

TOWARD A THEOLOGY OF THE STATE Part 2

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The Nature of the State

I now would like to try to build upon my basic convictions in order to seek a better understanding of the biblical teaching concerning the state and the applications of that teaching to our present situations.

“State” is not a biblical category in the sense that “family,” “people of God,” “Israel,” and “church,” are biblical categories. God established the family at creation (Gen. 2:24). In Exodus 19ff., God established Israel as a nation, as the people of God. The church is, in one sense, the whole people of God from Adam to the present, and in another sense a fresh historical expression of that community based specifically upon the apostolic confession of Christ (Matt. 16:18ff.). But in what passage did God establish the state?

Some have found divine warrant for the state in Genesis 9:6, where God commands Noah’s family to return bloodshed for bloodshed. But this is a command given to a *family*. There is no indication here of any new institution being established. And in the law of Moses, the execution of murderers was carried out, not by the state as such, but by the “avenger of blood,” kin of the murder victim (Num. 35:19,21; Deut. 19:12). The *family*, here, is the instrument of justice. We have no reason to believe, therefore, that any special institution beyond the family for the establishment of justice was created in Genesis 9:6.

What we see in Scripture, rather, is a kind of gradual development from family authority to something that we would tend to call a state. The borderline between family and state is not sharp or clear.

From the beginning there was authority within the family. Adam exercised authority over his wife by virtue of his “prior” (“pre-eminent”?) existence (1 Tim. 2:13). We see that authority in his acts of giving common and proper names to her (Gen. 2:23; 3:20). Though Eve sinned before Adam, Romans 5:12-19 traces human sin back to Adam, giving to him the ultimate responsibility for the fall. Sarah called Abraham her “lord” (Gen. 18:12), a respectful address urged by Peter (1 Pet. 3:6) as a good example to godly women. The authority of parents

over children is evident in the patriarchal narratives and enshrined in the fifth commandment of the Decalogue (Exod. 20:12). That authority includes the use of physical punishment, as is indicated in the frequent references to the “rod” in Proverbs (13:24; 22:15; 23:13; 29:15).

Adam, Eve and their children formed what we would call today a “nuclear” family. But when Cain and Seth married and formed households, the human race became an “extended” family. God had mandated that when a man marries he shall “leave” his father and mother and begin a new household (Gen. 2:24), but this change did not relieve adult children of all relationships to, or responsibilities toward, their parents, or vice versa. The patriarchs evidently maintained close relationships with their grown sons and their families, even nephews, as witnessed by Abraham’s concern for Lot (both military and priestly: Gen. 14:1-24; 18:16-33). Note especially the story of Jacob’s family from Genesis 34 to 50. Jacob, in fact, was in a position to prevail upon his sons to go to Egypt for provisions (Gen. 42:1ff.). At the end of his life, like Noah and Isaac before him, he pronounced prophetic blessings on each of his sons (Gen. 48 and 49:1-28). Job, who many believe to have lived in the patriarchal period, also maintained close relationships with his grown children and carried on a priestly ministry on their behalf (1:1-5). Leviticus 19:32 urges respect for the aged. The responsibility of grown children to provide for their aged parents is presented in very strong terms in the New Testament (Matt. 15:3-9; 1 Tim. 5:8), as an implication of the fifth commandment of the Decalogue. In Scripture, then, one is responsible, not only to himself, or to his “nuclear” family, but to his extended family as well. He owes respect and service to his parents and grandparents. He is not under their authority as when he was a child (cf. Gal. 4:1f), but he continues to honor them in various ways.¹

Jacob’s family multiplied and became a nation. From nuclear family, it became an extended family, and then a “clan,” or indeed a group of clans. Exodus 6:14-25 lists the “heads” of various Israelite clans (cf. references to the “elders” of Israel in Exod. 3:16ff.; 4:29; 12:21; 17:5ff.; 18:12). The descendants of Reuben formed four clans, each descended from one of Reuben’s sons. Similarly, six clans of Simeon were formed. Seven clans of Levi are mentioned, each related to one of Levi’s grandsons.² After Israel left Egypt, Moses evidently played a role in selecting “leaders” of the tribes (Exod. 18:21-26). I am not clear on the relation between the “officers” of Exodus 18:21-26 and the “elders” mentioned earlier in Exodus. Was Moses merely creating a new judicial role for the already existing elders? Or was this a new level of government, corresponding to the first, perhaps, as the American judiciary corresponds to the executive? Or was Moses taking control of the traditional processes by which

¹ I realize this is a vague statement, but I don’t think the following argument requires any additional precision.

² The listing in Exod. 6 ends there, since its purpose is to give the genealogy of Moses; a more complete account is found in Num. 26.

tribal elders were chosen? I am inclined to think both the first and the third suggestions were actually the case. Note that Numbers 1 and 2 list names of leaders, appointed by God through Moses, of each of the twelve tribes. That these are called “leaders of their ancestral tribes” and “heads of the clans of Israel” (Numbers 1:16) suggests that Moses’ appointees were also the more-or-less hereditary elders of the tribes.³ The leaders of “tens” might be the heads of the nuclear families themselves, those of “hundreds” the heads of more extended families, and so on up to the thousands. I would expect, however, that in making his choices Moses may have had the right on occasion to reject a hereditary leader in favor of someone more gifted or more faithful.

However one sorts out that data, it is clear that beyond the authority of the nuclear and extended families there was government associated with the tribes and with the clans of those tribes, at various levels. And, as a fourth type of government, we should notice Moses himself, chosen by God to lead the whole nation to the edge of the Promised Land. Moses’ authority, of course, was unique. It came not by heredity, nor by the appointment of another man, but by God himself. Moses was, first of all, God’s prophet. A prophet may be defined as one who has God’s words in his mouth; and God gave his words to Moses (Exod. 4:10-17) through a relationship of unique intimacy (Exod. 33:7-34:35; Num. 12:1-15). Moses, then, became the chief of the prophets, the paradigm of the prophetic office (Deut. 18:14-22). But Moses was more than a prophet. Unlike later prophets such as Elijah and Isaiah, Moses was *the* leader of Israel. He was commander-in-chief of the army (Exod. 17:8-16; Num. 21:32-35; 31:1-24). He was the final judicial recourse (Exod. 18:22,26). He received from God the law and the divine direction of the wilderness journey. Much of his activity seems to us kingly rather than merely prophetic. Certainly no human king with the exception of Solomon ever had such complete control over the nation.

Moses was not high priest; his brother Aaron fulfilled that role. But Moses did come from the priestly tribe of Levi, and Exodus 4:14-17 suggests that Aaron’s authority, originally at least, was derived from that of Moses. And Moses’ intercessions for Israel (as Exod. 32:7-14) suggest a sense of priestly responsibility.

The picture to this point, then, is that as Israel developed from nuclear family to extended family to clan to nation, family authority became more elaborate and complicated. In time, God introduced new institutions. The heads of extended families were no longer exclusively responsible for prophetic and priestly ministries as were the patriarchs. Rather, God relieved them by assigning many religious duties exclusively to the priests, Levites, and prophets.

³ I say “more or less,” because sometimes an elder brother may have lost to a younger one his natural hereditary claim to family headship, as may have been the case with Ishmael and Esau.

Was there, at this point in history, also a divinely appointed “state?” I would say no if, again, “state” refers to something above and beyond the natural authority of the family. As far back as Genesis 9, as we have seen, God called the family to execute vengeance for bloodshed, and so no new order was needed to administer capital punishment.⁴ There was, of course, in Moses’ time, a national army to be commanded, but even that has its precedents in tradition (Gen. 14).⁵ New machinery, of course, was put in place (by some combination of tribal tradition and Mosaic appointment) to resolve disputes, but that too was essentially a family function.

Moses himself should not be seen as the occupant of a new “perpetual office” in Israel. He was a “charismatic” official, one with a direct appointment from God. Joshua did succeed Moses and inherited Moses’ powers; but Joshua, also, was directly appointed by God (Num. 27:18-23; Deut. 31:1-8; Josh. 1:1-9), and no one after him had such comprehensive authority over the nation. Apart from his prophetic and priestly functions, Moses was essentially the chief of the clan leaders, the head of the family of God. Had God not selected him directly, the people might well have selected him or someone else as a chief of chiefs, without violating the overall family structure. Such a choice would merely have been a natural continuation of the movement toward greater complexity as the nation increased in size. Indeed, there was popular ratification of Moses’ rule. When Moses returned to Egypt from the desert, the elders “believed,” indeed “bowed down and worshipped” (Exod. 4:31). And after God, from Mount Sinai, appeared to the whole people, the people requested through their elders that God not again speak to them directly, but that Moses serve as mediator (Exod. 20:19; Deut. 5:5,23-33; 18:16).

During the period of the judges, no new institutions were added. God raised up judges, new charismatic leaders, to deliver Israel from its enemies (Judges 2:16). These judges were not only military leaders, but they had broad

⁴ In his *Institutes of Biblical Law* (n.p.: Craig Press, 1973), Rousas J. Rushdoony argues that God withholds the death penalty from the family and gives it exclusively to the state (pp. 358-362). He bases this argument on the mark of Cain, which he sees as a protection against vengeance from within the family, and upon Deut. 21:18-21, in which although the parents are required to bring complaints against incorrigible children, the “men of the city,” not the parents, execute the death penalty, contrary to the usual order in which the accusers are the executioners. Rushdoony may be right about the *nuclear* family. Not only the natural ties of love, but also the need to bring more objective witnesses into the process would militate against the use of the death penalty within the nuclear family. But in a broader sense, the “men of the city” were family too. And, again, there were no institutions other than the family when God prescribed the death penalty to Noah.

⁵ And note that even the nuclear family retains the use of force for self-defense, Exod. 22:2.

authority to command obedience within Israel (Judges 2:17).⁶ One of them, Deborah, was also a prophet (Judges 4:4), as was, of course, Samuel (1 Sam. 3:19-21). Samuel, though an Ephaimite rather than a Levite (at least on his father's side, 1 Sam. 1:1), exercised priestly functions (probably implied in 1 Sam. 2:35ff.; cf. 3:1; 7:9,17; 10:8), recalling the unity of prophet, priest and king in the patriarchs and Moses, and foreshadowing Christ. Again, however, this charismatic leadership did not produce any new, continuing institution in Israel. Government by tribal elders continued as during the time of Moses. Indeed, in the case of Jephthah, the judge receives his authority, humanly speaking, by the appointment of the elders (Judges 11:1-11). Under Samuel, the elders continued to command armies (1 Sam. 4:3) and to determine such courses of action as the recovery of the sacred ark (4:3).

The anointing of Saul as the first king of Israel (1 Sam. 9:16-10:1) does mark the beginning of something new. For the first time, there is to be in Israel a continuing line of monarchs, normally linked by heredity (though of course God often disrupted that hereditary pattern for his own purposes). The institutional change, however, is not a radical one.

The kingship comes as God's response to a demand from the people. The people's motives in making their request were largely sinful (1 Sam. 8; cf. Deut. 17:14; Judges 9), but God had planned to raise up kings for his people (Deut. 17:14-20) and had given them in the law a proper method of choosing one. It is important to note that in Deuteronomy 17, the king is to be chosen by the people (verse 15). As with the appointment of Moses and that of at least some of the judges, there is a human choice to be made. This choice certainly does not prevent God from playing a direct role in the selection process, but it does necessitate a human choice in addition to whatever role God may himself choose to play.

Saul was chosen both by God and by the people. God revealed to Samuel that Saul was to be anointed (1 Sam. 9:16ff.), and only after the anointing did Israel recognize Saul as king. Samuel presented Israel to the Lord by all its tribes and clans (1 Sam. 10:19), and they drew lots to determine the king. By God's appointment, the lot fell upon Saul, whereupon the people rejoiced (10:24). Later, they are said to have "confirmed Saul as king in the presence of the Lord" (11:15). Similarly, when Saul later proves unfaithful, Samuel is called to anoint a new king, David (1 Sam. 16:1-13). Long afterward, however, after the death of

⁶ Again, I am being purposefully vague. I don't know precisely the scope of their jurisdiction, though certainly it included the military. In the case of Samuel it seems to have included a regular ministry of resolving disputes (1 Sam. 7:15-17). Nor do I know the geographical or tribal extent of their authority; some judges may have had only local significance and/or may have ruled only certain tribes or clans. Samuel, last and greatest of the judges, ruled "from Dan to Beersheba," i.e. the full extent of the land (1 Sam. 3:20).

Saul, David is anointed a second time (2 Sam. 2:4), this time by the people as king of Judah. Still later, he was anointed a third time by the “elders of Israel” to be king over the entire nation (5:1-5). Involved in this appointment was a “compact” between David and the elders (5:3).

Solomon, the next king, was in effect appointed by his father David and anointed at David’s behest (2 Kings 1:28-48). There is no indication of a popular ratification of Solomon’s rule, but the new king did have to deal with some initial opposition to his reign before the kingdom was “firmly established in Solomon’s hands” (2:46). From that point, we gather, there was a general consensus in favor of Solomon (3:28; 4:29-34), though see 11:14-40. Very different was the situation with Rehoboam, Solomon’s son, who, having failed to satisfy the demands of “the whole assembly of Israel” (12:3), and having rejected the advice of “the elders” (12:6,8),⁷ lost the allegiance of ten tribes. God had promised to make Jeroboam a king (11:29-39), and the ten tribes “made him king over Israel” (12:20).

I will not seek to trace the kingship through its long history. The pattern ought to be clear at this point, and I don’t believe it is contradicted in later texts, though the later texts tend to be less explicit about the details of the process by which a person became king.⁸ The kingship is both a charismatic office and a popular one: that is, both God and the people play roles in its establishment and continuance. It is God who sets the standards for the kingship (Deut. 17:14-20) and who frequently raises up men of his choice for the work, removing others for their unfaithfulness. Nevertheless, by divine warrant, the people of Israel also make a choice. From the viewpoint of the people, they are selecting another tribal ruler, a “chief of chiefs,” who bears the same sort of authority held by the other chiefs or elders, but over a broader territory. They have the right — at least God does not contest it — to reject a ruler such as Rehoboam who will not rule according to their desires.⁹

A similar development, evidently, takes place in the nations outside the people of God. Lamech the descendent of Cain sings a song of vengeance in Genesis 4:23ff. As family head, he sings to his two wives about how he will execute vengeance for bloodshed. Unlike the simple reciprocity implied in Genesis 9:6 and in the Mosaic law of talion (Exod. 21:23-25), Lamech boasts that he will avenge seventy-seven times! “Family justice” indeed, but

⁷ Are these “elders” simply older men who advised Solomon, or are they also tribal rulers? I am not sure. 4:1-19 may list some or all of them.

⁸ It is also evident in the case of the abortive kingship of Abimelech in Judges 9:1-57.

⁹ Samuel Rutherford, in his influential *Lex, Rex*, (Harrisonburg, Va.: Sprinkle Publications, 1982; originally published 1644) offers a much more detailed defense of the popular basis of kingship, in the interest of defending “defensive war” by the people (under “lesser magistrates”) against a king.

exaggerated far beyond anything our God would recognize as just. Still, we can see that, as in the believing line, the mentality of kingship springs up in the context of the nuclear and extended families.

Meredith Kline argues that this theme is resumed in Gen. 6:1-4. He believes that the offense that draws forth God's condemnation is the exercise of royal polygamy: earthly kings ("sons of God") accumulating harems ("daughters of men").¹⁰ Whatever we may say about that exegesis, it is likely that the table of nations in Genesis 10, like the genealogy of the believing line in Genesis 5, is not a complete record of all who lived on the earth, but rather a record of notable leaders, perhaps kings. At any rate, it is clear that the development of kingship was rapid in the world in general compared to its development in Israel. When Israel first asked for a king, it seemed to them, at least, that "all the other nations" already had them (1 Sam. 8:5).

Kings in the "other nations" were known for conscripting laborers, soldiers, and wives, and for collecting extortionate taxes for private gain (Deut. 17:16ff; 1 Sam. 8:11-18). History reminds us of the terrible, Lamech-like cruelties imposed by pagan kings in the name of royal vengeance. Still, the formal institutional picture is not different from what we have seen in Israel. The pagan kings abused their powers, but so, certainly, did the Israelite kings. The pagans did not have greater powers than did the kings of Israel. Even outside the covenant, the powers of the king come from God (cf. Rom. 13:1-7). And the pagan kings, like the Israelite kings, had essentially the power of tribal elders, however widespread their territory might have been.

Once kingship appears in history, are we then able to speak of an "institution of the state?" Well, it isn't too important what you call it, as long as you understand what is going on. Yes, God has ordained authority within the family. Yes, he warrants the extension of that authority to extended families, tribes, and nations. Yes, he warrants the popular selection of leaders to implement that authority (a selection into which, of course, he is always free to intervene, and over which he always exercises providential superintendence).¹¹ Yes, that

¹⁰ Kline, "Divine Kingship and Gen. 6:1-4," *Westminster Theological Journal* 24 (1962), 187-204. In Kline's view, indeed, "kingship" is one of the major unifying themes of the early chapters of Genesis: God himself as royal creator, the sun and moon "ruling" day and night (1:16), etc., man to have dominion over the earth (1:28, 9:1-3), man's failure to exercise godly rule (chapter 3), the genealogies (see text).

¹¹ There is, I would think, some presumption that headship of an extended family would be vested in the oldest male member of the family. The oldest son normally received a double inheritance (Deut. 21:17), and therefore a kind of natural primacy over the other siblings (and doubtless additional responsibility as well; see Rushdoony, *Institutes*, 174-182) that may have made him the natural choice as the tribal leader. But of course primogeniture was often overridden.

authority includes the power to use deadly force and to resolve disputes that cannot otherwise be resolved. In that sense, we may say with Paul in Romans 13:1 that, “the authorities that exist have been established by God.” But it is important to remember that the authority of the state is essentially a family authority, not something different. For that reason, I consider it somewhat misleading to talk about a “divine institution of the state,” or to speak of “family, church and state” as “God’s institutions,” on a level with one another. I shall, however, use “state” to refer to the family elder-structures beyond the nuclear and extended families.¹²

Let me now address some potential problems in this analysis:

1. Diversity in Modern States

Is it legitimate to think of political authority as tribal eldership, even in modern nations within which there is no discernible tribal unity? What of the U.S. or the former U.S.S.R., with people of many diverse backgrounds, or South Africa in which various racial groups are sharply estranged from one another? Well, God has never decreed that “tribes” should forever maintain uniform, and to say that he has is to adopt the heresy of racism. Israel itself was joined by a “mixed multitude” when it left Egypt (Exod. 12:38). The line of the Messiah included the Canaanite Rahab and the Moabitess Ruth. Membership in Israel (even physical Israel, to say nothing of spiritual Israel) is not limited to physical descendants of Abraham, Isaac and Jacob. The founders of the U.S. opened its borders to people of many nations, inviting them to join the tribe. Whatever practical problems this diversity produces, it does not change the essential nature of civil government. Certainly God has not given us additional revelation

God chose Isaac over Ishmael and Jacob over Esau to head the covenant family. And indeed God’s choice of Jacob was ratified by Esau himself, who sold his birthright, and by Jacob, who (by deception, to be sure) blessed Jacob. The law forbids a father to disinherit his first-born out of preference for a wife other than the first-born’s mother (Deut. 21:15-17), but doubtless such disinheriting did take place for other reasons. Granted, then, some flexibility in the law of inheritances, it is likely that tribal leadership, similarly, was not based exclusively on seniority. We do have, again, the example of Jephthah in Judges 11, asked by the “elders of Gilead” (verse 5) to “be our head” (verse 8, re-emphasized in verses 9-11). Far from being a first-born, Jephthah was born of a prostitute and expelled by his brothers (verse 2). He was, they said, “not going to get any inheritance in our family.” He was chosen, not because of primogeniture, but because of military competence (verse 1).

¹² We can, for convenience, think of the “extended family” as including one’s direct ancestors two or three generations back, plus all the living descendants of those ancestors. But the definition isn’t very important for the remaining argument.

authorizing us to change the nature of government in response to these cultural trends.¹³

2. State Interference in the Family

Some may find my view of the state rather ominous because it might be used to compromise the common Christian insistence on the protection of the family from state interference. If, as I am saying, the state is simply the government of the mega-family, then how could the nuclear family be protected from its often unwanted and unhelpful intrusion? How can family be protected from family?

I would answer simply by stressing the distinction between nuclear family and mega-family or tribe. As I mentioned earlier, Scripture probably forbids the nuclear family to exercise capital punishment among its members, so as not to compromise the ties of affection that bind that unit and so as to require involvement of the wider community in such a weighty decision. There are powers given to the mega-family that are not given to the nuclear family, and vice-versa. It is helpful to remember here that the state, as a tool for resolving disputes, is essentially a system of appeals courts. The rationale of the Moses-Jethro organization of Israel in Exodus 18:17-27 is not to center authority in one man who would then make all the decisions, but rather the reverse: to free up Moses so that he would not have to consider every little problem. By analogy, I would think that the “officials over thousands” would not seek to solve all the problems among their people, but would hear cases “too hard” for the officials over hundreds, and so on down the line. Thus the chief decision-making unit is on the “tens” level — possibly the nuclear family itself. The higher levels of state power only handle cases too small to be decided locally. The essential localism, the from-the-bottom-up nature of this organization protects the nuclear family against intrusive assaults from broader courts, but also allows the wisdom of the wider community to be brought in cases where the nuclear family admits its inability to handle a problem. This is essentially the same model presupposed in Presbyterian church courts.

3. Education

¹³ We can see, however, that in nations like Japan or Sweden, which have a relative uniformity of ancestry, government is in some respects easier. In such countries, there is less suspicion of one another, more readiness to defer to one another, to trust one another as “family.” Socialism is somewhat less burdensome, for example, when to some extent the taxpayer knows, understands, and trusts the people who are receiving the benefits of the welfare state. I don’t think that socialism, ultimately, is workable anywhere; but democratic socialism does seem to be most stable in those sorts of societies. (Of course, nondemocratic socialism achieves stability in proportion to the power and the ruthless dedication of government to destroy all opposition.)

Related to the above is the contemporary Christian concern about education. State schools in the U.S. have proven to be inadequate academically and especially religiously, as they have sought to impose a secular humanist ideology upon their students. Yet the state seems determined to maintain a virtual monopoly on general education by denying tax resources to schools that are not state controlled. Responding to this situation, Christians have argued that this is an unjust state intrusion into the proper prerogatives of the family. But can we maintain this critique if we regard the state as also, in one sense, “family?”

I think we can. I agree with the contemporary Christian argument that God commits the overall education of children to the parents (e.g. Deut. 6:4ff, Proverbs). And let us now note that he commits it to parents, not grandparents or uncles or aunts. The education of young children is the task of the nuclear family, and it is, of course, to be carried out in an atmosphere saturated in God’s word (Deut. 6:6ff.). Again, the distinction between nuclear family and tribe is an important one. The extended family would enter the picture only if and when the nuclear family is unable or unwilling to carry out its responsibility.

I conclude, therefore, that state authority is essentially family authority, developed and extended somewhat by the demands of number and geography. Thus I believe we may eliminate from our consideration the views of the Lutherans and Meredith Kline, as well as others, who see the state as a distinct institution ordained by God, with powers and responsibilities different from those of the family. We may also set aside the Anabaptist view that the state is essentially allied with Satan, without denying, of course, the possibility of Satanic states, or at least of Satanic rulers of states.¹⁴

¹⁴ Geerhardus Vos, *The Teaching of Jesus Concerning the Kingdom and the Church* (Grand Rapids: Eerdmans, 1951), 50.