



## Toward A Better Biblical Understanding Of Lawmaking

FEBRUARY 17, 2014

Should every moral precept of the Bible be reflected in and enforced by the laws of the State? Should the State demand that its citizenry live in perfect accordance with Scripture? Should that be the objective of every Christian lawmaker in America? Why or why not?

OT Israel was a theocracy. Today there are theocratic, Koran-based, theocracies under Sharia Law. But what about America? Does the Bible command, or even expect every country and every person in the world to reflect and enact all of God's moral laws? What say you?

How a lawmaker understands and answers these questions is a matter of extreme importance! How do you clearly and effectively respond to the skeptical reporter who thinks you are out to "theocratize" America? Is he or she accurate? How clear is your thinking on all this?

Hopefully the following study will be of service to you in this regard....

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### Weekly Bible Study During Session

Wednesday Mornings 8:00 AM Sharp. Capitol Building Family Room H324  
*Hot Breakfast Served.*

*Robert Aderholt, Alabama*  
*Michele Bachmann, Minnesota*  
*Spencer Bachus, Alabama*  
*Marsba Blackburn, Tennessee*  
*Jim Bridenstine, Oklahoma*  
*Paul Broun, Georgia*  
*John Campbell, California*  
*Tony Cardenas, California*  
*John Carter, Texas*  
*Bill Cassidy, Louisiana*  
*Howard Coble, North Carolina*  
*Michael Conaway, Texas*  
*Kevin Cramer, North Dakota*  
*Rick Crawford, Arkansas*  
*Steven Daines, Montana*  
*Jeff Denham, California*  
*John Duncan Jr., Tennessee*  
*Mary Fallin (Gov.), Oklahoma*  
*John Fleming, Louisiana*  
*Bill Flores, Texas*  
*Randy Forbes, Virginia*  
*Trent Franks, Arizona*  
*Scott Garrett, New Jersey*  
*Louie Gohmert, Texas*  
*Tom Graves, Georgia*  
*Tim Griffin, Arkansas*  
*Ralph Hall, Texas*  
*Gregg Harper, Mississippi*  
*George Holding, North Carolina*  
*Bill Huizenga, Michigan*  
*Randy Hultgren, Illinois*  
*Bill Johnson, Ohio*  
*Jim Jordan, Ohio*  
*Steve King, Iowa*  
*John Kline, Minnesota*  
*Doug LaMalfa, California*  
*Doug Lamborn, Colorado*  
*James Lankford, Oklahoma*  
*Cynthia Lummis, Wyoming*  
*Mike McIntyre, North Carolina*  
*Mark Meadows, North Carolina*  
*Gary Miller, California*  
*Jeff Miller, Florida*  
*Randy Neugebauer, Texas*  
*Allen Nunnelee, Mississippi*  
*Steve Pearce, New Mexico*  
*Mike Pence (Gov.), Indiana*  
*Robert Pittenger, North Carolina*  
*Mike Pompeo, Kansas*  
*Bill Posey, Florida*  
*Tom Price, Georgia*  
*Reid Ribble, Wisconsin*  
*Cathy McMorris Rogers, Washington*  
*Austin Scott, Georgia*  
*Tim Scott, South Carolina*  
*Lamar Smith, Texas*  
*Steve Southerland, Florida*  
*Steve Stockman, Texas*  
*Marlin Stutzman, Indiana*  
*Glenn Thompson, Pennsylvania*  
*Scott Tipton, Colorado*  
*Tim Walberg, Michigan*  
*Randy Weber, Texas*  
*Daniel Webster, Florida*  
*Lynn Westmorland, Georgia*  
*Roger Williams, Texas*  
*Joe Wilson, South Carolina*  
*Rob Wittman, Virginia*  
*Steve Womack, Arkansas*  
*Rob Woodall, Georgia*  
*Ted Yoho, Florida*



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### I. INTRODUCTION

Recently, one of our Capitol Ministries State Directors asked me to help him gain a better biblical understanding of a right perspective on State lawmaking. I realized I didn't have a specific past Bible study on this; I have never written a study on this *extremely* important subject until now.

As you know, the secular media enjoys proclaiming that Christian lawmakers are attempting to bring about an American theocracy. But such should, for biblical reasons, not be the objective of any lawmaker in America or any other country. So then, if it is not your objective as a Christian lawmaker to enact every biblical precept into law (and in essence create a theocratic state), where do you draw the line on enacting biblical precepts into law – and why do you draw the line at that point? Importantly, what are the biblical principles that should come to bear – that must inform your thinking – as it pertains to lawmaking? Let us think this through carefully. I see at least five guiding principles from God's Word that you should incorporate into your thinking on this subject. Fasten your seatbelt; they are as follows....

### II. GOOD LAWS ARE INFORMED BY SCRIPTURAL PRECEPTS

While all of Scripture must not be enacted into the laws of the State, Scripture must *inform* all the laws of the State. To invent laws with no biblical moorings is to walk on thin ice; lawmakers who do so are telegraphing a belief that their wisdom is superior to God's. The full-face bust of Moses over the center of the back of the House Floor, directly in the line of sight of the Speaker's rostrum, is symbolically profound, speaking to America's statutory and cultural heritage. Every American lawmaker today must continue to keep Moses' Torah inscribed on their frontal lobes as they dispatch their professional duties. In order for the nation to function and prosper in the future, America's laws must remain based on the Bible!

The Bible is God's gift, unbound by time, of His infinite wisdom to fallen man! It is infallible and inerrant; inspired from on high in its original manuscripts – and garnished in historical trustworthiness! Oh my friend, heed its counsel at all times in your personal life! And importantly too in your professional life....

### **IF YOUR PROPOSED LAW IS NOT SOMEHOW BASED IN SCRIPTURAL PRECEPTS, ITS ENACTMENT WILL PROVE TO BE MORE OF A HARM THAN A HELP TO THE CULTURE**

This will always be the case eventually, if not immediately. One such illustration (among many) of this principle is the enactment of no-fault divorce laws. These laws serve to counteract God's purposes for ordaining His covenantal institution of Marriage. Whatever the intentions of their authors, their consequences have been to harm the institution whose health is so critical to the foundation and maintenance of a nation. From a purely economic standpoint, the institution of Marriage serves the State in at least four critical ways: It creates greater male maturity and therefore productivity in the marketplace; it lessens poverty in the community; it creates more consumers and an orderly citizenry. To enact laws which in any way diminish this institution is foolhardy to say the least. Ronald Reagan lived to rue the day he signed no-fault divorce into law in California.

Furthermore, to pass a law that is not founded in God's Scripture is to enact a statute that does not exist in the conscience of the people, who are God's creatures. You see, the Scriptures and the human conscience have the same designer; their revelation and our sense of right and wrong are intrinsically intertwined! In other words the citizenry will sense no internal compunction to obey laws that have no biblical basis; accordingly such laws are doomed to failure. A good illustration of this is the American Prohibition Movement. Enforced abstinence from alcohol was not and is



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not supported by Scripture (whereas being drunk is frequently condemned). The Apostle Paul for instance, instructed Timothy to “drink a little wine for your frequent ailments” (1Timothy 5:23). It follows then that the enactment of laws prohibiting the consumption of alcohol did not resonate with the conscience of individuals. Prohibitionist laws were over and above Scripture – a man-made standard not found in the circuitry of man’s conscience. Like slavery, there are many other illustrations of the violation of this lawmaking principle that are prevalent throughout American history. The first guideline for enacting good laws then is this: *All laws must be informed by scriptural truth.* More to the point, all laws must somehow find their basis in Moses’ God-given Ten Commandments. Therein is the foundation for the enactment of laws that will be deemed acceptable and loving by the people they serve.

### III. GOOD LAWS ARE INFORMED BY GOD’S PURPOSES FOR THE STATE

The wise lawmaker needs to keep in mind God’s definitive purpose for the institution of the State (per 1Peter 2:13-14 and Romans 13:1-8). It is this: God’s purpose for the State is to *control* a fallen people’s behavior. To say it another way that doesn’t sound so harsh, it is to outwardly *moralize* fallen man. That is plain to see from the aforementioned scriptural references. In clarifying contrast, the reason and purpose for which He ordained His institution of the Church is to inwardly *sanctify* people’s hearts. To say it another way, it is to *evangelize* fallen man.

The modification of fallen man’s outward behavior is one of the primary objectives that God has assigned to His institution of the State. Its primary aim is to eradicate the evil deeds that fallen individuals do to one another– and to eradicate the evil deeds that individuals (and lawmakers!) do to God’s purposes for each of His institutions.

If the State’s primary purpose is to “punish those who do evil,” (as well as “reward those who do good”) per 1Peter 2:13-14, then it stands to reason that the State should enact laws that are related to this objective. God expects, in His design of the State, for the State to curtail individuals from harming one another and/or the purpose of the institutions He has created. But having said that...

### NOT EVERY ABRIDGEMENT OF A BIBLICAL PRECEPT HURTS ANOTHER PERSON, OR A GOD-ORDAINED INSTITUTION

This tenet becomes a definitive guidepost for determining what biblical precepts need to be manifest in state laws and what biblical precepts need not be manifest in state laws; herein I think is the line of demarcation relative to good lawmaking theory. For example, if I choose to violate the commandment to honor my parents, that does not necessarily mean I have hurt them and should be punished by the State. Another illustration: if I choose to worship, idolize material possessions, that doesn’t necessary mean I am harming another individual or God-ordained institution. Given the God-assigned, specific institutional responsibility of the State, the State should not attempt to punish either because they are not hurting anyone else (except themselves). Both examples illustrate biblical abridgements that lie outside the pale of the State. On the other hand, if someone murders their parents or steals others’ possessions, it follows that the State should possess appropriate grit that protects the innocent from harm. Again, since not every abridgement of a biblical precept hurts another person or a God-ordained institution, it follows that not every biblical precept need be made into a law. Accordingly, the second guideline for enacting good laws is this: *Lawmakers should not enact laws that are outside God’s purpose for the State.*

By way of added clarification and context, the institution of the Church has a different God-ordained purpose and therefore a different standard relative to when it should intervene. As



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previously mentioned, its God-borne objective is to sanctify hearts via introducing people to Christ and their being indwelt simultaneously by the Holy Spirit. Since that is the purpose of the Church it follows that it must handle the same matters differently. A son or daughter who disrespects his or her parents and a person who worships someone or something over and above God are not lending to their sanctity before God; Not from the perspective of the State, but from God's, the parental impertinence and respective idolatry are harmful to *everyone* involved! It is therefore appropriate that the institution of the Church enjoin itself to those who have identified with it but who nonetheless sin. This declarative role of the Church is an important point to make in light of the seemingly limited role of the State; God's design is for every country to possess both. (At the risk of muddying the waters, keep in mind that in OT theocratic Israel God's called out people and the State were one and the same and therefore it follows that OT Israel would handle matters differently than we would today, in that we have institutional separation per Christ, e.g. Mark 12:17. This serves to explain why today it is theologically misinformed to think that the State would, for instance, stone Homosexuals or kill idolaters. Jesus, post institutional separation told the adulterer in John 8:11 to "Go and sin no more"). I think you see what I am getting at in terms of the role of the State today....

### THE BIBLICAL THEORY OF STATE LAWMAKING MUST BE INFORMED AND LIMITED BY THE BIBLICALLY-REVEALED, GOD-GIVEN PURPOSE FOR THE STATE ITSELF

Today the State and God's called-out people are not the same; they are institutionally separated with different callings and God-assigned objectives. This fact needs to be taken into careful consideration when considering the theory and formation of laws. If harm to another, or to a God-ordained institution is at stake, then the State should enact

enforcements to prohibit such – so as to modify behavior through the fear of punishment to protect others and/or institutions. But again, if someone's abridgement of God's moral precepts does not harm another or attempt in some way to alter a God-ordained institutional purpose, then a law is unnecessary; such excessive enactments only lead to the formation of a police state with overly diminished personal liberties.

### IV. GOOD LAWS ARE INFORMED BY GOD'S PURPOSES FOR HIS OTHER INSTITUTIONS

1Peter 2:13-15 touches on the fact that God mediates His sovereign reign (between His first and second coming) via the institutions that He has created for man during this period of His physical absence. This passage indicates there is more than just one institution the He has put in place....

***Submit yourselves for the Lord's sake to every human institution, whether to a King as the one in authority, or to governors as sent by Him...for such is the will of God.***

The English words **every institution** alerts the Bible student to the fact that there is more than one **institution** in view here. The main verb, or action of this God-given command is to **submit** *hupotasso* meaning "to place oneself under" **every institution**. Such a command certainly includes lawmakers: They need to make sure their laws are in line with God's *purposes* for each specific **institution** in order to be found in compliance to the command "to place oneself under"! The Greek words behind the English words **human institution** are *anthropine ktisei* meaning in a literal sense (of the adjective-noun word combination) "for mankind what is created." Said more smoothly and contextually, "what has been created by God for mankind." In essence then, the combined, applied thought here is this: lawmakers are to get



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under (or line up with) that which God has created for mankind.

Since God is so explicit about His purposes for having established each **institution** we must learn what they are lest a lawmaker champion laws to the contrary! God's institutional purposes must guide the lawmakers of the State lest the State incur God's opposition, i.e. wrath.

### **WOE TO THE PUBLIC SERVANT WHO ATTEMPTS TO ENACT LAWS THAT ALTER GOD'S PURPOSES FOR GOD'S INSTITUTIONS!**

The Creator will not be mocked by those creatures who are bent on rewriting His purposes! There are five ordained **institutions** described in Scripture; they are identifiable by the existence of the aforementioned verb **submit**. Every **institution** is identifiable by the explicit presence of a submission to authority construct. Each of those scriptural depictions follows, illustrated by one (of many) supporting passage....

#### A. GOVERNMENT

***Every person is to be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God. (Romans 13:1-3)***

In a word, and as previously mentioned in this study, God's purpose for the institution of Government (the State) is to *moralize* the population, or to modify the fallen behavior of man so that he does not harm others.

#### B. CHURCH

***Obey your [church] leaders and submit to them, for they keep watch over your souls as those who will give an account. Let them do this with joy and not with grief,***

***for this would be unprofitable for you. (Hebrews 13:17)***

In a word and as previously mentioned in this study, God's purpose for the institution of the Church is to *evangelize* the population, or to transform the fallen behavior of man so that he is empowered by the Holy Spirit, glorifying to God.

#### C. COMMERCE

***Servants, be submissive to your masters with all respect, not only to those who are good and gentle, but also to those who are unreasonable. (1Peter 2:18-21)***

The economy of Rome at the time of Peter's writing was one of slave and master. The principle however, of submitting to one's boss carries over to today. God's purpose for the institution of Commerce is to *economize* the population, or to create industriousness in the fallen proclivity of man so that he might be productive and create added value to God's abundant natural resources.

#### D. MARRIAGE

***In the same way, you wives, be submissive to your own husbands so that even if any of them are disobedient to the Word, they may be won without a word by the behavior of their wives, as they observe your chaste and respectful behavior. (1Peter 3:1-5)***

In a word, God's purpose for the institution of Marriage is to *materialize* the next generation (among other purposes previously mentioned).

#### E. FAMILY

***Children, obey your parents in the Lord, for this is right. HONOR YOUR FATHER AND MOTHER (which is the first commandment with a promise), SO THAT***



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### ***IT MAY BE WELL WITH YOU, AND THAT YOU MAY LIVE LONG ON THE EARTH. (Ephesians 6:1-4)***

In a word, God's purpose for the institution of the Family is to *catechize* the next generation.

Given these specific purposes for each of the five institutions – and God's desire for each institution to achieve its respective purpose(s), the following stands to reason: The third guideline for enacting good laws is this: *Establish no laws that war against what God intends for each of the institutions He has created!*

For example, we have already mentioned how no-fault divorce laws served to undermine God's covenantal and economic purposes for the institution of Marriage; supporting same sex marriage legislation does the same thing. In terms of the institution of the Family, legislation that attempts to prohibit parents from disciplining their children flies in the face of God's revealed purposes for establishing this institution: to catechize the next generation. Yet another example of this principle as applied to the institution of the Church is this: In the 70's there was an attempt to pass laws that would have interfered with the counseling privileges of the Church (*Nally vs. Grace Community Church*). It therefore follows that good laws must be informed by God's purposes for each and every one of His institutions. A lawmaker does him or herself – and the State – no favors when they attempt to enact laws that war against God's revealed purposes for His institutions.

#### **V. GOOD LAWS ARE INFORMED BY BIBLICAL MORALITY, OVER AND ABOVE PERSONAL LIBERTY**

Opposite the theory of Theocracy when it comes to lawmaking (wherein every precept and tenet of the religion is incorporated into the laws of the State) is Libertarianism. (Think of Libertarianism as being somewhere near the other end of the spectrum opposite "Theocratization";

Secularization being the polar contrary of "Theocratization"). This person's view of lawmaking trends toward amorality; it is steeped in pragmatism versus morality virtues. In this theory of lawmaking, liberty is deemed the highest virtue. It follows that the Libertarian will argue for allowing people to do whatever they want to do just as long as they do not harm another.

Stemming from his amoral view of lawmaking, the Libertarian, while agreeing that government must protect innocent human beings from evil, fails to take into consideration the need for the State to enact laws that protect God's institutional purposes. This is the shortcoming of pragmatic Libertarianism. To illustrate in one way the differences here, the Biblicist believes that the State must write and enforce laws that curtail a man from being in a stupor all the time due to drug use. The biblically informed lawmaker – not the Libertarian – views such behavior that is void of legal consequences as fostering the individual's deficient spousal, parental, industrial and civil responsibilities; such a person is violating each institution that God has created for his betterment: Marriage, Family, Commerce and State!

#### **THE BIBLICALLY INFORMED LAWMAKER WORKS TO CURTAIL THROUGH LAW ENACTMENT OTHERWISE NON-PENALIZED PERSONAL LIBERTIES THAT NEGATIVELY IMPACT THE BASIC BUILDING BLOCKS OF SOCIETY**

The fourth guideline for enacting good laws is this: *Personal liberties are not to be the highest consideration for the construction of societal laws. Biblical morality is.*

A word need be said as to how this guideline integrates with the second guideline of this study, i.e. *lawmakers should not enact laws that are outside God's purpose for the State*. This second guideline seems to favor the idea of personal liberty in terms of personal behavior – and it does. But this fourth guideline says there is a limit to personal liberty in



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terms of personal behavior. To clarify (staying with the same illustrations) for the State (given its God assigned purpose to keep people from hurting others) to allow a citizen the personal liberty to disrespect their parents or worship material things differs from allowing him to use substances that may indeed cause him in some way to hurt his parents or others on the freeway; at this point the State has allowed personal liberty to go too far – wherein there being no consequences for his exercise of excessive personal liberties he ends up harming others.

### THE ULTIMATE OBJECTIVE OF LAWMAKING MUST ALWAYS BE THE ATTAINMENT OF MORALITY IN SOCIETY VERSUS PERSONAL LIBERTY

#### VI. GOOD LAWS ARE FORMED BY SCRIPTURE-BASED LAWMAKERS

When the aforementioned four guidelines for the enactment of good laws are all taken into consideration, it follows that lawmakers must be men and women who are willing to be informed by Scripture. It must be authoritative in their heart and thinking in order to enact good laws. In fact John Adams reflected this thinking when he said,

Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.

William Penn too recognized this necessity relative to the long-term functionality of the American form of government when he said,

Governments, like clocks, go from the motion men give them, and as governments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But, if men be bad, let the government be ever so good, they will endeavor to warp and spoil it to their turn.

It follows that there needs to be strong Bible teaching ministries associated with Public Servants at all levels of their career path so as to help present and future leaders to grow in their knowledge, love and obedience of Scripture. Such is the key to the American way of life, the basic fuel of the engine that our forefathers designed – and which runs better than any other in the history of the world! The fifth guideline then, for enacting good laws is this: *Lawmakers must be men and women who are willing to be informed by Scripture.* That doesn't necessarily mean they must be Christians.

#### VII. SUMMARY

Here again are the five guidelines that must guide your consideration and enactment of good laws. Each of these theological precepts is borne from Scripture in consideration of this subject.

#### FIVE GUIDELINES THAT LEAD TO GOOD LAWS

1. **All laws must be informed by scriptural truth.**
2. **Lawmakers should not enact laws that are outside God's purpose for the State.**
3. **Establish no laws that war against what God intends for each of the institutions He has created.**
4. **Personal liberties are not to be the highest consideration for the construction of laws. Biblical morality is.**
5. **Lawmakers must be men and women who are willing to be informed by Scripture.**

May God use these five principles to inform your theory of lawmaking. He will bless you for your obedience to these precepts that are found in His Book!