

IS THERE A BIBLICAL WARRANT FOR NATURAL-LAW THEORIES?

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With the renewed interest in ethics in the society in general and in evangelical Christian social ethics in particular, it seems appropriate to raise the question of the validity of some sort of a natural moral law (NML) concept as an essential ingredient to a viable evangelical Christian social ethic.

Emil Brunner has noted that "the theologian's attitude toward *theologia naturalis* decides the character of his ethics."¹ Yet the concept has both frustrated and intrigued the Church throughout most of its history. The Christian community has found it hard to live with, as well as without, NML thinking.² Significantly, several important ethical books published in the late 60s and early 70s have called for the rethinking of NML concepts among Protestant ethicists.³ The challenge has come quite recently from leading Protestant ethicist James Gustafson. He has called on Protestant ethicists to reexamine the Biblical warrant for NML in the light of recent Roman Catholic attempts to establish a firm Biblical warrant for NML concepts. Gustafson believes that Protestant ethical thought that opposes NML thinking must now show why the arguments of recent Catholic scholars, such as Joseph Fuchs, who argue that numerous Biblical texts support an NML concept, cannot bear the weight from an exegetical standpoint that these Catholic scholars put on them.⁴ Finally, Klaus Bockmuehl of Regent College recently asked *Christianity Today* readers to reexamine the idea of NML, claiming good reasons for the early Church's identification of it with the Biblical creation order ("Current Religious Thought," November 18, 1977).

The mention of NML concepts immediately faces us with an assortment of different ideas, definitions and implications (see Appendix). Perhaps we can begin with the definition given in Macquarrie's *Dictionary of Christian Ethics*. There it is stated that NML is "the view that there are certain precepts or norms

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¹Cited by P. B. Henry, *Types of Protestant Theology and the Natural Law* (Ann Arbor: University of Michigan, 1970) 13.

²See D. Little, "Calvin and the Prospects for a Christian Theory of Natural Law," in *Norm and Context in Christian Ethics* (G. Outka and P. Ramsey, eds.; New York: Scribners, 1968).

³Cf. I. T. Ramsey, "Towards a Rehabilitation of Natural Law," in *Christian Ethics and Contemporary Philosophy* (New York: Macmillan, 1966); J. Macquarrie, "Rethinking Natural Law," in *Three Issues in Ethics* (New York: Harper, 1970); N. H. G. Robinson, *The Groundwork of Christian Ethics* (Grand Rapids: Eerdmans, 1971); D. Little *et al.* in *Norm and Context*. On the question of whether the Noachide commandments were revealed or were based on NML there is a body of Jewish discussion. Cf., e.g., S. S. Schwarzschild, "Do Noachites Have to Believe in Revelation?," *JQR* 52 (1962) 297-308; 53 (1963) 30-65.

⁴J. M. Gustafson, *Protestant and Roman Catholic Ethics* (Chicago: University Press, 1978).

of right conduct, discernible by all men." Two subcategories are identified: (1) "those rules of justice which may be found written in the hearts or consciences of men," and (2) "a set of ethical judgments obtained by reflecting on man's ordinary experience, as contrasted with the divine laws that may be supernaturally revealed."⁵ The first category may simply refer to our awareness of the moral dimension of all human life in the inner core of our being. His second category may be questioned. Are these principles obtained by reflecting on ordinary experience, or by reflecting on the character of man's being and the nature of his relationships to other persons and to the created world? In any event, essential to the concept of NML seem to be the features of universality, unwrittenness and intuitively perceived or rationally discoverable moral knowledge of the divine will apart from special historical Biblical revelation.

My purpose in this study is not to argue for any particular theory of NML, or to answer objections to NML such as Ellul has advanced,⁶ or to discuss the relationship between NML and Biblical revealed norms, or to develop a theory of the relationship between NML and positive human law, or even to attempt to demonstrate the importance of NML to Christian social ethics. All of these are worthy candidates for elaboration. My aim is quite modest. I want to examine selected Biblical texts and themes to explore (1) whether the authors either directly or indirectly assumed or taught that there is some sort of universally revealed divine moral knowledge which, at least in basic principles, is knowable by all men and applicable to man *qua* man; and (2) whether there is evidence that the Biblical writers recognize that these moral norms or principles are related to the way we are made, and what life is like. In other words, does the Biblical text support some sort of NML understanding in the twofold modified sense of Macquarrie's dictionary definition cited above?

I. OLD TESTAMENT TEXTS

One of the themes found in the OT is the appeal to the nature of man as the basis for ethical obligation. In this regard we may cite Job 31:13-15: "If I have rejected the cause of my manservant or my maidservant, when they brought a complaint against me, what then shall I do when God rises up? When he makes inquiry, what shall I answer him? Did not he who made me in the womb make him? And did not one fashion us in the womb?" Here Job is presenting his case before God and pleads that he is innocent of mistreating his slave, because he recognizes that even his slave was created by the same God as he himself. Gordis remarks: "The verse is a ringing affirmation of Job's conviction that all men, the lowest and highest alike, are equal in rights, because they have been created by God in the identical manner."⁷ Similarly, Barton concludes:

⁵Cited by J. Barton, "Natural Law and Poetic Justice in the Old Testament," *JTS* New Series 30/1 (1979) 1-2. I have relied heavily on Barton's article in the earlier part of this paper.

⁶J. Ellul, *The Theological Foundation of Law* (New York: Seabury, 1969) chap. 2 and elsewhere. See for a refutation of Ellul's objections to NML A. Holmes, "Human Variables and Natural Law," in Orlebeke and Smedes, eds., *God and the Good*.

⁷R. Gordis, *The Book of Job: Commentary, New Translation and Special Studies* (New York: Jewish Theological Seminary of America, 1978) 348. Cf. also V. E. Reichert, *Job* (London: Soncino, 1946) 159:

Here an appeal is made to the common origin of all men as a principle which should rule out injustice between them—in striking contrast to the deuteronomic exhortations to be kind to slaves, which appeal rather to the Israelites' own experience of slavery in Egypt and to the response-evoking kindness of God in setting them free (Deut. 24:17-18).⁸

The point is that Job grounds the ethical requirement to treat even his slave justly not in a Biblical commandment but in the reality that his slave derives his being equally from God. Consequently Job perceived certain ethical responsibilities of justice as the implications of this reality.

Along a similar line, but stressing the dignity of men and women based on the reality of their being created in the image of God, is Gen 9:6: "Whoever sheds the blood of man, by man shall his blood be shed; for God made man in his own image." Again, Barton's remarks on this passage are helpful: "Man is so created as to be inherently sacrosanct: to take his life is to contradict the nature God has given him."⁹ Again, the point seems to be that murder is wrong, not merely because it violates a Mosaic command of God but because it violates the essential God-giveness of man's being as created in the image of God. While it is true that God is the "source" of this sacrosanctity, as he is of everything else, "it is nevertheless misleading to see his role in this connection as that of a lawgiver: rather, he is man's creator, and has made him to have a certain character which must be respected."¹⁰

This man's universal responsibility to respect all other human life may also be seen from the references in Amos 1-2 to the culpability of the nations surrounding Israel in the matter of war crimes. Here it is not possible to argue that the nations so accused could be in covenant relationship to God such as would entail their adherence to the principles of morality in war as in the case of the Israelites. Nevertheless, they are still held accountable for offenses such as the use of cruel weaponry (Amos 1:3), the wholesale removal of a people from their land (1:6), the mutilation of pregnant women and other atrocities (1:13). This cannot be seen as a mere case of calling down wrath on Israel's enemies since it is not clear that all these offenses were committed against Israelites. In fact, in one case the indictment clearly involves Moabites burning the bones of the king of Edom (2:1).

That the ethical obligation of the pagan nations was not a mere rhetorical extension of the obligations that Israel, in the Law, is known to owe may be seen by noting the surprise effect in the Israel oracle (2:6-16). As Barton points out, this surprise effect could only be possible if everyone agreed that the pagans were in fact responsible for violating a commonly-agreed-upon moral standard. He observes:

Now the only safe conclusion to be drawn from this is that in this area of morality there was, or was supposed by Amos to be, a consensus, an agreed convention in Is-

"It is his deep understanding that the One and Only God is the Creator of all that makes him vividly aware of the ethical claims and the spiritual reality of human brotherhood. He regards the servant not as a possession, but as a person with equal dignity and rights of his own."

⁸Barton, "Natural Law" 2.

⁹Ibid., p. 3.

¹⁰Ibid.

rael; but if one wished to speculate a little, one might very well suspect that the convention rested on some sort of feeling about the rights of human beings *qua* human, that is, on a kind of "natural law" in this first sense that we are considering. I shall go on to suggest that Amos is also concerned with natural law in the second sense, and if that is so, then a good case can be made for seeing his prophecy as appealing largely to ideas of natural justice—rather more indeed than to what might be called "revealed" law, or even to law in the normal secular sense.¹¹

Other examples of this same type are the cases of Abraham and Abimelech (Gen 20:1-18) and Isaac and Abimelech (26:6-11).

But are there any evidences in the OT of the second sense of NML cited above in Macquarrie's dictionary definition? Do we find cases where the Biblical authors assume or teach that this universal moral knowledge is related to the way we are made and the way life is given? To answer this question an appeal could be made to the extensive wisdom literature of the OT, but perhaps it will be sufficient to refer to Gen 18:25, which records Abraham's famous debate with God over the fate of Sodom: "Far be it from thee to do such a thing, to slay the righteous with the wicked, so that the righteous fare as the wicked! Far be that from thee! Shall not the Judge of all the earth do right?" C. S. Rodd is convinced that Abraham is apparently pointing to some standard over against God that allows him to judge whether or not God is acting justly. Rodd states:

If I am correct in my interpretation, we are presented with at least two views of the relationship between religion and ethics in the Old Testament. For most of it, those scholars are clearly correct, who point out that the Israelites viewed law and morality as God's will, command, or teaching. On the other hand, there are some Old Testament writers who dare to enter into a dispute with God, and their action is intelligible only if they are claiming to possess some moral standard which they can set up over against God's decrees.¹²

Barton's response is also helpful at this point:

I am less sure than Rodd that the case discussed is an exceptional one; but on the positive side he is surely correct in thinking that Abraham (the writer) is appealing to some kind of moral norm by which even God can in principle be judged; though of course the point of the argument is that in fact God never does deviate from this norm. But the very possibility of asking the question does seem to indicate that men may obtain their moral norms, not just from what God chooses to reveal, but from the perception of some ethical principle inherent in the way things are; from a sociological perspective we might say by the projection on to the universe of moral principles drawn from the consensus view of the society of which the storytellers form a part.¹³

Further examples that indicate a broader basis for moral appeal than merely Scriptural law and principles may be found in the prophets. While Isaiah's condemnation of idolatry, bribery and murder among his people are indictments related to the breaking of the Law, a number of sins he mentions do not seem to

¹¹Ibid, p. 4.

¹²C. S. Rodd, "Shall not the Judge of all the earth do what is just? (Gen. 18:25)," *ExpTim* 83 (1972) 137-139, cited by Barton, "Natural Law" 5.

¹³Barton, "Natural Law" 5; cf. also Ps 119:137: "Righteous art thou, O LORD, and right are thy judgments."

be listed in the previous Biblical injunctions. Among these could be cited his condemnation of drunkenness (28:1), the excessive luxury of the rulers of Judah (2:7), the crude vanity and self-centeredness of the women of Jerusalem (3:16-17), the folly and dullness of the leaders (3:12), the pride of both Israelites (22) and Assyrians (10), and the political alliances especially with Egypt (31). This latter sin should not be understood merely in terms of the risk of idolatry for Israel but rather as evidence that they have put an unnatural emphasis on man vis-à-vis God:

He [Isaiah] does not at all suggest, as is sometimes said, that foreign alliances entail apostasy, for example, by requiring oaths to be sworn by gods other than Yahweh; on the contrary, he sees such alliances as wholly human expedients, which ignore the difference between God and man—the Egyptians are men, and not God—and between created and uncreated power—their horses are flesh, and not spirit. The trouble with alliances is that they exalt human strength above its natural place: those who seek to win victories by allying themselves with Egypt are guilty of *hybris* in much the same way as the Assyrians, boasting of their own success and ignoring the plan of Yahweh.¹⁴

Even idolatry may be judged by Isaiah, not as something which is a sign of unfaithfulness to the covenant but as an expression of self-worship, as a desire to have the divine realm under one's own control. Again Barton remarks: "I would call [idolatry] a 'cosmic nonsense,' a reversal of the sane way of looking at the world, which according to Isaiah, would lead men to bow in humility before the true God."¹⁵

This "cosmic nonsense" can be seen quite clearly in Amos 6:12: "Do horses run on rocks? Can one plough the sea with oxen? Yet you have turned justice into poison, and the fruit of righteousness into wormwood." The point of the prophet seems to be that Israel's perversion of justice was, as the images suggest, contrary to nature or natural law. No point is made that in this instance their sin was contrary to God's written Law (though of course it may have been opposed to both).

The whole force of Isaiah's message seems to be misunderstood if he is seen simply as appealing to a knowledge of the written Law as the basis of his condemnations. "Rather, somewhat in the manner of the compilers of the Proverbs, he is concerned with false *attitudes*: a wrong and inflated sense of one's own importance, a selfish lack of concern for others, and (in the case of political alliances) a tendency to rely on the unreliable rather than God, the source of true strength."¹⁶

There is still another type of consideration found in the prophets pertinent to our discussion. In certain texts the prophets seem to argue that God's judgment on sin is appropriate to the sin that has evoked the condemnation. This is what is often called "poetic justice." Isaiah 5:8-10 may be a case in point: "Woe to those who join house to house, who add field to field, until there is no room, and you are made to dwell alone in the midst of the land. The LORD of hosts has sworn in my hearing: Surely many houses shall be desolate, large and beautiful houses, without inhabitant. For ten acres of vineyard shall yield but one bath, and a homer of

¹⁴Ibid., pp. 6-7.

¹⁵Ibid., p. 7.

¹⁶Ibid., p. 6.

seed shall yield but an ephah." The avarice of the rich landowners leads them to drive off all the poor from the fruit-bearing lands, thus leaving only themselves to enjoy the produce and their beautiful homes. But God will judge in a way that fits the sin. "He will be consistent and rational in his dealings with men as one would expect a human judge to be; he gives men *what they deserve*, pays them back in their own coin, makes the punishment fit the crime."¹⁷ Here the point is that God acts according to moral principles that in this case are essentially the same as those recognized among men. His justice is not simply a matter of definition, as in a wholly theonomous ethical system in which justice simply means "what God does or commands." Rather, his justice is a matter of empirical experience when judged by the standards that men use in assessing the conduct of other men. And this means, Barton argues, that

the prophets who use the notion of poetic justice are implicitly appealing to a human consensus about what sort of acts are just and unjust, which is not logically derived from the revelation of moral norms by God, but rests on ideas about ethics formed by reason—which one might conveniently refer to as natural law. . . . For the moral principles which rational men can recognize are not other than the principles on which God himself works when judging the actions of men.¹⁸

It is not necessary to stress reason as the channel for this NML knowledge in order to agree with the basic essence of Barton's conclusions.¹⁹

Perhaps the culminating example of this poetic justice theme in the prophets is in Ezekiel 18 where God repeatedly affirms that he respects the principle of the nontransmissibility of guilt from father to child just as much as those who falsely accuse him of not following it.

It is well known that the reformers Luther, Calvin, Melanchthon and Zwingli favored NML thinking within their total concept of Christian ethics.²⁰ Their views on the subject cannot detain us here except to note that they often appealed for Biblical warrant for their NML thinking to the second table of the Decalogue. In his later writings Luther habitually regards the Ten Commandments as a divinely given compend of the NML imparted to all men. He remarks: "Verily the Decalog is lodged in the conscience. If God had never given the Law by Moses, yet the mind of man naturally has this knowledge that God is to be worshipped and our neighbor to be loved."²¹ Calvin's views are quite similar except that he sees some of the commandments not simply as prohibitory but as recommending certain positive obligations—obligations that would appear to derive from the "perpetual rule of love," a universal obligation for all men.²²

¹⁷Ibid., p. 12.

¹⁸Ibid., pp. 12-13.

¹⁹Cf. J. T. McNeill, "Natural Law in the Teachings of the Reformers," *JR* 26 (1946) 180, who notes that Marc Cheneviere contended that Calvin emphasized conscience rather than reason as the organ of natural law; cf. also A. D. Verhey, "Natural Law in Aquinas and Calvin," in *God and the Good* (C. J. Orlebeke and L. B. Smedes, eds.; Grand Rapids: Eerdmans, 1975).

²⁰Ibid.; cf. also J. T. McNeill, "Natural Law in the Thought of Luther," *CH* 10 (1941); Little, "Calvin."

²¹M. Luther, *Die erste Disputation gegen die Antinomer* (1537), *Werke* (Weimar Ausgabe), 39, part I, 374, cited by McNeill, "Natural Law in the Reformers" 168.

²²Little, "Calvin and the Prospects" 179.

With this selective treatment of certain OT texts and themes before us, we may now turn to the NT. Again we should recall the same twofold question about natural law that began the OT inquiry: (1) Do certain Biblical authors either directly or indirectly assume or teach that there is some sort of universal moral knowledge, at least in basic principles, that is accessible to all men and applicable to man *qua* man? (2) Is there evidence that the writers recognize that these moral norms or principles are related to the way we are made and the kind of life given to us?

II. REFERENCES IN THE GOSPELS

We turn first to the teachings of Jesus in the gospels. In this body of material the investigation is hampered somewhat from the start due to the almost strictly Jewish audiences that Jesus addressed. It is supposed that the Jewish community possessed knowledge of the Biblical Law and other revelation handed down in written form. This complicates the examination of the sources of moral knowledge in the gospels because in any given case it is difficult to assess whether the appeal is based on assumed Biblical knowledge or on some sort of more universal moral knowledge. It may still be possible, however, to examine texts in the gospels for our purpose if it can be assumed that wherever Jesus appealed to moral judgment or action that is not based on Biblical teachings or commands he is therefore appealing to a moral sense available to all men whether or not they are knowledgeable of the Biblical history.

One celebrated incident in the habitual conflict with the scribes and Pharisees involves Jesus' pronouncement about divorce. In Matt 19:4 ff. (Mark 10:2-12) Jesus responds to the Pharisees' question concerning whether divorce is appropriate for any cause, not by turning to a Biblical injunction about divorce but by appealing to the nature of male-female relations as designed by God "from the beginning" or in creation: "Have you not read that he who made them from the beginning made them male and female, and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one'? What therefore God has joined together, let no man put asunder. . . . For your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so." While it may not be possible to say in this instance that Jesus is appealing to moral knowledge unrelated to the Scriptures, he does seem to base his judgment on the fact that divorce is contrary to the purpose of God in the created relationship of male and female. In other words, the will of God is disclosed in this case not in a Biblical commandment but in the nature of created human life in maleness and femaleness and in the nature of the marriage relationship.²³

Again we may note a series of statements made by Jesus involving the concept of "good and evil." For example, in connection with the Sabbath day healing of the man with the withered hand Jesus quipped, "Is it lawful on the Sabbath to do good or to do harm?" (Mark 3:4). Here Jesus seems to appeal to their moral sense of the difference between good and harm even though no written commandment

²³J. Fuchs, *Natural Law: A Theological Investigation*. (New York: Sheed and Ward, 1965) 40 ff.; A. Wilder, "Equivalents of Natural Law in the Teaching of Jesus," *JR* 26 (1946) 133.

of the Torah specified the moral appropriateness of healing on the Sabbath. Similarly Jesus talks about the resurrection of the dead and states: "Do not marvel at this; for the hour is coming when all who are in the tombs will hear his voice and come forth, those who have done good, to the resurrection of life, and those who have done evil, to the resurrection of judgment" (John 5:28-29). Apparently, as in the previous passage, appeal is made to a universal, publicly agreeable standard of good and evil by which everyone may be judged. While it is possible that the standard may simply be the revealed Law, it seems more probable that Jesus is referring, much like the prophets in the OT, to a more universal norm that would include Biblical standards but also be broader and accessible to all men whether or not they knew the Biblical revelation. Paul's references to God's judgment in Rom 2:6-11 likewise reflects the same "good" and "evil" standard.

Fuchs refers to another incident in this same category in Mark 7:20-23.²⁴ Jesus is dealing with the significance of non-Biblical religious tradition, especially Jewish food restrictions and hand-washing rituals. He concludes by saying: "Do you not see that whatever goes into a man from outside cannot defile him, since it enters not his heart but his stomach, and so passes on? (Thus he declared all foods clean.) And he said: What comes out of a man is what defiles a man. For from within, out of the heart of man, come evil thoughts, fornication, theft, murder, adultery, coveting, wickedness, deceit, licentiousness, envy, slander, pride, foolishness. All these evil things come from within, and they defile a man." We should note that while many of these sins are expressly forbidden in the OT legislation or the Decalogue, some, such as licentiousness and foolishness, are not to my knowledge explicitly condemned in the written Hebrew Bible. More to the point, however, is the natural analogy that Jesus uses of eating and evacuation. Is it not plainly evident, he argues, that foods are morally neutral and do not affect the human life either for good or for evil since they enter the stomach and not the heart? Rather, the true source of moral evil is what comes from the deliberate human will that is centered in the heart. Is not Jesus' point warranted not on the basis of Scriptural teaching but because of a commonly-agreed-upon human conclusion that moral offenses arise from within the heart of the moral agent and are not due to eating and drinking per se? The conclusion is based on an appeal to the way human existence is constituted by God's creation. In other words, there is something in the way we are made that clearly refutes the Pharisees' misunderstood ideas of defilement and cleansing.²⁵

Perhaps the central statement of Jesus that places him squarely in the same wisdom tradition with the OT prophets is his statement in the sermon on the mount, commonly designated the golden rule: "So whatever you wish that men would do to you, do so to them; for this is the law and the prophets" (Matt 7:12). Wilder comments: "The Golden Rule, while it involves the sanctions of Scripture

²⁴Fuchs, *Natural Law* 45.

²⁵It is not necessary to see these statements of Jesus as setting aside the whole food law distinctions in Judaism. See W. Lane, *Commentary on the Gospel of Mark* (NICNT; Grand Rapids: Eerdmans, 1974) 255-258. Luke 11:13 similarly refers to an appeal by Jesus to the "good gifts which fathers give to their children" as the basis of understanding God's good gift of the Holy Spirit. It is assumed that there is a real human knowledge of what is a good gift in contrast to an evil gift. God's "good" is not of such a different kind that it would not be recognized by men as in fact "good" even by their sin-corrupted standards.

which it summarizes in Matthew's form, is counted on really to carry its own conviction."²⁶ The point to be made here is not whether Jesus gives the first positive statement of a common principle found stated negatively in Judaism and other religions.²⁷ Rather, the question is whether his appeal assumes two things: (1) a moral awareness of what would constitute right or morally appropriate action toward ourselves from others, and (2) an awareness that other persons have the right to expect this same kind of behavior from us toward them. Again, does this not suggest that there is something in the nature of created human relationships that upon reflection discloses these fundamental moral obligations?

Luther repeatedly refers to the golden rule as NML: "For nature teaches—as does love—that I should do as I would be done by (Luke 6:31) . . . that love and natural law may always prevail. . . . Such a free decision is given, however, by love and by natural law which all reason is filled" (*D. Martin Luthers Werke*, 11. 279; see P. Althaus, *The Ethics of Martin Luther* 29 for this and other references).

Of course the golden rule as a general moral principle requires interpretation and application to specific cases. Marcus Singer has ably defended the principle as a valid moral principle (cf. *Morals and Values* 115-129).

In Jesus' use of parables there are numerous instances where Jesus depends for the force of the parable upon a commonly-agreed-upon moral sense of judgment on the part of the listener.²⁸ One or two samples will have to suffice. In the parable of the laborers in the vineyard, the owner says, "Friend, I am doing you no wrong; did you not agree with me for a denarius? . . . Am I not allowed to do what I choose with what belongs to me? Or do you begrudge my generosity?" (Matt 20:13-15). As it would be agreed upon by Jesus' audience—the landowner has the moral right to be generous to the last (as well as the duty to pay the stipulated amount to the early laborers)—so God likewise is morally free to be generous with what is his. Again, the point would be lost unless there was a common moral agreement that the owner could be generous with his own possessions and still remain just in human eyes. This seems to presuppose a sense of rightness which is in some sense inherent in the structure of labor-owner relations and not merely because it is taught in Scripture.

Or we may refer to the parable of the good Samaritan (Luke 10:29-37). After Jesus concluded the account he turned to the rabbi and said, "Which of these three do you think proved neighbor to the man who fell among the robbers?" At this point the rabbi must respond on the basis of his moral judgment as to who in the story acted in a manner in keeping with God's will. He correctly answered by recognizing that the exercise of mercy constituted the inherently right action toward a fellow human being who was suffering. Furthermore, it was not the priest and Levite, who supposedly knew the written Law, who acted rightly, but it was the despised Samaritan, who supposedly did not know the written Law (at least correctly), who acted in mercy—presumably because he understood the fundamental moral obligation of love toward another human being irrespective of the

²⁶Wilder, "Equivalents" 134.

²⁷For a good summary of these views see W. Barclay, *The Gospel of Matthew* (Philadelphia: Westminster, 1958), 1. 276-281.

²⁸Cf. Wilder, "Equivalents" 131-132.

other's race, religion, social status, and so forth.

But does Jesus recognize the principle of poetic justice that was noted in the OT prophets? In Luke 12 Jesus relates a story of a houseowner who returns from a journey and takes account of his servants' stewardship. Jesus concludes by indicating that the servants' reward or punishment will be in keeping with the kind of responsibility they exercised: "And that servant who knew his master's will, but did not make ready or act according to his will, shall receive a severe beating. But he who did not know, and did what deserved a beating, shall receive a light beating" (Luke 12:47-48). Again, this seems to argue that God is consistent and rational in his dealings with us. His justice, then, is not simply a matter of definition, as in a totally theonomous ethical system in which justice merely means "what God does or commands," but is a matter of empirical experience when judged by the standards that men use in assessing the conduct of other men. The examples could be multiplied.

Jesus is repeatedly appealing to a human consensus about what sort of acts are just and unjust, a consensus not derived logically from the written revelation but resting on ideas about ethics formed by reflection on man's nature and social life—which one might conveniently refer to as some sort of NML thinking.²⁹ The evidence seems to me to warrant the conclusion that Jesus stands squarely in the wisdom and prophetic tradition of the OT. His emphasis on the justice of God requires that his audience have some agreed-upon moral standards by which even God can be judged. For Man this knowledge arises both from an inward perception of how we are made and the obligations we have to other humans *qua* humans, as well as a recognition that there are moral principles related to the nature of our human existence in the world. This should in no way obscure the truth that for those who know the Bible Jesus also appeals habitually to the Scriptures as moral norm. What is significant is that in his ministry both appeals seem to be going on simultaneously at the conscious intentional level.

III. PAULINE REFERENCES

The burden for a Biblical warrant for NML thinking has traditionally rested on certain statements of Paul in Romans 1-2.³⁰ Can his statements in these passages bear the weight of an NML concept that is assigned to them by such ethicists as Joseph Fuchs?³¹ In the first instance it is argued that Rom 1:18-32, which describes the universal culpability of the pagan world before God, could only be valid if the pagan world has a true knowledge of God and his will, at least in some fundamental sense.³² I have dealt more extensively with this passage in another

²⁹Cf. Barton, "Natural Law" 12-13.

³⁰Cf. for the reformers' use of these passages McNeill, "Natural Law in the Reformers" 168, 172, etc.

³¹Fuchs, *Natural Law* 15-20.

³²This is also the thrust of N. H. G. Robinson's excellent study, *The Groundwork of Christian Ethics* (Grand Rapids: Eerdmans, 1971); cf. "Ethics and Grace," L. B. Smedes' review of Robinson's book in *The Reformed Journal* (September 1973) 28-30.

place, but the essential features can be briefly summarized.³³ There is a universal knowledge of God and his will available to all persons apart from Biblical revelation. This knowledge when perverted to idolatry and injustice becomes the basis of God's just judgment and condemnation. Creation itself bears witness to the Creator and his nature (vv 20, 26, 27). Paul not only identifies certain acts as "against nature" (vv 26, 27) but indicates that pagans who practice or approve of such sins mentioned in vv 29-31 "know God's decree that those who do such things deserve to die" (v 32). Exegetically this passage seems to affirm that there exists an unwritten universal moral knowledge accessible to all men as men, that this knowledge comes from God (though men may not so acknowledge it), that this knowledge is at least partially known through the structure of human social relations as God has created them, and that men sense at some point a serious accountability for breaking these principles.

In the early part of Romans 2 Paul indicates that God's judgment will be based not according to the "person" (v 11) but according to whether a person has done "good" or "evil" (vv 9-10). There is no indication that "good" and "evil" is restricted to the Biblical content alone, although written norms would certainly not be excluded.

Further in the chapter Paul mentions that when the Jew breaks the written Law "the name of God is blasphemed among the Gentiles" (v 24). Here the point seems to be that the pagan could only condemn the Jew for breaking the Law if there was some essential relationship between the Gentiles' own moral standards and the written Law of Moses.

Romans 2:14-16, however, contains the celebrated statement of Paul that "Gentiles who have not the Law do by nature what the Law requires; they are a law to themselves even though they do not have the Law. They show that what the Law requires is written on their hearts." The chief problem in the passage involves the identification of the "Gentiles." A common interpretation is to identify them as pagans who on the basis of a general revelation of the will of God (1:32) are able to identify and establish certain norms that agree with the Biblical law. Thus the pagan, though without a knowledge of the Biblical norms, nevertheless has some knowledge of God's will that will be the basis of God's future judgment.

Another view of this passage identifies the Gentiles with Christians. If this is the case, then the passage has no direct relevance to the topic. The chief objection to understanding the Gentiles to be Christians is the statement in v 14: "For whenever the Gentiles who have not the Law do by nature the things the Law requires." It seems from this common translation that these Gentiles are doing something by nature with regard to the knowledge of the Law. This would be unlikely, it is argued, if they were Gentile Christians who knew the gospel and surely something of its OT context. On the other hand, as Cranfield argues, the words "by nature" can be construed more appropriately with the words that precede rather than with those that follow. This would yield the following translation: "For when Gentiles who do not possess the Law by nature [i.e., by virtue of their birth] actually do the things the Law requires." Read this way, Paul is saying

³³A. F. Johnson, "Contextualization and Non-Christian Religions," in *Contextualization in World Perspective*, J. Graton, ed. (forthcoming *Festschrift* in honor of H. W. Norton).

that although Christian Gentiles have not been brought up by virtue of their birth in the possession of God's Law (like Jews), they now know it and actually have it written in their hearts and have an earnest desire to obey it (cf. Jer 31:33).³⁴ This agrees with the overall intent of the section, which seems to me to show that those who merely possess the Law but do not do it are condemned by those who do not have the Law but keep it (i.e., the uncircumcised Gentile Christians of vv 26, 27). While Cranfield's judgment may be followed here with hesitation (the issue is by no means clear), the truth of Paul's appeal to some sort of NML operative among the pagans may still be argued with full confidence.

Paul's reference to the Law's being "good" and "just" in Rom 7:12, 16 seems to imply that he had some basis in his own human experience apart from the written Law itself to form a judgment. Likewise in Rom 13:1 ff. the governing authority is instituted by God to approve "good" conduct and punish "bad" conduct. Since Paul thinks of this authority as a "servant of God" he must assume some minimal correspondence between the "good" and the "bad" as agreed upon among men and the divine will.

A number of other Pauline references assume some sort of correspondence between the will of God and the "good" and "evil" perceived by the community of man apart from written revelation (cf. 1 Cor 10:32; 2 Cor 8:21; Phil 4:8; 1 Thess 4:12). Other NT writers seem to assume the same type of NML reality (cf. 1 Pet 2:12; 3:16). In Gal 6:7-8 Paul seems to cite a universal moral principle to the effect that whatever we sow, that we will also reap. He then applies this principle to the Galatian situation to warn them against sowing to the flesh instead of the Spirit.

Further, we may note that the NT seems to recognize that not merely the redeemed but all men are constituted in the "image of God." In Jas 3:9 the author explicitly refers to the reality of man's being in the image of God as the warrant for certain ethical rights and duties: "With it [the tongue] we bless the Lord and Father, and with it we curse men, who are made in the likeness [image] of God. . . . My brethren, this ought not to be so." Certainly some modern theologians in reacting to an over-rationalistic and impersonal natural theology have gone too far in their rejection of the "ontic" or essential nature of the image of God in man in favor of a merely relational understanding.

Finally, reference may be made to Paul's and John's creation-Christology motif and its implications to an NML theory. John's prologue affirms that creation is inseparably tied up with Christ, the *Logos* of God (John 1:1-5). Paul likewise repeatedly links creation to Christ (Col 1:15-17; Eph 1:9-23; 1 Cor 8:6). He also refers to Christ as the one "in whom are hid all the treasures of wisdom and knowledge" (Col 2:3). If God has created the world including man by his wisdom, then it is logical to assume that the creation gives expression to God's wisdom, which is his will. Herein lies perhaps a fruitful avenue of relating the wisdom of God in creation with the truth revealed and enacted in Jesus Christ who is God's wisdom.

IV. SUMMARY AND CONCLUSIONS

We began with the question of whether it could be convincingly argued that

³⁴C. E. B. Cranfield, *Romans* (ICC; Edinburgh: T & T Clark, 1975), 1. 157-158.

the Scriptures of both Old and New Testaments give warrant for believing that the authors either directly or indirectly assumed or taught that there is some sort of universally accessible moral knowledge of the divine will for man, at least in basic principles. Secondly, we asked whether there is any evidence that these authors recognize that these moral principles are related to the way we are made and the nature of human social relations.

My conclusion is a resounding "Yes" on both accounts. I have argued that some texts, while possible of alternate explanations, are best understood if we see the authors relying on some sort of NML concept. Other texts seem to call specifically for the belief in NML for their primary force. Furthermore, this belief operates in a positive conscious manner not only in reference to the peoples who are outside the Biblical revelation but as well in the ethics of the believing covenant community who live also by the special revelation of God's written Word.

Therefore an evangelical ethic, which is a fully Christian ethic, though it will necessarily be a serious Biblical ethic will never be *merely* a Biblical ethic. Not all moral obligation is rooted in Scripture. Neither is all moral obligation rooted in NML. It is important to recognize that there are two chief sources of ethical knowledge that must be incorporated dialogically into any serious evangelical Christian ethic. While Scripture will always be primary and final, it will always stand beside NML knowledge. Evangelicals must come to grips with this more complete understanding of the Christian ethic, especially in the area of social ethics.

Furthermore, these NML principles are not arbitrary as if either men or God could establish them simply by decree. They are not relative but absolute and universally binding. NML principles are not autonomous; they are rooted in God's wisdom in the creation and thus inseparably linked to God's grace in Jesus Christ, the divine *Logos*. Thus NML and redemption are intrinsically related. Even the unredeemed who may attempt to live only by the NML must face the fact that a merely natural ethic is intrinsically inadequate. Robinson explains why this is so:

The basic reason that natural ethics fails before it gets to the finish line is that it *cannot* understand that God's will is to finally *give* us the Kingdom. That is, it cannot digest the truth that the will of God is defined essentially by grace.³⁵

Finally, let me admit that this examination has been quite elementary. Further work needs to be done by philosophers and anthropologists in the content of NML, by historians in the history of Protestant use of NML in Christian ethics, and by theologians and Biblical scholars as to the relationship between NML and the gospel. Incidentally, in regard to the content of NML it is encouraging to see that recent anthropological studies have confirmed the essential moral structure of all human societies and have shown that there do in fact exist more universal moral principles among all human communities from which specific local norms are derived.³⁶ But this is another study.

³⁵Robinson, *Groundwork*, cited by Smedes, "Ethics and Grace" 29.

³⁶Cf. Little, "Calvin and the Prospects" 186-190. He cites in particular the studies of R. Linton (1952) and M. Sahlins (1959).

APPENDIX

Definitions of Natural Law in Some Recent Theological Literature

1. P. B. Henry, *Types of Protestant Theology and the Natural Law*. Ann Arbor: University Microfilms, 1970.

Natural law is conceived of as principles of human conduct that are discoverable by "reason" from the basic inclinations of human nature, and that are absolute, immutable and of universal validity for all times and places (p. 22).

2. William Spurrier, *Natural Law and the Ethics of Love*. Westminster, 1974.

In the field of theology and ethics, natural law really means almost literally "rational law." This theory is derived from the belief that there are rational structures embedded in the process of life; there are realities "out there" in the natural structure of life that can be observed or discovered by man's rational mind. . . . An example of such a reality would be the principle of social order, i.e., the need for some kind of minimal state or government. . . . Natural law, then, refers to general ethical principles that can be rationally derived from natural structures in life (p. 21).

3. Ian T. Ramsey, "Towards a Rehabilitation of Natural Law," in *Christian Ethics and Contemporary Philosophy*, Ian T. Ramsey, ed. Macmillan, 1966.

Natural Law in this context claims that everyone who deserves to be called a person acknowledges some basic moral obligation, which gives rise to moral principles on which there can be general agreement. . . . H. L. A. Hart speaks of the Thomist tradition of natural Law being "the clearest, perhaps, because it is the most extreme form of expression of this point of view"—the point of view that there is a necessary connection between law and morality, and he summarizes it as follows: "This comprises a twofold contention: first, that there are certain principles of true morality or justice, discoverable by human reason without the aid of revelation even though they have a divine origin; secondly, that man-made laws which conflict with these principles are not valid law. *Lex Iniusta non est lex*" (p. 383).

4. Allen Verhey, "Natural Law in Aquinas and Calvin," in *God and the Good*, G. J. Orlebeke and Lewis B. Smedes, eds. Eerdmans, 1975.

William Frankena has eliminated at least some of the confusion about the meaning of "natural law" with his suggestion that "we should put down as a natural law man anyone who does at least the following: (1) He subscribes to moral principles such as MNO. (2) He holds (a) that we are justified in accepting them, directly or indirectly, by truths known by our natural faculties (though not necessarily by logical deduction); (b) that they justifiably ascribe rights and obligations to all men as such, independently of their offices, agreements, laws, or whatever; and (c) that they may therefore serve as a standard by which to judge all human institutions, rules, and actions" (p. 80).

5. David Little, "Calvin and the Prospects for a Christian Theory of Natural Law," in *Norm and Context in Christian Ethics*, Gene Outka and Paul Ramsey, eds. Scribners, 1968.

Anyone, including a Christian, who sets out to develop a natural law theory would have to show two things, at the very least, about the everyday world: (1) that it is possible to establish a set of empirical generalizations about human nature that is constant, both spatially (cross-culturally) and temporally (historically); (2) that it is possible to move from this set of descriptive generalizations regarding how men do act, to a set of prescriptions regarding how they ought to act. As though these were

not difficult enough, the Christian, as the result of his special stance toward the world, must add at least two more problems to his list; (3) he must be able to show on what grounds and in what sense human nature, though corrupted by sin, is still a reliable moral guide independent of Christian obligation; and (4) he must be able to relate his generalizations about natural moral obligation to Christian belief and obligation (p. 176).

6. John Barton, "Natural Law and Poetic Justice in the Old Testament," *JTS* New Series 30/1 (1979).

In speaking of "natural law" at all one is faced with a jungle of possible definitions and implications. The term is meant to suggest a way of looking at ethics which stresses that certain moral norms are felt to be *natural*, in tune with the way things are, or likely to be held by all men in virtue of some innate moral sense. The *Dictionary of Christian Ethics* provides a useful concise definition: natural law is "the view that there are certain precepts or norms of right conduct discernible by all men"; and the author of the article goes on to suggest various subtypes, including (1) "those rules of justice which may be found written in the hearts or consciences of men" and (2) "a set of ethical judgments obtained by reflecting on man's ordinary experience, as contrasted with the divine laws that may be supernaturally revealed" (pp. 1-2).

7. John Macquarrie, "Rethinking Natural Law," in *Three Issues in Ethics*. New York: Harper, 1970.

The expression "natural law" refers to a norm of responsible conduct, and suggests a kind of fundamental guideline or criterion that comes before all rules or particular formulations of law. It will be useful to pass in review some of the classic historical statements concerning this idea (p. 92).

Like natural theology, natural law has its roots in the Greek rather than in the Hebrew contribution to Christian and Western reflections. Natural law is, as it were, the pointer within us that orients us to the goal of human existence. Actual rules, laws, and prohibitions are judged by this "unwritten law" in accordance with whether they promote or impede the movement toward fuller existence. Natural law changes, in the sense that the precepts we may derive from it change as human nature itself changes, and also in the sense that man's self-understanding changes as he sharpens his image of mature manhood. But through the changes there remains the constancy of direction (p. 108).