

Christianity, Law and Sri Lanka – Sanjayan Rajasingham (July 2015)

Sri Lanka has been focused on the law in the past few months. The 19th and 20th amendments have been discussed endlessly, and there is talk of a new constitution after the general elections. In the midst of these conversations we must ask ourselves: how does our Christian faith relate to the law? Does God have a purpose for law? In what direction should Christian citizens and students try to shape conversations about the law?

God and Gardening

First, however, some of us may be asking: how can a field like law be relevant to Christians? Why should we look at any field of work or study and ask how our Christian faith relates to it? Shouldn't we focus instead on evangelism and discipleship? These are important questions and I think one of the best answers is found in the first two chapters of Genesis.

In Genesis 1:28 God, having completed his work of creation, gives this command to mankind both male and female: "Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground." In Genesis 2:15 we find a similar commandment when we are told that the man was put in the Garden of Eden "to work it and take care of it". In the commands to **subdue** and **rule**, as well as to **work** and **take care** of the garden, we find the answer to the questions above. God gave Adam (and all of us) *work* to do – and he told us how we need to approach that work.

Drawing from Genesis 2:15 let me suggest that we are commanded, in our field of work, to be *gardeners*.¹ A gardener's role is different to that of a wild life officer at a national park. A wild life officer is expected to preserve and maintain the park. He must not change things – in fact, if people come in and poach animals or damage the surroundings he must stop them! A gardener's job, however, is different. She is not expected to *preserve* the garden. She must *develop* it and make it a place where plants, flowers and trees can flourish.

A gardener chooses seeds that are productive, prepares the soil, plants the seeds and waters them. She clears away weeds, rocks and stones, drives away pests, trims the plants, and tends to them. In short, a gardener takes the different natural resources or raw material in a garden – water, soil, seeds – and *puts them together* in a way that best enables the garden to flourish. She makes the garden a place where things that human beings enjoy and need, can grow. These can be practical, everyday things like vegetables or fruits. They can be things of beauty, relaxation and pleasure – flowers, trees, shade and beautiful landscapes - making the garden a place for a picnic, a nap, or an afternoon of cards.

What if we applied this Biblical approach to all our fields of work? We are called by God to take the raw materials we find around us in our field of work or study and put them together in a way that brings joy, community and wholeness to people. In short, in a manner that enables human flourishing. A civil engineer takes the raw material of human need, bricks, cement, mortar and steel – and creates bridges, dams and highways. These allow us to travel to new places faster, to get electricity – in short, to flourish. A businessman takes the raw material of human need, human creativity, and the resources needed to make goods and services, and produces those

¹ I have drawn heavily from the following talk in this section: Tim Keller, "Re-imagining Law" (11/02/2010) <<http://www.faithandwork.com/blog/re-imagine-law>>

things we need and enjoy – in short, he enables us to flourish. In the same way, we are all called to be gardeners. We must take our skills, go into some field of creation and rearrange the raw materials in that area to enable human flourishing, human community and human wholeness.

Of course, we also live in the light of the Fall. Sin covers all aspects of life - work, relationships, even the earth (See Genesis 3:16-19; Romans 8:20-22). This means we will face hardship, difficulty and opposition as we work in our different fields. We will find that often that their values and power structures are opposed to God. However, we also live in the light of Jesus' resurrection and the promised Kingdom of God, where all of creation will be redeemed and brought under Christ (Colossians 1:20; Ephesians 1:9,10). This means that God himself is with us as we face these forces, and seek to be salt and light in the world. It also means that it is God who will bring in the Kingdom, not us. We cannot create the Kingdom of God here on earth through our own effort.

This, then, is why we need to ask how our faith relates to law or indeed any field of work. God has commanded us to be gardeners in our different fields – and so we need to know what sort of garden he wants us to cultivate! To follow God with all our lives – to be disciples - must surely mean following him in our field of work, where we spend so much of our time. Nor is evangelism opposed to pleasing God through our work. In fact, as we take care of and work the garden in a manner that is pleasing to God, we are witnessing to his existence. We are testifying to a God who *wills* human flourishing. Our work in these areas can give us opportunities to tell others *why* we do the work we do, and from *where* we get the values that underlie our work.

God and Law

What might gardening look like in the field of law? It requires us to take the raw material of human experience, human behavior, and human problems – such as traffic and crime – and makes rules that promote human joy, peace, community and wholeness. For example, the Highway Code has rules for the driving of vehicles. It aims to make sure that our roads are safe, easy to drive on, and that we can get where we need to quickly – that is, it aims at human flourishing. The Penal Code lists crimes, how they are to be proven, and the punishment for such crimes. It aims to punish those who commit crimes, but also to ensure that no one is punished unless we are fairly sure that they are guilty. In a sinful world, criminal law – as a deterrent and as a means of protecting the innocent - is essential for human flourishing.

God and Constitutions

How might this process of gardening look like in the area of constitutional law? We first need to understand what constitutional law is about. We then need to understand what the Bible says about rule and power. We then bring these together, bearing our context in mind.

A constitution is a country's fundamental law. It deals with *power* - how power is divided between the different arms of government – the legislature (the body that makes law, the parliament); the judiciary (the body that decides if a law has been violated, the courts) and the executive (the body that implements the law, in Sri Lanka, the presidency). It decides how people are chosen to be members of these different bodies and how those people are protected from unfair pressure, to make sure that they can do their job properly. It also often contains a list of fundamental rights that all individuals have.

What Biblical principles can we turn to for guidance about this area?² The institution of kingship in the Old Testament is particularly helpful. For instance, we find that the king was himself under God's law and had to obey it. He was not above the law (Deuteronomy 17:18-20). This echoes the New Testament idea of government being accountable to God (Romans 13:1-7). We also see that there were certain checks on his power through institutions which were independent of him such as the judges (who were not appointed by the king), the priests and the prophets. The above suggest the modern ideas of the *rule of law*, of rulers being themselves subject to the law, and *the separation of powers*, of the powers of government being in separate bodies to ensure that no one body becomes oppressive or all-powerful. These are principles that Christians should endorse.

We also find that the king was not meant to amass wealth or armies (v.16-17). Thus the purpose of power was not the enrichment of the rulers. Indeed, *servant leadership* is what is expected (Mark 10:42-45). This suggests that we should hold rulers accountable and ensure through the constitution that those in government *serve* the people. Finally, the king is charged with the responsibility of protecting the weak and vulnerable from the powerful and the oppressive (Psalm 72:1-4, 12-14; Proverbs 31:1-6; Jeremiah 22:15-16). This appears to be the main justification of his power, his main *job* as it were, and echoes the consistent Biblical mandate for us to speak up, judge fairly, and defend the rights of the poor and the needy (Proverbs 31:9; Micah 6:8). Do our laws ensure that this is part of the system of governance in this country?

The above principles are basic to thinking "Christianly" about the law. However, we cannot do this in the abstract. We need to take our local conditions into account. We are country with rampant abuse of power and corruption, racism from all sides, and violence against the vulnerable. We have also faced three armed struggles against the state in the last forty years. What we need and what will work will depend on these realities.

Law and the Garden

Cultivating the garden of law is hard because, like in many other fields, there are rarely *single right answers* to the problems we face. Moreover even the best laws cannot usher in the Kingdom of God. Our job, rather, is to prayerfully, genuinely seek God's will for the law, meditating on the Bible and engaging with our political culture. We must understand and empathize with the problems of our fellow citizens. We must be involved in the discussions and debates about legal reform. We must *talk and pray and act* on these issues as a church. Most importantly, we must ask of any legal reform: does this promote justice for the vulnerable? Does this make our rulers servants, or overlords? Does this put checks on power so that human sin cannot run out of control through an overly powerful position?

This, then, is how we cultivate the garden. These are things we must do whether we are Christian researchers *proposing* law reform, Christian politicians *negotiating* law reform or Christian citizens *engaging* with our fellows about law reform. It is in the process of asking, praying, meditating and acting that we cultivate the garden. And as we do so we will reflect God's values in this imperfect, still-to-be-redeemed world.

² In this section I have drawn heavily from two articles by Vinoth Ramchandra: "Federalism: Some Christian Reflections" (2004) and "An Outline of Christian Political Thought" (2012)