

SOCIAL JUSTICE:

*How Good Intentions Undermine
Justice and Gospel*



This publication has been co-published by the Cornwall Alliance for the Stewardship of Creation, Concerned Women for America and the Family Research Council.



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Social Justice: How Good Intentions Undermine Justice and Gospel

by E. Calvin Beisner

Introduction

My sixteen-year-old son A. J. and I enjoy playing a bunch of games of ping-pong. We do it a couple of times a day, a good way to get me away from the computer for much-needed exercise. It also gives the two of us a fun and, with me in my mid-fifties and overweight, often humorous time together.

As people would normally count them, the scores aren't even close. In fact, they are so lopsided that some people would think them embarrassing. I won't tell you who generally wins, but observers might consider the almost-constant winner pretty hardhearted, maybe even disrespectful. We don't want to foster embarrassment or defeatism in one, or pride or viciousness in the other. What's to be done?

If we embraced what Progressives call "social justice," we might add up all the points each of us scored and divide by two, ensuring an equal outcome to every game. Surely that would be just, wouldn't it? It would recognize our fundamental equality as made in God's image. It would compensate for the significant disadvantages one of us has, and the significant advantages the other has. It would alleviate pride,



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envy, discouragement, and heartlessness. It would help one not to feel inferior, and the other superior.

Or, would it generate resentment on the part of the one whose points were taken away? Would it cause the beneficiary to lose incentive to improve his health, strength, coordination, and play? And might it cause the better player to be lazy, knowing it doesn't matter who wins any given point, since everything comes out even in the end?

No matter how sensible those objections seem, critics of ping-pong point redistribution, and of wealth redistribution, face a handicap. Advocates of redistribution appeal not just to practical outcomes but, much more importantly, to a bedrock principle of human relations: *justice*. Social justice, they assert, demands equality—or at least something closer to equality than what arises naturally. And when they talk not of ping-pong scores but of poverty and its attendant suffering, they appeal to the real virtues of compassion, empathy, and generosity that should motivate all of us.

By appropriating the title “social justice” for their vision, Progressives, who coined the term a century ago, begin with a marked advantage in the debate. Anyone who argues against them can be cast as defending *injustice*—and who wants to do that?

Critics of Progressive “social justice” have a double task. They must expose and explain the sad and unintended consequences of redistribution. They must also go to the heart of the issue: the meaning of justice itself and whether, in fact, justice requires the sort of equality Progressives claim it does.

That is what I intend to do in this booklet. I will begin by evaluating some common claims that biblical justice requires equality of outcome—or some approximation of it. We will then look carefully at what the Bible really does say about the nature and value of justice.

Does the Bible Require Wealth Redistribution and Equalization?

Jesus and the Rich Young Ruler

Some readers claim that the Bible requires equalization through wealth redistribution and reject the Bible's authority for that very reason. Libertarian economist Robert Higgs, for instance, in listing proponents of communism, wrote, “Jesus told his disciples to sell all that they owned and give the proceeds to the poor.”¹ A little more careful reading of Jesus' words and their context (Luke 18:18–30) reveals, however, that Jesus did not tell His disciples to do that. He was speaking to a particular man—the rich young ruler.



The ruler was full of pride and confident that he'd fulfilled God's commandments from his youth up, though really he had broken the very first by making his riches his god. This man had a particular problem, and Jesus prescribed a particular cure, one targeted directly at the problem. The prescription didn't apply to everyone.

In the very next chapter (Luke 19:1–10) we read that Jesus encountered another person, Zacchaeus. The tax collector was detested by his neighbors for cooperating with the oppressive Romans, a man who implicitly admitted that he'd overcharged some of his countrymen on their taxes to enrich himself. Zacchaeus came to Jesus humbly, confessing his sin, and announced his willingness to repent by repaying anyone he'd wronged and then giving half of the remainder to the poor. How did Jesus respond? By saying, "Oh, no, Zacchaeus, you must give *all* you have to the poor"? No. He said, "Today salvation has come to this house"—not, by the way, because Zacchaeus had bought his way into Heaven but "because he, too, is a son of Abraham," i.e., his actions manifested his faith in God's covenant with Abraham (Romans 4:9–17, 24–29; 9:1–9).

Contrary to Higgs, then, Jesus didn't tell His disciples to sell all they had and give everything to the poor.

But there are others who claim the Bible requires equality through at least periodic redistribution of wealth. Unlike Higgs, they profess to accept the Bible's authority. They claim to find support for wealth redistribution and equalization from four teachings in Scripture.

The Sabbatical Year Law

The first Biblical teaching to which Progressives appeal is the Mosaic law's requirement regarding debts in the Sabbatical year: "At the end of every seven years you must cancel debts" (Deuteronomy 15:1, NIV). That seems pretty clear. Or is it? Another translation puts it differently: "At the end of every seven years you shall *grant a release*" (ESV). Do they mean the same thing? More important, what does the underlying Hebrew mean?

The Hebrew translated *cancel* by the NIV and *grant a release* by the ESV is the verb *asab*, meaning "to make" or "do," followed by the noun *shemittah*, "a letting drop of exactions, a (temporary) remitting."² The word *temporary* interests us. Was the "release" or "remitting" or "letting drop" of debts a cancellation—permanent? Or was it a suspension—temporary? For the Progressives' application to be correct, it must be permanent.

The noun *shemittah* occurs only four times in the Old Testament (Deuteronomy 15:1–2, 9; 31:10), all connected with this law, so OT usage won't answer the question. However, the noun comes from the verb *shamat*, "let drop, fall."³ Both noun and verb occur in the next verse: "And this is the manner of the release (*shemittah*): every creditor shall release (*shamat*) what he has lent to his neighbor. He shall not exact it of his neighbor, his brother, because the LORD's release (*shemittah*) has been proclaimed" (Deuteronomy 15:2).

The earliest OT use of *shamat* is in Exodus 23, again regarding the Sabbatical year. But here it describes what to do not with debts but with land: "For six years you shall sow your land and gather in its yield, but the seventh year you shall let it rest and lie fallow" (Exodus 23:10–11). Were the Hebrews to abandon a particular plot of ground forever after the Sabbatical year? No, they were to "release" it during that year but resume cultivating it the next. The requirements to release land and debts in the Sabbatical year were analogous to the requirement of rest on the weekly Sabbath (Exodus 23:12). Just as people, refreshed by a weekly Sabbath, would return to work after it, so land would be cultivated again, and debtors would resume their payments.⁴

Thus in every instance in which *shamat* and *shemittah* occur regarding the Sabbatical year, they must be understood in the sense of a temporary, not a permanent, release. Indeed, Deuteronomy 15:3, "Of a foreigner you may exact it, but whatever *of yours* is with your brother your hand shall release (*shamat*)," makes it clear that what the creditor had loaned remained his even during the Sabbatical year—he simply couldn't collect payments during that year.

In short, the Sabbatical year debt-release law required not permanent cancellation but a year-long suspension of payments so debtors could be refreshed by resting in the Sabbatical year, but creditors would still be repaid.

The Jubilee Year Law

The second Biblical teaching to which Progressives appeal to justify wealth redistribution and equalization is the Jubilee (Leviticus 25).

When God brought Israel into the Promised Land, He divided the land among the tribes, providing each family a plot over which it became steward and that it should hand down to its descendants. However, economic inequalities would develop due to differences in diligence, intelligence, physical ability, soil quality, water supply, oppression, or natural tragedies. Except when they resulted from oppression, however, these were not unjust. But to preserve family unity and possession of land, as well as to restrain any one person from squandering all his descendants' wealth by contracting debts he could not pay, God gave Israel the Jubilee regulations.

According to these regulations, land in ancient Israel should not be sold permanently, because God asserted a special ownership of it beyond what He asserts over the whole earth (Leviticus 25:23). It could, however, be "sold" temporarily, its price constituting a loan for a term not to exceed the years to the next Jubilee. The price was the value of the intervening harvests (presumably excluding those during Sabbatical years, when land was not to be worked) (Leviticus 25:13–16), "for it is the number of the crops that he is selling to you" (verse 16). Income the buyer (lender) earned from the land during the term of the loan would constitute repayment, entailing return of the land at the end since the loan would have been repaid. Also, if the seller (borrower) offered to repay the loan *before* its term ended, the buyer (lender) had to accept the offer—the price again calculated by the value of harvests in the intervening years (Leviticus 25:25–28). The land, in other words, would have functioned as collateral. Similar arrangements were made regarding houses (Leviticus 25:26–34) and labor (verses 39–54).

Careful examination of the Jubilee year's regulations disproves claims that it required any redistribution or equalization of wealth. The regulations did not cancel or forgive any debt but ensured repayment and then return of collateral. Also, the regulations notably said nothing of newly created wealth. If one farmer produced far more per acre than another or gained riches through industry or trade, the Jubilee regulations didn't require any redistribution of that wealth or any equality of outcome between him and his neighbors.

Sharing of Goods in the Jerusalem Church

Progressives may try to justify redistribution and equalization by appealing to the so-called "community of goods" practiced by the early Christians in Jerusalem. Acts 2:44–45 and 4:34–35 tell us believers "had all things in common" and "were selling their possessions and belongings and distributing the proceeds to all, as any had need." In this Christian community, "no one said that any of the things that belonged to him was his own, but they had everything in common."

One evangelical writer goes so far as to say that because of this "private property was an impossibility."⁵ A liberation theologian comments that here Luke insists on "the universality of communism," adding, "If [people] wanted to be Christians, the condition was communism."⁶

But these claims ignore some important facts.

First, the giving was always voluntary, as another incident Luke records shows. When Ananias and Sapphira sold land and laid *part* of the price at Peter's feet but alleged that they had given *all* of it, Peter responded, "Ananias, why has Satan filled your heart to lie to the Holy Spirit and to keep back for yourself part of the proceeds of the land? While it remained unsold, did it not remain your own? And after it was sold, was it not at your disposal?" (Acts 5:3–4) Peter rebuked the couple—not for holding back their resources, but for lying.



Second, the selling and giving occurred periodically in response to specific needs, not all at once, as would have been required if redistribution and equalization were the goal. How do we know?

Because Luke writes not that the Christians “sold their possessions and distributed the proceeds” but that they “were selling . . . and distributing.” This translates Greek verbs in the imperfect tense, which denotes an action that began in the past *and continued*. People sold bits and pieces of their property from time to time, turning over the proceeds as need arose.



Third, Luke says “no one said that any of the things that belonged to him was his own.” He does not say “everyone said that whatever belonged to anyone belonged to everyone.” Luke’s point is not about private property, protected by the Eighth Commandment—“Thou shalt not steal.” Rather than abolishing private property, the Christians considered that what belonged to them (note the affirmation of ownership) was entrusted to them by God to serve their fellow Christians. When a Spanish speaker says, “*Mi casa es su casa*,” he doesn’t mean to deny title but to welcome you hospitably to his home. This was the Christians’ attitude in Jerusalem—and it should be ours.

The Pauline Collections: “That There Might Be Equality”

The fourth Biblical teaching in question is what Paul writes of benevolence—the goal of the collections he took up from churches around the Mediterranean to relieve believers suffering famine in

Jerusalem. The *New International Version* translates 2 Corinthians 8:13–14 thus: “Our desire is not that others might be relieved while you are hard pressed, but that there might be equality. At the present time your plenty will supply what they need, so that in turn their plenty will supply what you need. Then there will be equality.”

If the other passages we’ve examined don’t prove that Scripture requires economic equality, surely *this* one does! Indeed, Ronald J. Sider wrote that this passage “clearly shows that Paul enunciates the principle of economic equality among the people of God.”⁷

Is this interpretation warranted? You decide. If Paul meant economic equality, then his saying “that . . . your abundance at the present time should supply their need, so that their abundance may supply your need” would imply that the Corinthians should give materially to the believers in Jerusalem now *so that* when the positions were reversed those in Jerusalem could give to them. Is that consistent with Jesus’ saying in Luke 6:27–35 that we should give with no expectation of receiving anything in return? Does it fit with the motives Paul said should underlie the giving—grace, joy, generosity, and love (2 Corinthians 8:1–9)?

What then did Paul mean? By writing “in the present time” and using verbs the tense of which implies instantaneous action, Paul emphasized the immediate effect of the Corinthians’ giving—that their abundance would fill the Jerusalem saints’ lack. In turn, the Jerusalem saints’ abundance would fill the Corinthians’ lack. There would be immediate and simultaneous equality. That is, Paul intended no hint that the Corinthians should give *now* so that their brothers and sisters in Jerusalem might give *later* so that *then* there might be equality. On the contrary, the instant the Corinthians gave, the Jerusalem saints’ lack would be supplied out of the Corinthians’ abundance, *and* the Corinthians’ lack would be supplied out of the Jerusalem believers’ abundance, *and* there would be equality.

But what was the Jerusalemites’ abundance? And what was the Corinthians’ lack? It seems at first as if the Corinthians have all the abundance and those in Jerusalem all the lack. Yet Paul insists that

the Corinthians have both an abundance and a lack, *now*. Similarly, the saints in Jerusalem have both a lack and abundance, *now*. But at the moment the Corinthians give from their abundance to fill the Jerusalemites' lack, the Jerusalemites' abundance will meet the Corinthians' lack. How can that be?

The key is what Paul has observed among the Corinthians: a tendency to boast of a generosity they had not yet exercised. Paul wants them to prove the love of which they have boasted (verse 8). They had begun the collection a year before, but they had not finished it (verse 10). Now they need to complete it, so that their "readiness in desiring it may be matched by [their] completing it" (verse 11). "So give proof before the churches of your love and of our boasting about you," Paul tells them in conclusion (verse 24).

What the Corinthians lack is the fulfillment of their promise and desire to give generously; the moment they do so, their lack will be met, and so will be the financial lack of those in Jerusalem. What the saints in Jerusalem have in abundance is precisely their material lack—and the moment that is filled up by the Corinthians' giving, so will be the lack of those in Corinth.

And *that* will be the equality achieved—an equality in which a material lack becomes a material abundance and a spiritual lack becomes a spiritual abundance.⁸

The Bible Does Not Demand Wealth Redistribution or Equalization

Progressives most commonly appeal to the five passages reviewed above as proof that Christianity warrants redistribution or equalization of wealth. None does so. Yet many people still insist that the basic Biblical principle of justice does require redistribution. Does it?

Defining Justice Biblically

What do the Biblical words related to justice mean?⁹ In the Old Testament, the key vocabulary falls into three groups: The first root "basically connotes conformity to an ethical or moral standard" defined by the nature and will of God and revealed in His law.¹⁰ (The adjective form is *tsaddiq*, the nouns are *tsedaqah* and *tsedeq*, and the verb is *tsadeq*). The second root denotes "exercise [of] the processes of government,"¹¹ the root of which "basically connotes conformity to an ethical or moral standard" defined by the nature and will of God and revealed in His law.¹² (Here, the verb form is *shaphat* and the nouns are *shephat*, *shepot*, and *mishpat*). The third root "embodies the idea of government, in whatever realm, in all its aspects."¹³ (The verb form is *din*, and the nouns are *din* and *dayyan*).

In the New Testament, the key vocabulary falls into two groups. The first root means "being in accordance with high standards of rectitude, *upright, just, fair*."¹⁴ (Its noun forms are *dikē* and *dikaionē*, the adjective *dikaios*, and the verb *dikaioō*). The second denotes "legal process of judgment" or "administration of what is right and fair, *right* in the sense of *justice/righteousness*."¹⁵ (Its verb form is *krinō*, and the nouns are *krima* and *krisis*).

Careful study of these words throughout the Old and New Testaments leads me to summarize the Biblical concept of justice as *rendering impartially and proportionally to everyone his due in accord with the righteous standard of God's moral law*.¹⁶

Four Criteria of Justice

The Bible reveals four criteria of justice. First, justice requires *impartiality*, an equal application of all relevant rules to all people in all relevant situations. When Moses commissioned the judges of Israel, he charged them, "*Hear the cases [shaphat, "judge"] between your brethren, and judge [shaphat] righteously [tsedeq] between a man and his brother or the stranger who is with him. You shall not show partiality in judgment [mishpat]; you shall hear the small as well as the*

great; you shall not be afraid in any man's presence, for the judgment [*mishpat*] is God's" (Deuteronomy 1:16–17). Just judgment, then, is always impartial.¹⁷

Second, justice requires *rendering to each his due*. Paul instructs believers to "render ... to all their due" (Romans 13:7), and he puts this instruction in a discussion of justice or "judgment" (v. 2, "judgment" is *kríma*). Again, God is the chief exemplar: "... will He not render to each man according to his deeds?" (Proverbs 24:12; cf. Matthew 16:27; Romans 2:6; 1 Corinthians 3:8; Galatians 6:7–8). A key concept in justice, then, is that *something about the person being judged merits (or earns) the judgment*. Sometimes the "what is due" is determined by *who someone is*. Examples include governing authorities (Romans 13:1–7, 1 Peter 2:13–14); parents (Ephesians 6:1–3, Colossians 3:20, Deuteronomy 5:16) and religious leaders (Hebrews 13:17, Acts 23:1–5). Sometimes, however, what is due is determined by *what someone does*. Elders are due double honor if they rule well (1 Timothy 5:17). The

proud are due punishment (Psalm 94:2). Murderers deserve death (Genesis 9:6). The case laws of Exodus 21–22 detail what is due in crimes and

torts against persons and property, all as matters of justice or judgment: "Now

these are the

judgments

[*mishpat*]

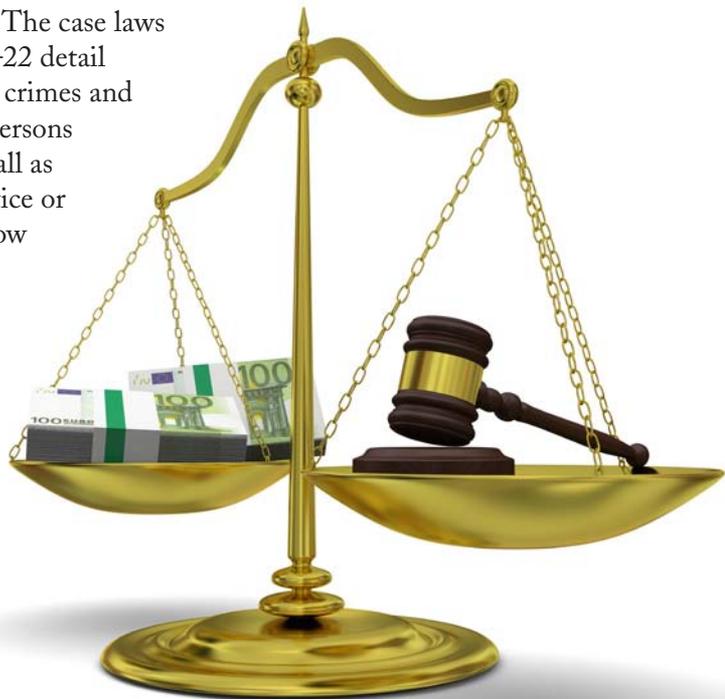
which you

shall set

before them"

(Exodus

21:1).



Third, justice requires *proportionality*, symmetry between the initial acts, on the one hand, and the rewards or punishments, on the other. This principle appears in Scripture in two ways. First, proportionality distinguishes generally between violations of *property* and violations of *persons*. There are different kinds and degrees of punishment prescribed for the two (Leviticus 24:17–21). Second, proportionality distinguishes accidental harm, negligent harm, and intentional harm. For instance, if someone *accidentally* damages or destroys his neighbor's property, justice evens up the loss between them (Exodus 21:35). But if he might reasonably have foreseen and prevented the accident but did not, and so harms his neighbor *negligently*, he must bear the full loss alone and restore to his neighbor the full value of what was damaged or destroyed (Exodus 21:36; compare Exodus 22:6). And if he *intentionally* steals or destroys his neighbor's property, he must restore what is taken, plus some multiple of it, as punishment (Exodus 22:1). Similarly, *accidental* homicide deserves no punishment (Deuteronomy 19:4–6; Exodus 21:13); *negligent* homicide deserves death, but the heirs of the deceased (or possibly the judges) may permit a ransom (Exodus 21:29–30). However, the *intentional* murderer must be executed without pity (Deuteronomy 19:11–13; Exodus 21:14), no ransom being permitted (Numbers 35:31; see also Deuteronomy 25:1–3; Exodus 21:24–27; Leviticus 24:19–20; Luke 12:42–48).

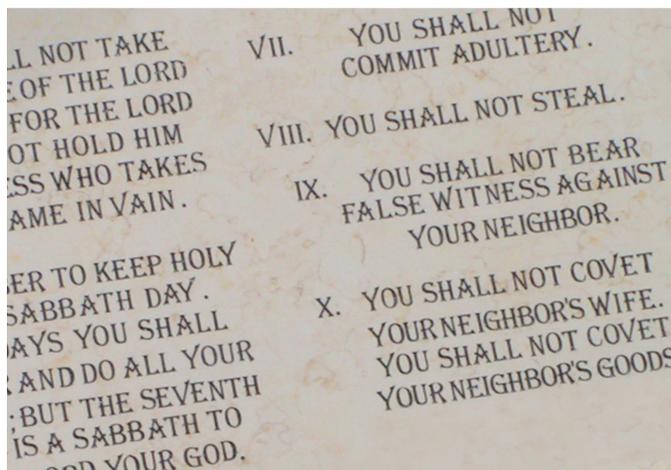
Fourth, justice requires *conformity to the standard* set forth in God's law—summarized in the Ten Commandments but also in the many moral statutes, ordinances, and case laws that apply the Ten Commandments and make them more specific.

In this respect, justice (or righteousness) is closely akin to truthfulness and honesty. Thus, for instance, God commanded Israel, "You shall do no injustice in judgment, in measurement of length, weight, or volume. You shall have honest scales [literally, "scales of *righteousness*"] honest weights, an honest ephah, and an honest hin" (Leviticus 19:35–36; compare Deuteronomy 25:13–16). Measures of length, weight, and volume must be just, must accord with an unchanging standard. Differing weights and measures enabled buyers and sellers to defraud each other. Through the prophet Micah, God

addressed these precise unjust trading practices when He said that His people must “do justly” (Micah 6:8). How do we know? He went on to say, “Are there yet the treasures of wickedness in the house of the wicked, and the *short measure* that is an abomination? Shall I count pure those with the *wicked scales*, and with the bag of *deceitful weights*?” (Micah 6:10–11). Another means of injustice in trading was to dilute the purity of the goods (including gold or silver coin or bullion used as money) offered in trade, a practice God condemned and used as a metaphor for the wickedness of rebellious hearts (Isaiah 1:21–26; Ezekiel 22:17–22). Counterfeiting and inflationary monetary policy both violate this principle.

Justice and Rights

The four criteria of justice—impartiality, rendering what is due, proportionality, and conformity with the standard of God’s law—imply that people have rights. These rights are implicit in the laws that are the standard of justice, most importantly the Ten Commandments. Consider those commandments with their obvious economic applications. The Fourth Commandment is “Remember the Sabbath day, to keep it holy. Six days you shall labor, and do all your work, but the seventh day is a Sabbath to the LORD your God. On it you shall not do any work, you, or your son, or your daughter, your male servant, or your female servant, or your livestock, or the sojourner who is within your gates ...” This implies that people have a duty to rest one day in seven and therefore a right not to be forced to work every day. The Eighth, “You shall not steal,” implies that people have a duty to respect others’ property and a right not to have their property taken or harmed without just cause. The



Ninth, “You shall not bear false witness,” implies that people have a duty not to lie or to defame their neighbors and a right not to be lied to or defamed. And the Tenth, “You shall not covet,” implies that people have a duty to respect whatever belongs to others and a right not to be envied or condemned for having what others don’t.

Negative and Positive Rights

An important question is whether God’s law, the standard of justice and the basis of rights, entails both *negative* rights—rights against harm—and *positive* rights—rights to certain benefits. Does my right not to be murdered, for example, mean I have a right to life? Does my right not to have my property stolen mean I have a right to food?

It’s easy to let common usage confuse us. Of course I have a *right to life*. Nobody should murder me! We even have a whole political movement called the “right to life” movement—and I would be the last person on Earth to oppose that movement’s goal of making abortion illegal except to save the life of the mother.

But consider this question: Does a murderer still have a right to life, or has he forfeited it? Since God’s law says a murderer is to be executed (Genesis 9:6; Exodus 21:12, 14; Romans 13:4), it follows that one’s right to life is limited. It can be forfeited. Or consider another question: Does a person who refuses to work have a right to food? If the food is his property, undoubtedly he has a right to it, since the Eighth Commandment says, “You shall not steal.” But what if he owns no food? Does he still have a right to food? What does Scripture say? “If anyone is not willing to work, let him not eat” (2 Thessalonians 3:10). Or yet another question: Does the owner of a luxury sailboat have a right to it? Well, yes; since we’ve already defined him as the *owner*, the Eighth Commandment entails that he has a right to it. But does he have a right for others to give it to him and maintain it for him? Now perhaps it becomes easier to see what we really mean by “right to it.” We mean he has a right *not to have it stolen*.

That is what I think we really mean by “right to life” and “right to food,” and indeed properly by any assertion of a “right to” anything. We have the right *against* having it taken or destroyed without just cause. My right to a good name means I have a right not to be defamed by false or injurious language—but it doesn’t mean I have a right to be called honest if I’m a liar, or hard-working if I’m lazy. My right to a car means I have a right not to have my car stolen; it doesn’t mean I have a right to any car without paying for it. My right to life means I have a right not to be murdered or assaulted, but it doesn’t mean I have a right to have someone else ensure that all the conditions of my survival are met.

Properly understood, rights are not guarantees that something will be *provided for us* but guarantees that what is ours will not be unjustly *taken from us*. That is, properly speaking, rights are not *positive* but *negative*.

Why?

First, because there’s no objective, universal, unchanging standard by which to determine how much of any given benefit everyone has a right to. Since justice requires impartiality, proportionality, and conformity to the standard of God’s law, rights must be the same and unchanging for everyone. If everyone has a right to food, how many calories per day, and of what composition (meat, vegetables, grains, dairy products, fish) and quality does everyone have a right to? Does the 30-pound three-year-old have a right to the same food as the 200-pound thirty-year-old farm laborer? If everyone has a right to shelter, of what size and quality and in what location must it be? Is it even possible for two persons to have a right to shelter in the same location? But since, as every realtor knows, the fundamental rule of home value is “location, location, location,” how can two people both have the same right to shelter if they can’t both have it in the same spot?

Second, this reasoning points toward another problem with positive rights. The assertion of positive rights necessarily entails the violation of negative rights, while the assertion of negative rights doesn’t. If someone has a positive right to food but refuses to work for it, his

“right” can be supplied only by taking food from someone else who has worked for it—i.e., from someone to whom it properly belongs. Such a “right” violates the Eighth Commandment.

The economist Walter Block put the case against positive rights clearly and succinctly. He noted six ways in which negative and positive rights can be contrasted, demonstrating how the former are legitimate while the latter are not. Here is a summary:

- “Negative rights are *timeless*. A ... caveman had a right to be left alone[, and so do we today]. The same does not hold for positive rights. Did a caveman have a right to a modern level of food, clothing, shelter, and medical care?”
- Negative rights are *realistic and realizable*; positive rights are neither. In theory, “We could, if we all resolved to, keep our mitts to ourselves and not murder, rape, or commit mayhem on other people. ... But could we, merely by resolving to, achieve a world where all positive-rights obligations are being met? No. It is simply impossible ... to give everyone in the world ... the same level of income that North Americans now enjoy.”
- A negative-rights view distinguishes *human and moral* action from natural and amoral action. Natural forces sometimes destroy property, health, even lives. A positive-rights view, which insists that all have rights to equal conditions, absurdly implies that hurricanes violate people’s rights.
- Negative rights accommodate *changing personal conditions*, but under positive-rights theory one person’s increase in any good implies another’s relative diminution—since positive rights are not merely equal rights but rights to equal things.
- The positive-rights view destroys the very concept of *charity*, for the recipient may legitimately claim that any excess in the giver’s wealth over his own violates his positive right to equality of condition and therefore that the giver owes him the difference.
- Negative rights can truly be *equal and universal* (all have an equal right not to be molested), but positive rights cannot. Some differences of condition (age, sex, height, in-born intelligence,

birth parents—indeed almost every aspect of life) can't possibly be equalized.

Furthermore, advocates of positive rights cannot justify either (a) limiting the equalization of wealth to any geographic boundaries (“A welfare system that would make the North American recipient a very rich person indeed were he to live in Bangladesh can hardly be justified, especially on the egalitarian grounds of the welfare rights philosophy”), or (b) limiting equalization merely to wealth, which, after all, is less important than such things as intellect and talent. “Suppose there were a machine that could transfer IQ or beauty or talent from one person to another. Should we force those who have more of these attributes to share them, via this machine ...? That would be real equality, compared to which the cry for transfers of money from rich to poor pales into insignificance. Such a nightmare vision of positive rights is of course not compatible with negative liberty. Rather, it is part and parcel of a brave new world of indistinguishable, interchangeable human beings. That is where the philosophy of forced egalitarianism leads us to, ultimately.”¹⁸

Five Types of Justice

Biblical usage reveals five types of justice: commercial, vindictive, retributive, punitive, and remedial.

The first, *commercial* (also called “commutative”), defines *voluntary relationships* in which buyer and seller treat each other justly, that is, in accord with God’s moral law. Such commercial justice would be truthful (in accord with the Ninth Commandment, “You shalt not bear false witness . . .”), peaceful (in accord with the Sixth Commandment, “You shalt not kill”), and respectful of each other’s property (in accord with the Eighth Commandment, “You shalt not steal”). Laws against theft, fraud, and violence, and laws requiring performance of contracts (oaths, vows, or promises) express this type of justice. For instance: “You shall not steal; you shall not deal falsely; you shall not lie to one another. . . . You shall not oppress your neighbor or rob him. The wages of a hired servant shall not remain with you all night until the morning” (Leviticus 19:11, 13).



Commercial justice requires that if we desire what another has, we must offer something he prefers in exchange for it, not acquire it by force or fraud—whether directly (picking his pocket) or indirectly (using a law to take from him and give to ourselves or others). Violations of commercial justice by fraud, theft, or violence bring punitive and vindictive justice into play as correctives.

The other four types of justice all apply not to voluntary but to *involuntary relationships*.

When one person violates another’s rights (which are defined by justice), the injury is to be redressed by vindictive, retributive, and punitive justice. *Vindictive justice* judges the victim right in his cause (1 Kings 8:32; Deuteronomy 25:1). *Retributive justice* (from the Latin *re*, “back,” and *tribuere*, “to pay”) requires the offender to restore the victim to his status before the offense (Exodus 22:1–15). *Punitive justice* applies a penalty to the offender as punishment for violating the law (Romans 13:4). In crimes against *property* (theft or destruction), punitive and retributive justice combine in the offender’s restoring what was taken or destroyed (retribution, also called restitution) plus some additional amount (punishment).

Consider some examples from Scripture.¹⁹ If a thief voluntarily confesses his crime and makes restitution, he is to repay what he stole plus, as punishment, one fifth (Leviticus 5:14–16; 6:1–5; 22:14; Numbers 5:5–8). If he is caught, he is to repay what he stole and, as punishment, double it (Exodus 22:4, 7).²⁰ In crimes against *persons*, punitive justice requires the criminal to suffer proportional loss, and retributive justice requires him to bear the costs of the injury—except in murder, in which case the criminal is to bear the same loss as the victim (Exodus 21:12–27).

Sometimes someone harms another accidentally. Then, *remedial justice* requires the one who caused the harm to share the cost equally with the victim (Exodus 21:35) but adds no penalty. But if he is negligent, he must be punished by bearing the whole loss (Exodus 21:33–34, 36), restoring the victim fully to his former state at his own expense.

What About Social Justice?

We’ve considered five types of justice: commercial, vindictive, retributive, punitive, and remedial. What about *social justice*?

When people speak of “social justice,” sometimes their definition may be consistent with Biblical justice. For instance, they may mean to distinguish it from *personal justice*. In this sense, social justice means the application, on societal scale, of the principles of justice, while personal justice means their application on an individual scale. The *just person* renders impartially and proportionally to everyone his due, according to the righteous standard of God’s moral law. In the *just society* people impartially and proportionally experience their due, according to that standard. This “social justice” simply describes a society in which rules apply equally to all people in all situations. Sometimes this is called “distributive justice” because it means justice (not wealth or power or intellect, etc.) is “distributed” across society. However, the label “distributive justice” risks being mistaken for a call to redistribute wealth.

But sometimes, instead, when people speak of social justice, they mean a social order that aims at equality of *opportunity* or even of *outcome*. But this equality of either opportunity or outcome can be achieved only by violating the very criteria of Biblical justice—impartiality, proportionality, desert, and conformity with a righteous standard. Yet, “equality of outcome” is the primary sense in which the Progressive movement has used the term for over a century. This sort of “social justice” necessarily asserts *positive* rights and leads inexorably to the violation of *negative* rights. In this sense, “social justice” is really, by Biblical criteria, *injustice*.

It is tempting and common to think of social justice as nothing more than “the fair distribution of advantages, assets, and benefits among all members of a society,” as a website sponsored by the Department of Canadian Heritage defines it.²¹ That sounds innocuous. Who could be against *fair* distribution of *anything*?

The trouble is that fairness is a *moral* quality and depends on there being a *moral agent*—someone, a person, with moral capacity—actively doing the distributing. But for the vast majority of advantages, assets, and benefits, no such person does the distributing—unless we believe God sovereignly and providentially controls all things.²² While that belief is Biblical, it doesn’t justify government’s intervening to change whatever has already been distributed or given, before the government shows up. That is, it doesn’t justify redistribution, for God owes no one anything and therefore can “make out of the same lump one vessel for honored use and another for dishonorable use” (Romans 9:21). What, for instance, can be a more important asset than intellectual ability? Yet no one but God distributes that, and the very attempt to level intellectual ability in society requires partiality—the unequal application of rules to various people. Such partiality inevitably leads not to an increase but to a decrease in overall intellectual accomplishment. For while it is possible to restrain learning by withholding opportunities or incentives, it is impossible to force the naturally less intelligent or disciplined to learn more. We can “level down,” but we cannot “level up.”

As the late social philosopher Friedrich Hayek explained:

It has of course to be admitted that the manner in which the benefits and burdens are apportioned by the market mechanism would in many instances have to be regarded as very unjust *if* it were the result of a deliberate allocation to particular people. But this is not the case. Those shares are the outcome of a process the effect of which on particular people was neither intended nor foreseen by anyone when the institutions first appeared—institutions which were then permitted to continue because it was found that they improve for all or most the prospects of having their needs satisfied. To demand justice from such a process is clearly absurd, and to single out some people in such a society as entitled to a particular share is evidently unjust.²³

When people speak of “the fair distribution of advantages, assets, and benefits among all members of a society,” they tacitly assume that some identifiable person or persons, other than God, do the distributing. But no such moral actors exist with regard to the most important advantages, assets, and benefits. No George or Mary consciously determines the genetic inheritance of Richard or Sally, but that genetic inheritance largely determines Richard and Sally’s physical and mental capacity. No Deborah or Henry consciously determines where Elaine or Chung-Ho will be born—in an affluent American suburb or a desolate and deprived North Korean village.



But the place and time of one’s birth has tremendous consequences for educational and vocational opportunities. It isn’t “society” that determines that Andrea or Peter will be born to parents who highly value education, or sports, or the fine arts, or travel, rather than parents who don’t. Yet the values and circumstances of birth, too, largely determine the child’s opportunities and outcomes. And, if we are seeking to equalize outcomes, what justifies our excluding the time of one’s birth from our consideration of advantages, assets, and benefits? *No one* born in the eighteenth century B.C., or even in the eighteenth century A.D., no matter how rich or powerful his parents, had the same opportunities to acquire nutrition, education, medical care, or technology that *most people* born in developed countries in the twentieth and twenty-first centuries have; and the latter in turn will likely be hugely “disadvantaged” compared with people born in the twenty-third century A.D. Whom may we blame for any of these and myriad other *inequalities* that Progressive social justice would deem *injustices*?

Progressive social justice violates negative rights and Biblical criteria for justice in order to give positive rights as the government tries to mitigate such inequalities. To raise Charles’s opportunities or outcomes relative to Elizabeth’s, the government must treat Charles and Elizabeth differently—taking from her, in order to benefit him. That different treatment is precisely what is forbidden by the Biblical principle of impartiality. Taking from Elizabeth violates her right against unjust taking (i.e, theft) of her property.

Why Does the Bible Speak So Much of Doing Justice for the Poor?

Scripture forbids partiality either in favor of or against the poor (Exodus 23:3, 6; Leviticus 19:15). Nonetheless, it also frequently associates help for the poor with justice (Psalm 72:2, 4; 82:3; 140:12; Proverbs 29:14; 31:9). Why?

Because the poor are particularly vulnerable to injustice in ways others aren’t. The poor, therefore, are more frequently victims of

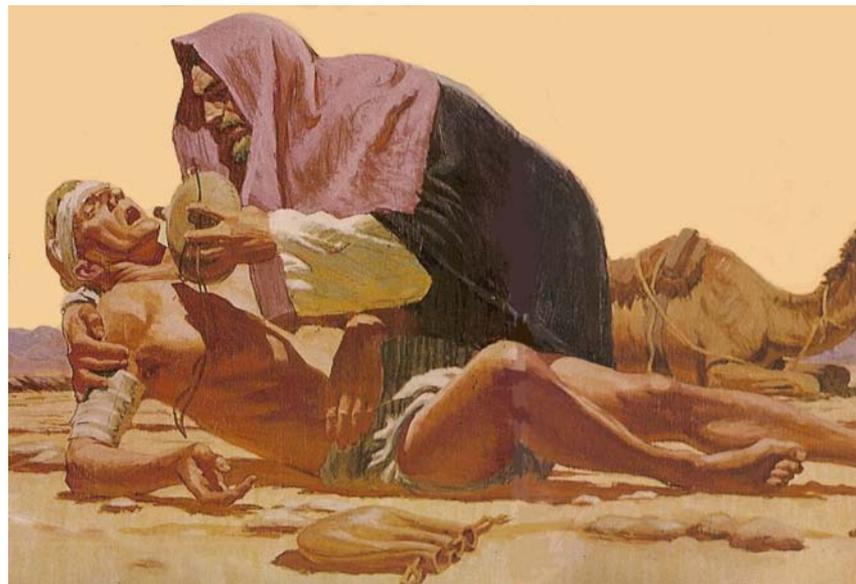
injustice than are others. Furthermore, the many Hebrew words translated “poor” in these contexts often emphasize not material destitution but vulnerability to oppression. In other words, it is not simply because they are poor that Scripture tells us to help the poor by administering justice. We should, of course, administer justice for rich and poor alike. However, we focus on justice for the poor because they are so often victims of injustice.²⁴ In contrast, we are to exercise *charity*, or grace, toward them simply because they are poor.²⁵

While justice, then, is never *partial* to the poor (Exodus 23:3), it recognizes that the poor are often vulnerable to injustice. Justice is therefore particularly apt to come to their aid in vindication, justification, or salvation from oppressors (see also Psalm 140:12; Proverbs 29:7, 14; 31:9; Ecclesiastes 5:8; Isaiah 3:14; 10:2; 11:4; 32:7; Jeremiah 5:28; 22:16; Ezekiel 18:17; Amos 5:12).

But Aren't We Supposed to Help the Poor?

Does this make it wrong to try to mitigate inequalities? No. It only makes it wrong to try to do so *through force of government*. Voluntary efforts are good and do no injustice. And the reason for this distinction is that what is *voluntary* is a matter of grace (charity), not of justice. The Bible clearly teaches that we should “remember the poor” (Galatians 2:10) and share with those who are in need (Ephesians 4:28). It instructs God’s people,

If among you, one of your brothers should become poor ... you shall not harden your heart or shut your hand against your poor brother, but you shall open your hand to him and lend him sufficient for his need, whatever it may be.... You shall give to him freely, and your heart shall not be grudging when you give to him, because for this the LORD your God will bless you in all your work and in all that you undertake. For there will never cease to be poor in the land. Therefore I command you, ‘You shall open wide your hand to your brother, to the needy and to the poor, in your land.’ (Deuteronomy 15:7–11)



But what the Bible never does is put responsibility for charity into the hands of the civil government. While it prescribes civil penalties for murder, adultery, theft, and false witness, it never hints at civil penalties for failure to give to the poor. Why?

Because God ordained the state to dispense justice, and the church to dispense grace. Law came by Moses, grace by Jesus Christ (John 1:17). Justice, as we have seen, entails negative rights. It cannot prescribe (imaginary) *positive* rights. Granting unearned benefits is grace, not justice. And when the state—the legal monopoly of force—gives benefits to some as “positive rights,” it must take them, by force if necessary, from others. Such a forceful removal violates their (real) negative rights.

Recognizing this distinction is fundamental to the gospel. Blurring it undermines the gospel. The Biblical gospel is that justification is by grace alone, through faith alone, in Christ alone, to the glory of God alone. This gospel tells us God “saved us, not because of works done by us in righteousness, but according to his own mercy” (Titus 3:5). It says, “God shows his love for us in that while we were still sinners,

Christ died for us” (Romans 5:8). It says, “by *grace* you have been saved through faith. And this is not your own doing; it is the gift of God, not a result of works, so that no one may boast” (Ephesians 2:8–9). From the standpoint of the gospel, one cannot require that justice equalize inequality and provide positive rights. Such a position is fatal.

Paul makes the distinction clear: man’s own righteousness (or justice) is “from the law” (Philippians 3:9). Therefore, since all have broken the law, no man is righteous in himself (Romans 3:9–20). The just desert of sin is death (Genesis 2:17; Ezekiel 18:20; Romans 1:32), not life. If a person’s justification were by works of the law, it would not be “a *gift* [*charis*, grace] but ... *his due*” (Romans 4:4; compare 3:20–4:3). Whatever is of justice is not of grace, and whatever is of grace is not of justice.

It is troubling, therefore, to see Progressive evangelicals disparaging charity in contrast with justice in meeting the needs of the poor.²⁶ Properly understood, charity—i.e., grace—is just as important a response to people’s needs as justice. Where the needy suffer because they have been unjustly treated, they need justice. If such justice is

not attainable, they need charity. Where they suffer because they have harmed themselves, or by historical circumstances (i.e., divine providence), there too they need charity.

Conclusion

Let there be no misunderstanding. Refusing to equate justice with grace does not excuse disobeying God’s commands to give charitably to the poor. Personal righteousness requires *graciously* serving the poor—and not only the materially poor but people with all kinds of needs. Believers, individually and corporately, owe our Sovereign this gracious service to the needy.

But if care for the needy is made a matter of justice *to the needy* rather than *to God*, then grace becomes law. Then, the needy—and those who merely profess to be needy—may claim the benefits of grace as their due by justice. In so doing, they appeal to the state for their enforcement, since God has ordained the state to enforce justice. Such an appeal leads to all the inherent contradictions of positive rights and the stultifying effects of wealth redistribution by the coercive power of the state. Even worse, it blinds them to their deepest need: the grace of God offered in the gospel of Jesus Christ.

When God commands justice, we are to do justice, and the state is to enforce it. When He commands grace, we are to exercise grace. But it is precisely because grace is not justice, and because God ordained the state to enforce justice, that the state is never to enforce grace. Indeed, “forced grace”—the real meaning of Progressive “social justice”—is a contradiction in terms.



Endnotes

- 1 Robert Higgs, "Communism's Persistent Pull," *The Beacon Blog*, December 9, 2010, online December 11, 2010, at <http://www.independent.org/blog/index.php?p=8826>.
- 2 Francis Brown, S. R. Driver, and Charles A. Briggs, eds., *A Hebrew and English Lexicon of the Old Testament* (Oxford: Clarendon Press, 1907, 1953, 1978), p. 1030; boldface and parentheses original.
- 3 Ibid.
- 4 The verb *shamat* appears elsewhere in the OT only five times (2 Samuel 6:6 [parallel to 1 Chronicles 13:9]; 2 Kings 9:33; Psalm 141:6; Jeremiah 17:4). In none is a permanent dropping implied, and in the last the context shows that it must be temporary.
- 5 Arthur G. Gish, *Living in Christian Community* (Scottsdale, PA: Herald Press, 1979), 70.
- 6 José Porfirio Miranda, *Communism in the Bible*, translated by Robert R. Barr (Maryknoll, NY: Orbis, 1982), 7.
- 7 Ronald J. Sider, *Rich Christians in an Age of Hunger*, 2d ed. (Downers Grove, IL: InterVarsity Press, 1984), 96, 98.
- 8 See R. C. H. Lenski, *The Interpretation of I and II Corinthians* (Minneapolis: Augsburg, 1963), 1145–1147.
- 9 See Colin Brown, ed., *The New International Dictionary of New Testament Theology*, 3 volumes (Grand Rapids: Zondervan, 1967, 1969, 1971), 2:361–371 (on judgment), 3:347–352 (on right, worthy), and 3:352–377 (on righteousness, justification), and for studies particularly focusing on economic applications, see E. Calvin Beisner, "Justice and Poverty: Two Views Contrasted," *Transformation*, vol. 10, no. 1 (January/April 1993), 16–22, revised and reprinted in *Christianity and Economics in the Post-Cold War Era: The Oxford Declaration and Beyond*, edited by Herbert Schlossberg, Vinay Samuel, and Ronald J. Sider (Grand Rapids: Eerdmans, 1994), 57–80.
- 10 Gleason Archer, R. Laird Harris, and Bruce Waltke, eds., *Theological Wordbook of the Old Testament* (reprint edition, Chicago: Moody Publishers, 2003), entry 1879.
- 11 Archer, Harris, and Waltke, eds., *Theological Wordbook*, entry 2443.
- 12 Archer, Harris, and Waltke, eds., *Theological Wordbook*, entry 1879.
- 13 Archer, Harris, and Waltke, eds., *Theological Wordbook*, entry 426.
- 14 Walter Bauer, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 2d ed., edited by William F. Arndt and F. Wilbur Gingrich (Chicago and London: University of Chicago Press, 1979), 195–198.
- 15 Bauer, *Lexicon*, 450–453.
- 16 Beisner, "Justice and Poverty," in *Christianity and Economics in the Post-Cold War Era*, 64.
- 17 Compare Exodus 23:3, 6; Leviticus 19:15; Deuteronomy 16:19; Job 13:10; Proverbs 18:5; 24:23; 28:21; 1 Timothy 5:21; James 2:1–9; 3:17). God Himself is the chief exemplar of impartiality in judgment (Deuteronomy 10:17; 2 Chronicles 19:7; Job 13:8; Acts 10:34; Rom. 2:11; Ephesians 6:9; Colossians 3:25; 1 Peter 1:17), and He condemns all partiality in judgment or government (Psalm 82:2; Malachi 2:9).
- 18 Walter Block, "Private Property, Ethics, and Wealth Creation," in *The Capitalist Spirit: Toward a Religious Ethic of Wealth Creation*, edited by Peter L. Berger (San Francisco: Institute for Contemporary Studies, 1992), 122–126.
- 19 Reflecting widespread Christian understanding, the seventeenth-century *Westminster Confession of Faith*, chapter 19, explains that Old Testament law came in three categories. Moral law binds all people everywhere and always and is summarized in the Ten Commandments. Ceremonial law prefigured the Messiah's redemptive work, was fulfilled when He completed that work and so binds no one since then, and was embodied in sacrificial, holiness, and dietary codes. Civil law was designed specifically for Old Testament Israel as a "body politic" that was also "a church under age." Since no nation after Christ's coming is also "a church under age," Old Testament civil law binds no nation. Although the *principles of justice* underlying specific civil laws remain binding, the *specific manner of applying them* does not.
- 20 In certain instances and for reasons difficult to determine today, when the thief steals livestock and slaughters or sells it, he is to restore what he took plus, as punishment, three to four times as much (Exodus 22:1).
- 21 http://www.glenbow.org/mavericks/teacher/english/thm_poli/glossary.html.
- 22 This is actually what Adam Smith, the eighteenth-century Scottish moral philosopher who was the founder of modern economics, meant by "the invisible hand," the most widely recognized but generally misunderstood of his ideas. See E. Calvin Beisner, "Stewardship in a Free Society," in *Morality and the Marketplace*, A Christian Vision Book, Volume 7, edited by Michael Bauman (Hillsdale, MI: Hillsdale College Press, 1994), 17–35, at 26–28.
- 23 Friedrich A. Hayek, *Law, Legislation and Liberty*, volume 2, *The Mirage of Social Justice* (University of Chicago Press, 1976), 64–65, emphasis original. This entire volume is an invaluable study of the internal incoherence—the self-refuting character—of the Progressive idea of social justice.
- 24 E.g., Psalm 72:2, 4; 74:21; 82:3; 109:31; 140:12; Proverbs 22:22; 28:3; Ecclesiastes 5:8; Isaiah 3:14; 10:2; 11:4; Jeremiah 5:28; Amos 2:6; 5:12.
- 25 E.g., Deuteronomy 15:7–11; Psalm 112:9; Proverbs 19:17; 22:9; 28:27; Matthew 19:21; Mark 10:21; Luke 19:8; 2 Corinthians 9:6–9.
- 26 E.g., Sider, *Rich Christians*, 83.



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