

REFORMING
CRIMINAL
JUSTICE

A Christian Proposal

MATTHEW T.
MARTENS

Foreword by Derwin L. Gray

“Before you even go to trial, you could be held legally in jail for years. More shocks like that are in this book. In it, the author informs in order to transform. Matt Martens is a Christian, the son of a pastor, a husband and father, a church member, and an accomplished lawyer. He has worked in both the private and the public sectors for decades. In these pages, he takes the reader on a tour of what really happens when a crime is alleged. Martens provides definitions and historical context for terms familiar to the average reader, gives examples of current challenges, and raises concerns about how we actually practice justice. This book is more than informative—it is engaging to the point of being disturbing. Martens is trying to serve us by helping us get in ‘good trouble.’”

Mark Dever, Pastor, Capitol Hill Baptist Church, Washington, DC

“*Reforming Criminal Justice* is a book for our polarized times. Guided by classical Christian sources and a biblical vision of love’s relation to justice, Martens draws on his considerable legal experience to offer a critical yet constructive evangelical approach that is at once theologically sensitive and historically informed. Highly recommended for the church and anyone concerned about the lived realities of the American criminal justice system as an urgent moral and political issue.”

Eric Gregory, Professor of Religion, Princeton University

“*Reforming Criminal Justice* is a superb tutorial on the criminal justice system, and it’s much more. An experienced criminal justice lawyer—as a prosecutor and then as a defense attorney—Martens is also a trained theologian. He offers simple, biblically grounded principles for assessing American criminal justice and doesn’t shy away from the issue of race. Highly recommended.”

David Skeel, S. Samuel Arsht Professor of Corporate Law, University of Pennsylvania Carey Law School

“A book like this is long overdue and vitally important. Combining theological training, many years of legal experience, and authentically evangelical convictions, Matt Martens is just the person to write it. In part 1 he provides a biblical framework that connects criminal justice with Christian love in light of just war reasoning. In part 2 this framework helps us to appreciate certain features of America’s criminal justice system while identifying an urgent need for reform. As a result, this book will make us better citizens of both Christ’s kingdom and our earthly cities.”

Daniel J. Treier, Gunther H. Knoedler Professor of Theology, Wheaton College; author, *Introducing Evangelical Theology*

“In a climate in which so many of our positions and policies on matters of criminal law and social justice are driven by party and politics, we need more of the biblical insights and applications Matt Martens offers in this book. *Reforming Criminal Justice* is a rich resource of wisdom, experience, and knowledge that will serve the church and our nation.”

Karen Swallow Prior, author, *The Evangelical Imagination: How Stories, Images, and Metaphors Created a Culture in Crisis*

“This extraordinary work embraces three or four books in one, all beautifully and clearly written, deeply researched, and organically knit together. Its gift to readers includes the profound framework author Matt Martens builds to examine the Christian requirements of justice and ‘social justice’ and his subsequent use of that framework to explore America’s criminal justice system. This would be an ideal book for a season-long study by an adult Sunday school class or a community reading group. Matt Martens guides readers step-by-step through his thinking, often sharing vivid personal vignettes in a confessional voice. Yet the depth of his scholarship is remarkable; he’s at home not only in the Gospels, the Pauline Letters, and the Old Testament Scriptures but also in the writings of Augustine, Thomas Aquinas, John Calvin, Martin Luther, Reinhold Niebuhr, and Martin Luther King Jr.—learning he wears lightly but employs deftly to support his most important conclusions. A work of love and grace.”

John Charles Boger, Former Dean and Professor of Law, The University of North Carolina at Chapel Hill School of Law

“Drawing on his mastery of law and theology, Matt Martens has crafted a marvelous theory of criminal justice. His major theses—that the gospel demands social justice and that justice is grounded in love—originate in insightful biblical exegesis supported by historical theology and generate solid legal principles. While some will quibble at points, every reader, from the responsible voter to the professional magistrate, will feel profoundly compelled to love more tangibly. For this ameliorating service to our image-bearing neighbors, victims and criminals alike, we all stand in Martens’s debt.”

Malcolm B. Yarnell III, Research Professor of Theology, Southwestern Baptist Theological Seminary; Teaching Pastor, Lakeside Baptist Church, Granbury, Texas; author, *The Formation of Christian Doctrine*

“Martens is a practicing attorney with experience as a prosecutor and as a defense attorney. In this book, he argues that justice must be rooted in love and mercy. He lays out a compelling case for the need to reexamine the reality of injustice in the American justice system. The system is broken and in need of repair. The evidence he presents is compelling. The argument he makes is convincing. The case he makes is compassionate. It is hard to imagine anyone reading this book and not being angered, saddened, and motivated to act for justice. Love demands it.”

Glenn R. Kreider, Professor of Theological Studies, Dallas Theological Seminary

“Everywhere, criminal justice reform continues unabated, higgledy-piggledy. Usually animated by a cliché (‘defund the police’), it is unintelligible. What is required is a return to first principles. That is Martens’s project—from a Christian perspective. Mercifully, he does it in a single volume written in a way that is not sectarian but more general; its appeal, in fact, should be universal.”

G. Robert Blakey, William J. and Dorothy K. O’Neill Professor of Law Emeritus, Notre Dame Law School

“Matt Martens’s book represents careful research and is an excellent primer on the biblical view of justice. I found the claim that true justice is love in action particularly insightful and well argued. Martens explains well the biblical view of justice, comparing and contrasting it with current practices in the United States. We know these matters are complicated and lack easy answers, but Martens’s research helps us chart a way forward as we consider what it means to enact justice in the United States.”

Thomas R. Schreiner, James Buchanan Harrison Professor of New Testament Interpretation, The Southern Baptist Theological Seminary

“Matt Martens shows great courage, as well as biblical and legal depth, in tackling the controversial and sometimes toxic subject of criminal justice in the United States. The research is meticulous, the historical perspectives helpful, and the impact of his sweeping presentation convicting! This book can’t be ignored by those in the political and legal worlds or by anyone else who cares for a just society.”

John H. Munro, Pastor, Calvary Church, Charlotte, North Carolina

Reforming Criminal Justice

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A Christian Proposal

Matthew T. Martens

 **CROSSWAY**[®]
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Don't Let the Sun Go Down on Me

featured in the Motion Picture LOST BOYS

Words and Music by Elton John and Bernie Taupin

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For my children,
may they know the one who does justly,
loves mercy, and walked humbly for our salvation

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Foreword

WOULD YOU IMAGINE SOMETHING WITH ME for a moment? Here's the setting. You and your four closest friends are on a boat: it's not a Tiger Woods yacht, but after twenty years in corporate America as an executive, you were able to buy your dream boat. You're enjoying the ocean off the Florida Keys, still laughing at the same jokes you told one another in college. The storytelling has now stretched from fact to fiction. The only thing better than the surf-and-turf dining is the deepening of your friendships. Jay is cancer free now. Alex is finally married to Gabby. Jacob is still a serial entrepreneur looking to start the next big thing. Craig is six years sober. At this stage of life, you realize that peace and love are what matter most. You're just happy to be with your friends.

As the sun begins to set, the winds pick up, and the seas get choppy. According to the weather report, all you should have expected was sunshine and smooth sailing. But seemingly out of nowhere, clear, blue skies fade into angry, dark rain clouds that start pouring buckets. The calm seas become rough, and your fun turns into fear. Dense fog rolls in, covering the seas. You feel lost. You can't see land. Your anxiety levels are spiking now. Intrusive thoughts like, *We aren't going to make it back*, crowd your mind. The once laughter-filled boat is overflowing with emotional despair.

Then your wisest friend, Craig, in a calm, confident, clear voice says, "Bros, look up to the lighthouse! The lighthouse will guide us home." One by one, instead of looking at the rough seas and fog, you look to the light. The more you look to the lighthouse, the more hope begins to rise. Cries of fear morph into shouts of courage. The seas didn't stop being rough. The fog didn't dissipate. The wind still shouts. But the light from the lighthouse guides you home. Now you have a new story to tell.

Since the time of the ancient Egyptians, the lighthouse has served as a navigational tool that led sailors home. The book you are reading by Matthew Martens, *Reforming Criminal Justice: A Christian Proposal*, is a lighthouse that will guide you home as you sail the rough seas of reforming criminal justice. As a course-plotting tool, I want to use the acronym LIGHTHOUSE so that you will know where the adventure you are embarking on is taking you.

Love

Matthew is going to challenge you to reexamine your beliefs about love. God in Christ calls us to love our neighbors. This love is sacrificial and unconditional for the victim of a crime and for *the perpetrator of a crime*. “Love your neighbor as yourself. Love does no wrong to a neighbor. Love, therefore, is the fulfillment of the law” (Rom. 13:9-10 CSB).

Insights

Matthew is a lawyer. His brain is a supercomputer. In 1996, he was first in his class at the University of North Carolina School of Law. He then served in Washington, DC, as a law clerk for a federal court of appeals judge. After that, he served as a law clerk to Chief Justice William H. Rehnquist at the US Supreme Court. That’s a big deal.

For nine years, he was a federal prosecutor, and for eleven years, he was a criminal defense attorney. Matthew has worked every type of criminal case you can imagine, including “capital murder, securities fraud, drug trafficking, firearms violations, child pornography, mortgage fraud, voter fraud, and public corruption.”¹

In 2010, he decided to attend Dallas Theological Seminary, where he graduated first in his class with a master’s degree in biblical studies. The man knows what he is talking about legally and theologically. His insights are breathtaking. I learned so much in this book. And so will you.

Grace

To have a more just society, we need to be a more gracious society. After you read this book, your grace for people in the criminal justice system will

1 See <https://matthew-martens.com>.

increase. The criminal justice system is complex and nuanced. This book will help you become less judgmental and more compassionate. Grace tends to do that to people.

History

History is a great teacher if we'd only heed her lessons. Matthew, like a skilled tour guide, takes you on a journey of American legal history and historical theological reflection. It's quite brilliant. Of all people on earth, followers of Jesus must desire to have a kingdom-of-God perspective of criminal justice. Matthew anchors us in the kingdom of God, not Democratic or Republican politics.

Trust

Your trust is a gift that will be safe with Matthew. He doesn't have a partisan axe to grind or a political agenda to spread. His work is well researched—historically, legally, and biblically. Regardless of your politics, you are going to be challenged, stretched, and educated.

Hope

If it were not for Jesus's resurrection from the dead, and his launching of the new heaven and new earth (Rev. 21:1-4), I would not have hope. One day, all the broken pieces will be put back together again; all the hurt will be healed; all the wrongs will be made right. But until that glorious day, God's people, who are presently a new creation (2 Cor. 5:17), are to be living advertisements that bear witness to the soon-coming King. Criminal justice reform is a way that we can point the world to our King. This is a hope-filled book!

Obedience

This book is going to challenge you to do something with what you read. The last chapter, "What Can You Do?" is your call to action. As a former NFL player, I love the call to action. Matthew includes this short poem by Edward Everett Hale:

I am only one,
But still I am one.

I cannot do everything,
But still I can do something;
And because I cannot do everything
I will not refuse to do the something that I can do.

Matthew writes, “Stop thinking, ‘They’re animals.’ Instead, think like a Christian. Remember that those accused and even those convicted are people, fellow humans made in God’s image.” He adds, “Stop thinking that prosecutors are above reproach. Instead, think like a Christian. Remember that Scripture speaks at length about the injustices of rulers and that accuracy demands accountability when the wrongdoer is the state.”

Understanding

“Whoever is patient has great understanding, but one who is quick-tempered displays folly” (Prov. 14:29 NIV). We live in a culture of quick-temperedness. The words of this book will give you an understanding of criminal justice that will enable you to respond in a measured, patient, kind manner. To reform criminal justice requires people who are patient, wise, and loving. I believe we can be such people.

Stand

Criminal justice and all the political baggage that goes into it can cause us to stumble. Matthew helps us to stand in the kingdom of God. Read this book slowly, prayerfully, and with people you disagree with on criminal justice.

Express

Matthew writes, “My goal in writing this book is both to tell a history and to offer a hope. I have sought to recount accurately and fairly the legal history of my nation’s struggle toward justice, and, against the backdrop of that history, I want to leave you with hope for justice.”

I believe that he accomplishes his vision. I’m grateful for his hard work. I am a better follower of Jesus as a result of reading his book. The church I cofounded and serve as lead elder-pastor will be better as a result as well.

Hey, friends, look to the lighthouse; it will guide you home.

The LORD is my light and my salvation—
whom should I fear?

The LORD is the stronghold of my life—
whom should I dread? (Ps. 27:1 CSB)

Dr. Derwin L. Gray

COFOUNDER AND LEAD PASTOR, TRANSFORMATION CHURCH

AUTHOR, *HOW TO HEAL OUR RACIAL DIVIDE*

Acknowledgments

IT ALL BEGAN AT SWEETWATER TAVERN.

In the fall of 2014, my wife and I had dinner with Isaac Adams (one of the pastoral staff members at our church) and his wife. During that dinner, which occurred only months after the events in Ferguson, Missouri, Isaac urged me to write a book on how to think about criminal justice as a Christian. He was convinced that a book of that sort could be helpful to believers who were, in that moment, wrestling with the issues of criminal justice and policing that were roiling the nation. I said I would think about it. I did for a bit. But I was busy.

Nearly six years later, in the summer of 2020, George Floyd was murdered in Minneapolis, and, amid the national unrest that ensued, another pastor friend of mine, Garrett Kell, pushed me to write a book on criminal justice. This time, I agreed to give it a try. The turmoil gripping the country was distressing to me, and I thought that perhaps I could help in some small way. But I had no idea whether anyone would be interested in reading what I had to say, much less whether anyone would be interested in publishing it.

Garrett put me in touch with Justin Taylor at Crossway, and, to my surprise, Justin was interested in receiving a proposal about my book idea. I say “surprise” because I had no experience writing a book and no profile that would be useful in selling a book. But Justin thought the content could be edifying to the church, so he took a chance that an obscure and entirely unproven author could deliver something readable. I’m grateful for the opportunity that Crossway provided to share with others thoughts on a topic about which I am passionate.

It turns out that writing a book is hard. Like, really hard. I organized my thoughts and wrote the 140,000 words that make up this book in about ten

months, all as a part-time endeavor while working my regular full-time job. This was only possible because of many other people.

First and foremost, my family tolerated my absence and endured my obsession. They have heard me talk about this book so much that there is little need for them to read it. My wife jokes that she could stand in for my speaking engagements at this point, and that's probably true. But had they not allowed me room to write and served as sounding boards with whom to ruminate, this project could never have happened.

I am also indebted to the innumerable other people who discussed my ideas, cheered me on, and read drafts of the book. My pastor, Mark Dever, read the entire manuscript and provided me detailed comments on a chapter-by-chapter basis. This was an enormous gift from one of the busiest people I know. I'll be forever grateful. Having my pastor read the manuscript was important to me because, as a Christian, I understand myself to be under the spiritual authority of my church. I write not as an individual Christian but as a member of the Christian church, guided by and subject to its teachings as understood and passed on by the community of faith. In writing this book, I've done my best to remain faithful to that teaching, and Mark's feedback was to me an important check in that regard.

Many other people also devoted precious hours of their time to reading and commenting on portions of the manuscript, including Jonathan Lee-man, Kurt Meyers, John Onwuchekwa, Jaclyn Moyer, Garrett Kell, Charles Hedman, Aaron Griffith, Rachel Barkow, Glenn Kreider, Mark Vroegop, Justin Taylor, Samuel James, and my dad (Ted Martens). The entire board of elders at my church read one of the chapters, discussed it as a group, and provided helpful feedback.

Several academics who didn't know me and (most of) whom I have still never met took time to field questions I had about their written work. Daniel Strand engaged with me about Augustine's political writing. Nigel Biggar answered questions about just war theory. Seth Kotch pointed me to sources related to his writing about the death penalty. Other professors reviewed the historical analysis in chapter 9.

I was also greatly aided by a trio of research assistants. Raleigh Clay and Park Lukich (both then students at Dallas Theological Seminary) helped me with theological research. Meredith Yates (a law student at the University

of North Carolina School of Law) was tireless in her legal research, locating the most obscure of sources with amazing speed.

When I began thinking about a foreword, I wanted someone who would read the book and, after doing so, believed in what I was doing. Derwin Gray has been that and more. He has been enthusiastic about this project from the outset and, despite his busy schedule, read the book before agreeing to participate. I am honored by his words and thankful for his integrity, his encouragement, and his friendship.

I am also extraordinarily grateful to my editor, Chris Cowan. He was patient when I missed deadlines (which happened more than once) and delivered a manuscript twice the length expected. His insightful edits preserved my voice, corrected my errors, and refined my thoughts. The book you have before you is what it is because a rookie author had an experienced guide.

Despite all this help, it is possible that I have erred in certain respects. If so, the errors are mine. But I trust that, in the end, the core argument of the book is true and that it will prompt a discussion on which others can expand, perhaps correct, and certainly improve. My goal in writing was that we would all better love our neighbors as ourselves. If I have contributed anything to that effort, it is only because many others have loved me as themselves.

Introduction

YOU HAVE HEARD IT SAID THAT JUSTICE DELAYED is justice denied. But I tell you that justice denied is love denied. And love denied to *either* the crime victim *or* the criminally accused is justice denied. This, I hope to persuade you, is not merely my view but also Christ's.

This book is born of recent events in the United States. Long-simmering racial tensions have been forced to the surface in the context of our criminal justice system. The series of deaths of Black children and men, often at the hands of police, some caught on video, usually by smartphones, have been streamed into living rooms across the country and even the world. The names of many of those men and boys have become part of our cultural lexicon: Trayvon Martin, Michael Brown, Eric Garner, Tamir Rice, Walter Scott, Alton Sterling, Philando Castile, Elijah McClain, Ahmaud Arbery, George Floyd, Patrick Lyoya. Their killings, and the resulting protests, have birthed slogans that provoke passion on all sides: Hands up, don't shoot. I can't breathe. Law and order. White privilege. Systemic racism. Black lives matter. Blue lives matter. All lives matter. Merely to recite these names and phrases is to invoke events and stir accompanying emotions.

If you're reading this book, I assume it's because you have some interest in the ongoing national conversation about criminal justice. Perhaps your natural tendency has been to approach issues of this sort as a political conservative or political liberal. That's not surprising, as criminal justice is commonly thought of as purely political or ideological. Maybe you've never thought about what it means to approach criminal justice from a religious perspective. Or you may have wondered what the Christian view is on the issue, but you're at a loss to discern what Scripture has to say about it. In the pages that follow, I'll try to show you that the Bible

does speak to the issue of criminal justice and that the root of the biblical concept of justice is love.

I approach this issue and write this book as someone who is both seminary trained and has practiced law for more than twenty-five years. The focus of my study in seminary was historical theology, and that experience embedded in me the simple but vital truth that I am neither the first nor the smartest person ever to read the Bible. We risk serious error if we approach the Scriptures and the Christian life without a firm grasp of the teachings of believers who have come before us. I'll seek to tap the wisdom of our spiritual forebears in the pages that follow.

I'll also draw on my own experience and training as a lawyer. Most of my time as an attorney has been devoted to the practice of criminal law. I spent more than nine years as a federal prosecutor and spent slightly longer as a criminal defense attorney. As a prosecutor, I worked in various ways on numerous capital murder cases. As a defense attorney, I represented an accused murderer. I have handled virtually every type of criminal case imaginable on one or the other side of the "v." And throughout my quarter century as a lawyer, I have spent a significant amount of time thinking about what it means to practice criminal law as a Christian.

As I've watched the national conversation concerning criminal justice play out among evangelicals in recent years, I've observed two roadblocks to meaningful dialogue and charting a way forward. First, many of the loudest voices on this issue are not particularly well-informed about how the American criminal justice system operates. The resulting discussion has not been a critique, or even an analysis, of the features of the criminal justice system. Instead, the focus has been either on the system's inputs or on its outputs. By this I mean that much of the criticism of our criminal justice system has revolved around statistics about either crime or incarceration rates.

Some participants in the criminal justice discussion focus on the fact that violent crime rates in the United States are unusually high compared to western Europe. In 2020, there were an estimated 22,000 homicides in the United States, or approximately 6.5 homicides for every 100,000 people.¹

1 "FBI Releases 2020 Crime Statistics," Federal Bureau of Investigation, September 27, 2021, <https://www.fbi.gov/>; Crime Data Explorer, Federal Bureau of Investigation, accessed April 10, 2023, <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend> (choosing "Homicide" under "Crime Select").

By contrast, the homicide rate that year was 1.4 in France, 1.0 in England, 0.9 in Germany, 0.6 in Spain, and 0.5 in Italy.² Likewise, the rates of other violent crimes (rape, robbery, aggravated assault, burglary, theft) in the United States were generally much higher than in those countries.³ And the combined arrest rate in the United States for these crimes is only about 10 percent.⁴ From statistics like these, some argue that what the United States needs is a tougher approach to crime control.

Other participants in the criminal justice conversation focus on what has come to be called “mass incarceration” and, in particular, the racial disparity of the American prison population as compared to the population at large. The United States is the world’s largest jailer, as others have frequently observed, accounting for approximately 19 percent of the world’s prisoners but only 4.25 percent of the world’s population.⁵ Even removing all drug crimes from the calculus, our country has the highest incarceration rate among Western countries by a wide margin.⁶ And the percentage of Black people imprisoned in the United States is five times higher than that of White people.⁷

These jarring statistics about the justice system’s input (crimes) and output (imprisonment) are certainly relevant to the conversation. More telling, in my view, are these statistics: 40 percent of murders in the United States go unsolved while, since 2000, 1,039 men and women have been exonerated of murders for which they were convicted.⁸ Thousands of guilty wander free

2 “Intentional Homicide,” United Nations Office on Drugs and Crime, accessed October 29, 2022, <https://dataunodc.un.org/>; “Homicide in England and Wales: Year Ending March 2021,” Office for National Statistics, February 10, 2022, <https://www.ons.gov.uk/>.

3 “Violent and Sexual Crime,” United Nations Office on Drugs and Crime, accessed October 29, 2022, <https://dataunodc.un.org/>; “Corruption and Economic Crime,” United Nations Office on Drugs and Crime, accessed October 29, 2022, <https://dataunodc.un.org/>.

4 Shima Baradaran Baughman, “How Effective Are Police? The Problem of Clearance Rates and Criminal Accountability,” *Alabama Law Review* 72, no. 1 (2020): 86, <https://dc.law.utah.edu/scholarship/213/>.

5 Helen Fair and Roy Walmsley, *World Prison Population List*, 13th ed. (London: Institute for Crime and Justice Policy Research, 2021), 6, 17, <https://www.prisonstudies.org>. The authors report that, as of 2019, the United States had 2.07 million of 10.77 million worldwide prisoners.

6 Rachel Elise Barkow, *Prisoners of Politics: Breaking the Cycle of Mass Incarceration* (Cambridge, MA: Harvard University Press, 2019), 120.

7 E. Ann Carson, *Prisoners in 2019* (Bureau of Justice Statistics, October 2020), 10, <https://bjs.ojp.gov/>.

8 Baughman, “How Effective Are Police?,” 95; “Clearance Rates,” Murder Accountability Project, accessed October 1, 2022, <https://www.murderdata.org/>; “Exonerations by State,” The National

while more than a thousand were wrongly imprisoned. This suggests that something in the American criminal justice system is broken.

But these statistics cannot tell us *what* is broken. To answer that question, an analysis of the design and operation of the features, procedures, actors, and laws that make up the system is required. We need an examination of the machinery, not merely the product, of the criminal justice system. We need to understand how the system was intended to function, and we need to inspect how it is actually running. Are the justice system's outputs a by-product of a machine that has malfunctioned (or worse, has been designed to function) in an unjust way? This analysis has been largely missing from the evangelical conversation. In fact, it's been mostly missing from the secular national conversation too. Conducting the needed analysis to make a competent diagnosis requires an understanding of how the machinery of criminal justice operates and why it operates that way. What happens at the various stages of a real-life criminal prosecution? Whether the system is just can only be answered with that factual understanding.

Which brings me to a second roadblock I have observed—namely, that much of the discussion occurs without reference to a comprehensive Christian ethic of criminal justice. Rather, much of the current Christian engagement on this issue sounds more like political talking points than a biblical framework. To be sure, reference is made here and there to Scripture's teaching that we are all made in the image of God. And that is a relevant theological consideration. But it is not alone sufficient.

The criminal justice system is, by definition, state-sponsored violence. Every criminal law, even a just one, is an authorization for the state to use physical force against an image bearer if he or she fails to comply with the law's mandate. Most Christians do not believe that the Bible either forbids or condemns such violence. It is expressly sanctioned by Scripture in several passages, the most notable of which is Romans 13. This means that the sight of the criminal justice system at work, even in entirely appropriate ways, will be often violent. And viewing physical force brought to bear on another human is upsetting. What is disturbing, however, is not always unjust.

Registry of Exonerations, University of Michigan, accessed April 8, 2023, <https://www.law.umich.edu/special/exoneration/Pages/Exonerations-in-the-United-States-Map.aspx>.

The question that has largely gone unanswered in the dialogue concerning criminal justice reform is what biblical framework we should employ in evaluating those uses of governmental force. A few writers have offered an ethical framework for the remedial and punitive goals of the criminal justice system.⁹ I have yet to come across any resource that attempts to offer a Christian ethical framework with which to evaluate the system's day-to-day operation. In the pages that follow, I will propose one.

In short, I hope to demonstrate from Scripture that justice is, most fundamentally, an issue of love. What the Bible teaches is that justice is an act of love. That which is loving is no less than that which is just. As professor Christopher Marshall, a leader in the restorative justice movement, puts it, "Love requires justice, and justice expresses love, though love is more than justice."¹⁰ For the Christian, love is an issue of the highest order. It is foundational to the Christian ethic. Love is—or should be—of utmost importance to Christians because it is of utmost importance to Christ. The implication of Jesus's teaching is that everything about life turns on love (Matt. 22:37–40). And justice is no exception. Get love right, and you will get justice right. But you will never set the justice system straight without a proper understanding of love.

Some have objected that all this discussion about justice—social justice generally and criminal justice in particular—distracts Christians from what really matters, namely, the gospel. "Just preach the gospel," some say. But what is the gospel—the good news—if not a gracious promise and provision of justice? The best news you will ever hear is this promise from the one who sits on the throne of the universe: "Behold, I am making all things new" (Rev. 21:5). Peter encourages us

9 Charles Colson, *Justice That Restores* (Carol Stream, IL: Tyndale, 2001); Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids, MI: Eerdmans, 2001); James Samuel Logan, *Good Punishment? Christian Moral Practice and U.S. Imprisonment* (Grand Rapids, MI: Eerdmans, 2008); Amy Levad, *Redeeming a Prison Society: A Liturgical and Sacramental Response to Mass Incarceration* (Minneapolis: Fortress, 2014); Howard Zehr, *The Little Book of Restorative Justice*, rev. ed. (New York: Good Books, 2015); Andrew Skotnicki, *Conversion and the Rehabilitation of the Penal System: A Theological Rereading of Criminal Justice* (New York: Oxford University Press, 2019). For a Christian ethical reflection on policing, see Tobias Winright, *Serve and Protect: Selected Essays on Just Policing* (Eugene, OR: Cascade, 2020).

10 Marshall, *Beyond Retribution*, 24.

to look forward to “new heavens and a new earth in which righteousness dwells” (2 Pet. 3:13). As Christians have confessed for centuries, we “look for the resurrection of the dead, and the life of the world to come.”¹¹ In other words, the renewal for which we watch and wait with anticipation is a world of justice. Dutch Reformed theologian Herman Bavinck captures well the thrust of these texts: “All that is true, honorable, *just*, pure, pleasing, and commendable in the whole of creation, in heaven and on earth, is gathered up in the future city of God—renewed, re-created, boosted to its highest glory.”¹²

The good news we proclaim as Christians is that in the re-created and righteous world to come, in that new earth, in that world where everything is boosted to its highest glory, all tears and pain from injustice will be “no more . . . for the old order of things has passed away” (Rev. 21:4 NIV). The injustice will be undone. “Everything sad is,” in J. R. R. Tolkien’s famous words, “going to come untrue.”¹³ The unjust order of things that vexes us now every day will be made new. And only righteousness will dwell in that new earth.

Anglican ethicist Oliver O’Donovan rightly observes, “It is the task of Christian eschatology to speak of the day when [divine] justice shall supersede all other justice.”¹⁴ Our eternal hope as Christians is found in the answer to Abraham’s rhetorical question, “Shall not the Judge of all the earth do what is just?” (Gen. 18:25). Indeed, Christ posed—and answered—that same question in his parable of the persistent widow: “Will not God give justice to his elect, who cry to him day and night? Will he delay long over them? I tell you, he will give justice to them speedily” (Luke 18:7–8).

Some might respond that while our ultimate hope is a just world to come under the only just King, we have no such promise in this present world. And that is true. We will not see perfect justice on this side of eter-

11 “The Nicene Creed,” in *Creeeds, Confessions, and Catechisms: A Reader’s Edition*, ed. Chad Van Dixhoorn (Wheaton, IL: Crossway, 2022), 18.

12 Herman Bavinck, *Holy Spirit, Church, and New Creation*, vol. 4 of *Reformed Dogmatics*, ed. John Bolt, trans. John Vriend (Grand Rapids, MI: Baker Academic, 2008), 720 (emphasis added).

13 J. R. R. Tolkien, *The Return of the King: Being the Third Part of The Lord of the Rings* (London: Houghton Mifflin, 2001), 930.

14 Oliver O’Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics*, 2nd ed. (Grand Rapids, MI: Eerdmans, 1994), 75.

nity. Earthly politics have a “provisional task of bearing witness to God’s justice” fully realized only in the eschaton, O’Donovan reminds us.¹⁵ The danger, however, is that our pessimism is overactive and our eschatology is under-realized.

I think this is a particular danger for Protestants of the Reformed variety. We rightly emphasize that Christ declares us just, but we tend to underemphasize that he is making us into people who live justly as well. We fail to see that we glorify the God who is just and who has declared us just when we, as his image bearers, do justly. As more and more justified people do justly, it makes for a more just, or at least less unjust, world. Our prayer even now is that God’s will for justice “be done, on earth as it is in heaven” (Matt. 6:10). As a result, “social injustice must always be denounced, even if its ultimate abolition awaits Christ’s return.”¹⁶ And as we live justly in this life, we point to that day of ultimate justice in the life to come. “Our membership in the kingdom of God may be transcendent,” O’Donovan writes, “but it can be gestured towards in the way we do our earthly justice.”¹⁷

As my pastor, Mark Dever, puts it, “The gospel is the joyous declaration that God is redeeming the world through Christ.”¹⁸ *Is* redeeming. Even today. “The kingdom of heaven is at hand,” Jesus proclaimed (Matt. 4:17). He thought that was good news. So do I. Each far too infrequent instance of justice in this world is, to borrow author Philip Yancey’s phrasing, a “rumor of another world.”¹⁹ Every glimmer, however faint, of justice in this life is God’s kingdom breaking through, a reminder that cloaked in fog, just around the bend, perfect justice is on the march. One day soon, he will dwell with us (Rev. 21:3).

And all of that is true because of love. His love. For us.

This is a book about that love and what it means for the American criminal justice system. Crime is conflict. It is a product of a fallen world. God ordained government to address that conflict, and a criminal justice system is one facet of that conflict management enterprise gifted to us by God for

15 O’Donovan, *Resurrection and Moral Order*, 72.

16 Craig L. Blomberg, *Neither Poverty nor Riches: A Biblical Theology of Possessions* (Downers Grove, IL: InterVarsity Press, 1999), 160.

17 Oliver O’Donovan, *The Ways of Judgment* (Grand Rapids, MI: Eerdmans, 2005), 215.

18 Mark Dever, “The Gospel,” *Sunday Morning Bulletin*, Capitol Hill Baptist Church, January 30, 2022.

19 Philip Yancey, *Rumors of Another World* (Grand Rapids, MI: Zondervan, 2003).

our use until that day when conflict is no more. The question I set out to answer in this book is how to conform such a system to Scripture—which is to say, how to do criminal justice justly. In sum, my answer is that a criminal justice system marked by Christ’s love for accused and victim alike is, in a fallen world, a crucial element of what Augustine of Hippo (AD 354–430) called the “tranquility of order” (*tranquilitas ordinis*) and President Lincoln much later called “a just and lasting peace among ourselves.”²⁰

The issue of race and the role it plays in the criminal justice system will be a topic occasionally discussed in the pages that follow. This is not a book about race, but race cannot be avoided in an honest conversation about criminal justice in America. Race has been a recurring theme in the history of criminal justice in the United States, so I will not shy away from this hard topic to make the discussion more comfortable.

But the failings in the American criminal justice system go well beyond race into issues of class, wealth, power, and pride. To frame the failings of the criminal justice system as primarily an issue of racism is, in my estimation, to overlook much of the injustice that plagues the system. In significant part, what drives our approach to criminal justice is fear. Politicians play on it. News media sell it. And we have acted on it. In doing so, we have built a criminal justice system based on a fear of “other” people who, we think, will never include us as the accused, much less as the convicts.

Much of the story of American criminal justice has been a story of “us versus them.” In a sense, the us-versus-them approach to criminal justice has intuitive appeal. Each criminal prosecution is, after all, the People versus the Defendant. It is the “versus,” however, that frames the problem. It is the “versus” that highlights the conflict that makes love for both victim and accused seem out of reach or, worse yet, unnecessary. We too often fall prey to thinking that the “versus” of criminal justice means that there is a “them,” an accused, a defendant, who is unentitled to our love. That conclusion—or, perhaps, simply an unchallenged assumption—is wrong. It is unbiblical. It is unloving. It is unjust. It is sin. The story of biblical criminal justice is a

20 Augustine, *The City of God*, trans. Marcus Dods (Peabody, MA: Hendrickson, 2009), 624 (19.13); “Lincoln’s Second Inaugural Address” (March 4, 1865), Lincoln Memorial, National Park Service, last modified April 18, 2020, <https://www.nps.gov>. I am grateful to Paul Miller for drawing this connection between the words of Augustine and Lincoln. Paul D. Miller, *Just War and Ordered Liberty* (New York: Cambridge University Press, 2021), 18.

story of “we.” For the Christian, the defining slogan of the criminal justice system should not be “law and order” but “love your neighbor.”

This book will proceed in two parts. In part 1, I propose a Christian ethic of criminal justice by which we can measure our, or any other, criminal justice system. Our just God has ordained government. And like all that God created, he ordained government for our good and to be good. The rulership for which we were created and the dominion that we were assigned by God prior to the fall were among the things that God looked on and declared “good” in Genesis 1.

Like everything, that dominion and our capacity to exercise it were marred by the fall. At the historical moment of Genesis 3, everything in creation broke. The curse of God because of our sin went all the way down to the dirt (the foundation, if you will), affecting everything between the highest and lowest points of creation, including government. But as we see throughout the pages of Scripture, God’s plans are not frustrated. Government is still God’s intended good for us, and he has explained to us in Scripture the principles of truly good government. What I will attempt to surface from Scripture are those principles that bear on the construction of a system of criminal justice.

In part 2, I unpack how the criminal justice system—or, more properly, systems—in America operates today. To be clear, this is not a book about policing. My focus is, consistent with my background, on the prosecution of criminal offenses, beginning with indictment and continuing through sentencing. For many Americans, their understanding of how a criminal prosecution works is the product of television and movie dramas, which bear little resemblance to reality. I want to display for you how criminal prosecutions play out. In the real world, American image bearers suffer daily injustice at the hands of lawyers, judges, and juries. And the hands dispensing that injustice are our hands as well. They operate, in a democracy, at our behest. We tend to avert our eyes while they work. I think it important to stare at what we have wrought. And in doing so, I will compare our system with the biblical principles of justice laid out in part 1.

I recognize that some readers might think this book entirely unnecessary. While I was discussing with a friend my vision for this book, he asked a question that you might have: Whatever the faults with the American system of criminal justice, isn’t it the finest the world has ever known? Is

there another country, past or present, that has done it better? I certainly understand the heart behind that question. But in my view, the question we should be asking is not whether anyone else has done better, but whether we can do better. We are a particular people, in a particular moment, with particular resources. We have been given a particular stewardship that no other people have been given. The question is what we are doing with it, not what other people have done with theirs. And the measure against which we will be judged as faithful or unfaithful in that stewardship is justice as God defines it. The standard is justice. Given our nation's resources—financial, scientific, technological, sociological, political, and ethical—is it within our reach to fashion a criminal justice system more in line with biblical teaching? This is the question that I intend to explore in this book.

I am grateful that you have chosen to join me in that quest.

PART 1

A CHRISTIAN ETHIC OF
CRIMINAL JUSTICE

The Gospel and Social Justice

“I HAVE HEARD SO MANY MINISTERS SAY, ‘those are social issues with which the gospel has no real concern.’” The Reverend Dr. Martin Luther King Jr. penned those words on April 16, 1963, from a jail cell in Birmingham, Alabama. He had been arrested four days earlier, on Good Friday, for his role in the economic boycotts and marches against the city’s system of segregation. In his “Letter from Birmingham Jail,” King lamented that, though nearly one hundred years had passed since the Civil War’s end, the criminal justice system was still regularly misused to oppress Black Americans. Some, however, preferred that King stick to the gospel.¹

Did King’s critics have a valid point? Is a concern for social issues like criminal justice a distraction from the gospel? Or is justice, including social justice, in some way bound up with the true gospel? The answer to these questions depends, of course, on what one means by “social issues” and how one understands the “gospel.” So, as we seek to work out a Christian understanding of criminal justice, our discussion must begin with first principles, namely, “What is the gospel?” In his letter to the Ephesians, the apostle Paul referred to “the gospel of your salvation” (Eph. 1:13). The good news, according to Paul, is that we are saved from something. This would suggest that one way to tackle the questions at the heart of the dispute between King and his antagonists is to start with a definition of our salvation.

1 Martin Luther King Jr., “Letter from Birmingham Jail,” April 16, 1963, The University of Alabama Libraries Special Collections, accessed June 8, 2022, 15, <http://purl.lib.ua.edu/181702>.

Since the Reformation, Protestants have been clear in their teaching that Christ's salvific work is one of both declaring us just in our standing before God (justification) and making us just in our living toward God and with others (sanctification). The good news is that God in Christ has saved us both from sin's penalty and from sin's power. The gospel is not either/or but rather both/and. It is good news that God has "forgiven us all our trespasses, by canceling the record of debt that stood against us with its legal demands" (Col. 2:13–14). But it is no less good news that we have been raised with Christ to walk in newness of life, no longer slaves of sin (Rom. 6). None of this is novel. It is traditional Protestant doctrine.

Other books have explored what this new life looks like in various areas of social life. This book focuses on what it means to walk in newness of life when it comes to participation in a system of criminal justice. And, as will become clear in the pages that follow, we are participants in that criminal justice system, at least to the extent that we live in a democratic nation. This places on us an obligation to determine what it means to live justly and to walk righteously as a participant. *What sanctification looks like for the Christian participant in the criminal justice system is the subject of this book.*

Questions of social justice are addressed in part within a branch of Christian theology known as political theology, which seeks to answer how we should think about politics (meaning, governance) as Christians.² An example of political theology is just war theory, which provides a Christian framework for evaluating when and how the state may use lethal military force. Also within the realm of political theology is the theology of criminal justice, which seeks to answer when and how the state may use punitive force against its citizens. My effort here is to articulate a theology of criminal justice that Christians can use to analyze the questions concerning criminal justice that currently divide not only our nation but also our churches. In simpler terms, I want to offer a Christian ethic to guide our thinking about criminal justice issues.

But let me be clear at the outset: the framework I propose for evaluating a system of criminal justice is not only consistent with, but is grounded in,

2 Elizabeth Philips, *Political Theology: A Guide for the Perplexed* (London: T&T Clark, 2012).

my faith in the historic, orthodox Christian understanding of the gospel. As Oliver O'Donovan puts it, "Christian ethics must arise from the gospel of Jesus Christ. Otherwise, it could not be *Christian* ethics."³ To be sure, neither an ethic of social justice generally nor criminal justice specifically is the gospel. But the true Christian gospel is for the here and now as much as it is for the hereafter. The Christian gospel is so comprehensive that it offers both forgiveness in the end and new life in the present. The gospel both declares us just before God and empowers us to live justly with others.

The Gospel as the Story of New Life

I still remember the moment. It was Thursday morning, January 10, 2008. I was working as a federal prosecutor, but the prior summer I had begun attending seminary on a part-time basis. I was in Dallas in early January for a weeklong intensive class on the doctrines of sin, man, and angels. I had never heard anyone explain the Bible like my professor, Glenn Kreider. To him the Bible was one long interconnected story.

For most of the week, I just sat silent, listening and processing. That Thursday morning, it was like a light bulb went on. And, apparently, the light bulb went on for another student as well. I was sitting in the back right of the classroom. A student on the front left raised his hand and commented, "So what you're saying is that the Bible is the story of redemption." Kreider walked over, shook his hand, and remarked, "You got it." At that moment, I got it too.⁴

The gospel is a story. The gospel is more—though not less—than a proposition or a doctrine. The gospel runs further than the "Romans Road" and is more expansive than the "Sinner's Prayer." The gospel is more than a systematic arrangement of truths about salvation. The good news, like most news, is a narrative. The gospel is the story about how a holy God, through Christ's sacrificial death and resurrection, is redeeming a world wrecked by sin, and how God has by sheer grace invited us to live in that renewed world. The gospel is the story of how, though this world is permeated by sin and all its devastating effects, God's original plan for a good creation

3 Oliver O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics*, 2nd ed. (Grand Rapids, MI: Eerdmans, 1994), 11.

4 For more on Kreider's understanding of the story of the Bible, see Glenn R. Kreider, *God with Us* (Phillipsburg, NJ: P&R, 2014).

occupied by men and women ruling in obedience to him—living justly, you might say—will not be frustrated.

The story of the Bible, and thus the gospel, is a story of justice. It begins with God who is perfectly good and just in all that he is and all that he does. In the first two chapters of Genesis, we learn that God created a good world. It was a sinless world where all was right and just. Man and woman alike were created in God's image and given a job: to govern. "Have dominion," God instructed them (Gen. 1:28). Because man and woman were created as imagers of God, they were to exercise this dominion in a way that portrayed God's perfectly just character.

But, we are told in Genesis 3, Adam and Eve corrupted this good world through their sin. Their sin was a rebellion, an insurrection against God. The result was that their nature, the very core of who they were, became sinful (Rom. 5:12), and injustice became their way of life (Isa. 59:8). The destruction was comprehensive, passed on to their offspring and shattering all of creation. The infection of sin went all the way down to the foundation of creation (Gen. 3:17).

The result of the fall was not merely that the material world was affected by sin (though it was) but also that the moral order and coherence of creation were upended.⁵ Things were and are no longer the way they were supposed to be.⁶ Only a chapter later we read of history's first crime—a murder (Gen. 4:8)—followed by another killer writing a poem celebrating the murder he had committed (Gen. 4:23–24). Things, you might say, escalated quickly.

God had warned Adam that if he ate the forbidden fruit, he would die that very moment (Gen. 2:17). Death is the absence of life. And, as promised, Adam and Eve died the day they ate. They lost the good and just lives that God had created them to live. There was no going back. They were driven from the garden, east of Eden, blocked from reentry (Gen. 3:24). They would continue to exist physically, but their existence would not be life. True life—the life that God had offered them, the life in a just world—was absent from the remainder of their days on this earth. The day Adam ate he was a dead man walking.

5 O'Donovan, *Resurrection and Moral Order*, 31.

6 Cornelius Plantinga Jr., *Not the Way It's Supposed to Be: A Breviary of Sin* (Grand Rapids, MI: Eerdmans, 1995).

The good news, though, is that the story didn't end there. In another sense, Adam and Eve didn't die that day. Genesis 5 displays God's mercy: Adam would not die physically for more than nine hundred years (Gen. 5:5). And buried in the wreckage of Genesis 3 was a glimmer of hope, a foreshadowing that somehow this mess would be resolved. Theologians call it the *proto-evangelium*—that is, the first good news (Gen. 3:15).

In the unfolding narrative, God held out his just law with the invitation to obey and live (Deut. 5:33). This wasn't an offer of life on the condition of just living. It was a definition of life *as* just living. Ruling creation justly according to God's law would be living life as it was meant to be. Doing justly would be to experience life again as it was created. Obedience was life, and the invitation was to "choose life" (Deut. 30:19–20).

What followed instead looked more like a crime spree. Murder and rape. Kidnapping and assault. Theft and prostitution. Crooked judges and corrupt kings. The rich oppressing the poor, the widows, and the orphans. Everybody oppressing the foreigners. Injustice in the courts. Injustice in the economy. Wickedness by political and religious leaders alike. Each person did what was right in his or her own eyes (Judg. 21:25). This was no way to live. In fact, it wasn't living at all. It was death. Everything was broken.

And yet along the way, God kept offering good news. He kept holding out a way to life. He established sacrifices to make atonement for the people's sins. Sin required a sacrifice; unjust living could not go unaddressed. Yet, at the same time, God kept inviting people to "pursue justice" (Deut. 16:20 CSB), to judge in accord with God's righteous revelation. And he promised that his good plan for creation would not be frustrated forever. He assured his people of a coming day of good government ruled by a prince whose reign would be marked by unending peace (Isa. 9:6–7). He promised that this prince, whom God also called his servant, would "bring forth justice to the nations" and establish "justice in the earth" (Isa. 42:1, 4). The subjects in that servant-prince's kingdom would be just too. They would be people with new hearts (Ezek. 11:19) and with the law written on those hearts (Jer. 31:33). New hearts to give new life to the dead, and the law written on those hearts so that they could obey and live. Because obedience is life. Obedience is the good life as it was created to be.

Against that backdrop, Jesus of Nazareth stepped onto the pages of history two thousand years ago. His birth was both obscure, occurring in a stable, and yet remarkable, heralded by angels with promises of peace on earth (Luke 2:7, 13–14). When he was grown, he traveled his home country both claiming to be life (John 14:6) and offering eternal life to those who would follow him (John 3:16). Because life is what dead people need.

We tend to think of the eternal life that Christ offered as *eternal* life—that is, life enduring forever. And it is certainly true that through Jesus Christ we have hope in the resurrection of the dead, never to die again (John 11:25). But the point of eternal life is as much its quality as its duration. As the psalmist rejoiced, the new life is “fullness of joy,” and it is “forevermore” (Ps. 16:11). Christ’s offer of eternal life wasn’t merely an offer of endless existence but an offer of never-ending life as it was meant to be. It is the good life restored. It is renewed life in a world marked by righteousness (2 Pet. 3:13). Jesus said that he came so that we could not only have life but “have it to the full” (John 10:10 NIV). The offer of life “abundantly,” as some translations put it, wasn’t only an offer of a lot of life (though it was that), but more importantly an offer of a new type of life. New life. Truly living again. The invitation that Christ made was not just *eternal* life, but *eternal life*.⁷

The same Jesus who made this offer supplied all that is needed for its acceptance. In his crucifixion, he paid the penalty for my disobedience. He was the final atonement, the sacrifice to end all sacrifices (Heb. 10:12). On the cross, Christ put death to death. In his resurrection, he gave life to those dead in their sins. Rightly summarizing Christ’s work on the cross, the modern hymn declares, “Death is crushed to death; / life is mine to live.”⁸ He freed us from slavery to sin (Rom. 6:8–11). We can obey again, and by obeying, life is ours to live again (Rom. 6:22). The gospel is not a command to obey but rather a promise that God, in Christ, will remake you into someone who obeys. Eternally. Jesus, through the greatest act of love the world has ever known, graciously provided *eternal life*.

7 Herman Bavinck, *God and Creation*, vol. 2 of *Reformed Dogmatics*, ed. John Bolt, trans. John Vriend (Grand Rapids, MI: Baker Academic, 2004), 565, writes that “Holy Scripture . . . sums up all the blessedness associated with the doing of God’s commandments in the word ‘life,’ eternal life.”

8 “The Power of the Cross” by Keith Getty and Stuart Townend, Thankyou Music, 2005.

And the best part is that eternal *life* starts now. “The darkness is passing away,” John writes, “and the true light is already shining” (1 John 2:8). The first Easter was, in the words of one biblical scholar, “the day the revolution began.”⁹ The resurrection set in motion a revolt against the old order of things, an overthrow of an unjust world ruled by death. We were dead in our sins (Eph. 2:1) because a life of sin robs us of life as it was meant to be. Christ’s sacrificial death paid the penalty for our sins and provided forgiveness while his resurrection made us alive now too (Rom. 6:4; Eph. 2:4–5). This new life means a new way of living, a true way of living.

As people graciously given new life, we cannot look away when confronted with the injustice around us (James 2:14–16; 1 John 3:17). We were made to image God’s just rule, created to exercise dominion as extensions of his justice in this world, and, in Christ, we can do so again (Heb. 10:26; 1 John 2:3–5). To be made just through Christ’s sanctifying work means that, by the work of the Holy Spirit, we live justly. Justice as God defines justice becomes our ethic, and our Spirit-fueled just living can change the world. Not entirely, not permanently, but nonetheless meaningfully. The world as experienced by others can be a more just place because we live lives of justice as followers of Jesus. The kingdom of that promised Prince of Peace is at hand (Matt. 4:17).

In another sense, however, that eternal life isn’t here quite yet. The darkness is passing away, but it’s not yet gone. Things still seem broken. Things *are* still broken. Injustice is still far too prevalent. My own unjust behavior still dogs me. While I can now obey and live again as God intended, the lure of death is weirdly strong (Rom. 7:21–23). The world around me constantly screams that the unjust get ahead (Ps. 73). During this life, I must fight to obey. Each day is a choice to live justly. Every day is another day of faith, another day of trusting that to follow Jesus is to live life as it was meant to be lived. For now, we walk by faith, believing that the life Christ offers is truly life even when the evidence at times seems to the contrary (2 Cor. 5:7).

And one day soon, that faith will be sight. “He shall come again, with glory,” the Nicene Creed reminds us, and his “kingdom shall have no end.”¹⁰ In that kingdom, we “will reign with him” (Rev. 20:6). Life again. Eternal

9 N. T. Wright, *The Day the Revolution Began* (New York: HarperOne, 2016).

10 “The Nicene Creed,” in *Creeds, Confessions, and Catechisms: A Reader’s Edition*, ed. Chad Van Dixhoorn (Wheaton, IL: Crossway, 2022), 18.

life. Not just unending physical existence but truly living in a world where things are completely remade as they were meant to be and where we are doing what we were created to do. All wrong will be set right. Perfect justice will prevail. Everything will be made new. The pain of injustice will pass. The broken way of things will be no more (Rev. 21:4–5).

But we are warned, God's eternal justice will come in two forms. Justice will be perfectly restored in the end for those who take hold by faith of the gracious gift of eternal life in the new earth. For those who turn from the just new world offered as a gift, however, justice of a different sort will be eternally extracted in hell. "The Lord is righteous in all his ways," the psalmist says. He "preserves all who love him, but all the wicked he will destroy" (Ps. 145:17, 20).

"The arc of the moral universe is long," King said, "but it bends toward justice."¹¹ He was right. The story of the Bible tells me so. That story of God's justice is a long story. It's a story still ongoing. It's a story of ultimate justice in the end. But it's also a story of true life, good life, life lived in the image of God, life lived justly, eternal *life*—that starts now. It's a story where we as Christ's followers play a part, leaving for our fellow travelers signposts of justice along the way. That story is great news. That story is the gospel.

The Gospel Promise of New Life

That the salvation proclaimed by the gospel includes our walk in newness of life is central to the New Testament's teaching. As the apostle Paul explains, Christ's resurrection secured both our justification (Rom. 4) and our sanctification (Rom. 6). By grace we have been united with Christ in his death and resurrection so that "we too might walk in newness of life" (Rom. 6:4). That resurrection freed us from sin's slavery to a life of increasing sanctification (Rom. 6:22).

Paul rejoices that we can obey again as people with new hearts (Rom. 6:17). In fact, Paul opens (Rom. 1:5) and closes (Rom. 16:26) his letter to the church at Rome with a reminder of the gospel's point: "the obedience of faith." The apostle Peter writes similarly that we were "ransomed from the futile ways" (1 Pet. 1:18) and chosen by God "for obedience" (1 Pet. 1:2). In

11 Martin Luther King Jr., "Where Do We Go from Here?," in *A Testament of Hope: The Essential Writings of Martin Luther King, Jr.*, ed. James M. Washington (New York: HarperCollins, 1991), 252.

Peter's view, the very reason "the gospel was preached" (1 Pet. 4:6) was so that we would cease "from sin, so as to live . . . for the will of God" (4:1–2). Moses previewed this in Genesis 18:19 when he wrote of Abraham as a man "chosen . . . that he may command his children and his household after him"—that is, all true followers of Jesus (see Gal. 3:7, 29)—"to keep the way of the LORD by doing righteousness and justice."

One helpful and oft repeated formulation of salvation is that we have been saved from the penalty of sin (justification), are being saved from the power of sin (sanctification), and will be saved from the presence of sin (glorification). No one of these elements of salvation is alone the gospel; they together comprise the totality of the good news of Jesus and his kingdom.

We were, as Paul puts it, "created in Christ Jesus for good works" (Eph. 2:10). It is not the case that "created in Christ Jesus" is the gospel and "for good works" is some knock-on effect of the gospel. It's all of a piece. It is good news that because of my re-creation in Christ Jesus I am now free from sin's penalty to do good works. "Jesus arose with our freedom in hand," the song reminds us, and "that's when . . . my life began."¹² I am no longer a slave to sin, Paul says (Rom. 6:18). That's good news! It's as much the gospel that I am now free from the penalty of sin as it is that I am now free to obey. Both are products of God's grace to us in Christ. To borrow the words of another hymn writer, we need Christ's work as "a double cure" not only to save us from wrath but also to make (not only declare) us pure.¹³

The centrality of sanctification to our salvation was a major theme in the writing of John Calvin (1509–64). He argues that living justly in obedience to God is not just an outgrowth of the gospel but is part of the gospel. The "sum of the Gospel," Calvin writes, is "repentance and forgiveness of sins," explaining that by "repentance" he means "real conversion of our life unto God."¹⁴ To Calvin, "a complete summary of the Gospel" is twofold in that "the Lord justifies his people freely, and at the same time renews them to true holiness by the sanctification of his Spirit."¹⁵ We receive a "double

12 "Death Was Arrested," featuring Seth Condrey, by Ryan Heath Balltzglier, Brandon Coker, Adam Kersh, Paul Taylor Smith, track 2 on North Point Worship, *Nothing Ordinary*, Centricity Music, 2017.

13 Augustus Toplady, "Rock of Ages," 1763.

14 John Calvin, *Institutes of the Christian Religion*, trans. Henry Beveridge (Peabody, MA: Hendrickson, 2008), 386 (3.3.1), 388 (3.3.5).

15 Calvin, *Institutes*, 397 (3.3.19).

grace” in Christ: “Being reconciled to God through Christ’s blamelessness, we may have in heaven instead of a Judge a gracious Father; and secondly, that sanctified by Christ’s spirit we may cultivate blamelessness and purity of life.”¹⁶ It would “rend the gospel” to separate this justification and sanctification.¹⁷ In sum, Calvin’s teaching was that “sanctification is *salvation*, just as much as justification is *salvation*.”¹⁸

The essence of Calvin’s teaching was reaffirmed by Herman Bavinck (1854–1921), one of the great theologians of the twentieth century. Like Calvin, Bavinck understood both justification and sanctification to be “according to the principles of the gospel.”¹⁹ Sanctification, Bavinck explains, is re-creation, and this “re-creation has a specific purpose”—namely, “the good works which believers do.”²⁰ In other words, sanctification is ethical living.²¹

This sanctification “is God’s means of actualizing in forgiven sinners his original creative purpose”²²—that is, imaging God. Having received new life, we can again reflect what God is like by pursuing (1 Tim. 6:11) and practicing (1 John 3:7) “righteousness.”²³ It is God’s righteousness that gives shape to the human justice that we are to mirror.²⁴ And as we will see in the

16 John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill, trans. Ford Lewis Battles, 2 vols. (Philadelphia: Westminster, 1960), 725 (3.11.1).

17 John Calvin, *Acts of the Council of Trent with the Antidote*, in *Tracts Relating to the Reformation*, vol. 3, trans. Henry Beveridge (Edinburgh: Calvin Translation Society, 1851), 116.

18 Jonathan H. Rainbow, “Double Grace: John Calvin’s View of the Relationship of Justification and Sanctification,” *Ex Audito* 5 (1989): 104; see also Cornelius P. Venema, “Calvin’s Understanding of the ‘Twofold Grace of God’ and Contemporary Ecumenical Discussion of the Gospel,” *Mid-America Journal of Theology* 18 (2007): 69–70, <https://www.midamerica.edu/uploads/files/pdf/journal/venema18.pdf>. More recently, John R. W. Stott likewise writes of the “two gospel promises”—namely, “forgiveness of our past” and “new life in the present through the regeneration and indwelling of the Holy Spirit.” John R. W. Stott, *Christian Mission in the Modern World* (Downers Grove, IL: InterVarsity Press, 1975), 52.

19 Herman Bavinck, *Our Reasonable Faith*, trans. Henry Zylstra (Grand Rapids, MI: Eerdmans, 1956), 482.

20 Bavinck, *Our Reasonable Faith*, 479.

21 James Eglinton, “On Bavinck’s Theology of Sanctification-as-Ethics,” in *Sanctification: Explorations in Theology and Practice*, ed. Kelly M. Kapic (Downers Grove, IL: IVP Academic, 2014), 184.

22 Bruce Demarest, *The Cross and Salvation* (Wheaton, IL: Crossway, 1997), 385.

23 The concepts of justice and righteousness are linked in the Hebrew Old Testament. See Bavinck, *God and Creation*, 221–22. “The pervasiveness of the concept of justice in the Bible can be veiled from the English reader by the fact that the original terms most approximating justice have been frequently translated in English as ‘righteousness’ and ‘judgment.’” *Harper’s Bible Dictionary*, ed. Paul J. Achtemeier (San Francisco: Harper, 1985), 557.

24 Paul Ramsey, *Basic Christian Ethics* (Louisville: Westminster John Knox, 1950), 4–8.

coming chapters, “the kind of holiness that reflects God’s own holiness is thoroughly practical. It includes . . . integrity in judicial processes.”²⁵

The Old Testament law demanded just living in obedience to God’s original righteous design; the good news is that God, in Christ, has both paid the penalty for our failure to live justly and has re-created us so that we can live justly as we were originally created to do as images of God’s righteousness.²⁶ As Bavinck puts it, “We are only truly human to the extent that we display God,”²⁷ and that element of our humanity lost in the fall is retrieved for us through Christ’s sanctifying work. God in his grace makes us alive again as the just people that he originally created and that he has again declared and called us to be. This “conversion” into renewed imagers of God is, as Sinclair Ferguson puts it, “a life-long transformation with a once-and-for all beginning.”²⁸

For our purposes, the key point is that our salvation is more than merely forensic; it is transformational. Or as Bavinck sums it up, “In justification, Christ is granted to us juridically; in sanctification, ethically.”²⁹ In Christ, we are forgiven legally *and* we are remade ethically. This is what Paul means when he says that, by the Spirit, we “are being transformed into the same image” as Christ (2 Cor. 3:18)—we are saved from the power of sin and made into a people who live according to Christ’s ethic. The “gospel ethic,” as the Princeton religion professor Paul Ramsey (1913–88) calls it,³⁰ to which we are now being conformed is an ethic grounded in love for neighbor, an ethic by which we image the God revealed to us in the righteous (i.e., just) life of Christ.

In short, you cannot separate Christian ethics from the Christian gospel, pretending that there is a coherent way in which to discuss the latter without including the former. “Excluding sanctification (and its fruit in a

25 Christopher J. H. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: IVP Academic, 2004), 39.

26 Bavinck, *God and Creation*, 532, observes that, “underlying Ephesians 4:24 and Colossians 3:10 . . . is the idea that humankind was originally created in God’s image and in the re-creation is renewed on that model.”

27 Herman Bavinck, *Created, Fallen, and Converted Humanity*, vol. 1 of *Reformed Ethics*, ed. John Bolt (Grand Rapids, MI: Baker Academic, 2019), 40.

28 Sinclair B. Ferguson, *Let’s Study Ephesians* (Edinburgh: Banner of Truth, 2005), 142.

29 Herman Bavinck, *Holy Spirit, Church, and New Creation*, vol. 4 of *Reformed Dogmatics*, ed. John Bolt, trans. John Vriend (Grand Rapids, MI: Baker Academic, 2008), 244.

30 Ramsey, *Basic Christian Ethics*, 185.

life of justice) from the gospel would be to ‘rend Christ asunder,’ as Calvin says.³¹ We cannot call people to the only true gospel without calling them to obey God. As the old hymn puts it, “Trust and obey, for there’s no other way.”³² There is, in fact, no biblical way to trust God that does not include obedience to him through ethical living.

But—and this is the critical point for answering both King’s critics and those who today wish to treat talk of justice as a distraction from the gospel—we cannot call people to obey God without telling them what obedience is. We cannot tell people what obedience is without explaining to them that it includes doing justly (Mic. 6:8). And what it means to do justly requires a definition. Justice—including just living—is definitional to the gospel. Just living does not save us, but just living in obedience to God and in the image of his Son is to what we are saved (Eph. 2:8–10).

The Gospel and Justice

Where things get sticky for some Christians is when the just living to which we are called by the gospel is referred to as “social justice.” I understand the discomfort because the term “social justice” has been co-opted today by progressive politics and thus carries ideological baggage.³³

At the same time, no less an evangelical than the Anglican pastor John R. W. Stott (1921–2011) insisted that “the community of the cross should concern itself with social justice.”³⁴ Elsewhere he explains that Christians should be concerned with “the quest for better social structures in which peace, dignity, freedom, and justice are secured for all.”³⁵ Decades ago, Baptist minister Carl F. H. Henry (1913–2003) was writing about “social injustice,” “structural evil,” and “institutional sin.”³⁶ More recently, Presbyterian pastor Timothy Keller has explained

31 J. Todd Billings, *Union with Christ: Reframing Theology and Ministry for the Church* (Grand Rapids, MI: Baker Academic, 2011), 117.

32 John H. Sammis, “Trust and Obey,” 1887.

33 To take one example, the right to elective abortion is claimed by some on the political left to be a matter of “social justice.”

34 John R. W. Stott, *The Cross of Christ* (Downers Grove, IL: InterVarsity Press, 1986), 285.

35 Stott, *Christian Mission in the Modern World*, 30.

36 Carl F. H. Henry, *A Plea for Evangelical Demonstration* (Grand Rapids, MI: Baker, 1971), 14; “Interview with Carl F. H. Henry: A Summons to Justice,” *Christianity Today* 36, no. 8, July 20, 1992, 40, <https://www.christianitytoday.com/>; Carl F. H. Henry, “Perspective for Social

that the meaning of the two Old Testament terms for justice, when used together, is best captured by the English expression “social justice.”³⁷ And the term “social justice” has been part of the official teaching of the Roman Catholic Church since at least 1931 and appears in Catholic writing a century earlier than that.³⁸ The language of social justice is not a twenty-first-century addition to Christianity.

What is important, however, is to define our terms. When I use the term “social justice,” I mean nothing more than justice in the structuring of a society.³⁹ I am referring to the design of a society in a way that treats all its members justly. A society is a group of people who live together in some ordered way.⁴⁰ That ordering may be the result of laws, or it may simply be the result of social customs. In either event, some sort of “rules” govern how a group of people live and interact with one another.⁴¹ Those rules can be just or unjust. Ambrose (ca. 339–397) believed that it was the justice (along with kindness) of those rules that “holds society together.”⁴² Others too have recognized “justice as a predicate of societies and of their actions

Action (Part II),” *Christianity Today* 3, no. 9, February 2, 1959, 14, <https://www.christianitytoday.com/>.

- ³⁷ Timothy Keller, *Generous Justice: How God’s Grace Makes Us Just* (New York: Viking, 2010), 14. Two Southern Baptist professors have made a similar observation: “Normally, in prose, when the words ‘justice’ and ‘righteousness’ are coordinated, they form a single concept or idea: social justice.” Peter J. Gentry and Stephen J. Wellum, *God’s Kingdom through God’s Covenants* (Wheaton, IL: Crossway 2015), 124. Anglican Old Testament scholar Christopher Wright is of the same view. Wright, *Old Testament Ethics for the People of God*, 257.
- ³⁸ Pius XI, *Quadragesimo Anno* [Encyclical Letter on Reconstruction of the Social Order] May 15, 1931, sec 57, <http://www.vatican.va>. It is believed that the term “social justice” was coined in 1837 in the writings of Antonio Rosmini Serbanti, an Italian Roman Catholic priest and philosopher. Robert P. Kraynak, “The Origins of ‘Social Justice’ in the National Law Philosophy of Antonio Rosmini,” *The Review of Politics* 80, no. 1 (Winter 2018): 6, <https://doi.org/10.1017/S0034670517000754>.
- ³⁹ This is a typical definition of “social justice.” See, e.g., Brian Matz, *Introducing Protestant Social Ethics: Foundations in Scripture, History, and Practice* (Grand Rapids, MI: Baker Academic, 2017), 184; John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, MA: Harvard University Press, 1999), 6, 47.
- ⁴⁰ This is both the dictionary definition and the standard conception of a society used by sociologists. Georg Simmel, *Sociology: Inquiries into the Construction of Social Norms*, vol. 1, trans. and ed. Anthony J. Blasi, Anton K. Jacobs, and Mathew Kanjirathinkal (Boston: Brill, 2009).
- ⁴¹ Bavinck, *God and Creation*, 568–69, writes that “all social cooperation . . . is ultimately grounded in a covenant, that is, in reciprocal fidelity and an assortment of generally recognized moral obligations.”
- ⁴² Ambrose, *De Officiis Ministrorum*, vol. 1, ed. and trans. Ivor J. Davidson (Oxford: Oxford University Press, 2002), 130 (1.28).

and institutions.”⁴³ By using the term “social justice,” I am referring to an ordering of society based on rules that are just as God defines justice. A socially just world is the good world that God created in the garden, and it is the just world that God will renew in the end. And a more socially just world is one for which we as believers must, in obedience to God, strive even now.

Justice occurs in a society when people in that society live justly, whether in their individual or collective endeavors. A society’s justness can be furthered or hindered by its laws, by its institutions, by its culture, and by individual behavior. When our government leaders enact or enforce good laws, they create a more just society for us all. Bad laws do the opposite. When businesses treat their employees fairly, when schools teach their students truth, when legislatures forbid murder, and when homeless shelters provide housing for the poor, these institutions make our society more just. Bad businesses, schools, legislatures, and charities can have the opposite effect. When we as a community observe certain moral traditions or conventions, we together can make our society a just one. Different moral traditions and conventions can make society unjust. And my daily obedience to God’s law can bring justice to those in my circle of influence. Or my disobedience can work injustice. The same is true of you. Both in our individual and collective work, we decide each day whether we will heed the gospel and its offer of new life and walk by faith in Christ’s promise that the just life is *life*.⁴⁴

In a sense, all justice is social because all justice is an issue of our actions toward others. But in using the term “social justice” in this book, I am focused on justice in the structure of a society. Christian philosopher Nicholas Wolterstorff likewise distinguishes between “social justice” and “justice in personal relationships.”⁴⁵ My country’s laws prohibit robbery. In that limited respect at least, the legal structure is just. If I were to rob you at gunpoint in violation of the law, it would be an act of injustice,

43 Gene Outka, *Agape: An Ethical Analysis* (New Haven, CT: Yale University Press, 1972), 75.

44 As British theologian Lesslie Newbigin (1909–98) puts it, Christian discipleship requires that we “challenge the assumptions which govern the world of politics, economics, education, and culture.” Lesslie Newbigin, *The Gospel in a Pluralist Society* (Grand Rapids, MI: Eerdmans, 1989), 220.

45 Nicholas Wolterstorff, *Justice in Love* (Grand Rapids, MI: Eerdmans, 2015), 70. Others have drawn a similar distinction. See Outka, *Agape*, 75, who distinguishes “social justice” from “commutative justice (involving rights between two individuals).”

but that type of injustice isn't a structural one. Rather, I would be acting in violation of the just legal structure governing my society. By contrast, there was a time when my country's laws permitted chattel slavery. Slavery is an injustice for a number of reasons, including that it allows the theft of another person's labor. The laws of my country that legalized slavery created a structural injustice. Those laws organized society in a way such that people could lawfully commit unjust acts without fear of legal sanction. This is what I'm referring to when I use the terms "social justice" or "social injustice."

The prophet Isaiah warned against this type of social or structural injustice when he pronounced woe on those who "make unjust laws" (Isa. 10:1 NIV). In other words, the leaders denounced by Isaiah were "mak[ing] their exploitative practices technically legal."⁴⁶ The psalmist too denounced as wicked those rulers who "frame injustice by statute" (Ps. 94:20) and prayed for God to instead "give the king your justice" so that he would rule with such (Ps. 72:1–2). Solomon similarly acknowledged that by divine wisdom "rulers decree what is just" (Prov. 8:15), implying that a ruler's decrees can conversely decree injustice. Even when laws are just, those laws can go unenforced and thus allow injustice to flourish. The prophet Jeremiah warned against this type of structural injustice when he admonished the king of Judah to "do justice" by "deliver[ing] from the hand of the oppressor him who has been robbed" (Jer. 22:3).

The Enlightenment philosopher Jean-Jacques Rousseau (1712–78) maintained that people are naturally good but become corrupted by society's institutions.⁴⁷ Scripture teaches otherwise. We are sinners, and we corrupt society's institutions.⁴⁸ Unjust laws don't spring from the ether; those laws are the result of unjust decisions by voters, legislators, governors, presidents, and judges. These actors create the legal structure. Numerous other actors fashion additional elements of a society's structure.

46 Wright, *Old Testament Ethics for the People of God*, 273.

47 Christopher Bertram, "Jean Jacques Rousseau," *The Stanford Encyclopedia of Philosophy*, September 27, 2010, last modified May 26, 2017, <https://plato.stanford.edu/>.

48 As Herman Bavinck argues, "If the ills of humanity were caused by culture, they could certainly be cured in no way other than by culture." Herman Bavinck, *Sin and Salvation in Christ*, vol. 3 of *Reformed Dogmatics*, ed. John Bolt, trans. John Vriend (Grand Rapids, MI: Baker Academic, 2006), 327. For a further discussion of the notion that we are corrupted by society, see Bavinck, *Our Reasonable Faith*, 225–28.

That structure, including its institutions, can be either just or unjust. It is this structural element of justice that, like Stott, I am attempting to capture with the term “social justice.”⁴⁹ But ultimately, the point isn’t the term we use. The point is that *the social structure itself—including its laws and the ways those laws are enforced—can be unjust*, as Scripture acknowledges and condemns.

In one sense, I agree with those who claim that the way to true social justice is through the gospel. But that is true because people coming to trust and follow Christ will do justly not only in an individual one-on-one sense, but also in how they contribute to the structuring of the societies in which they live. They will walk in newness of life. As God sanctifies me, I will live more justly, not only by refusing to rob people at gunpoint but also by refusing to condone the structuring of society in a way that permits robbery. I will seek to ensure that people are given their due in myriad other respects that are affected by society’s structure.

Given the democratic form of government in my country, this means that I will exercise my rights to vote, petition, and protest with an eye toward the enactment of laws that organize society in a more biblically just way. The prophet Jeremiah urged his readers, even during their exile in an unbelieving land and without the benefit of democratic means, to “seek the welfare of the city” in which they lived (Jer. 29:7). There is likewise a moral obligation on believers today to do the same, and one of the ways we can do so is through voting. I will return to this topic in chapter 3 when I discuss the idea of moral proximity. For now, it is enough to say, as Stott did, that as Christians “we cannot evade our political responsibility to share in changing the structures that inhibit development.”⁵⁰

But the way that we as Christians do justly in our social situations involves more than casting votes. Justified people should advocate for more just laws. Justified people should conduct more just prosecutions (cf. Luke 3:14). Justified people should render more just verdicts. Justified people should impose more just sentences. Justified people should run more just prisons. Justified people should operate more just

49 Stott, *The Cross of Christ*, 285, referring to social injustices as “the structures that inhibit development”; Stott, *Christian Mission in the Modern World*, 30.

50 Stott, *The Cross of Christ*, 285.

businesses. Justified people should educate children about justice. Justified people should inspire us, through the arts, to pursue justice.⁵¹ Justified people should persuade their acquaintances to act more justly.⁵² Justified people should do justly. And they should do all this now. “The salvation we claim,” Stott says, “should be transforming us in the totality of our personal and social responsibilities.”⁵³ The revolution has already begun. And so we must be declaring, by word and deed, the fact that the kingdom of heaven is already at hand.

Whether or not they think of it in this way, innumerable Christians regularly live out the truth that the gospel obligates us to pursue social justice. Thousands of pro-life evangelicals, for example, pursue social justice each January when they march in Washington, DC, in support of life, calling on Congress to pass just laws protecting the unborn. These Christians rightly desire justice under law in our society, and they work to achieve it. This is the work of social justice. The Christians who march for life also build institutions that advance the cause of life. They staff adoption agencies and they volunteer at crisis pregnancy centers in

51 “Art in all its works and ways conjures up an ideal world before us, in which the discords of our existence on earth are purged in a gratifying harmony. Thus a beauty is disclosed which in this fallen world has been obscured.” Bavinck, *Our Reasonable Faith*, 21.

52 “Christian citizens should use their religious freedom to publicly advocate ways for a public order that is more just, life-giving, and God-honoring.” Bruce Riley Ashford and Dennis Greeson, “Modern Political Ideologies,” in *Reformed Public Theology: A Global Vision for Life in the World*, ed. Matthew Kaemingk (Grand Rapids, MI: Baker Academic, 2021), 133. Professor Robert Benne has provided a useful discussion of the range of approaches that Christians have taken to implementing their religious convictions in public life. At one end of the spectrum is what he calls “the ethics of character” or an “unintentional and indirect influence.” Under this approach, the organized church does not advocate in the political realm for particular policies. Rather, “religious communities are capable of forming a powerful ethos among people who participate. These people then shape the world about them, as voters and political leaders.” Robert Benne, *Good and Bad Ways to Think About Religion and Politics* (Grand Rapids, MI: Eerdmans, 2010), 83.

53 John R. W. Stott, “Lausanne Occasional Paper 3: The Lausanne Covenant: An Exposition and Commentary” (Lausanne Committee for World Evangelization, 1975), sec. 5, <https://lausanne.org>. See also Craig G. Bartholomew and Michael W. Goheen, *The Drama of Scripture: Finding Our Place in the Biblical Story* (Grand Rapids, MI: Baker Academic, 2004), 201: “When we grasp that the salvation of the kingdom restores the creation, and all of it, we see that witness to God’s kingdom is as wide as creation. Witness will mean embodying God’s renewing power in politics and citizenship, economics and business, education and scholarship, family and neighborhood, media and art, leisure and play. It is not just that we carry out evangelism in these areas. Again, this is important but not enough. It means that the way we live as citizens, consumers, students, husbands, mothers and friends witnesses to the restoring power of God.”

hopes of saving unborn lives from premature death. This is the work of social justice. At the same time, many of these Christians seek daily to create a culture of life in society, speaking and writing against attitudes and actions by fellow citizens that cheapen human life. They use their skills in journalism, science, medicine, education, and law to change minds so that their fellow citizens view life in a more just way. This too is the work of social justice. And many of these people individually seek justice for the unborn, whether in their own responses to unexpected pregnancies or in their personal assistance to others facing such. All of this is the work of social justice, which is the work of obedience to God. It is work that values all human life as God values human life. It is the work of a life lived as God made life to be lived. And, as such, it is work born of the gospel.

I've never met anyone who views elective abortion as unjust and yet also believes that nothing should be done in the reordering of social institutions to bring about its end. I know of no one who says, "There is simply nothing I should do to end the injustice of abortion because, ultimately, only God can change lives through the gospel." Such a response would be confused and confusing. God has called us in the gospel to live justly, and part of that just living is using our resources—from voting to advocacy skills to financial means—to seek justice for others (Isa. 1:17). Part of our sanctification, you might say, is doing the work of social justice.

For those of us who view elective abortion as a grave injustice against the unborn, we of course hope to see more and more people come to know the truth of the gospel and to turn from their sins. But I, for one, have never thought that evangelism was alone a sufficient response to abortion. In the face of a structural injustice in our society that legalizes killing of the unborn, I as a Christian must act. Obedience to God demands it. And here is the crucial point: what is true of our obligation to live justly in response to abortion is no less true of our obligation to live justly in the many other areas in which our society is unjust.

But somewhere along the way, many conservative evangelical Christians in the United States became uncomfortable with talk of social justice. A recent online petition concerning social justice—a petition signed by thousands of evangelical Christians—declared that "the obligation to live

justly in the world” is “not [a] definitional componen[t] of the gospel.”⁵⁴ I appreciate the desire of the signatories to affirm and defend the Protestant doctrine of salvation by grace through faith alone, but in doing so their statement went too far and drifted into error. Christ’s salvific work includes our sanctification, which the same petition affirms.⁵⁵ But what is sanctification if not Christ’s conforming us to live justly in this world? A gospel that calls people to trust and obey must, of necessity, tell people that obedience means to live justly as God has defined justice. To excise from the gospel the just way of life that through Christ we can now live again is to, as Calvin said, “rend the gospel” in two.

A true and complete understanding of the gospel extends beyond a promise of forgiveness to include a promise that we are being renewed to live justly in the world. “Social justice is not,” Henry argues, “simply an appendage to the evangelistic message; it is an intrinsic part of the whole, without which the preaching of the gospel is truncated.”⁵⁶ The Christian gospel includes the good news that God is making us an ethical people, both in our individual and our social lives, whether within the church or without. Or as O’Donovan puts it, “A belief in Christian ethics is a belief that certain ethical and moral judgments belong to the gospel itself.”⁵⁷ Just living in obedience to God is definitional to the gospel, not as an obligation extracted from us but rather as a gift conferred on us. “Command what you will,” Augustine pleaded of the Lord, but “grant what you command.”⁵⁸ God has commanded us to live justly, and now through God’s grace in Christ he has given to us the obedience that he commanded. He has graciously freed us to *live*.

We can, like the Reformers, both deny that our obedience *merits* salvation and at the same time affirm that our obedience *is part of* the salvation (from the power of sin in our lives) that God in Christ graciously provides. Christ declares us just before God, and he enables us to truly live again by, as he demands, doing justly in our society. It’s all the gospel.

54 “The Statement on Social Justice and the Gospel,” sec. 6 (Gospel), accessed April 28, 2021, <https://statementonsocialjustice.com>.

55 “The Statement on Social Justice and the Gospel” sec. 7 (Salvation), accessed April 28, 2021, <https://statementonsocialjustice.com>.

56 Carl F. H. Henry, *God, Revelation, and Authority*, vol. 4 (Wheaton, IL: Crossway, 1999), 551.

57 O’Donovan, *Resurrection and Moral Order*, 12.

58 Augustine, *Confessions*, trans. Henry Chadwick (New York: Oxford University Press, 2008), 202 (10.29.40).

We need to avoid a theology of overcorrection. In medieval times, the church drifted into gospel error, claiming that our obedience merits salvation.⁵⁹ We risk overcorrecting into an error of our own, denying the truth that the obedience God graciously provides is salvation. In the early twentieth century, Walter Rauschenbush veered into a different gospel error known as the Social Gospel, claiming that the gospel consisted entirely of liberation from societal injustice.⁶⁰ We risk overcorrecting again, denying the truth that living justly in our societies is a gospel issue. We need to hold the wheel of the gospel steady, rather than veering from theological ditch to theological ditch. God's gracious provision of justice, in all its forms and manifestations, marks the center of the gospel road.

Of course, agreement that following Jesus entails a life of justice still necessitates a definition of "justice." For much of modern history, justice has been defined in a utilitarian way. Utilitarianism holds that what is moral is that which brings the greatest happiness to the greatest number of people in a society.⁶¹ Utilitarianism defines justice based entirely on results and does so from an aggregate, rather than an individual, point of view. If an action inflicts an enormous amount of undeserved harm on a single individual but the result is an even more enormous benefit for the society as a whole, then utilitarianism would deem that action moral. In his monumental work titled *A Theory of Justice*, moral philosopher John Rawls offered a competing conception of justice. He argued that "the main idea of justice is fairness,"⁶² which sounds appealing but also misses the biblical mark.

59 General Council of Trent: Sixth Session, canon 32, accessed July 31, 2022, <http://traditional.catholic.net/>, states, "If anyone saith, that the good works of one that is justified are in such manner the gifts of God, as that they are not also the good merits of him that is justified; or, that the said justified, by the good works which he performs through the grace of God and the merit of Jesus Christ, . . . does not truly merit increase of grace, eternal life, and the attainment of that eternal life, . . . let him be anathema." See also Catechism of the Catholic Church, part 3, sec. 1, chap. 3, art. 2, III (Merit), 2010, accessed June 2, 2022, <http://www.vatican.va>, which states, "Moved by the Holy Spirit and by charity, we can then merit for ourselves and for others the graces needed for our sanctification, for the increase of grace and charity, and for the attainment of eternal life."

60 Walter Rauschenbusch, *Christianity and the Social Crisis* (New York: McMillan, 1913).

61 Norman L. Geisler, *Christian Ethics: Contemporary Issues and Options*, 2nd ed. (Grand Rapids, MI: Baker Academic, 2010), 411.

62 Rawls, *A Theory of Justice*, 3.

At the risk of getting ahead of myself, my goal here is to reclaim the biblical conception of justice as an act of love. That which is just is that which is loving, the Bible teaches. As we'll see, justice is giving people their due, and what we owe people is love (Rom. 13:8). God is love. He created a world to be ruled by humans acting in love in his image, and one day he will come again to remake the world in his image—in love. In the meantime, he has called us to image his love in a broken world. As Oxford theologian Nigel Biggar puts it, “One cannot reflect God without loving the world that God loves.”⁶³ As we grow in sanctification, we grow in our love for the world that God loves. This is a promise of the gospel. “Love of neighbor and, consequently, justice are folded in as an essential feature of the Spirit’s work of regeneration.”⁶⁴ And “the life of love” is, even now, “a true participation in the restored order of creation.”⁶⁵

This calling to love applies as much to our individual lives as it does to our collective lives. We owe people love not only in our direct interactions but also in our structuring of society. We should not commit injustice by breaking the law, but we must also refrain from “mak[ing] unjust laws” (Isa. 10:1 NIV). Love requires individual and social justice. This teaching is as ancient as Augustine, who said that “both the individual just man and the community and people of the just, live by faith, which works by love, by that love with which a man loves God as God ought to be loved, and his neighbor as himself.”⁶⁶ The duty to love our neighbors is God’s ideal social justice. And so, what I am proposing in the pages that follow is an ethic of justice—specifically, criminal justice—premised on love.

My sense is that the resistance among some Christians to talk of “social justice” springs from a legitimate concern that much of what is today being passed off as justice is no justice at all. I share that concern. But the answer to injustice mislabeled as “social justice” is not to abandon the pursuit of social justice altogether. True social justice belongs to the church. A real social justice—accomplished imperfectly now through our sanctification and perfectly in the end through our glorification in the new earth—is a crucial purpose of the gospel.

63 Nigel Biggar, *In Defence of War* (New York: Oxford University Press, 2013), 330. Reproduced with permission of the Licensor through PLSclear.

64 Billings, *Union with Christ*, 107.

65 O’Donovan, *Resurrection and Moral Order*, 248.

66 Augustine, *The City of God against the Pagans*, ed. and trans. R. W. Dyson (New York: Cambridge University Press, 2002), 959 (19.23).

Concerns about gospels of false justice are no reason to abbreviate the true gospel, stripping it of its promise of new life, an obedient life, a just life. Instead, we should provide people with a biblical picture of social justice. Doing so is of gospel importance. We can't call people to follow Jesus if we can't tell them what obedient following looks like. You can't call others to the whole gospel if you can't tell them what God's ideal for just living in their society looks like. You yourself cannot embrace the whole gospel, repenting of your unjust acts and turning toward true justice in your daily life, if you cannot define what justice toward your fellow citizens means. What that justice looks like is a topic we will explore in the pages that follow.

In his provocatively titled book, *Heaven Is a Place on Earth*, Michael Wittmer argues that a world restored to the “flourishing” for which it was created is the good news. As he puts it, “caring for culture”—or, you might say, caring about social justice—“is not a distraction from the gospel. It is the gospel in all its fullness, a gospel that not only saves our souls but also restores the rest of us—and the rest of the world—to their original goodness. This is a compelling gospel to share—and live.”⁶⁷ More than a century earlier, Bavinck said it like this: “The Gospel is a joyful tiding, not only for the individual person but also for humanity, for the family, for society, for the state, for art and science, for the entire cosmos, for the whole groaning creation.”⁶⁸ That is truly joy to the world!

You cannot have a whole gospel without a vision of God's social justice.

67 Michael E. Wittmer, *Heaven Is a Place on Earth: Why Everything You Do Matters to God* (Grand Rapids, MI: Zondervan, 2004), 219.

68 Herman Bavinck, “The Catholicity of Christianity and the Church,” trans. John Bolt, *Calvin Theological Journal* 27, no. 2 (November 1992): 224, <https://bavinckinstitute.org/>.