue.

One need not be an apologist for Operation Rescue to realize that the unbeliever can't have it both ways. If violating trespass laws to defy an unjust law is morally offensive, then all the more is conspiring to overthrow a government by inspiring murder and other extreme acts of violence.

So why does the unbeliever condemn Terry but praise Mandela? The enlightened unbeliever (oxymoron?) admirably advocates bringing apartheid to an end. As a result, he is willing, along with Mandela, to endorse any means — even murder — in order to bring about that end. Thus, driven by his ends-oriented focus, the unbeliever

lauds Mandela as an "example" while he lashes out at Terry as an "extremist."

When you peer behind the unbeliever's question-begging epithets, however, you can see that his worldview doesn't provide him with the moral absolutes he needs in order to condemn apartheid. But instead of admitting the inadequacy and inconsistency of his own worldview, he picks and chooses the Christian moral absolutes he needs to condemn apartheid, while he arbitrarily rejects the Christian moral absolutes which condemn abortion.

The unbeliever basically takes a smorgasbord approach to ethics. And along with his smorgasbord approach to ethics comes the veiled threat that you better not challenge his relentless contradictions and his many little darlings. But why does the unbeliever want you to bow to his contradictory system? Why does he want you to put apartheid on your tray but leave abortion on the counter?

You wouldn't want to be called a "racist" would you? **DGH**

## Earth Day Nausea

No one favors oil spills, air pollution, starvation, deforestation, cancer causing waste, animal extinctions, or toxic drinking water. But to have to state that fact is already evidence of the gripping power of popular environmentalist rhetoric.

April 22, 1990 is "Earth Day." This date marks the twentieth anniversary of the original Earth Day of 1970 to which over 20 million people rallied. The original demonstration "was designed to make environmentalism a mass movement, and it worked brilliantly," according to Sierra Club lawyer Daniel Becker (*Rolling Stone*, Feb. 1990). Organizers of Earth Day 1990 aim to make an international media event which will "baptize a new generation to work at making the 1990's a decade of environmental action" (*ibid.*).

Environmental leaders have strategically set the terms of the current debate so that they characterize their opponents as those who support the destruction of the planet. Once the environmentalist establishes that false premise, the argument is easily won. But this is not a trivial debate.

The serious disagreements between environmentalists and their opponents do not center on ends but on means. Everyone wants a clean, safe, beautiful environment, but not necessarily by the means pushed by environmentalists. However, the fever pitch of popular environmentalism is not one constrained by cogent argumentation.

As Robert Formaini notes, "The hysteria is designed to put regulation in place regardless of whether it will work on the ground that 'at least, we are trying to do something.' Also, it is designed to foster guilt in people so they will not resist further encroachments on their liberty, since encroaching is done 'for the good of all.'" (*Liberty*, Sept. 1989).

In U.S. history, civil leaders have repeatedly used "crises" of all varieties to expand their power. We see this most prominently in U.S. war history, but also in the more innocent crises. If the 1990's to be an onslaught of environmental crises, then we should expect mere suffocating collectivism.

Many university students flock to this movement largely out of the fear that they missed something truly im-

portant in the now romanticized 1960's. At least that is what their instructors keep telling them. From a more Biblical perspective, however, a non-Christian culture must vent its passion and guilt in some manner, and environmentalism fits the bill conveniently.

The goal of the environmentalist movement is not simply to stop oil spills and air pollution. The explicit goal of many environmentalist leaders is to create a broad collectivist movement. Denis Hayes, an organizer of both Earth Days, claims that the movement will begin to push non-environmental issues of "social justice": "We've got to start embracing some of those other issues, to build a coalition, broaden the agenda, and once again become *the movement*."

As for April, I am preparing to be nauseated by media who can find self-interested motives in almost everyone except wide-eyed middle-class environmentalists who will staff the very regulatory agencies they call for. The 1990's will be a tremendous battleground. **DMJ**

## Pitying the Poor Abortionist

Pity the poor abortionist. He's got a problem of Rodney Dangerfield proportions: he can't get no respect.

Of course he encounters the outrage and cries of "Murderer!" from the gauntlet of picketers each day on the way into the clinic. But the harried abortionist can always seek solace in the company of his fellow doctors, right?

Wrong. According to a recent New York Times article by Gina Kolata, his peers don't think he's such a swell guy either. Apparently abortionists find themselves largely isolated from their colleagues and treated as pariahs by the medical community. This ostracism is acting as a powerful disincentive for doctors to become abortionists or continue as such.

According to Dr. Michael Policar, medical director of Planned Parenthood in San Francisco, the fact that so few physicians are now willing to perform abortions leaves "the impression that abortion is a dirty business and that it is somehow not an appropriate or legitimate medical procedure." Lest he think this impression unfounded, Dr. Policar might peruse an unexpurgated

copy of the Hippocratic Oath: "...I will not give to a woman an instrument to produce abortion."

But there was another angle to Kolata's report, at once more subtle and more profound, that was revealed in stories told by two abortionists, which demonstrate the ability of the human heart to suppress the truth in unrighteousness (Rom. 1:18) and the consequent inability of the heart to find peace and live consistently while suppressing that truth.

The first abortionist told of calling one of his best friends, a fellow abortionist, late one day. When the friend asked where he was calling from, he told him the clinic. "Still killing babies this late in the afternoon?" the friend quipped.

"It was like a knife in my gut," the abortionist told Kolata. "It really upset me. What it conveys is that no matter how supportive people may be, there is still a horror at what I do."

The second physician, who performed abortions out of strong conviction, told a story equally revealing. While admitting she had to prepare

herself each time and often had sleepless nights prior to performing abortions, she claimed she only lost control once. After trying herself for seven years to become pregnant, only to have recently suffered a miscarriage, she found herself performing an abortion on another doctor. After the abortion, she said, "I just collapsed on the floor," overcome by her emotions.

In *Hamlet*, Shakespeare wrote, "Murder, though it have no tongue, will speak with most miraculous organ." So often we have approached the abortionist with the belief that, if we could just reason with him, we could convince him to stop his heinous work. But the abortionist's problem isn't syllogisms, it's sin. And perhaps the only indication the abortionist has that there's something wrong with his rationalizations, that makes a lie of his linguistic revisions, is the fact he is viscerally unable to live his life as if they really were true.

Knowing the high value we place upon reasoned debate it sounds strange to say this. But maybe we need to try a new tact with the abortionist: Get in touch with your feelings, doc. **JGMcC**

## Washington Post Points Out the Real Danger Facing Teens

In recent years we've heard much about what dangerous places our nation's public high schools are for today's kids. Drugs, gang violence, and lethal weapons stashed in lockers are often the daily perils students must accept as the price of obtaining a public school education.

The problem has reached such proportions that administrators at many schools are resorting to frisking students as they arrive at school, banning gang clothing and insignia, and conducting random locker searches as ways to control these dangers. Predictably, these actions land school officials in hot water with civil libertarians of the press bent on protecting the constitutional rights of students.

A new danger to public school students has now appeared on the horizon. And like the perils mentioned above, controlling the spread of this activity on high school campuses likewise impinges upon the constitutional rights of students. However, the magnitude of this danger looks so ominous that even that great defender of civil liberties, the *Washington Post*, has recognized the need to sacrifice constitutional rights in order to protect the lives of children.

In a recent editorial, analyzing

the issues involved, the *Post* concluded that "...the fact that these activities are undertaken in public schools, where general attendance is required by law, and the fact that the citizens involved could be as young as 7th-graders..." persuasively argues for curbing the constitutionally protected liberties of students.

And what, you ask, is this latest threat to the lives of our nation's young? Campus Bible clubs. And what rankles the *Post* is that children are being needlessly exposed to this danger all because of Congress's folly in passing the Equal Access Act of 1984, which, as the *Post* explains, "prohibits secondary schools that allow students to have clubs that are not related to the curriculum from singling out and discriminating against clubs meeting for religious purposes."

Congress carefully crafted the Equal Access Act with the Supreme Court's current absurd interpretive twist on the Establishment Clause. And the *Post* itself concedes "how intricately [the Act] attempts to balance the requirements of free speech and the exercise of religious freedom with those of separation of church and state." But the *Post* still thinks the law a bad idea.

So what's the *Post*'s beef? "Public

schools should not be an arena in which students are helped to divide into religious groups for purposes of religious practice" moralizes the *Post*. "Prayer meetings, worship services and religious instruction belong in churches and homes, not in public facilities."

The *Post*'s moral dictum is breathtaking in its audacity; one only wonders whether to lament more over the degree of stupidity or the manifest hypocrisy necessary for the *Post* to maintain such a position. This is the same *Washington Post* that castigates parents for wanting sex education taught "in churches and homes, not in public facilities." The same paper that mocks parents who don't view reading *The Catcher in the Rye* as an indispensable right of passage for teens. The same paper that only last year was ready to don sackcloth and ashes when the Supreme Court ruled that school administrators could exercise editorial oversight on a high school newspaper.

If it could be demonstrated that Bible study greatly reduced the likelihood of teen pregnancy, would the *Post* object to campus Bible clubs or school-based clinics handing out free Bibles?

**JGMcC**

## Out of The Mouth of Two or Three Talebearers

Everyone knows that the Buckeys are nothing more than guilty child-abusers, right?

Of course, everyone traïailed through the eighteen-month preliminary hearing during which charges against five of the seven original defendants were dismissed for lack of evidence. Everyone sat in court for two and a half years carefully evaluating the testimony and credibility of all one-hundred and twenty-four witnesses. Everyone carefully weighed and evaluated the more than one thousand pieces of evidence introduced at trial. And everyone spent nine weeks with the jury carefully deliberating each of the fifty-two criminal counts against the accused.

No. The American press and public have improved upon the Biblical concept the accused is innocent until proven guilty. Led on a leash by the American press, the American public chose to take the easy

road, the road of prejudice. Everyone knows the Buckeys are guilty because everyone pre-judged the Buckeys before all the evidence was in — indeed, before any evidence was in. And why not? They were easy targets. After all, they just looked guilty!

The aftermath of the McMartin case proves an important truth which has very little to do with the Buckeys, and has everything to do with us. Instead of reacting emotionally and irrationally to issues of concern like the McMartin trial, we need to cultivate and nurture a sound Biblical approach to such issues. And the Bible has a lot to say about the way the American press and public reacted to the McMartin trial.

Believe it or not, the Bible itself teaches that the accused is innocent until proven guilty. This presumption of innocence is not an artifice of liberal twentieth century jurisprudence. It is biblical. According to biblical justice, if only one witness could testify to the guilt of the accused, the accused walked free. Biblical justice, then, contemplates the chance that a truly guilty criminal might go unpunished. Why? Better that one or more truly guilty men go unpunished than that one innocent man be punished for a crime he didn't commit. To safeguard against punishing the innocent, the Bible instructs us

that the accused is innocent until proven guilty.

In order to prove that the accused is guilty, the Bible imposes a heavy burden upon prosecutors: the evidence against the accused must be confirmed by the mouth of two or three witnesses. And for good reason: you don't send someone up the river because he *might* have committed the alleged crime. Rather, the evidence the prosecution presents must be so com-

**"Face it: acquittal on all fifty-two counts is no fluke of justice. No legal loophole."**

PELLING that there is *no reasonable doubt* that the accused committed the alleged crime. And to be compelling, the testimony must only come from multiple witnesses, it must also be confirmed, by the credible and consistent testimony of another source.

But even if the evidence confirms the fact that a crime was committed, the Bible also teaches that the evidence must link the accused to the crime. It is one thing to prove that children have been molested. It is quite another to prove that the accused is the one who molested them. The accused must never be punished when the evidence does not prove that *he* is the one who committed the alleged crime, no matter how vehement the public outcry. After all, to punish the accused to salve the public is not biblical. It is utilitarian.

To prevent innocent criminal defendants from being punished for crimes they didn't commit, biblical justice also demands that false witnesses are to be prosecuted for perjury, and if found guilty, are to be punished with the same punishment they sought to impose upon the accused. According to the Bible, perjury is not a minor annoyance. It is both a heinous sin and crime.

Aside from teaching us about due process, the Bible also teaches us

that if we are to learn to think God's thoughts after Him, we need to stop jumping to conclusions and pandering to mass hysteria. How did this case arise in the first place? The first charge was planted in the mind of a two-year-old child by an alcoholic mother (now dead) who had a history of mental "illness." This same mother, apparently to bolster the credibility of her accusations, also claimed that an AWOL Marine had sodomized her dog. Thereaf-

ter, the Manhattan Beach Police Department sent a question-begging letter to over two-hundred families asking children if they ever saw Raymond Buckey leave class alone with a child or tie a child up. A few months later, over twelve hundred alleged victims answered the call, claiming to have been victimized by Raymond Buckey, his mother, grandmother, sister and three female teachers.

It's time to realize that rage and hysteria are not substitutes for evidence. We cannot spit in the face of due process without incurring tremendous costs to our own freedom in the long run.

The sad truth in this whole episode is that the Buckeys do not stand alone. In the wake of the pandemonium surrounding the McMartin case, hundreds of innocent teachers and day care workers have fallen prey to false accusations occasioned by overactive imaginations and bureaucrats out to solve another "crisis."

Indeed, it's time for the real criminals in the McMartin case to stand trial: the American press and public. Both are guilty of prejudice in the first degree. Face it: acquittal on all fifty-two counts is no fluke of justice. No legal loophole. No procedural technicality. And it certainly takes more than a city-slick defense attorney.

Far from being a failure of justice, the McMartin case is a vindication of justice, for it teaches us that criminal defendants can still receive a fair trial *inside* the courtroom even when those with their microphones, cameras, and television sets *outside* the courtroom have already pronounced their verdicts.

Maybe it's time we all learned the difference between a witness and a talebearer.

**DGH**

# Humanist Hypocrisies

Why do people tolerate and forgive the hypocrisies of non-Christians but not those of Christians? Why don't we publicly condemn an avowed humanist who acts religiously as we do a religious person who acts "irreligiously"?

Case in point: Paul Kurtz, prominent atheist and editor of *Free Inquiry* has called on humanists to express their humanism in very religious ways. Of course he makes great efforts to deny that what he advocates is religious, but then hypocritical religionists make similar rationalizations.

In recent promotional literature for his magazine, Kurtz emphatically states that "Secular humanism needs no clergy, no house of worship....It's not a religion but a way of living."

Such defensiveness aside, Kurtz explains in the most recent issue of *Free Inquiry*, how humanists must adopt, if they are to be successful, a host of ostensibly religious qualities and establish secular humanist "centers" [read "churches"]:

**Fellowship:** Humanists should provide "counseling services for all age groups," be "concerned with alleviating...suffering," and offer groups which provide "fraternal bonds of solidarity...a setting for shared experiences between like-minded friends."

But remember humanists are

not religious.

**Rituals:** Humanists should not miss out on rites of passage — humanist centers should "make note of these joyous moments by some kind of ceremony: a wine and cheese party, a birthday cake, the giving of presents, singing, and poetry." At sorrowful times, "Commemorative ceremonies may soothe the aching heart and provide some solace in truly naturalistic terms."

But remember humanists are not religious.

**Clergy:** These centers need leaders who "can help crystallize beliefs and values and provide some direction...Morally decent persons with integrity."

But remember humanists are not religious.

**Moral Values:** "[H]uman rights must be respected by everyone;" "common moral decencies'...are part of our heritage of humankind; they have their roots in our nature;" "all human beings should be considered equal in dignity and value."

But remember humanists are not religious.

**Evangelism & Salvation:** "We need to develop thoroughly humanistic centers of learning, focusing on educating the full person, liberating him or her from ancient dogmas and fears."

But remember humanists are

not religious.

**Faith:** Humanists express their religious faith in terms of commitments—"committed to the good life here and now;" "presupposing that the examined life is worth living;" "commitment to separation of church and state...and civil liberties;" "committed to a naturalistic worldview." Such centers would "reject religious interpretations of reality." But of course humanists are not in any sense close-minded.

**Absolute Authority:** Every worldview has its absolute authority. Kurtz bows before the god Reason. The god Reason enables one to appraise all "truth claims in religion, morality, and politics." Since, Christians oppose such distortions of reason, they can justly challenge the humanist's Authority: What is the basis for trusting your Authority? How did your Authority originate? What kind of thing is your Authority? How do you know that what your Authority teaches is accurate? Why should I trust something I cannot see? And so on.

Hypocrisy reigns in the humanistic arena. Such half-hearted humanists should resign from their ministries and be publicly humiliated on *Nightline*. Nevertheless, their sheep will continue to follow them wherever they lead. But whatever you do, please remember humanists are not religious. **DMJ**

## Reformulating Foreign Policy Arguments

During the Reagan era, Jeanne Kirkpatrick and other foreign policy analysts popularized an argument which attempted to justify U.S. support for authoritarian regimes but not totalitarian regimes. The now familiar argument maintained that the U.S. ought to aid the former often brutal criminal regimes but not the latter often brutal criminal regimes since authoritarian governments had an historical tendency to develop into democracies. Kirkpatrick and others grabbed the high ground by challenging their opponents to offer a single instance of such a democratic transformation in a totalitarian regime.

The actual debate focused on U.S. support of Central American states, especially El Salvador and Nicaragua. In this context, these analysts argued that the U.S. was justified in support-

ing authoritarian El Salvador but not totalitarian Nicaragua, since Nicaragua was not the sort of government which would one day turn into a democratic country.

This argument has now failed. And we should be glad at this failure. The failure of this influential argument is evident not only in Nicaragua but even more so in Eastern Europe. The speed with which such arguments become obsolete is one fascinating aspect of our current political landscape.

However, millions of dollars were administered to foreign nations on the basis of such arguments. Now as we have a historical moment of intellectual reorganization regarding foreign policy, we have the opportunity to voice arguments which challenge the entire practice of U.S. support for foreign

nations. One simple question we should press at this time is: why should we offer foreign aid at all? Why should authoritarian or totalitarian regimes have access to U.S. funds?

The Constitution does not provide any sort of justification for using tax money in this manner. Moreover, such funds tend to politicize the societies we choose to subsidize, thus discouraging private, non-political production. We do great damage by "aiding" such countries in this manner. We not only redistribute our own citizens' funds against their wishes, but we suggest to the recipients that wealth is given not created. Such a precedent is the death knell of a culture.

Sadly, the current administration shows no sign of moving in this direction. The damage awaiting these countries is predictable. **DMJ**

# Second Opinions

Dear Editors,

We're so excited about *Antithesis*! Thank you for the *great* honor of the dedication. One feels that perhaps one ought to die before meeting someone, lest they discover how undue the praise was. But thank you.

We are so pleased. May the Sovereign Almighty God bless and bless your labors.

Steve & Jeanne Schlissel  
Brooklyn, New York

Dear Editors,

My day was made when I received your first copy of *Antithesis* in the mail. With the decline of *Christianity Today* and the demise of *Eternity* you are filling a real void. My prayers for your success.

Bill Crouse  
Richardson, Texas

Dear Editors,

Congratulations on the inaugural edition of *Antithesis*! It is something many of us have been desiring for a long time.

Steve Wilkins  
Monroe, Louisiana

Dear Editors,

BRAVO! I'm not even past the first few pages of the Jan/Feb 1990 *Antithesis* and already am thinking that "Christianity come into its own" finally has a voice in my generation. Thank you for plunging into this arduous task.

John Owen Butler  
Lawton, Oklahoma

Dear Editors,

I am so glad that you all have done this because there is a serious dearth of Christian intellectuals out there

who can adequately defend the gospel from more than just an emotional or unreasonable viewpoint.

I have been so deathly tired of Christian-bashing that has gone on by liberals who think they have read a few books and all of a sudden they're expert exegetes in revealing the oh-so-many fallacies of the Bible. But most Christians can't show how pathetic their arguments are! So, I thank you for using the minds God gave all of you and getting out a publication that can show some of these liberals (or interested Christians) the untenability of most of their viewpoints.

Neil Uchatel  
Los Angeles, California

Dear Editors,

I'm encouraged to see the production of a Reformed periodical devoted to consideration of serious issues and applying the Reformed faith to current national and international situations.

Anthony Dallison  
Jacksonville, Florida

Dear Editors,

I want to commend all of those involved in the production of the first issue of *Antithesis*. It is destined to be one of the finest Evangelical journals. Of all the journal subscriptions I have (which number more than five) *Antithesis* will be read before any other.

The article by Greg Bahnsen ("At War With the Word" Jan/Feb 1990) was excellent. His understanding of Dr. Van Til was right on. Van Til's book *Toward a Reformed Apologetics* should be read by every seminary student in America. Anything other than a presuppositional approach to apologetics surrenders the Word of God to man's authority, and as Bahnsen pointed out — man sits in judgment of God.

Kraig Blair  
Louisville, Kentucky

Dear Editors,

*Antithesis* is a delight.

Michael Bray  
Bowie, Maryland

Dear Editors,

Thank you very much for my complimentary copy of the first issue of *Antithesis*. I found the articles in this first issue very stimulating.

May God richly bless you as you seek to uphold the Lord Christ and stimulate your readers toward a more Christ-like way of thinking and living.

David Goodrum  
Marietta, Georgia

Dear Editors,

My congratulations to you and your cohorts on your excellent new magazine, *Antithesis*. Praise God. Thanks for doing this journal.

Jay Grimstead  
Mountain View, California

Dear Editors,

Ebenezer! That's what I thought after reading through your first issue. Proficient in subject matter and application of Biblical thought to the issues of our day. And to such a degree that one is *guided* to self-examination and enabled to engage fellow believers in similar discussions. We must bring every thought captive to Christ that King, and this you exemplify in your *Antithesis*.

Janis Jacobsen  
Eugene, Oregon

Dear Editors,

Roger Wagner's "Vietnam: Biblical Reflections on National Messianism" (Jan/Feb 1990) in your first issue was insightful, especially his section on



## Second Opinions

Hollywood's ideological blindness in its depiction of the war. One scene in "Platoon" serves graphically to reveal the double standard under which Hollywood operates.

During a takeover of a village, two soldiers, portrayed as street-wise nihilistic punks, attempt to openly rape a Vietnamese girl. Before they can complete their heinous travesty, the intellectual, leftist "hero" steps in to prevent these lascivious, high school drop-outs from violating this innocent. One of the inarticulate fornicators, in the heat of this rather crude and impassioned moment, asks the somewhat rhetorical question of our soldier-hero, "What are you, a homosexual or somethin'?" Keep in mind that this is circa 1965. Where is Hollywood's realism now?

James Plummer  
Trenton, New Jersey

Dear Editors,

Working for the government in environmental protection [New Jersey Department of Environmental Protection], I appreciated the insight in the article in the first issue of *Antithesis* entitled, "Media Hype and Environmental Myths." It discussed how pro-development subsidies by the Brazilian government encourage destruction of the Amazon rain forests. On the other hand, if the free market was allowed to set the direction, the forests would continue to be cultivated for rubber, timber, etc.

Now I think that the writer is on to something, and allow me to be so brave as to try to hit the nail on the head and not my thumb. The problem with environmental programs is law. Those groups with a special interest to promote their own agenda have made laws which disregard traditional Biblical law in favor of those based on utility, because of the "emergency," of course. Three major problem areas are discussed below.

The first is unlimited product liability. Prosperous companies are forced by law to pay for the messes made with their products by, irresponsible disposal firms, simply because they have to make money. For example, Company X gives its chemicals to a disposal firm to properly dispose of them. This firm assures Company X that safe and scien-

tific disposal practices will be followed. However, to save money, the disposal firm takes waste and bribes the guard at the nearby landfill to let him dispose of it there. Now the government digs in the landfill and finds drums of waste with Company X written on them. The disposal firm and guard have no money, so the law makes the owner of the landfill and Company X pay for damages.

The second problem is called "joint and several liability." Companies which have caused only a small part of the contamination at a waste site are held legally responsible for the entire clean up, if no other parties can be found.

The third problem is that industry can be considered guilty until proven innocent. Industry is required to spend billions to control damages it has supposedly caused, of which no evidence exists except a hypothetical computer model. Consider the debate on global warming, or ozone depletion. Nancy Rader, an energy policy analyst for the Public Citizen, a Ralph Nader inspired organization, says that she hopes 1990 will have a scorching summer to convince people of global warming. She concludes: "It might not happen, but the consequences would be so great if it did that we cannot afford not to act" (*Philadelphia Inquirer*, 2/25/90, p. 3D).

Millions are spent on the clean up of infinitesimal amounts of chemical which pose much less risk than a dangerous roadway or for that matter, the natural chemical found in the food we eat. The law has set clean up levels unreasonably low because of the environmentalist philosophy that no exposure to suspected or known carcinogenic chemical is acceptable. Every year more chemical are added to that list because of the tests on animals using extremely high doses.

With regard to development in the Amazon, the issue which worries everyone is the claim that these forests replenish the earth's oxygen. A recent study reported in *Civil Engineering Magazine* (12/89, pp.54-57), stated that the amount of organic decomposition on the floor of the rain forests uses up all of the oxygen that the trees produce. There is no net oxygen from a rain forest. Development in the Amazon is inevitable, as man exercises his cultural mandate. However, sensible planning with parks, dams, reservations, and residential ar-

reas is fought tooth and nail by environmentalists.

Contrariwise, Biblical law never punishes the innocent for the sins of the guilty. The punishment is to be equal to the crime; an eye for an eye and a tooth for a tooth. Evidence of guilt is also needed from two or three sources. Now I am not opposed to environmental protection, but why have we overstepped the law to do so? If environmental laws were just, then the pocketbook of the big companies would be off-limits to the radical environmentalist. This would force lawmakers to make more realistic laws which use our limited funds much more wisely. It would also bring a new boost of health to our debt-ridden economy.

I realize, however, that in order to have Biblical law, the underlying pre-suppositions of our society would have to change. With regard to the environment, the Bible reveals that the creation groans under the curse of God brought on by man's sin (Gen. 8:21, 3:17-19, Rom. 8:19-22). By God's grace, technology has helped us to survive with a degree of comfort in a hostile environment.

After the bomb was perfected, Einstein and the other environmentalists of his day called for a one world government to save us from self-destruction (see NOVA television documentary on Einstein). Now I hear the same thing from the chemical environmentalists. The radical environmentalist prescription for a better world is a state run by an elite group of scientists which would force a return to some utopian, pristine, pre-industrial time. Notwithstanding, the idea that autonomous man can destroy the world ignores the sovereign Christ, this philosophy is blatantly anti-technology. Such solutions solve nothing. Technology has created some real environmental problems and, given time, improvements to technology will solve them.

Michael Burlingame  
Langhorne, Pennsylvania



# Cross-Ex

Dear Editors,

I do not doubt that there is much to concern the Christian jurist in the modern judicial administrations of U.S. private law. Nevertheless, I seriously doubt that John McClendon's Tarzanesque refrain of "contract, good; tort, bad" in his review of Peter Huber's books provides the key to the Christian alternative.

The interesting choice isn't between the market system and "utopian pretensions": we all reject the secular eschatology of the administrative state. After that's said, however, there still remains a profoundly important question: What type of market system should we choose? That the understanding of markets and contracts predominant during the 19th century is the biblical understanding, although widely assumed in conservative Christian circles, has yet to be demonstrated biblically.

Let's take a couple of policies McClendon commends to us and compare them with biblical laws. First, McClendon laments that strict liability has been imposed in some tort cases; he thinks it bad that "a showing of negligence" is no longer necessary. The defense in cases of negligence is that the defendant used "due care" in attempting to avoid the injury. If due care was used, then even if the defendant's actions caused the injury, the defendant isn't held liable.

Some biblical laws apparently impose strict liability. For example, the provision in Exodus 22:6, "If a fire breaks out and spreads to thorn bushes, so that stacked grain or the standing grain or the grain itself is consumed, he who started the fire shall surely make restitution." Note that even if the person who started the fire employed due care in controlling the fire, he is still held liable if an accident occurs.

Strict liability appears to be imposed in other cases (e.g., Ex. 12:35), although the remedy changes as a result of negligence or recklessness (cf., Ex. 21:35 with v. 36, see also vv. 33-34).

Secondly, McClendon asserts that today's system "destroyed a centuries-old liability system predicated upon the freedom of individuals to allocate risks by private contract." This thought is repeated later, and McClendon laments; as presumably unbiblical, that courts have struck down contract provisions because they were "unconscionable" and "contrary to public policy."

Although we can easily see that a judge imbued with the spirit of biblical wisdom and one surveying his own conscience for standards will come to different conclusions as to what is unconscionable and contrary to public policy, it seems pretty clear to me that a biblically-minded judge would refuse to enforce some contract provisions under these rubrics.

For example, McClendon's celebra-

tion to the "freedom of individuals to allocate risks by private contract" is contrary to the liability imposed in the biblical trust, rental, and employment laws (Ex. 22:10-15). Note that McClendon's principle would permit the private law of the contract to control divine law: In the case of Exodus 22:12, the parties could contract that no restitution be made even in the case of theft. Also, contract could nullify Exodus 22:15 if the agreement allocated the risk to the neighbor or the employer.

Thirdly, McClendon would apparently enforce service contracts that a biblical judge would strike down as unconscionable. For example, you meet a starving man in the wilderness and, knowing a good deal when you see one, your condition for providing sustenance is that this man agree that his life is yours to do with whatever you will. That is, you have a despotic right over this man. Later, you strike the man and he loses a tooth, he leaves your service. Can you sue this man on the contract and force his return? Not if the judge applies scripture (Ex. 21:26-27): the law would void the contract as unconscionable.

Other cases exist, such as the imposition of usury (Ex. 22:25-27) and intentional assaults (Ex. 21:18-19). Complete contractual freedom in all of these cases would have the law of the contract entirely swallow up the provisions of biblical law.

This may smack of an apology for the present system, but it's not. I think the system needs to be changed, perhaps very significantly. But when we analyze policies and systems we ought to do it in an informed, balanced manner. McClendon seems long on polemical assertion but a little short on biblical proof and independent assessment of Huber's arguments.

This aside, however, what bothers me most about McClendon's review is that his celebration of contract seems more in accord with the spirit of the Enlightenment autonomy, and with its religious manifestation in the guise of baptistic volunteerism, than it breathes of the spirit of Reformed covenantalism.

All of this is not to say that contract would not have an important role in a biblical market economy. The point is that the word of God rules the market, not the word of contract.

Jim Rogers  
Lincoln, Nebraska

## McClendon Replies:

Mr. Rogers' main confusion lies in mistaking my explanation of Huber's thesis for a blanket endorsement of Huber's views. If I created Mr. Rogers' confusion by not beginning each paragraph with the locution, "Mr. Huber says..." or "According to Huber..." I apologize. (I find repetitive use of such constructions inimical to good writing.) I suggest that he go back and reread the piece, mentally inserting one of these phrases at the start of all but the last two paragraphs. He will see that

my review was not meant to be a critical acclamation of Huber's thesis but only a non-technical presentation of Huber's critique of modern liability laws, presented in its strongest form (something I believe Christians ethically owe those we interact with), from which Mr. Rogers and other Christians are free to find (and certainly will find!) areas of formal agreement and foundation disagreement.

Roger's criticisms regarding strict liability reveal a lack of careful reading and analysis. He claims I lament "that strict liability has been imposed in some tort cases." This is an unwarranted extension of what I said. In my only reference to strict liability, I briefly mentioned one specific situation: the recent extension of strict liability to all parties involved in the distribution chain of an injury-causing product. Mr. Rogers should note that I offered this as an example of how modern judges discard "venerable Common Law principles tracing their pedigree back to the Bible," not as a lamentation for the fact that strict liability is occasionally imposed. Applying this new expansion of strict liability to the Biblical model (Ex. 21:36) produces absurdities, for instance, we would have not merely held the owner of the ox that gored the other ox liable for the damage, but also the owner of the cow that bore the ox, as well as the drover who put the ox into the "stream of commerce" by delivering it to the owner!

The Common Law generally mirrors Scripture in imposing strict liability for damage caused by trespassing animals, known dangerous/wild animals (but note Ex. 21:35 is not strict liability, but a loss-spreading formula between two innocent parties) and, after *Rylands v. Fletcher* (1868), for abnormally dangerous conditions (Ex. 21:33-34) and activities (Ex. 22:6). What should concern Mr. Rogers, as it does me, are the modern courts extending strict liability far beyond Biblical warrant.

Mr. Rogers argues that a judge "imbued with the spirit of biblical wisdom" will strike down many contracts because they are "unconscionable" and/or "contrary to public policy." I hope this would never be the case! Most legal scholars concede such rubrics are legal fig leaves, mere "empty bottles" waiting to be filled with whatever value judgments a particular judge desires. Biblical law unquestionably sets boundaries to the freedom to contract. However, the judge loyal to Biblical law will void a contract because it trespasses those boundaries, not because he finds such a contract unconscionable or socially deleterious.

Finally, I am mystified why Mr. Rogers concluded that my review of Huber's narrowly focused discussion of the eclipse of contract and tort law is in fact a full-blown defense of absolute contractual freedom in every aspect of life. Mr. Rogers certainly raises some valid objections to permitting contract freedom to trump Biblical law in several areas of law. But his critique of contract as it applies to the law of bailments (Ex. 22:10-15), bond slavery (Ex. 21:20, et seq.) and usury (Ex. 22:25-27) is simply not on point, as we lawyers say, with the topic, which was, after all, tort liability.Δ



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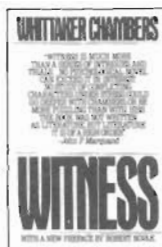
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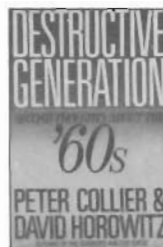
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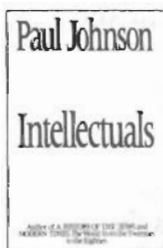
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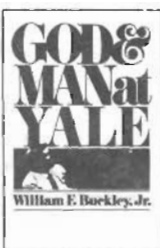
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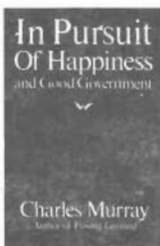
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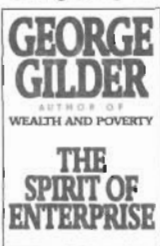
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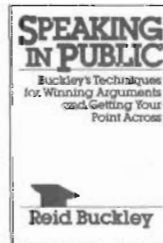
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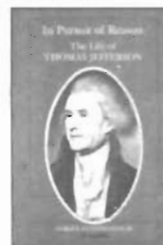
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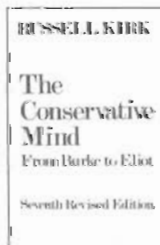
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# Environmentalism: A Modern Idolatry

Kevin Clauson

## I. The Environmental Message in Pop Culture, Politics, and Religion

**Utopian  
Environmentalism  
offers radical  
prescriptions for  
contemporary  
"crises," but it  
does so contrary  
to Biblical  
reality.**

To view modern culture, politics and religion, one would quickly get a sense that "the environment" is the latest object of worship by many in the Western World. Although, most committed environmentalists would claim to be much too sophisticated to be following in the footsteps of some ancient pagan or animistic religion, their new "progressive environmentalism," in reality, is simply a re-packaging of old pantheistic errors combined with a much more dangerous set of public policy proposals than previous versions of environmentalism.

Consider the pervasive influence of the environmentalist movement in recent years. The entire plot of a very popular motion picture — *Star Trek IV* — was built around a "save-the-whale" theme of global proportions: essentially, if two whales enclosed in a spaceship by an advanced civilization are not safely returned to earth, then the earth will be destroyed by a built-in destructive mechanism. And *Star Trek IV* is not an isolated message in the faddish entertainment industry. Daily, the entertainment media increase their fare of environmentally-centered television programs and movies. (Note Ted Turner's network promotion of his own Better World Society and its agenda).

The political world also offers reflections on the environment message. President George Bush (who campaigned 1988 saying he wanted to be the environmental president — as well as the education president!) announced in December of 1989 that the United States would seek to sponsor an international conference on global warming as a prelude to a treaty on the same.<sup>1</sup> In the last two or three years, political leaders have introduced legislation to control emissions, the greenhouse effect, deforestation, and other "evils."

The religious world is not immune either. Pope John Paul II, according to a recent article, "warned...that the world was caught in an environmental crisis that violates

human rights and 'lays bare the depth of man's moral crisis' . . . [T]he ecological collapse facing the earth is everyone's concern, the Pope said, and he lamented that existing international bodies and treaties were not up to the task of producing a broad plan of action . . . His views were expressed in a document called 'Peace with God the Creator, Peace With All of Creation.'<sup>2</sup> The above are but a few of the numerous examples found in the current media. The list could go on.

## II. The Environmentalist Movement

### A. A Brief History

Historian Paul Johnson suggests that modern environmentalism cannot truly be called a reform movement at all, since it began in the 1960's as an ecological panic.<sup>3</sup> The modern movement has roots in the earlier Conservationist and Preservationist movements which arose at the turn of the century. Conservationists like Theodore Roosevelt and Gifford Pinchot were mostly wealthy and "conservative" (in political terms, a "progressive conservative"); they believed the "exhaustion-of-resources" notion and so held that the federal government should play a prominent role in carefully managing land and natural resources because large corporate enterprises were depleting these resources. Preservationists, on the other hand, wanted simply to slow down or halt rapid industrialization and development, at least in the West.

Modern environmentalists have certainly borrowed from both the early Conservationists and Preservationists, but they are much more philosophically consistent than their more staid predecessors. Modern environmentalists add neo-Marxist theory (with a "human face" of course), and a belief in much more bureaucratization and regulation than the earlier movements ever advocated. Because modern environmentalists are utopian-minded, they have tried, sometimes successfully, to control various regulatory agencies and federal courts in order to impose their much more consistent utopianism on the public. This utopianism reached its political zenith during the presidential administration of Jimmy Carter when many environmentalists came into policy-making positions.<sup>4</sup>

Like most utopian visions, modern environmentalism is based on perfectionism; the view that man is good by nature and perfectible, and that existing evils are the product of a corrupt social system. The environmentalist utopianism is both Marxian and anti-technological/industrial. (Earlier Marxists believed strongly in technological progress.) Modern environmentalists reject capitalism — i.e., voluntary economic exchange within the boundaries of law, civil law based on God's standards, since such capitalism spurs the technological progress which modern environmentalists oppose.

Some environmentalists even blame Christianity, its "cultural mandate," and its widespread influence on

<sup>2</sup> *Lynchburg News and Daily Advance*, Lynchburg, VA, Dec. 6, 1989, p. B-7. Perhaps a significant point to be noted here is that the first two citations were found on the same day in a relatively obscure newspaper in the writer's city of residence; surely, the environmentalist message is rampant.

<sup>3</sup> Paul Johnson, *Modern Times* (New York: Harper and Row, 1983), p. 661

<sup>4</sup> See generally Rael and Erich Isaac, *The Coercive Utopians* (Regnery Gateway, 1984).

<sup>1</sup> *Lynchburg News and Daily Advance*, Lynchburg, VA, Dec. 6, 1989, p. A-3.

Western Civilization for the supposed ecological crisis. This claim is not surprising since the utopian environmentalists are at root religiously pantheistic; and thus, they must be explicitly or implicitly anti-Christian. Since pantheism is the most profound and basic influence on modern environmentalism, it deserves closer examination.

## B. The Religion of Environmentalism — Pantheism.

Pantheism is an ancient religious outlook held explicitly (e.g., by many in the so called "animal rights" movement) or implicitly by many environmentalists today. The fact is that most modern environmentalists (as opposed to those who simply want to control harmful pollution, for example) have a religious world view to undergird their agenda. The most amenable religious outlook, whether environmentalists admit it or not or whether they even understand it completely or not, is pantheism.

Pantheism, in a nutshell, makes no distinction (or at most a very unclear distinction) between the Creator and the creature. According to pantheism, god is not transcendent. In practical terms, god is in all, and all is part of god. Because the entire creation and god are one, there is a close relation to animism. Animals, trees, flowers, insects, and human beings are all part of god, and god is "in" all of them. A consistent pantheist (and it is doubtful there are or can be very many) would hold that plants and animals are, in a sense, simultaneously our "brothers" and god. To harm them in any way is to harm our kinsmen — creation and god.

Pantheism deifies and idolizes nature and at the same time leads to a departure from reality and a withdrawal from any meaningful tasks in subduing the created world for God and the material benefit of man. Economic and technological progress halt. This is not an academic exercise. Literally millions of people throughout the world, rejecting Christianity and its view of man, creation, and God, either partially or completely accept the idolatry of pantheism. They adopt an agenda and a vocabulary (e.g., "appropriate technology", "small is beautiful", "soft energy path", etc.). They manifest their religion through such "good works" as guarding animal rights, stopping the deterioration of the ozone layer, saving the whale, eliminating pesticides, or in a more all-encompassing way, saving "spaceship earth." In short, pantheism confuses the creation and its Creator and deifies the creation by locating God in the creation as well as locating the creation in God. Thus, pantheism idolizes nature and provides a consistent religious base for environmentalism. Since men will force their observations and "data" to conform to their religious world view, we must briefly examine the false "science" undergirding environmentalism (or we should say serving the environmentalist idol).

## III. Ecological "Crises" and Pseudo-Science

Environmentalism has used science and so-called scientists to serve its philosophy. The movement has disseminated sensationalistic and falsely so-called scientific information to justify extreme government intervention. The following discussion provides some notable cases.

Since the late 1960's and early 1970's, environmentalist scientists have been predicting various ecological doomsdays. Although these doomsday predictions purport to have a basis in reality, they are eschatologically errone-

ous, such as those made most popular among evangelicals by supposed Christian writer Jeremy Rifkin.<sup>5</sup>

## A. Overpopulation

The overpopulation "crisis" was and is a common environmentalist weapon. Some environmentalists have claimed that the population "crisis" has caused famines, such as that recently found in Ethiopia, despite clear evidence that the real causes have been State oppression and socialistic economic policies. Others such as Garrett Hardin have reduced the population "crisis" to a simple equation: (Population) X (Prosperity) = Pollution (presumably of such magnitude as to lead to the end of the world). From this equation he extrapolates the following ethical conclusion: "If the space required to grow four redwood trees could be devoted to growing food for one person we should say directly and bluntly that four redwood trees are more important than a person."<sup>6</sup>

We will examine the specific kinds of political proposals advocated by Hardin in a moment, but for now we can say that "overpopulation" is a *myth*.<sup>7</sup> Thomas Sowell calculates that if all the men, women, and children in the whole world — about 4,415,000,000 (as of the date of his calculation) were placed in the State of Texas (alone), with a land area of 262,134 square miles, every person would have 1,700 square feet, and every family of four (average) would have 6,800 square feet, roughly the size of a typical middle class home with a front and back yard.<sup>8</sup>

We see from this that the notion of overpopulation has no basis in fact. If overpopulation were a cause of poverty, then we would see nations such as Japan and Hong Kong desperately poor (both have minimal natural resources, little land area, and are heavily populated) and nations such as India, Communist China, and the U.S.S.R. very prosperous (abundant natural resources and immense land areas). Yet this is not the case.

## B. The Greenhouse Effect

The somewhat new doomsday crisis is the "greenhouse effect" — global warming" scenario. In fact experts speculating on the impact of the greenhouse effect "predict rising sea levels inundating wetlands, beaches, and coastal cities; forests shifting northward; new drought belts; worsening air pollution; and more catastrophes such as fires,

<sup>5</sup>See statements by numerous environmentalists in Edith Efron, *The Apocalypics*, (NY: Simon & Schuster, 1984); Charles Maurice and Charles Smithson, *The Doomsday Myth*, (Hoover Institute, 1984); Julian Simon, *The Ultimate Resource* (Princeton University, 1982); and various works by Paul Ehrlich and Barry Commoner.

For an incisive response to the doomsday idea, see Paul Johnson, *The Enemies of Society*, (NY: Atheneum, 1977), particularly around page 88 where he discusses the new environmentalists' "ecological eschatology": "The four last things are to be the poisoning of the air, the exhaustion of the soil, the final consumption of the earth's natural resources, and mass-starvation of an overpopulated planet."

<sup>6</sup>Garrett Hardin & John Baden, eds, *Living on a Lifeboat*, (San Francisco: W.H. Freeman, 1977).

<sup>7</sup>See Thomas Sowell, *Knowledge and Decisions* (NY: Basic Books, 1982); see also R.J. Rushdoony, *The Myth of Overpopulation* (Fairfax, VA: Thoburn Press).

<sup>8</sup>Sowell, Thomas, *The Economics and Politics of Race* (NY: William Morrow, 1983), p. 209 and the works of P.T. Bauer.



insect plagues and floods."<sup>9</sup>

Many scientists, however, question whether there really is a warming after all. Some researchers note that "the Northern Hemisphere actually experienced a cooling period between the 1940's and the 1970's, which led to predictions in the 1970's that we might be headed for a new Ice Age."<sup>10</sup> The point here is that there is scant scientific evidence for a catastrophic global warming (nor for some mythical "Ice Age" either). Suffice it to say regarding global warming: "What confidence can we have in the global-warming predictions when less than fifteen years ago the idea that another Ice Age was pending was popular enough for a book, *The Cooling*, to be written and to receive respectful scientific comment?"<sup>11</sup>

### C. Pollution

Environmental pseudo-scientists have endorsed other falsehood which have nurtured an ecological hysteria. Several years ago, for example, John Higginson hypothesized that the "environment" made up about eighty percent of the factors which cause cancer. Many environmentalist scientists and activists picked up on this and similar studies, and said that pollution causes eighty to ninety percent of all cancers. What they failed to mention was that when Higginson referred to the environment he was talking about one's *personal* environment. In other words, cancer is caused by the high protein diet we eat, the cigarettes we smoke, the alcohol we drink, even worse by the way we both smoke and drink (in combination), for excess alcohol and cigarette-smoking operate synergistically. Stress and tension also seem to contribute to cancers. Industrial pollution is not a major cause of cancer and yet environmentalists continue to spread that falsehood.<sup>12</sup>

### D. Pesticides — DDT

Yet another instance of environmental pseudo-science involves the ban on DDT, a pesticide which had enormously reduced parasitic threats to food production and had allowed expansion of agriculture in underdeveloped areas. After exhaustive investigation, George Claus, with degrees in botany, microbiology, and medicine, has shown that the studies which led to the banning of DDT completely failed to provide any evidence that DDT was a carcinogen or that it constituted a hazard to wildlife. Banning DDT was a purely political decision "based on pseudo-science or ignorant bungling" according to Claus and Bolander.<sup>13</sup> The ban on DDT was a victory in the utopian campaign against modern technology.

### E. Deforestation

A further example of environmentalist pseudo-science is the allegation that open land is being turned into parking lots and development at such a rapid rate that it is being dangerously depleted. This allegation is made despite the *fact* that the total acreage in the U.S. devoted to wildlife areas and state and national parks has increased from eight million in 1920 to seventy-three million in 1974, *and* despite the fact that *all* the land used for urban areas, plus roadways

still amounts to less than three percent of the land area of the United States.<sup>14</sup>

Each of these "dire" predictions is part of a series of alleged ecological crises. What we learn from these few examples is that environmentalism, like any false worldview, has attempted to make the "facts" fit its philosophical and religious presuppositions. Environmentalism must be challenged not only on its "science" but on its inevitable religious components as well.

## IV. The Political Economy of Environmentalism

Politics and economics are of course based upon religious and philosophical presuppositions. In this section we will briefly look at how environmentalists would use (or have used ) the coercive powers of the State to serve their religion.

### A. Public Policy and Presuppositions

Environmentalists have been quite successful in recent years in using congressional law-making, bureaucratic rule-making, and federal court decision-making to implement their vision. Modern environmentalists also have an even more radical agenda for governmental action. Nevertheless, environmentalists have already intervened in the public policy realm and effected sweeping, vague, and open-ended Congressional mandates. A vast amount of legislation has poured out of the Congress since the 1960's, as even a short list of statutes illustrates:

- Clean Air Act of 1970 (Amended 1977 and 1986)
- Federal Water Pollution Control Acts of 1972
- Wilderness Act of 1964
- Federal Insecticide, Fungicide, and Rodenticide Act of 1975
- National Environmental Policy Act of 1969
- Safe Water Drinking Act of 1974
- Noise Control Act of 1972
- Energy Supply and Environmental Co-ordination Act of 1974
- Resource Conservation and Recovery Act of 1976
- Solid Waste Disposal Act of 1976
- Endangered Species Act of 1973
- Toxic Substances Control Act of 1976

This is only a small sample of federal statutes and does not include the regulatory "legislation" (administrative rule-making authority) "pursuant to" the Congressional statutes.

Such regulatory "discretion" is actually law-making in the form of "rules" and "regulations" by newly-created environmental bureaucracies such as the Environmental Protection Agency (EPA). These bureaucracies not only make law in the guise of implementing Congressional policy, but also combine legislative, executive, and judicial functions in an unelected, insulated institution. This concentration of authority creates a formidable weapon against "evil destroyers of the environment." The bureaucratic rule-

<sup>9</sup>James Shaw and Richard L. Stroup, "Getting Warmer?", *National Review*, July 14, 1989, p. 26.

<sup>10</sup>*Ibid.* p.27. <sup>11</sup>*Ibid.* p. 28.

<sup>12</sup>See Edith Efron, *The Apocalyptic: Politics, Cancer, and the Big Cancer Lie* (NY: Simon & Schuster, 1984).

<sup>13</sup>*Ibid.*, Epilogue.

<sup>14</sup>See Richard Stroup and John Baden, *Natural Resources: Bureaucratic Myth and Environmental Management* (San Francisco: Pacific Institute, 1983); Charles Baird, *Rent Control: The Perennial Folly* (Washington D.C.: Cato Institute, 1980); and Bernard Frieden, *The Environmental Protection Hustle* (Cambridge: MIT Press, 1979).

making method has been used for everything from specifying quantities and concentrations of literally thousands of emissions (substances released into the air) and effluents (substances released into the water) to banning numerous pesticides and setting standards for the use of laboratory animals.

All of this law-making unavoidably violates traditional Western and American jurisprudence (based on Biblical notions of "due process") by assuming harm either without any "proof" or with so-called "proof" in the form of highly questionable government testing of substances; firms are essentially guilty without proof or trial.

However, the environmentalist public policy agenda is much more radical than its achievements thus far. Consider the greenhouse effect again:

"self-appointed guardians of the environment are urging immediate steps to reduce emissions of 'greenhouse gases' — especially CO<sub>2</sub>, but also methane, nitrous oxides, and CFCS (chlorofluorocarbons), which are believed to trap heat radiating from the earth. They urge cutting back on fossil-fuel use by such measures as special taxes on carbon-dioxide emissions, increased funding for alternative energy sources, incentives for solar and nuclear power [although other environmentalists also oppose nuclear power], an end to deforestation, and the doubling of the current fuel-efficiency standards. . . thus the stage is set for very strong measures to reduce emissions of greenhouse gases. These measures would give governments greater power, would force people to make large sacrifices, and would probably limit innovation."<sup>15</sup>

What we see from all of this is that environmentalists, driven by their Statist-oriented religion (the neo-Marxian component and utopian components coming through), are pressuring the central government, already exceeding its Biblically-mandated functions by its pervasive laws and regulations, to expand its powers even more drastically. This is a kind of secular salvation, since environmentalism sees the "salvation" of the world resting only in government action (immediate and radical). At the same time, such Draconian prescriptions ignore economic reality.

## **B. Economic Costs: Results of Utopian Perfectionism**

Environmentalism wants a pristine environment at all costs. Note that a mythical perfect period in terms of the environment has never existed in the human economy. It would be a mistake to say that there has been no overall improvement in environmental quality due to the massive government intervention discussed earlier; the point here is that such improvement has been achieved by government injustice and at great cost.

### **1. Administrative Costs: "Government Failure"**

So-called administrative costs include visible government taxing and spending through large public resources and restrictions on economic liberty. The resulting bureaucracies are insulated from public feedback and thus often push their activities into the realm of negative returns in order to expand their budgets; in other words, bureauc-

racies have a tendency toward political and economic gnosticism, since they are mandated by law to know what is good for other people — and many environmentalist bureaucrats may actually believe this.

However, if more government intervention produces a better environment, then why, as Sovietologist Marshall Goldman notes, are there serious "environmental problems" (i.e., real, not imagined, harm to individual health and/or property) in a place like the Soviet Union. After all the government owns or controls all property and its uses. Yet Goldman found pollution to be a much more serious problem in the U.S.S.R. than in the U.S. Goldman suggests that this is the result of the "monument-building mentality of Soviet planning bureaucracies, an incentive structure typical of centralized public bureaucracies."<sup>16</sup>

So we see that when the State takes on illegitimate functions the result is a government machinery more responsive to its own internal interests.

On the other hand we may find bureaucrats who are religiously zealous about "environmental protection," leading to ideologically motivated, dramatic interferences with legitimate private property rights. "Government failure" then (a term coined by modern "public choice" theorists<sup>17</sup>), in whatever form — covetousness and legalized theft or gnostic statism — is the end result of an unbiblical response to the environment.

## **2. Economic Costs: TANSTAAFL and Economic Irrationality**

The environmentalist lobby has imposed immense costs on individuals and enterprises, large and small. Environmentalists generally do not like to talk about the subject of economic costs, claiming that it is an immoral subject, and that one cannot simply put a price on a clean, healthy, safe, or beautiful environment (with these characteristics being themselves defined by environmentalism — which of course imposes a utopian standard).

Despite this economic irrationality however, there "ain't no such thing as a free lunch," — TANSTAAFL. The costs that have already been imposed and which are even now being imposed cannot be ignored. Furthermore, the current environmentalist agenda, pursuing its utopian, perfectionistic, and pantheistic social ethic, accepts even more economic irrationality. The following are recent examples:

- Domestic steel prices have been forced up an estimated \$8.00 a ton because of environmental regulations, making the U.S. Steel industry less competitive.

- The American lead smelting industry has been virtually destroyed by utopian standards.

- One independent oil driller had to pay \$1400 to have forty acres searched and certified free of Indian arrowheads.

<sup>16</sup> Marshall I. Goldman quoted in Seneca and Taussig, *Environmental Economics* (NY: Prentice-Hall, 1979) 2nd ed., p. 109; see Goldman, *The Spoils of Progress: Environmental Pollution in the Soviet Union* (Cambridge: MIT Press, 1972).

<sup>17</sup> See James Buchanan and Gordon Tullock, *The Calculus of Consent* (Ann Arbor, Mich: U. of Michigan Press, 1962) for the classic introduction to so-called public choice theory and the related concept of "government failure" (as opposed to "market failure")

<sup>15</sup> Shaw and Stroup, *National Review*, pp. 26-27.

- Water pollution regulations have reduced the metal and fishing industries from 70,000 factories to 5,000.

- Between 1972 and 1980 the price of a Douglas fir was forced up 500% due to bureaucratic regulations.

- Standard Oil of Ohio spent five years and \$50 million and filed over seven-hundred permits for a pipeline before finally giving up in 1979.

- One housing development in San Mateo County, California was forced by environmentalist pressures to reduce the number of townhouses and apartments in the development from 12,500 to 2,200, increasing rents from the original \$280-\$360/month (contemplated) to \$310-\$480/month. The plan was finally abandoned altogether.

These are particular "horror stories,"<sup>18</sup> but they are not at all isolated or atypical examples of the impact of environmentalism. Nor do these specifics give us an idea of the more pervasive costs in the economy. Economist Murray Wedenbaum, former head of the President's Council of Economic Advisors, estimated in the late 70's that the EPA rules forced industry to spend an extra \$70-100 billion per year. The Council on Environmental Quality itself estimated that industry would spend an extra \$40 billion/year for quality control by 1985.<sup>19</sup> The generic results of burdensome environmental regulations are as follows.<sup>20</sup>

- greater industry concentration* ("monopolization") as smaller firms which cannot easily absorb the compliance costs, suffer and die while larger firms survive.

- less innovation* since less money is available for research, development, and modernization. A National Science Foundation study in 1972 showed that small firms — those most vulnerable to harsher environmental regulations — produce twenty-four times as many industrial innovations per research dollar as large firms; moderate-sized firms produce eight times more.<sup>21</sup>

- higher costs for consumers.* However an economic myth must be exposed here. All of the additional costs imposed by regulations cannot necessarily be passed on to consumers because of competition from close product substitutes. These leave the firm to absorb some costs.

- lower productivity* because firms which must absorb some costs often do not modernize, or do not invest as much, or cut production costs where necessary.

- more unemployment* since one way to cut costs to make up for environmental regulation compliance costs is to cut labor costs, often the highest production cost in a given firm.

<sup>18</sup> See Allyn Douglas Strickland, *Government Regulation and Business* (Boston: Houghton-Mifflin, 1980) and Charles Baird, *Rent Control* for these and other examples of regulatory impact.

<sup>19</sup> Murray L. Wiedenbaum, *Government - Mandated Price Increases* (Washington D.C.: American Enterprise Institute, 1975).

<sup>20</sup> See Wiedenbaum, *Government - Mandated Price Increases* and Sowell, *Knowledge and Decisions* for a fuller discussion of these economic/market principles.

<sup>21</sup> Isaacs, *The Coercive Utopians*, p. 53.

Do environmentalists recognize the impact of their zealotry on the economy? Most certainly they must. Nevertheless, as with any anti-Christian religious system, "the truth is suppressed in unrighteousness." The economic costs are explained away or alleged to be an immoral consideration, thus granting environmentalism the moral high ground. Now we must demonstrate the legitimate role of government, distinguishing justice from environmentalism, and seizing back the moral high ground.

## V. Justice Versus Environmentalism

Justice, properly understood, is derived from God's Word. It involves the application of Biblical standards to both individuals and civil governments. Environmentalism, on the other hand, is essentially the outworking of an idolatrous religion which perverts the proper role of civil government and denies legitimate liberties provided by God's Word. The question is, what should be the Biblical role of the civil government in relation to the environment? To this question we now turn.

### A. The Externality Argument and Biblical Civil Government

Economists often use the term "externality" to mean a cost imposed on an innocent third party which the parties responsible for the cost should compensate. The legal system would simply say that if/when an innocent person or his/her property is harmed (in some way) by the unjust actions of another, then compensation is due the innocent party. Environmentalists often claim that there are "externalities" (negative side effects or "spillovers") in society as a result of economic and industrial activity. With this we can agree so long as the parameters of a so-called externality are properly understood in light of common law principles based on God's Word. Therefore, this author and most Christians do not in the least deny that sometimes harm is caused, whether negligently or intentionally, to innocent people or their property. But to prevent the externality argument from being twisted by environmentalists, we must raise several issues.

#### 1. How pervasive are so-called "externalities"?

Environmentalists seem to see externalities everywhere, from experimenting with lab animals, to using pesticides, to killing seals, whales or snail-darters (or whatever), to cutting down a tree or a forest. But the externality concept is just an economic adaptation of legal responsibility. It was (and technically is) a very narrow concept referring to tangible, measurable harm to a person or property which the person or persons who cause the "real" harm should pay for compensation.

The common law, for example, illustrates the offense of nuisance — unlawful interference with another's use and enjoyment of his property. This involves real, tangible harm for which the offender must compensate the plaintiff. But most of the time environmentalists appeal to the concept of externalities, they are not referring to real tangible harm. If a property owner destroys Indian arrowheads on his own property or if he cuts down a redwood tree on his own property, he does not cause real, tangible harm to environmentalists or to anyone else for that matter. While he may cause "psychic" or "aesthetic" harm he causes no

legitimate harm to anyone. "Psychic harm" or "aesthetic harm," popular with environmentalists, are concepts which are very nebulous and inconsistent with Western jurisprudence.

**2. If we admit that there are real externalities (that is, injustices for which the wrongdoer must compensate the harmed party), is the regulatory method the only or best way to deal with them?**

The fact is that the Regulatory method inherently violates Biblical standards of civil justice since it assumes wrongdoing without due process; it combines legislative, executive, and judicial functions; it involves "gnostic" rule by experts; it arbitrarily denies liberties; and it often involves retrospective law-making. However, regulation is not the only alternative. For centuries, Western society has employed the adjudicatory method — that is, reliance on the courts and the common law with parties seeking redress of wrong doing through due process. The alleged "wrongdoer" — the "destroyer of the environment" is innocent until/unless he is judicially proven guilty. Even if we grant that the courts today are overloaded (and perhaps corrupt), this does not mean that the adjudicatory method is wrong; it is the Biblically correct system for determining wrongdoing.

**3. Are there non-government mechanisms (non-regulatory and non-adjudicatory) that can effectively prevent real harm to persons or property without governmental involvement?**

Clearly such methods abound. In fact, many of these methods have been used for decades long before the EPA ever existed. *Private insurance*, if working in a free-market environment, can and will force people to be more careful (or face higher premiums or no insurance at all). *Moral self-government*, a much-neglected component of societal stability, plays a crucial role (though this role may decline as Christianity and its influence wanes in a society). *Pressures from the market* will often cause firms to do things differently; this could even mean private pressure from private environmentalist groups (however misguided both parties may be). For example, some laboratories have reduced or modified use of test animals due to pressures. The point here is not that the pressures of the responses are necessarily right but that the market works. More importantly, the market works to prevent real harm — e.g., who would buy medicines if drug companies did not exercise extensive safety and quality control procedures?

So we see that injustices do occur in society. But injustice, as defined by Scripture, is much more concrete than the "injustice" described by environmentalism which is some ethereal "harm to the environment" or which is actually a denial of someone else's legitimate private property

rights (e.g., the right to destroy one's arrowhead or redwood tree). If there are genuine externality injustices, how should the civil government respond?

**B. What is the Proper Role of Civil Government in Regard to the "Environment" and Private Property?**

God has ordained civil government to restrain and punish evil as defined by Biblical precepts. This means that when someone has been wronged, the civil government should intervene; it also means that civil authorities must protect private property rights when the use of those rights is not causing harm ("evil") as defined Biblically. These two principles will work out in different ways, meaning that in some cases the civil government will "protect the environment" and in other cases (probably more numerous) the civil government will guarantee the liberty of individuals the right to do what they wish with their "part of the environment."

**1. Common Law and Nuisance.**

When some person or firm interferes with another's use or enjoyment of his/her property rights (usually in a tangible way), this has been known in the Common Law system as nuisance. Nuisance is the legal principle which allows one to seek compensation when factory discharges into a river cause people to get sick, when industrial pollutants cause homes to deteriorate, when deforestation causes erosion to such an extent that mud or water is dumped onto another person's land, when noxious odors interfere with one's enjoyment of his own private property or when any number of other scenarios present themselves.

Quite simply, if the facts indicate that an innocent party or his property is concretely injured by the unlawful actions of another, justice demands a righting of the wrong by the wrongdoer. This usually is done through a court and judicial proceedings where it must be proven that the alleged wrongdoer actually did wrong.

Furthermore, the prospective fear of lawsuits (along with the other non-governmental methods previously mentioned) will act to prevent the typical "rational" person from committing a nuisance (at least deliberately — and even here the prospective fear of being sued will, along with the other factors, provide a powerful incentive for individuals or firms to exercise caution in economic enterprises). This simple judicial solution, which also offers a "deterrent effect", was used for centuries prior to creation of the EPA in 1969, and in fact still operates to some extent today.

**2. Private Property Rights**

What if we have a situation where no one's property rights are actually infringed? For instance, what if a person cuts down a redwood tree he owned, and another person with no ownership interest did not like that action (perhaps believing the cutter was contributing to deforestation and

**If all the men, women, and children in the whole world were placed in the State of Texas, every person would have 1,700 square feet, and every family of four would average 6,800 square feet, roughly the size of a typical middle class home with a front and back yard.**



thus to global warming or perhaps just believing the redwoods are so lovely as to be "public treasures")? There are two possible right answers here. One is that because the redwood tree belongs to its owner, and the removal of redwood trees violates no Biblical standard, neither the civil authorities nor our hypothetical environmentalist can/should do anything at all. This would be a case of respect for the legitimate private property rights of the tree owner. Another possible answer is for the "environmentalist" to offer the "cutter" money if the cutter will preserve the redwood tree. Certainly the environmentalist has a right to make such an economic bargain, and clearly the cutter has the right to turn it down (although he may not, for the "right price").

If there are no property rights attached to some object — e.g., a wild animal — then the task of the civil authorities is to *recognize* private rights if/when they are established or to actually assign such rights.

Where we have public land, the alternative which many economists recommend is privatization of the land. So, for instance, we might find the federal government selling Yellowstone National Park to the highest bidder. Environmentalists reject such ideas (just as they reject private property rights generally) since they claim private owners would exploit the land and the environment. Economist Thomas Sowell disagrees:

Leaving property rights wholly undefined is even more disastrous than imperfectly defining them. Wild animals are often hunted to extinction precisely because they do not belong to anyone. They can by fiat or metaphor be said to belong to "the people," but unless it is feasible to apply force to exclude poachers for any type of "overuse" — K.C.], there is no property right in reality. It is precisely those things which belong to the "the people" which have historically been despoiled — wild creatures, the air, and waterways being notable examples. This goes to the heart of why property rights are socially important in the first place. Property rights mean self-interested monitors. No *owned* creatures are in danger of extinction. No owned forests are in danger of being leveled [e.g., timber firms which "cultivate" trees on private land — K. C.]. No one kills the goose that lays the golden eggs when it is his goose. Even chickens who lay ordinary eggs are no danger of being killed before their replacements have been provided. No logging company is going to let its own forest become a mass of stumps, though it may do that on 'public land'.<sup>22</sup>

Sowell simply drives home the point that contrary to the popular environmentalism, private ownership creates an incentive for owners to conserve, preserve, and practically use resources. And such private ownership is even open to environmental groups — a point to be considered since environmentalists and their organizations tend to be a wealthy elite.

## VI. Conclusion: Environmentalism, Idolatry, and the First Commandment

The Environmentalist movement is founded on a false religious system. Consistently adhered to, it is explicit idolatry. It is a violation of the First Commandment: "Thou shalt have no other gods before me . . . nor serve them . . ." Furthermore, this false religion stands in opposition to the Christian mandate to "subdue the earth" for the glory of God — to use the resources God has provided to improve the material circumstances of His creatures in service to His Kingdom. This is significant since it points out the differences between Environmentalism and Christianity. Environmentalists see either a static world ruled by fear of "desecrating" nature or a doomsday-ecological crisis world without hope. In either case modern environmentalism opposes Biblical culture and thus opposes the advance of Christianity.<sup>23</sup>

Environmentalism may be the issue of the 1990's. If the environmental movement is politically successful, we can expect massive new regulatory interference with many just economic activities and private property rights. The challenge to environmentalism, however, is not just economic and political. Christianity has the moral high ground. Accordingly, we must begin by exposing the hopeless religious presuppositions of the environmentalist idolatry. Δ

<sup>23</sup> For some examples of ideas propounded by individuals who blame Christianity or Western Christian Civilization for their perceived ecological crisis, see Edith Efron, *The Apocalypics*. Note this quote by Lynn White on p. 28: "More science and more technology are not going to get us out of the present ecological crisis until we find a new religion, or rethink our old one. The beatniks, who are the basic revolutionaries of our time [1967-K.C.], show a sound instinct in their affinity for Zen Buddhism, which conceives of the man-nature relationship as very nearly the mirror image of the Christian view. From Lynn White, Jr., "The Historical Roots of Our Ecologic Crisis", *Science* 155 (1967): 1204, 1206. For more on the natural relationship between eastern religions and environmentalism by one holding to a variation of Buddhism and an environmentalist, see the "Cult Choice" E.F. Schumacher, *Small is Beautiful*.

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## COMING IN THE NEXT ISSUES OF ANTITHESIS

- Questioning Protestant Converts to Romanism
- More on Scottish Presbyterianism
- The Ethics of Civil Disobedience
- Critique of Francis Schaeffer's Apologetics
- Analysis of Contemporary Legal Theory
- Interchange on Lying
- Basic Theology of Baptism
- Mathematical Knowledge
- Deconstructionism: The Flair of Redundancy

...and Much More!

<sup>22</sup> Sowell, *Knowledge and Decisions*; pp. 124-124.

# John Knox: The Years of Preparation

## An Overview of Scottish Presbyterian History — Part Two

L. Anthony Curto

**Prior to leading  
the Scottish  
Reformation,  
Knox had to  
face a personal  
reformation.**

The death of George Wishart was a great blow to the Protestant cause in Scotland. The question as to who was going to carry the mantle in the place of Wishart laid heavy upon the minds of many in the realm. At this time, John Knox did not appear to be God's chosen vessel for this task. While Knox had served for a time as squire to Wishart, he had never indicated any desire to lead the Protestant movement in Scotland.<sup>1</sup> Just prior to Wishart's capture in 1545, Wishart had persuaded Knox to

"return to your bairns [pupils]...with God's blessing."<sup>2</sup> Apparently, Knox did not seek martyrdom or fame.

He left Wishart and returned to Lothian, where he took up the life of a tutor. But this was not the course which God had destined for the young Knox. As with Moses who retired to the wilderness before his call, so God would direct Knox to his task in due time.

The Roman ecclesiastics, however, were not content to leave Knox alone. His name had been associated with Wishart when the latter had ministered in the Lothian area. Church authorities had captured, tried, and convicted other associates of Wishart for either heresy or for harboring a heretic.<sup>3</sup> Archbishop Beaton was hounding Knox, and Knox knew that his time was short. Knox appeared to be delivered when the Archbishop at St. Andrews Castle was assassinated early in 1546. The man who led in the assassination plot was Norman Leslie, Master of Rothes. Other key conspirators were Norman's brother John, William Kircaldy of Grange, James Melvill and Peter Carmichael. After the Archbishop's death, these men took over the castle and

occupied it from May of that year until July of 1547.<sup>4</sup>

Nevertheless, Archbishop Hamilton (successor to Beaton) continued to pursue Knox with full force. Knox's employers, Douglas of Longniddry and Cockburn of Ormiston, advised the young tutor to seek refuge in St. Andrews castle. Those who occupied the castle had come to be called Castillians, a group of approximately 150, which was able to secure support from Henry VIII of England and avoid Scottish authorities. In time, though, even the leaders of the Castillians became divided. While some had entered the conspiracy for religious reasons, others had done so for political reasons. When Knox arrived, along with three of his pupils on April 10, 1547, he was in for a surprise; he found the castle was not a refuge of Christian patriots, but a military garrison with all its attendant evils.<sup>5</sup> Knox was not happy with the situation at the castle or with the connection that the leaders had established with England. The only change that the English had accomplished in their Reformation was the suppression of the Pope's name, while all his laws and corruptions remained.<sup>6</sup> Because of this arrangement, Knox simply retired and catechized his students.<sup>7</sup>

Two men, Master Henry Balnaves and John Rough were impressed with Knox's teaching. Rough was functioning as the protestant preacher of the garrison and hoped to encourage Knox to join him. Balnaves and Rough earnestly solicited Knox to take up preaching, but he refused saying, "he would not run where God had not called him."<sup>8</sup> Balnaves and Rough sought advice from Sir David Lindsey who encouraged them to go ahead and call John Knox publicly to the Gospel ministry. Rough then proceeded to preach a sermon the next Lord's day on the election of ministers, stating it was dangerous to refuse the call of the church. At the end of the sermon, Rough stated, "Brother, ye shall not be offended, albeit that I speak unto you that which I have in charge, even all those here present:— In the name of God, and of His Son Jesus Christ, and in the name of these that presently call you by my mouth, I charge you, that ye refuse not this holy vocation, but, as ye tender the glory of God, the increase of Christ His Kingdom, the edification of your brethren, and the comfort of me, oppressed by the multitude of labors, that ye take upon you the public office of preaching, even as ye look to avoid God's heavy displeasure, and desire that He shall multiply His graces upon you."<sup>9</sup>

Knox was not happy about this turn of events, since he did not view himself as qualified for the pastoral task. Shortly after his election, Knox was called to his first preaching task. Rough had been in conflict with Dean John Annan, principal of St. Leonard's College. Annan, to use Knox's words, was "a rotten Papist."<sup>10</sup> Knox, under the instigation of Rough, challenged Annan publicly to a debate on the authority of the church. Annan refused to debate. The people of the parish church of St. Andrew's still wanted to hear what Knox wished to say on this subject so they asked him to preach the following Lord's day at their worship service. Knox preached his first sermon from the text Daniel

<sup>4</sup> Howie, J., *The Scots Worthies*, (Edinburgh: Oliphant, Andreon & Ferrier, 1775) p.31

<sup>5</sup> Reid, p.45

<sup>6</sup> Knox, p.70

<sup>7</sup> *ibid.*, p.70

<sup>8</sup> *ibid.*, p.71

<sup>9</sup> *ibid.*, p.72

<sup>10</sup> *ibid.*, p.73

<sup>1</sup> Reid, W. Stanford, *Trumpeter of God*, (Grand Rapids: Baker House, 1982) p.34

<sup>2</sup> Knox, J., *The Reformation in Scotland*, (Edinburgh: Banner of Truth, 1982) p.58

<sup>3</sup> Reid, p. 34

7:15-24. In this sermon Knox challenged the corruption of the Roman Church and declared that that Roman church was a synagogue of Satan.<sup>11</sup> Needless to say, this sermon stirred tremendous excitement in St. Andrews.

Knox's work at St. Andrews was soon cut short. The Queen had solicited the help of the French to regain control of St. Andrews castle. In July of 1547, St. Andrews was forced to surrender, and Knox and many of his companions were destined to become galley slaves in the French Navy.

### The Nostre Dame

After the French regained St. Andrews castle, the Castilians faced uncertain circumstances. They, evidently, would not be allowed to remain in Scotland. They were thankful, for if they had turned them over to Hamilton and his co-horts, they surely would have killed them. Instead they were taken back to France. Most Castilians believed that since they were not French prisoners of war, they would be set free upon reaching that country. Knox even relates that according to the terms of surrender, Strozzi had promised that, once in France, he would release them on the condition that they were never to return to Scotland.<sup>12</sup>

Contrary to this promise, Strozzi did not free them in France. After arriving in Rouen, France, the French court condemned the Scots to lifetime captivity. While the upper class and nobility were imprisoned, the lower classes (which included Knox) were sent to the galleys.

The nobles faced pressure to accept the Roman mass once again. Norman Leslie, imprisoned in the castle of Scherisburgh, was told he had to go to mass with his captors. He refused and claimed that if they carried him there, he would make such a disturbance that everyone there would know that he refused the mass. Henry Balnaves, who was held at the castle of Rouen, was regularly assaulted and harassed. Yet God, in His good mercy, gave Balnaves the strength to hold firm. He was able to confound his captors with his speech and later was even permitted to write a treatise on justification.<sup>13</sup>

Similar treatment was accorded to those sent to the galleys. Knox, assigned to the galley Nostre Dames, records for us how the Catholics would try to make them revere the mass. However, the Scots would never give themselves to such idolatry and would cover their heads with their caps and refuse to even listen.<sup>14</sup> Knox passed on one account,

**"I have thought that impossible it had bene, so to remove my affection from the realme of Scotland, that any realme or nation could have bene equal deare unto me. But God I take to recorde in my conscience, that the troubles present and appearing to be in the realme of England, are double more dolorous unto my heart, than ever were the troubles of Scotland."**

(though he doesn't name himself), which describes how one day the skipper of a ship tried to get him to kiss a painted statue of the Virgin Mary. Knox replied, "trouble me not, such an idol is accursed; therefore I will not touch it." The skipper, determined to overcome Knox, thrust it in his face and said "Thou shalt handle it." At this, Knox took the idol and cast it into the water and said, "Let our lady now save herself. She is light enough; let her learn to swim." Thereafter, the Catholics appeared to leave the Scots alone.<sup>15</sup>

During this period of captivity, Knox was certain that one day God would deliver him and enable him to preach in Scotland again. Once when Knox was ill, his ship returned to St. Andrews, Scotland; some of his friends wanted him to see his land once more, so they brought him to the deck and asked him if he recognized the area. He replied, "Yes, I know it well. I see the steeple of that place where God first in public opened my mouth to His glory, and I am fully persuaded, how weak so ever I now appear, I shall not depart this life till my tongue shall glorify His Holy Name in the same place."<sup>16</sup> This confidence kept Knox even keeled during this time. When asked once whether he would try to escape, Knox told his fellow prisoners that he would do so as long as no blood was shed.

The circumstances of Knox's release are uncertain. Reid suggests that Sir John Mason persuaded the French crown to release Knox, since Knox had not actually participated in the

assassination of Cardinal Beaton.<sup>17</sup> All the prisoners, who had been taken from St. Andrews, except for one who died in captivity, regained their freedom through escape or release.

After Knox was released from nineteen months of tortuous labor, he went to England. He would have been burned as a heretic in Scotland, but he had heard of some further work of Reformation under Thomas Cranmer in England, so he went to lend his hand to this work. Knox was no longer timid about his calling from God. He had learned by experience of the awful dangers that confronted him and his Protestant compatriots from the beast of Rome.

### Further Lessons in England

Knox was to remain in England for five years (1549-1553). During his stay, he pastored congregations in Berwick and Newcastle. He often preached at Windsor Hapton court, St James, and Westminster in London. He was appointed Royal Chaplain to Edward VI, and he took part in preparing *The Book of Common Prayer* and *The Articles of the Church of England*. Knox was also offered the Bishopric of Rochester and vicarage of All Hollows Church in London,

<sup>11</sup> Reid, p.54

<sup>12</sup> Knox, p.95-96

<sup>13</sup> *ibid.*, p.94 Later Knox writes an introductory epistle to this work which is found in the third volume of Laings' edition of Knox's works.

<sup>14</sup> *ibid.*, p.94

<sup>15</sup> *ibid.*, p.95

<sup>16</sup> *ibid.*, p.96

<sup>17</sup> Reid, p.68

both of which he turned down.

Knox's first charge, the pastorate of Berwick, was a great blessing. Even though Berwick was a garrison town, it afforded him time to study and recuperate from his ordeal in France. During this period Knox gave himself to the study of Scripture, and we learn from correspondence that he studied Chrysostom and Calvin among others.<sup>18</sup> By 1552, Knox had thoroughly espoused the Reformed faith; this is evident from his comments of the Lord's Supper. In a tract on the meaning of the Lord's Supper, written in Berwick, he writes that Christ gives himself to the believer "to be received with faith, and not with mouth, nor yet by transfusion of substance... For in the sacrament we receive Jesus Chryst spirituallie as did the fathers of the Old Testament, according to St. Paulis saying."<sup>19</sup>

Knox not only rejected the Roman Catholic mass but also any celebration of the Lord's Supper which did not conform to the simplicity of the New Testament.<sup>20</sup> From a fragment of a communion service we see his practice was to preach a sermon, offer a prayer for faith, read Paul on the Supper in I Cor 11:17-31, fence the table by warning unrepentant sinners to stay away and by calling believers to come, offer a prayer of confession, a promise of forgiveness, and a prayer for the congregation, and then distribute the elements.<sup>21</sup> In all of this there was no show, pomp or anything contrary to God's Word. In 1558, he writes back to the Berwick congregation, "Neither for feare did I spare to speake the simple truthe unto you, neither for hope of worldly promotion, dignitie or honor, dyd I willingly adulterate any parte of God's scriptures, whether it were in exposition, in preaching, contention or writing..."<sup>22</sup>

Knox was also to find a wife while he was in England. He was married to a Marjory Bowes. She appears to have been an invaluable wife, and Knox had great confidence in her. At her death in 1560, Calvin wrote "that Knox's departed spouse had no equal." He referred to her as Knox's "most sweet wife."<sup>23</sup>

Knox also faced difficulties in England. There were many who wanted to see Romanism restored, even some Protestants who did not think it necessary to completely rid the church of all Roman practices. Bishop Cranmer and N. Ridley advocated kneeling at the Lord's Supper. Knox opposed this and was compelled to protest his case to the Privy Council. Knox was to lose this battle, thus putting him even further at odds with his enemies. When Knox refused the Bishopric of Rochester and the appointment to All Hollows Church, he was once again called before the Privy Council. The Council was concerned that Knox maintained that no Christian might serve the Church of England according to its present laws. Knox explained that he believed that the Reformation in England had not gone far enough, and that he refused these positions because he felt he could be more useful to the Lord elsewhere. The council then appointed him to be a royal chaplain in Buckinghamshire to keep him from causing trouble in London.<sup>24</sup>

Edward VI died on July 6, 1553 bringing Mary Tudor (Bloody Mary) to the English throne. It was now time for

Knox to leave England, which he did with great sorrow of heart. In an sermon expositing Psalm 6, he writes "some tyme I have thought that impossible it had bene, so to remove my affection from the realme of Scotland, that any realm or nation could have bene equal deare unto me. But God I take to recorde in my conscience, that the troubles present and appearing to be in the realme of England, are double more dolorous unto my heart, than ever were the troubles of Scotland."<sup>25</sup>

## A Call to Frankfurt

Knox travelled to Geneva and was there only a short time when he received a call to Frankfurt to help pastor an English congregation gathered in that city. He accepted the call and left for this new field in September 1554.<sup>26</sup> This congregation had been formed by refugees who had fled the Marion persecution in England. Most of these would have known about Knox because of his work in that country. He also had written a tract called "A Faithful Admonition to England." In this tract, he exhorts the brethren to remain faithful to the Lord. He also admonishes the preachers of England to be zealous in their calling, but, primarily, he castigates the political leaders of England for their idolatry and resistance to the cause of God and truth.<sup>27</sup> In this tract, he refers to Philip II of Spain, husband of Mary, as "the one little inferior to Nero" and Mary as "more cruel than Jezebel."<sup>28</sup> To those who were being forced to flee for their lives, this blast would have been of great encouragement.

When Knox arrived at his new charge, he set about, along with a Mr. Whittingham, the main translator of the Geneva Bible, to draw up an Order of Service for the new congregation. In this order Knox did not openly oppose the The Book of Common prayer, but he also did not follow it. As we know, Knox's view of the Book had brought him at odds with many in England. At first, the congregation accepted the order and was pleased to follow the instruction of their pastor. This did not last. Sometime shortly after the introduction of the new order, some persons in the congregation, under the leadership of Richard Cox, began to oppose the new order.<sup>29</sup> Cox had come to Frankfurt from Strasbourg and joined the church. He had served in England as a tutor to Edward VI and Chancellor of Oxford University. Because of this opposition, Knox was forced to address the issue of the Prayerbook.

In a sermon aimed at this issue, Knox demonstrated his true Puritan spirit by arguing that worship was to be solely regulated by the Word of God.<sup>30</sup> Knox was especially opposed to the "Black Rubric" (the instruction to kneel at the Lord's Supper). This inflamed many of the English leaders. Mr. Isaac and Mr. Parry, two of the most influential men in the congregation, had Knox discharged from preaching. They also accused him of treason to the officials of the city. In support of their claims they used Knox's "Admonition to England" especially his references to Philip II and Mary. The magistrates appear to have warned Knox of the impending

<sup>18</sup> *ibid.* p.75

<sup>19</sup> *ibid.*, p.77

<sup>20</sup> *ibid.* <sup>21</sup> *ibid.*

<sup>22</sup> *ibid.*, p.76

<sup>23</sup> *ibid.*, p.96

<sup>24</sup> Howie, p.49

<sup>25</sup> Reid, p.102-103

<sup>26</sup> Howie, p.49

<sup>27</sup> Reid, p.114, Howie, p.50

<sup>28</sup> Howie, p.50

<sup>29</sup> Lloyd-Jones, D.M., *The Puritans: Their Origin and Successors* (Edinburgh: Banner of Truth, 1987) p. 274

<sup>30</sup> Because of these actions the Scot Thomas Carlyle in his history *Heroes and Hero Worshippers* calls Knox the Father of Puritanism.



danger and encouraged him to leave the city. They realized that if Knox remained in Frankfurt they could be forced to turn him over to the higher authorities, possibly even to Mary herself. Knox left Frankfurt late in 1555 and returned to Geneva seeking the counsel of his close friend, John Calvin. Shortly after his arrival in Geneva, he made a short visit to Scotland.

While in Scotland Knox had close contact with John Erskine of Dun and James Stewart, later to be the Earl of Moray. (James was the half brother of Queen Mary and one of Knox's most powerful supporters). The Queen and her followers attribute much of the success of the Reformation in Scotland to James. Other enemies also recognized that James was very influential in the Reformation work in Scotland. In 1556, a short time after James met with Knox, there was an assassination attempt on James's life. While making a visit to France, he and his companions were poisoned. Everyone died except for James who returned to Scotland.<sup>31</sup>

While at Dun, Knox, Erskine, Stewart and others entered into a covenant together. The covenant, known as the The Covenant of Dun, is the first of a long line of covenants and is the beginning of a movement and people which came to be called "Covenanters." The covenant is simple but expresses the hearts of those entering into it. Most participants in this covenant and later covenants probably knew that they would later seal these agreements with their blood. In their own minds,

this was acceptable since the Lord Himself had sealed the Covenant of Grace with His own precious blood. In the covenant they bound themselves together to abstain from the mass, to adhere to the true evangel of Christ, and to help as opportunity arose those who preach the pure Gospel.

About this time, Knox received a letter from the English congregation in Geneva to be its pastor. He accepted the call contrary to the wishes of many in Scotland, and along with his wife and mother-in-law, returned to Geneva. When Knox had gone, his enemies once again tried to take advantage of the situation. The Bishops summoned Knox to a council meeting but since he was on his way to Geneva he could not attend. He was convicted for failing to comply with their request and burned in effigy at the cross in Edinburgh. Knox was now a condemned heretic. Later when Knox heard of this, he wrote appealing to the nobility of Scotland. But for now, all he could do was to wait in Geneva for a reply.

### **The Most Perfect School of Christ**

When Knox arrived back in Geneva in 1556, he found a city that had been largely reformed. Previously, the Libertines had held control of the city's government; it was

now mostly in the hands of those who supported Calvin. Knox settled quickly in this new environment and gave himself to his studies and pastoral tasks.

The congregation in Geneva was really an extension of his church in Frankfurt. Many persons in the church had been with Knox in Frankfurt. They believed that even though Knox had been forced to leave Frankfurt, he was still and always would be their pastor. Because of this strong bond, Knox found the transition to his new calling relatively smooth. The form of worship was similar to the order he instituted in the previous church. Knox's Form of Government laid the foundation for presbyterial rule. This move would have wide influence for years to come.<sup>32</sup> Many historians claim that this was the first Puritan church to exist.<sup>33</sup>

Knox now received a letter, dated March 10, 1556, asking him to return once again to Scotland. The letter was delivered to him by a man named James Syme and was signed by four nobles, including James Stewart. The request from Scotland pulled

at Knox's heart. Although his work in Scotland was going well, he still had a great desire to labor in Scotland. He had also been concerned about news he had received detailing the course of the Reformation. Calvin advised him to return, declaring "that he could not refuse that vocation, unless he would declare himself rebellious unto his God, and unmerciful to his country." Knox took Calvin's advice and prepared to leave.<sup>34</sup> Immediately, he set out once again for Dieppe to catch

the first ship headed for Scotland. When he arrived in Dieppe, there were two letters waiting for him. These letters explained that the circumstances had changed and that it was not now good for him to come to Scotland. Knox sent a speedy reply. He was greatly distressed by the change of events and wanted to know what had happened:

According to my promise, right Honorable, I came to Dieppe, the 24th of October, of full mind, by the good will of God, with the first ship to have visited you. But because of two letters, not very pleasing to the flesh, were there presented to me, I was compelled to stay for a time... which letters when I had considered, I partly was confounded and partly was pierced with anguish and sorrow. Confounded I was, that I had so far travailled in the matter moving the same to the most Godly and the most learned that this day we know to live in Europe, to the effect that I might have their judgements and grave counsels, for assurance as well of your consciences as of mine, in all enterprises... The cause of my dolour and sorrow—God is witness—is for nothing pertaining either to my corporal contentment or worldly displeasures; but

**"The cause of my dolour and sorrow—  
God is witness—is for nothing pertaining  
either to my corporal contentment or  
worldly displeasures; but it is for the  
grievous plagues and punishment of God,  
which assuredly shall apprehend not only  
you, but every inhabitant of that miser-  
able realm and Isle, except the power  
of God, by the liberty of his evangel,  
deliver you from bondage."**

<sup>31</sup> Howie, p. 38

<sup>32</sup> Reid, p. 138

<sup>33</sup> *ibid.*, p. 134

<sup>34</sup> Knox, p. 130

it is for the grievous plagues and punishment of God, which assuredly shall apprehend not only you, but every inhabitant of that miserable realm and Isle, except the power of God, by the liberty of his evangel, deliver you from bondage.<sup>35</sup>

Knox was not happy that the nobles seemed to be double minded. So much of the work of the Reformation rested in their hands. He also knew that many of the faithful in England were being sent to the flames. If this were to continue, then there would be no one to carry on the work in Scotland. Knox also considered that God was judging him for leaving Scotland for Geneva in the first place. So once again, Knox could only wait for a reply.

Knox, while waiting in Dieppe, did not spend his time idly. He wrote the letter entitled "The First Blast of the Trumpet Against the Monstrous Regiment of Women." This was to be the first of three "blasts" in which Knox maintained that women may not rule in government. Knox contends that the Estates, "ought to remove frome honor and authoritie that monstre in nature: so call I a woman cled in the habit of man, yea, a women against nature reigning above men...and therefore let all men be advertised, for the Trumpet Hath Ones Blown."<sup>36</sup> By the time Knox returned to Geneva, the Blast had affected many throughout the realms. Not only did his enemies attack him, but also many in the Protestant camp. His old church in Frankfurt asked John Aylmer to reply to Knox. Even Calvin stated in 1559 that he had warned Knox against taking such a position.

Knox continued to keep busy. He helped translate and annotate the Geneva Bible. He wrote many letters and tracts on a variety of subjects. Finally in November of 1558, circumstances began to change. Mary Tudor died on November 17, 1558, thus bringing Elizabeth I to the throne. Elizabeth was a Protestant, and many people hoped that this move would encourage the Reformation in England. Moreover, this change signaled the end of the Knox congregation in Geneva since many of them returned to England. In January 1559, the Genevan city council granted the refugees permission to depart.<sup>37</sup> Knox also noted the providential hand of God in this change, since he once again received a request to return to Scotland. This time the letter was accompanied by a common bond of the nobles, pledging their support and fidelity to the Reformation cause:

THE GODLY BAND  
3rd December, 1557

We, perceiving how Satan in his members, the Anti-Christ's of our time, cruelly doth rage, seeking to overthrow and to destroy the Evangel of Christ and His Congregation, ought, according to our bounded duty, to strive in our Master's cause, even unto death, being certain of the victory in Him; the which our duty, being well considered, we do promise before the majesty of God and His Congregation: That we, by His grace, shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish the most blessed Word of God and His Congregation, and shall labour according to our power

to have faithful minister, truly and purely to minister Christ's Gospel and Sacraments to His people. We shall maintain them, nourish them, and defend them, the whole Congregation of Christ, and every member thereof, according to our whole poweres and waring of our lives against Satan and all wicked power that doth intend tyranny or trouble against the aforesaid Congregation. Unto the which holy Word and Congregation, we do join us, and so do forsake and renounce the Congregation of Satan with all the superstitions, abominations, and idolatry thereof. And, moreover, shall declare ourselves manifestly enemies thereto, by this our faithful promise before God, testified to this Congregation by our subscriptions at these presents. At Edinburgh, the third day of December, 1557 years. God called to witness.

Scribed by the Earls Argyle, Glencairn, Morton, Arch. Lord Lorne, John Erskine of Dun.<sup>38</sup>

Knox wanted to return to Scotland via England and set out once again for Dieppe. Upon arrival he sent a letter asking for a passport and safe passage through England to Scotland. No reply came. He went so far as to say that he would grant that Elizabeth was the rightful ruler if she acknowledged that her appointment was from God. Knox finally ceased trying to travel through England and set out directly for Scotland in late April, 1559.

The years of Knox's preparation for his work in Scotland had now come to an end. In a short time he would begin the work for which God had called Him. For years he had watched and prayed as God took him step-by-step and prepared him for the ensuing events. Since the beginning Knox had greatly reformed his theology. In his ecclesiology he saw that church practice was to be completely determined by consulting God's Word. Nothing short of a complete transformation of the existing church was acceptable. For this view he dons the title "Puritan."<sup>39</sup> Some commentators have rightly considered him the father of the Puritan movement.<sup>40</sup> Knox also knew that he was not to stand alone. He was a part of the Kirk (the Scottish term for church), the body of Christ with Jesus as its supreme head. The body, according to Knox, bound together with covenants, encouraging and strengthening one another in the noble calling of Christ. In this, Knox was one of the founding leaders of the Covenanter movement. Many people, following in Knox's path, would affix their names to these covenants upon pain of death in order to further the cause of Christ in the realm of Scotland. Δ

<sup>38</sup> *ibid.*, p. 154

<sup>39</sup> Lloyd-Jones, p. 260

<sup>40</sup> *ibid.*, p. 260

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<sup>35</sup> *ibid.*, p. 130-132

<sup>36</sup> Reid, p. 147

<sup>37</sup> *ibid.*, p. 153

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# Has Roman Catholicism Changed?

## An Overview of Recent Canon Law

Thomas Schirrmacher\*

**Some observers speak of significant reforms taking place within Roman Catholicism, but an evaluation of recent official pronouncements suggests another course.**

### I. The Starting Point: Use of term "Tradition" in Scripture

Before discussing the new Catholic Church Law, I wish briefly to make my own presuppositions clear. I intend to examine the teachings and organizational structure of any church according to the divine revelation found in Holy Scripture. This approach can be briefly applied to the notion of "tradition." The word "tradition" (Gr. *paradosis*; Lat. *tradi-*

*tio*), in the New Testament, may refer to the act of "passing on" (delivery); or it may point to the content thereof — that which was passed on (delivered). Usually, it has to do with the transmission of teachings or instructions. The Biblical use of the term does not in itself imply a valuation: the tradition can be divine or human, true or false.

#### A. Tradition in the OT

The OT does not have a special word for "tradition." The activity itself however is described by many concepts. Genuine tradition grounded in acts or revelation of *Jahwe* ought to be passed on to the next generation. False tradition, based on man's wisdom, is attacked: "Walk ye not in the statutes of your fathers, neither observe their judgments, ... [but rather] walk in my statutes, and keep my judgments, and do them." (Ezek. 20:18-19) Holding fast to the genuine "tradition" imparts life (Prov. 4:13); it does not stifle (Prov. 4:12).

#### B. Tradition in the NT

##### 1. Divine or Sound Tradition

In addition to using the term "tradition" in the sense of the *substance delivered*, the New Testament also uses the verb form "deliver," sometimes with the meaning "to surren-

der [something]." The passages may be divided between those pertaining to the positive *transmissions*, which are to be held fast, and those dealing with negative ones which are to be eschewed. Luke identifies the oral *transmission* of eyewitnesses as the source for his gospel account (Lk 1:2). Paul, too, expressly appeals to eyewitnesses to defend the *transmitted* account of the death and resurrection of Jesus which was consistent with Scripture (I Cor. 15:3 ff). The Lord's Supper goes back to the divine transmission which was passed on by men (I Cor. 11:23ff; cf. already v.2).

Along with the transmission of historical events is the transmission of special instructions of the Apostles, of the gospel, or of the faith as such. The resolutions of the Jerusalem counsel were transmitted to the congregations as firmly established teachings "to keep" (Acts 16:4). In 2 Thess. 2:15 and 3:6 the traditions are to be held firm, which were passed on "whether by word or our epistle" (2:15). II Pet. 2:21 speaks of holy commands "*delivered* unto them." Defection from these commands is equated to a defection from the very faith itself. Parallel to this, Jude 3 admonishes "...that ye should earnestly contend for the faith which was once delivered unto the saints." In the NT, then, the positive sense of tradition as transmission encompasses the Scriptures (cf. 2 Tim. 3:15 ff.), the gospel, and the faith as a whole as well as the particular historical accounts and instructions of the apostles, the latter being available to us only via the Scripture.

##### 2. Human or False Traditions in NT

To the same extent that the NT portrays the gospel itself as tradition, it opposes other traditions which lay claim to divine authority. According to I Pet. 1:18, redemption is needed from precisely that vain manner of living "received by tradition<sup>1</sup> from your fathers"! This judgment applies to all human traditions: "Beware lest any man spoil you through philosophy and vain deceit, after the tradition of men..." (Col. 2:8)

Amidst all the variety of evangelists and teachers, Paul does not want anything to go astray from that which is written (I Cor. 4:6), for that would lead to one puffing himself up against another, whereas *that which was transmitted unites* (4:6-7).

Paul's dispute is especially with the Jewish traditions which are added to the Old Testament. Paul explicitly rejects these "traditions of the fathers" for which he himself was so zealous prior to his conversion to Christ (Gal. 1:14). The polemic is found especially in the discussions between Jesus and the Scribes and Pharisees. (The Sadducees, for the most part, rejected the oral tradition along with the Old Testament.) In Mt. 15:1ff and Mk 7:1ff., traditions are set in sharp contrast to the command and Word of God. To the extent that tradition is observed, the Word of God is made void (Mk 7:13). In this connection Jesus quotes Isaiah 29:13: "Well hath Isaiah prophesied of you hypocrites, as it is written, 'This people honoureth me with their lips, but their heart is far from me. Howbeit in vain do they worship me, teaching for doctrines the commandments of men.' For laying aside the commandment of God, ye hold the tradition of men..." (Mk. 7:6-8)

In the sermon on the mount, Jesus uses particular examples to distinguish the law from the traditions of the

\*Translated by T.J.Harris. Scripture citations are given using AV. Editorial notes will be indicated by asterisks; the author's notes are numbered.

<sup>1</sup> This is the only occurrence of the Greek word *patroparados* for tradition.



elders (Mt.5:17-6:18). He doesn't heighten the obligations of the law, but only reminds them of it: Cursing, lusting for a woman (10th commandment), divorce except in the case of unchastity, hatred of one's enemies, etc. is already declared abhorrent in the Old Testament. The Pharasaical traditions do not clarify the Bible, but stand in direct contradiction to the Word of God whenever they lay claim to divine authority (Mk.7). Surely there will always be certain circumstances relative to the various cultures where innovation is appropriate — the time of the worship service, seating arrangements, etc. But these may never bind the conscience of all men, unless they are based upon the Bible. Stumbling against such innovations does not mean one stumbles against the eternal and universal doctrine of God. All opinions regarding how a Christian should live, if they lay claim to divine validity, may be tested and questioned in terms of the Bible. This also applies to the new Roman Catholic Church Law, which is the subject of the following discourse.

## II. The Essence of Catholic Law

Catholic law does not simply provide legal structuring of the church in the sense in which every organization in time subjects itself.

### A. Roman Catholic Church Law in General

#### 1. Claims to be "divine"

The Catholic church law has a totally different character from that of protestants, even if the latter may be criticized in its own right. One dictionary defines church law as "law created by God and the church, for the church."<sup>2</sup>

#### 2. Reflects the essence of the church

Because of its divine character, church law in the Roman church is not an arbitrary factor, but rather reflects the essence of the church; indeed, it determines the essence of the church. The German conference of Bishops explained it like this: "Jesus Christ himself established the fundamental form of this order. The church is of divine origin. Its life flows from the Word of God, the sacraments. The guarantor of its unity is the seat of Peter. Bishops lead their dioceses as followers of the apostles in unity with the Pope. Church law is thus the way of life of the church, the expression of her unity and the thing which defines how to care for souls."<sup>3</sup>

This perspective remains valid even in recent times as the quote shows, and has not been weakened by all the alleged reforms of the Roman Catholic Church in the last decades. In his introduction to the new church law, the chairman of the German Canon Law Translation Commission, Winfried Aymans, writes:

The church law grows, according to catholic understanding, out of the essence of the church itself. It is, according to the teaching of the second Vatican

Counsel, the external side of a complex reality; it is at the same time the human expression of a manifold spiritual reality whose root is in God.<sup>4</sup>

### 3. Mediates salvation

Catholic church law, according to the Roman Catholic Church, goes back to God and the spiritual authority of the church. Thus, it has the character of mediating salvation. The above-cited lexicon says, "The salvation-mediating function of church law finds succinct expression in the old formula *Extra ecclesiam nulla salus* (outside the church there is no salvation), which in its original understanding referred to the visible, hierarchically constituted church. Its judicial ordinary \* power plays a decisive role in the redemptive work of Jesus Christ."<sup>5</sup> Furthermore, "The church law is Holy Law on account of its divine origin and its function of mediating salvation; this was expressed in the early Christian terms for church law, for example *jus divinum, sacrum, poli, coeli* (divine, holy, heavenly justice)."<sup>6</sup>

The jurisdiction of Catholic ecclesiastical law extends therefore far beyond the boundaries of the Catholic Church. Certain parts apply to all men, others to all baptized persons of whatever confession. "Catholic church law is the law of the church united under the Pope as her visible head, which understands itself as the church of Jesus Christ; therefore, her judicial order applies fundamentally to all baptized persons.... Though the claim with respect to non-Catholic Christians generally cannot be enforced, yet it still has practical significance whenever the legal relation to non-Catholic Christians (e.g. the legitimacy of a marriage) is brought before the Catholic forum."<sup>7</sup>

### B. The Distinction Between Divine and Human Justice in Church Law

Since there is now a new version of the canon law, clearly not all aspects of it are immutable. In particular, a distinction must be made between divine and human law under the rubric of ecclesiastical law. "The purely ecclesiastical law, like all human law, may change in order to adapt to changing circumstances. The divine law is unchangeable, though it should not be thought of as a fixed quantity. Just as there is progress (doctrinal development) in the course of understanding and unifying the stuff of revelation, so the church also grows in its understanding of positive divine law — for example, the teaching regarding the papal primacy. This applies above all to the natural divine law."<sup>8</sup> Herman Avenarius explains the distinction more precisely:

Catholic canon law proceeds from the primacy of divine law (*ius divinum*). This is divided into two categories: the positive divine law (*ius divinum positivum*) as revealed in redemptive history, above all in the Scriptures; and natural law (*ius naturale*) based on God's natural revelation in the created order. The *ius divinum* is universal and valid at all times; it cannot be set aside by force, nor be altered. Under this category

<sup>4</sup> W.Aymans, *op.cit.* p.8

<sup>5</sup> "Ordinary" is used here in the technical sense meaning "having immediate (not delegated) jurisdiction"

<sup>6</sup> K.Mörsdorf, *op.cit.* p.246

<sup>7</sup> *ibid.*

<sup>8</sup> *ibid.* p. 245

<sup>9</sup> *ibid.* p.246

<sup>2</sup> K.Mörsdorf, article "Kirchenrecht" in *Lexikon für Theologie und Kirche* (hereafter LThK), 2. Auflage, ed. J.Höfer et.al., Freiburg 1986, 6, pp. 245-250

<sup>3</sup> Deutsche Bischofskonferenz 1983 as quoted in W.Aymans, *Einführung in das neue Gesetzbuch der lateinischen Kirche*, Arbeitshilfen 31, (Bonn:1983), p.5

are included the 10 commandments, the ordinance of the sacraments... and the papal primacy.

Human law stands in contrast to the *ius divinum*, and in turn can be divided into the categories civil law (*ius civile*) and church law (*ius humanum ecclesiasticum*); it is in its essence changeable. Legislative authority for *ius humanum ecclesiasticum*, which is only binding for baptized persons, lies in the Pope for the church as a whole, and in the Bishop at the level of the diocese."<sup>9</sup>

In any new edition of the canon law, the divine law may only be reformulated, while the human law may be completely changed. Still, the former pronouncements continue to have meaning: "the old, cancelled law lives on as to substance in the CIC,<sup>10</sup> and continues to have significance for the ongoing interpretation of it."<sup>11</sup>

One should bear in mind the history of this distinction. In the words of one Catholic canonist, "the distinction between *ius divinum* and *ius humanum* was not consciously recognized until the Reformation."<sup>12</sup>

To the outsider, it may be difficult to distinguish between the divine and human law within the canon law. Even catholic professors of Canon Law have their disputes over this.<sup>13</sup> This is equally true, however, for the *doctrines* of the catholic church. An infallible dogma is derived from a particular teaching via a complicated ranking process. In the German edition of the most important teachings of the catholic church, the attempt was made to divide the teachings into those that are "infallible" or unchangeable, and those that may be revised.<sup>14</sup> This work recommends itself as a good complement to the study of canon law.

We summarize the characteristics of catholic canon law in the words of Erwin Fahlenbusch, a teacher of church symbols:

The Roman Catholic Church carries out its worship and its life in the world in disciplined fashion: its organization is judicially structured. The canon law (or Catholic church law) consists of the totality of all rules (law statements; "canon," measure, standard) governing action and institutions of the church.... The necessity for such a law is, for the Roman Catholic Church, not deduced merely from the fact of being a social corporation, and needing, like every other society, binding rules. Rather it sees its possession of discipline as given along with its constitution and mission. In other words, the discipline of the church is redemptive-historically conditioned and is logically and materially prior to the standards necessary for any societal organization. It includes the rules needed for organization and protection, but goes beyond this in

that it is essentially related to the mediation of salvation. Canonical law distinguishes itself from every other jurisprudence just as the Church is distinguished from every other community. It is the reflection of the Roman Catholic Church's understanding of its own nature."<sup>15</sup>

### III. The New Catholic Canon Law of 1983

#### A. Church Law as Papal Expression

The church law derives its authority ultimately from the papal office of Peter, as is clear from the quotations above. Aymans writes in the context of presenting the gradual emergence of the new laws: "the work of reform, initiated and assisted by the counsel, and its result in the form of the now promulgated<sup>16</sup> Codex, were only issued forth by means of the authority of the Pope."<sup>17</sup> This state of affairs stands forth clearly in the title of the new canon law: "Code of canon law, promulgated by the authority of Pope John Paul II" (translated from CIC 1984).

#### B. The Relevance of the Canon Law

The new canon law of 1983 is a superb vehicle for ascertaining the current state of development of the Catholic Church. One who would engage in polemics with the Catholic church law will not need to answer the objection that he is attacking outdated Catholic positions or trying to drag peripheral issues to the center stage. The church law of 1983 is:

- inspired by Vatican II, and claims to take up its reforms and put them into concrete form;
  - a century-long work in our own time, and has brought about a flood of new literature commenting on the changes and suggesting practical applications;
  - published by the authority of the current Pope;
  - like all canon law, tied up with the essence of the catholic church as well as its notion of salvation.
- The relevance of the new church law will be even better understood if we look at its historical development.

#### C. Historical Background of the New Canon Law

Church law always played a big role in the history of the Roman Catholic Church. For centuries, however, it was scattered through many documents, and parts of it were buried within other writings and often only derivable from current practices. In 1917, after many years of effort, the countless scattered laws and determinations were gathered together in the large work "Codex Iuris Canonici", and this remained in force almost without change or correction until 1983.

On Jan.25, 1959, anticipating the second Vatican Council (1962-65), Pope John XXIII announced a revision of the church law, which was to incorporate especially the changes of the (then) upcoming second Vatican Council. Numerous commissioners worked on it after the council.

<sup>15</sup> Fahlenbusch, E., "Kirchenkunde der Gegenwart," in *Theologische Wissenschaft* 9, (1979), p. 73.

<sup>16</sup> "Promulgate" is the official phrase for the ceremonial papal clarification, which gives power to a particular document.

<sup>17</sup> W.Aymens *op.cit.* p. 9

<sup>9</sup> H.Avenarius, *Kleines Rechtswörterbuch*. (Bonn 1985), p. 217

<sup>10</sup> CIC is the acronym for *Codex Iuris Canonici* (Code of Canon Law) and indicates the written compilation of Catholic church law.

<sup>11</sup> K.Mörsdorf, article "Codex Iuris Canonici" in *LThK* 2(1986) p.1246

<sup>12</sup> E.Corecco in *Handbuch des Katholischen Kirchenrechts*, ed. J. Listl *et al.*, (Regensburg 1983), p.16

<sup>13</sup> e.g. Listl *et al.*, *op.cit.*

<sup>14</sup> J.Neuner & H.Roods, *Der Glaube der Kirche in den Urkunden der Lehrverkündigung*, 10.Auflage. (Regensburg 1979).

Pope John Paul II, who took office in 1978, gave the project substantial impetus. On Jan. 25, 1983, after long preparation, John Paul II released the new Catholic Law — in Catholic terminology he “promulgated” the new law — setting November 27, 1983 as the date it would come into force. Was it just a coincidence that Martin Luther’s 500th birthday, solemnly celebrated by many protestant churches, fell in the same month?

The new catholic law applies to all Catholic Christians in the Latin church. Many of the determinations claim validity for all baptized persons; many others, to all Catholics. Many of the provisions, however, apply only to the Latin, or Roman, Catholics, that is, not to the (mostly very small!) orthodox churches that are attached to the Roman Catholic church. The original intention of creating a church law applicable equally to all non-Latin churches within the fold of the Catholic Church failed. So to some extent, other provisions apply to these churches, mostly of orthodox heritage. In terms of numbers, however, these churches are insignificant.

## D. Differences Between the Ecclesiastical Laws of 1917 and 1983

Both in structure and contents there are many differences between the laws as published in 1917 and 1983.

Where the church law of 1917 was strongly modeled after the juridical structure of Roman law (*personae/res/actiones*, i.e. persons/things/actions) the new law is oriented more toward personal questions in accordance with Vatican II. After a long introduction, Book I starts with “General Norms.” Book II follows with “The People of God.” It is considerably more detailed than the first book and contains rights and duties of laymen and the important section on the clerics. It is here that the Roman Catholic ecclesiology (=theory of the church) is unfolded. In contrast, Book III on the “The Teaching Office of the Church” is very short! It is striking that this section also takes up the rules for Catholic schools and universities. The detailed book IV, “Office of Sanctifying in the Church”, comprises, significantly, the entire sacramental ordinances. The other sections are V. “The Temporal Goods of the Church”, VI. “Sanctions in the Church”, VII. “Processes”; these three describe the entire judicial structure of the church along with its court system.

## E. General Remarks on the New Church Law

With the new church law, the Catholic Church reveals itself once again as a religion of law. Luther rightly spoke of the “Law of the Pope”. The Mosaic law of the Old Testament had a divine origin that the new church law unjustly lays claim to.\* It distinguishes itself from the Catholic law in that it is short, comprehensive, and simple; for the most part it is expressed in principles and case examples which can then be applied to concrete situations. The Catholic church law is quite different. The 1,752 Canons along with subparagraphs treat everything from the church’s right to exist to processing costs, from the Catholic university to confirmation certificates, excommunication to the sale of relics. In all of this nothing is left to chance; the

terms are all precisely defined.

Two examples will show the extent of attention to detail.\*

The Bishop is instructed as follows: “Except for a serious and urgent reason he is not to be absent from his diocese on Christmas, during Holy Week, on Easter, Pentecost, or Corpus Christi.” (Can 395 §3)

The definition of an illegitimate child goes: “Children are presumed to be legitimate if they are born at least 180 days after the celebration of the marriage or within 300 days from the date when conjugal life was terminated” (Can 1138 §2).

## F. Motion Toward the Bible?

One hears promises of a departure in the direction of the Bible in the new law. Many passages do in fact have a new, evangelical ring to them. One reads of “justification by faith” (Apost. Const.15”), “rebirth in Christ” (Can 208) and much more. But appearances are deceptive. The words are there, but they mean something quite different. A few examples may show this.

The Bishops work together in a “collegial spirit”, (Apost.Const.7,13,20) but their word has no further significance apart from approval by the Pope (ibid.,esp.13,20). Ecumenicity is advocated (Apost.Const.22; Can 256 §2; 383 §3; 755 §1) , but attaches the condition “as this is understood by the church” (Can 383 §3). They speak of “continual sanctification,” (Can 210) but they mean thereby that the sanctification of believers takes place through the partaking of the sacrament (cf. Book IV “The Office of Sanctifying in the Church” on the sacraments; Can 834; 1253; & esp. 835 §1). From modern missiology, they get that the laity participates in the apostolate (Can 225 §1), but at the same time strengthen the sacramental precedence of the clerics. They say the “gospel” ought to be proclaimed to all peoples (Can 211; 747§1; 757; 781ff.) but understand this entirely sacramentally and add “in regard to the whole church, the task of proclaiming the gospel is principally entrusted to the Pope and college of Bishops” (Can 756 §1). The task can then be delegated to the priests (Can 757).

## G. Advancements in the New Church Law?

The new church law certainly contains a series of “advancements.” However, they do not move in the direction of a loosening of catholic teaching in favor of a return to the Biblical foundation, but instead add yet more to the same system which has been growing through the centuries.

### 1. The Development of the papacy

The best example of this advancement is the position of the papacy. In the course of the centuries, the papacy was enlarged ever further. The relation of the Pope to the assembly of Bishops, the counsel, was always an essential

\* Citations from Canon Law are taken from the English translation as expressed in *The Code of Canon Law - A Text and Commentary*, New York: Paulist 1985. Note that only the Latin edition is legally binding.

\*\* The “Apostolic Constitution *Sacrae Disciplinae Leges*” is a kind of papal preamble to the canon law, which gives the circumstances of its promulgation. Numbers given in references to this section refer to the ordinal paragraph as typeset in the Paulist Press (English) edition.

\* Such a claim is made, for example, in Apost.Const.14,17.

point of contention. Finally, the changes reached the point that only the Pope could call a counsel to meet — yet the counsel in meeting still could infallibly decide doctrinal issues and stood with equal rights vis-a-vis the Pope. After this, the next step could be taken in the 19th century: in 1870, declarations “*ex cathedra*” of the Pope were declared to be infallible. The Pope pushed this dogma through the counsel, using methods that were not always transparent, as catholic historian August Bernhard Hasler showed.<sup>18</sup>

Nevertheless, this doctrine remained largely theoretical after the initial test of strength, either because the Pope and counsel were united on the current questions, or as the case may be, no *ex cathedra* decisions were needed. Only after 80 years could the papacy seize hold of the next step: the application of the dogma of papal infallibility. The Pope, without a counsel meeting and without being able to refer to the slightest precedent in known church tradition, declared the dogma of the ascension of Mary.

After this “step of progress” in the empowerment of the Pope, the next step could be prepared: the juridical disempowerment of the counsel. For until now the counsel had equal rights with the Pope and could itself make infallible decisions.

## 2. The Disempowering of the Counsel by the Papacy

This disempowering of the counsels was silently and secretly completed by the new Catholic church law (esp. Can 749 §2).

In this matter the beautiful word “collegiality” must not delude, as already remarked above. The tension is evident in Can 333 §2, which develops the unlimited power of the Pope over the church as described in Can 333 §1. “The Roman Pontiff, in fulfilling the office of the supreme pastor of the church is always united with the other Bishops and with the universal church; however, he has the right, according to the needs of the church, to determine the manner, either personal or collegial, of exercising this function.”

The Pope, according to this paragraph, works “collegially” only as long as he desires to do so. An appeal to a counsel against the Pope is forbidden (Can 1372). The counsel “together with its head, and never without its head, is also the subject of supreme and full power over the universal church” (Can 336). Thus, decrees of the counsel are only valid with the agreement of the Pope (Can 341 §1)!

## THE EXPANSION OF PAPAL POWER IN MODERN TIMES

Church Law of 1983

Dogma on Mary 1950

Papal Dogma 1870



Pope is lord over counsel

Pope is infallible without the counsel

Pope is infallible like the counsel

## 3. Church Law as New Papal Law?

The whole church law appeals to the authority of the Pope (Apost. Const. 13,30). Again and again his supreme authority is established. He is the highest judge, who himself cannot be brought before the court (Can 1404-1405); without him, no counsel can reach decisions or even

meet (Can 336-341); he is infallible in his doctrinal decisions (Can 749 §1; cf. 2). Can 331 says,

The Bishop of the Church of Rome, in whom resides the office given in a special way by the Lord to Peter, first of the Apostles and to be transmitted to his successors, is head of the college of Bishops, the Vicar of Christ and Pastor of the universal Church on earth; therefore, in virtue of his office he enjoys supreme, full, immediate and universal ordinary power in the church, which he can always freely exercise.

To be sure, the title “Vicar of Christ” was used before, but is now for the first time anchored in church law. Canons 330-336 very much strengthen the papal office, it being up to him “to determine the manner, either personal or collegial, of exercising this function.” The talk about the college of Bishops is only a formality, since both counsel and synod are disenfranchised.

The authority of the Pope, which could scarcely increase any further, is further documented in other quotes:

There is neither appeal nor recourse against a decision or decree of the Roman Pontiff. (Can 333 §3)

The Roman Pontiff is the supreme judge of the entire Catholic world; he tries cases either personally or through the ordinary tribunals... (Can 1442)

The students are to be so formed that, imbued with the love for the Church of Christ, they are devoted with a humble and filial love to the Roman Pontiff, the successor of Peter, and are attached to their own Bishop as his trustworthy co-workers... (Can 245 §2)

Clerics are bound by a special obligation to show reverence and obedience to the Supreme Pontiff and to their own ordinary (Can 273).

As regards the universal Church the duty of proclaiming the gospel has been especially entrusted to the Roman Pontiff and to the college of Bishops (Can 756 §1).

Generally, one gets the impression, that the new church law is in reality a papal law. In all important chapters the absolute precedence of the Pope is stressed before anything else, whether the subject matter is the care of souls, evangelization, the property of the church, judgments, or legislation of the church. All the functions of the church are actually only carried out as commissioned by and in representation of the Pope, and from this derive their authority. (Can 204 §2 leadership of the people of God; 377§1-3 appointment of Bishops; 782§1 direction of missions; 1256 authority over all goods; 1273 administration of ecclesiastical goods; etc.)

## 4. Catholic Criticism of the New Papal Rights

Criticism from the pens of learned Catholics also shows how much the new Catholic church law is a further expansion of papal preeminence. The paper “Diakonia” dedicated an issue (May 1986) to the theme “The Bishop.” The Catholic canonist Knut Walf concluded that the post-conciliar development did not deliver what the council had promised with the term *collegiality*. He writes:

The new “Codex Iuris Canonici” of 1983 may present an invincible obstacle in the way of reducing

<sup>18</sup> A.B. Hasler *Wie der Papst unfehlbar wurde*, (Frankfurt 1981); cf. H. Küng *Unfehlbar? Eine Anfrage* (Frankfurt 1980).

tensions between the Primate and Episcopacy in the foreseeable future. It cannot too often be repeated: the new Codex does not breathe the spirit of collegiality in its legal, constitutional sections. Rather, it petrifies the papal standing of primacy in a way that is foreign even to the 1917 codex.<sup>19</sup>

As examples, Walf cites the following:

- the "shift in accent to the greater position of power of the Pope" in Can 331, "in which this power of the Pope in the church, but especially also within the college of Bishops, is newly defined in a way that cannot be exceeded, in contrast to which Walf refers to the "modest formulation of the earlier codex."

- the arrogation of the title "Vicar of Christ" in Can 333

- taking over the title used in the Roman Empire for the emperor, "principatus" in Can 333 §1 and the implied enlargement from juridical power over the entire church to "ordinary" power, which stretches out over "all particular churches and all groupings of churches" (Can 333 §1).

- the relativising of the ecumenical councils. According to Walf, "the council is systematically and by law pinned into a dead corner." While the old church law handled Pope and council, each with equal rights, in their own sections, in the new church law the differences are erased. The counsel is constituted in the section on the Pope, and the collegiality of the Bishops may be brought to order by mail and by other previously unheard-of methods, always under the leadership of the Pope.

Similar criticism of the new preeminence of the Pope with respect to the council has been published by numerous other catholic authors. The international "Concilium Foundation" devoted an entire issue of its journal "Concilium", which appears in seven languages, to the meaning of the ecumenical counsel.<sup>20</sup> The Italian canonist Giorgio Feliciani<sup>21</sup> criticizes in his contribution the commission which prepared the determinations on the college of Bishops on the grounds that the central role of the counsel was abandoned without offering any justification. American professor of Theology, Joseph Komochak,<sup>22</sup> showed that the new church law distorted the determinations of Second Vatican in favor of a new papal rule. He fears that the Bishops will, in the end, be relegated to "yes-men" for the Pope, no longer having any of their own authority.

Further criticisms include the Pope's string of new titles ("Vicar of Christ") while, at the same time, a list of similar titles for the counsel easily fall by the wayside.<sup>23</sup>

But the Foundation sees in all this a development that has been underway for a longer time, a development leading to a "neutralization of the ecumenical counsel." The counsel "is no longer defined as its own legal institution independent of the primate. On the contrary, there is now the danger that the counsel will be absorbed by the papal primate."<sup>24</sup>

Naturally, I do not intend to save the ecumenical

<sup>19</sup> K.Walf, "Kollegialität der Bischöfe ohne römischen Zentralismus?", in *Diakonia: Internationale Zeitschrift für die Praxis der Kirche*, 17(1986) 3/pp. 171-172; cf. examples pp.172-173

<sup>20</sup> *Concilium* 19 (1983) 8/9, pp.499-586

<sup>21</sup> *ibid.*, 526-530

<sup>22</sup> *ibid.*, pp. 574-579

<sup>23</sup> *ibid.*, p.585

<sup>24</sup> *ibid.*, p.586

counsel. All this is only to make clear the following:

If there is any sort of "progress" in the new new catholic church law, then it is "progress" in a very definite direction. No progress is to be discovered in the direction of opening up the simple Biblical truths nor toward evangelical teaching. Instead, we find a further expansion of papal power; an expansion that is falling upon sharp criticism even within the catholic church and which is seen as a break with catholic tradition.

## H. Examples of the Retention of Catholic Teachings in the New Church Law

Several further examples should show that the Catholic Church in its new Church Law has kept practically all the teachings and practices which protestants criticize<sup>25</sup> and which cannot be reconciled to the Bible; indeed to an extent the church has sharpened them. A refutation of the specific teachings from a Biblical perspective is omitted here, since this is already done in the worthy books by Uhlmann<sup>26</sup> and Bühne<sup>27</sup> as well as other writings.

### 1. Veneration of Mary and the Saints

The salvation of souls is under the protection of Mary (Apost. Const.31). Seminarians are to foster especially "devotion to Blessed Virgin Mary", the rosary and other exercises (Can 246 §3), which are a means for their sanctification (Can 276 §5). The people of God should "cultivate a special devotion to the Virgin Mother of God, model and protector of all consecrated life, including the Marian rosary" (Can 663 §4). *Relics are to be found in every fixed altar in all churches* (Can 1237 §2), holy images, even if in "moderate number," are to be set up (Can 1188), and should furthermore be venerated as a means of sanctification (Can 1186-1190; cf also can 663 §4).

### 2. Baptismal Regeneration

Baptismal regeneration is firmly anchored by law. Through baptism men are born again and come into the church (Can 11, 96, 11,112,204, 205, 217, 787 §2; 849ff). "*Baptism, the gate to the sacraments, necessary for salvation in fact or at least in intention, by which men and women are freed from their sins, are reborn as children of God and, configured to Christ by an indelible character...*" (Can 849).

### 3. Through Confirmation the Holy Ghost is Received

Receiving the Holy Spirit by means of confirmation remains intact: "The sacrament of confirmation impresses a character and by it the baptized, continuing on the path of Christian initiation, are enriched by the gift of the Holy Spirit and bound more perfectly to the Church..." (Can 879).

<sup>25</sup> By protestant criticism I mean the examination of Catholic teachings in light of the gospel, as was done by the Reformers. Today, there is much that passes as "protestant" that has as little to do with the Bible as many Catholic teachings. The standard must always be the Bible, as I described in the first section. Naturally this applies to the "evangelical" criticism of the Reformers.

<sup>26</sup> P.H.Uhlmann, *Die Lehrentscheidungen Roms im Lichte der Bibel*, Berneck 1984.

<sup>27</sup> W.Bühne, *Ich bin auch katholisch. Die Heilige Schrift und die Dogmen der katholischen Kirche*, (Bielefeld 1988).



#### 4. The Eucharist

Moreover, the Eucharist is the central point in the congregation of the faithful (Can 528 §2) and is a literal sacrifice (Can 897, 904). The faithful should venerate the eucharistic element "*worshipping it with supreme adoration*" (Can 898). The Eucharist may never be celebrated with other churches (Can 908). Priests must celebrate it daily (Can 276 §2; 719 §2).

#### 5. Excommunication and Schism

Even if "excommunication as punishment" is restricted to fewer cases than in 1917, they are still heavy-handed enough. Exercising physical force against the Pope (Can 1370) leads to automatic excommunication as does abortion (Can 1398), but especially "*offenses against religion and the unity of the church*" (Book VI, Part II, Title I). Under this rubric is included the "apostate", i.e. one who has totally repudiated the catholic faith as a whole (Can 1364, 751, 194 §1, 694 §1); the "heretic," who obstinately doubts certain catholic truths (Can 751, 1364); and the "schismatic" (Can 751, 1364). "Schism is the refusal of submission to the Roman Pontiff or to communion with the members of the church subject to him" (Can 751). To be counted as a schismatic it suffices, therefore, to fail to subordinate oneself to the Pope. Whoever, in addition doubts, Catholic teachings is at the same time a heretic and will easily become an apostate, one who has fallen. So that the notion of "separated brothers" (Can 825 §2) as well as other expressions in referring to other Christian churches does not really indicate a change at all.\*

#### 6. Marriage Issues

The rules regarding the invalidity and annulment of marriages are shocking. A marriage with an unbaptized person is plain and simple invalid (Can 1086); the same for impotence (Can 1084). An unconsummated marriage can be annulled by the Pope (Can 1142). Can 1143-1150, especially 1146 deals with the possibility of divorce from an unbaptized partner. A marriage with an unbaptized person who cannot live out the marriage due to imprisonment or persecution can be annulled even if the partner has in the meantime become baptized (Can 1149).

There is such a thing as a secret marriage (Can 1130-1133). The definition of legitimate children already cited above then presumably leaves it to guesswork whether children "born at least 180 days after the celebration of the marriage or within 300 days from the date when conjugal life was terminated" should count as legitimate!?

#### 7. Indulgences and Penance

The subject of indulgences has an entire chapter dedicated to it. (Book IV, chapter IV; Can 992-997). "*An indulgence is a remission before God of the temporal punishment for sin the guilt of which is already forgiven, which a properly disposed member of the Christian faithful obtains under certain and definite conditions with the help of the*

*Church which, as the minister of redemption, dispenses and applies authoritatively the treasury of the satisfactions of Christ and the saints*" (Can 992).

It is clear that the subject of indulgences again divides the spirits. While the Bible only knows one single forgiveness in Jesus Christ, which cancels guilt and satisfies the sentence of eternal punishment, the Catholic Church distinguishes between the cancelling of sin through absolution after the confessional, and the remission of punishment achieved through satisfactions, indulgences, and time in purgatory. *With this, the finished redemptive work of Jesus Christ is placed in question*, in that it is only half-accepted. The atonement of the cross and the prayer for forgiveness does not, for the Catholic Church, also bring about the remission of punishment! Reconciliation is also tied to confession in the confessional (Can 964 §2). The sacrament of penance is moreover the only way to forgiveness. "Individual and integral confession and absolution constitute the only ordinary way by which the faithful person who is aware of serious sin is reconciled with God and with the Church." (Can 960). Sin is directed not just to God, but against the church as well (Can 959,960). But this is arrogance!

#### I. Conclusion

One need merely read the new Catholic Church Law to realize where it has defected from the Bible. In the last pages only sections from the new church law have been presented, nothing from other writings. The Catholic Church is cast as always it has been; the writings are only friendlier and more collegial. To know the new catholic church law is enough to know that there is no possibility for ecumenical fellowship for any believer in the Biblical sense of that word. How many people who think they may remain in the Catholic Church haven't long since earned excommunication according to the canon? The protestant state Bishop Eduard Lohse should have read the church law carefully before recognizing the title of Pope and addressing the same as "brother in Christ."

The new catholic church law can therefore be a good help in discussions between Catholics and non-Catholics, to show that in its kernel the Catholic church has not changed. Having reviewed the arguments for the relevance of the church law in section III, one need only examine a copy of the church law in order to become convinced of the state of things in terms of black and white.

Particularly the paragraph on indulgences (Can 992) with its teaching that forgiveness through Christ does not provide redemption from retributive punishment, along with the paragraphs on the Pope (Can 331,333) would provide an outstanding springboard for presenting the Biblical gospel.

#### IV. Important Sections of the New Church Law.

The following list indicates the more important paragraphs of the new canon law with an abbreviated indication of contents. The most important issues are marked with an asterisk; naturally there is some subjectivity here. The list is designed to be a help for self-study. It can also help to prepare for conversations with Catholics. I suggest marking the key places in a copy of the canon law and also taking a copy of the list along. One might begin with

\* The subtlety of Dr. Schirmacher's point needs to be noted. He is not objecting to the notion of excommunication when carried out according to Scriptural principles, but rather to (a) the preposterous pre-determined grounds for R.C. excommunication, and (b) the hypocrisy of claiming to recognize non-Catholics as "brothers" while in another place effectively defining them as heretics and schismatics.

passages which prove that the Catholic conversational partner has long ago defected from the position represented by the church law. In other cases, the best approach may be to start with the subject of the growing power of the Pope. Passages dealing with salvation and the forgiveness of sins are especially good for setting forth, by way of contrast, the Biblical message, perhaps using the epistle to the Romans.

- 204§1 The faithful = those baptized
- §2 Pope governs the church
- 210 Sanctification
- \*212§1 Obedience to leaders as "representatives of Christ"
- \*218 Freedom of inquiry if respect for magisterium (not Bible) observed
- 223§2 Ecclesiastical authority regulates rights of faithful
- 245§2 Seminarians to be obediently devoted to Pope
- 246§1 Eucharist the center of life of the seminary
- §3 Devotion to Mary and rosary advocated
- \*273 Clerics obey Pope and Bishop
- 276§3 Clerics to fulfil liturgy of hours every day
- \*276§5 Devotion to Mary a means of sanctification
- 277§1 Celibacy
- \*330 Pope + Bishops = Peter + apostles
- \*331 Power of the Pope; Vicar of Christ
- \*333§1 Pope's ordinary power over all particular churches
- \*333§2 Pope leads church by himself or with Bishops
- 334 All offices carry out their tasks in name of Pope
- \*336 College of Bishops is never without Pope
- \*341§1 Decrees of ecumenical counsel only obligatory if approved by Pope
- 337§1 Bishops in place of the apostles
- 400 Bishops to venerate the tombs of Peter and Paul
- 528§1 Eucharist the center of the "assembly of faithful"
- \*663§4 Veneration of Mary and the rosary
- \*749§1 Infallibility of papal teaching office
- \*749§2 Ecumenical counsel only infallible in connection with Pope
- \*750 Scripture and tradition
- \*751 Heresy, apostasy, and schism
- \*752 Not heartfelt belief, but obedience
- 825§1 Publication of Bible only with papal approval
- 825§1 Publication of Bible only with "appropriate annotations"
- 834§1 Sanctification through holy liturgy
- 847 How to consecrate holy oils
- \*849 Baptism frees from sin
- \*879 Confirmation brings the gift of the Holy Spirit
- \*897 Eucharist contains Christ and is a sacrifice!
- \*898 Eucharist to be worshiped with supreme adoration
- \*899§2 Priests act "in the person of Christ"
- \*901 Mass for the dead
- \*904 The Eucharistic sacrifice is work of redemption
- 932§2 Sacrifice to be performed on a dedicated or blessed altar
- 947-51 Rules for accepting payments for masses
- \*959 Sacrament of penance
- \*959 Reconciliation with God and the Church

- \*960 Confession only way of reconciliation
- 964 Confession normally using confessional stall only
- 978 Father confessor is judge and healer
- 981 Acts of penance
- \*992-6 Indulgences
- \*1084 Marriage with non-baptized invalid!
- \*1149 Divorce possible if partner becomes imprisoned
- \*1186 Sanctification through veneration of Mary
- 1187 Veneration of saints
- 1188 Sacred images in moderation
- 1190 Relics
- 1235-39 Altars
- \*1237§2 Every fixed altar erected over relics
- 1251 Abstain from meat on Fridays
- 1251 Everyone to fast on Ash Wednesday and Good Friday
- \*1256 Supreme authority of Pope with respect to ownership of all goods
- 1264 Payments for favors and administrations of sacraments
- \*1273 Pope the ruler of all church goods
- 1365 Forbidden participation in others' services
- 1367 Automatic excommunication for misuse of eucharistic elements
- 1370 Automatic excommunication for physical force against Pope
- \*1371 Penalty for teaching contrary to any doctrine condemned by Pope or ecumenical counsel
- \*1372 No appeal to ecumenical counsel or Bishops' college against Pope
- 1388§1 Automatic excommunication for breach of confessional privacy
- \*1398 Automatic excommunication for abortion
- \*1404 Pope can be judged by no court
- \*1442 Pope the highest judge

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*We are pleased to introduce Dr. Thomas Schürmacher to the English-speaking world. Dr. Schürmacher is, among many activities, engaged as editor-in-chief of the German theological journal Bibel und Gemeinde (Waldbronn, W.Germany) and teaches ethics and missiology at the Theologischer Fernunterricht (Theological Education by Extension) in Bonn/Altenkirchen. The larger version of this article may be ordered from him at*

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*Shorter articles, written by Dr. Schürmacher at the time of the first and second editions of the canon law are:*

• "Das neue katholische Kirchenrecht", 1. Auflage, *Licht und Leben* (1984) 9 198-200

• "Das neue katholische Kirchenrecht", 2. überarbeitete Auflage, *Gemeinde Konkret* 3 (1985), 16

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# Helping the Poor Without Feeding the Beast

**Scripture is replete with gracious prescriptions for relieving poverty, and none of them involve government coercion**

**Greg L. Bahnsen**

## **A Gracious End to Pursue**

Those who have faith in Jesus Christ as their eternal Savior from the guilt, penalty, pollution, and power of sin have experienced grace in its most genuine and supreme sense — God's lovingkindness exercised self-sacrificially for the redemption of His undeserving people.

To put it in an economic figure

of speech, God's riches of grace have been freely used to relieve our hopeless spiritual poverty. As Paul said: "For you know the grace of our Lord Jesus Christ, that, though He was rich, yet for your sakes He became poor, that you through His poverty might become rich (2 Corinthians 8:9). It is obvious from the context in which these words are found — viz. a discussion of giving an offering to minister to the needs of poverty-stricken saints — that Paul meant it to be more than a mere figure of speech.

The gracious behavior of our Lord Jesus Christ is to be emulated practically by those who trust in Him for salvation. Thus the use of our earthly resources (our riches) should manifest our experience of divine mercy by graciously relieving the poverty of others. This grace demonstrates the sincerity of our love:

But as you abound in everything — in faith, and utterance, and knowledge, and all earnestness, and in your love to us — see that you abound in this grace also. I speak not by way of commandment, but as proving through the earnestness of others the sincerity also of your love (vv. 7-8).

Just because it is grace that Paul is commending here, he makes a point of saying that charity<sup>1</sup> must be an expression of sincere love from the heart, not something practiced due to external compulsion. So "I do not speak by way of commandment," says Paul. Charity arises from internal constraint. Such constraint is necessarily felt by those who are transformed by the grace of God.

<sup>1</sup> The word "charity" is cognate to the Greek word *charis*, meaning "grace."

It is inconceivable that a poor sinner could be enriched by the gracious salvation of Jesus Christ and not then show pity upon the economically poor. Doing so is a fleshing out of the gospel which he believes unto eternal life. "The righteous man shows mercy and gives" (Psalm 37:21). Anyone who claims God's love, but who lacks compassion for the needy, has not really experienced that which he professes. The Apostle John wrote:

But whoever has the world's goods, and beholds his brother in need, and shuts up his compassion from him, how could the love of God abide in him? (1 John 3:17)

God's gracious love produces people who exercise gracious love toward others. No other power in the universe can produce such a heart. Grace always begets grace, and only grace begets grace.

We may take it as a Biblical starting point, then, that Christians should feel a responsibility to "work out their salvation" (cf. Philippians 2:12) in the economic realm by seeking to meet the genuine needs and relieve the misery of the poverty-stricken.<sup>2</sup> To feed the hungry among Christ's brethren, to clothe them when naked, and to visit them when sick is to minister as unto Christ Himself: "Inasmuch as you did it unto one of these my brethren, even the least, you did it unto me" (Matthew 25:40). As Proverbs put it, "he who has pity on the poor lends unto the Lord, and his good deed will He repay him" (19:17). Charity shown to the needy honors the poor man's Maker (14:31), whereas "he who mocks the poor reproaches his Maker" (17:5). The way in which we respond to the poverty-stricken, then, is an index of our relationship to God as Creator and Redeemer.

Proverbs teaches us that a godly woman "stretches out her hand to the poor" (31:20), and "he who gives unto the poor shall not lack" (28:27). Indeed, "he who has a bountiful eye shall be blessed, for he gives his bread to the poor" (22:9). Thus "he who despises his neighbor sins, but he who has pity on the poor, happy is he" (14:21). On the other hand, to oppress the poor and enrich yourself thereby will prove an expensive tactic that brings you into need (22:16) and will make for yourself a divine enemy (22:22-23). Likewise, to disregard the plight of the poor will render your own prayers ineffectual: "whoever stops his ears at the cry of the poor, he also shall cry himself but not be heard" (21:13).

## **Biblical Means to the End**

God's word not only points us to the gracious end which we all should pursue (viz. relieving the needs of the poor), but it also has a great deal to say about the means by which the Christian graciously accomplishes that end. After all, not just any means-to-the-end carries divine approval. Robbing banks in order to give cash to the needy is one conceivable means of helping the poor that will incur the wrath and curse of God!

How, then, would God's word direct us to show

<sup>2</sup> The expression "poverty-stricken" is valuable in reminding us that many who are poor and needy are not so because of their own choices and irresponsibility. On the other hand, those who refuse to work — and thus should suffer the consequence of not eating (2 Thessalonians 3:10) — are not "stricken" with their poverty, but have brought it about in a most predictable fashion. They too need our help, but of a much different kind.

concern for the poor and needy?<sup>3</sup> First, by not hiding from their needs — isolating ourselves so that we need not encounter the cries of the poor. The Bible condemns “stopping the ears” and “hiding the eyes” (Proverbs 21:13; 28:27), not so subtle ways of remaining insensitive to the plight of the less fortunate around us. “The righteous takes knowledge of the cause of the poor” (Proverbs 29:7). Indeed, when he gives a dinner, he is acquainted with and able to invite the poor who cannot recompense him (Luke 14:12-14).

Second, and most obviously, we are urged to show neighborly pity to the poor (cf. Proverbs 14:21) by giving generously to relieve their specific needs — making direct gifts to buy groceries or clothes, pay utility bills, underwrite medical treatment, etc. (Matthew 25:35-39; Luke 14:12-14). “The righteous gives and withholds not” (Proverbs 21:26; cf. 22:9).

Third, God’s law protects and provides favorable social arrangements for the poor and needy, such as the prohibitions on taking the necessities of life as collateral (Exodus 22:26-27; Deuteronomy 24:22-13) or charging interest on loans made to them (Exodus 22:25; Leviticus 25:35-37; Deuteronomy 15:7-11; 23:19-20). It sometimes happens that a person cannot afford a donation to a brother in need, but can loan him some money for a time. It is a Christian virtue not to turn away those who would borrow from us (Matthew 5:42), expecting nothing in return (Luke 6:35). In such a case, it would be immoral to profit from your brother’s distress: the loan may not carry interest charges. God Himself will pay back such a good deed (Proverbs 19:17), whereas the violation of this command from God will lead you to lose your financial gain to someone else more gracious (Proverbs 28:8).

Fourth, the law of God also provides for the poor through the favorable social arrangement of requiring us to allow gleaning (Leviticus 19:9-10; 23:22; Deuteronomy 24:19-20). The leftovers in our fields, the pickings which fall to the ground, and the unreaped corners of the fields are to be made available to those who are in need. The poor may hereby work to support themselves and may meet their families’ needs with whatever they are able to carry away (thus placing natural requirements and restraints upon the scope of this provision). The application of this divine requirement outside of agricultural settings is not inconceivable (e.g., donation of our still-useable clothes, furniture, appliances, cash change from the market or restaurant, etc.).

Fifth, the word of God offers us wisdom to see that it is inappropriate and worthy of disapprobation for someone to use his advantage in the free market to drive up prices on items which are basic necessities of life. “He who withholds grain, the people shall curse him; but blessing shall be upon the head of him who sells it” (Proverbs 11:26). The greed which would corner the market on some commodity which is a staple of life, calculating to withhold it from sale in order to make people desperate and increase the profit on its sale later, will be cursed.

Sixth, the scriptures require us to protect the

property rights of those in society who virtually have no voice, who are easiest to exploit, and who have the least political clout — people like the orphans and widows (Deuteronomy 10:18; Psalm 68:5; Proverbs 15:25; 22:28; 23:10-11). Tampering with their boundaries or in other ways diminishing the use and value of their property and belongings — whether through legislation or deceptive contracts or manipulative lawsuits — provokes the vengeance of their Redeemer according to the Bible, and we should intercede to take their side as well. This is especially needful in a culture where it has become so costly (and tricky) in civil court to resolve disputes and guard one’s rights.

Seventh, Christians who plead for the rights of the needy in lawsuits as well as those who are entrusted with judicial authority, such as judges in our courts, are especially commanded by God to relieve the easy social oppression of the needy and to guard against judicial prejudice toward them. God expects kings to “deliver the poor and needy” (Ps. 72:2-4, 12-14) — which means, according to the Biblical text itself, that they are to “break their oppressors” by securing fairness in the courts and protecting them from “bribes,” “fraud and violence” (Leviticus 19:15; Ex. 23:3, 6; Ps. 82:1-4; Amos 5:11-12; cf. Proverbs 22:22-23; 29:14).

Eighth, another way in which those in need are defrauded is when wealthy employers take advantage of them by delaying or holding back the wages of their workers (Leviticus 19:13; James 5:1-6). In such cases the Christian must come to the worker’s defense and seek the fulfillment of obligations made to him, lest his economic condition be further worsened. Likewise, Christians ought to take a stand for protecting the freedom of the poor in the marketplace so that they are guaranteed an opportunity to compete for jobs (e.g., over against closed union shops, etc.; cf. Matthew 20:1-16) and to compete at a price that renders them more likely to be hired (e.g., over against wage requirements set by the state, etc.; cf. Revelation 13:17). To deny people the freedom to compete in the marketplace and thereby enjoy upward economic mobility violates the love we are to have for our neighbors and transgresses the golden rule.

Ninth, Christian families must make it a point to make provision for meeting the economic needs of their family members (1 Timothy 5:8), in particular those who fall upon hard times. This will call not only for industry and avoidance of sloth to take care of ordinary living expenses (e.g., Proverbs 6:6-11; 10:4; 19:15; 20:4; 23:21; 24:30-34), but also foresight and frugality to meet emergency needs which could not be predicted (cf. e.g., Leviticus 25:25, 49). Likewise, as an extension of such loving provision, families may show benevolence to fellow-believers who have become insolvent debtors by allowing the poor brother voluntarily to sell himself (actually, his labor) into their servitude, thereby coming to be treated and cared for as part of the household. His debts would be paid (Leviticus 25:39), he would learn responsible labor and financial saving (perhaps enough to buy his own release: Leviticus 25:49), and in time he would be given liberal provisions to start a new life (Deuteronomy 15:14).

Tenth and very importantly, the Christian congregation should corporately minister to the needs of the poor. The office of deacon was specifically ordained as a ministry of mercy to the needy, for instance the daily assistance to

<sup>3</sup> Cf. my lessons entitled “Imitating the Father’s Tender Mercies,” “The Paradox of Liberty,” “Widows and Property Rights,” “A Godly Attitude Toward Money,” “A Righteous View of Riches,” etc. available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA, 95603.



widows (Acts 6:1-6). Tithes and offerings which God calls for are regularly to be used for the relief of the poor (Deuteronomy 14:28-29).<sup>4</sup> And special offerings are to be taken by the church to take care of Christians suffering from special hardships or emergencies (e.g., 1 Corinthians 16:1-2; Romans 15:25-27; 2 Corinthians 8). The charitable agency of the church is one of the most enduring, powerful and efficient means of distributing financial aid to people in need. Such distribution of charity is motivated by voluntary and divinely sanctioned sacrifices and offerings from God's people. Its resources ought to be a ten-percent baseline of the earnings, however great or small, of all of God's people — then further fueled by the freewill offerings of grateful believers who have been blessed with enough to meet their own needs. The oversight and administration are local, accountable to the congregation, and far less vulnerable to freeloading, fraud, and the expenses of a top-heavy bureaucracy.

Even this very sketchy sample of the Biblical evidence demonstrates that God's word has a great deal to say, not simply about the general aim of helping the poor and needy, but also about the specific means which God has approved and commanded for fulfilling that task. The Bible exhorts us to pursue the gracious end of relieving the poverty-stricken. It likewise reveals various gracious means for doing so. Certain recent suggestions have been made by some evangelical Christians which would supplement the means mentioned above by which believers should support the poor, and it becomes our assignment here to evaluate those supplemental means for their Biblical credentials (or lack thereof). Not every means to an end enjoys the approval of God, as we said above. It is important that we do God's work in God's way.

## Betraying Grace

It is a tribute to Dr. Ronald Sider that his book, *Rich Christians in an Age of Hunger*,<sup>5</sup> has captured the attention of so much of the evangelical Christian world. He writes with conviction and compassion — a compassion for relieving the poor and hungry of this world which one could only wish more people shared, especially more financially comfortable Christians. From what has been said above, those who define their Christian perspective and ethic according to the Scriptures should have no difficulty endorsing the goal set forth by Dr. Sider: viz. that of getting Christians activated to meet the genuine needs of the poor. Our evaluation of the means advocated by Dr. Sider, however, cannot be as positive. I believe that a proper reading of Scripture does not substantiate, but rather contradicts, many of Dr. Sider's proposals.

This is not the place to engage in a factual analysis of Dr. Sider's approach to helping the hungry of the world, although a significant critique could be undertaken here.<sup>6</sup> It

is rather our purpose to offer a normative, Biblical evaluation of his approach, particularly as he advocates the intervention and compulsive agency of the state to improve the outward economic circumstances of the poor. Such advocacy is on a collision course with the teaching of God's word. This is evident first, and in the broadest sense, because it abandons the gracious character of Christian charity.

As we can see from the preceding list of means for helping the poor, there are some provisions which are a matter of justice — that is, protecting legitimate civil rights against those who would oppress the poor by taking advantage of them (e.g., fraud in the marketplace, prejudice in the courts). But other provisions are of a different character altogether, being a matter of grace (or charity) which proceeds from the heart and leads us voluntarily to feed the poor, lend to them, take up offerings, etc.

When someone possess a right, he may claim justice by making a demand upon others; if he has a right (say, to freedom of worship), then the rest of us have a corresponding duty (here, to forbear his chosen liturgy) — and the state may impose punitive sanctions for my violating that duty. This is "justice." Now obviously the scope of our moral obligation before God exceeds the scope of our enforceable duties within the civil order of the state. God may require me not to snub a grouchy neighbor (and will consider this in the judgment of the final day), but this does not turn a cheerful greeting into a matter of justice — as though it were my neighbor's right, and the state may punish me for depriving him of "justice"! It should rather be said that by snubbing the grouchy neighbor I have not been "gracious" to him (and have not treated him as God has treated me). The virtue which I lack will come only by the internal, sanctifying work of God; it will not be produced by the compulsion or threats of the state. The state is an agency of justice, not grace.<sup>7</sup>

Justice and grace (or charity) should also be distinguished when we are thinking of God Himself. The theological concept of God's essential character is logically different from that of God's eternal purposes. The latter denotes His good pleasure which is not constrained or necessary (and thus could have been otherwise) — such as His choice to send His Son into this world graciously to die for sinners. The former concept denotes what is always and necessarily true of God — such as His abhorrence of theft. The prohibition of stealing stems from God's unchanging character; it is not an open question whether God might choose to condemn or rather condone stealing. On the other hand, the provision of a saving sacrifice or the granting of regeneration to a sinner stems from God's eternal purpose; necessity did not (could not) constrain it, but God graciously chose it in His good pleasure. It is crucial that evangelical Christians draw a distinction between these two concepts of

<sup>4</sup> A comparison of the beneficiaries of the tithe mentioned in Deuteronomy 14:28-29, the "third year" tithe, with those in other passages (Deuteronomy 14:27; 16:11, 14; 26:11-13) demonstrates that the uniqueness of the third year tithe was not that it supported the poor in a special way. It did aid the needy, but not distinctively or exclusively.

<sup>5</sup> (Downers Grove: Intervarsity Press, 1977).

<sup>6</sup> One way to evaluate an ethical opinion is to scrutinize the factual claims which are made in support of it or to look into the practical consequences which result from it. Dr. Sider's polemic can be readily faulted for its inaccurate claims about the actual

workings of economic systems — for instance, unscientific claims about Western affluence "causing" Third-world poverty, or misunderstandings about the alleged evil effects of the "profit" motive in the marketplace. From the standpoint of consequences, the proposals of Dr. Sider compare unfavorably to the research-backed conclusions about the kind of poverty programs he advocates: e.g., George Gilder, *Wealth and Poverty* (New York: Basic Books, 1981), or Charles Murray, *Losing Ground: American Social Policy, 1950-1980* (New York: Basic Books, 1984).

<sup>7</sup> It is characterized by vengeance (Romans 12:19; 13:3-4), not mercy (Deuteronomy 19:13, 21; 25:12; Hebrews 10:28).

justice and grace, lest the nature of the gospel message itself be obscured.<sup>8</sup>

Unfortunately Dr. Sider has not been careful to do so. He advocates what he calls "structural change" such that the state would compel and enforce certain provisions intended to help the poor (like guaranteed income and prices, trade preferences, commodity agreements, land redistribution, foreign grants of economic aid, etc.).<sup>9</sup> About these changes he writes: "Yahweh wills institutionalized structures (rather than mere charity) which systematically and regularly reduce the gap between the rich and the poor." He is forthright by indicating that "what is needed is a change in public policy" — thus calling "on the government to legislate." His thesis is pointedly stated: "The texts we have examined clearly show that God wills justice, not mere charity."<sup>10</sup> Dr. Sider is pressing for more than charity or grace. He is blunt that certain social policies preferential to the poor are a matter of justice — to be made a right which the state enforces with its awesome power to punish. Note the stress upon "justice" in this passage:

God wills prosperity with justice. But that does not mean that wealthy persons who make Christmas baskets and give to relief have satisfied God's demand. God wills justice for the poor. And justice, as we have seen, means things like the Jubilee and the sabbatical remission of debts. It means economic structures that check the emergence of extremes of wealth and poverty. It means massive economic sharing among the people of God. Prosperity without that kind of biblical concern for justice unambiguously signifies disobedience.<sup>11</sup>

In the broadest sense, then, our objection to Dr. Sider's proposed means to the end of helping the poor is that it abandons the gracious character of Christian charity. By calling upon the state to enforce certain economic provisions, thereby compelling people to show preference for the poor, Dr. Sider is no longer talking about love which is practiced from the heart self-sacrificially. He has tried to turn grace into justice, only to distort them both.

## Wresting Scripture

Beyond this, the "justice" which Dr. Sider proposes is fundamentally at odds with the Biblical concept of justice. He openly endorses economic policies enforced by the state which would show preference to the poor (and to poor nations). However God disapprobates the showing of any respect of persons in judgment (Proverbs 24:23; 28:21). According to His will, justice is supposed to be blind — not supposed to take account of a person's racial, social, or economic status. A private citizen may choose to exercise discrimination by offering charitable aid to one person instead of another, but the state is prohibited to discriminate or show favoritism. Indeed, God's word explicitly

<sup>8</sup> "The Lord is merciful and gracious...He has not dealt with us after our sins, nor rewarded us according to our iniquities" (Psalm 103:8, 10). "By grace you have been saved... it is the gift of God, not of works, lest any man should boast" (Ephesians 2:8-9).

<sup>9</sup> Sider, *Rich Christians*, chapter 9.

<sup>10</sup> *Ibid*, pp. 209, 205, 295 (in each case emphasis is mine).

<sup>11</sup> *Ibid*, pp. 128-129.

forbids the showing of preference to the rich or to the poor: "neither shall you favor a poor man in his cause" (Exodus 23:3). God's normative view of justice precludes the preferential policies advocated by Dr. Sider from being deemed "justice." Thus saith the Lord: "You shall do no injustice in judgment; you shall not be partial to the poor nor defer to the great, but you shall judge your neighbor fairly" (Leviticus 19:15).

The only cogent way to escape the above refutation would be to argue that God Himself, the one who determines the demands of true justice, has revealed in His word that the kind of preferential economic policies advocated by Dr. Sider are required to be enforced by the state. If God's word teaches (or implies by good and necessary consequence) that tariff preferences, guaranteed income, foreign aid, etc. are part of the legitimate duty of the civil magistrate, then such things become a right to be demanded by the poor (and part of God's conception of civil justice), rather than a preferential violation of the impartiality otherwise required by the justice of God. Has Dr. Sider exegetically demonstrated that his proposals enjoy divine sanction?

Dr. Sider and the author of this essay share the same basic assumptions about Biblical authority in the area of economics.

According to biblical faith, Yahweh is Lord of all things. He is the sovereign Lord of history. Economics is not a neutral, secular sphere independent of his lordship. Economic activity, like every other area of life, should be subject to his will and revelation.<sup>12</sup>

We agree that Scripture is our ethical norm for economics. Moreover, we agree that the whole Bible must be taken into account when determining what the will of God is on a question. Dr. Sider observes:

God gave Israel the law so that his people would know how to live together in peace and justice. The church is now the new people of God....Certainly, as Paul and other New Testament writers indicate, parts of the Mosaic law (the ceremonial law, for instance) no longer apply to the church. But there is no indication that the moral law has ceased to be normative for Christians (Mt. 5:17-20; Rom. 8:4). The Old Testament's revelation about the kind of economic relationships that promote love and harmony among God's people should still guide the church today.<sup>13</sup>

He continues on to say of the Old Testament law: "It is the basic principles, not the specific details, which are important and normative for Christians today."<sup>14</sup> Moreover, the fact that biblical authors did not hesitate to apply these revealed norms to societies outside the people of God supports the conclusion that we should apply them to our society today as well. "Following biblical principles on justice in society is the only way to lasting peace and social harmony for all human societies."<sup>15</sup> In a nutshell, Dr. Sider

<sup>12</sup> *Ibid*, p. 115.

<sup>13</sup> *Ibid*, p. 93.

<sup>14</sup> *Ibid*, p. 94.

<sup>15</sup> *Ibid*, pp. 205-206.

has summarized my own basic understanding of the normativity of God's law for present day society.<sup>16</sup>

Within the framework of these convictions about the normativity of God's word in economics, however, Dr. Sider has fallen short of demonstrating in any exegetically cogent manner that Scripture supports the state's preferential policies toward the poor which he proposes. How does he attempt to enlist Biblical sanction for such things as tariffs, commodity agreements, enforced land reform, guaranteed income, foreign aid, etc.? By appealing to the "Jubilee" provisions of the Old Testament (Leviticus 25).<sup>17</sup> The reasoning he employs is exaggerated, to say the least.

In the first place, the provisions for the Jubilee were not a matter of state-enforced justice, but rather the moral obligation of a people who had enjoyed the saving grace of God. That is, the Jubilee was a picture of the "gospel" (Isaiah 61:1; Luke 4:18). It displayed grace, not justice. There is no mention of penal sanctions brought by the civil magistrate for violating the Jubilee (although God clearly intervened to judge His people when they ungraciously disregarded it: cf. 1 Corinthians 11:17-32).

In the second place, the provisions for the Jubilee were not a part of that universal justice or righteousness which is known through general revelation as binding upon all mankind.<sup>18</sup> It was only within the "holy land" of Israel that God allotted inalienable family plots of land and then required that any plots which impoverished Israelites might sell (more akin to lease) would revert to the assigned family in the fiftieth year. This was a unique arrangement for God's special people (thus categorized with the ceremonial law) — based on God's direct granting of the land (Leviticus 25:2) and His work of gracious atonement (vv. 9-10), thus making Israel "holy" or set apart from other nations (v. 12).

In the third place, Dr. Sider has interpreted the Jubilee as a "model" of general economic redistribution meant to "equalize wealth" and "avoid the extremes of wealth and poverty."<sup>19</sup> The actual text of Leviticus 25 does not support such a generalization, nor such an interpretation of the divine intention. The stipulations of the Jubilee protected only the agricultural Israelites (not those within the cities) from irredeemable loss of their land; it did not provide for their sharing in the profits or assets of others. Indeed, during the time that a family's land was alienated from them, they received no income from it at all — and did not share in the income of the temporary owner (lessor). Economic redistribution must be read into the text.

In the fourth place, Dr. Sider's method of reasoning is exaggerated, even if we granted an redistributionary interpretation of the Jubilee text. How do we apply the "underlying principles" of the Old Testament laws? A good

example is found in the requirement that a railing be placed around the flat roof of the Israelite's house (Deuteronomy 22:8) on which visitors were entertained. From these we learn the general moral principle that we should provide safety precautions to protect human life, and we could readily apply this principle by requiring fences around backyard swimming pools. The connection is not hard to see here. Dr. Sider's method, however, renders any specific connection between his preferential economic proposals and the provisions of Jubilee dubious, and he does this by overgeneralizing the intention of the text. He moves from the specific provision of restoring family lands to the highly abstract and undefined notion of economic "redistribution," and then applies that abstract notion to any kind of redistribution imaginable — e.g., pooling and equally dividing all of our assets, institutional policies such as guaranteed income, commodity agreements, foreign aid, etc. This is a long, long stretch of the imagination from the biblical text. One might just as creatively apply the rooftop railing legislation to the modern state, via a completely abstract notion of safety precautions, by making it a law that everyone must wear scuba gear in case he falls into a backyard swimming pool!

If the Jubilee provisions warrant just any and all schemes of economic redistribution, then they justify robbing banks and dividing up the spoil among the poor. This *reductio ad absurdum* is intended to point to the absence of any reasonable hermeneutical control in Dr. Sider's use of the Biblical text to make economic judgments for the modern world. Obviously, our use of the underlying principles of God's law should not bring us into conflict with the clear teaching of God's word elsewhere. It is just here that we come to the greatest difficulty with Dr. Sider's economic proposals for helping the poor. By advocating that certain preferential economic policies be legislated and enforced by the civil magistrate, he puts himself at odds with the Biblical view of the state and its proper limits.

Dr. Sider has correctly stated that the right of private property which is guaranteed in God's word is not absolute, but subject to qualification.<sup>20</sup> We would certainly agree, but add that only God has the right to abridge the right of private property by prescribing the qualifications upon it through His revealed word — not by human speculation or the application of abstract principles. Moreover, those qualifications or limits upon the right of private property may be enforced by the punitive power of the state only where God so authorizes. By not showing divine authorization for the state-enforced abridgements of private property and preferential economic policies he proposes, Dr. Sider has urged the evangelical world in the direction of feeding "the Beast."

### Unleashing Leviathan

We take it as a Biblical starting point that all civil magistrates today are under moral obligation to be guided and regulated by the law of God (throughout the Bible), where and when it speaks to political matters. The specification and qualification at the end of that sentence is crucial, or else we are deprived of any objective regulative principle for limiting the authority of the state. Without a

<sup>16</sup>See Greg L. Bahnsen, *Theonomy in Christian Ethics* (2nd ed.; Phillipsburg, NJ: Presbyterian and Reformed, [1977] 1984), and *By This Standard* (Tyler, TX: Institute for Christian Economics, 1985).

<sup>17</sup>For instance, *ibid.* pp. 129, 209. Dr. Sider also mentions the Pauline collection and the remission of debts in the sabbath-year, but the former was a voluntary offering within the church (not relevant to state-enforced redistribution) and the latter (which never did carry a penal sanction within the state) should still be practiced in our interpersonal affairs, I believe.

<sup>18</sup>E.g., a Chinese family living at that same time could not have learned from natural revelation that a particular plot of real estate belonged to their family by divine right.

<sup>19</sup>Sider, pp. 87-90, 109, cf. 115, 129, 205, 209, 213.

<sup>20</sup>*ibid.* pp. 115-116, 130.

clear view of the state's function and limits, the Christian cannot develop a Biblically grounded position regarding rights, equality, liberty, loyalty, dissent, or the proper balance between security and privacy (order and freedom) within the state. If we cannot establish boundaries for the state's authority, we will have no logical and principled defense against the growth of the state into Thomas Hobbes' "Leviathan" — an allusion to the beast from the sea (cf. Rev. 13:1).

We must mark off, within the context of public moral duties and responsibilities, a delimited realm where the state has authority to enforce civil sanctions against misbehavior. Not all sins against the law of God are properly to be treated as crimes, and therefore, we must circumscribe the authority of the state to inflict punishment upon its citizens and do so in a way which is open to public scrutiny. Were the sphere of sin (even public or interpersonal sin) to be equated with the sphere of the state's legal prerogative to impose punitive sanctions, the state would be placed in the position of God Himself, leaving it to act (by contrast) like a beast. God has not authorized the state to scrutinize and judge every social misdeed, nor has He granted it the responsibility to produce every social virtue. The state is neither competent nor empowered to judge the private lusts of an individual's heart or even his selfish use of money in light of a neighbor's need.

According to Paul, the special characteristic which marks off the state from other institutions within society is its moral authority (not simply raw power) to inflict public penalties for disobeying civil statutes. It is an institution distinguished by coercive authority — "bearing the sword" as a "terror" and "avenger of wrath" to evildoers (Rom. 13:4), a prerogative denied to both the family (Deuteronomy 21:18-21) and the church (2 Corinthians 10:3-4). Because the state possesses this awesome prerogative to use compulsion in enforcing its dictates (whether by threat of death, monetary fine, or imprisonment), the state must be carefully and ethically limited in its proper jurisdiction. If the state lacks moral warrant for imposing a civil penalty upon someone for violating a public statute, its punitive action would be indistinguishable from murder (called "capital punishment"), kidnapping (called "imprisonment"), or theft (called a "fine"). Therefore, there must be objective limits to legal coercion — a law above the civil law to which appeal can be made to warrant encroaching upon a person's life, liberty, or property, as well as appeal made against injustice and oppression. This objective criterion is the revealed law of God as it prescribes civil penalties for misdeeds. God's law enables us to distinguish consistently and on principle between where the state may properly legislate and where it may not interfere.

Evangelicals sometimes wander from this revelational, objective and absolute criterion in favor of a humanly devised guideline which produces relativistic results. For instance, David Basinger<sup>21</sup> faults the law of God as the standard for determining what the state may and may not enforce on the rather superficial ground that sincere Christians disagree in interpreting what the Bible defines as punishable crimes. (When school students disagree over an answer to their math homework, we do not usually contem-

plate throwing out the rules of mathematics as a remedy.) Basinger's own suggestion of a political standard is those values which all men, believers and unbelievers, propound in common. But this criterion collapses under his own line of censure: it is surely not a "common value" among men that political power should be restrained by values that are agreed upon by everyone! As long as Atilla the Hun, Marquis de Sade, Idi Amin, and Hitler are counted in the polls, agreed-upon values will not be agreed upon as the standard of political ethics.

Dr. Sider would attempt to dodge this dilemma — as well as taking the law of God as our political standard — by suggesting, instead, that the principle to be used for distinguishing between social sins to be dealt with solely by the church and crimes to be punished as well by the state is the libertarian ideal: "persons should be free to harm themselves and consenting associates...as long as they do not harm others or infringe on their rights."<sup>22</sup> Such a principle is not only ambiguous, arbitrary, and inconsistently applied,<sup>23</sup> it is simply not exegetically derived from the text of the Bible. This is a fatal defect for any purported Christian position. Not surprisingly, it leads Dr. Sider to a complete reversal of the explicit teaching of God's law: he would apply to the state what is appropriate only to the church (e.g., penal redress of racial discrimination in a matter of private property), and he would restrict to the church what God's law actually requires of the state (e.g., redress of adultery and homosexuality)!

It should be observed that evangelical ethicists of both politically conservative and politically liberal varieties have transgressed the principle that God's law determines the limits of the state's authority. Those with conservative leanings have tended to promote ethically commendable goals (sobriety regarding alcoholic beverages, restriction of smoking tobacco, intervention to curtail the geopolitical spread of Communism) by less than ethical means, calling upon the state to exercise its power of compulsion where no Biblical warrant for it can be cogently adduced. Likewise, those with liberal political leanings have tended to promote ethically commendable goals (racial integration, food or medical care for the poor, public education) by less than ethical means, calling upon the state to exercise its power of compulsion where no Biblical warrant for it can be cogently adduced. No matter how ethically good these various projects may be, attempting to get the civil authorities to enforce them without warrant from God's word is to capitulate to the unprincipled position of Thrasymachus, who taught that what counts as "justice" is simply whatever happens to be in the interest of the stronger faction in society. Ironically, when the strong arm of the state is courted in the name of "public justice," as defined by some evangelical's personal opinion (whether conservative or liberal), it is usually at the cost of depriving others of their justice — their genuine rights (e.g., to choose for what causes to contribute their lives or earnings), as revealed by the just Judge of all the earth (cf. Genesis 18:25; Deuteronomy 2:4).

The state which overextends its authority, to promote or enforce whatever aims it wishes, however otherwise

<sup>22</sup> "An Evangelical Vision for Public Policy," *Transformation*, Vol. 2, No. 3 (July/September, 1985), p. 6.

<sup>23</sup> As I show in chapter 6 of my book, *Homosexuality: A Biblical View* (Grand Rapids: Baker Book House, 1978).

<sup>21</sup> "Voting One's Christian Conscience," *Christian Scholar's Review*, Vol. 15, No. 2, 1986, pp. 143-144.

commendable (e.g., sexual harmony between husbands and wives, prudent financial savings plans, regular brushing of one's teeth), is a state which has abused its power — a power which has, after all, been delegated to it from God (Romans 13:1; John 19:11). And God clearly, explicitly forbids kings to swerve to the right or to the left from the well-defined path of His law (Deuteronomy 17:18-20). Indeed, the memorable words of our Lord in Matthew 22:21 inescapably teach that there must be a defining limit upon "the things which belong to Caesar." When Caesar demands of his subjects more than what is his — more than what is "due" to him (Romans 13:7), Caesar's government inevitably acts as a "throne of wickedness...which frames mischief by a law" (Psalm 94:20). The fact that the civil magistrate makes something a law does not confer the sanction of God upon it. When the civil magistrate (God's "minister") exceeds the limits of delegated power, enforcing laws which are not authorized by God, he comes under God's wrath and curse: "woe to those who enact evil statutes" (Isaiah 10:1).

The proper domain and divine calling of the state is that of civil justice, protecting its citizens against violence — whether in the form of foreign aggression, criminal assault, or economic fraud. In order that men may live together in tranquility and peace (I Timothy 2:2), the state has been empowered with "the sword" for the specific purpose (note the telic construction and divine commission in I Peter 2:14) of "avenging wrath" against those who do evil (Romans 13:4). "For this cause," God says, taxes may be legitimately collected (v. 6). Beyond this the magistrate may not go. He is to establish the land by justice which is steadfastly followed in the courts (Proverbs 29:4; Amos 5:15). God's word does not, however, authorize the civil ruler to be an agent of charitable benevolence, financial welfare, education, and mercy. Scripture suggests nothing of state-enforced welfare programs or state interference in the free market. The state's way of dealing with social evils must be limited to those marked out by God's revealed law.

We conclude, then, that Dr. Sider's advocating of state-enforced, preferential economic policies for the poor overturns the distinction between grace and justice, as well as disregarding the proper separation of church and state. He has taken the ethical goal of helping the poor which is exegetically addressed to, and intended appropriately for, the church (a redemptive institution characterized by mercy and persuasion) and applied it to the state (a natural institution characterized by justice and coercion). The moral obligation of caring for the poor which God lays upon His church in light of the grace which believers themselves have experienced has been emptied of its gracious character and transferred to the civil state in general — thus unleashing and encouraging "the Beast" to intervene in the economic marketplace contrary to God's law (Revelation 13:17; cf. Deut. 6:8; Rev. 12:17). Δ

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# Cancel The Postal Monopoly

**Private services could easily transform the currently anti-consumer postal monopoly into a responsive enterprise, but the Post Office continues to resist an American Perestroika**

**Llewellyn H. Rockwell, Jr.**

*Modern civil governments frequently step beyond the general Biblical duties of providing for a nation's justice and defense. One simple example is the Postal system. Why must the government provide this service? Yet to even raise the question in some circles is to invite zealous indignation. Why is the postal service so sacred that it is immune from change?*

*In what follows, Llewellyn Rockwell offers economic and general moral arguments against government's monopoly on the postal service.*

In the 18th century, as he had for millennia, the urban peddler went from door to door with a sack on his back. When we see this antique method of economic organization, not in a museum setting at Colonial Williamsburg but daily on the streets of every city and town in America, we know the government is in charge.

The Post Office has been a federal agency since 1775. And since 1872 it has been illegal for anyone but government employees to deliver a letter. In that year, at Post Office behest, Congress outlawed the low-priced, fast delivery of the Pony Express. It was to be the last express service available to regular mail customers.

A few years ago, a Rochester, New York, teenager offered his neighbors same-day bicycle delivery at 10¢ each for Christmas cards in his subdivision. Soon Postal Inspectors—who seem to be the only fastmoving part of the "service"—arrived at his house and threatened to arrest and jail him unless he stopped.

Somehow, even from just a common-sense viewpoint, this doesn't look like something that should be illegal. But indeed he was violating two parts of the postal laws. He was delivering first class mail — which is a federal monopoly — and he was leaving his mail in mailboxes.

By law, all "mail receiving devices" belong to the Postal Service and can be used only by it. That is, the mailbox which you buy and install on your property belongs to the U.S. government. (Note: it belongs to the government in the sense that your silverware belongs to the burglar who just took it at the point of a gun. Property can be owned only by those who acquire it honestly and voluntarily through production or trade.)

The penalty this teenager faced was a \$500 fine



and six months in jail for each count of the potential indictment, i.e. for each letter delivered. This is from the same government that thinks nothing of freeing murderers and rapists after "rehabilitating" them for a year or two. But then the government has always taken "crimes" against itself far more seriously than actual crimes against the people.

With the government in charge, the bureaucratized service keeps getting worse. It takes longer and longer for mail to arrive. And the Post Office long ago abolished twice-a-day delivery and is working on ending door-to-door delivery as well. Most big offices have the mail dumped in a pile at their front door; postal workers used to sort and distribute it. Then there's the "cluster box" system for residential areas, where rows of boxes are placed far away from homes in a place convenient for the postal workers.

Typical of government, as the service declines, the price of stamps keeps going up, from 22¢ to 25¢ most recently. That makes a total increase of 675% since 1958, more than twice as fast as the general price level, which has gone up 300% (thanks to another government monopoly, the Federal Reserve). In addition, the Post Office gets billions a year in direct subsidies.

Where does all this money go? Mostly to the bureaucrats themselves. The postal system spends 84% of its budget on its 746,000 employees, 100,000 of them added during the austere years of the Reagan administration.

The average postal employee—who is an unskilled worker by private sector standards—earns \$30,000 a year in wages and perks. And a GAO study found that this same average worker takes 50 days of paid leave a year (vacation, "sick" time, holidays, etc.). That's 10 weeks of repose, although considering the pace of work in the Post Office, it may be hard to tell the difference.

There's an old story about a UPS delivery man meeting a friend who worked for the Post Office during Christmas time. "How are you doing?" asked the government employee. "Just great!" said his UPS friend. "Business has never been better. Volume is way up. How about you?"

"Terrible," said the postal employee. "There's too much mail!"

In a government enterprise, customers are at best a nuisance. If the Post Office could get away with it, it would prefer no mail and no customers. That's why, during lunch hour, only one window is open, and why the P.O. takes every opportunity to cut service. The recent abolition of Saturday window hours is only the latest example.

There is only one answer to the Post Office problem, and UPS and Federal Express show us the way: privatization, i.e. repealing the laws which give the Post Office a monopoly. However, real privatization means letting the free market decide, not contracting out to politically connected businesses as advocated by the President's Commission on Privatization. Such a process leaves the bureaucrats in charge and is an invitation to political corruption.

We cannot know what kinds of communications

services free-market entrepreneurs would provide for us. We can only know that they would be far more efficient than the present apparatus, that they would make use of new electronic and computer technology, and that they would be pro-consumer.

The Post Office charges that this would not work. It claims, for example, that rates would go up. Coming from the biggest champion of higher rates, I find this unconvincing. But certainly the rate structure would change. There would be a whole array of alternatives available, varying in price according to distance, speed, handling, etc.

The Post Office says that we would no longer be able to mail a letter from Washington, D.C., to Hawaii for 25¢. But why should it cost the same amount to send a letter across town as across the continent? This is typical government pricing: one high price for everything, which a bureaucracy can administer much more easily than a rational rate schedule. It rightly costs more to ship freight or make a phone call over long distances, and postal service should be no different.

The Post Office also says that rural delivery would stop. That's nonsense, of course, but people in sparsely populated areas might have to pay more for some services, just as city dwellers have to pay more for fresh vegetables and firewood. The free market would reduce the difference to transportation costs, however, thanks to arbitrage and entrepreneurship, and there would be constant competition to make transportation cheaper. And UPS delivers 25% of its packages to rural routes and makes a profit at it.

The Post Office also claims that only the U.S. government can secure our privacy and guarantee access to the mails. But this is Newspeak. Government is the great invader of our privacy, mail and otherwise. In the 1970's, the CIA routinely opened mail. And the same thing is happening now to opponents of the administration's foreign policy. And the Post Office claims the right to search the mails for "contraband," a practice that would never occur to UPS or Federal Express.

As to freedom of access to the mail service, the Post Office frequently claims the right to decide what can be mailed. It's banned novels, refused to deliver National Health Federation booklets because they conflicted with the "weight of scientific opinion," and censored advertising.

Mail, says the Post Office, is a "natural monopoly." But there is no such thing, only the natural tendency of people who want to live off the taxpayers through monopoly to claim there is. If any monopoly were actually natural, it wouldn't need a government gun to enforce it.

The Post Office is a socialist organization. It is inconsistent with the American vision of liberty. It's time to end socialized mail delivery and allow free-market competition. Δ

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# Reformed Royalty: The Strength of Queen Jeanne d'Albret

Marilyn B. Manzer

**The Queen of  
Navarre  
stood steadfast  
for the  
Reformed faith,  
even in the midst  
of great  
compromise**

*"My grace is sufficient for thee:  
for my strength is made perfect in  
weakness" (2 Cor. 12:9).*

Jeanne d'Albret (1528-1572), though little remembered today, is one of the great heroes of the French Reformation. Luther had posted his ninety-five theses in Germany years before, Calvin was preaching in Switzerland, and Knox in Scotland, and Jeanne d'Albret was furthering the cause of the Huguenots in France. Strength and weakness, power and helplessness—these

extremes characterized the life of so remarkable a woman. She did not possess physical strength. In fact, always frail, she died of tuberculosis at the age of forty-four. She did have some political strength as the highest ranking Protestant in France, but beyond that, she possessed a strength of will and a strength of character that held her up when she seemed the most helpless. Above all, however, was her reliance on God and the strength of His power to preserve her which bolstered her beyond measure when her situation seemed the most hopeless.

## Early Life

First there was Jeanne's political strength—or potential political strength, anyway. She was born in 1528, the only child of Henry d'Albret and Marguerite of Navarre. Her father, Henry d'Albret, Vicomte de Bearn, King of Navarre, held the small kingdom of Bearn near the Spanish border. Although the family called themselves "kings" of Navarre, "only the rump of that kingdom remained in their hands since Ferdinand of Aragon had conquered the larger portion to the south in 1512."<sup>1</sup> Henry was always working to regain this lost territory. He was an extremely well liked ruler, forthright, equitable, skillfully handling the grievances of his subjects.

Jeanne's mother was Marguerite de Valois, Queen of

Navarre, the sister and devoted companion of no less than Francis I, King of France. Marguerite herself is a fascinating character. Prominent not only at the court, but throughout Europe, she "occupied an influential position in the intellectual movement of the day"<sup>2</sup> by speaking out against the abuses of Roman Catholicism. "Marguerite was intensely interested in humanistic studies, was deeply religious, was strongly impressed by Luther and Calvin... [but] while dissenting from much in the Roman Catholic Church, never became a Protestant."<sup>3</sup> In Bearn she granted asylum to Protestants persecuted in France, and on more than one occasion used her influence with her brother to keep them from harm.

Regarding Jeanne herself, little is known of her childhood. She spent her first nine years in Lornay in the Norman countryside. Although not in the limelight with her mother at court, Jeanne's upbringing was far from humble. She was under the care of some twenty servants, ranging from a tutor to a groom and three footmen to a pastry-maker. Concerning her education, again, although little is known, the typical child of French nobility would have been brought up in the literature of his own country as well as of the Latin authors. Beyond that, "[t]here is no doubt that Marguerite's daughter was given an education designed to implement the humanist ideal, that is, the development of both character and intellect through absorption of the classic writings which were the models for the Renaissance."<sup>4</sup> Jeanne was sensitive and learned quickly. She had a keen intellect which, coupled with a strong spirit, would later cause her opponents no end of trouble.

At the age of nine, Jeanne was moved closer to the court. Up to this point, she had experienced only the benefits of her position, but she was soon to feel the helplessness within it. Henry, always seeking to restore the Spanish Navarre, was seeking a marriage between his daughter and the King of Spain's son, Philip. The King of France, however, hoped to use Jeanne in his own foreign policy. After years of negotiations, a marriage contact was drawn up between Jeanne and Germany's Duke of Cleaves.

And it is in this betrothal that the strength of Jeanne's will first (historically) asserts itself. Even after her parents had resigned themselves to the King's wishes, Jeanne strongly protested the marriage. She complained bitterly to all, even writing a formal letter of protest to the King, but to no avail. Finally in June of 1541 at the age of twelve, she was wed. "The Princess wore a golden crown, a cloak of crimson satin trimmed with ermine, and a gold and silver skirt trimmed with precious stones"<sup>5</sup> and had to be taken by the collar and carried forcibly to the altar.

Their union was to last only about three and a half years. The alliance with Germany became unpopular, the marriage, therefore, was no longer necessary, and an annulment was easily obtained in 1545 on the ground that the marriage had never been consummated, that it had been made under Jeanne's compulsion and against her protestations.<sup>6</sup>

<sup>2</sup> Roelker, p. 3.

<sup>3</sup> Kenneth Scott Latourette, *A History of Christianity*, (New York: Harper and Row Publishers, 1953) p. 766.

<sup>4</sup> Roelker, p. 32.

<sup>5</sup> *ibid.* p. 55.

<sup>6</sup> Roland H. Bainton, *Women of the Reformation in France and England*, (Minneapolis: Augsburg Publishing House, 1973) p. 44.

<sup>1</sup> Nancy Lyman Roelker, *Queen of Navarre: Jeanne d'Albret*, (Cambridge: Harvard University Press, 1968), p. 5.

## Marriage to Antoine de Bourbon

Three years later Jeanne was again the pawn in a political alliance. Her father was again seeking a compact between her and the Spanish Prince Philip, but again, the King of France, now Henry II, had other plans. To help consolidate the territories in the north and south of France, Jeanne was wed in 1549 to Antoine de Bourbon, Duc de Vendome, First Prince of the Blood. Although just as helpless in deciding her fate, this time she had no complaints. "Antoine was a dashing cavalier, handsome, courageous, affable, gracious, altogether charming."<sup>7</sup> He was recognized by all as a remarkable soldier and general. He was very close in line to the succession of the French throne. What more could Jeanne want?

The two lived happily for many years. She bore two children, Henry and Catherine. As they ruled in Bearn, Jeanne proved to have her father's skill in administration and maintained great popularity among her subjects.

Religion was to cause their breach. Religion was the impetus to show Jeanne's strength yet again, this time her strength of character. Calvinism had been spreading throughout France from the mid 1530's to the 1550's. The Reformers insisted that they were not bringing in a new gospel but returning to the gospel preached by the apostles. They challenged the people to open their Bibles and to prove it to themselves. Ministers were sent from Geneva, and, despite the work of the Counter Reformation, the number of French Protestants was increasing daily. Despite legislation, "they held their prayer meetings, fed on solemn sermons preaching predestination, issued a fire of pamphlets on the abuses of the Church. . . and held a general synod in Paris (May 26, 1559) under the very nose of the King."<sup>8</sup>

The new King, Charles IX, was a minor, and so the Queen Mother, Catherine de Medici was named regent. Her sympathies seemed to be with the reform, as well. She had listened to those whom Calvin had sent and even allowed Protestant services alternated with Masses in the Royal Chapel. Calvinism was in vogue at court. Nobles brought the ministers into their own apartments to preach. And support from the nobility was exactly what the Calvinists needed if the movement in France was to be considered anything more than a rebellion. "If the Reform won the aristocracy, it would have a nation-wide power at its back."<sup>9</sup>

## Conversion to Calvinism

Antoine and Jeanne listened to the reformers. Indeed, Jeanne had heard them all her life because of her mother's interest in the "new teachings." As early as 1555 Jeanne showed her leanings towards Calvinism in a letter to the Vicomte de Gourdon. "[A] reform seems so right and so necessary that, for my part, I consider that it would be

disloyalty and cowardice to God, to my conscience, and to my people to remain any longer in a state of suspense and indecision."<sup>10</sup> While still officially Roman Catholic, Antoine and Jeanne attended sermons preached by the ministers of Geneva. Upon visiting Bearn, one such minister reported to Calvin, "Preaching is open—in public. The streets resound to the chanting of the Psalms. Religious books are sold as freely and openly at home."<sup>11</sup> Jeanne's conversion was not publicly announced until Christmas Day, 1560. Once she had made a public profession, however, Jeanne never looked back. "For the remaining twelve years of her life she would be singled out as an enemy by the most powerful movement in Europe, the Counter Reformation."<sup>12</sup>

The passage of time showed that Antoine did not really share in Jeanne's zeal for reform. In fact, what time did show was Antoine's inconsistency, his constant vacillating.

**"Jeanne replied that rather than ever go to Mass, if she held her kingdom and her son in her hand, she would throw them both to the bottom of the sea. This was the reason they then left her in peace on the matter."**

He was notoriously unfaithful in his marriage, and in all else as well. It became increasingly obvious that his religious views were contingent on his chances for political gain. Catholic or Protestant, he would go back and forth in deciding which might afford him the greatest advantage. After the death of Jeanne's father, Antoine took up the effort to recover the Spanish Navarre. Also, as First Prince of the Blood, he and his heirs stood to gain the throne of France if he proceeded with care. When the Huguenots seemed to be gaining, he would join their offensive; when the Catholics had the upperhand, he would withdraw. At last, threatened and coaxed in turn by Spain, the Papacy, and finally the French court, he renounced all dealings with the reformers and declared himself once and for all a Roman Catholic. The gravity of this stand cannot be overstated.

Besides his royal ties, Antoine was France's Lieutenant General and was known for his amazing military prowess, but he lacked the vision to see beyond his own ambitions. "Antoine's reversal shifted the balance. Had he, the First Prince of the Blood, made himself at the juncture the head of the Huguenot party, Calvinism might have become the religion of France."<sup>13</sup>

It is necessary at this point to say a few words about France's foreign and domestic affairs during this period. The royal families of France and Spain (the Valois and Hapsburg respectively) had been in constant rivalry since the 1490's. The country of France was slowly led to bankruptcy in a series of wars that had lasted well through the 1540's. An uncomfortable peace ensued. The financial status caused great dissatisfaction, to the point of threats of a civil war among the French people. The spread of Calvinism brought into the country still more unrest. Catherine had now to deal not only with the threat of a Spanish invasion but with the displeasure of the Papacy, as well. Beginning in November of 1561 the Catholics issued their counter-attack. "From Parisian pul-

<sup>7</sup> *ibid.* p. 44.

<sup>8</sup> Will and Ariel Durant, *The Age of Reason Begins*, (New York: Simon and Schuster, 1961) p. 4.

<sup>9</sup> *ibid.* p. 335.

<sup>10</sup> Roelker, p. 127.

<sup>11</sup> *ibid.* p. 142.

<sup>12</sup> *ibid.* p. 154.

<sup>13</sup> Bainton, p. 50.

pits inflammatory sermons aroused the congregations against the royal family and the crown's officers as well as the Huguenots. . . . Destruction of Huguenot property, assassination, and other violent incidents were occurring all over France."<sup>14</sup> The Papacy also let it be known that it lent its support to the King of Spain. Though sympathetic to the reform, Catherine's first priority was to keep control of France.

### Antoine's Betrayal

Antoine and Jeanne were at court when Antoine at last sided with the Roman Catholics. Many nobles followed his lead. This, in turn, forced Catherine's hand. She reinstated conservative Catholic tutors for Charles IX, forbade discussion of Calvinist doctrine, and her lenience towards those arrested for religious reasons ceased. Still more nobles placed themselves within the Roman camp.

Jeanne, however, could not be dissuaded. Her conversion had been motivated by neither politics nor fashion, and she would not bend. The strength of her will, this time put into service for God, was unflinching. While others cowered back to the Mass, Jeanne had Protestant services in her apartments "with all the doors open" as exasperated observers pointed out.<sup>15</sup> Others followed Antoine's lead, but Jeanne called to him to remember the true teaching they had received. Antoine demanded that she go to Mass, but Jeanne flatly refused. "When the Queen Mother tried to persuade her to accommodate her husband, she finally replied, rather than ever go to Mass, if she held her kingdom and her son in her hand, she would throw them both to the bottom of the sea. This was the reason they then left her in peace on the matter."<sup>16</sup>

As fellow Calvinists saw the price Jeanne was paying for her stand, her strength strengthened them. Already suffering from tuberculosis, she was so ill at this time (1562) that doctors were unsure if she could recover. Antoine had made her all but a prisoner in her apartments, had taken away their son, and was threatening divorce. Finally, both Antoine and Catherine wanted her out of Paris. Catherine had even promised that after Jeanne's departure, no Protestant services would be permitted at court.<sup>17</sup> This in itself should speak of Jeanne's influence. On March 6, 1562, Jeanne left Paris to return to Bearn. She left without her son (she was permitted to say goodbye and to enjoin him never to go to Mass), still very ill, and under fear of being kidnapped along the way.

### Jeanne as Supreme Regent

In April 1562, the first civil war (the first of three that would occur in Jeanne's lifetime) broke out while Jeanne was still *en route* to Bearn. The Huguenots were under the command of the Prince de Conde and Admiral Gaspard de Coligny. The Catholics were led by the Duke de Guise. Jeanne herself was not involved in this or the second civil war, but rather concentrated her efforts on her own kingdom. Upon her return, "Jeanne devoted herself primarily to local administration and to foster the Reformed faith in her do-

main."<sup>18</sup> She could not escape the war's impact, however. First, being so close to Spain, she needed to prepare herself with military defense. Secondly, some months into the war, Antoine had been wounded fighting on the Catholic side. Although Antoine had summoned his mistress in his convalescence, when word of his injury reached Jeanne, she immediately made herself ready to go nurse him. But the infection spread, and Antoine died before Jeanne could obtain permission to enter enemy lines.

Antoine's death forced the surrounding powers to deal with Jeanne directly. Her son was still to be a hostage at court for the next four years, but she was able to reinstate Protestant tutors for the boy to oversee his education. Her husband's death also put her in sole control of Bearn, and she worked with great energy, against great obstacles, to strengthen and reform her domain. "Her reorganization of the economic and judicial system was so sound it remained in force well into the 18th century."<sup>19</sup> Theodore Beza, Calvin's right hand man in her request, sent her more than a dozen ministers to preach the gospel. Laws were passed to protect these ministers, she abolished public processions, purified the churches of images, and suppressed the Mass in some parts of her kingdom. A synod was formed and there were plans for a Protestant Academy. Her achievements led one reformer to say of her, "The Queen of Navarre has banished all idolatry from her domains and sets an example of virtue with incredible firmness and courage."<sup>20</sup>

Meanwhile, the King of Spain, now Philip II (the same Philip to whom her father had hoped to marry Jeanne), tried to persuade her to marry one of his sons. Ironically, the union with the Spanish royal family that her father had so wanted in the past would now have cost Jeanne everything—her kingdom, her independence, and her faith. She saw this but felt compelled to reopen the negotiations with Spain that had stopped at her husband's death. Sending an ambassador, Philip demanded she cast aside her religious policy, calling it evil and threatening that he would not tolerate Calvinism "so near to his subjects." The ambassador related Jeanne's reply, characteristically sharp when she was provoked. "Although I am just a little Princess, God has given me the government of this country so I may rule it according to His Gospel and teach it His Laws. I rely on God, who is more powerful than the King of Spain."<sup>21</sup> Philip's reply is menacing. "This is quite too much of a woman to have as a daughter-in-law. I would much prefer to destroy her and treat her as such an evil woman deserves."<sup>22</sup> Quite too much of a woman, indeed.

The Papacy, too, sought Jeanne. Pious IV sent his own ambassador and his own set of threats. She was warned that her subjects would not stand for reform, that Spain would not stand for it. She was ordered to restore the churches and to cast off the heresies that he for a time "seduced" her. She was implored "with tears to return to the true fold."<sup>23</sup> Her reply did little to hide her annoyance, "You appeal to your authority as the Pope's legate. The authority of the Pope's legate is not recognized in Bearn. Keep your tears for yourself. Out of charity I might contribute a few."<sup>24</sup>

<sup>14</sup> Roelker, p. 174.

<sup>15</sup> *ibid.* p. 158.

<sup>16</sup> *ibid.* p. 180.

<sup>17</sup> *ibid.* p. 183.

<sup>18</sup> Bainton, p. 55.

<sup>19</sup> *ibid.* p. 58.

<sup>20</sup> Roelker, p. 210.

<sup>21</sup> *ibid.* p. 216.

<sup>22</sup> *ibid.* p. 217.

<sup>23</sup> Bainton, p. 60.

<sup>24</sup> *ibid.* p. 61.

There followed a plot to kidnap her and deliver her to the Inquisition in Spain. She was summoned to appear in Rome upon penalty of excommunication, confiscation of goods, and a declaration that her lands would be open to the first taker.

This last claim troubled Philip of Spain who did not want just anyone to take over Navarre. It made Catherine furious. She resented the Papacy's presumption in disciplining Jeanne over the head of France. It was a dangerous game Jeanne was playing, pitting the larger powers against one another while her kingdom and her life were held in the balance. Meanwhile, she continued with her reform. There were plans to carry out "the total suppression of idolatry." The Calvinist Academy became a reality and ecclesiastical wealth was confiscated and given to the poor.

Spain and the Papacy were up in arms. "It was disturbing enough that John Knox had created a Calvinist establishment in Scotland, but if it were allowed to develop in Bearn, it might spread throughout France, a far more serious challenge to the church."<sup>25</sup> They put pressure on Catherine. Catherine put pressure on Jeanne. Jeanne was evasive. She had returned to court for a time to appease Catherine who was confident of her powers to control people near her. Reform went on in Bearn in spite of Jeanne's absence. She was able to return with her son Henry, at last.

**"We have come to the determination to die, all of us, rather than to abandon our God, and our religion which we cannot maintain unless permitted to worship publicly, any more than a human body can live without meat and drink."**

### Fleeing Navarre to Greater Service

When the third civil war broke out in 1568, Jeanne could no longer concern herself with her domains alone. Catherine could no longer protect her because a moderate faction no longer seemed to exist. Jeanne's life was now threatened by Spanish and French Catholic troops. She and her son took flight to La Rochelle, the Protestant stronghold and threw in their lot with Coligny, Conde and the other French Protestants.

It is in La Rochelle that the strength of Jeanne's service to her God—and His strength at work through her—is best seen. While staying in touch as best she could be with Bearn, she also proved invaluable to the Huguenot cause. As Minister of Propaganda, she wrote manifestoes and requests for aid to foreign princes.<sup>26</sup> Under her direction fell such concerns in La Rochelle as "finances, fortifications, discipline (except in the army), and, in part, intelligence."<sup>27</sup> She contributed her wealth, even offering her jewels as security in foreign loans. She supervised the care of the tens of thousands of refugees that poured into the city. She did not confine herself within the city's walls, however. At even critical points in the fighting, she would accompany Coligny, inspecting the defences and rallying troops. When one Huguenot captain, La Noue, hesitated to have his arm amputated after it had been crushed, Jeanne held his hand in support during the surgery and was praised for the care she took of him in his recovery.

A college was established in La Rochelle under

direction, to be "a seminary of piety and a center for the education of the holy ministry."<sup>28</sup> She brought to it some of the most learned men of the Reform. The better part of their salaries was paid by Jeanne herself. She was working at such a frenzied pace, perhaps realizing that she did not have long to live. Her body grew weaker, but her determination was stronger than ever.

Jeanne was at her height; the Huguenot cause was at its height. It offered its terms of peace. Jeanne wrote to both the King and the Queen Mother, but when the terms were denied and the Huguenots were told that the condition of peace was that they lay down absolutely all their arms, Jeanne answered, "We have come to the determination to die, all of us, rather than to abandon our God, and our religion, the which we cannot maintain unless permitted to worship publicly, any more than a human body can live without meat and drink."<sup>29</sup> At last the Peace of St. Germain was signed by Charles IX in August of 1570, granting the Huguenots more than they had ever before been granted: "freedom of worship except in Paris or near the court, full eligibility to public office,

and, as guarantee that these terms would be honored in practice, the right to hold four cities under their independent rule for two years."<sup>30</sup>

Peace was uneasy. The Catholics were outraged by

the King's concession. Charles was himself trying to assert his independence from his mother, and under Coligny's council was considering war with Spain in an attempt to unify his people. Catherine had her own plans for unity. She suggested the marriage of Henry of Navarre to her daughter Marguerite. This would unite the Bourbon and Valois families, it would unite Jeanne and Catherine, Protestant and Catholic, it would unite France. Both factions had strong supporters of the marriage, each side thinking it had the most to gain. Other Protestants were quite critical. Jeanne herself was in agony. She greatly feared that her son would return to Catholicism, and that would break her heart. On the other hand, she feared for France and took it to heart when it was suggested that her stubbornness in the matter would be at the cost of the Reform.

She arrived in Paris in January 1572 to begin what would be months of negotiations concerning the marriage. Horrified upon her arrival by the court's decadence, she wrote to her son:

[Marguerite] is beautiful, discreet, and graceful, but she has grown up in the most vicious and corrupt atmosphere imaginable. I cannot see that anyone escapes its poison. . . Not for anything on earth would I have you live here. Therefore I wish you to be married and to retire—with your wife—from this corruption. Although I knew it was bad, I find it even worse than I feared. . . . If you were here you would never escape without a special intervention from God. . .

You have doubtless realized that their main object, my son, is to separate you from God, and from me. . . you

<sup>25</sup> Roelker, p. 267.

<sup>26</sup> *ibid.* p. 301.

<sup>27</sup> *ibid.* p. 312.

<sup>28</sup> *ibid.* p. 325.

<sup>29</sup> *ibid.* p. 334.

<sup>30</sup> Durant, p. 345.



can understand my anxiety for you. . . . I beg you, pray to God.<sup>31</sup>

Feeling herself powerless to stop the marriage, Jeanne nevertheless made certain demands. "She insisted that Cardinal de Bourbon should perform the ceremony, not as a priest but as a prince, not in a church but outside it, and that Henry should not accompany his wife into the Church to hear Mass."<sup>32</sup> Catherine reluctantly agreed.

### Jeanne's Death

Jeanne had been in poor health for year, but when she collapsed on June 4, 1572 on her way back from a shopping trip, everyone was surprised. Both enemies and friends had thought her unstoppable. She lay in ever-increasing pain for four days. Her ministers were permitted to attend her, constantly in prayer, reading at her request Psalm 31 and John, chapters 14 through 18, exhorting her, and reminding her of God's mercy to the faithful. Having fought all her life, she did not have the strength to fight any longer. She resigned herself and prayed, "O God, my Father, deliver me from this body of death and from the miseries of this life, that I may commit no further offenses against Thee and that I may enjoy the felicity Thou hast promised me."<sup>33</sup> She died on June 9, 1572.

Jeanne's story, like those of all great men and women, does not end at her death. While Spain and the Papacy rejoiced, the Huguenots felt a terrible loss, finding comfort only in the fact that she was with her Lord.

### Subsequent Tragedies

One wonders if Jeanne could have prevented the remaining events of 1572 had she been alive. The marriage of Henry and Marguerite went on as planned on August 18th. All of Jeanne's demands for the ceremony were kept. Tension filled Paris as the most powerful Protestant and Catholic leaders were present for the festivities. Catherine saw her chance to suppress the Huguenots once and for all, thus regaining some favor with the Catholic forces. Six days after the wedding Catherine sanctioned the brutal, brutal assassination of Coligny and the other six Huguenot leaders on August 24th, St. Bartholomew's Day. This was only the beginning of a weeklong slaughter of Huguenots in Paris and the provinces. The total number of deaths estimated in the Massacre of St. Bartholomew ranges from 5,000 to 30,000.<sup>34</sup>

Many French Protestants accepted conversion rather than death but later renounced the oaths made under duress. Within two months of the massacre the fourth civil war broke out, and La Rochelle and other towns were resisting siege. "On July 6, 1573, Charles signed the Peace of La Rochelle, guaranteeing the Huguenots religious liberty. Politically the massacre had accomplished nothing."<sup>35</sup>

One wonders also if Jeanne could have prevented some of Henry's future dealings had she been alive. Catherine had protected him against the massacre, forcing him, however to return to Catholicism. For almost four years he was again all but captive at court, but in February of 1576 he made his escape. "His first act, once clear of pursuing royal

forces, was to return to his mother's faith; the second to rally the weakened followers of her Cause, and the third, to restore her legislation in the kingdom he had inherited from her."<sup>36</sup> Henry III succeeded Charles IX. When Henry III was assassinated, Henry of Navarre suddenly became Henry IV of France. He remained a Calvinist for four years after becoming King, but at the end of the fifth, sixth, and seventh civil wars, he returned once again to the Catholic church. He saw no other way to unite France. Known for his dry wit, he is reported to have quipped that "Paris was worth a mass." Jeanne surely would have disagreed. Although his Edict of Nantes (1598) fulfilled all of the demands for which Jeanne and the Huguenots had fought, he proved in his personal as well as political life that he was merely sympathetic to and not a part of the Reform.

These last events—The Massacre of St. Bartholomew, Henry's religious pliability, and the ultimate failure of the French Reformation—are a sad epilogue to Jeanne's story. Because they come here at the end, they seem to overshadow the great events of her life. They really cannot overshadow her, however. She gave all to her God—her wealth, health, kingdom, and life, her heart, soul, strength, and mind—for the furtherance of His gospel. History bears out the fact that Calvinism reached its height in France from about 1559-1572, those years in which Jeanne was a part of the movement. And she left behind a great legacy, first to her own kingdom, where, she would say, "God has always granted me the grace to preserve this little corner of Bearn, where, little by little, good increases and evil diminishes."<sup>37</sup> Her legislation and reform in Bearn outlived her by many, many years. But she has left behind a legacy to all those of the reformed faith who find in the memory of her service to God the sufficiency of His strength. Δ

<sup>36</sup> Roelker, p. 409.

<sup>37</sup> *ibid.* p. 188.

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<sup>31</sup> Roelker, pp. 373-374.

<sup>32</sup> Durant, p. 348.

<sup>33</sup> Roelker, p. 388.

<sup>34</sup> Durant, p. 353.

<sup>35</sup> *ibid.* p. 354.

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# For the Record

*This regular feature is an attempt to provide an elementary Biblical analysis of various topics in Christian theology and practice. We anticipate that this and future contributions will be helpful in explaining fundamental theological issues to those who may be relatively unfamiliar with them.*

## Is It Our Moral Obligation to Attend Church?

**Dr. Greg L. Bahnsen**

Attending church is far from being the chosen Sunday activity for most people in our culture. This should not surprise us, of course, when those who sleep in, go to work, or find other recreations in the place of attending church are unbelievers. Unregenerate hearts do not seek God or find pleasure in worshipping Him. What is surprising (and dismaying) is that today many professing *believers* also neglect the corporate worship of God.

Why is this? On the one hand, some Christians see church as just one of many personal options along with Sunday brunch, the ball game, etc. On the other hand, some Christians consider informal fellowship groups or Bible studies an adequate replacement for church attendance. But all Christians must be open to the teaching of God's holy word, and it is to this standard that we turn for an answer to our original question.

## Old Testament Law, Piety, and Prophets

The Mosaic **law** commanded God's people to gather together for corporate worship and the hearing of God's word (e.g., Deut. 12:5-12; 31:11-12). Indeed, the law of God required that the weekly Sabbath in particular be a "holy convocation" (Lev. 23:3). Regardless of outward circumstances (e.g., seventh-day sabbath, a localized central tabernacle), the worship required in the Old Testament law entailed the basic moral element of assembling with God's people to hear His word and praise His name.

The religious **piety** of the Old Testament saint was evident in his desire to "Render unto Jehovah the glory due unto His name: bring an offering, and come before Him; Worship Jehovah in the beauty of Holiness" (I Chron. 16:29; cf. Ps. 96:8-9). The believer is eager to worship in the midst of the assembled people of God. David the Psalmist wrote, "I will declare Thy name unto my brethren; in the midst of the assembly will I praise Thee" (Ps. 22:22). "I will give Thee thanks in the great assembly; I will praise Thee among the people" (Ps. 35:18; cf. 116:12-17). Many of the psalms emphasize the fact that David worshipped along with a congregation of other believers (e.g., Ps. 42:4; 55:14; 122:1; 132:7).

David's inspired testimony shows that his desire for congregational worship is normative for all God's people. He declared to all believers: "O come let us worship and bow down: let us kneel before Jehovah our Maker" (Ps. 95:6). "Come before His presence with singing...Enter into His gates with thanksgiving, and into His courts with praise. Give thanks unto Him and bless His name (Ps. 100:2,4). "Let them exalt Him also in the assembly of the people, and praise Him in the seat of the elders" (Ps. 107:32). "Praise ye Jehovah. Sing unto Jehovah a new song and His praise in the assembly of the saints" (Ps. 149:1).

Old Testament **prophecy** likewise shows us that those who are true believers will desire of assemble with God's people to hear His word and praise His name in congregational worship. For instance, Isaiah the prophet indicated that converts to the Lord would join themselves to the corporate worship of God's people in "Jehovah's house of prayer" (Is. 56:6-7; quoted by Jesus in Mark 11:17).

One of the burdens of Malachi's prophecy was that the corrupt worship among the Jews of his day would, in the future age of God's advent, be replaced with pure worship among the Gentiles in every place (Mal. 1:11; 3:3-4).

Therefore, the **law, piety, and prophecy** of the Old Testament all combine to point us to our moral obligation to gather together with God's people for worship.

"But that was the *Old Testament*, with its Jerusalem temple and seventh-day Sabbath," someone might complain. This complaint diminishes the full authority of God's inspired word. Referring to the Old Testament, Paul taught "*every scripture* is inspired and is profitable for...instruction in righteousness" (2 Tim. 3:16). Of course, changes from the covenantal administration and foreshadows of the Old Testament to the redemptive realities of the New Testament must be recognized (much of the book of Hebrews serves this very purpose).

Nevertheless, Jesus obliges us to submit to the continuing validity of "every jot and tittle" of the Old Testament (Matt. 5:17-19), and Paul teaches that "whatever was written previously in the Old Testament was written 'for our instruction' (Rom. 15:4). In that light, we would naturally expect that the moral obligation of corporate worship which is taught in the Old Testament will continue into the New. God continues to call a people for Himself in the New Testament, and God surely continues to be worthy of their praise.

## The New Testament Normative Example

Regarding the Old Testament sabbath, New Testament believers confess that Jesus Christ is "the Lord of the Sabbath" (Mark 2:28). In the New Testament age, it is thus appropriately called "the Lord's day" (Rev. 1:10). Scripture shows that since the Lord's resurrection, this day has been changed from the last to the first day of the week.<sup>1</sup>

Regarding the Old Testament temple, New Testament believers confess that they themselves now constitute "the temple of God" wherein God's Spirit dwells (1 Cor. 3:16-17; Eph. 2:20-22; 1 Pet. 2:5). The outward trappings of Old Covenant worship have been changed in the days of the New Covenant. The basic moral obligation of "holy convocation" has not.

The early church of Jesus Christ regularly gathered together as "God's temple" for corporate worship, daily at first (Acts 2:46) and eventually weekly on the first day of the week (Acts 20:7, 1 Cor. 16:2), "the Lord's day." The early church did not break with the long standing requirement, revealed previously in God's word, for believers to participate in worship assemblies — even when they saw their New Covenant practice (outwardly changed) against the background of the Old Covenant pattern.

The priestly ritual of the temple has passed away, to be sure; yet, God's New Covenant people looked at their practice of worship in the light of it. For instance, "through Him [Christ] then let us offer up a sacrifice of praise to God continually, that is, the fruit of lips

which make confession to His name" (Heb. 13:15), or again "you are a spiritual house for a holy priesthood to offer spiritual sacrifices acceptable to God by Jesus Christ" (1 Pet. 2:5).

From various indications in the New Testament we learn what constitutes the congregational worship of the New Covenant people of God. It includes at least the following items:

1. **Praise to God** (Heb. 13:15; 1 Pet. 2:9 [Is. 43:21]).
2. **Corporate prayer** (1Tim. 2:8; cf. Phil. 4:6) with congregational amens (1Cor. 14:16).
3. **Hymns** (Col. 3:16; Eph. 5:19).
4. **Scripture reading** (Col. 4:16; 1 Thess. 5:27; 1 Tim. 4:13).
5. **Preaching**<sup>2</sup> (1Tim. 4:6-16; 2 Tim. 4:2; Acts 20:7-9).
6. **The Lord's Supper** (Acts 2:42; 20:7; cf. 1 Cor. 11:20).

We should remember that God's word is normative for us; it is

<sup>2</sup> That is, a time of instruction based upon God's revealed word. This entails a number of things, including:

(1) "exhortation" (*paraklasis*: Rom. 12:8; 1Tim. 4:13; 1 Thess. 2:3; cf. Acts 13:15; 1 Cor. 14:3; Heb. 13:22), which involves beseeching men in earnest (e.g., Rom. 12:1; 2 Cor. 5:20);

(2) "teaching" (*didasko*: Acts 18:11; 1 Tim. 4:13; 6:2; 2 Tim. 2:2; cf. 1Cor. 14:9), which includes authoritatively laying down the truth (1Tim. 4:6) and delivering commands (1Tim. 4:11); and

(3) "proclamation" (*karusso*) — a word which was used to cover a wide variety of discourses: the preaching of the prophets to God's people (Joel 2:1 LXX), synagogue lessons among the Jews (Acts 15:21; Rom. 2:21; cf. Lk. 4:19, 21; Mk. 1:39; Acts 9:20), evangelistic heralding to unbelievers (Matt. 4:17; 10:7, 27; Lk. 24:47; Acts 8:5; 1Cor. 1:23), and the declarations of the full theological system to *believers* (Acts 20:20, 25, 27), proclamations *within* the Christian assembly (2Cor. 11:4), words entailing comfort and exhortation among *converts* (1Thess. 2:9-14) or against heresy in the congregation (1Cor. 15:1ff.), and pastoral addresses to professing believ-

a law, even when not prefaced with a formula such as "Thou shalt do..." What we find in the New Testament practice of worship, accordingly, is the standard of worship to which we must adhere.

Worship is defined, not by personal whims and religious imagination, but solely by the revealed word of God (cf. Col. 2:23). Thus the second commandment forbids us to devise, use, or approve of any religious worship which is not instituted by God Himself — as well as prohibiting us from neglecting, or taking away from, that worship which God has ordained (Ex. 20:4-6; cf. Lev. 10:1; Deut. 4:2; 32:46; Matt. 15:9; 28:20).

Therefore, our obligation to gather with God's people for worship must be understood and measured by the elements of New Testament worship set forth above. If we are doing what God requires of His people, we engage in worship assemblies which are characterized by praise, corporate prayer, hymns, Bible reading, authoritative preaching, and the sacraments.

## Worship Assemblies are Not Just Any Gathering of Believers

In the New Testament, those assemblies which constituted the corporate worship of God were

ers who are tempted to turn away from sound doctrine (2Tim. 4:2-4).

The recent, novel opinion that authoritative preaching of a sermon (exhortation or lesson monologue) is inappropriate within a Christian assembly of believers has no linguistic or theological basis in Scripture, as we see above. Note the example of Paul in Acts 20:7-9. We read that he "discoursed"; according to Kittel, the Greek word refers here to "the delivering of religious lectures." Further, we read that Paul continued his "speech" past midnight; the Greek word (*logos*) does not (especially unqualified, in the singular, and with definite article) mean dialogue or joint discussion, but an individual's oral presentation, message, or statement (cf. Mk. 2:2; Matt. 15:12; Lk. 1:39; Jn. 4:41; Acts 10:44; 15:32).

<sup>1</sup> The Old Testament festivals of firstfruits and pentecost (looking forward to Christ's resurrection and the giving of the Holy Spirit) were celebrated on the first day of the week (Lev. 23:11, 16, 35, 39). Likewise, the new creation began on the first day of the week, having been brought about by Christ's resurrection from the dead (1 Cor. 15:20-28; 2 Cor. 5:17; Col. 1:13-19).

understood as something clearly distinct from informal household fellowship and eating, even though the worship assembly may have been in an actual home. Paul distinguishes between "the Lord's Supper" at the assembly and the ordinary meals in one's house (1 Cor. 11:20, 22).

Being in "the church" at worship is, thus, something more than any normal gathering with other believers — even if at the gathering we engage in eating, singing, and prayer. This is evident from the way Paul speaks, for instance, in 1 Cor 14:35. He differentiates the situation of a woman asking question at "church" from her asking them "at home."

Moreover, despite the fact that "the church" is the body of believers (i.e. the people), Paul uses the following language: "it is shameful for a woman to speak in the church." The expression "in the church" cannot mean within any gathering of believers, or else women would be prohibited from ever speaking when other Christians are present! "In the church" obviously denotes the assembly of believers for the special purpose of ordained worship.

Worship assemblies for Christians are to be characterized by good order, not confusion (1 Cor 14:26, 33, 40). Thus New Testament congregational worship is led and governed by the overseers (elders who "take care of the Church of God," 1 Tim. 3:-45). That this is the rule for New Testament worship is illustrated by the fact that Paul wrote to deliver instructions for the life of the church, including its corporate worship services, to *pastors* like Timothy (e.g. 1 Tim. 2:1, 8, 11; 4:13; 2 Tim. 4:2).

These pastoral letters had as one of their purposes that men "may know how they ought to conduct themselves in the house of God, which is the church of the living God" (1 Tim. 3:15). In short,

the assembling of God's flock is under the oversight of the shepherds (1 Pet. 5:-12) who "preside" over it in all matters, including worship (1Thess. 5:12-13; Acts 20:28).

### **Assembling for, and Participating in, Worship is Explicitly Required**

The New Testament normative pattern, then, is for God's people to gather together on the Lord's day as "the church" for the specific purpose of worship as defined by God's word (praise, corporate

and good works, *not forsaking our own assembling together*, as the custom of some is, but exhorting one another" (Heb. 10:24-25).

When we miss attending the church's worship service or do not participate in its activities, we are not living up to the Scriptural command for us to stand together in worship: "that with one accord you may with one mouth glorify the God and Father of our Lord Jesus Christ" (Rom. 15:6; cf. Eph. 5:19-21). It is expected that believers will regularly partake of the Lord's Supper (Jn. 6:53; 1 Cor. 10:17; 11:24-26), and when it is served,

the New Testament exhorts believers to (examine themselves and thereby) actually participate in the eating and drinking (1 Cor. 11:27, 28).

We conclude by seeing, therefore, that congregational worship is not a matter of entertainment and personal discretion (e.g. "shall we go to church or

brunch this morning?"). Nor is it an informal get-together with other Christian friends where religious activities take place (e.g., "we met at their house, sang together and prayed"). God's holy and authoritative word says more.

Scripture makes it our moral obligation not to forsake the assembling of God's flock "as the church" for the specific purpose of corporate worship, as defined by the Lord, under the leading of the shepherds. If we profess to obey Him in all things, let us not be lax or self-willed especially at this important point! It is the highest privilege of the Christian to stand with fellow believers as God's redeemed people, in His presence, to render to Him the praise, adoration and worship which are due to His name. It is preparation for eternity. Δ

**Worship is defined, not by personal whims and religious imagination, but solely by the revealed word of God**

prayer, hymns, Scripture reading, authoritative preaching, and the Lord's Supper) under the oversight of the elders.

It is nothing less than the moral obligation of believers to attend these worship assemblies and not have other interests or activities take priority over them — precisely because assembling for worship is a matter of obedience to God's word, rather than personal discretion.

The New Testament, no less than the Old, requires us to assemble for the purpose of worship. This was the apostolic pattern, as we see in these words: "If therefore the whole church be assembled together..., so he will fall down and worship God, declaring that God is among you indeed" (1 Cor. 14:23-25).

The New Testament explicitly commands that we not voluntarily absent ourselves from the church's recognized gathering for ordained worship. "Let us consider one another to provoke unto love



# ISSUE AND INTERCHANGE

*The goal of this regular feature is to provide our readers with opposing arguments on topics pertinent to the Christian life. Due to the power of party spirit, personal credibility, credentials, etc., we have asked all the authors writing for this fea-*

*ture to publish their brief statements anonymously. By doing this, we hope to encourage the reader, in some small way, to focus on the arguments involved in each position rather than on personal factors.*

*The authors selected for the re-*

*spective sides in the debate have published and/or lectured in defense of their theses.*

*The burden of proof in the interchange is placed on Advocate One. For that reason, Advocate One opens and closes the debate.*

## ISSUE: DOES SCRIPTURE PERMIT THE USE OF HYMNS OTHER THAN PSALMS IN WORSHIP?

### ADVOCATE 1: Scripture Does Permit the Use of Hymns Other Than Psalms in Worship

There are two really admirable points about those who hold to exclusive psalmody. (1) They make our commitment to the "regulative principle of worship" very clear. I adhere staunchly to that principle and increasingly see the need for it to be stressed in the church atmosphere of our age. (2) Exclusive psalm-singers remind us of the surpassing value of singing from this portion of God's word. Many churches miss the rich blessing that can come from this practice.

Nevertheless, to prohibit congregational singing of anything but the Old Testament psalms is an unwarranted addition to the word of God (cf. Deut. 4:2) and — ironically — a violation of the regulative principle of worship thereby. The crucial question is this: *Where in Scripture does God restrict His people to singing only the songs in the book of Psalms?* No such restriction can be demonstrated. Those who try to *infer* it end up relying on fallacious arguments. Those who insist that we must positively demonstrate that anything we sing has the explicit warrant of Scripture have misunderstood and misapplied the "regulative principle" — on a par with somebody who would hold that the very words of our prayers and sermons must have the explicit warrant of Scripture.

First, it is unreasonable to restrict singing to the 150 songs in the book of Psalms. These are not the only inspired songs in the Bible (e.g., the song of Moses, the magnificat of Mary, the psalms recorded outside the Psalter). In Ezra 3:11 we read of the Levites singing words (after the time of the Psalter) which will not be found any-

where as such in the Psalms. Even David in the Psalter said that God's people were to sing His "statues" and "all of His wondrous deeds." This takes us beyond the words of the Psalms!

Second, it is theologically deficient to restrict our praise to the old covenant anticipations of our Savior and His redemptive work. There is no question about the fact that Christ and His saving ministry are found in the words of the Psalms; praise the Lord for the Christology of that book! But it would be preposterous to think that the Christology and soteriology of the Psalms come anywhere close to the explicit, detailed, and clear teaching about Christ and salvation found after His incarnation and the actual accomplishment of redemption — the Christology and soteriology of Paul, John, and the rest of the New Testament. We are New Covenant believers; although being one with the Old Testament people of God who enjoyed the same covenant of grace as we do, we enjoy a fuller revelation and better administration of the covenant than they did. Our worship and praise for God's deliverance should reflect that progress.

Third, it is erroneous to think of singing as a separate element of worship. Singing is rather just one of the many legitimate *means* of pursuing the various elements of worship. Prayer, praise, exhortation, and teaching are among the proper elements of worship (as regulated and restricted by the word of God). But all of these can be pursued by various means: meditation (e.g., silent prayer, reflection on Scripture), plain speech (e.g. praying aloud, preaching a sermon), OR in song (i.e., with

increased melody and rhythm). Singing, you see, is just one of the *ways* in which we pray, or praise, or exhort, or teach one another.

Notice how Col. 3:16 categorizes "psalms, hymns, and spiritual songs" as forms of teaching and admonition; this is one of the Biblically defined functions of song in worship (cf. I Chron. 25:1; I Chron 14:15, 26). Therefore, since it is not a separate element of worship, singing does not require a separate Biblical justification.

Fourth, it makes little sense to say that the words of our songs must come directly from the Bible (or psalms), when one does not likewise restrict the words of our *sermons* to what is directly found in the Bible! Both are forms of teaching and admonition. What reason could there be for holding that teaching-in-plain-voice may use words outside the Bible, but teaching-in-song may not use words outside the Bible? (E.g., I can say "A mighty fortress is our God" in a sermon, but we cannot add melody and sing the very same words!) Teaching is not identical with reading from Scripture (I Tim. 4:13) — whether in song or not.

Finally, the exegesis of exclusive-psalm-singers is not acceptable at Colossians 3:16 and Ephesians 5:19. If these verses are referring to more than the songs of the book of Psalms, then it is acceptable for Christians to sing more than the songs from Psalms. Exclusive-psalm-singers must argue, then, that the words "psalms, hymns, and spiritual songs" in these verses all apply to the Psalms *and can be applied to nothing but* the Psalms. That is clearly mistaken, however. II Samuel 22 is not

part of the book of Psalms, but it is called a "psalm" in verse 1; the new revelation of 1 Cor. 14:26 is obviously not from Psalms, but it is called a "psalm." Or take the word "hymn." Can this word (in itself) apply to compositions other than the those from the book of Psalms? Obviously, yes. Well then, is there anything about this word in the context of Col. 3 or Eph. 5 to restrict its referent to the book of Psalms? Not at all. Finally, exclusive-psalm-singers must argue that "spiritual song" must mean "inspired song" (thus being restricted to the words of Scripture for us). But the word "spiritual"

does not mean the same thing as "inspired," as is clear from its use in 1 Cor. 2:15; 3:1; and Eph. 6:12. So then, "psalms, hymns, and spiritual songs" does indeed apply to the Psalms, but it is mistaken to argue that such words can apply *only* to the Psalms. (Likewise, the fact that "apostolic letters" can apply to the epistles of Paul does not prove that the expression applies *only* to Paul's letters!)

Therefore, I believe that the exclusive-psalm-singers do not rest the case for their position solely on Scripture. They cannot demonstrate that God prohibits singing anything but the

Psalms in worship or that singing non-Psalms violates the regulative principle (any more than preaching words not recorded in Scripture). Their arguments are flawed by fallacious reasoning and exegetical mistakes. The persuasiveness of their position does not rest on Biblical authority, then, but rather on church tradition and subjective personal considerations (e.g., emotional attachment to the Psalms, which is quite understandable). It is not Reformed to allow such matters to control or restrict our worship.

## ADVOCATE 2: Scripture Warrants Only the Singing of Inspired Hymns

Awareness of the importance of the Regulative Principle is a wholesome sign. Yet it is possible for a profession of allegiance to this principle to be vitiated by self-deception. A good beginning may be hedged about by the spurious claim that Christian liberty under the New Testament leaves open an area in which the Church may institute modes of worship. Or illicit applications may be made, by which it becomes evident that the principle has not been understood. What has been stated as the crucial question is an instance of such misunderstanding. This question presupposes that the Psalm-singer is obliged to show that Scripture contains explicit prohibition of the singing of songs other than the Psalms. This demand by the Hymn-singer is an instance of the lax principle of the Lutherans and Anglicans that only what is explicitly forbidden in the Scripture is to be excluded from worship, while the Reformed principle states that worship which is not prescribed in the Word is a violation of the Second commandment. Consequently, the burden of proof is on the Hymn-singer to show that there is Scriptural warrant for singing of uninspired songs in worship.

Defenders of non-Scripture hymns are fond of designating the opposed position by the ambiguous expression "exclusive Psalm singing." Many who adhere to this view, like the late Professor John Murray, have granted the propriety of the use of versions of other Scripture songs. The present paper defends only the propositions: (1) Scripture warrants the sing-

ing of the 150 Psalms, and (2) Scripture does not warrant the singing of uninspired hymns. The singing of other Scripture songs in worship will be neither defended nor opposed. This policy renders a number of the opposing arguments irrelevant to the question whether the introduction of uninspired hymns can lead Biblical warrant.

The attempted plea rests partly on general grounds and partly on specifically exegetical considerations. A chief example of the former is the analogy of singing with prayer and preaching. It should be observed first that logic teaches us that arguments from analogy are at best inconclusive and at worst illusory. The argument in question is a case of the latter sort, particularly in the case of preaching. Preaching is addressed to sinful man; praise is addressed to the Holy Sovereign God. Instruction is only incidental to the singing of praises and not the essential characteristic of this element of worship. This consideration should banish the sophistry of pretending that singing God's praise is not an element of worship. Even the didactic Psalms are fundamentally in praise of God, whether the central theme is the confession of sin, Ps. 32, or the faithfulness of God notwithstanding the repeated idolatry of the visible church, Ps. 78. The misapplication of Col. 3:16 in this matter, leading to the conclusion, "singing does not require a separate Biblical justification," means the emancipation of singing in worship from the Regulative Principle which has clearly not been understood. A sinister practical effect of this attitude is that, instead of being deter-

mined by God's Word, what is sung in worship becomes a matter of making concessions among various conflicting groups in much of the professing church. Thus, it is the will of man which decides what is to be sung in God's praise.

The Christological or Dispensational argument may also be classified as general, although it involves some exegetical considerations. First, the concession is made that Christ is found in the Psalms. Then the consequences are denied. Far from it being preposterous, it is a striking fact that the inner sufferings of the Saviour's soul are set forth more fully in the Psalms, like the twenty-second and the sixty-ninth, than in any historical or doctrinal passages of the New Testament. The inference that the Psalms are insufficient in containing the content of song for the New Testament is the kind of fallacy commonly found in Dispensational arguments.

Space allows only a few exegetical remarks which may be supported elsewhere (as in Mike Bushell's excellent work) by detailed argument. Ezra 3:11 plainly refers to Ps. 106:1 and obviously does not claim to be the entire Psalm. II Samuel 22 is definitely Ps. 18 with minor verbal alterations in places. In I Cor. 14:21 the natural meaning of *psalmos* is an Old Testament Psalm which may have been selected charismatically. In any case, if it were charismatic in content, it was an inspired song. Similarly, it is not necessary to settle many disputed questions in Eph. 5:19 and Col. 3:16 to realize that they offer not the least warrant for unin-

spired hymns and songs in public worship. They may only prescribe rules for informal conduct of Christians. As for *-pneumatikos*, Eph. 6:12 is the only passage where it refers to creatures rather than the Holy Spirit and His special work. To support hymns from a series of "maybes" is to commit the fallacy of arguing from possibility to actuality. And the possibility itself is no more than, "I don't know that it isn't so."

The concluding paragraph of Advocate One's paper contains serious

charges and has a tone other than the irenic expressions of the opening paragraph. Propositions one and two are both established by appealing to Scripture: first that Scripture commands the singing of Psalms, which is granted by Advocate One, and secondly, that Scripture nowhere warrants humanly composed songs in public worship. There is a temptation to make counter-charges, to assert, "The arguments of hymn-singers are flawed by fallacious reasoning and exegetical mistakes." The observation may be made that even when

they give lip-service to the Regulative Principle, they are in fact influenced by the current practice in their own churches, far removed from that of the Westminster Assembly, not to speak of Calvin, Augustine, and first of all the Apostolic church. An appeal to tradition of this sort is simply a justification of the right to be called Reformed or Calvinistic, while Scripture remains the sole infallible rule of faith and practice. But apart from such reflections, let the argument speak for itself.

## ADVOCATE 1 Response

If Advocate 2 would sincerely seek to be irenic, he should refrain from accusing those who disagree with him of not adhering to the Reformed regulative principle of worship<sup>1</sup> (giving it only "lip-service") and psychologizing their motives (which he has no way of knowing) as influenced instead by current practices in the church. Advocate 2 wishes to eschew talk of fallacious reasoning.<sup>2</sup> He would rather just think that those who disagree with him do so because they are unaware of, or do not understand, or do not honor the regulative principle. That is simplistic, as well as erroneous. And it has unnecessarily disrupted the peace of Christ's church.

As a step toward restoring that peace, let us grant that both of us are committed to the regulative principle, but disagree in its application.<sup>3</sup> The regulative principle does not require that every particular thing done in connection with worship be warranted by Scripture (e.g., "circumstances" such as sitting in a pew, starting at 11:00 A.M., wearing a tie), but that every "element" of worship as such — everything

invested with liturgical significance (e.g. Romanist elevation of the communion tray) — requires Scriptural justification. Is singing a separate "element" of worship or a "circumstance" of worship? If the latter, it does not require Biblical warrant according to the regulative principle.<sup>4</sup> I have argued that singing is simply one means to (one circumstance through which to) pray, praise, exhort or teach — rather than an element of worship itself. I proved this from Colossians 3:16, where singing is a form of instruction. Advocate 2 missed the point by replying (dubiously) that instruction is "only incidental" because *praise* is the "essential characteristic" of singing.<sup>5</sup> But my argument remains. Praise may be given to God in plain voice (during prayer, preaching or testimony) as well as in song. Why would it be acceptable to praise God in a *sermon* with words outside of Scripture, but unacceptable to do so when melody is added to those very same words and the congregation *sings* them?<sup>6</sup>

<sup>4</sup>The reader will notice, then, that my argument does not at all — as alleged by Advocate 2 — rest upon the Lutheran and Anglican view that only what is forbidden in Scripture is to be excluded from worship. It rests upon the necessary distinction between circumstance and elements of worship, which has always been part of the Reformed conception of the regulative principle.

<sup>5</sup>Fallacy of false antithesis. We do not have to choose between praise or instruction as the single "essence" of singing in worship. Both functions enjoy Biblical warrant. To say instruction is not really essential, but only "incidental," does violence to Paul's words in Colossians 3:16!

<sup>6</sup>This is not an "argument from

To this Advocate 2 has no answer whatsoever — beyond calling it "sophistry" and alleging it to have a "sinister practical effect."<sup>7</sup> Until he refutes the claim, we should conclude that singing uninspired hymns no more violates the regulative principle than does preaching or praising or exhorting with uninspired words.

Now let me address a few incidental points in Advocate 2's reply. (1) Is it really "Dispensationalism" to argue that New Covenant worshippers have a fuller revelation and better administration of the covenant of grace than Old Covenant worshippers? See the Westminster Confession of Faith VII.5-6. It was not penned by dispensationalists. New Covenant worship should reflect the progress of redemptive history and revelation.

(2) Does Scripture warrant the singing of uninspired hymns in New Covenant worship? Advocate 2 says "no," claiming "Scripture nowhere warrants humanly composed songs in public worship."<sup>8</sup> But I believe Colossians 3:16 and Ephesians 5:19 give

analogy," as Advocate 2 tries to make it. It is a *reductio ad absurdum* based on a conspicuous inconsistency in the application of the regulative principle found among exclusive psalm-singers.

<sup>7</sup>These are notorious logical fallacies: (1) name-calling and (2) arguing from the possibility of abuse. Moreover, Advocate 2 shows that he has not understood the argument yet when he speaks of "the sophistry of pretending that singing God's praise is not an element of worship." That is not my claim at all! It is singing (*not* "singing God's praise") which is not an element of worship as such.

<sup>8</sup>Well, the Psalms were "humanly composed." Advocate 2 really means songs

<sup>1</sup> Westminster Confession of Faith XXI.1: the acceptable way of worshipping God is limited by His own will, so that He may not be worshipped in any way which is not prescribed in the Holy Scripture.

<sup>2</sup>But at least one of us must be guilty of such an error since we have reached contradictory conclusions — and truth is not relative.

<sup>3</sup>After all, exclusive psalm-singers do not accuse John Murray of not truly believing the regulative principle because he felt it appropriate to sing Scripture songs other than the Psalms. The difference between them was one of application.

that very warrant — referring to “psalms, hymns and spiritual songs” (not “psalms, psalms and psalms”). Advocate 2 attempts to dismiss this Biblical evidence by claiming that it “may only”<sup>9</sup> pertain to informal conduct of Christians,” rather than to public worship. It would be natural to suppose that when Paul speaks of believers singing with grace in their hearts and admonishing one another with hymns, he is referring to believers gathered together and engaged in

which were humanly composed, but not under the inspiration of the Holy Spirit.

<sup>9</sup> It is noteworthy that Advocate 2 himself asserts in another context that to argue from a “maybe” is to commit a fallacy.

worship. (How often do we sing to each other as part of informal hospitality?) On what basis does Advocate 2 say otherwise and restrict Paul’s referent to activity *outside* of congregational worship? Arbitrariness is not a convenience the theologian may indulge.

(3) Advocate 2’s response continues certain exegetical mistakes. The words of praise in Ezra 3:11 are *not* identical (no more, no less) with Psalm 106:1. Even Advocate 2 admits that II Samuel 22 is *not* identical with Psalm 18, noting the verbal alterations. The “natural” meaning of I Corinthians 14:26 is *not* that an Old Testament psalm has been charis-

matically selected; this is not natural, but stems from a theological preconception. The *content* of the “psalm” is given by the Spirit, just as in the case of the “teaching, revelation, or tongue” which are mentioned right along side of it. Finally, regarding Colossians 3:16 and Ephesians 5:19, Advocate 2 *concedes* that “spiritual” song need not, given Scriptural usage elsewhere, denote the special work of the Holy Spirit (inspiration) — in which case his conclusion about singing in worship rests upon an insufficiently supported personal preference (an unwitting departure from the regulative principle).

## ADVOCATE 2 Response

The abusive personal attack in the opening paragraph of Advocate 1’s response is best ignored. “Advocate 1” is in this response used to designate the written text and not the writer. It is in this sense that Advocate 1 fails to adhere consistently to the regulative principle by applying it in a way that nullifies it. No charge of insincerity is made against the person who proposes the principle. Application may be more or less far reaching. To apply a principle in a way that defeats its genuine tendency is to reject the principle in fact while asserting it in words. When the regulative principle is made to support such innovations as dance, rock music, and a host of other forms of false worship, it is clear that the principle has not been meant in its proper sense.

Advocate 1 is unclear as the nature of circumstances in public worship. The Westminster Confession, Ch. 1, Sec. 6 speaks of “some circumstances...common to human actions and societies.” The Lutheran and Anglican view involves such a confusion of these circumstances with elements of worship as Advocate 1 falls into. Singing God’s praise is not a circumstance common to human actions and societies. It is rather the element of worship that directly declares the glory of God in a

way not done by prayer, which expresses the desires of men, and by preaching, which is addressed to men. The use of the same words in a sermon and in a hymn is radically different. The former is instruction to man directly and praise to God incidentally. The latter is praise to God directly and instruction secondarily. The Reformed faith surely does not endorse the view widely practiced in Evangelical circles, that a major purpose of Gospel hymns is evangelism.

Colossians 3:16 does not subordinate singing God’s praise to instruction in doctrine in such a way, or in the less extreme, but none the less erroneous way asserted by Advocate 1. The answer to which Advocate 1 is blind has already been given in the preceding paper, and has been developed in this paragraph.

There is an anomalous feature of the tactics of Advocate 1. First, the content of sung praise is held not to “require Biblical warrant according to the regulative principle.” Later we read “I believe Colossians 3:16 and Ephesians 5:19 give that very warrant.” These two positions can be rendered logically consistent only by sacrificing any claim to a unified defense of uninspired hymns in worship. That the two texts may only refer to informal practice is no part of the positive argument for

singing the Psalms or hymns found in the Bible. This consideration is only meant to eliminate the claim that the text provides warrant for uninspired hymns in worship.

The argument from possibility to actuality is an elementary logical fallacy. But the argument from possibility of ‘not p’ to the denial of the assertion of the necessity of ‘p’ is strictly valid. This is what is the case when from the possibility of the text’s not meaning that certain songs may be sung in worship, there follows the denial that the Regulative principle warrants (i.e. implies the necessity of) the allowability of the practice.

The rejection of Dispensationalism obviously does not imply a refusal to use the language of the WCF Ch.7, Sec. 5-6. What was intended was that the position that asserts the unity of the Covenant of Grace in both dispensations and yet argues from differences to the lawfulness of uninspired hymns in worship may be paralleled by that of Reformed Baptists from the difference of the dispensations to the denial of infant baptism. This minor observation is subordinate to the major point that the Old Testament in general and the Psalms in particular exalt Christ as the eternal Son of God and as the only Mediator between God and man.



## ADVOCATE 1 Concluding Remarks

Advocate 2 argues that singing in worship must be restricted to inspired words (for instance, the psalms), and he wishes to draw this conclusion from the regulative principle of worship. In my past two essays I have tried to show that such reasoning is fallacious, being (1) inconsistently applied and (2) resting on a misunderstanding of the regulative principle itself.

What now does Advocate 2 reply? He simply asserts that the "genuine tendency" of the regulative principle really supports his view, not mine. That is, Advocate 2 openly *begs the question* that we are supposed to be debating. He just announces that "it is clear that the principle has not been meant in its proper sense" when made to support "forms of false worship," like singing uninspired hymns.<sup>1</sup> This is not an argument; it is merely repeating what you are supposed to prove. Previous essays give reason to believe that it is the theological tradition defended by Advocate 2 (one which is noble but narrow) which has misunderstood the proper sense of the regulative principle.

I have argued that singing is not an "element" of worship, but rather one "circumstance" by which we perform various elements of worship (praise, prayer, instruction, testimony). Advocate 2 disputes this in two ways.<sup>2</sup> First, he claims that singing<sup>3</sup> is "not a circumstance common to human actions and societies"—which is just false. Second, he claims that singing God's praise declares God's glory "in a way not done" by prayer or preaching.<sup>4</sup> What is

this difference? He does not specify. What evidence does he offer? None. He is simply being arbitrary. He pronounces that "the use of the same words in a sermon and in a hymn is radically different." Then exactly what is that relevant difference? Moreover, what Scripture warrant is there for such an exaggeration? Advocate 2's opinion that a sermon is "directly" instruction, but only "incidentally" praise, is equally artificial.<sup>5</sup>

But this is still not the biggest mistake in his reasoning. Accept (for argument's sake) the artificial view that singing a psalm is "direct praise," while a sermon or prayer is "incidental praise." Advocate 2 does not tell us why our "incidental praise" (the sermon, prayer or what have you) may not be communicated through the medium of music—in the form of a hymn.<sup>6</sup> He has not noticed that his argument is senseless and unsuccessful unless singing in worship is restricted exclusively to direct praise—a view which is at odds with Paul himself (Col.3:16)!

Advocate 2 makes a weak and unpersuasive effort to make my defense of uninspired hymns out to be logically inconsistent. On the one hand I say that a Biblical warrant for singing uninspired words is not necessary; on the other hand, I say that such a warrant nevertheless can be found in Col.3:16 and Eph.5:19. Why Advocate 2 finds these remarks (involving, as they do, different modalities) logically inconsistent is a mystery. Imagine Bert arguing that the dish Julie brought to the church dinner is not "fruit salad" unless it includes peaches. It would be perfectly logical to reply both that (1) peaches are not "necessary" to fruit salad, but (2) even Bert should recognize Julie's dish as fruit salad because it just so happens to actually contain peaches anyway.

And it so happens that the New Testament includes (by example) unin-

spired hymns in its worship, even though no such warrant would be necessary in the first place. The example of Col.3:16 just does not fit into the view that our singing in worship must be restricted to inspired words.<sup>7</sup> Advocate 2's only defense is that since it is possible that the verse "may only refer to informal practice" (rather than formal worship), therefore it is not necessary that singing uninspired hymns in worship is allowed.<sup>8</sup>

But of course this has nothing to do with my argument anyway. I am not claiming that Col.3:16 necessarily refers to singing in worship, but simply that in actuality this happens to be what Paul is talking about. In my last essay I gave reasons why this is the natural reading of the text and why Advocate 2's view is very odd. He has not chosen to reply to those reasons. If I am correct in fact about this verse—and Advocate 2 has not attempted to show otherwise—then he has been refuted on his own grounds. Clinging to "maybe's" will be useless here.

Those Reformed believers who use uninspired hymns in worship do not, as portrayed by Advocate 2, do so because they reject or misapply the regulative principle of worship. Nor do they do so because they are dispensationalists (or, as he most recently altered the charge, no better than Reformed Baptists) regarding the unity of the covenant of grace. Perpetuating these misconceptions will not buttress the fallacious and unbiblical argument that singing in worship must be restricted to inspired words. I am confident that Advocate 2 would join me in encouraging the thoughtful reader to look beyond such characterizations and to decide the theological issue simply on the merits of the case. Let us think clearly and consistently. And as always, *sola Scriptura*.

<sup>1</sup>The cautious reader will notice Advocate 2's attempt to impute guilt by association, placing the singing of uninspired hymns in the same category with "innovation such as dance"—which is not my position whatsoever.

<sup>2</sup>The reader will again notice the attempt to impute guilt by association when Advocate 2 tries to lump me with Lutherans and Anglican—whose views of worship I oppose.

<sup>3</sup>Actually, Advocate 2 refers, not to singing, but rather to "singing God's praise," once again showing that he has not understood the *precise object* of our discussion (and therefore not understood my argument). See footnote 7 in my previous response.

<sup>4</sup>Of course, trivially, there "is a way" that singing God's praise glorifies Him differently than prayer and preaching does: viz., with music. Advocate 2 must mean something more than this!

<sup>5</sup>Notice also that Advocate 2 cannot decide whether the difference is "radical" (as he says at one point) or "relative," a matter of priorities (as he says here).

<sup>6</sup>That is, even given his own category scheme, Advocate 2 need only restrict "direct praise" singing to inspired words (like the psalms), but the "incidental praise" elements of worship would readily permit singing uninspired words (such as hymns)!

<sup>7</sup>In his reply to my comments on Col.3:16 Advocate 2 misrepresents me as saying the verse "subordinates singing God's praise" to doctrinal instruction. This is off the mark. The language of "subordinating" one function to another is that of Advocate 2, not mine.

<sup>8</sup>The reader will need to read Advocate 2's words many times to untangle his convoluted use (and misuse) of modal expression (e.g. possibility, actuality, necessity, allowability) and double negatives.



# Book Reviews

***DISCLOSING TILT: Law, Belief, and Criticism* by David S. Caudill**  
**Amsterdam: Free University Press, 1989. 188 pages, \$14.95.**  
**Reviewed by John McClendon**

Too often one feels a sense of embarrassment at the "me too!" genre of Christian scholarship. You know what I mean, scholarship playing belated catch-up to the latest fashion in cultural thought, whether it be feminism, evolutionism, socialism, or wealth redistributionism, and seeking to baptize a variant of that current thinking as its own.

That's why it's always refreshing to come across a piece of Christian scholarship pointing out an instance where, long before secular scholars began grappling with an issue, Christian scholars were already on the scene. *Disclosing Tilt*, by David Caudill, a young Reformed scholar and a professor at Washington and Lee University Law School, is one such work. In it he demonstrates how Critical Legal Studies ["CLS"], a controversial Neo-Marxian critique of law currently "hot" in legal theory, utilizes a methodology for critical analysis of legal "ideology" similar to the methodology of worldview analysis previously developed by Calvinist scholars in the Dutch, Kuyperian tradition.

This is not a book for the casual reader. Caudill's study presumes a minimum familiarity with the vocabulary of legal theory and the major schools of legal thought. A little knowledge of major players in contemporary legal theory and literary criticism is also helpful, in order to fully appreciate why he interacts with these critics. Unless one is (like me) a connoisseur of end notes, Caudill's adoption of the law review practice of footnoting virtually every sentence can be vexing. However, this makes the end notes, along with his fine bibliography, a valuable resource for further study.

Aware of the inherent ambiguity in the word, "ideology," Caudill

begins his exploration of the role of ideology in law by tentatively adopting a broad, positive definition of ideology as the "beliefs, values, concepts, ideas, myths, images, and views of the world that social groups exhibit and by which individuals live and pattern their lives" (p.5).

Turning next to illustrations of legal ideology in operation, Caudill acknowledges that the majority of legal scholars engaged in the ideology critique of legal practice hail from the Marxist tradition and thus "find in established law a foundational 'tilt' in favor of an empowered class or the capitalist system...." (p. 6) Thus, frequent targets of their radical analysis are labor law, criminal law, tort law, and contract law.

However, Caudill argues that the critique of legal ideology "...is not, or should not be, a leftist phenomenon." (p. 8) Therefore, shunning the radical critique, he discusses three everyday examples of contemporary legal disputes that reveal: (1) the role of ideology in interpreting treaties governing commercial transactions between private United States businesses and Soviet-bloc entities, (2) ideology operating in laws governing unmarried cohabitation, and (3) ideology latent in recent court decisions regarding Creation-Science.

Caudill easily demonstrates the role ideology plays in U.S./U.S.S.R. trade agreements and the confusion this causes as each side interprets treaty provisions according to their political and economic perspective. However, far less satisfying is his discussion of the operation of ideology in marriage laws. Caudill goes beyond the descriptive task of revealing hidden assumptions in these laws to making a normative call for their change predicated on the fact that unmarried cohabitation is

now "more popular and more socially acceptable" and there has been a "fundamental shift in values" relating to marriage. Sadly, he makes no trenchant critique of the ideology of law implicitly operating in his own call for change.

Caudill's demonstration of ideology operating beneath the surface of recent court opinions regarding Creation-Science is nothing short of superb and is must reading for anyone studying this issue. Caudill convincingly demonstrates how the hidden ideological assumptions of the judges who wrote these opinions doomed Creation-Science proponents at the outset from receiving an objective, impartial hearing on the merits of their case. By naively adopting the traditional positivist or "received view" of science, the judges ignored the pre-theoretical or "religious" assumptions operating in science itself. Thus, the judges arbitrarily bifurcated between what they considered "hard" science and "soft" tenants of religious faith, finding Creation-Science predicated upon the latter.

In his chapter exploring the history and heritage of the Critical Legal Studies movement, Caudill avoids the temptation, common in some quarters, to dismiss CLS as simply a cadre of nihilistic Marxist scholar-vandals out to "trash" the law. Although several themes recur in CLS writings—the idea that law legitimates oppressive social orders, the call for "empowerment" of oppressed groups, the invalidity of economic analysis of law, the incoherence of liberal legal theory, the claim that law and legal institutions are not politically neutral—Caudill finds that, "Describing with precision the essence of CLS is probably impossible because the sources of CLS scholarship are so various and divergent." (p. 40) Nevertheless, the influence of several intellectual movements is apparent, the chief ones being: Legal Realism, Kuhn's Paradigm theory, the Sociology of Knowledge (*Wissenssoziologie*) as represented by

Mannheim, The Frankfurt School of Critical Theory, and Derrida's literary Deconstructionism.

Caudill finds two "vaguely distinct" versions of the CLS critique of ideology in law emerging from the CLS canon. The first, which he calls the "normative" critique, "...assumes that the critical enterprise leads to true consciousness, justice, and a better world." (p. 67) This version, which often endorses revolution and violent change, he finds impoverished because it uncritically assumes the self-evidence of its own leftist ideology. The second version, which he dubs the "methodological" critique, "...assumes the simpler goals of awareness, communication, and perhaps a better world if aware/communicating people can create one." (*Ibid.*) Caudill finds this methodological critique, wherein change occurs by a nonviolent paradigm shift, the most valuable contribution of CLS.

The centerpiece of Caudill's study is his discovery of similarities between CLS's methodological critique of ideology in law and the worldview critique carried on by Reformed followers of the Dutch Neo-Calvinist legal philosopher Herman Dooyeweerd. While admitting the irony of finding similarities between two such antithetical movements, CLS with its roots in Neo-Marxism and the Dooyeweerdians with their roots in Calvinist theology, Caudill finds that similarities exist in the methodology and goals of both groups.

CLS's methodological critique of legal ideology aims to demonstrate the myth of political or moral neutrality in law. "Legal theory is shown to reflect a particular set of tacit values and a particular vision of society that together form an ideology; the ideology constitutes our world by legitimating and justifying its institutions." This "[d]isclosure of tilt is the beginning

of the genuine debate concerning the proper role and operation of law in society" (p. 68).

In like manner, Dooyeweerd and followers of Dooyeweerd's Philosophy of the Cosmonomic-Idea aim to demonstrate that the popular distinction between religious people and those who are simply rational or neutral regarding faith is a myth, because "belief or faith is at the foundation of all human thought" (p. 87). "Religion," in the broad sense of an ideological or worldview commitment is internalized as to go unnoticed and unchallenged, is shown to form the basis for all theoretical thought. Thus, true neutrality or objectivity is a myth in all thought, of which legal thought is, of course, a subset.

**Caudill convincingly demonstrates how the hidden ideological assumptions of the judges who wrote these opinions doomed Creation-Science proponents at the outset from receiving an objective, impartial hearing on the merits of their case. By naively adopting the traditional positivist or "received view" of science, the judges ignored the pre-theoretical or "religious" assumptions operating in science itself.**

Neither the CLS critique nor the Philosophy of the Cosmonomic-Idea, then, view ideology as something to be eliminated through critical enlightenment; both schools recognize the impossibility of this. Rather, the goal is "to identify the essential starting points for all theory and practice, that can only be revised or replaced by another ideological framework" (p. 105). According to Caudill, the nobility of this endeavor is that "no one has an edge in appealing to logic, common sense, or 'nature'" at the level of one's faith-based ideological or worldview commitments and the result is an "egalitarianism among faiths" (p. 90; 104). Significantly, although he doesn't fully develop the argument, Caudill contends that dialogue amongst competing worldviews is possible.

If only the general framework of the the ideology critique of law propounded by CLS and the Philosophy of the Cosmonomic-Idea is correct, what are its practical implications for Christians? Consider the following excerpt from a recent Christian book:

...for the purposes of civic debate and legislation [Christians] will not appeal to religious authority...in court and in much of civic activity, we can leave our Bibles closed and yet find means of expressing biblically informed truths according to rules on which persons of various religions can agree. ...If we have identified a biblical principle that should bear upon public policy, that principle will be capable of defense on ground in addition to the sheer appeal to the authority of Scripture.<sup>1</sup>

If the general strategy of the ideology critique is correct, then although these statements suggest a course of action that might be tactically expedient, at a foundational level they are simply wrong. Such statements constitute either a

wishful appeal to a non-existent objective, neutral standard or a call for Christians to shelve their own worldview when they enter the public arena and to participate in the political sphere only while operating out of an ideology alien to their own. If the ideology approach is correct, then Christians participating in the public arena must not conceal their worldview but proclaim and defend it. Δ

<sup>1</sup> Noll, Hatch, & Marsden, *The Search for Christian America* (Colorado Springs: Helmers \* Howard, 1989, pp. 134, 136).

*DISCLOSING TILT* is available in North America from: ICS 229 College St., Toronto, Ontario, Canada M5T 1R4

# Novelty, Nonsense, and Non-Sequiturs

## ■ The Real Dangers of Environmentalism

The following advice was found on a University flyer which attempted to provide tips for "Saving the Earth."

"Recycle cans, paper, and bottles. The energy saved from recycling one aluminum can will power a television set for three hours."

## ■ Evidence that Some People were not Smacked Enough

Robert McCall, Ph.D. writes in a recent issue of *Baby Care* magazine:

"Surveys reveal that the majority of parents spank their children. But I personally believe that spanking is not a good habit to start. For one thing, I don't like to see children of any age hit, especially by adults. It seems distasteful and an abusive use of power.

Spanking also hurts the relationship you're trying to build with your child. I wouldn't like or respect people who hit me.

Finally, spanking shows a child that when people do things you don't like, you hit them. It is not a lesson I want to teach my children."

Now we can sleep well at night.

## ■ Somebody Learn Them Atheists Some Reasn'n

Atheist therapist Wendell Watters of McMaster University, Hamilton has no need to avoid such trivial technicalities as begging-the-question. In *Free Inquiry* (Winter 1989), he writes:

"Christianity is literally the house that guilt built...Christians always have been encouraged to believe that if they feel despair or anxiety, it means that their faith is weak, thus adding to the burden of guilt they are already carrying around like Atlas shouldering the world. They are encouraged to deny their *essential humanity* even more than they already were doing, and to grovel ever more abjectly at the foot of the cross" (emphasis added).

Let's get this straight. "Essential humanity" above is used in an atheistic sense. So, Christianity is false because Atheism is true. It's so easy; how did we miss it before?

## ■ Ignoring the Silent Ones

More sinister insights on RU-486, the French baby-killing pill. Joan Babbitt of Planned Parenthood reported in the University of Southern California daily that:

"Anytime you can substitute a pill or medication for surgical technique, you're saving lives."

## ■ More Newspeak: What's Yours is Mine

The Orange Country Register reports (Feb. 28, 1990) that the longtime residents of Fountain Valley Mobile Estates in California recently received settlement checks from the mobile-home park's owner after a four year legal battle over rent increases.

The owner had to pay over two million dollars to compensate the tenants for rent increases and emotional distress. The agreement says that the park owner may not raise the rents on his property by more than six percent annually.

"This is the first case where we've had a rent rebate and rent control," the tenants' lawyer said.

"We didn't get everything we wanted, but we're satisfied," said Dale Evans, 61, chairman of the park residents' legal committee.

The newspeak? Evans goes on to say, "One thing I'll say about the people in the park is that even at their age, they hung in there and *defended their property rights*" (emphasis added).

## ■ Will the Real Democrat Please Stand?

Which of the following is a true claim?

1. Czechoslovakian President, Vaclav Havel recently claimed: "I salute the Czechoslovakian Communist Party for its sterling contribution to the struggle for democracy."

2. Polish leader, Lech Walesa recently claimed: "I salute the Polish Communist Party for its sterling contribution to the struggle for democracy."

3. ANC leader, Nelson Mandela recently claimed: "I salute the South African Communist Party for its sterling contribution to the struggle for democracy."

ANSWER:

3. NELSON MANDELA

## ■ Buying Off the Future

The opening section of a government educational packet mailed to thousands of high schools nationwide, states the objectives of the multi-lesson program as:

"Students will be able to explain how income taxes provide revenue for goods and services that benefit the general public, including students."

## ■ Parking Fine Cartels

*Harpers Magazine* Index (Feb. 1990) notes the following:

- Estimated total amount convicted drug traffickers in the United States owe in criminal fines: \$108,000,000

- Total amount New York City drivers owe in parking fines: \$461,000,000

And one more: Number of times Tammy Faye Bakker mentions crying in her two books *I Gotta Be Me* and *Run to the Roar*: 60

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