

In Pursuit of the Good Society

by David W. Ponter.

It is the heart's desire to discover the good society. This has been, and rightly so, the inbuilt drive of men throughout history. Indeed, this drive is hardwired into us by God in our very creation. The fall, though damaging and distorting this longing, did not eradicate it. The pursuit of the good society has been the driving force behind all philosophical discourse, in one way or another. If we think in terms of the Bible, we see this drive in Genesis. We see this drive in Babylon, and Persia. And primarily, we see this impulse instantiated in the birth and growth of the nation of Israel. What is more, if we look upon those cultures outside of the biblical landscape, we see this drive replicated: Plato's Republic, Aristotle's ethics, and the Stoic's scruples. And who can deny that behind Kant's *Critique* of reason, practical and pure, we see the same quest, the same yearning. Humanity was built to be in compact with one another. Locke did not invent this notion. He only pilfered it.

When Adam was in the garden, God, himself, instantiated a paradox. For when Adam was created, that creation was truly good. Yet, almost paradoxically, God later declares that it is not good for man to be alone. Therefore, Almighty God creates for Adam a helper; Eve, who was no accident. She is the spiritual and social compliment of Adam. Sin, that great and terrible disrupting force, cannot destroy this reality entirely, it can only seek to pervert it. And, indeed, it does. Man's relationship to his wife is subverted. Man's relationship to man is corrupted. Man's true relation to his society, distorted, deformed and blinded. We live in the reality of this post-fallen legacy. Daily we live in that pain.

What societies we construct since the fall are but pale images, tainted reflections in dimlit mirrors. The idolatry of the heart is to find social meaning in ways that avoid God. This is the profound condemnation against secular man's attempt to construct the good society. It is the sin of Nimrod, it is the same sin of Locke. Only in regeneration, in the life of the Spirit, can the effects of the fall be remedied, and then only imperfectly while in this life. Thus it is fallen man's propensity to rebuild Eden, by the power of the arm of the flesh. This propensity is not limited to secular man, but, corruptingly, it has become the same desire for men of faith.

For years I have asked myself why is this so? What is this quest that drives us to establish and perfect the good society? Back in the 1990s, for my Honours thesis, I wrote on the issue of religious toleration amongst the 17th century Presbyterians, Congregationalists, and Levellers. My study of that topic has shaped and defined my thinking. My natural inclination, given my former Baptist and Church of Christ history, was to side with the Levellers. Against this, my Reformed heritage tugged. I correctly identified the point of tension, but never could completely resolve it. That point of tension being this: In Leveller theory, the civil magistrate was only bound to enforce the second table of the law. He was not obligated to enforce the first table. But against this is the question of the 4th commandment. The Leveller logic was this: The second table was but an extension of natural law, of Adamic law. For the Levellers were operating by the currency of 17th century Federalism, which saw the Covenant of Works as a covenant to man as man, not man in Christ. The Covenant with Noah was an extension of this, and so properly not part of the Covenant of Grace. As all 4 laws in the first table are expressions of the Mosaic Covenant, therefore, expressions of the Covenant of Grace, and given that post-New Covenant society was founded on natural law, meaning the Adamic administration, present society was not obligated to maintain the 4th commandment. The magistrate, therefore, was only bound to oblige obedience to the second table.

Contrary to this, the opinion of the Presbyterians, and say of Samuel Rutherford in particular, and the Congregationalists was that the magistrate was bound to enforce both tables of the law. The difference between the Presbyterians and Congregationalists was only slight. Namely, for the Presbyterians, the magistrate was bound to enforce a unified ecclesial system, *vis a vis*, Presbyterianism, while the Congregationalists denied this. For the Congregationalists, he was not bound to enforce a particular ecclesial system, as long as the contents of that system did not violate the commandments of God. For

Some Reformed Federalists, however, did try to locate the Covenant with Noah within the Covenant of Grace. But this strains the text exegetically.

them, the difference between Presbyterian and Congregational church government was a matter of *adiaphora*.

Now that ecclesial contention aside, the problem for the Leveller is that the 4th commandment was an ordinance predating the Mosaic covenantal institution. Therefore, it cannot be relegated, by method of simple dualistic exegesis, that is, a simplistic alleged dichotomy between the New Covenant and the Mosaic Covenant. The 4th commandment is undeniably a creation mandate, and honoured prior to Sinai. This, then, is the weak link in Leveller theory. From this the point of tension shifts, as the question must be redefined. Given that it seems intuitively true that in the New Covenant age it is not the duty of the church to seek the enforcement of the 2 tables, how does one justify the rejection of the Presbyterian-Congregational doctrine regarding the civil magistrate? For the Leveller theory, being too simplistic will not work exegetically. The answer was supplied by a reading of Roger Williams' *Bloody Tenent*. Written in the years following the Westminster debates, it outlines keen and critical insights which serve to exegetically undercut the theonomic logic and exegesis of the Presbyterians. For me, what was startling was Williams' profound and most obvious reading of the parable of the wheat and the tares.

That parable was reinterpreted by Augustine to be made compatible with his persecuting principles - specifically, his cause against the Donatists. Against Augustine, it was argued that his persecution of them was a violation of this very parable. Augustine's rejoinder was that the *field* is the church, not the world. And given this, the parable only forbids persecution of those within the church, not within the world outside of the church. To this was added the further interpolation that the tares were disguised or unknown heretics, posing, outwardly, as true believers. As such, persecution would be not only wrong, but dangerous, as it would most likely entail the persecution of the true seed. This *logic* was handed down through the generations, and was the opinion of Calvin, Rutherford *et al*. The genius of Williams was that he successfully overturned this logic. He notes well that Jesus does say that the field is the world, not the church. He notes that the church then is sown in the world. The tares also are sown in the world, alongside the church. Wheat are sown in daylight, tares are sown the following night. The next day, Williams notes powerfully, the helpers came to the field and immediately recognised the tares for what they were: weeds sown by another. It was not as if the tares had to grow and come to full head, and then, and only then, could they be recognised and duly extracted from the world.

Williams asks rhetorically, what farmer cannot tell the difference between wheat and weeds? This brilliantly overturns the Augustinian recasting of this parable. The lesson then is obvious. The church is not to engage in persecuting principles before the end of the age. The church is, therefore, not mandated to enforce divine theonomy in this age. Combining this point with the fact that even so, man as man, man even outside of the Covenant of Grace, *in lieu* of his Adamic identification, is still bound by natural law to fulfil the Sabbath mandate, one can create a synthesis between the Leveller position, as mediated through Williams, and the Reformed tradition of unified covenantalism. But as always, as soon as one tension is resolved, another arises. The question is then asked, what about moral deviations, such as homosexuality? Is the magistrate to suppress these? This question was never dealt with by the Levellers, as it was never a serious question in their time as it is in ours.

This question in the context of the sincere pursuit of the good society becomes poignant and yet painful. The natural inclination of the Christian, given his faith-tradition, wrestles with any pursuit of the good society that allows for such moral deviation. Thus the tension - two inclinations pulling against each other. The problem is heightened given the very theonomic tradition of Western Christianity. O'Donovan's gift is his ability to provide a systemic presentation of political obligation that avoids the gaps present in all previous systems. By gaps, I mean such things as the tension between theonomic theory, say that of Rutherford's, and Scripture. The Augustinian position, for example, must distort the parable of the wheat and the tares. It must insist that the New Covenant age is not normative for the age present, but only

To be sure, this held only for the English Congregationalists. The New England Congregationalists followed a path that was as equally intolerant as their English Presbyterian counterparts.

Indeed, I hardly doubt they would have wrestled with this question at all, given their moral-theological context. The suppression of moral deviations, such as homosexuality would have been thoroughly endorsed.

interim, for as soon as the local magistrate is converted, he is bound to enforce Mosaic theonomy. O'Donovan's presentation allows for the force of Scripture to testify truly. It allows the New Covenant to establish a normative ethic and theory of political obligation. And, what is more, it also allows for a sound display of the unity of the Covenants. One can maintain covenantal unity, adhering to the spirit of Reformation theology. Though, as a caveat to this, it does entail the rejection of the Reformed theonomic foundation of church and state. This rejection should, in itself, not be a problem, given that for the most part, modern Presbyterians have embraced denominational voluntarism, notwithstanding that tug to see the magistrate enforce the 2 tables. Once more, O'Donovan is able to unify that voluntarism, while still maintaining, as healthy, that inner tug, that quest for the good society. How he does this is his genius.

Given the parameters of this paper, what I will do is touch base with what I think are key concepts O'Donovan underlines, which are fundamental to reshaping the Augustinian tradition. My intent will be to jump off from these points, bringing in application where necessary; application that may or may not be directly located within O'Donovan's polemic. There are three key elements in his thinking. Firstly, he establishes with some sound exegetical and biblical foundation, the realisation that the church is not obligated to seek the magisterial enforcement of morality upon the nations around her. Secondly, he builds a solid case for holding that the teachings of Jesus are to be taken as theologically normative, and not interim. Thirdly, he can allow for a Christian instantiation of the good society, in a manner that can preclude even moral deviancy, yet in a way that does not seek to ground itself in former theonomic principles. These three points, I will document from his book: *The Desire of the Nations*.

Regarding the first point, it must be recalled that for western Christianity, the tradition has been to ground our philosophical categories on universal and self-evident premises and axioms. This came to include even legal categories. Following Aristotle's reception by the medieval scholastics, the drive has been to connect, either foundationally or non-foundationally, the legal precepts of Scripture with universal abiding axioms. What this entailed, theologically speaking, was that the legal categories revealed in the law of Moses were seen as necessary extensions of the legal categories given to man, *qua* man, in Adam. Therefore, the Mosaic legal code was binding upon all men not just men within that covenant arrangement. In this way, it was conceived that it was the duty of the magistrate, wherever he or she may be situated, covenantal dispensation irrespective, to enforce the Mosaic legal categories. This thesis, though variously stated, has dominated the political theories of obligation of western Christianity for centuries.

Against this argument, O'Donovan adduces definitive counter-examples, which I will supplement. Firstly, O'Donovan well notes Augustine's metaphorical use of the two cities based on Jeremiah's letter to the exiled Jewish community in Babylon (Jer 29:1-23). From this, Augustine grounds his metaphor of the Christian living in two cities. However, immediately a point of tension manifests. Given Augustine's concurrent endorsement of persecuting principles, how is that the very fact that the Jews, to whom Jeremiah writes, while in exile, were not obligated to seek the magisterial endorsement of the law of God? With profound blindness, Augustine cannot account for this fact. This point is reinforced powerfully when it is recognised that at no point was the Old Testament church ever obligated to seek the general enforcement of the law of God upon the surrounding nations. At no point were they condemned by God for not doing so. This point is not to be obviated by thinking that it was the duty of the Old Testament church to evangelise the nations around. Therefore, the argument goes, they were to bring the nations into a covenant relationship with God. To think this misses the point.

The Jews were never obligated to establish and inculcate concurrent covenant communities, lying, politically, side by side with Israel. It is O'Donovan's keen insight that highlights the roles of men like Ezra and Daniel (and Esther and Mordecai). Neither man were obligated to seek the theonomic enforcement of

This tug often expresses itself in the tug of the conscience, that dialectic of wanting happiness but not at the expense of perceived duty and obligation.

One added benefit here is that in all this, one does not have to accept O'Donovan's Lutheran rejection of the third use of the law.

Oliver O'Donovan, *The Desire of the Nations* (Cambridge: CUP, 1996).

O'Donovan, p., 83.

For myself personally, I am not convinced even of this.

the moral law upon the very pagan communities they were appointed to govern. For example, Daniel, as cited by O'Donovan, lived as one in a foreign land. His heart, like that of Ezra's, was set on the return to Jerusalem, never upon instantiating a parallel Jerusalem of Gentile citizenship. We can add to this the example of Nebuchadnezzar, who could exclaim of God:

His dominion is an eternal dominion; his kingdom endures from generation to generation. All the peoples of the earth are regarded as nothing. He does as he pleases with the powers of heaven and the peoples of the earth. No one can hold back his hand, or say to him: "What have you done?"

At no point was Nebuchadnezzar charged or obligated to seek the enforcement of the Mosaic law or covenant upon his very pagan empire. At no point was he ever condemned for not doing this. At no point was Daniel charged with the duty of seeking this. And again, never was he condemned for its not happening.

This point is seen clearly when we recall that very Scottish propensity to establish binding national covenants which were viewed as exacting analogues, legitimate in every way, of the Israelite national covenant. The point is further underlined when it is also recalled that the type- anti-type relationship between the testaments is Israel and the church, not Israel and Scotland, for example. Now we can also add to the theonomic thesis certain other counter-factuals. The sojourning alien within Israel was not obligated to uphold or internalise the Mosaic law. While he was forbidden from public acts of idolatry, and moral sin, he was not obligated to keep the ceremonial law. He was, for example, allowed to eat the unkosher meat and meat from animals found dead in the wilderness. Another example, the Jews while in Goshen, were not obligated to establish parallel covenant communities within the geography boundaries of Egypt. The only possible exception to this line of argument would be Jonah's commission to Nineva, but this must be seen as the exception to the rule. And there is no hint that the Ninevites were to establish a parallel covenant community after the fashion of Sinai. Nothing is said of what became of the Ninevites after Jonah departed.

Now, it may be argued that these instances are examples of the exception, when it was not possible to institute Mosaic law and covenant upon the surrounding communities. The logic of this response is but an extension of the argument that the New Testament's injunctions regarding political obligation were only seen as binding in some interim sense. However, the problem with this response is that these examples are present within the very age of Mosaic law and covenant. If the Mosaic law was seen as obligating universal conformity, this is when that universal conformity should have been explicitly present. Rather, what is apparent is that the believers during the age of the Mosaic covenant and law did not see themselves as the keepers of universal law which binds to itself all men. They did not see themselves as the mediators and dispensers of this universal law. However, the divide was the covenant. Those outside of the covenant were not seen as covenantally obligated to institute parallel religious communities. They were seen as needing to come into the only legitimate covenant community.

If we reason analogically, we can see that the same applies to the church, as the only legitimate anti-type to the nation of Israel. Her charge is not to seek the modern day instantiation of parallel covenant communities, univocally identifiable with the Old Testament covenant community. Rather, the church, like Israel of old, calls people into her covenant. But unlike the church of old, she actively goes out into the world, with the very mandate of calling men into her covenant. So it does apply that the church is condemned if she fails to go out to the uncircumcised. To extend O'Donovan's logic, the Church finds its true covenantal counterpoint in the Old Testament covenant community in exile. We are the pilgrims and sojourners, seeking a heavenly kingdom, one not made of human hands. So far then, in the very age of

O'Donovan, p., 87.

Daniel 4:34c-35.

Interesting, some exegetical work on Roms 5:13 in relation to Acts 17:30 would be interesting, in terms of the laws role prior to Christ.

The fatal exception to this would be, of course, the rules regarding the alien within Israel.

Mt 28:18-19.

Heb 11:10, 15-16; Dan 2:34 and 35b.

Mosaic covenant and law, the people of God were never obligated to seek the establishment of parallel covenantal arrangements for those outside of the covenant community. For not doing this, they were never charged as guilty of any crime.

Regarding the second point, it is astounding that what seems so intuitively obvious, that the New Testament did see itself as establishing a new normative ethic and theory of political obligation, that one should then turn this around and imagine that it, indeed, only perceived itself as presenting an interim or temporary ethic. Further, that this ethic would be superseded by an age of national covenanting, or by some post-millennial age. Part of the solution to this supposed interim age is, as O'Donovan correctly underscores, the question posed to Jesus, regarding the rightfulness of Roman taxation. Here it is necessary to cite O'Donovan extensively:

The key to the story is to decide what the trap was that his answer avoided so successfully that, the narrative tells us, his audience was 'astonished.' There seem to be two possibilities. Either his tempters intended to seduce him into expressing opinions which were dangerous in the eyes of authority; or they intended to make him come down on one side of a disputed question with a clarity that would alienate half his supporters.

After some discussion of this point, O'Donovan concludes, essentially, that the issue is not that the Roman government had a lawful right to exact taxes "without prejudices to the claims of God to rule Israel."

A little later he makes the point:

In this story, told by St Matthew alone, Jesus enunciates some clearer principles of political action. The 'sons' of any kingdom, he argues, are free of all claims made by that kingdom on its subject peoples. To recognise the coming of God's Kingdom is to be a son of the Kingdom, and so emancipated from the order in which God's rule was mediated through such alienating institutions as taxation. But purely as a concession Jesus and his disciples will pay taxes 'to create no scandal.'

And then he provides a telling parable or analogy:

Imagine an official of the Russian Government on October 1991, confronted with some demand from the foundering Soviet authorities. 'This is ridiculous!' he thinks to himself. 'We will be running that ourselves by next week!' Yet to display open contempt would give the impression that the new authorities did not believe in constitutional government at all. So confident he is the shape of the coming order, that he has no need of an insolent posture to assert it against the order that is vanishing.

And so to conclude, O'Donovan notes, Jesus:

[D]id not recognise a permanently twofold locus of authority. He recognised only a transitory duality which belonged to the climax of Israel's history, a duality between the coming and the passing order. So the duality inherited from Israel's past underwent a transformation. The Two Cities, with their concomitant Two Rules, expressing Israel's alienation from its calling, gave way to two eras. The coming era of God's rule held the passing era in suspension.

So powerful is O'Donovan's point that it is immediately evident that the theonomic position does not take seriously enough the profundity of the change between ages which Jesus initiated. It is for this reason, I believe, that the theological insights from men like Vos and Ridderbos, could not have come out of the

O'Donovan, p., 91.

Ibid., p., 92.

Ibid., pp., 92-1.

Ibid. What O'Donovan says here applies perfectly to Paul's very treatment of the role of the Christian in relation to the civil magistrate in Roms 13.

Presbyterian tradition for we are still too saturated by the shadow of the theonomic quest for the good society. We are still bound in the Lockian and Enlightenment Project's aspiration, as mediated by men like Calvin and Rutherford, in our pursuit of heaven on earth.

Only this position does justice to the fact that the New Testament does not know of an interim age between itself and the final eschaton. There are no *last* last days as far as the New Testament is concerned. Furthermore, this position alone does justice to Paul's own view of himself as laying down normatives for Christian life in these the last days. Paul see this age, the world that appears is passing, collapsing in on itself, while the hope and reward of the believer is in the age to come, the age instantiated by the final eschaton, and the coming again of Jesus. It is in this context that Paul stresses the ethic of self-denying love as regulating and being regulated by the body-life of the church. For Paul, the believer is bound by wisdom and by true discernment of the needs of the body. It is just incredible to imagine that the New Testament only saw itself as presenting an interim ethic and an interim mandate for political obligation.

The third point I wish to touch on is the question of "What if?" That is, what if it was the case that Christians came to dominate any given society, such that it was now realisable and attainable that the desired good society could be enacted? That is, what if, say in America, there were such revival that the country was generally converted, could then that society be reconstructed along Christian lines? For the longest time this question has puzzled me. For any attempt, it seemed to me, would necessarily lead to the establishment of persecuting principles at some point, in order to maintain of what has been gained. I could well imagine, say in the year 2060, America adopting Christian morality, as a result of mass revival and conversion. But then, what of 2080, when now the drift of the population is reverting to a non-Christian stance, how should the believers respond? O'Donovan himself raises and then addresses this question:

The historical record of persecutions, however, and of a more usual repressive tolerance which permitted minorities to exist, but on pain of civil disadvantages, does not resolve the question of whether it was a necessary entailment of the Christendom idea. It followed, evidently enough, from the thought that the state's duty was to defend the church, by coercive measure if necessary. If, as we have argued, this thought was a mistake, which, however deeply rooted it became, can be distinguished from the authentic stock of the Christendom idea, then the idea itself must be cut.... Against this it will be asked, however: is there not something implicitly coercive in the very attempt to define a secular government as Christian? Does it not make some members of society 'outsiders,' even if they are treated well as such? And is not the fundamental right of religious dissidents the right *not to have to be* religious dissidents? This suggestion, which certainly strikes to the heart of the Christendom idea, underlies a great deal of discomfort that we now feel with the idea and its legacy.

After some discussion, he answers:

The idea of a Christian state, then, need not be the idea of a coercive state. Imagine a state that gave entrenched, constitutional encouragement to Christian mission not afforded to other religious beliefs, and expected of its office-holders deference to these arrangements as to constitutional law. Such a state would have no need to restrict the civil liberties of any non-Christian, even to the point of allowing the highest offices to be free of religious tests. What it could not do, of course, would be to protect its arrangement against constitutional reform, should that secure the necessary support. Which is merely to say that we should not expect of the Christian state the permanence of Byzantium. Like various aspects of the church's life, the Christian state may be disclosed from time to time as a sign of the Kingdom, disappearing at one

The New Testament has no knowledge of a postmillennial golden age as a subset of the last days, as inaugurated by Christ.

It is beyond the bounds of this paper to reproduce in detail Paul's conception of this age in relation to the final eschaton. One waits with eager expectation the publication of M. Payne's paper on this very topic. However, for example, see Phil. 3:12-21; Col. 3:1-4; 1 Thess. 5:4-11.

O'Donovan, p., 221.

moment to return at another. It cannot pretend (as Augustine understood) to be an irreversible datum of history.

What this all means, then, is that it is conceivable to have a Christian state dedicated to the advancement of the Kingdom and to a good society, while operating within a framework that can preclude persecuting principles, in accordance with the teaching of the parable of the wheat and the tares. It leaves open, wide enough, in my opinion, the level of clarity versus ambiguity in terms of Christian morality enforced or otherwise. By this, I mean, it leaves open the question regarding the enforcement of morality, specifically Mosaic legal penology. It leaves unanswered, and rightly so, exactly how such a Christian state would deal with moral deviancy--here I speak of legal penology--for such a question could only be properly determined from within the context of any given moral penology case which could arise. Further, this model presupposes the value of the democratic form of government. It also underscores the point that the Christian must, at all times, be self-conscious that this is the passing age and it is idolatry to seek a renewed instantiation of Eden in *this* age. The Christian must be able to flex and flow with the providential dealings of God. Such a Christian state could be seen as a blessing of God, a tool for the advancing of both gospel and kingdom, of creating the good society, that basic hope hardwired into us from creation.

The problem with the theonomic approach is that it seeks to lay down a case that the Mosaic law and covenant contained within it universal axioms which bind all men. This position saw the Covenant of Works as somehow underpinning the Covenant of Grace. The Covenant of Grace was seen as true, exactly because it was an extension of the Covenant of Works, legally speaking, and penologically speaking. This collapse was due to the attempt to synthesise self-evidencing principles with Christianity. This concept is not easy to articulate. It does seem intuitively true that it is wrong, say, to torture babies for the fun of it, or that I should do as I would have others do to me. The problem is that Natural Law theory sought to ground these intuitions as self-evidencing universal laws, *vis a vis* Aristotle *et al.* The 17th century theonomists merged Natural Law, thus understood, in, through and under Kingdom law, that is, they conflated Nature and Grace. Yet O'Donovan wants to argue that the ethic and law of Christ is singularly unique and not derivable from Nature. The ethic of Christ runs counter to Nature which, in reality, is subverted and perverted by Nature, and so cannot be a foundation for the good society.

The desire of philosophical man is the attainment of a unified metaphysical and epistemological system. This is the very case with physicists as much as it is with theologians. The value of the model of theological political obligation O'Donovan presents to us is that it presents a covenantal and exegetical model which is coherent and unified. It avoids the "gaps" left to us by Augustine and Rutherford *et al.* It manages to skirt past forced and superficial exegesis, while doing justice to the very human need and desire to create a society in which our most precious legacies, our children, can live. For this is the root of our desire. It is the parents' God inbuilt desire to create the best life for their children. O'Donovan's *schema* of political obligation allows for this desire to be married to sound covenantal exegesis. Stated succinctly, it answers all the big questions.

Ibid., p., 224.

E.g., Stephen's Hawking's desire to unify Einstein's theory of relativity with Quantum particle theory.