

AUTHORITY, RELIGION AND LAW¹

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THE recent Cambridge production of the *Antigone* has given occasion to ponder again Antigone's spirited declaration on the Unwritten Laws. King Creon, on political grounds, had forbidden the burial of Polyneices. Antigone, on religious grounds, had defied him; and she justified herself by distinguishing between the changing regulations of a human ruler and the eternal laws of heaven. Creon says to her: "Knewest thou the edict that forbade this deed?", and the dialogue proceeds:

Antig: I knew it. Why, how else? for it was public.

Creon: And such laws thou couldst dare to overstep?

Antig: Yes; for it was not Zeus that published them . . .

I did not deem your edicts of such force

That a mere mortal could o' erride the Gods'

Unwritten, never-failing ordinances.

For these live not today nor yesterday,

But always: none knows when they first came forth.

(trans. R. C. Trevelyan)

That is all we hear, the bare affirmation of the difference in kind between *ad hoc* regulation and Law; but the action of the play proceeds to show that it is the eternal law of heaven, not the *fiat* of the ruler, which prevails. The play is called by the name of Antigone but its central figure is not Antigone. It is the bearer of political power, the king; and the play demonstrates the breakdown, in the person of Creon, of the political point of view. Political authority is essentially temporary and relative, a device to meet the changing circumstance of ever-shifting power. It is myth, not truth. When it claims to be absolute, it is doomed. It nullifies itself and engenders its own destruction.

2

There is a very similar, yet very different, story in the Bible. King David lusted after Bathsheba and contrived to have her husband

¹ The substance of this article was given as a talk on the B.B.C. Third Programme on 25th March, 1959

killed. But the thing David had done, we are told, displeased God, and God sent a prophet to David, and the prophet told the king about a rich man and a poor man, and how the rich man took the poor man's one ewe lamb, and David's anger was greatly kindled against the man and he cried: "As the Lord liveth, the man that hath done this is worthy to die; and he shall restore the lamb fourfold because he did this thing and because he had no pity"; and Nathan said to David: "Thou art the man. Thus saith the Lord, the God of Israel: Thou hast smitten Uriah the Hittite with the sword. Now therefore the sword shall never depart from thine house."

It is a deathless story, and a breathless one. It has none of the calm dignity of the Greek. And it presents a clearer case of bare-faced tyranny. Apart from his sordid passion, David had no excuse for his conduct. Creon certainly had. Polyneices was an enemy and had fought against the state. The state had every apparent right to outlaw him and deny him burial. Uriah the Hittite was a hero. He had fought for the state and had fallen in its defence. The only thing one can say for David is that he wasted no time in trying to excuse himself. Creon comes on the stage already primed with a political theory. Life and happiness, he says, depend upon the existence of a stable community; any action performed for the stability of the community is therefore justified. The safety of the community is the highest law, and no one can assess it better than the man in charge, and so power and right are identical. David did not descend to such sophistries. The two cases present the same conflict, the conflict between the will of the ruler on the one side and right and God's law on the other. Creon adopts a myth to cover the conflict up. David withdraws his side of it, the ruler's will, and submits to law.

And there is a further and no less important point. Law is seen as harnessed to particularity. General exhortations to do good are of little use. We need to know *what* good to do; and we need to recognize that it is *we* who have to do it, and have to do it whether we like it or not. Law and its authority are not an abstraction. It is for here and now, for the particular situation in which we ourselves stand and act. We talk too easily about '*the moral law*'. Is there a moral *law*, or are there not, rather, moral *laws*? And moral laws have their meaning only with reference to individuals and concrete and specific acts. It is to bring this home that the prophet was sent. *De te fabula*. "Thou art the man."

3

The prophet was *sent*. He is only a messenger. His authority is that of his master. For philosophy (and particularly *political* philosophy), authority is a problem. For religion, it is a fact. It is worth while to consider the Biblical presentation of that fact and to weigh its implications.

Much current opinion will have it that religion has nothing to do with authority. Religion, it holds, is primarily a matter of feeling. It is 'communion', the coming together of the 'I' and the 'thou'. It is personal, the joining of spirit with spirit.

This account of the nature of religion has had a wide appeal. But if we confront it with the Hebrew Scriptures, we shall see that it is unsatisfactory. The Hebrew Scriptures are full of an 'I'; but the 'I' is not human: it is God. And they are full, too, of a 'thou'. But the 'thou', we men, are far from being on an equality with the 'I' which is God. God for the Hebrew Scriptures is not just spirit communing with, or being communed with by, other spirits. He is spirit's creator. In a remarkable phrase found twice in the Pentateuch, he is "God of the spirits of all flesh". He is not man's fellow. He is man's maker.

As man's maker he calls man to account. He asks man questions, breaks into man's life; expects every man to do his duty. The prophetic sentence is clear-cut: God hath *told* thee, O man, what is good; God *requireth* of thee to do justice and to act kindly. Here is no dialogue, no debate, no consultation. God *told* us what is good and we must do it; God *requires* of us to act justly and to love kindness. Cruelty and injustice are not bad form or bad for the liver or bad for society; they are in themselves *wrong*. There is here no communion of spirit with spirit but a claim, a demand, a *command*. When God asks Job: "Where wast thou when I laid the foundations of the earth?" the question is not a prelude to a friendly tête-à-tête. It is the setting for a declaration of authority based on the only ground for authority that there is.

Authority (this is not a pun) derives from authorship, and Biblical religion affirms that the world has an author. The world did not just grow; it was made. Its maker is wise, since as maker he knows the facts. He is good: he cares for the souls which he made. And he manifests himself in moral directions. He told us, for example, what is good. He expects us—*expects* us—to act justly and to love kindness.

This has always seemed to be remarkable. Other gods—the gods of other religions—never did that. They were always busied with personal matters, or they confined themselves to generalities. Only the God of the Hebrew Bible pronounced the Ten Commandments and promulgated the Law of Holiness, that is, laid down not only general advice to do good but specified what good we should do: "Thou shalt not glean thy vineyard, neither shalt thou gather the fallen fruit of thy vineyard; thou shalt leave them for the poor and the stranger: I am the Lord thy God . . . The wages of a hired servant shall not abide with thee all night until the morning. Thou shalt not curse the deaf nor put a stumbling-block before the blind, but thou shalt fear thy God: I am the Lord . . . Thou shalt not take up a false report . . . Thou shalt not follow a multitude to do evil . . . If thou meet thine enemy's ox or his ass going astray, thou shalt surely bring it back to

him again . . . Just balances, just weights shall ye have: I am the Lord your God . . .” The Creator turns out to be not only “great and terrible”—that is, powerful and awe-inspiring (numinous, as we say today). He is a practical moralist, laying down rules for our conduct.

God dominates the Hebrew Scriptures, and one of his favourite phrases seems to be *Get out*. He projected the whole Judeo-Christian tradition into human life by saying to Abraham: “*Get thee out* of thy country and thy father’s house”; and he continued it by ‘getting’ Abraham’s descendants ‘out’ of the land of Egypt, ‘out’ of the house of bondage. He says to Moses: ‘Go.’ He says to Elijah: ‘Go’. He says to Amos and Isaiah: ‘Go’. The only variant is the awesome summons to Ezekiel: “Stand up on thy feet and I will speak with thee.”

There is another passage in the Hebrew Scriptures in which God says this to a man. It introduces the chapters in which God answers Job out of the whirlwind. Job seems to have thought that with his questions he could stump God. God’s reply is to show Job that the questions man can ask of God are as nothing compared with the questions God can ask of himself. God has no need to apologize. His purposes are wider than man. Where *was* man when God laid the foundations of the earth? And God proceeds to bring before Job a panorama of the vast creation in which man himself holds so small a place.

The instructive thing is that Job is satisfied. He “laid his hand upon his mouth”: “I had heard of thee before but by the hearing of the ear, but now mine eye seeth thee.” What had been *brought before* Job were the wonders of the *creation*; but what Job *saw* was the wonder, the unique wonder, of the *creator*. He says: “Mine eye seeth *thee*.” He does *not* say: “Mine eye seeth Behemoth and Leviathan”. He had an immediate apprehension of the one source of all in which power, authority, goodness and wisdom, meet together.

5

The difficulties in the idea of creation are notorious. They arise from our human inability to distinguish creation from manufacture. But creation is certainly not manufacture; and the word is used in our fumbling human language in order to express, in however halting a way, the difference in kind between the self-dependent and the dependent. The self-dependent—God—does not need to be pushed into existence, since he is always and already there; the dependent—the world and man—if not pushed into existence, would not be there at all. This is the ultimate secret and secret of religion, the difference in kind between the I AM and the mere ‘is’. It is a secret of which perhaps, in our human experience, only the analogy of the arts can give us a distant glimpse. As Samuel Alexander (and more recently

Dorothy Sayers) taught us, some slight inkling of the nature of cosmic creation can be taught in the facts of human creation.

The same is true of the effect of creation upon us. Any genuine creation seems to hit us *from without*. It *summons* us, demands our *attention*. And so too even for the artist. What he is creating seems to possess an energy of its own. The spectator or audience feels the compulsion in the work of art. The artist feels the compulsion within himself. But it is compulsion. It is what in religion the prophets recognize as a 'burden'. As the Gentile prophet Balaam says in the Bible: "Have I any power to speak anything? The word that God putteth in my mouth, that do I speak."

The analogy with the arts does not of course demonstrate the fact of divine creation or the existence of a divine creator. It only guides the mind to sympathy with the affirmation from which the whole Bible stems: "In the beginning God created."

6

The Hebrew Scriptures attest an experience; but it is the experience of the transcendental, a transcendental which manifests itself in law. Law is the control of feeling. It is not so much, as Aristotle called it, mind *without* passion as mind *in control of* passion.

Passion is the experience of the immanent, and its characteristic manifestation is myth. In its place myth has much to give. It is an enrichment of life. It provides release to feeling. It is one source of plastic and literary art. But it must be known for what it is, myth, not taken for what it is not, truth. When we take it for what it is not, we surrender ourselves to the fraudulent and the sham; we are in the grip of outward seeming.

In religious language, myth is an idol. Idols are manufactured objects of worship, and the Bible mocks at the men who bow down to the work of their own hands. Yet graven images are not the only idols. They are only the more obvious ones. And they are today not the most dangerous. The dangerous idols are those we make of words, phrases like 'the state', 'race', 'way of life', 'progress', 'democracy'. We fall down and worship them, and, like Creon in the Greek play, are in the end broken by them. "They that make them become like them," empty, hollow, unreal.

7

It is the mark of our semi-literate civilization that it has strengthened the power of myth and created a new idolatry. In the business world myth appears as high-pressure advertising, in the political world as

slogans and propaganda; and as an expert in the new sham name given to these pseudo-sciences is reported as saying recently: "A community in which 'public relations' assume increasing importance is itself on the downgrade." The more myth is accepted as truth, the lower and more degraded is the society which accepts it.

But there are hopeful signs of a new sanity too. Our world is full of strife, but whatever the occasion may be, the root issue is everywhere the same. It is the issue between Antigone and Creon, between Nathan the prophet and King David. It is that between law and personal will, between law and the darker passions, between law and the deeper feelings. Slowly, very slowly, law is winning the day, and men's bodies are being rescued from the consequences of feeling and passion, whether other men's or their own.

This is the great public drama of our time; and if we follow out its implications, whether from the vantage point of New Delhi, where an international congress of jurists has been working on the theory of the Rule of Law, or from that of the practice of the United States today, where the Supreme Court has taken its place as the educator (the 'paidagogos') of the nation, we may perhaps find what we are all equally seeking: "authentic tidings of invisible things."

But I submit two thoughts for consideration. The first is that just as *the struggle of law to re-create our societies* is effected by freeing men's bodies from the bondage to feeling and passion the fruit of which is oppression and violence, in the same way *the struggle of religion to re-create men's souls* is effected through freeing them from the bondage to feeling and passion the index of which is myth.

My second thought is harder and I offer it in fear and trembling. Perhaps the two struggles are one and the same.