

GOVERNMENT AND LAW
Romans 13:1-6, Ecclesiastes 8:11
By Raymond White

Freedom loving people typically have lots to say about what the role of government *isn't*, and have lists of things the government ought not to meddle with.

The first amendment of the American Constitution begins with the words, "Congress shall make no law respecting..." which is a good start but the list should be longer than it is and should apply to the courts and the executive branch as well.

[1] WHY GOVERNMENT?

That brings me to this question: If we have some ideas about what the role of government is not, than just what *is* the role of government? Why shouldn't we rather just have anarchy, without any governance at all?

The best and simplest answer is because anarchy kills. Without government endowed with true police power, society produces tribalism or war-lord-ism, and the body count rises quickly. That's why the Bible begins with law. What we call the Mosaic Law is in fact the constitution of a new nation; namely, Israel.

But long before Moses, there was still law. The first revelation of civil law occurred not in Exodus, but all the way back to the time of Noah —

***Genesis 9:6** Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man.*

When Noah and his family and all the animals of the world stepped out of the ark to begin life again, God gave them something new: law; specifically, capital punishment.

And why did God do that? Because without it, before the flood, when anarchy ruled, life was far worse.

***Genesis 6:11** The earth also was corrupt before God, and the earth was filled with violence. **:13** And God said unto Noah, The end of all flesh is come before me; for the earth is filled with violence through them; and, behold, I will destroy them with the earth.*

God responded to that with something like, "You want violence? I'll give you violence. I'll kill all of you. Is that violence enough?" And when it was over, God instituted law; specifically, capital punishment. Why? For mercy's sake, to preserve life.

Now let's role the calendar forward. When Israel came into their land, there were lots of wars. Then Assyria and Babylon got involved and there were even more wars. So government was not doing so good. But then there was Persia and things improved.

***Nehemiah 2:19** But when Sanballat the Horonite, and Tobiah the serant, the Ammonite, and Geshem the Arabian, heard it, they laughed us to scorn, and despised us, and said, What is this thing that ye do? Will ye rebel against the king?*

In times past, the Ammorites would not have merely laughed at the Jews nor would they have challenged their loyalty to the Persian king. They would have just brought in an army and killed ten or twenty thousand people. But now, under Persian rule, things were different. People could feud and fuss all they wanted, but they were not killing each other, at least not in mass. Life had improved because there was civility, Persian civility imposed on them by the Persian army.

I know it seems conter-intuitive, but government with real police powers — meaning the ability to invoke violence — created peace. It was so under the Persians.

For example: When the locals pestered the Jews and interfered with their work, the Persian king got involved.

Ezra 6:8 Moreover I make a decree what ye shall do to the elders of these Jews for the building of this house of God...that they be not hindered. :11 Also I have made a decree, that whosoever shall alter this word, let timber be pulled down from his house, and being set up, let him be hanged thereon...:13 Then Tatnai, governor on this side the river, Shetharboznai, and their companions, according to that which Darius the king had sent, so they did speedily.

Those who opposed the project got the message. If they continued to interfere, they'd be hanged. Problem solved.

Was that unduly harsh? No, it was not. Without such a firm decree, bloodshed would surely have been the result, and probably a lot of bloodshed which would have drug the Persian army into a local brawl and the king wanted no part of that. So his decree, “keep it up and I’ll hang you,” was actually an act of mercy.

Consider this question: If we stripped government of all power, revoked all laws and started over by giving government one power and one power only, what should that one power be? Think about it for a minute before reading my answer.

Now that you’ve thought about it, here is my answer. Government’s primary duty, in my opinion, its *only* duty if it has no other is to protect innocent people from thugs. *Thou shalt not kill* — (actually, thou shalt not *murder* in the Hebrew).

But saying it is one thing, enforcing it is another. How does a society enforce “thou shalt not kill? With government that is endowed with lethal police powers.

Numbers 35:16 The murderer shall surely be put to death.

The government may and must kill to hinder murder. That is government’s highest purpose. Of course real governments have other duties too, but none more compelling than to protect its citizens from violent crime. That’s first. If a government will not act to deter crime, then crime will rule the people.

Ecclesiastes 8:11 Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil.

By the way, if this is true — (and I hope you agree with me that it is true) — that a government’s first duty is to protect innocent people from thugs, then what about

abortion? Shouldn't the law proactively protect the most helpless and *most innocent* of us from being tortured to death — our soon-to-be-born babies? Just thought I'd drop that on you. I never miss a chance to argue for the pre-borns. We ought not to be killing them, we ought, instead, to be protecting them.

[2] PROTECTION FROM GOVERNMENT

It is obvious, or should be obvious, that for sensible laws to function right and create the intended civility, it is necessary for authorities to fulfill their duties faithfully and to not abuse their power. We cause such abuse “corruption” where an official uses his governmental power to serve himself rather than the people.

Proverbs 16:10 A divine sentence is in the lips of the king: his mouth transgresseth not in judgment. :12 It is an abomination to kings to commit wickedness: for the throne is established by righteousness.

When government officials (kings, presidents, judges, whoever) pass judgments on criminals, assuming they do it “by righteousness,” those officials do not themselves “transgresseth,” but are acting according to the demands of the law and the express commandment of God.

This is the heavy responsibility of kings and judges, to utter sentence in God's stead and get it right. But that's their job, what they are mandated to do. And that is the point of the ninth commandment —

Exodus 20:16 Thou shalt not bear false witness against thy neighbor.

The law and the courts (Israel's judges) have real teeth, with license to kill. That's why it is, and was, absolutely critical to not abuse the court system and turn it into an instrument of criminality. Injustice is always bad, but government approved injustice is far worse. Throughout history, governments have been responsible for far more murders than all the criminals that ever were. Think of it like this: Tyranny is crime on steroids. That's why government and the law, while necessary, have to be kept on a short leash and answer always to the will of the people. Governments require the “consent of the governed.”

American law and American government are held in check (or are supposed to be) by the Bill of Rights.

In ancient Israel, their law and their government were held in check (or were supposed to be) by —

Deuteronomy 4:2 Ye shall not add unto the word which I command you, neither shall ye diminish ought from it, that ye may keep the commandments of the LORD your God which I command you.

In other words, their law was sufficient. It was the job of judges to judicate (decide guilt and innocence and proscribe penalties) by the law and not to create new law.

Judges were not permitted to “legislate from the bench.” So, when judges and rulers to created law, that was abuse of their public trust.

If rulers transgressed in judgment, they are not only violating their civil duty but also their religious obligation; that is, they are breaking God’s express commandment. They are speaking for God and saying what God has not said.

Transgressing in judgment includes bending the law to make the law say what it does not say and creating new law from the bench when they clearly have no legal right, or biblical right, to do so.

[3] POWER ACCRUES FROM THE PEOPLE

Proverbs 14:28 In the multitude of people is the king’s honour: but in the want of people is the destruction of the prince.

The right to govern comes from the governed and not from any other source, not from God as we see when the people chose Saul to be king and God acquiesced. There is no “divine right” to rule.

But the second point here is that the people’s insatiable appetite for entitlements, the “want of the people,” is what finally brings down governments and countries. “Give me, give me, give me,” destroys democracies because people vote their greed and bankrupt their government.

Jeremiah 29:7 And seek the peace of the city whither I have caused you to be carried away captives, and pray unto the LORD for it: for in the peace thereof shall ye have peace. Wherever you are, you should seek the peace of the city.

Even if you have been carried away as a slave, whatever city you are now in, you should “seek the peace of the city.” That may mean running for public office. It certainly means voting, and trying your best to get government right.

[4] GOOD LEADERSHIP, BAD LEADERSHIP

Psalms 72:1 Give the king thy judgments, O God, and thy righteousness unto the king’s son.

If we must be governed, let’s pray for good governors and for governors who pay attention to God’s will.

Proverbs 28:15 As a roaring lion, and a ranging bear; so is a wicked ruler over the poor people.

Everyone suffers, but the poor especially take the brunt of it because they can’t buy their way out, then can’t buy favors from the government as union leaders and a host of other special interest groups are able to do.

Proverbs 28:16 *The prince that wanteth understanding is also a great oppressor...*

Sometimes the rules screw up the country, not because they are corrupt but because they just don't understand — they are just plain stupid.

Proverbs 28:28 *When the wicked rise, men hide themselves: but when they perish, the righteous increase.*

Proverbs 29:2 *When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn.*

[5] LESS IS BEST

Proverbs 28:2 *For the transgression of the land many are the princes thereof...*

The more wicked people become, the more government they get. And the bigger the government, the worse the people.

Proverbs 30:29 *There be three things which go well, year, four are comely in going. :30 A lion... :31 a greyhound; an he goat also; and a king, against whom there is no rising up.*

The author is impressed by a lion (strength), a greyhound (speed), and a male goat (I'm not sure why). And he is impressed by kings who cannot be revolted against, "no rising up." The author is noting that once you've given your freedoms to a government, there's no getting them back, no "rising up." So think twice about giving power, *any* power, to your government.

[6] WHOEVER IS IN CHARGE, IT IS GOD'S DOING

Jeremiah 27:5 *I have made the earth, the man and the beast that are upon the ground, by my great power and by my outstretched arm, and have given it unto whom it seemed meet unto me.*

For better or worse, whoever is running the government, God is behind it.

[7] CHRISTIAN DUTY TO OBEY THE LAW

Obviously it is a Christian's duty to obey the law. That's why God gave law in the first place.

But what if the law is egregious? What is a Christian's duty to the law then?

There are two sides to this issue and it's not so clear cut as we might wish. Very often it has more to do with common sense and conscience than with obeying God's will.

Romans 13:1 *Let ever soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. :2* Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. **:3** *For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same. :4* For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil.

The “higher powers” is civil government. God authorizes governments to govern. Governments are supposed to terrorize evil doers, but not innocent people. And in order to do their job, they rightly have swords; that is, cops have guns and judges have gas chambers — government has license to kill, but to kill evil doers, not just anybody they feel like.

Roman law included “patria potestas” (Latin: “power of a father”) which was a father’s absolute right to kill his wife and children with impunity. With such thinking, it’s no wonder that the citizenry sought their entertainment in the blood sports of the coliseum.

That is the world that Christianity thrived in, and Rome’s over-the-top violence is perhaps the reason why Christianity thrived. Christianity was an alternative to all the surrounding viciousness.

Even in that hostile climate, Paul is saying, obey the law.

But what if the law says, don’t be a Christian? What if the law says, worship the emperor? What if the law says bow down to a golden idol? Those sorts of demands is where believers must draw the line. We must obey the law until the law demands that we abandon our faith.

Daniel 3:6 *And whoso falleth not down and worshipping shall the same hour be cast into the midst of a burning fiery furnace. :18* ...be it know unto thee, O king, that we [Shadrach, Meshach, Abednego] will not serve thy gods, nor worship the golden image which thou hast set up.

Acts 5:8 *...Did we [high priests] not straitly command you that ye should not teach in this name?... :9* Then Peter and the other apostles answered and said, We ought to obey God rather than men.

So it does seem that there is a limit to obedience to civil law.

Is that reasonable? Well, what if, for example, Nazi law demands that you turn in your Jewish neighbors for execution? What if the American president demanded that Catholic hospitals perform abortions? These are just the sort of things which, although legal, are not lawful, and force Christians to decide which is the higher authority.

But other than such extreme circumstances, what is a Christian’s duty towards government?

Romans 13:1 *...Be subject unto the higher powers.*

In other words, obey the law. The “higher powers” means civil authority: courts, police, congress, city governments, state governments, and (sigh) the IRS. And just why should be subject ourselves to those authorities? Because:

***Romans 13:1** ...the powers that be are ordained of God. :2 Whosoever therefore resisteth the power, resisteth the ordinance of God.*

So government derives its power from God. That actually makes sense when to consider that the first five books of the Bible, the Torah, was the constitution — complete with judges and police powers — of a new nation; namely, Israel. Clearly, what God had in mind from the beginning was a civil structure, a legal system that would establish peace and safety for the benefit and protection of the people.

But then Jesus came. He fulfilled the law and ushered in grace. And we might wonder, in a New Testament world of grace, is there any place for law? Obviously grace hasn't caught on so much because the world is not rid of criminals yet. We still need law and probably more so than ever. That's why **Romans 13** is so particularly important to us, to convince us that this is true and settle our minds on the issue.

In the New Testament era, law is as important as ever. And who better to tell us that than Paul? Paul is the most forgiven person on the planet, the most protected by grace. He is grace's number one advocate, and if God wanted us to dispense with law, Paul would be the first to tell us that. But he doesn't tell us that, he tells us exactly the opposite: that we are to be subject to government and its legal system.

Does the government have the right to punish? Yes government has the right to punish, and more than right, government has a God ordained duty to punish.

***Romans 13:4** ...if thou do that which is evil, be afraid; for he beareth not the sword [or gun] in vain: for he is a minister of God, a revenger to execute wrath upon him that doeth evil. :5 ...be subject...for wrath, but also for conscience.*

So obey. Why? For two reasons. (1) “for wrath,” that is, you'll get caught and punished if you break the law. But also, (2) because it's the right thing to do, and your conscience knows it.

But what about bad governments? Maybe our leaders today are so bad that we shouldn't obey them. Maybe we should practice civil disobedience, intentionally break laws to express our disapproval.

Well, who was in charge of the government in Paul's day when Paul wrote this? Nero. That Christian killing despot, and Paul said, yes, obey even that government. I think ours is not that bad.

This was not misplaced loyalty. Yes, Nero finally did cut off Paul's head, but until then, Roman law protected Paul from persecution and his right to speak freely: (**Acts 21:30-32, Acts 23:12-24**). Paul even had an attorney (**Titus 3:13**) who no doubt helped Paul defend himself in court.

Basically, the law is good and we ought to obey it.

But didn't Paul say, “avenge not yourselves”? If that's true, why would any Christian ever file a complaint to have a criminal arrested? For that matter, why would a

Christian sitting on a jury ever vote to convict? Shouldn't we, in the name of grace, just acquit everybody?

Good point. So let's read the pertinent verse carefully.

Romans 12:19 *Dear beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine, I will repay, saith the Lord.*

Notice first of all that this verse leads the reader directly to **Romans 13**. The two chapters are not two different subjects (and in Greek they are not two chapters: there is no heading "**Romans 13**" in the original.) So when Paul writes here "give place unto wrath," he immediately clarifies that and points us to **Romans 13:4** *...a minister of God, a revenger to execute wrath*. In other words, "avenge not yourselves" means let the minister of God — that is, the police and the courts — do it for you. That's their job.

Further, to make his point, Paul quotes:

Deuteronomy 32:35 *To me belongeth vengeance, and recompence...:36* *For the Lord shall judge his people...*

Does that mean let all the criminals go? Couldn't possibly. "For the Lord shall judge" means I will give you judges with full police power to punish and execute criminals. And Paul means exactly that same thing, and that is why **Romans 13:4** *...he beareth not the sword in vain*. Why do you think the police carry guns? Why do you think judges have jails and gas chambers? To use them. And if you, a Christian, ever find yourself on jury duty, and you are tempted to acquit a guilty defendant because you think grace requires it, remember this: on that jury, you are a minister of God, and you are duty bound to convict the guilty and execute just punishment. Here is a verse you might carry with you into that jury box:

Ecclesiastes 8:11 *Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil.*

But didn't Jesus say turn the other cheek? Well, sort of. He said:

Luke 6:29 *And unto him that smiteth thee on the one cheek offer also the other; and him that taketh away thy cloak forbid not to take thy coat also.*

But he also said:

Luke 22:36 *...he that hath no sword, let him sell his garment, and buy one.*

Clearly he had self-defense in mind. Regarding your smitten cheek, Jesus seems to be talking about due respect in a court of law. The person who would slap you or take away your cloak would be a prosecutor in a court of law — not today of course, but then. Paul was in that exact situation.

Acts 23:2 And the high priest Ananias commanded them that stood by him [Paul] to smite him on the mouth. :3 Then said Paul unto him, God shall smite thee, thou whited wall: :4 And they that stood by said, Revilest thou God's high priest? :5 The said Paul, I wist not, brethren, that he was the high priest: for it is written, Thou shalt not speak evil of the ruler of thy people.

So Paul was struck in the mouth by the bailiff and cussed out the high priest for ordering it. Then Paul apologizes for cussing out the high priest even though he deserved it. Why did Paul apologize? Because the law demanded due respect for rulers, and that included this abusive high priest. That, I believe, is what Jesus had in mind when he said, turn the other cheek. Paul should have done that rather than cussing out the priest.

One last point: What about taxes?

Romans 13:6 For for this cause pay ye tribute also; for they are God's ministers, attending continually on this very thing.

In other words, government officials work to protect you and me. They do their job, and they deserve to be paid.