A STUDY REPORT
on Reformed Christian Politics

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Chapters 2, 3, 4, and 5 include content modified from the forthcoming work by Zachary Garris and Sean McGowan, *The Southern Presbyterians*.

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Introduction

For several decades now, Reformed academics, pastors, and laymen have been gripped by a spirit of *ad fontes*—a return to the sources. Many have recognized that something went terribly wrong in twentieth-century Reformed theology: there was bad trinitarian theology, weak soteriology, a poor understanding of nature and grace, and many other problems. The Presbyterian historian Carl Trueman blamed our troubles on "a whole cultural way of thinking theologically—one that is biblicist, unconfessional, and detached from history."[1] Our cultural way of thinking locked us into assumptions that felt normal and even superior to those of the past. Those who knew of and preferred the discontinuities appealed to *semper reformanda*—i.e., our "progress" from the prejudices of the Reformers, away from ideas that they, purportedly, inherited uncritically from medieval theology. However, it is now evident that our cultural way of thinking diminished our theology; we regressed. Our cultural milieu and the norms we received from our upbringing came to shape our theology, at times in disastrous ways.

Until recently, retrieval projects focused on theological works. One may have predicted years ago that retrieval would not stop there—that we would soon translate works of ethics, domestic duties, and politics written by our spiritual forefathers. It was a matter of time before our cultural ways of *political* thinking would come under strain and face challenges. That challenge has arrived. Indeed, it is increasingly obvious that political thought among Reformed Christians today is far more aligned with modern liberalism than with nearly anything in the Reformed tradition before the twentieth century. As if by second nature, most Presbyterian elites affirm the novel jurisprudence of the Warren Court regarding religion in public life, deny that civil government may promote true religion, and deny that a nation may be properly designated "Christian"—contrary to both the Reformed *and* American political traditions. Of course, our modern elite could be right. However, this should raise the question: Is our political thought a product of our cultural way of thinking?

The reemergence of "two-kingdom" theology in the last few decades has seemed to reconcile retrieval with modern politics. It has confirmed everyone's political priors (viz., a secularist state) by appeal to historical Reformed theology. But whatever its merits might be (and we will refute it here), it should strike everyone, *prima facie,* as too convenient: Reformed theology purportedly *demands* political thought that uniquely fits, and *only* fits, the Western politics of the last few decades. The politics of Modern Two-kingdom theology is not a prudential determination of suitable political arrangements. Rather, it establishes absolute limits on political authority that happen to align perfectly with recent American jurisprudence and the prevailing secularist

[1] Carl Trueman, "Reforming God?" *Reformed Faith and Practice* 4, no. 2 (2019), https://journal.rts.edu/article/reforming-god/.

political thought of the mid-to-late twentieth century, at least regarding religion. Of course, it might be a happy accident; perhaps they are right. But one wonders if there is more to the story—that is, whether our cultural way of thinking might have played a part.

Purpose of Our Study Report

In this report on Reformed Christian politics, we seek to persuade fellow Reformed Christians that something has gone wrong in our political thought and to convince them of a better way. In general, the Reformed world has suffered from unsystematic political thinking; a general ignorance of the basics (let alone the complexities) of Reformed political thought;[2] the conflation of theology, ethics, and politics; the conflation of ecclesial spiritual unity with civil cultural unity; the injection of supernatural, heavenly principles into political order, whose *principia* are nature and reason; the incoherent and inconsistent application of the "exile" motif; the abrogation or supersession of nature by grace; a preeminent interest in our "moral witness" in this liberal age; and many other deficiencies that our spiritual forefathers avoided.

Many churchmen treat politics not as a domain of practical philosophy but rather as a malleable background condition for effective evangelism, peaceful ministry, and public access. The political "moderate" of every age, they assume, has one less hindrance for "cultural engagement." The ideal layman is a moderate Republican who prefers to talk about last night's game over yesterday's news. Though the moderate "third-wayist" or the "I-critique-both-sides" moralist might have an advantage in evangelism (we find it unlikely), the governing premise is false, as politics is *not* subordinate to missiology. Civil governance, rather, is an ordinance of God to suppress evil and to promote what is good. Its principles and ends are immutable. Since its intrinsic end is political, the *means* cannot be missiological except by accident. Utilizing politics for missiological "witness" violates God's intent for politics.

However, many Reformed pastors and theologians today who demand precision in theology violate basic principles in political and social thought. *Grace assumes nature; it does not abrogate it* is central to our theology, but in politics, they have made it into an *ad hoc* rule of thumb: grace actually *does* abrogate or "relativize" nature in ways that make our "public theology" more palatable for moderns. They suspend fundamental truths to craft our politics for non-political ends. They tell us to "dwell on our heavenly citizenship," *until* someone violates certain social dogmas of postwar liberalism. Then the broadside appears from the mist, and the exiled and humble pilgrims, wary of power, *fire* with unrestrained confidence, joining their Babylonian cap-

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[2] For example, many pastors and even theologians today believe that "civil government promoting true religion" entails coerced faith, and that "Christian nation" entails "theocracy" or theonomy and requires postmillennial eschatology or "transformationalism." Many also think that "Christian nation" entails collapsing heaven and earth or nature and grace or the twofold kingdom, and that it reduces the kingdom of God to an earthly polity. None of that is historically true.

tors in exacting social costs and declaring their renouncements. They then withdraw to agreeable reliance on the protection of divine providence and the "spirituality of the church." Others claim that no Baptist is "Reformed" and yet insist on (modern) Baptist political thought—contrary to nearly every Reformed writer before the twentieth century. In other words, conservative Protestant politics is confused, inconsistent, and almost entirely *ad hoc*, both in content and public rhetoric. Even worse, in a time when political action to attain righteous laws is still available to laymen, political theology serves only to restrain action, to spiritually pathologize political efforts, to manage our decline, and to see that we and our children are abandoned to the cooling warmth of a smoldering society.

Even those who reject this missiological classification remain wary of political systematization, having adopted the postwar conservative rejection of "rationalism" and "ideology." At their best, they appeal to Russell Kirk, Michael Oakeshott, and other romantic conservatives of the postwar period, following the principle of "prescription." But this idea—viz, that we ought to follow longstanding inherited practice—has proven worthless in combating sweeping changes brought about by modern liberalism. In fact, it is more than worthless, as most "conservatives" today have adopted what they inherited—namely, modern liberalism. Romantic conservatism does not *lead* society to change; rather, it reacts to change and eventually compromises with it. It pulls conservatism along in the long march of "progress."

The fact is, political system is inescapable. All political thinking flows from some system, whether acknowledged explicitly or implicitly, and most Christians today assume a *conservative form* of the liberal system. We have merely baptized and concealed liberalism under the language of "biblical worldview" or "principled pluralism." But we must escape from the trap we have set for ourselves: political system—where clear and robust *ends* of politics are acknowledged and sought—does not necessarily entail political "ideology," as defined by conservative thinkers. It does not absolutize the *means* or necessitate any particular political arrangements or acts. Rather, it rigorously establishes principles and ends such that prudence and resolve can do their work. The same spirit that animates theological retrieval must animate our politics. Our politics must find its rightful place as a branch of *practical philosophy*, and we should apply just as much rigor to our political system as to our theological system.

For these reasons and others, we see great need in the church today for better political thinking. Although our central claim in this report is that the *government must promote true religion*, we hope, in general, that the political methodology employed by Reformed writers may improve. At the very least, we hope that Christian political thought may return to a more systematic presentation and method—where nature and grace are distinguished; where the *principia* of various disciplines are acknowledged and followed; where Christian ethics cohere with political necessities; where the *imago dei* is not abused for political ends; where love for neighbor is not flattened

but hierarchically ordered; where theology is ordered to heavenly life rather than utilized for pacifistic ideology or *ad hoc* political justification; where political means are sufficient and suitable for political ends; where virtue and piety are distinguished but mutually supporting; where absolute principles are distinguished from prudential action; where laymen are free to do assertive political work as citizens; and where pastors and theologians do not vociferously condemn positions that are widely held in our tradition. These advancements would only be the beginning.

This report, written by three American Presbyterians (two ministers and a layman), aims to steer Reformed Christians, particularly those in NAPARC, in the right direction with theological, philosophical, and historical clarity. We pray that it will serve the church well and equip both pastors and laymen to advance the kingdom of God.

Promoting True Religion

The better way that we present here is more measured than one might think. In the history of Reformed political thought, the principle that *civil government ought to promote true religion* has been nearly ubiquitous. Moreover, most have considered it immutable and absolute, and thus, a civil ruler *must* promote true religion. But any application of that principle is a *political* act and therefore occurs in a realm of contingency and prudence. That is, every political act is a *means* to an end, not an end in itself. Means to ends are contingent, since circumstances determine the proper mode and measure for an act to achieve its intended end. What is necessary in genus may be contingent in species.

For this reason, there are two separate questions: 1. whether the promotion of true religion is an absolute principle that binds civil government, and 2. (assuming that we affirm the former) in what particular ways ought this or that civil government promote true religion, given its particular circumstances. The former question is principally for political theorists and secondarily for theologians, while the latter is properly one for civil magistrates (who must act prudently). The focus of this report is on the question of principle, and, as the reader might expect, we affirm.

Demonstrating the principle does not end the investigation, as questions remain about the limits of authority. That is, we must determine the objective extension of this principle, or the lawful set of species of civil action. The civil magistrate promotes true religion morally and properly only within the bounds of civil power's intrinsic limitations: e.g., he may not coerce inward faith or force one to confess a lie; he may not assume for himself the preaching of Word, the administration of the Sacraments, or the keys of the kingdom; he may not command that this or that man should be ordained or deposed; etc.. These limitations are intrinsic to political authority by its nature as designed by God; they have not come from an adventitious divine com-

mand. The magistrate's lawful actions are limited by the proper objects of civil authority, namely, outward things.[3]

With these boundaries in place, the question then turns to the *means*. As we have said, the decision to act in this or that way in obedience to the principle is the magistrate's decision (further limited by a constitutional arrangement) as he considers the best means to the end. Modern Christians often assume that affirming the principle as a *generic* and absolute command (which we affirm) commits one to absolute commands regarding the means (which we deny). Church establishment, for example, is but a means to the promotion of religion, not an end in itself or an absolute duty.[4] It is but one species of acts, flowing from the genus, which may or may not be appropriate in a given situation. The magistrate may, under the right circumstances, promote religion without establishing a church. The same is true of *all* species of acts, such as "the magistrate punishing blasphemy."[5] Affirming this kind of act as morally permissible—i.e., as a moral species of the genus—does not *eo ipso* commit the magistrate to enact a civil policy that punishes blasphemy. Nor must he punish every instance of blasphemy or punish each with the same severity. We can reduce this even to *individual* acts (i.e., members of a species): whether an *individual* civil act (say, punishing a certain obstinate heretic) is good or evil is not determined solely by the genus or species of the act but also by whether the individual act concretely achieves the intended good end.[6]

Thus, affirming the principle that *government must promote true religion* does not logically entail *any* particular policy or concrete civil act. Rather, it means the civil magistrate must act in a way conducive to this end. Put more precisely, he must act according to the possibilities of *effective* action that are afforded to him by the circumstances. So, the fact that we agree with, say, John Calvin, that the civil magistrate ought to promote true religion and that magistrates (in the abstract) may punish heresy does *not* commit us to advocating for a return to Calvin's Geneva. This does not follow. Dropping a sixteenth-century Genevan lawbook onto America—whether eighteenth-century or twenty-first-century—would be disastrous. Indeed, it would be *immoral* not because it violates the intrinsic limitations of politics, but because it would, in practice, lead to anarchy, disruption, and likely the overthrow of the state. Civil action is good and proper *only* if it achieves or contributes to a good end within its objective limitations. However, the magis-

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[3] We exclude those outward things that have an intrinsic supernatural end (e.g., the Lord's supper).

[4] One might affirm that church establishment is always necessary, but this holds only if every contingency or possible set of circumstances renders it a proper means to the end. It remains an act whose goodness is determined in a realm of contingency. It is not absolutely commanded in the same way as its principle, for the principle is prior to contingency.

[5] Moral acts take their species from their object.

[6] Even in places where punishing heresy was a matter of civil policy, authorities punished heretics with varying degrees of severity, sometimes merely admonishing them.

trate *must* promote true religion in some way, even if circumstances significantly constrain him. Some civil acts are ordinarily necessary (in our view), such as Sabbath laws, not because they are absolute duties of magistrates per the genus of action, but because they are, ordinarily, moral necessities—i.e., per species, they are prudentially always necessary and proper.

Furthermore, failing to act prudently is, itself, immoral. Political reasoning is a process of *discovery*—discovering, in the circumstances, which political acts are proper and necessary to the achievement of political ends. Upon discovering these ends, the magistrate is morally bound to enact, promulgate, and enforce them. In this way, the moral determination of an act is *prior* to the magistrate himself (as to order of being), who is charged with acquiring knowledge of them and acting in accordance. In other words, when prudence determines proper, moral action, the magistrate must act; and, in doing so, he wills a good that has been morally determined prior to his will. If he fails to act, however, he sins both against God and the people, for he fails to promote the common good to the extent the circumstances allow.

Today's discourse on Christian politics, or "Christian nationalism," would greatly improve if we understood the relationships among genus, species, and individual acts as they pertain to promoting true religion, as described above. Many of our opponents, including Modern Two-kingdom advocates, deny the promotion of religion at the level of genus. Some may affirm a modified genus, namely, *civil government must promote natural religion*. You can find this in John Locke and in many Particular Baptists.[7] Others may reject certain species of acts—e.g., suppressing false religion, punishing atheism, reforming a corrupt church, correcting erring ministers—though these objections are usually rhetorical means to deny the genus. Many people focus on prudential considerations, saying, for example, "We don't want wars of religion again." But they almost always fail to recognize both the "*must*" of the principle (i.e., they fail to refute the principle) and the contingent nature of means to ends. Not everything that is morally permissible in the abstract is prudent in the concrete; and in many circumstances, the constrained promotion of religion may be the only *moral* option. Too many people, even those who are credentialed, titled, and educated, assume that promoting true religion must entail a confessional state with an established church and the extensive suppression of heresy and dissenting brethren. This doesn't follow. And as we make clear, that is not our goal for the United States.

Summary of Contents

We do not pretend to answer all political questions in this report. We chose our topics largely to shape the political thought of NAPARC denominations in our current moment as they grapple

[7] We respect this position, though we argue that magistrates *as magistrates* may promote *revealed* religion.

with Protestant political retrieval and the rapidly changing political landscape in America and the West broadly.

Following this introduction, we begin with the chapter titled "Reformed Political Theory." This chapter, in part, is a philosophical argument for our main proposition: that *civil government must promote true religion*. The author grounds this claim in nature and follows the proper *principia* of practical philosophy (viz., nature and reason) while also demonstrating how revealed theology further specifies political conclusions, making possible a distinctly Christian politics that promotes the Christian religion. Making this case is not simple, because the author insists (in keeping with the Reformed tradition) that we must distinguish sacred theology and politics. We must not separate them, but they must be distinguished carefully.

In the next chapter, titled "American Presbyterians on Civil Government," we survey eighteenth- and nineteenth-century American Presbyterians, examining their views on the role of the magistrate. We do this by examining some of the more prominent men from the colonial and Early Republic eras, considering their influence on early American political discussions and on the formation of various state constitutions. Additionally, we examine some of the most prominent Northern and Southern Presbyterian theologians of the nineteenth century and their understanding of the role of the magistrate. This chapter reveals that American Presbyterians did not *repudiate* the magistrate's role in the Reformed tradition but rather *adapted* it to their circumstances. We recognize that there were some exceptions, such as the Virginians, who did not believe that the state should be distinctly Christian. Nevertheless, we demonstrate that even the Virginians did not take things as far as Modern Two-kingdom advocates today, as they still believed it was permissible for the magistrate to legislate religious laws—even if on broadly theistic terms. While we recognize and engage with these exceptions, we argue in this chapter that the majority of the American Presbyterian tradition in the eighteenth and nineteenth centuries *assumed* that the United States was a Protestant country and that the magistrate *should* promote true religion.

In Chapter 3, we examine the 1788 American revisions to the Westminster Confession and show that they were a consensus response to the American context. The Presbyterians faced allegations that they were seeking to establish a Presbyterian church in America, so these revisions, which largely concerned civil government, made it clear that the magistrate should support the church without favoring any particular denomination. The 1788 Westminster Standards thus constitute an *adaptation* of the original Standards to the American context of that time. These revisions were more pragmatic than a substantial theological change, allowing flexibility for the various practices of the states at the time. They were not intended to support pluralism or religious neutrality, but rather a Christian civil order that would maintain piety while protecting and privileging the church of Christ.

We then turn to the spirituality of the church in Chapter 4, showing that the church's mission is primarily spiritual and thus that there should be limits on the church's power and political involvement. As a spiritually independent institution, the church should not make pronouncements that go beyond Scripture—though American Presbyterians have differed in their application of this doctrine. The doctrine of spirituality of the church has its roots in the Second Book of Discipline (1578) and the Westminster Confession (1646), and thus proponents of the doctrine have seen no inconsistency in affirming both the church's independence and a Christian state (e.g., James Henley Thornwell). The state also is independent, but this does not mean it should be irreligious, amoral, or disconnected from the lordship of Christ.

Next, we critique theonomy and analyze the Reformed tradition's understanding of the Mosaic law, particularly as it was codified in the Westminster Confession of Faith (WCF). WCF 19.4 states that Old Testament judicial law has "expired" but that its "general equity" should be instructive for modern civil governments in their making of civil laws today. "General equity" refers to the universal and common application of the moral law as contained in the judicial law. This includes even the general equity of First Table laws (viz., those concerning the worship of God), so that as far as may be prudent, the magistrate may punish public displays of idolatry, blasphemy, and Sabbath-breaking. This view differs from that of many modern Reformed theologians—even those who subscribe to the Westminster Confession—some of whom erroneously label the general equity view "theonomy." Indeed, while theonomists sometimes reach formal conclusions consistent with older Reformed theologians (e.g., the application of many capital crimes in the Old Testament to the nations), we hold, with the Reformed tradition, that the Mosaic judicial law, *as positive law,* no longer binds any nation. It would therefore be incorrect to speak, as Greg Bahnsen has, of "the abiding validity of the [judicial] law in exhaustive detail." Theonomy tends to conflate the moral and judicial law, and it tends to reject or underemphasize the roles of reason and natural law in discerning and applying the judicial law's general equity. Christians, instead, must use reason to discern the judicial law's particularities to Israel and how, then, to apply its general equity to modern-day civil government.

Then, in Chapter 6, we critique the modern Reformed Two-kingdoms (R2K) position. We show how this position, as represented in the work of its chief proponent, David VanDrunen, relies heavily on Meredith Kline. Furthermore, R2K distinguishes between the "common kingdom" and the "redemptive kingdom," with the "common kingdom" being founded on the Noahic covenant (particularly Gen. 8:20–9:17). This R2K scheme has implications for civil government, as it holds that the state should be religiously neutral. This, consequently, separates the state from religion (which is more than just separating it from the church). To make their case, R2K proponents argue that the Noahic covenant restricts the civil government's use of natural law such that the magistrate may enforce only Second-table offenses (i.e., those between man and man). How-

ever, they not only deviate from traditional Reformed theology but also erroneously divide the Noahic covenant and thereby, unwarrantably, restrict the magistrate's use of natural law. VanDrunen has even admitted that he adopts Enlightenment principles to adapt Reformed theology to modern pluralism. We contend that he has gone well beyond mere adaptation. Unfortunately, the R2K position has abandoned the basic principles of Reformed political theory in favor of a form of baptized libertarianism.

Considering the recent attention given to, and the widespread misunderstanding of, Christian nationalism, we offer, in Chapter 7, a summary of *The Case for Christian Nationalism* (*CCN*) by Stephen Wolfe. This penultimate chapter begins with an explanation for the book's success and an indictment of the modern Presbyterian assumption of modern liberalism. Each chapter of *CCN* is then summarized, and the chapter ultimately concludes with a list of misconceptions and denials.

Finally, in the last chapter, we summarize the key points of this report and offer pastoral applications for NAPARC churches.

Chapter 1

Reformed Political Theory

Identifying the fundamental tenets of Reformed political theory is no easy task. "Reformed," in the Christian context, is principally a *theological* term, rather than one of political philosophy.[1] And there is no direct line—at least logically—from Reformed theology to any one comprehensive and systematic political theory. In other words, no comprehensive political theory follows simply from theological statements that are distinctive to Reformed theology. Historically, for example, arguments for or against monarchy as the best, preferred, or most suitable regime rested largely on reason, experience, and the exposition of sacred history (e.g., the kingships of Saul, David, and Solomon). Identifying what is and is not Reformed *theologically* is challenging enough; the difficulty is greater still when we turn to politics.

Still, one can speak of a *Reformed* political theory. Granted, there are several possible ways to do this: 1. as the political "conversation" or tradition found among those who trace their theological articulation to John Calvin and others of the mid-sixteenth century; 2. as the common or majority positions among Reformed Christians over the centuries; 3. as the "development" of Reformed political thought from past to present; or 4. as the conclusions that follow necessarily from Reformed theology. Our approach here is the fourth way.

Sacred or revealed theology (hereafter, simply "theology") is the "queen of the sciences," and thus is architectonic over all of them.[2] For this reason, we should expect certain political conclusions to follow when we apply Reformed theology to political science. Only some of our political conclusions below are distinctly Reformed, as the same consequent can follow a variety of mutually exclusive antecedents, and there is considerable overlap between Reformed theology and the broader Christian tradition.

The task before us is admittedly challenging. At any given moment in history, men whom we consider Reformed have disagreed on political matters. Indeed, over time, there have been marked differences, which have manifested in revisions to confessions and in serious disagreements about civil arrangements, the ethics of resistance, the state's power vis-à-vis the church, and other questions. It would be historically inaccurate, and certainly beg the question, to select some of our preferred political doctrines, label them "Reformed," and then arbitrarily exclude the rest. Moreover, as with any attempt to outline what is necessary to some intellectual tradition, one will encounter exceptions. This essay, however, is not an attempt to summarize what Re-

[1] See Francis Turretin, *Institutes of Elenctic Theology* (*IET*), trans. George Musgrave Giger (Phillipsburg, NJ: P&R Publishing, 1992), 1.2.7.

[2] Turretin, *IET*, 1.6.7.

formed Christians have said over the centuries. Rather, we will attempt to demonstrate some (certainly not all) political conclusions that follow necessarily from Reformed theological doctrine. It should not be surprising that our political conclusions align with those held by Presbyterians in the past.

Our principal goals are threefold: first, to demonstrate the civil magistrate's permissible powers around religion without violating the distinct *principia* of theology and politics and without conflating or confounding nature and grace, earth and heaven, reason and faith, natural and supernatural, or civil power and spiritual power; second, to demonstrate the indispensable role of inclination and affection in political life and their implications; and three, to demonstrate the prudential and contingent nature of politics and the preferred civil arrangements in the American context.

I. Distinguishing Theology, Ethics, and Politics

Many errors in Christian political thought arise from the failure to distinguish theology, ethics, and politics. Making these distinctions will be controversial in our day, but doing so is necessary to avoid confusion, incoherence, and the introduction of foreign elements into the disciplines. Very few writers and commentators today follow these classical distinctions. Christians tend to mash together elements of ethics, politics, and theology, resulting in an unsystematic, incoherent, and *ad hoc* set of ideas suitable for mass consumption in a liberal environment. But distinguishing these disciplines, or sciences, has been very common in the Reformed tradition. This was not done to separate but rather to distinguish, such that the content of each science is suited to its form and to its end.[3] Our venerable dead treated ethics, *οἰκονομία* (household management), and politics as the three disciplines of *practical philosophy*. A practical discipline is any science in

[3] Among those who made such distinctions are Lambert Daneau, *Seven Books of Christian Politics*, I.II; Franciscus Junius, *The Mosaic Polity*, trans. Todd M. Rester (Grand Rapids, MI: CLP Academic), 20-25; Franco Burgersdijk, *The Concept of Economic and Political Doctrine* (Sacra Press, 2024), 2; Johann Alsted, *Tomus Quartus Encyclopaedae*, (Herborn, 1630); Turretin, *IET*, 1.6.7., and Benedict Pictet, *The Marrow of Christian Ethics*, trans. Michael Hunter (2024), 9. Johannes Althusius writes, "For reasons of homogeneity, we must not leap readily across boundaries and limits, carrying from cognate arts what is only peripheral to our own….It is necessary to keep constantly in view the nature and true goal of each art, and to attend most carefully to them, that we do not exceed the limits justice laid down for each art and thereby reap another's harvest." See *Politica*, trans. Frederick S. Carney (Indianapolis: Liberty Fund, 1995), 5; Bartholomew Keckermann writes, "Political Science has hitherto been taught with little method: because political writers have partly drawn from Theology and partly from Ethics and Economics, presenting them as Political Science, when they are not. And things that are foreign can never be recalled to the method of the discipline they are alien to, because the material must always correspond to the form. See *System of Political Discipline* (1607), preliminaries (4-5). Pierre de la place writes, "It is no small error to view moral philosophy and Christian doctrine as one and the same thing." See *The Right Use of Moral Philosophy*, trans. Albert Gootjes (Grand Rapids, MI: CLP Academic, 2021), 13.

which "whatever things are treated of in it should be referred to operation and use," writes Francis Turretin.[4] All three practical sciences are fundamentally *natural*—that is, the fundamental principles of each are natural to man *as man*, are grounded in natural reason, and are ordered to *external* action. This distinguishes all three, in genus, from theology, which is a mixed, theoretical-practical science that is grounded in revelation and oriented toward the inward and heavenly ends of a good conscience before God and the salvation of the soul.[5]

Ethics, as a discipline, is not only a catalogue of virtues but is also the description of virtues pertaining to individuals as such. It is, as Bartholomew Keckermann states, about "external morals in the civil society of men, and thus is bounded by the terms of this present life, and hand down precepts for measuring this life."[6] Hence, it is the art of governing oneself. Likewise, *οἰκονομία* is the art of governing domestic society, and *politics* is the art of governing civil polities.[7]

As exemplified by the work of Keckermann and Johann Heinrich Alsted (following Aristotle), one must begin with a treatment of ethics in any complete account of practical philosophy, since ethics is prior to the others as their normative precondition and presupposition. Ethics defines the good life. But contrary to modern confusion, politics is not simply applied ethics, as if politics adopts the formal object of ethics (viz., acts ordered to the good of the individual). Rather, politics concerns human acts as ordered to the common good. Since man is a social creature, politics is necessary to *perfect* the ethical life, insofar as it coordinates private actions into a public order. Ethics, by itself, lacks the coordinating power required to order a multitude toward the common good. For this reason, ethics, by its nature, requires some higher science to complete the good life that it defines. This role belongs to politics. Therefore, politics is the *preeminent* and *architectonic* science of external action, by which the ends of ethics and household management are both coordinated and perfected. As Keckermann argues,

> Political discipline brings the ultimate end of all other disciplines to the highest degree, thereby turning private happiness into public happiness. As perfect happiness is only

[4] Turretin, *IET*, 1.7.3.

[5] See Turretin, *IET* 1.7.2-6. Franciscus Junius states, "Theology is wisdom concerning divine matters." See *A Treatise on True Theology*, trans. David C. Noe (Grand Rapids, MI: Reformation Heritage Books, 2014), 99.

[6] Keckermann, *Systema Ethica* (Londini,1607), 4-5.

[7] See Pictet, *Marrow of Christian Ethics*, 9.

> achieved when it becomes a public good, so too do other disciplines reach their perfection when they contribute to the welfare of the state.[8]

The nature of practical philosophy denies the separation of the individual and the communal. This role for politics is similar to the modern idea of "communalism," defined as "a particular moral vision wherein human flourishing is to be pursued through familial and communal shaping of the individual."[9] The most significant deficiency of liberalism is that it compartmentalizes the practical disciplines and treats public order as procedurally neutral with respect to the higher goods. Indeed, in liberalism, ethics is architectonic over politics and the family. However, a better understanding of politics, and one that is consistent with both the Protestant and early American political traditions,[10] affirms that a well-ordered civil community completes both the individual and the family as to their external ends.

Furthermore, the virtues treated in ethics appear in both household management and politics, but differently in that the virtues are inflected by each art's principles of operation—managing a household and governing a commonwealth. The liberality of individuals *as individuals* is not the same as the liberality of civil rulers acting in their official capacity, just as ordering a household is different from ordering a multitude of households. Individuals should exercise mercy, but political rulers exercise clemency.[11] Civil rulers have the power of the sword to be *active* terrors against wickedness. In contrast, individuals in their private capacities may be passive or reactive terrors only, and only in particular situations (e.g., self-defense). The difference, then, is that while ethics informs the political art, it does so only antecedently to the form and end of politics. Expressed negatively, whatever you might conclude about ethical virtue does not *eo ipso* describe the political virtues or the virtues of *public* persons. What you ought to do, simply as a private person in a given situation, is not necessarily what a political ruler ought to do *as ruler*.

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[8] Keckermann, *System of Political Doctrine*, 3. Daneau writes, "Politics is not only a certain art, one of the chief ones, but also easily the leader of the others, by which the society of men is bound together and preserved." Applying this, Daneau later says, "The public good should be preferred over private benefits." See *Christian Politics*, Bk. 1 and III.4, Prologue. Pierre de la Place writes, "[Political] science is superior because it commands all sciences in acts and because they all accommodate themselves to it, tending to one and the same end in which they are all comprised." See *Moral Philosophy,* 19. See also Althusius, *Politica*, 23 (I.25).

[9] Barry Alan Shain, *The Myth of American Individualism: The Protestant Origins of American Political Thought* (Princeton University Press, 1994), 23.

[10] Shain writes that "most 18th-century Americans cannot be accurately characterized as predominantly individualistic or, for that matter, classically republican. The vast majority of Americans lived voluntarily in morally demanding agricultural communities shaped by reformed-Protestant social and moral norms. These communities were defined by overlapping circles of family- and community-assisted self-regulation and even self-denial, rather than by individual autonomy or self-defining political activity." See *Myth of American Individualism*, xvi.

[11] See Samuel Rutherford, *Lex, Rex*, Q. XXIII on limitations of mercy as it concerns the civil office.

The duties of individuals are not identical to those of public officials *as officials,* who are equipped with the sword to suppress what is evil and promote what is good.

It follows from this that private persons in a democracy, i.e., citizens, do not violate ethics by calling upon *public* persons to act according to the virtues and powers suitable to public persons. If good citizenship in a democracy requires communicating ideas for public order, virtue, justice, and peace, then citizens may call on civil rulers to act in ways that would be unethical if performed by private persons. A private person cannot convict and execute a murderer, for example. We too often conflate ethics and politics by reducing politics to applied ethics.

While it is true that politically virtuous statesmen are ordinarily virtuous individuals (and fathers), this speaks only to an antecedent condition for the proper exercise of political virtue. Relatedly, the Apostle Paul says that managing one's household well is a qualification to be an elder in the church (1 Tim. 3:4-5). But managing one's household well is proper to church eldership antecedently, rather than formally and essentially. Moreover, the pious ruler will ordinarily be virtuous, but piety is not virtue, nor is virtue the intrinsic end of piety, for the intrinsic end of piety is giving our due honor to God. Piety, being proper to theology, is simply an antecedent condition for complete virtue.

Regarding political method, Christian political theory proceeds in part from assumed theological statements, mainly drawn from systematic theology. These statements then interact with political principles, i.e., those proper to the discipline of politics. Theology does not supply the political art's *principia*, formal object, means, or end. Nevertheless, as we explain in detail, theology provides propositions that share terms univocally with political principles, thereby specifying the middle term of a mixed syllogism. The conclusions are thereby both political *and* Christian. The resulting political system, then, is not a common, merely human system but rather a distinctly *Christian* system of politics, even though its foundation is common and human. This is our method, and, in our view, the proper method of Christian political theory.

Theology, as a discipline, is antecedent to politics (since it limits politics and specifies its reasoning), but politics is not theology. Distinguishing the two does not separate God from politics, for *natural* religion is philosophic and intrinsic to politics. But sacred theology and politics have different *principia*—the former being faith and scripture, and the latter being reason and nature.[12] The objects, means, and proper ends of each discipline differ as well, as we discuss below. For this reason, we prefer the labels "Christian political theory" or "Christian politics" over "political theology," because the latter should be used to discuss theology as *antecedent* to poli-

[12] To be more precise, the *principa* of politics includes man as a political animal, the natural law expressed in public rule, the necessity of public virtue, civil authority, and the common good as higher than private good. The *principia* of ethics includes man as a rational and voluntary being, the natural law, and ordering to the good life.

tics rather than for politics itself. For this reason, modern two-kingdom theology (M2K) *is* theology, since it primarily concerns antecedent theological limitations on politics. Yet since these limitations are entirely *negative*—viz, civil government lacks this or that power—the resulting political system rejects any theological specification of political reasoning. For this reason, the M2K political system is merely human rather than distinctly Christian. It lacks a theologically specified politics. Nothing *positive* from theology proceeds into the political discipline. Nor, according to M2K, is theology even consequent to politics. However, our politics is *Christian politics*, because theology (as *sacra doctrina*) is architectonic over it such that politics may order temporal ends indirectly and *per accidens*[13] to eternal ends.[14] Heavenly goods, unlike temporal goods, are not proper to politics *formally* but consequently—viz, politics orders man to heavenly good *indirectly* and cannot itself provide it. Altogether, our position is that 1. politics (formally speaking and regarding *principia*) is not theology, 2. theology antecedently limits politics[15] *and* communicates positive doctrine to it, and 3. theology is consequent to politics (teleologically, not derivatively) insofar as politics orders man to a theological good extrinsic to it.[16]

II. The Definition of Politics

What is politics?

Rarely do people today ask, What is politics? It is even *rarer* for people to distinguish between the *political art*, the *commonwealth*, and *political science*. All three are related but must be distinguished to understand our subject matter here.

The political art, or simply politics, may be defined using Althusius' definition: "Politics is the art of associating (*consociandi*) men for the purpose of establishing, cultivating, and conserv-

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[13] *Per accidens* ("by accident") here refers to an effect following an act, not from the act's nature, but from the attendant circumstances that the act produces. Politics cannot directly order man to eternal ends, but it can establish outward conditions conducive to that end.

[14] Theology is architectonic, not in the sense that the church runs or commands the state or that politics lacks autonomy regarding its objects and means. Theology is not administrative vis-à-vis political order. Rather, it is architectonic in that politics is subordinate to the end of sacred theology (the *finis ultimus*), namely, God and the beatific vision. Politics is ordered to theology *per accidens*, in accordance with God's creation of the various sciences.

[15] Turretin states, "So although [theology] does not prescribe to other systems [their] principles and objects, yet it so far rules over them (because it establishes their limits) that they neither dare to hold any object opposed to theology, nor to use their principles against it." See *IET*, 1.6.7.

[16] One may say that practical philosophy is the "second part of theology" in the sense that the first part is knowing God and the second is living rightly before God. See Pictet, *Marrow of Christian Ethics*, 9. The genus of theology is *wisdom* (though often considered analogous to the true genus), making theology the preeminent and architectonic system of *all* systems (both theoretical and practical). But in terms of form, objects, ends, and *principia*, sacred theology and the practical philosophies are distinct.

ing social life among them."[17] Another way is to delineate the subject, object, and end of politics. The *subject* of politics is outward man as a social animal, and the *object* refers to the individual, familial, and institutional actions (the material object), and how they are rightly ordered (the formal object).[18] The formal object here is necessary because man is not a solitary creature, like bears, but a social animal whose actions must be orderly or co-ordinated for his and his neighbor's good.[19] Since man is a social being, politics is not simply a remedy for the inconveniences found between men as individuals in their natural state. Neither is politics only for individual utility[20] nor a tool to alleviate fear. Politics does not merely provide protection so that one might exercise his rights. Properly understood, *politics is the ordering of action to the common good*.[21] Now, order occurs both spontaneously and by direction or governance. For this reason, political prudence is, in part, the art of determining whether this or that aspect of order, given the particular characteristics of the subject population, occurs either spontaneously and organically, or directly through law. Some populations can self-order in ways that others cannot.[22]

Public virtue is the *absolute end* of the political art. It is its intrinsic and proper end, i.e., the proper terminus of its operation. Peace is a byproduct of virtue, not the proper end of political action.[23] The political art directs the material objects to their proper form through law and custom, disposing the multitude toward public virtue and restraining vice. Natural religion is necessary to politics, not as an end intrinsic to it but as that which upholds, sustains, and completes public virtue as a secondary effect and *per accidens* of religion's intrinsic aim, namely, worship-

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[17] Althusius, *Politica*, 17.

[18] See Keckermann, *Political Discipline*, 4-6.

[19] Pierre de la Place states, "Politics is the ordering of the vocation of everyone distinct, and different, accordingly as the necessity and common want requires." Quoted by Timon Cline in "Vocation Politics: The Discourses of Pierre de La Place," at Christ Over All (website), available at https://christoverall.com/article/concise/vocation-politics-the-discourses-of-pierre-de-la-place (2025).

[20] See George Buchanan, *De Jure Regni Apud Scotos: A Dialogue* (Harrisonburg, VA: Sparkle Publications, 1982 [1579]), 243. Buchanan calls utility the "handmaid" and "guardian" of a "well-regulated community."

[21] See Althusius, *Politica*, 84 (XI.1).

[22] This follows from the fact that, as Girolamo Zanchi states, "God usually inscribes [the natural law] according to his own desire *unequally*; in some more deeply and profoundly, in others less deeply and profoundly." Emphasis mine. Some nations self-order (i.e., order themselves apart from law) better than others. Put differently, some civil communities require stronger and more laws than others. See Zanchi, *On the Law in General*, trans. Jeffrey J. Veenstra (Grand Rapids, MI: CLP Academic, 2012), 21-22.

[23] Keckerman states, "just as in Ethics [his *Systema Ethicae*], pleasure was not the end of ethics, but the necessary effect and property of that end…so too internal peace is not the end of politics, but an effect necessarily following the end [virtue]." See *Political Discipline*, 17. Vermigli writes, "It is much better [for magistrates] to defend the word of God than [to have] civil peace... For the end of cities and commonwealths is to obey God and rightly to worship God... For to have a city quiet and peaceable is not by itself necessary, but to obey God...to believe his word, and to worship him as he hath prescribed is the sum and end of all human things, and therefore it is to be preferred above all good things." See his *Commentary on Judges* (London, 1564), 124.

ping God.[24] Natural religion orders the soul and thereby yields the civil effects necessary to public virtue.[25] For this reason, promoting true religion is a natural principle of politics, for piety is necessary for the upholding, sustaining, and perfection of public virtue. As Franciscus Junius said, "Piety is the common fountain of justice."[26] Morality cannot be maintained without religion; it is an indispensable support. But natural religion is not its proper intrinsic end, for no political act (e.g., a law or custom) can formally produce religion (i.e., has religion as its proper terminus of operation).

When politics achieves its intrinsic end—a commonwealth of virtue—it achieves its *proximate* end relative to man's absolute final end, namely, union with God. Thus, all the disciplines (theology, ethics, *οἰκονομία*, politics, etc.) are distinct and hierarchically ordered, each having a part in an ordered whole or totality, whose united final terminus is God.

Supernatural religion, like natural religion, is not the intrinsic end of politics, for it is not the proper effect of political action. But because grace assumes and perfects nature, the worship of the Triune God in the commonwealth more perfectly provides what civil society requires of natural religion.[27] Supernatural religion and natural religion are conjoined in such a way that fulfilling the former fulfills the latter. Hence, the commonwealth receives from the church the necessary foundation of virtue (though by a higher mode), namely, in the civil effects of the church's

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[24] Samuel Pufendorf writes, "Sovereigns are nevertheless, not excluded from having a certain Power and Disposal in Ecclesiastical Affairs, as they are the Supreme Heads and Governours of the Commonwealth; and are therefore stil'd, the Publick Fathers, and Fathers of their Native Country. And, as has been said before, as it is one of the Principal parts of Paternal Duty, to implant Piety into their Children; so Sovereigns ought to take care, that Publick Discipline (of which the Reverence due to God Almighty, is one main Point) to be maintained among their Subjects. And, whereas the Fear of God is the Foundation Stone of Probity, and other Moral Vertues; and it being the Interest of Sovereigns, that the same be by all means encouraged in a State; and that Religion is the strongest Knot for the maintaining a true Union betwixt Sovereigns and their Subjects. (God being a God of Truth, who has commanded, that Faith and Compacts should be sacred among Men:) It is therefore a Duty incumbent upon Sovereigns, to take not only effectual Care, that Natural Religion be maintain'd, and cultivated among their Subjects." See *Of the Nature and Qualification of Religion in Reference to Civil Society*, trans. Jodocus Crull (Liberty Fund, 2002), 20.

[25] Keckermann writes, "If by religion you understand notions imprinted on the human mind about God, and the distinction between the honorable and the base, indeed it must be conceded that no republic can be established or exist without religion." See *Political Discipline*, 18. This is one reason why John Locke, for example, wanted civil government to suppress atheism: "Promises, Covenants, and Oaths, which are the Bonds of Humane society, can have no hold upon an Atheist." John Locke, *A Letter Concerning Toleration and Other Writings*, ed. Mark Goldie (Indianapolis, Liberty Fund, 2010), 52-52. Peter Martyr Vermigli writes, "the end of cities and commonwealths is to obey God and rightly to worship God." Peter Martyr Vermigli, *Commentary on Judges*, trans. anonymous (London: John Day, 1564), 124.

[26] See Franciscus Junius, *The Education of the Prince*, trans. Jonathan Tomes (Berith Press, 2026 [1604]), 15. Later, he writes (commenting on Ps. 101:2), "For whoever is without piety, whether private person or prince, is a living dead man, as Paul said of widows. Whoever is without integrity is like a body whose parts are torn apart, on the brink of destruction, like a ship full of leaks, on the verge of shipwreck." Ibid, 24.

[27] Keckermann speaks of the church being the "perfect form" of religion in and for the commonwealth. See *Political Discipline*, 18.

spiritual ministry. For this reason, the magistrate has a natural duty to promote supernatural religion (it being the true religion), since true religion is necessary for public virtue and the complete good of the commonwealth. But civil power relates to this supernatural good (and any properly religious good) only negatively: the civil magistrate cannot coerce faith or confer grace, but he may restrain public impiety and secure the church's peace. This is how kings "kiss the Son" (Ps. 2:12).

We affirm, with Alsted, that "religion is the highest end of politics,"[28] though we clarify here that religion, whether natural or supernatural, is not the intrinsic end of political operation. Public virtue is the absolute and proper political end *per se*, and religion is the eminent, superior, and political end *per accidens*. Keckermann writes of supernatural religion as the eminent end of commonwealths:

> [Aristotle] teaches that contemplation is the most excellent end that should be considered in the republic. An end, I say, not absolute, nor required equally by all, but an end considered with a degree of eminence; and which pertains not so much to the being of the republic as to its excellent being….We have previously said that honesty absolutely pertains to the constitution of the republic, and no republic can simply exist without it; however, although religion pertains to the end of the republic, this distinction must be observed that we have given between the *absolute* end and the *eminent* end, to which religion pertains.[29]

As we've delineated, natural religion is necessary for virtue and provides the commonwealth with a sort of natural perfection. But supernatural religion *elevates* the commonwealth, not by replacing its natural principles and absolute end, nor by making supernatural religion the effect of its operations *per se*. Rather, the commonwealth is elevated by the *superior effects* of revealed religion's superior mode—worshiping by grace in the fullness of truth to man's final end. That is, when the commonwealth attains this eminence, it becomes, as Lambert Daneau writes, "a lively and divine image of the celestial kingdom,"[30] and it achieves, as Keckermann states, "supreme happiness."[31]

Now, the *commonwealth* refers to the public thing as ordered to the common good. The commonwealth is a multitude of families and *collegia* (or institutions) rightly ordered (united by

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[28] Johann Heinrich Alsted, "Politicae," in *Encyclopaediae* (Herborne, 1630), 1389.

[29] See *System of Political Discipline*, 18.

[30] Daneau, *Christian Politics*, I.4. Alsted likewise states, "The republic is an example and image of eternal life." See *Theologia Naturalis* (1615), 731.

[31] See Keckermann, *Political Discipline*, 15; Daneau, *Christian Politics*, 1.5; and Althusius, *Politica*, 24 (I.30).

a consensus on law and custom) for both temporal and eternal good.[32] *Political science* is the architectonic discipline of practical philosophy, which studies the principles, ends, and means by which private happiness is perfected into public happiness.

III. The Fundamental Principles of Civil Order are Common and Natural

Natural Principles of the Commonwealth

Since man was created as a social being, man is driven (by instinct and reason) to partner with others to form society.[33] Society is necessary for his good, for he can only live well in a society of diverse vocations (or parts) in which each person communicates his vocational gifts to the common good. Here, we find a symbiotic relationship between whole and part, such that each part is made possible and completed by the combined contributions of the others.[34] Society, for this reason, is not a multitude of disparate households but is an *order* of households, forming (in its highest form) a *commonwealth* (or republic). This commonwealth is *natural,* not as something existing before any act of man, but rather as an entity naturally arising consequent to human instinct and reason for man's mutual good.[35] In this way, the commonwealth is like marriage, as it is natural to man but, properly speaking, is an arrangement that arises consequently from his constitutive nature.[36]

Now, every order must have *principles* of order. Being a *natural* order, social order has natural principles that conform to and arise from the unique sociality of man. They are, for this reason, common to all mankind (i.e., universal) and immutable, since they are bound up with man's

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[32] See Jean Bodin, *Six Books of the Commonwealth*, 1.1 and Daneau, *Christian Politics*, 1.2.

[33] Keckermann writes, "The political society originates from God and human nature; for man by nature and law and instinct is driven to society, as by an internal impelling cause. See *Political Discipline*, 6. Buchanan says that men have an "innate propensity" for civil union. See *De Jure Regni*, 242. Samuel Willard wrote, "civil human societies have their rise and reason from the nature of man…. man was made a sociable creature; and has a natural disposition to hold converse with his own kind. Nor does this inclination arise, merely from the necessity of his lapsed estate for mutual support and defense, though that has augmented the necessity of it; but it was put into the constitution of man, and he sought it, not only by instinct, as brutes so with their kind; but by the exercise of reason, and the consideration of the relations which God at first constituted between mankind, and the affection put into them towards their correlates therein." See *Complete Body of Divinity*, ed. Mike Church, loc. 37661. See also Francesco Patrizi, *On the Establishment of the Republic*, trans. Richard Robinson (Sarcra Press, 2025 [1495]), 4-7.

[34] See Althusius, *Politica*, I.4.

[35] Gillespie, *Aaron's Rod Blossoming*, 274-5. "But magistracy or civil government has a foundation in the law of nature and nations (yea, might and should have had place and been of use, though man had not sinned)…the law written in man's heart, in his first creation, does not flow from Christ as mediator, but from God as Creator."

[36] Marriage is natural, yet no man is duty-bound by nature to join with this or that woman, nor is one born married to another.

nature. They are even necessary for man to achieve his natural ends and happiness in this world, for political order is how private happiness is completed into public happiness, and it provides the necessary conditions by which natural religion may direct men to God. Thus, civil principles of order are natural, universal, immutable, and necessary for human good.[37]

Furthermore, these principles remain the principles of social life in *all* spiritual states of man before glory—the states of integrity, sin, and grace. This is because any movement from one state to the other does not cause a *substantive* change in man's constitutive nature.[38] Man's social life suffers corruption, but the fundamental, natural principles remain the same.[39] Postlapsarian coercive power, which God grants to civil authority, neither introduces new, adventitious principles of order nor new civil ends. Rather, coercive power is the new *means* to the original ends of social life. That is, civil power restrains and punishes the kinds of evils that are unnatural and destructive to the social order. Indeed, it seeks to restore the commonwealth to its intended natural end. Civil power can have no other purpose, for these principles of order are the only immutable rules to man's social happiness.

What is crucial to understand is that neither the fall nor grace changes the principles of social life. These principles flow from the created nature of man *as man*. Whatever is good for social man in the state of integrity is also good for social man in both the states of sin and grace. Now, some goods were added when sin entered the world, such as medicine. These are not good *abso-*

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[37]These natural principles can be either primary or secondary laws of nature, the latter referring to the law of *nations* (or the *jus gentium*)—i.e., universal (or nearly universal) social norms in and between nations. These principles, like the *jus gentium*, are not natural in themselves but are recognized by the general consent of nations as advantageous, and so they are natural and universal in a secondary sense—as naturally necessary but only consequent to the application of instinct and reason in the common human situation. For our purposes, whether a principle is primary or secondary to natural law is irrelevant. Some indeed are both—natural in themselves but perfected by civil law and custom. Here are several principles: private property (*meum et team*); the binding force of contracts (*pacta sunt servanda*); marriage and family order; parental rights over children; formation of political communities for justice, common welfare, virtue and piety, and for the good of posterity; natural equality of all men; proportional punishment; restitutive justice; distributive justice; freedom of trade and exchange; fair weights and measures; hospitality toward strangers; common use of necessities; good faith and truthfulness in all dealings; decorum and moral decency; intergenerational connection to place; and the necessity of public religion. See Althusius, *On Law and Power,* trans. Jeffrey J. Veenstra (Grand Rapids, MI, 2013), 11-12.

[38] Johann Heidegger writes, "The essence of this [original] sin does not consist in the *substance* of man, which good has God Himself as author and preserver." See *The Concise Marrow of Theology*, trans. Casey Carmichael (Grand Rapids, MI: Reformation Heritage Books, 2019), 70.

[39] John Calvin writes, "Since man is by nature a social animal, he is disposed, from natural instinct, to cherish and preserve society; and accordingly we see that the minds of all men have impressions of civil order and honesty. Hence it is that every individual understands how human societies must he regulated by laws, and also is able to comprehend the principles of those laws. Hence the universal agreement in regard to such subjects, both among nations and individuals, the seeds of them being implanted in the breasts of all without a teacher or lawgiver….Still, however, it is true, that some principle of civil order is impressed on all." See *Institutes of the Christian Religion*, trans. Henry Beveridge (Grand Rapids, MI: Eerdmans Publishing, 1989), 234-35 (2.2.13) and *Commentary on Habakkuk*, trans. John Owen, (Grand Rapids: Baker Books, 2005), Hab. 2:6.

lutely, for they flow not from created nature as such but from the postlapsarian demand to suppress vice or misery. They are good *relative* to the presence of sin and misery and in alleviating their effects, and their purpose is to restore what is absolutely good. In other words, these *relative* goods have their end in restoring *absolute* goods. Medicine, for example, seeks to relieve us from the miserable effects of sin and to restore something good *in itself*, namely, health. In the political context, examples of this include penal codes, labor regulations, and militaries. All of these would be unnecessary for human societies apart from sin.

We can approach the above argument in another way, by considering that the natural law, or God's moral law for man, regulates all of social life. The natural law is the only rule to man's happiness in this life, including his collective happiness in society. According to the Reformed tradition, this law remains the standard of, and rule to, righteousness and happiness for man in all spiritual states. No principle is added, abrogated, or superseded. Thus, the most fundamental laws through which societies are regulated do not change.[40] The civil sword restrains sin and promotes righteousness—to the extent possible in a fallen world—so that man might live well. Yet the civil sword, when it punishes, is but an ordained *means* to the same, immutable natural ends of man as a social being. It follows from this that Reformed political thought cannot recognize any added, adventitious principles or ends of civil order.[41] Indeed, Reformed politics must be fundamentally natural, for politics is the ordering of society according to man's nature. As Keckermann states, "Politics pertains to the law of nature."[42] No otherworldly or heavenly principle may be introduced into politics.[43]

Commonness

The fact that political order is common to both Christians and non-Christians—who share the same fundamental principles—does not limit the civil government to enforcing only the Second Table of God's Law. Very few in the Reformed tradition have believed in this limitation, and most who have denied it were born after the Warren Court declared its *dicta*. Natural theology, which comprises the First Table—that God is one, ought to be worshipped rightly, and is the

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[40] Willard states that Christ "came not to abolish the moral law, or law of nature...but confirmed it….the moral law took place as soon as man was made, and continues to the end, without any alteration. The same that it was, when given to Adam in integrity, the same it was when renewed on Mount Sinai, and is still the same in the days of the gospel." See *Complete Body of Divinity*, loc. 30685.

[41] Turretin writes, "Christ in the New Testament did not introduce (either by himself or by his apostles) any other precepts of the law than those which had been given by Moses." See *IET*, 11.3.6. See also Calvin's commentary on Matthew 5:21.

[42] See *System of Political Discipline*, 7.

[43] The church catholic (though called a "nation" in Scripture, 1 Pt. 2:9), does not replace or necessarily compete with one's earthly nation. One can belong simultaneously and harmoniously to two species of nation, earthly and heavenly. See Stephen Wolfe, "The Church Among the Nations," at American Reformer (website), found at https://americanreformer.org/2023/08/the-church-among-the-nations.

Lawgiver—is a truth common to *all* mankind and is the very ground of the Second Table. Natural theology is a *human* truth, not something distinctive to Christians and the Gospel. The Gospel did not introduce God to his creation. Of course, we may distinguish the First and Second Tables of the Law, which, together, summarize the law of nature, but we must not separate them. The imperative force of law *as law* (i.e., law as more than mere direction) requires the intellect and will of a lawgiver.[44] Indeed, our duties to fellow man lack imperative force if we have no duties to God. Without God, law is mere direction; there is no foundation for moral law *as law*. Moral judgments become advisory or customary. So, when we discard the First Table—i.e., when we render natural theology *extrinsic* to social life—we lose the Second Table, both conceptually (as law) and practically. For this reason (among others), nearly everyone in the Reformed tradition affirmed public religion as a necessary condition for a flourishing civil society. Piety promotes, secures, and completes virtue; and virtue is necessary for society to endure. In short, by the very nature of things, a happy society requires some collective belief in God.[45]

Moreover, what is common and natural is not opposed to what is special and gracious. If this were true, then God the Creator would oppose God the Redeemer, nature would oppose grace, and general revelation would oppose special revelation. But general revelation and special revelation are not separate bodies of knowledge such that they can contradict, for light does not oppose light nor does truth oppose truth. Nor are they two incommunicable truth-orders, despite having distinct modes of knowing (reason and faith). There is one object of truth and one reality. Indeed, special revelation is built upon the natural, for faith supposes reason.[46] God revealing himself as Triune does not reveal a *new* object of truth, but rather the same God under a higher mode of knowing—the God of nature is further specified, by faith, as Father, Son, and Holy Spirit.

The role of special revelation in further specifying truths of nature is crucial to our method. For example, the First Commandment commands us to acknowledge and worship the true God only. By the light of reason, we rational creatures ought to acknowledge and worship our Creator. In light of grace, however, the true God is further specified as the Triune God, and thus (in consequence) we ought to worship the Triune God only. By worshipping the Triune God, one is not fulfilling a command of grace but rather a command of nature as further specified by grace.

Thus, propositions of nature are not separable from propositions of grace as if they belong to separate orders of truth. Being part of the *same* body of truth (though distinct by the mode of

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[44] See Matthew Hale, *Of the Law of Nature*, ed. David S. Systsma (Grand Rapids, MI: CLP Academic, 2015), 113-15.

[45] Pictet states that "natural knowledge of God," though filled with error among the pagans, still "form[s] a bond of society and prevent[s] men from becoming a prey to each other." See *Christian Religion*, I.I. Turretin says that natural theology provides a "bond of discipline." *IET*, 1.4.3.

[46] See Turretin, *IET*, 1.9.5.

knowing), they are mutually inferential. That is, they can form syllogisms in which one proposition is of nature and the other of grace, resulting in a *mixed* syllogism.[47] For example,

> You ought to worship the true God only (natural principle).
> The Triune God is the true God (truth of grace).
> Therefore, you ought to worship the Triune God only.

In such syllogisms, special revelation further specifies the *middle term* (the true God) and thus unites a term of grace with a term of nature. In addition to theology, mixed syllogisms of this sort are operative in every discipline of practical philosophy—ethics, household management, and politics.

Denying the possibility of such mixed syllogisms entails one of the following: 1. that there are separate truth-orders, 2. that special revelation replaces general revelation regarding the objects of truth (which the Reformed deny), or 3. that all shared terms between the general and the special are either equivocal or analogical. But this latter supposition is a gross violation of Reformed theology—and indeed, of all catholic theology. It necessitates heresy, for in the statement "Christ is fully man," the term "man" could not refer univocally to the "man" of nature. Thus, mixed syllogisms are permitted and necessary in basic, catholic theology.

In Reformed political thought, therefore, valid conclusions can, in principle, follow from natural political principles and propositions of grace. For example,

> Nations ought to acknowledge **the true God**.
> The Triune God is **the true God**.
> Therefore, nations ought to acknowledge the Triune God.[48]

Again, a truth of faith further specifies "the true God" and, consequently, reveals the God whom nations ought to acknowledge. In both cases, a proposition of grace validly fulfils a natural and common principle, and applying the conclusion in action fulfills a command of nature. Thus, even though the conclusion inferred is distinctly Christian, its application in political life proceeds from an intrinsic political principle (e.g., the commonwealth's duty to public religion) performed by proper civil acts (protecting and supporting the church), which creates conditions conducive to worship. In doing so, politics orders civil life unto complete public virtue—its intrinsic end. To be clear, these conclusions are *political*, not theological, and thus they fall within the realm of prudence and contingency rather than absolute necessity. *Necessarium in genere,*

[47] Turretin discusses the "mixed syllogism" in the context of theology in *IET*, 1.12.16.

[48] In proper form, the major premise is "The true God is one that the nations ought to acknowledge."

contingens in specie. Furthermore, as we argue later, because civil magistrates possess a principled knowledge of supernatural truth, they are bound to such conclusions.

The only coherent and proper method of Christian politics, therefore, is rooted in mixed inferences from the truths of nature and grace. This alone makes Christian politics possible, and by it, we may assume all that is human while still permitting the perfection of politics by the truths of grace. For this reason, one cannot appeal to the "commonness" found between Christians and non-Christians to refute the possibility of a distinctly Christian political order.[49] What is common is made Christian through mixed syllogisms.

One might avoid the implications of employing mixed syllogisms in politics by denying that any political principle shares a term univocally with truths of grace and thus forms a valid syllogism. In other words, one can affirm mixed syllogisms *in principle* but deny that any sound conclusion regarding politics follows from the body of truth consisting of general and special revelation. Thus, no political principle of nature contains the term "the true God" or any term of natural religion, and public piety has no perfective or supporting relation to public virtue. The true God is wholly extrinsic to the natural principles of politics, being only their efficient cause.

However, most Christians today affirm the opposite for the other two practical arts. They acknowledge (at least implicitly) that principles of ethics and household management, by their nature, contain "the true God." Praying to the Triune God completes the individual's natural duty to pray to God. Family worship (a natural duty), when conducted by the Christian family, is *Christian* family worship. Yet these same Christians, while granting mixed syllogisms in ethics and household management, deny any such deduction for the architectonic discipline of practical philosophy, namely, politics. Being an architectonic art, however, politics cannot be a neutral space relative to the highest end of all subordinate arts. It is the order through which ethics and *oikonomia* find their completion. For this reason, it is incoherent to claim that "the true God" is absent from political reasoning while present in ethics and household management. Furthermore, as we argue, public piety is *necessary* as the foundation of public virtue; and thus, the promotion of public piety must be a principle of the political art.

Nature and Grace

In Reformed anthropology, man, in his original righteousness, was created with *natural* integrity. This means that the rectitude of man's will was (for pre-fall man) not a supernatural quality (as the Roman Catholics insist) but was an accidental and perfective quality created with man's substantial nature and essential attributes (e.g., will, understanding, and reason). Original

[49] This attempted refutation is common among Baptists and modern two-kingdoms advocates.

righteousness was natural in Adam "originally and perfectively," as Turretin explains.[50] No supernatural quality was necessary to maintain man in his integrity or to serve as a golden bridle to counteract the pull of concupiscence (which did not exist in natural integrity, according to Reformed doctrine). By the natural gifts alone, man would be able to achieve his natural ends.[51] Now, man's ultimate natural end is God in heaven (not the natural things of earth), and with his natural features, man knew to look heavenward in worship. However, he was unable (apart from grace) to achieve the beatific vision. Natural religion, therefore, is both natural to man and is oriented to the Being above and beyond nature.[52] Now, worship is the highest exercise in man's reason, and pure worship is the greatest display of integrity. It is an error of Rome to claim that concupiscence is naturally present but suppressed by some higher quality. But it remains the case that man must exercise reason to direct and control the passions. The soul must actively exercise dominion over the flesh. The sensible goods are actively subordinated to the spiritual goods of the soul. Thus, the acknowledgement and worship of God, being the highest action for the ordering of man's whole being, is a necessary operation of man—not only in itself but also for ordering the lower operations by which man acts for the good of himself and fellow man.

In the context of social life, in which man seeks a complete and sufficient life with others, there must be religious life. This is because the achievement of civic virtue is possible only with the highest operations of the soul, i.e., a life of piety. Religion is not superadded or necessarily supernatural, nor is it above social life; it is intrinsic to it. It is *natural* to social life as that which upholds, sustains, and completes virtue. Religion is a natural, functional *part* of the whole. Now, if the commonwealth—a multitude of families rightly ordered—is natural to man *per* his creation, and if the commonwealth's good depends on human moral action, then what is comprehended under "man," as the subject of the commonwealth, must include him as a religious being. We cannot separate man's living-together from religion, for religion is not only man's highest end; it is necessary for the property ordering of sensible goods. It follows from this that a people, as such, must have an interest, by nature, in promoting true religion among themselves—because they have come together (by instinct and reason) for a complete and sufficient life-together according to nature. Therefore, public religion is natural to and necessary for civil community. Indeed, it is a *property* of the commonwealth's nature, given the nature of man, as a necessary formal manifestation of its ordering to God. As such, it is an *immutable,* functional part of the

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[50] Ibid, 5.11.6. See also Heinrich Heppe, *Reformed Dogmatic*, trans. G.T. Thomson (Eugene, OR: Wipf & Stock, 1950), 239-41.

[51] See Ibid, 5.11.10 for how original righteousness relates to man's natural end.

[52] Turretin states, "[Man] was made to glorify and worship God (Prov. 16:4; Rom. 11:36), duties he could not perform unless endowed with the necessary gifts (viz., wisdom and holiness)." See Ibid, 5.10.5.

commonwealth.[53] Being a natural part and property of the commonwealth, public religion cannot be rescinded by a change in the spiritual state of man, regardless of whether he is in the state of integrity, sin, or grace. Neither may divine covenants rescind the role of religion in public life, for covenants (whether they are covenants of work or of grace) are subsequent to man's creation, and they must assume man's constitutive nature, lest God introduce a contradiction or change man in his substance.[54]

Hence, the commonwealth, by its nature, must have some type of *priestly function*. The precise mode of exercising this function is not clear from natural reason alone.[55] Still, we can say that by nature, civil communities must have some priestly function by which man exercises his religious duties to God. The priestly function of social life is neither an add-on nor something divinely superadded to civil society as a sort of golden bridle that maintains its natural integrity. It is also neither entirely "above" it nor something that happens to be merely *in* the nation. Rather, this priestly function is a *natural part of human sociality*, serving a natural function for the good of the whole. The priestly function has two purposes: 1. directing hearts to God (its principal end), which 2. orders the soul unto good works and obedience in civil life (its secondary effect). The priestly function, which the *Christian church comes to assume and elevate*, is fundamental, natural, and necessary to social life in the civil community. To say otherwise violates the best of Reformed anthropology. We will argue later that civil rulers, charged with ordering all parts of the commonwealth to the good of the whole, have some authority over the priestly function and thus over the church. Nevertheless, it is enough here to say that the priestly function is, by its nature, a necessary part of the commonwealth, rather than above, merely in, or adventitious to it.

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[53] Pierre Du Mouin discusses various "parts" of wholes, including formal, material, integral, and the "little parts." For the latter, he writes, "There are little parts and not integral, which are notwithstanding principals and altogether necessary. As, the heart and brain in man…because if one of them is taken away, the rest fall to the ground." The heart is a decent analogy to our subject here, for man has no *direct* control over the heart's function, yet it is necessary for life; and we may still act well for its support (e.g., exercise, eating well). Likewise, the magistrate may not directly and positively command the church, yet he may act for its good extrinsically and negatively. As man acts for a healthy heart that he might live well, the magistrate acts for proper worship that the commonwealth might live well. Applying Du Moulin's language, public religion is one of the "principals" of the whole, being a necessary part. See *The Element of Logic*, trans. Nathaniel De Lawne (Berith Press, 2024 [1624]), 42.

[54] God cannot enact contradition, but He may change man in substance, though He did not. The Covenant of Works, for example, assumed the natural law ("do this; don't do that") as the antecedent of "if you do *this*, you will be granted eternal life." The Covenant of Grace fulfills the conditional by the person and work of Christ, but the natural law is unaltered and man's constitutive nature remains the same. Our argument does not rely on covenant theology, nor does it conflict with it, as historically understood.

[55] Fathers or leaders of kin might fulfill this function in natural religion. Regardless of who fulfills it, natural religion is still necessary to the commonwealth.

The instituted church, which administers sacred things unto man's supernatural end, assumes and elevates this natural priestly function of civil communities. Since this priestly function is natural, it cannot be destroyed. We cannot separate our highest natural end from our supernatural end, for God himself is the immediate end of both. Indeed, disjoining them would necessitate two institutions: the church on the one hand, and a lower priesthood on the other—the former being adventitious and the latter a necessary part of the commonwealth. This seems undesirable. These ends are not identical; rather, they are *conjoined*. Man's natural end of acknowledging and worshipping God is neither destroyed nor replaced; rather, it is assumed and elevated. Thus, the church retains the substance of the priestly function's natural end—namely, due honor toward God and the moral fruits of worship. But that end is conjoined with a higher and supernatural end —namely, the beatific vision—and nothing is lost as to the civil effects of operation. The church, for this reason, is not entirely superadded, or above, or even merely *in* the commonwealth. Rather, it is (as to the civil effect of its operation) *of* the commonwealth and a part of its whole, since the church alone produces the civil effect necessary, and eminently conducive to, the commonwealth's absolute end. To be clear, the church is not a formal part of the commonwealth such that the magistrate may command the church *positively* to act as a proper effect of the command. Nevertheless, the church still assumes a necessary instrumental cause for the commonwealth's good.

Put another way, the priestly function, which belongs to the commonwealth by nature, is elevated to the instituted church as a constitutive principle of its ministerial form. The church discharges this natural priestly function eminently—not as a civil institution, but as a divine order with supernatural operations that are ordered primarily to eternal life, from which the commonwealth receives its good secondarily, as an earthly effect. Thus, the instituted church is not formally part of the commonwealth, as if it were subordinate to, or acting on behalf of, civil authority. Rather, it is a visible manifestation of the kingdom of God, solely under Christ as mediator. But since an effect of the church's operation fulfills the priestly function for the commonwealth (by upholding, sustaining, and completing virtue with piety), it serves as a necessary and functional part of the commonwealth, insofar as its civil effects are necessary to the commonwealth, per its nature, for attaining unto its absolute end.[56]

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[56]The mainline churches in the United States understood their role as part of the republic for much of American history, embracing responsibility for the nation and acting for its good. Under constitutional constraints, statesmen were not allowed to meddle in their affairs or set them straight, but the churches assumed the priestly function for the good of the nation. In our own day, however, even the relatively new and conservative denominations have abandoned this role by stated principle. Yet they have not abandoned it in effect, for their political theology and political commentary, in substance, thoroughly support a "conservative" form of political liberalism. They are, in effect, of the American Republic, despite protestations to the contrary and denominational names. But as to their stated principles, they place the priestly function outside the republic, rendering it wholly extrinsic to the nature of the commonwealth.

Here we see a mutual dependence of church and state. The state is the *hospitium* (or guest-chamber) of the church (viz., in establishing the necessary and proper outward conditions for its spiritual operations),[57] and the church fulfills the priestly function for the commonwealth. In this arrangement, grace does not destroy nature, as the church fulfills a natural function of the commonwealth. Neither does nature dominate grace, as church and state are formally distinct, and the state has no privative or spiritual authority over the church.[58]

Some claim that civil government after the fall has merely a duty of "preserving," not perfecting the commonwealth, in which (among other things) natural religion becomes wholly extrinsic to political ends. This constitutes a change in the *end* of politics. But if our account thus far is correct, natural religion is necessary both to sustain and complete virtue *per* a constitutive principle of politics, according to nature. This rule is natural, and therefore immutable, and natural religion is still necessary, even for foundational virtue. Though the Fall made the *complete* end unattainable in this life, complete virtue remains the natural aim, and natural religion is essential to maintaining even a minimally virtuous society. Prudence still decides upon fitting means, given the circumstances, and civil authority still aims at completeness. The Fall does indeed necessitate a preservative function, but only in restraining vice in the interest of public virtue, and natural religion must retain its role in that. As Turretin said, "Without virtue, without religion, nothing can be safe."[59]

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[57] Turretin writes, "Governments are the guest-chambers of the church; therefore the magistrate ought to see that it is well with her." See *IET*, 18.34.6.

[58] Samuel Pufendorf says it well. "Out of what has been laid down, it appears first of all, that, if a Prince or whole Commonwealth, do receive the Doctrine of Christ, the Church does thereby not receive any other Alteration, as to her natural Constitution, but that, whereas she was formerly to be considered only as a private Society or Colledge, yet such a one as being subordinate to the Law, and therefore to be cherished by the Higher Powers, who had no legal Right to disturb, prosecute or destroy it; She now being put under the particular Protection of her Sovereigns, enjoys a greater share of Security, and is beyond the reach of the Persecutions of the Infidels. Notwithstanding this, the Church is thereby not exalted from a Colledge to a State, since, by the receiving of the Christian Religion, the civil Government does not undergo any Alteration or Diminution. On the contrary, Sovereigns lose nothing of their legal Rights, neither are Subjects in any wise absolved from their Duties and Obligations. For it implies a contradiction, that a double Sovereignty, and two different sorts of Obligations in the Subject should be lodged in one and the same Commonwealth. It is a frivolous Objection, that the Church and civil Government have different Ends and Objects, not repugnant to one another; For, from thence is not to be inferred, that the Church must be a State, or that the Christian Religion cannot be propagated, maintained or exercised, without the Church assume the same Power that belongs to the civil Government. In these places therefore, where the whole People and the Prince profess the Christian Religion, the Commonwealth receives the Church into its Protection, and, tho' strictly united, there is no collision or emulation betwixt them, nor does either of them receive any prejudice in their respective Rights, but without the least Interference with one another, the Church remains a Colledge, whereof the Prince, and all the Subjects are now become Members." See *Of the Nature and Qualification of Religion*, 92-3.

[59] *IET* 3.1.21.

Natural Religion as Necessary to Commonwealths

Our conclusions above contradict much of today's Reformed political thought. Most conclude, erroneously, that the church is merely *in,* but not *of,* the civil community in any sense. So, for them, church ministry is entirely adventitious vis-à-vis the commonwealth, and its civil effects (though perhaps beneficial) are unnecessary for its preservation, let alone its perfection. In their view, religion is not an indispensable support for political prosperity. However, their fundamental anthropology is deficient, for man, by nature, is a creature who is ordered to religion. Indeed, modern Reformed thinkers find themselves in a dilemma:

> Either natural religion is unnecessary to politics by nature, in which case the church has no natural priestly function to assume, *or* natural religion is necessary and yet the church abrogates it.

The first horn entails several undesirable conclusions, which are as follows: 1. political atheism, since natural religion cannot be a constitutive principle of political reasoning, and thus, the commonwealth is rendered formally indifferent toward God;[60] 2. the denial of religion as a public good, as religion is reduced to being a private practice without any intrinsic relation to the common good; 3. the reduction of God to an extrinsic cause of political life and political goods, where he is acknowledged only as an efficient cause; 4. a concept of natural law that is abstracted from a Lawgiver, since God is not presupposed when determining civil law from natural law; 5. the denial of any necessary public role for religion even in a state of integrity, since natural religion is rejected as being intrinsically necessary to human social life; and 6. piety bearing no relation to the upholding and completion of civic virtue, for piety would be wholly extrinsic to political life.

The second horn fails as well, for it entails that grace destroys or abrogates nature, which violates a fundamental truth of Reformed theology. One might claim, however, that natural religion *was* intrinsic but that the fall of man eradicated it. Yet this entails a corruption of man in *substance* rather than merely in faculties, which the Reformed tradition denies. Man is a religious being as a property of his nature.

Natural religion, as it concerns politics, not only functions as a formal norm for civil authority (i.e., it instructs in the source, measure, and limits of political action). It also completes the commonwealth in form by temporalizing politics, legitimizing civil rule, grounding the common good morally, and establishing law *as* law metaphysically (rather than as an arbitrary command). Additionally, as we have said, natural religion is necessary to uphold and complete public virtue.

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[60] By "political atheism," I mean the denial that God functions as a formal principle in political reasoning, even if acknowledged as the efficient cause of political order.

Public worship, though it is materially present within the commonwealth, is not a direct or proper effect of political action, since civil power, by its nature, cannot coerce worship. But natural religion, which is necessary for complete virtue, is functionally necessary to the commonwealth's natural end. As such, public worship, as to its civil effects, is extrinsic in causation but intrinsic in formal necessity.

The Magistrate's Cognizance of True Religion

Though forgotten in our day, the idea that the duties of civil rulers concerning true religion are natural to their office was *central* to the Reformation. Indeed, this idea was not only central to its success but to its very theological system. The Roman Catholics were the first secularists (latently), as they insisted that magistrates must receive their marching orders concerning religion from *commands* of the church. According to papists, the civil ruler lacks competence in true religion and thus must follow the church's command. The pope may even punish and depose magistrates.[61] But the Reformed insisted that although it is the role of church ministers to teach and instruct, the magistrate, *as magistrate,* may exercise independent judgment concerning religion, and his office is free from church coercion. Furthermore, the magistrate has the power of judgment regarding religion in his territory, because true religion is necessary for the complete good of his subjects.

We often hear today that the Reformers and later Reformed thinkers "uncritically adopted medieval ideas" about the magistrate's role in religion. But, on the contrary, they consciously *corrected* medieval notions of church-state relations. When the Protestant confessions speak to the magistrate's power in religion—particularly his powers around the church and his power to call synods and approve their judgments—they, in effect, *oppose* specific medieval ideas that restricted the inherent powers of the civil office. Rather than retaining medieval political theology, the Reformers intentionally corrected it. They argued that religion is natural and organic to civil communities, rather than something entirely outside or superadded to them. Ironically, modern versions of two-kingdom theology, popular among Reformed theologians today, offer church-state notions similar to those of the medieval church. M2K is a secularist political theology because it denies that civil magistrates are competent in matters of religion (as the Roman church likewise has claimed). But it also rejects the papacy—an institution that might direct and command the state in matters of supernatural truth. Thus, the state, by their logic, lacks any princi-

[61] Francisco Suarez writes, "against Marsilio, and against others, [we affirm that] papal power may extend to the coercion of kings by means of temporal punishments, and deposition from their thrones, if necessity so demands." See *Selections from Three Works*, trans. Gwladys L. Williams et al. (Indianapolis: Liberty Fund, 2015), 789.

pled competence regarding man's religious end, and there is no higher power on earth to direct them.

The question at hand centers around whether civil magistrates may have principled, directive knowledge of supernatural truth (or, the minor premises of mixed syllogisms as described above). We insist that they do, for the following reasons. 1. If our highest natural end is conjoined with our supernatural end, such that fulfilling the former requires us to fulfill the latter; and if the commonwealth, by its nature, requires that the people seek their highest natural end that it might procure the necessary, secondary effects of worship; then the magistrate as magistrate *must* be capable of knowing supernatural religion and must order his people to it. For when any end is granted, the means to the end are granted as well—and the natural end here is *exclusively* conjoined to the Christian religion. Thus, the magistrate must have a principled cognizance of our supernatural end so that he might order his people to their conjoined natural end and thereby meet the natural needs of the commonwealth.[62] 2. Having the rights of majesty, the magistrate brings order to the intercommunicating parts of the city to procure tranquility, sufficiency, and perfection. Now, the church is a necessary part of the commonwealth with respect to the civil effects of its assumed function, as argued above. The church achieves this only by fulfilling its formal operations, which are supernatural and are directed to a supernatural end. It follows from this that the magistrate must have cognizance as to which religious institution is indeed supernatural so that he might support and promote it for his people's good.[63] And if he has cognizance of a supernatural institution that is formally distinct from the commonwealth, then nothing precludes him from knowing its supernatural means and end. Indeed, knowledge of such things is required, per the first argument. 3. If the magistrate *as magistrate* can sufficiently appeal to Scripture for civil matters pertaining to the Second Table (e.g., abortion is murder *per* the Sixth Commandment), then he may have principled knowledge of the supernatural truth contained in Scripture. Any sufficient appeal to Scripture to attain some truth—whether the truth is, in itself, natural or supernatural—is made via the mode of faith (viz., "thus say the Lord"). Because the mode of faith is granted to the magistrate, he has principled access to all truths above nature in Scripture.

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[62] As Althusius says, the magistrate's duty regarding religion is "imposed upon the magistrate by the mandate of God, for a sound worship and fear of God in the commonwealth is the cause, origin, and fountain of private and public happiness." Ibid, 161 (XXVIII.7-8), and "God does not will that the church, or the responsibility for acknowledging and worshiping him, be committed to one person alone, but to the entire people represented by its ministers, ephors, and supreme magistrate. These administrators represent the people as if they corporately sustain the church as one person" (XXXVIII.18).

[63] Pufendorf writes, "The first and chiefest of these Obligations seems to be, that Sovereigns ought to be Defenders of the Church, which they are oblig'd to protect not only against all such of their Subjects, as dare to attempt any thing against it, but also against Foreigners, who pretend to be injurious to their Subjects upon that score." *Of the Nature and Qualification of Religion*, 94.

Having access to, and principled knowledge of, supernatural truth, the magistrate *as magistrate* may know the minor premises of mixed syllogisms. And since he knows them, their conclusions follow for him and bind him in political action.

Although the magistrate ought to support and promote the church, which administers the highest good, he is not subordinate to the instituted church. That is the case for several reasons. 1. His powers are from God as Creator and derived mediately from the people (not the church), and he operates according to natural principles to an intrinsic, natural end. 2. The office of clergy has no unique gift for making political judgments from political principles (unlike the office of the magistrate). 3. All theological judgments for the commonwealth (such as whether to act against certain heresies) have civil effects, which one discerns by political prudence, not via spiritual gifts. 4. The power of the church operates persuasively, not coercively. It can exhort, not compel, bodies. Since the magistrate as such acts outwardly, and since ministers lack any means of outward coercion, the magistrate is not subordinate to them in relation to his office. Thus, for all these reasons, the magistrate *as magistrate* is not subordinate to the church.

Civil Power over Pastors

Most modern Protestants, including American Presbyterians, hold that the minister, *as a man,* is under civil authority, but not under that authority *as a minister.* They will acknowledge that the local church, as an association or corporation, is regulated like any other association (with certain exemptions) and that civil authority extends no further. The problem, however, is that if the priestly function is *not* an object of civil power in some sense, then it is not a natural part of the city. But since it *is* a natural part, it is such an object, though not in the same way as other parts of the city.

We affirm that church ministers may indeed be subordinate to civil magistrates. However, their subordination does not entail that pastors minister the spiritual things of Christ's kingdom in the name of the magistrate or by his authority, nor that ecclesiastical power is derived or mediated through the civil power, nor that the magistrate is the head of the church. George Gillespie puts it well (in the context of church discipline):

> The magistrate can neither *immediatione suppositi*, nor *immediatione virtutis*, determine controversies of faith, ordain ministers, suspend from the sacraments, or excommunicate. He neither does these things himself, nor are they done in the name and authority of the magistrate, or by any ministerial power received from him, but in the name and authority of Jesus Christ, and by the power given from Jesus Christ. Yet all these, and generally the administration of the keys of the kingdom of heaven, are *actus imperati* [commanded acts] of the Christian magistrate, and that both *antecedenter* and *consequenter*. *An-*

> *tecedently*, the magistrate may command church officers to suspend or excommunicate all obstinate and scandalous persons; he may command the classis [i.e., presbyteries] to ordain able and godly ministers, and no other; he may command a synod to meet to debate and determine such or such a controversy. *Consequently*, also, when the thing is examined, judged, and resolved, or done by the ecclesiastical power, the magistrate has power and authority to all his civil sanction, confirmation, or ratification, to make the ecclesiastical sentence to be obeyed an submitted unto by all whom it concerns; in all which the Christian magistrate does exceeding much for the conservation and purgation of religion; not *eliciendo actus*, doing or exercising by himself, or by his own authority, acts of church government or discipline, but taking care that such and such things be done by those to whom they do belong.[64]

The magistrate may neither perform spiritual acts (since his intrinsic end is external rather than internal) nor directly command any particular spiritual act (e.g., ordain this man), for these acts come by the original judgment of Christ's ministers for His kingdom. However, the magistrate may command, antecedently, that the church *acts well* per its general duties since the church is functionally necessary to the commonwealth. More precisely, he commands the ministers *as men*—men whose provisions come from the commonwealth—not to act poorly in their vocation. Furthermore, if ministers as ministers are guests of the commonwealth and depend on its hospitality, then they ought to be good guests.

Subsequent to any ministerial act, the magistrate may approve or withhold approval, or even correct the church or her ministers. The magistrate may correct the minister *as a man* for abuses of authority (viz., for acts not properly proceeding from their authority), since ecclesial actions have positive or negative civil effects (e.g., just or unjust harm to reputation). The failure of one part of the city affects the whole. But in such actions, the magistrate does not reverse the church's judgment, even though he may encourage the church to do so.[65]

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[64] George Gillespie, *Aaron's Rod Blossoming, Or The Divine Ordinance of Church Government Vindicated*, ed. Chris Coldwell (Nephtali Press, 2024), 291. Gillespie's reasoning serves as a reliable commentary on "…by the power of the civil magistrate" in WCF 20.4.

[65] Gillespie writes, "[We must] distinguish between a *cumulative* and a *privative* authority. The magistrate has indeed an authoritative influence into matters of religion and church government, but it is cumulative; that is, the magistrate takes care that church officers, as well as other subjects, may do those things which, *ex officio*, they are bound to do; and when they do so, he aides, assists, strengthens, ratifies and, in his way, makes effectual what they do. But that which belongs to the magistrate is not privative in reference to the ecclesiastical government. It is understood *salvo jure ecclesiastico*: for the magistrate is a nursing father, not a stepfather to the church; and the magistrate (as well as other men) is under that tie, "We can do nothing against the truth, but for the truth: (2. Cor. 13:8). This proviso, therefore is justly made, that whatever power the magistrate has in matters of religion, it is not to hinder the free exercise of church discipline and censure against scandalous and obstinate sinners." See *Aaron's Rod*, 292-3.

In enforcing censures, the magistrate expresses his *potentas cumulativa*—his cumulative power. This is an accidental and additive power in relation to his ministerial duty and religion, and the magistrate decides to enforce it by his own judgment rather than by a command of the church. This power is also cumulative *materially*, not formally, for they apply to the same persons and outward acts (i.e., the same objects), but the civil and spiritual powers are different kinds of power. Furthermore, the magistrate's power over true religion is not principal, nor perfective, nor a *potentes privativa* (an excluding power—viz, the ability to deprive anyone of spiritual authority or take it upon himself). Instead, it is an *additive* power relative to spiritual power. Thus, in performing their duties well, church ministers obey not the commands of magistrates, but the commands of Christ as mediator, and the magistrate is not subordinate to ministers, as his confirmation or sanction of the ministerial action is entirely his own judgment. The magistrate cannot reverse any ecclesiastical action directed at *internal* matters—viz, those concerning the soul of another—since that would assume a power exclusive to the divine order of the instituted church.

The role of the magistrate, as we have said, originates from God as Creator. Magistracy is a *natural* office, not one arising from the Gospel or grace. The priestly function, as part of the whole, is also natural to the city. But with the institution of Christ's kingdom, the natural priestly function has been elevated into a supernatural order. Since grace does not destroy nature, the church assumes the natural priestly function on behalf of the city. But the church, as to the positive, divine institutions that have souls as their proper object—viz, its sacred offices, preaching, sacraments, spiritual discipline, etc.—is not formally part of the city. The church administers these sacred ordinances under immediate and sole subordination to Christ as head of his Church. Thus, the church minister *as minister* is subordinate only to Christ, not the magistrate, and the church's intrinsic end is the kingdom of Christ rather than the good of the commonwealth. The church is the site where church ministers administer the sacred things of the kingdom for the good of the soul. Ministers *as ministers* have a power that addresses the inward—the soul—and therefore, as such, are outside the jurisdiction of the magistrate.

Nonetheless, the Christian church remains a functional part of the commonwealth. The church's supernatural principles, operations, object, and end are all extrinsic to the commonwealth, but an *effect* of the church's operation is functionally necessary for the city—namely, the ordering of the soul unto virtuous behavior. For this reason, the magistrate may negatively command the church to fulfill its function, may mitigate harmful civil effects of errant ministerial action, may physically restrain errant ministers from acting, and (in extraordinary circumstances)

may reform and purify a destructive national, regional, or local church.[66] In doing so, the magistrate is not placing himself under Christ as mediator, nor making himself head over the church, nor exercising spiritual ministry, nor reversing spiritual actions. Instead, he is exercising majesty negatively and correctively over a functional part of the city. The failure of ministers to perform their spiritual duties is potentially serious. The church may, for that reason, be subjected to the magistrate's correction. But in doing so, the magistrate is acting by an extraordinary power over the church. Indeed, he is not extending his power into the spiritual kingdom of Christ. Rather, he is exercising a power naturally inherent to his office—his rule over the commonwealth.

In such actions, the magistrate is not correcting the minister *as minister* but rather the minister *as a man*, for no minister *as minister* acts with the power of Christ when acting erroneously or unjustly. In other words, an unjust or erroneous act of a minister is not an act of the minister as minister (whose power is only for good) but an act of the minister *as a man*, who, as such, is subject to the magistrate. Thus, if the magistrate were to command the church to fulfill its function, he would not be directly commanding what is formally *of* the church but only threatening punishment for errors that *appear* to be of the church.

The kingdom of God contains no error intrinsically. For this reason, all errors in the kingdom's visible manifestation are accidental and extrinsic to that kingdom. Ministers address these errors as they concern the offender's soul or spiritual office (e.g., excommunication and defrocking), just as they address civil crimes as sin. The relevant question is whether church ministers have exclusive jurisdiction over errors that are spiritual in appearance only (as opposed to spiritual in substance) and present in the visible church. We deny. These errors—e.g., preaching heresy—are not formally *of* that kingdom, and thus they are formally under civil jurisdiction: 1. Preaching heresy is an act of a minister *as a man*, not as a minister of Christ, for Christ as mediator grants spiritual power and gifts only to preach truth, not error. As the Second Helvetic Confession (Ch. 1) says, "The preaching of the Word of God is the Word of God;" 2. If heresy were to come through the preacher's mouth by a power of Christ, then heresy would be attributable to Christ himself. Since the consequent is false, it follows that heretical preaching is not an act by the powers and gifts of Christ as mediator; 3. If ministers *as ministers* perform only spiritual acts by a power of Christ, and all spiritual acts by a power of Christ have the soul's good as their intrinsic end, then no minister as minister can act erroneously, for no error has the soul's good as

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[66] Pufendorf writes, "it is evident, that, since by the Doctrine of the Gospel the Civil Power is in no wise impaired, and a Prince cherishes a Church under his Jurisdiction, he legally claims a Right of having a general Inspection over this as well as all other Societies; at least, so far as to take care that nothing be transacted in these Colledges to his Prejudice. For Mankind being so perverse in its Nature, that in Matters, even the most Sacred, if managed without controul, they seldom let it slip through their hands without a Stain; And that therefore it is scarce to be questioned, but the Christian Doctrine is subject to the same Corruption, and that under Pretence of Religion many pernicious Designs may be hatched against the Interest of the Commonwealth." See *Of the Nature and Qualification of Religion*, 96.

its intrinsic end. It is but a physical act of man, and as such, it is under proper civil jurisdiction. The minister as minister is unerring.[67]

We also cannot separate the powers of the minister's office from the office itself. One might claim, for example, that errors are officially valid, even if illicit. But the power exercised is nothing but the official power. An office-holder is not free from the consequences of civil law if he were to exhort his congregation to subversion or murder. Likewise, he is not free to disrupt the peace of the commonwealth or hinder public virtue under the pretence of preaching spiritual doctrine. Magistrates have jurisdiction over ministers as men, and therefore, ministers are subject to civil restraint.

As with anything civil in nature, prudence ought to dictate action. Ordinarily, magistrates should first allow ministers to correct their errors among themselves. Still, the magistrate, under his extraordinary powers—and after the church fails to act effectively—may correct errant ministers, or a corrupt or heretical church. Magistrates cannot, however, reverse the church's spiritual judgments in matters of censure, ordination, defrocking, etc., because their actions are formally and visibly valid, even if they are illicit.[68] It is a judgment concerning the soul, or one's ministerial calling, and thus his commanding or reversing such things *commands* the minister's conscience, since ordaining, defrocking, administering the Lord's supper, etc., require *judgment*. Nonetheless, one's status as ordained does not prevent civil restraint, since restraint does not command judgment but concerns outward acts.

This notion of dual submission—to both God and the magistrate—is common in other offices, as well. Inferior judges, for example, act with a judgment of God (2 Chron. 19:6), as a terror to evil, and thus they act not as deputies of the supreme magistrate but rather as deputies of God.[69] However, the supreme magistrate appoints them and may dismiss them for failures in office. They are corrected *as men*, not as judges, for errors in judgment are only accidentally (not essentially) an act of their office. Powers of God are supplied for good, not evil. To be clear, this example is only *analogous* to the relationship of church and state; magistrates should neither ordain nor defrock ministers. But it demonstrates that an entity may be subject to, and accountable to, both God and the civil authorities, albeit in different respects. The magistrate may have au-

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[67] The same principle applies to magistrates. As Rutherford says, "The king, as the king, is an unerring and living law." See *Lex, Rex*, 116 (Q. XXIV).

[68] Anyone who is unjustly excommunicated is still visibly and validly excommunicated from the visible church (not the invisible church), despite any protestation from magistrates; and the church (or any local, true church) must act to lift the excommunication.

[69] See Rutherford's discussion of inferior judges in *Lex, Rex*, Chs. 20 and 21.

thority *around* an office, and yet the office-holder still does not act on his behalf, nor is the office-holder subordinate to him in action.[70]

It goes without saying, given our argument thus far, that the magistrate may also exercise authority over external violations of the First Table that are committed by non-ordained persons. In doing so, he ensures that the one true God is publicly acknowledged and honored among the people and that outward acts of sacrilege, impiety, blasphemy, etc., are suppressed for the good of the commonwealth. But such civil actions are not absolute divine commands that are suitable for every time and place. While the rule and ends of the political art are fixed, political acts are morally determined by *prudence* (i.e., whether the act is fitting) because the means to those ends are contingent on circumstances.

The Magistrate as Mediator

Civil rulers are *mediators* of civil rule and enactors of law rather than mere administrators of a fixed divine polity and divine law. For this reason, civil law (when just) is an "ordinance of God" (Romans 13:2), for God issues it *through* the right judgment of men. The magistrate is a sort of "vicar of God," states Turretin,[71] or a substitute for God on earth, who represents and acts on behalf of God, for his purposes concerning human society. Calvin writes that they "represent the person of God, as whose substitutes they in a manner act."[72] In this way, the magisterial office is greater than that of church ministers, for magistrates are inferior kings relative to God, whereas ministers are heralds and ambassadors who have no power to make law or to bring about what they command.

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[70] Though these errors might be in the visible church, they are formally under the commonwealth's civil jurisdiction. For, as Gillespie writes, they are "are extrinsical, and do properly belong to the outward man, and are common to the church with other human societies or corporations: things of this kind fall within the civil jurisdiction; for the church of Christ, being societies of men and women, and parts of commonwealths, are accountable unto and punishable by the civil magistrate, in their bodies, lives, civil liberties, and temporal estates, for trespasses against the law of God or the law of the land. But the law of God, I understand here *jus divinium naturale*, that is, the moral law or Decalogue, as it binds all nations (whether Christians or infidels), being the law of the Creator and King of nations. The magistrate, by his authority, may, and in duty ought to keep his subjects within the bounds of external obedience to that law, and punish the external man with eternal punishments for external trespasses against that law. From this obligation of the law, and subjection to the corrective power of the magistrate, Christian subjects are no more exempted than heathen subjects, but rather more straitly [*sic*] obliged. So that if any such trespass is committed by church officers or members, the magistrate has power and authority to summon, examine, judge, and (after just conviction and proof) to punish these as well as other men." See *Aaron's Rod Blossoming*, 288-289.

[71] Turretin, *IET*, 18.34.5.

[72] See Calvin, *Institutes* 4.20.4. Junius writes, "Although by nature [princes] do not differ from the others over whom they are set by divine will, yet by right and by administration they are elevated to bear the image of God as ministers, as vindicators of nature, and as defenders of law according to God, of natural, civil, and moral order." See *The Education of the Prince*, 2-3. Rutherford states, the king "hath a politic resemblance of the King of heavens, being a little god, and so is above any one man." See *Lex, Rex*, Q. XIX.

Civil Law

Human society is natural to man as man, since man is a social being. The natural end of society is, put simply, a virtuous and pious life together, achieved through, as Althusius put it, "symbiosis," in which each person communicates his gifts to the good of the whole. This forms a "universal symbiotic communion," which is both natural to man and is necessary for him to achieve his natural ends in this world. The purpose of *civil law* is to bring order to the "symbiotes" by directing them to the aforementioned ends. In sum, the end of law is that men might live well together. Now, the natural law is the moral standard or rule by which men live well together and achieve their natural ends, both individually and collectively. For this reason, civil law must conform to, and be derivative of, this natural law to direct man properly to his social end.

Civil law, when just, is best understood as "right reason" applied to the commonwealth by a legitimate civil authority. Natural law is discerned and applied by reason—whether by individuals, heads of households, or civil rulers. And reason dictates that the common good is impossible without some form of public religion (for the reasons argued above). Therefore, civil law extends to public religion. For as Althusius says,

> The precepts of the Decalogue are included to the extent that they infuse a vital spirit into the association and symbiotic life that we teach, that they carry a torch before the social life that we seek, and that they prescribe and constitute a way, rule, guiding star, and boundary for human society. If anyone would take them out of politics, he would destroy it.[73]

Many today claim that they desire a "Christian nation" but want to wait upon revival to enact Christian laws. These laws would arise organically from regenerate hearts rather than be imposed upon an unwilling populace. To be sure, politics is the art of the possible, and some conditions render Christian laws ineffectual and impossible to enforce, even if they can be enacted. But we must recognize that law enforces *outward* behavior, and the possibility of effective law requires not *true* faith but majority assent and compliance. Nominal Christianity may be sufficient for the effective enforcement of Christian civil laws, such as Sunday Sabbath laws, if the people assent to Christianity. So, while revival is a possible antecedent to Christian laws and is preferred, it is not the *only* antecedent condition. The only fundamental requirement for enacting a good law is effectuality, which (for a Christian law) is feasible with a mixture of nominal and faithful Chris-

[73] See Althusiu, *Politica,* 45.

tians. Therefore, there is no need to wait upon revival and to reduce Christian political action to Gospel preaching.

IV. Natural Affection

Affection, Duty, and Action

Our natural duties, in all spheres of relation, comport with our whole being—extending even to our desires. Hence, our natural inclinations ought to be directed unto the fulfillment of these duties. Our inclinations are fundamental impulses that dispose us *in actu primo* toward fitting goods.[74] Natural inclination is an intrinsic ordination of our powers—a teleological ordering that precedes and directs our operations. The fact that we often fulfill these inclinations wrongly *in actu secundo* does not remove their teleological grounding. The complete moral person is one whose natural inclinations are, by habit, governed and specified by right reason unto actions of virtue and piety. For this reason, we do not measure moral worth chiefly by one's willingness to act contrary to desire. A man of character is one whose habits make moral action his second nature.

The point here is not to develop moral psychology for its own sake but to highlight the congruence of inclination and outward act for the good in the context of society.[75] In general, every natural good of man has a corresponding and antecedent natural inclination proportioned to it. Man, as a social being whose earthly perfection is found in society, has natural inclinations ordered to the good of each society (domestic and civil) in which he participates. Thus, the natural inclination to prefer one's own children is man's embodied orientation to procure and secure, by action, the good of those most immediately bound to him. Preferring one's children is not an adventitious divine command, nor is the inclination an accident to moral action and character. Rather, it is antecedent and ordinarily necessary to the perfection of moral action according to God's design. Of course, one may act morally even when the antecedent impulse is weak (viz., out of bare duty), but something is still deficient about the act. Moral life involves the *whole* of one's being; it is neither reduced to external action nor merely to the consciousness of God's glory. One's preference for some over others might be excessive, but the possibility of excess presupposes a natural median. The reason for preferences—for exclusively stronger relationships—is that our nature requires them for the good of ourselves and our neighbors. Thus, our natural

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[74] Althusius writes, "Thus, there is a knowledge and natural inclination for this [natural] law in the human heart. Because of it, a person knows what is just and is urged by the hidden impulses of nature to do what is just and to not do what is unjust." See, *On Law and Power*, 9.

[75] Turretin cites Plato's *Laws* approvingly: "For all these virtues [generosity, patriotism, or friendship] proceed from our natural inclination to love mankind. And this is the true basis of justice…" See *IET*, 11.1.17.

inclinations orient us to such relationships. This is why Calvin argues, "[S]ome have stronger claims than others" by "proportion to the closeness of the tie that mutually binds us."[76]

The same is true for national life. The preference for fellow countrymen is part of the nature of things. The natural inclination to prefer one's fellow countrymen is man's embodied orientation, or the affective groundwork, to procure and secure, via action, the good of those most near and bound to him. Put another way, being a member of society, man is naturally inclined, by instinct and reason, to the good of the whole, which reflects man's embodied orientation to natural good and to conformity with the nature of things. Thomas Aquinas rightly states that "we love more those who are more nearly connected with us, since we love them in more ways."[77] Members of nations preferring their co-nationals is necessary to the good of nations, just as each person preferring his own child is necessary for the good of children. Patriotism signifies a preference for a distinct *patria*—its history, founding fathers, national events, national narrative, civic ideals, etc. These all unite people in common affections that encourage sacrifice and the conservation of cultural goods, thereby maximizing the good of life together. As Bernard Yack says, "The nation represents a different species of community, an intergenerational community whose members are connected by feelings of mutual concern and loyalty for people with whom they share a heritage of cultural symbols and stories."[78]

The origin of our natural affection for country is mixed, as it comes into being *prior* to and *posterior* to experience. In the former sense, it emanates from our natural affection for our family members, who have lived and died across generations in a particular place. This affection exists prior to experience, meaning that one has affection for a place even when one has not personally known his ancestors or has never visited the place. But this is insufficient for complete natural affection, as one must also dwell in the same land and with the same people. There must also exist a *being-with*—an experience with people and place—which completes one's affection. Experience—or, the being-with—completes the natural affection that originates prior to experience. However, natural affection for one's country is not an act of will, as if one can *will* affection into existence. One does not will into existence his affection for his childhood home, for example; it arises from everyday activity in that place with others. The same is true of affection for country; one's being-in generates that affection. Neither can one will this affection away. Again, the be-

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[76] Calvin, *Commentary on a Harmony of the Evangelists*, 1:471 [on Matt. 10:37]. Samuel Willard says that we are not, therefore, "to love all equally alike," an idea that "flows from the ignorance of the relations which God has fixed among men; unto which he has annexed those special duties, which are to be discharged by a special love one to another. . . . There are some whom we ought to be more concerned for than others." See *Complete Body of Divinity*, loc. 3164.

[77] Aquinas, *Summa Theologica*, II–II.26.7.

[78] Bernard Yack, *Nationalism and the Moral Psychology of Community* (Chicago, Il.: University of Chicago Press, 2012), 4.

ing-with and being-in merely complete the affection that has existed *a priori,* going back generations. The central point here is that love for country is a *natural* inclination that orients man to seek the good in civil life.

John Davenant summarized these points well in his commentary on Colossians 4:12: "Epaphras, who is one of you…"

> That is, your fellow-citizen, born and educated among you, and finally given and devoted to your advantage. This especially conduces conciliate love for him. For all love (as the Schools express it) is founded in some communication or participation of the same thing: therefore, they who are participants of the same country and city, are united together as by a certain closer bond of love. For as their native soil is used to be dear to all, so it renders all things which spring from it even more dear to the wise and sober.
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> Corollaries: (1) They are deservedly to be blamed as vain and void of natural affection, who despise their own kindred and all their home concerns, being in the mean time addicted beyond what is just and good, to things and persons foreign to the house. (2) They who by a participation of country and city, or any like cause, are united with us, all other things corresponding, ought to be more dear than strangers. Hence says the Apostle, 1 Tim. v. 8, If any provide not for his own, and especially for those of his own house, he hath denied the faith, and is worse than an infidel.[79]

Moreover, this is why Reformed writers have distinguished between citizens and foreigners while also concluding that civil rulers ought to be *from* the nation over which they rule. Keckermann writes,

> Among the principal foundations of a happy principality is love for the homeland and subjects as compatriots. This love, by some secret force, drives the prince's mind to seek the welfare of his country and not easily think of abandoning the kingdom where he was born. The homeland involves a singular obligation of conscience, so that according to the

[79] John Davenant, *An Exposition of the Epistle of St. Paul to the Colossians*, 2:287–288. Aquinas states, "In matters pertaining to . . . relations between citizens, we should prefer our fellow-citizens." See *ST*, II–II.26.8. Jonathan Edwards wrote, "The law of nature and the law of divine revelation teach us to be united with those that we dwell with in the same country, to have a special affection for them, and make us, in many respects, one body with them." See *The Works of Jonathan Edwards*, ed. Amy Plantinga Pauw, vol. 20, "Miscellanies" 833–1152 (New Haven, CT: Yale University Press, 2002 [1740]), no. 928; and Daneau, *Christian Politics*, II:3, on "home and hearth." Daneau writes, "we are not born for ourselves alone: but our birth's part is claimed by our country for the glory of God." He cites a pagan author: "for [the homeland's] native soil, with its sweetness, draws all men, and does not allow them to forget themselves."

> laws of nature, one who is born in a place to which he is bound by natural law can more rightly establish his rule. We are born to and owe allegiance to three entities: God, Country, and Ourselves.[80]

Does Grace Relativize Nature?

Our starting point should be what David VanDrunen states: "Christianity was never meant to eliminate distinctions in familial, ethnic, political, or economic associations."[81] But many who follow VanDrunen and acknowledge these natural affections will, nevertheless, qualify them by asserting that grace "relativizes" our natural affections. Rarely do such people provide a principle to help us determine which affections are relativized, and to what extent. Neither do we learn whether new principles are introduced, nor how some new hierarchy of affection is applied in the various spheres of life. Too often, the refrain, "grace relativizes," seems to provide a means by which one may reject strong claims of natural affection. It provides an empty concept, or rhetorical device, by which one may affirm natural affections but then assuage any fears that these affections might run afoul of liberalism. These same people then tend to conflate the principles of unity that pertain to the ecclesial and civil spheres, reasoning that whatever unifies a church may also unify an earthly nation. This effectively renders both church and state as the same species of order and institution. The church becomes either an alternative *polis* or some otherworldly example of just civil order. In doing so, they hew closer to Anabaptist theology than to Reformed theology, and their presentation is often incoherent and conflates concepts and categories.

The central problem with "grace relativizes nature" is that few have analytically and systematically explained what "relativize" means and worked out its implications. Does this affect immigration policy and foreign policy? Does it introduce new principles of civil order? Does it eliminate or modify the law of nations or the secondary law of nature? Does it require Christians to prioritize those who are far-off over their near-neighbors, or do we equalize them? Are our natural inclinations muted or redirected, or does it affect only those inclinations concerning social relations? Are new goods introduced? Does it change *jus in bello* for Christians, in cases where one's enemies are fellow Christians? Fellow Christians are our brothers, sisters, mothers, and fathers; so, do we love our natural brothers, sisters, mothers, and fathers less? Our true family is the people of God; so, do we love our natural family less? All Christians are children of God; so, do we love our natural children less? Christ is the bread of life; so, do we love bread less? We obey Christ as our Lord; so, do we obey our rulers less? We are soldiers for Christ's kingdom; so, do we (who are soldiers) fight for our earthly kingdom with less spirit? Our citizen-

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[80] Keckermann, *Political Discipline*, 35-36.

[81] David VanDrunen, *Living in God's Two Kingdoms: A Biblical Vision for Christianity and Culture* (Wheaton, IL: Crossway, 2010), 148.

ship is in heaven; so, do we love our earthly citizenship less?[82] In short, what "relativize" actually means is unclear, and to our knowledge, no one has fully demonstrated its implications.

Another problem with "relativize" is that it fails to see our natural inclinations as being bound up with natural goods, as we explained above. The link between inclination and natural good means that modifying or redirecting inclination would require a modification of the good or, at least, redirection to another good. It entails a voluntarist position on inclination—viz, the rejection of natural inclination as the *acutus primus* of moral life—handing it to the operation of the soul. This move aligns with Humean and Kantian ethics, as well as the Stoics. But the good of man is *natural to man as man* by a dispositional and teleological orientation, so any change in inclination would seem to require a change in man *as man*. If there is some connection between 1. your natural *inclination* for your child's good, 2. your natural *duty* to your child's good, and 3. the *realization* of his good, then "relativizing" this inclination, whether lessening it or redirecting it somewhere else, would appear to affect the realization of your child's good.

Now, if one were to claim that grace introduces *new* affections that do not compete with the others, then no affections are relativized. Your new love for Christ does not compete with love for your children but instead assumes and directs your actions for their good (the mixed syllogism, as described above, applies here). If one were to respond by saying that "relativize" means "grace *corrects* excessive natural affection," then in that case, grace is not relativizing "nature" but actually correcting sin, and this "relativizing" is a consequence of correction. Grace has set nature into order. If he were to claim that grace "relativizes" *action* for good, then should I act less for my child's good than my natural inclinations demand, since all Christians are children of God? Should I act less for my mother's good than my natural inclinations demand, since I now have several mothers in my local church? Should my natural inclination to love my mother be redirected to my spiritual mothers, in whole or in part? In each case, it would seem that I should act in a lesser way than that which nature demands for the good of my child and mother.

However, we affirm, along with the Reformed tradition, that grace does not destroy nature but instead assumes, restores, and perfects it. Given this, it follows that grace does not destroy or undermine the embodied and proper affections that orient man to the good of his children, parents, and countrymen. Neither can grace rescind natural duties nor the goods to be actualized. Indeed, grace cannot undermine the natural connections between natural inclination, natural duty, and the actualization of good.

Shared cultural particularity and a common affection for people and place are conditions for the actualization of national good. It follows that grace neither suppresses, rescinds, nor destroys affection for national particularity, nor abolishes or undermines particularity as a necessary good.

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[82] The fact that this one produces a hearty "amen," and the others do not, demonstrates the *ad hoc* nature of "relativize."

Thus, Christian political thought must affirm natural affection for country and fellow countrymen, and particularity must be an object of policy intended for its preservation.

In the end, the crucial question is not whether grace "relativizes" nature but what degree of affection for one's country is natural. At which point is affection neither too intense, nor too weak, but strong enough to achieve its proper end—the common good of the commonwealth? Another question is, to what degree is this natural affection rooted in love of the *particular*—viz, the way of life, institutions, connections to soil, and intergenerational ties that bind a people? The talk of grace "relativizing" nature is often a distraction from these more crucial questions.

Brothers and Sisters in Christ

Similarly, we often hear that "we share more with our brothers and sisters in the Lord in Africa than our secular near-neighbors." But "more" here is ambiguous, and this statement, held alone, fails to make the crucial distinction between the *quality* and *quantity* of goods shared. All Christians share the highest good—viz, spiritual union with Christ—and thus they share more *qualitatively* with each other than with non-Christians. But they do not necessarily share more *quantitatively*—viz, in terms of number—and many of those goods, such as sharing a common language, are crucial for living well together in a civil community. The Gospel does not supply the earthly features necessary for living well together in civil society. No matter how desperate some might be to make "unity in Christ" the all-encompassing principle in civil life, and no matter how pious they think it sounds, it simply does not work.

Indeed, it *cannot* work. One condition for people to live well together, collectively and in the civil context, is the sharing of cultural or ethnic particularities by which people see themselves as a *we*—a people united by a national way of life—and the Gospel does not provide these things, at least inherently or immediately. A Christian people have a Christian culture, but their culture is particular (i.e., non-universal) and distinct to them, fulfilling, in part, the natural principle of public religion. A universal religion (such as Christianity), when actualized concretely among various peoples, does not make all cultures the same, even when all are equally good. Furthermore, people have natural inclinations toward culturally similar people—not because of bigotry or hatred for "the other"—but because living amongst similar people is (ordinarily) necessary for one's good and the good of the community. Such inclinations are good, just, and necessary.

How Grace Does *Relativize Nature*

As we've argued, Reformed theology does not permit the concept of "grace relativizing nature" to introduce new, adventitious, or heavenly principles of civil order or a new standard of righteousness. Indeed, it cannot destroy, abrogate, supersede, or suppress natural law or the nature of man as created. It cannot eliminate secondary laws of nature (or the law of nations) with-

out somehow changing the conditions from which they arose. It cannot render the instituted church an alternative or ideal *polis* (viz., of the same species as civil order). And it cannot undermine the quantity and importance of shared lesser goods by merely asserting the quality of the shared highest good.

However, we might speak of grace relativizing nature in three ways. First, it occurs in the divine calling of someone to a sacred office, such as that of missionary, evangelist, prophet, or pastor. In this capacity, one must often leave his earthly home for a foreign land or act the part of Jeremiah, a weeping prophet who had to condemn his own people, against his natural inclinations. Second, in extraordinary situations, one must subordinate certain natural affections to higher duties, as Rahab did by protecting the spies of the Lord. At times, one must seemingly "betray" one's own people to their detriment, either by command of the Lord or for the good of God's people. In both cases, however, "relativizing" is not the right word to use, for one is simply following the *natural* hierarchy of loves, or *ordo amoris*. The Rahab case involves a covenanted people, to whom God had promised land and commanded them to take it by force. Rahab recognized the higher duty to obey God's commands, which is properly natural. In ordinary situations, however, our actions for good follow from principles of familiarity, similarity, and proximity. As Kevin DeYoung writes, "The principle of moral proximity is pretty straightforward, but it is often overlooked: The closer the need, the greater the moral obligation to help. . . . Moral proximity refers to how connected we are to someone by virtue of familiarity, kinship, space, or time."[83]

The third way that grace relativizes nature is more complicated. By grace, one is brought into the "family of God." There is a sense in which a *new* people—a redeemed people—come to reside on earth, setting them against the unredeemed. An atheist who becomes a Christian enters into an array of relationships that would *seem* to conflict with many of his natural and acquired ones. A new humanity, in a way, is created by the Gospel, and so members of earthly nations join a heavenly nation when they accept Christ. A Christian with a non-Christian mother now has seemingly conflicting duties to his "mothers" in Christ. Though we deny that these constitute conceptual tensions, there are practical tensions—or at least decisions to be made.

To resolve these complications, we should first say that our natural duties in these various relationships are unaltered, at least in substance. The fact that other followers of Christ are my "mothers," "sisters," and "brothers" does not change my natural duties to my natural mother, sisters, and brothers. Second, grace *completes* one's duties to fellow man by restoring his spiritual duties to the people of God. Encouraging one another in true religion is an original duty of man, which is properly directed and fulfilled by grace. One fulfills this natural duty among fellow

[83] Kevin DeYoung, *What Is the Mission of the Church?* (Crossway, 2011), 183.

Christians. Third, the local church provides the context in which one exercises various natural virtues, such as liberality, which were previously directed elsewhere. Thus, one is thereby still exercising civic virtue to those naturally proximate and bound to him.

Moreover, the practical tensions of this third way are intensified greatly by modern life. We are highly connected and mobile (offering innumerable options for action), and we live in conditions of abundance. Our situation is unprecedented. For most of history, most people were poor and neither traveled nor communicated across vast distances. The options for action were minimal. Even if grace were to relativize nature, it would be of little practical relevance to everyday life. But our modern abundance is the key to resolving tensions, since today we have surplus resources that allow us to help even the people of God far from us while also fulfilling our natural, more local and national duties. We can maintain both the natural principles and do much good to those who deserve our spiritual affection.

V. Civil Power is Granted to Rulers Solely by the Consent of the People

The Reformers rejected *Unam Sanctum*, a 1302 document, in which the Pope claimed original jurisdiction over civil power and placed the state subordinate to the church. For the Reformed, civil power does not originate, nor is it devolved and derived, from the church, and therefore, the church may not dethrone rulers, arbitrate between international political disputes, or command subjects to depose (or murder) rulers. Indeed, the church, as an institution, has no formal or objective power over the state at *all* or over civil rulers *as* such. For this reason, the powers of church and state are not collateral.[84] Church ministers may neither install nor remove civil rulers —i.e., enthrone or dethrone. The church as an institution, and church ministers as ministers, do not formally legitimate, either by consent or approbation, anyone's claims to rule. While ministers may exhort the state to act, the church has no authority to command it. Or, to be more precise, while the church has the authority to exhort civil rulers to obey God's commands, God has *already* commanded the state, independently of the church. The church is neither the source nor the mediating authority for these commands. The magistrate ought to respect church ministers' teaching as he would a medical doctor's instruction, but he is not bound to them as if they were the sole instruments of truth. In other words, God does not command civil rulers *through* the church; rather, God commands civil magistrates via nature and Scripture, and the church exhorts them to follow God's commands. Thus, the church may discipline magistrates and even excommunicate them for sins committed against the people, but excommunication (as a spiritual act concerning the soul) cannot depose anyone from civil rule.

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[84] See Gillespie, *Aaron's Rod*, 287.

Consent

Nearly all Calvinists believed that civil government is natural, at least as a secondary law of nature (viz., as part of the law of nations, or *jus gentium*). Indeed, most agreed that civil government would have been necessary in a state of integrity (at least among those who raised the question).[85] Those who denied that there would have been prelapsarian government, such as Samuel Rutherford, still affirmed that civil power is natural, though latent, in the people of a nation.[86] Just as every individual, even in a state of integrity, has the latent power to repel violence by using violence for self-preservation, so too do nations have the power to protect their *body politic* from violence by means of violence. This civil power comes from God, who granted it immediately to nations in creation. When Adam fell—bringing violence, social vice, and disorder into the world—this latent power was activated (according to Rutherford) such that individuals and communities may now repel violence with violence for their self-preservation.

Regardless of their position on civil government in the state of integrity, most Reformed writers affirmed (at least before the influence of Locke) that the people of a nation as a collective entity do not have this power *formally,* but in root and *virtually* (i.e., as a potential capacity).[87] They cannot themselves exercise it; instead, they must transfer it to those whom they choose, upon which the power is formalized whenever men are installed to civil office, who then actualize that power in practice.[88] The scope and reach of this civil power is not absolute but is curtained and limited—both antecedently by God and by decision of the people. There is no political legitimacy apart from the consent of the people of a nation.[89] No man or group of men today can attain political legitimacy by prophecy, conquest, or divine anointing, and thus, by consequence, political legitimacy must come from the people. *This* man, rather than *that* man, becomes king only by the free consent of the people. Anything else would be usurpation. Men are made legitimate rulers by an act of the people, upon the fiduciary condition that they must use

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[85] See "A Summary of The Case for Christian Nationalism" in this volume, Chapter 7.

[86] See *Lex, Rex*, 38 (Q. 9) and 228 (Q. 44).

[87] See Ibid, *Lex, Rex*, 6 (Q. 4)

[88] As Keckermann writes, "Since God immediately gave magistrates only to the Jewish people, but made other nations free to choose their magistrates and princes by natural right, therefore every nation or people in the human race has the power and duty to transfer their governing power to one or more, as circumstances require or dictate." See *Political Discipline*, 410.

[89] The necessity of consent is widely held in the Protestant tradition, including the "social contract." Daneau writes, "no kingdom or republic was ever established or founded without a prior mutual contract and agreement between the subjects and their future ruler, which both parties were bound to observe religiously, and upon whose violation that authority would dissolve and be removed." See *Christian Politics*, I.4. Althusius approvingly cites Daneau here. See *Politica*, 122 (XIX.15). Keckermann writes, "We do not deny that the communes and societies of villagers, cities, and provinces are also natural…but in this distinction, we do not regard origin, but the machoosenerofchoosechoose associations which is civil and established by the consent and institutions of men….[I]t is established by the will of men, and therefore can be dissolved by the same will." See *Political Discipline*, 184.

their power for good. The people's decision does not require any consultation or approval from either the church or its ministers.

Now, much of the theory of consent, as expressed above, is common to non-Reformed Christian traditions, including the Roman Catholic tradition of Vasquez, Suarez, and Bellarmine. However, the Reformed doctrine of divine sovereignty allows us to affirm that the selection of political rulers is an act of both man *and* God. God providentially moves a people to choose *one* man over *another*. The people are the instrument by whom God providentially determines who the ruler should be.[90] Thus, Reformed political thought has uniquely been able to reconcile certain biblical texts, namely, that God "sets up kings" (Dan. 2:21) and "by [God] kings reign" (Prov. 8:15)[91] with those that indicate legitimacy by consent of the people (Deut. 17; 1 Sam. 5:1-3; 1 Pet. 2:13). Both God and man *actively* determine who is the legitimate ruler. When the people make *this* man king, God makes the man king, and this divine act is not consequent to the act of man but, rather, simultaneously both an act of God and man, following the doctrine of *divine concurrence*. The same principle holds regarding the form of government or the constitutional arrangements: not that any constitution is inspired in the same sense as Scripture is, but that each is a gift of divine providence.

In the seventeenth century, divine-right absolutists like Roger Mainwaring and John Maxwell were Arminian in their theology. Though this seems counterintuitive, Arminian doctrine is consistent with divine-right political theory, as it allows them to affirm God's *active* role in establishing kings without violating human free will. Kingship, for them, comes not by determined providence according to divine concurrence, but rather in a special, divine act that has occurred above and apart from human action. God's choice to make a man king could not be actualized *via,* or *in,* man's choosing, for that would violate free will (that is, it would require Calvinist views of divine sovereignty). Nor could they say that God makes a man king subsequent to man's choosing, for that would deny God's active role in the choosing. Instead, God chooses one man to be king, and that man is, thereby, king, and God requires the people to obey him as such. God is active, and the people are passive. Indeed, Rutherford, in *Lex, Rex,* blamed John Max-

[90] Rutherford writes, "God is the first agent in all acts of the creature. Where a people maketh choice of a man to be their king, the states do no other thing, under God, but create this man rather than another; and we cannot here find two actions, one of God, another of the people; but in one and the same action, God, by the people's free suffrages and voices, createth such a man king, passing by many thousands." See *Lex, Rex*, 7 (Q. 4).

[91] See also Ps. 75:6-7; Jer. 27:5-6, Dan. 4:17; Ro. 13:1.

well's divine absolutism on his Arminianism.[92] In Reformed political doctrine, on the contrary, both God *and* man are active in the making of one man as king, and even in determining the political form of the commonwealth.

This form of political Arminianism makes John Locke's opposition to Robert Filmer's *Patriarchia* all the more interesting. As an Arminian regarding the will, Locke affirmed that God ordained *civil government in general,* and then left it to man to determine the specific form and the particular men who would occupy seats of power. Thus, God is not active in setting up either kings or kingship or the species of government, but *was* active in instituting government in general.[93] How this relates to Locke's concept of the state of nature is beyond our concern here. The point here is that Arminian doctrine seems to require either divine-right absolutism or the Lockean rejection of God's active role in determining the species of government and in selecting particular rulers. Calvinism, however, can consistently hold that both God and the people have active roles in choosing civil leaders, which aligns with the testimonies of reason, experience, and Scripture.

Reformed political thought, at least before the influence of Locke, also permits one to acknowledge the divine *majesty* of political rulers, which comports with Scripture (Deut. 1:17; 1 Chron. 29:23; Ps. 82; Prov. 8:15; Rom. 13:4). For Locke, the basis of civil power is the individual's capacity to exact justice for both himself and humanity in general. These powers are then transferred from individuals to a civil government by the social contract. This grounds limited government by antecedent principle rather than by prudence and constitutionalism. That is, Locke grounded limited government extensively in what is anthropologically antecedent to the political form. Now, before individualist consent theories, consent was understood as a *collective* act. In this theory, while the individual as such does not exhibit divine majesty, the people, as a collective entity, possess this divine power—a power greater than the aggregation or sum of individual powers. However, they have this civil power *virtually*, not formally. Thus, the people possess the fullness of divine civil power in the abstract, and civil power becomes limited in the form they establish for themselves. Power is constrained and directed by the people's decisions, not entirely by what precedes the form, as in most individualistic consent theories.

Reformed political theory, therefore, contains the resources to restore a more theological understanding of politics—both in recognizing God's active role in choosing statesmen and in the

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[92]See Rutherford, Lex, Rex, 18 (Q. 6). Gillespie claims that Grotius was "poisoned with the Arminians principles," leading him to grant "papal power to the magistrate." Grotius (De Jure Belli ac Pacis, 1625) did affirm consent of the governed and transference of powers, but this act of consent may be irrevocable, as in the case of many monarchies, which effectively rendered the people passive vis-a-vis kings. For both Gillespie and Rutherford (and for many Presbyterians of the 17th century and John Locke), the people may not and indeed cannot transfer their right to depose tyrants (i.e., it is unalienable).

[93] See Rutherford's discussion on this point. *Lex, Rex*, 3-4 (Q. 3).

majesty of civil rule. That is, Reformed Christians can see civil magistracy as a sacred office with divine power, even while affirming positive, constitutional constraints on the actual exercise of power. Arminianism appears to require either absolutism (Maxwell) or a de-theologized civil office (Locke). Furthermore, Reformed political theory treats limited government as a matter of decision rather than as a strict demand of nature itself. Thus, Reformed political doctrine coherently affirms both God's and man's active role in the choosing of magistrates, legitimacy by consent, positive constitutional constraints by decision, and the majesty of civil office.

Nations Are Real

The aforementioned conclusions lead us to affirm that the nation is a *real* entity. Consent theories assume the idea of popular sovereignty, which itself presupposes a *populus*—a people. It follows from the principle of consent that nations are real entities, and as such, they have a real collective *will* by which consent is exercised. This will is a *moral* will, since the nation (as a *persona moralis*) must follow a moral law for its perfection.

Now, if nations are moral entities, then they ought to acknowledge and obey God, for all moral entities must acknowledge and obey God. The nation's moral duty is diffused neither to individuals nor to the material parts of nations. In other words, one may not reduce this national duty to each individual considered separately, since there is a collective moral will that must be expressed collectively. Nations as such must acknowledge and obey God. This conclusion follows from the nation's genus—that it is a moral entity. God does not create moral entities that are incapable of acknowledging him or are morally free to reject him; indeed, political atheism is morally impossible. Otherwise, God could have made men to be rational and moral *and* to be atheists—an absurd claim. Furthermore, nations (like individuals) act morally—not by simple declaration (like by putting "God" in the U.S. Constitution) but by ordering *all* actions, in their totality, to the acknowledgement of God the Lawgiver. That is, the nation obeys God by being *rightly ordered* to the complete good.

By its very nature, and by the absence of any earthly superior, each nation is free, equal, and independent from every other nation. Thus, there is no supranational entity that can authoritatively arbitrate between nations or legitimize their rulers.

Nationalism

Consent of the governed, as a concept, follows naturally from the notions of popular sovereignty that developed in the sixteenth and seventeenth centuries. Popular sovereignty typically involves the idea that the people, or the nation, are *prior* (conceptually) to the civil government. As we concluded above, the people are not passive but active recipients of government, and their civil liberties and privileges are products of decision. Further, they establish government *in trust*,

so that governance serves the good of the people. Having thus transferred a fiduciary power, the people may lawfully depose and resist tyrants. Combine these conclusions with 1. natural religion as intrinsic to the commonwealth and 2. the natural affections of people and place, and we get what one might call "Christian nationalism." Put differently, every precursor of Christian nationalism is present in Reformed political thought.

The body of literature on nationalism is massive, yet there is little consensus (despite popular rhetoric) on its definition, origins, or descriptive use for nations before early modernity. Indeed, many scholars affirm the "anti-modernist" position, arguing that nationalism, or its precondition (viz., nationhood), existed well before the early modern period.[94] We have no desire to wade too deeply into this debate. This chapter is political *theory*, not a historical work or a study on nationalism. If one concludes that "nationalism" is the wrong word for our political theory, then one has only a nominal objection rather than a substantive one. The name of a theory is only accidental to its substance, and we are not committed to any label other than "Reformed political theory."

We will affirm, however, that nationhood is, at root, something pre-modern. Indeed, at root, it refers to the natural loyalty, care, and concern for one's community that is *intensified* by belief. It is, in other words, an admixture of ubiquitous and perennial sentiment *with* political beliefs—in particular, the beliefs in popular sovereignty and in the people as the active fountain-power of political rule and legitimacy. The dismissal of nationhood as entirely a historical development is unwarranted reductionism: Reformed political doctrine conceptually leads to Christian nationhood, i.e., Christian nations oriented, via law and custom, to their complete good. And the historicist objection works just as effectively against most of our critics, who insist on modern liberal ideas. Reformed political thought asserts that the nation exists and has a moral will *for itself*, by which it actively orders itself via law and custom unto both earthly and heavenly good.

VI. Civil Politics is a Prudential Art

The political discipline elaborates on the following elements: principles (*lex naturalis* and *jus gentium*), objects (bodies), ends (peace, virtue, and piety), and means (law and custom). The principles, objects, and ends of politics are fixed and universal, but the *means* are subject to difference and will change on account of circumstances and characteristics of the people. Bodies of law will differ across places and over time. Politics, as a *practice,* concerns itself mainly with the means. Thus, political prudence is the principal virtue of civil rulers by which they decide upon

[94] See John Breuilly *et al.*, "Symposium on *The Cambridge History of Nationhood and Nationalism*, in Nations and Nationalism," Vol. 31, Part 3 (July 2025), 535-542.

the best means to the end of politics. The ends should never justify the means, but the available means must be sufficient for the intended end.[95] If God has ordained civil government for a certain end, then he has also ordained sufficient political means to attain that end. Put negatively, if one's "political principles" or means are insufficient for the end of politics, then they are not, in their totality, from God.

Political prudence assumes that much of what is permissible in principle is not suitable in every given situation. An action that is praiseworthy in one situation may be blameworthy in another, and one law may be suitable in one context but not in another, even in the same civil polity. For example, according to the First Amendment, Congress may not establish a *national* church. But this fundamental law constrains only the federal government, as the states may establish *state* churches. This arrangement is prudential, recognizing the powers of the states while denying them to the federal government. Consider, too, that the characteristics of the people of nineteenth-century America, in which religion flourished even as states disestablished, rendered establishment unnecessary. In other situations (say, seventeenth-century New England), religious establishment has been necessary, whether to encourage religiosity or to maintain solidarity in a fledgling society. Public religion is necessary as a *principle*, but not as a determinate institutional form.

It is important to note that we are not "establishmentarian" in the commonly understood sense. Of course, we do not oppose church establishment in principle, but we deny that it is a necessary element of a Christian nation or Christian politics. That is, church establishment, contrary to widespread confusion, is *not* essential to the Christian nation (considered abstractly). Rather, it is a separable accident. For this reason, the political thought of many self-described "establishmentarians" today is deficient. Neither church establishment nor a "confessional" state is the end of Christian politics. These are but two permissible means to political ends.

Moreover, political prudence in Christian politics is *not* the inflexible enactment of divine civil law, nor is it a "come-what-may" pursuit of utopia. Politics requires resolve, sacrifice, and bold action, but no one is duty-bound to pursue the perfect to the point of destroying the commonwealth. Reformed political theorists have recognized this for centuries. "Politics is the art of the possible." But too often, "prudence" is used as an excuse for inaction, passivity, and cowardice.

Religious Toleration

Religious liberty and religious toleration are principled possibilities in Protestantism. In Protestantism, one's membership in the body of Christ is not tied essentially to institutional

[95] As Pierre Du Moulin states, "the end being granted, those means also without which the end cannot be attained unto are likewise granted." See *The Elements of Logic*, 59.

membership but instead to one's faith in Christ. Brothers in the Lord are those who share the same faith in Christ. In Protestantism, there is a *principled* basis for religious liberty for fellow Christians of unaligned institutions—something that was latent in political Protestantism in its earliest forms. Roman Catholicism, however, required a papal act to recognize religious liberty, since the Roman church, as an institution, claims to be the one true visible church of Christ to the exclusion of all others. Papist political works before the twentieth century often argued for principled *intolerance*.[96] Anyone dissenting from papal teaching was necessarily considered a heretic, and heretics cannot be tolerated. But for Protestantism, the possibility of principled toleration indicates that civil polities are flexible regarding permissible civil arrangements. Protestant nations need not conduct persecutions or even suppress false religion via law. Indeed, "persecution" is regularly repudiated in Reformed political works of the sixteenth and seventeenth centuries.[97] But politics *may* restrict toleration for various reasons whenever such a restriction is most conducive to its ends.

Puritan New England's treatment of the Baptists serves as a good example. John Cotton, Increase Mather, and Samuel Willard all explicitly considered the Baptists among them to be true brothers in the Lord, and each of them permitted Baptists to be full members of their churches. Still, they supported policies that denied Baptists the freedom to constitute their own churches in Boston. Why? Was it because they rejected them as true brothers in the Lord? No. They denied the "antipaedobaptists" their own churches because credobaptism disrupted their Christian unity. While the congregationalist churches could receive the adult-baptized Baptists as full members (which they did), Baptist churches would not reciprocate this for those who were baptized as infants. In Cotton Mather's words, they would effectively "unchurch" the New England churches, creating disunity in a fledgling society.[98]

Increase Mather expressed this clearly in 1674, in a preface to Samuel Willard's *Ne Sutor Ultra Crepidam,*[99] in which he defended New England's actions against the Baptists. This was a response to English divines John Owen and Thomas Goodwin, who had exhorted New England to extend religious liberty to Baptists. Mather's response is fascinating because he recognizes the

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[96] See Althusius' refutation of the "Jesuits" in *Politica*, 174 (XVIII:65-6).

[97] Ibid, XXVIII.65-6.

[98] See Stephen Wolfe, *The Case for Christian Nationalism* (Canon Press, 2022), Ch. 10.

[99] Increase Mather, "To the Reader," in *Ne Sutor Ultra Crepidam* by Samuel Willard (Boston, 1681).

contingent, circumstantial nature of civil policy.[100] He argues that if he were in England, he would advocate for religious liberty alongside Owen and Goodwin. But New England is not England. The situations are not the same, and so, policies must differ. In New England—a new society founded on and for the congregational way—toleration would disrupt their standards of discipline and unity. Mather recognizes that while toleration is both possible in principle and required in some cases, it is not *absolutely* required. Toleration (and for that matter, religious liberty) is good and necessary *only relative* to the characteristics of the community. In some situations, extensive toleration is politically necessary, for civil power does not easily change religious opinion.[101] The point is, religious liberty is permitted in principle and is often politically necessary, but it is not a fixed, natural principle or a rule of politics. It is a possible *means* to the end of politics, but means are contingent, and prudence selects the fitting means.

Reformed political theory even permits the toleration of both heretics and non-Christians. Neither divine law nor natural law requires magistrates to suppress false religion absolutely and extensively—especially if doing so would be to the detriment of the church or commonwealth. The magistrate, by intrinsic principle, must seek the protection and promotion of true religion and thus the churches of our common Lord. Heretical and non-Christian religions, both being false, are largely *extraneous* to the commonwealth and are thus *potentially* destructive or damaging to it.[102] As such, they are owed neither civil promotion nor countenancing, according to the natural principles of politics. Civil rulers must decide on the prudential means to address the potential harm they pose. Historically, measures to suppress false religion took various forms, depending on the nature and scale of religious diversity in a polity. Reformed writers would often use the metaphor of ship captains navigating to the harbor through troubled waters.[103] Magistrates must avoid rash, reckless, and fruitless actions, but they should still not lose sight of their true end—the promotion of the true religion to the glory of God.

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[100] Mather writes the following: "It is evident that toleration is in one place not only lawful, but a necessary duty, which in another place would be destructive; and the expectation of it irrational. That which is needful to ballast a great ship, will sink a small boat. If a considerable number of Antipaedobaptists should (as our fathers did) obtain liberty from the state to transport themselves and families into a vast American wilderness, that so they might be a peculiar people by themselves practicing all and only the institutions of Christ: if now paedobaptists should come after them, and intrude themselves upon them, and when they cast men out of their society for moral scandals, entertain them: Surely they would desire such persons either to walk orderly with them, or to return to the place from whence they came. And if they would do neither, they would think that such paedobaptists were blame-worthy: let them then do as they would be done by; and deal by us, as they would have us to deal by them; were they in our case and we in theirs." Ibid.

[101] Althusius, *Politica*, XXVIII.65-6; Keckermann, *Political Discipline*, 473.

[102] False religion in some cases may contribute materially to the commonwealth's good, since there is some truth in all false religions.

[103] Althusius, *Politica*, XXVIII.66 and Daneau, *Christian Politics*, III.2.

Protestant magistrates who suppressed dissenting brethren and heretical or non-Christian religions typically did so for *civil* reasons rather than from a divine duty to eradicate error. No one affirmed that the civil power: 1. should punish someone for simply holding a false belief, 2. could reform hearts or change beliefs via the sword, or 3. is required by divine law to punish all falsity and to cleanse the land. The purpose of civil punishments for *outward* expressions of falsity is: 1. to protect souls, 2. to safeguard civil religious unity and discipline, 3. to ensure that churches and ministers are unhindered in their duties, or 4. to oppose any subversion of Christian political order and culture. Whether any such action is necessary or suitable, given the circumstances, is a matter of political prudence.

Christian America

Religious liberty is part and parcel of America's political heritage, rooted in its historic Protestantism. Indeed, the American founding, as well as the early nineteenth century, insofar as they relate to religious liberty, are best understood as the *culmination* of the Protestant experience. Experience across generations had revealed the possibilities of pan-Protestant civil order. This heritage is *our* heritage, and we have no interest in repudiating it; it is second nature to us. We should, however, suppress the modern impulse to universalize American liberties—to consider them as purely a matter of nature or philosophy. Our heritage of liberty, including religious liberty, is far more a product of Protestant experience and decision than abstract philosophy or theology.

However, in this post-Warren Court era, we should remember that our heritage of religious liberty does not eliminate the *natural* duty we have as a nation to promote true religion and suppress false religion. The United States, via both law and custom, should promote Christianity *within the limits of its heritage*—a heritage that has included established state churches, blue laws, blasphemy laws, and Christian institutions. Furthermore, our heritage is not only Christian but is specifically and essentially Protestant,[104] and thus American Protestants ought to reassert their *Protestant* identity and their rightful place in American public life.

The United States of America should return to her heritage by privileging Christianity in her institutions, laws, and customs. It would serve us well to take this lesson from Edmund Burke: "A state without the means of some change is without the means of its conservation." But instead of reacting to change, as conservatives today are accustomed to, *we* should be the agents of change and re-learn the assertive public Christianity of our forefathers.

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[104] Philip Schaff writes, America was "a land thoroughly Protestant, almost to an extreme, since Protestantism embraces not merely the large majority of the population, but is the source, at the same time, of all its social and political principles." See *America: A sketch of the Political, Social, and Religion Character of the United States of America, in Two Lectures* (C. Scribner, 1855), 214.

Chapter 2

American Presbyterians on Civil Government

In this chapter, we will offer an overview of American Presbyterians' views on the civil magistrate in the eighteenth and nineteenth centuries. While we will cover some colonial Presbyterians before the formation of the United States of America, we will not engage with other Presbyterian bodies in the United States that were not connected to the American Presbyterian Church. For this reason, we will not interact with church bodies connected to Scotland (the ancestors of the modern ARP and RPCNA churches). Finally, since this is merely a survey, we will not cover every American Presbyterian who spoke on civil government, nor will we explore the topic as deeply as some may desire.

I. Colonial Presbyterianism

Presbyterianism was primarily introduced into the colonies by settlers from Scotland and Ireland. Many of the early Presbyterians in the new world held to old-world views on the relationship between the church and the civil magistrate—particularly regarding the powers granted to the latter. Yet they found themselves in circumstances where they were now a dissenting minority within the Colonies. One of the earliest and most prominent figures in American Presbyterian history, Francis Makemie (1658–1708), is well known for his advocacy of religious toleration in the Colonies.[1] He argued that dissenters in the Colonies should be allowed to serve as ministers so long as they complied with the requirements enumerated by the 1689 Act of Toleration. At the same time, this "Father of American Presbyterianism" believed that a strong civil magistrate was important for advancing "and promoting regularity and order in Lives and Conversations."[2]

Makemie believed that the most efficient way the magistrate could promote this "regularity and order" was for him to work alongside ministers to enforce penal laws against scandalous offenders and against visible immorality.[3] He argued that God has ordained the magistrate to pun-

[1] For a background of the life and works of Francis Makemie, see Boyd S. Schlenther, ed., *The Life and Writings of Francis Makemie* (Philadelphia Historical Society, 1971). For an account of his interactions with Lord Cornbury of New York, see *A Narrative of a New and Unusual American Imprisonment*, in Schlenther, ed., *Life and Writings of Makemie.*

[2] Francis Makemie, *A Good Conversation*, 23, in Schlenther, ed., *Life and Writings of Makemie*, 176.

[3] Ibid.

ish by the sword that which the Church is to censure by the Scriptures.[4] Thus, according to Makemie, the magistrate has a duty to maintain Christian morality within their jurisdiction, so much so that if rulers were to have no laws against vice and immorality, then the safety of the *Christian* state would be compromised.[5] Indeed, the magistrate should execute godly laws to prevent immoralities such as drunkenness, cursing, whoredome, and the profanation of the Lord's Day.[6] To Makemie, moral order was vital, and he believed that God had ordained the civil magistrate to uphold it. He said, "Would to God such as are in Authority, and vested with the sword of Justice, were exercising it boldly and faithfully against Sin, and all Immoralities in Life and Conversation, and that impartially, according to their Oaths and Office."[7] These duties of the magistrate to suppress vice and immorality, and to impose civil penalties (if necessary) after ecclesial censure, are consistent with the civil powers expressed in the original Westminster Confession, which Makemie fully affirmed.[8]

One area that provides insight into the circumstances faced by old-world ministers in the new-world context is Makemie's view on magistrates paying ministerial salaries. He believed that although the magistrate could provide the maintenance of a minister in *principle,* whether the minister should receive support from the civil government or from the voluntary giving of the parishioners was a matter of prudence. Indeed, he wrote,

> And whatever others have done, I dare affirm, I never bargained with any people about a Maintainance; and have oft refused money when freely offered, and never enjoyed any maintainance, but what as most freely offered to me; though I deny not to the Magistrate, a power of determining maintainances, when necessity requires it; and none so unwilling to pay it as perverse Quakers, though I could wish it were voluntary offerings; yet this partial author would insinuate, as if Presbyterians only were guilty of exacting maintenance by force.[9]

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[4] Ibid.

[5] Makemie, *A Good Conversation*, 23, in Schlenther, ed., *Life and Writings of Makemie*, 176–77.

[6] Makemie, *A Good Conversation*, 23, in Schlenther, ed., *Life and Writings of Makemie*, 177.

[7] Ibid.

[8] Speaking on the Westminster Confession, Makemie said, "Tho' I owe not my birth, but part of my Education only to that Kingdom [Scotland], yet having read many of their Books, heard several of their Ministers, for several years, on all Doctrines of the Christian Religion, and having always with me, their Confession of Faith, their Catechisms, with many sound and excellent Treatises; I do profess my self fully of their Sentiments in this [election and reprobation], and all other Doctrines of Faith, and in God's strength shall never swerve nor prevaricate." Francis Makemie, *Truths in a True Light*, 25, cited in Schlenther, ed., *Life and Writings of Makemie*, 126.

[9] Francis Makemie, *An Answer to George Keith's Libel*, 64, cited in Schlenther, ed., *Life and Writings of Makemie*, 78.

The Adopting Act of 1729

The Adopting Act of 1729, in which the colonial Presbyterian Church formally adopted the Westminster Confession of Faith and Catechisms, is another example of Presbyterians adapting to their circumstances.[10] While the finer points decided in the Adopting Act are debated, it is clear that the Church fully adopted the Confession and Catechisms, "excepting only some Clauses in [the] 20. and 23. Chapters, concerning which Clauses, the Synod do unanimously declare, [that] they do not receive those Articles in any such sense as to suppose the civil Magistrate hath a controlling Power over Synods with Respect to the Exercise of their ministerial Authority; or Power to persecute any for their Religion, or in any sense contrary to the Protestant succession to the Throne of Great-Britain."[11] The Synod of Philadelphia adopted the Standards, excepting certain sections in the chapters, "Of Christian Liberty and Liberty of Conscience" and "Of the Civil Magistrate." Most likely, the clauses that the Synod had in mind concerned the civil magistrate's allowance to suppress practices and opinions that threatened the external peace of the church, found in section four of chapter 20 and section three of chapter 23. In the latter, we read that magistrates may "take order that Unity and Peace be preserved in the Church, that the Truth of God be kept pure, and intire; that all Blasphemies and Heresies be suppressed; all corruptions and abuses in Worship and Discipline prevented, or reformed; and all the Ordinances of God duly settled, administered, and observed," along with the magistrates power to call synods.[12] In both 1730 and 1736, the Synod reaffirmed the Adopting Act of 1729, stating that ministers received into the colonial Presbyterian church had to subscribe to the Westminster Standards in the same manner as was asserted in 1729. That is, they did not have to "receive these articles [certain clauses of chapters 20 and 23] in any such sense as to suppose the civil Magistrate has controuling Power over Synods with respect to the Exercise of their ministerial Authority, or Power to

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[10] A leading historian on the Colonial Presbyterian Church, Leonard J. Trinterud incorrectly stated that the colonial church did not adopt the Westminster Catechisms. He wrote that up to this time "the American church had never adopted either the Larger or the Shorter Catechisms." Leonard J. Trinterud, *The Forming of an American Tradition: A Re-examination of Colonial Presbyterianism* (Philadelphia: The Westminster Press, 1949), 305. However, the minutes of the 1729 synod make clear that the colonial church adopted both the confession and the catechisms. Furthermore, the Plan of Union of 1758 between the Synod of New York and the Synod of Philadelphia reaffirmed their adoption of the catechisms. Minutes of the Synod of Philadelphia, Sept. 19, 1729, in Guy S. Klett, ed. *Minutes of the Presbyterian Church in America, 1706–1788* (Philadelphia: Presbyterian Historical Society, 1976), 104; Minutes of the Synod of New York and Philadelphia, May 29, 1758, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 334

[11] Minutes of the Synod of Philadelphia, Sept. 19, 1729, *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 104 (emphasis added).

[12] John R. Bower, *The Confession of Faith: A Critical Text and Introduction* (Grand Rapids: Reformation Heritage Books, 2020), 311.

persecute any for their Religion, or in any sense contrary to the Protestant Succession to the Throne of Great-Britain."[13]

While there is a question as to what the Synod meant by "any such sense as," there seems to have been legitimate disagreement on the role of the civil magistrate in the Colonies. Instead of reading the Adopting Act of 1729 as a clear break with the old world and a precursor to religious pluralism, a better interpretation is that it was a prudential decision that allowed men of different persuasions to minister in the particular circumstances afforded by the colonial context. This interpretation is evident in that, although the Synod did not receive certain clauses in the Confession, they also did not alter the language of the Larger and Shorter Catechisms. Consequently, the colonial church's doctrine included the original language of Westminster Larger Catechism 109, which states that one violation of the Second Commandment is "tolerating a false religion*."*[14]

II. Early America and Presbyterians

Early American Presbyterian views on church-state relations reflect what most Americans at the time believed about the subject. Indeed, most Americans agreed with John Adams that a virtuous and free government can only "be supported by pure Religion, or Austere Morals."[15] Furthermore, Adams reflected the general opinion when he said, "Public Virtue cannot exist in a Nation without private, and public Virtue is the only Foundation of Republics."[16] George Washington also expressed a similar sentiment in his 1796 Farewell Address:

> Of all the dispositions and habits that lead to political prosperity, religion and morality are indispensable supports…. And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of re-

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[13] Minutes of the Synod of Philadelphia, June 17, 1736, *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 141

[14] Thus the Adopting Act should not be seen as substantially changing the magistrates relationship with the church removing any influence at all. For example, John Thomson, the minister who is credited with laying the groundwork for the Adopting Act, believed the magistrate had a duty to ensure those under their jurisdiction were "sanctifying the Sabbath." See, John Thomson, *An Explication of the Shorter Catechism*, (Williamsburg: William Parks, 1749), 118.

[15] John Adams to Mercy Otis Warren, April 15, 1776, *Founders Online,* National Archives, accessed November 18, 2025, https://founders.archives.gov/documents/Adams/06-04-02-0044.

[16] Ibid.

> fined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.[17]

In a letter to the Synod of the Dutch Reformed Church in North America, Washington wrote, "You, Gentlemen, act the part of pious Christians and good citizens by your prayers and exertions to preserve that harmony and good will towards men which must be the basis of every political establishment; and I readily join with you that 'while just government protects all in their religious rights, *true religion* affords to government its surest support."[18]

Presbyterian John Witherspoon (1723–1794), a signer of the Declaration of Independence and one of the contributors to the 1788 American revisions to the Westminster Standards, shared this same view. He argued in his writings that the "best friend to American liberty" is the one who is the "most sincere and active in promoting true and undefiled religion" and who firmly suppresses "prophanity and immorality of every kind."[19] Agreeing with the public sentiment that virtue is connected to religion, he wrote,

> If, as we have seen above, virtue and piety are inseparably connected, then to promote true religion is the best and most effectual way of making a virtuous and regular people. Love to God, and love to man, is the substance of religion; when these prevail, civil laws will have little to do.[20]

John Rodgers (1727–1811) was a Presbyterian minister in New York City and was also a crucial figure in the 1788 American revisions to the Westminster Standards. Along with Witherspoon, Rodgers, in 1775, wrote a pastoral letter to the churches of the Synod of New York and Philadelphia, in which he encouraged those under their care to preserve:

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[17] Washington's Farewell Address to the People of the United States (September 19, 1796), 16, www.senate.gov/artandhistory/history/resources/pdf/Washingtons_Farewell_Address.pdf.

[18] George Washington to the Synod of the Dutch Reformed Church in North America, November 19, 1789, *Founders Online,* National Archives, accessed November 18, 2025, https://founders.archives.gov/documents/Washington/05-04-02-0187 (emphasis added).

[19] John Witherspoon, *The Dominion of Providence Over the Passions of Men: A Sermon* (Philadelphia: 1776), 33.

[20] John Witherspoon, The Works of the Rev. John Witherspoon (Philadelphia: William W. Woodward, 1800) 3:349–50. Interestingly a modern publication of this work removed Witherspoon's claim that promoting true religion is the best and most effectual way of making a virtuous and regular people. Whether this was intentional or not is unclear. See John Witherspoon, "Lectures on Moral Philosophy," in The Works of Rev. John Witherspoon (Harrisonburg, VA: Sprinkle Publications, 2006), 6:132.

> a spirit of candour, charity, and mutual esteem…toward those of different religious denominations. Persons…of every profession should be united together as servants of the same master, and the experience of our happy concord hitherto in a state of liberty should engage all to unite in support of the common interest.[21]

Writing on behalf of the synod, Witherspoon, Rodgers, and others exhorted the societies under their care to watch their private conduct. Yet they also acknowledged the necessity of public morality and order and asserted that the only thing available to supply the place of censorial power was

> the religious discipline of the several sects with respect to their own members; so that the denomination or profession which shall take the most effectual care of the instruction of its members, and maintain its discipline in fullest vigor, will do the most essential service to the whole body.

Thus, magistrates' greatest service regarding religion and morality was to "defend and secure the rights of conscience in the most equal and impartial manner."[22] Religious piety was expected to be upheld by the various denominations of Christians—particularly Protestants—and the government had a duty to defend and secure the rights of conscience of these sects impartially. This was in society's best interest because the Protestant religion instills virtue—a necessary ingredient for protecting civil liberty.

The volume of literature from Presbyterians in the early Republic on the importance of Protestantism to American liberty is overwhelming. George Duffield II (1732–1790), pastor of Pine Street Presbyterian Church in Philadelphia, said that "true patriotism is founded in true religion; and where the latter is not, *there is great danger of the former being bought and bribed by an adequate price*, or in some way blasted, like the seed sown in stony ground, that perished through want of root."[23] He also argued that a Christian profession ought to be a requirement for a man to serve as a civil ruler in Pennsylvania.[24] Presbyterian minister Ashbel Green (1762-1848), who served as the third chaplain of the United States House of Representatives, as well as the eighth president of Princeton University, along with other Philadelphian ministers

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[21] Minutes of the Synod of New York and Philadelphia, May 20, 1775, in Guy S. Klett, *Minutes of the Presbyterian Church in America, 1706–1788* (Philadelphia: Presbyterian Historical Society, 1976), 545.

[22] Ibid., 545–46.

[23] George Duffield II, "The Burden of Dumah," Sermon at Pine Street Presbyterian Church, Philadelphia, March 17, 1776, cited in *The God of Our Fathers* (Philadelphia: T. B. Pugh, 1861), 31

[24] See George Duffield II, "Who Should Be Our Rulers?" cited in *The God of Our Fathers* (Philadelphia: T. B. Pugh, 1861).

from various other Protestant traditions, expressed his thanks to President Washington and noted "the countenance" that he universally gave to "his holy religion." Washington's public character, according to these ministers, had served as an edifying example "of a civil ruler always acknowledging the superintendence of Divine Providence in the affairs of men, and confirming that example by the powerful recommendation of religion and morality as the *firmest basis* of social happiness."[25] Green argued that without true religion, "civil liberty cannot exist at all in such a community. Society must either be dissolved entirely, or it must assume a state and form which is a greater evil than dissolution itself."[26]

The notion of abandoning Protestant Christianity and expecting the Republic to flourish was *inconceivable* to the Presbyterians in early America. Samuel Stanhope Smith (1751–1819), who served on the committee for the 1788 American revisions to the Westminster Standards and also served as president of both the College of New Jersey (Princeton University) and Hampden-Sydney College in Virginia, spoke of the dangers of a nation abandoning religion. The "firmest basis for civil government is dissolved," he asserted, when a nation departs from religion. "Voluptuousness and effeminacy, avarice and prodigality, a restless ambition, dark treacheries, and a universal disregard for justice, which are the natural consequences of general impiety, accumu-

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[25] B. F. Morris, *Christian Life and Character of the Civil Institutions of the United States: Developed in the Official and Historical Annals of the Republic* (Philadelphia: George W. Childs, 1864), 381 (italics added). Ashbel Green spoke much of the importance of true piety to national prosperity. He said, "When a nation is *characteristically pious* it will be ultimately protected, and that when it becomes *characteristically impious* it will be fast hastening to destruction; and that *in proportion* as it approaches to the one or the other of these extremes it has reason to *hope* or to *fear.* To explain my meaning, here, with reference to a Christian nation, I would say, that—When the rulers of a christian country recommend christanity by their practice and example: When they discover a reverence for it by faithfully enacting and executing laws for the suppression of vice and immorality; When, without infringing on the rights of conscience, they encourage true piety, by countenancing those who profess, practice, and teach it: When, on suitable occasions, and in public acts, the Being and Providence of God, and our accountableness to him, are recognized, and the honour which is due to his Son is rendered: When the moral laws of God, relative to man, as well as to himself, are truly regarded, by those whose station gives influence and fashion to their conduct, and renders it in a sort the representation and expression of national sentiment on the subject of morals: And when, in addition to this, the great principles of piety and morality already recited, are so generally and effectually taught and inculcated on the people at large, as really to influence the public mind, and in some good degree to form the popular opinions and habits:–this would secure to a christian nation the benefits of the divine promise." On the contrary, Green said when the rulers, who preside over a people, forsake or disregard the Christian faith, "then they subject themselves to the divine denunciation, and are treading on the brink of destruction." Ashbel Green, *Obedience to the Laws of God: The Sure and Indispensable Defence of Nations A Discourse, Delivered in the Second Presbyterian Church, In the City of Philadelphia, May 9, 1798, Being the Day Appointed by the President of the United States, To Be Observed as a Season for Solemn Humiliation, Fasting and Prayer* (Philadelphia: John Ormrod, 1798), 17–18.

[26] Ibid., 43. In arguing that morality cannot be detached from religion, Green appealed to President Washington who argued the same. Green said, "The very truth is, infidels first endeavor to exclude religion from the state, that then may give the name of morality to any set of principles they may choose to adopt, and that thus, in the end, they may fully accomplish their wishes by getting rid of both. Be warned, my brethren, by what you have this day heard, be warned, that without religion and morality harmoniously united, we are an undone people; without these our civil liberty and social happiness cannot properly be preserved." Ibid., 46.

late every species of misery on a wretched people, forsaken by God." When a nation maintains no place for religion, "[T]he precise ties of society are broken; the national imbecility invites insult and invasions from abroad; it perishes under a fatal internal weakness, and hastens to sink them in irretrievable ruin."[27] Clearly, American Presbyterians believed that true religion was necessary for civil liberty and patriotism. At the same time, there were disagreements about *how* the church and state should relate in the Republic. While the First Amendment to the United States Constitution forbids the establishment of a church by the general (federal) government, a sampling of state constitutions demonstrates that many were still explicitly Christian (and some even maintained an established, general Protestant church for a time).

III. State Constitutions and American Presbyterian Influence

New Jersey

New Jersey drafted its first state constitution in 1776. Witherspoon, who played a part in its development, was not opposed to religious establishments *in principle.* He rejected the assertion that religious establishment was of the spirit of Anti-Christ and contrary to the Gospel. Instead, he held that an opposition to establishment in general was hard to support from "scripture or reason," saying in one lecture that this sentiment would "make it impossible for the kingdoms of this world to become the kingdoms of our Lord and his Christ: or for kings to become nursing fathers, and queens nursing mothers to the church."[28] While Witherspoon conceded that an "intolerant establishment" and one that exercised "tyranny over the conscience" was of an "anti-christian spirit," he insisted that the principle of establishment was not wrong. Nevertheless, just because it was permissible did not mean it was necessarily prudent for the time, which seems to be the approach Witherspoon took in the colonies. He served on the Provincial Congress that commissioned a ten-man committee to draft a constitution for New Jersey. The Presbyterian minister Jacob Green (1722–1790) served as the chairman.[29] This new constitution rejected a specif-

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[27] Samuel Stanhope Smith, "Religion Necessary to National Prosperity," in *Sermons of Samuel Stanhope Smith, D.D.* (Philadelphia: S. Potter & Co. 1821), 1:315. Smith said, "Religion is the only solid basis of morals, and of the republic. On that people, the blessing of God will rest among whom religion continues to maintain its practical influence. He has so laid the plan of divine Providence, and arranged the moral course of things, that piety and virtue lay the surest foundation of social happiness and civil order; vice and irreligion infuse into the state the principles of disorder and ruin." Ibid., 327.

[28] John Witherspoon, "Lectures on Divinity," in *The Works of the Rev. John Witherspoon* (Edinburgh: J. Ogle, 1815), 8:76.

[29] John Fea, "Disestablishment in New Jersey," in *Disestablishment and Religious Dissent*: *Church–State Relations in the New American States, 1776–1833*, eds. Carl H. Esbeck and Jonathan J. Den Hartog (Columbia, MO: University of Missouri Press, 2019), 25.

ic church establishment but still required a religious test that favored Protestantism. Thus, while no taxes would be levied to pay ministers or to build churches, one was required to affirm Protestant Christianity to hold civil office.[30] One historian notes that of the ten men on the constitutional committee, seven were Presbyterian.[31]

Pennsylvania

Pennsylvania organized a convention to form a state constitution in 1776. As a guide for the convention, Presbyterian minister George Duffield II wrote a tract entitled, "Who Should Be Our Rulers?" In it, he argued that a man should affirm Christianity to hold civil office in Pennsylvania. The Charter and Privileges of 1701 had served as Pennsylvania's constitution before 1776, and it had only permitted professing Christians to hold public office. In fact, after pressure from the British government, a law was passed in 1705 requiring would-be officeholders to renounce Roman Catholicism.[32] Although Duffield II's tract was consistent with the state of the law in Pennsylvania at the time, the new constitution of 1776 ultimately removed the restriction against Catholics. It broadened the religious test for office so that it now required only that would-be officeholders affirm the existence of God and a future judgment of rewards and punishments.[33] This looser standard for civil office was a serious departure from the 1701 Charter. After strong

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[30] Article 28 of the 1776 Constitution says: "That no person shall ever within this colony be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience nor under any pretence whatsoever compelled to attend any place of worship, contrary to his own faith and judgment; nor shall any person within this colony ever be obliged to pay titles, taxes, or any other rates, for the purpose of building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately or voluntarily engaged to perform." Article 19 says: "That there shall be no establishment of any one religious sect in this province, in preference to another [,] and that no Protestant inhabitant of this Colony shall be denied the enjoyment of any civil right merely on account of his religious principles, but that all persons, professing belief in the faith of any Protestant sect, who shall demean themselves peaceably under the government as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the legislature, and shall fully and freely enjoy every privilege and immunity enjoyed by others their fellow subject." Cited in ibid., 25–26.

[31] Ibid., 31. He further noted that the origin of the Protestant test likely was due to these men sharing "a view of church-state relations shaped by anti-Catholicism forged through a series of eighteenth-century colonial wars with the French (a Catholic establishment)" as well as "an understanding of British identity shaped deeply by a Protestant experience, and a belief that Protestant leaders were essential to founding a healthy republic." Ibid.

[32] David Little, "The Pennsylvania Experiment With Freedom of Conscience and Church-State Relations," in *Disestablishment and Religious Dissent*, eds. Esbeck and Den Hartog, 74–75.

[33] Ibid., 75.

protest against it, it was tightened to at least require would-be officeholders to affirm the "Scriptures of the Old and New Testaments to be given by Divine Inspiration."[34]

Pennsylvania then passed a series of laws in the late eighteenth and early nineteenth centuries against blasphemy, defamation of religion, and profanity, which they understood as threats against public virtue and good order. In 1779, the Act for Suppression of Vice and Immorality imposed penalties—including fines, imprisonment, and hard labor—for profane swearing or cursing "by the name of God, Christ, Jesus, or the Holy Ghost."[35] In 1793, Presbyterian minister Ashbel Green, along with local ministers of other denominations, petitioned the Pennsylvania legislature as it considered another act against vice and immorality, requesting that the legislature make "some effectual provision for the orderly and religious observation of the Lord's day; for the prevention and punishment of the profanation of the name of God; and every species of impious imprecation." They also requested that the legislature regulate and reduce the number of "houses where intoxicating liquors are sold and used" among other things.[36] In 1794, the legislature passed an act entitled "An Act for the Prevention of Vice and Immorality, and of Unlawful Faming, and To Restrain Disorderly Sports and Dissipation*."*[37]

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[34] Ibid., 87. Little writes, "That test was challenged in 1783 by several Pennsylvania Jews as unfairly barring them from public office, as casting 'a stigma on them and their religion,' and as contradicting declarations of freedom of conscience elsewhere in the Constitution. Four years later, a Jewish leader requested that a convention, then considering a new constitution, eliminate all religious tests. That did not happen, but the Constitution of 1790 did modify the test by removing the reference to the Old and New Testaments, thereby making Jews eligible for office. Though the new Constitution retained the connection between freedom of worship and service to 'Almighty God,' as well as the broad religious tests for public office, it departed from inherited practice by eliminating all references to divine authority in the preamble." Ibid.

[35] Ibid., 88.

[36] *The Address and Petition of a Number of the Clergy of Various Denominations in the City of Philadelphia to the Senate and House of Representatives of the State of Pennsylvania, Relative to the Passing of a Law Against Vice and Immorality* (Philadelphia: William Young, 1793), 3.

[37]David Little, "The Pennsylvania Experiment with Freedom of Conscience and Church-State Relations," in *Disestablishment and Religious Dissent*, eds. Esbeck and Den Hartog, 88. Blasphemy continued to be a point of dispute well into the nineteenth century in Pennsylvania. In 1818 a man named Robert Murphy was convicted of blasphemy in the Mayor's Court in Philadelphia. The case drew protest and the issue gained momentum with the newly formed "Working Men's Party" taking the lead against blasphemy laws and religious tests among other things. The issue of blasphemy culminated in the *Updegraph v. Commonwealth* case that reached the state supreme court in 1824. Abner Updegraph was a member of a debate society and claimed that the Bible was full of myths. He was convicted by a lower court under a 1700 statute outlawing speech that "blaspheme, and speak loosely and profane" the Holy Trinity or the Bible. The state supreme court reversed the decision of the lower court on a technicality. Nonetheless, writing for the court, Justice Thomas Duncan contended that "general Christianity is, and always had been, part of the common law of Pennsylvania." Duncan went on to say, "while our own free constitution secures liberty of conscience and freedom of religious worship for all, it is not necessary to maintain that any man should have the right publicly to vilify the religion of his neighbors and of the country…licentiousness endangering the public peace, when tending to corrupt society, is considered as a breach of the peace, and punishable by indictment." Ibid., 88–89; See also Justice David J. Brewer, *The United States as a Christian Nation* (Clinton, TN: Christian Heritage Fellowship, 2017), 30–31.

North Carolina

The State of North Carolina had many Presbyterians, and it eventually became a Protestant state. Although its 1776 Constitution prohibited the establishment of any particular denomination, it required those who held civil office to be professing Protestants and forbade any man to hold office who denied "the being of God or the truth of the Protestant religion" (Art. 32).[38] North Carolina refrained, at first, from voting to ratify the U.S. Constitution (another state convention eventually did in 1789) due to concerns over its impact on religious freedom. Henry Abbot (1740–1791) expressed concerns over the Religious Test Clause, saying that "if there be no religious test required, pagans, deists, and Mahometans might obtain offices among us, and [...] the senators and representatives might all be pagans."[39] James Iredell (1751–1799), who later served as a U.S. Supreme Court justice, sought to allay those fears, noting that this clause placed only a restriction on the U.S. Congress. He argued,

> If any future Congress should pass an act concerning the religion of the country, it would be an act which they are not authorized to pass, by the Constitution, and which the people would not obey. Every one would ask, 'Who authorized the government to pass such an act? It is not warranted by the Constitution, and is barefaced usurpation.'[40]

Presbyterian minister David Caldwell (1725–1824), the founder of an academy in Greensboro, North Carolina, also expressed concern over the U.S. Constitution's Religious Test Clause, writing that it would be "an invitation for Jews and pagans of every kind to come among us," which in the future "might endanger the character of the United States."[41] While it is true that the U.S. Constitution's Religious Test Clause, and later the First Amendment, applied only to the

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[38] Nicholas P. Miller, "North Carolina: Early Toleration and Disestablishment," in *Disestablishment and Religious Dissent*, eds. Esbeck and Den Hartog, 106–107. However, it must be recognized that there is no evidence that the religious requirements were enforced. Additionally, the word "Christian" was later substituted for the word "Protestant" in Article 32 and in 1868 and 1876 the North Carolina Constitution was amended to allow any believer in God to hold office which naturally would exclude atheists. Ibid., 110–11.

[39] Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 2nd ed. (Washington, Taylor & Maury, 1854), 4:192

[40] Ibid., 194.

[41] Ibid., 199. These words are the recorder's summary of what Caldwell said.

general (federal) government, accounts like these demonstrate the concerns many had if Protestantism was not *assumed* and *promoted* in civil office.[42]

South Carolina

South Carolina maintained a general Protestant establishment from 1778 to 1790. William Tennent III (1740–1777), the son of William Tennent Jr. and nephew of Gilbert Tennent, who pastored The Independent Presbyterian Church of Charleston and was a strong advocate for the American cause of liberty, played a major role in securing this.[43] Indeed, South Carolina's second constitution, in 1778, granted equal legal standing to all Protestants, and William Tennent III

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[42] Regarding the Religious Clause of the First Amendment to the U.S. Constitution, it did not reject religious establishment in an absolute sense. Many of the men involved affirmed religious establishments for their states. Others who were not in favor of religious establishment entirely nonetheless supported the influence of Christianity upon civil government. Instead, the meaning of the First Amendment is evidenced by the very first word in the sentence—Congress. It prohibited the general government from establishing a religion (more specifically, a particular denomination of Christianity). The First Amendment reflected the fact that the general government was not suited to establish a particular church and the imprudence of permitting the federal legislature to interfere with establishment at the state level. Stephen Wolfe, *The Case for Christian Nationalism* (Moscow, ID: Canon Press, 2022), 426. One example of this is Benjamin Huntington of Connecticut, who expressed concern about how the amendment would be understood. He accepted James Madison's explanation but worried about how other interpretations would affect minister salaries and church construction in New England, which were funded by tax dollars. James H. Hutson says, "Huntington feared that the national government, through the agency of its courts, might find a way to arrogate to itself power over religion in New England, and, using an expansive definition of religious establishment, terminate the region's time-honored practice of supporting religion with public taxation." James H. Hutson, *Church and State in America: The First Two Centuries* (New York: Cambridge University Press, 2008), 156. Huntington's fear would come to pass in 1940, when the Supreme Court, under its theory of incorporation, decided that the language of the First Amendment applied to the states and brought state religious practices under the scrutiny of the federal courts. Nonetheless, it is clear from Huntington's understanding of the original intention of the amendment that the states—and their desire to have an establishment or not—was not affected by the First Amendment to the U.S. Constitution. Ibid., 156–157. It has also been argued that the influence of the U.S. Constitution and the First Amendment provided the catalyst for states to disestablish their churches. However, Carl H. Esbeck and Jonathan H. Den Hartog have demonstrated that neither of these contributed to the disestablishment process in the original thirteen states. Carl H. Esbeck and Jonathan J. Den Hartog, "Introduction: The Task, Methodology, and Findings," in *Disestablishment and Religious Dissent*, eds. Esbeck and Den Hartog, 9. They note first that "no state modeled its constitution after the First Amendment, or even considered the amendment when making state religion law." Second, the U.S. Constitution prohibited a religious test for federal office, while "new states did not follow the federal lead. Indeed, most every state had a religious-test clause until well into the nineteenth century." Ibid. They write, "It was not until 1845 that the Religious Clause of the First Amendment received even passing mention by the U.S. Supreme Court, and only then was it to acknowledge the truism that the First Amendment did not bind the states." Ibid. Abraham Baldwin demonstrates this reality well. Originally from Connecticut but relocated to Georgia, he was elected to the state legislature, U.S. Congress, and the U.S. Senate. He later became the first president of the University of Georgia. He aided in drafting the First Amendment to the U.S. Constitution but also drafted a Georgia law stating that "all officers appointed to the instruction and government of the university shall be of the Christian religion." Additionally, he drafted a general assessment bill similar to Patrick Henry's in Virginia. It passed the Georgia legislature but was never enacted. For Baldwin, the First Amendment to the U.S. Constitution did not affect the religion laws of the states. Mark David Hall, *Did America Have a Christian Founding?* (Nashville: Nelson Books, 2019), 98–100.

[43] George Howe, *History of the Presbyterian Church in South Carolina*, 1:367.

is credited with persuading the legislature to replace its former Anglican establishment with a general Protestant one.[44] This constitution now established the "Christian Protestant religion" and required office holders to affirm five specific articles of doctrine.[45]

Virginia

Virginia's Statute for Religious Freedom, drafted by Thomas Jefferson and passed in 1786, is considered one of the most influential documents in American constitutional history. Indeed, historians have traditionally held that Thomas Jefferson's and James Madison's views on the relationship between church and state, as reflected in the Statute, were a significant influence on the men who drafted and ratified the First Amendment. However, this conventional wisdom has been challenged by some today as an exaggeration.[46] While Jefferson and Madison were important, and Virginia played a significant role in American history,[47] our sampling of other states' positions on religious influence in civil affairs clearly demonstrates that Virginia's influence was limited. Nonetheless, Presbyterians were heavily involved in Virginia and significantly influenced the outcome. And while the prevailing view is that the Presbyterians in Virginia opposed *any* form of establishment, the history is more complicated.

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[44] Miles Smith IV, "South Carolina," in *Disestablishment and Religious Dissent*, eds. Esbeck and Den Hartog, 190.

[45] Article 38 of the South Carolina State Constitution in 1778 read in part, "That all persons and religious societies who acknowledge that there is one God, and a future state of rewards and punishments, and that God is publicly to be worshipped, shall be freely tolerated. The Christian Protestant religion shall be deemed, and is hereby constituted and declared to be, the established religion of this State. That all denominations of Christian Protestants in this State, demeaning themselves peaceably and faithfully, shall enjoy equal religious and civil privileges." Article 38 further stated that the churches that were recognized as part of the established Protestant church of the state had to agree with these five articles: "1st. That there is one eternal God, and a future state of rewards and punishments. 2d. That God is publicly to be worshipped. 3d. That the Christian religion is the true religion. 4th. That the holy scriptures of the Old and New Testaments are of divine inspiration, and are the rule of faith and practice. 5th. That it is lawful, and the duty of every man being thereunto called by those that govern, to bear witness to the truth." Additionally, the 1778 South Carolina Constitution said "that every inhabitant of this State, when called upon to make an appeal to God as a witness to the truth, shall be permitted to do it in that way which is most agreeable to the dictates of his own conscience. And that the people of this State may forever enjoy the right of electing their own pastors or clergy… No person shall disturb or molest any religious assembly; nor shall use any reproachful, reviling, or abusive language against any church, that being certain way of disturbing the peace, and of hindering the conversion of any to the truth, by engaging them in quarrels and animosities, to the hatred of the professors, and that profession which otherwise they might be brought to assent to. No person shall speak anything in their religious assembly irreverently or seditiously of the government of this State. No person shall, by law, be obliged to pay towards the maintenance and support of a religious worship that he does not freely join in, or has not voluntarily engaged to support." Dreisbach and Hall, eds., *The Sacred Rights of Conscience*, 244–45.

[46] See Mark David Hall, *Did America Have a Christian Founding?*, 59–85.

[47] See Brion McClanahan, ed., *Virginia First: The 1607 Project* (McClellanville, SC: Abbeville Institute Press, 2024).

After the Virginia legislature granted religious freedom, the question was raised as to what *kind* of relationship would exist between the commonwealth and the church. One solution was to support a "general assessment tax" that would have supported all the Christian churches. In June of 1777, the Hanover Presbytery sent a memorial to the Virginia legislature, arguing *against* general assessment. They wrote, "Neither does the church of Christ stand in need of a *general assessment* for its support; and most certain we are that it would be no advantage, but an injury to the society to which we belong."[48] Clearly, however, not every Presbyterian in Virginia rejected *every* form of establishment. In 1779, Presbyterian elder and Virginia delegate James Henry, who hailed from the Eastern Shore, introduced "A Bill Concerning Religion" (borrowing from article 38 of South Carolina's 1778 constitution), which would have made Christianity "the established Religion" of Virginia, allowing citizens to decide which church to support with their tax dollars, while nevertheless providing "equal privileges" to all Christian denominations.[49] Yet, the act did not pass.

Later, in 1784, a legislative committee chaired by Patrick Henry drafted "A Bill Establishing a Provision for Teachers of the Christian Religion," which would have established a general assessment to provide financial support to ministers from all denominations in Virginia. The reason offered for this assessment was that "the general diffusion of Christian knowledge hath a natural tendency to correct the morals of men, restrain their vices, and preserve the peace of society, which cannot be effected without a competent provision for learned teachers."[50] Support for Henry's bill came from prominent Virginians such as Richard Henry Lee, Edmund Pendleton, John Marshall, Benjamin Harrison, Spencer Roane, and Philip Barbour.[51] The Hanover Presbytery addressed Henry's bill of general assessment, and eventually, ministers William Graham

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[48] Dreisbach and Hall eds., *The Sacred Rights of Conscience*, 272–73. The memorial was dated "Timber Ridge, 25 April 1777."

[49] Ibid., 247–49. For churches to be established and incorporated, they would have had to subscribe to five theological articles: "*First*, That there is one Eternal God and a future State of Rewards and Punishments. *Secondly*, That God is publickly to be Worshiped. *Thirdly*, That the Christian Religion is the true religion. *Fourthly*, That the Holy Scriptures of the old and new Testament are of divine inspiration, and are the only rule of Faith. *Fifthly*, That it is the duty of every Man, when thereunto called by those who Govern, to bear Witness to truth." E. T. Thompson, *Presbyterians in the South: Volume 1: 1607–1861* (Richmond: John Knox Press, 1963), 102. James Henry was a member of the House of Burgesses from 1772-1774; a member of the State House of Delegates in 1776, 1777, and 1779; a member of the Continental Congress in 1780; and also served as a judge.

[50] Dreisbach and Hall, eds., *The Sacred Rights of Conscience*, 252.

[51] Ragosta, *Wellspring of Liberty*, 120. Even George Washington was not entirely opposed to the bill, although wanted it to include *more* than Christians; writing to George Mason, Washington said, "I am not amongst the number of those who are so much alarmed at the thoughts of making People pay towards the support of that which they profess, if of the denomination of Christians; or declare themselves Jews, Mahomitans or otherwise, and thereby obtain proper relief." *George Washington: A Collection*, ed. W. B. Allen (Carmel, Indiana: Liberty Fund, 1988), 312.

(1745–1799) and John Blair Smith (1756–1799) introduced a plan to the Presbytery.[52] The plan was articulated in the Presbytery's memorial of October 27, 1784, and sent to the Virginia General Assembly, revealing that it did *not* oppose Henry's general assessment bill. Instead, the memorial stated that if the Virginia Assembly thought financial support of religion was necessary, "[W]e would wish it to be done on the most *liberal plan*." Leading up to this request, the memorial said, "[I]t is wise policy in legislators to seek [religion's] alliance and solicit its aid in a civil view, because of its happy influence upon the morality of its citizens, and its tendency to preserve the veneration of an oath, or an appeal to heaven, which is the cement of the social union." They continued, arguing that "upon this principle alone" (that religion aids morality and social union) may a legislative body have "a right to interfere in religion at all" and that "this interference ought only to extend to the preserving of the public worship of the Deity, and the supporting of institutions for inculcating the great fundamental principles of all religion, without which society could not easily exist."[53] It is noteworthy that the Hanover Presbytery's principal reason for the necessity of general assessment was the role that religion plays in the public virtue of citizens.

Presbyterian minister John Holt Rice (1777–1831), writing in 1826, explained that the Hanover Presbytery supported Henry's general assessment because the

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[52] The Presbytery met at Timber Ridge on October 26–28, 1784, with the present ministers being "Graham, McConnel, Scott, Crawford, Smith, Montgomery, Hoge, & Carrick," as well as three elders. Absent were "Lankey, Todd, Brown, Waddel, Rice, Cummings, Balch, Irvin, Doak, Erwin, Wilson, Houston, McCue, Rankin, McClure, and Mitchell." On October 27, Smith "produced a copy of the memorial presented to the last session of the General Assembly, complaining of certain infringements on our religious liberty. The presbytery approved the memorial, and ordered it to be recorded in the presbytery book." The minutes then stated, "Graham & Smith were appointed a committee to prepare a memorial to be presented at the present session of the general assembly of this state, and to produce it tomorrow for the inspection of the presbytery." The October 28 minutes stated, "Graham and Smith produced a memorial agreeable to the order of yesterday, to be presented to the general assembly at their present session, complaining of and praying a redress of certain grievances. The presbytery approved of this memorial, and ordered it to be presented to the general assembly at their present session. A plan was also introduced agreeable to which alone, presbytery are willing to admit a general assessment for the support of religion by law; the leading principles of which are as follows: 1. Religion as a spiritual system is not to be considered as an object of human legislation; but may in a civil view, as preserving the existence of promoting the happenings of society. 2. That public worship, and public periodical instruction to the people be maintained in this view by a general assessment for this purpose. 3. That every man as a good citizen be obliged to declare himself attached to some religious community, publicly known to profess the belief of one God – his righteous providences our accountableness to him – and a future state of rewards and punishments. 4. That every citizen should have a liberty annually to direct his assessed proportion to such community as he chuses — and 5. That twelve titheables, or more, to the amount of one hundred and fifty families, as near as local circumstances will admit, should be incorporated, and exclusively direct the application of the money contributed for their support." Immediately after this, the minutes state, "Todd, Graham, Smith & Montgomery are appointed to present the memorial and attend the assembly with this plan of an assessment." *Minutes of the Presbytery of Hanover, 1769–1783*, 173–78.

[53] Dreisbach and Hall, eds., *The Sacred Rights of Conscience*, 303; Thompson, *Presbyterians in the South*, 1:105; Johnson, *Virginia Presbyterianism and Religious Liberty*, 103.

> general belief was that the measure would be carried in spite of all opposition. Under this impression, the Presbytery resolved to attempt by remonstrances to the Legislature, so to modify the plan, as to make it as harmless as possible. With this view they presented the reasoning contained in the latter part of the memorial.[54]

In other words, the Presbytery thought that Henry's bill was bound to pass, so they sought to influence it to some extent. However, there is evidence that some members of the Presbytery, including John Blair Smith, thought the general assessment would be beneficial.[55] Given that Graham and Smith had drafted the memorial and the plan for assessment, as reflected in the Presbytery's minutes, it might be that Graham had at first supported the assessment and later changed his mind. However, there was opposition outside the Hanover Presbytery to their October 1784 memorial supporting general assessment. For example, Presbyterian legislative leader Zachariah Johnston said, "The very day that the Presbyterians shall be established by law, and become a body politic, the same day Zachariah Johnston will be a dissenter."[56] By May 1785, however, the Hanover Presbytery declared that it had decided *against* Henry's general assessment. Thus, Hanover Presbytery had officially changed its approach to Henry's bill of general assessment between October 1784 and May 1785.

The Presbytery then moved to hold a General Convention on August 10, 1785, in Bethal. The Convention there approved a memorial written by William Graham that opposed Henry's bill. It states,

> We oppose the Bill, Because it is a departure from the proper line of legislation; Because it is unnecessary, and inadequate to its professed end… and a direct violation of the Declaration of Rights" (article 16)…. It establishes a precedent for farther encroachments, by making the Legislature judges of religious truth. If the Assembly have a right to determine the preference between Christianity, and the other systems of religion that prevail in

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[54] John Holt Rice, "Memorials to the General Assembly of Virginia," *The Literary and Evangelical Magazine* 9, no. 1 (Jan. 1826): 38.

[55] Thompson, *Presbyterians in the South*, 1:105. Thompson cites Charles G. Sellers, Jr., of Princeton University, as giving evidence that Smith supported Henry's assessment. Charles G. Sellers, Jr., "John Blair Smith," *Journal of the Presbyterian Historical Society* 34, no. 4 (Dec. 1956): 201–25. Sellers said Samuel Stanhope Smith bewailed "the state's failure to support religion, and John Smith apparently shared his views." In support, Sellers noted that Patrick Henry had been a trustee at Hampden-Sydney, moved to Prince Edward County, and even attended John Smith's church there. Ibid., 211.

[56] James H. Smylie, "Jefferson's Statute for Religious Freedom: The Hanover Presbytery Memorials, 1776–1786," *American Presbyterians* 63, no. 4 (Winter 1985): 359.

> the world, they may also, at a convenient time, give a preference to some favoured sect among Christians.

Showing Graham's and Hanover Presbytery's opposition to government involvement in the church, the memorial continues,

> The end of civil government is security to the temporal liberty and property of mankind, and to protect them in the free exercise of religion. Legislators are invested with powers from their constituents, for this purpose only; and their duty extends no farther. Religion is altogether personal, and the right of exercising it unalienable; and it is not, cannot, and ought not to be, resigned to the will of the society at large; and much less to the Legislature, which derives its authority wholly from the consent of the people, and is limited by the original intention of civil associations….experience has shown that [church dependence on the state] "has introduced corruption among the teachers and professors of it… and has been destructive of genuine morality….we earnestly request that the defect may be remedied as far as it is possible for the Legislature to do it, by adopting the bill in the revised laws for establishing religious freedom.[57]

While the Hanover Presbytery ended up opposing Patrick Henry's general assessment bill, the evidence suggests that there were genuine disagreements among ministers along the way. The change between the October 1784 and May 1785 memorials shows there were disagreements—perhaps even principled differences—regarding the question of a general establishment. The Virginia Presbyterians in the Hanover Presbytery, nonetheless, played a vital role in defeating the general assessment, which then paved the way for the Virginia Statute for Religious Freedom.

IV. Nineteenth-Century Presbyterians

In the nineteenth century, Protestant denominations (including Presbyterians) accepted and embraced their role as voluntaristic, competitive organizations with no support from the civil magistrate.[58] However, American Presbyterians still advocated for true religion to be promoted in the

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[57] Dreisbach and Hall, eds., *The Sacred Rights of Conscience*, 304–306; Foote, *Sketches of Virginia*, 340–43; Thompson, *Presbyterians in the South*, 1:106–107; Johnson, *Virginia Presbyterianism and Religious Liberty*, 110–15.

[58] Bradley J. Longfield, *Presbyterians and American Culture: A History* (Louisville: John Knox Press, 2013), 51. Although Massachusetts, New Hampshire, Connecticut, and Maryland continued to have established churches into the nineteenth century.

civil sphere and expected there to be civil laws against sins like blasphemy and Sabbath-profanation. Indeed, they believed that the degradation of society was due to a rejection of God and His law. The American Presbyterians' belief that the United States was a Protestant country reflected the views of the average American. For our purposes here, we will look at some of the most prominent Presbyterians in the nineteenth century and examine their views on the civil magistrate.

Northern Theologians

Some of the most prominent Northern Presbyterian theologians, for their part, believed that the United States was a Christian (Protestant) country that should be governed by Christian laws. Charles Hodge (1797–1878) unequivocally claimed that "the United States of America are a Christian and Protestant nation," insisting that this claim was "not so much the assertion of a principle as the statement of a fact."[59] His reasoning here was based not only in the fact that the great majority of the people at the time were Christian and specifically Protestant, but also in that "the organic life, the institutions, laws, and official action of the government, whether that action be legislative, judicial, or executive, is, and of right should be, and in fact must be, in accordance with the principles of Protestant Christianity."[60] According to Hodge, "courts could not reverse" the fact that "Protestant Christianity has been, is, and must be the law of the land," and that which "Protestant Christianity forbids, the law of the land (within its sphere…in which civil authority may appropriately act), forbids."[61] In Hodge we find no sense of a "principled pluralism" in which a neutral public square is assumed. Instead, he argued that it was right and reasonable to expect Protestantism to be the law of the land since America was a Protestant nation. He wrote:

> It is in accordance with analogy. If a man goes to China, he expects to find the government administered according to the religion of the country. If he goes to Turkey, he expects to find the Koran supreme and regulating all public action. If he goes to a Protestant country, he has no right to complain, should he find the Bible in the ascendency and exerting its benign influence not only on the people, but also on the government.[62]

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[59] Charles Hodge, *Systematic Theology: Vol. III* (New York: Scribner, Armstrong, and Co., 1873), 343.

[60] Ibid.

[61] Ibid., 3:344.

[62] Ibid.

While Hodge disagreed that the magistrate should establish and maintain religion,[63] he nonetheless also rejected the demands of secularists who would require that religion—especially Christianity—be ignored in our national and municipal laws. This would be not only "unreasonable" but "in the highest degree unjust and tyrannical."[64] He said in one place that "if Christianity is not to control the laws of the country, then as monogamy is a purely Christian institution, we can have no laws against polygamy, arbitrary divorce, or 'free love.'" [65] In line with this, Hodge saw Sabbath laws as vital to the country's well-being. He said, "This civil Sabbath, this cessation from worldly business, is what the civil government in Christian countries is called upon to enforce." Not only, he argued, is Sabbath-practice "the right of Christians" and "the command of God," but "[the] civil Sabbath is necessary for the preservation of our free institutions, and of the good order of society." Morality is dependent on religion, and thus a day must be set aside for instruction—indeed, "If the Sabbath, therefore, be abolished, the fountain of life for the people will be sealed."[66] Hodge even went so far as to say that should government "disregard" the Sabbath day and direct courts and legislative bodies to "be open on the Lord's Day, and public business be transacted as on other days, it would be an act of tyranny, which would justify rebellion."[67]

Archibald Alexander Hodge (1823–1886) also spoke on the subject of the civil magistrate. In his commentary on the Westminster Confession, he noted that "the proximate end for which God has ordained magistrates is the promotion of the public good, and the ultimate end is the promotion of his own glory." From this, he reasoned that "if the glory of God is the chief end of every man, it must be the chief end equally of all nations and communities of men; and it ought to be made the governing purpose of every individual in all his relations and actions, public and official, as well as private and personal." Specifically, the civil magistrate ought to advance the glory of God through "the promotion of the good of the community (Rom. Xiii. 4) in temporal concerns, including education, morals, physical prosperity, the protection of life, and property, and

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[63] Charles Hodge, "Relation of the Church and State," *Biblical Repertory and Princeton Review* 35, no. 4 (Oct. 1863): 692–93. Hodge rejected this view, arguing "we are not authorized to argue from the Old Testament economy, because that was avowedly temporary, and has been abolished; but must derive our conclusions from the New Testament." As for the New Testament, it "does not teach that the magistrate is entitled to take care that true religion is established and maintained…or that heretics be punished." Hodge also argued that "the only means which the state can employ to accomplish many of the objects said to belong to it, viz., pains and penalties, are inconsistent with the example and commands of Christ." He said that "experience teaches that the magistrate is the most unfit person to discharge these duties" and "his attempting it has always been injurious to religion." Thus, "the church is independent of the state, and…the state best promotes her interests by letting her alone."

[64] Hodge, *Systematic Theology*, 3:346.

[65] Ibid.

[66] Ibid., 347.

[67] Ibid., 343.

the preservation of order." Christian magistrates, further, ought to promote "piety as well as order" in their capacity as magistrates, "[B]y their example, and officially by giving impartial protection and all due facility for the Church in its work" —and "by explicit recognition of God and of Jesus Christ as 'Ruler among the nations.'"[68]

Additionally, A.A. Hodge argued that Christian magistrates should enact and enforce "all laws conceived in the true spirit of the Gospel, touching all questions upon which the Scriptures indicate the will of God specifically or in general principle, and especially touching on questions of the Sabbath-day, the oath, marriage, and divorce, capital punishments."[69] He connected the decay and ruin of societies to disobedience to King Jesus, writing,

> If Christ is really King, exercising original and immediate jurisdiction over the State as really as he does over the Church, it follows necessarily that the general denial or neglect of his rightful lordship, any prevalent refusal to obey that Bible which is the open law-book of his kingdom, must be followed by political and social as well as by moral and religious ruin.

Furthermore, while both church and state are distinct, he argued that "the kingdom of Christ is one," and thus:

> If the Church languishes, the State cannot be in health; and if the State rebels against its Lord and King, the Church cannot enjoy his favour. If the Holy Ghost is withdrawn from the Church, he is not present in the State; and if he, the only 'Lord, the Giver of life,' be absent then all order is impossible, and the elements of society lapse backward to primeval night and chaos.[70]

Then, reflecting on the danger of abandoning God in the public square, he asked,

> Who is responsible for the unholy laws and customs of divorce which have been in late years growing rapidly like a constitutional cancer, through all our social fabric? Who is responsible for the rapidly-increasing, almost universal, desecration of our ancestral Sabbath? Who is responsible for the prevalent corruptions in trade which loosen the bands of

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[68] A. A. Hodge, *A Commentary on the Confession of Faith* (Philadelphia: Presbyterian Board of Publication, 1869), 400-401.

[69] Ibid, 401.

[70] A. A. Hodge, *Evangelical Theology: A Course of Popular Lectures* (New York: T. Nelson & Sons, 1890), 246–47.

> faith and transform the halls of the honest trader into the gambler's den? Who is responsible for the new doctrines of secular education which hand over the very baptized children of the Church to a monstrous propagandism of naturalism and atheism? Who is responsible for the new doctrine that the State is not a creature of God, and owes him no allegiance, thus making the mediatorial Headship of Christ an unsubstantial shadow and his kingdom an unreal dream?[71]

A.A. Hodge reminds his readers that their security, politically and socially, is threatened if they do not "faithfully maintain all the crown rights of Jesus, the King of men." Indeed, the "sacred franchise" of religious liberty could not be "retained by men who in civil matters deny their allegiance to the King."[72] In effect, he concluded that political liberty and social stability were both predicated on the recognition of true religion. Notably, both Charles Hodge and A. A. Hodge were affiliated with the National Reform Association, which advocated a Christian Amendment to the U.S. Constitution to formally recognize Christianity as the law of the land.[73]

Southern Theologians

Among nineteenth-century Southern Presbyterians, James Henley Thornwell (1812–1862)—widely considered their leading theologian—strongly opposed a neutral or atheistic state. He spoke of the church and state "as planets moving in different orbits," both existing under the kingship of Christ.[74] While he did not advocate for an established church, he nonetheless favored a broadly Christian state. In his "Sermon on National Sins," which he preached on November 21, 1860, to the Presbyterian Church of Columbia, on a day that South Carolina had called for fasting and prayer, he said,

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[71] Ibid., 247.

[72] Ibid., 248.

[73] David McAllister, *Christian Civil Government in America: The National Reform Movement Its History and Principles* (Pittsburgh: National Reform Association Publication, 1927), 47. Kentucky Presbyterian R. J. Breckinridge (1800-1870) also expressed concern over the fact that the U.S. Constitution did not mention God. He wrote, "It must be a source of shame and wonder, that our Constitution, the embodiment of our system, has no mention of God in it. How in this its power is weakened, what bad morals it teaches the young offspring to be born and reared under its protecting aegis? And bitterly are we reaping the effects of its implied atheism, as well as presenting to the world the astounding fact of a Constitution ignoring the only source of its power, without which not a single wheel of its machinery would ever move upon its pinions. R. J. Breckinridge, "The Divine Origin and Supremacy of Civil Government," *Danville Review* 2, no. 3 (June 1864): 329.

[74] *The Collected Writings of James Henley Thornwell, D.D., LL.D., Late Professor of Theology in the Theological Seminary at Columbia, South Carolina*, 4 vols., eds. John B. Adger and John L. Girardeau (Richmond: Presbyterian Committee of Publication, 1871–1873), 4:449 [hereafter *Collected Writings of Thornwell*]. This language is echoed in the PCA's BCO, which says the church and state are "are as planets moving in concentric orbits" (BCO 3-4).

> The Christian, the Pagan, the Mohammedan, Jews, Infidels and Turks, cannot coalesce as organic elements in one body politic. The State must take its religious type from the doctrines, the precepts, and the institutions of one or the other of these parties. When we insist upon the religious character of the State, we are not to be understood as recommending or favoring a Church Establishment. To have a religion is one thing, to have a Church Establishment is another; and perhaps the most effectual way of extinguishing the religious life of a State is to confine the expression of it to the forms and peculiarities of a single sect. The Church and the State, as visible institutions, are entirely distinct, and neither can usurp the province of the other without injury to both. But religion, as a life, as an inward principle, though specially developed and fostered by the Church, extends its domain beyond the sphere of technical worship, touches all the relations of man, and constitutes the inspiration of every duty. The service of the Commonwealth becomes an act of piety to God. The State realizes its religious character through the religious character of its subjects; and a State is and ought to be Christian, because all its subjects are and ought to be determined by the principles of the Gospel. As every legislator is bound to be a Christian man, he has no right to vote for any laws which are inconsistent with the teachings of the Scriptures. He must carry his Christian conscience into the halls of legislation. In conformity with these principles, we recognize Christianity to-day as the religion of our Commonwealth.[75]

Thornwell insisted that every state must promote true religion. He further argued, "Every State…must have a religion, or it must cease to be a government of men. Hence, no Commonwealth has ever existed without religious sanctions."[76] Indeed, he marveled, "[H]ow a Christian people can have any other than Christian institutions it surpasses our intelligence to compass."[77] He went on to describe South Carolina as a Christian people and a Christian Commonwealth, and he advocated for a general Christianity as its civic foundation, saying, "Christianity, without distinction of sects, is the fountain of our national life." Thornwell explained,

> When the State protects its outward institutions, such as the sanctity of the Sabbath, it enjoins nothing which does violence to any man's conscience. It is only giving vent to the religious life of the people… As long as they are not required to profess what they do not believe, nor to do what their consciences condemn.[78]

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[75] *Collected Writings of Thornwell*, 4:517.

[76] Ibid., 515–16.

[77] Ibid., 519.

[78] Ibid., 518.

Like many Presbyterians of his day, Thornwell criticized the Federal Government for delivering mail on the Sabbath day. By doing this,

> government is implicated in the sin. It encourages the desecration of the Lord's Day by the companies which carry its mails. The Sabbath, as an external institute, is absolutely essential to the maintenance and propagation of Christianity in the world, and until the Christian religion is disproved, and the supremacy of Christ set aside, no government on earth can annul it with impunity.[79]

Thornwell submitted a paper in 1861 to the first General Assembly of the Presbyterian Church in the Confederate States entitled "The Relation of the State to Christ."[80] However, he withdrew it because he did not believe it was the proper time for it. The paper had planned to ask the Assembly to propose an amendment to the new Confederate Constitution that would have acknowledged "the supremacy of…Jesus Christ, as King of kings and Lord of lords" and thus "ordain that no law shall be passed by the Congress of these Confederate States inconsistent with the will of God, as revealed in the Holy Scriptures."[81] Thornwell believed that the biggest problem with the Confederate Constitution was that it was "not distinctively Christian."[82] Similarly, while the U.S. Constitution had properly understood "the human side" of civil government, its authors had "failed to apprehend the Divine side—that all just government is the ordinance of God, and that magistrates are His ministers who must answer to Him for the execution of their trust."[83]

In contrast to Robert Lewis Dabney, Thornwell was not advocating for a "general theism." Instead, he argued that governments that seek God's blessings "must also acknowledge the supremacy of His Son."[84] After quoting the Second Psalm, he then added, "Our republic will perish like the Pagan republics of Greece and Rome, unless we baptize it into the name of Christ…. We

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[79] Ibid., 538.

[80] Ibid., 480.

[81] Ibid., 556.

[82] Ibid., 549.

[83] Ibid., 550.

[84] Ibid., 551.

long to see, what the world has never yet beheld, a truly Christian Republic."[85] He did not seek religious tests for office, but he nevertheless asked that an unbeliever, such as a Jew, would "acknowledge" Christianity "as the religion of the State."[86] Indeed, he believed in church and state operating in separate spheres, yet without rendering the state void of religion. He argued to this end that the state may "believe" the Scriptures "to be true," as well as "regulate its own conduct and legislation in conformity with their teachings."[87] Thus, while Thornwell was a proponent of the spirituality of the church, he did not believe that this doctrine was inconsistent with a strong Christian state. The state, although independent from the church in his view, was not to be irreligious, amoral, or disconnected from the lordship of Christ.

Another Southern Presbyterian, Benjamin Morgan Palmer (1818–1902), was firmly against a religious establishment but nonetheless argued for a strong Christian state. "The State," he wrote, "is instituted for civil and temporal ends. It protects the person of the citizen; secures the avails of his industry and talent, throwing its shield over all his relations and rights so far as they pertain to this lower world."[88] Palmer argued that the two institutions (church and state) should "work on harmoniously, each in its own sphere doing its own work, and without thwarting the plans of either. The State protects her citizens in the enjoyment of their religious privileges; and the Church enjoins upon her members the Christian duty of reverence to 'the powers that be.'"[89] The Christian church would accomplish this by promoting holy living and by using means such as Sunday schools, voluntary societies, and religious periodicals. This would help lead legislators to ensure "a Christian nation."[90] Palmer made a subtle distinction between the state and the na-

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[85] Ibid., 555. In 1862, Thornwell spoke of the state needing to recognize God—"To absolve the State, which is the society of rights, from a strict responsibility to the Author and Source of justice and of law, is to destroy the firmest security of public order, to convert liberty into license, and to impregnate the very being of the commonwealth with the seeds of dissolution and decay." He followed this with a quotation from Psalm 2:12 to "Kiss the Son," showing Thornwell thought the state should look to Christ. J. H. Thornwell, *Our Danger and Our Duty* (Columbia: Southern Guardian Steam-Power Press, 1862), 10.

[86] *Collected Writings of Thornwell*, 4:554.

[87] Ibid., 552.

[88] B. M. Palmer, "Church and State, Part II," *Southern Presbyterian Review* 3, no. 4 (April 1850): 589.

[89] Ibid., 605.

[90] According to Palmer, "We deny, however, that it is the State's province to be the organ or exponent of the religious convictions of the nation. We for example, are a Christian people, a Christian nation; the laws framed for our government respect us as such; and our rulers represent to some extent this religious element: not indeed by formal, public, official acts, carrying out the religious opinions of their constituents, but in refraining from any legislation or government which shall compromit their religious character. Yet since the charge has been laid against the voluntary scheme, that without a National Church, the State tends to open disregard of all religion, let those who wish well to voluntaryism see that the charge may not be sustained. Let the effort be to leaven the whole mass of society with religious principles, for the obtaining a sound religious public opinion—which, more than tests and sacraments, will constrain public officers at least into a decent demeanour to the religion of Christ, and to the hearty recognition of it as the greatest of all the elements which go into the character of the nation." Ibid., 606.

tion—the former not being formally capable of religion, and the latter consisting of individuals who "may and should be Christian."[91] This position was in line with the dominant theory of church and state among American evangelicals at the time: a "voluntary establishment" of religion.[92] However, it is possible that Palmer's views shifted in the 1860s and moved closer to those of Thornwell—i.e, moved in support of a broad Christian establishment (not an established church, to be clear).

Palmer declared that the Southern Church must dedicate the Confederacy to Christianity.[93] In a sermon delivered on June 13, 1861, he bewailed "the fatal error of our Fathers in not making a clear national recognition of God at the outset of the nation's career."[94] He held that Christ was given authority in His capacity as mediator over all of creation, including civil government, as he alluded to in his opening sermon at the first General Assembly of the Southern Church in 1861, saying " [T]hrough this visible Church Christ acquires His wider mediatorial authority over the Universe."[95] He elaborated on this in his 1877 sermon, "Christ's Universal Dominion," in which he argued that Christ rules over all creation via His mediatorial authority over all things and not simply in his authority as the Second Person of the Trinity.[96] Lamenting Palmer's position, the Virginian T. C. Johnson said that Palmer thought the government "should acknowledge Christ as God of Providence."[97]

Other Southern Presbyterian theologians spoke like Thornwell and Palmer. Charles Colcock Jones (1804–1863) advocated for a Christian government that would protect the Sabbath, prevent

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[91] Ibid., 605–606.

[92] Elwyn A. Smith, "The Voluntary Establishment of Religion," in *The Religion of the Republic*, ed. Elwyn A. Smith (Philadelphia: Fortress Press, 1971), 155.

[93] Thomas Cary Johnson, *The Life and Letters of Benjamin Morgan Palmer* (Richmond, VA: The Presbyterian Committee of Publication, 1906), 258–61.

[94] *National Responsibility Before God: A Discourse, Delivered on the Day of Fasting, Humiliation and Prayer, Appointed by the President of the Confederate States of America, June 13, 1861* (New Orleans: Price-Current Steam Book and Job Printing Office, 1861), 11.

[95] *Minutes of the General Assembly of the Presbyterian Church in the Confederate States of America. With an Appendix. Vol. I. A.D. 1861* (Augusta, GA: Steam Power Press Chronicle & Sentinel, 1861), 69.

[96] "Christ's Universal Dominion," in B. M. Palmer, *A Weekly Publication, Containing Sermons: Volume 2* (1876; repr., Harrisonburg, VA: Sprinkle Publications, 2002), 383–94.

[97] Johnson, *The Life and Letters of Benjamin Morgan Palmer*, 267. This was in reference to Palmer's sermon on Rev. 4:2-3 before the Georgia legislature on March 27, 1863, titled, "The Rainbow Round the Throne; or Judgment Tempered with Mercy."

idolatry, enforce the morality of the Bible, and teach the Bible to children in public schools.[98] Mississippi Presbyterian minister Richard Gladney spoke of the purposes of the church and state, saying, "The law prepares men for the gospel; the State should indirectly prepare them for the Church."[99]

However, not all Southern Presbyterians agreed that the state should be distinctly Christian—particularly the Virginia theologians. Robert Lewis Dabney (1820–1898) rejected the idea of an established church and even opposed an official state religion, because he believed the state should not persecute religious belief. He wrote in one place that "neither church nor state has a right to persecute for opinion's sake."[100] Indeed, Dabney rejected "the theocratic conception of civil government" because the general object of government, in his view, ought to be "to secure to man his life, liberty, and property, i.e., his secular rights." Indeed, Dabney, in his writings, developed an alternative to John Locke's "natural rights theory," calling his view "Bible republicanism."[101] In doing so, he maintained a Jeffersonian view of a religiously neutral state that ought to secure natural rights, envisioning a state "limited by God and nature to the regulation of one segment of social rights and duties."[102] Regarding this, he wrote, "Every thing which is moral evil, and is not detrimental to the interests of society, is not, therefore, properly punishable by society (e.g. prodigality, indolence, gluttony, drunkenness)… It is not the business of society

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[98] Charles Colcock Jones, *The History of the Church of God During the Period of Revelation* (New York: Charles Scribner & Co., 1867), 374: "This much ought a Christian people to do, namely, acknowledge the God of Revelation to be the only living and true God, require all oaths of government to be administered in His name —He alone being the Judge of all the earth, and able to reward every man according to his works—and acknowledge Him as the God of the nation, by invoking His blessing in all national councils and legislatures. His Holy Scriptures should be regarded as the only and all-sufficient rule of faith and practice, their free circulation encouraged among all classes, and their introduction permitted into schools of public instruction for the children and youth of the land. Religious biblical instruction should be furnished to all citizens employed in the public service; the Sabbath preserved as a day of rest from ordinary labor, and a day of sacred worship; the marriage relation regulated; and the manner of legalizing the same; adultery, polygamy, incest, sodomy, and bestiality should be punished; and the establishment of idolatry prevented, with its loose morals and abominations. All these great principles of religion and morality owe their clearness and authority to Revelation, and demand an acknowledgment in Christian governments. All laws and institutions of government should have their foundation in some standard of right and wrong, whether that standard be the light of nature, or the light of Revelation. Heathen governments adopt the former, and Christian governments the latter."

[99] Richard Gladney, "The Relation of State and Church" *Southern Presbyterian Review* 16, no. 4 (March 1866): 372.

[100] Dabney, "Civic Ethics," in *Discussions by Robert L. Dabney, D.D., LL.D., Professor of Moral Philosophy in the University of Texas, and for Many Years Professor of Theology in Union Theological Seminary in Virginia*, 4 vols., ed. C. R. Vaughan (Richmond, VA: Presbyterian Committee of Publication, 1890–1897), 320 [hereafter *Discussions*].

[101] R. L. Dabney, *Syllabus and Notes of the Course of Systematic and Polemic Theology Taught in Union Theological Seminary, Virginia*, 2nd ed. (St. Louis, Presbyterian Publishing Company of St. Louis, 1878), 869 [hereafter *Systematic and Polemic Theology*]; Dabney, "Anti-Biblical Theory of Rights," in *Discussions*, 3:499.

[102] Dabney, "Civic Ethics," in *Discussions*, 3:321.

to keep a man from injuring himself, but from injuring others."[103] Dabney criticized two forms of church establishment—the first of which he referred to as the "high prelatic" view, which teaches that the state "is moral and spiritual" and is "responsible to God for propagating his true religion, as well as Christian morals, just as much as the other institutes of God and nature, the family and the church." In this case, the state and its magistrates must "profess a religion" and "apply a religious test-oath to all her officers, judges and legislators."

Dabney considered this theory the more extreme of the two, arguing the following:

> The state is not by its nature either a spiritual or ecclesiastical institution, but a secular one. The same argument would prove that every gas company or telephone company was bound to profess a company religion, have a test-oath, evangelize its employees and patrons.[104]

The other theory, Dabney argued, was more modern. This view would favor an established civil religion in which the state "is only a secular organization, appointed by God and nature to realize secular order." However, since "popular morality" requires orthodox Christianity, and since "experience shows that no voluntary denomination of Christians can succeed in sufficiently evangelizing the masses without state aid," the state must, in this view, select one or more orthodox denominations to "aid them to evangelize every district and the whole population." He considered this theory "much more plausible and decent," but argued that the American experience shows that voluntary efforts, "equitably protected by the government," are, instead, best suited to evangelizing society.[105] He also argued that a state paying ministers would corrupt them.[106]

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[103] Dabney, *Systematic and Polemic Theology*, 874.

[104] Dabney, "Civic Ethics," in *Discussions*, 3:323–24; cf. Dabney, *Systematic and Polemic Theology*, 880–87.

[105] Dabney, "Civic Ethics," in *Discussions*, 3:324.

[106] Ibid., 325. Dabney assumed that a broadly theistic yet non-Christian government would secure natural rights and protect the church and Christian morality. Yet while the federal and state governments in the U.S. have generally protected the evangelization efforts of the church, they have expelled Christian beliefs and morality from public places such as schools and universities. It is readily admitted that both the American practice and European nations with established churches have failed in this regard. It is hard to fault Dabney—who was prophetic in so many other areas—for not anticipating the immorality that would eventually be promoted and protected by what is claimed to be a "neutral" American state. Yet looking back, Dabney's comparison of the state to a private company seems inadequate. Even if Christians do not want the state to evangelize or fund churches and ministers, by foregoing a Christian state, America has empowered non-Christian judges, legislators, and governors, who have unsurprisingly expelled Christianity from the public sphere. Since the civil law is a teacher (first use of the law), the Reformed traditionally held that Christians should seek explicitly Christian laws and Christian lawmakers. Dabney surely desired laws consistent with Christian morality, but he seemed to have mistakenly believed that a supposedly neutral, theistic state (rather than an explicitly Christian one) would produce such.

However, while Dabney rejected the Christian state, he did believe that the state should promote a broad, or general, theism. The state would support this "natural" or "broad theism" through actions such as upholding the Sabbath. Indeed, in his advocacy for certain Sabbath laws in 1880, he wrote that the Sabbath is "the necessary support of that natural theism, domestic virtue, and popular morality, which are the foundations of the state." And therefore, "the state is bound so to enforce outward rest and quiet, and the cessation of secular labors and public amusements, as to honor God's nature ordinance, and to give the allied institutes, the family and the church, their proper opportunity for doing their work on the people."[107] Then, when making a similar argument two years later, he wrote that the "civil society" is "a moral institution" and "[m]orality can be established only on theism."[108] He added, "The state is the secular, but moral and righteous, organism for safety, justice and welfare in this life. The state is not necessarily Christian. But it is necessarily theistic, because on the atheistic theory its basis, its rights and its healthy existence are lost." The goal, ultimately, of the state in enforcing the Sabbath would be as follows:

> The state, by its secular power, enjoins and enforces the outward rest of the day, so that the people may, if they will, use it to learn of God and of his righteous law, to cultivate morals and decency, to rest their faculties of body and mind, and to enjoy the ennobling and wholesome moral influences of the family and fireside. On this theory no man's franchises as a citizen are abridged on account of his failure to adopt a Christian profession of any name whatsoever.[109]

Dabney's argument here seems to go further than his position elsewhere that the government only exists to secure the "secular rights" of "life, liberty, and property." His reasoning here, by contrast, has more in common with the "high prelatic" establishment view he had maligned. He even explained how the Sabbath is necessary for society—"Theism is essential to the state; the Sabbath is essential to maintain theism."[110] While the state should not persecute the atheist, it

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[107] Dabney, "The Sabbath of the State," in *Discussions*, 2:616–17.

[108] Dabney, "The Christian Sabbath," in *Discussions*, 1:548.

[109] Ibid., 549.

[110] Ibid., 550.

does have the "right to restrain him from destroying society by his atheism."[111] Dabney also critiqued the Mormon belief in polygamy and suggested his support for blasphemy laws (i.e., restraining public speech against God or the Christian religion) when he argued that while "no authority in Church or State can rightfully infringe that freedom" of man to judge the correctness or error of his own thinking, "it does not follow hence, that the erroneous thinker has liberty to put his free thoughts into effect in actions prohibited by the laws of his country." He further wrote, "I repeat, the earthly authority may not punish him for thinking as he pleases, but it is authorized to restrain him from effectuating erroneous thoughts in erroneous actions," for "if he is allowed to do this, there is virtually an end of civil government, since the most destructive crimes would claim impunity."[112] Thus, while Dabney opposed an established church and even a broadly Christian state, he *still* argued for the state to be influenced by a general theism and insisted on the importance of Sabbath laws for society.

Thomas Ephraim Peck (1822–1893) gave substantial thought to the relationship between church and state in his work on ecclesiology. He rejected the Scottish view that the civil government should financially support the church, writing, "The fundamental defect in the position of the Scotch church…is the doctrine that the state ought to support the church by its revenues; as if it were possible for the church, thus supported by the state, to be independent."[113] He then affirmed the Virginia model as "the true theory of the relations of church and state." Indeed, he credits James "Waddell [sic], 'the blind preacher,' William Graham, [Samuel] Stanhope Smith, and the old Hanover Presbytery in Virginia, on the ecclesiastical side, with Thomas Jefferson on the civil side, who, first of all the statesmen in history, caught the true idea, co-operated in establishing what is sometimes called the Virginia doctrine."

Peck found support among fellow Presbyterian Stuart Robinson, whom he quoted saying, "There be two republics in this nation, one the civil republic of the United States, of which the man in the White House is the head; the other the spiritual commonwealth, of which Jesus Christ

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[111] Ibid., 549. It seems Dabney held the state has the right to force a natural theism on the atheist for the good of society. Yet here we must ask—does not false religion also destroy society? Why then can the state not prohibit public blasphemy for the good of society? It seems Dabney would respond that a false theistic religion can still affirm natural justice and Sabbath laws. Yet we would note that Islam is theistic but enforces its weekly day of worship on Friday, along with other laws that infringe upon Christian morality. Dabney does not seem to explain why the necessity for a broadly theistic state does not also necessitate a broadly *Christian* state (where denominational diversity is allowed). For civil government to enforce the Sabbath particularly on Sunday requires it to affirm the *Christian* teaching that Jesus was resurrected on Sunday and the church in Acts worshiped on this first day of the week. Thus, Dabney's basis for the state enforcing the Fourth Commandment can be extended to the state also enforcing to some extent the First, Second, and Third Commandments related to the public worship of God.

[112] R. L. Dabney, *The Practical Philosophy: Being the Philosophy of the Feelings, of the Will, and of the Conscience, with the Ascertainment of Particular Rights and Duties* (Mexico, MO, 1897),, 350.

[113] Thomas E. Peck, *Notes on Ecclesiology* (Richmond: Presbyterian Committee on Publication, 1892), 135.

is the head, with which the man in the White House has nothing to do, but to protect the persons and property of its subjects, as that of other citizens." Peck added in his own words, "This is the theory which was supposed to be the theory of the United States, as well as of Virginia, up to the period of the war." This theory "was found, explicitly or implicitly, in all the constitutions and bills of rights of the States (with the exception, perhaps, of North Carolina)," and it is "the clear teaching of the Confession of Faith" of the American Presbyterians. Furthermore, he added, "It is the Scotch theory, without the feature of state support, and with the voluntary principle instead."[114] Indeed, Peck argued that the Virginia theory of church and state relations was essentially a modified version of the Scotch theory. However, it seems that Peck downplayed the differences between the two, as his *voluntary* principle differed substantially from the Scottish *establishment* principle that would require the civil government to establish the Christian religion (either broadly or with a particular church). Peck not only opposed the state financially supporting the church, but he also opposed the state enforcing laws that related to the First Table of the Ten Commandments—except for Sabbath laws. Peck held that the church and state were similar in having both been ordained by God for His glory and the good of mankind. Yet they differed in that the state had been ordained of God as Creator and "the moral governor of mankind," while the church had been ordained of God as "Saviour and Restorer of mankind." He wrote, "The state is a government of natural justice; the church, a government of grace."[115] He did affirm that civil government would exist for unfallen man to provide "direction" for love, but he qualified that fallen man now necessitates "restraint." Thus, Peck argued that "society cannot exist without law and order of some sort. Therefore, government is as necessary to man as society, and for this reason, is as natural to man as society. It may not be an original endowment of man, but it is natural, and, if natural, then the ordinance of God."[116]

Peck believed that the state should acknowledge God by giving him thanks, but not necessarily use the name of Christ. He explained, "It is perfectly monstrous that the power which bears the sword and exercises the awful prerogative of taking human life, either in peace or war,

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[114] Ibid., 136–37. Peck's words here in 1892 did not account for his earlier distinction in 1863 regarding the New England practice. There he distinguished the Virginia theory from the "American theory." He said of the Virginia practice, "It has been called the 'American' theory; but the history of the Northern States has shown that the current theory there has been rather the 'semi-theocracy' of New England, according to which, as Mr. Robinson observes, 'the church becomes an agency for keeping the proper party in power, a congress-managing society, a public-opinion manufacturing society.'" Peck, "Church and State," *Miscellanies of Rev. Thomas E. Peck, D.D., LL.D., Professor of Theology in the Union Theological Seminary in Virginia, Complete in Three Volumes*, ed. T. C. Johnson, 3 vols. (Richmond: Presbyterian Committee of Publication, 1895–1897), 2:288–89 [hereafter *Miscellanies of Peck*].

[115] Peck, *Notes on Ecclesiology*, 138–39; Peck, "Church and State," in *Miscellanies of Peck*, 2:275.

[116] Peck, *Notes on Ecclesiology*, 140–41; Peck, "Church and State," in *Miscellanies of Peck*, 2:277.

should not acknowledge itself to be the servant of the sovereign Lord of life and death."[117] Again, in 1863, in the middle of the Civil War, he wrote, "One of the sins, doubtless, for which the vengeance of God descended upon the Federal government, was the atheism of its fundamental law; and it is a matter of devout thanksgiving unto God that the people of the new Confederacy have had the grace given to them explicitly to acknowledge their dependence upon him, both in their Confederate Constitution and in their Confederate escutcheon. We have written '*Deo vindice*' upon the flag." And further, "Let us never forget that God, our 'Vindex,' is the punisher of our sins, as well as the protector of our rights, and the avenger of our wrongs."[118]

Peck explained that while all kings are subject to Christ's authority, the question is "whether civil rulers derive their authority from him as mediator, or whether they derive their authority from God as moral governor of mankind."[119] He affirmed the latter. Thus, he dissented from Thornwell's view that the civil government should acknowledge the mediatorial kingship of Christ, as well as from B. M. Palmer's view that Christ has been given authority in His capacity as mediator over all of creation, which includes the civil government. Peck argued in one place that the church and state differ in the rules guiding the exercise of power—namely, "The constitution of the church is a divine revelation; the constitution of the state must be determined by human reason and the course of providential events." He continued, "The Bible is the statute-book of the church, the visible kingdom of Christ; the light of nature is the guide of the state."[120] In other words, "The rule of the church is the word of God," while "[t]he rule for the state is the 'light of nature,' or human reason."[121] He further added, "The state may adopt any form of government it pleases—its power is magisterial and imperative," whereas the church must adopt the form of government "revealed in the Scriptures." However, "When we say that the Bible is not the rule for the state, we do not mean that the state is at liberty to disregard its teachings."[122] Thus, he concluded, "If it should be asked, whether the Bible is no rule for the civil power—whether the secular magistrate may proceed, in all cases, as if God had not revealed his will in writing—the answer is, assuredly not. In the first place, the light of nature is made much more clear by the revealed will of God."[123] In summary, according to Peck, while the Bible ought not to be the primary guide for the state, it still serves to elucidate natural law and tell the state what it is *not* permitted to do. He explained,

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[117] Peck, *Notes on Ecclesiology*, 142; Peck, "Church and State," in *Miscellanies of Peck*, 2:278.

[118] Peck, "Church and State," in *Miscellanies of Peck*, 2:278.

[119] Peck, "Church and State," in *Miscellanies of Peck*, 2:279–80.

[120] Peck, *Notes on Ecclesiology*, 144.

[121] Peck, "Church and State," in *Miscellanies of Peck*, 2:281.

[122] Peck, *Notes on Ecclesiology*, 145.

[123] Peck, "Church and State," in *Miscellanies of Peck*, 2:282.

> The only safety for liberty and religion is in rigidly enforcing the maxim that the Bible is the *positive* rule for the church, a *negative* rule for the state. The state may do whatever the Bible does not *forbid*. The church may do only what the Bible directs or permits; and where the Bible is silent, the church must be silent.[124]

Peck dissented from the Reformers' view that the civil magistrate should enforce the First Table of the Moral Law. Yet if "the light of nature is made much more clear by the revealed will of God,"[125] as Peck affirmed, it may be asked how the First Table would not also guide the civil government, even if simply as a negative rule. Peck wrote, "The state may do whatever the Bible does not *forbid*."[126] But we may note that the Bible does not forbid the state from outlawing public idolatry and blasphemy. Regardless, Peck also did not adhere to a strict separation between religion and the state (as advocated by the modern "Reformed Two-kingdoms" position). He still affirmed that the state exists under God and thus ought to enforce some semblance of Christian morality, and he thought that the state should employ the Bible as a negative rule.

The question then arises as to how Peck's view leaves room for the enforcement of Sabbath laws by the civil government. Peck noted that "the Bible rectifies the teachings of the light of nature" by teaching that "weekly rest," like marriage, "belongs to man as man," though "it is doubtful whether the fact would have been recognized by the light of nature alone."[127] As one ground upon which the state should recognize the Sabbath, Peck referred his readers to an article in which R. L. Dabney argued that theism is essential to grounding the state as a valid authority over men.[128] Peck added to this his own argument that "the state has no right to violate liberty of conscience; and by disregarding the Sabbath as it does in some of its laws (in the post-office department, for example), it *does* violate the liberty of conscience by excluding from offices those who regard the Sabbath as a rest divinely ordained."[129]

Stuart Robinson (1814–1881), born in northern Ireland but raised in Virginia, eventually moved to Kentucky, where he became a major influence. Robinson and Peck were close friends and shared similar views on church and state. Robinson is best known for his advocacy of the doctrine of the spirituality of the church, as well as his defense of the Virginia theory of church and state, which he called the "Scoto-American" view of civil government (similar to Peck's

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[124] Peck, *Notes on Ecclesiology*, 147.

[125] Peck, "Church and State," in *Miscellanies of Peck*, 2:282.

[126] Peck, *Notes on Ecclesiology*, 147.

[127] Ibid., 151–52.

[128] R. L. Dabney, "The Sabbath of the State," *Southern Presbyterian Review* 31, no. 1 (Jan. 1880): 101.

[129] Peck, *Notes on Ecclesiology*, 153.

"Scotch theory"). In his 1858 book, *The Church of God*, Robinson listed five ways in which the church's and state's powers "differ fundamentally." First, "the civil power derives its authority from God as the Author of nature," while church power "comes alone from Jesus as Mediator." Second, the rule for the civil power "is the light of nature and reason, the law which the Author of nature reveals through reason to man," while the rule for church power is the revealed Word. Third, civil power's "scope and aim" are limited "to things seen and temporal," while church power is "unseen and spiritual." Robinson said the term "religious" is "not predicable of the acts of the State," while the term "political" is "not predicable of the acts of the church." Fourth, the civil power's "significant symbol" is the sword, while that of church power is the keys. Fifth, "civil power may be exercised as a *several* power by one judge, magistrate, or governor; but all ecclesiastical power pertaining to government is a joint power only, and to be exercised by tribunals."[130]

Robinson's fourth and fifth points were generally uncontroversial. However, men like Palmer differed over the first point, and many of Robinson's fellow Old School Presbyterians would have differed over the second point, which limited the rule of the civil government to nature.[131] For example, as noted above, Peck clearly states that Scripture serves as a negative rule for civil government, meaning the state cannot violate it.[132] Robinson had not made such a qualification but instead had made a stronger separation of nature and Scripture—as seen in his letter to Abraham Lincoln, dated January 26, 1865, in which he said that civil government "has for its rule of guidance the light of nature and reason common to all nations," while the "spiritual government" of the church "has for its *only rule* of guidance the positive statute law in the revealed statute book of its great founder and Ruler."[133] However, sixteenth- and seventeenth-century Reformed theologians generally held that the Ten Commandments were the natural law made clear, which is why they could appeal to even the First Table laws concerning religion as moral and binding

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[130] Stuart Robinson, *The Church of God as an Essential Element of the Gospel, and the Idea, Structure, and Functions Thereof* (Philadelphia: Joseph M. Wilson, 1858), 85–86. For a review, see "Stuart Robinson's Church of God," *Southern Presbyterian Review* 11, no. 3 (Oct. 1858): 480–500. Though anonymous, this review was probably written by Peck. The review highly recommended the book, and anonymity avoided the appearance of bias based on the friendship between Peck and Robinson.

[131] Strange says that Old Schoolers generally agreed with points four and five, but (1) they would possibly challenge point one as denying Christ's lordship, (2) they would deny point two that only general revelation should guide the civil government, and (3) several such as Thornwell would declare that civil government is religious and not merely political. Alan D. Strange, *The Doctrine of the Spirituality of the Church in the Ecclesiology of Charles Hodge*, Reformed Academic Dissertations (Phillipsburg, NJ: P&R Publishing, 2017), 226.

[132] Peck, *Notes on Ecclesiology*, 147.

[133] Stuart Robinson, "Rev. Stuart Robinson to President Lincoln," in Preston D. Graham, Jr., *A Kingdom Not of This World: Stuart Robinson's Struggle to Distinguish the Sacred from the Secular During the Civil War* (Macon, GA: Mercer University Press, 2002), 264. Graham mistakenly dated the letter as 1866. Ibid., 258.

upon all nations.[134] In contrast, Robinson seems to have driven a wedge between natural law and Scripture.

Robinson rejected the idea that civil government should be Christian. Specifically, in his writings, he criticized the following three "*unscriptural* propositions": "1. That it is a function of the State in its political constitution, as of the Church in her creed, to testify the Gospel truth, that Jesus Christ the mediator, is King of nations, and has revealed his will to men. 2. That this revealed will of Christ, rather than the law of nature, is the supreme law of the land—a political rule of faith and practice. [And] 3. That it is the solemn national duty of a people to establish a '*Christian* Government.'"[135] Ultimately, he summarized his position as follows: "while both State and Church are ordinances of God—neither subordinate to the other, but having two distinct spheres of operation—it is fundamentally important that each confine itself to its sphere." He explained that the state derives its power from God the Creator, while the church derives its power from God the Mediator; the state has the light of nature as its rule of faith, while the church has the revealed Word; and the aim of the state is temporal, while the aim of the church is spiritual.[136]

Despite Robinson's views on the relationship between church and state, like other Southern Presbyterians, he defended Sabbath laws. This is seen in his 1879 article "Sabbath Laws in the United States."[137] There were thirty-eight states in the Union at the time, and all but Louisiana had laws that protected the Sabbath. Robinson provided an example from New England (Massachusetts), the Middle States (New York), and the South (North Carolina), and also discussed Ohio, Illinois, and Texas.[138] He then observed, "[A]ll alike proceed upon the idea, not that it is competent to the civil authorities to recognise the Christian Sabbath as of Divine obligation, but simply that a day of rest from secular employments is essential to the best interests of society."[139] Thus, Robinson distinguished between the state's competency to judge religion and its compe-

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[134] For example, Calvin said, "It is a fact that the law of God which we call the moral law is nothing else than a testimony of natural law and of that conscience which God has engraved upon the minds of men. Consequently, the entire scheme of this equity of which we are now speaking has been prescribed in it. Hence, this equity alone must be the goal and rule and limit of all laws. Whatever laws shall be framed to that rule, directed to that goal, bound by that limit, there is no reason why we should disapprove of them, howsoever they may differ from the Jewish law, or among themselves." John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill, trans. Ford Lewis Battles (Louisville: Westminster John Knox Press, 1960), 2:1504 [4.20.16].

[135] Stuart Robinson, "The Movement for an Orthodox Constitution of the U.S. Officially Endorsed Another Stride in the Erastian Apostasy," *True Presbyterian* 2, no. 1 (Sept. 1, 1864), in Graham, *A Kingdom Not of This World*, 253.

[136] Ibid., 256.

[137] Stuart Robinson, "Sabbath Laws in the United States," *Catholic Presbyterian* 2, no. 8 (Aug. 1879): 87–96.

[138] Ibid., 88–91.

[139] Ibid., 91.

tency to judge societal interests. He also referred to Sabbath rest as a "natural right."[140] He further spoke of state Sabbath laws as "showing what Christian people have a right to demand of the magistracy, the courts, and the police, in regard to enforcing laws of the country, touching the Christian rest-day."[141] Robinson wrote that American state laws were "adequate to the protection of the Sabbath," but he lamented "the increasing desecration of Sabbath practice."[142] As to what was responsible for this, he first blamed "the triumph of the anti-Sabbath party in the struggle concerning the Sabbath mails in Congress, some fifty years ago," and where the "general" (federal) government set aside state Sabbath laws related to mail delivery.[143] However, he also criticized the pro-Sabbath party, since "[i]n too many cases the argument for the repeal of the post-office law rested upon the Divine obligation of the Sabbath and the duty of Congress to recognise the Christian religion as part of the law of the land." Instead, he said that the argument should have been for a return to prior practice, respecting state laws, and "on the ground that, on the principles of natural law, the weekly rest-day, established by immemorial usage, is necessary to the best interests of society."[144]

Pointing to other causes of why the Sabbath had been desecrated, Robinson blamed the government for permitting the railway to run on Sunday out of "necessity" (including for mail), which had forced thousands of men to work on Sunday. He also blamed the "vast influx" of foreigners "from Continental Europe, where, for the most part, the Sabbath exists only in name, and from papal Ireland, which knows no Sabbath, in the British and American conception of it."[145] These foreigners had come "into a nation founded by men whose ideas and characters were moulded by Protestant Christianity, of which the Sabbath is an essential part," and yet they "demand that we shall give up the management which has brought us to our high position" and "become infidels like [them]selves, and give up our commemoration of our God and Saviour through our Sabbath."[146] Robinson said,

> We must, therefore, kindly suggest to you that, if our ideas of liberty and our method of management do not suit you, then you should not have taken stock in this old and well-established social joint-stock concern. If you have misunderstood us and our methods it is

[140] Ibid., 88.

[141] Ibid., 96.

[142] Ibid., 91.

[143] Ibid., 92.

[144] Ibid., 93–94. However, this still runs into the problem of why the state should protect Sunday rather than another day of the week. His argument would seem to allow a nation of a non-Christian majority to select Friday or Saturday instead of Sunday as its day of rest each week.

[145] Ibid., 94.

[146] Ibid., 95.

> your misfortune, and the simple remedy for the mistake is to withdraw from it. You can carry out of it all that most of you brought in, and many of you immensely more. Depart in peace. The world lies open before you…. Go in peace, and leave us to endure what you deem the oppressive load of a Sabbath, with laws protecting the Sabbath.[147]

Sabbath Laws

One of the themes that we have seen repeated throughout nineteenth-century American Presbyterianism is concern over Sabbath laws. In fact, several General Assemblies felt compelled to speak to the civil magistrate on the issue of mail delivery on Sunday—known as the Sabbath Mails controversy. After the passage of the post office law in 1810, which mandated Sunday mail delivery, the General Assembly of the Presbyterian Church in the United States of America repeatedly addressed the issue, condemning it as likely to bring about disastrous consequences.[148] In 1811, the General Assembly said, "The profanation of the Sabbath is as incompatible with morality as with religion. It leads directly to consequences of the most fatal and ruinous kind." The Assembly hoped that "associations for the suppression of vice and the promotion of morals" would be established "so as to arrest the wicked, and support faithful magistrates in enforcing the laws."[149]

The 1814 General Assembly, then, acknowledged that sabbath-breaking existed in many parts of the country, and was a practice that threatened to "sap the foundation of our religion and civil institutions." Indeed, they insisted that Sabbath-keeping was vital to the health of the Republic, and it prevented nations from falling into the "darkness and miseries of idolatry." Desecrating the Sabbath day with mail transportation was "injurious to the morals and civil welfare of the nation."[150] The Assembly ultimately approved a petition to the U.S. Congress acknowledging Christianity as "the religion generally professed by the nation" and noting how the "laws of many States" prohibited "profanation of the Sabbath." The Assembly believed that the "prosperity" of the United States depended "upon the smiles of heaven" and that disregarding the Sabbath would awaken "the displeasure of God, and bring down his judgments." Thus, they petitioned the federal government to prohibit the transportation of mail on the Lord's Day.[151] In the following year, the Assembly said much of the same concerning the unforeseen consequences of the Congress allowing mail transportation on the Sabbath:

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[147] Ibid., 95–96.

[148] Longfield, *Presbyterians and American Culture: A History*, 79.

[149] *Minutes of the General Assembly of the Presbyterian Church in the United States of America: From Its Organization A.D. 1789 to A.D. 1820 Inclusive* (Philadelphia: Presbyterian Board of Publication, 1847), 485.

[150] Ibid., 565–66.

[151] Ibid., 556, 566.

> A free government, therefore, in which existing laws have lost their efficacy, presents to view a government in which the supreme authority lies prostrate under the feet of the lawless and disobedient. In producing the most unhappy state of society, the first efforts of iniquity will be exerted to silence those laws and regulations which most powerfully counteract the depraved feelings of the heart, which tend to strengthen the moral sense, and which remind men of their accountability to that tribunal from which there is no appeal. If, therefore, the main spring of moral instruction, and moral feeling, is found in a due sanctification of the Sabbath, to destroy its influence, to them so irksome, will be the first efforts of the sons of Belial.[152]

This concern continued through the nineteenth century, with the Old School Presbyterian Church at its 1853 General Assembly, adopting the following committee recommendation:

> The proper observance of the Christian Sabbath is essential alike to the purity and progress of the Church, and to the prosperity of the State. A Church without a Sabbath is apostate; a people who habitually desecrate this Divine Institution, have abandoned one of the grand foundations of social order and political freedom…. The Assembly look upon the increasing desecration of this day by the various modes of public conveyance as of a most alarming character, as a manifest abuse of the great temporal prosperity of the country, and as tending to provoke the judgments of God upon the Church and the nation.[153]

These appeals continued following the mid-century regional division of the Presbyterian Church. During the Civil War, the 1863 General Assembly of the Presbyterian Church in the Confederate States of America adopted a resolution, urging their legislature to repeal the law permitting mail delivery on the Christian Sabbath. The Assembly argued that the "lesson of history confirms the teaching of all Scripture, that no nation can permanently prosper, nor enjoy a stable government, which deliberately sets aside the ordinances and statutes of Jehovah." They acknowledged that some of the statesmen in the Confederacy were ready to repeal the laws, and they viewed the transportation of mail as one of the national sins that needed to end.[154] The im-

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[152] Ibid., 598.

[153] *Minutes of the General Assembly of the Presbyterian Church in the U.S.A.* (Old School Church), 1853 (Philadelphia: Presbyterian Board of Publication, 1853), 435.

[154] *Minutes of the General Assembly of the Presbyterian Church in the Confederate States of America* (Old School Southern Church), *1863*, 144–45.

petus for this resolution was a letter that Thomas J. "Stonewall" Jackson had written to a commissioner of the Assembly, in which he had expressed his hope that the Assembly would take some action to repeal "the law requiring our mails to be carried on the Christian Sabbath."[155] Nineteenth-century American Presbyterians understood the correlation between honoring the Sabbath and national blessing—and they believed it was right for the state to enforce these laws for the public's good.

V. Conclusion

There are several points we wish the reader take away from this brief historical survey of American Presbyterians' views on civil government. The first is that some Presbyterians in the eighteenth century, such as John Witherspoon, were not opposed to religious establishment in *principle*, and neither were they opposed to magistrates supporting true religion. Rather, Witherspoon seemed to recognize that the establishment principle was not prudential for the circumstances of the United States. And yet Witherspoon was comfortable affirming the 1788 revisions to the Westminster Standards (revisions he exercised great influence over) and the magistrate's obligation to promote true piety. As Witherspoon wrote, "The magistrate (or ruling part of any society) ought to encourage piety by his own example, and by endeavoring to make it an object of public esteem…. Magistrates may promote and encourage men of piety and virtue, and they may discountenance those whom it would be improper to punish."[156] And while he insisted that the magistrate ought to defend the rights of conscience and tolerate religious sentiments "not injurious to their neighbor," the magistrate, in his view, also may enact civil sanctions for impiety, and he believed "there was a good deal of reason" for the magistrate to make "provision for the public worship of God."[157]

A second consistent theme among eighteenth- and nineteenth-century American Presbyterians was the conviction that promoting true religion was *vital* to virtue and that a healthy republic was predicated on a virtuous citizenry. We see this in attempts to recognize Christianity, or even more explicitly Protestantism, in the various state constitutions. But even after state disestablishment, we still find Protestantism as an abiding influence in America's institutions, which

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[155] Gen. Thomas J. Jackson to Col. J. T. L. Preston, April 27, 1863, quoted in ibid., 144–45. For more on this, see Sean McGowan, "Stonewall Jackson on the Sabbath and National Blessing," *Truth Script* (January 17, 2025), https://truthscript.com/theology/stonewall-jackson-on-the-sabbath-and-national-blessing/.

[156] John Witherspoon, "Lectures on Moral Philosophy," *The Works of Rev. John Witherspoon* (Edinburgh: J. Ogle, 1815), 7:119.

[157] Ibid., 119, 121.

most, including American Presbyterians, took for granted.[158] In other words, eliminating establishment at the state level did not entail secularism, nor welcome religious pluralism. The American populace—including Presbyterians—sought to protect and promote a pan-Protestant country. American Presbyterians would have agreed with what Kevin DeYoung articulated when he said:

> Virtually no one in America in the nineteenth century conceived of a political and social order devoid of religion. What's more, the religion which they assumed was necessary and ought to be protected and promoted was Protestant Christianity.[159]

Thus, the idea of a religiously-neutral state, or of a principled pluralism in which all religions and beliefs are treated as equally valid, was virtually unheard of and would have been unanimously rejected by earlier American Presbyterians.

Third, many nineteenth-century Presbyterians argued that the country should recognize Christianity as the official civil religion. Despite their theological disagreements, Charles Hodge and James Henley Thornwell both favored constitutional amendments that would have formally recognized Christianity—both in the United States Constitution (Hodge) and the Confederate Constitution (Thornwell). While both were strong advocates of the church's spirituality (though they applied the doctrine differently), they rightly saw no inconsistency between that doctrine and recognizing Christianity as the country's religion.

Fourth, American Presbyterians, both individually and in the courts of the church, advocated for civil sanctions against violations of the first table of God's law, particularly the Sabbath and occasionally blasphemy. Even the Virginians, who arguably were the least inclined to favor a distinctly Christian state, recognized the importance of Sabbath laws for a society. And while some, like Dabney might have argued for Sabbath laws without religious reasons, it is difficult to make a case for civil legislation favoring a *Sunday* Sabbath without invoking Christianity.

Finally, while some *modern* "Reformed Two Kingdoms" advocates (or what critics have termed the "Radical two kingdoms") like to appeal to the Virginia Presbyterians, their views are not identical. Proponents of Modern Two-Kingdoms doctrine often appeal to Stuart Robinson, claiming that his view of the spirituality of the church was more consistent because it advocated

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[158] See Miles Smith IV, *Religion and Republic: Christian America from the Founding to the Civil War* (Davenant Press, 2024).

[159] Kevin DeYoung, "Foreword," in Smith, *Religion and Republic*, v.

for a pluralistic government of commonality rather than a Christian one.[160] It is true that Robinson is probably the *closest* to their doctrine, since he called for a more "secularized" view of civil government. However, Robinson still taught that the state derives its power from God as Creator, and not merely as a "common kingdom" founded on the Noahic covenant, as R2K advocates hold. Furthermore, Robinson rejected the idea that the state must separate religious values from legislation. For him, the state was "not competent to decide between religions or to ordain anything as law directly on the ground that revealed religion requires it." But the civil government may still make laws that reflect the majority religion and the interests of a people (including Sabbath laws), and by doing so, the state acts by general revelation. Out of "necessity," writes Robinson, "American law must recognize the fact that Protestant Christianity is the religion of the people because that law is the reflection of the will of the people."[161] Despite their attempts to claim Stuart Robinson, proponents of the modern Two Kingdoms doctrine hold a more radically secular view of civil government than Robinson or any other American Presbyterian held before the twentieth century.

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[160] David VanDrunen said he believes Robinson's spirituality doctrine is "largely correct," including his "conviction that the state should not profess Christianity or Christ as savior" because civil government is "a realm of genuine *commonality* among all people rather than as one aspect of a holistic *Christian* society." David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (Grand Rapids: Eerdmans, 2010), 275. VanDrunen has suggested that advocates of the spirituality of the church, such as Robinson and Thornwell, "avoided several of the common inconsistencies that befell their Reformed predecessors in their handling of the two kingdom doctrine," and they "did so without any suggestion that Christians should withdraw from life in the cultural realm." Yet he also criticized proponents such as Thornwell for violating "their own principles by preaching politics from the pulpit or us[ing] the doctrine for the cause of preserving chattel slavery." Ibid., 249, 267. However, as noted in this chapter, Thornwell also differed from Robinson on the question of Christian civil government

[161] Stuart Robinson, *The Relations of the Secular and Spiritual Power Being the Substance of a Lecture Delivered Before the Maryland Institute* (Louisville, Bradley and Gilbert, 1859), 26, cited in Graham, *A Kingdom Not of This World*, 122.

Chapter 3

Understanding the American Revisions to the Westminster Confession of Faith: 1646 vs. 1788

In May 1787, the Synod of New York and Philadelphia met in Philadelphia, right down the street from the Constitutional Convention that had gathered to address the problems that had arisen under the Articles of Confederation. This meeting was consequential for the future of the American Presbyterian Church, as the Church was transitioning to a national denomination with its own General Assembly. Yet despite the importance of the Synod's meeting, attendance was slim, with some presbyteries completely absent, and the meeting proceeded with two-fifths of its ministers and a fraction of the eldership.[1]

After advancing discussion of a plan of government and discipline, the Synod turned its attention to the Westminster Confession of Faith. A primary concern was the sections of the Westminster Confession that colonial Presbyterians had taken issue with since the Adopting Act of 1729, especially chapters 23 and 31 on civil government. American Presbyterians knew that these chapters of the 1646 Westminster Confession were not suitable for the American context, so they did not require subscription to them in the 1729 Adopting Act. But there was little discussion about what should replace those chapters. Even the 1788 Synod's minutes regarding revisions do not provide much explanation regarding the changes they made. Notably, the colonial Church, in 1729, exempted itself from the Confession's chapters on the magistrate but made no corresponding exceptions in the Larger Catechism (and even in 1788, they only revised WLC 109).

Yet one can see some of these underlying presuppositions expressed in the negotiations among the American Presbyterian Church, the Dutch Reformed, and the Associate Reformed Synod during this time. Regarding the subscription practice of the Synod of New York and Philadelphia, it explained in 1786 that the church's ministers were able to completely take exception to particular sections of the Confession because "the Presbyterian Church in America considers the Church of Christ as a spiritual Society intirely [*sic*] distinct from the Civil Government; and having a right to regulate their own ecclesiastical policy independently [of] the Interposition of the Magistrate."[2] This was an underlying principle incorporated into their amendments to the

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[1] Minutes of the Synod of New York and Philadelphia, May 22, 1786, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Guy S. Klett (Philadelphia: Presbyterian Historical Society, 1976), 289.

[2] Minutes of the Synod of New York and Philadelphia, May 18, 1786, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 604.

Confession. Yet exactly what it meant that the church is "intirely distinct" from civil government would be clarified by the changes proposed to the Confession the following year.

I. The 1787 Synod's Amendments to the Westminster Confession

The 1787 Synod of New York and Philadelphia proposed amendments to the Westminster Confession, which were then adopted in 1788. Before seeking to understand the meaning of the changes, we will first document precisely *what* the synod changed. Chapter 20 of the 1646 Westminster Confession ("Of Christian Liberty, and Liberty of Conscience") includes the civil magistrate's cumulative power to punish those who would disrupt the peace of the church. The final line states, "[T]hey may lawfully be called to account, and proceeded against by the censures of the Church, *and by the power of the civil magistrate*." In the Synod's revision, the last clause (in italics) has been deleted, leaving the power of discipline regarding such offenders solely in the hands of the church.

For Chapter 23 (Of the Civil Magistrate), the Synod completely revised a phrase in section three. The original 1646 Confession reads:

> The civil magistrate may not assume to himself the administration of the Word and sacraments, or the power of the keys of the kingdom of heaven: yet he hath authority, and it is his duty, to take order that unity and peace be preserved in the Church, that the truth of God be kept pure and entire, that all blasphemies and heresies be suppressed, all corruptions and abuses in worship and discipline prevented or reformed, and all the ordinances of God duly settled, administrated, and observed. For the better effecting whereof, he hath power to call synods, to be present at them, and to provide that whatsoever is transacted in them be according to the mind of God.[3]

Notably, the 1788 Confession removes language about how the magistrate has a duty to preserve "unity and peace" in the church, keep God's truth "pure," suppress "all blasphemies and heresies," and prevent "corruptions and abuses in worship." The magistrate's "power to call synods" is also removed. Instead, the completely rewritten language of chapter 23 of the 1788 Westminster Confession reads:

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[3] WCF 23.3, *The Confession of Faith of the Assembly of Divines at Westminster, from the Original Manuscript Written by Cornelius Burges in 1646*, ed. S. W. Carruthers (London, 1946).

> Civil magistrates may not assume to themselves the administration of the Word and sacraments; or the power of the keys of the kingdom of heaven; or, in the least, interfere in matters of faith. Yet, as nursing fathers, it is the duty of the civil magistrate to protect the church of our common Lord, without giving preference to any denomination of Christians above the rest, in such a manner, that all ecclesiastical persons whatever shall enjoy the full, free, and unquestioned liberty of discharging every part of their sacred functions without violence or danger. And as Jesus Christ has appointed a regular government and discipline in his church, no law of any commonwealth, should interfere with, let, or hinder, the due exercise thereof, among the voluntary members of any denomination of Christians, according to their own profession and belief. It is the duty of the civil magistrates to protect the person and good name of all their people, in such an effectual manner as that no person be suffered, either upon pretense of religion or infidelity, to offer any indignity, violence, abuse, or injury to any person whatsoever: and to take order, that all religious and ecclesiastical assemblies be held without molestation or disturbance.[4]

The 1788 version of WCF 23.3 adds that "Civil magistrates may not…in the least, interfere in matters of faith" (invoking the distinction between *in sacra* and *circa sacra*, but without elaboration). But it also adds that the magistrates are "nursing fathers" who have the duty to "protect the church" of all denominations. Rather than establishing a particular denomination, WCF 23.3 says that the laws of the commonwealth should neither "interfere with" nor "hinder" the exercise of religion by any denomination. Thus, according to the American synod, the church should receive protection from the state, and the civil authorities should ensure that the church is allowed to function unhindered. WCF 23.3 of 1788 also states that the magistrate ought "to protect the person and good name of all their people," which includes doing so in such a manner that no person "upon pretense of religion or infidelity" suffers "indignity, violence, abuse, or injury." Thus, the magistrate ought to protect unbelievers from the harm of private persons, though the civil

[4] WCF 23.3, *The Constitution of the Presbyterian Church in the United States of America Containing the Confession of Faith, the Catechisms, the Government and Discipline, and the Directory for the Worship of God, Ratified and Adopted by the Synod of New-York and Philadelphia, held at Philadelphia May the 16th 1788, and Continued by Adjournments Until the 28th of the Same Month* (Philadelphia: Thomas Bradford, 1789), 35 (hereafter *The Constitution of the PCUSA, 1788*).

government is not prohibited from passing laws concerning the First Table.[5] In fact, the American version also left WCF 23.2 unchanged, which states that the magistrate ought to "maintain piety."

The final changes to the Westminster Confession occurred in chapter 31 (Of Synods and Councils). These changes took place in two different sections of the chapter. In section one of the original, it reads: "For the better government, and further edification of the Church, there ought to be such assemblies as are commonly called synods or councils."[6] The American synod expanded this section, adding the following:

> …and it belongs to the overseers and other rulers of the particular churches, by virtue of their office, and the power which Christ has given them for edification, and not for destruction, to appoint such assemblies; and to convene together in them, as often as they shall judge it expedient for the good of the church.[7]

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[5] Chad Van Dixhoorn has argued that even though the synod used the term "religion" here, "American Presbyterians were unlikely to have been intentionally broadening their viewpoint to include protection and freedom for non-Christian religions." Even though there were various anti-Trinitarian groups, the major influx of cults and religions did not take place until the nineteenth century. Nonetheless, Van Dixhoorn asked, "does this confession permit the protection and freedom of professing Christians only, or of all religions?" Van Dixhoorn suggested the assembly "may have under other circumstances also advocated civil protection and freedom for other religions," on the basis that there was significant diversity in late eighteenth-century America (including Catholics, Arminians, and Quakers) and the assembly "made no effort to limit or qualify its definition to exclude anti-Trinitarians, biblical skeptics, and self-made prophets." Chad Van Dixhoorn, *Confessing The Faith: A Reader's Guide to the Westminster Confession of Faith* (Edinburgh: Banner of Truth, 2014), 317–18. Van Dixhoorn's suggestion is difficult to substantiate with the lack of evidence on the issue. Moreover, his suggestion seems to contradict his prior statement. He asked, "does this confession permit the protection and freedom of professing Christians only, or of all religions?" Van Dixhoorn had already given the answer of only Christians—"American Presbyterians were unlikely to have been intentionally broadening their viewpoint to include protection and freedom for non-Christian religions." Van Dixhoorn, *Confessing The Faith*, 317. We may also note that the context of WCF 23.3 is entirely focused on the protection of the Christian religion and its denominations, not false religions: "to protect the church of our common Lord…all ecclesiastical persons whatever…the voluntary members of any denomination of Christians." Similarly, Kevin DeYoung said, "I would argue that the principles of 1788 regarding the rights of conscience and liberty of worship should be extended to non-Christians in our day, but I grant that they did not conceive of the religious pluralism we now have in America." DeYoung, "Does the American Revision of the Westminster Confession Contradict the Original Version on the Doctrine of the Civil Magistrate?" *Themelios* 50, no. 2 (August 2025). However, the Westminster Confession ties "true liberty of conscience" to the Word of God (WCF 20.2). Non-Christians reject Scripture in some manner, and "to believe such doctrines [contrary to the Word]…is to destroy liberty of conscience, and reason also" (WCF 20.2). If the magistrate protects the "rights of conscience" for all men, believer and unbeliever alike, this hinders the magistrate's duty to "maintain piety" (WCF 23.3). The desire to extend "the rights of conscience and liberty of worship…to non-Christians in our day" is at odds with the magistrate's duty to oppose false worship and remove monuments of idolatry (WLC 108), as well as the magistrate's duty to publicly enforce the Sabbath (WLC 118).

[6] WSF 31.1, in *The Confession of Faith of the Assembly of Divines at Westminster*, ed. S. W. Carruthers (London, 1946).

[7] WCF 31.3, *The Constitution of the PCUSA, 1788*, 45.

Thus, after having deleted the 1646 language about the magistrate calling synods in WCF 23.3, the 1788 revision of WCF 31.1 clarifies that only the elders of the church may call synods. Accordingly, the Synod also completely deleted the second section of chapter 31 of the 1646 version, which says,

> As magistrates may lawfully call a synod of ministers, and other fit persons, to consult and advise with, about matters of religion; so, if magistrates be open enemies to the Church, the ministers of Christ of themselves, by virtue of their office, or they, with other fit persons, upon delegation from their Churches, may meet together in such assemblies.

In the context of the 1646 Confession, "fit persons" refers to members of Parliament or theologians who could advise on matters discussed by the synod. For the American Presbyterians, however, the only people who were "fit" to attend the assembly were the ministers and elders appointed by the church of Christ.[8]

Once the synod completed and approved the amended Westminster Confession and a revised Directory for Public Worship, they titled it, "The Confession of Faith, and Directory for Public Worship, of the Presbyterian Church in the United States of America."[9] The documents were thus prepared and ready for the next meeting, when full consideration and approval would take place. While 1788 is considered an important year for the beginnings of the Presbyterian Church in the United States of America, the meeting of the Synod that adopted the Church's Constitution had incredibly low attendance. Over 140 ministers were absent from the meeting, and one-half of the sixteen presbyteries were completely absent, with a few represented by a single minister. Only nine elders answered the roll call, and although some arrived late, this did not significantly increase the number. It is thus safe to say that the Synod that adopted the Constitution of the Presbyterian Church was a very poorly attended meeting.[10] After further discussion, the Synod

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[8] Van Dixhoorn, *Confessing the Faith*, 412–13.

[9] Leonard J. Trinterud, *The Forming of an American Tradition: A Re-examination of Colonial Presbyterianism* (Philadelphia: The Westminster Press, 1949), 291–92. See Minutes of the Synod of New York and Philadelphia, May 28, 1787, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 628. One of the most prominent voices in all of these deliberations was John Rodgers (1727–1811), a member of the committee for the Plan of Government and tasked with the revision of the Confession and Directory for Worship. He was on every committee that had anything to do with the Plan of Government, and he was in attendance for every meeting. Not even Witherspoon had the kind of involvement that Rodgers did. Trinterud, *The Forming of an American Tradition*, 292.

[10] Trinterud, *The Forming of an American Tradition*, 294. Longfield referred to the meeting as a "skeletal gathering." Bradley J. Longfield, *Presbyterians and American Culture: A History* (Louisville: Westminster John Knox Press, 2013), 49.

moved to adopt the Form of Government and the revised Westminster Confession.[11] This was to remain the Constitution and Confession of the Church, and it could only be subsequently altered if two-thirds of the presbyteries, as well as the General Assembly, approved.[12]

II. Understanding the American Revisions to the Westminster Standards

The Catechisms Almost Left Untouched

The American Presbyterian Church significantly revised the Westminster Confession of Faith's treatment of the civil magistrate, namely chapters 23 and 31. However, the Church left the Westminster Shorter Catechism untouched and only amended the Westminster Larger Catechism in one place, deleting the phrase "tolerating a false religion" as one of the violations of the Second Commandment in WLC 109.[13] Yet the synod left the accompanying answer in WLC 108 intact, which maintains the corresponding *duty* under the Second Commandment—"opposing all false worship; and, according to each one's place and calling, removing it, and all monuments of idolatry" (WLC 108).[14] Recounting how Rev. Jacob Ker called attention to WLC 109 and the sin of "tolerating a false religion," Presbyterian minister Ashbel Green noted that Ker's motion was carried "without debate." Green explained that prior to Ker's motion, "the members of the adopting Synod were just going to take the final vote on the catechisms of the Church, without alteration."[15] It thus appears that the Synod had not given much thought to how the Larger Catechism related to the civil government and WCF 23, or at least the Synod did not think the changes to WCF 23 were at odds with the Larger Catechism.

The Church's minimal revision to the Larger Catechism calls into question the internal consistency of the American Westminster Standards, since the foundational theology of these docu-

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[11] Minutes of the Synod of New York and Philadelphia, May 28, 1788, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 636.

[12] Minutes of the Synod of New York and Philadelphia, May 28, 1788, in *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 636.

[13] Trinterud, *The Forming of an American Tradition*, 305.

[14] WLC 108, *The Constitution of the PCUSA, 1788*, 79. WLC 99 explains that looking to the corresponding questions is a "rule" for "the right understanding of the Ten Commandments," as, "where a duty is commanded, the contrary sin is forbidden." When it says, "each one's place and calling," the Westminster Assembly certainly included the calling of the civil magistrate. This duty corresponds to the sin of "tolerating a false religion" (WLC 109), as the magistrate is therefore to "oppos[e] all false worship" and "remov[e] all monuments of idolatry" (WLC 108).

[15] Joseph H. Jones, *The Life of Ashbel Green* (New York: Robert Carter and Brothers, 1849), 183–84. Elsewhere Green said, "This clause, the writer, who was a member of the Synod that adopted our standards, remembers was rejected very promptly—he thinks without debate, and by a unanimous vote." Ashbel Green, *Lectures on the Shorter Catechism of the Presbyterian Church in the United States of America: Addressed to the Youth* (Philadelphia: A. Finley, E. Little & Brother, 1829), 18.

ments, including that of the moral law, was left intact. The 1788 synod left untouched everything in the Larger Catechism related to authorities under the Fifth Commandment—which includes the magistrate—as the "commonwealth" holds superior authority over citizens (WLC 124). As a superior, the following is "required" of the magistrate toward citizens: "[T]o instruct, counsel and admonish them; countenancing, commending, and rewarding such as do well; and discountenancing, reproving, and chastising such as do ill, protecting, and providing for them all things necessary for soul and body" (WLC 129).[16] Thus, its language regarding the Fifth Commandment supports the magistrate's continued dealings with the First Table of the law (WLC 124, 129, 130).

And the Fourth Commandment, according to the Larger Catechism, requires the magistrate to enforce Sabbath laws (WLC 118, 124). As WLC 118 states, "The charge of keeping the sabbath is more specially directed to governors of families *and other superiors*, because they are bound not only to keep it themselves, but to see that it be observed *by all those that are under their charge*; and because they are prone oft-times to hinder them by employments of their own."[17] We know that the "superiors" includes the magistrate because WLC 124 speaks of "all superiors… especially such as, by God's ordinance *are over us in place of authority*, whether in family, church, or *commonwealth*."[18] In the nineteenth century, American Presbyterians almost unanimously affirmed the duty of civil magistrates to protect the Sabbath (though they did not always cite the Westminster Standards in support of this).

May American Presbyterian Church Officers Hold the Positions of the 1646 Confession?

Some have argued that the 1788 American revisions to the areas of the Westminster Confession concerning the civil magistrate are completely at odds with the language of the 1646 Confession. They conclude that Presbyterian church officers who subscribe to the American version cannot hold to the entire teaching of the original Confession—specifically, its assertion of the

[16] *The Constitution of the PCUSA, 1788*, 85, 86.

[17] *The Constitution of the PCUSA, 1788*, 83 (emphasis added).

[18] *The Constitution of the PCUSA, 1788*, 85 (emphasis added).

magistrate's duty to enforce the First Table of the law via means like the suppression of blasphemy and heresy.[19]

However, the following points provide a corrective to this assertion. First, while the American revisions move away from the Westminster Assembly's view of church-state relations (including on the right of the magistrate to call synods and the magistrate's duty to suppress blasphemy), it does not follow that the 1788 revisions *forbid* the magistrate from suppressing blasphemy. The removal of doctrinal statements on the magistrate's duty does not logically require their falsity. The American version could have included a prohibition of such a view, and it did not. A comparable example is found in the later removal of the clause in WCF 25.6 saying that the pope is "antichrist."[20] This clause was removed, and nothing to the contrary was stated—thus leaving the doctrinal question open so that church officers may hold different opinions. There is a difference between saying that the magistrate *must* suppress blasphemy and that he *may* do so. One may hold that something is permissible but not necessarily prudential in all circumstances.

Second, the *substance* of the 1788 American Confession is the same as that of the original 1646 version, for the American version affirms that the magistrate ought to "maintain piety" (WCF 23.2). The 1788 revision certainly forbade any hard establishment of the Presbyterian Church in the American context, but this did not change the magistrate's relationship to *the Christian religion*. Civil magistrates are called "nursing fathers," (Isaiah 49:23) who have the duty to protect the church "without giving the preference to any denomination of Christians

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[19] Kevin DeYoung wrote two articles arguing this position. In the first article, he argued that American Presbyterians "rejected an older, European model whereby the magistrate ensured that only the right religion (his religion) was practiced in the land," and "that the changes" to the 1788 WCF "are significant and that they represent two different and irreconcilable views of the civil magistrate." Kevin DeYoung, "A Tale of Two Texts: How the Westminster Confession of Faith Was Changed by American Presbyterians to Reflect a New Understanding of the Civil Magistrate," *Themelios* 49, no. 2 (August 2024), www.thegospelcoalition.org/themelios/article/a-tale-of-two-texts-how-the-westminster-confession-of-faith-was-changed-by-american-presbyterians-to-reflect-a-new-understanding-of-the-civil-magistrate/. In response to criticism, DeYoung's second article argued that the 1646 and 1788 Confession are "mutually exclusive" and that American Presbyterianism saw itself as correcting elements of the earlier tradition." Kevin DeYoung, "Does the American Revision of the Westminster Confession Contradict the Original Version on the Doctrine of the Civil Magistrate?" *Themelios* 50, no. 2 (August 2025), www.thegospelcoalition.org/themelios/article/does-the-american-revision-of-the-westminster-confession-contradict-the-original-version-on-the-doctrine-of-the-civil-magistrate/. Contrary to DeYoung's thesis that American Presbyterians "corrected" the Westminster Confession, it is here argued that they "adapted" the Confession to the American context.

[20] The Northern Presbyterian Church (PCUSA) made various changes to the WCF in 1903. After the OPC was formed in 1936, it did not adopt the 1903 PCUSA revisions except for the deletions in WCF 22.3 (refusing a lawful oath) and WCF 25.6 (the pope is antichrist). Since the PCA used the Standards of the OPC, both churches follow the 1788 American Westminster Standards (which modified WCF 20.4; 23.3; 31.1–2), but with the two deletions from 1903. The sentence forbidding marriage to a deceased wife's sister in WCF 24.4 was removed by the PCUS in 1886 and the PCUSA in 1887, and it also is not found in the Standards of the OPC and PCA.

above the rest" (WCF 23.3).[21] In the context of the eighteenth century, calling the magistrate a "nursing father" meant the magistrate ought to protect the church from its enemies, suppress immorality, and encourage piety.[22] The American Confession calls for special protection for the church at large, but it does not call for the pluralistic protection of false religions.

Third, the American Presbyterian Church left the entire moral and *political framework* of the 1647 Westminster Larger Catechism (WLC) intact, which covers covenant theology, the role of the law, and the Sabbath. The Westminster Divines who drafted the Larger Catechism understood the entire moral law (i.e., both tables of the law) as binding on the civil magistrate, and nothing in the 1788 Westminster Standards changes this. As WLC 98 states, "The moral law is summarily comprehended in the ten commandments."[23] The 1788 WLC still holds that political fathers of the "commonwealth" (under the Fifth Commandment) have duties toward those under their care (WLC 123–130). WLC 95 shows that the moral law is a teacher, as "The moral law is of use to all Men, to inform them of the holy nature and will of God, and of their duty, binding them to walk accordingly."[24] Together with the duties of the commonwealth under the Fifth Commandment, the Larger Catechism affirms the political use (first use) of the law, so that the magistrate ought to teach the First Table of the Ten Commandments and restrain sin in this regard. The American Standards even retain the language that the church ought to be "countenanced and maintained by the civil magistrate" (WLC 191).[25] While some allege that this clause is an inconsistency in the Westminster Standards and an oversight by the 1787 synod, it is compatible with the interpretation of the American Standards set forth here.

Fourth, the writings of the American Presbyterians who approved the 1788 revisions to the Westminster Confession show that they supported a Christian civil government that enforced Christian morality. The 1788 Directory for Worship even spoke of living under "Christian government."[26] Some American Presbyterians also celebrated the American practice of preferencing Christianity in general—but not any one denomination. We see this in John Rodgers' 1783 sermon, preached on a day of thanksgiving occasioned by the end of the war with Britain. Rodgers—who was the most significant contributor to the 1788 Constitution—celebrated that the "rights

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[21] *The Constitution of the PCUSA, 1788*, 35.

[22] Timon Cline, "Nursing Fathers in America: A Response to Kevin DeYoung," *American Reformer* (October 7, 2024), https://americanreformer.org/2024/10/nursing-fathers-in-ameinconsistentinconsistent

[23] *The Constitution of the PCUSA, 1788*, 74.

[24] *The Constitution of the PCUSA, 1788*, 74.

[25] *The Constitution of the PCUSA, 1788*, 105.

[26] "When it is deemed expedient that a fast or thanksgiving should be general, the call for them must be judged of by the Synod or General Assembly. And if at any time the civil power should think it proper to appoint a fast or thanksgiving, it is the duty of the Ministers and people of our communion, as we live under a christian government, to pay all due respects to the same." The Directory for the Worship of God 14.4, *The Constitution of the PCUSA, 1788*, 213.

of conscience, both in faith and worship" had been "fully secured to every denomination of Christians." This meant that "No one denomination in the State, or in any of the States, have it in their power to oppress another. They all stand upon the same common level, in point of religious privileges." This "liberty of worshipping God" was also extended to the Jews, meaning that no one was "excluded from the rights of citizenship on account of his religious profession." Yet he made no mention of protecting atheists or Roman Catholics, and neither did he say that the government could not regulate blasphemy or immorality.[27]

John Witherspoon, a Presbyterian leader during the time of the American revisions, held that "The magistrate may enact laws for the punishment of acts of profanity and impiety."[28] Indeed, there is a distinction between First Table laws being obligatory and being *permissible* (i.e., "may enact"), as the latter allows for prudence and circumstance. Consistent with this, American Presbyterians after 1788 widely held that magistrates have a duty to enforce Sabbath laws under the Fourth Commandment. During the "Sabbath mails controversy" of the early nineteenth century, the PCUSA General Assembly even sent several petitions calling on Congress to protect the Sabbath (including in 1812, 1814, and 1815).[29]

There are also examples of post-1788 American Presbyterians calling for laws against blasphemy. For example, Ashbel Green—a leading Presbyterian who was "no advocate for national churches, or ecclesiastical establishments of any kind"[30]—joined other ministers in December 1793 in petitioning the Pennsylvania legislature for "the suppression of vice and immorality," calling for:

> some effectual provision for the orderly and religious observation of the Lord's day; for the prevention and punishment of the profanation of the name of God, and every species of impious imprecation; for regulating and lessening the number of houses where intoxi-

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[27] John Rodgers, *The Divine Goodness Displayed, in the American Revolution: A Sermon Preached in New York, December 11th, 1783. Appointed by Congress as a Day of Public Thanksgiving Throughout the United States* (New York: Samuel Loudon, 1784), 29–30.

[28] John Witherspoon, "Lectures on Moral Philosophy," in *The Works of John Witherspoon, D.D.* (Edinburgh, 1815), 7:121. Witherspoon added, "Many are of opinion that, besides all this, the magistrate ought to make public provision for the worship of God in such manner as is agreeable to the great body of society; though, at the same time, all who dissent from it are fully tolerated. And, indeed, there seems to be a good deal of reason for it, that so instruction may be provided for the bulk of common people, who would, many of them, neither support nor employ teachers, unless they were obliged. The magistrate's right in this case seems to be something like that of the parent; they have a right to instruct, but not to constrain." One scholar said, "Clearly, this idea that the laws must be designed to make good men put Witherspoon in the camp with those who favored state-supported religion, but with full toleration being provided for dissenters." James L. McAllister, "John Witherspoon: Academic Advocate for American Freedom," in *A Miscellany of American Christianity: Essays in Honor of H. Shelton Smith*, ed. Stuart C. Henry (Durham, NC: Duke University Press, 1963), 214.

[29] See Chapter 3.

[30] Green, *Lectures on the Shorter Catechism of the Presbyterian Church in the United States of America*, 18.

> cating liquors are sold and used; for the suppression of all places of gaming and lewd resort; and for the enacting of a law to prevent theatrical exhibitions of every sort.[31]

In 1798, Ashbel Green spoke of a "Christian nation," by which he meant:

> When the rulers of a christian country recommend christianity by their practice and example: When they discover a reverence for it by faithfully enacting and executing laws for the suppression of vice and immorality: When, without infringing on the rights of conscience, they encourage true piety, by countenancing those who profess, practice and teach it: When, on suitable occasions, and in public acts, the Being and Providence of GOD, and our accountableness to him, are recognized, and the honour which is due to his Son is rendered: When the moral laws of GOD, relative to man, as well as to himself, are truly regarded, by those whose station gives influence and fashion to their conduct, and renders it in a sort the representation and expression of national sentiment on the subject of morals.

Green spoke of these things as "a performance of duty" that "would procure to a Christian nation the benefits of the divine promise.[32]

III. Why the 1788 Revisions?

If the American revisions to the Westminster Confession are not entirely at odds with the 1646 original, then why did the American Presbyterian Church make these changes in 1788? To answer this, we must understand the historical *context* of the American Presbyterian Church. Presbyterians were always "playing second fiddle" in the American colonies. Indeed, Presbyterians did not constitute a majority in any colony (or later, state) in America, and thus there was no chance of establishing the Presbyterian Church anywhere on American soil. So, Presbyterians wrestled with their relation to civil government in early America. They considered either disestablishing the state church (which, in the states with establishments, was either Episcopalianism

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[31] *The Address and Petition of a Number of the Clergy of Various Denominations in the City of Philadelphia, to the Senate and House of Representatives of the State of Pennsylvania, Relative to the Passing of a Law Against Vice and Immorality* (Philadelphia: William Young, 1793), 3–4.

[32] Ashbel Green, *Obedience to the Laws of God, the Sure and Indispensable Defence of Nations. A Discourse, Delivered in the Second Presbyterian Church, in the City of Philadelphia, May 9th, 1798, Being the Day Appointed by the President of the United States, to Be Observed as a Season for Solemn Humiliation, Fasting and Prayer* (Philadelphia: John Ormrod, 1798), 17–18.

or Congregationalism) or seeking a general establishment of Christianity (as happened in South Carolina from 1778–1790 and was unsuccessfully proposed by Patrick Henry in Virginia).

American Presbyterians were also facing allegations that they wanted to set up a Presbyterian establishment that would be intolerant of other Protestant denominations. In April 1785, James Madison wrote that "all the Clergy" in Virginia opposed Patrick Henry's general establishment bill, "except the Presbyterian who seem as ready to set up the establishment, which is to take them in as they were to pull down that which shut them out. I do not know a more shameful contrast than might be formed between their Memorials on the latter & former occasion."[33] Thomas Jefferson wrote in March 1820 that the Presbyterian clergy "are violent, ambitious of power, and intolerant in politics as in religion and want nothing but license from the laws to kindle again the fires of their leader John Knox, and to give us a 2d blast from his trumpet."[34] This was in response to attacks by Presbyterians (including Rev. John Holt Rice) on Thomas Cooper (1759–1839), the rationalist who had been elected president of the University of Virginia. Cooper ultimately resigned because of the attacks, later becoming president of the College of South Carolina. Yet in 1834, Cooper wrote of the Presbyterians: "Yet these are the men who constitute the most numerous, the most wealthy, the most arrogant class of priests in these United States… whose known and avowed design it is to make Presbyterianism the religion of this country by law established—to make themselves independent of their congregations—and to erect a church paid by TYTHES, exacted from the people!"[35] Jefferson's and Cooper's allegations came well after 1788, showing that even with the amendments to the Confession, the Presbyterian Church was unable to shrug off accusations that it sought an establishment. And Madison's allegations show that this same criticism existed in 1785, before the 1788 revisions.

Such criticisms were known to the Synod of New York and Philadelphia, which, in 1783, issued a statement to calm the fears of Christians from other denominations, reading:

> It having been represented to Synod, that the Presbyterian Church suffers greatly, in the opinion of other denominations, from an apprehension, that they hold intolerant principles. — The Synod do solemnly & publicly declare, that they ever have, & still do re-

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[33] James Madison to James Monroe, April 12, 1785, in *The Papers of James Madison*, eds. Robert A. Rutland, William M. E. Rachal, Barbara D. Ripel, and Fredrika J. Teute (Chicago: University of Chicago Press, 1973), 8:261. The "contrast" was a reference to the change between Hanover's May 1784 memorial and its October 1784 memorial that supported the general assessment bill (as the presbytery did not formally oppose the bill until its May 1785 meeting). These comments from Madison are further evidence that some members of the Hanover Presbytery did in fact support the assessment bill at one point, including John Blair Smith and possibly even William Graham's initial supporters.

[34] Thomas Jefferson to Thomas Cooper, March 13, 1820, *Founders Online*, National Archives, accessed November 6, 2024, https://founders.archives.gov/documents/Jefferson/03-15-02-0430.

[35] Thomas Cooper, *An Exposition of the Doctrines of Calvinism* (New York, 1834), 22–23.

> nounce and abhor the principles of intolerance; & we do believe that every peaceable member of civil society ought to be protected in the full & free exercise of their religion.[36]

These allegations of "intolerance" and "government patronage" imply that some American Presbyterians sought to establish the Presbyterian Church, or at least, that is how other Protestants perceived the matter. This claim might have been exaggerated, but it surely had a basis, given the 1646 Westminster Confession, Scotland's history, and the presence of Covenanters in America (who were not part of the mainline American Presbyterian Church). Regarding this very concern, Ashbel Green said in response to the 1788 revisions, "You see, then, how unfounded and senseless has been the cry, that the Presbyterian Church has been seeking governmental patronage. This can never be done, but in open violation of an established principle of the standards of that Church."[37]

Therefore, the 1788 American revisions to the Westminster Confession represent the Presbyterian Church's consensus response to the American context. These revisions regarding the civil magistrate were more pragmatic, allowing flexibility for the various practices of the states at the time, than suggestive of substantive theological changes. The revisions make it clear that the magistrate should support the church without favoring a particular denomination—affirming what some have termed a "soft establishment." The 1788 Westminster Standards thus constitute an *adaptation* of the original Standards to the American context. But in doing away with a "hard establishment" of Presbyterianism, the revisions changed neither the magistrate's relationship to the Christian religion nor to Christian morality. Indeed, the 1788 Westminster Standards do not support secularism, pluralism, or religious neutrality. Rather, they encourage a Christian civil order to maintain piety and to protect and privilege the church of Christ.

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[36] *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Klett, 581.

[37] Joseph H. Jones, *The Life of Ashbel Green* (New York: Robert Carter and Brothers, 1849), 183.

Chapter 4

The Spirituality of the Church

I. Definition and History of the Spirituality of the Church

The doctrine of the spirituality of the church holds that the church's mission is primarily spiritual and thus that there are limitations to church power and the church's political involvement.[1] The church is a spiritually independent institution, which means that, as an institution, it is restricted such that the joint decisions of its church courts (sessions, presbyteries, synods, assemblies), as well as its pulpit ministry, may not go beyond Scripture. While most Old-school American Presbyterians affirmed a form of this doctrine, they differed in how they applied it.

James Henley Thornwell (1812–1862), the chief proponent of the spirituality of the church, summarized the church's mission in an 1851 essay, in which he writes, "Beyond the Bible she can never go, and apart from the Bible she can never speak."[2] At the 1859 General Assembly, Thornwell further defined this doctrine with these words: "The Church is exclusively a *spiritual* organization, and possesses none but spiritual power," and "Her mission is to bring men to the Cross, to reconcile them to God…and then send them forth to perform their social duties, to manage society, and perform the functions that pertain to their social and civic relations."[3]

Thornwell's spirituality doctrine was influenced by the Scottish theologian Andrew Melville (1545–1622) and the Scottish *Second Book of Discipline* (1578)—both being major influences on the Free Church of Scotland.[4] Since this doctrine has Scottish roots, it is wrong to claim that the

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[1] Mark Noll defined the spirituality of the church as "The notion particularly strong in the South (until the Civil War began) that the church had no business as an institution meddling with political or social questions." Mark Noll, *America's God: From Jonathan Edwards to Abraham Lincoln* (Oxford: Oxford University Press, 2005), 568. D. G. Hart has provided a more detailed definition of the spirituality of the church: "Stated negatively, it established a fairly clear boundary between the purpose and means of the church and of the state, though of course the claims of the moral law made some overlap necessary," requiring "the church to stay out of political matters strictly defined" (with Presbyterians consistently appealing to WCF 31). Yet Southern Presbyterians "were more likely" to articulate a positive understanding of the spirituality of the church—"Stated positively, the spirituality doctrine taught that the church was only to declare and minister the Word of God," and for "those areas that were not chiefly spiritual and about which Scripture was not clear, the church, as a corporate body, had to be silent and permit freedom for individual Christians." D. G. Hart, *Recovering Mother Kirk: The Case for Liturgy in the Reformed Tradition* (Grand Rapids, MI: Baker Academic, 2003), 62.

[2] *The Collected Writings of James Henley Thornwell, D.D., LL.D., Late Professor of Theology in the Theological Seminary at Columbia, South Carolina, Vol. IV: Ecclesiastical*, eds. John B. Adger and John L. Girardeau (Richmond: Presbyterian Committee of Publication, 1873), 384.

[3] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 473.

[4] John Lloyd Vance, "The Ecclesiology of James Henley Thornwell: An Old South Presbyterian Theologian" (PhD diss., Drew University, 1990).

Southern Presbyterians invented it to defend slavery, as some have attempted to do. The phrase "spirituality of the church" may have American origins,[5] but the earlier the *Second Book of Discipline* (1.9–11) sets forth that the power of the church, which flows from Christ as Mediator and leans upon the Word, "is different and distinct in the own nature from that power and policy which is called the civil power."[6]

The spirituality doctrine is also found in the Westminster Confession of Faith (1646). Although the Confession affirms the civil magistrate's duty to protect the church (WCF 23.3, 1646), it states that the synods and councils of the church "are to handle, or conclude, nothing, but that which is ecclesiastical: and are not to intermeddle with civil affairs which concern the commonwealth." The only exceptions to this are (1) "humble petition" to the civil magistrate "in cases extraordinary," (2) and giving advice when requested (WCF 31.5 [31.4, 1788]).[7] Nevertheless, there has been debate over the application of this clause. Francis Beattie (1848–1906), who taught at Louisville Seminary, explains the challenge of applying the doctrine in this way: "These difficulties appear in connection with certain questions which are partly civil and partly religious in their nature. Such questions as education, marriage, the Sabbath, and temperance are illustrations of what is here meant." Concerning WCF 31.4, Beattie notes, "It is not easy to decide what are extraordinary cases justifying petition; and then where is the arbiter who is to decide upon such cases."[8]

Therefore, individual Christians may work in politics and speak to political issues, while the church as an institution—including church courts and pulpits—ought to proclaim the Word of God and avoid purely political matters. However, the challenge is to distinguish between the moral issues on which Scripture speaks and those that are purely "political." There often may be political issues that involve moral components. Thus, the challenge of applying the doctrine involves not only determining what constitutes the proper interpretation of Scripture, but also determining its proper application (i.e., what is it that "by good and necessary consequence may be

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[5] Henry Van Dyke, Sr., a minister in Brooklyn, twice used the phrase "spirituality of the Church" in his speech protesting the 1864 General Assembly's actions regarding Southern secession. Van Dyke, *The Spirituality and Independence of the Church*, 9, 21. Van Dyke said, "the spirituality and independence of the Church have been compromised and violated by the action of the General Assembly." He appealed to the language of WCF 31.4, as well as the Old School Church's language on temperance in 1848. Ibid., 9, 7, 11.

[6] Stuart Robinson, *The Church of God as an Essential Element of the Gospel* (Philadelphia: Joseph M. Wilson, 1858), appendix, xx (English modernized).

[7] WCF 31.5 (1646) states: "Synods and councils are to handle, or conclude, nothing, but that which is ecclesiastical: and are not to intermeddle with civil affairs which concern the commonwealth, unless by way of humble petition in cases extraordinary; or by way of advice, for satisfaction of conscience, if they be thereunto required by the civil magistrate." James T. Dennison, Jr., ed., *Reformed Confessions of the 16th and 17th Centuries in English Translation: Volume 4, 1600–1693* (Grand Rapids, MI: Reformation Heritage Books, 2014), 271.

[8] Francis R. Beattie, *The Presbyterian Standards: An Exposition of the Westminster Confession of Faith and Catechisms* (Richmond: The Presbyterian Committee of Publication, 1896), 362–63.

deduced from Scripture," WCF 1.6). As Alan Strange acknowledges, "[W]hat is moral or ethical, and thus properly spiritual, cannot always readily be separated from what is 'purely political.'" He adds, "One man's 'purely political' may be another man's 'civil consequences of a proper spirituality,'" and thus, "Nothing will save us from the debate over" what falls under the spirituality of the church.[9]

The spirituality of the church, then, is not a simple doctrine, particularly in its application, and critics often misunderstand it. Two men holding the doctrine may express it differently or emphasize different points. Such is the case with Rev. James A. Lyon (1814–1882) of Columbus, Mississippi, who in 1863 wrote, "[T]he separation of religion and politics, as a cardinal maxim in the foundation and superstructure of civil society, is of recent growth, the birth of modern infidelity."[10] Lyon notes that one flaw of an absolute separation of religion and politics is the assumption that "man's true temporal interest and his eternal welfare are incongruous, or rather, that they are diametrically opposed; whereas, in truth, they are, in a certain sense, identical…. Politics is to religion what the body is to the soul."[11] He opposes ministers "condescending to participate in party politics" but is "equally earnest in opposing the popular and injurious fallacy that would divorce religion from politics."[12] While this may appear to contradict Thornwell's view of the spirituality of the church, Lyon made the same distinction as Thornwell between the collective church and individual Christians. While Lyon said "it is the duty of the Christian…to impregnate every profession, calling, and pursuit in life, with the principles of religion," he also affirmed that the church ought not "to participate in any respect whatever in purely secular affairs."[13] Yet according to Lyon, the church has the "duty" to proclaim Scripture when "politics invade the rightful domain of the Church."[14] This is consistent with Thornwell's thought because it involves the circumstance of the state invading the sphere of the church. Even Lyon's opposi-

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[9] Alan D. Strange, *Empowered Witness: Politics, Culture, and the Spiritual Mission of the Church* (Wheaton, IL: Crossway, 2024), 111–112; cf. Alan D. Strange, *The Doctrine of the Spirituality of the Church in the Ecclesiology of Charles Hodge*, Reformed Academic Dissertations (Phillipsburg, NJ: P&R Publishing, 2017).

[10] James A. Lyon, "Religion and Politics," *Southern Presbyterian Review* 15, no. 4 (April 1863): 570.

[11] James A. Lyon, "Religion and Politics," *Southern Presbyterian Review* 15, no. 4 (April 1863): 583.

[12] James A. Lyon, "Religion and Politics," *Southern Presbyterian Review* 15, no. 4 (April 1863): 589. Lyon explained, "Christianity is essentially aggressive in its nature—that its tendency is to impregnate all that belongs to humanity with its own principles—all worship, all science, all art, all legislation, all commerce, all business, all amusements, all pleasure, so that whatever we do, we shall do all for the glory of God: that it can make no compromise with the world."

[13] James A. Lyon, "Religion and Politics," *Southern Presbyterian Review* 15, no. 4 (April 1863): 597, 600.

[14] Lyon said it is "the duty of the Church, in its collective capacity…to *testify* in favor of virtue and against vice, and to make deliverances touching moral and religious truth and practice. When, therefore, the State trenches upon Christian morals, and politics invade the rightful domain of the Church, then it is not only the privilege, but the *duty* of the Church to lift up her voice on high, and in the name and by the authority of God, to proclaim the divine law on the subject." James A. Lyon, "Religion and Politics," *Southern Presbyterian Review* 15, no. 4 (April 1863): 601.

tion to the separation of religion and politics is consistent with Thornwell's affirmation of the Christian state and the duty of the church to instruct Christians in their civil relations.

II. Critics of the Spirituality of the Church

There have been significant criticisms of the doctrine of the spirituality of the church, many of which involve mischaracterizations. In 1961, Ernest Trice Thompson (1894–1985), an historian who was a significant influence in pushing the Southern Presbyterian Church (PCUS) in a more liberal direction, criticized the Southern theory of the spirituality of the church that had developed prior to the Civil War as "alien to our Calvinistic heritage," since, he claimed, Calvin had "sought to apply the gospel to the total life of the community."[15] He writes that the doctrine "was strengthened by the Civil War, and confirmed in the bitter days of reconstruction," being upheld by leaders such as Benjamin Morgan Palmer, James B. Adger, John L. Girardeau, Thomas E. Peck, and Robert Lewis Dabney. He then laments that the spirituality doctrine had "been the great obstacle to reunion [with the Northern Church] running through the entire period from the beginning to the present time" (1961). He also decries the spirituality of the church as having been the basis for conservative opposition to the National Council of Churches (which Thompson called "this great ecumenical organization") and the basis for the church's "long silence" on "moral and social issues" (evidenced in the PCUS having being "one of the last of the major denominations to" create "a committee on social action").[16] Though he does not hold views identical to those of Thompson, Sean Michael Lucas similarly has seen the spirituality doctrine as a barrier to the church speaking on social issues. Lucas thus seeks to redefine the doctrine, writing, "I want to attempt the seemingly impossible: to rehabilitate the idea of the 'spirituality of the church' in such a way as to make it a vehicle for the church to speak to social and political issues as part of a full-orbed Gospel mission."[17] Thompson did not shy away from his transformationalist view of the institutional church, as he wanted the church to endorse particular civil policies. Thompson thought moral transformation was the "true spiritual mission" of the church,[18] whereas the spirituality doctrine holds that such transformation comes indirectly, through the work of

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[15] Ernest Trice Thompson, *The Spirituality of the Church: A Distinctive Doctrine of the Presbyterian Church in the United States* (Richmond: John Knox Press, 1961), 24.

[16] Thompson, *The Spirituality of the Church*, 25–26.

[17] Sean Michael Lucas, "Owning Our Past: The Spirituality of the Church in History, Failure, and Hope," *Reformed Faith & Practice* 1/1 (2016), accessed October 13, 2025, journal.rts.edu/article/owning-our-past-the-spirituality-of-the-church-in-history-failure-and-hope/.

[18] Thompson, *The Spirituality of the Church*, 46.

individual Christians, and is, thus, the outcome of the institutional church's focus on the spiritual. Yet Thompson had a different concept of morality compared to his conservative counterparts.

In 1976, historian Jack Maddex claimed that the Southern Presbyterian Church had sought to influence the secular government before the formation of the Confederacy and thus only took up the doctrine of spirituality of the church for its proslavery cause. He furthermore asserts that it borrowed the concept of a "non-secular" church and "absolute separation of religion from politics" from the border-state Presbyterians.[19] While Maddex's survey demonstrates diversity among Southern Presbyterians regarding the application of the church's spirituality, he does not parse out the disagreement between purely political issues and those that also touch on biblical morality. He also fails to distinguish the statements of individual ministers from the pronouncements of church courts.

In 1978, historian E. Brooks Holifield wrote that "the Southern churches never truly abstained from social comment; their self-described isolation was merely a protective gesture during the slavery controversy."[20] While the consistency of individual theologians in their application of the spirituality doctrine may be called into question, Holifield's charge conflates the "social comment" of individual ministers in their writings with the pronouncements of the church as an institution (especially joint court decisions, but also sermons).

C. N. Willborn rightly notes that both Thompson and Maddex, in their arguments, omit the Virginians William Henry Foote (1794–1869) and John Holt Rice (1777–1831). John Holt Rice opposed slavery but also advocated for the spirituality of the church, saying, "Let the subject of slavery be discussed in political papers, Reviews, &c., as a question of political economy. Keep it entirely free from all ecclesiastical connexions, and from all the politics of the general government; and treat it as a matter of State concernment."[21] Thus, Willborn concludes, "Contrary to Thompson and Maddex, it is evident that the spirituality doctrine was neither invented to pro-

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[19] Jack P. Maddex, "From Theocracy to Spirituality: The Southern Presbyterian Reversal on Church and State," *Journal of Presbyterian History* 54, no. 4 (Winter 1976): 438–39.

[20] E. Brooks Holifield, *The Gentlemen Theologians: American Theology in Southern Culture, 1795–1860* (Durham, NC: Duke University Press, 1978), 154. Commenting on Holifield's statement, Lucas said this "typifies scholarly opinion about the *spirituality* doctrine, namely, that it in howis applieddistinguishdistinguishwas an attempt to shut off debate on issues of slavery and segregation. While southern Presbyterians did utilize the argument in creative ways on issues of education and science, it was used most frequently to silence those who challenged the prevailing 'racial orthodoxy.'" Sean Michael Lucas, *For a Continuing Church: The Roots of the Presbyterian Church in America* (Phillipsburg, NJ: P&R Publishing, 2015), 40.

[21] William Maxwell, *A Memoir of the Rev. John H. Rice, D.D.* (Richmond, VA: J. Whetham, 1835), 308. For the influence of W. H. Foote and his Scottish theology on Stuart Robinson, see Preston D. Graham, Jr., *A Kingdom Not of This World: Stuart Robinson's Struggle to Distinguish the Sacred from the Secular During the Civil War* (Macon, GA: Mercer University Press, 2002), 14–15.

mote a pro-slavery position amongst antebellum Southern Presbyterians, nor was it of post-bellum origin."[22]

Furthermore, American Presbyterians applied the spirituality doctrine to issues beyond slavery, such as the 1848 Old School Assembly's application to temperance—"The Church of Jesus Christ is a spiritual body… In this Kingdom of God the Holy Scriptures are the only rule of faith and manners; and no Church judicatory ought to pretend to make laws which shall bind the conscience, or to issue recommendations which shall regulate manners without the warrant, explicit or implied, of the Revealed will of God."[23] As early as 1840, Thornwell wrote in a letter that he considered Temperance societies as "secular enterprises, for temporal good, having no connection whatever with the kingdom of Christ… Their true position is among the institutions of civil society."[24]

III. Debates over Applying the Doctrine in American Presbyterian History

Concerning the spirituality doctrine's application to slavery, advocates such as James Henley Thornwell argued that since slavery was a political issue that the Bible does not explicitly condemn, and the Bible permits slavery, the church as an institution should not therefore demand that the civil government abolish the practice. To do so would be to speak beyond Scripture. However, the church as an institution may condemn abuses within the slave system that violate Scripture and may call Christian slaveholders to uphold the Bible's commands. But otherwise, slavery was considered a properly *political* question that individual Christians could seek to address through political involvement. Accordingly, Southern Presbyterians made efforts to improve the treatment of slaves within their ranks. The 1818 Assembly unanimously adopted a report on slavery (with the committee including the Virginian leader George Baxter) that called on sessions and presbyteries "as far as possible to prevent all cruelty of whatever kind in the treatment of slaves; especially the cruelty of separating husband and wife, parents and children." The report even called for church discipline upon the Christian who sells a slave in communion in the church "contrary to his or her will."[25] The 1818 Assembly statement also described American

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[22] C. N. Willborn, "The Soul of the Church: The Church's Spiritual Mission," *The Confessional Presbyterian* 16 (2020): 204.

[23] Quoted in Henry J. Van Dyke, *The Spirituality and Independence of the Church: A Speech Delivered in the Synod of New York, October 18th, 1864* (New York, 1864), 11.

[24] J. H. Thornwell to Rev. John Douglas, Aug. 4, 1840, in Benjamin Morgan Palmer, *The Life and Letters of James Henley Thornwell, D.D. LL.D., Ex-President of the South Carolina College, Late Professor of Theology in the Theological Seminary at Columbia, South Carolina* (Richmond, VA,: Whittet & Shepperson, 1875), 225–226.

[25] *Minutes of the General Assembly of the Presbyterian Church in the United States of America: From Its Organization A.D. 1789 to A.D. 1820 Inclusive* (Philadelphia: Presbyterian Board of Publication, 1847), 694.

slavery as "utterly inconsistent with the law of God" and called for Christians "to obtain the complete abolition of slavery throughout Christendom." Yet it also rejected immediate abolitionism and promoted colonization (the latter of which Thornwell later opposed).[26]

Whether the 1818 Assembly adhered to a form of the spirituality of the church is debatable. Still, the 1845 Old School Assembly, consisting of both Northerners and Southerners, certainly moved closer to Thornwell's position, asserting, "The Church of Christ is a spiritual body whose jurisdiction extends only to the religious faith and moral conduct of her members. She cannot legislate where Christ has not legislated."[27] The fact that Thornwell and other Southerners were not alone in applying the doctrine to slavery is demonstrated by the similar position held by the Northern theologian Charles Hodge. Writing in 1844 (one year before the 1845 Assembly's statement affirming the church's spirituality in relation to slavery), Hodge goes beyond Thornwell in saying that the institutional church should not interfere even with unjust slavery laws because this was the responsibility of the magistrate, writing,"[I]t is plain that the church has no responsibility and no right to interfere with respect to the slave laws of the South. Those laws are doubtless in many cases unjust and cruel, enjoining what God forbids, and forbidding what God enjoins. The existence of those laws supposes criminality somewhere, but the responsibility rests on those who made, and have the power to repeal them. It does not rest on the church."[28] Hodge explains that Christians as individuals should speak to such unjust laws, but not the church as an institution.[29] Although Hodge changed his position in his later years, this shows that Thornwell and other Southerners were not alone in their application of the spirituality of the church to slavery.

While Hodge and Thornwell held similar positions, they sometimes clashed on the issue. Over the years, Charles Hodge used various adjectives to criticize Thornwell's spirituality doctrine, such as "new," "ambiguous," "extreme," and "palpably unsound and untenable."[30] Hodge

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[26] *Minutes of the General Assembly of the Presbyterian Church in the United States of America: From Its Organization A.D. 1789 to A.D. 1820 Inclusive* (Philadelphia: Presbyterian Board of Publication, 1847), 692–94.

[27] *Minutes of the General Assembly of the Presbyterian Church in the United States of America, from A.D. 1838 to A.D. 1847, Inclusive, Old School* (Philadelphia: Presbyterian Board of Publication, n.d.), 387.

[28] Charles Hodge, "Abolitionism," *Biblical Repertory and Princeton Review* 16, no. 4 (Oct. 1844): 547.

[29] Charles Hodge, "Abolitionism," *Biblical Repertory and Princeton Review* 16, no. 4 (Oct. 1844): 580: "Christians who are members of communities in which such laws are in force, have their share of responsibility with regard to them, as citizens.— But it is no part of the vocation of the church, as such, to interfere with civil laws. The apostles did not call a synod at Jerusalem, to denounce the Roman laws, but they laid the foundation of a spiritual society, and let the world make its own laws. We would not brook the legislatures of our States passing denunciatory resolutions against our rules of church discipline; and we should not call upon the church to meddle with the laws of the land. As citizens we have the right and duty to demand just and equal laws; but as a church, we have other and higher duties."

[30] Charles Hodge, "The General Assembly," *Biblical Repertory and Princeton Review* 33, no. 3 (July 1861): 556–57; Charles Hodge, "The Princeton Review on the State of the Country and of the Church," *Biblical Repertory and Princeton Review* 37, no. 4 (Oct. 1865): 645 .

criticized Thornwell's arguments at the 1859 Assembly and argued that his view of spirituality was closer to that of John Owen and the New England Puritans than Presbyterians.[31] In 1860, Hodge said that Thornwell's "new doctrine" of spirituality put "a muzzle" on the lips of the church and stopped "her exercising one of her highest and most important prerogatives."[32] However, Hodge later opposed the 1861 Old School Assembly's Spring Resolutions that called for an expression of "unabated loyalty" by the Assembly to the "Federal Government," stating, "[W]e deny the right of the General Assembly to decide the political question, to what government the allegiance of Presbyterians as citizens is due, and its rights to make that decision a condition of membership in our Church."[33]

Writing in July 1861, Hodge understands Thornwell to hold "the extreme doctrine" that the church's power "is so purely spiritual, and its province so entirely limited to its own members, that it cannot lawfully recommend any voluntary society, however, scriptural in its object or conduct, or express any judgment for or against any act of the civil government." He then explains his view, which he considers to be "The doctrine of our church"—"that the state has no authority in matters purely spiritual, and the church no authority in matters purely secular or civil. That their provinces in some cases overlie each other; that civil rights and religious duties may be involved in the same question, is indeed true." He concludes, "It may therefore often be a difficult question to decide where the power of the state ends, and where that of the church begins. Nevertheless, the two institutions are distinct, and their respective duties are different." He follows this by citingWCF 31.4.[34]

The following year, the 1862 General Assembly (Northern Old School Church) adopted Robert Jefferson Breckinridge's paper on the "State of the Country," which supported the Union and opposed Southern secession. Stuart Robinson opposed this paper, even charging Breckinridge with inconsistency because, in the prior year, he had opposed the Spring Resolutions. Hodge thought that Breckinridge's paper was permissible because it addressed an already divided church, but he opposed it because he considered it imprudent.[35] Hodge said the church "may" speak to "[a]ny question which is to be decided by the teachings of the word of God." He contrasted this to the view of "some among us" (referring to those such as Stuart

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[31] Charles Hodge, "The General Assembly," *Biblical Repertory and Princeton Review* 31, no. 3 (July 1859): 612–13.

[32] Charles Hodge, "The General Assembly," *Biblical Repertory and Princeton Review* 32, no. 3 (July 1860): 541.

[33] *Minutes of the General Assembly of the Presbyterian Church in the United States of America. With an Appendix. Vol. XVI. A.D. 1861*, Old School (Philadelphia: Presbyterian Board of Publication, 1861), 329–30, 339–41.

[34] Charles Hodge, "The General Assembly," *Biblical Repertory and Princeton Review* 33, no. 3 (July 1861): 556–57.

[35] Charles Hodge, "General Assembly," *Biblical Repertory and Princeton Review* 34, no. 3 (July 1862): 515–18.

Robinson and Thornwell) that "the church is so purely spiritual, it cannot pronounce judgment, or in any way rightfully interfere, either in the pulpit or church courts, in reference to any political question." Such a view held that the church "is so spiritual that she cannot recommend the colonization society, and cannot condemn the slave trade."[36]

Writing in 1864, Hodge argues that the church "has no right to pronounce judgment on purely secular matters, or upon such questions which ordinarily divide men into political parties. But politics, in the wide sense of the word, include the science of government, the policy of states, and the duties of the citizens," to which Scripture speaks. Hodge, here, implicitly criticizes Thornwell on slavery, saying, "The Bible gives us no rule for deciding the litigated questions about public improvements, a national bank, or a protective tariff, or state-rights. But it does give us rules pronouncing about slave-laws, the slave-trade, obedience to magistrates, treason, rebellion, and revolution."[37] We should note that Thornwell did criticize the slave trade and some slave laws. However, he would have disputed Hodge's understanding of "treason" and "rebellion" in this case.

Then, writing in October 1865, Hodge recalls Thornwell's view, describing it as a "new theory" that restricted the word "spiritual" to confine it to what pertains exclusively to the religious element of our nature…as distinguished from the law of God," which Hodge says is "obviously false."[38] Hodge argues that the church must speak to everything in the community that is contrary to God's Word—"Everything to which that teaching applies is within her legitimate cognizance. Whatever may be proved to be false by the word of God, the church is bound to denounce as error. Whatever the Scriptures declare to be truth, the church is called upon to urge on the faith of all who can hear her voice."[39]

The accuracy of Hodge's representation of Thornwell's views is questionable, and unfortunately, Thornwell was not alive to respond to Hodge. Thornwell's friend John Adger disputed Hodge's criticism that Thornwell's view restricted the church from testifying against sin, stating that "Dr. Thornwell's doctrine was none other than what Dr. Hodge himself frequently declares, but the latter is not at all times consistent with his own positions."[40]

Although criticisms of the spirituality of the church persisted in the South, subsequent history shows that the Southern Presbyterian Church (PCUS) sought to implement Thornwell's position

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[36] Charles Hodge, "General Assembly," *Biblical Repertory and Princeton Review* 34, no. 3 (July 1862): 523.

[37] Charles Hodge, "General Assembly," *Biblical Repertory and Princeton Review* 36, no. 3 (July 1864): 562.

[38] Charles Hodge, "The Princeton Review on the State of the Country and of the Church," *Biblical Repertory and Princeton Review* 37, no. 4 (Oct. 1865): 645.

[39] Charles Hodge, "The Princeton Review on the State of the Country and of the Church," *Biblical Repertory and Princeton Review* 37, no. 4 (Oct. 1865): 643.

[40] John Adger, "Northern and Southern Views of the Province of the Church," *Southern Presbyterian Review* 16, no. 4 (March 1866): 405.

while the Northern Presbyterian Church (PCUSA) abandoned the spirituality of the church both during and after the Civil War. Not only did the Northern Church issue the Spring Resolutions, which implicitly condemned Southern secession (resolutions that Hodge opposed), but the 1864 Assembly endorsed Lincoln's Emancipation Proclamation. Thus, as historian Bradley Longfield writes, "The exodus of southern Presbyterians and the patriotism evinced in the Spring Resolutions made the Old School look more like its New School sibling."[41] Another historian, Lewis Vander Velde, explains that "by 1866 the [Northern] Church had come under the domination of what had once been regarded a contemptible group of radicals—men who for years had been agitators against slavery, against control of the Church by the East, and in favor of reunion with the New School Church." The Old School Church, by 1866, "was a very different body from that" which had existed before the Civil War.[42]

Yet even the Southern Presbyterian Church, which adhered to Thornwell's spirituality doctrine, still occasionally spoke on political matters that it considered to involve biblical morality. This can be seen in the 1890 General Assembly of the PCUS, which adopted a report on international armament that called for a Peace Conference, comprising "delegates from the churches of Christendom," to "settle international difficulties" and prevent war. The overture, sent by Rev. William A. Campbell, begins by recognizing that synods and councils may handle issues concerning the Commonwealth "by way of humble petition in cases extraordinary" (WCF 31.4). The report even refers to "Christian nations" and "Christian countries." And the Committee on Bills and Overtures that recommended the report included conservative stalwarts Robert Alexander Webb (1856–1919) and William Marcellus McPheeters (1854–1935).[43]

IV. The Spirituality of the Church Is Consistent with a Christian State

While there are difficulties in applying the spirituality of the church doctrine, we emphasize that it does not necessitate a particular view of civil government. The spirituality of the church refers to the church's spiritual independence. It says nothing of the duties of the magistrate toward the church or the Christian religion. However, the history of the doctrine demonstrates that many who held to the spirituality of the church also affirmed a form of Christian civil government. For example, the spirituality of the church doctrine is found in the Scottish *Second Book of Disci-*

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[41] Bradley J. Longfield, *Presbyterians and American Culture: A History* (Louisville: Westminster John Knox Press, 2013), 112.

[42] Lewis G. Vander Velde, *The Presbyterian Churches and the Federal Union, 1861–1869* (Cambridge, Harvard University Press, 1932), 333.

[43] *Minutes of the General Assembly of the Presbyterian Church in the United States, with an Appendix. Vol. VIII. A.D. 1890* (Richmond, VA: Presbyterian Committee of Publication, 1890), 18–20, 53, 9.

pline (1578), and the Scottish Presbyterians were known for affirming national covenanting, the establishment principle, and the Reformed application of the First Table of the law to the civil sphere.

Yet American Presbyterian history also shows the compatibility of the spirituality of the church doctrine with the advocacy of a Christian state. The doctrine is reflected in the Presbyterian Church in America's (PCA) *Book of Church Order*, which states, "The power of the Church is exclusively spiritual," and "The Church has no right to construct or modify a government for the State." The church and state "are as planets moving in concentric orbits" (*BCO* 3-4). This latter language echoes the words of Thornwell that the church and state are "as planets moving in different orbits."[44] It is noteworthy that the Southern Presbyterian tradition, including the PCUS and its conservative offspring, the PCA, has adhered to Thornwell's doctrine of the spirituality of the church. Yet Thornwell—the champion of this spirituality doctrine—also advocated a broadly Christian state, even though he rejected the older Reformed model of establishment. This can be seen in his "Sermon on National Sins" preached in Columbia, South Carolina, on November 21, 1860:

> The Christian, the Pagan, the Mohammedan, Jews, Infidels and Turks, cannot coalesce as organic elements in one body politic. The State must take its religious type from the doctrines, the precepts, and the institutions of one or the other of these parties. When we insist upon the religious character of the State, we are not to be understood as recommending or favoring a Church Establishment. To have a religion is one thing, to have a Church Establishment is another; and perhaps the most effectual way of extinguishing the religious life of a State is to confine the expression of it to the forms and peculiarities of a single sect. The Church and the State, as visible institutions, are entirely distinct, and neither can usurp the province of the other without injury to both. But religion, as a life, as an inward principle, though specially developed and fostered by the Church, extends its domain beyond the sphere of technical worship, touches all the relations of man, and constitutes the inspiration of every duty. The service of the Commonwealth becomes an act of piety to God. The State realizes its religious character through the religious character of its subjects; and a State is and ought to be Christian, because all its subjects are and ought to be determined by the principles of the Gospel. As every legislator is bound to be a Christian man, he has no right to vote for any laws which are inconsistent with the teachings of the Scriptures. He must carry his

[44] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 449.

> Christian conscience into the halls of legislation. In conformity with these principles, we recognize Christianity to-day as the religion of our Commonwealth.[45]

Thornwell further explains, "Every State…must have a religion, or it must cease to be a government of men. Hence, no Commonwealth has ever existed without religious sanctions."[46] He then adds, "How a Christian people can have any other than Christian institutions it surpasses our intelligence to compass."[47] As for his home state of South Carolina, he says, "We are a Christian people, and a Christian Commonwealth." Further, "Christianity, without distinction of sects, is the fountain of our national life." Indeed, "When the State protects its outward institutions, such as the sanctity of the Sabbath, it enjoins nothing which does violence to any man's conscience. It is only giving vent to the religious life of the people… As long as they are not required to profess what they do not believe, nor to do what their consciences condemn."[48]

Thornwell also submitted a paper (which he ultimately withdrew) to the First General Assembly of the Southern Presbyterian Church in 1861, titled "The Relation of the State to Christ."[49] The draft shows that he had planned to ask the 1861 Assembly to propose an amendment to the Confederate Constitution that would acknowledge "the supremacy of…Jesus Christ, as King of kings and Lord of lords" and thus "ordain that no law shall be passed by the Congress of these Confederate States inconsistent with the will of God, as revealed in the Holy Scriptures."[50] He argues, indeed, that as "admirable" as he believes the Confederate Constitution might be, its "capital defect" is its being "not distinctively Christian."[51] Similarly, while the U.S. Constitution properly understands "the human side" of civil government, its authors "failed to apprehend the Divine side—that all just government is the ordinance of God, and that magistrates are His ministers who must answer to Him for the execution of their trust."[52] Yet the state that "enjoys the light of Divine revelation" must not only "acknowledge in general terms the supremacy of God," but "must also acknowledge the supremacy of His Son."[53] After quoting Psalm 2, Thornwell adds, "Our republic will perish like the Pagan republics of Greece and Rome, unless we baptize it into the name of Christ…. We long to see, what the world has never yet beheld,

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[45] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 517.
[46] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 515–16.
[47] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 519.
[48] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 518.
[49] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 480.
[50] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 556.
[51] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 549.
[52] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 550.
[53] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 551.

a truly Christian Republic."[54] While not advocating for religious tests for office, he nonetheless asks simply that an unbeliever, such as a Jew, "acknowledge" Christianity "as the religion of the State."[55]

Thornwell also argues for a Christian state that is compatible with religious liberty, writing, "We utterly abhor the doctrine that the civil magistrate has any jurisdiction in the domain of religion." But in affirming such a separation between church and state, he still insists that the state may "believe" the Scriptures "to be true," as well as "regulate its own conduct and legislation in conformity with their teachings."[56] Indeed, he explains that "the separation of Church and State is a very different thing from the separation of religion and the State. Here is where our fathers erred. In their anxiety to guard against the evils of a religious establishment, and to preserve the provinces of Church and State separate and distinct, they virtually expelled Jehovah from the government of the country, and left the State an irresponsible corporation, or responsible only to the immediate corporators. They made it a moral person, and yet not accountable to the Source of all law."[57]

Similar to Thornwell, Charles Colcock Jones (1804–1863), a Presbyterian minister and missionary to slaves in the South, advocated for a Christian government that would protect the Sabbath, prevent idolatry, teach Scripture in public schools, and enforce morality in accordance with biblical revelation.[58] Therefore, those who most strongly affirmed the spirituality of the church

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[54] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 555. In 1862, Thornwell spoke of the state needing to recognize God—"To absolve the State, which is the society of rights, from a strict responsibility to the Author and Source of justice and of law, is to destroy the firmest security of public order, to convert liberty into license, and to impregnate the very being of the commonwealth with the seeds of dissolution and decay." However, he followed this with a quotation from Psalm 2:12 to "Kiss the Son," showing Thornwell thought the state should look to Christ. J. H. Thornwell, *Our Danger and Our Duty* (Columbia: Southern Guardian Steam-Power Press, 1862), 10.

[55] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 554.

[56] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 552.

[57] *The Collected Writings of James Henley Thornwell*, vol. 4, eds. Adger and Girardeau, 554–55.

[58] Charles Colcock Jones, *The History of the Church of God During the Period of Revelation* (New York: Charles Scribner & Co., 1867), 374: "This much ought a Christian people to do, namely, acknowledge the God of Revelation to be the only living and true God, require all oaths of government to be administered in His name —He alone being the Judge of all the earth, and able to reward every man according to his works—and acknowledge Him as the God of the nation, by invoking His blessing in all national councils and legislatures. His Holy Scriptures should be regarded as the only and all-sufficient rule of faith and practice, their free circulation encouraged among all classes, and their introduction permitted into schools of public instruction for the children and youth of the land. Religious biblical instruction should be furnished to all citizens employed in the public service; the Sabbath preserved as a day of rest from ordinary labor, and a day of sacred worship; the marriage relation regulated; and the manner of legalizing the same; adultery, polygamy, incest, sodomy, and bestiality should be punished; and the establishment of idolatry prevented, with its loose morals and abominations. All these great principles of religion and morality owe their clearness and authority to Revelation, and demand an acknowledgment in Christian governments. All laws and institutions of government should have their foundation in some standard of right and wrong, whether that standard be the light of nature, or the light of Revelation. Heathen governments adopt the former, and Christian governments the latter."

saw no inconsistency with the state being Christian. In fact, they saw a Christian state as valuable help in upholding the church's independence.[59] The doctrine of spirituality of the church affirms the church's spiritual independence, in that its mission is spiritual and its institutional pronouncements should not interfere with that which is purely political. The state, also, is independent, but this does not mean that it may be irreligious, amoral, or disconnected from the lordship of Christ.

[59] James Bannerman, a Scot who held the establishment principle, said that those advocating the voluntary principle (regarding the state and religion) even "rob the cause of the Church's independence and of religious freedom." James Bannerman, *The Church of Christ: A Treatise on the Nature, Powers, Ordinances, Discipline, and Government of the Church* (Edinburgh: Banner of Truth Trust, 2015), 170. A non-religious state eventually infringes upon the church's independence, and this creates a situation where the church then must seek to correct the state. The church's independence is thus dependent upon a Christian state.

Chapter 5

Applying the Mosaic Judicial Laws: Theonomy vs. WCF General Equity

The law of God is one of the most complex issues in theology. Historically, Reformed theologians, in accordance with Christian teaching, affirmed a threefold division of the Old Testament law: (1) moral, (2) ceremonial, and (3) judicial (civil) law. While there is widespread agreement across the theological spectrum that the ceremonial law was fulfilled and abrogated by the coming of Christ, differences remain over how to apply the Old Testament's moral and judicial law to modern civil government. Some hold that the entirety of the law has been abrogated and follow only that which is taught in the New Testament.[1] However, reflecting the continuity of covenant theology, Reformed theologians have generally held that the law retains continuing application except where the New Testament abrogates it. The Reformed consider the moral law (as expressed in the Ten Commandments) to be perpetually binding on all people, whereas the ceremonial law has clearly been abrogated because it typified Christ and His sacrificial work. What then do we do with the Old Testament judicial law? This has been the source of much disagreement in Reformed theology.

I. Theonomy and Its Critics

The past fifty years have seen significant debate over the view known as "theonomy," advocated by R. J. Rushdoony in his *Institutes of Biblical Law* (1973) and advanced especially by Greg Bahnsen. Bahnsen's *Theonomy in Christian Ethics* was published in 1977 (then expanded in 1984), followed by his response to critics in *No Other Standard: Theonomy and Its Critics* (1991).[2] Theonomy may be summarized with Bahnsen's reference to "the abiding validity of the law in exhaustive detail."[3] Bahnsen argues that Christ never abrogated the judicial law and that it remains binding on modern nations (Matt. 5:17-19). Accordingly, "We should presume continuity between Old and New Testament moral principles and regulations until God's revelation tells

[1] This is a prominent view of Baptists, including dispensationalists but also those advocating "new covenant theology" and "progressive covenantalism."

[2] Bahnsen's other relevant works include *By This Standard: The Authority of God's Law Today* (1985), "The Theonomic Position" in *God and Politics: Four Views* (1989), "The Reconstructionist Option" in *House Divided* (1989), and "The Theonomic Reformed Approach to Law and Gospel" in *Five Views on Law and Gospel* (1996).

[3] Greg L. Bahnsen, *Theonomy in Christian Ethics*, 3rd ed. (Nacogdoches, TX: Covenant Media Press, 2002), 41.

us otherwise," and thus, "the Old Testament law continues to offer us an inspired and reliable model for civil justice or socio-political morality."[4]

Before distinguishing the theonomic position from that of the Westminster Confession, however, we must note a major challenge in addressing theonomy. Namely, recent Reformed theologians tend to bifurcate the moral law of the Ten Commandments, such that the civil government should only enforce laws related to the Second Table.[5] This position contrasts not only with theonomy but also with the earlier Reformed tradition. Thus, some critics of theonomy have misstated the question, thereby strengthening the support for theonomy. Tied with this, some of the Reformed critics of theonomy, especially Meredith Kline and his followers, have proposed an alternative theological system to the Westminster Standards.[6] Kline's system—followed by advocates of the modern "Reformed Two-kingdom" (R2K) view—holds that the Mosaic law is neither normative for civil government nor for the church, since "the Old Testament is not the canon of the Christian church,"[7] and the Mosaic law was a temporary "intrusion" of final judgment into history that has now ended with the coming of Christ. The Klinean/R2K position holds that civil government must follow the Noahic Covenant's teaching of a "common-grace" kingdom, which requires "a religiously neutral system of government, i.e., one in which no religion is to have an advantage over any other."[8] Accordingly, the Klinean/R2K position denies the concept of a "Christian nation."

II. Problems with Theonomy

As will be seen, theonomy (concerning the role of the Mosaic law) is much closer to the position of the Westminster Assembly than is Klinean/R2K theology. (R2K theology is critiqued in a later chapter.) But theonomy still strays from the Westminsterian position. Theonomy correctly af-

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[4] Greg L. Bahnsen, *No Other Standard: Theonomy and Its Critics* (Tyler, TX: Institute for Christian Economics, 1991), 3–4.

[5] As an example, Vern Poythress shared much agreement with Bahnsen. Vern S. Poythress, *The Shadow of Moses in the Law of Christ* (Phillipsburg, NJ: P&R Publishing, 1995), 335, 343. Yet Poythress said that the state's right to punish "covers only those cases in which human beings are injured." Ibid., 135. This denies the application of the First Table of the law to the civil government (even though such violations still harm others, in a spiritual rather than physical manner). It is essentially a libertarian view of civil government, but without support from Scripture or the Reformed tradition.

[6] Meredith G. Kline, "Comments on an Old-New Error," *Westminster Theological Journal* 41, no. 1 (Fall 1978): 172–89. No reply was allowed in the journal, so Bahnsen replied elsewhere: Greg Bahnsen, "M. G. Kline on Theonomic Politics: An Evaluation of His Reply," *Journal of Christian Reconstruction* 6, no. 2 (Winter 1979–80): 195–221.

[7] Meredith G. Kline, *The Structure of Biblical Authority* (Grand Rapids: Eerdmans, 1972), 99.

[8] John M. Frame, "The One, the Many, and Theonomy," in *Theonomy: A Reformed Critique*, eds. William S. Barker and W. Robert Godfrey (Grand Rapids: Academie Books, 1990), 94. For Bahnsen's criticism of restricting civil law to the Noahic covenant, see Bahnsen, *No Other Standard: Theonomy and Its Critics*, 218–20.

firms a moral component in the Mosaic judicial laws of Old Testament Israel, as well as the application of that moral law to the civil magistrate. However, theonomy tends to collapse the moral and judicial laws into one, failing to distinguish between the particularities of the Mosaic judicial laws as they pertained to Israel, and the "general equity" in them that pertains to all nations (i.e., the universal application of the moral law that obliges all civil governments). Theonomists fail "to distinguish between perpetual and temporary laws of God," and so give a "vague impression as to the function of law."[9] Theonomists also fail to distinguish between moral and positive laws, the latter of which stand beside the moral law and are morally indifferent.[10]

This theonomic error of collapsing the moral and judicial law into one is seen in Bahnsen's statements that "[w]e should presume that Old Testament standing laws continue to be morally binding in the New Testament, unless they are rescinded or modified by further revelation;"[11] and that "[t]he civil precepts of the Old Testament (standing 'judicial' laws) are a model of perfect social justice for all cultures, even in the punishment of criminals."[12] In speaking of the "judicial" laws as "morally binding" and a "perfect social justice" for all nations, Bahsen essentially equates the judicial with the moral law, instead of recognizing that the Old Testament judicial law was particular to Israel and that only its general equity is binding on other civil governments. While Bahnsen and other theonomists nuance their interpretations and applications,[13] these remain overstatements that are at odds with the Westminster Assembly's hermeneutic.

Interpreting and applying the judicial law is a complex process for at least three reasons. First, Old Testament laws cannot always be neatly divided into moral, ceremonial, and judicial, as many laws contain aspects of two or three of those categories. Second, judicial laws are built upon the foundational moral law (as summarized in the Ten Commandments), but they also include aspects that are related to Israel's particularities as a nation. Third, both the ceremonial and the judicial laws reflect Israel's special, temporary role as a nation preparing the way for the coming Christ.

Thus, while the New Testament does not explicitly state that the judicial laws have been "abolished," much of the Reformed tradition has held that the judicial laws "expired" along with the nation of Israel (as in WCF 19.4). This, however, does not mean that the judicial laws have

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[9] Matthew Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 60.

[10] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 64.

[11] Bahnsen, *No Other Standard: Theonomy and Its Critics*, 12.

[12] Bahnsen, *No Other Standard: Theonomy and Its Critics*, 13.

[13] For example, Bahnsen notes that "The underlying principles of the Old Testament civil law are the abiding moral standards which should continue to guide civil magistrates in our day. That is why the Mosaic law is a 'model' to be emulated, not a code to be simply quoted or read into modern statute books." Bahnsen, *No Other Standard: Theonomy and Its Critics*, 160.

no use today. While the ceremonial laws typify Christ, the judicial laws *teach* the application of the moral law to particular circumstances. For this reason, the Reformed have held that the judicial laws—through interpretation and reason—should guide Christian magistrates. However, theonomists like Bahnsen have rejected the authority of natural law in this interpretative process, even though the Westminster divines appealed to it as possessing relevant moral authority.[14]

Nevertheless, reason and natural law *must* be used to apply the judicial law to a particular set of circumstances, because the Mosaic law was an incomplete law code. The Mosaic judicial law was never intended to serve as a manual for all civil governments, and thus, it is *insufficient* for modern nations. Not only was the Mosaic law particular to ancient Israel, but the judicial laws also do not cover important areas of governance (e.g., water law). Thus, the civil magistrate must look to natural law and reason, along with the experience of history, to navigate such things.

Some Christians in church history held an approach similar to that of theonomy, such as the separatist Brownists in sixteenth-century England, or possibly even John Cotton in New England. Bahnsen claimed John Cotton as a theonomist, even including an appendix on him in one of his books.[15] However, Robert Baillie (1602–1662), one of the Scottish commissioners to the Westminster Assembly, criticized Cotton and associated his practices with the errors of the Brownists, who held that "the Judicial Law of *Moses* binds at this day all the Nations of the world" and wanted "the whole Judicial law to be brought back again." Baillie writes, "I grant the *New English* polishers of *Brownism* do not express their Tenents in terms so hugely gross; yet see how near they come to them in substance, when they tell us that no Magistrate may make any Laws about Bodies, Lands, Goods, Liberties of the Subject, which are not according to the Laws and Rules of Scripture, Scripture being given to men for a perfect rule, as well in matters of Civil justice, as of devotion and holiness." Baillie says of John Cotton, "[T]his moral equity is extended by him to so many particulars."[16]

III. Christ's Fulfillment of the Judicial Law

We will demonstrate below that theonomy contradicts the Westminster Confession's position on the judicial laws. However, the fact that a view contradicts the Westminster Confession does not, in itself, demonstrate that it is unbiblical. Thus, the theonomist's argument must also be engaged

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[14] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 61.

[15] Appendix 3: "A Historical Specimen of Theonomic Politics: Cotton's *Abstract of the Laws of New England*," in Bahnsen, *Theonomy in Christian Ethics*, 525–50.

[16] Robert Baillie, *A Dissuasive from the Errours of the Time* (London, 1645), 31, 127–28. All quotations in this chapter have modernized some English spelling.

from Scripture. Theonomists rely heavily on Matthew 5:17-18, with Bahnsen arguing that Christ's coming to "fulfill" the law means He came to "confirm" it, meaning even the judicial law remains.[17] However, this reading is not so sure.

When Christ clarified that He did not come to "abolish" the law but to "fulfill" it (Matt. 5:17), He did not give a treatise on the threefold division of the law. Further, the language of "fulfilling" (in contrast to "abolishing") may still entail the abrogation of the ceremonial and judicial law when Christ's work was "accomplished" (Matt. 5:18). All commentators agree that the ceremonial law was abrogated with the death of Christ because He "fulfilled" it. The question that remains, however, is whether Christ also fulfilled the judicial law? One thing that supports an affirmative answer is that the nation of Israel was *preparatory* to the coming of Christ. Christ not only perfectly obeyed the judicial law, but He also took the death penalty reserved for its worst offenders. Christ then brought judgment upon Israel in AD 70 for their rejection of Him (Matt. 24). With the expiration of Old Testament Israel, Israel's role as a nation preparing for the coming of Christ—including its judicial law—has been "accomplished" and its purpose "fulfilled." Accordingly, some Reformed theologians, such as Samuel Rutherford, have understood Matthew 5:17-18 as referring to the perpetual binding of the *moral* law. Rutherford explains that "neither the Gospel, nor Christ dissolveth one tittle or jot of the eternal Moral Law of God."[18]

Other passages may also be added to support this understanding. The Jews were "under the law," not the Gentiles (1 Cor. 9:20-21). Thus, while the Gentiles had always been subject to God's moral and natural law, they had never come under the Mosaic administration and its judicial laws. Even Jewish Christians, subsequent to their faith in Christ, were "released from the law" (Rom. 7:6; cf. Eph. 2:14), leaving only the unbelieving nation of Israel under the Mosaic administration. But with the expiration of that nation in AD 70, the judicial laws expired once and for all.

IV. The Westminster Confession and the Judicial Laws

Since the question of how to apply the judicial law is a matter of systematic theology, it is essential to employ historical theology to understand the categories used by earlier Reformed theologians. Of particular relevance here is the Westminster Confession of Faith. Many theonomists subscribe to the Westminster Confession, and they appeal to its language of the "general equity" of the judicial law. WCF 19.4 states:

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[17] Bahnsen, *No Other Standard*, 318.

[18] Samuel Rutherford, *A Survey of the Spirituall Antichrist* (London, 1648), 2.120.

> To them also, as a body politic, he gave sundry judicial laws, which expired together with the State of that people; not obliging any other now, further than the general equity thereof may require.[19]

Chapter 19 of the Westminster Confession concerns "The Law of God." The Confession presents the moral law, as summarized in the Ten Commandments, as foundational to the Old Testament law (WCF 19.2), as "the ceremonial laws are now abrogated" (WCF 19.3), and the judicial laws are now "expired" (WCF 19.4). It is thus the moral law that remains binding on all people today, not the ceremonial or judicial laws—even when those laws were connected to the moral law. The Confession argues that "[t]he moral law is summarily comprehended in the Ten Commandments" (WLC 98), and this moral law is God's will, "directing and binding every one to personal, perfect, and perpetual conformity and obedience thereunto" (WLC 93). The proof texts that the Westminster Assembly listed under WCF 19.4 hardly clarify its interpretation, even though Genesis 49:10 was understood to prophesy of an end to Judah's reign when Christ came.[20]

Some theonomists have outright rejected the Confession's teaching that the judicial law "expired." Bahnsen, however, sought to affirm the Confession and denied that it teaches that the penal sanctions and case laws in the Mosaic Law are no longer binding.[21] He distinguished between the ceremonial law having been "abrogated" and the judicial law, in contrast, only "expiring" in WCF 19.4. He writes, "The judicial law was not, then, 'abrogated,'" and he further adds, "Note that, when applicable, this general equity of the judicial law is 'required'—something that cannot be said of an 'abrogated' law."[22] Bahnsen seems to have been correct here, as the Assembly could have chosen to indicate that the judicial law was "abrogated," and by not doing so, they

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[19] Interestingly, the Savoy Declaration (1658) and the Second London Baptist Confession (1689) changed the language of 19.4 to read: "To them also he gave sundry judicial laws, which expired together with the state of that people, not obliging any now by virtue of that institution; *their general equity only being of moral use*."

[20] The proof texts given for WCF 19.4 are Exodus 21:1–22:29; Genesis 49:10; 1 Peter 2:13-14; Matthew 5:17, 38-39; and 1 Corinthians 9:8-10. The text of chapters 21 and 22 of Exodus demonstrates that God gave to Israel "sundry judicial laws." The passage 1 Peter 2:13-14 instructs Christians to submit to civil government, but it should be noted that Anthony Burgess—who was involved in the drafting of WCF 19—combined 1 Peter 2:13 with Genesis 49:10 to show that the abrogation of the state of the people implies the abrogation of its legal system. Anthony Burgess, *Vindiciae Legis* (London, 1646), 211–12. Matthew 5:17 is Christ's proclamation that He did not come to "abolish" the law but to "fulfill" it, while Matthew 5:38-39 involves Christ's correction of a Jewish misapplication of "eye for an eye." 1 Corinthians 9:8-10 applies an Old Testament law (Deut. 25:4) to the church with no application to the civil government, but it may be given as an example of the continuing obligation of the general equity of the law.

[21] Bahnsen, *Theonomy in Christian Ethics*, 516–17.

[22] Greg L. Bahnsen, "Response to Willem A. VanGemeren," in *Five Views on Law and Gospel*, ed. Wayne G. Strickland (Grand Rapids: Zondervan, 1999), 67.

allowed for various expressions of this point. Moreover, Reformed theologians of the time differed in how they spoke about the judicial law and its "abrogation" (see below).

Nevertheless, one of the leading Westminster divines on the law, Anthony Burgess (d. 1664), held that the judicial laws had been "abrogated by express repeal," citing 1 Peter 2:13 and Genesis 49:10 together (both of which were also given as proof texts for WCF 19.4).[23] And the *Jus Divinum*, a product of several of the Westminster divines (including Edmund Calamy, John Ley, Herbert Palmer, Daniel Cawdrey, George Walker, William Reyner, Obadiah Sedgwick, Richard Vines, and William Gouge), argues, "Some things he commands but *positively*, to be of use for a certain season; as the ceremonial administrations till Christ should come, for the Jewish Church, and the Judicial observances for their Jewish polity; and all these positive laws were *jure divino, till Christ abrogated them*."[24] Regardless, the Confession shows that the judicial law still has a role in instructing the magistrate. Christians should look to the judicial law to guide the church spiritually and to guide the magistrate in crafting civil law. The judicial law does not bind as law, but it *teaches* the magistrate.[25]

V. The "General Equity" of the Judicial Laws

In its legal context, the term "equity" refers to examining a particular statute as a guide to justice in similar cases. The equity of a judicial law refers to its natural and moral elements.[26] The term "general," then, refers to that which is *common* among all nations, i.e., that which is not circumstantially specific to Old Testament Israel but rather is taught by reason and nature. The judicial laws were contextually situated, given to the people of Israel 1,400 years before the coming of Christ. The people of Old Testament Israel inhabited a world of different customs, borders, tech-

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[23] "Now it may be easily proved, that the Ceremonial, and Judicial laws they are abrogated by express repeal. The Judicial Law 1 *Pet*. 2.13. where they are commanded to *be subject to every ordination of man*: and this was long foretold, *Genes*. 49.10. *The Law-giver shall be taken from Judah*." Anthony Burgess, *Vindiciae Legis* (London, 1646), 211–12.

[24] *Jus Divinum Regeminis Ecclesiastici: or, the Divine Right of Church-Government* (London, 1647), 30. It also stated, "the Laws of the Jewish Church, whether *Ceremonial* or *Judicial*, so far forth are in force, even at this day, as they were grounded upon common equity, the principles of reason and nature, and were serving to the maintenance of the Moral Law." It added, "The *Jewish Polity* is only abrogated in regard of what was in it of *particular right*, not of *common right*, so far forth as there was in their Laws either a *typicalness* proper to their Church, or a *peculiarness* of respect to their state in that Land of Promise given unto them. Whatsoever was in their Laws of *Moral concern*, or *general equity* is still obliging." Ibid., 254–55.

[25] Matthew Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 70.

[26] A. Craig Troxel and Peter J. Wallace, "Men in Combat over the Civil Law: 'General Equity' in *WCF* 19.4," *Westminster Theological Journal* 64 (2002): 307–18. However, Troxel and Wallace argued the Old Testament judicial laws should not be used to speak to the issue of women in combat, which stands in contrast to older Reformed theologians that understood the general equity of such laws to still apply to modern nations.

nology, and language. Christians, therefore, cannot simply look to an Old Testament judicial law and say, "The magistrate should enact *this* law." Even theonomists recognize that it is more complex than this.

Even still, Christian magistrates should look to the Old Testament law as a guide. Though the judicial law itself is no longer binding, the general equity of the judicial law provides a universal application of the moral law to civil government. Therefore, magistrates should look to the moral law and the general equity of the judicial law for instruction. However, they must use reason to discern how these principles should apply to their particular nations. Thus, we can say that the "general equity" of the judicial law is natural, moral, and rational.[27]

In contrast, many theonomists hold that judicial laws that are "parallel" (or analogous) to modern cases are still "binding."[28] Or, as Bahnsen explains, "Perhaps the best interpretation of [WCF] 19.4 is to see it as affirming the necessity to apply the illustrations given in the Old Testament case laws to changed, modern situations and new social circumstances."[29] In other words, theonomy treats the judicial law as still valid and binding. On the contrary, the Westminsterian position is that the judicial law has "expired," and thus we look to the general equity reflected within the judicial laws. We must use reason to discern the equity that then guides the Christian magistrate. Bahnsen is thus incorrect when he asserts that "[the theonomic] position is deemed essentially that of Calvin (cf. his sermons on Deuteronomy), the Reformed Confessions (e.g., the Westminster Confession…and the Larger Catechism's exposition of the Ten Commandments), and the New England Puritans."[30]

When WCF 19.4 states that "not obliging any other now, further than the general equity thereof may require," it means that the judicial law does not obligate nations except as the general equity "may require." Some commentators have argued that the word "may" allows the magistrate to choose whether he will enforce the general equity of the judicial law.[31] However, the word "may" is used grammatically as a subjunctive, communicating that the general equity (when determined) does "oblige" civil governments. Yet we may still distinguish between the

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[27] For a detailed compilation of sources and analysis of the Westminster Assembly on the judicial laws, in contrast to theonomy, see Chris Coldwell and Matthew Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part One and Part Two], *The Confessional Presbyterian* 5 (2009): 3–88, 322. This is the best thing written on the subject. For a discussion of general equity, see pages 70–72.

[28] Martin A. Foulner, *Theonomy and the Westminster Confession: An Annotated Sourcebook* (Edinburgh: Marpet Press, 1997), 8.

[29] Bahnsen, *Theonomy in Christian Ethics*, 517.

[30] Bahnsen, *No Other Standard: Theonomy and Its Critics*, 10.

[31] Winzer said, "The Confession uses the word *may*, not *must*; there is no *necessity* in the application of the laws as if they continued to exercise binding force in their own right; the obligation only arises from the fact that the law teaches an equity that is generally applicable to all nations." Matthew Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 72.

moral principle that binds civil government and the magistrate's ability to enact laws in accordance with such. The general equity is the universal application of moral and natural law, and thus the magistrate is bound to follow it when relevant.

Altogether, three errors of theonomy in contrast to the Westminsterian general equity position stand out. 1. Theonomy rejects the "expiration" of the judicial law as law per WCF 19.4; 2. theonomy tends to conflate the moral law and judicial law; and 3. theonomy either rejects or underemphasizes the roles of reason and natural law in discerning and applying the general equity of the judicial law.

Sadly, many Reformed Christians today, including those who subscribe to the Westminster Confession, reject theonomy because they do not think that the judicial laws should instruct the magistrate at all. This is an overreaction to theonomy and a form of political antinomianism. Contrary to such political antinomianism, the judicial laws are, in fact, still part of God's law. While the ceremonial laws have been "abrogated" (WCF 19.3) and the judicial laws have "expired" (WCF 19.4), the judicial law still retains a pedagogical function. As Paul argues in Romans 15:4, " [W]hatever was written in former days was written for our instruction" (cf. 1 Cor. 10:11).

We should also emphasize that the "general equity" of the judicial law (WCF 19.4) includes the First Table of the Decalogue—a point that critics of theonomy often miss. Indeed, WLC 118 cites Exodus 20:10 and 23:12 to prove the duty of "superiors" to see that "all those under their charge" observe the Sabbath. Yet the WLC also clearly cites *judicial laws* in support of duties imposed on modern nations. For example, WLC 108 cites Deuteronomy 7:5 for the duty, under the Second Commandment, of "according to each one's place and calling, removing [false worship], and all monuments of idolatry," as well as WLC 109 cites Deuteronomy 13:6-12 for the sin of "tolerating a false religion."

In addition to the example of the general equity approach taken by the Larger Catechism (WLC 108, 109, 118), we may look to English theologians. William Perkins (1558–1602) argues that those judicial laws which are moral and natural "stand in force." He added,

> The second note, whereby we may discern a judicial law to be moral for his equity, is this: If it follow necessarily and immediately from the light, principles, and conclusions of nature. For example, Deut. 22.5. *The man shall not put on the things that appertain to the woman, nor the woman the things that appertain to the man*. This law is more than judicial: for it is a Rule of common honesty: practiced in those countries, by the light of

> nature, where the written law was never known…. This I speak…to show how far judicial laws have morality in them, and stand in force.[32]

Westminster divine William Gouge's comments on the Levitical tithe are also instructive for understanding general equity. Gouge argues that the tithe was "proper" to the Jews, even though the "general equity" teaches "that Ministers be sufficiently and plentifully maintained." Gouge still affirms that giving a tenth "is for the most part the fittest proportion," and, "When God himself set down a particular and distinct portion for his Ministers, he judged a tenth to be the most convenient."[33] Gouge then says that those judicial laws "peculiar" to Israel and its priesthood have been "abolished," but certain other judicial laws "rested upon common equity" and served as a "means of keeping the moral Law"—such "as putting to death Idolaters and such as enticed others" to idolatry—and these laws "remain as good directions to order even Christian polities accordingly." He further explains that God grants "liberty" to nations "to have laws most agreeable to their own country," though they must not be "contrary to equity and piety."[34]

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[32] William Perkins, *A Commentarie or Exposition, upon the Five First Chapters of the Epistle to the Galatians* (Cambridge, 1604), 234.

[33] William Gouge, *A Learned and Very Useful Commentary on the Whole Epistle to the Hebrews* (London, 1655), ch. 7, sec. 17, 129–30.

[34] Gouge, *A Learned and Very Useful Commentary on the Whole Epistle to the Hebrews* (London, 1655), ch. 7, sec. 69, 171. The following is the quote in full: "Besides the ceremonial Law, the Jews had *a judicial Law, proper and peculiar to that polity*. This Law concerned especially their civil estate. *Many branches of that Law appertained to the Jewish Priesthood*: as, the particular Laws about the Cities of refuge, whether such, as slew any unawares, fled, and there abode till the death of the High Priest (Num. 35:25), and Laws about Lepers, which the Priest was to judge (Lev. 14:3), and sundry other cases which the Priest was to judge of (Deut. 17:9). So also the Laws of distinguishing tribes, of reserving inheritances to special tribes and families, of selling them to the next of Kin ([Josh. 1]4:4), of raising seed to a brother that died without issue (Gen. 38:8-9), of all manner of freedoms at the year of Jubilee (Lev. 25:13), etc. *There were other branches of the judicial Law which rested upon common equity, and were means of keeping the moral Law: as putting to death Idolaters and such as enticed others thereunto; and witches, and willful murderers, and other notorious malefactors*; so likewise Laws against incest, and incestuous Marriages; Laws of reverencing and obeying Superiors and Governors; and of dealing justly in borrowing, restoring, buying, selling, and all manner of contracts. The former sort were abolished together with the Priesthood [i.e., those laws related to the priesthood]. *The latter remain as good directions to order even Christian polities accordingly* [i.e., those resting upon general equity]. 1. By these kinds of Laws the wisdom of God was manifested in observing what was fit for the particular kind and condition of people, and in giving them answerable Laws, and yet not tying all Nations and States thereunto. 2. That liberty which God affords to others to have *Laws most agreeable to their own Country, so as they be not contrary to equity and piety*, binds them more obediently to submit themselves to their own wholesome Laws, and to keep peace, unity, and amity among themselves." (punctuation modernized)

VI. James Ussher on the Judicial Law

James Ussher's (1581–1656) view on the judicial law is worth examining because of his significant influence upon the Westminster Assembly.[35] Ussher affirmed that the judicial law had "ceased" (expired), but he also argued that Christ did not "abolish" the judicial law because Christian magistrates must follow the "general equity" of such laws, including capital crimes. In his *A Body of Divinitie*, Ussher writes that God "added the Ceremonial and Judicial laws, as special explications and applications of the law Moral, unto that present Church and people the Israelites." Thus, both the ceremonial and judicial law were particular applications of the moral law to Israel. The Westminster Assembly likely drew from what Ussher says here:

> What call you the Judicial law? That wherein God appointed a form of Politique and Civil government of the Common-wealth of the Jews, which therefore is ceased with the dissolution of that State, for which it was ordained; saving only in the common equity.[36]

Ussher specifically uses the words "ceased" and "common equity." Compare this with WCF 19.4, which says:

> To them also, as a body politic, he gave sundry judicial laws, which expired together with the State of that people; not obliging any other now, further than the general equity thereof may require.

For Ussher, the judicial law had "ceased" (WCF = "expired") with the "dissolution" of the nation of Israel, excepting its "common equity" (WCF = "general equity"). However, we should note that he expands on the judicial law in ways that the Confession does not. For instance, he denies that the judicial law had been "abolished"—"Is this law utterly revoked and abolished by Christ? No; for he came not to overturn any good government of the Common-wealth, much less that which was appointed by God himself."[37] So, Ussher affirms that the judicial law had "ceased" (expired) but also that it had not been "abolished." Next, he asks two critical questions about the role of the judicial laws for the Christian magistrate:

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[35] "No other single theologian perhaps had as much indirect influence on the compilations of the Westminster Assembly as James Ussher." Chris Coldwell, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part One], *The Confessional Presbyterian* 5 (2009): 30.

[36] James Ussher, *A Body of Divinitie* (London, 1645), 204 (spelling modernized).

[37] James Ussher, *A Body of Divinitie* (London, 1645), 204 (spelling modernized).

> May not Christian Magistrates then swerve any thing from those laws of government, which were set down by *Moses?* In some circumstances they may, but in the general equity and substance they may not.
>
> What Judicial laws are immutably to be observed now of Christian Magistrates? Those which have reasons annexed unto them, & specially those wherein God hath appointed death for the punishment of heinous offences.[38]

Ussher held that the general equity of the judicial law binds the Christian magistrate, especially the capital punishments for "heinous" crimes. The Westminster Confession follows Ussher on the first point, and many of the Westminster divines showed in their writings that they also concurred with the second.

VII. The Obligation of Mosaic Judicial Penalties

One notable area of debate regarding the judicial laws is whether modern nations should follow the Mosaic penalties, particularly capital punishment for heinous sins such as adultery and homosexuality. Bahnsen argues that "[t]he most distinctive aspect of theonomic ethics…is its endorsement of the continuing validity and social justice of the penal sanctions stipulated within the law of God."[39] Indeed, theonomists hold that these penalties must be followed because they are essential to God's law and reflect His perfect standard of justice. While this position may be controversial today, theonomists have found much agreement for it in the writings of older Reformed theologians. Sinclair Ferguson notes that when it comes to punishing capital crimes beyond murder, the "practical outworking" of Puritanism "and that of theonomy are one."[40] However, while many Reformed theologians, including the Westminster Divines, held that modern nations should employ some of the Mosaic penalties, they arrived at this conclusion differently from the theonomists. As Winzer points out, "Theonomy teaches that punishment is essential to a law while the divines teach it is superadded to a law."[41]

Theonomy holds that the penalties of the judicial law are a necessary feature of the *moral* law. However, this cannot be the case, as some aspects of the moral law have no penalties annexed to them at all (e.g., the Tenth Commandment's prohibition against coveting). Also, some

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[38] James Ussher, *A Body of Divinitie* (London, 1645), 204 (spelling modernized).

[39] Bahnsen, *No Other Standard: Theonomy and Its Critics*, 211.

[40] Sinclair B. Ferguson, "An Assembly of Theonomists?" in *Theonomy: A Reformed Critique*, 334.

[41] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 84.

of the Mosaic judicial penalties—such as the death penalty for Sabbath-breaking—were tied to the Sabbath's role as the sign of the Mosaic covenant (as noted by Samuel Rutherford below). Sometimes, mitigating factors even lessened the penalties. Therefore, before a magistrate uses the Old Testament to impose capital punishment for a crime today, he should consider how circumstances differ between Old Testament Israel and his nation.

On the question of "obligation to the punishments prescribed by the judicial law," the Westminster Divines expressed "variety in detail and fervor of expression."[42] Some, including the Scottish commissioners Samuel Rutherford and George Gillespie, reasoned from the principle of general equity that many judicial penalties today should be the same for comparable crimes. However, they also held that the magistrate is free to impose lesser penalties. Anthony Burgess was somewhat more moderate, arguing that "the manner of the punishment, belonging to God's Judicial Law, that may be altered, but [the magistrate's] duty to preserve the Worship of God, which floweth from the Moral Law, cannot cease."[43] Moreover, when the divines held that the punishments were binding, they often tied this to covenanted nations, like Scotland at the time of the Westminster Assembly.

Theonomists, on the other hand, assert that the judicial law, including the civil penalties it prescribes, is binding on modern nations except where it is explicitly repealed. Thus, while it is true that some of the Westminster divines agree with theonomists that capital punishments should be used for some of the same crimes today as they had been in the Old Testament, it is incorrect to say that they shared the same view of the judicial law and the same method of arriving at these conclusions. Thus, we find three differences between Westminster divines and most theonomists. 1. The divines employed reason to determine the general equity of the penalties of the judicial law; 2. they allowed for magistrates to alter these penalties; and 3. they held that the exact Old Testament penalties should only apply to a covenanted nation.[44]

William Gouge is a great example of the Puritan and Westminster position on this matter. In his commentary on Hebrews, he explains, "There were other branches of the judicial law which rested upon common equity: and were means of keeping the moral Law: as putting to death Idolaters and such as enticed others thereunto: and witches, and willful murderers, and other notorious malefactors." Thus, he considers the death penalty for idolaters and murderers to rest on the "common equity" of the judicial law and to be a way of enforcing the "moral law." Further, he adds, "The former sort [ceremonial laws] were abolished altogether with the Priesthood. The lat-

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[42] Coldwell, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part One], *The Confessional Presbyterian* 5 (2009): 55.

[43] Anthony Burgess, *The Magistrate's Commission from Heaven. A Sermon at the Election of the Lord Mayor* (London, 1644), 8.

[44] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 85unless.

ter sort [judicial laws] remain as good directions to order even Christian polities accordingly."[45] Regarding the death penalty for blasphemy and heresy, Gouge specifically writes:

> It is here spoken of a violent death inflicted by a magistrate who stood in God's room, and bore his image, and it shows that even in [the] case of religion, for despising the divine law, the despiser might be put to death.... This justifies the practice of Magistrates in like cases. Only let them take care that that which is lawful in itself be done in a right and due manner: for it is a matter of great consequence to take away the life of a man.... In this particular we may see how little respect States and Governours have to God and to his law. Many that are very severe against despising human laws, suffer Heretics, Idolaters, Blasphemers, Apostates, and sundry other like to them, to walk up and down unpunished. How can such expect divine protection? How can they not but expect divine Vengeance? As public Magistrates, so Masters, Parents, Tutors, School-Masters, and others in authority show themselves in this case much blameworthy, in that they can suffer such as are under them to despise God's Laws unpunished, and yet be severe enough in other cases.[46]

Then, in his section, "Of Magistrates' remissness in punishing Adultery," he argues,

> The doom which is here denounced of God's judging Adulterers, implies a secret taxation of Magistrates' remissness thereabouts. It is to be feared that this has been one cause of sundry severe judgements, which have been from time to time inflicted upon this Kingdom. Though there be no Law directly to tolerate Stews, or to justify and countenance whoredom and adultery, yet these sins whereby God is so much provoked, are too frequent amongst us, either by the connivance of Magistrates, or by their neglect of putting

[45] Gouge, *A Learned and Very Useful Commentary on the Whole Epistle to the Hebrews* (London, 1655), ch. 7, sec. 69, 171.

[46] Gouge, *A learned and very useful commentary on the whole epistle to the Hebrews* (London, 1655), ch. 10, sec. 103, 497–98.

> Laws in execution, or by their corruption in taking bribes, or by some other indirect course.[47]

Another member of the Westminster Assembly, Francis Cheynell (1608–1665), also opined on how to apply the punishments of the judicial law today. In his view, "All divine laws which concern the punishment of Moral transgressions, are of perpetual obligation, and therefore remain in force according to their substance and general equity, abstracted from special circumstances, Typical Accessories, and the old forms of *Mosaic Polity*, For 1. These divine Laws are not expired in their own nature. They are not repealed by God… The matter of the Laws is Moral, and very agreeable to the Dictates of nature."[48] He references "the moral equity of the command for punishing Seducers" in Deuteronomy 13, noting, "The Moral equity of this Command is very evident for the punishing of such as do entice men from the true Religion, because there is a reason given which is of general and perpetual equity."[49] Thus, Cheynell considered the punishments for moral transgressions (such as the death penalty for seducement to idolatry) to be part of the judicial law's "general equity," since the matter of the law itself is "moral" and "agreeable to…nature." Accordingly, the punishments of such moral transgressions are a "perpetual obligation" on the civil magistrate, excepting "special circumstances" (e.g., the Sabbath).

Richard Vines (1600–1655), another member of the Westminster Assembly, noted that the Socinians held that Old Testament punishments for false prophecy were temporary. Indeed, "[T]he *Socinian* stands out here also, and denies it; alleging that the punishment of false Prophets in the old Testament was *speciali jure* by special law granted to the *Israelites*, and therefore you must not look (says the *Socinian*) into the old Testament for a rule of proceeding against false Prophets and blasphemers."[50] This does not prove that the divines who differed on this question were Socinians, but it does show that the Socinians were known to oppose the use of Mosaic judicial punishments by the civil magistrate.

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[47] Gouge, *A learned and very useful commentary on the whole epistle to the Hebrews* (London, 1655), ch. 13, sec. 34, 36. Gouge also said: "The ordinary mediate judgement against adulterers was death. The Law for this is expressly set down, *Deut*. 22. 22. This judgement was in use among God's people even before the Law of *Moses*, for *Judah* adjudged *Tamar* his daughter to be burnt for this sin, *Gen*. 38. 24. The very Heathen by the light of Nature, saw the equity hereof. For *Abimelech* charged all his people not to touch *Isaac* or *Rebeccah* upon pain of death, *Gen*. 26. 11…. Heathen Authors give us many instances of the practice of States among the Gentiles, in putting adulterers to death. The Arabians used so to do. Draco's Law among the Athenians judged adultery to be a capital sin. The Goths used to put adulterers to death. The Laws of the Romans, called the twelve Tables, did also make adultery to be a capital offence. So did the Iulian Law. Thus was it also among the Romans in the days of Augustus Caesar." Ibid., ch. 13, sec. 40, 34.

[48] Francis Cheynell, *The Divine Triunity of the Father, Son, and Holy Spirit* (London, 1650), 473–74.

[49] Cheynell, *The Divine Triunity of the Father, Son, and Holy Spirit* (London, 1650), 463.

[50] Richard Vines, *The Authours, Nature, and Danger of Haeresie. Laid Open in a Sermon Preached before the Honourable House of Commons… March 1646* (London, 1647), 64.

Reformed theologians before the Westminster Assembly had also held similar views. The English theologian Thomas Cartwright (1535–1603) considered the judicial punishments to be part of the "equity" and believed that the magistrate must enforce them in similar cases. He argues that the magistrate,

> keeping the substance and equity of them (as it were the marrow), may change the circumstances of them, as the times and places and manners of the people shall require. But to say that any magistrate can save the life of blasphemers, contemptuous and stubborn idolaters, murderers, adulterers, incestuous persons, and such like, which God by his judicial law hath commanded to be put to death, I do utterly deny, and am ready to prove.

Yet Cartwright also affirmed that "the judicial laws are permitted to the discretion of the prince and magistrate."[51]

John Calvin also affirmed the "equity" of Old Testament law regarding witnesses for the death penalty (Deut. 17:6; Heb. 10:29), writing that "equity ought to be observed which almost all statesmen have adopted, that no one is to be condemned without being proved guilty by the testimony of two witnesses."[52] In his comments on Deuteronomy 22:22, he further says of the death penalty for adultery that "by the universal law of the gentiles, the punishment of death is always awarded to adultery; wherefore it is all the baser and more shameful in Christians not to imitate at least the heathen…. whilst those who boast themselves of the Christian name are so tender and remiss, that they visit this execrable offense with a very light reproof."[53] In fact, the

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[51] Thomas Cartwright, "Second reply" (1575), cited in *The Works of John Whitgift, D.D.* (1852), 270.

[52] John Calvin, *Commentaries on the Epistle of Paul the Apostle to the Hebrews*, trans. John Owen (Edinburgh: Calvin Translation Society, 1853), 247.

[53] John Calvin, *Commentaries on the Four Last Books of Moses*, trans. Charles William Bingham (Edinburgh: Calvin Translation Society, 1854), 3:78.

Reformed were almost unanimous in their view that adultery should not only be criminalized but should be punishable by death, since this penalty was part of the "general equity" of the law.[54]

VIII. Reformed Variation in Explaining the Judicial Law

While we should not equate theonomy's position on the judicial law with that of the Reformed tradition, it clearly draws on aspects of it. At times, theonomy *appears* to align with Westminsterian Puritanism on the matter, but this is mainly a *formal* agreement regarding the mode of judicial punishment (and only by some divines) rather than the same hermeneutical approach to the Law.[55] That said, as with many issues, older Reformed theologians explained and applied the judicial law in varying ways. This should come as no surprise, as there was often variation in expression, if not in substance, on such complicated matters.

While the Westminster Confession says that the judicial law "expired" (WCF 19.4), not all Reformed theologians have used that language. For example, Amandus Polanus (1561–1610) wrote, "Freedom from the laws of Moses is that by which Christians are loosed from the ceremonial, & Judicial laws of Moses, namely, so far forth as they only pertain to the civil government under Moses. 1 Cor. 9:1, 19; 2. Cor. 3:17; Heb. 9:10. For such laws which belong to the law of nature, and by which all nations are bound, are not abrogated."[56]

Westminster Assembly member Herbert Palmer (1601–1647) argued that Christians have the burden of proof to show that an Old Testament law has expired rather than that the general equity still applies. He explains, "That whatsoever Law of GOD, or Command of His, we find recorded

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[54] The following examples will suffice to prove this point. William Perkins: "the adulterer and the adulteress, by divine law, should be put to death, and be cut off from human society (Lev. 20:10)." Perkins, *Christian oeconomie*, 65. John Downame: "Now this punishment of adultery by death, seems to be not a mere judicial law, which was proper and peculiar to the common-wealth of Israel, but a law of common equity, which binds and holds in subjection all nations unto it." John Downame, *Foure treatises tending to disswade all Christians from foure no lesse hainous then common sinnes; namely, the abuses of swearing, drunkennesse, whoredome, and briberie* (London, 1609), 187. Samuel Rutherford: "The English Divines do well observe, that adultery is a capitall crime to be punished by the Judge. Gen. 38:24; Levit. 20:10; Deut. 22:22." Samuel Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 313. R. L. Dabney: "The justice of this verdict, and also the capital guilt of adultery, are argued from its consequences—e. g., the mortal anguish and sense of wrong in the innocent party; the undermining thereby of the family, with all its sacred interests, virtues and benefits; the infamy entailed on the innocent children; the attack thereby made on the welfare and even existence of all society; for the tendency of the adulterer's example is to reduce human society from all the order, happiness and virtues founded in the pure family down to the universal license, bloodshed and bestiality of brutes. Moses did wisely and justly in making it a capital crime." Dabney, *The Practical Philosophy*, 362. Dabney looked to the "general equity" of the law: "Let the student compare the admirable symmetry of Moses' provision with the bungling operation of our statute against perjury." Ibid., 514.

[55] W. Robert Godfrey, "Calvin and Theonomy," in *Theonomy: A Reformed Critique*, eds. William S. Barker and W. Robert Godfrey (Grand Rapids: Academie Books, 1990), 310–11.

[56] Amandus Polanus, *The Substance of Christian Religion* (London, 1595), 102.

in the Lawbook, in either of the Volumes of GOD'S Statute, the N. T. or the Old, Remains obligatory to us, unless we can prove it to be expired, or repealed. So it is with the Statute-Law of this Nation, or of any Nation."[57] His assumption that the Mosaic law continues to bind except where it has been explicitly repealed is like the theonomist approach to the law.

Some theonomists have appealed to the Reformed theologian Johannes Piscator (1546–1625) in support of their position. Like the Westminster Divines and most other Reformed theologians, Piscator held the civil magistrate is subject to the entire Decalogue, writing, "The argument has been harmoniously received and even become common in the opinions of the schools of the orthodox theologians, which state that the magistrate ought to be *the keeper of both tables of the law*."[58] Rather than arguing that the entire judicial law as having "expired" he instead speaks of some judicial laws as still "obliging" the magistrate and some as "not obliging" the magistrate. Indeed, he argues, "[T]he magistrate is obliged to those judicial laws which teach concerning matters which are immutable and universally applicable to all nations, but not to those which teach concerning matters which are mutable and peculiar to the Jewish or Israelite nations for the times when those governments remained in existence."[59] Yet while Piscator expresses this differently than WCF 19.4, he still argues that the general equity of the judicial law is "immutable and universally applicable to all nations" (with his chief example being the judicial penalties). On the other hand, Piscator argues that "[t]hose laws which are mutable and which were peculiar to the Jews for that time are things such as the emancipation of Hebrew slaves in the seventh year, Levirate marriage, releasing of debts in the appointed year."[60]

Piscator held that Christian magistrates are still bound to enforce the judicial penalties of the Old Testament, saying of Matthew 5:17 that Christ "confirms that all of the judicial laws of Moses (which give orders concerning punishments), being understood in their natural sense, are to be observed by the judges of the people of God in the New Testament."[61] He went so far as to say, "If the Christian magistrate is not obligated to those laws, then doubtless he may cause capital punishments to be meted out as he pleases."[62] Thus, Piscator's view was that the civil government should follow the penalties of the Mosaic judicial law and may not alter the punishments.

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[57] Herbert Palmer, *The Glass of God's Providence* (London, 1644), 52. This was a sermon before Parliament on August 13, 1644.

[58] Johannes Piscator, *Disputations on the Judicial Laws of Moses*, trans. Adam Jonathan Brink, ed. Joel McDurmon (Powder Springs, GA: American Vision Press, 2015), 7.

[59] Piscator, *Disputations on the Judicial Laws of Moses*, 4–5.

[60] Piscator, *Disputations on the Judicial Laws of Moses*, 5.

[61] Piscator, *Disputations on the Judicial Laws of Moses*, 10.

[62] Piscator, *Disputations on the Judicial Laws of Moses*, 6.

George Gillespie (1613–1648) followed Piscator on this point, referring to Piscator's "common distinction" of things mutable and immutable in the judicial laws.[63] After summarizing Piscator's position, Gillespie adds his own thoughts—"Unto which I add, 1. Though we have clear and full scriptures in the New Testament for abolishing the Ceremonial law, yet we nowhere read in all the new Testament of the abolishing of the judicial law, so far as it did concern the punishing of sins against the Moral law, of which heresy and seducing of souls is one, and a great one." He further notes, "He who will hold that the Christian Magistrate is not bound to inflict such punishments for such sins, is bound to prove that those former laws of God are abolished, and to show some Scripture for it."[64] Thus, Gillespie assumed, as a starting point, that magistrates must employ the judicial punishments of the Old Testament for transgressions of the moral law, and he argued that Christian magistrates bear the burden of showing that these punishments have been abolished.

Samuel Rutherford (1600–1661) likewise appealed to Piscator regarding the judicial penalties. He writes, "Piscator says well, *That the Prince is called the keeper of both Tables of the Law by our Divines*, therefore he is to vindicate God's glory in both…. So if the Magistrate keep both Tables, he must not punish according to his own will, but according to the rule and prescript of

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[63] Gillespie said, "It will be asked, But how does it appear that these or any other Judicial Laws of *Moses* do at all appertain to us, as rules to guide us in like cases? I shall wish him who scruples this, to read Piscator's *appendix* to his Observations upon the 21, 22, 23 Chapters of *Exodus*, where he excellently disputes this question, Whether the Christian Magistrate is bound to observe the Judicial laws of *Moses*, as well as the Jewish Magistrate was. He answers by the common distinction, he is obliged to those things in the Judicial law which are unchangeable, and common to all Nations: but not to those things which are mutable, or proper to the Jewish Republic. But then he explains this distinction, that by things mutable, and proper to the Jews, he understands the emancipation of a Hebrew servant or handmaid in the seventh year, a man's marrying his brother's wife and raising up seed to his brother, the forgiving of debts at the Jubilee… But things immutable, and common to all Nations, are the laws concerning Moral trespass, Sins against the moral law, as murder, adultery, theft, enticing away from God, blasphemy, striking of parents. Now that the Christian Magistrate is bound to observe these Judicial laws of Moses which appoint the punishment of sins against the Moral law, he proves by these reasons. 1. If it were not so, then it is free and arbitrary to the Magistrate to appoint what punishments he pleases…. 2. Christ's words, *Mat. 5.17*… Now he could not fulfill the judicial law, except either by his practice, or by teaching others still to observe it… Therefore it must be by his doctrine for our observing it…. 3. If Christ in his Sermon, *Mat.* 5, would teach that the Moral law belongs to us Christians…then he meant to hold forth the Judicial law concerning Moral trespasses as belong to us also: for he vindicates and interprets the Judicial law, as well as the Moral, *Mat. 5:38*... 4. If God would have the Moral law transmitted from the Jewish people to the Christian people; then he would also have the Judicial law transmitted from the Jewish Magistrate to the Christian Magistrate: There being the same reason of immutability in the punishments, which is in the offences; Idolatry and Adultery displeases God now as much as then; and Theft displeases God now no more than before. 5. *Whatsoever things were written aforetime, were written for our learning, Rom.* 15:4, and what shall the Christian Magistrate learn more from those Judicial laws, but the will of God to be his rule in like cases? The Ceremonial law was written for our learning, that we might know the fulfilling of all those Types, but the Judicial law was not typical." George Gillespie, *Wholesome Severity Reconciled with Christianity Liberty* (London, 1645), 6–8.

[64] George Gillespie, *Wholesome Severity Reconciled with Christianity Liberty* (London, 1645), 8.

God."[65] Rutherford believed that the penalties of the judicial law reflected the moral equity that is perpetually binding on all magistrates, saying, "It is clear the question must be thus stated, for all the laws of the old Testament (which we hold in their moral equity to be perpetual) that are touching blasphemies, heresies, solicitation to worship false *Gods*."[66] Indeed, he notes of Deuteronomy 13 ("*If a prophet or a Dreamer arise, and say, let us go after other Gods, he shall be put to death*"): "That is no temporary law obliging the Jews only."[67] Further, "The English Divines do well observe, That adultery is a capital crime to be punished by the Judge. Gen. 38.24; Levit. 20.10; Deut. 22.22."[68]

However, Rutherford also affirmed that there were some exceptions to the magistrate's obligation to enforce the judicial penalties of the Mosaic Law. While he did believe that the magistrate should punish Sabbath-breaking, he held that the death penalty in this case was ceremonially tied to the Mosaic law, writing "Though it be true, some moral transgressions *Moses* punished with death, as Sabbath-breaking, it follows not therefore the godly Prince may now punish it with death…for though the temporariness of the punishment be only in the measure of punishment, yet not in the punishment itself."[69] He insists that the magistrate must look not only to natural law but also to the judicial law for guidance, arguing, "To say that the light, and law of nature is the Judges only compass he must say by, and that he must not punish no sins, but such as are against the law of nature. 1. It pulls the book of the law of God, yea, the Bible out of the King's hand, that contain greater depths than the law of nature can reach, contrary to the word of God… For the King, as the King, should have the book of the law with him on the throne, to be his rule."[70] His reasoning for why the punishment for blasphemy is binding is that it is a "law of nature, and obliges us under the *New Testament* as being the first and highest sin that nature cries shame, and woe upon."[71]

Elsewhere, Rutherford writes that "the whole bulk of the judicial Law, as judicial, and as it concerned the Republic of the Jews only, is abolished, though the moral equity of all those are not abolished." He holds that the death penalties for some sins in the Old Testament, such as

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[65] Samuel Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 321.

[66] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 47.

[67] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 185.

[68] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 313.

[69] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 190.

[70] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 225.

[71] Rutherford, *A Free Disputation Against Pretended Liberty of Conscience* (London, 1649), 183.

Sabbath-breaking, "were merely Symbolical to teach the detestation of such a vice," and thus not all the Mosaic penalties were "moral and perpetual."[72]

The Puritan and Westminster view of the judicial law continued among some American Reformed theologians, such as John Witherspoon (1723–1794), who considered whether "the political law of Moses…is of perpetual obligation," concluding that "[i]t contains an excellent system of laws suited to the settlement of the Jews in Canaan, and many principles of equity that may be of great use to other legislators; but as the civil laws in general have only in view temporal property and convenience, they certainly are not unalterable, because they must be suited to the state of society—and other circumstances which may be very various." He adds to this, "But we may observe that the principles laid down in the criminal law are founded upon so much wisdom, that it is a question whether the departure from them in punishing crimes has ever been attended with advantage. As for example, in regard to violence—the law of retaliation—an eye for an eye, a tooth for a tooth—in theft and fraud—restitution—and the punishment of adultery with death."[73] Elsewhere, he writes, "yet perhaps there are many instances in which it [the *lex talionis*] would be very proper. The equity of the punishment would be quite manifest, and probably it would be as effectual a restraint from the commission of injury as any that could be chosen."[74]

IX. The Westminster View of the Magistrate

Therefore, the Reformed view of the magistrate, as codified in the Westminster Confession 19.4, is that the "general equity" of the judicial law instructs and guides nations today. The Confession teaches that Christian magistrates must still enforce the moral law, as summarily comprehended in the Ten Commandments, which includes not only the Second Table but also the First (i.e., laws concerning the worship of God). While it differs from the position of theonomy, the West-

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[72] "I humbly conceive that the putting of some to death in the OdTestament, as it was a punishment to them, so was it a mysterious teaching of us, how God hated such and such sins, and mysteries of that kind are gone with other shadows. *But we read not* (says *Erastus*) *where Christ has changed those Laws in the New Testament*. It is true, Christ has not said in particular, *I abolish the debarring of the leper seven days, and he that is thus and thus unclean shall be separated till the evening*; nor has he said particularly of every carnal Ordinance and judicial Law, it is abolished. But we conceive, the whole bulk of the judicial Law, as judicial, and as it concerned the Republic of the Jews only, is abolished, though the moral equity of all those are not abolished; also some punishments were merely Symbolical to teach the detestation of such a vice, as the boring with an Awl the ear of him that loved his Master, and desired still to serve him, and the making of him his perpetual servant. I should think the punishing with death the man that gathered sticks on the Sabbath was such; and in all these, the punishing of a sin against the Moral Law by the Magistrate, is Moral and perpetual; but the punishing of every sin against the Moral Law, *tali modo*, so and so, with death, with spitting on the face: I much doubt if these punishments in particular, and in their positive determination to the people of the Jews, be moral and perpetual." Samuel Rutherford, *Divine Right of Church Government Vindicated* (London, 1646): 493–94.

[73] "Lectures on Divinity," *The Works of the Rev. John Witherspoon* (Philadelphia, 1802), 4:119–20.

[74] "Lectures on Moral Philosophy," *The Works of the Rev. John Witherspoon* (Philadelphia, 1800) 3:357.

minster Assembly's view of civil government also departs from that of many *modern* Reformed theologians. The Assembly's view is not that the magistrate should force worship or coerce faith (which is not possible) but that he should enforce laws that encourage and support Christian faith and practice. Thus, magistrates may punish *public* expressions of blasphemy, idolatry, false teaching, and Sabbath-breaking. The moral law must be applied to the modern civil government with wisdom and prudence. However, such prudence also involves looking to the general equity of the Old Testament judicial law as a guide.

Additionally, the Westminster Assembly distinguished the civil magistrate's and the church's sources of power. Anabaptists, Erastians, and Roman Catholics have all held that civil power is, in some sense, derived from Christ as Mediator. While some Erastians at the Assembly believed that the state, not the church, should carry out discipline for sins, the Assembly rejected the claim that the magistrate derives authority from Christ's mediatorial reign as the God-man. Instead, they concluded that the magistrate derives authority from Christ's *essential* reign as God. Echoing George Gillespie, they reasoned that civil rule flows from God as Creator. This is seen in WCF 23.1 (in the original 1646 version—not the 1788 American version), which says, "*God*, the Supreme Lord and King of all the world, *hath ordained civil magistrates to be under him*, over the people, for his own glory and the public good, and to this end hath armed them with the power of the sword, for the defense and encouragement of them that are good, and for the punishment of evil-doers." The Erastians wanted the language of "Christ," which would imply that He is Mediator over civil government, but the Assembly changed the proposed language from "Christ" to "God." Yet even though the civil magistrate's power is derived from God as Creator (and not Christ as Mediator), the magistrate still has a duty to enforce the entire moral law. The magistrate is the guardian of the moral law (both tables of the Ten Commandments) and is to be guided by the general equity of the judicial law.

X. Conclusion

While it is true that theonomy's detractors often overreact and deviate from the theology of the Westminster Confession (particularly Klineans and R2K proponents), theonomy, nevertheless, also deviates from the Westminster Confession and Reformed orthodoxy. While the Mosaic judicial law certainly still has application today, it did, in fact, "expire" as a legal system along with the nation of Israel (WCF 19.4). Even still, Reformed theologians have varied in how they have expressed this point. Some have said that the elements of the judicial law that were particular to Israel have been "abolished" (e.g., Gouge). Meanwhile, others have described them as having been"abrogated" (e.g., Anthony Burgess). Others still have argued that the bulk of the judicial

law—that which was positive law for Israel—was "abolished," but the moral equity of the judicial law was not "abolished" (e.g., Rutherford). Finally, some have argued outright that the judicial law was *not* "abolished" (e.g., Ussher). Regardless of the language Reformed theologians have used, the key point is that the Mosaic judicial law, *insofar as it was positive law,* does not bind any nation beyond Old Testament Israel. It is thus incorrect to speak, as Bahnsen did, of "the abiding validity of the law in exhaustive detail." Rather, civil governments today are bound only by the moral law *and* the "general equity" of the judicial law—that is, the universal and common application of the moral law contained within the judicial law. While the judicial law remains part of the perfect law of God, we must use reason to distinguish its particularities for Israel on the one hand, and its general equity as it might apply to modern civil government on the other.

Accordingly, theonomy is at odds with the theology of the Westminster Confession. This is primarily due to its methodological approach to interpreting and applying Old Testament law—even if theonomic conclusions are sometimes consistent with those of many older Reformed theologians, such as their mutual agreement in applying many Old Testament capital punishments to the present day. However, while theonomists hold that all punishments prescribed in the Old Testament remain binding on civil government today, Reformed theologians and the Westminster divines have not considered the issue in that simple a way. Thus, theonomy tends to conflate the moral and judicial laws, and also rejects or underemphasizes the role of reason and natural law in discerning and applying the judicial law's general equity. In other words, while there is often formal or circumstantial agreement between the Westminster Divines and theonomists, "the [D]ivines always employed categories, distinctions, and qualifications which theonomists reject."[75] Theonomy rejects the natural law tradition that was fundamental to Puritan ethics, and it fails to properly distinguish between situational commands particular to Old Testament Israel and those that reflected God's moral law.[76]

Theonomists and advocates of Westminsterian general equity both agree that the Klinean/R2K position errs. In contrast to both the Westminster Confession and what theonomists have advocated, proponents of R2K deny that the First Table of the Decalogue binds the civil magistrate and tend to ignore the usefulness of the judicial law for nations today. However, advocates of the usefulness of the judicial law's general equity still differ from theonomists in how they interpret and apply Old Testament judicial law. Given that these differences are subtle, we remain

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[75] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 56.

[76] Winzer, "The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis" [Part Two], *The Confessional Presbyterian* 5 (2009): 322.

hopeful that theonomists may be persuaded by the more historic Reformed approach to the judicial law.

Chapter 6

A Critique of Modern "Reformed Two Kingdoms"

I. Understanding the Reformed Two Kingdoms

Meredith Kline's Intrusion Ethics

Reformed Two Kingdoms (R2K) is a modern view of civil government that has its roots in the theology of Meredith Kline (1922–2007). Proponents of R2K hold the following doctrinal positions of Kline: (1) there are two, separate Noahic covenants in Genesis 6–9, with the latter covenant forming the basis for a secular, pluralistic civil government, and (2) Israel's theocracy in the Old Testament involved an "intrusion" of the ethics of the future consummation and final judgment.[1] Kline strongly opposed Greg Bahnsen's theonomy, but in doing so, he and his followers have done no less than propose an alternative theological system to the Westminster Standards (one which effectively denies the "general equity" of the First Table of the Ten Commandments per WCF 19.4). Kline even admits that the general equity of the law in "WCF 19:4 must also have placed the 'four first commandments containing our duty towards God' (19:2) under the jurisdiction of the state." Kline thus considers the American revision to WCF 23.3 as having contradicted the original meaning of WCF 19.4, making it "a patchwork job" of "inner tension."[2] Kline's theology has been advanced, especially by professors at Westminster Seminary

[1] R2K is also associated with Kline's view that the Mosaic covenant is a republication of the covenant of works, but not all proponents agree with his position. Kline held to a form of works-based merit for Old Testament Israel at the national-typological level. Yet there are two interpretations of Kline's position here: one that he only held to an "administrative" republication and one that he held to a form of a "substantial" republication. See "Report of the Committee to Study Republication Presented to the Eighty-Third (2016) General Assembly of the Orthodox Presbyterian Church," https://opc.org/GA/republication.html.

[2] "For though we may hold that on the subject of the civil magistrate the Confession, even in its original form, is non-Erastian, we must still admit that the original Chapter 23 did attribute to the state the function of enforcing the first four laws of the Decalogue. It must also be acknowledged then that in its original intent, WCF 19:4 must also have placed the 'four first commandments containing our duty towards God' (19:2) under the jurisdiction of the state, whatever precisely is meant by saying that the judicial laws given to Israel 'expired together with the State of that people; not obliging any other now, further than the general equity thereof may require.' The question that would have to be faced today is whether WCF 19:4 retains its original sense. Did the 1788 revision of the Confession in explicitly modifying 23:3 implicitly modify the meaning of the unchanged wording of 19:4? It is sound hermeneutical policy in interpreting the inspired Word of God to follow the analogy of Scripture. But since neither the original Confession nor its revision was inspired, we cannot simply assume that WCF 19:4 is to be interpreted according to the analogy of the revised 23:3. Is it not possible to argue that the revision was a patchwork job that has left the Confession in a condition of inner tension on the subject of the functions of the state? However that question be answered, Chalcedon can justly claim historical precedence for its position on this matter in the original formulations of the Confession." Meredith G. Kline, "Comments on an Old-New Error," *WTJ* 41/1 (Fall 1978): 174. This can also be accessed online: https://meredithkline.com/klines-works/articles-and-essays/comments-on-an-old-new-error/.

California, with Kline's former student David VanDrunen as the leading proponent of R2K.[3] Kline's secularist political views were a precursor to R2K, as was evidenced by his support of the U.S. Supreme Court's 1963 ruling prohibiting mandatory Bible reading in public schools.[4]

Central to Kline's theology is his distinction between the ethics of "the consummation" and the current period of "common grace." However, this raises problems with the Old Testament because of the religious laws in the Mosaic covenant and the imprecatory prayers in the Psalms. Kline explains these passages away as merely an "intrusion" of consummation ethics, saying, "Our thesis is that this Old Testament ethical pattern is an aspect of the Intrusion."[5] Unlike earlier Reformed theologians, Kline almost exclusively bases his ethics on the New Testament, since "the Old Testament is not the canon of the Christian church."[6] The main exception to this was his view that the Noahic covenant is foundational for modern civil government. Accordingly, Kline includes the imprecatory Psalms of the Old Testament as having "a pattern of conduct which conforms to the ethics of the consummation." He explains that this "constitutes a divine abrogation, within a limited sphere, of the ethical requirements normally in force during the course of common grace."[7]

Kline's consummation/common grace distinction also led him to regard *Israel's theocracy and the Mosaic law* as ethical intrusions of the consummation. Thus, Kline writes, "[I]t is in this New Testament age not a legitimate function of a civil government to endorse and support religious establishments." Though Kline acknowledges that Christ sits on the throne in heaven, the visible church, "in particular as it is related to civil powers, is so designed that it takes a place of only common privilege along with other religious institutions within the framework of common grace."[8] Kline held that the Mosaic Law is not normative for civil government or the church because the Mosaic Law was only a temporary "intrusion" of final judgment that ended with the coming of Christ. This differs from the Westminster Confession's position that while the cere-

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[3] For more on VanDrunen's dependence on Kline, see Benjamin Miller, "De-Klining from Chalcedon: Exegetical Roots of the 'R2K' Project," in *For the Healing of the Nations: Essays on Creation, Redemption, and Neo-Calvinism*, eds. Bradford Littlejohn and Peter Escalante, 2nd ed. (Davenant Trust, 2018), 167–99. Miller notes that Kline's *Kingdom Prologue* was used as a classroom text at Westminster Seminary California and was published in two parts in 1981 and 1983. VanDrunen received the Master of Divinity from the seminary while Kline was a professor there. Ibid., 168.

[4] Muether recounted, "In 1963, when Kline's sons were enrolled in the Abington township public schools, the Supreme Court's landmark decision in *Abington v. Schempp* ruled that mandatory prayer in public schools was a violation of the First Amendment. Kline supported the ruling, to the dismay of some in the OPC." John R. Muether, "Meredith G. Kline: Controversial and Creative," *New Horizons* (Oct. 2022), https://opc.org/nh.html?article_id=1111. Muether seems to have confused two related cases, *Engel v. Vitale* (1962), which banned mandatory prayer, and *Abington v. Schempp* (1963), which banned mandatory Bible reading.

[5] Meredith G. Kline, *The Structure of Biblical Authority* (Grand Rapids: Eerdmans, 1972), 160.

[6] Kline, *The Structure of Biblical Authority*, 99.

[7] Kline, *The Structure of Biblical Authority*, 162.

[8] Kline, *The Structure of Biblical Authority*, 167.

monial law was "abrogated" and the judicial law "expired," the moral law still binds all men, and the "general equity" of the Mosaic judicial law still "oblig[ates]" civil government (WCF 19.3–5).

Kline's theology here is dependent upon three premises: (1) that the Noahic covenant forms the basis for civil ethics in the common grace/New Testament age, (2) that the ethics of Israel's theocracy in the Old Testament, including the Mosaic law and the Psalms, are an "intrusion" of consummation ethics and not intended to guide the New Testament church or civil government today, and (3) that the Ten Commandments ought to be divided such that the First Table laws concerning the worship of God (i.e., the first four commandments) would have no bearing on civil government today.[9] It should be clear to anyone familiar with traditional Reformed theology that Kline has departed from earlier Reformed theologians, including the Westminster divines. Yet we also contend that Kline has not established any of these premises from Scripture.

The Modern Reformed Two Kingdoms (R2K)

Following Kline, the modern Reformed Two Kingdoms (R2K) distinguishes between the "common kingdom" and the "redemptive kingdom." While R2K uses its own language, this distinction corresponds to Kline's "common grace ethics" and "consummation ethics." The common kingdom in R2K is founded on the Noahic Covenant (particularly Gen. 8:20–9:17). All humans are part of this common kingdom, which encompasses areas such as civil government, family, education, and art. Jesus Christ rules this civil kingdom, but He does so as Creator and Sustainer. This kingdom is guided by general revelation, namely, natural law. Then, in contrast to the common kingdom, the "redemptive kingdom" is founded on the Abrahamic Covenant (Gen. 15, 17). Only Christians are part of this redemptive kingdom, to which the church and its mission belong. Jesus rules this spiritual kingdom as redeemer, and it is guided by special revelation, namely the Bible.[10]

This R2K scheme has implications for civil government because it pits the state against the church. They become two separate institutions, governed by two different rules (the state by natural law and the church by Scripture) and founded on two different covenants (the state on the Noahic and the church on the Abrahamic). John Frame demonstrates the similarity between Kline's position and VanDrunen's R2K in his 1990 summary of Kline's view explaining how, in both views, civil government must follow the Noahic Covenant's teaching of a "common grace" kingdom, and "the Noahic covenant establishes a religiously neutral system of government, i.e.,

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[9] Kline, *The Structure of Biblical Authority*, 159.

[10] For further explanation, see David VanDrunen, *Living in God's Two Kingdoms: A Biblical Vision for Christianity and Culture* (Wheaton, IL: Crossway, 2010).

one in which no religion is to have an advantage over any other."[11] Thus, we see the Klinean/R2K position is not merely "the separation of church and state," but a separation of religion and state. Advocates of R2K seek to establish a religiously neutral state that would accommodate various religions (pluralism) while still protecting people from harm caused by others (thus reflecting Enlightenment principles and sharing similarities with modern libertarians).

II. R2K Deviates from Traditional Reformed Theology

Proponents of R2K, including David VanDrunen, claim to follow the "two-kingdom" theology of the Protestant Reformers, but this is not the case. The R2K model is better termed as the "*radical* two-kingdoms" view because it departs from the doctrine of the Reformers, such as Martin Luther and John Calvin, as well as the rest of the Reformed orthodox. While Luther did speak of "two kingdoms," Calvin spoke of a singular "twofold kingdom" (*duplex regnum*) and distinguished between the "spiritual" and the "civil" kingdom.[12] However, Calvin did not make the sharp state-religion divide found in R2K.[13] The Reformers and the Reformed orthodox did not advocate anything like "religious neutrality" but rather for a Christian government with Christian magistrates. Calvin went so far as to equate natural law with the Ten Commandments, which led him to the position that the state should prohibit even blasphemy and idolatry.[14]

After Calvin, the Reformed orthodox refined Calvin's view of the twofold kingdom of Christ (*duplex regnum Christi*), distinguishing between Christ's *essential* kingdom as God (*regnum essentiale*) and Christ's *mediatorial* kingdom as the God-man (*regnum mediatorium*).[15] Indeed, the Reformed orthodox delineated the modes by which Christ rules, making the *duplex regnum* a

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[11] John M. Frame, "The One, the Many, and Theonomy," in *Theonomy: A Reformed Critique*, eds. William S. Barker and W. Robert Godfrey (Grand Rapids: Academie Books, 1990), 94.

[12] Jonathon D. Beeke, *Duplex Regnum Christi: Christ's Twofold Kingdom in Reformed Theology*, Studies in Reformed Theology 40 (Leiden: Brill, 2020), 13. Calvin, *Institutes of the Christian Religion*, 3.19.15.

[13] See John Calvin, *Institutes of the Christian Religion*, trans. Ford Lewis Battles (Louisville, KY: Westminster John Knox Press; 2006), 847–849 (3.19.15), 1485–1488 (4.20.1–2).

[14] Calvin, *Institutes of the Christian Religion*, 367–68 (2.8.1): "That inward law, which we have above described as written, even engraved, upon the hearts of all, in a sense asserts the very same things that are to be learned from the two Tables." Ibid., 1488–1489 [4.20.3]: "It [civil government] does not, I repeat, look to this only, but also prevents idolatry, sacrilege against God's name, blasphemies against his truth, and other public offense against religion from arising and spreading among the people; it prevents the public peace from being disturbed; it provides that each man may keep his property safe and sound; that men may carry on blameless intercourse among themselves; that honesty and modesty may be preserved among men. In short, it provides that a public manifestation of religion may exist among Christians, and that humanity be maintained among men."

[15] Beeke, *Duplex Regnum Christi*, 18.

Christological distinction, and they considered Christ's twofold kingdom to be perpetual.[16] However, contrary to R2K proponents, "[T]he Reformed orthodox did not limit Christ's mediatorial rule and power to the visible or even to the invisible church." They "did not distinguish Christ's mediatorial kingdom from his essential kingdom on the basis of scope or boundary, but on the basis of the mode of Christ's governance (i.e., covenantal administration)"—meaning that "Christ's essential kingdom and mediatorial kingdom comprise *one kingdom that is universal in scope*."[17]

Therefore, when proponents of R2K speak of "two kingdoms," they are adopting "Luther's early terminology that signals a *plurality* of kingdoms."[18] And by contrasting "spiritual" and "political" kingdoms, or "temporal" and "civil" kingdoms, they are drifting toward the terminology of Luther or Calvin rather than of the Reformed orthodox.[19] Both proponents and detractors of R2K "have assumed that this language is reflective of the Reformed tradition as a whole."[20] This is an error of historical theology, but it is one that shifts the R2K debate away from the position of the Reformed orthodox. Either way, R2K does not hold the view of Calvin *or* the Reformed orthodox regarding the duties of the civil magistrate.

Yet R2K is even at odds with the theology of American Presbyterians who rejected religious establishment, such as Charles Hodge. He writes, "The demands of those who require that religion, and especially Christianity, should be ignored in our national, state, and municipal laws, are not only unreasonable, but they are in the highest degree unjust and tyrannical." He then adds, "[I]f Christianity is not to control the laws of the country, then as monogamy is a purely Christian institution, we can have no laws against polygamy, arbitrary divorce, or 'free love.'"[21] In other words, Hodge did not think it possible for a government to have just laws related to the Second Table without that government being based on the Christian religion (First Table).

VanDrunen has admitted that he does not entirely follow the views of the Reformers. Indeed, he claims, "[M]y political theology affirms and *refines* the idea of the Two Kingdoms as developed within the Reformed theological tradition."[22] But does VanDrunen refine Reformed theology or *change* it entirely? We have already demonstrated that he does not follow the "twofold kingdom" language of the Reformed orthodox. Yet we must also analyze his concepts. VanDrunen appeals to Francis Turretin for his views,[23] saying Turretin held that "[t]he supreme end

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[16] Beeke, *Duplex Regnum Christi*, 219.

[17] Beeke, *Duplex Regnum Christi*, 21.

[18] Beeke, *Duplex Regnum Christi*, 220.

[19] Beeke, *Duplex Regnum Christi*, 221.

[20] Beeke, *Duplex Regnum Christi*, 222.

[21] Charles Hodge, *Systematic Theology* (1873), 3:346.

[22] VanDrunen, *Politics after Christendom* (Grand Rapids: Zondervan, 2020), 38, cf. 77 (emphasis added).

[23] VanDrunen, *Politics after Christendom*, 41.

of civil magistrates is the glory of God the Creator, who preserves the human race and rules the world, and their subordinate end is public peace and the temporal good of the community."[24]

This raises the question: Which actions of the magistrate preserve peace and temporal good? Turretin and other Reformed theologians included *the enforcement of laws related to the First Table of the Ten Commandments*. VanDrunen only acknowledges this in a footnote, but he then says Turretin's view is "incoherent" while providing little interaction. He explains, "[I]t may seem ironic or even incoherent that Turretin supports the coercive enforcement of civil laws against blasphemy and heresy."[25] VanDrunen thus claims that Turretin and the Reformed orthodox have held "incoherent" views of the civil government but that he, now, has smoothed out such inconsistencies. However, he has not demonstrated their incoherence. Even here, he relegates his criticism of one of the masters of Reformed theology to a footnote. Ultimately, R2K's insistence that nations look to the Noahic covenant and not the general equity of the Mosaic law has more in common with certain forms of dispensationalism than with traditional Reformed theology.[26] Furthermore, R2K's opposition to Christian government also has similarities to that of the Anabaptists of the Radical Reformation (in contrast to the Magisterial Reformation).[27]

III. R2K Stands (and Falls) on an Erroneous Division of the Noahic Covenant

The R2K View of the Noahic Covenant

We will now undertake a biblical and theological critique of R2K. The R2K "common kingdom" rests entirely on the Klinean division of the Noahic covenant. As VanDrunen himself admits, "I stake much of my political theology on the distinctive nature and purposes of the Noahic covenant (Gen 8:21-9:17)."[28] Indeed, he argues that "the Noahic covenant ought to play a foundational role in Christian political theology." Yet he notes, "The Noahic covenant receives rela-

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[24] VanDrunen, *Politics after Christendom*, 42.

[25] VanDrunen, *Politics after Christendom*, 116, n. 25

[26] See Greg L. Bahnsen and Kenneth L. Gentry, Jr., *House Divided: The Break-Up of Dispensational Theology* (Tyler, TX: Institute for Christian Economics, 1989), 128–30.

[27] George Williams said of the three main groups of the Radical Reformation (Anabaptists, Spiritualists, and Evangelical Rationalists): "But most characteristic was their common resistance to the linking together of church and state, a relationship which the Reformation espoused in principle... It is pre-eminently the opposition of the dissenters to the magisterial Reformation of Protestantism...which has earned for these often disparate groups the designation 'left wing.'" George Williams, ed., *Spiritual and Anabaptist Writers* (Philadelphia: Westminster Press, 1957), 21. Williams added, "The proponents of the Radical Reformation, having been inspired by the Protestant Reformers to look back to the church of the apostolic past, yearned to restore it unambiguously in their midst. Accordingly, most of them early abandoned any hope of a fully Christian society coterminous with political boundaries." Ibid., 22.

[28] VanDrunen, *Politics after Christendom*, 57; cf. VanDrunen, *Divine Covenants and Moral Order: A Biblical Theology of Natural Law* (Grand Rapids: Eerdmans, 2014), 107–14.

tively little attention in Christian political theology."[29] VanDrunen seems unaware of the reason for this—namely, that his political theology is novel.

VanDrunen follows Meredith Kline in dividing Genesis 6–9 into two covenants: (1) a covenant with Noah in Genesis 6:18, and (2) a second covenant made with all creation that they call the "Noahic covenant."[30] The latter is the basis for the R2K "common kingdom." VanDrunen writes, "The evidence strongly points to the conclusion that this [Gen. 6:18] is a different covenant from the one mentioned in Genesis 9."[31] Other R2K proponents have adopted this division of the Noahic covenant.[32] For reference, we will quote these relevant passages from Genesis. In Genesis 6:18, God promises to Noah (singular "you" in Hebrew):

> But I will establish My covenant with you; and you shall enter the ark—you and your sons and your wife, and your sons' wives with you. (Gen. 6:18)

Genesis 9, then, includes the longer passage of God's covenant with Noah and all creation:

> Then God spoke to Noah and to his sons with him, saying, "Now behold, I Myself do establish My covenant with you, and with your descendants after you; and with every living creature that is with you, the birds, the cattle, and every beast of the earth with you; of all that comes out of the ark, even every beast of the earth. I establish My covenant with you; and all flesh shall never again be cut off by the water of the flood, neither shall there again be a flood to destroy the earth…. and I will remember My covenant, which is between Me and you and every living creature of all flesh; and never again shall the water become a flood to destroy all flesh…." And God said to Noah, "This is the sign of the covenant which I have established between Me and all flesh that is on the earth." (Gen. 9:8-11, 15, 17)

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[29] VanDrunen, *Politics after Christendom*, 79.

[30] Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Eugene, OR: Wipf and Stock, 2006), 230–34. For other proponents of this division of Genesis 6–9 into two covenants see Stephen G. Dempster, *Dominion and Dynasty: A Theology of the Hebrew Bible*, New Studies in Biblical Theology 15 (Downers Grove, IL: InterVarsity Press, 2003), 73 n. 33; Stephen D. Mason, *"Eternal Covenant" in the Pentateuch: The Contours of an Elusive Phrase* (New York: T&T Clark, 2008), 48–66; Greg Nichols, *Covenant Theology: A Reformed and Baptistic Perspective on God's Covenants* (Birmingham, AL: Solid Ground Books, 2011), 112, 153.

[31] VanDrunen, *Living in God's Two Kingdoms*, 80, n. 2.

[32] See R. Scott Clark, "What About Noah and Covenant Theology?" *Heidelblog* (Aug. 2, 2013), accessed December 23, 2025, https://heidelblog.net/2013/08/what-about-noah-and-covenant-theology/.

The arguments put forth for understanding these as two separate covenants in Genesis 6:18 and Genesis 9 are as follows. First, it is claimed that the covenant in Genesis 6:18 is made only with Noah, while the covenant in Genesis 9 is made with Noah, his sons, and their future offspring (plural "you").[33] Second, it is claimed that the covenant in Genesis 6:18 promises the survival of Noah and his family during the flood, while the covenant in Genesis 9 promises that a worldwide flood will never happen again (Gen. 9:11, 15).[34]

Following Kline and in agreement with VanDrunen, Miles Van Pelt concludes that "the covenant recorded in Genesis 6 was an individual, bilateral, redemptive administration of the covenant of grace fulfilled in the preservation of Noah, his family, and a remnant of the animal kingdom in the ark." On the other hand, the "Noahic covenant recorded in Genesis 9…is a universal, unilateral, nonredemptive administration of the covenant of grace restoring and securing the principle of common grace suspended during the judgment ordeal of the flood."[35] Yet notably, in the very next chapter in this multi-author volume, John Scott Redd takes the opposite view (just two pages after Van Pelt's chapter), writing:

> The Noahic covenant is singular and complete even though it is administered at different points and with different emphases before and after the flood (including a statement of Noah's faithfulness and promises of deliverance and stipulation before the flood, Gen. 6:9-22; covenant promises after the flood, 8:20-22; and formal covenant stipulations and promises after the flood, 9:1-17).[36]

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[33] Miles V. Van Pelt, "The Noahic Covenant of the Covenant of Grace," in *Covenant Theology: Biblical, Theological, and Historical Perspectives*, eds. Guy Prentiss Waters, J. Nicholas Reid, and John R. Muether (Wheaton: Crossway, 2020), 118.

[34] Van Pelt, "The Noahic Covenant of the Covenant of Grace," in *Covenant Theology*, eds. Waters, Reid, and Muether, 118.

[35] Van Pelt, "The Noahic Covenant of the Covenant of Grace," in *Covenant Theology*, eds. Waters, Reid, and Muether, 131–32.

[36] John Scott Redd, "The Abrahamic Covenant," in *Covenant Theology: Biblical, Theological, and Historical Perspectives*, eds. Guy Prentiss Waters, J. Nicholas Reid, and John R. Muether (Wheaton: Crossway, 2020), 134.

Thus, we see that not all Reformed theologians agree with the Klinean/R2K position that there are two Noahic covenants in Genesis 6–9.[37] And if there were only one unified covenant, there would be no clear basis for a "common kingdom" in Scripture (since Genesis 6 involves redemption). Indeed, if the Noahic covenant were to involve elements of both common grace (no future flood) and redemptive grace (the promised seed), this would show *greater continuity* between the Noahic covenant and later covenants such as the Abrahamic and Mosaic covenants.

As part of their division of Genesis 6–9 into two separate covenants, R2K proponents hold that "common grace is temporarily suspended during the period of the flood" and then restored in Genesis 9.[38] On the other hand, the view of a unified Noahic covenant understands common grace to be *for the purpose of* redemptive grace—as indeed, the reason God will not flood the earth again is to preserve His holy seed. Rather than seeing the Noahic covenant as serving R2K's purpose of a "common kingdom," the unified Noahic covenant of Genesis 6–9 supports the Christianization of all nations, including their civil governments.

Contrary to the Klinean/R2K view of Genesis 6–9, the Noahic Covenant is made with "all creation," yet it retains redemptive aspects and is connected to the other redemptive covenants. This can be seen in the following points: (1) The Noahic Covenant involves sacrificial animal offerings, similar to that of the Levitical system (Gen. 8:20-21); (2) The Noahic Covenant is made with a worshipper of the Lord (Noah) and his seed/offspring (Gen. 9:8-9); (3) The Noahic Covenant involves "seed," typical of the covenants that VanDrunen would consider redemptive, such as the Abrahamic and Davidic Covenants (Gen. 9:9; 15:18; 17:7, 9-10; 2 Sam. 7:12); (4) The Noahic Covenant reaffirms the command to Adam to "Be fruitful and multiply" (Gen. 1:28; 9:1, 7), which is also part of the Abrahamic Covenant in God's command to Jacob (Gen. 35:11-12). Thus, while the Noahic Covenant is made with all creation, it still has "redemptive" aspects, similar to those of other covenants. This undermines VanDrunen's contrast between the Noahic and Abrahamic covenants and thus undermines the entire R2K scheme. Contrary to VanDrunen, the Noahic Covenant reaffirms the creation order ("seed," "be fruitful and multiply"),

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[37] For a single unified Noahic covenant in Genesis 6–9, see also Paul. R. Williamson, *Sealed with an Oath: Covenant in God's Unfolding Purpose*, New Studies in Biblical Theology 23 (Downers Grove, IL: InterVarsity Press, 2007), 59 (who considers Genesis 6:18 to be "proleptical" and anticipating Genesis 9); O. Palmer Robertson, *The Christ of the Covenants* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1980), 110 n. 2; Richard P. Belcher, Jr., *The Fulfillment of the Promises of God: An Explanation of Covenant Theology* (Fearn: Mentor, 2020), 51; For unity, see Myers, *God to Us*, 126–53; Umberto Cassuto, *A Commentary on the Book of Genesis*, Part II, *From Noah to Abraham* (Jerusalem: Magnes Press, 1964), 68, 130; William J. Dumbrell, *Covenant and Creation: An Old Testament Covenant Theology* (Carlisle: Paternoster, 1984), 28, 33, 42–46; J. V. Fesko, *Last Things First: Unlocking Genesis 1–3 with the Christ of Eschatology* (Fearn: Mentor, 2007), 87–88, 112–13. Hamilton takes Genesis 6:18 as announcing the covenant coming in Genesis 9. Victor P. Hamilton, *The Book of Genesis: Chapter 1–17*, The New International Commentary on the Old Testament (Grand Rapids: William B. Eerdmans Publishing Co., 1990), 284.

[38] Van Pelt, "The Noahic Covenant of the Covenant of Grace," in *Covenant Theology*, eds. Waters, Reid, and Muether, 120.

which is then expanded upon in the Abrahamic, Mosaic, Davidic, and New Covenants. Sacrifices are included that culminate in the sacrifice of Jesus; offspring is promised, culminating in the true seed of Abraham (Gal. 3:16); and God's people are commanded to be fruitful, which is reaffirmed in the Great Commission to disciple the nations (Matt. 28:19). Of the four points above, VanDrunen only seeks to counter point one—that the Noahic Covenant involves a sacrificial offering and is thus redemptive. Yet, as noted, *VanDrunen attempts to escape this point by arguing that there are two covenants made with Noah*, and that the sacrifices Noah offered in Genesis 8:20-22 are part of the redemptive covenant of Genesis 6:18 but not part of the common grace covenant of Genesis 9.

Seven Arguments against the Klinean/R2K Division of the Noahic Covenant

The division of Genesis 6–9 into two separate covenants is the *sine qua non* of R2K theology, and therefore, to refute this division would be to undermine R2K entirely. So, here are seven arguments against the Klinean/R2K division of Genesis 6–9 and for why this passage, instead, forms one, unified Noahic covenant. First, Genesis 6:18 and Genesis 9 share the language of "confirm[ing] a covenant" (*heqim berit*) rather than "cut[ting] a covenant" (*karat berit*). While the construction "cut a covenant" (using the verb *karat*) refers to the initiation of a new covenant, the construction "establish a covenant" (using the verb *heqim*) is technical terminology consistently referring "to a covenant partner fulfilling an obligation or upholding a promise in a covenant initiated previously so that the other partner experiences in historical reality the fulfilling of this promise."[39] Thus, while most translations continue to translate *heqim berit* as "establish a covenant," it is best rendered as "confirm a covenant." This pattern is seen in Genesis 15:18, in which God "cut a covenant" (*karat*) so as to *initiate* a covenant with Abraham, but two chapters later, God "confirmed" (*heqim*) this covenant so as to seal it with the covenant sign of circumcision (Gen. 17:7, 19, 21; cf. Rom. 4:11). Regarding the covenant in Genesis 6–9, we see that God "confirmed" His covenant (*heqim*) both in Genesis 6:18 and in Genesis 9:9, 11, 17. Some who divide the Noahic Covenant in two also understand the covenant of Genesis 6:18 to "confirm" a prior covenant (based on the Hebrew verb *qum*), but this does not require dividing

[39] Peter J. Gentry and Stephen J. Wellum, *Kingdom through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton, IL: Crossway, 2012), 155.

the Noahic Covenant. There is disagreement over what God is "confirming" in Genesis 6:18.[40] If it is the promise of the Gospel in Genesis 3:15, then the Noahic Covenant would be understood as continuing the Covenant of Grace. Yet Genesis 6:18 may instead "confirm" to Noah God's care for creation. In either case, this confirmation of God's earlier promise or commitment also anticipates the more detailed ratification of the covenant in Genesis 9.[41] VanDrunen does not see the language of *heqim berit* in Genesis 6 and 9 as carrying any interpretive weight.[42] Yet as Stephen Myers notes, "VanDrunen, however, neglects the exhaustive lexical analysis of Gentry and Wellum, *Kingdom through Covenant*, 2nd ed., 841–904."[43] This concept of God forming a covenant with Noah that confirms His care for creation is tied with several creational concepts in Genesis 6–9. But it also shows that the covenantal language in both Genesis 6:18 and Genesis 9 is united in pointing back to an earlier promise or commitment.

Second, the Noahic Covenant cannot be divided into two because both Genesis 6 and Genesis 9 involve all creation. In Genesis 6, God instructed Noah to take animals (all creation) on the ark with him—two of every unclean animal (Gen. 6:19-21) and seven of every clean animal (Gen. 7:2-3, 8-9). This section, prior to Genesis 9, similarly to the Mosaic Covenant, speaks of "every living thing" (Gen. 6:19), "all flesh" (Gen. 7:14-16), and clean and unclean animals (Gen. 7:2-3, 8-9). Thus, *the covenant in Genesis 6:18 has all creation in view, just like Genesis 9*. Consider the similar language from both passages:

> But I will establish My covenant with you; and you shall enter the ark—*you and your sons and your wife, and your sons' wives with you. And of every living thing of all flesh*, you shall bring two of every kind into the ark, to keep them alive with you; they shall be male and female. Of the birds after their kind, and of the animals after their kind, of every

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[40] Some understand Genesis 6:18 to refer to a prior covenant at creation. Gentry and Wellum understand Genesis 6:18 to refer not to renewal of a prior covenant, but rather to mean that God's "commitment initiated previously at creation to care for and preserve…are now to be with Noah and his descendants." Gentry and Wellum, *Kingdom through Covenant*, 161. Myers interprets Genesis 6:18 to refer to the covenant of grace first announced in Genesis 3:15. Stephen G. Myers, *God to Us: Covenant Theology in Scripture* (Grand Rapids: Reformation Heritage Books, 2021), 55. Van Pelt understands Genesis 6:18 to confirm the redemptive judgment of Genesis 3:14-19. Van Pelt, "The Noahic Covenant of the Covenant of Grace," in *Covenant Theology*, eds. Waters, Reid, and Muether, 120, 128.

[41] Richard P. Belcher, Jr., *The Fulfillment of the Promises of God: An Explanation of Covenant Theology* (Fearn: Mentor, 2020), 51–52. Even Kline understood the covenant of Genesis 6:18 to not inaugurate the covenant but express assurance that God would fulfill the promise of salvation to him. Kline, *Kingdom Prologue*, 232.

[42] VanDrunen, *Divine Covenants and Moral Order*, 108–109.

[43] Myers, *God to Us*, 134. Williamson argues against the meaning of "confirm" in Genesis 6:18. Paul. R. Williamson, *Sealed with an Oath: Covenant in God's Unfolding Purpose*, New Studies in Biblical Theology 23 (Downers Grove, IL: InterVarsity Press, 2007), 73. Gentry and Wellum respond to Williamson in Gentry and Wellum, *Kingdom through Covenant*, 156–57.

> creeping thing of the ground after its kind, two of every kind will come to you to keep them alive. (Gen. 6:18-20)
>
> Now behold, I Myself do establish My covenant *with you, and with your descendants after you; and with every living creature* that is with you, the birds, the cattle, and every beast of the earth with you; of all that comes out of the ark, even every beast of the earth. I establish My covenant with you; and all flesh shall never again be cut off by the water of the flood, neither shall there again be a flood to destroy the earth. (Gen. 9:9-11)

It is clear from Genesis 9 that the covenant is made with all creation (Gen. 9:9, 12, 13, 14, 15, 16, 17). However, it still uses "seed/descendent/offspring" language (Gen. 9:9), as with the Abrahamic covenant (Gen. 17:7). Genesis 6 also uses similar language for Noah and his "sons" (Gen. 6:18), but also after the covenant says to bring "all flesh" on the ark (Gen. 6:19). Both Genesis 6:18-20 and 9:9-11 include similar language, which does not support there being two separate covenants here.

Third, Genesis 8 and 9 cannot be neatly divided, for the creational renewal with Noah and his sons to "be fruitful and multiply" (Gen. 9:1, 7) is also given in Genesis 8 for the animals.[44] God told Noah and his family to bring all the creatures out of the ark so that they could "be fruitful and multiply" (Gen. 8:16-17). This repeats the creation language that was given to animals (Gen. 1:22) and humans (Gen. 1:28), and here is directed toward animals. One difference here is that it is explicit from Genesis 9 that animals may be eaten by humans. The permission to eat all things (Gen. 9:3) ties back to the creational command to eat plants (Gen. 1:29-30). Notably, Kline even said that the dietary regulation of Genesis 9:3-4 "had application only within theocratic phases of the organization of the redemptive community."[45]

Fourth, the unity of the Noahic Covenant is supported by its parallels with the Abrahamic Covenant. Noah and Abraham were both given promises of life that were then ratified by a covenant (Gen. 6:17-18; 12:1-3; 15:1-6, 17-21), followed by a crisis related to that promise (a flood and an illegitimate heir) (Gen. 7:1–8:12; 16:1-16), and then the covenant promise was sealed with a sign (Gen. 9:8-17; 17:1-14).[46] Yet such parallels require understanding Genesis 6–9 as a unified story and covenant.

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[44] Seeming to undermine the R2K application of the Noahic covenant, Kline wrote, "Yet the Noahic community was a family, not a nation to which a kingdom-treaty might appropriately be directed." Kline, *The Structure of Biblical Authority*, 77.

[45] Kline, *Kingdom Prologue*, 254.

[46] Richard P. Belcher, Jr., *The Fulfillment of the Promises of God: An Explanation of Covenant Theology* (Fearn: Mentor, 2020), 51.

Fifth, the death penalty given in Genesis 9:6 is a solution to the violence in Genesis 6:1-6, forming a further connection between Genesis 6 and 9. Genesis 9:1-7 is limited instruction for dealing with the violence problem prior to the flood. As the text makes clear, God sent the flood on the earth because "the wickedness of man was great on the earth" (Gen. 6:5), and He considered the earth "corrupt" because it was "filled with violence" (Gen. 6:11, 13). God sent a flood to wipe out such wickedness, and He restarted with a new Adam (Noah) who was to fill the earth with his offspring (Gen. 9:1, 7). But God made sure to clearly institute the death penalty for murder to deal with the violence problem (Gen. 9:6). God's covenant in Genesis 6:18 was to save Noah from such violence and God's judgment upon such violence, and His confirmation of the covenant in Genesis 9 involved a solution to such violence in that humans were to put murderers to death (Gen. 9:6).

Sixth, the Klinean/R2K division of Genesis 6–9 misses the fact that there is a redemptive promise at the end of Genesis 9, thus joining this later passage with the earlier promise in Genesis 6. There are, in fact, two promises in the Noahic Covenant—first, that God will not flood the earth again (Gen. 9:14-15), and second, the blessing for the descendants of Shem and Japheth (Gen. 9:26-27). This is a continuation of the Noahic Covenant, as it preserved the earth for the promised seed so that the nations (Japheth) would be blessed in the "tents of Shem." This shows a redemptive connection between Genesis 6–9, as God preserved the life of Noah and his family prior to the Flood, and after the Flood, He promised blessing upon the holy line of Shem (as well as the Japhethites). Through the Noahic Covenant, God would preserve the world for the purpose of preserving His people. God would judge the Canaanites, save the Shemites, and welcome the Japhethites into Shem's tents (Gen. 9:25-27).[47]

Seventh, the covenant with all creation in Genesis 9 is tied with Noah offering a sacrifice to God with clean animals after getting off the ark (Gen. 8:20). This led into God's promise to never curse the ground or strike down all creatures (Gen. 8:21). The covenant in Genesis 9 (vv. 9, 11, 12, 13, 15, 16, 17) involves sacrificial animal offerings, similar to that of the Levitical system. Even Kline understood Noah's sacrifice in Genesis 8:20 as involving the "consummated kingdom," praising the "King of kings."[48] Yet VanDrunen places Noah's sacrifice in Genesis 8:20-21 under a supposed separate covenant of Genesis 6:18, on the basis that Noah offered the sacrifice after being saved by God and before God's promise in Genesis 9. VanDrunen also says it is a sac-

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[47] Commenting on Genesis 9:27, Witsius said Greeks and Romans (descendants of Japheth) dwelt in Shem's tents "literally" because they "invaded a great part of Asia," but also "mystically" because "the posterity of Japheth is the principal part of the church of the Gentiles." He added, "it is certain, that the faith of Christ, from the days of the apostles, has chiefly flourished in Europe, and in those parts of Asia, which fell to Japheth's lot." Herman Witsius, *The Economy of the Covenants between God and Man*, 2 vols., trans. William Crookshank (London, 1822; repr., Grand Rapids: Reformation Heritage Books, 2010), 2:139.

[48] Kline, *Kingdom Prologue*, 229.

rifice of "consecration" rather than "expiation of sins" (on what basis are these two things exclusive?). Thus, he claims, "This sacrifice does not…mean that the Noahic covenant is redemptive rather than common."[49] However, Genesis 8:20-22 cannot be so neatly separated from Genesis 9.[50] The Lord's promise not to strike down living creatures was *in response to Noah's sacrifice*—"And when the LORD smelled the pleasing aroma, the LORD said in his heart, 'I will never again curse the ground because of man, for the intention of man's heart is evil from his youth. Neither will I ever again strike down every living creature as I have done'" (Gen. 8:20-21, ESV). Sacrifice is intricately connected with God's promise to never again destroy creation by flood. VanDrunen himself recognizes "the substantive similarity across the sections" and even concludes that "Genesis 8:20-22 is therefore an important aid in interpreting the covenantal words spoken to Noah [Gen. 9:8-17], disclosing the intention behind the proclamation."[51] However, Genesis 8:20-22 is more than an "aid" for interpreting the covenant in Genesis 9, as God confirms the covenant as a result of the sacrifice. Genesis 9 is redemptive and in continuity with Genesis 6.

The Noahic Covenant Preserves Creation for the Purpose of Redemption

Therefore, Genesis 9 is not a mere "common grace" covenant but involves sacrifices related to redemption. The covenant of Genesis 6:18 clearly speaks of redemption, even though it uses creational language. And the covenant of Genesis 9, even though it uses creational language, *does not mention unbelievers at all*. The emphasis is on creatures and the earth, not unbelievers. So this is one covenant, harmonizing creational language with God's redemption. It is a preservation of creation for the purpose of redemption. "God remembered Noah" (Gen. 8:1), which is covenantal language. But the only covenant made with Noah at the time was that of Genesis 6:18. God then said that when He saw the rainbow, He would "remember" His covenant with all creatures (Gen. 9:16).

Genesis 6 and 9 thus form one unit of one covenant, with different emphases corresponding to before and after the flood. Genesis 6 emphasizes God's salvation of Noah and his family,

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[49] VanDrunen, *Living in God's Two Kingdoms*, 80–81 n. 2.

[50] Kline recognized the link but attempted to separate these sections: "The covenant announced in the opening section (6:18) has been fulfilled by 8:22, while 9:1-17 records a different, subsequent covenant." Kline added that Genesis "8:20-22 performs a double role, concluding the preceding flood narrative but also introducing the following account of the common grace covenant." Kline, *Kingdom Prologue*, 213. Again, Kline said, "Genesis 8:20-22, the final section of the flood narrative, does double duty, serving also as the first section of the account of the postdiluvian covenant of common grace. The latter extends from Genesis 8:20 through 9:17 and is arranged in an A-B-A pattern." Ibid., 245. Yet Kline still separated Genesis 8:20-22 from the redemptive covenant, as "To do otherwise is to introduce hopeless confusion into one's biblical-theological analysis and the resultant world-and-life view." Ibid., 249.

[51] VanDrunen, *Divine Covenants and Moral Order*, 101–102.

while Genesis 9 emphasizes that all creation is preserved from destruction. Thus, *the purpose of this one Noahic Covenant is that God preserves creation for the purpose of the redemption of His people.* The Noahic Covenant is part of the Covenant of Grace, but it includes broader elements for the purposes of God's redemption. VanDrunen is therefore incorrect when he says that the Noahic Covenant "lack[s] a redemptive element."[52] Even with its different emphases before and after the flood, the Noahic Covenant is unified and gracious. The Noahic Covenant is God's gracious preservation of creation through Noah. The earth is preserved from judgment while God redeems His people (Gen. 8:21-22), and this preservation has allowed for the proclamation of the Gospel.[53] Until Judgment Day, unbelievers will experience the common benevolence of God's patience ("common grace"), but the Noahic Covenant points toward the earth's ultimate redemption, as creation groans while it awaits redemption (Rom. 8:22).

Notably, even Meredith Kline concludes that the purpose of Genesis 9 was to support redemption—the very position held by those who advocate for one, unified Noahic Covenant! Kline writes, "The objective of this covenant was to subserve the divine purpose and program of redemptive covenant and thereby, indirectly, the coming of the holy kingdom."[54] Kline added, "In short, the common grace covenant of Genesis 8:20–9:17 was designed to provide the historical order and set the world stage for the renewed program of redemptive covenant."[55] To show the similarity between Kline's view of Genesis 9 and the single-covenant view of Genesis 6–9, we may consider what O. Palmer Robertson observes, namely that in the Noahic covenant, God comes in judgment but "also has provided a context of preservation in which the grace of redemption may operate."[56] Or, as Richard Belcher said, "The primary purpose of the covenant with Noah was to provide for the continuation of creation so God's redemptive program of salvation under the Covenant of Grace could be carried out." Therefore, the Noahic Covenant has aspects of both common grace and redemption.[57]

IV. R2K Wrongly Restricts the Use of Natural Law by the Civil Government

Part of the reason that the Klinean division of the Noahic covenant is so important for R2K is that its proponents claim that the separate Noahic Covenant of Genesis 9 restricts the use of nat-

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[52] VanDrunen, *Politics after Christendom*, 110.

[53] "This universal character of the covenant with Noah provides the foundation for the world-wide proclamation of the gospel in the present age." Robertson, *The Christ of the Covenants*, 122.

[54] Kline, *Kingdom Prologue*, 261.

[55] Kline, *Kingdom Prologue*, 262.

[56] Robertson, *The Christ of the Covenants*, 125.

[57] Belcher, *The Fulfillment of the Promises of God*, 57.

ural law by civil government, thus limiting government's jurisdiction to Second Table offenses. We will demonstrate that VanDrunen acknowledges that natural law includes the First Table and the worship of God but then goes on to restrict the use of natural law in the civil government through his interpretation of a separate "common grace" covenant in Genesis 9.

Natural Law Includes All Ten Commandments

VanDrunen defines natural law as follows: "Natural law refers to the law of God made known in the created order, which all human beings know through their physical senses, intellect, and conscience, although they sinfully resist this knowledge to various degrees."[58] Elsewhere, he explains it this way: "By 'natural law' I refer to the basic idea that there are universal moral obligations binding upon all people in all places, and that all people at some level know these obligations even without biblical revelation, because they are grounded in human nature and human beings' place in this world."[59] This definition certainly includes the worship of God as natural law, since "all people in all places" know God exists and know their obligations toward Him (making them "universal moral obligations"), as Romans 1:18-32 teaches.

VanDrunen recognizes that this is the traditional Reformed position, noting that Calvin "saw natural law as the standard for civil law, and yet he (with much of the broader Christian tradition) identified natural law with the Ten Commandments."[60] Accordingly, VanDrunen notes that Calvin "affirms that civil authority extends to both tables of the Decalogue."[61] VanDrunen explains elsewhere that "Reformed orthodoxy associated natural law very closely with the moral law and the Decalogue."[62] He notes that the Westminster Standards refer to the Ten Commandments as the moral law summarily comprehended (WSC 41; WLC 98). Comparing portions of the Westminster Standards (WCF 4.2 with WLC 92 and then WCF 21.1 with WSC 41–42), he writes, "This perspective of the Westminster Standards simply reflected the common teaching of Reformed orthodox theology, which equated the content of the natural law with the moral law (as summarized in the Decalogue)… In Turretin's words, they differ not in substance or principles, but in 'mode of delivery.'"[63]

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[58] David VanDrunen, *Natural Law: A Short Companion* (Brentwood, TN: B&H Academic, 2023), 1.

[59] David VanDrunen, "A Natural Law Right to Religious Freedom," *International Journal Religious Freedom* 5.2 (2012): 136, https://ijrf.org/index.php/home/article/view/81/97.

[60] David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (Grand Rapids: Eerdmans, 2010), 88; cf. 109.

[61] VanDrunen, *Natural Law and the Two Kingdoms*, 86, citing Calvin's *Institutes of the Christian Religion*, 4.20.9.

[62] VanDrunen, *Natural Law and the Two Kingdoms*, 160.

[63] VanDrunen, *Natural Law and the Two Kingdoms*, 161, citing Turretin, *Institutes*, 2.6–7.

As for the application of Old Testament civil law to modern nations, VanDrunen notes that the views of Samuel Rutherford, "and those of his Reformed contemporaries," are "complex."[64] He quotes John Coffey, who says that for Rutherford, "[T]he Old Testament laws concerning national covenanting and the magistrate's duty to defend true religion were still binding on Christians."[65] VanDrunen also rightly says that the language of "general equity" in WCF 19.4 "is, for all intents and purposes, a reference to natural law. This makes natural law the standard for the Mosaic civil law's continuing applicability in the WCF."[66] Furthermore, he explains, "For Reformed orthodoxy, as for the Reformation and medieval traditions of the past, civil magistrates ought not to impose the Mosaic civil law *as such* upon contemporary societies. Yet at times they will implement Mosaic civil laws, not because they are Mosaic laws but because they are particular applications of the natural law still appropriate under present circumstances."[67] But what stands out here is that if "general equity" in WCF 19.4 were to mean natural law, and natural law mean both tables of the law, then even the Westminster Confession would require the application of First Table laws to the modern nation. But VanDrunen rejects the latter conclusion.

VanDrunen says for the Reformed orthodox,

> The Decalogue as a whole provides a concise summary of the demands of the natural law. Therefore, since natural law teaches the first as well as the second table of the Decalogue, and since natural law is the standard for civil law, a logical conclusion was that magistrates were to have concerns of the first table within their purview… In light of this, they could claim to have a natural law basis for entrusting the magistrate with the establishment and enforcement of laws concerning atheism, idolatry, blasphemy, and worship, which relate to the demands of the first four commandments.[68]

Therefore, VanDrunen is aware of the Reformed position that the natural law includes all Ten Commandments, that the Mosaic law was an application of the natural law for a particular polity, and that civil governments are still bound by all Ten Commandments.

The Klinean Noahic Covenant Restricts the Use of Natural Law?

But here we see the significance of R2K advocates' peculiar interpretation of the Noahic Covenant. VanDrunen acknowledges that natural law includes the worship of God and argues

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[64] VanDrunen, *Natural Law and the Two Kingdoms*, 168.

[65] Quoted in VanDrunen, *Natural Law and the Two Kingdoms*, 168–69.

[66] VanDrunen, *Natural Law and the Two Kingdoms*, 169.

[67] VanDrunen, *Natural Law and the Two Kingdoms*, 171.

[68] VanDrunen, *Natural Law and the Two Kingdoms*, 201.

that humans "do not have an ultimate natural law right to religious freedom before God" since they have "a natural law obligation to serve him properly." However, VanDrunen then claims that God, in the Noahic Covenant, grants humans a "penultimate natural law right to religious freedom before their fellow human beings."[69] The entire R2K scheme depends on bifurcating the Noahic Covenant and a "common grace" covenant limited to Genesis 9. For VanDrunen, this "common grace" covenant teaches that God grants religious freedom to all people and that the civil government should uphold said religious freedom and only concern itself with civil justice between man and man.

Prior to the "common grace" covenant confirmed in Genesis 9:8-17, Genesis 9:1-7 includes God's command for Noah and his sons to be fruitful and multiply (Gen. 9:1, 7), the permission to eat meat but not blood (9:3-4), and the institution of the death penalty (9:5-6). VanDrunen infers from this passage that God, through the Noahic Covenant, has limited the natural-law duties of civil government to those of the Second Table, with the purpose of preserving minimal human community. He refers to this as "a bare minimalist ethic."[70] And he argues that the Noahic Covenant only "ordains civil penalties" for "intrahuman relations."[71] He explains his restriction of natural law for civil government as follows:

> The natural law does communicate that the worship of false gods is wrong, but the minimalist natural law ethic, made explicit in Genesis 9:1-7, concerns intrahuman relations that represent basic requirements for the preservation of human society. Procreation, eating, and the administration of civil justice are necessary for human society to survive in this world; worshipping the true God in the right way is not. Thus, given his purposes in the Noahic covenant, God's temporal judgments against particular communities in the course of history transpire because of flagrant disregard for the minimalist natural law ethic, not for sins of religious profession or worship.[72]

Elsewhere, he explains the R2K view of government and natural law as follows:

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[69] VanDrunen, "A Natural Law Right to Religious Freedom," *International Journal Religious Freedom* 5.2 (2012): 145.

[70] "Genesis 8:20–9:17 indicates that this natural law communicates at least a bare minimalist ethic designed to promote the maintenance of a human society." VanDrunen, *Divine Covenants and Moral Order*, 96.

[71] Speaking of the Mosaic laws, VanDrunen spoke of "sins that are abhorrent to God even if they may strike people today as insignificant (such as gathering sticks on the Sabbath) or as strange but basically harmless (such as sex with animals). In contrast to the Mosaic covenant, the Noahic covenant explicitly ordains civil penalties only in terms of intrahuman relations." VanDrunen, *Divine Covenants and Moral Order*, 495.

[72] VanDrunen, *Divine Covenants and Moral Order*, 511.

> A question that remains is why the Noahic covenant summarizes the natural law in *this* way. The Christian tradition has often viewed the Ten Commandments and the commandments to love God and neighbor as summaries of the natural law. If these are good summaries, why does Genesis 9:1-7 summarize it differently? Perhaps for the following reason. According to classical Christian theology, God gives the natural law both to govern the world presently and to enable him to judge the world justly on the last day. The Noahic covenant, however, only has to do with the former. It is a covenant of preservation, put into effect for as long as this world endures, and its moral exhortations correspond to this limited purpose… Are love of God (the first love commandment; Rom. 1:30) and coveting (the tenth commandment; Rom. 1:29) natural-law issues? Yes. All human beings must answer to God on the last day about these things. But the Noahic covenant summarizes the natural law merely by pointing to matters absolutely essential for the preservation of the human community here and now.[73]

However, as we argued above, there is no basis for understanding Genesis 9 this way. Yet VanDrunen draws other unwarranted conclusions from the Noahic Covenant when he writes:

> While Romans 1 rules out the notion of an absolute or ultimate right of religious liberty before God, the Noahic covenant indicates the importance of a qualified right of religious liberty *before fellow human beings* as a matter of civil justice… Instead, I claim that the state, because it has no authority to act contrary to the Noahic covenant, ought not to establish a particular religion or religious body or to restrict the free exercise of religion within its jurisdiction.[74]

For VanDrunen, Genesis 9 does not merely institute the death penalty; it *limits* civil government's jurisdiction to man-to-man crimes and grants religious liberty to all humans (viz., the civil protection of all public idolatry and blasphemy). To further clarify his position, we will again quote him:

> The political community…should not recognize one religion as the true religion or one religious body as the true 'church' or equivalent, nor should it grant special privileges to such a body or to its members. At least three reasons support this claim. First…institutions of government properly emerge under the Noahic

[73] VanDrunen, *Politics after Christendom*, 134.

[74] VanDrunen, *Politics after Christendom*, 199.

> covenant to enforce the claims of justice… Second, civil governments that emerge out of the Noahic covenant have no basis for determining which specific religious institution or doctrine is the true, or truest, one. The terms of the Noahic covenant are too sparse for adjudicating details of theological doctrine or spiritual devotion… Determining the true religion or most pure religious body, on the basis of the Noahic covenant and its natural revelation…lacks information necessary… Third…a biblical theology of the image of God shows the problematic nature of religious establishment.[75]

VanDrunen reads things into the text of Genesis 9 that are not there, making three arguments in the above paragraph, to which we will now respond. First, while the Noahic Covenant calls for the enforcement of justice in response to murder, contra VanDrunen, it does not follow that civil government is *excluded* from regulating other offenses, like idolatry. He commits a logical error when he infers that the lack of First Table regulation in the Noahic Covenant means that such regulation is forbidden. The Noahic Covenant is not an exhaustive doctrinal manual for the civil magistrate. It does not even provide a minimalistic ethic for civil government. It is simply a covenant not to destroy the world again by flood, followed by instructions for Noah to repopulate the earth and deal with violence via the death penalty. The Noahic Covenant does not even provide instructions for how to deal with most Second Table offenses (like adultery or theft), nor does it provide any detail on the *mechanisms* by which civil authorities may be legitimized (e.g., consent or divine right). So, the R2K scheme attempts to make this passage accomplish something it cannot. Even though this passage assigns the death penalty for murder (Gen. 9:6), it makes no distinction between murder and manslaughter, as found in Numbers 35. But VanDrunen and other R2K proponents would not, therefore, say that such distinctions are forbidden. Therefore, if we may use reason and progressive revelation to guide civil government outside the Noahic covenant (such as the distinction between murder and manslaughter), then it also would follow that we may use reason and progressive revelation to guide the civil government in its relations to things not mentioned in Genesis 9 (such as idolatry). Even the Apostle Paul does not limit his doctrine of the civil magistrate to the Noahic Covenant, as seen in his teaching that the magistrate is a "minister of God" who ought to praise "good" and punish "evil" (Rom. 13:3-4), including via his levying of taxes (Rom. 13:7). None of this is found in Genesis 9.

Second, while VanDrunen is correct that the information in the Noahic Covenant is "too sparse for adjudicating details of theological doctrine" (or even civil justice for that matter), it is not difficult for Christians today to look elsewhere in Scripture. Even the chapters prior to the

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[75] VanDrunen, *Politics after Christendom*, 200.

Noahic Covenant make it clear that there is only one God (thus ruling out polytheism), but there is no basis for Christian magistrates limiting themselves to God's special revelation in Genesis 9 for how to rule. For example, the Proverbs provide excellent principles of governance for all spheres (family, church, and state). Curiously, the very basis for VanDrunen's claims of limited jurisdiction for the magistrate is the *special revelation* of Genesis 9. But if Christian magistrates may be guided by Genesis 9, then it would follow that they should be guided by later special revelation. If the magistrate may not, or should not, use the Bible to guide his political theory, then it would be uncertain how the magistrate may know that he ought not to make laws related to the First Table, as VanDrunen asserts. The idolatrous magistrate who would reject the authority of Scripture would feel no such constraints to avoid legislating on matters related to the worship of his false god(s).

Elsewhere, VanDrunen asserts that civil magistrates should not use the Bible, even stating that "there is something at least initially suspicious about any claim that governments depend upon knowledge of Scripture and its moral claims" (seemingly unaware that he himself bases his political thought upon the Bible).[76] Behind this is his claim that Scripture's commands do not bind non-Christians.[77] However, this claim relies on an unwarranted separation between Scripture's moral commands and the natural law (which binds all men). He makes the magistrate's use of Scripture a matter of wisdom, proffering that "[n]othing prohibits" the use of "Scripture in the public square," but "it is probably not the wisest or most effective strategy in most cases."[78] The use of the Bible "communicates that whatever moral point we are trying to prove is a *Christian* thing," and "Such appeals to Scripture seem likely to drive a deeper moral wedge between believers and unbelievers." Rather, "the goal of engaging non-Christians in the public square is to

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[76] "Christian political theology necessarily rejects any government's claim to be morally neutral, but this prompts questions about how civil officials know the standard of justice to which God holds them accountable… If the legitimacy of government does not depend upon what religion its officials profess, and if God does not presently judge communities for idolatrous worship, then there is something at least initially suspicious about any claim that governments depend upon knowledge of Scripture and its moral claims." David VanDrunen, *Politics after Christendom*, 35–36. VanDrunen is correct that government can be legitimate without being Christian. However, there are two problems with his reasoning. First, contrary to VanDrunen's claim, God does in fact "presently judge communities for idolatrous worship." God's wrath is currently being revealed against "ungodliness" (Rom. 1:18), which includes ungodly civil government and, of course, idolatry (Rom. 1:23, 25). Just because God does not wipe out pagan governments does not mean His judgment is not upon them. Earthly kings and rulers are told to worship Christ so that they may not perish (Ps. 2:12). Second, the legitimacy of pagan civil government does not justify or legitimize the actions of such a government. This is not an issue of legitimacy but what is the *proper function* of civil government. VanDrunen would agree that a government can do immoral things, so the real issue is what the moral standard ("standard of justice") for government is—and thus whether the Second Table laws can be separated from First Table laws.

[77] VanDrunen also says, "Since membership in the civil kingdom is not limited to believers, the imperatives of Scripture do not bind members of that kingdom. These imperatives are not directly applicable to non-Christians." David VanDrunen, *A Biblical Case for Natural Law* (Acton Institute, 2006), 40.

[78] David VanDrunen, *Natural Law: A Short Companion* (Brentwood, TN: B&H Academic, 2023), 110.

persuade them on moral and political issues of common concern."[79] While VanDrunen is correct that there is wisdom involved in the matter, he does not account for a nation that is majority Christian or even nominally Christian, which may warrant the use of Scripture.

Third, VanDrunen's appeal to "the image of God" against religious establishment is inane. Man, as God's image, rules over creation (Gen. 1:26-28; 9:6), which means that magistrates should rule for the good of their people. Since Christianity is good for man's body and soul, and since idolatry is bad for man's body and soul, it follows that civil magistrates should rule so as to direct their subjects toward the Christian religion and their spiritual good. Rather than the image of God in man supporting the *protection of idolatry* (per VanDrunen), the image of God in man should lead the magistrate to *drive men away from idolatry*.

VanDrunen argues that according to the Noahic Covenant, judges may outlaw and enact penalties against criminal acts against other humans (e.g., murder or theft), but they may not outlaw and enact penalties against acts of improper religious worship because these would merely be "offenses against God," and the penalties could not be "proportionate" against "an infinite and eternal God." Yet contra VanDrunen, such acts still harm other humans since public false worship harms society as a whole (viz., public blasphemy, the building of idols, Sabbath-breaking). Anticipating this response, he briefly considers the example of a teacher of false religion "corrupting the religious sensibilities of the youth" (harm against humans), and he objects that "it is difficult to perceive how any human court could objectively determine the character and extent of this injury so as to impose a proportionate penalty."[80] Yet this would not be too hard a case, and as with all crimes, the penalty would be left to the prudence of the magistrate. If possible, the magistrate would likely first seek to enact laws requiring all public school teachers to be Christians and to not teach against the Christian religion. The magistrate could then go further by outlawing public blasphemy, with penalties that include first warnings and then fines if the behavior did not cease. While God will judge such false religion with eternal damnation, this does not prohibit the magistrate from using lesser penalties to deter such behavior and so uphold the peace and public good of a people. VanDrunen's argumentation thus lacks meaningful reflection.

Again, VanDrunen erroneously speaks of a person "engaging in a particular kind of religious practice, which does not injure another person."[81] Yet that is not how God considered idolatry in the Old Testament. Idolatry that entices others was considered particularly dangerous and thus warranted judgment (Deut. 13:1-18). VanDrunen would surely respond that this was particular to

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[79] VanDrunen, *Natural Law*, 111.

[80] VanDrunen, "A Natural Law Right to Religious Freedom," *International Journal Religious Freedom* 5.2 (2012): 144.

[81] VanDrunen, *Divine Covenants and Moral Order*, 131.

the "intrusion" ethics of the Mosaic Law.[82] However, the Bible consistently links idolatry to Second Table offenses (e.g., Hab. 2:12-18; Mark 10:19-21). In other words, idolatry leads to murder, adultery, theft, and lying. There is clearly a *natural* connection between false religion and evil and destructive social practices. So why should the magistrate not seek to regulate the *source* of man-to-man strife in the community? If, in fact, idolatry were to increase Second-table offenses that disrupt the community (a premise that would seem self-evident), then the R2K position would hold that God requires the government to *preserve* the root of such community strife. This strikes us as an absurdity. Furthermore, it would entail that natural religion has no necessary preservative function, thus requiring a natural bifurcation of piety and civic virtue. It would follow that piety and virtue do not relate such that piety orders virtue in proper form. Exercising our highest act of reason—giving our due honor to God—would thereby be separated from our lower, reasonable acts to fellow men. While civic virtue without true religion is possible, it is rare (e.g., the "virtuous pagan"). Being rare, it is not a secure basis for civil preservation.

VanDrunen claims to follow the Reformed tradition regarding civil government, but he misses what the Reformed tradition considered *fundamental* to civil government—piety. As John Calvin notes, "[A]ll have confessed that no government can be happily established unless piety is the first concern." Writing as if he were directly rebuking VanDrunen, he then adds, "This proves the folly of those who would neglect the concern of God and would give attention only to rendering justice among men. As if God appointed rulers in his name to decide earthly controversies but overlooked what was of far greater importance."[83] Again, he writes that civil government:

> prevents idolatry, sacrilege against God's name, blasphemies against his truth, and other public offense against religion from arising and spreading among the people... In short, it provides that a public manifestation of religion may exist among Christians, and that humanity be maintained among men. Let no man be disturbed that I now commit to civil government the duty of rightly establishing religion.[84]

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[82] It is clear that VanDrunen follows Kline's intrusion ethics. For example, he writes, "The cultural commonality among believers and unbelievers ordained in the Noahic covenant was suspended for Israel within the borders of the Promised Land… God suspended these provisions of the Noahic covenant *only inside the borders of the Promised Land*." VanDrunen, *Living in God's Two Kingdoms,* 89–90. This is a convenient way of dealing with the Noahic and Mosaic covenants. First VanDrunen divides the Noahic covenant into two, with only the "first" covenant being "redemptive" and applying to Christians. Then he says that even the "second" Noahic covenant (which was "non-redemptive" and applies to all humans) was suspended during the Mosaic covenant. Just a small suspension of 1,400 years. This really is an odd paradigm that VanDrunen and Kline have invented. However, by making some exception for the Mosaic covenant, it raises questions how he can see the Promised Land as a type of Christ's inheriting the whole world. He would have to say that God's law is only implemented in its fulness in the consummation of the new heavens and new earth. This is a vastly underrealized eschatology.

[83] Calvin, *Institutes of the Christian Religion*, 1495 (4.20.9).

[84] Calvin, *Institutes of the Christian Religion*, 1488 (4.20.3)

The R2K view espoused by David VanDrunen—that not all Ten Commandments apply to the civil sphere—is contrary to Reformed orthodoxy and is, in fact, a form of antinomianism (that is, *political antinomianism*). The R2K position erroneously holds that while the Ten Commandments are natural law, the Noahic covenant limits the jurisdiction of civil government to Second Table offenses (and thus the Mosaic covenant was an "intrusion" of consummation ethics for Old Testament Israel rather thana guide for modern nations). As VanDrunen writes, "With respect to relations with their neighbors of different religious convictions, NT Christians are bound by the Noahic, not the Mosaic, application of the natural law."[85] Of course, he is not alone here, as fellow R2K proponent R. Scott Clark comments, "[N]o one but theocrats want[s] the state enforcing obedience to the first table of the law. The magistrate's natural sphere of concern and authority is the second table."[86] Besides being at odds with earlier Reformed orthodoxy, Clark misrepresents Reformed teaching, portraying the magistrate as "enforcing obedience" to the First Table (rather than merely protecting the public worship of God and directing his people towards the good). The church alone can administer the direct and proper means to man's supernatural end. However, the state may promote that supernatural end by acting upon objects that are outward, extrinsic, and supportive or deleterious to that end. In doing so, the state would not assume for itself the supernatural operations proper to the church; rather, the state would act upon objects proper to its own operations as an indirect means of promotion.

VanDrunen contends, "[T]he substantive principles underlying the Decalogue do, I believe, provide a helpful summary of the fruitfulness that the first human beings were obligated to display."[87] So why does this not also include fruitful *worship*? Contra R2K, it makes little sense to say that we can derive laws from nature but not derive the *Lawgiver* from nature. Nor does it make sense to recognize natural law *as law* and not recognize a Lawgiver. Some American Presbyterians have understood this and have thus spoken of the state, at least ideally, as "theistic" (part of their basis for Sabbath laws). Yet R2K goes beyond this, supporting an *atheistic natural law* to guide civil government. However, the law cannot be separated from the Lawgiver. The Second Table is built upon the First Table. God is essential to an orderly society, and government must acknowledge this.

The conclusions of R2K would seem to require one to separate the truths proper to reason and the truths proper to faith into two incommunicable orders of truth—i.e., two realities. This follows from their insistence that the "redemptive kingdom" is terminated in, and exclusively

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[85] VanDrunen, *Divine Covenants and Moral Order*, 495.

[86] R. Scott Clark, "Natural Law, the Two Kingdoms, and Homosexual Marriage," (Oct. 27, 2008), heidelblog.net/2008/10/natural-law-the-two-kingdoms-and-homosexual-marriage/.

[87] VanDrunen, *Divine Covenants and Moral Order*, 92has.

pertains to, the church, and thus (for them) all truth proper to faith terminates here. But this would mean that no entity distinct from the church may be theologically specified—viz. no Christian family, no Christian charity, no Christian school, no Christian seminary, and no Christian nation. Some of these entities might be attached to a church (e.g., a school), but they are accidental to its essential operations; they are not, as such, terminative objects of redemption (unlike the individual or the elect). Thus, on R2K assumptions, they could not properly be labeled "Christian," because truths of faith are cordoned off from them. However, this bifurcation fails to distinguish between a proper object of redemption and what may *be ordered to* the redemptive. The family as such is not an object of redemption, for fathers have no churchly power, and the family as such is not saved unto eternal life. But the family may order itself to the redemptive—through prayer, family worship, and preparation for corporate worship *by means of its proper authority and power* (viz., an intrinsic earthly power). Thus, these earthly entities—whose principles of operation, objects, and ends are earthly—may be theologically specified by their subordinate ordering to the redemptive and, especially, to the churchly means of grace. Hence, the "Christian" of the Christian family is a real designation, even though families as such are not redeemed. How is this possible? Because the truths of reason and of faith are parts of *one* order of truth and are mutually inferential. Truths of faith enter these entities—not replacing their intrinsic principles, objects, or ends but instead *completing* them by further specifying their actions in light of the true God and subordinating them to the primary means of grace.[88] The natural family honors its Creator by orienting itself to God the Redeemer. The same applies to the nation. The Christian nation as such is not redeemed, but it orders men indirectly to redemption without assuming any power exclusive to the church.

VanDrunen has said that some people accuse R2K of "promoting improper dualism or unhelpful bifurcations of God's unified work" but that in "most cases" these are "merely assertions rather than demonstrated claims."[89] He said, "The question is whether a proposed distinction clarifies or distorts theological truth."[90] We agree with this principle. However, VanDrunen has proposed a distinction between natural law and the magistrate's jurisdiction over natural law that would distort theological truth.

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[88] See the discussion of "mixed syllogisms" in the chapter titled "Reformed Political Theory."

[89] VanDrunen, *Politics after Christendom*, 77.

[90] VanDrunen, *Politics after Christendom*, 78.

V. R2K's Novel and Contra-Confessional Rejection of Sabbath Laws

We have shown that R2K rejects that the civil government should enforce First-table laws like blasphemy and Sabbath laws. Some R2K proponents are Sabbatarians (particularly those who subscribe to the Westminster Standards), and some seem to support Sabbath laws.[91] However, R2K's main spokesman, David VanDrunen, opines that Sabbath laws "would be inappropriate" because "it's really only Christians who can understand why we rest on the first day of the week."[92] Although he does not state it this way, his principle here seems to essentially be that "civil laws should only exist if they are sufficiently understood by non-Christian citizens." This, of course, is not a tenable basis for civil law. A non-Christian may not fully understand why polygamy is wrong, but it does not follow that the magistrate should avoid prohibiting polygamy. Rather, the magistrate ought to enact righteous laws that would prohibit polygamy and also *explain* why such laws exist. The law is a teacher, and the magistrate should teach by word and example. Accordingly, the Christian magistrate may instruct his constituents on why Christians rest and worship on Sunday and why they, too, should work six days per week and rest on the day on which Christ was raised from the dead.

In fact, there are at least three reasons for understanding the Westminster Standards as *requiring* that the civil magistrate enforce Sabbath laws. First, "superiors" have the duty "to see that" the Sabbath "be observed by all those that are under their charge" (WLC 118), and this includes "superiors" of the "commonwealth" (WLC 124). Second, the blotting of the Sabbath's "memory" brings "in all irreligion and impiety" (WLC 121), but the magistrate is to "maintain piety" (WCF 23.2 [1788]). Further, "superiors" are to "instruct" and "protect ... all things necessary for soul and body" (WLC 129). Their "careless exposing, or leaving [citizens] to wrong, temptation, and danger" is sin (WLC 130).

Third, "it is the duty of civil magistrates to protect the church of our common Lord"—including "to take order, that all religious and ecclesiastical assemblies be held without molestation or disturbance" (WCF 23.3 [1788]). Work and recreations on Sunday disturb worship assemblies by putting obstacles in the way of Christians and non-Christians attending church, as well as by tempting Christians to partake of voluntary activities (such as children's sporting events) instead of attending public worship.

Based on VanDrunen's (correct) historical analysis, WCF 19.4 intended the "general equity" of the Mosaic law to include the entire Decalogue, and thus even the First Table binds nations. VanDrunen explains that "general equity" in WCF 19.4 "is, for all intents and purposes, a refer-

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[91] See Daryl Hart, "The Two Kingdom Case for Blue Laws," *Old Life* (Jan. 12, 2010), accessed December 23, 2025, https://oldlife.org/2010/01/12/the-two-kingdom-case-for-blue-laws/.

[92] David VanDrunen interview with Kevin DeYoung, "Politics after Christendom with David VanDrunen," *Life & Books & Everything* (Dec. 22, 2023), www.youtube.com/watch?v=QW4265jIV9I (46:12).

ence to natural law. This makes natural law the standard for the Mosaic civil law's continuing applicability in the WCF."[93] Yet earlier in the same book, VanDrunen writes that the Westminster Confession equates the natural law and the Ten Commandments— "Reformed orthodoxy associated natural law very closely with the moral law and the Decalogue (WSC 41; WLC 98)... This perspective of the Westminster Standards simply reflected the common teaching of Reformed orthodox theology, which equated the content of the natural law with the moral law (as summarized in the Decalogue)."[94] We can therefore put together VanDrunen's reasoning as follows:

> (1) Civil government is obligated to apply the "general equity" of the Old Testament law (WCF 19.4).
> (2) "General equity" in WCF 19.4 refers to natural law (VanDrunen).
> (3) Natural law, per the Confession, is summarized in the Decalogue (VanDrunen).
>
> Conclusion: WCF 19.4 teaches that civil government is obligated to apply the general equity of the Decalogue, including the First Table.

Therefore, according to VanDrunen's own concessions, the Westminster Confession teaches that civil government should enforce laws related to the First Table. This was also the conclusion of VanDrunen's mentor, Meredith Kline.[95] As shown above, the Westminster Standards particularly expect the magistrate to enforce Sabbath laws (but also to remove "monuments of idolatry").[96] The Reformed orthodox and Westminster Divines supported Sabbath laws, but so did eighteenth- and nineteenth-century American Presbyterians, even those that VanDrunen likes to claim (such as Stuart Robinson). It therefore follows that the R2K position, particularly that which is espoused by VanDrunen, is not only novel but also contradicts the Westminster Standards. The refusal to support Sabbath laws is out-of-step with the entire Reformed tradition, including even the American Presbyterians who embraced the modified Westminster Confession.

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[93] VanDrunen, *Natural Law and the Two Kingdoms*, 169.

[94] VanDrunen, *Natural Law and the Two Kingdoms*, 160–61.

[95] "It must also be acknowledged then that in its original intent, WCF 19:4 must also have placed the 'four first commandments containing our duty towards God' (19:2) under the jurisdiction of the state, whatever precisely is meant by saying that the judicial laws given to Israel 'expired together with the State of that people; not obliging any other now, further than the general equity thereof may require.'" Kline, "Comments on an Old-New Error," *WTJ* 41/1 (Fall 1978): 174.

[96] Though the American revision to WLC 109 removed the sin of "tolerating a false religion," it left intact the duty in WLC 108 under the Second Commandment of "disapproving, detesting, opposing, all false worship; and, according to each one's place and calling, removing it, and all monuments of idolatry." This "calling" of the magistrate was thus to remove monuments of idolatry.

VI. R2K as an Accommodation to Pluralism

While we cannot read hearts, we can read the words of R2K proponents and understand the circumstances to which they have been responding. It is clear that the church was wrecked by theological liberalism in the twentieth century, and the Western world, including America, has shifted from Christendom to a secularism that welcomes people from idolatrous false religions (and not only protects but even celebrates their idolatry). So, there is certainly pressure upon Christians to modify the claims of earlier Reformed theology upon the magistrate. We are convinced that R2K is, unfortunately, a defeatist response to the advances of theological liberalism and religious pluralism in the West. David VanDrunen has even admitted that he is adapting Reformed theology to modern pluralism. Speaking of "religious pluralism and religious liberty," he acknowledges that his book's "embrace of religious liberty also gives it a modern flavor" and "has modern features that are sympathetic to some of the broad goals of the Enlightenment."[97] Thus, while R2K adopts the "two kingdoms" language of Luther, it has commonalities with Anabaptist, dispensationalist, and Enlightenment thought.

R2K's defeatist mindset is on display in chapter five of VanDrunen's *Living in Two Kingdoms*, in which he compares the experience of Christians to that of Abraham and the Israelites living as "exiles" from the Promised Land.[98] This is a common analogy made by R2K proponents, and even the English Standard Version (published in 2001) has adopted the novel language of "exile" to describe Christians in four New Testament passages (1 Pet. 1:1, 17; 2:11; Heb. 11:13). In each case, the ESV follows its revised base text, the theologically liberal Revised

[97] VanDrunen, *Divine Covenants and Moral Order*, 131, 511.

[98] VanDrunen, *Living in God's Two Kingdoms*, 99.

Standard Version (RSV) of 1952/1971.[99] This is a departure from the King James Version's use of "pilgrims" or "strangers," which more accurately connotes that Christians are not truly at home in this life (even in a Christian nation). The language of "exile," on the other hand, connotes despair and is often used to justify Christians' passivity toward politics. Furthermore, regular appeal to the "exile" motif appears *ad hoc*, as a way to arbitrarily limit *some* features of political authority and *some* types of political advocacy—but not others. Exile, for R2K, is not a governing principle as to its proper definition; it is not applied extensively. An exile, by definition, has *no* formal part in the commonwealth in which he resides except by explicit permission. But R2K advocates like VanDrunen permit significant political involvement and participation in politics *by right* of belonging to an earthly nation. An "exile" can assert his natural and civil rights in civil court, enforce the law as policemen, compel people to prison as judges, execute criminals as executioners, enact punitive laws as legislators, bomb enemies with drone strikes, command armies as military officers, and even push the "red button" to start a nuclear war. But an "exile" absolutely may *not* shut down ordinary commerce on Sundays.

Now, perhaps there is a good principle that would distinguish these powers, but it would not be "exile." And this is one of the fundamental problems with R2K: the whole system appears *ad hoc*—designed to bring Reformed political theology in line with modern liberal sentiment. But in doing so, it not only detracts from the tradition; it requires faulty assumptions and leads itself into incoherence. Our forefathers in the faith systematized a political theology not in isolation from their theological doctrine but in concert with it. We would do well to return to it.

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[99] One of the passages uses the Greek word *paroikia* (παροικία): "throughout the time of your *exile*" (1 Pet. 1:17, ESV). The other three passages use the Greek word *parepidemos* (παρεπίδημος): "To those who are elect *exiles*" (1 Pet. 1:1, ESV), "I urge you as sojourners and *exiles*" (1 Pet. 2:11, ESV), and in reference to Abraham and others, "they were strangers and *exiles* on the earth" (Heb. 11:13, ESV). However, the New Testament never actually teaches that Christians are "exiles" comparable to the Old Testament saints. Noticeably, the words "exile/exiles" are not used at all in the New Testament in the King James Version (1611). The KJV renders the Greek word in 1 Peter 1:17 (παροικία) as "sojourning," while the standard New Testament lexicon renders it as "sojourn, stay" (BDAG). The KJV renders the Greek word in the other three passages (παρεπίδημος, 1 Pet. 1:1; 2:11; Heb. 11:13) as "pilgrims" or "strangers," while the standard New Testament lexicon renders it as "sojourning, residing temporarily" (BDAG) and another Greek dictionary renders it as "foreigner, sojourner, stranger" (NIDNTTE). In English, to be an "exile" means "the state or a period of forced (or voluntary) absence from one's country or home" (Merriam-Webster). So when applied to Christians, "exiles" sounds like believers were forced out of heaven. However, this is not theologically accurate. Christians were not kicked out of heaven but were born into a fallen world and are being prepared for heaven in this life through faith in Christ. So contra VanDrunen and the ESV, the words "sojourner" or "pilgrim" (KJV) are better than "exile" because they emphasize that Christians live on earth temporarily as they await their true home in heaven upon death. Christians are not "exiles" like Old Testament Israel, who was driven from the land for covenant breaking. Rather, believers are like Abraham, who "sojourned (παροικέω) in the land of promise, as in a strange country" (Heb. 11:9, KJV). The patriarchs "confessed that they were strangers and pilgrims (παρεπίδημος) on the earth" (Heb. 11:13, KJV). And Christians too make their pilgrimage to heaven by faith. The Christian nation does not make this earth their home, but aids them on their pilgrimage.

VII. Conclusion

VanDrunen's novel (and erroneous) view of government should trouble anyone interested in learning from the experience of history. The American Founders designed the Republic on the experience of history (e.g., federalism, checks and balances). However, VanDrunen has provided no examples from history of a successful government built on R2K's principles of religious neutrality. He has not demonstrated how a government could remain truly "neutral" when it comes to religion, either from Scripture or from experience. Nor has he demonstrated what was wrong with Christendom. Christendom built the West, and the more secularized America today (thanks to the Warren Court) is still running off borrowed capital from Christendom. VanDrunen's R2K model essentially defends the *current* practice of secular American government. But this is no guarantee of *future* prosperity, peace, and piety. The question is whether the professed "religious neutrality" of America today will be sustainable. Time will tell, but that dam appears to be breaking, along with widespread injustice related to the Second Table (murder, adultery, immorality, theft, lying, etc.).

One may believe that R2K theology affects only civil government, not the church. Yet this is not the case, as VanDrunen has effectively limited Christianity to proclaiming a narrow view of the Gospel rather than the whole counsel of God (Acts 20:27). As VanDrunen states in a lecture, "We should strive as far as we can, to give no offense to our non-Christian neighbors except the gospel message itself, the gospel of salvation through the Lord Jesus Christ."[100] This is a fairly common belief of Christians today. However, the glaring problem with this is that we cannot preach the Gospel of Christ's death and resurrection without also proclaiming God's law, to show man his need for the Gospel. But in proclaiming the law, we will offend non-Christians for *more than the gospel* in its narrow sense ("the gospel of salvation through the Lord Jesus Christ," as VanDrunen said). God calls men to repent from their sins—including idolatry, blasphemy, and Sabbath-breaking (First Table offenses). Therefore, R2K is a weakened assertion of Christ's rule over the nations. It rests on an erroneous interpretation and application of the Noahic Covenant, as well as an erroneous understanding of natural law's relationship to the civil government. It is at odds with traditional Reformed theology and even the modifications of American Presbyterianism. R2K is not sound theology or political theory but rather an *accommodation* to religious pluralism. It should, therefore, be thoroughly rejected.

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[100] David VanDrunen, "The Church as Neighbor," WSC 2021 Annual Conference www.youtube.com/watch?app=desktop&t=1994&v=DHcXJhfBshE&feature=youtu.be (33:25).

Chapter 7

A Summary of *The Case for Christian Nationalism*

Before 2022, "Christian Nationalism" (CN) was a derogatory term, largely meaningless except for its nearly meaningless use by a few activist sociologists. However, several Christians have since adopted the label—most notably Stephen Wolfe, with his book *The Case for Christian Nationalism* (*CCN*). Douglas Wilson also adopted the label after his publishing house published Wolfe's book in late 2022. Wolfe's book entered the scene at just the right time, as Protestant "retrieval" had begun to push beyond theological works and the Trumpian New Right had begun to emerge in force.

CCN provided theological, philosophical, and historical justification for conservative Protestants to escape prevailing modern paradigms and recover older ideas, some of which the Reformed world had long forgotten. Wolfe's project was and remains controversial, in part because it is a paleo-conservative project in which he reconciles the particularity of people and place with universal religion (viz., Christianity). This effectively opposes modern liberal political doctrines, many of which have been common within conservative evangelicalism. The neo-conservatives defeated the paleo-conservatives politically and institutionally in the 1990s, and every conservative media outlet became neo-conservative and remains so to this day. The central tenet of neo-conservatism, besides its militaristic foreign policy and its special interest in the Middle East, is political universalism—namely that America is a nation grounded in universal, natural rights for the abstract human. Cultural particularity is downplayed or reduced to "identity," and the greatest evils are understood to be racism, anti-semitism, and fascism. Conservative evangelicalism, which includes the NAPARC[1] denominations, has absorbed this political philosophy thoroughly, and it has come to shape nearly every political theology to one extent or another. Indeed, whether one affirms two-kingdom theology, establishmentarianism, theonomy, postmillennialism, or transformationalism, one typically assumes some form of political universalism and forcefully affirms nearly every social dogma of the post-WWII era. The only difference between them is that, for some, the principle of inclusion is not mere humanity, but mere Christianity. Cultural or ethnic particularity, i.e., a collective way of life, is either irrelevant or reduced to personal identity under procedural liberalism or an overarching and universalizing "gospel culture."

Among the political disputes in NAPARC, what has stood out between roughly 2010 and 2022 is the dispute between the Kuyperians and the "modern two-kingdom" advocates. Though contentious at times, these disputes were not fundamentally over political liberalism. Both sides

[1] NAPARC refers to the North American Presbyterian and Reformed Council, founded in 1975.

are committed to political liberalism, whether they acknowledge this or not.[2] Rather, their dispute centered around *ecclesiology*—whether the "mission of the church" includes political activism. Both sides agreed that America is a place for mere humanity. As for civil policy, the question before 2022 was whether Christians may be neo-conservatives or moderate Democrats, or perhaps "third-way" (which is typically the same as being a moderate Democrat). At best, some appealed to the romantic conservatives of the postwar period (e.g., Russell Kirk) or taken seriously the ramblings of certain communitarians (e.g., Charles Taylor). But in substance, their ideas bear no resemblance to those of our Protestant tradition, and their methods and arguments were often poor: sloppy uses of *imago dei*; the relentless conflations of theology, ethics, and politics; and failures to make basic distinctions that pertain to politics. Few were interested in a *system* of politics or in fundamental political ideas; rather, they were obsessed with engineering an identity of "political witness" for a liberal public square. Even those who critiqued "liberalism" as an ideology affirmed, in the end, a purported non-ideological alternative that looks a lot like Reagan conservatism, only with different terminology. The greatest "win" for the conservative has been finding self-satisfaction in saying, "I told you so," as their beautiful ideas lose again and again to ideology. Others adopted a method of aloofness—with the occasional sharpshooting at high-reward, low-consequence targets—that shaped their "winsome" Christian identity. Indeed, their "politics" was more *missional* than political. Lastly, many asserted "principled pluralism," the great theological veneer for liberalism. The underlying theme for all was *asymmetric* multiculturalism—i.e., "identity and community for minorities, cosmopolitan individualism for majorities."[3]

The idea of a "common kingdom" has become popular in NAPARC circles. But this is not the "common kingdom" of our tradition. See Chapter 1 for how "commonness" relates to Christian politics. Today, it provides theoretical justification for a Christian public identity that coexists with other identities, all of which conform to liberal expectations for a neutral public square. Modern liberalism permits any identity, as long as it poses no *real* threat to liberal neutrality and egalitarianism.[4] That is, one may *be* whatever he/she/they wants—even anti-liberal—but *only if*

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[2] "Political liberalism" here refers not to the Democratic Party but to liberal political theory. Liberalism, in our usage, does not necessarily denote individualism but rather a politically and socially neutral stance regarding thick conceptions of the good and regarding unity in custom. In effect, the "nation" is a space for mere humanity, ordered by social principles that are merely human and shorn of any *culturally* particular expectations. Thus, for this version of liberalism, the political good is not reduced to the individual being free from any unchosen bonds (e.g., family, ethnicity, and religion), which often involves civil action to "free" them from those bonds. Rather, the liberalism we have in mind is this: the state and society in general are neutral toward the ethical or religious values of those unchosen bonds, except in cases where *physical* harm occurs or where one group interferes with another. In effect, America is a place for the abstract human, under minimal rules and procedures.

[3] Eric Kaufmann, "How 'Asymmetrical Multiculturalism' Generates Populist Blowback," National Review, (Feb. 6, 2019). https://www.nationalreview.com/2019/02/populism-identity-politics-why-they-rise-in-tandem/

[4] Of course, this neutrality principle is never applied consistently.

that identity poses no threat to the liberal order. The public square is fully open to identity-construction, and you are allowed to be "different" or "weird" or "counter-cultural" *only if* your difference and weirdness have no *real* potential to disrupt liberal progress.

Accepting this proviso, Christian elites have attempted to shape a Christian identity in which real-world political effectuality is an afterthought or avoided, and whose intended end is a good "public witness." This identity's purpose is missiological—to display an "otherworldly" morality, centered around a universal and cosmopolitan "gospel culture." We exit the "heavenly outpost" (the church) as "heavenly ambassadors," even in our politics, to proclaim the heavenly kingdom of Christ. Our politics ought to be a "heavenly politics," offered by "pilgrims" of the "heavenly kingdom," which rejects claims of "domination" and seeks only "winsome persuasion." Since the actual end is to craft an identity for missiological purposes, few have any interest in strictly and precisely distinguishing nature and grace, politics and theology, earthly and heavenly life, pastors and laymen, civil and ecclesial life, civil power and spiritual power, or natural and spiritual relationships. These are all either separated, conflated, or confounded to craft this identity. Ambiguous terms, such as "relativize," are introduced, though they have little or no historical precedent. Christian politics is reduced to mantras and conclusions magically deduced from the words "*imago dei*." In fact, Christian politics has become functionally theonomic, as elites choose *this* and *that* verse to support disparate positions or sharpshoot particular issues to build a pure public image unsullied by politics. Even Christians who diverge from liberal norms, such as the "establishmentarians," are tolerated insofar as they "wait on revival" or on "national repentance" and make the correct public renouncements. They effectively make themselves the harmless weirdos, like that crazy uncle we all love and invite to family get-togethers for entertainment. Almost entirely absent from Christian reasoning is any consistently applied principle or hermeneutic, or any robust political system. In the end, Christian politics is not politics at all, for the means are not suitable to political ends. The point of the "common kingdom," and other similar ideas today, is to ensure the formation of a malleable Christian public identity that co-exists with other identities in conformity to the fundamental demands of modern liberalism. In other words, it greenlights every sort of political-theological confusion.

Since in liberalism, or the "common kingdom," there is no need for an effectual political philosophy (besides what *in form* fits the liberal proviso), political theology can be other-worldly. It can merely *image* on earth some ideal, heavenly state of affairs, ultimately serving an intrinsic end beyond earthly politics. Thus, even among the self-described "anti-woke," we see ecclesiocentric ideas of unity, as the multicultural church becomes the social imaginary of Christian politics. Of course, this conflates spiritual-ecclesial unity with civil unity, thereby confounding the distinction between gracious and natural principles. But that is irrelevant. Politics is subordinate to missiology, or at least in appearance. In actuality, modern political theology is crafted precise-

ly according to what is demanded of us: that we be displaceable, nomadic, and lack in-group preference. Our "heavenly" politics is merely a perversion of earthly politics that conforms us to the spirit of the age.

The recently developed "exile" theology is key here. It commits Christians to political universalism, making Christians just another home-less group living among immigrants, refugees, and ethnic minorities (e.g., Jews). We are just as displaced as the rest, only our place is heaven. But unlike the rest, Christians may not *act* like minorities, viz., by acting politically for the good of their religious in-group. Rather, our in-group regarding politics must encompass *all* people—excepting ourselves. We are to be the out-group of our own in-group. We should seek the good of the city, though we are not *of* the city. Thus, we must act like a benevolent and generous majority towards minorities (ascribing to them a perfect altruism)[5] while simultaneously thinking of ourselves, regarding civil life, as homeless, nomadic strangers. This practical contradiction ensures our own deracination and marginalization. Eventually, if this continues, Christians in America will be true minorities and will petition the non-Christian majority in vain hope for benevolence. Indeed, most likely, we will find a new majority seeking revenge. Our grandchildren (not us) will receive what many Christians today most fear *and* most desire: persecution. That is, our political theology is creating conditions in which our progeny will suffer.

The modern innovations around the "common kingdom" and the exile motif insist that Christians, especially (if not exclusively) white Christians, ought to function as a benevolent majority (under the guise of aloof pilgrims), while also considering ourselves home-less minorities. In effect, Christians will exist as a resource pool for resource extraction and as an object of scorn and displacement, being the guilty majority who have restitutive obligations toward aggrieved minorities. Our political and cultural inheritance, bequeathed to us by our forefathers, is disregarded and derided—and in fact, it is offered up as an atoning sacrifice to display our "heavenly citizenship." The consequences of our impiety here will be visited upon our children and our children's children.

The CCN Alternative

The Case for Christian Nationalism, however, directly challenged this prevailing perspective. Wolfe is not a postmillennialist, theonomist, adherent to the Federal Vision, or a reconstructionist. He does not follow the Kellerite "third-way." Neither is he a Kuyperian. Rather, Wolfe is a classical Presbyterian who, in fact, affirms the spirituality of the church, natural law, and classical two-kingdom theology. His political thought, in substance, agrees with the broad Reformed tradition prior to the twentieth century, and he seeks to be precise and apply categories to politics

[5] This highlights another contradiction. Modern Christians ascribe altruism to immigrants, while insisting that human depravity significantly limits political power.

in ways akin to how our theologians do theology. Indeed, his political views are better described as "classical Protestant politics" than as "Christian Nationalism." However, these views, in themselves, do not violate the adopted norms of NAPARC elites; plenty in NAPARC affirm all or most of them materially, while, in *form,* their politics is one of displacement.

The fundamental concern among many NAPARC members is that Wolfe's political system is not liberal in its form. That is, Wolfe is not a political universalist. He believes that *homeland* matters: that generational boundedness to a place is natural to man *as man* and also necessary for living well. The chief concern is that Wolfe provides the framework and distinctions by which a nation can be both culturally distinct *and* Christian, and that the civil government may act to conserve it in the interest of the common good. In other words, Christian majorities may act to conserve their Christian homeland. Indeed, for Christians, establishing, maintaining, and conserving a Christian homeland is the chief earthly end of politics.

Unfortunately, in response, most critics have denied what is nearly ubiquitous in the Reformed tradition (e.g., natural law), confounded categories of grace and nature, or injected theology into politics to justify preferred social arrangements. Many unreservedly violate the Reformed understanding of the various *principia* of the sciences, as well as the principle that *grace assumes nature*. Wolfe's great crime boils down to these claims: that man is a *political animal* with natural political principles, and that grace assumes these principles.

The controversies over *CCN* have, at least recently, culminated in Kevin DeYoung affirming a "conservative" version of modern liberalism. To great praise from nearly every side of the pre-2022 disputes, he has claimed that civil government lacks the competence to address "life's most important questions."[6] DeYoung seems to align with the late Justice Anthony Kennedy, who famously wrote, "At the heart of [political] liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life." DeYoung's view is also nearly identical to philosopher Charles Larmore's characterization of liberalism: the belief that "reasonable people tend to differ and disagree about the nature of the good life,"[7] and therefore, civil government may not order individuals to thick conceptions of the good. The full and explicit adoption of modern liberalism among those in the PCA (if not most of NAPARC) is now complete. Liberalism is the great unifier. Thus, the main dispute between Christian Nationalism (or

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[6] Deyoung's reason for this conclusion is that there is too much disagreement among human beings. But how do we limit this principle? Is there not disagreement over gender, sexuality, abortion, capital punishment, etc?. And who decides what is "important"? For many, the freedom to choose one's own gender and preferred pronouns seems pretty important to them. Deyoung's principle might suit the 1990s but certainly not the 2020s. See Kevin DeYoung, "6 Questions for Christian Nationalists," Clearly Reformed (website) https://clearlyreformed.org/ 6-questions-for -christian-nationalists/ (December 1, 2025). pre-twentieth-centuryto retrieve

[7] Charles Larmore, "Political Liberalism," *Political Theory* 18 (August 1990), 339-40. Quoted in Barry Alan Shain, *The Myth of American Individualism* (Princeton University Press, 1994), 17.

classical Protestant politics) and NAPARC centers on whether the Christian faith logically requires affirming the fundamental assumptions of modern liberalism.

After the publication of *CCN*, the descent into explicit political liberalism has been inevitable, since most Presbyterian pastors and theologians have no systematic understanding of politics (let alone knowledge of their political tradition). The more advanced among them justify their liberalism with novel formulations of two-kingdom theology—in which the "tensions" of the Reformers' two kingdoms happily resolve precisely to post-Warren Court arrangements. Christian nationalism has posed a widespread problem for churches, as many (especially young people) have begun to retrieve not only pre-twentieth-century Reformed theology but also pre-twentieth-century Reformed politics. Very quickly, they have known more about the subject than their pastor and, in many cases, more than their seminary professors. The appeal to the "two-kingdoms" has become ineffective, as the incoherence and novelty of modern two-kingdom theology have gradually come to light. No one can expect every pastor to immerse himself in the complexities of Protestant political thought. What, then, is there to unite conservative Protestants against Christian nationalism? The only available option—one that confirms their political priors without extensive argumentation and can unite Presbyterians and Baptists against the CN "menace"—has been postwar liberalism. Hence, the conservative Protestant response to CN has been that civil government cannot discern "the answers to life's most important questions." Accordingly, DeYoung's review of *CCN* in 2022 brings up the spectre of Naziism (the grand political trope of the postwar era), even though Wolfe almost entirely supports his argumentation from the Reformed tradition.[8] Most critics have issued a barrage of theology/politics conflations, all conveniently confirming modern egalitarian and mere-human social arrangements. For example, DeYoung asks in his review, "Is this really the direction we're to be pushed by the gospel?" in reaction to Wolfe's position on cultural similarity. This question clearly violates a basic Reformed political principle: that the *principia* of politics are nature and reason, not adventitious principles. The principles of civil order are *natural* and dictated by God, the Creator. The proper question is whether cultural similarity is, *by nature's design*, a condition for civil happiness and peace. If so, the Gospel would *assume* this design, and our politics ought to reflect it. Strangely, however, DeYoung *separates* the Gospel from politics to support secularist church/state arrangements. This inconsistency is so common in evangelicalism that hardly anyone notices it. Politics is natural and common when they want secularism. Politics is theological when they want multiculturalism and modern social arrangements.

But of course, how many Presbyterian ministers will notice this inconsistency? How many can distinguish sacred theology, ethics, and politics? How many can distinguish church and state

[8] See Kevin DeYoung, "The Rise of Right-Wing Wokeism" The Gospel Coalition (November 28, 2022) https://www.thegospelcoalition.org/reviews/christian-nationalism-wolfe/.

beyond modern categories of separation or beyond some half-understood appeal to the "two-kingdoms"? Have they learned to distinguish nature and grace, earthly and heavenly principles, essential and accidental, intrinsic and extrinsic, *per se* and *per accidens*, means and ends, inward and outward act, and faith and reason, as they all concern politics? Did anyone teach them about the natural law, the law of nations, natural religion, man as a political animal, the "consent of the nations," common notions, and the relationship of public piety with public virtue? Likely not—at least not as these matters pertain to politics. Instead, they have learned that an assertive Christian politics would require postmillennialism and theonomy, or "transformationalism;" that Calvin was a "theocrat;" that the Reformers uncritically received the politics of Christendom; that the Reformers coerced faith; that Reformed writers, for hundreds of years until the twentieth century, failed to think hard enough about the twofold kingdom; that the "spirituality of the church" extends even to laymen and tempers their political actions; that the adjective "Christian" may only modify individuals and churches; that heavenly life is not an end of politics, but heavenly diversity must shape our civil arrangements; and that "pilgrims in exile" means that a nation may destroy its enemies in war but not regulate ordinary commerce on Sundays.

We do not blame pastors for not knowing the complexities of political thought. But they need to realize that their Reformed elites—a category that includes most of their seminary professors—do not understand these complexities either and that these elites' political teaching has nearly always been a theologized version of modern liberalism and a product of an inconsistent, ahistorical, and *ad hoc* method. Their political teaching has *relied on ignorance*, and the average pastor uncritically adopts their ideas because of their unique interest structure: that politics is best when subordinate to missiology, or the "mission of the church."

One is reminded of the shock of recent years as the Reformed world realized how deficient its understanding of the doctrine of God was. The same reckoning is now happening with politics. Frankly, the sort of rhetoric employed by many Presbyterian critics of CN is beneath the dignity and learning of the Presbyterian tradition—a tradition known for its precision and exactitude, knowledge and demonstration. The best and brightest of NAPARC (and certainly the most pugnacious) have done little but contribute to a severe downgrade in political thought.

The largely negative response to *CCN* has been a missed opportunity for Christians to interact with the politics of classical Protestantism. Much of the vitriolic criticism has landed not only on Wolfe but on most theologians and political theorists of the Reformed tradition. NAPARC pastors have called Wolfe a Pelagian, a Roman Catholic, or a heretic for views that were nearly ubiquitous among Reformed writers before the twentieth century. Critics have assumed (and continue to *assert,* even after multiple corrections) that Wolfe is postmillennial and theonomic, and that he affirms a "social gospel" in which the institutional church leads the way in political reform. Undistributed middles abound. Very few know how to situate Wolfe's political philosophy

because many pastors are only able to place dissenting political views in the neo-Calvinist camp, or among the "theocrats," or among the modern innovators of civil law. Though Wolfe's book is not perfect, it aligns consistently with the ideas of those men whose works dominate the bookshelves of the Reformed pastor—the same men whom pastors are taught to venerate. That is the great irony: at a time when men are recovering orthodox Reformed theology, they have been the most adamant in *not* recovering orthodox Reformed politics. What is remarkable about the negative reception of *CCN* has been the failure of most critics—among whom are holders of PhDs in theology, history, and political science—to recognize that *CCN* is rooted in the Reformed tradition.

The last several years have made it clear that church disestablishment does not protect churches from social influence. Indeed, there is no discernible difference between pre-Trump respectable Republicans or moderate "Blue Dog" Democrats and the average NAPARC pastor or theologian. Disestablishment merely provides plausible deniability, and the Presbyterians, being anxious about respectability, will always gravitate towards the respectable.

There is hope, however. Many younger pastors, theologians, and scholars take these sources seriously and are willing to do the work that older generations consider regressive, outdated, or too costly.

The Disputed Definition

We concede that social media has led to some confusion over the definition of CN. The CN movement, like any social or political movement, is composed mainly of regular people, who articulate things in various ways that are often incomplete parts of Wolfe's or Wilson's CN. Wilson's claim to the label has exacerbated the problem. By 2022, Douglas Wilson had published extensively on politics, and his political thought was somewhat established. Wilson was known as a Christian reconstructionist who affirmed a theonomic view of civil law, and he was also somewhat libertarian and Kuyperian. Soon after *CCN* was published, Wilson began claiming the label CN—to Wolfe's surprise. Did Wilson change his politics in early 2023? Did Wolfe influence Wilson? It eventually became apparent that "Christian nationalism," for Wilson, was merely a repackaging of his unsystematized political ideas under a new label. His politics has not changed. He remains a moderate Christian reconstructionist with a moderate version of theonomy and a somewhat libertarian political philosophy—all energized by an overemphasized eschatology.

Whatever Wilson's reason might be for adopting CN, he has now effectively established himself, late in age, as a respectable moderate, at least among many conservatives—receiving praise, commendation, and friendly engagement from those who only a few years ago dismissed him or criticized his "Moscow mood." Recent engagement might be due to Wilson being an easi-

er target for critics, both because of his mode of discourse, which is often crafted for spectacle, and because he rarely supports his claims with the Reformed tradition. Hence, he is an effective foil for those who want to impute innovation to Christian nationalism, and in many cases, his critics are right. Quicker to quip than to parse, Wilson often confounds and conflates concepts, as he straddles between classical Protestantism and "anti-dualist," neo-neo-kuyperian biblicism. Over time, his ideas tend toward confusion and contradiction—all of which drive engagement, typically of low quality. To be sure, Wilson's work regarding domestic life and education will continue to bear political fruit for generations. But his distinctive political ideas have been repeatedly discussed for decades to little constructive effect, and we see no use in rehashing them here.

A Quick Summary of CCN

CCN comprises an introduction, 10 chapters, and an epilogue. The introduction primarily summarizes the argument and defines CN. Chapters 1 and 2 explain the anthropological and theological antecedents to Christian politics. Chapter 3 contains a phenomenological treatment of the nation. Chapters 4 through 7 are the core of the book, where Wolfe explicates the definition of CN. Chapters 8 through 10, then, cover freedom of conscience, revolution, and the Anglo-Protestant foundations of American religious liberty. These are largely supplemental to the overall argument. Finally, the Epilogue is a collection of long aphorisms that focuses largely on psychological hindrances to the actualization of Christian nations.

I. Political Method

Assumptions and Method

We begin with Wolfe's theological assumptions. He believes that theology and politics are distinct disciplines, each with its own *principia*, or fundamental principles. Theology *informs* politics (and thus theological statements become part of political reasoning), but politics, ultimately, is not a theological topic.[9] In *CCN*, Wolfe assumes Reformed orthodoxy, primarily in theological anthropology. It is important to note that he does not assume the Reformed *political* tradition; rather, he argues for its political ideas from assumed theological starting points. For example, he *argues* that the state should promote true religion; he does not *assume* it.

Wolfe is clear that his work is one of Christian political theory, not theology. And his method is, broadly described, as a work of reasoning from premises to conclusions. The most frequent

[9] See "Reformed political theory" in this volume for a detailed discussion on this point.

criticism leveled against him is that he neither cites nor expounds on scripture in *CCN*. While using Scripture would improve this work, his stated method does not require it. Wolfe assumes a Reformed Christian audience, drawing on premises already or readily affirmed by that audience. No Reformed Christian, for example, needs *Christ is Lord* or *Christianity is the true religion* demonstrated from Scripture, just as a theologian writing for a Christian audience is not required first to prove *Scripture is inerrant and infallible*. And so Wolfe assumes several theological propositions and then proceeds with the argument. All Christians affirm the force of logic, and thus, if you affirm his premises and his argument is valid, then you must affirm his conclusion. Expounding on Scripture in such cases is unnecessary to demonstrate the conclusion. Sound exegesis cannot contradict sound reason, for God is the author of both reason and faith. Any evaluation of his work, therefore, must contend with his reasoning (e.g., denying premises and validity), not his lack of exegesis.

More specifically, Wolfe relies on the "mixed syllogism"—with the major premise being a creational or natural truth and the minor premise being one of grace, revealed by God as Redeemer. These share a term, which, in categorical, syllogistic reasoning, might form a valid syllogism. He offers this syllogism, for example:

> The true religion is something that civil government ought to promote. (Natural principle)
> Christianity is the true religion. (Truth of grace)
> Therefore, Christianity is something that civil government ought to promote.

Now, the disputed premise is the major premise, and he offers several arguments in its favor. But the reasoning is valid, and if sound, the conclusion is true, even without other considerations, such as Scriptural exegesis. The mixed syllogism was common in Reformed orthodox theology, and Wolfe has incorporated it into his Christian political theory. He claims (and this is certainly true) that the mixed syllogism is often *implicit* in Reformed political works from the Reformation through the post-Reformation periods.

The mixed syllogism allows Wolfe to affirm that political principles are natural, common, and human but that their conclusions are Christian in light of truths of grace. Thus, Christian politics affirms that nature is fundamental to political life. But nature, as applied in the light of grace, permits a truly *Christian* political order. To our knowledge, no reviewer or critic has criticized this form of syllogistic reasoning. And as Chapter 1 of this volume demonstrates, such reasoning is necessary for orthodox theology. Furthermore, this refutes the claim (asserted mainly by modern two-kingdom advocates) that what is "common" to man *must* remain common in conclusion and application. This is false both for theology *and* politics.

Theological Assumptions

Wolfe assumes theological anthropology and then proceeds from these assumptions to his political theory. In his view, most political conclusions are not properly derived from eschatology,[10] but from the nature of man. *CCN* contains almost no discussion of eschatology— and for those who care about such things, he affirms amillennialism, as Calvin did. For politics, one must begin with the nature of man, for politics is the ordering of man according to his social nature.

Theological anthropology informs Wolfe's politics in various ways. The key assumption for Wolfe is that Adam, by his nature, was equipped sufficiently to achieve the gracious *condition* for the eternal life promised to him and his progeny. Human work, by its nature, cannot merit eternal life such that God would *owe* man the gift of eternal life—that is, apart from a gracious promise. The natural law is antecedent to the covenant of works and became the antecedent condition to achieve it. But the natural law is immutable, and hence no change in man's covenant-status can change the natural law. Nor can it change the intrinsic ordering of man's natural faculties to his natural ends. Now, since the nature of man in substance is immutable, and since grace does not destroy nature, Adam's original work remains part of man's natural duty on earth. The duty of the Christian is *not* to seek eternal life via the Covenant of Works but to fulfill his natural duty. Therefore, the natural duty to mature creation (i.e., to bring it under dominion to the glory of God) remains a natural duty to man, even in the state of grace. Moving from the Covenant of Works to the Covenant of Grace cannot change this duty in substance since natural duty is natural to man *as man*, even apart from any covenantal promises and stipulations. Again, natural law is *prior* to any covenant and not existentially dependent on any covenant.

It follows that while the duty of dominion is an essential condition of the Covenant of Works (as an antecedent of its conditional), the covenant is not essential to the mandate. By his nature, man has the natural endowments and the adjoined teleological, intrinsic duty to exercise dominion, and this remains even for those in the state of grace. Again, achieving dominion is not, for the Christian, a condition for everlasting life. Rather, it is a natural *telos* of his constitutive and immutable nature. Since dominion is a natural duty of his, man pursues it for his good to the glory of God, since all natural duty comes from the natural law, which is the only rule to man's happiness in this world.

To further clarify: doing the original work of Adam regarding the *content* of the work (viz., the maturing of creation) must be distinguished from that same work as a *condition* of eternal life. The former is *do this; don't do that*, while the latter is *if you do this, you receive eternal life*.

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[10] By "eschatology," we mean as it is largely discussed today, as a dispute between pre-, post-, and a-millennialists. In another (more appropriate) sense, eschatology is a part of theological anthropology as it concerns man's original, eschatological end.

Doing this work in the state of grace does not place one back under the Covenant of Works. Rather, the worker obeys the immutable law of God, which is the only rule to righteousness. To claim otherwise leads to forms of antinomianism. Indeed, Wolfe argues that David VanDrunen's system of political theology *logically* entails antinomianism because VanDrunen makes the Covenant of Works and dominion-taking (a natural duty) mutually dependent, such that the end of the covenant entails the end of the work. In effect, a natural duty of man is rescinded.

In Wolfe's view, if Adam had not fallen but had remained in the state of integrity, he would have ordered creation to heavenly life—indeed, *pointed* earthly life to heavenly life—but that ordering would not have transformed earthly life into heavenly life, for the latter is a *supernatural gift* that would have been given subsequent to finishing the work. Adam's work, in itself, would not and could not have realized the promise on earth; it was one condition by which God would have graciously given eternal life to Adam and his progeny. Thus, Wolfe is not a "transformationalist" in the typical sense. Indeed, Kuyperians have often accused him of "dualism" for this exact reason. The work of man does not, itself, transform earth into heaven, and thus, doing the work in the state of grace is *not* working to realize on earth what has already been granted by faith. The Christian orients earth to heaven to fulfill natural duty, and for the good of his fellow man. So, Wolfe does not conflate or confound earth and heaven, or nature and grace, or faith and works. These are all distinguished coherently in his system. Earthly life ought to be ordered to what is heavenly without collapsing them together.

One may read Wolfe's argument in *CCN* and make up his own mind. But Wolfe is opposed to transformationalist Kuyperianism and hews far more closely to (if not entirely aligned with) classical Protestant anthropology, political theology, and covenant theology. For this reason, Wolfe's arguments transcend much of the dialogue over the last several decades—a conflict largely between Kuyperians, theonomists, postmilennialists, and modern two-kingdom advocates—and his "camp" is squarely within classical Protestantism. Too many critics miss this, having been immersed in these disputes and largely ignorant of the tradition in which Wolfe situates himself.

One governing principle for Wolfe is that *grace does not destroy nature; grace restores and completes nature*. This line is ubiquitous in Reformed orthodox theology. Since it concerns nature, it enters into politics and places *limits* on the effects of grace there. The natural principles of civil life—recognized both in the natural law and the law of nations—are only *restored* by grace, not destroyed or substantively modified. No heavenly principle can enter into politics, for the *principia* of politics are nature and reason. Thus, for Wolfe (and according to the Reformed tradition), the Gospel does not *substantively* shape or modify our politics. The Gospel further specifies the application of these principles, as shown in Chapter 1 of this report, and thus, we may say there is a distinctly *Christian* politics. But whatever is natural per man's constitutive nature is

assumed. So, whatever is good and necessary for a civil community to live well, according to the natural law and the law of nations, is good and necessary after the Gospel. Unfortunately, many people violate this principle in politics, injecting theological truths proper only to theology, heavenly life, and the instituted church (a divine institution) to justify mere-human, egalitarian civil arrangements.

Man as Social Being

Wolfe affirms that man is by nature a *political animal*, following the Reformed reception of classical sources in the post-Reformation period. Political life does not come by adventitious divine command or institution. Man—regardless of his spiritual state—would form (by instinct and reason) civil societies for his mutual good. Following many in the Reformed tradition, Wolfe argues that these unfallen societies would install magistrates who would then set rules (if not laws) for the common good. Civil governors would be *necessary*, he argues, because individuals (even in the state of integrity) lack complete knowledge of right, *particular* action when in community. Thus, they would need an ordering agent, not to restrain sin but to order individuals in collective action toward the common good through a legal framework. Civil magistracy is, therefore, not a post-fall institution in substance but is natural to man in community. In a post-lapsarian world, the power of magistracy is *augmented* so that he may punish and restrain sin, and this becomes his principal activity. But magistracy itself, as an ordering agent for the common good, is natural.[11]

Critics who claim that Wolfe's position is pure speculation are butting up against a long tradition of such "speculation," going beyond merely the reasoning found in Thomas Aquinas. Many in the Reformed tradition have believed that civil magistracy would have been necessary.[12] Wolfe does not merely assert this and other conclusions about the state of integrity. He argues from theological and natural principles, and most critics have failed to engage his reasoning seriously. Everyone "reads into" Genesis 1 and 2 assumptions about man in his natural state, applying what we now know about man to his state of integrity. Do Genesis 1 and 2 tell us, for example, how Adam and Eve would have gone about filling the earth with progeny? No, we infer back to the garden using evidence from postlapsarian man.

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[11] It is natural in a way akin to marriage, as something naturally *arising* from human nature. No one is born, by nature, for civil rule, having some divinely anointed nature. It is a result of human decision.

[12] Rutherford states that civil government is natural according to the law of nations, i.e., as a secondary law of nature. Many others in the Protestant tradition affirm that the civil government would have existed in the state of integrity, including Richard Hooker, Guillaume Bucanus, Lambert Daneau, George Gillespie, Richard Baxter, Samuel Willard, Ebenezer Pemberton, William Cooper, Thomas Peck, and many others.

Distinct Nations

Wolfe argues that distinct nations would have formed had Adam not fallen. He bases this claim on two considerations: 1. That human beings are gregarious social animals, and 2. that man is limited by nature. For the latter, Wolfe states that the natural faculties of man ensure that he is a *locally* situated being. To state it more positively, man is naturally receptive to a particular, local way of life in which particular customs develop and find their meaning. Unfallen man would not have produced a universal culture on earth. Rather, each locale would have had different customs, traditions, and ways of life. Man is by nature prepared to receive and embody a set of practices that then become *second* nature to him, which serve to complete him in earthly life. Denying this implies that our receptivity to custom, as second nature, is a product of sin.

Steven Bryan, a professor at Trinity Evangelical Divinity School, comes to a similar conclusion:

> The divine commission to 'fill the earth' is fulfilled not simply by populating the earth with people. Rather, the divine intention plays out as humanity fills the earth with culturally distinct peoples…. The emergence of diverse peoples who fill the earth with a wide variety of cultures is central to the divine vision for humanity.[13]

Wolfe's reasoning follows from the fact that we typically cherish cultural diversity. Difference and contrast form something beautiful. Even in the state of integrity, each individual would have experienced both the *familiar* and the *foreign*—the latter not inviting suspicion or bigotry but respect, discovery, and the beauty of variety. Moreover, each individual would prefer that which is familiar to him, because by dwelling among similarity, man operates for his and his fellow man's complete good. He would fully know and seamlessly participate in a way of life as second nature. One picture of this, though only analogous, appears in C.S. Lewis' *Out of the Silent Planet*, where different rational creatures live on the same planet harmoniously, without sin or strife.

Our world of difference, therefore, is not fundamentally due to the fall. All cultural sin and intercultural bigotry are *extraneous* to the natural principles of similarity and difference. It follows that the Gospel, which affirms nature, does not remove national differences. Nor does it destroy the principle of similarity, the preference for the familiar, or our culture as second nature.

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[13] Steven Bryan, *Cultural Identity and Purposes of God*, 41.

II. People and Place

Perhaps the most controversial part of Wolfe's book is his use of the term "ethnicity." Many have accused him of "blood-and-soil" nationalism, implying that his political philosophy is rooted in early-twentieth-century political thought. It is best, however, to read Wolfe as a fairly moderate Aristotelian on the question of peoplehood. Wolfe uses "ethnicity" instead of "culture" because "ethnicity" emphasizes the role of blood relations, which "culture" typically lacks. But Wolfe is clear that "ethnicity" is not reducible to a DNA test as the basis of inclusion. He follows a fairly common distinction between "race" and "ethnicity" used by social researchers. Pierre van den Berghe, for example, writes that "ethnic groups…are socially defined but based on *cultural* criteria," while "race…is socially defined based on *physical* criteria."[14] Again, Wolfe *could* have used "culture," but his view is that blood relations matter (in ways described below) in our social relations.

Wolfe's method in chapter 3 is a "phenomenological" method. He argues that our sense of belonging to a people and place is rooted in intergenerational connections to that place—where loved ones have dwelt, worked, sacrificed, and died with *these* people. The downtown store that one's grandfather has owned and operated holds special meaning for his grandchildren. In effect, that place has been enlivened by, and with, their love for their grandfather, and it remains an enduring conduit of love between them. The building, the streets, and even the town itself have taken on particular meaning for them. They are *at home* because they remain *with* their grandfather, even after he is gone. Through traces of his everyday activity, his grandchildren are connected to the people that he served and to their descendants. Thus, for Wolfe, our people and place are a product of the past actions of loved ones that endure into the present, enlivening our world with care and concern. The past activities of loved ones are the foundation of our connection to people and places. We are thereby inspired to act for the good of our children and grandchildren, who will dwell with, serve, and sacrifice for the children and grandchildren of our friends.

Wolfe believes that this, through a phenomenological method, elucidates Edmund Burke's famous idea that society is a "partnership" between the dead, the living, and the unborn. But again, it would be a mistake to interpret Wolfe as saying that inclusion in the "*we*," the first-person plural, is determined by some DNA metric. Rather, the ground of inclusion is the dead-living-unborn connection that enlivens our world and calls for us to work for the good of our people and our place. Yet Wolfe is not affirming "civic nationalism," since the ground of people and place is *experience*, not mere ideas; and similarity of experience across generations is a condition for full inclusion. It is important to note that by this method, Wolfe is not *prescribing* anything

[14] Pierre L. Van den Berghe, *Race and Racism: A Comparative Perspective* (New York: John Wiley & Sons, 1967), 9-10.

about people or place. He is *describing* the nature of our being in the world. We feel at *home* when we drive past our childhood house and neighborhood; we recall particular moments, often with family and friends, in *this or that* spot. Those spaces are enlivened by memory, and bare space, or mere stick-built houses, take on unique and intimate relationships that are exclusive to us. Visiting our hometown after having been away *feels* like a homecoming.

The *nation* is typically much larger than a town's population, but for Wolfe, the same thinking applies at scale. Ancestral connection to national events (e.g., wars or economic downturns) elevates a homeland beyond mere facticity (viz., dates, figures, and academic history), into a *felt* sense of connection. *My people participated in these events; in a way, they are mine through my ancestors' participation.* The nation, therefore, is fundamentally more than a group of people who merely affirm the same universal propositions. Nonetheless, propositions may be one part of the cultural glue that binds a people. Wolfe is pushing back against the forces of *deracination*—or the sense of rootlessness in modern life. If he prescribes anything, it is that we must bring *home* to consciousness and actively seek to restore what is left of it and to build upon it.

We can say that Wolfe is a type of "blood-and-soil" thinker, since ancestry and love of place are important to his conception of homeland. However, he does not affirm its historical connotations. He is, instead, asserting a universally true theory about human nature in community—namely, that one's blood connections to a place (or "soil") are fundamental to his belonging. Indeed, they enliven the soil with meaning, care, and concern.

In the end, Wolfe is most interested in *home*—house as home, hometown, a home baseball park, the home team, and the homeland. These spaces become "home" through *activity*—mainly everyday life—and not by pure will or choice, nor by individual action. Home, rather, is something received, cherished, and given through linkages of the dead, living, and unborn.

Principle of Similarity

Wolfe argues that flourishing civil societies require the people to be similar in *particular* ways—in pastimes, customs, language, arts, social expectations, manners, heritage, and religion. These provide ease of understanding and cooperation, enabling people to achieve the *highest* form of collective life together. A merely human society can conduct basic human interactions (assuming there is some common language), such as commerce and strict procedural justice, but a collection of mere humans or groups in civil society cannot forge a *complete* civil life together. They have different *second natures*. This claim has proven to be controversial, even though it is widely acknowledged in the Western tradition, and most people enjoy the fruits of similarity both in their own communities and when they travel to foreign towns and observe the foreign. Indeed, Westerners are enthralled by differences in non-Western lands. The principle of similarity holds that ways of life serve to unify people through common action and affection, grounded in mutual

understanding and expectations. Most people-groups, except historic Western peoples, follow the principle of similarity without reservation—some very strictly, even after immigrating to the West; and most in the West express little concern about affinity among groups, unless present among historic Westerners.

Wolfe contends that we are attracted to similar people by nature, not out of bigotry, but because dwelling among them is a condition for achieving our good and the good of others. We are teleologically ordered to similarity. Our inclination toward similarity comports with our very nature as social animals. Sharing a similar way of life gives us confidence to act in society, for we know fully what is expected of us and how to achieve our ends both efficiently and without hindering others. In other words, sharing a way of life ensures efficient collective action and prevents collective action problems from arising from differences. This is not, in itself, prescriptive. It simply describes the nature of man, whom God has created to receive a particular way of life by which he lives well with others. It is a natural feature of man as a social being. But from this fact arises prescription. Seeking the good of the community—to love our neighbors—we ought to secure and promote unity around particulars, around a way of life. In terms of policy, this means curtailing immigration and teaching our children to have a positive regard for national history and particular love for our people and place. It also requires a strong social will to get outsiders to conform and assimilate.

One common objection is that Wolfe's view would undermine the church's unity. But this conflates the church with the earthly nation. A local church might remain unified despite cultural diversity because it is centered around spiritual unity in Christ. But the earthly nation, the state, the county, and the town are each different from the local church. They differ in species of institution, order, and intrinsic principle of unity. One might say, "My people are those of the church," but this has no bearing upon Wolfe's argument for civil community. The church administers the Word and Sacraments; it does not provide a market for exchange, police departments, civic laws and customs, streets, vocations, political life, or multifaceted social expectations. One finds the highest good in the church, but *most* goods (though lesser in nature) are found outside it—in the civil sphere.

Wolfe is repeatedly critical of modern universality—the view that nations ought to be propositional and a collection of mere humanity. The left speaks of "human rights," and the center-right speaks of "natural rights". The effect, either way, is the same because the center-right has no principled way to oppose replacement migration, degeneracy, and deracination. Ways of life are reduced to individual choices and self-segregated clusters; politics is reduced to maintaining an order of consumption, and production, and "pluralism;" and American workers are subjected to international wage competition, as their neighborhoods are slowly overtaken by foreigners who hire their own and do not share either universality in principle or the same "work/life bal-

ance." The natives are told to "work harder" (i.e., longer) for less pay. These are the fruits of universality, a luxury belief of the upper-middle class.

However, for Wolfe, rootedness matters. The unchosen bonds that span generations bind us to a place, elevating it beyond mere instrumentality and materiality. No nation can be a mass of disparate humanity or a collection of disparate groups. Civil communities require an enduring way of life, something to pass on to children and grandchildren. They are necessary for the common good. Mere universality and mere humanity as uniting principles are *anti-human*. The *particular* things of life supply us with meaning and confidence, and greater opportunities to love our neighbors.

III. Christian Nationalism

The Christian Nation

"Grace assumes nature and perfects it." This ubiquitous line in Reformed orthodoxy is a fundamental principle for Wolfe's project. Having demonstrated the nature of nations—as grounded in intergenerational connections of people and place—he then moves to the *Christian* nation. Upon being Christianized, the nation does not lose its distinctiveness; rather, everything good and morally indifferent is preserved, evil is corrected, and Christianity both infuses national life and enriches its practices. Think of a family that converts to Christ. The family, according to its natural elements, is assumed: the man and woman remain husband and wife, and their children remain their children by natural generation. None of these natural elements is destroyed by grace, only affirmed. The various morally indifferent pastimes of the family (perhaps they enjoy an occasional Saturday hike) are, likewise, affirmed. But sin in the family is corrected, and their daily activity is infused with Christianity. They pray to the true God before meals and forgive each other in Christ. Their family life is also marked by distinct Christian practices, such as observing the Sabbath and attending worship together. This describes the *Christian* family—a fundamentally natural thing perfected by the things of grace.

The same is true of the Christian nation. The Christian nation is not a heavenly nation, nor the kingdom of God, nor a "baptized" nation, nor a "holy" nation in the way Israel was. The nation becoming Christian would not immanentize the eschaton, nor conflate church and state, nor usher in the New Jerusalem, nor realize the "postmillennial hope." A Christian nation, rather, understands itself to be Christian and, on that basis, does Christian things. This nation would order itself to its national good, via law and custom, so that it might achieve its earthly good, and the people encourage each other in piety unto heavenly life. But the Christian nation would *not* transform itself into a universal Christian nation, such that all Christian nations would thus be the

same in cultural practices and their members would be interchangeable. Each Christian nation would have a distinct Christian way of life.

There are many details to fill in here. But contrary to many of Wolfe's critics, most of the details are prudential, particular, and mutable, and depend on the unique characteristics, history, and composition of the people. Christian America and Christian Hungary look and feel very different.

Christian Nationalism

Wolfe defines Christian nationalism as *a totality of national action, conducted by a Christian nation as a Christian nation, so that via law and custom it might procure its earthly and heavenly good in Christ*. This definition does not answer many questions. But we should observe that it is a *broad* definition, allowing him to permit significant differences between Christian nations. By "totality of national actions," he recognizes the interworking of our activity in a nation for its good. Various vocations ensure a variety of goods and services. We assume this in our talk about the "wealth *of* nations." The word "totality" is a way to conceptually collectivize these activities for collective ends, such as the national good. Wolfe is not saying that the *state* should direct all activities or that the "Christian prince" should order them all. He is simply stating a fact that our individual activities interact such that we can speak meaningfully of a "national economy," or "national wealth," or the "common good." The state is a major element in our common good and provides the legal framework in which we act, but neither the nation (considered apart from the state) nor individuals are passive. Indeed, for Wolfe, the nation as such has an *active* will for itself, which is the ground for national good and animates its parts and activity.

Wolfe argues that nations have two ends: one earthly and the other heavenly. The earthly end refers to the goods of this world, such as family formation, vocations, civil justice, etc. These are the *lesser* goods and ought to be ordered to what is higher—namely, heavenly life. In practice, this involves policies such as restricting ordinary commerce on Sundays. Earthly goods are ordinary conditions for heavenly good, since having them enables individuals to worship God without distraction or earthly concerns. Heavenly good refers to the things of eternal life, principally administered by the instituted church through its ministers. Heavenly good is the highest end of nations, but the nation as such does not procure it; rather, the nation sets outward conditions that normalize Christianity in everyday life and encourage church attendance and the true worship of God. Civil government cannot compel the conscience to believe in Christ or worship God. But the nation, via law and custom, orients the people to Word and Sacrament in the most conducive way, given their circumstances and characteristics. The nation as such cannot be saved, baptized, or redeemed by the Gospel. Rather, the highest end of Christian nationalism is the orientation of individuals to the Gospel.

IV. Law and Custom

Law

Wolfe has a classical Reformed understanding of law. Natural law is the only rule and standard by which man can achieve his natural end. All *moral* action is moral only when it is derivative of this standard. The moral law operates in every sphere of life, whether for individuals, families, and nations, and leaders of each sphere must enact rules derived from this standard to achieve their ends. Reason is the proper mode by which one applies the principles of natural law to these spheres, though Scripture, via faith, is another mode of the *same* law.

Wolfe devotes most of his attention to *civil* law, which he defines as public reason, enacted and promulgated by a legitimate civil authority, for the public good. It is *public* reason because it provides rules of action for a community that individuals would ordinarily be unable to discern. Individuals are fully aware of their own ends, but these ends may conflict when uncoordinated. For this reason, as we said above, Wolfe believes that both civil authority and civil law were necessary in the state of integrity, though not to restrain sin. We question whether "law" is the right word for rules in the state of integrity, since sanctions are essential to law as such. But Wolfe could just as well say "rule" (which is the genus of law) to the same effect. These public laws (we continue with his usage) thereby *complete* individual action, bringing them into ordered collective action. In the state of integrity, these laws were, in a way, *coercive*. Still, they did not command an unwilling conscience since unfallen man readily obeyed right reason, including right public reason. After the fall, the power of civil authorities has been augmented to restrain sin by coercing the *un*willing. That is, civil authorities may enact and promulgate a *criminal* code, which includes punishments and physical coercion. Wolfe argues, as we said above, that the principles and ends of law have remained the same; only the *means* have been augmented.

Wolfe follows the Christian tradition in affirming that civil law may only direct outward affairs, or "bodies." Law cannot command the conscience, including beliefs, emotions, or anything inward. Law applies only to that which it can affect. Hence, law cannot command anyone to believe in the Gospel or to worship God. Law may, in principle, restrain outward *expressions* of religious error, but the end of such restraint is not inward reformation. Nor is the mere fact of falsity sufficient grounds to suppress it. Nor is the purpose of law to search out and uncover every false belief. All laws must find their justification in the promotion or securing of the common good.

Natural law is the foundation of all civil law, but it is not the only source. The Decalogue is a summary of the natural law; thus, Scripture contains the moral law of God. Scripture, through faith, is one way by which civil authorities may deliberate and decide on the proper public reason

for their communities. But in the end, all political conclusions for Wolfe are based on a combination of reason, experience, and Scripture.

Wolfe is not a theonomist, contrary to much propagated confusion. At the dissolution of the Mosaic polity, the Mosaic Law was dissolved together with it, meaning that, as a *complete law book,* it is no longer binding upon Christian nations. But as a perfect example of law, it remains a source of deliberation for lawgivers. The degree of punishment in the Mosaic code determines each law's general applicability, since the severity of punishment indicates the degree of detriment the prohibited action has on every human society. But the ground of general applicability is not bare divine command, nor is it simply because it is found in the Mosaic law, but rather, it is from the fact that these sins plague *all* human societies.

V. Custom

Custom plays a major role in Wolfe's political thought. While law is an *explicit* ordering to the common good, custom is *implicit*, supplying the felt rightness of action. Law and custom are two species that share the same genus. The "command" of custom is from the community itself, rather than a civil lawgiver. As we have said, for Wolfe, God created man to receive a way of life that is largely not found in a law book but is identified only in the collective practices of a people. Customs are important to Wolfe because they serve the common good and are passed down organically. Children learn them through upbringing, as various people (mainly their parents) instruct and correct them on how to behave. Custom, thereby, becomes second nature. This is possible only through generational continuity with minimal disruption.

Building on this, Wolfe argues for the good of cultural Christianity, by which he means an *implicit* ordering of the people of a nation to the gospel. Cultural Christianity is the felt rightness of Christianity within the civil community, both in Christian beliefs and practices. Being in such cultures does not indicate that one is saved—indeed, nothing earthly can make one into a true Christian. Wolfe distinguishes cultural Christianity and Christian culture: the former referring to the antecedent felt rightness of these practices, and the latter referring to concrete Christian practices (such as prayers before civic events). These practices are mostly *particular* rather than universal.

For Wolfe, therefore, cultural Christianity is both good in principle and *necessary* for Christian nations, for it undergirds the nation's self-conception as a Christian people. This Christian self-conception is an essential feature of the Christian nation because it animates their national action and their will for the nation's good.

Wolfe recognizes that hypocrisy and "nominal" Christianity are common byproducts of cultural Christianity. But hypocrisy merely identifies cultural Christianity's natural limitations. Indeed, as we have said, cultural Christianity cannot save. But if the principle were that *nothing that produces hypocrisy is permitted*, then we would have to insist that no unbaptized or unconfirmed child may sing songs in corporate and family worship or pray in any setting. But most people support such practices, even though, apart from the work of God, they can only produce hypocrisy. Most are pleased when Christian families orient their families around the things of Christ, knowing that family practices prepare them for faith and a godly life. Rarely do people denounce the "Christian family" due to fear of hypocrisy. Like the Christian family, cultural Christianity and its associated Christian culture prepare people to receive the Gospel and support true belief and one's walk with the Lord. Furthermore, any civil society with Christian expectations and norms will simply be a *better* society. Cultural Christianity is a social means by which we love our neighbors.

One important point Wolfe makes is that we Presbyterians tend to "have things together" — through books, podcasts, seminars, conferences, and schools. We tend to be middle- or upper-middle-class and have college degrees. This is true as a generality. But *most* people in the world are average. They neither know nor often care about our fancy theological resources, and we are embarrassed by the sort of resources that they do have. We tell ourselves that we are "prepared to suffer" for the Gospel in our upper-middle-class accommodations. We are "pilgrims" and "strangers" in this world as we banter about sports, watch our 401(k)s rise, and see that our children benefit from generational wealth and social networks. In brief, our modern political theology of suffering is a *luxury* theology. If suffering comes, we will suffer the least, while our near-neighbors suffer every effect of a declining society. And that moral suffering and degradation are here already; degeneracy is *normal*. Respectable political theologies in modern Presbyterianism have no answer to this except to become more insular. We Presbyterians neglect the average, nominal Christian neighbor. We lay the blame on ordinary people for being average. But should not our political thought include some means to *their* good? Should we give over the average family to degenerate social forces, which send them to their destruction, while we enjoy our insular, ecclesial institutions and comfortable life?

VI. The Christian Prince

Any reader of the Reformed tradition will recognize the title "Christian prince," as it was common among Reformed writers before the nineteenth century. Wolfe chose this title over others because it connotes a civil leader who is more than a man of formal civil power; he possesses

gravitas and *vitality*. He inspires people to love their nation and to act for the national good. He is a source of unity.

The Christian prince, as Wolfe uses it, is not necessarily a monarch, nor does it refer to any particular type of regime. The Christian prince could be a congressman, a state governor, or a president. Rather, the Christian prince is a *great man*—one who inspires his country to greatness. The Christian prince is a rejection of passivity, weakness, and wonkery. He is a man who inspires others to endure, to be strong, and to struggle. He prioritizes home and heritage. He is an active, self-assertive agent in restoring the nation's greatness.

Following the Reformed tradition, Wolfe affirms that civil magistracy is the highest office on earth, even higher than that of the church minister. Indeed, magistracy—both in power and divine gift—images God more than any other earthly office. A magistrate commands law (though derivative of God, the supreme lawgiver) —he is a living law—and enforces God's commands. Wolfe's high view of magistracy violates post-Lockean liberal norms, but it is common in Reformed political thought. We know of no pre-twentieth-century Reformed writer who exalted the office of minister above the office of magistrate.

The Christian prince, as a great man, is only a small portion of the Christian prince chapter. The rest is largely where Wolfe describes the extent of civil power *in principle*, and it is here that people have often misunderstood him. For Wolfe, civil power is quite extensive *in the abstract*—but not in application. The nature of political power, when concretized for a particular people, is curtailed by decision of the people via constitutionalism. Wolfe states this several times in the book. Still, many reviewers (including DeYoung) missed his repetition of the principle/prudence distinction, and some likely saw an opportunity to label Wolfe's political theory tyrannical. The prince, considered abstractly, *may* do many things: set order to the church, call synods, punish heretics, and censure errant or lazy ministers. But Wolfe never claims that he *must* do these things. What the prince must or may do is delimited by "we the people," from whom the prince receives his powers to govern. The prince *must* promote the common good, but the *means* to that end are contingent.

Wolfe also provides an account of classical two-kingdom theology that is essentially the same as Samuel Rutherford's. We will not discuss it in detail here. But it is enough to say that Wolfe's political theology bears no resemblance to "ecclesiocentrism" (popular in the CREC and affirmed by a few striving theologians), and indeed it is quite the opposite. For Wolfe, the instituted church is not the hub for political activity, and neither do Christians take their political cues from church ministers. He describes pastors as chaplains to political movements: they ought to offer spiritual and moral guidance, but ought not to be (as ministers) in the chain of command. The instituted church principally is to be concerned with eternal life. Church ministers are to point us upward as the citizens of heaven we are; they ought not to direct us in some mission to

transform the world. Implicit in his text is the doctrine of the "spirituality of the church." The instituted church, as such, is neither equipped for nor charged with directing social and political transformation. The fear that "Christian nationalism" distracts the instituted church from its mission is certainly not true with the CN that Wolfe articulates. Christians conduct Christian politics *as Christians in the public square* rather than *as the insti*tuted *church* or at the command of ministers.

Wolfe also distinguishes himself from the modern version of two-kingdom theology as articulated by David VanDrunen and others (often labeled "R2K"). For Wolfe, the twofold kingdom is distinguished (to put it simply) by the visible/invisible distinction. There is some overlap between VanDrunen and Wolfe, as Wolfe affirms that the spiritual kingdom is the kingdom of redemption. Nations as such are not redeemed. The Gospel does not contain or contribute any political principles. But Wolfe argues (consistent with the Reformed tradition) that promoting true religion is a *natural* principle of civil magistracy. Furthermore, civil rulers may be cognizant of man's spiritual end, and they ought to order outward affairs to the spiritual kingdom, principally by supporting and protecting the instituted church. Wolfe does not *separate* the two kingdoms, which leads to epistemic, methodological, and theological problems. Christians can establish and maintain a Christian public order. But in doing so, they would not be confounding the two kingdoms, church and state, or heaven and earth—for the earthly is ordered to the heavenly by its own earthly, natural principles. Put differently, the civil and spiritual kingdoms are distinguished by their direct ends (civil life and heavenly life), powers (civil and spiritual), and offices (magistrate and minister); but civil power arranges outward affairs to the best possible conditions conducive to man's spiritual good. The state has no power to coerce inwardly. But lacking direct power for some end neither precludes cognizance of the end nor precludes actions that would set conditions conducive to that end. In doing so, the magistrate would not be obeying either a principle of grace or the Gospel but rather his *natural* duty—a duty further specified in application by revelation, which declares that the true God is the Triune God.

VII. Liberty of Conscience

Everyone in the Reformed tradition, regardless of their views on civil government, has believed in the liberty of conscience. Remarkably, in recent years, entire books have been written that assume (without evidence) that the civil suppression of heresy, blasphemy, and atheism presupposes the denial of liberty of conscience.[15] This assumption merely continues an old error,

[15] See, for example, *Liberty for All* (Brazos Press, 2021) by Andrew Walker (associate dean of theology at SBTS) in which he fails even once to accurately describe the historic position on the civil suppression of false religion.

which Rutherford, as far back as the mid-seventeenth century, blamed on the "ignorant anabaptists" —a condition that seems to have spread well beyond the anabaptists.

Wolfe addresses this error by clarifying the statement of the question on religious liberty. The question is not whether conscience can be coerced—everyone denies this. The question is whether the magistrate may restrain outward expressions of religious error in the interest of the common good. Such restraint would not strike at the conscience but would only restrain outward action. And the reason for this restraint would not merely be that an error has been expressed but that this error, having been *expressed in a particular context*, is likely to be harmful, either to souls or to good civil order. So, the magistrate is not charged with an absolute command to rid the public of *all* errors. But he may suppress those errors that are likely to cause harm. And even when harm is likely, the magistrate may act only when his actions would conduce to the good of the commonwealth. Suppressing error is not an absolute divine command required in every place and at every time. It is a political decision for the common good, and fundamental law may limit the magistrate's powers vis-à-vis religion.

This raises the question of dissenting brethren in a Christian commonwealth. Contrary to claims that Wolfe would "re-baptize" the Baptists, he explicitly calls for a pan-Protestant arrangement, at least in the American context. This is *principled* religious liberty (not a mere concession to dissenters), because in Protestantism (unlike in the Roman church), true brethren with different theology and institutions can recognize their mutual faith and common Lord. Thus, a nation can be both Christian and theologically diverse, united, in part, around their common faith.

Wolfe never calls for a "confessional state" or for persecution, though Protestantism should be countenanced and promoted by statesmen and be foundational to major institutions. However, atheism and blasphemy should be suppressed by law and social pressure—something that has been common throughout the majority of American history. And we should direct our energy toward condemning the vice and degeneracy that pervade our society.

VIII. Revolution

Wolfe has stated publicly that his chapter on revolution is the most expendable in the book, aside from the Epilogue. The intent of this chapter was not to foment thoughts of revolution in the United States but to rekindle resolve to fight *lawfully* for the good of one's people and country. As such, revolution may be an expression of manly resolve in which men confront each other for peaceful resolution but with the capacity for physical action. We also note that Wolfe never says

that revolution is morally *required* in all cases of tyranny, but only when success is feasible, the costs are acceptable, and the conditions are suitable for restoring the common good after success.

But regardless of how one interprets intent, the chapter seeks to justify violent revolution in theory. It is strange to see Calvinist Americans react against his conclusions, since the founding of the United States was shaped by, and justified through, Calvinist resistance theory.

IX. Pan-Protestantism

Not until chapter 10 does Wolfe discuss America in detail. The preceding chapters argued for a Christian political theory that is universally applicable. Christian nations differ in their laws, customs, and general character. The main purpose of this final chapter is to show that the rise of American religious liberty is a product of Anglo-Protestant experience. Our tradition of religious liberty is an inheritance from our Protestant forefathers, not simply a universal, philosophical doctrine. It is rooted in *Protestantism* for the reasons stated above: unity in Christ is not coextensive with institutional unity. Thus, religious liberty in pan-Protestantism is the recognition of mutual brotherhood in Christ. It is not necessarily a concession to dissenters, but a principled extension of liberty in recognition of brotherhood.

But, if we are to believe the popular narrative, principled religious liberty would seem to contradict the dissenters' experience in Puritan New England. Wolfe refutes this argument. He demonstrates that the New England Puritans received both antinomians and Baptists into their churches as *full* members, and they denied that the Baptists may have their own churches only because Baptists could not reciprocate recognition of paedo-baptism. The presence of Baptist churches, therefore, would have had deleterious effects on the small, fledgling New England society, composed mostly of people who traveled to found a colony on and for the Congregationalist way. The principal concern for New England authorities was civil order and discipline in a fledgling Christian society. The important point, however, is that the Puritans did *not* see themselves as God's chosen people exclusively. Indeed, many ministers—including John Cotton—believed that the official churches in England were true churches with true ministers of the Gospel. They even believed that Baptist churches were true churches. But they simply held that such churches were not suitable for New England in the seventeenth century.

This demonstrates, to Wolfe's mind, that pan-Protestantism was latent and a principled arrangement within Protestantism—and that it may arise in suitable conditions. Protestant *experience* has demonstrated the possibility of good civil order, with extensive liberty for fellow Protestants. Thus, the religious liberty of the American founding does not represent a change in principle, nor a supplanting of an old order with a new "Enlightenment philosophy." Rather, reli-

gious liberty was always a possible arrangement inherent in the principles. Wolfe calls this *principled discontinuity*. Religious liberty, at the founding, represented the culmination of the Anglo-Protestant experience with fellow Christian brethren.

American religious liberty, therefore, is firstly Protestant and secondly a matter of inheritance from ancestors. It assumes a Christian country with Christian forbearance, and the founders never conceived that this liberty could be maintained without Protestant Christianity leading the way. Wolfe is, again, attacking our modern obsession with absolute universality. Propositions of liberty are insufficient to maintain a flourishing social order. Even if American liberties were universal, they would require a people prepared to receive them.

X. Epilogue

We now turn to the notorious epilogue of *CCN*. Wolfe has explained the origins of the epilogue many times. When he finished chapter 10, he knew that the convinced reader would ask, "What do I do now?" But having been largely devoted to political theory for many years and opposed to the "answer-man" rhetoric of evangelical leadership, he did not know what to say. So, he decided to begin writing thoughts on our present condition. He departs from his usual style to write "freely," i.e., unconstrained by demonstration —a mode to which many evangelical leaders should be well-accustomed. These thoughts range from the Iraq and Afghanistan Wars to our living in a "gynocracy." The overarching theme is combating the psychological effects of the post-war consensus, which mandates an habitual allegiance to secularism, mere-humanity liberalism, and universalism. It requires that we view "fascism" or the "authoritarian personality" as the greatest evil to avoid, shun, and punish. "Never again" has become the timeless politics of Jesus. Conservative Christians are very willing to shun and exact social costs for certain right-wing ideas. They put on soft gloves for the trans activist and give respect to the atheist, but throw bricks at the "racist". The fact that a "conservative" form of modern liberalism is the only allowable Christian political philosophy is, in a word, disturbing, let alone ahistorical and hubristic. It betrays a level of thinking unworthy of Presbyterianism.

XI. Misconceptions and Denials

CCN has received dozens of reviews. These reviews have often misunderstood the book's methods, assumptions, principles, and arguments. We clear up these misconceptions below. Since Wolfe has received criticism from a variety of perspectives—from kinists, theonomists, Kel-

lerites, Kuyperians, the "woke," Baptists, Roman Catholics, modern two-kingdom advocates, and others that are hard to classify—the following clarifications do not apply to each camp. Unfortunately, several negative reviews of the book popularized these misconceptions.

- Wolfe is amillennial, not postmillennial.
- He is not a theonomist, and his view of law is similar to that of Franciscus Junius.
- He affirms classical two-kingdom theology in the vein of Calvin and Rutherford.
- He is not a Christian reconstructionist, and direct or indirect influence from men such as Rushdoony and Greg Bahnsen is nearly zero.
- He affirms natural law and, at times, relies on classical (pagan) sources, particularly Aristotle.
- He openly rejects Roman Catholic integralism and Roman Catholic conceptions of nature and grace.
- He does not want a "confessional state" for the United States.
- He does not want to erase the First Amendment from the Constitution, but to return to its *original* intent (viz., limiting only federal power). Nor does he want to toss out the U.S. Constitution.
- He does not want to persecute or drown the Baptists. He likes Baptists, and they like him.
- He does not want us to return to the "golden age" of Calvin's Geneva or Puritan New England, or return to their laws.
- He is not an "Erastian," by the definition and description of Rutherford and Gillespie.
- Wolfe denies that church establishment is a necessary feature of a Christian nation, though he is not opposed to it in principle.

- He denies that civil magistrates *must* in all circumstances seek to eliminate false worship, committed either by purported Christians or non-Christians, and that he must actively suppress heresy via the civil sword.

- He denies that civil power can force the conscience to believe the gospel and to worship God.

- He denies that the "state" directly orders all national activity (*contrary to* the accusation of Hegelianism); nations are ordered to the temporal and eternal good, though only *partly* by civil power.

- He does not call for violent revolution.

- He denies that the instituted church and pastors should lead the way in politics.

- He denies that the mission of the instituted church is political activism.

- He denies that the instituted church ought to mediate or serve as the hub of Christian politics.

- *CCN* is not a retelling of Reformed theology and political thought, as if *everything* is assumed. Rather, Wolfe assumes several theological conclusions—all of which are majority views in the tradition—from which to proceed in argument.

- The "Christian prince" in *CCN* does not refer to a monarchy or an all-powerful civil ruler. It is an idealized type of civil ruler or statesman that can exist in *any* political system and regime type. A Christian prince can be a mayor, an assembly representative, a state governor, or a president.

- *CCN* applies to *all* civil polities. Wolfe rarely mentions America before the final chapter and epilogue. *CCN* is a work of universal political theory, not a description of some idealized *American* statesman and civil polity.

- He repeatedly stresses the distinction between permissible and prudent. Much of the power that Wolfe grants the Christian prince is morally permissible in the abstract but not always

prudent and suitable in concrete circumstances. Power may be significantly curtailed via constitutionalism or fundamental laws.

- For Wolfe, the political tradition, heritage, and characteristics of a people determine the nature and limitations of civil power.

- Wolfe denies that natural reason is sufficient for determining all civil policy. Reason, experience, and Scripture together are sources for political reasoning. He affirms that Scripture ought to be used to craft suitable policy.

- He denies that the Fall left man's nature "untouched." Rather, the fall introduced active, vicious habits in man.

- Blood relations are not, for Wolfe, a direct determinant of belonging to a particular people, but one factor in generating intergenerational connections which ground one to a place and to the people of that place.

- Those who have most influenced Wolfe's political thought are Aristotle, John Calvin, Franciscus Junius, Bartholomew Keckermann, Johannes Althusius, George Gillespie, Samuel Rutherford, Francis Turretin, Samuel Willard, George Washington, Edmund Burke, and Roger Scruton.

Conclusion and Application

This report has covered much ground. In conclusion, we want to highlight a few key points and offer practical applications for pastors and elders.

I. Concluding Points

First, by and large, the political theory espoused in this report fits squarely within the Reformed tradition. Reformed theologians and laymen in the past engaged in politics. They understood politics as the ordering of society for the common good. The ultimate good of any society is the worship of the true God, and thus, good government should legislate *around* inward worship—not by coercing people to worship, but by creating the conditions necessary, through law and customs, to promote the worship and beliefs of the true religion. As we have demonstrated in our report, the Reformed tradition has recognized the importance of the magistrate upholding both tables of the Law and applying them to the *outward* actions of the community. This ensures that God is honored among the people and that particular acts of sacrilege, such as blasphemy, are discouraged by law.

Additionally, and contrary to the misunderstandings of many, the Reformed tradition has consistently affirmed that the magistrate cannot coerce the conscience. No one has affirmed that the civil authorities may punish someone for simply holding a false belief, nor has anyone believed that the magistrate has the authority to change hearts by the sword or a mandate from heaven to rid the land of all falsehood. Non-Christians and harmless heretics were tolerated in Reformed polities unless they were a threat to *civil* order. Indeed, the Reformed tradition has contended that civil punishment was necessary only to restrain *outward* expressions of falsity, to protect souls, to safeguard religious unity and discipline, and to protect the political order and culture from subversion. But the Reformed tradition is clear that *how* such suppression is carried out—or *whether* it is necessary and suitable for a particular people and place—ought to be left up to political prudence. Suffice it to say, the principles we have espoused are not innovations but rather are rooted in our Reformed and Presbyterian tradition.

Second, the American Presbyterian tradition is an adaptation of classic Reformed political thought to the American context. The American Presbyterian tradition is not a *repudiation* of the Reformed political tradition but an *adaptation* of it, suited to the American context. Early American Protestantism (from its beginnings until the middle of the nineteenth century) was a culmination of Protestant principles, an attempt to establish a pan-Protestant civil order while protecting the liberties of the people. This is the best way to understand American Presbyterians and the

1788 revisions to the Westminster Standards. It was the American Presbyterian Church's consensus response to the American context. The revisions were less substantial and more prudential, for they allowed flexibility across the various states. Given that the American revisions still referred to the magistrate as a "nursing father," and the Larger Catechism was left mostly untouched, it is clear that the American Presbyterians did not intend to substantially depart from the original Westminster Confession's contention that the magistrate should promote true religion.

Additionally, there have been countless instances in which American Presbyterians acknowledged the Protestant faith's role in America's heritage and recognized the need to promote true religion for a virtuous citizenry. A survey of American Presbyterian literature reveals that many believed church establishments were not only unnecessary but also a poor means of promoting true religion. While they believed that promoting true religion was both necessary in principle and the highest end of good government, they often believed there were other, more prudential ways to achieve this than via establishment. This reminds us that ecclesiastical establishments and the promotion of the true religion are not identical concepts. A person may believe that the government has a duty to promote true religion while simultaneously disfavoring ecclesiastical establishments, because the government's promotion of true religion is a general principle, and an ecclesiastical establishment is only one way to apply it. The question of whether it is the best way, then, is a matter of prudence and circumstance. The promotion of true religion in the American context, historically, was not merely left to the pulpits but was also a responsibility shared by the magistrate, who promoted it through legislation such as blasphemy laws and Sabbath laws. Prominent American Presbyterians, in both the North and the South, also advocated for Christian amendments to the Constitution of the United States and the Constitution of the Confederate States of America.

Some have argued that the Hanover Presbytery in Virginia, and other Virginians such as R. L. Dabney, Stuart Robinson, and Thomas Peck, were the predecessors of the Modern, or Reformed, Two Kingdoms (M2K/R2K) theory, who, thus, are the true inheritors of the American Presbyterian political tradition. However, even though the Virginians may be the closest historical example to modern Reformed Two Kingdom advocates, they still differ substantially. First, the Virginians did not adopt some of the novel interpretations of the R2K advocates, such as their view of the Noahic Covenant. Second, despite their similarities, the Virginians favored Sabbath legislation—something rejected by many R2K proponents (including David VanDrunen). Furthermore, claiming that the Virginians' position on the civil magistrate is *the* American Presbyterian tradition is unfounded. While this has been *a* position within American Presbyterianism, other views in the American Presbyterian Church have been more aligned with classic Reformed political thought—particularly the view that the magistrate has a duty to promote the true reli-

gion. The Virginians were an anomaly even among their fellow Southerners—as seen in comparison with men such as J. H. Thornwell, B. M. Palmer, and C. C. Jones.

Third, affirming the spirituality of the church does not preclude a person from advocating for a Christian nation. The doctrine of the spirituality of the church holds that the church's mission is primarily spiritual and therefore places limits on the church's political involvement. However, the doctrine of the spirituality of the church is not at odds with favoring a Christian nation. Both Scotland's Second Book of Discipline and the 1646 Westminster Confession of Faith affirmed a form of the spirituality of the church while still favoring a Christian magistrate who would promote the true religion and suppress impiety. Additionally, most Old School Presbyterians advocated for the spirituality of the church—and although they differed in its application, they all, to one degree or another, advocated for Christianity in the public square.

Charles Hodge was an advocate of the spirituality doctrine who, nonetheless, believed America to be a Protestant country—even advocating that America make this more explicit through an amendment to the Constitution. James Henley Thornwell was also a strong proponent of the spirituality of the church, and he likewise believed that the country should acknowledge Jesus Christ as Lord. Even Stuart Robinson, another proponent of the spirituality of the church who disagreed that the magistrate should promote true religion, approved of Sabbath legislation (on the basis that the American people were Christian). The reason these men could consistently advocate for the spirituality of the church while also recognizing the magistrate's duty to promote Christianity (save Robinson) is that it affirms the church's spiritual independence while saying nothing about the duties of the magistrate. We affirm the doctrine of the spirituality of the church while at the same time holding that the magistrate's duty is to promote true religion.

Fourth, the classic doctrine of Christ's twofold kingdom is compatible with the Reformed political theory we have espoused in this report, while the modern Reformed Two Kingdom theory is not. Many confuse the classic Reformed view of the two kingdoms, or the twofold kingdom, with the "Reformed Two Kingdom" (R2K) or "Modern Two Kingdom" view. R2K offers a novel interpretation regarding the "common kingdom" and the Noahic Covenant that is foreign to the classic Reformed view. Furthermore, unlike R2K, the classic Reformed view does not restrict civil government's use of natural law. Contrary to R2K's view that the civil government is limited to the Second Table of the Law, the classic Reformed view holds that the civil magistrate may use all of the natural law as a basis for civil law and that the natural law is faithfully summarized in the Decalogue. This is also consistent with the Westminster Standards' understanding of the moral law. So, while it may be odd today to advocate that the government enforce the First Table of the Ten Commandments, this is consistent with classical Reformed theology and its understanding of Christ's kingdom, as codified in the Westminster Standards. While classic Reformed

theology may strike some as innovative by *modern* standards, R2K is actually the innovation by the standards of the Reformed tradition.

II. Application for the Church

Based on the conclusions in our report, we believe that elders in Christ's church, who minister to God's people, should do the following: (1) acknowledge that those advocating for a Christian nation or the promotion of Christianity by our public officials are advocating the *normative* position in the Reformed and Presbyterian tradition—and thus that it is a permissible position to adopt; (2) read primary sources and familiarize yourselves with the Reformed political tradition, recognizing that for many of you who were seminary-trained, Reformed political thought was severely lacking in your training; and (3) recognize that the jurisdiction of elders is limited to the church and that ministers have the particular duty to teach God's Word and administer the sacraments.

First, acknowledge that those advocating for a Christian nation or the promotion of Christianity by our public officials are advocating the normative position in the Reformed and Presbyterian tradition—and thus that it is a permissible position to adopt. Many of our churches have members or regular attendees who believe that our nation should be Christian and that our magistrates should promote Christianity. While some may be zealously uninformed, their instincts are correct. Others may be more informed and believe things that seem extreme at first. For example, some may believe that the government should favor Christianity over other religions, and others may believe that the government should not allow false religions to erect buildings for worship in the center of the public square. Still others may believe that state governments should enact certain civil penalties for public blasphemy or prohibit commerce on the Sabbath. While all of these beliefs are anathema to modern liberal society, they are permissible within the Reformed and Presbyterian tradition.

Further, officers in churches that hold to the revised Westminster Standards, such as the PCA and OPC, should not be barred from serving as ministers if they hold to the original 1646 Westminster Confession. The mere deletion of doctrinal statements from the original Confession without a *positive prohibition* does not logically require a subscriber to the revised Confession to repudiate the doctrine in the original. Further, the substance of the 1788 Confession is the same as that of the 1646 Confession. And while the revised version moves away from a hard establishment, it does not repudiate the magistrate's relationship to Christianity. Thus, an absolute rule prohibiting those who hold to the original Confession from serving as PCA or OPC officers would be wrong, and officer candidates who hold to the original Confession should be considered, on a case-by-case basis, to ensure they do not deny anything in the church's adopted Stan-

dards. If the officer denies something in the American Standards, it would then be up to the church court to determine whether this difference may be granted as a permissible exception under the church's governing documents. However, officers (or potential officers) who hold to the Reformed/Modern Two Kingdom view should also be examined to ensure their views are not at odds with the American Westminster Standards. If it is found, for example, that they deny that the general equity of the judicial law binds civil government—including the First Table (WCF 19.4) —then the church court must determine whether such a difference may be permitted as an exception, according to the church's governing documents.

Second, read primary sources and familiarize yourselves with the Reformed political tradition, recognizing that for many of you who were seminary-trained, Reformed political thought was severely lacking in your training. If you are a minister who was trained in an American seminary in the last fifty years, you likely did not learn much of this. Reformed seminaries spend countless hours studying the theology of John Calvin, Francis Turretin, and Charles Hodge, as well as Reformed confessions such as the Westminster Confession. However, most are unfamiliar with the politics of these men, and generally, little time is spent on the Westminster Confession's view of the magistrate. Because of this, few graduate with any understanding of the political theory of American Presbyterians like John Witherspoon, Samuel Stanhope Smith, or Charles Hodge—let alone texts like Althusius's *Politica,* Keckerman's *System of Political Discipline,* Junius's *The Mosaic Polity*, or even ones from Scottish theologians, like George Gillespie's *Aaron's Rod Blossoming.* If these are read, it is typically through the lens of modern liberalism, and the conclusion is reached that they were men of their time, living during the era of state churches, who simply could not fathom the benefits of modern, democratic society.

Furthermore, because most students who come to seminary lack classical training, they are unfamiliar with the works of Plato, Aristotle, Cicero, Augustine, and Aquinas, many of which are vital for understanding categories of theological and political thought. Because the degradation of the United States has accelerated over the last ten years, younger Christians are hungry to know if the Christian tradition provides answers to the problems our country faces. And because a recovery is underway, providing access to a plethora of resources from our Reformed forefathers on politics, it is incumbent upon the elders of Christ's church to familiarize themselves with these materials so that, at the very least, they may point congregants to solid resources from theologians and laymen in our tradition. We no longer have an excuse to remain ignorant.

Finally, recognize that the jurisdiction of elders is limited to the church and that ministers have the particular duty to teach God's Word and administer the sacraments. Ministers in Christ's church should teach on Reformed political theory as part of teaching the whole counsel of God. When they do that, they will teach their people that God's Word has something to say about the duties of civil government. At the same time, ministers must remember that they are

ministers of Word and Sacrament. They handle the heavenly things and minister to the people for the good of their *souls*. We often hear that ministers should be on the front lines of cultural transformation, leading the kind of social programs that would result in the Christianization of every DMV office, and all the streaming services submitting to the lordship of Christ. However, ministers have a particular calling to point people to the life to come. They are to redirect people's hearts to Christ in heaven and offer the holy things to God's people for a higher life.[1] Sometimes politics and the Bible overlap, particularly when politics involves moral issues such as marriage, abortion, and the Sabbath. However, ministers must seek to uphold the spirituality of the church, both ensuring that the church's mission is primarily spiritual and limiting the institutional church's political involvement. Ministers should focus on the Word of God and its application to the lives of Christians, without entangling themselves in politics. This will still prepare Christians for their political involvement. While ministers should encourage the people of God—including civil magistrates under their care—to honor Christ in their respective callings, the minister must not mistake his own for an earthly one.

[1] Stephen Wolfe, *The Case for Christian Nationalism*, 289, n. 35.