‘Christianity and Judgment’,

forthcoming as Chapter 60 in John Witte, Jr. and Rafael Domingo, eds., *Oxford Handbook on Christianity and Law* (Oxford University Press, 2023)

Abstract

Judgments are acts of evaluation, distinguishing between right and wrong. A good judgment is a moment of truth, disclosing how the affected parties deserve to be treated. The Bible is full of divine judgments but also full of examples of God’s mercy and forgiveness. Christianity teaches that God has authorized human authorities to issue such judgments as are necessary to maintain social peace. Indeed, Christianity makes judgment the justification for, and central activity of, rulers.

Judgments are pronouncements on existing actions and states of affairs. Christianity recognizes that retribution is a natural response to wrongdoing, but urges rulers to seek restoration wherever possible. From the time of Augustine onward, many church leaders have urged rulers to be as merciful as they can be, consistent with maintaining public order and confidence. Good judgments vindicate and condemn in appropriate measure, defend social order, and so open up possibilities for human flourishing.

Christian teaching warns against the dangers of vindictiveness, bias, and hypocrisy in judgments. Because rulers are fallen human beings, and because the Last Judgment has not yet happened, there are limits on the judgments that rulers may pass. Christian teaching and practice stresses that rulers should pronounce judgment only on issues where the public good is at stake. Moreover, rulers should be mindful of the possibility of errors in their judgments. Human judgments are provisional, limited, and fallible acts, authorized by the need to protect against violence, resolve disputes, and open up space for flourishing and forgiveness.

Keywords

judgment, Christianity, Last Judgement, justice, forgiveness, mercy, evaluation, peace

Introduction

Christianity understands judgment to be an activity that God alone is able to carry out perfectly. Human judgments are necessary but fraught with dangers and difficulties. Human judgments are necessary because there is no justice without judgment, no peace without judgment, and even no forgiveness without judgment. Human judgments are dangerous because of the risks of vindictiveness, bias, and hypocrisy. Human judgments are therefore necessarily limited and provisional, and ought to be characterized by restraint and mercy.

Judgment, Divine and Human, in the Bible

Judgment in the Christian Metanarrative

For a religion whose distinctive message is that of forgiveness, it can seem surprising that Christianity gives a strong endorsement to the importance of judgments made by rulers and judges. The Christian metanarrative can be sketched as a series of judgments, of declarations of right and condemnation of wrongs, of punishment, vindications, and liberations.

In the Hebrew Scriptures, the account of creation given in Genesis 1 is punctuated by God's judgment that the world being created was good (Genesis 1:4, 10, 12, 18, 21, 25, 31). The disobedience of Eve and Adam in the garden is followed by God's judgment, expelling them from Eden and exposing them to mortality and hardship (Genesis 3:16–24).

In the time of Noah, God judged the human race to be wicked and violent and ordered the natural disaster of the Flood (Genesis 6:5–8). Genesis presents the Flood as a judgment on human evil, corruption, and violence (Genesis 6:11–13). Humanity, as a race, was deserving of destruction at the hands of a holy and perfect God. The rainbow given after the

Flood represents a symbol of a renewed relationship between God and humanity, one of whose features is taken by many Christians to be an authorization for government to render judgments, up to and including the death penalty (Genesis 9:5–6).

The Exodus, in which the Israelite slaves are liberated (Exodus 13:3), is a judgment on the oppressive, arrogant regime of pharaonic Egypt (Exodus 12:12). So, too, the problematic conquest narratives of the book of Joshua are justified as a form of collective punishment for the accumulated sins of the inhabitants of Canaan (Genesis 15:16).

In the book of Judges, without standing institutions, very little judging by human judges takes place (the notable exception being the female judge Deborah in Judges 4). Instead, there are repeated cycles of divine judgment on violence, sexual exploitation, social disintegration, and idolatry. The "judges" feature not as instruments of divine retribution but as figures bringing relief, mitigation, and rescue from the worst consequences of human rejection of divine rule. The period of the kings likewise does not lead to a sustained improvement in human behavior or social justice. The unjust, immoral, and idolatrous Israelite kingdoms were judged and taken into exile (2 Kings 17:7).

The dynamic between divine and human judgment is a constant theme in the Hebrew Scriptures, culminating in Ezekiel chapters 20 through 22, in which the prophet reviews the sweep of Israelite history and pronounces God's judgment on the injustice of both its rulers and its people.

In the New Testament, the task of judging is framed by two sets of judgment: those on Easter weekend and those at the Last Judgment. The first judgment of the Easter weekend is the Sanhedrin's judgment that Jesus's claim to be the Son of Man (Matthew 26:64) is false, and that he has therefore committed the religious crime of blasphemy. The second judgment is that of Pilate, who finds that Jesus has committed no crime against Roman law (Matthew 27:23). Despite this, when Pilate's attempt to release Jesus fails, he is prepared to execute

Jesus on the charge of insurrection, of falsely claiming to be the King of the Jews (Matthew 27:37). The third judgment is the judgment of the crowds to whom Pilate gives the option of releasing either Jesus or the terrorist Barabbas (Matthew 27:16–26). The crowd, by choosing the rebel, reverses its previous assessment of Palm Sunday that Jesus is the Messiah. Jesus's life ends in failure and condemnation: people, priests, and political authorities all judge Jesus to be a fake.

The final judgment of the Easter weekend is, however, the judgment of God the Father. The resurrection of Jesus is the declaration by God the Father that Jesus was the Son of God, that Jesus was the King of the Jews, that Jesus was the Messiah (Ephesians 1:19–23). There is also another pair of judgments hidden in the events of the Easter weekend. Jesus's decision to go to the cross marks his judgment that human beings were worth saving (not in the sense that human beings deserved to be saved, but rather that saving human beings would be a good thing to do). The resurrection of Jesus is therefore, as Karl Barth drew out as a key theme of his theology, the affirmative judgment of God not just on Jesus as an individual but on all humanity in Christ. Those credentials, established on Easter Sunday morning, give Jesus the right to make the Last Judgment on humanity (2 Timothy 4:1, 8).

Judgments in Genesis 9 and Romans 13

Human judgments take place in the light of the divine judgments within Scripture. Human judgments have to be rendered in the shadow of the Flood and the cross and in the light of the rainbow and the empty tomb. Two biblical passages in particular inform most Christian theology about judgment: Genesis 9 and Romans 13.

In Genesis 9, after Noah and his family have escaped the Flood, God comes to them and says: "For your lifeblood I will surely demand an accounting. I will demand an accounting from every animal. And from each man, too, I will demand an accounting for the

life of his fellow man. Whoever sheds the blood of man, by man shall his blood be shed; for in the image of God has God made man" (Genesis 9:5–6, NIV).

Christian commentators have understood this passage as teaching two things. On one hand, God will judge those who harm human beings, but on the other, humans also have a responsibility to execute judgment on those who commit crimes of violence.[1] This is understood to be a general responsibility of all rulers. At first sight, Genesis 9 appears to call for the *lex talionis* ("an eye for an eye, a tooth for a tooth": Exodus 21:24; Leviticus 24:20; Deuteronomy 19:21), for the strict application of the principle that the punishment should be the same as the crime. However, the passage is immediately followed by God giving the blessing of the rainbow. The rainbow symbolizes God's promise not to destroy the human race, even though our wickedness would justify our receiving the same treatment as the generation destroyed in the Flood. The Flood serves as a warning that humanity cannot stand too much judgment. Although human societies cannot live without judgment, were all wrongs to be penalized, social life would be impossible. Judgments should therefore be rendered by rulers only on matters that have implications for the peace of the community. Catholic Social Teaching identifies such matters by reference to the common good. Some Protestant thinkers prefer to speak of public justice.[2]

In the New Testament, Jesus's teaching to turn the other cheek is echoed by Paul in Romans 12. In Romans 12:19, Paul quotes Deuteronomy 32:35, where God declares, "Vengeance is mine." Almost immediately after this quotation, and Paul's exhortation to his readers not to be overcome by evil but to "overcome evil with good" (Romans 12:21, NIV), he launches into his discussion of the role and responsibilities of government. Rulers have authority, Paul says in Romans 13:4, to bear the sword and to punish wrongdoing. The common interpretation of this section of Paul's writings, shared by major theologians such as Thomas Aquinas and John Calvin, is that "when governmental authorities punish

wrongdoers, they are imposing retribution on God's behalf."[3] Christians are forbidden to take revenge as private citizens, but government is authorized to do so instead.

The Centrality of Judgment

Christian political thought identifies judgment as the core activity of all three branches of government. Judicial, executive, and legislative acts are all acts of judgment. Judgments are evaluations of right and wrong. The paradigm case of judgment is judgment in response to wrongdoing. Judgments typically declare that an act or a situation is wrong (though sometimes only implicitly), and that there is a need for redress.

The proclamation of authoritative judgments about right and wrong, and the consequent enforcement of those judgments, is, in Christian thought, the essence of political rule. As Oliver O'Donovan puts it: all political authority is "subject to the discipline of enacting right against wrong."[4] O'Donovan explains:

> The paradigm of political activity is "giving judgment": defending the rights of the weak plaintiff against the oppression of the strong. Government exists not to serve *every* interest of its people, but the specific interest that they all have in just arbitration.. . . All government is concerned with "giving judgment", for all government is concerned with reconciling conflicting claims of different parties . . . it touches on legislative and executive, as well as on judicial acts.[5]

Augustinian and Lutheran traditions regard judgment against wrongdoing as the justification for government. Thomist and Calvinist traditions also recognize the deliberate promotion of good as a core function of government. These traditions allow a greater role for governments to adjudge certain possible future situations to be better than present circumstances, and so to take active steps to bring them about.

The Necessity for Judgment

Christian thought emphasizes that judgments issued by public authorities are necessary. They are necessary because there is no justice without judgment, there is no peace without judgment, and there is even no forgiveness without judgment.

There Is No Justice without Judgment

The indispensable role of judgment in any account of justice has recently been emphasized by the American Jewish legal philosopher Michael Sandel. Sandel argues that

> Justice is inescapably judgmental. Whether we're arguing about financial bailouts . . . surrogate motherhood or same-sex marriage, affirmative action or . . . CEO pay . . . questions of justice are bound up with competing notions of honour and virtue, pride and recognition. Justice is not only about the right way to distribute things. It is also about the right way to value things.[6]

Sandel pinpoints that judgment is an act of evaluation. In order to pursue justice, actions and situations have to be evaluated in terms of right and wrong, guilt and innocence, fault and harm. Actors have to be condemned or vindicated.

Sandel's insight accords with Christian teaching. Justice and judgment are frequently coupled together in the Hebrew Scriptures (for example, 1 Kings 10:9; 2 Chronicles 9:8; Psalm 89:14; Amos 5:27) and occasionally even in the New Testament (Revelation 16:5–7; 19:2). Judgments are declarations of value, of worth. The verdict in a court case is a judgment about how one person deserved to be treated by another. A judgment not only distinguishes between innocent and guilty actions, it also vindicates the innocent party and condemns the guilty one.[7] Judgments decide whether more goods are realized by building a road or by protecting the pristine forest.

The moment of evaluation is indispensable to judgment. Other forms of resolution may be possible, but if they do not involve a moment of evaluation—of condemnation of wrong and of vindication of right—they are not judgment. The moment of evaluation is not, however, the last word in judgment. The last word in judgment is the pronouncement of what is to be done in the light of the declaration that has been made as to wrong and right.

Christian natural law theorists from Thomas Aquinas to Oliver O'Donovan have argued that only recognition of the created order, apart from history, provides a definite criterion against which to judge good and evil. Discernment of the moral order is not the invention of a moral framework in a vacuum, it is a response to the moral structure that is *already there* in creation.

Nonetheless, judgments take place in a context of creation *and* history. As well as those things that are wrong because they are contrary to the moral order in creation (*malum in se*), there are things that are wrong because they have been specified as such by a decision of rulers (*malum prohibitum*).

The common good is an order of justice to which government makes its distinctive contribution through its acts of judgment. Justice is about righting wrongs. Christianity teaches that political authorities are called to put the might that they possess in accordance with the established order of a society at the service of righting wrongs within that society.

Good judgments establish a new public context and open up new possibilities for human flourishing. Many, many millions of people in the world live without the prospect of the systems of public justice working in their favor. The legal systems to which they are subject are too costly, complex, or corrupt to respond effectively to the wrongs done to them. Such people do not thrive. They live trapped in poverty, underdevelopment, and vulnerability to violence as a result of what Gary Haugen and Victor Boutros call the locust effect.[8] Christianity condemns the injustice, instability, and waste of human lives this causes.

There Is No Peace without Judgment

Authoritative public judgments are necessary in order to maintain social peace. When we are wronged, it is a natural reaction to want revenge. When something or someone close to us is harmed, it is a natural reaction to want to get even. Sir Francis Bacon called revenge "a kind of wild justice; which the more man's nature runs to, the more ought law to weed it out."[9] Where there are no effective structures of public judgment, the result is a society divided by vendetta. The risk of violence spiraling out of control is highlighted in Genesis 4:23, where Lamech boasts that he killed a man who wounded him, and warns that if he in turn is killed, he will be avenged seventy-seven times. The *lex talionis* thus represents a firebreak against escalating vendettas. Judgments rendered by public authorities are necessary in order to prevent people from taking the law into their own hands.

Aquinas stresses how an unduly lenient sentence risks failing to express adequately a community's condemnation of wrong and risks failing to vindicate the victim sufficiently.[10] Nonetheless, Christians have been influential in the development of practices of restorative justice that provide an opportunity for the victim to confront the offender with the effects of their crime and for the parties to work together toward agreed recompense.[11] Such practices recognize that beyond the declaration of right and wrong lies the ultimate goal of the restoration of harmony within the community.

A good judgment should aim to be one that the victim, the community, and the wrongdoer can all come to accept. A good judgment is an invitation to the victim to see themselves as vindicated; it is an invitation to the wrongdoer to recognize themselves as deserving of the punishment imposed on them (if not more). A good judgment should leave open the possibility that, if the judgment is accepted, right relationships may be restored.

There Is No Forgiveness without Judgment

Unlike Moses and Muhammad, Jesus was not a lawgiver. At the heart of Jesus's message was the offer of forgiveness (Matthew 6:14; 9:2–6; 18:35; 26:28; Luke 23:34; 24:47). Although Christians differ in their view of aspects of the nature of forgiveness and as to its preconditions, they share a common understanding that forgiveness involves not being treated as we deserve to be treated. To be forgiven is to be released from the punishment we deserve or the debt we owe; it is for the offense that stands between us and the one we have offended to be put out of account; and it is for an appropriate relationship between the offender and the offended to be restored.

Christianity insists that forgiveness lies on the far side of, but does not bypass, the moment of judgment. Catholic, Orthodox, and other churches recognize this in their practice of confession. All Christian churches teach that the person seeking forgiveness must acknowledge that what they have done is a sin, an offense against God, before they can be forgiven.

The moment of judgment is the moment at which we truly acknowledge what our deeds deserve. The Christian message is that judgment is not the last word; after the moment of truth in which our deeds are exposed for what they really are, and our self-serving and self-deceiving justifications are unmasked, there are another two moments. The first is the moment of repentance. This is the point at which the wrongdoer, accepting the truth about their actions, repudiates them and resolves not to repeat them. The final moment is the moment of response to that repentance. Humanly speaking, this final moment is fraught with complications: we cannot judge fully whether the repentance is genuine and the amendment of life likely to be persisted in, we can only forgive for what has been done to us, and we

cannot evade the responsibility to protect the community, a responsibility inherent in any act of judgment.

A good secular judgment is similarly a moment of truth. As Desmond Tutu insisted, reconciliation in post-apartheid South Africa would not even have been a possibility unless the truth were exposed about the atrocities committed on all sides. In order for the cycle of resentment and violence to be broken, there had to be mutual confession and public acceptance of guilt.

The Relationship between Judgment and Retribution

Judgment begins with an evaluation of an existing state of affairs or of some action already taken. To that extent, it is backward-looking. Because of the degree to which the Bible is concerned with preventing vendetta, many Christian thinkers have seen retribution as the core or central case of just judgment. Aquinas understood wrongdoing as taking more from another or from the community than one deserved. By taking more than they were entitled to, the wrongdoer incurred the debt of punishment. Nonetheless, justice was not always the same as retaliation.[12]

For the Dutch Reformed legal philosopher Herman Dooyeweerd, where wrong has occurred, the "natural" response for judgment to take is retribution. In the Pentateuch, the boundary to such retribution is set by the *lex talionis*. The nature of judgment can, however, be broadened out from retribution to include other kinds of identification of just deserts. If judgment is about evaluating what a person deserves, Jonathan Chaplin suggests that the heart of judgment is the idea of "tribution," which has the aspects of con-tribution, dis-tribution, at-tribution and re-tribution. He quotes Paul Tillich, who explains tribution as

> giving everything proportionally to what it deserves, positively or negatively. . . . [I]t decides about the tribute a thing or person ought to receive according to his special

> powers of being. Attributive justice attributes to beings what they are and can claim to be. Distributive justice gives to any being the proportion of goods which is due to him; retributive justice does the same, but in negative terms, in terms of deprivation of goods or active punishment.[13]

Christians disagree about the extent to which the death and resurrection of Christ affect the practice of judgment by human rulers. The Anabaptists thought that Jesus's example of nonviolence meant that Christians could not take any part in the coercive acts of government. Hugo Grotius thought that Christian rulers could be merciful, but only so far as was consistent with their responsibility for upholding justice for the whole community. Recently Nicholas Wolterstorff has denied that the punishment government is authorized to mete out should be construed in terms of vengeance. Instead, he proposes a "reprobative" theory of punishment.[14] That is, the judgments made by government should express a society's condemnation of wrongdoing and, so far as possible, contain an invitation to the wrongdoer to reform.

The Christian understanding of judgment has never been purely retributive. Although it may be "natural" to suppose that wrong acts deserve retribution, Christianity causes rulers to pause for thought. The purpose of judgment is to restore peace and to protect the common good. Where this can be achieved by a lesser consequence than equivalent retribution, this should be done. Jonathan Burnside has argued that there are indications of this approach even being permitted within the Law of Moses.[15]

Moreover, the Christian message is that the death and resurrection of Jesus Christ is not only God's condemnation of human sin but also God's offer of a restored relationship with God. Christopher D. Marshall and Charles Colson, among others, have argued that, in the light of this, judgments ought, wherever possible, to be restorative rather than retributive in nature.

The Dangers of Judgment

Although Christianity regards judgments as necessary, it also sees judgments as dangerous. Judgments are dangerous because they may be made in error. Judgments are dangerous because they may be vindictive, biased, or hypocritical. Rulers are fallible, rulers are flawed, and rulers are finite.

The Dangers of Judgments Made in Error

Intrinsic to the Christian faith is the conviction that the judgments pronounced on Jesus by the Jewish and Roman authorities were wrong. This alone is sufficient to make the Christian tradition circumspect about the reliability of human judges and methods of fact-finding. The Church's canon law and the legal systems influenced by Christianity adopted and developed from the Law of Moses requirements of due process and rules about burden of proof in order to protect the innocent from miscarriages of justice.

The Dangers of Vindictive, Biased, or Hypocritical Judgments

Vindictive judgments. One reason for giving public authorities a so-called monopoly on physical force is the tendency for victims and their supporters to overreact. Jesus warned about our tendency to exaggerate the faults of others while minimizing our own wrongdoing, and our propensity to focus on the speck of sawdust in another's eye while ignoring the plank in our own (Matthew 7:3). Aquinas insisted that God carries out vengeance "with a tranquil spirit," and the same level of concerned detachment should characterize public acts of judgment.[16] Judgments should be considered and restrained, not merely rubber-stamping of mob rule. C. S. Lewis is one of many Christian thinkers to warn against excessive punishments or mandatory sentences imposed primarily because of their supposed deterrent effect.[17]

Biased Judgments. Just judgments are not biased, and they are not the result of bribery (Amos 5:12). Just judgments do not treat people differently on the basis of social status, ethnicity, or any other characteristics (Leviticus 19:15). A just judgment judges a person solely on the basis of their actions. Christianity teaches that in order for such judgments to be rendered, a judge may need to pay special attention to the position of those who cannot afford expensive lawyers or lobbyists (Exodus 23:6; Proverbs 31:9).

Hypocritical Judgments. Just judgments are not hypocritical. In 2 Samuel 12, after King David has committed adultery with Bathsheba and arranged for Bathsheba's husband, Uriah, to be killed, the prophet Nathan confronts David with a story about a rich man who stole a lamb belonging to a poor man. When David pronounces judgment on the rich man, Nathan points out the analogy to David's own actions. The story is a stark illustration of Jesus's saying in Matthew 7:1–2: "Do not judge, or you too will be judged. For in the same way you judge others, you will be judged, and with the measure you use, it will be measured to you."

Shakespeare took the title of his play *Measure for Measure* from this text. In the play, Angelo, a strict judge left in charge of Vienna by Duke Vincentio, condemns Claudio to death for sleeping with a woman out wedlock. The play then exposes Angelo's own double standards, as he is prepared to commute Claudio's sentence if Isabella, who has interceded on Claudio's behalf, sleeps with him.

The Limits of Judgment

As well as the intentional vices of vindictiveness, bias, and hypocrisy, Christianity is also concerned about the inherent limits of all human judgments. Such judgments have to be made on the basis of incomplete information. No human judge has a God's-eye view of a crime or a situation. This alone encourages circumspection in the making of judgments, reflected in procedural rules such as the presumption of innocence.

Judgments Should Be Made Only When the Public Good Is at Stake

The Christian Church has argued, both in its theology and in its practice, that the scope of judgments made by secular rulers is limited, and that such judgments should be made only when the public good is at stake. Oliver O'Donovan's view of judgment is that while a human judge is incompetent to declare comprehensively what it is right to do, such a judge is

obliged to determine when a wrong has occurred of such a nature that it demands public remedy. In the practice of judgment by political authorities, therefore, "wrong has epistemological priority over right."[18]

The theological argument derives largely from the idea of the Last Judgment. The New Testament writers repeatedly stress that God is withholding God's final judgment, giving human beings time to come to recognize their own wrongdoings and to repent (Romans 2:4; 2 Peter 3:15). Martin Luther insisted that God's appeal to human beings through the Church is meant to be by means of persuasion, not coercion. The fact that the Final Judgment has not yet happened means that the burden rests on proving that legislation is necessary or condemnation is required here and now. Nonetheless, such necessary judgments warn that we are not a law unto ourselves, and that one day we will face God's judgment.

> Aquinas argued that because human law is
>
> established for the collectivity of human beings, most of whom have imperfect virtue . . . human law does not prohibit every kind of vice, from which the virtuous abstain. Rather, human law prohibits only the more serious kinds of vice, from which most persons can abstain, and especially those vices that inflict harm on others, without the prohibition of which human society could not be preserved.[19]

The communal effects of human sinfulness create the need for justice, which governments fulfill by executing God's wrath on the wrongdoer. In fulfilling this role, governments manifest both "God's wrathful judgment on sinful humanity and his providential mercy toward it . . . by providing a limited judgment and punishment of human wrongdoing, in lieu of the limitlessness of both God's eschatological judgment and the unrestrained human passion for vengeance."[20] At their best, human judgments are a fallible, limited, temporal

participation in divine judgment. At their worst, they are egregious abuses of power and acts of evil.

The sense that the scope of secular judgments was limited was reinforced by the insistence of the medieval Western Church on its own jurisdiction. The fact that people were answerable to God in the confessional and in the church courts for certain things meant that they were *not* answerable to government. There is a sphere of freedom in which we may act morally or immorally without acting illegally, a space in which we are accountable to God but not to official judgment.[21] Michael McConnell stresses the decisive importance of this conceptualization to subsequent developments in liberal democracy. Although many of the Church's claims were overblown, "the distinction between temporal and spiritual authority in Christian thought gave rise to what would become the most fundamental features of liberal democratic order: the idea of limited government, the idea of individual conscience and hence of individual rights, and the idea of equality among all human beings."[22]

Judgments Should Be As Merciful As Possible

Christianity insists that everyone shares a common human nature and is, in principle, subject to the same temptations and the same vices (1 Corinthians 10:13). Christian teaching reminds judges of their solidarity with those before them in court. Judges should be conscious of their own wrongdoing and failures when passing judgment. An ancient Christian writer warned against judgments that proceed not from benevolence but from bitterness of heart.[23] Judges should also recognize that they will have to account for their judgments before one who is the perfect, all-seeing Judge.

James 2:12 warns that "judgment without mercy will be shown to anyone who has not been merciful." The greatest Christian thinkers have argued for restraint in public judgment. As we have seen, that restraint is to be shown in not attempting to punish every wrong. It is

also to be shown in the extent to which actions are condemned and punished. Christianity claims that the crucifixion of Jesus was necessary because otherwise no one could withstand the judgment of God. In *Hamlet*, Shakespeare warns: "Use every man after his desert, and who should 'scape whipping?"

Augustine of Hippo regularly wrote to Roman governors asking them to exercise as much mercy in sentencing as they were able to, consistent with maintaining public order. Augustine thought that judgments should be as merciful as possible, but, because of their public context, he recognized that they needed to be severe enough to prevent vendetta, as we might put it, to maintain confidence in the system.

Judgments Should Be Acknowledged As Provisional

The core events of the Christian religion involve errors of judgment. Jesus's resurrection is the overturning by a higher authority of the judgments passed on him by sophisticated rulers. Christianity's teaching that there will be a Last Judgment is a warning to rulers that they are answerable to a higher authority for their judgments. They will be judged for the way in which they have exercised their power.

Christianity's claim that there will be a Last Judgment, and the assertion that its founder was the victim of unjust judgments, are constant reminders of the limits and fallibility of human judgments. By rendering government and legality subject to the obligation to pursue justice, Christianity decisively rejects any claim on the part of the state to the ultimate loyalty of its subjects or to being the final arbiter of right and wrong.

Conclusion

Augustine, Luther, and O'Donovan all regard human judgments as a tragic necessity. Such judgments are authorized by God as necessary in the pursuit of social justice and to preserve

society's peace. They must be made with circumspection and should not be vindictive, biased, or hypocritical. Judgments by rulers should, therefore, be limited to addressing serious threats to the common good and should be acknowledged as provisional in nature.

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[20] Joan Lockwood O'Donovan, "Subsidiarity and Political Authority in Theological Perspective," in *Bonds of Imperfection: Christian Politics, Past and Present*, ed. Oliver O'Donovan and Joan Lockwood O'Donovan (Grand Rapids: Wm. B. Eerdmans, 2004), 227.

[21] Oliver O'Donovan, *The Desire of the Nations: Rediscovering the Roots of Political Theology* (Cambridge: Cambridge University Press, 2005), 255.

[22] Michael W. McConnell, "Old Liberalism, New Liberalism and People of Faith," in *Christian Perspectives on Legal Thought*, ed. Michael W. McConnell, Angela C. Carmella, and Robert F. Cochran (New Haven: Yale University Press, 2001), 6.

[23] Erasmus showed that the attribution of this saying to John Chrysostom by Aquinas, in *Summa Theologiae* II-II. Q.60 A.2, was incorrect.