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REFLECTIONS ON EVANGELICALS AND CATHOLICS TOGETHER ON LAW: THE LORD OF HEAVEN AND EARTH

BY C. SCOTT PRYOR

With the passing of Chuck Colson in 2012, following the death of Richard John Neuhaus in 2009, a new generation has taken up the mantle of the project of Evangelicals and Catholics Together. Neuhaus and Colson were instrumental in the original 1994 “Evangelicals and Catholics Together: The Christian Mission in the Third Millennium.” Now in the second decade of the new millennium fourteen scholars, primarily from the American legal academy, spent eight years drafting *Evangelicals and Catholics Together on Law*. The structure and depth of analysis—exegetical and historical—marks this work as an excellent resource for anyone who wishes to take seriously the scriptural witness on political authority, justice, and law. The importance of these topics in the Western-influenced world subject as it has become to the “tyranny of relativism” is obvious. Their relevance in relation to non-western totalizing worldviews is implicit.

The substantive text of *Together on Law* begins with identification of the person of the work’s subtitle: Jesus Christ is the Lord of heaven and earth. From this initial confession Section 1 draws three primary conclusions. First, that only the crucified and risen Christ, and thus no human authority, is Lord. Next, that his lordship knows no earthly limits. Yet, thirdly, that his lordship is not to be imposed by anyone other than Christ himself. In particular, the Church is not divinely authorized to impose the reign of Christ. Left unstated but clearly implied is a similar limitation with respect to Christians individually or collectively through the political process. God alone is Lord of the conscience.

Deploying the biblical-historical arc of creation, fall, redemption, and consummation, the next two sections of *Together on Law* attempt to provide the bridge between Christ’s lordship and the following sections addressing the law. The Section 2 on Creation does a fine job of balancing the original human task—to develop the potentiality latent in God’s creation—with what can be characterized as exercising subordinate dominion. Humanity was given dominion over creation, but that dominion is not autonomous; that is, it is not to be used apart from divine wisdom. The failure of *Together on Law* to mention God’s seventh-day rest in this section is

regrettable. Utilizing God’s rest would have provided a context for the ultimate rest achieved through the work of Christ as well as more substance for the notion of the common good that features later in the work.

Significant differences among the traditions represented by the authors first come to expression in the discussion in Section 3 of the effects of humanity’s fall into sin. This section does a credible job of articulating the range of views between (and among) Evangelicals and Catholics over the “differing accounts of the appropriate aspirations of human rule in a fallen world.” The final sentence of the second section is finely crafted but lacks a temporal qualifier: “Even among those who are more hopeful about the abilities of government, there remains a recognition that the job cannot be completed through human agency alone, but will require the deliverance of Christ, the Desire of the Nations.” One hopes that only a few expect that deliverance to take place before the return of Christ in glory and judgment, and indeed this point was made earlier in Section 3. Yet making the timing clear at the conclusion of this section would have been helpful and would reinforce rejection of some popular conceptions that decouple the condition of perfect justice and rest from the person of Christ himself.

Section 4 on Authority begins with an incontrovertible statement: “There is no uniform Christian account of the appropriate aspirations of political authority.” It is perhaps not surprising that the many biblical references that had characterized the first two sections are here replaced with descriptions of contemporary conservative Catholic and neo-Kuyperian political theory. The descriptions are satisfactory but a bit prolix and omit any other formulations. One wonders if the work would have benefited from a broader range of Evangelicals. The absence of the perspective common among historically black Protestant churches is noteworthy. Similarly, the presence of only Anglo-American contributors leaves *Together on Law* without valuable insights from other parts of the world.

Moreover, the Christocentric underpinnings of the first three sections are absent from the treatment of Authority, and indeed merit little discussion in the following sections. One might hope that a commitment

to the fundamental reality of the lordship of Christ would continue to play a significant role even as the analysis moves from the abstract to the concrete. To be sure, the work correctly observes that “the biblical message is less revealing on the question of the specific forms the sociopolitical order is to take.” Perhaps the drafters believe that Christ’s lordship can be divided between his work as creator and his work as mediator but, if so, that distinction should have been made in an earlier section of the work.

Analysis in the section titled Justice returns to scriptural texts. Indeed, how could it not, given that justice is a theme pervasive in the biblical account? Three aspects of the discussion of justice are noteworthy. First is the orientation of justice to the transcendent: “we affirm that justice is not merely a human construct.” Second, and of equal importance, is the framing of justice in terms of relationship. Justice is not, in the first instance, a system. “Well-functioning institutions are thus necessary but not sufficient conditions for justice, which remains, at its core, a matter of human action and not merely a function of impersonal institutional design.” Finally, this section does a good job of relating the biblical account of justice to the contemporary human rights movement and the ambivalence of many Evangelicals and some Catholics toward the extraordinary valorization of rights talk in political discourse.

The final section Law begins with a succinct if compound definition: “Law ... is the primary medium through which political authorities exercise their God-given and God-directed jurisdiction [Evangelical], the aim of which is justice [Catholic].” This section then turns to a discussion of natural law elaborated in the traditional Thomistic manner. Addressing the challenges to any notion of natural law in a post-Kantian, neo-Darwinian world was obviously beyond the scope of this work, but it was gratifying to read the admission of the dangers of natural-law thinking: “The frequent historical failures of real-world rulers to recognize and/or implement natural law precepts, the danger of cloaking the cultural norms through which natural law is inevitably mediated with divine authority, and the

challenge that some of Jesus’ teachings appear to pose to conventional understanding of morality.” The final admission returns us to the concern noted above: What is the relationship between the lordship of Christ and the law? Or, precisely, what is the nature of Christ’s lordship? The first section of *Together on Law* focuses on Christ’s lordship as it comes to expression in his life of sacrificial

service (the atonement features in Section 3), but thereafter there is little that is distinctively Christocentric, apart from qualifying the serving nature of human rulership and limiting the scope of state authority, as opposed to broadly biblical. Finally, as one who teaches at an institution established in the Renewal tradition, the silence

of *Together on Law* on the place of the Holy Spirit in this enterprise cannot go unmentioned. A pneumatological perspective would have raised more issues but nonetheless should have been addressed.

Together on Law is a valuable contribution to the ongoing work of Evangelicals and Catholics in the public square. Its limitations notwithstanding, *Together on Law* can and certainly should catalyze further discussion on the important topics it addresses.

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Professor Pryor has been a visiting professor at other universities in the United States and overseas and brings his comparative perspective on law to the classroom. He has also served as Resident Scholar of the American Bankruptcy Institute where he worked closely with judges and leading members of the practicing bankruptcy bar. He blogs at Pryor Thoughts (www.pryorthoughts.blogspot.com).

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