

# From Romans to Liberal Democracy: Some Questions for Nick Wolterstorff

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When I first read a draft of *The Mighty and the Almighty*, I was astonished at Nick's claim that what Paul writes in Romans anticipates commitments fundamental to liberal democracy.<sup>1</sup> What, I wondered, could be the probability that Paul is really Locke born out of season?! At one point, Nick notes that he can understand the uneasiness that some might feel regarding the claim that Paul anticipates fundamental commitments of liberal democracy. For my part, there was no uneasiness. Just astonishment, coupled with intense curiosity as to how the argument would go.

Nick's argument for the claim Paul anticipates commitments fundamental to liberal democracy has three stages. According to the first stage, a close reading of Romans reveals that, when Paul writes that it's government's divinely-appointed task to "execute wrath on the wrongdoer," what Paul means is that the fundamental task of government is to "exercise governance over the public for the purpose of *curbing wrongdoing*" or, equivalently, to "*curb injustice*" (90; italics original). If this reading is correct, it implies that the state is not itself to issue directives or employ means of coercion that would be wrongful. Rather, the state is to be a *rights-honoring* or *rights-limited* state, one which honors the rights of those over which it has authority (151; italics original). Under this reading of Paul, the state is not, as Aristotle and Aquinas believed, in the business of trying to produce virtuous citizens. Paul does not operate with a perfectionist understanding of the state. Rather, he works with a protectionist understanding of the state. The God-appointed role of the state is to curb injustice—where injustice is to be understood, at least in part, against the background of the writings of the Hebrew prophets.

At several points, Nick enters some crucial qualifications to this account. There is no way that the state could curb all the wrongs that might be performed by those under its jurisdiction. It will, then, have to overlook minor forms of wrongdoing, "focusing on the serious" ones (90). Moreover, even if the state has the resources to curb certain forms of wrongdoing, it must refrain from doing so if that would require a more serious wronging of the public than the wronging it was attempting to curb (93, 151). Finally, Nick insists that what we find in Paul are only components of a liberal democratic framework. Only much later do political theorists hit upon the idea that citizens of a liberal democracy are to have equal voice within constitutional limits.

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<sup>1</sup> All citations are from this book.

The second stage of Nick's argument concerns the political implications of the nature and existence of the church. The church, we're told, is a unique entity: it "undermines the political vision of the ancient philosophers, that government is the highest institutional expression of the religio-ethical bonds unity the citizens" (123). At one point, Nick lists six principles upon which the church will insist. They are: (1) that the church be free from interference by the state in its governance, (2) that the church be free to invite others to join, (3) that the church be free to induct children into the church, (4) that the church be free to engage in those activities that are the life of the church, (such as baptizing), (5) that the state not force its members to do anything that they regard as comprising their dedication to Christ, and (6) that the state not coerce its members to act contrary to what Christ has commanded. Call these six principles "the principles of autonomy." Nick says that the principles of autonomy constitute "an expansive charter for the autonomy of the church vis-à-vis the state." The church asks of the state "the freedom to be that peculiar kind of community which is the church" (125).

The final stage of Nick's argument consists in drawing out the implications of the first two stages. Suppose we agree that the state is rights-limited or a rights-honoring institution. And suppose that the church is correct to insist that if the state were not to honor the principles of autonomy, it would wrong the church. If Nick is right, a fundamental commitment of liberal democracy (at least of the sort with which we're all familiar) follows straight away, viz., that the state is to recognize and protect the church's right to religious civil liberties, including the right to assemble for worship.

In what remains, I want to raise some questions about Nick's argument. In doing so, I want to be sensitive to Nick's aims. As I read it, *The Mighty and the Almighty* purposively skirts many of the details that a fuller discussion in political theology would include. The aim of the book is to present to us a framework for doing political theology that not only presupposes Nick's work on justice and political authority but could also be filled out in different ways. My questions concern how various elements of the framework fit together.

Begin with the principles of autonomy. Although Nick doesn't explicitly identify them as such, these principles are, in Nick's view, rights that the church has against the state. I take it that Nick holds that the church will insist upon these principles and ask of the state that it honor these principles precisely because the church takes them to be rights that they have against the state. Yet, upon re-reading Nick's discussion, I found myself searching for what, in Nick's view, grounds these rights. Later, in chapter 14, Nick says it's the "authority of the church that places normative limits on the authority of the state" (157). I then took a closer look at the text, searching for what Nick says about the authority of the church. When I did, I identified a couple of sentences that I take to express his view: the church is authorized by Christ "to do and say what it does and say" (124). The authority that the pastors of the church have, Nick writes, has been delegated to them by Christ (124). Under this view, the church's rights against the state are grounded in its authority, and its authority has been delegated to it by Christ.

In chapter eleven, Nick notes that his argument that the state is to recognize the principles of autonomy does not imply that the state must recognize the autonomy of other religious groups. But, Nick writes:

it would be unjust for the state to grant to the church the freedom I described while denying the counterpart freedom to others. The church will be of the conviction that some of the actions of those others amount to wronging God; but an implication of the principle just suggested is that the church will insist that those others have the political right to wrong God in those ways. This is another application of a principle that we took note of in Chapter 8: though the state is assigned the task of curbing wrongdoing, it cannot curb all incidents of wrongdoing, and there are some forms of wrongdoing that it should not try to curb. (127-28)

I have three questions about this line of argument.

First, suppose the church's right to autonomy is grounded in Christ's authorization. Presumably other religious groups or institutions do not enjoy this authorization. But if they do not, then why think that *justice* requires that the state recognize their autonomy? Imagine the state were to reason as follows: the church has authority due to Christ's authorization; that places limits on how we can treat it. These other groups, however, have no such authorization. Since they do not, they have no right against us that we grant them religious civil liberties—at least no right of the sort that the church has. Of course it might be pragmatically justified for us to grant these other groups such rights. But, all else being equal, it would not be a breach of justice to grant members of the church religious civil liberties and not to grant such liberties to the members of these other religious groups. My first question is: Where, in Nick's view, does this argument go wrong?

Second, suppose that in failing to follow Christ, many of these other religious groups wrong God. This is not a minor wrong but a very important one. So, the state cannot overlook it on account of its being minor. The state might overlook this wrong on account of its being such that if they attempted to prevent it, they would thereby wrong these other groups. But *why* would these acts of prevention count as wrongings according to the principle that Nick articulates in chapter 8, namely, though the state is assigned the task of curbing wrongdoing, it cannot curb all incidents of wrongdoing, and there are some forms of wrongdoing that it should not try to curb? Look at the matter like this: suppose, for the moment, that it would be *prima facie* wrong to not grant and protect the religious civil liberties of these other religious groups. Why does this *prima facie* wrong trump the wrong that these groups commit against God by failing to recognize Christ? Nick clearly thinks that the failure to recognize the religious civil liberties of other religious groups does trump, but I am not sure why.

Finally, in the penultimate chapter of his book, Nick sketches Abraham Kuyper's own rationale for a limited, rights-honoring state, which is that citizens have

the natural right to form groups or institutions with authority structures to serve our common good (162). The state, however, is limited by the authority that these institutions enjoy, since these institutions have moral rights against the state that the state not prevent these institutions from exercising their authority. In the course of presenting Kuyper's position, Nick rejects Kuyper's still deeper explanation for why these groups have authority—namely, that it's delegated by God—indicating that this rejection has no implications for Kuyper's argument (165). The question I have is whether this rejection has implications for Nick's argument, as I'm not sure how the Kuyperian view meshes with what Nick claims in chapter 11 about the authority of the church.

Call the claim that citizens have the natural right to form groups or institutions with authority structures to serve our common good the *Kuyperian rationale*. Does Nick hold that the Kuyperian rationale is sufficient to ground the church's right to autonomy? If he does, does he hold that the authority of the church is overdetermined, being grounded in both divine-authorization and in the Kuyperian rationale? And does he hold that the authority of other religious groups or institutions can be grounded in the Kuyperian rationale? If so, does he think that accounting for the autonomy rights of these other religious groups or institutions by appeal to the Kuyperian rationale vindicates (what he calls in ch. 8, 127-28) his justice argument for granting religious civil liberties to all religious groups, which I quoted earlier?

#### Bibliography:

Wolterstorff, Nicholas. 2012. *The Mighty and the Almighty: An Essay in Political Theology*. Cambridge University Press.