



ΤΩ ΧΡΟΝΟΥ ΚΑΙΡΩ

“In the Nick of Time”



Occasional Essays
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for Christian Students
Presented by the
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American Christianity needs leaders. American Christianity needs *Christian* leaders. Christian leaders explain the Scriptures, bringing them to bear upon life’s urgent questions. Christian leaders exemplify the life of faith, finding their ultimate satisfaction in God alone. They unite intellectual discipline with ordinate affection, turning their entire being toward the love of God. These essays are dedicated to the task of inviting today’s Christian students to become tomorrow’s Christian leaders.

—[Kevin T. Bauder](#)

“...Be instant in season,
out of season;
reprove, rebuke, exhort
with all longsuffering
and doctrine.”

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June 30, 2006

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Tolerance and Licit Authority

Kevin T. Bauder

Without some level of tolerance, all human society becomes impossible. Conversely, without some level of intolerance, anarchy reigns and society disintegrates. Without exception, every society tolerates certain differences and refuses to tolerate others.

This leaves every society in the position of discovering legitimate criteria for determining what should be tolerated and what should not. These criteria will change for different kinds of societies. On the one hand, involuntary societies must tolerate more, or else the society becomes tyrannical. On the other hand, voluntary societies must tolerate less—especially with respect to their distinctives—or else they will simply cease to function.

No single set of criteria can define the acceptable boundaries of tolerance for all societies. Someone has to judge which criteria are applicable to any given society. Determining who gets to make that decision is nearly as important as discovering the criteria themselves. Any discussion of tolerance eventually leads to the question, Who gets to define what is tolerated within any particular society?

This authority cannot simply be arrogated through *de facto* power. If tolerance reduces to brute strength, then the boundaries will be set by whoever is biggest, meanest, or craziest. The boundaries will be altered by whoever else can grow bigger, meaner, or crazier. The result will be either utter disorder or totalitarian oppression.

The boundaries of toleration must be established and enforced, not by brute strength, but by licit, *de jure* authority. Each society must recognize its own lawful authority that is able to decide what will be tolerated. With rare exceptions, all members of the society are morally bound to recognize this authority and to submit to the established boundaries.

The simplest society involves the relations of a single person. At the level of simple, personal association, each person exercises his own authority. People may refuse to associate with (i.e., to tolerate) anyone they choose on any basis that they please. One person may choose not to invite Republicans into her home. Another may decide not to associate with smokers. Yet another may choose to sell an item to a pretty girl rather than to a wealthy merchant. Petty as these intolerances might seem, each person possesses the perfect right to decide such matters for her- or himself.

Each human being possesses a fundamental right to freedom of association. In personal and private relationships, it is always wrong to coerce one person to associate with another. In the disposition of one’s personal relationships and property, one must be able to set one’s own boundaries for tolerance. To enforce tolerance at the personal level is always, or nearly always, tyranny.

At the level of voluntary societies, each society must designate its own procedure for establishing boundaries of tolerance. It must also establish its own procedures for enforcement. These actions may vary widely from society to society, but as long as the society is truly voluntary (i.e., as long as individuals may freely disassociate themselves with it), then no outside authority can justly interfere. A voluntary society may choose to tolerate only women, only Rwandans, only philatelists, or only Democrats. Within its membership, it may exercise intolerance toward people who are young, old, fat, slender, tall, short, bald, or hirsute. It may exclude those who take aspirin, who play woodwinds, who were born in Arkansas, or who wear plaid stockings. It is up to the society, through its designated process, to determine what shall be tolerated and what shall not. To force tolerance upon a voluntary society is nearly always tyranny.

Within an involuntary society such as a state, licit authority must be constituted *de jure* in the most literal sense. Civil societies are governed by the rule of law, and the laws of each society specify who has authority to establish and enforce the boundaries of tolerance. Private individuals do not have the right to determine the standards of tolerance for a civil society as a whole.

In sum, private individuals must decide for themselves what they will tolerate in their private relationships. Voluntary societies must designate a mechanism for determining the boundaries of tolerance, and the authority for establishing and enforcing those standards is integral to the society itself. Within involuntary societies, the enforcement of restrictions upon tolerance must fall to public authorities that act strictly *de jure*, and not to private persons or organizations.

Of course, even private persons and voluntary societies must not be allowed to cross certain boundaries. If private persons wish to tolerate the peddling of illegal narcotics from their homes, then the state has the obligation to redefine the boundaries. If a voluntary society wishes to devote itself to a destructive activity—say, torturing kittens—then the state can and should act against it. The general principle is that private persons and voluntary societies may tolerate less than the civil society in which they exist, but they cannot normally be allowed to tolerate more.

Sometimes states use their coercive power to intrude into matters that ought to be private or voluntary. Persons may be forced to tolerate behaviors in their private relationships that they find offensive or objectionable. Voluntary organizations may be barred from defining their requirements too narrowly. Such exercises of state power almost always transgress some right such as freedom of association or expression. This is tyranny.

Alternatively, private individuals may attempt to use coercion to force their private intolerances into the public sphere. Voluntary societies may try to force public compliance with their standards of intolerance. Alternatively, private individuals or organizations may use coercion to force a person or a voluntary society to accept a greater level of tolerance. All of these actions involve the assertion of force without licit authority, and that is the precise definition of terrorism.

Terrorism is not limited to Al Qaeda. Crashing airliners into skyscrapers or setting off roadside bombs are only the most extreme examples of terrorist acts. The murder of Matthew Shephard was the same kind of act, only on a smaller scale. The shooting of Dr. Barnett Slepian was also the same kind of act. When Operation Rescue blocked the doorways to abortion clinics, that was an act of the same kind—as was the attempt to block access to buildings at North Central University by so-called “Equality Riders.” The attempt by students to shout down commencement speaker Benjamin Kessler at the University of St. Thomas belongs to the same class of acts.

The foregoing actions vary widely in degree, but they belong in the same moral class. What they have in common is the use of illicit coercion to enforce some level of tolerance (or intolerance) that a given society has found objectionable. To be sure, the differences of degree are significant, but they are not nearly as significant as the likeness of kind.

Not just anyone can legitimately set the boundaries of tolerance. To have the moral right to define and enforce tolerance, one must possess licit authority. Without *de jure* authority, the imposition of these boundaries becomes either tyrannical or terrorist. Anyone may critique the apparent intolerance or over-tolerance of any society, but only a lawful authority has the right to define and enforce those boundaries. X

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This essay is by [Kevin T. Bauder](#), president of Central Baptist Theological Seminary. Not every one of the professors, students, or alumni of Central Seminary necessarily agrees with every opinion that it expresses.



Giovanni Francesco Penni, *The Justice of Othon*. 1488-1528.



THE CALL. George Herbert (1633)

Come, my Way, my Truth, my Life :
Such a Way, as gives us breath :
Such a Truth, as ends all strife :
And such a Life, as killeth death.

Come, my Light, my Feast, my Strength :
Such a Light, as shows a feast :
Such a Feast, as mends in length :
Such a Strength, as makes his guest.

Come, my Joy, my Love, my Heart :
Such a Joy, as none can move :
Such a Love, as none can part :
Such a Heart, as joyes in love. X



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