

## BOOK REVIEW SYMPOSIUM

# A RESPONSE TO THE SYMPOSIUM ON *POLITICS* *AFTER CHRISTENDOM*

*Politics after Christendom: Political Theology in a Fractured World.* By David VanDrunen. Grand Rapids: Zondervan Academic, 2020. Pp. 400. \$29.99 (paper); \$19.99 (digital). ISBN: 9780310108849.

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I am grateful to the *Journal of Law and Religion* for sponsoring this symposium and honored that these six eminent scholars have engaged my book so thoughtfully. I trust they will understand that I cannot respond to their essays thoroughly, given space constraints. But I hope for opportunities to continue these discussions in years to come.

It may be helpful first to restate my proposal about the Noahic covenant's foundational role in political theology. In short, this covenant establishes the terms of God's universal, preservative, and enduring government of the world, which entails corresponding human responsibilities. To fulfill these responsibilities, human beings must develop a variety of associations and institutions, including political communities. Genesis 8:21–9:17, however, describes the terms and responsibilities of the Noahic covenant sparsely. Hence, it provides a normative framework for understanding the nature and purpose of political life, but not a detailed description. I thus make two other important claims. First, I argue that what the rest of scripture says about common political communities confirms and enriches my proposal about the foundational character of the Noahic covenant. Second, I argue that the natural law, whose moral order God sustains through the Noahic covenant, further specifies what constitutes just political relations beyond the covenant's sparse terms. *Politics after Christendom* is largely an explanation, defense, and unpacking of these basic ideas.

Matthew Tuininga, I take it, generally concurs with this approach. His criticisms focus on whether I was consistent enough with my best insights. His final section worries that my argument in part two of the book has asked too much of the terms of the Noahic covenant itself and has given them a burden they cannot bear. I understand his concern. As he notes, I have been a critic of attempts to find a detailed set of political prescriptions in scripture, and *Politics after Christendom* is meant to suggest the contours of a Christian approach to political life that does not do this. So, I tried to avoid what Tuininga warns against, but it is certainly possible that sometimes I failed to carry out my intentions consistently. Tuininga suggests examples of where that happened, and readers may reexamine my arguments and judge whether he is right. I will keep Tuininga's comments in mind as I have occasion to revisit these issues in the future.

Jennifer Herdt's contribution has similarities to Tuininga's. She, too, thinks that I have derived too much normative content from the Noahic covenant, even while, like Tuininga, appreciating my accounts of legal polycentrism and the sapiential process of learning natural law. But Herdt is unconvinced about the larger proposal itself. She describes some difficulties of traditional Christian natural-law theory and suggests that my idea of a Noahic natural law has a certain promise of resolving those difficulties. But she believes this promise remains unfulfilled. Natural law is simply too indeterminate. We need the long and messy work of political deliberation to determine

the norms for our common life, and she believes that my proposal seeks to specify too much in advance what this common life should look like. This over-specification pertains both to controversial issues such as marriage and abortion and to my insistence that we keep politics non-redemptive.

Herdts cuts to core issues. She and I share some important convictions. We have both highlighted the under-determinative character of the natural law and thus are skeptical of some natural-law theorists' attempts to offer highly theoretical arguments to prove very specific moral positions. But a distance remains between us as to just how indeterminate natural law is and how to proceed in light of its indeterminacy. As I understand her, natural law is very indeterminate and all that is left for us is a rather open-ended process of political deliberation. In comparison, faced with uncertainty about how to settle moral controversies on purely philosophical grounds and the difficulty of finding political consensus, I look eagerly to scripture to illuminate the moral content of natural law. Natural law *is* indeterminate, in that it does not provide a comprehensive public policy. But in many areas in which it *seems* indeterminate because of disagreements among us, I believe the problem lies not with the natural law itself but with us—sinful people who cannot see the world aright. In my judgment, scripture indicates that certain important things are true about marriage and the unborn, to use Herdt's examples, not simply as a matter of divine positive law but according to the natural moral order. Scripture also teaches that political communities ought to be common and not redemptive and that the natural order itself exposes attempts to make political communities holy as idolatrous schemes to restore, by our own initiative, what only God will restore at the end of history. As I see it, this biblical teaching should shape the way Christians think about natural law as they participate in communal sapiential deliberation. In short, I remain convinced that Christian political theology can and should say more ahead of time than Herdt thinks it can and should.

Nicholas Aroney's essay moves in the opposite direction from Herdt's in certain respects. While Herdt thinks that I have let the rest of scripture fill in too many details unspecified in the Noachic covenant, Aroney thinks that I have not let the rest of scripture do enough work. I suspect Aroney and I share many convictions about Christians' place in political life. But he would come to these convictions differently. As to the Noachic covenant, he thinks I have seen both too much and too little.

With respect to the latter, Aroney argues that the Noachic covenant anticipates not only temporal concerns of an earthly kingdom but also redemptive concerns of an eschatological kingdom. I concur with almost everything he says about this. But I think the theology of nature and grace described in chapter 2 accounts for the evidence he presents. If grace preserves and consummates nature, as I say—or if it perfects or restores nature, as many others say—then it makes sense that we see the kinds of connections between the Noachic covenant and the Mosaic and new covenants that Aroney mentions. The (natural) value of human blood, for example, must inform any redemptive theology of sacrifice and atonement. But this does not prove that the Noachic covenant itself is redemptive, and thus it does not disprove my claims. But perhaps my language rejecting “organic unity” between the Noachic and later covenants was not the clearest way of putting it.

Aroney also thinks I see too much in the Noachic covenant, in that the rest of scripture is necessary for establishing my view of political community. In part, he develops a biblical-theology of the *nations* to show what he means. His similar comments in response to a draft of *Politics after Christendom* several years ago inspired me to develop my own treatment of the nations for the book's final version. I am grateful to Aroney for this. When I read his remarks, however, I wonder sometimes whether he confuses the descriptive and the normative. Are my normative conclusions from the Noachic covenant disproved because we do not find the peoples of the world (as described in scripture or otherwise) conforming to Noachic norms, at least not for some time? I do not see

how. In any case, I affirm that the rest of the biblical story illuminates the Noahic covenant and thus helps us understand it in ways that might be unlikely otherwise. I affirm, especially, that the development of the covenant of grace, Christ's coming, and the establishment of the New Testament church helps us see clearly the limits of our political communities. But I still ask what justifies, theologically, Christians' recognition of common political institutions as legitimate and authoritative and why Christians can participate in them in good conscience. Apart from the Noahic covenant, I do not think that we can explain why the New Testament says what it does.

The issue of my use of the whole of scripture brings me to Jonathan Chaplin's contribution. I am grateful for his many insightful reflections on part two of the book and his suggestions about how I might look at some issues differently even on my own political-theological terms. But I focus on the last part of his essay, where he laments that, in my work, "great swaths of Old and New Testament ethics play no role at all in determining the content of a Christian political ethics."<sup>1</sup> He correctly recognizes that my selectiveness in use of biblical texts was intentional, not an oversight. I stand by the way I chose to be selective, although I have sympathy for Chaplin's lament. I believe, in fact, that many additional biblical texts are relevant and could contribute to Christian political and legal thought. But I wished to focus on what was truly foundational, that is, biblical texts describing the nature and purpose of *common political communities*. Chapters 3 and 4 indicate what sort of texts I had mind, including texts from the prophets, which Oliver O'Donovan claims are absent.<sup>2</sup> My study, I hoped, could serve as a kind of prolegomena to using other texts that do not describe common political communities.

Chaplin raises the Mosaic Jubilee laws as a test case. He seems concerned to show that they have both protological-Noahic aspects and redemptive aspects, and I agree. Noahic and redemptive aspects are thoroughly intertwined in the Mosaic judicial laws. But then I must ask: How *should* we understand the contemporary relevance of laws such as those governing the Jubilee? If these laws contain many aspects distinctive to ancient Israel, as Chaplin and I agree, what are our criteria for determining their relevance today? The Mosaic law itself does not provide a formula, so it must come from *outside* the Mosaic law. And this is what I propose to provide, through the Noahic covenant and natural law. I believe this is entirely in the spirit of classical Christian moral theology. As a confessional Presbyterian, I subscribe to the Westminster Confession of Faith, which states that the obligation of the Mosaic judicial laws has expired, except as their *general equity* might require.<sup>3</sup> The Mosaic law does not tell us what its own general equity is, so where to find it? Theologians such as Thomas Aquinas and John Calvin pointed to the natural law in terms that the Westminster Confession almost identically echoes.

Chaplin questions whether a Noahic civil government can provide as much as we (should) want it to, and that question also animates Perry Dane's essay. Dane asks whether non-Jewish performance of the Noahic laws can serve theurgic ends and repair the world, kabbalistic style. I think Dane suspects what my answer will be: No, I do not think so. Yet I am intrigued by his concerns about a "soulless state."<sup>4</sup> Can my political theology inspire the toil and sacrifice that the well-

1 Jonathan Chaplin, "Is a 'Noahic Government' up to the Task?," *Journal of Law and Religion* 36, no. 2 (2021) (this issue).

2 For constructive use of the Old Testament prophets in *Politics after Christendom*, see, for example, 27–31, 33–34, 35–36, 96–99, 111, 154–56.

3 *The Humble Advice Of the Assembly Of Divines, Now by Authority of Parliament fitting at Westminster, Concerning A Confession of Faith: With the Quotations and Texts of Scripture annexed* (London: Evan Tyler, 1647), 19.4, p. 33. (The Westminster Confession of Faith is also available in modern English at <https://www.pcaac.org/wp-content/uploads/2019/11/WCFScriptureProofs.pdf>).

4 Perry Dane, "'My Name Is Great among the Nations'," *Journal of Law and Religion* 36, no. 2 (2021) (this issue).

being of our political communities sometimes requires? As it strips the state of ultimate significance, can it provide a way to bind citizens together in some spiritual solidarity?

I have thought about this with some concern. For example, I have noticed my own rather sluggish “patriotic sentiments.”<sup>5</sup> My upbringing instilled in me a rather deep patriotism, but as my political theology developed along the lines it did, that patriotism has waned, though not disappeared. I support a modest patriotism (at least in most cultural-political settings), I am deeply grateful for the many benefits of American life, and I zealously want the United States to win back the Ryder Cup. But Dane is probably right to suspect that my political theology leaves the state rather soulless. That is a risk, I admit. But I fear that the alternative is a political theology that approves of little lies meant to convince people to see a transcendent purpose in their political communities that does not exist. Not only is this dishonest, as I see it, but it also runs a risk in the other direction: leading Christians to confuse their earthly and heavenly citizenships. Faced with these two risks, I must choose the first.

O’Donovan is unique among the contributors in that I engaged his work at some length in *Politics after Christendom*. An important difference between us is whether the nature and purpose of political government changed with Christ’s exaltation. He has argued that it did, and I believe it did not. I appeal to my arguments on this issue in chapter 4. I think I have made a sound exegetical and theological case, but readers can judge for themselves.

I focus here briefly on a related issue. O’Donovan characterizes me as anti-historicist, as one whose work lacks a moral history of the political. I find this puzzling. True, I believe the normative standard of political communities has remained constant in the antediluvian world. But I have also described this world as one in which law and political institutions have developed through discovery and experimentation, through good steps and missteps. There are different things to evaluate, appreciate, and lament in every age. O’Donovan puts me in an anti-historicist box and then expresses surprise that I make evaluative comments on historical periods and movements. Doing cultural apologetics was not my book’s principle purpose, but it plays a part, especially in the closing chapters of both parts one and two. Perhaps my political theology is not really anti-historicist?

O’Donovan portrays me as enthusiastic about late modernity, as anti-medieval, and as a rejector of “all premodern Christian practical thought.”<sup>6</sup> This, too, puzzles me. I do call attention to some of the many relative advantages of the modern over the medieval, in response to seriously deficient narratives of decline. (And I suspect O’Donovan would choose the life he has lived to the life he probably would have lived had he been born eight hundred years earlier.) But I do not present a simplistic counter-narrative of progress. According to O’Donovan, I fail to explain what things in our contemporary setting we should appreciate and which we should criticize. Yet that ignores the very specific reasons I give in chapter 12 for appreciating aspects of liberalism and conservatism, as well as my pointed rejection of nationalism and progressivism. It also seems to ignore the many legal and political views I express throughout part two of the book that put me at odds with contemporary cultural trends. As a confessional Reformed Christian, I hardly feel blissfully at home in late modernity. To read *Politics after Christendom* as, in part, an attempt to be grateful and appreciative for good things Christians and others enjoy in late modernity is entirely fair. But to read it as apathetic to current events or as a rousing embrace of late modernity treats it as a book I did not think I wrote.

<sup>5</sup> Dane, “My Name Is Great among the Nations.”

<sup>6</sup> Oliver O’Donovan, “After Noah,” *Journal of Law and Religion* 36, no. 2 (2021) (this issue).

Through use of old ideas such as covenant, natural law, two cities, and two kingdoms, I hoped to develop a political theology with deep roots in the long Christian political-theological tradition but that could also continue to reform it and serve as a helpful source for considering contemporary issues. I express again my gratitude to these scholars who have helped me think honestly about whether and how I have succeeded.

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