

Pearls and Leaven

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As I write this, the United States of America is in the midst of significant turmoil. While the challenges and issues are complex, there is one dimension of our contemporary scene that seems to be a ripe target for Herman Bavinck's insight and moral wisdom: the confusion between justice and morality. Whenever we see initiatives by those in power, or those who aspire to power, to exercise control over the way people think or express themselves by, for example, criminalizing "wrong opinions" and stifling dissent, then the state's legitimate coercive power is misused and tyranny beckons.

In the following passage from his 1902 publication, *Modern Morality*, the fruit of numerous public lectures given in several previous winters, Bavinck points to the religious-anthropological reason why the distinction between justice and morality is essential. The theme is fitting in this issue of the *Bavinck Review* dedicated to Bavinck's psychology/anthropology.

Justice and Morality¹

Nor could human society exist for a moment if justice did not exist.² It would turn into a war of all against all. Humanity would turn into a herd of wild beasts and the one would become a wolf toward the others. However unflattering it may sound to the ears of our generation, the laws of justice are indeed the bars of the cage that keep people away from each other and reins them in. For the

¹ Herman Bavinck, *Hedendaagsche moraal* (Kampen: J. H. Kok, 1902), 19–20. Ed. note: The English translation of *Hedendaagsche moraal* by Harry Van Dyke will appear in *Reformed Ethics*, volume 3. The notes provided here have been enhanced for the sake of clarity.

² Ed. note: This is the final paragraph in the section on justice or Right; in what follows it Bavinck will spell out in more detail the difference between justice and morality.

justice that the government maintains, sword in hand, forces humans to behave at least in accordance with a few external rules, such as not to use violence, not to rob, not to kill, etc. Justice cares little whether someone refrains from all this due to good or bad motives, with a noble or an evil disposition; justice is satisfied with outward conduct and deeds. To this extent the rules of justice are like the forms of courtesy: the latter, too, content themselves with appearances and do not ask whether someone means it. They demand only that you show a friendly face, even if your heart is burning with animosity. Perhaps you think the visit of this or that person intolerably boring, but you receive such people most politely and when seeing them out again at the front door you thank them for the honor of their visit and even beg them for a repeat. However, the difference between courtesy and justice is that the former still demands the semblance that it be well-meant, but justice is indifferent to even that semblance and is satisfied with the deed.

Far and high above these rules are the laws of ethics.³ There is a close affinity and correspondence between justice and morality. Morality, here taken in the

³ Ed. note: “These rules” refers to what Bavinck had said earlier about the way in which our development as human beings from infancy to adulthood involves coming to terms with external powers and rules that limit our autonomy and hold us accountable for our conduct. His conclusion: “The whole of life is a training school, an initiation process, a system of adjustments. It is not finished until every person is fashioned according to the template for their social class, has been assimilated into their environment, and more or less made content with the modest place that is allotted and granted to them beneath and alongside others.” He follows this up with a series of examples ordered in increasing complexity and magnitude: etiquette, fashion, architectural styles, the laws of nature, the laws of thinking and knowing, the laws “summed up under the name of justice or Right,” before this section on “the laws of ethics.” In the paragraphs that follow, the Dutch term *recht* is translated as “justice.” In the previous section on justice or Right, the word was also translated as “right,” as “law,” and as “legal system” when the context required it. The translation “justice,” however, while required by English usage, must not be understood in the predominantly functional or procedural sense (eg., as “social justice”) that is common today. This is to overlook the metaphysical or ontological foundation of all justice as that which *is* Right; a sense that the Dutch and German word *Recht* connotes more adequately. In this excerpt the Dutch word *zeden* is variously translated with “ethics,” “morals,” “mores,” “manners,” “customs,” “habits,” and “usages.” For Bavinck’s more scholarly treatment of the difference between “ethics” and “morality,” for which the Dutch term *zeden* (*zedelijk*) sometimes serves double duty, see *RD*, 1:17–23.

sense of that which conforms to the moral law, is really the only thing that has a right to exist.⁴ To everything He made God gave its own law. Accordingly, by virtue of divine ordinance and thus also by virtue of its own nature, the good and the true have their proper right, and that right is absolute. Sin and lying have no right to exist; they have intruded themselves into the Creation against the Law; only the good and the true may and can and shall exist. And, therefore, it belongs to justice with God to one day make the good triumph over all resistance and opposition. The morally good therefore has a right, a perfect and absolute right; but conversely, what is right is grounded in the morally good and is built upon it. The moment prevailing rights come into conflict with the moral law they undermine themselves and work their own demise. They are strong, also in the human conscience, only when they work to uphold and observe the moral law, albeit within their own domain and in their own proper measure.

This intimate relationship and correspondence between justice and morality does not, however, exclude every distinction and difference between the two. After all, justice stops at the external form of human behavior and action and is not concerned about the internal disposition and motive. But in the case of morality things are altogether different. As soon as we enter this domain the sanctuary of the disposition⁵ opens up to us. For the moral law, putting aside for a moment its content and origin, by universal consensus demands not only the outward act but also that the innermost disposition of the heart be in harmony with it. It is not satisfied with the visible deed, but also looks at the motivation behind it. It governs the whole life of man, inwardly and outwardly, in terms of soul and body, according to head and heart and hand.

Connected with that is still another distinction. Precisely because justice suffices with the outward act, it can make use of coercion. Justice also exists without coercion, so that is not its characteristic feature. But in a sinful society, upholding justice makes coercion necessary; today, coercion is inseparable from justice. Morality, on the other hand, by its nature excludes all coercion, for it

⁴Ed. note: In this sentence and in the remainder of this paragraph the rich significance of the notion of *right* becomes clear; every “right to” must be grounded in Right. See previous note.

⁵Dutch original: *beiligdom des gemoeds*.

demands conformity, not only of the hand but also of the heart, to the laws that obtain in this domain. And no creature is master over the human heart. No one can be forced to be good. Coercion, if applied here, works the opposite of its intended goal, and fosters revulsion and resistance. Morality is the domain of internal, spiritual freedom.