

BIBLICAL CHRISTIANITY AND LEGISLATING ECONOMIC JUSTICE

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Abstract: “Justice” and related terms like “fairness” are common but rarely defined or used in a coherent manner. Working toward clarity, it’s clear that the concept of justice can be considered in terms of processes or outcomes; justice can be applied to a wide array of contexts—from personal interactions to public policy; and within public policy, justice can be an important consideration in the realms of economic or “social” policy. Broad questions arise from this intersection: what does Christian faith truly offer on such matters? Is justice important biblically and theologically? How do Christians see justice play out in the life and ministry of Jesus Christ? How does “legislating morality” differ from “legislating justice”? And how might biblical norms about justice apply to contemporary economic policy concerns? This paper seeks to briefly answer these questions, helping readers construct a framework about what biblical texts and themes convey about justice and its applications.

Keywords: Christianity, Public Policy, Justice, Legislate Justice, Poverty, Bribery

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I. INTRODUCTION

An interest in justice is universal, from the child who protests “*that’s not fair*” to the woman who contemplates the fairness of life, and to the man who shakes his fist at the heavens. The concept of justice easily extends into the realm of public policy, but views about justice differ widely. For example, psychologist Jonathan Haidt finds that those on “the Left” see fairness as “equality” and on “the Right” as “proportionality.”²

Some are fond of harnessing the coercive power of government as an ethical and practical means to just ends; others are repulsed by efforts to use government or are skeptical of its ability to be effective. James Schall points to the subjective weights and definitions of justice, noting that its use can be noble or twisted. Without roots in a greater system of the good, “justice” often “introduces an unsettling utopianism” and can be “the most terrible of virtues.”³

What does Christianity offer that might be more stable and helpful? This essay will describe what Christianity rooted in the biblical tradition teaches and implies in the realm of economic justice and public policy. But a few caveats are in order.

² Jonathan Haidt, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (New York: Vintage Books, 2013). Haidt also notes that there is more to morality than harm and fairness, so an overarching emphasis on fairness or justice is not helpful. Sowell distinguishes between two “visions”, including thoughts of justice as process and rules vs. outcomes and opportunity. Thomas Sowell, *The Vision of the Anointed* (New York: Basic Books, 1995), 105.

³ James Schall, “Justice: The Most Terrible of the Virtues.” *Journal of Markets & Morality* 7:2 (Fall 2004): 409–21. Asma argues that fairness is not a morally-central concern and even argues for favoritism. Stephen Asma, *Against Fairness* (Chicago: University of Chicago Press, 2013). Especially given the ease with which fairness can be invoked, it can crowd out other virtues and it can easily devolve into destructive envy.

First, my discussion of Christianity does not inherently preclude what other religious traditions might bring to the table.⁴ But an analysis of all religions—or even, a single additional religion—would expand the scope of this project too far and take us into areas beyond this author’s purview of research.

Second, my insistence on “biblical” Christianity will focus our attention on the authoritative text(s) of the faith. By contrast, I will not rely on much input from Christian tradition or Christian views that are not particularly rooted in Scripture.⁵ This is not to dismiss the value of such efforts, but to narrow the scope of this study. In addition, I will not weigh the impact of the more cultural forms of Christianity in syncretic combination with deism, patriotism, nationalism, consumerism, various “social gospels,” and so on.

Third, a call to consider all types of “social justice” would also be too broad for this article. Social justice could easily imply an interest in explicitly social issues where justice is clearly involved—most notably, abortion, civil rights, and rights such as freedom of speech and religion. So, I will narrow the field further to concentrate on its common conception as “economic justice.” Again, this is not to downplay social justice in “non-economic” issues, but to reduce the paper to a manageable size and to rely on my areas of study.⁶

⁴ As an example, for an impressive essay on justice from a Jewish perspective, see Curt Biren, “The market, justice, and charity: A Jewish perspective,” *Acton Institute* (September 10, 2018). <https://acton.org/publications/transatlantic/2018/09/10/market-justice-and-charity-jewish-perspective> (Accessed March 12, 2019).

⁵ As such, this largely ignores the vast and impressive historical commentaries on Scripture. For particularly Catholic angles on religion and government, see Thomas Woods, *The Church and the Market: A Catholic Defense of the Free Economy* (Lanham, MD: Lexington Books, 2005) and Randy England, *Free Is Beautiful: Why Catholics Should Be Libertarian* (Scotts Valley, CA: CreateSpace, 2012).

⁶ Recognizing the broad, common and sloppy use of vague terms such as a “justice” and “social justice,” Teevan argues for the term “integrated justice.” He notes that “Justice is claimed by many who unjustly want the broad benefits of that term.” John Teevan, *Integrated*

Fourth, we need a working sense of what turns out to be a slippery term. Paul Heyne notes that “Justice is notoriously hard to define in any way that goes much beyond platitude and still commands wide assent.”⁷ Still, for want of a term and given its popular use, we must persist. We can start by noting that there are many types of justice: *commutative* (defining fair economic processes—e.g., exchange with minimal fraud and coercion), *distributive* (equitable outcomes and allocation, independent of process), *procedural* (e.g., legal processes are equitable and contracts are honored), *remedial* or *retributive* (e.g., punishment for misdeeds and compensation for victims), and so on.⁸ In this essay, with a focus on economic justice, I will mostly discuss commutative and distributive justice—and injustice.⁹

Moreover, it is insufficient to define and describe justice with respect to “consequentialist” outcomes but to ignore justice in terms of the chosen

Justice and Equality. Biblical Wisdom for Those who Do Good Works (Grand Rapids, MI: Christian’s Library Press, 2014), 12.

⁷ Paul Heyne, *Are Economists Basically Immoral? and other Essays on Economics, Ethics and Religion* (Indianapolis: Liberty Fund, 2008), 151. All persons (I would contend) believe that justice exists, but the “devil is in the details.” Lewis relies on the universal appeal to justice and moral standards (however defined)—at least when we believe we’ve been wronged—to make his case for the existence of a God who transcends this world. C. S. Lewis, *Mere Christianity* (New York: HarperCollins, 1952).

⁸ Stapleford discusses different types of justice in abstract terms and relates it to public policies. John Stapleford, *Bulls, Bears, and Golden Calves: Applying Christian Ethics in Economics*, (Downers Grove, IL: InterVarsity Press, 2002), 26, 48-50, 86-88. Lebacqz provides a useful overview in her engagement with the concepts from various utilitarian and Christian angles. Karen Lebacqz, *Six Theories of Justice*, (Minneapolis, MN: Augsburg Publishing House, 1986). Finkel writes at length to distinguish between injustice, unfairness, and misfortune. He argues that justice is used to imply greater objectivity and authority—whereas fairness is more subjective and the more appropriate term for use in daily life. Norman Finkel, *Not Fair!: The Typology of Commonsense Unfairness* (Washington, DC: American Psychological Association, 2001).

⁹ Heyne, *Are Economists Basically Immoral?*, 152, also observes that “The problem of talking clearly and sensibly about justice diminishes considerably, however, when we shift our focus and talk about *injustice*.” He then quotes Aristotle in encouraging his readers to focus on injustice as a negative instead of justice as a positive.

means to those ends. The concept of justice can be applied to concerns about both process and outcomes. Here, I will discuss the use of government policy as a just means to just ends.

Fifth, it should not be overlooked that justice can be pursued through private action or through public policy. The former is noteworthy—whether the efforts of a heroic individual or the impressive work of a group of private actors. Heyne notes that “In the Kingdom of law, [the Christian] pursues the goals of order, minimization of conflict, reasonable equity, and the preservation of life...This is justice. In the kingdom of the Gospel, however, mere justice gives way to the life of love.”¹⁰ It is tempting to imagine justice as purely in the realm of public policy, but it is also a matter of everyday life. Hebrew Bible scholar Walter Brueggemann observes that “The issues of God’s freedom and his will for justice are not always and need not be expressed primarily in the big issues of the day. They can be discerned wherever people try to live together...”¹¹ I will honor Brueggemann’s sentiment by acknowledging the tremendous role of private actors and roles within the smaller issues of public policy.

Sixth, although bureaucrats, the executive, and the judicial are key components of the implementation of government policies, my terminology will bow to common usage and emphasize the legislative part of the process. “Legislating” will describe the process by which government uses its power to restrict or motivate behavior through law—prohibitions, mandates, taxes, and subsidies. By extension, this focus includes efforts by outside parties to promote government activity.

II. LEGISLATING JUSTICE VS. LEGISLATING MORALITY

One other key distinction remains—what I will describe as justice and morality.

¹⁰ Heyne, *Are Economists Basically Immoral?*, 135.

¹¹ Walter Brueggemann, *The Prophetic Imagination* (Philadelphia: Fortress Press, 1978), 110.

“Legislating morality” (henceforth LM) can be categorized in two strands. The first is an effort to regulate and restrict consensual but “bad” acts by an adult or between two adults in which no significant, direct costs are imposed on others. Examples of this would include sex outside of marriage, drug abuse, and worshipping within a false religion. Although decisions to do these activities are made willingly, since they are “sins,” Christians believe that the choices are harmful on net. But the behavior is voluntary for all parties and they expect to benefit—what economists call “mutually beneficial trade.”

The second category is the use of government to mandate or subsidize “good” behaviors, such as prayer in K–12 schools and charitable activity. Here, a failure to act is a sin of omission. As a sin, the failure to act is assumed to cause net harm—to the one who decides to abstain, and often, to others as well.

In contrast, “justice” issues are those in which someone's rights are directly and significantly violated. Examples of this include murder, rape, and theft. One party uses significant force of some type to directly harm another party; someone benefits directly at the expense of another. It follows that “legislating justice” (henceforth LJ) is a change in government policy in an attempt to improve justice or reduce unjust processes and outcomes. LJ could entail more government—or less government, if the status quo is using unjust methods or reaching unjust outcomes.

Thus, the key distinctions between justice and morality are the extent of the earthly consequences of the offense (“sin”) and whether those costs are imposed directly on others or not. Pope John Paul II draws the same line: “each individual’s sin in some way affects others...Some sins, by their very matter, constitute a direct attack on one’s neighbor.”¹² Spooner distinguishes between vices (“those acts by which a man harms himself or his property”) and crimes (“those acts by which one man harms the person

¹² John Paul II, *Reconciliatio et Paenitentia* (Vatican City, 1984), no. 16.

or property of another”).¹³ Reed makes a similar distinction when he concludes that “the best standard for government is still John Stuart Mill’s principle of allowing the greatest liberty possible until someone else’s life or liberty is jeopardized.”¹⁴ And Rawls argues that “liberty can be restricted only for the sake of liberty.”¹⁵

A few points of further clarification are needed before moving on. First, morality and justice are certainly intertwined to some extent: to act justly is a matter of morality and the morality of one’s actions often determines the justice of the subsequent outcome.¹⁶ Still, there are important distinctions, so that distinguishing between the two is more beneficial than conflating them.

Second, both justice and morality issues involve *costs* imposed on others. Proponents of LM often argue that other parties are indirectly harmed by gambling, prostitution, etc., and thus, that government activism is warranted. Of course, everything we do (or don’t do) imposes costs of some sort on others. So, we’re left with noting or ignoring the extent of those costs. At the least, this framework is helpful in distinguishing between more/less significant and direct costs—from murder to second-hand cigarette smoke.

In *Just Capitalism* (reviewed in this volume), Waters defines justice in terms of freedom to pursue human flourishing.¹⁷ When my freedom is

¹³ Lysander Spooner, *Vices Are Not Crimes: A Vindication of Moral Liberty* (Indianapolis: Liberty Fund, 2013), ch I.

¹⁴ Ralph Reed, *Active Faith* (New York: Free Press, 1996), 278.

¹⁵ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1976), 250.

¹⁶ Machan notes another overlap. In distinguishing between “the Right’s idealism”—seeking to regulate “spiritual or mental actions” (“the crafting of people’s souls”)—and “the Left’s materialism”—seeking to regulate “economic or material actions,” he notes that the two intersect “since body and soul aren’t ever sharply divided.” He then cites examples of this overlap—the Right seeking “blue laws” and affecting commerce and the Left restricting free speech and thought at the expense of social freedoms. Tibor Machan, “Libertarianism in One Easy Lesson”. *The Philosophers’ Magazine* 21 (2003): 44–7.

¹⁷ Brent Waters, *Just Capitalism: A Christian Ethic of Economic Globalization*, (Louisville: Westminster John Knox Press, 2016), 187.

used in ways that are inconsistent with the freedom of others, using government to restrict my freedom becomes more coherent. But, what happens when my choices are clearly or debatably consistent with my own flourishing?

Note that the size and type of the costs vary between offenses—for example, not being charitable to the needy, driving too fast, supporting the central tenets of a false and harmful religion, being a serial rapist, and eating an extra piece of pie. Should the state legislate on all of these? When do the costs become significant enough to allow Christians to righteously invoke government solutions? As the costs become larger and more direct, there is a greater potential ethical role for government activism. And on a practical level, it will be easier to strive for improvements in justice with the reduction of costs that are larger, clearer, and more direct.

III. WHAT DOES THE BIBLICAL TRADITION SAY ABOUT JUSTICE?

What follows is a brief (and highly simplified) survey of what the Hebrew Bible and New Testament scriptures seem to indicate about justice and standards of justice, according to a broadly Christian orientation.

Christians worship a God of justice and righteousness; “righteousness and justice are the foundation of His throne” writes the Psalmist.¹⁸ God does not show favoritism,¹⁹ repeatedly condemns oppression,²⁰ and defends the poor and needy in the face of affliction and oppression.²¹

¹⁸ Ps 89:14. See also: Job 37:23, Ps 9:16, 11:11, 33:5; Is 9:7, 28:17, 30:18, 61:8; Jer 9:24, I Jn 1:9, Rev 15:3. All scriptures are from the NIV.

¹⁹ Prov 22:2, Rom 2:11, Eph 6:9, Col 3:25.

²⁰ Dt 27:19, Is 10:1-3, Jer 5:26-29, 7:5-7; Ez 18:12, 45:9-10; Amos 2:7, 4:1, 5:11, 8:4-7; Jas 5:1-6.

²¹ Ex 3:7-8, 6:5-7, Dt 10:18, 26:6-8; Job 5:15-16, Ps 10:15-18, 12:5, 68:5, 72:4, 107:41, 140:12, 146:7; Is 25:4, Mal 3:5, Lk 1:53.

As a result, leaders placed in positions of authority by God are instructed to judge between the rich and poor fairly.²² They should not oppress others, but are to establish “rules that are just.”²³ Moreover, they are to enforce these rules and promote justice—for the ruler “does not bear the sword for nothing.”²⁴ As an example of a theocratic king representing the government of God, David did what was “just and right”—at least early in his reign.²⁵ And his son followed in his footsteps as king: “the Lord was pleased that Solomon had asked for...discernment in administering justice.”²⁶

Counter to the world's norms, believers are not supposed to show favoritism.²⁷ They are supposed to defend the poor, the needy, and the defenseless.²⁸ They are instructed not to oppress others.²⁹ Christians are encouraged to do good, to be generous, and to lend freely.³⁰ Moreover,

²² Ex 23:3,6; Lev 19:15, Dt:17, 16:18–20.

²³ Pr 8:15, Is 3:14–15, Jer 21:12, Dan 4:27, Amos 5:15. See also: Ps 72 and Ez 34.

²⁴ Rom 13:4. See also: Rom 13:2, Prov 21:15, 28:5.

²⁵ II Sam 8:15, I Chron 18:14. Cf. Ps 71:1, Lk 3:10–14, and Jamin Andreas Hübner, review of Moshe Halbertal and Stephen Holmes, *The Beginning of Politics: Power in the Biblical Book of Samuel*. Princeton: Princeton University Press, 2017) in *Christian Libertarian Review* 2 (2019): R30-37.

²⁶ I Kings 3:9–11. In I Kings 10:9, the Queen of Sheba later told him that God had made him king to “maintain justice and righteousness.” Unfortunately, Solomon failed to live up to this standard; even the wisest man in the world was responsible for some very poor policy. See the forced labor and high taxation of I Kings 5:13–18—and the polygamy and idolatry of I Kings 11. Friedman notes that Solomon imposed a disproportionate tax burden on the Northern tribes (land and money) while disproportionately building up military defenses in the South. Richard Friedman, *Who Wrote the Bible?* (Englewood Cliffs, NJ: Prentice Hall, 1987), 44–45. Ironically, these events follow God's “measureless” provision of wisdom to Solomon in I Kings 4:29–34. An extension of Solomon's unjust “heavy yoke” by his son Rehoboam (I Kings 12:4) eventually led to the division of his kingdom.

²⁷ I Tim 5:21, Jas 2:1,9. Solomon warned, “If you see the poor oppressed...and justice and rights denied, do not be surprised at such things.” (Eccl 5:8)

²⁸ Ps 82:2–4, Pr 17:5, 31:8–9, Is 1:17, 58:3,6–11; Jer 22:3–5,13–17.

²⁹ Ps 52:7, Pr 22:22, Is 3:14, Ez 22:29, 45:9; Amos 2:7, 5:11–12, 8:4–6; Mic 2:1–2, 6:10–12; Zech 7:9–10, Jas 2:6.

³⁰ Ps 112:5, Pr 19:17, I Tim 6:18–19, I Jn 3:17.

believers are told that God values justice over rituals of sacrifice, and thus, that we should “follow justice and justice alone.”³¹ Other passages also point to justice as a top priority. Proverbs 16:8 says “Better a little [gain] with righteousness than much gain with injustice,” and the very purpose of the book of Proverbs as defined in 1:3 is to do “what is right and fair.”³²

In addition, Scripture often defines the pursuit of justice as a matter of character: “The righteous care about justice for the poor”; “when justice is done, it brings joy to the righteous”; and “the righteous give generously.”³³ “The wife of noble character” in Proverbs 31:20 “opens her arms to the poor and extends her hands to the needy.” Proverbs also relates our behavior toward others to our attitude toward God: one “who oppresses the poor shows contempt for their Maker, but whoever is kind to the needy honors God”; and “he who is kind to the poor lends to the Lord.”³⁴ But, Micah 6:8 probably best sums up what God wants from us: “To act justly and to love mercy and to walk humbly with [our] God.”

IV. HOW DID JESUS CHRIST DEAL WITH INJUSTICE?

Jeremiah had prophesied that the Messiah would “reign wisely and do what is just and right.”³⁵ His ministry was largely centered on reaching the poor and those outside of power.³⁶ He was remembered as being

³¹ Pr 21:3, Amos 5:21–24, Mic 6:7; Dt 16:20.

³² Scripture often equates the seriousness of these issues with sexual sins. In discussing the “sin of Sodom,” Ez 16:49–50 lists arrogance, being overfed, and having no concern for the poor and needy—along with “detestable practices.” And given its reference to Sodom and Gomorrah, Is 1:10–17 places a greater emphasis on shedding blood and oppressing the poor than on “carnal” sins.

³³ Pr 29:7, 21:15, Ps 37:21. See also: Job 29:12–17, Pr 22:9.

³⁴ Prov 14:31, 19:17.

³⁵ Jer 23:5.

³⁶ Christ’s teachings and ministry seem to favor the poor. (See: Lk 16:19–31’s parable of the rich man and Lazarus, Mt 19:23’s pithy analogy, Lk 6:24’s “woe”, Lk 12:21’s parable of the rich fool, and Lk 21:1’s account of the widow’s offering. See also: Lk 4:18b, 7:22b; Jas 2:1–5,

critical of the Pharisees for giving a tenth of their spices but failing to follow “the more important matters of the Law—justice, mercy, and faithfulness.”³⁷

Christ suffered, endured, and tolerated tremendous personal injustices. His ministry threatened the power of the religious leaders of his day, eventually resulting in his crucifixion. Even after his death, Matthew 28:11–15 records a bribe to the guards at the tomb in order to try to protect the status quo. And perhaps most noteworthy, in arranging arguably the greatest act of injustice in history, he was betrayed by Judas to the chief priests and the officers of the temple guard—in a political market, taken by force, for a bribe of thirty silver pieces.³⁸

In stark contrast to the injustices done to him, Christ was far less tolerant of injustices done to others. In Luke 4:18, he quotes (or in the view of non-conservative and/or non-Christian scholars, is *remembered* quoting) Isaiah to describe part of his mission—“to release the oppressed.”³⁹ Mark 10:14 records Christ becoming “indignant” when the disciples tried to keep the children away from him. In Matthew 18:6, he promised severe punishment for one “who causes one of these little ones to sin.” When the Pharisees were bothered that he healed a man on the Sabbath, Mark 3:5 records that he “looked around at them in anger and [was] deeply distressed at their stubborn hearts.” Concerning his numerous healings on the Sabbath, he flaunted the timing of these miracles to show that loving others often runs counter to the norms of the religious establishment.

The Gospel accounts of Christ clearing the Temple combine his anger when the rights of the relatively powerless were violated by the powerful

5:1–6.) Why? At the least, Christ was dealing with a contemporary religious bias in favor of the wealthy—e.g., given the Old Testament’s tight correlation between obedience and blessings. Many Jesus scholars highlight this economic aspect of Jesus’ ministry and setting.

³⁷ Mt 23:23.

³⁸ Lk 22:4–6.

³⁹ Cf. Lk 4:25–29.

and when God's name was maligned by the behavior of religious people.⁴⁰ Among other sins, the religious leaders had allowed those who exchanged currencies (“money-changers”) and vendors (“those who sold doves”) to turn the temple into “a den of robbers.”⁴¹ To “rob” the people, customers must have been forced to buy currency and doves at too high of a price. If sellers had been charging competitive prices, they would have been merely providing a valuable service (cf. Dt 14:24–26). As with government today, the governing authorities of the temple probably sold exclusive rights to operate in the temple area, allowing sellers to exploit the resulting monopoly power by charging high prices and providing unfavorable exchange rates—thus, “robbing” the people. In particular, since doves were the usual offering of the poor (Leviticus 5:7), the effects of this monopoly power would have been disproportionately borne by the poor.⁴²

V. WHY IS LEGISLATING JUSTICE PREFERABLE TO LEGISLATING MORALITY?

Followers of God should treat others with dignity, respect, and justice—and they should hope for (and perhaps work toward) a government that does the same. But, in my perspective, the Bible also describes a God of perfect morality as well. Does this provide license to use the government to pursue greater “morality”?

Francis Beckwith argues that “A Christian’s moral obligation to do justice may also involve concern for the public culture and how it affects the virtue of its citizens...And yet, the Christian must exercise care in the

⁴⁰ Mt 21:12–13, Mk 11:15–17, Lk 19:45–46, Jn 2:14–16. On whether his use of a whip was “violent,” see N. Clayton Croy, “The Messianic Whippersnapper: Did Jesus Use a Whip on People in the Temple (John 2:15)?,” *Journal of Biblical Literature* 128:3 (Fall, 2009): 555–568.

⁴¹ Matthew, Mark, and Luke record this, while John’s account has Christ critical of turning his “Father’s house into a market.”

⁴² For an excellent discussion of this topic, see Richard Horsley, *Covenant Economics: A Biblical Vision of Justice for All* (Louisville: Westminster John Knox, 2009).

extent to which the government uses its power to protect a community’s moral ecology.”⁴³ Christianity is concerned with both private and public spheres. But the use of government to mediate private spheres requires “care.”

For a variety of reasons that I develop at length elsewhere, LM is an inappropriate tool for Christians on ethical and biblical grounds.⁴⁴ But to note one important aspect, Christ showed that anger in the name of justice—in defense of the rights of others—can be ethical. He verbally defended the rights of others in matters of “social justice,” especially the powerless. However, he did not restrict the freedom of non-followers in matters of “social morality” by using human government.

The pursuit of social justice, rather than social morality, can produce better results. Attempts to LM are always fraught with unfortunate costs, but attempts to LJ (if done well) will have a number of beneficial by-products. First, with LJ, Christians set themselves apart as “servants”—in ministering to others, defending the defenseless, and so on. In other words, it is easier to be seen as “the light of the world.” Those who LM are inevitably seen as prudes and busy-bodies who are trying to keep people from doing what they think is best.

Second, to the extent that Christians are critical of injustices, those who benefit from, or are responsible for, the injustices are usually the only ones who will view LJ efforts negatively. For example, if the poor are being

⁴³ Francis Beckwith, *Politics for Christians: Statecraft as Soulcraft* (Downers Grove, IL: InterVarsity Press, 2010), 68, 70.

⁴⁴ See D. Eric Schansberg, “Common Ground Between the Philosophies of Christianity and Libertarianism”, *Journal of Markets and Morality* 5:2 (2002): 439–57 and *Turn Neither to the Right nor to the Left: A Thinking Christian’s Guide to Politics and Public Policy* (Greenville, SC: Alertness Books, 2003). Cf. Doug Bandow, *Beyond Good Intentions: A Biblical View of Politics* (Wheaton, IL: Crossway Books, 1988) and Jamin Andreas Hübner, “Christian Libertarianism: An Introduction and Signposts for the Road Ahead.” *Christian Libertarian Review* 1 (2018): 15–74.

exploited in some way, arguing against the injustice is likely to raise the sympathies of objective observers, not rankle them.⁴⁵

Third, the pursuit of justice gives Christians an opportunity to be *for* something—and for something greater. Christians, especially in North America, are often known for what they are *against*. Libertarians are in a similar position—often perceived as focused on niche rights (e.g., legal prostitution and pot), rather than for broader rights, especially for the oppressed. In addition to its merits, the pursuit of justice for the poor and oppressed will typically be perceived well.

VI. CONFLATING JUSTICE AND OPPRESSION WITH POVERTY

Scripture often mentions “the poor and the oppressed”; thus, the two terms are often connected.⁴⁶ However, since some other texts also distinguish between the two, there can also be a distinction between them. Many people believe that the rich often oppress the poor to gain their wealth. Although more prevalent in biblical times, it is unusual today—at least without help from unjust government policies. Schneider writes that “we now know beyond controversy that modern high-tech economies do not work in the same way that the ancient orders did....Nor do they work in the ways that the capitalism observed by Wesley, Marx, and Weber did....[It] works primarily by means of the creation of wealth, not by its seizure from others.”⁴⁷

⁴⁵ An exception to this would be when a majority of (powerful) people benefit from an injustice. Even in these cases, Christians should value justice highly.

⁴⁶ Motyer notes that “Both *dal* (poor) and *ani* (oppressed) have the same general ambience...The latter, however, also includes the sense of “humiliated, downtrodden”—not only uninfluential but because uninfluential, manipulated by the authorities as existing only for others’ advantage.” Alec Motyer, *The Prophecy of Isaiah* (Downers Grove, IL: InterVarsity Press), 111.

⁴⁷ John Schneider, “The Good of Affluence,” *Religion and Liberty* (March/April 2002), 6–8.

To oppress, as Webster's *Dictionary* describes, is “to keep down by the cruel or unjust use of power or authority; to trample down; the imposition of unreasonable burdens...[through] excessively rigorous government.” In other words, oppression stems from a use of force which makes others worse off.⁴⁸ This would seem to occur much more frequently through government policy than economic activity. Economic markets feature voluntary transactions and mutually beneficial trades that enhance wealth and well-being. But wealth can also be gained through the use of force, theft, extortion, and bribes. For example, political markets often involve the use of government power to make some better off at the expense of others.

To the extent that oppression occurs in any realm, it is wrong. However, the primary causes of poverty today are poor decisions by individuals and poor policies by their governments. As Chilton notes, “God is against certain poor people”: sluggards (Proverbs 6:6–11), law-breakers (Proverbs 28:6), those who covet and then curse God (Proverbs 30:7–9), and so on.⁴⁹ Thus, Christians should seek to educate others about the consequences of poor decisions and oppose unjust policies.

VII. REDISTRIBUTION, BRIBES, AND JUSTICE

After reading a pointed description of redistribution, the first problem that may come to mind for Christians is that it seems to violate the 8th

He argues helpfully that this theological response should be based on the doctrine of the creation (how to use resources wisely) and the Exodus (a focus on freedom from oppression and poverty in a land of “milk and honey”).

⁴⁸ For example, James critiques those who withhold wages rather than criticizing the wage rate itself (Jas 5:4). Ironically, the government forces employers to “withhold” wages by mandating that they collect income and payroll taxes from workers, even the working poor.

⁴⁹ David Chilton, *Productive Christians in an Age of Guilt Manipulators: A Biblical Response to Ronald J. Sider*, 3rd ed. (Tyler, TX: Institute for Christian Economics, 1985), 80–5.

Commandment: “Do not steal.”⁵⁰ In criticizing attempts to LJ through government redistribution, Chilton argues that “The mark of a Christian movement is its willingness to submit to the demands of Scripture...‘You shall not steal,’ for instance...must not be relativized on the mere excuse that the thief has no bread.”⁵¹ Likewise, Bandow argues that “the political process has become a system of legalized theft, with personal gain rather than public interest becoming the standard for government action.”⁵² Pursuing godly goals with ungodly methods is not a godly option.

This use of force cannot be motivated from a Christian perspective, unless perhaps the government spending is for the “general interest” or the “common good”—a narrow set of examples when economic markets do not function efficiently (e.g., some “public goods” and externalities). But it is not even clear whether Christians should vocally endorse those efforts. And certainly, Christians should eschew the use of government to appropriate funds from the general public to benefit “special interests” or, especially, themselves.⁵³

⁵⁰ The 10th Commandment, injunctions against moving boundary stones (Dt 19:14, Pr 23:10, Hos 5:10), and the concepts of tithing and sacrifice (out of what one owns and controls) also support strong property rights. See also: Mic 4:4, Mt 25:14–30, and the narrative in Genesis 3 which includes taking God’s stuff.

⁵¹ Chilton, *Productive Christians in an Age of Guilt Manipulators*, 5.

⁵² Doug Bandow, “The Necessity of Limited Government”, in *Caesar’s Coin Revisited: Christians and the Limits of Government*, ed. M. Cromartie (Grand Rapids, MI: Eerdmans, 1996), 51. Cf. Herbert Schlossberg, *Idols for Destruction: The Conflict of Christian Faith and American Culture*, (Wheaton, IL: Crossway Books, 1990), 118: “Since government produces no goods, it can distribute only what it takes from others. This process is indistinguishable from theft.” Note also: Eccl 4:1, 5:8–9. Augustine said that the only difference between the state and a band of highwaymen is its justice and supposed legitimacy: “Justice being taken away, then, what are kingdoms but great robberies? But what are robberies themselves, but little kingdoms? The band itself is made up of men; it is ruled by the authority of a prince; it is knit together by the pact of the confederacy; the booty is divided by the law agreed upon” (cited in Bandow, “The Necessity of Limited Government,” 147.)

⁵³ An interesting potential counter-example is in the Israelites accepting money from the Persian king in rebuilding the temple (Ezra 6:4,8–9, 7:15). But note that the money was

Biblical texts are active in condemning bribery as injustice. In wisdom literature, Proverbs 17:23 says that "a wicked man accepts a bribe in secret to pervert the course of justice." In the Torah, the Israelites were told not to "accept a bribe, for a bribe blinds those who see and twists the words of the righteous."⁵⁴ In establishing Israelite government under God, the selection process for judges included that they should "hate dishonest gain."⁵⁵ Thus, I Samuel 8:3 notes when Samuel's sons unfortunately "turned aside after dishonest gain and accepted bribes and perverted justice." And Samuel's farewell sermon included his declaration and the people's affirmation that he had not cheated or oppressed anyone, and had not taken any bribes.⁵⁶

In moving from the historical writings to the prophetic literature, two prophets noticeably explicitly tie together the themes of bribery and justice. Isaiah 1:21-23 reads, "See how the faithful city has become a harlot! She once was full of justice; righteousness used to dwell in her...(now) your rulers are rebels, companions of thieves; they all love bribes and chase after gifts." And in Amos' treatise on justice, he accuses the people, and especially, the leaders: "You trample on the poor and force them to give you grain....I know how many are your offenses and how great are your sins. You oppress the righteous and take bribes and you deprive the poor of justice in the courts."⁵⁷

What does such bribery and injustice look like today? For one, special interest groups use money to influence outcomes in political institutions.

volunteered not requested and God might have considered it a form of "back-pay" (as Ex 12:35-36).

⁵⁴ Ex 23:8. See also: Dt 10:17, 16:19, 28:25; Job 15:34-35, 36:18; Ps 15:5, 26:9-10; Pr 15:28; Eccl 7:7, Is 5:23; Mic 3:9-12.

⁵⁵ Ex 18:21.

⁵⁶ I Sam 12:3-4.

⁵⁷ Amos 5:11-12. One can draw a moral distinction between taking and paying bribes. See: D. Eric Schansberg, "The Ethics of Tax Evasion Within Biblical Christianity: Are There Limits to 'Rendering unto Caesar?'," in *The Ethics of Tax Evasion*, ed. R. McGee (South Orange, NJ: Dumont Institute for Public Policy Research, 1998), 156.

In less-developed countries, the stereotype of these transactions is political graft on a national scale, or the \$20 paid to a customs officer to make his inspection less thorough or a tariff less burdensome. In the United States, bribes are less frequent—or at least, more subtle.⁵⁸ Campaign contributions are the most prominent example of legal, political influence. They are not inherently evil. But to the extent that they influence justice negatively, they are a cause for great concern.

VIII. POLICY APPLICATIONS

Given a biblical license to pursue LJ, what would constitute a godly agenda for justice and which prescriptions will have the intended results? In theory, LJ could involve additional government intervention. But in practice, the available data indicate that LJ will typically involve less government activity—or at the least, different policies.

In biblical tradition, government appears to be portrayed at its best as “a necessary evil” to restrain evil (Romans 13:1–7). Otherwise, biblical perspectives on government appears quite pessimistic from Genesis to Revelation. The first mention of a city has an ominous origin, with the jealous and murderous Cain as its founder.⁵⁹ The first detailed description of a city includes Babel’s troubling civic agenda (Genesis 11). As the Israelites clamor for what an earthly king will do *for* them, God memorably warns them about what government will do *to* them (I Samuel 8:10–22).⁶⁰ The State is certainly rough on Jesus and the early church, from

⁵⁸ Cases of excessive corruption are prosecuted on occasion. And a provision in campaign finance laws that allowed retiring U.S. representatives to pocket excess campaign contributions in 1992 was uncomfortably close to bribery.

⁵⁹ Gen 4:17. Ironically, Cain’s twisted sense of justice led to the impulses behind the murder.

⁶⁰ Jamin Andreas Hübner, “Israel’s History as a Post-Exile Critique of Political Power,” presented at the “Peace and Violence in Scripture and Theology” Fall Conference of the Canadian-American Theological Association (October 20, 2018; transcript available at <https://independent.academia.edu/JaminH%C3%BCbner>) argues that the Enneateuch as a

persecution to martyrdom. And in John’s marvelous apocalyptic, the State’s evils are broadly described in colorful terms as the first Beast (Revelation 13:1–10). From the many examples of bad government in the Scriptures, one can only worry and be wary about the potential for evil overreach.

From economic theory—Public Choice economics and Austrian economics in particular—one shouldn’t be surprised to find that government activism is fraught with corruption and incompetence. And from any study of world history, it is clear that many government policies—economic, social, and military—have been unjust means toward unjust ends.⁶¹

The first requirements of an effective agenda for LJ would probably require satisfying the concerns of Public Choice and Austrian economics. Policy should be reasonably well-intentioned—and based on sufficient knowledge of how the economies and human behavior are known to work, rather than merely good intentions. A full accounting of troubling economic policies would require a full book and is well beyond the scope of this paper.⁶² But a few key, quick examples can be briefly traced out.

First, consider the use of government to try to help the poor. Ethically, welfare programs are troubling, since they forcibly take money from one party to give to someone else. Practically, these programs face the inherent disincentives and moral hazard problems of any effort to render assistance. These concerns are likely exacerbated by impersonal government agents who are spending someone else’s money.⁶³ And

whole exhibits an anti-political bias by the post-exile scribes, and provides more inter-narrative reasons for this conclusion.

⁶¹ Cf. Robert Higgs, *Delusions of Power* (Oakland: Independent Institute Press, 2012).

⁶² See D. Eric Schansberg, *Poor Policy: How Government Harms the Poor* (Boulder, CO: Westview Press, 1996).

⁶³ Corbett and Fikkert point to the difficulties of even doing private charity, despite with the best of intentions. Steve Corbett and Brian Fikkert, *When Helping Hurts: How to Alleviate Poverty Without Hurting The Poor...and Yourself* (Chicago: Moody, 2009). For the societal

government can hardly be expected to ably address more than material well-being, when any holistic understanding of the human person recognizes that there's much more in play. In sum, such efforts can be no better than a mixed bag in practical terms.

Unfortunately, many Christians actively advocate government welfare programs—out of general ignorance or a misunderstanding of the Scriptures. In particular, those on the Religious Left point to the communal living of the early church—as depicted in Acts 2 and Acts 4—and extrapolate from a small voluntary arrangement to large coercive policies such as welfare or even state socialism. Although helping the poor on a voluntary basis—individually or through a group like the church—is laudable if done well, there is no biblical license to advocate the force of government to redistribute income, even to the poor.

Second, consider the use of government to help special interest groups in a way that oppresses by imposing costs on others, especially the poor.⁶⁴ Sometimes the redistribution is direct, but usually it's indirect and more subtle—as government restricts competition, redistributing wealth from consumers and workers to those in politically-powerful interest groups. Koyzis argues that we “are justified in appreciating constitutional democracy...Yet we must avoid the assumption that democracy is identical to just government...Western democracies routinely pervert justice, albeit in less overtly destructive ways.”⁶⁵

Such policy outcomes are initially surprising to imagine in a democracy. The majority should easily outvote what most would consider an unjust outcome—often a form of “reversing Robin Hood,” in redistributing from common folk to the wealthy and politically

implications of these problems, see: Charles Murray, *Coming Apart: The State of White America, 1960–2010* (New York: Crown Forum, 2012).

⁶⁴ Note Hübner's review article of Waters' *Just Capitalism* in this volume, which deconstructs the “market-state” (market democratic socialism) as being “exploitative,” not so much parental.

⁶⁵ David Koyzis, *Political Visions and Illusions: A Survey and Christian Critique of Contemporary Ideologies* (Downers Grove, IL: InterVarsity Press, 2003), 151, 250.

connected.⁶⁶ Compare the subtle, small-per-person costs borne by members of the general public who are “rationally ignorant and apathetic”—with the concentrated benefits pocketed by a motivated interest group—to understand and explain the winning political calculus.

Koyzis notes that “it is simplistic to assert that one side favors justice while the other does not. It is more accurate to observe that each party wants to see justice done but that each conceives of it differently...”⁶⁷ This is true to some extent. But one wonders how often those pursuing their own interests are able to fool themselves into imagining that the outcomes fall under a robust and coherent sense of “justice.” In any case, an objective view of justice will find difficulty in this approach, reducing justice to a purely subjective preference.

This redistributive mechanism describes a vast array of government policies. Government increases the price of food, clothing, and shelter. It often insists on providing K–12 education through public-sector entities with tremendous monopoly power, especially over the poor. Its War on Drugs foists costs onto a range of innocents, particularly in the inner city. It locks less-skilled workers out of some labor markets through occupational licensing—and makes them more expensive to hire through minimum wages and mandated benefits. If they have a job, many state governments have income taxes on the working poor, while the federal government imposes its remarkably oppressive FICA taxes on every dollar they earn. Social Security has a rate-of-return near zero—the only nest egg for most poor people. And so on.

Many of these policies redistribute income to the *non*-poor at the expense of the poor. Presumably, these efforts are not designed to hurt the poor; their harm is merely a by-product or an indirect effect of policies with other goals. Unfortunately, neither the methods nor the outcomes

⁶⁶ Some have argued that this phenomenon has occurred during the Trump Presidency. For example, see Christopher Ingraham, “For the first time in history, U.S. billionaires paid a lower tax rate than the working class last year,” *Washington Post* (October 8, 2019).

⁶⁷ Koyzis, *Political Visions and Illusions*, 250.

can be considered just. But this laundry list provides a wealth of opportunities for those who want to pursue LJ through less government intervention.

IX. CONCLUSION

Brueggemann warns us not to focus too much on a laundry list of “concrete issues” and missing “the dominant crisis.”⁶⁸ Woodiwiss concurs from a different angle: “the church of Christ exists not as the institution for the eradication of poverty, but rather as God’s emblematic institution for how the poor are to be treated, welcomed, cared for, and respected...There simply cannot be a Christian *theory* of justice. They can only be local, particular, ecclesial efforts to be the church.”⁶⁹

As such, Christians should share the concern of God toward the poor and oppressed, have the passion of Christ for justice, and use methods consistent with biblical principles in dealing with oppression and injustice. In this context, knowledgeable Christians should be willing to stand up in the public square—especially for the poor who are disproportionately harmed by many forms of government activism. Where government is limited or deeply flawed, the call to minister to the poor and oppressed is still relevant.

When we fail to do so, “justice is driven back, and righteousness stands at a distance; truth has stumbled in the streets, honesty cannot enter...The Lord looked and was displeased that there was no justice. He saw that there was no one, he was appalled that there was no one to intervene.”⁷⁰ We should respond to God’s call to promote justice and righteousness.

⁶⁸ Brueggemann, *The Prophetic Imagination*, 13.

⁶⁹ Ashley Woodiwiss, “Christian Economic Justice and the Impasse in Political Theory” in *Toward a Just and Caring Society: Christian Responses to Poverty in America*, ed. David Gushee (Grand Rapids, MI: Baker Books, 1999), 141, 143.

⁷⁰ Is 59:14–16.

Often, the motives to help are there, but the knowledge about how to do so, ethically and practically, is lacking. Guinness draws an analogy to the Tin Man in *The Wizard of Oz*. In one scene, Scarecrow reasons “I shall ask for brains instead of a heart; for a fool would not know what to do with a heart if he had one.” But the Tin Man replies, “I shall take the heart; for brains do not make one happy, and happiness is the best thing in the world.”⁷¹ Of course, the optimal strategy is to use one’s heart and brains, with zeal and knowledge, to love the Lord our God with our heart *and* our mind—in pursuit of social justice for others.

⁷¹ Os Guinness, *Fit Bodies, Fat Minds: Why Evangelicals Don’t Think and What to Do About It*, (Grand Rapids, MI: Baker Books, 1994), 30.