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## INTRODUCTION

*This is he [Moses] that was in the church in the wilderness with the angel which spake to him in the mount Sinia and with our fathers: who received the lively oracles to give unto us: To whom our fathers would not obey, but thrust him j-em them, and in their hearts turned back again into Egypt (Acts 7:38-39).*

We are witnessing today a recapitulation of Moses' experience with the Jews of his day. Protestant fundamentalist Christians have their eyes on the sky, their heads in the clouds, their hearts in Egypt, and their children in the government's schools. So, for that matter, do most of the other Christian groups. The handful of Christian Reconstructionist authors who are serving as modern-day Stephens with respect to defending the continuing validity of biblical law have experienced a response from the various ecclesiastical Sanhedrins of our day somewhat analogous to the response that Stephen's testimony produced: verbal stones. (Prior to 1986, we received mostly stony silence. )

If the modern church were honest,. it would rewrite one of the popular hymns of our day: "O, how hate I thy law, O, how hate I thy law. It is my consternation all the day." But the modern church, hating God's revealed law with all its Egyptian heart, is inherently dishonest. It is self-deceived, having no permanent ethical standards to use as an honest mirror. The hearer of the word who refuses to obey, James says, is like a man who beholds his face in a looking glass, walks away, "and straightway forgetteth what manner of man he was" (James 1: 24b). The modern Christian refuses even to pick up the mirror of God's law and look.

*Tools of Dominion* is the final volume of my economic commentary on the Book of Exodus. This multi-volume commentary on Exodus constitutes the second installment of my general series, *The Dominion Covenant*, also titled "An Economic Commentary on the Bible." No

doubt these multiple names will drive future graduate students crazy as they try to footnote each volume. I had hoped to see Exodus published someday as a two-volume hardback set, but the size of this third volume precludes such a venture. The first volume of the general series, on Genesis, was published in 1982.<sup>1</sup> The first Exodus volume, *Moses and Pharaoh*, covers Exodus 1-18.<sup>2</sup> The second volume, *The Sinai Strategy*, covers Exodus 20.<sup>3</sup> (I have found nothing with specifically economic content in Exodus 19. Given the costs of typesetting and the difficulty of re-indexing, I hope I never do.)

### Fat Books and Social Transformation

This is a fat book. I have no illusions about its becoming a best-seller. But I hold to what I call the fat book theory of social transformation. Most of the major turning points in Western history have had fat books at their center. The Bible is certainly a fat book. Augustine's *City of God* is a fat book, and by adhering to the biblical worldview, it restructured Western civilization's concept of history.<sup>4</sup> Thomas Aquinas' *Summa Theological* is a fat book, and it gave the medieval West the crucial synthesis of scholastic philosophy, an intellectual tradition still defended by a handful of Roman Catholic conservatives and (implicitly, at least) by most contemporary Protestant fundamentalist philosophers. John Calvin's *Institutes of the Christian Religion* is a fat book, and it structured a large segment of Reformation theology.

Christians have not been the only social transformationists who have written fat books that have changed Western civilization. Thomas Hobbes' *Leviathan* is a fat book, and it launched the long tradition of social contract political theory. Immanuel Kant's *Critique of Pure Reason* is a fat book, and you just about have to take his *Critique of Practical Reason* as its companion volume. This set restructured modern philosophy, and in the twentieth century, theology (by way of Karl Barth and Emil Brunner).<sup>5</sup> William Blackstone's *Commens* -

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1. *The Dominion Covenant: Genesis* (Tyler, Texas: Institute for Christian Economics, 1982). Reprinted with additions, 1987.

2. *Moses and Pharaoh: Dominion Religion vs. Power Religion* (Tyler, Texas: Institute for Christian Economics, 1985).

3. *The Sinai Strategy: Economics and the Ten Commandments* (Tyler, Texas: Institute for Christian Economics, 1986).

4. Karl Lowith, *Meaning in History* (University of Chicago Press, 1949), ch. 9.

5. Cornelius Van Til, *The New Modernism* (Philadelphia: Presbyterian & Reformed, 1947).

*taries on the Laws of England* is a four-volume fat book, yet it was read by just about every lawyer in the British colonies after 1765. *The Federalist* is fat. (Of course, it had its greatest initial effect as a series of newspaper articles, 1787-88, during the debate over the ratification of the U.S. Constitution, which gives us some comparative indication of the recent effects of humanist public school programs to achieve universal literacy in the United States. Try to get the average American newspaper reader to read, digest, and comment on *The Federalist*.)

A decade after Blackstone's Commentaries, came Adam Smith's *Wealth of Nations*, a fat book. Karl Marx's *Das Kapital* is a fat book; if you include the two posthumous volumes, it is a very fat book. If you include his posthumous multi-volume *Theories of Surplus Value*, it is positively obese. All these fat books have sat on library shelves and have intimidated people, generation after generation. And a handful of influential people actually went to the effort to read them, subsequently believed them, and then wrote more books in terms of them.

#### *Exceptions to the Rule*

There are exceptions to my fat book theory. Machiavelli's *The Prince* is a thin book. So is his *Discourses*. John Locke's *Second Treatise of Government* is a thin book. Jean Jacques Rousseau's *Social Contract* is thin. So is Edmund Burke's *Reflections on the Revolution in France*.

Then there are medium-sized books. The first edition of Charles Darwin's *Origin of Species* was a medium-sized book. John Maynard Keynes' *General Theory of Employment, Interest, and Money* is a medium-sized book. So is F. A. Hayek's *Road to Serfdom*. (But when he wrote it, Hayek's bookshelf contained Eugen von Böhm-Bawerk's three-volume *Capital and Interest* and Ludwig von Mises' *Theory of Money and Credit, Socialism, and Nationalökonomie [Human Action]*, all of which are fat books.)

Thin and medium-sized books have their rightful place in initiating social transformations. But to maintain such a transformation, there had better be some fat back-up books on the shelf. "What should we do now?" the initially victorious revolutionaries inescapably ask. Fat books provide answers. More than this: *if fat books with believable answers are not already on the shelf, there will not be a successful social transformation*. Men will not draw others into their revolutionary cause unless the potential recruits become persuaded that the promoters have answers to specific real-world problems — problems that contemporary society is not dealing with successfully.

Producing a true revolution requires the support of many kinds of printed materials, from pamphlets to thick, technical volumes. Those in the midst of a revolution seldom have time to think through every aspect of the changes their slogans and actions are producing, but the revolution's leaders need to know that the basic theoretical work has been done, that workable, principled, and consistent answers to specific historical problems are in reserve, and that after the dust settles, the heirs of the revolution will be able steadily to restructure society in ways that are consistent with the ideals of the revolution. This faith has been misplaced on many past occasions, the obvious example being Communists' faith in Marx's *Das Kapital*, which had been inaccurate economics in theory, and which could not be applied successfully in any Communist nation without destroying the productivity of that economy. But it was necessary that at least the first volume of *Das Kapital* be on the shelves of the revolutionaries (the three subsequent volumes were not published in the lifetime of either Marx or Engels). Its very presence gave confidence to those who were launching the Communist revolution. The book was fat and unreadable, but that was an advantage; men's faith in Marx's solutions was not shattered by ever having read it.

The wise social strategist writes fat books and thin books and books in between, not knowing which will work. Augustine and Aquinas wrote all sorts of books. So did Kant, whose brief *Universal Natural History and Theory of the Heavens* first proposed the idea of galactic evolution. Darwin kept fattening up *Origin*, and then added *The Descent of Man*. Marx wrote the *Communist Manifesto*, plus endless journalism pieces, some of which constituted books. He also was in partnership with Frederick Engels, who was smart enough to extract and separately publish *Socialism: Utopian and Scientific* from the still-born *Herr Eugen Dühring's Revolution in Science*. Lenin wrote materials of all sizes, decade after decade. I, too, have written my share of thin and medium-sized books. (Well, mostly the latter.)

#### *Why So Fat?*

This book is fat, but it is not unreadable. It may sit on many shelves for many years, but those who open it will be able to find specific answers to real-world economic problems — answers that are self-consciously structured in terms of the revealed word of God. If my answers were not detailed, if my logic were not spelled out, and if my sources were not cited in full, then this book could no more

serve as a reliable guide to economic reconstruction than some fat polemical tract published by the Maryknoll Order or written by a sociology professor at Wheaton College.

*Tools of Dominion* is a commentary, not a novel; it is a reference work, not a catechism. It tries to accomplish a great deal: exegete verses, describe how they applied in the Old Testament era, explain why they should be applied today, and offer examples of how they might be applied in practice. It is large because I want it to serve for many years (preferably centuries) as one of the two key reference works on specific applications of biblical law in economics and jurisprudence; the other is not yet written: my commentary on Deuteronomy. I have decided to extract from this book separate sections that deal with narrower problems, which I intend to publish under separate titles: *Clean Living: A Biblical View of Pollution*, *Victim's Rights: A Biblical View of Jurisprudence*, and *Slavery: A Biblical View*. Nevertheless, I have retained the same information in this volume, simply because not every library will have the other three books plus this one on its shelves. I want to make certain that readers of this comprehensive volume have all of my arguments in front of them.

In some ways, I wish I could imitate Moses Maimonides, the late-twelfth-century Jewish scholar. In defending the style of the enormous output of his life's literary work (he was also a full-time physician to the Sultan in Cairo), including his monumental fourteen-volume *Code* (the *Mishneh Torah*), he wrote: "All our works are concise and to the point. We have no intention of writing bulky books nor of spending time on that which is useless. Hence when we explain anything, we explain only what is necessary and only in the measure required to understand it, and whatever we write is in summary form. . . . Were I able to condense the entire Talmud into a single chapter, I would not do so in two."<sup>6</sup> The problem with his concise style is this: when we go to his *Code* (which is not a detailed commentary, despite its huge length), time and again we cannot follow his reasoning. It is not simply because we are gentiles living many centuries later; learned contemporary rabbinical correspondents expressed this same dissatisfaction to him. <sup>7</sup>It takes considerable expla-

6. Cited in Isadore Twersky, *Introduction to the Code of Maimonides (Mishneh Torah)* (New Haven, Connecticut: Yale University Press, 1980), p. 45.

7. See, for example, his lengthy reply to Rabbi Phinehas ben Meshullam, judge in Alexandria: *ibid.*, pp. 30-37. Twersky cites Rabbi Joseph Karo, the sixteenth-century scholar and Kabbalist: "The generations that followed him could not understand his works well . . . for the source of every decision is concealed from them. . . ." Twersky then remarks: "To this day [1980], the quest for *Mishneh Torah* sources in unknown Midrashim and Geonic responsa, variant readings, etc., continues unabated as one of the main forms of Rabbinic scholarship ." *Zbid.*, p. 106.

nation, plus running debates in footnotes, to clarify scholarly points. Better to write a long book that can be digested in a series of bite-sized portions than a highly condensed book that takes enormous intellectual energy and vast background knowledge in order to decipher.

I had to make this book long in order to make each section coherent. Writing which is highly condensed is too difficult to read, too easy to skip over key parts in some argument, and therefore too easy to misinterpret. On the other hand, long, involved arguments are difficult to follow and remember. Therefore, I have broken up long arguments into manageable portions by adopting a liberal use of subsections and sub-subsections, plus summaries at the end of each chapter, and in my lengthy chapter on pollution (Chapter 18), at the end of each major section. I strongly recommend that whenever you see a bold-faced subhead, you should pay attention to it; the same goes for the italicized sub-subheads. They are there to help you get through each argument, as well as for convenient reviewing.

This book is supposed to be consumed in bite-sized portions; I have therefore done my best to make every mouthful both tasty and nourishing. To keep readers in their chairs and turning the pages of this book, I have done my best to put useful information on every page. There is no fluff in this book. The extended footnotes are also filled with all sorts of choice tidbits that would otherwise be quite difficult to locate. I also use footnotes for running debates that do not belong in the main text. I sometimes settle scores with my critics in the footnotes. Footnotes can be fun!

### Why an Economic Commentary?

I have explained in the Introduction to my economic commentary on Genesis why I began this project in 1973.<sup>8</sup> I presented there my case for the whole idea of a specifically economic commentary. Basically, my reason is this: the Bible presents mankind with a God-mandated set of social, economic, educational, political, and legal principles that God expects His people to use as permanent blueprints for the total reconstruction of every society on earth. *The Dominion Covenant* provides a model of what kind of exegetical materials can and must be produced in every academic field if Christians are successfully to press the claims of Christ on the world. Since the publication of the first two commentaries on Exodus, I have also edited

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<sup>8</sup> Initial presentations of my economic commentary on the Pentateuch appeared monthly in the *Chalcedon Report*, from 1973 until 1981.

and published a ten-volume set of books that I call the Biblical Blueprints Series, four of which I wrote.<sup>9</sup>

What I want to stress from the outset is that writing this economic commentary has been very nearly a bootstrap operation. For almost two thousand years, Bible commentators – Jews and gentiles – have simply not taken seriously the specific details of Old Testament law. Despite the fact that John Calvin did preach about two hundred sermons on the Book of Deuteronomy, including its case laws,<sup>10</sup> and that the Puritans, especially the New England Puritans, did take biblical law seriously,<sup>11</sup> they did not write detailed expositions showing how these laws can be applied institutionally in New Testament times.

I found only two exegetical books repeatedly useful in writing this volume: R. J. Rushdoony's *Institutes of Biblical Law* (1973) and James Jordan's *Law of the Covenant* (1984). Both are recent studies, and both are written by people who share my view of how the Old Testament case laws should be read, interpreted, and applied in New Testament times. This exegetical approach is unquestionably new, especially when coupled with Cornelius Van Til's presuppositional apologetics. This is why the Christian Reconstruction movement does represent a major break with recent church history. On this point — and just about only on this one — Reconstructionism's critics are correct. We represent a discontinuity in church history.<sup>12</sup> Christian Reconstructionists alone have gone to the Bible's legal passages in search of permanent authoritative guidelines ("blueprints") for what society ought to do and be. In this sense, we Reconstructionists are theological revolutionaries. If our view of biblical law continues to spread to the Christian community at large, as we expect it to do, there will eventually be a social revolution — hopefully nonviolent change, but unquestionably revolutionary. Why revolutionary? Because one of the primary manifestations of the rev-

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9. Published by Dominion Press. Ft. Worth. Texas. 1986-87. I wrote the books on monetary theory, economic theory, foreign policy, and the introductory volume on biblical liberation.

10. John Calvin, *Sermons on Deuteronomy* (Edinburgh: Banner of Truth Trust, [1683, 1685] 1987).

11. Symposium on Puritanism and Law, *Journal of Christian Reconstruction*, V (Winter 1978-79).

12. I hope that it will be regarded by future church historians as a discontinuity analogous to the appearance of the Wycliffe movement or the advent of the Reformation rather than that other bold discontinuity, the introduction around the year 1000 of the doctrine of transubstantiation.

olutionary character of this change will be a radical and comprehensive alteration of the West's legal order,

This commentary is the foundation of my attempt to reconstruct the entire field of economics in terms of the Bible. If I did not have total confidence in the Bible, I would not even attempt such an outlandish task. It involves too great a break with the past, as well as a break with the fundamental presuppositions of the most methodologically rigorous of all the social sciences, economics. To attempt such a project, a man has to be confident. To do so as part of a movement which seeks to reconstruct every other field also requires confidence.

### *The Question of Confidence*

This "Reconstructionist confidence" is frequently misunderstood. Our numerous critics view it as arrogance. Those who accuse theologians of arrogance miss the point: we are *totally confident in biblical law*. We are also totally confident that without biblical law, there is no way to create a self-consistent intellectual system or academic discipline. On the other hand, we are not totally confident in our specific applications of the law to real-world problems. Thus, while we acknowledge that we may be wrong in our particular interpretations, there is no possibility that we are wrong in our general intellectual strategy. King David said it well: he was wiser than his enemies, his teachers, and the ancients because of his commitment to, and continual study of, the law of God (Ps. 119:98-100). So am I, for the same reason. David had many enemies because of this confidence; so do I. So do Reconstructionists in general. But understand: ours is not *self-confidence*; ours is *confidence in the law*. However inferior our minds or intellectual skills may be in comparison to the giants of the age, or even of the past, Christians have the one thing that none of them possessed: covenant theology. The more we understand God's revealed law, the greater our advantage over those who do not understand it. It is not primarily a matter of intellect; it is primarily a matter of ethics.

The task we Christian Reconstructionists have set for ourselves — the reconstruction of every intellectual discipline in terms of the Bible — has always been the task of the church as *ekklesia*. The more that Christians have deferred to the humanists in intellectual affairs, the more pressing this task of reconstruction has become. Philosopher Alvin Plantinga is correct: our enemies have established the operating presuppositions in every academic field. "In each of these

areas the fundamental and often unexpressed presuppositions that govern and direct the discipline are not religiously neutral; they are often antithetic to a Christian perspective. In these areas, then, as in philosophy, it is up to Christians who practice the relevant discipline to develop the right alternatives.”<sup>13</sup> What he neglected to mention is that when Christians within the discipline fail to develop the right alternatives — or, in the case of economics, any alternatives — then someone outside the field has to attempt it.<sup>14</sup>

### Conflicting Hermeneutics

Because of our commitment to the Old Testament case laws, Christian Reconstructionists’ intentions are frequently misinterpreted. For example, Robert M. Bowman, Jr. complains: “One distressing application of theonomy by the Reconstructionists is their charge that all who reject any aspect of theonomy are ‘antinomian’ (against the law) and are pursuing ‘autonomy’ (self-law). According to Reconstructionists, it is either autonomy or theonomy; there apparently is no middle ground.”<sup>15</sup> He is correct with respect to the “either/or” assertion by theonomists, but incorrect regarding our concern over the acceptance of specific laws. Those who have written the major Reconstructionists books do not argue that “all who reject any aspect of theonomy are ‘antinomian’ (against the law) and are pursuing ‘autonomy’ (self-law).” Serious Bible students can, do, and will continue to disagree regarding the proper application of specific Old Testament laws, both in ancient Israel and in the present New Covenant era. Our criterion of antinomianism is the acceptance of the principle of biblical interpretation (hermeneutic) which says, in Bowman’s correct description of dispensationalism, that “the com-

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13. Alvin Plantinga, “Advice to Christian Philosophers (With a special preface for Christian thinkers from different disciplines),” *Truth*, I (1985), p. 11.

14. Thomas Kuhn, in his influential book, *The Structure of Scientific Revolutions* (2nd ed.; University of Chicago Press, 1970), argues that the major paradigm shifts in any discipline are inaugurated by younger researchers who are either very young or very new to the field (pp. 89-90). These breakthroughs are often made by two types of researchers: skilled amateurs operating outside the guild’s disciplinary system and obscure professionals laboring on the fringes of the academic discipline. For example, Darwin was an unknown amateur naturalist who had been laboring for almost three decades outside any academic setting when *Origin of Species* appeared. He had come to his insights as a young man, but had not had the courage or incentive to publish his thesis until much later. Einstein was an obscure clerk in the Swiss patent office when he made his major breakthroughs in physics.

15. Robert M. Bowman, Jr., “The New Puritanism: A Preliminary Assessment of Reconstructionism,” *Christian Research Journal*, X (Winter/Spring 1988), p. 26.

mands of the Law are presumed to be no longer binding except where the New Testament repeats or ratifies them .“<sup>16</sup> We would agree with Bowman when he concludes that “dispensationalism, technically speaking, is antinomian, though more in theory than practice; . . . “\*7

This is precisely the Reconstructionists’ point: most of our opponents are antinomian in theory, though not necessarily in practice (i.e., in the specific details of personal ethics).<sup>18</sup> It is not the details of the personal ethics of our critics that concern Reconstructionists theologically; rather, it is our opponents’ governing principle of interpretation regarding Old Testament law in New Testament times. Our primary theological distinctive as a movement are judicial and cultural. We do not ignore the question of personal ethics, but *Personal ethical issues must inevitably be dealt with intellectually on the basis of some general principle of biblical interpretation.* Our principle of biblical interpretation is explicit (theonomy); that of our opponents is generally implicit (antinomianism). Our hermeneutical explicitness is now forcing our critics to respond explicitly, and this pressure bothers them. They resent it. They must give up either their antinomianism or their claims to cultural relevance as Christians. They do not want to give up either position, but they no longer have any intellectual choice. They do not like to admit this, however. It disturbs them. But if they had an answer, someone in the evangelical world would provide at least an outline of a comprehensive Christian social theory based neither on biblical case laws nor natural law theory. We are still waiting. It has been 1,900 years.

Their silence in this time of escalating international crises, in every area of life, in the decades immediately preceding the third millennium after Christ, is an important reason for the growing influence of Christian Reconstructionism. Their silence is costing them heavily, but so will any attempt to respond to us without offering a biblically plausible alternative worldview. You cannot beat something with nothing.

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16. *Ibid.*, p. 25.

17. *Ibid.*, p. 26.

18. *Given the sexual scandals of television evangelists Jim Bakker in 1987 and Jimmy Swaggart in 1988, we Reconstructionists are sorely tempted to conclude that dispensationalism tends toward antinomianism in practice, too.*

*Dispensationalism by Any Other Name*

Dispensationalists have in the past been ethically explicit, denying God's revealed law in the New Covenant era. They have been self-conscious theological antinomians. They have argued for decades that a person can be saved eternally by accepting Jesus as Savior but not as Lord, a radically antinomian and widely accepted opinion which one of their number has recently criticized quite eloquently. 19 Nevertheless, most of the leading intellectual targets of our theological criticisms have publicly disassociated themselves from dispensationalism. They deeply resent being tarred and feathered by us with dispensationalism's antinomian brush, yet when they reply to our accusations, they adopt the hermeneutic of dispensationalism regarding the Old Testament case laws. This poses continuing intellectual problems for them. <sup>20</sup>

Their original reaction was stony silence. It took two decades for Christian Reconstructionists to gain even a hostile public reception; until the mid-1980's, our theological opponents usually played the children's game of "let's pretend": "Let's pretend that the Reconstructionists are not here, and maybe they will go away soon!" Finally, when they correctly concluded that we were not going away, some of them started their public attacks. <sup>21</sup> Prior to this, most of them had been content with 'murmuring, plus spreading an occasional nasty rumor.

They adopted the second strategy: publishing hostile but brief reviews. It was too late; by 1985 we had too many books in print and too many names on our computerized mailing lists. The theological paradigm shift was too far advanced, not to mention the paradigm itself. To call attention to us publicly has become increasingly risky, given the voluminous quantity of our books. Too many bright young Christian scholars and activists are already being alerted to our existence, and we are enlisting many of them. Yet not calling attention to us publicly made it appear as though the critics had no coherent answers.

There has been a third strategy: attacking a brief outline or caricature of a few of the ideas of the Reconstruction movement but

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19. John F. MacArthur, Jr., *The Gospel According to Jesus* (Grand Rapids, Michigan: Zondervan, 1988).

20. Cf. Gary North, *Political Polytheism: The Myth of Pluralism* (Tyler, Texas: Institute for Christian Economics, 1989).

21. I include the various academic Sanhedrins in this observation. Try to find as many as five book reviews of Christian Reconstructionist books in either *Bibliotheca Sacra* or the *Westminster Theological Journal*, 1963-88.

without naming its leaders or any of our books. This will not work either, although it does delay the day of ideological reckoning. I call this strategy “hide and don’t seek.” The critic hides all specific references to our books, and hopes that his followers will not locate the unmentioned original sources. <sup>22</sup>

Our critics would much prefer to live in a world where they are not forced to deal with public issues in terms of a specific definition of Christian ethics, meaning *specific Old Testament civil laws with their accompanying public sanctions*. They wish that theologians would go away and leave them in their ethical slumber. We won’t. That is what the 1980’s demonstrated: theologians will not go away. We will not shut up. Our critics can ignore us no longer and still remain intellectually respectable. We have written too much, and we continue to write. Fifteen years after the publication of R. J. Rushdoony’s *Institutes of Biblical Law* (1973), over a decade after the publication of Greg L. Bahnsen’s *Theonomy in Christian Ethics* (1977), there was still only one brief book-length academic reply from any critic in any theological camp: Walter Chantry’s. <sup>23</sup> It has become apparent that the professional theologians have been playing a game of “hide and go sleep.” This tactic was adopted for a decade and a half, from 1973 to mid-1988. It did not work. We are still here. But to change this tactic at this late date, our critics must now respond to one hundred volumes of books and scholarly journals, not to mention newsletters. They are unwilling to do this. It would be too much work. What now? More silence.

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22. An example of this tactic is found in Charles Colson’s defense of pluralism and ethical dualism, *Kingdoms in Conflict*, co-published by William Morrow (secular humanist) and Zondervan (fundamentalist) in 1987. He mentions the theologian movement, but never names any of these “utopians,” as he calls us (pp. 117-18). Why not name us? If the targets of your attack are “doomed to failure” (p. 117), why not at least identify us? If we are dead, then give us a decent Christian burial!

23. In late 1988, two critical books appeared: Dave Hunt, *Whatever Happened to Heaven?* (Eugene, Oregon: Harvest House), and H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press), to which Greg Bahnsen and Kenneth Gentry wrote a reply: *House Divided: The Break-Up of Dispensational Theology* (Tyler, Texas: Institute for Christian Economics, 1989). A third critique appeared in 1989: Hal Lindsey, *The Road to Holocaust* (New York: Bantam), refuted by Gary DeMar and Peter J. Leithart, *The Legacy of Hatred Continues* (Tyler, Texas: Institute for Christian Economics, 1989). Gary DeMar already has co-authored one book replying to earlier criticisms by Hunt: *The Reduction of Christianity* (Ft. Worth, Texas: Dominion Press, 1988). A second book replies to issues raised in the April, 1988, debate: Hunt and Ice vs. DeMar and North: Gary DeMar, *The Debate Over Christian Reconstruction* (Ft. Worth, Texas: Dominion Press, 1988). A third book by DeMar, which replies to numerous specific criticisms of Christian Reconstruction, is *You Have Heard It Said* (Tyler, Texas: Institute for Christian Economics), forthcoming.

*The Silence is Deafening*

Those few critics who have gone into print against us have generally been amateur theologians and imitation scholars. 24 They have read a few of our newsletters and a couple of our books (if that), and then have invented the rest. They have refuted stick men of their own creation. They forget that stick men burn easily, setting aflame those who rely heavily on them. This makes it easy for us to refute them. We cite them word for word, we show that they are either deliberately lying or have failed to read more than a tiny fraction of what we have written, and then we wait for the next willing victim. 25 If a critic cannot accurately summarize what his opponents have said, with direct citations from original sources to prove his point, and then refute what his opponents have said by showing that they are inconsistent, ignorant, or intellectually dishonest, the critic is in no position to go into print. Yet this is what our critics have done. It has been amateur night at the critics' typewriters for the last ten years. (They resent it when I say so in print repeatedly.)

Meanwhile, we keep publishing. The longer a competent critic waits to produce a comprehensive, detailed attack on us, the more difficult his job becomes. No intelligent critic wants to become a sacrificial lamb who is subsequently exposed publicly as someone who failed to do his homework. This is why time is on our side. This is also why we are so confident in our theological paradigm. After fifteen years of either silence or intellectually third-rate published criticisms of our work, we are increasingly persuaded that we have the theological goods, while our critics are holding empty theological bags. This confidence on our part is occasionally visible, and it makes our critics hopping mad, so they rush into print with yet another third-rate, easily answered criticism. The prudent ones still keep their mouths shut and wait for us to go away.

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24. The exception is Westminster Seminary's Meredith G. Kline, who made the intellectually fatal mistake of attacking in print Greg Bahnsen's *Theonomy* in the Fall 1978 issue of the *Westminster Theological Journal*. Bahnsen's devastating reply has silenced Kline for almost a decade. Kline got his academic head handed to him on a platter. See Greg L. Bahnsen, "M. G. Kline on Theonomic Politics: An Evaluation of His Reply," *Journal of Christian Reconstruction*, VI (Winter 1979-80), pp. 195-221.

25. See, for example, my reply to Rodney Clapp's article, "Democracy as Heresy," *Christianity Today* (Feb. 20, 1987): "Honest Reporting as Heresy: My Response to *Christianity Today*" (Tyler, Texas: Institute for Christian Economics, 1987).

Do not misunderstand me. Far be it from me to say that our critics should remain silent. I have waited for a long time to see a well-thought-out, detailed critical analysis from someone, an analysis that does not rely on lists of ideas that we do not believe and sometimes have specifically attacked (e. g., “Reconstructionists believe that the world will be transformed through political action”). A wise innovator knows the weak points in his own system. There is no man-made system without weak points. If a critic ever appears who can zero in on the weak points of Christian Reconstructionism, he will receive my respect. Better to sharpen one’s skills by arguing the basic points with a competent critic than bludgeoning a long series of amateurs. What I am saying, however, is that we have yet to see even one critic who understands our system well enough to go for the theological jugular. In short, we have done our homework; our published critics have not. (“If that be arrogance, make the best of it!”)

What Christian Reconstructionists argue is that virtually all schools of biblical interpretation today, and too often in the past (excepting only the Puritans), have been far closer to dispensationalism’s hermeneutic principle – “the commands of the Law are presumed to be no longer binding except where the New Testament repeats or ratifies them” — than to the theonomists’ hermeneutical principle, also correctly summarized by Bowman: “[T]he commands of the Law are presumed to be binding today except where the New Testament modifies them or sets them aside in some manner.”<sup>26</sup> This is why Christian Reconstructionism does represent a break with traditional Protestant theology, not in the details of theology – our distinguishing theological beliefs have all been preached before within orthodox circles – but in *our packaging of a unique, comprehensive system*: predestination, covenant theology, biblical law, Cornelius Van Til’s presuppositional apologetics, <sup>27</sup> and postmillennialism.

### Beating Something With Something Better

It is my opinion, stated repeatedly, that you cannot beat something with nothing. This is the strategic and tactical problem facing Christians today whenever they seek to challenge apostate humanism in any sphere of life. This inescapable fact of political life is the

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<sup>26</sup> Bowman, *op. cit.*, p. 25.

<sup>27</sup> If there is one major break with traditional Christianity, it is here - apologetics — which is a philosophical break, not a discontinuity in theology proper. Van Til’s apologetic method is unquestionably radical, for it refutes natural law theory.

major stumbling stone for non-theonomic Christian activists. Christian pietists who self-consciously, religiously, and confidently deny that Christians should ever get involved in any form of public confrontation with humanism, for any reason, have recognized this weakness on the part of antinomian Christian activists. They never tire of telling the activists that they are wasting their time in some “eschatologically futile reform program.” Such activism is a moral affront to the pietists. Those of us who have repeatedly marched in picket lines in front of an abortionist’s office have from time to time been confronted by some outraged Christian pietist who is clearly far more incensed by the sight of Christians in a picket line than the thought of infanticide in the nearby office. ‘Who do you think you are?’ we are asked. “Why are you out here making a scene when you could be working in an adoption center or unwed mothers’ home?” (These same two questions seem equally appropriate for the pietist critic. Who does he think *he* is, and why isn’t *he* spending his time working in an adoption center or an unwed mothers’ home?)

Pietists implicitly and occasionally explicitly recognize that *the vast majority of today’s implicitly antinomian Christian activists possess no biblical blueprint for building a comprehensive alternative to the kingdom of humanism*. The pietistic critics of activism also understand that in any direct confrontation, Christians risk getting the stuffings – or their tax exemptions – knocked out of them. They implicitly recognize that a frontal assault on entrenched humanism is futile and dangerous if you have nothing better to offer, since you cannot legitimately expect to beat something with nothing. They implicitly recognize that neither modern fundamentalism nor modern antinomian evangelicalism has any such blueprint, and therefore neither movement has anything better to offer, i.e., nothing biblically sanctioned by God for use in New Testament times (the so-called Church Age). Fundamentalism and evangelicalism deny the legitimacy of any such blueprint, for blueprints inescapably require civil law and civil sanctions. Fundamentalists have for a century chanted, ‘We’re under grace, not law!’ The y have forgotten (or never understood) that this statement inescapably means: “We’re therefore under humanist culture, not Christianity.” When reminded of this, they take one of three approaches: 1) abandon their fundamentalism in favor of Christian Reconstructionism, 2) abandon their activism, or 3) refuse to answer. 28

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28. Gary North, “The Intellectual Schizophrenia of the New Christian Right,” *Christianity and Civilization*, No. 1 (1982), pp. 1-40.

*The Hatred of Biblical Law*

Worse, those scholars who have accepted the intellectual burden of defending the Christian faith have generally had an abiding hatred for God's revealed law. "Hatred" is the proper word. "Indifference" misses the point. "Ignorance" would be misleadingly gentle. *There can be no neutrality regarding God's revealed law, any more than there can be neutrality regarding God's revelation of Himself.* You either accept His authority over you or you reject it. You either accept His law's authority over you or you reject it.

God's authority over mankind is manifested ethically by His law, and it is manifested judicially by His law's sanctions. You either affirm God's law in its specifics, especially its sanctions, or you deny it, especially its sanctions. You either accept the 119th psalm or you reject it. "I will delight myself in thy statutes: I will not forget thy word" (Ps. 119:16). There is no middle ground. Middle ground with respect to anything in the Bible is always deception: either self-deception or self-conscious deception of others.

The general attitude of the modern fundamentalist world – and really, of the whole evangelical world — regarding the authority of God's law today was stated plainly in 1963 by then-Professor S. Lewis Johnson of Dallas Theological Seminary, in the seminary's scholarly journal, *Bibliotheca Sacra*: "At the heart of the problem of legalism is pride, a pride that refuses to admit spiritual bankruptcy. That is why the doctrines of grace stir up so much animosity. Donald Grey Barnhouse, a giant of a man in free grace, wrote: 'It was a tragic hour when the Reformation churches wrote the Ten Commandments into their creeds and catechisms and sought to bring Gentile believers into bondage to Jewish law, which was never intended either for the Gentile nations or for the church.'<sup>29</sup> He was right, too."<sup>30</sup> Operationally, all denominations believe this today, but it took Presbyterian Barnhouse and independent fundamentalist Johnson to state the position plainly.

Dispensationalist Roy L. Aldrich also did not flinch from the same conclusion: ". . . the entire Mosaic system — including the Ten Commandments — is done away."<sup>31</sup> Again, "the Mosaic ten laws can-

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29. He cites Barnhouse, *God's Freedom*, p. 134.

30. S. Lewis Johnson, "The Paralysis of Legalism," *Bibliotheca Sacra*, Vol. 120 (April/June 1963), p. 109.

31. Roy L. Aldrich, "Has the Mosaic Law Been Abolished?" *ibid.*, Vol. 116 (Oct. 1959), p. 326.

not apply to the Christian,” although he hastened to affirm that “the New Testament believer is not without the highest moral obligations .”<sup>32</sup> Problem: these supposedly high obligations are unaccompanied by specific biblical content or specific biblical sanctions. That is to say, the Christian is on his own, making up his own rules as he goes along, at best illuminated by the mystical whisperings of the Holy Spirit. (If anyone wonders why Dallas Seminary has experienced continual student outbreaks of antinomian versions of Pentecostalism, which Dallas’ dispensational “no signs in the Church Age” theology explicitly rejects, and even outbreaks within its own faculty, <sup>33</sup> he need search no farther than Dallas Seminary’s antinomian theology. If God does not direct Christians through His law, then only mysticism, antinomian intuition, and inner voices remain to provide uniquely “Christian” guidance. )

This hostility to Old Testament law is also why dispensationalism has always had an unstated working alliance with modern humanism: they both share an antinomian theology that seeks to “liberate” man and the State from the restraints of God’s revealed law and its sanctions. Their agreement has been simple: Christians should stay out of politics as Christians. This explicit antinomianism is also why dispensationalism has never developed an explicitly Christian social theory. If it could have, it would have, especially in the crucial years of protest, 1965-71. The silence of dispensational leaders and scholars in those years indicated that the movement was incapable of responding to real-world problems. In that era, dispensationalism committed intellectual suicide. Intellectual rigor mortis has now visibly begun to set in. <sup>34</sup>

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32. *Ibid.*, p. 331.

33. Two Dallas Seminary professors resigned and one was fired in 1987 because of their commitment to the legitimacy of the gifts of physical healing in the “Church Age .” See *Christianity Today* (Feb. 5, 1988), p. 52; Jack Deere (one of the dismissed professors), “Being Right Isn’t Enough,” in Kevin Springer (ed.), *Power Encounters* (New York: Harper & Row, 1988), ch. 8.

34. The fact is, Talbot Seminary in California has quietly departed from dispensationalism, and Dallas Seminary is now staffed by a faculty that pays little or no attention to the theological system of C. I. Scofield, Lewis Sperry Chafer, John Walvoord, Dwight Pentecost, and Charles Ryrie (who has long since departed). The “new, revisionist dispensationalism” taught by Prof. Wayne House and others is in fact the repudiation of key dispensational tenets, though not the pre-tribulation Rapture doctrine. Only the faithful donors who no longer read *Bibliotheca Sacra* remain unaware of what has happened. House’s *Dominion Theology: Blessing or Curse?* is as far from Scofield as John MacArthur’s *The Gospel According to Jesus*.

### Natural Law Philosophy and Antinomianism

Some variation of the dispensational hermeneutic has long been adopted by theologians who officially claim they reject the idea of an ultimate ethical dualism between the Old Testament and New Testament. A good example is the statement by Robert Dabney, the Calvinist Presbyterian of the late-nineteenth-century American South. He assures us that the Ten Commandments provide universal ethical standards. "Although the Ten Commandments were given along with the civil and ceremonial laws of the Hebrews, we do not include them along with the latter, because the Decalogue was, unlike them, given for all men and all dispensations."<sup>35</sup> The Ten Commandments were basically the Hebrews' version of natural law. "It is a solemn repetition of the sum of those duties founded in the natures of man and of God, and on their relations, enjoined on all ages alike."<sup>36</sup>

Dabney's primary presumption is obvious: the whole of the Old Testament civil legal order is a dead letter because the case laws are no longer judicially binding. His secondary presumption is also obvious: the case laws were not covenantally connected to the Decalogue. They were merely temporary injunctions. Not so the Ten Commandments. "Hence, all the principles of right stated or implied in this Decalogue, are valid, not for Hebrews only, but for all men and ages. They rise wholly above the temporary and positive precepts, which were only binding while they were expressly enjoined."<sup>37</sup> He even argued that Christ's words in Matthew 5:18 applied only to the Ten Commandments: "Till heaven and earth pass, one jot or one tittle of this law shall not pass away."<sup>38</sup>

This has been the ethical argument of Christian commentators almost from the beginning. Without exception, such a dispensationalist ethical argument rests either implicitly or explicitly on some version of *natural law philosophy*. If you abandon the continuing judicial authority of the Old Testament case laws *and their sanctions*, you must actively adopt or at least passively accept some other civil law structure to serve as the judicial basis of society. There are no judicial vacuums. *Either God's revealed law is sovereign in society or else autonomous man's declared law is sovereign*. There is no third choice. When a

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35. Robert L. Dabney, *A Defence of Virginia [And Through Her, of the South]* (New York: Negro University Press, [1867] 1969), p. 122.

36. *Idem.*

37. *Ibid.*, p. 123.

38. *Idem.*

Christian denies the unbreakable connection between the case laws and the Ten Commandments, he must then seek to apply the “general moral principles” of the Decalogue to his own society in order to provide legitimacy to the ‘common legal order.’ Yet he is then forced by his theory of natural law to defend the Decalogue’s highly general principles in terms of their common status among all “right thinking” people.

There is a major problem here: *there have been so many wrong-thinking tyrants and societies in history*. Christians have suffered under many of them, usually in silence, for they have been taught that there are no specific legal standards of righteousness on which to base a legitimate appeal to God (for example, by corporately praying the imprecatory psalms, such as Psalm 83). Nevertheless, Christians again and again have proclaimed their nearly unqualified allegiance to this or that humanist alternative to biblical social order. They base their allegiance on the supposed “natural conformity” to the Decalogue of their societies’ legal order. Natural law theory then becomes an all-purpose smoke screen for the Christians’ passive (or even active) acceptance of specific social evils.

#### *The Problem of Social Reform*

The acceptance of natural law philosophy inevitably leads to two possible and recurring evils. First, it paralyzes the Christians’ legitimate efforts to reform society, for it denies that there are specific biblical blueprints for social reform. This is the curse of the pietistic *escape religion* on Christianity. Second, it enables humanist reformers to enlist Christians in this or that reform effort that is wrapped in the language of the Ten Commandments but which is in fact inspired by covenant-breakers and designed to further their aims. This is the curse of the *power religion* on Christianity.

In American history, no better example exists of both of these processes than the Unitarians’ successful enlisting of evangelical Christians in the State-centralizing abolitionist movement. 39 The fact is, the Quakers had pioneered the theory of abolitionism in the 1755-75 period, decades before the Unitarian Church even existed. The unwillingness of Trinitarian American Christians to obey the New Testament teachings with regard to the illegitimacy of lifetime chattel slavery allowed the Unitarians to capture the Quakers’ issue

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39. Otto Scott, *The Secret Six: John Brown and the Abolitionist Movement* (New York: Times Books, 1979), reprinted by the Foundation for American Education; Bertram Wyatt-Brown, *Lewis Tappan and the Evangelical War Against Slavery* (Cleveland, Ohio: Case Western Reserve University Press, 1969).

and fan the evangelical' moral fervor, 1820-65, which in turn allowed them to capture the whole country for the Unitarian worldview from the 1860's onward.<sup>40</sup> In short, American Christians ignored their social responsibilities by ignoring the Quakers' moral challenge regarding chattel slavery (1760-1820), for they did not recognize or acknowledge the judicial authority of the New Testament on this question.<sup>41</sup> As a result, they became institutionally and intellectually subordinate to those who hated Christianity (1820-1865).

Simultaneously, a parallel phenomenon took place with the rise of the state school systems, another Unitarian reform in the United States. Funded by Christian taxpayers, the schools have been operated in terms of an alien worldview.<sup>42</sup> *The escape religion led to the triumph of the power religion.* It always does. Dominion religion invariably suffers. This defeat of dominion religion is the temporal goal of the power religionists and the escape religionists, of Pharaoh and the enslaved Israelites. They always want Moses to go away and take his laws with him.

These two evil consequences of natural law theory – retreat from social concerns and the co-opting of Christians by non-Christian social reformers — have been the curse of natural law theory for almost two millennia. Dabney could have protested until kingdom come — or until Sherman's army came — against the anti-Constitution agenda of the northern Abolitionists,<sup>43</sup> but his own commitment to natural law philosophy undercut his theological defense. He did not understand that when a law-abiding Christian adopts a hostile attitude toward the case laws of the Old Testament, he necessarily also adopts an attitude favorable to natural law theory, which is inescapably philosophical humanism: common-ground philosophy, common-ground ethics, and the autonomy of man.<sup>44</sup> Dispensationalist theologian and natural law philosopher Norman Geisler is simply more forthright regarding this necessary two-fold commitment: anti-Old

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40. R. J. Rushdoony, *The Nature of the American System* (Fairfax, Virginia: Thoburn Press, [1965] 1978), ch. 6: "The Religion of Humanity."

41. See Chapter 4: "A Biblical Theology of Slavery."

42. R. J. Rushdoony, *The Messianic Character of American Education* (Nutley, New Jersey: Craig Press, 1963).

43. *Defence of Virginia, Conclusion.*

44. Archie P. Jones, "Natural Law and Christian Resistance to Tyranny," *Christianity and Civilization*, No. 2 (1983), pp. 94-132.

Testament law and pro-natural law philosophy. 45 (It is unfortunate that both Cornelius Van Til and Francis Schaeffer were inconsistent in this regard: they ignored or denied biblical law, yet also officially denied natural law philosophy. This has produced great confusion among their respective followers. )<sup>46</sup>

For two centuries, humanists in the United States have been enlisting Christian evangelical into a seemingly endless stream of “save the world” programs. The humanists cry out, “Baptize us! Baptize us! . . . and please take up a compulsory collection for us.” For two centuries, well-meaning Christians have been digging deep into their wallets in order to supply the tax collectors with funds to finance a series of supposedly religiously neutral social reform programs that have been created by the messianic State and staffed by humanist bureaucrats. Taxpayer-funded, evolution-teaching government schools have been the most persistent, effective, and representative example of this continuing delusion. Without the spurious supporting doctrine of morally and intellectually neutral natural law, it would not be possible for the humanists to wrap these anti-Christian programs in the ragged swaddling clothes of common morality.

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45. Norman Geisler, “A Premillennial View of Law and Government,” in J. I. Packer (cd.), *The Best in Theology* (Carol Stream, Illinois: Christianity Today/Word, 1986). Writes the *Fundamentalist Journal* (Sept. 1988): “Geisler credits [Thomas] Aquinas with ‘having the most influence on my life,’ and says that if his house were burning he would grab his wife, his Bible, and the *Summa Theologiae* by Aquinas” (p. 20). It is hardly surprising that he should be a professor of philosophy at Baptist fundamentalist Liberty University. The anabaptists, who possess no separate philosophical tradition of their own, have always relied on the philosophy of medieval Roman Catholic scholasticism to defend their cause.

46. See North, *Political Polytheism*, chapter 2: “Halfway Covenant Ethics,” and chapter 3: “Halfway Covenant Social Criticism.” Van Til’s self-conscious rejection of both dispensationalism and natural law theory left him without any concept of social law or social justice, for he also rejected the continuing authority of the Old Testament case laws — by silence in his published writings and explicitly in private communications. Thus, his system was always incomplete, hanging timelessly in the air like a ripe fruit that has just begun its fall to the ground. That the fruit was grabbed by R. J. Rushdoony in the early 1960’s did not please Van Til, but there was not much that he could politely do about it. He had to remain silent, for his system is inherently ethically silent: it rejects both forms of law, natural and biblical, which is why he explicitly denied ethical cause and effect in history, and why he implicitly adopted the humanists’ version of ethical cause and effect: the good guys lose in history, and the bad guys win.

### “Normal Science”

Our critics can legitimately reply, “All right, let’s see if you can make sense of the case laws. Let’s see how you would apply them to today’s problems. Put up or shut up.” Since I do not intend to shut up, I am hereby “putting up.” This book is a detailed study of the economic applications of the case laws of Exodus. It offers no grand hypothesis, no major breakthrough in biblical hermeneutics. It is an example of what someone can accomplish if he is willing to spend a lot of time thinking about the specifics of biblical law, comparing his conclusions with contemporary scholarship in several areas. To write this book, I have made a detailed study of modern economics, plus at least a cursory examination of the relatively new academic discipline of law and economics, plus studies of Jewish jurisprudence (Mishnah and Talmud), modern criminology, the history of slavery, and ecology. This effort I regard as basic intellectual trench work, or what Thomas Kuhn calls “normal science.”<sup>47</sup> It is not in the same league with a breakthrough book like Rushdoony’s *Institutes of Biblical Law*, 48 with its innovative insight that each of the case laws of the Bible can be subsumed under one of the Ten Commandments (even if the thesis is overstated), 49 and which surveys a wide array of topics — academic, cultural, historical, and contemporary. *Tools of Dominion* has neither the precision nor the relentlessness of Greg Bahnsen’s apologetic defense of biblical law in *Theonomy in Christian Ethics*. It does not have the organizational power of Ray Sutton’s five-point covenant model. 50 It does not have the innovative insights into biblical meaning that James Jordan’s “maximal” hermeneutic offers. 51 It just plugs along, trying to make economic sense out of the details of the case laws.

#### *A Theonomic Strategy*

Despite these limitations, this book still is part of my overall publishing strategy. If a reader is impressed with my conclusions regard-

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47. Thomas Kuhn, *The Structure of Scientific Revolutions*, *op. cit.* Kuhn distinguishes normal science from a scientific revolution that produces a major paradigm shift.

48. R. J. Rushdoony, *The Institutes of Biblical Law* (Nutley, New Jersey: Craig Press, 1973).

49. James B. Jordan, *The Law of the Covenant: An Exposition of Exodus 21-23* (Tyler, Texas: Institute for Christian Economics, 1984), pp. 22-23.

50. Ray R. Sutton, *That You May Prosper: Dominion By Covenant* (Tyler, Texas: Institute for Christian Economics, 1987).

51. James B. Jordan, *Judges: God’s War Against Humanism* (Tyler, Texas: Geneva Ministries, 1985).

ing both the wisdom and the benefits that the case laws of Exodus offer, he will be pulled in the direction of the Christian Reconstructionists' paradigm. If he rejects the paradigm, he will then find himself asking: 'Why do the case laws seem to be workable? Why have previous Christian theologians ignored the case laws? What was it in their theological paradigms that kept them from seeing how relevant the case laws are?' When a person starts asking himself such questions, he is approaching a personal paradigm shift.

Unless a whole series of studies like this one come into print, the brilliance of the previously mentioned paradigm-shifting theonomic books will fail to capture the minds of future generations of Christians. The proof of the pudding is in the eating, says an old slogan; similarly, the proof of theonomy is in its judicial applications. If what this book insists regarding the case laws of Exodus is not true — if they cannot in fact be applied productively in New Testament societies — then the brilliance of the theonomic paradigm is like the brilliance of a burning bush that is soon consumed by the fire. The paradigm is wood, hay, and stubble. So, while this book is not intended to be paradigm-shifting, it is unquestionably designed to be paradigm-confirming and paradigm-luring. If the reviewers do anything except pan this book, they will have aided the theonomists' cause, but if they pan it without having effectively discredited the case laws themselves, they will have identified themselves to their more perceptive readers as intellectual lightweights.

This is why I do not expect the book to be widely reviewed. This, plus its size. A reviewer cannot fake a review of a "book on the case laws. The subject matter is just too complex. Reviewers will actually have to read the book before reviewing it negatively, something our critics so far have been unwilling to do with our previous books. I expect the silence to continue. This, too, is now in our favor. The word is spreading: our critics have no answers to our paradigm.

Yes, this is a fat book. But like Volume I of Rushdoony's *Institutes of Biblical Law*, this book is divided into bite-sized portions: compact chapter sections and subsections. To make things as easy as possible for the reader, I have structured it for easy preliminary scanning and easy review. You deal with it as you would eat an elephant: one bite at a time. Chew well; it is occasionally tough.

#### A Final Note to Readers and Critics

Richard Baxter, in 1678, listed seven highly predictable objections to his *Christian Directory*. I feel compelled to list the first three

again, though not his specific answers. (I have also dropped his italics. ) I too have heard variations of these objections repeatedly.

Objection I: 'You have written too many Books already: Who do you think bath so little to do as to read them all?'

Objection II: 'Your Writings differing from the common judgment have already caused offence to the godly.'

Objection III: "You should take more leisure, and take other mens judgement of your Writings before you thrust them out so hastily."<sup>52</sup>

And in response, I can do no better than to close with Baxter's summary comments. Indeed, if I were to issue a challenge to the critics of me in particular and Christian Reconstruction in general, this would be it:

In summ, to my quarrelsome Brethren I have two requests, 1. That instead of their unconscionable, and yet unreformed custome of backbiting, they would tell me to my face of my offences by convincing evidence, and not tempt the hearers to think them envious: and 2. That what I do amiss, they would do better: and not be such as will neither laboriously serve the Church themselves, not suffer others: and that they will not be guilty of Idleness themselves, nor tempt me to be a slothful servant, who have so little time to spend: For I dare not stand before God under that guilt: And that they will not joyn with the enemies and resisters of the publication of the Word of God.

And to the Readers my request is, 1. That whatever for Quantity or Quality in this Book is an impediment to their regular universal obedience, and to a truly holy life, they would neglect and cast away: 2. But that which is truly Instructing and Helpful, they would diligently Digest and Practice; And I encourage them by my testimony, that by long experience I am assured, that this PRACTICAL RELIGION will afford both to Church, State and Conscience, more certain and more solid Peace, than contending Disputers, with all their pretences of Orthodoxness and Zeal against Errors for the Truth, will ever bring, or did ever attain to.

I crave your pardon for this long Apology: It is an Age where the Objections are not feigned, and where our greatest and most costly services of God, are charged onus as our greatest sins; and whereat once I am accused of Conscience for doing no more, and of men for doing so much: Being really

*A most unworthy Servant of so good a Master.*

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52. Richard Baxter, *A Christian Directory: Or, A Summ of Practical Theologie, and Cases of Conscience* (London: Robert White for Nevil Simmons, [1673] 1678), unnumbered pages, in *Advertisements*.

**Part I**  
**PROLEGOMENA**

## THE RESTORATION OF BIBLICAL CASUISTRY

*I have more understanding than all my teachers: for thy testimonies are my meditation. I understand more than the ancients, because I keep thy precepts (Psalm 119: 99-100).*

We need to take David's words seriously. He defines personal progress in history in terms of a better understanding of God's revealed laws. He can measure his progress beyond anything achieved by those who have preceded him, not in terms of better study techniques, or improved means of communication, or greater per capita wealth, but in terms of his mastery of God's precepts.

Modern man regards such an idea of historical progress as preposterous. Sad to say, so does the modern Christian. This is why modern society is headed either for an enormous series of disasters or an enormous and culturally comprehensive revival. God will not be mocked. His covenantal sanctions – blessings and cursings – still operate in history. This book deals with God's covenantal case laws from an economic point of view. This strategy is theologically appropriate in the late twentieth century, for modern man worships at his own shrine in the hope of achieving unbroken compound economic growth per capita.

*Tools of Dominion* is a work of casuistry: the application of conscience to moral decisions. The conscience needs a reliable guide: biblical law. Casuistry has not been a popular academic endeavor within Bible-believing Protestantism since the late seventeenth century. The only works I can think of that are anything like *The Dominion Covenant* in scope are Richard Baxter's enormous study, *A Christian Directory*, written in 1664-65 and first published in 1673, and Samuel Willard's equally massive commentary on the Westminster Shorter Catechism, *A Compleat Body of Divinity* (1726). Richard Baxter's goal was basically the same as mine: "I do especially desire you to ob-

serve, that the resolving of *practical Cases of Conscience*, and the reducing of Theological knowledge into serious *Christian Practice*, and promoting a *skilful facility* in the faithful exercise of universal obedience and Holiness of heart and life, is the great work of this Treatise; . . .”<sup>1</sup> Unlike Baxter, I had access to my library when I wrote my book; he did not, having been barred from his pulpit by the State (after the Restoration of Charles II in 1660), and having to write most of it from memory, only subsequently checking the original sources.

### Ignoring the Case Laws

The major problem I had in writing this book is that there are very few books that even explain the case laws, let alone take them seriously. There are at least three approaches to (or, more accurately, justifications for the rejection of) the case laws.

#### 1. *The Case Laws as Annulled*

This is the standard Christian view. It has been the common viewpoint almost from the beginning of the church. This is why theonomy appears to be a major break with broad church tradition. Basically, the position boils down to this: a compromise with late classical philosophy’s natural law theory began in the early centuries of the church. Christian scholars appealed to universal human reason as the source of rational man’s universal knowledge of civil law. This law was seen as natural, meaning that it is implicitly in the common possession of all rational men.

There was an early recognition on the part of church scholars and leaders that an appeal to Old Testament case laws could not be conformed intellectually to natural law theory. They understood the obvious question: ‘If these laws were universally binding on all men, then why did God have to reveal the specifics of His law to the Hebrews, and only to them?’ This, in fact, is a very good Christian rhetorical answer to those who declare the universality of natural law. The answer is simple: *there is no such thing as a universal system of rational natural law which is accessible to fallen human reason*. But this answer was too radical to suit scholars and apologists in the early church, just as it has been too radical for Christians ever since. It involves a sharp break with the doctrine of natural law.

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1. Richard Baxter, *A Christian Directory. Or, A Summ of Practical Theologie, and Cases of Conscience* (London: Robert White for Nevil Simmons, [1673] 1678), unnumbered page, but the second page of Advertisements.

The early commentators were sorely tempted to seek a way out of their common-ground apologetic difficulty by interpreting Paul's language regarding the annulment of the law's eternal death sentence against redeemed mankind to mean that the Old Covenant's legal order is in no way judicially binding on New Testament society. They abandoned the concept of God's historical sanctions as applicable in New Testament history. They lumped together Israel's civil case laws with the Old Covenant's laws of ritual cleanliness, and then they dismissed both varieties. This tradition lives on in modern conservative Christian theology.

### *2. The Case Laws as Antiquarian*

Christian Bible commentators pass over these laws on the assumption that they are only of antiquarian interest. Commentators almost never attempt to explain how these laws might have worked in ancient Israel. They never discuss how they might be applied in the New Testament era. Also, the commentators are unfamiliar with even the rudiments of economic theory, so their comments on the economic implications of these verses are almost nonexistent. Their few brief observations are what the reader could readily have figured out for himself. Another major problem is that far too often, the commentators compare the biblical text with fragments of the legal texts of the surrounding Near Eastern cultures. This is not an evil practice in itself, but it is when they make the unproven assumption that Israel must have borrowed its legal code from these pagan cultures. They never discuss the possibility that Israel's law code preceded these pagan extracts, which once again raises the question of the need for the reconstruction of biblical and Near Eastern chronologies.<sup>2</sup>

### *3. The Case Laws as Mythical*

Liberal humanist Bible scholars are so enamored with biblical "higher criticism" that they pay little attention to the meaning of the biblical texts. They prefer instead to spend their lives inventing multiple authors for each text, re-dating subsections in order to make the Book of Exodus appear to be a composite document written centuries after the exodus event (which many of them downplay any-

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2. Gary North, *Moses and Pharaoh: Dominion Religion vs. Power Religion* (Tyler, Texas: Institute for Christian Economics, 1985), Appendix A: "The Reconstruction of Egypt's Chronology."

way).<sup>3</sup> When commentators believe that the oldest laws are remnants of some “primitive nomadism” or else imports from pagan law codes, they have no incentive to think through how these laws should be applied today. When they view most of the case laws as late developments that were inserted retroactively into older biblical texts for political reasons, they have little incentive to understand them as specific historical applications of permanent general principles. Jews and gentiles alike are afflicted with Bible scholarship that relies on the principles of higher criticism.

### Useless Commentaries

*The Dominion Covenant* is not a typical Bible commentary. The typical Bible commentary judiciously avoids the really difficult questions, especially in the area of ethics. It also neglects all but the most obvious of the economic principles involved. It is hard to believe how little practical information is provided by the typical modern Bible commentary. It is understandable why people seldom use them after having bought them. Reality does not meet expectations when it comes to Bible commentaries. What is not understandable is that people continue to buy them. They sit unused on most pastors’ book shelves. Maybe their primary use is decorative. I gave up on most Bible commentaries years ago. I use them mainly to keep myself from making major linguistic or textual errors. This is why you will find very few references to Bible commentaries in my footnotes. I long ago stopped wasting my time trying to find economic and judicial information in them. Or, as the economist would say, “the marginal return on each additional invested unit of my time spent in reading them was consistently below the marginal cost.” In short, the information costs were too high per unit of relevant data.

### *Jewish Commentaries*

If Christian commentaries are unhelpful, what about commentaries written by Jews? Not much better. I did not find the traditional Jewish commentaries useful in writing this commentary, including the Talmud. Until only about a century and a half ago,

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3. In recent years, this has been changing to some degree. The arcane intricacies of the many rival textual reconstructions have led to such a cobweb of complexity that scholars prefer to avoid trying to untangle it. Thus, scholars are sorely tempted to do what was once considered a breach of faith: treat the text as a unit when searching for its meaning.

Jewish scholarship focused almost exclusively on the Talmud, which was completed around A. D. 500, parts of which extended back to several centuries before Christ in the form of oral tradition. <sup>4</sup>Traditional Jewish commentaries on ethics often deal with highly specific legal cases involving economic disputes between men, or academic disputes among the rabbis, but there is seldom an attempt to spell out the general economic principles guiding any decision of a Jewish court. At best, the rabbis may try to explain why certain forms of restitution are imposed in certain cases, but nothing beyond a kind of common-sense view of economic justice. Thus, Jewish religious scholars until very recently did not bring their great skills of erudition and detailed scholarship to bear on the modern world. "Secular" topics did not interest them, and even today, those Jews who have become illustrious academically in so many fields display little or no interest in the Talmud.

There is a very important reason why the writings of Jewish legal scholars and judges prove to be of little assistance: Jewish courts after the Bar Kokhba revolt of 135 A. D. were not allowed to impose specifically biblical sanctions. Very few gentiles are aware of this, and I suspect that few Jews are, either. When the Romans captured Jerusalem and burned the Temple in A. D. 70, the ancient official Sanhedrin court came to an end. The rabbis, under the leadership of Rabbi Johanan ben Zakkai, then took over many of the judicial functions of the Sanhedrin.<sup>5</sup> They established as a principle that every Jewish court must have at least one judge who had been ordained by the laying on of hands (*semikah*), and who could in principle trace his ordination back to Moses. This laying on of hands could take place only in the Holy Land. Legal scholar George Horowitz comments: "A court not thus qualified had no jurisdiction to impose the punishments prescribed in the Torah."<sup>6</sup> After the Bar Kokhba revolt, the Jews were scattered across the Roman Empire in the diaspora. "The Rabbis were compelled, therefore, in order to preserve the Torah and to maintain law and order, to enlarge the authority of Rabbinical tribunals. This they accomplished by emphasizing the distinction between Biblical penalties and Rabbinical penalties. Rabbinical courts after the second century had no authority to

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4. See Appendix B: "Maimonides' Code: Is It Biblical?"

5. George Horowitz, *The Spirit of Jewish Law* (New York: Central Book Co., 1963), pp. 92-93.

6. *Ibid.*, p. 93.

impose Biblical punishments since they lacked *semikah*; but as regards penalties created by Rabbinical legislation, the Rabbis had of necessity, accordingly, a whole series of sanctions and penalties: excommunications, fines, physical punishment, use of the 'secular arm' in imitation of the Church, etc."<sup>7</sup> Thus, by the time of the Mishnah, which was Rabbi Judah the Prince's authoritative late-second-century compilation of rabbinical laws, Jewish courts had already abandoned Old Testament sanctions.

Thus tied intellectually and ethically to the Mishnah, to the massive Talmud (completed around A. D. 500), and to the literature produced in terms of this ancient tradition, Jewish commentators have never attempted to produce anything like the kind of Bible commentary that *The Dominion Covenant* represents. I am aware of no Jewish compilation of Old Testament case laws that is organized in terms of the Ten Commandments or any other biblical organizational principle (e. g., the covenant model) which is comparable to R. J. Rushdoony's *Institutes of Biblical Law*, and no apologetic comparable to Greg L. Bahnsen's *Theonomy in Christian Ethics*. Furthermore, despite the intellectual dominance of economists who are Jews,<sup>8</sup> there is as yet no body of scholarship known as Jewish economics. <sup>9</sup>This is in sharp contrast to the Islamic academic community, which has produced a growing body of self-consciously Islamic economic literature, especially since 1975.<sup>10</sup> With the exception only of Professor

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7. *Idem.*

8. Murray Rothbard, an agnostic Jew and a defender of free market economics, once made the observation that "The fate of Western Civilization will be determined by whether our Jews beat their Jews." He presumably had in mind Ludwig von Mises, F. A. Hayek, and Milton Friedman (in his anti-regulatory writings) vs. Karl Marx, Paul Samuelson, Lawrence Klein, etc.

9. The two titles that might be offered as examples of such scholarship are quite recent: Aaron Levine, *Free Enterprise and Jewish Law* (New York: Ktav Publishing House, Yeshiva University Press, 1980); Meir Tamari, "With All Your Possessions": *Jewish Ethics and Economic Life* (New York: Free Press, 1987). Neither study is particularly theoretical or detailed in its practical applications. They are more like introductory surveys of a handful of themes in the Talmud that are related to economics.

10. See Muhammed Nejatullah Siddiqi, *Muslim Economic Thinking: A Survey of Contemporary Literature* (Leicester, England: Islamic Foundation, 1981); Muhammed Akram Khan, *Islamic Economics: Annotated Sources in English and Urdu* (Leicester, England: Islamic Foundation, 1983). A cursory list of English-language examples of this literature includes the following: Ibnul Hasan (cd.), *In Search of an Islamic Economic Model* (London: New Century Publishers, 1983); Afzal-Ur-Rahman, *Economic Doctrines of Islam*, 4 vols. (Lahore, Pakistan: Islamic Publications Limited, 1974-82); Muazzam Ali (cd.), *Islamic Banks and Strategies of Economic Cooperation* (London: New Century Publications, 1982); Mohammed Muslehuddin, *Insurance and Islamic Law*