

Whoever finds his life will
lose it, and whoever loses
his life for my sake will
find it.
Mt 10:39

Share the teaching
Guard the sharing

Male Call

July 6, 2007— *Whose Justice? To What End?*

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| 6:00 – 6:05 | <p>1) Coffee & Donuts</p> <p>2) Opening Prayer</p> |
| 6:05 – 6:30 | <p>1) In The World But Not Of It</p> <p>a) “I [Jesus] have given them Your word; and the world has hated them, because they are not of the world, even as I am not of the world. I do not ask You to take them out of the world, but to keep them from the evil one. They are not of the world, even as I am not of the world.” --Jn 17:14-16</p> <p>2) Religious Freedom or a State Church?</p> <p>a) With Constantine’s rise to power in the Western Empire in A.D. 312, the Church was given a reprieve from State persecution. Along with Licinius, then emperor of the Eastern Empire, Constantine issued the Edict of Milan, which “grant[ed] to the Christians and others full authority to observe that religion which each preferred.” Under this edict, the Christian Church remained separate from the State and no longer persecuted by the State. He was predisposed to openly favor Christianity, including declaring Sunday as a public holiday, granting tax exemptions to clergy, and funding the construction of magnificent church buildings. In A.D. 380, emperor Theodosius pronounced that “all the peoples we rule shall practise [sic] that religion the divine Peter the Apostle transmitted to the Romans.”</p> <p>b) In the 1600s, the New England Puritans of Massachusetts Bay, due to the omission in their Royal charter requiring them to be subject to the King, established an independent colony. In doing so, they established laws requiring punishment, sometimes severe, for offenses such as failing to attend church services, denial of Jesus’ resurrection, or irreverence toward the Bible. Christmas was a regular workday, and any violation of this was punishable by fine or dismissal. In 1659, the Massachusetts Puritans declared the observation of Christmas to be a criminal offense. Offenders had to pay five shillings as a fine. In Massachusetts, Dec. 25 did not become a legal holiday until 1856. In 1870, Christmas was declared a federal holiday. In 1995, Christmas as a federal holiday was challenged in Federal Court. The Court, in “Metzl v. Leininger (1995), acknowledged that while Christmas was indeed religion in its origins, it</p> |

and Thanksgiving had “lost their religious connotation in the eyes of the general public that government measures to promote them, as by making them holidays or even by having the government itself celebrate them, have only a trivial effect in promoting religion.”

- c) In 1771, revivalist Isaac Backus began working toward ensuring the establishment of two separate and distinct forms of government in the colonies: civil and ecclesiastical. According to Backus, the only way to ensure that America might become a Christian country was to forever sever all direct connection between Church and State.
- d) The vast majority of the Founding Fathers “detested” a direct democracy and many opposed an indirect democracy. Jefferson believed in rule by a naturally arising aristocracy; further, he believed that our form of government would last only until the agrarian society gave way to a piling upon each other of large cities as in Europe, at which time our government would become as corrupt as Europe.
- e) First Amendment to the US Constitution ratified 1791:
Congress shall make no law respecting an establishment of religion [*Establishment clause*], or prohibiting the free exercise thereof [*Free exercise clause*]; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
- f) Given the state of Christianity in America at its founding, the general feeling was that Christianity ought to receive support from the Federal Government, but without the Government compelling worship or engaging in religious persecution. Therefore, America as a new country returned to the Constantinian-like model of Church-State relations where the State encouraged Christianity without persecuting other believers or making Christianity the State religion. Legal scholars agree that the end of this encouraging relationship occurred in 1947 with the U.S. Supreme Court’s ruling in *Everson v. Board of Education*. Without dissent, the Court declared that the Establishment Clause of the First Amendment “forbids not only practices that ‘aid one religion’ or ‘prefer one religion over another,’ but as well those that ‘aid all religions.’”

3) Legislating Morality

- a) “Of all the dispositions and habits, which lead to political prosperity, Religion and Morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of Men and Citizens. The mere Politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connexions [sic] with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in Courts of Justice? And let us with caution indulge the

supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.”

--George Washington’s farewell address. 1796.

- b) Eighteenth Amendment, section 1, to the US Constitution ratified 1919:
After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.
- c) Twenty-first Amendment, section 1, to the US Constitution ratified 1933:
The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

4) Basis for Law

- a) On whose morality should laws be based?
- b) Should every immoral act be illegal?
- c) Types of law:
 - i) Revealed law
 - (1) Given from outside of humankind
 - ii) Natural law
 - (1) Discovered by humankind
 - iii) Legal Positivism
 - (1) For the good of society in accordance with socially accepted rules
 - iv) Legal interpretivism
 - (1) Determined by facts of practice and by values
- d) Case Study1:
According to a Roman Catholic pharmacist, any drug that keeps a fertilized egg from attaching to a woman's uterus causes abortion; therefore, the pharmacist refuses to dispense the “morning after” pill.
- e) Case Study 2:
Minneapolis-St. Paul is concerned that its taxi service is deteriorating. Citing their religious beliefs, some Muslim taxi drivers from Somalia are refusing to transport customers carrying or suspected of carrying alcohol.

5) Purpose of the Law

- a) Rule *of* law
 - i) Western tradition traced back to Aristotle
 - ii) No one is above the law, not even the government
 - iii) Provides:
 - (1) Regulation of governmental power
 - (2) Equality before the law

(3) Procedural and formal justice

b) Rule *by* law

- i) Laws passes for their instrumental value
- ii) Government above the law
- iii) Enhances the power of the government

c) A [Atheist/Agnostic] forum member writes: “I try my hardest to obey the law to the letter, and [my mother] says that that is as bad as following a holy book to the letter. I have to concede that I can see her point. However, I feel that I am justified in my stance...Now, to put things into perspective, I follow the law because I feel that it is fair, in spirit at least. If ever I felt that the law condoned a great injustice, I would break it. I am not a complete slave to the law, but I feel that I benefit greatly from it existing, as I live a nice life, and so feel that it is my obligation, where it is possible without disobeying my conscience, to follow it.”¹

d) Therefore the Law has become our tutor to lead us to Christ, so that we may be justified by faith. But now that faith has come, we are no longer under a tutor.
--Gal 3:24-25

e) What shall we say then? Is the Law sin? May it never be! On the contrary, I would not have come to know sin except through the Law; for I would not have known about coveting if the Law had not said, “You shall not covet.” But sin, taking opportunity through the commandment, produced in me coveting of every kind; for apart from the Law sin is dead.
--Romans 7:7-8

f) For what the Law could not do, weak as it was through the flesh, God did: sending His own Son in the likeness of sinful flesh and as an offering for sin, He condemned sin in the flesh, so that the requirement of the Law might be fulfilled in us, who do not walk according to the flesh but according to the Spirit. For those who are according to the flesh set their minds on the things of the flesh, but those who are according to the Spirit, the things of the Spirit.
--Romans 8:3-5

6) Our Role Today

a) “Who’s to say religion and politics shouldn’t mix? Whose Bible are they reading anyhow?”

--Desmond Tutu, quoted in Colson, Charles, *God & Government*, 313.

b) “People will not believe that Christians have good news to share until they find that bishops and bakers, university professors and housewives, bus drivers and street corner preachers are all alike keen to pass it on, however different their methods may be. And they will continue to believe that the church is an introverted society composed of ‘respectable’ people bent on their own

¹ <http://atheism.about.com/b/a/030963.htm>

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| | <p>preservation until they see in church groupings and individual Christians the caring, the joy, the fellowship, the self-sacrifice and the openness which marked the early Church at its best.” --Green, Michael. <i>Evangelism in the Early Church</i>, 381.</p> <p>c) So Jesus, perceiving that they were intending to come and take Him by force to make Him king, withdrew again to the mountain by Himself alone. --John 6:15</p> <p>d) Beloved, I urge you as aliens and strangers to abstain from fleshly lusts which wage war against the soul. Keep your behavior excellent among the Gentiles, so that in the thing in which they slander you as evildoers, they may because of your good deeds, as they observe them, glorify God in the day of visitation. --1Peter 2:11-12</p> <p>e) But Jesus called them to Himself and said, “You know that the rulers of the Gentiles lord it over them, and their great men exercise authority over them. “It is not this way among you, but whoever wishes to become great among you shall be your servant, and whoever wishes to be first among you shall be your slave; just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many.” --Matthew 20:24-28</p> |
| 6:30 – 7:00 | 1) What is the Kingdom approach to living in the world; how do we live to God? (Gal 2:19) |
| 7:00 | Closing Prayer |

Further reading:

- The *Bible*