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Language Transactions in Covenant and Contract

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I. Introduction

Two fundamental ideas form the frame of this paper.

First, human beings have four kinds of language ability. They have language of heart, mind, strength and might. Language of heart is that of desire, for human beings do what they desire to do. Heart language is the fundamental expression of the human being, and all other human languages are but translations of the heart language. Could one read the heart language of a person, one would understand the person completely. Mind language is the ideas of the person, the concept/event sequences of the imagination. Mind language forms the context in which the person functions and desires: The beliefs of the person form a world in which the person lives, moves and has being, and which provides the alternatives among which the heart makes choices in desiring. Mind language is the first translation from heart once desires have been formed, as the desires are given concrete expectation by the mind upon their being settled upon by the heart. Strength languages are the actions of the human body which express the desires (heart) and intentions (mind) of the person. These strength languages may be any kind of habitual bodily action from crying, dancing, and woodcarving through instrumental languages such as painting and music, to sophisticated utterances in the human verbal languages such as English or computerese. Might languages are the resultant effect of the heart, mind and strength languages of the person, and range from the very personal, such as the effect of one's accent on others, to the movements of an army or navy according to instructions from the commanding officer. All that human beings do or can do is exhausted in these four kinds of languages of heart, mind, strength and might.

The second fundamental framing idea of this paper is that human beings are what they do. Each is the sum total of the expressions each makes in the four kinds of language power which each possesses. Another way to say this is that the person is the sum of his or her linguistic powers which are used to result in effects upon the remainder of the universe. (In this stipulation, potential is not real; it is taken to be an imagination of what might be or might have been, but is not reality. Only the actual is real.)

The importance of these two framing ideas is that the most important thing about any human being is that person's language transactions, and the fundamental language transactions are those of heart, mind, strength and might. These two framing ideas are the basis of human covenant and contract, alike. We shall now turn to an analysis of contract and covenant in these terms.

II. Contract

Civil governments are created by men to ease the power struggle of the jungle. What civil government does is to assume a monopoly on might language which involves the use of force, and grants civil rights in the place of the use of brute force, reserving brute force to itself. Individuals are created by civil government as that government grants a person individual rights and recognizes the residual powers of the individual to act apart from those rights. A drivers license gives one the right to direct an automobile on the highways, and the right of free speech enables one to use his powers to communicate with others in verbal and other languages. Arrest and incarceration are denials of the right to come and go, and capital punishment is the denial of the right to exist. So if one citizen injures another using brute force, the injured party

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has no right to retaliate in kind, but has the right to plead with the government in a civil proceeding to get it to punish the offender. If the government decides that the offender is indeed guilty, the government then proceeds to use its brute force to exact whatever penalty it deems appropriate from the offender. When other language transactions fail, governments also relate to one another using brute force, which is war. Thus civil governments create individuals by granting them rights to act.

One of the special rights civil governments grant is the right to exchange rights between individuals. Rights to exchange rights are the laws of contracts. But the rights to contracts are complex rights which must be based on other rights previously granted to the individuals it recognizes. The rights granted by civil governments which are necessary to entering into contracts are: The right to have and to exchange information. The right to perform and exchange services. The right to own and to exchange goods. And rights to redress (remedy) in the case of wrongful exchange. Contractual arrangements flourish only among equals: Equals in the jungle can successfully barter, but only persons created equal before the law can successfully contract. Unequals cannot usually contract because one will dominate the other and there is no remedy for wrongful exchange.

The environment conducive to contract is one of free exchange of information where each party is aware of his or her own rights and the rights of all others. In such a situation, an individual may perceive a right that another person has and desire it. The individual with the desire contacts the person who has the right he or she desires and works out an agreement whereby each will give up a right to gain a right which each desires. Thus I may have a right to have my earnings saved in a bank. I see another person who has a right to a certain piece of property. I desire that property and arrange to exchange my right to my money for the right to own that property if the other party is willing.

The essentials of a good contract are as follows:

1. *There must be a meeting of the minds.* Each party must understand its own and the other party's rights and what is being agreed upon by way of exchange of rights. This is mind language. Human beings are not ordinarily mind readers, so a meeting of the minds is stipulated in careful legalese colloquial strength language. But the necessity of the part mind language plays in the contract is explicitly recognized by the law.
2. *Performance.* Each part must use its present powers and rights to carry out the agreed upon terms of the contract. This is strength language, both verbal and non-verbal. The role of strength language in the execution of a contract is explicitly recognized by the law.
3. *Consideration.* Each party must suffer a detriment, or loss of a right or rights, which is called "consideration." The point of detriment is of course to gain

desired rights. But it is detriment or consideration which makes a contract and separates a contract from the bestowal of a gift. Consideration is might language in contract transactions.

In theory, a contract is entered into by each party because it is pleased with the opportunity to gain a right that it does not now possess and to do so at a tolerable cost (detriment). Should either party not be pleased after the execution of the contract, then either party may seek redress or remedy before the civil government. The civil government will examine the transaction first to see if there was a valid contract involving a free exchange of information (no deception) and a meeting of the minds about rights actually possessed by each party. Should the contract be clearly sound, then the performance and execution will be examined to see if those transactions have been fulfilled according to the agreements of the contract, to see if the consideration or detriment suffered by each party was appropriate.

It is also part of the theory that government is the equivalent of omniscient and omnipotent, and that it is just in its rendering of judgments. Unscrupulous persons often try to seize the reins of government so that they can redress their favorites and punish their enemies using the government monopoly on force. Checks, balances and review procedures mitigate the abuse of power by government officials, but only when the unscrupulous are in the minority. The failure of the government redress of aborted contractual relationships is a return to the law of the jungle.

Governments are set up by brute force and fall by brute force. Governments and contractual obligations are adequate only when a majority of the people who give power to the government are themselves just and recognize that there are principles of governance which do not derive from brute force but which must be upheld by brute force. These principles which brute force must uphold are the recognition that every human being must be equal before the law and must be protected in his or her rights.

Thus contract is civilized barter, and it affords complicated cooperation which the barter of the law of the jungle cannot enable.

III. The New and Everlasting Covenant.

The New and Everlasting Covenant of the Restored Gospel of Jesus Christ is taken here as the paradigm covenant because it was the original covenant, it preceded all civil government in the time of Adam and therefore preceded all contractual arrangements, and because it is the model upon which all other covenants and contracts are based.

Mankind exists because God created men in his own image, male and female. An individual is defined and created by God in the gifts and power given to that individual, spiritual and physical. What the individual does with those gifts and those powers is the self-defining acts of the person, mak-

ing himself or herself something out of the opportunity which God has given each.

To every person God initially gives heart, mind strength and might, those vastly varying in quality and quantity. As the individual uses those gifts and powers in defining himself or herself, each prepares for an eternal reward of what each has chosen to become. It is God's announced desire to share all that he has with each of his children, to make them equal with himself. God is limited in what he can do and share with each person by that person's choices in mortality. Those who choose to be just and to develop all the gifts and powers from God can receive a fullness from God. Those who choose to be unjust and to use the evil gifts and powers of the adversary limit themselves to an eternity of damnation. The Gospel of Jesus Christ proclaims the mediation available for all who have sinned or erred, allowing them to change or repent through Christ to achieve the character, the use of the gifts and powers of God, which they truly desire.

Thus all men are free, subject to their own desires, except as they are limited by their ignorance, by the law of the jungle or by civil government. Each may make language transactions with heart, mind, strength and might unto the fulfillment of desire. With heart and mind man speaks to and receives from God. With strength and might man speaks to and receives from mankind and from nature. But the categories are not tight. The languages of heart and mind affect men and nature as well as God, and the languages of strength and might speak to God even as do the heart and mind of the person.

The Gospel of Jesus Christ is that men may learn to communicate with their heart, mind, and strength in a perfect way, even as Christ does. The change which enables such communication comes only by the bestowal of the power of God in the ordinances of the Restored Gospel. The actual bestowal of that godly power to surpass human ability comes only through covenant, the New and Everlasting Covenant.

There are certain requirements which must precede the making of the New and Everlasting Covenant. First, the person must understand the difference between good and evil. Good is the righteousness of God, and evil is anything which deviates from the righteousness of God. To every person who enters this world, the light of Christ is given, that each might know the righteousness of God. Also to every person who enters the world, the power of Satan is manifest to give each ample opportunity to know evil firsthand. Secondly, the person must understand the Gospel of Jesus Christ. The essence of the Gospel is that each human being can be rescued both from doing evil and from the effects of having done evil by accepting Jesus Christ as their new father and learning to keep all of his instructions. Thirdly, the person must have a desire to accept the Gospel and become a new

creature in Christ through the laws and ordinances of the Gospel.

The New and Everlasting Covenant is an agreement between God and an individual to exchange powers and services, not rights, as in the case of contract. The covenant is a relationship between unequals, and the law of the jungle obtains, for man is nothing when compared to God. But the mighty one in this case is benevolent: God desires only the welfare of the individual, and will never use or abuse him or her to his own ends. There is no third party to give remedy or redress. But there is a third party: Satan. He gives no redress but does offer a counterfeit covenant. Each human being is free to covenant either with God or with Satan, and some choose one, some the other, according to their own desires, for men are free. Too late will each individual who covenants with Satan learn that Satan only covenants to use or to abuse the individual, giving each a momentary benefit in exchange for an eternity of misery. But no one is eternally trapped by the covenant of Satan except those who have known and deliberately rejected the New and Everlasting Covenant.

The language transactions necessary to the New and Everlasting Covenant are as follows:

1. *Mind.* Man is to give up pride (self-sufficiency, enmity toward God) and to acknowledge God as the only source of good. He must accept Jesus Christ as his Savior and keep every commandment which Christ gives to him. Only those who already know good from evil and desire to choose the good can accept the covenant with their minds and communicate this to God.
2. *Heart.* Man desires to give up evil (selfishness), and God begins to purify the heart of the individual, giving each pure desires (for righteousness only). If a person is willing to desire only the pure desires from God, the person can receive a new heart which no longer desires any evil. The person can speak the language of the pure love of Christ, which the scriptures call "charity."
3. *Strength.* Men desire to give up all actions to feather their own nests, rather desiring to work for the good of all as God directs. So far this is heart and mind language only. It becomes strength language when the person actually does the good works which God enjoins, wearing and wasting his or her human life away in the cause of godliness. God gives gifts and power to each person so that each can do the good that he directs and do it skillfully.
4. *Might.* Men give up possessiveness and the use of their power to take advantage of other persons. Rather they put all they command at the service of God, that good might be done for everyone around the person as God directs. Men and women who use their might language this way in the covenant become heirs of all that God possesses, which is to say that they, too, will eventually be almighty.

God fulfills his part of the covenant perfectly. He speaks to each participant in the covenant in languages of heart, might, mind and strength,

enabling the human being to become conversant in the righteous use of the languages of heart, might, mind and strength unto the day of perfection, when every language transaction of the former human is now the perfect communication of a goodly, godly person, a saint, one who is a joint-heir with Christ of all that Father has. No one who enters the covenant for the right reasons and pursues it according to instructions is ever disappointed. Only those who wish to retain a certain portion of evil as they serve God find fault with the communications of God.

Those who find fault with God may turn to civil government for redress, but in vain, for governments of men can only redress the rights which they create in the first place. No human government can remedy any unhappiness a human being has with God. The fault-finding human can turn to Satan, who will assure him that he is in the right, that God is unjust, and who will give the person some worldly advantage to ease his distress. But the easing comes with the price of eternal captivity for those who actually know and have tasted of the goodness of Christ.

IV. Conclusions: Language transaction differences between contract and the New and Everlasting Covenant.

1. Contracts are always entered into and executed on the basis of inexact human strength and might languages; remedy always involves inexact interpretation of those same inexact transactions by a third human party. New and Everlasting Covenant transactions are always conducted in all four kinds of language simultaneously and accurately: heart, mind, strength and might. The first two kinds of language transaction provide the opportunity for precise meeting of the hearts and minds, that desires and understandings might be exact and commensurate. A person does not gain a fullness of the covenant at first, but learns step by step, grace for grace, what is required. As a person takes each new step he or she is shown, greater understanding is given to go one step beyond the present faithfulness. Strength language is part of the New and Everlasting Covenant as a witness in case of the default of the human participant. No participant is held for anything he or she did not understand; but until there is understanding, there is no possibility of faith sufficient unto the great blessings for which the New and Everlasting Covenant is administered. The covenant is entered into and executed first and foremost in heart language, but only after the mind language has brought appreciation of what God requires.

2. The essence of contract is consideration, enhancing the might of the parties to the contract by exchange of goods and/or services. The essence of the covenant transaction is heart, God sharing his pure heart with the human participant. Contract functions to change what a person controls so that both parties may fulfill their desires. The covenant

functions to change what the person desires so that enlargement of what the person controls will not increase the evil in the universe.

3. The language transactions of contract leave the parties unequal, even though they might be considered by the law which governs the contract to be equal. The transactions of the New and Everlasting Covenant bring men to the stature of a god, making men first the children of God, then equal with Christ in every aspect of character.

4. The language transactions of contract are finite in time, space, and material consideration, and have no meaning when men are dead. The language transactions of the New and Everlasting Covenant are infinite in time, space and material consideration, pertaining both to this life and to eternity.

5. The transactions of contract make men of ill will into enemies, because, to the evil, their fair share is never enough. The transactions of the New and Everlasting Covenant enable the participants to become brothers and sisters to every human being, to love and serve every one through the name and power of God, the good and the evil among men alike.

6. The remedy for improper transactions of contract is not only insistence on performance but also punitive penalty. Redress for improper transactions by men in the New and Everlasting Covenant may be punitive, but only to gain the attention of the erring person. When the person repents and re-makes the covenant, the improper transactions are swallowed up in Christ, through his atonement.

7. Contract needs to have all four kinds of language transactions, even though it does not have them. Heart language would assure bargaining in good faith. Mind language would assure perfect understanding of the circumstances and agreements of the contract, a true "meeting of the minds." Strength language would be technical and exact, forming a proper record of the agreement and assuring accurate performance. Might language would be the resultant order and power in the world envisioned by the making of the contract. But contract actually only enjoys strength and might language functions. It is therefore very imperfect compared to the New and Everlasting Covenant.

8. Contract is the human counterfeit of the Covenant. Contract serves human beings fairly well in a fallen world to achieve worldly goals, but only when the participants are men of good will who abide the light of Christ are contracts mutually beneficial and enforceable. Where men are wholly given to evil, contract fails and only the law of the jungle prevails. But humans can enjoy the New and Everlasting Covenant either in the jungle or in a civilized nation of law and order. The covenant does not depend upon fortunate environment.

9. In Zion and in heaven, the covenant will wholly replace contract. For men and women will gain all they need from celestial sources, not needing anything from the non-celestial portion of their

environment except the opportunity to administer the gifts and blessings of God, which opportunity he gives. Contract is at best terrestrial, a shield to protect good men from unscrupulous men. The covenant is celestial, when good men draw strength from God and minister to all the rest of mankind. Telesial and perdition-type persons use contract as a sword, to defraud their fellowmen, rather than as the shield for which it was intended.

10. Thus, the only sure and fully satisfying language transactions between men and men or be-

tween men and God are the transactions of the New and Everlasting Covenant. All other language transactions will ultimately fail because the heart and mind transactions are insufficient to the performance required for unending relationships. Marriage by contract is an endurance contest. Only marriage in the covenant has the hope of perfecting the participants so that they could stand to be with each other all of the time and cooperate in all matters unto eternal happiness.