

TOWARD A THEOLOGY OF THE STATE

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There has been much discussion recently among evangelical Christians about the biblical view of civil government. Several events have encouraged us to pursue this topic: (1) the remarkable recent change in American fundamentalism from an apolitical stance to strong political involvement; (2) evidence from elections and polls that evangelicals do have the power to influence government policy; (3) the advancement and vigorous promulgation within evangelicalism of various incompatible views of the role of government: traditional Anabaptism;¹ traditional Lutheranism;² the "intrusion ethic" of Meredith G. Kline;³ "theonomy" or "Christian reconstruction";⁴ and "principled pluralism."⁵ Clearly this is a time of political opportunity for Christians, but also a time of challenge. We need to determine from the word of God what we should seek to achieve in the political arena, and we need the grace of God to obtain the courage and the love to do what is right.

I will not be able in this paper to discuss all the pros and cons of the various views. I shall, rather, first tell you some of the conclusions I have reached from past studies, so that you will know "where I am coming from." To save time, I shall present these conclusions with little or no argument. Then I shall seek to

¹ See, for instance, John H. Yoder, *The Politics of Jesus* (Grand Rapids: Eerdmans, 1972).

² E. g. Albert G. Huegli, ed., *Church and State Under God* (St. Louis: Concordia, 1964), Helmut Thielicke, *Theological Ethics*, 3 vols., esp. Vols. 1 and 2, ed. William H. Lazareth (Phila.: Fortress, 1966).

³ Kline, *The Structure of Biblical Authority* (Grand Rapids: Eerdmans, 1972).

⁴ Rousas J. Rushdoony, *The Institutes of Biblical Law* (n.p.: Craig Press, 1973), reviewed by me in *Westminster Theological Journal* 38:2 (Winter, 1976), 195-217, Greg L. Bahnsen, *By This Standard* (Tyler, Texas: Institute for Christian Economics, 1985), Bahnsen, *Theonomy in Christian Ethics* (Phillipsburg, N. J.: Presbyterian and Reformed, 1977), many other titles.

⁵ E. g. Rockne McCarthy et al., *Society, State and Schools: A Case for Structural and Confessional Pluralism* (Grand Rapids: Eerdmans, 1981).

build upon the conclusions in hope of making some progress toward a biblical view of the state.

Hermeneutical Prolegomena

First, then, my starting points:

(1) God's word in Scripture is the supreme authority for all areas of human life, and therefore must be confessed as infallible and inerrant.

(2) Everything God says in Scripture applies to us today (Rom. 15:4; 1 Cor. 9:10; 2 Tim. 3:16ff.).

(3) Scripture is *sufficient* as a transcript of God's will for all areas of human life (2 Tim. 3:16ff.; Isa. 29:13; Matt. 15:1-10).

(4) Old Testament law, specifically, continues to exercise authority over the New Testament believer (Matt. 5:17-20; Rom. 13:8-11; 1 Cor. 9:8ff.,21; James 4:11ff.).

(5) The New Testament does, however, indicate some discontinuities between the law and the believer in Christ. The law is not our ground of acceptance with God (Rom. 3:19ff.; Gal. 2:21; 3:1-25), and in Christ we are set free from the curse of the law (Gal. 3:10-14). We are also freed from the burdensome legal tutelage, even bondage, imposed on the Old Covenant people of God because of their immaturity (Gal. 3:23-25; 4:1-7,21-31). Therefore, many of the Old Testament ordinances are "shadows," no longer to be observed because fulfilled in Christ (Mark 7:19; Gal. 4:8-11; Col. 2:16-23; 1 Tim. 4:1-5; Heb. 8-10).

(6) In order to understand God's laws, it is necessary to know something about the situations to which those laws were addressed.

(7) In order to understand how God's laws apply to us today, it is necessary to compare our situation with the situations originally addressed. Only insofar as our situation is the same as the original will the laws apply literally.

(8) Therefore a change in situation always leads to some change in the *application* of a law. This principle bears not only upon the application of Old Testament laws to New Testament believers. It is a general principle of language. For instance, in Matthew 21:2, Jesus tells two disciples to find him transportation. Imagine a Christian sect that took this "law" as a command for today: each year, perhaps, around Palm Sunday, every church member would buy, beg or steal a donkey for Jesus to ride into Jerusalem. Now Matthew 21:2 is not an Old Testament "law," but a New Testament one. But the same

hermeneutical considerations apply to both Testaments. Our knowledge of the situation to which Jesus addressed the command shows us that this command was of local and temporary application and is not to be literally followed today. It does apply to us today by telling us of Jesus' determination to fulfill prophecy and to accomplish his redemption. It also motivates us to imitate our Lord's purposefulness and willingness to bear his cross. But it is not *literally* applicable. But if that is true even of New Testament texts, how much more likely it is to be true of legal material from the Mosaic Covenant which Hebrews 8:13 represents as "obsolete" and "aging?"

(9) In determining the present-day applications of Old Testament law, we must always reckon with both continuity and discontinuity. That is to say, there is always sameness and difference between the ways a law is applied in its original setting and the ways it applies today. That is true, for instance, in the trivial sense that today each law applies to a different group of hearers than those to whom it was originally addressed. Even the creation ordinances, whose applications are paradigms of constancy, show that level of discontinuity. The ordinance of labor, for instance, will require one person to be a carpenter, another a secretary, depending on his or her gifts and opportunities. Consider also the Decalogue, another group of ordinances accepted by Christians as largely applicable today — even here there is discontinuity as well. We no longer honor our parents that we may prosper in Palestine, as Exodus 20:12 commanded Israel under Moses (cf. Paul's re-application in Eph. 6:1ff.). However much continuity there is, there is always some discontinuity. If this is true even of the creation ordinances and the Decalogue, how much more likely is it to be true of case laws given to the Mosaic theocracy?

(10) God established Old Testament Israel as a holy nation, distinct from all the nations of the earth (Exod. 19:5ff; Deut. 7:6). A holy nation is ruled differently from other nations. Most all of us recognize that the laws given to Israel concerning animal sacrifices, dietary laws, clothing and grooming were not literally applicable to nations outside Israel, nor do they literally bind nations today. The New Testament speaks to some of those issues directly (Heb. 10; Mark 7:19; 1 Tim. 4:3-5). We should not, however, require explicit statements from the New Testament in order to reach such judgments. Sometimes there are indications in the Old Testament itself as to the limited applicability of divine commands (see (11) below). And sometimes no explicit indication of limitation is really needed. Consider Matthew 21:2, our previous example of a command that is not literally applicable today. There is no explicit *statement* in Scripture that this "law" has lost its literal applicability. God expects us to use our exegetical skill: in this case, just plain common sense.⁶

⁶ Common sense is not the final rule of exegesis, and it is not infallible. But it would certainly be a shame if we dispensed with it altogether.

(11) It is likely that the special holiness of Israel influences to some extent the penalties required for transgressions under the Mosaic law. For instance, Deuteronomy 14:21 bases a prohibition of eating creatures already dead upon the fact that “you are a people holy to the Lord your God.” Indeed, Israel is permitted to give or sell such food to aliens and foreigners, an odd qualification if eating such things were *morally* wrong. Most likely, then, eating such food is not wrong for everybody, but only for God’s holy people, for whom he has provided a great bounty of food in the land flowing with milk and honey. Another example: Vern Poythress has argued persuasively from the language of the passages that the penalties for false worship in Deuteronomy 13 and 17 are also based on the special holiness of Israel.⁷ Note that the infractions take place “in the land” (17:2,4) by covenant members (17:2), and these are executed by the people of God (17:7) by the *herem* destruction by which the wicked, pagan cities of Canaan were totally wiped out (13:16).

(12) It is unlikely, however, that the special holiness of Israel invalidates *all* literal application of Mosaic laws and penalties today. The penalty of double restitution for theft, for example (Exod. 22:4,7) is a matter of simple justice: the thief restores what was taken, and as a penalty he loses an equivalent amount. He loses, then, what he had hoped to gain. There is no good reason to apply this penalty only to Israel as a holy nation. Indeed, there are many good arguments for adopting such penalties today in place of our failed prison system.⁸ Of course, all crime is related to the holiness of Israel. Bloodshed “pollutes the land,” and that is forbidden, “for I, the Lord, dwell among the Israelites” (Num. 35:33ff.). But the death penalty for murder is not based upon the holiness of Israel. It was given to Noah many years before Israel became a nation (Gen. 9:6). The holiness of Israel merely adds an additional reason for the use of the death penalty, much as Deuteronomy 5:15 adds to Exodus 20:8-11 an additional reason for Sabbath observance. That additional reason no longer applies literally to modern civil law, but the original reason does. Therefore, even when Israel’s special holiness is mentioned in connection with a penalty of the law, that fact does not necessarily rule out the literal applicability of the penalty.

(13) We ought, therefore, in our efforts to apply biblical laws and penalties, to be open to various possibilities: (a) the law in question is based on the special holiness of Israel and is not literally applicable, though it will always teach us something important for our faith and life; (b) the law in question is literally applicable to us; (c) the law may be somewhere in between (a) and (b): more or less literally applicable, with some modifications or adjustments from changed circumstances. (“Literal” and “non-literal” are matters of degree, of course.) Poythress argues that the penalties for sexual sins are in category (c), for they

⁷ See his excellent book, *The Shadow of Christ in the Law of Moses*.

⁸ *Ibid.*

are concerned with protecting inheritances, a matter that had a special importance under the Old Covenant, but that still concerns us in some measure.⁹

(14) The traditional distinction between moral, civil and ceremonial law is still useful as a catechetical device, but not helpful in resolving concrete problems of application. In asking how a particular law applies to us, we do not assign it first to one of those three categories and then deduce from that its applicability. Rather we ask first concerning its applicability, and on the basis of that conclusion we then assign it to one (or more) of the three categories. The law does not, of course, come to us with the labels “moral,” “ceremonial” and “civil” attached to its provisions. What we call “moral” laws are mixed together in the texts (almost randomly, it seems) with “civil” and “ceremonial” laws, and we must sort them out by determining their meaning and current applicability. Those that apply most literally today we call “moral,” those which apply least literally we call “ceremonial.” “Civil” is a different kind of category, based not on applicability but upon function, and these would be divided between “ceremonial” and “moral” depending on their applicability. Remember too, that literal and non-literal applicability is a matter of degree, so we may expect some “gray areas,” some laws that do not fit neatly into either “ceremonial” or “moral” categories.¹⁰

(15) It is therefore necessary for us to do careful exegetical study in the law itself in order to determine its applications, rather than simply trying to make deductions from broad theological principles (see (21) below).¹¹

The above convictions and other considerations have led me to some conclusions about the various schools of thought mentioned earlier:

⁹ Ibid.

¹⁰ It is misleading to define “ceremonial” etymologically as “laws pertaining to ceremonies.” Many of the laws commonly grouped under the “ceremonial” category, such as dietary laws clothing laws, have nothing to do with “ceremonies.” And some laws having to do with ceremonies, such as the “regulative principle” and other doctrines concerning public worship, are commonly described as moral rather than ceremonial laws.

¹¹ A number of writers have made good beginnings in this direction. See James B. Jordan, *The Law of the Covenant* (Tyler, Texas: Institute for Christian Economics, 1984), Gary North, *Economic Commentary on the Bible*, so far in three volumes: *The Dominion Covenant: Genesis; Moses and Pharaoh*; and *The Sinai Strategy* (Tyler, Texas: Institute for Christian Economics, 1982, 1985, 1986). Poythress, op. cit., Rousas J. Rushdoony, op. cit., Gordon Wenham, *The Book of Leviticus* (Grand Rapids: Eerdmans, 1979). The conclusions of these books are not always consistent with one another, and the authors’ exegesis is of uneven quality. But they are attempting to do what most needs to be done in this area.

(16) I have not been persuaded by the Anabaptists that the state is necessarily Satanic and that therefore Christians are faced with the choice either of meek submission or of peaceful opposition. Certainly there have been satanic states, but I don't see the state as necessarily being under Satan's domain. However, the Anabaptist exegesis of Romans 13, in which God "orders" the state without giving it any normative authority, is unpersuasive to me, and the Anabaptists do not, in my view, rightly assess the continuities between the Old and New Testaments.

(17) In my view, the Lutheran distinction between the kingdoms of God's right and left hands is insufficiently anchored in Scripture.

(18) Meredith Kline's "intrusion ethic," while containing much biblical insight, argues for a religiously neutral state based on inadequate biblical premises and a too sharp dichotomy between the Mosaic and the New Covenants.¹²

(19) Principled pluralism, while presenting eloquently the case against religious neutrality in politics and the importance of government's becoming sensitive to different religious communities within the nation, fails adequately to ground its pluralism itself in the biblical text. In fact I find a contradiction between the emphases here on the unavoidability of religious commitment and the simultaneous insistence that the state should not be biased in favor of a particular religion.

(20) That leaves theonomy, to which I have a strong initial attraction, because of its earnest adherence to *sola Scriptura* and its willingness to wrestle seriously with the details of biblical law in formulating its positions. However, I believe that theonomists sometimes underestimate the complexity of the continuities and discontinuities between Old and New Testaments and thus often jump to wrong conclusions about the present-day applications of Old Testament laws. Also, I find their actual view of the state inadequate, for reasons I shall mention later.

(21) There is no broad theological scheme or principle that is capable of resolving all, or even a great number of, our specific application problems at the same time. This is the case: first, because exegesis of the actual laws reveals a wide diversity in the kinds of application and in the degrees of continuity and discontinuity between them and our present situation ((13), (15) above); and second, because of the inadequacies of the various available schemes, summarized above. Third, however, all the available schemes allow for both continuity and discontinuity. Let me refer in this connection to two of the

¹² See Kline, "Lex Talionis and the Human Fetus," in *Journal of the Evangelical Theological Society* (1977), also published as a pamphlet. Here he advocates civil punishment for abortion based on his exegesis of Exod. 21:22-25.

proposed schemes that may be regarded as extreme on the sides of discontinuity and continuity respectively: the intrusionism of Meredith Kline and the theonomy of Greg Bahnsen. Meredith Kline, whose rhetoric sometimes suggests an almost total discontinuity, nevertheless finds within the Mosaic law elements carried over from earlier biblical covenants, together with “faith norms” and “individual life norms” which continue to be normative for us today. In trying to exempt “community life norms,” including the state penalty structure, from this continuity, Kline is in my judgment utterly unpersuasive. But even here he seems willing to allow for continuities between the Mosaic penalties and our time, as long as those penalties are not derived exclusively or distinctively from the Mosaic covenant. On the other hand, theonomists, whose rhetoric sometimes suggests total continuity between the Mosaic law and our present situation, do recognize both redemptive-historical and cultural changes that prevent literal application of many such laws today.¹³ Therefore, whether we are Klineans or theonomists, whether we focus on discontinuity or continuity, we have not thereby settled *any* exegetical issue. Both continuity and discontinuity are allowed in either scheme, and therefore, in one sense, neither scheme settles anything.

¹³ For my general comparison and assessment of Kline and Bahnsen, see my “The One, the Many, and Theonomy,” forthcoming in a volume of essays on theonomy by Westminster Theological Seminary professors, edited by William S. Barker and W. Robert Godfrey.