

## **WCF 23: OF THE CIVIL MAGISTRATE**

### **Introduction**

The *Westminster Confession of Faith* as agreed upon by the Westminster Assembly of divines on 4 December 1646 has been adopted as the Confessional Standard of Pilgrim Covenant Church. However, because of some controversies in chapters 23 and 31, it was deemed necessary to include the revision of the First General Assembly of the American Presbyterian Church in 1789 in the footnotes, together with a preface to explain the reason for doing so. The second paragraph of the preface reads:

In view of the fact, however, that Singapore continues at present to be a multi-religious society, it is deemed that the modifications,—pertaining to the role of the civil government in chapters 23 and 31,—as adopted by the First General Assembly of the American Presbyterian Church in 1789 would be open to less dispute and abuse. These modifications are included in the footnote and deemed to be applicable until such time the Lord may be pleased to transform Singapore into a Christian nation. The original statements,—which envisaged a national church endowed by the state in line with the provisions of the Solemn League and Covenant subscribed in 1643, is nevertheless retained with an understanding: firstly, that the ideals hoped for by the divines are not impossible,—all things being possible with God (Lk 18:27); secondly, that the power of the civil magistrate,—to take order in the Church and call synods,—referred to in paragraph 23.3 and 31.2 are only applicable where the civil magistrate is constituted on true Christian principles; and thirdly, that kingship and authority of Christ over our nation is no way diminished even if the civil magistrate may be openly antagonistic towards Him (Dan 7:14). Such being the case, the original statements are not, in fact, erroneous, though less rigorous when applied to a multi-religious society such as Singapore.

This exposition, as such, will cover both the original statements and the American revision.

### **On the Establishment of the Civil Government**

*23.1 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.*<sup>1</sup>

<sup>1</sup> Rom 13:1–4; 1 Pet 2:13–14.

- The supreme authority over the world: God, or more specifically Christ. He is the “supreme Lord and King of all the world” says our Confession. The prophet Daniel referring to the ascension of Christ after his resurrection, speaks of the dominion of Christ:

“I saw in the night visions, and, behold, one like the Son of man came with the clouds of heaven, and came to the Ancient of days, and they brought Him near before Him. And there was given Him dominion, and glory, and a kingdom, that all people, nations, and languages, should serve Him: His dominion is an everlasting dominion, which shall not pass away, and His kingdom that which shall not be destroyed” (Dan 7:13-14).

The apostle John, similarly, acknowledges Christ as the “Lord of lords, and King of kings” (Rev 17:14).

The Kingship and Lordship of Christ is in no way diminished though the world and the civil governments of the world are not submitted to Him. Christ is on the throne of David. God has highly exalted Christ and given Him a name that is above every name that: “That at the name of Jesus every knee should bow, of things in heaven, and things in earth, and things under the earth; And that every tongue should confess that Jesus Christ is Lord, to the glory of God the Father” (Phil 2:10-11). The inspired language of Paul allows for no exception. All will one day acknowledge Him as King of kings and Lord of Lord—some with joy and some with fear and dread.

- *The warrant of Civil Government:* civil magistrates or the civil government is established by divine ordination to be “under him, over the people” and therefore derives its authority from God. This is clearly a Scriptural doctrine. The Apostle Paul says:

“Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. <sup>2</sup> Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation” (Rom 13:1-2).

The Apostle Peter, who was probably writing under the shadow of Nerodian persecution teaches the same thing:

“Submit yourselves to every ordinance of man for the Lord’s sake: whether it be to the king, as supreme; <sup>14</sup> Or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well” (1 Pet 2:13-14).

- *The goal of Civil Government:* “For God’s own glory, and the public good.” Paul explains:

“For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same: <sup>4</sup> For he is the minister of God to thee for good” (Rom 13:3-4a).

- *The means of Civil Government:* They are armed “with the power of the sword.”

“But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil” (Rom 13:4b).

The sword, of course, represents the authority to inflict temporal punishments upon wrong-doers.

- *The Establishment Principle:* This section provides the basis for what may be known as the Establishment Principle. This principle, teaches that since both the Church and the State are divinely ordained authorities, they ought to support each other,—according to their respective spheres without interfering with each other’s responsibilities,—in the promotion of Christ as Lord and King of all the world.

This principle is sometimes known as the theory of co-ordinating authorities. It may best be understood by looking at three other principles with regard to the relationship between the Church and the State which have been held by Christians

of various other positions:

- (1) *The Erastian Principle*: This advocates State control over the Church. This was the view promoted by Thomas Erastus (1524-83), who was a student of Zwingli. Erastus taught that the State has the power to intervene in ecclesiastical matters. In fact, according to him, the Church has no power to excommunicate any of its members or to withhold the sacrament from anyone because all punitive powers belong to the State. This is the position of the Church of England, whereby the King or Queen, through parliament appoints the Bishops. Erastianism was defended by some parliamentary representatives at the Westminster Assembly, but was defeated, particularly through the contributions of George Gillespie, the young Scottish Commissioner of note.
- (2) *The Papal Principle*: This principle teaches that the Church controls the State. This was and is the position held by the Roman Catholic Church. It asserts that the Pope is the vicar of Christ and therefore has the right to claim allegiance of all civil governments. Apart from the fact that there is no Scriptural grounds for the pope to claim the vicarage of Christ (the Vicar of Christ is the Holy Spirit), there is also no Scriptural basis for saying that State authorities must submit to Church authorities.
- (3) *The Voluntary Principle*: This advocates *total* separation of Church and State. It was held by the anabaptists and by most modern evangelical. In reality, if held as dogma, this principle is a denial of the headship of Christ over the State. However, it must be acknowledged that because of the secularisation of the State in most countries, an implementation of this principle may be the best compromise.

23.2 *It is lawful for Christians to accept and execute the office of a magistrate, when called thereunto:<sup>1</sup> in the managing whereof, as they ought especially to maintain piety, justice, and peace, according to the wholesome laws of each commonwealth;<sup>2</sup> so, for that end, they may lawfully, now under the new testament, wage war, upon just and necessary occasion.<sup>3</sup>*

<sup>1</sup> Prov 8:15-16; Rom 13:1-4; <sup>2</sup> Ps 2:10-12; 1 Tim 2:2; Ps 82:3-4; 2 Sam 23:3; 1 Pet 2:13; <sup>3</sup> Lk 3:14; Rom 13:4; Matt 8:9-10; Acts 10:1-2; Rev 17:14, 16.

- This section hints at the condition that must be satisfied for the establishment principle to be applicable, namely: that the magistrate or members of the government are Christian. This is, however, stated from another angle, which is that it is “lawful for Christians to accept and execute the office of a magistrate, when called thereunto.” This statement was designed to refute the teachings of anabaptist and some English sects at the time of the Westminster Assembly which taught that no Christian may be a magistrate and that magistrate will not be admitted into membership of the Church. The assertion of the Confession may be shown to be correct for three reasons:
  - (1) There were godly believers in the Old Covenant who were also civil magistrates, such as David, Josiah, Hezekiah and Nehemiah;
  - (2) Cornelius the centurion was not asked to renounced his civil appointment when he became a Christian; and
  - (3) If it were indeed true that a Christian cannot be a magistrate then it would be chaos whenever a country becomes Christian by choice of vast majority.

- The magistrate,—which in the context are Christians,—“ought especially to maintain piety, justice, and peace, according to the wholesome laws of each commonwealth.” In other words, he is responsible to make sure that the laws of the land does not contradict the Word of God and that, rather, they should promote piety, justice and peace (Ps 82:3; 2 Sam 23:3; 1 Tim 2:2). Note also that this section suggests that the Westminster divines were not concerned about the type of government. They were only concerned that the laws be wholesome or Scriptural. Rulers should not only be concerned with crimes such as dishonesty, they ought to be concerned with piety.
- Thirdly, this section teaches that there is such a thing as a just war, which a Christian may legitimately engage in. Though war is a great evil, it is sometimes inevitable because of the present state of the world. As such the nation may act justly when fighting a war. Thus when Cornelius became a Christian, he was not asked to resign from his vocation of war. Neither were the soldiers who came to John the Baptist asked to renounce their profession. Instead, he charged them to “do violence to no man, neither accuse any falsely; and be content with your wages” (Lk 3:14).

What are just wars? Shaw summaries well:

“...aggressive wars, or such as are undertaken to gratify views of ambition or worldly aggrandizement, cannot be justified; but that defensive wars, or those which, as to the first occasion of them, are defensive, though in their progress they must often be offensive, are lawful” (Shaw, 244).

### **On the Duties and Limitations of the Civil Government**

*23.3 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:<sup>1</sup> 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, administered, and observed.<sup>2</sup> 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.<sup>3</sup>*

<sup>1</sup> 2 Chr 26:18; Matt 18:17; 16:19; 1 Cor 12:28–29; Eph 4:11–12; 1 Cor 4:1–2; Rom 10:15; Heb 5:4; <sup>2</sup> Isa 49:23; Ps 122:9; Ezra 7:23, 25–28; Lev. 24:16; Deut 13:5–6, 12; 2 Kgs 18:4; 1 Chr 13:1–9; 2 Kgs 24:1–16; 2 Chr 34:33; 15:12–13; <sup>3</sup> 2 Chr 19:8–11; 2 Chr 29; 30; Matt 2:4–5

This section contains essentially three points.

- *Firstly*, in opposition to the *Erastian Principle*, it is declared that the civil magistrate “not assume to himself the administration of the Word and sacraments, or the power of the keys of the kingdom of heaven.” The “power of keys of the kingdom of heaven” (cf. Mt 16:19) is the power of admission to and excommunication from church membership, i.e. the power of church discipline. This power clearly belongs to the Church. In describing the final step pertaining to the discipline of an erring brother, the Lord prescribes: “And if he shall neglect to hear them, tell it unto the church: but if he neglect to hear the church, let him be unto thee as an heathen man and a publican” (Matt 18:17). The State has the power of the sword to inflict temporal punishment on evil doers (Rom 13:1-4), but

not the power to exercise church discipline. Indeed, it is possible for a person who cannot be a member of the Church to be a reasonable citizen in the State.

- *Secondly*, in opposition to the English Sectarians who holds to the opposite extreme that the Civil Magistrate has no responsibility over the affairs of the Church, our Confession teaches that the Civil Magistrate “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, administered, and observed.” This duty is deduced from the Scripture, which teaches (1) that “kings shall be thy nursing fathers” (Isa 49:23); (2) that certain transgressions of the law of God in the Old Testament required the death penalty, which is a civil prerogative; and (3) that God approved of the civil intervention in the religious affairs of the land by such as Hezekiah, Josiah, Nehemiah etc.

Shaw explains this seeming encroachment on the responsibility of the Church well:

Although the proper and immediate end of civil government, in subordination to God’s glory, is the temporal good of men, yet the advancement of religion is an end which civil rulers, in the exercise of their civil authority, are bound to aim at; for even this direct end of their office cannot be gained without the aids of religion. And although magistracy has its foundation in natural principles, and Christianity invests civil rulers with no new powers, yet it greatly enlarges the sphere of the operation of that power which they possess, as civil rulers, from the law of nature. That law binds the subjects of God’s moral government, jointly and severally, to embrace and reduce to practice whatsoever God is pleased to reveal as the rule of their faith and duty” (Shaw, 247).

It must be remembered that the duty here described, though belonging to both believing and unbelieving magistrates, cannot be fulfilled by an unbelieving magistrate—just as the moral law is binding on believers and unbelievers but only the believers are given the power to obey them. This is partly the reason for the American revision which we shall see below. But once a government is organised under Christian principles, it should begin to exercise these responsibilities. Again Shaw has well remarked:

“And therefore nations and their rulers, when favoured with divine revelation, should give their public countenance to the true religion; remove everything out of their civil constitution inconsistent with it, or tending to retard its progress; support and protect its functionaries in the discharge of their duty; and provide, in every way competent to them, that its salutary influence have free course and be diffused through all orders and department of society” (*Ibid.*).

- *Thirdly*, we are taught that for the better effecting of the above, the magistrate “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.” In the *Adopting Act* of the General Assembly of the Church of Scotland on Aug 27, 1647, it was qualified that this power of the magistrate to call synods pertains “only of kirks not settled, or constituted in point of government” (*Confession of Faith*, xxvii). In other words, where the Church has a settled government, the power to call synods rests with the Church itself, the civil magistrate may not intervene to call any synod or assembly.

However, the power “to be present” at the synods and “to provide that whatsoever is transacted in them be according to the mind of God” is a power that the magistrate will always have; after all, (1) the magistrate ought to have the right to attend any public meeting within his dominion; (2) even ordinary Christians have a right “to provide that whatever is transacted ... be according to the mind of God.” This does not imply that the magistrate may interfere with the decisions made by the synod, but that he like any other ordinary member of the church may observe and raise queries. Moreover, in a Christian nation, the magistrate would want to be present in a synod meeting so as to know what decisions were made and how he may assist in the implementation of it if necessary.

The revision of the First General Assembly of the American Presbyterian Church in 1789 reads:

*23.3 Civil magistrates may not assume to themselves the administration of the Word and sacraments;<sup>1</sup> or the power of the keys of the kingdom of heaven;<sup>2</sup> or, in the least, interfere in matters of faith.<sup>3</sup> Yet, as nursing fathers, it is the duty of civil magistrates to protect the Church of our common Lord, without giving the 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.<sup>4</sup> And, as Jesus Christ hath 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.<sup>5</sup> It is the duty of 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 pretence of religion or of infidelity, to offer any indignity, violence, abuse, or injury to any other person whatsoever: and to take order, that all religious and ecclesiastical assemblies be held without molestation or disturbance.<sup>6</sup>*

<sup>1</sup> 2 Chr 26:18; <sup>2</sup> Matt 18:17; 16:19; 1 Cor 12:28–29; Eph 4:11–12; 1 Cor 4:1–2; Rom 10:15; Heb 5:4; <sup>3</sup> Jn 18:36; Mal 2:7; Acts 5:29; <sup>4</sup> Isa 49:23; <sup>5</sup> Ps 105:15; Acts 18:14–15; <sup>6</sup> 2 Sam 23:3; 1 Tim 2:1–2; Rom 13:4.

- This statement, it should be understood, is a compromise between the Establishment Principle and the Voluntary Principle. There is an indication that clear segregation of responsibilities is to be desired. The magistrate, is therefore, not “in the least, interfere in matters of faith.” The proof given is the Lord’s words: “Jesus answered, My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence” (Jn 18:36). Nevertheless, the civil magistrates are recognised “as nursing fathers” (Isa 49:23) and so has the duty “to protect the Church of our common Lord.” Three things may be said about this phrase and the explication following. First, it does not require the magistrate to recognise or sanction non-Christian religions. Second, it does not require the magistrate to show preference to any denomination of Christianity. Third, the duty of the magistrate involves only the maintenance of justice, peace, order and freedom that Church and Christians may practice their religion without prejudice, molestation and disturbance.
- As mentioned earlier, this statement would be open to less dispute and abuse, and

can immediately be applied by any Christian person who may be called to serve in the office of the magistrate in a multi-religious society.

### **On the Duties of the Citizens with Respect to the Government**

*23.4 It is the duty of people to pray for magistrates,<sup>1</sup> to honour their persons,<sup>2</sup> to pay them tribute or other dues,<sup>3</sup> to obey their lawful commands, and to be subject to their authority, for conscience' sake.<sup>4</sup> Infidelity, or difference in religion, doth not make void the magistrates' just and legal authority, nor free the people from their due obedience to them:<sup>5</sup> from which ecclesiastical persons are not exempted,<sup>6</sup> much less hath the Pope any power and jurisdiction over them in their dominions, or over any of their people; and, least of all, to deprive them of their dominions, or lives, if he shall judge them to be heretics, or upon any other pretence whatsoever.<sup>7</sup>*

<sup>1</sup> 1 Tim 2:1–2; <sup>2</sup> 1 Pet 2:17; <sup>3</sup> Rom 13:6–7; <sup>4</sup> Rom 13:5; Tit. 3:1; <sup>5</sup> 1 Pet 2:13–14, 16; <sup>6</sup> Rom 13:1; 1 Kgs 2:35; Acts 25:9–11; 2 Pet 2:1, 10–11; Jude 8–11; <sup>7</sup> 2 Thes 2:4; Rev 13:15–17.

- a. The Papal Principle of Church's dominion over the State is denounced. "Ecclesiastical persons are not exempted" from obedience to the civil magistrate in matters not contrary to the Word of God. The Pope has no right to demand civil obedience of anyone except his citizens in Vatican City. He has no right to depose any civil magistrate. Even if the civil magistrates are of a different religion, Christians must subject themselves to them as long as obedience does not cause them to compromise their faith. That this is the will of God is clear from the fact that Peter urged his readers to submit to the king though they are at that time being oppressed by the Roman government (cf. 1 Pet 2:13-20).
- b. The duty of the citizen as such involves:
  - (1) Praying for the magistrates:
    - "I exhort therefore, that, first of all, supplications, prayers, intercessions, and giving of thanks, be made for all men; For kings, and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty" (1 Tim 2:1-2).
  - (2) Honouring their persons:
    - "Honour the king" (1 Pet 2:17).
  - (3) Paying the required taxes:
    - "For for this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour" (Rom 13:6-7).
  - (4) To obey the laws of the land and the commands of the magistrates:
    - "Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work" (Tit 3:1);
    - "Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the king, as supreme; Or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well" (1 Pet 2:13-14).