

Church and State: The Promise of Reformed Theology for the Church Today

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Abstract

This article surveys the ways in which Reformed theology (particularly the Westminster Standards and subsequent generations of Scottish and American Presbyterians) has articulated the relationship between the church and civil government. It addresses two fruits of this line of reflection that are especially pertinent to the contemporary church. The first is that this doctrine makes provision for the divinely guaranteed religious liberty of all human beings, even in the face of a civil government's attempts to abridge or usurp that authority. The second is that this doctrine provides clear guidance to the church concerning the ways in which the church, in its organized capacity, may and may not engage in matters that concern both the church and the state.

Keywords

Church, state, civil magistrate, religious liberty, Westminster Assembly, Scottish Presbyterian, American Presbyterian, PC (USA)

The church has scarcely known a day when it has not had to negotiate its relationship with the civil powers of this world.¹ The nature and dynamics of the relationship between the church and the civil magistrate are simultaneously theological and practical. Whether or how the church should be active in the public square requires careful reflection on the nature, government, and mission of the church. One's answer to this question has wide-ranging implications for the church's day-to-day engagement with the world, particularly the temporal authorities in this world.

In this article, we will first chart some of the primary positions that Christians throughout the centuries have staked out with respect to the relationship between the church and civil government. In doing so, we will particularly explore the way in which Reformed theologians in Scotland and the United States articulated this relation. We will give specific attention to some of the practical implications that this doctrine has for the church's engagement with the governments of this world.

I. Church and State—A Brief Survey

Any survey of positions within the church's history regarding the relationship between church and state must be selective and brief. We may look to some of the leading positions within the Protestant churches of the Reformation. A leading question concerned whether the civil magistrate had authority with respect to the worship and discipline of the church, and, if so, the extent of that authority. Many in the sixteenth and seventeenth centuries affirmed that the civil magistrate had some responsibility for either or both of these. The sixteenth-century Continental Reformed writer Thomas Erastus argued that the state had a proper role in aspects of the church's government, particularly in matters of church discipline.² What came to be known as Erastianism denoted a constellation of positions that advocated generally for "state control of religion."³ Such divines as John Lightfoot and John Selden advocated (unsuccessfully) for Erastian views of church and state at

¹ This article will appear as a chapter in my forthcoming *One Holy, Catholic, and Apostolic Church: The Biblical Doctrine of the Church* (Bellingham, WA: Lexham). A form of this article was presented as a seminar at the General Assembly of the World Reformed Fellowship, Orlando, FL, in October 2022.

² On the life and thought of Thomas Erastus, see Charles D. Gunnoe Jr., *Thomas Erastus and the Palatinate: A Renaissance Physician in the Second Reformation*, BSCH 48 (Leiden: Brill, 2010).

³ Alan D. Strange, *The Doctrine of the Spirituality of the Church in the Ecclesiology of Charles Hodge*, RAD (Phillipsburg, NJ: P&R Publishing, 2017), 21.

the Westminster Assembly.⁴ The Church of England, from its founding, acknowledged the crown as the Church's head. The king or queen possessed and exercised wide-ranging powers with respect to the doctrine, worship, and government of the Church of England.⁵

Within the broader Reformed tradition, however, a more circumscribed view of the powers of the civil magistrate with respect to the church became increasingly prominent. The late-seventeenth-century Genevan theologian Francis Turretin denied that the civil magistrate had the authority to “make new articles of faith or institute and enjoin new worship” or to “exercise ecclesiastical discipline by the authority of the ecclesiastical keys.”⁶ The principle of the delimitation of the magistrate's authority with respect to the church was one that John Calvin had articulated earlier.⁷ Even so, Calvin positively affirmed the lawful authority of the civil magistrate with respect to some aspects of “religion and divine worship,” a point that Turretin would later reiterate and develop.⁸ The Westminster Assembly would forcefully affirm this delimitative principle in expansive and comprehensive terms.⁹

⁴ On the debates relating to church and state in the Westminster Assembly, see Robert S. Paul, *Assembly of the Lord: Politics and Religion in the Westminster Assembly and the “Grand Debate”* (Edinburgh: T&T Clark, 1985).

⁵ For a survey of the powers of the crown with respect to the Church of England, see Charles Hodge, “Relation of the Church and State,” in *Discussions in Church Polity* (New York: Charles Scribner's Sons, 1878), 110–11. In different circumstances, Lutheran churches experienced the oversight and even control of German princes. Decisive in this regard for formalizing this practice on the Continent was the principle of *cuius regio, eius religio* (“whose territory, his religion”), in which the prince of a realm had the authority to determine the religion of his realm, whether Roman Catholic, Lutheran, or Reformed.

⁶ Francis Turretin, *Institutes of Elenctic Theology*, trans. George Musgrave Giger, ed. James T. Dennison Jr., 3 vols. (Phillipsburg, NJ: P&R Publishing, 1997), 3:319 (18.34.12–13).

⁷ John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill, trans. Ford Lewis Battle, LCC 20–21 (Philadelphia: Westminster, 1960), 4.20.1–2 (2:1485–88).

⁸ Calvin, *Institutes* 4.20.9 (2:1495); Turretin, *Institutes*, 3:316–36 (18.34.1–51), esp. 3:320 (18.34.14). In the course of this question, Turretin denies that the magistrate “can or ought to compel his subjects to religion and faith” while arguing that the civil magistrate may “coerce and ... inflict some punishment upon contumacious and obstinate heretics,” even to the point of capital punishment; *ibid.*, 3:323, 328, 332 (18.34.21, 32, 44).

⁹ A critical antecedent to Westminster's doctrine of the independence of the church's government from the civil magistrate is found in the Scottish Second Book of Discipline (1578), on which see Strange, *The Doctrine of the Spirituality of the Church*, 25–30, and “Second Book of Discipline [SBD],” *Dictionary of Scottish Church History and Theology*, ed. Nigel S. Cameron (Downers Grove, IL: InterVarsity Press, 1993), 765–66. The author of the SBD, Andrew Melville, is famous for his 1596 declaration to King James VI of Scotland: “There are two kings and two kingdoms in Scotland; there is King James, the head of the commonwealth, and there is Christ Jesus, the King of the church, whose subject James the Sixth is, and of whose kingdom he is not a king, nor a lord, nor a head, but a member.” Thomas McCrie, *The Life of Andrew Melville*, 2 vols. (Edinburgh: William Blackwood, 1824), 1:391–92. For a discussion of this

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, administered, 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. (WCF 23.3, emphasis added; compare WCF 30.1)¹⁰

The material that follows the colon in this paragraph would have been unobjectionable to many seventeenth-century Protestants (yet, as we will note below, it was substantively rewritten by the eighteenth-century American Presbyterian church). However, the initial statement (italicized) “was a radical proposal for the times,” not least within the Church of England.¹¹ Furthermore, while the Westminster Confession later affirms the right of the civil magistrate to “call a synod of ministers, and other fit persons, to consult and advise with, about matters of religion,” such a call was not required for an assembly of ministers to convene (WCF 31.2). Whatever the circumstances of these assemblies’ convening, Westminster affirmed their right “ministerially” to address matters of doctrine, order, and discipline and declared that the authority of their “decrees and determinations” derived entirely from Scripture (WCF 31.3). The deliberations, conclusions, and authority of such assemblies are therefore expressly said to be independent of the civil magistrate.

The Confession’s articulation of the fundamental integrity of the church’s government and its essential independence from the authority of the civil

doctrine in the writings of the Scottish Commissioners to the Westminster Assembly, Samuel Rutherford and George Gillespie, see John V. Fesko, *The Theology of the Westminster Standards: Historical Context and Theological Insights* (Wheaton, IL: Crossway, 2014), 304–12.

¹⁰ Unless otherwise indicated, references to the Westminster Confession of Faith in this chapter are to the original edition of 1647 as found in *Westminster Confession of Faith* (1646; repr., Glasgow: Free Presbyterian Publications, 1990).

¹¹ Robert Letham, *The Westminster Assembly: Reading Its Theology in Historical Context* (Phillipsburg, NJ: P&R Publishing, 2009), 312. Note the assessment of Alexander F. Mitchell: “Some, I know, will have it, that though the limits of civil obedience are rightly defined in this chapter, too much is allowed to the magistrate in connection with religion. But such should consider that what is here allowed is less than was claimed for him in the old Scotch and other early reformed confessions, and far less than what was conceded in the English and the Irish Articles.” Alexander F. Mitchell and John F. Struthers, eds., *Minutes of the Sessions of the Westminster Assembly of Divines* (1874; repr., Edmonton, AB: Still Waters Revival Books, 1991), lxix, as cited in William S. Barker, “Lord of Lords and King of Commoners: The Westminster Confession and the Relationship of Church and State,” in *The Westminster Confession into the 21st Century: Essays in Remembrance of the 350th Anniversary of the Westminster Assembly*, vol. 1, ed. J. Ligon Duncan III (Fearn: Christian Focus, 2003), 418–19.

magistrate received development and refinement within the American Presbyterian Church.¹² The American Presbyterian Church, in adopting the Westminster Confession of Faith a little less than a century after the Confession's drafting, proceeded to modify some of the Confession's articles pertaining to the church's relationship to the governments of this world.¹³ In the judgment of the American Presbyterian Church, the original Westminster Confession had not adequately safeguarded the church's independence from the civil magistrate. To this end, the American church in 1788 amended portions of WCF 20.4, 23.3, and 31.1. This effort was complemented by the drafting of eight prefatory "Preliminary Principles" to the new church's "Form of Government," in which care was taken to reaffirm the independence of the church's government from the civil magistrate.¹⁴

When read alongside the original text of the Westminster Confession, the American Presbyterians' modifications should not be seen as a repudiation of the original Confession's basic doctrine. On the contrary, they were advanced in the interest of clarifying, refining, and maturing the Confession's original statements.¹⁵ The amendment of WCF 20.4 categorically prohibited any involvement of the civil magistrate in the workings of ecclesiastical discipline.¹⁶ The revision of WCF 23.3 clarified that the civil magistrate's obligations and commitments to a particular Christian denomination

¹² The Scottish Church maintained its adherence to Westminster's doctrine, even as it upheld the doctrine of the state's establishment of the church, on which see, representatively, George Smeaton, "The Scottish Theory of Ecclesiastical Establishments" (1875), in *Sermons and Addresses of George Smeaton*, ed. John W. Keddie (Edinburgh: Banner of Truth Trust, 2022), 193–235; James Bannerman, *The Church of Christ: A Treatise on the Nature, Powers, Ordinances, Discipline and Government of the Christian Church* (1869; repr., Edinburgh: Banner of Truth Trust, 1960), 1:94–185, 2:345–51; William Cunningham, *Historical Theology: A Review of the Principal Doctrinal Discussions in the Christian Church since the Apostolic Age* (London: Banner of Truth Trust, 1960), 2:557–87. See in particular these surveys, "Church and State (Legal Questions)" and "Church and State (Theological Questions)," *Dictionary of Scottish Church History and Theology*, ed. Cameron, 179–80, 180–82.

¹³ The material in the remainder of this paragraph and in the following paragraph has come from my "Westminster and Church Government," in *The Westminster Standards for Today: Recovering the Church and Worship for Everyday Christian Living*, ed. Kevin Bidwell (Darlington, UK: EP Books, 2017), 154–55.

¹⁴ Lewis S. Mudge, ed., *Digest of the Acts and Deliverance of the General Assembly of the Presbyterian Church in the U.S.A.* (Philadelphia: General Assembly of the PCUSA, 1938), 73–75, as cited by Barker, "Lord of Lords and King of Commoners," 425–26.

¹⁵ So, rightly, Archibald A. Hodge, *The Confession of Faith* (1869; repr., Carlisle, PA: Banner of Truth Trust, 1992), 427–29. This also was Charles Hodge's view; see Strange, *The Doctrine of the Spirituality of the Church*, 42–48. The American Presbyterian Church also removed "tolerating a false religion" as a sin against the second commandment from Westminster Larger Catechism 109.

¹⁶ For a listing of the original Westminster Confession and the American revisions in parallel columns, see Hodge, *The Confession of Faith*, 22–23.

extended no further than its obligations and commitments to any other particular Christian denomination. It added the provision that the civil magistrate could not “in the least interfere in matters of faith” and omitted lines from the original Confession that affirmed the civil magistrate’s duty “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.” The revision of WCF 31.1 (31.2 original edition) removed from the civil magistrate the right “lawfully [to] call a synod of ministers, and other fit persons, to consult and advise with, about matters of religion,” leaving it to the officers of the church alone to call ecclesiastical synods and councils. In summary, the American revisions served to remove what were regarded as inconsistencies within the Westminster Confession by affirming with greater clarity the very biblical principles that the Westminster Divines had expressed in the Westminster Confession.¹⁷

II. *Basis and Nature of the Church’s Relationship with the State*

This “Scoto-American theory” of the relationship between church and state finds its basis in the teaching of Scripture, particularly Jesus’s teaching regarding the kingdom of God and the church.¹⁸ Jesus declared to Pilate

¹⁷ That this was the intent of the American Presbyterian Church is suggested by a declaration of the Synod of New York and Philadelphia in 1786, “The Synod of New York & Philadelphia adopt, according to the known and established meaning of their Terms, the Westminster confession [*sic*] of faith as the confession of their faith; save that every candidate for the gospel Ministry is permitted to except against so much of the twenty third Chapter as gives authority to the Civil Magistrate in matters of Religion. The Presbyterian Church in America considers the Church of Christ as a spiritual Society intirely distinct from the Civil Government; & having a right to regulate their own ecclesiastical policy independently of the Interposition of the Magistrate,” *Minutes of the Presbyterian Church in America, 1706–1788*, ed. Guy S. Klett (Philadelphia: Presbyterian Historical Society, 1976), as cited by Leah Farish, “The First Amendment’s Religion Clauses: The Calvinist Document that Interprets Them Both,” *Journal of Religion and Society* 12 (2010): 3–4.

¹⁸ The expression is that of Stuart Robinson, *Discourses of Redemption*, 3rd ed. (Richmond, VA: Presbyterian Committee of Publication, 1867), 474. This doctrine has gone under various names. A common one is that of the “spirituality of the church,” a label that can carry liabilities; see the discussions of Strange, *The Doctrine of the Spirituality of the Church*, 3–5, and 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), 169–73. What has come to be known as the two kingdoms doctrine substantially overlaps with the doctrine under review here, on which see David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (Grand Rapids: Eerdmans, 2010). The extensive biblical-theological framework of the two kingdoms doctrine, however, is unique to it; see David VanDrunen, *Living in God’s Two Kingdoms: A Biblical Vision for Christianity and*

that his “kingdom is not of this world” (John 18:36). His kingdom is “in origin and nature of another order than the kingship of which Pilate has spoken.”¹⁹ Jesus elsewhere affirms the legitimacy of civil government, even as he affirms it to be distinct from the kingdom of God (Matt 22:21). Specifically, disciples have obligations to the governments of this world—they are to “render to Caesar the things that are Caesar’s” (compare Rom 13:1–7; Titus 3:1; 1 Pet 2:13–14), but they have no less obligation to God and his kingdom: “Render ... to God the things that are God’s” (Matt 22:21). The kingdom and the state, then, represent distinct spheres of authority that both command the allegiance of every disciple. Because God has appointed each sphere and commands people’s allegiance to each as an act of obedience to him, the kingdom and the state therefore do not overlap in their spheres of authority. Each possesses “autonomy in reference to the other” and inherent “freedom from intrusion on the part of the other” with respect to “function and ... sphere.”²⁰ “They are as planets moving in concentric orbits.”²¹

The kingdom comes to its visible and fullest expression in the church that Jesus establishes.²² To the church, Jesus assigns a government that is separate from the government of the state. The “rock” upon which Jesus builds his church is Peter as the representative of the Twelve and as the apostolic recipient of revelation from Jesus’s heavenly Father (Matt 16:17–18).²³ For this reason, the state has no authority to instruct the church which doctrines or teachings the church must embrace, teach, inculcate, propagate, and enforce. The authorized teachers of the church—the “elders”—are elected by the church upon the church’s satisfaction that they possess the requisite qualifications for that office set forth in Scripture. When Jesus speaks of the church’s discipline a little later in Matthew’s

Culture (Wheaton, IL: Crossway, 2010), and the review of Michael N. Jacobs, “The Resurgence of Two Kingdoms Doctrine: A Survey of the Literature” *Themelios* 45.2 (2020): 314–32.

¹⁹ Herman Ridderbos, *The Gospel according to John: A Theological Exegesis* (Grand Rapids: Eerdmans, 1997), 594, referencing in addition John 8:23, 38.

²⁰ John Murray, “The Relation of Church and State,” in *The Collected Writings of John Murray* (Carlisle, PA: Banner of Truth Trust, 1976), 1:254.

²¹ *The Book of Church Order of the Presbyterian Church in America* (Atlanta: Office of the Stated Clerk of the General Assembly of the Presbyterian Church in America, 2022), 3–4, employing language originally drafted by the nineteenth-century American Presbyterian James Henley Thornwell.

²² “The visible church ... is the kingdom of the Lord Jesus Christ” (WCF 25.2). For an exegetical argument in support of this particular identification, see Geerhardus Vos, *The Teaching of Jesus Concerning the Kingdom of God and the Church* (1903; repr., Phillipsburg, NJ: Presbyterian and Reformed, 1979), 77–90.

²³ See further Guy Prentiss Waters, *How Jesus Runs the Church* (Phillipsburg, NJ: P&R Publishing, 2011), 36–37.

Gospel, the persons and procedures entailed in discipline comprise a closed system within the church (Matt 18:15–20). The state plays no role in determining how the church should discipline or whom she should discipline, and its agents in no way participate in the church’s disciplinary proceedings. It is the church’s elders, and they alone, who are tasked with implementing discipline within the church.

The New Testament, however, does not teach the immunity of church members or officers from due punishment lawfully administered by the civil magistrate. The apostle Paul informed the Roman official Festus that he was willing to face the death penalty for any capital crimes that he had committed (Acts 25:9–11). The independence of church and state is not, therefore, altogether absolute. Each, after all, is an ordinance of God. It may help, then, to consider more precisely how it is that church and state (and their respective governments) differ from one another.²⁴ First, both church and state look to “God as the source of power” for each, but in distinct ways.²⁵ Civil government is an ordinance of creation and looks to God as the creator, preserver, and judge of all human beings. The church’s government is instituted by God as the redeemer of his chosen people.²⁶ Second and relatedly, the state’s government concerns human beings as created in the image of God, whereas the church’s government concerns human beings as sinners in need of redemption through Christ. “The state is for the whole race of man, the church consists of that portion of the race which is really, or by credible profession, the mediatorial body of Christ.”²⁷ Third, as “the state is ordained for man as man, [it] is ordained to realize the idea of justice.”²⁸ For this reason, the apostle Paul characterizes civil government through the symbol of a sword (Rom 13:4). The state is not the implement of eschatological justice, but its infliction of penalties and punishments is an expression of “God’s wrath on the wrongdoer” (Rom 13:4)

²⁴ The order and observations of what follows is particularly indebted to Thomas E. Peck, *Notes on Ecclesiology*, 2nd ed. (Richmond, VA: Presbyterian Committee of Publication, 1892), 145–52.

²⁵ *Ibid.*, 145.

²⁶ This distinction underlies the related distinction between the “essential” and “mediatorial” reigns of Christ, the former concerning his sovereignty as the Second Person of the Godhead over all the works of his hands and the latter concerning authority over all things for the sake of his church; see James Fisher, *The Westminster Assembly’s Shorter Catechism Explained by Way of Question and Answer*, 3rd ed. (repr., Philadelphia: Presbyterian Board of Christian Education, 1925), 138.

²⁷ Peck, *Notes on Ecclesiology*, 145. Of course, the children of at least one professing member of the church are also subject to the church’s government.

²⁸ *Ibid.*, 145.

and, thus, a pointer to the judgment of the last day.²⁹ The church's government, however, is not punitive or retributive. It is disciplinary, seeking the "reformation and salvation" of the church's members.³⁰ As such, it does not employ force or intimidation and has no right to impose this-worldly or bodily sanctions upon its members. Because "the church ... moves in the sphere of the spirit," it "appeal[s] to the judgment, the faith, the conscience of its members" and employs "only ... argument, exhortation, admonition, [and] censure."³¹ It is "not a kingdom of force, but of persuasion, founded upon the conviction of the truth."³² Finally, both church and state are accountable to God and regulated by God's truth. However, "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."³³ The state is accountable to God as he has made himself known through general revelation, and the church is accountable to God as he has fully revealed himself in Scripture. Because the state is an ordinance of creation, civil magistrates have no authority, as officers of the state, to pronounce the Bible, or any other text, to be revelation from God—"God has given no commission to the state to testify to the truth of Christ's revelation, or to interpret it."³⁴ This is solely the prerogative of the church.

III. *Foundations for Religious Liberty*

This Scoto-American understanding of the relationship between the church and the state yields at least two particular benefits, each of which serves not only members of the church but also all human beings who come into contact with the church. The first benefit is the provision made for the basis of and guarantee for the divinely guaranteed religious liberty of all human beings, particularly in the face of attempts by civil government to abridge or usurp that authority.

²⁹ Peck observes that civil government, as an ordinance of creation, would have been a feature of human society even had Adam not fallen into sin. In such a case, it would have been "simply a directing power," coordinating the efforts of many human beings to "fulfil ... love of self and love of neighbor." *Ibid.*, 147. Given the fall, however, civil government necessarily assumes the added function of "restraining and punishing" people for their evil activities. *Ibid.*

³⁰ *Ibid.*, 150.

³¹ *Ibid.*, 149–50.

³² *Ibid.*, 155.

³³ *Ibid.*, 151, citing the General Assembly of the Presbyterian Church in the United States (1861).

³⁴ *Ibid.*, 152.

Although the Protestant Reformation laid the foundations for religious liberty, it was not until the seventeenth century that Protestants began to articulate the doctrine.³⁵ In contrast with the philosopher Thomas Hobbes (1588–1679), who claimed that the civil magistrate had complete authority over the church, even in doctrinal matters, the philosopher and theologian John Locke (1632–1704) drew clear delineations between the authority, scope, and power of the commonwealth and that of the church.³⁶ Locke argued for the “duty of toleration” within civil society, a duty especially incumbent upon the civil magistrate.³⁷ “Men [are] freed from all dominion over one another in matters of religion,” and “these religious societies I call churches ... these I say the magistrate ought to tolerate.”³⁸ In particular, Locke denied that the civil magistrate had any authority to regulate the worship and doctrine of particular churches.³⁹

In the American colonies, Roger Williams (1603–1683) is widely recognized as a pioneer in the doctrine of religious liberty.⁴⁰ Williams pled not only for the Christian citizen’s liberty of conscience but for liberty of conscience as a right belonging to all people, at least since the dawn of Christianity.

It is the will and command of God that (since the coming of his Son the Lord Jesus) a permission of the most pagan, Jewish, Turkish, or Antichristian consciences and worships be granted to all men in all nations and countries, and they are only to be fought against with that sword which is only (in soul matters) able to conquer, [that is,] the sword of God’s Spirit, the Word of God.⁴¹

³⁵ For a brief but incisive treatment of Calvin on this point, see David VanDrunen, *Politics after Christendom: Political Theology in a Fractured World* (Grand Rapids: Zondervan, 2020), 195–96.

³⁶ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), ch. 39; John Locke, “A Letter Concerning Toleration,” in *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven: Yale University Press, 2003), 214–25. Note Locke’s statement later: “But there is absolutely no such thing, under the Gospel, as a Christian commonwealth.” Locke, “A Letter Concerning Toleration,” 239. For a recent survey of Locke’s understanding of religious freedom, see Joseph Loconte, *God, Locke, and Liberty: The Struggle for Religious Freedom in the West* (Lanham, MD: Lexington, 2014).

³⁷ Locke, “A Letter Concerning Toleration,” 223, 228. Whereas Locke speaks of “toleration,” that is, the permission granted by the civil magistrate to citizens to exercise religious freedom, later writers will speak of “liberty,” that is, the inherent right of an individual to believe and act according to the dictates of his conscience.

³⁸ *Ibid.*, 232.

³⁹ *Ibid.*, 233–44. On Locke’s qualifications to this principle, see *ibid.*, 244–46.

⁴⁰ For Williams’s writings, see representatively, *On Religious Liberty: Selections from the Works of Roger Williams*, ed. James Calvin Davis (Cambridge, MA: Belknap, 2008). For a treatment of Williams’s views, see Timothy L. Hall, *Separating Church and State: Roger Williams and Religious Liberty* (Urbana: University of Illinois Press, 1998).

⁴¹ Roger Williams, “The Bloody Tenent of Persecution,” in *On Religious Liberty*, 86. Williams subsequently argues that the Israelite civil order is only “figurative and ceremonial, and

Williams further argued that “true civility and Christianity may both flourish in a state or kingdom, notwithstanding the permission of diverse and contrary consciences, either of Jew or Gentile.”⁴² That is to say, not only must the gospel advance by persuasion and not by the sword, but Christianity may and has flourished in a pluralistic society in which the civil magistrate gave no legal preference to Christianity.

American Presbyterians, particularly in Virginia, took a leading role in advancing the cause of religious liberty in the late eighteenth century.⁴³ This is why we may characterize the doctrine of religious liberty in the modern West as particularly indebted to American Presbyterianism. To be sure, Thomas Jefferson and James Madison emerged as leading figures championing the cause of religious liberty in the Revolutionary era and the early Republic.⁴⁴ Even so, one may not discount the influence of American Presbyterianism, even upon Jefferson and Madison, with respect to this particular question of the relationship between church and state.⁴⁵ Importantly, the Memorial of Hanover Presbytery (1776), which petitioned the General Assembly of Virginia, pled for religious liberty and against religious establishments by appealing to what was common to all human beings—the rights of conscience before the Creator.

Therefore we rely upon this *Declaration*, as well as the justice of our honorable Legislature, to secure us the *free exercise of religion according to the dictates of our consciences* But that *the duty which we owe our Creator, and the manner of discharging it, can only be directed by reason and conviction; and is no where cognizable but at the tribunal of the universal Judge*.⁴⁶

The Memorial advanced several arguments against establishments and for religious liberty. Absent the possession of “a chair of infallibility,” the civil magistrate is not competent “to adjudge the right of preference among the

[is] no pattern nor precedent for any kingdom or civil state in the world to follow.” Ibid.

⁴² Ibid, 87.

⁴³ See Thomas Cary Johnson, *Virginia Presbyterianism and Religious Liberty in Colonial and Revolutionary Times* (Richmond, VA: Presbyterian Committee of Publication, 1907); Charles F. James, *Documentary History of the Struggle for Religious Liberty in Virginia* (Lynchburg, VA: J. P. Bell, 1900).

⁴⁴ See, e.g., “The Virginia Statute for Religious Freedom” (1786), authored by Thomas Jefferson, and James Madison’s “Memorial and Remonstrance against Religious Assessments” (1785). For discussion of the views of each, see Daniel L. Dreisbach, *Real Threat and Mere Shadow: Religious Liberty and the First Amendment* (Westchester, IL: Crossway, 1987), 99–158.

⁴⁵ Johnson, *Virginia Presbyterianism and Religious Liberty*, 80, 84.

⁴⁶ “Memorial,” in William Henry Foote, *Sketches of Virginia, Historical and Biographical* (Philadelphia: William S. Martien, 1850), 323 (emphasis original).

various sects that profess the Christian faith.”⁴⁷ Not only are “religious establishments . . . highly injurious to the temporal interests of any community” in multiple respects, but “the gospel” has no “need [of] any such civil aid.”⁴⁸ Establishments transgress “the only proper objects of civil government,” namely, “the happiness and protection of men in the present state of existence; the security of the life, liberty and property of the citizens; and to restrain the vicious and encourage the virtuous by wholesome laws, equally extending to every individual.”⁴⁹

Religious liberty, then, is tied to a number of theological and political realities—the rights of the conscience of every image-bearer; the prerogatives of God, the creator and judge, over each man and woman; the competencies, concerns, and limitations of civil government; and the corrupting influences of state establishment upon both the commonwealth and the church. Significantly, American Presbyterians’ arguments for the rights of religious liberty safeguarded the rights of all human beings—not merely Presbyterians or Christians—with respect to the civil magistrate. This is not to say that American Presbyterians have uniformly or consistently advocated for these principles in the public square.⁵⁰ However, it is to say that these arguments will serve well Christians who live in many different kinds of societies. They will help Christians plead for the liberties that are inherent to the humanity of every person, encourage civil government that stays within its proper bounds, and strive for the church to steer clear of compromising entanglements with the state.

IV. Principles of the Church’s Engagement with the State

The Scoto-American understanding of the relationship between church and state yields a second benefit. It affords principles for the way in which the church, in its organized capacity, may and may not engage the state in matters that concern both the church and the state. The Westminster Standards address this subject forthrightly.

⁴⁷ Ibid., 324.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ See, for instance, Darryl Hart’s discussion of John Witherspoon’s 1776 sermon; Darryl Hart, “The Dominion of Providence over the Passions of Men,” in *A Secular Faith: Why Christianity Favors the Separation of Church and State* (Chicago: Ivan R. Dee, 2006), 50–52. Even the Hanover Presbytery, in its actions during and after the Revolution, was not entirely consistent with its Memorial of 1776; see David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Early Reformed Social Thought* (Grand Rapids: Eerdmans, 2010), 212–75, and Paul C. Kemeny, “Eighteenth-Century Virginia Presbyterians and the Long Road to Religious Liberty,” *Westminster Theological Journal* 84 (2022): 216–20.

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. (WCF 31.5; 31.4 American editions)

The Westminster Assembly makes clear that the courts of the church are neither to “handle” nor “conclude” anything except what is “ecclesiastical.” They are forbidden from taking up “civil affairs which concern the commonwealth.” For this reason, “the charge of danger [i.e., posed by the church] to government, as in the case of an *imperium in imperio*, is unfounded.”⁵¹ Westminster, however, recognizes two exceptions to this general rule. In one case, the church may approach the state. In the other, the state may approach the church. In the first instance, “in cases extraordinary,” the church may humbly petition the civil magistrate. Such situations are “extraordinary,” that is to say, uncommon, and they must be such that “the interests of the Church are immediately concerned.”⁵² In the second instance, the state may solicit the church for advice on some matter of state, and the church “for satisfaction of conscience” may comply with that request.

Underlying this paragraph of the Westminster Confession is the doctrine of church power as exclusively ministerial and declarative (WCF 31.3; 31.2 American editions). The church has neither the authority nor competency to pronounce anything save what God has revealed in his word. The church, however, has “no right to presume to give advice to, or to attempt to influence, the officers of the civil government in their action as civil officers,” except for the two instances noted above.⁵³ In the words of the 1845 General Assembly of the Presbyterian Church in the United States of America, “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, nor make terms of membership which he has not made.”⁵⁴

This doctrine came to particularly full expression in the Southern United States before, during, and after the American Civil War.⁵⁵ However, it is not

⁵¹ John MacPherson, *The Confession of Faith*, 2nd ed. (Edinburgh: T&T Clark, 1911), 164.

⁵² Hodge, *Confession of Faith*, 377.

⁵³ *Ibid.*

⁵⁴ As cited at Strange, *The Doctrine of the Spirituality of the Church*, 198.

⁵⁵ In addition to the work of Peck, cited above, see the writings of James Henley Thornwell, especially “Address to All the Churches of Christ upon Earth,” in *Collected Writings of James Henley Thornwell*, 4 vols. (1871–1873; repr., Edinburgh: Banner of Truth Trust, 1974), 4:446–52, and Samuel R. Wilson, “Declaration and Testimony against the Erroneous and Heretical Doctrines and Practices, which have been obtained and propagated in the Presbyterian Church

unique to the Southern Presbyterian Church, nor may it be dismissed as an instrument of Southern ecclesiastical resistance to postbellum Reconstruction.⁵⁶ Charles Hodge, who would enter the Northern Presbyterian Church after the church's geographical division in 1861, was a firm supporter of the Union and a firm adherent of the church's spirituality, both before and after the Civil War. His protest of Gardiner Spring's 1861 Resolution to the General Assembly of the Presbyterian Church illustrates his commitment to the doctrine. Spring's Resolution sought the Assembly's "expression of their devotion to the Union of these States, and their loyalty to the Government."⁵⁷ After the Assembly adopted that resolution, Hodge offered a protest, which opens with a statement of the doctrine of the church's spirituality and its application to the question at hand.

We make this protest, not because we do not acknowledge loyalty to our country to be a moral and religious duty, according to the Word of God, which requires us to be subject to the powers that be; nor because we deny the right of the Assembly to enjoin that, and all other duties, on the ministers and churches under its care; but because we 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.⁵⁸

The Assembly, Hodge argued, was within its rights to demand loyalty to the country and obedience to the civil magistrate, both of which are taught in Scripture. However, the political question that was being agitated in 1861 concerned whether one's allegiance should be to his state government or to the federal government. Through this resolution, Hodge argued, the church was attempting to settle that political question. In doing so, it was binding the consciences of her members, going beyond the testimony of Scripture, and requiring, as a condition of church membership, adherence to a particular political viewpoint.

Hodge's protest clarifies that the doctrine of the spirituality of the church in no way prevents the church from speaking to moral issues of contemporary

in the United States during the past five years" (1865), reprinted in John S. Grasty, *Memoir of Rev. Samuel B. McPheeters* (St. Louis: Southwestern Book & Publishing Co., 1871), 316–27.

⁵⁶ Jack Maddex has argued that the Southern church received the doctrine of the spirituality of the church from border-state Presbyterians and then adopted and employed it during Reconstruction for self-serving ends; Jack P. Maddex, "From Theocracy to Spirituality: The Southern Presbyterian Reversal on Church and State," *Journal of Presbyterian History* 54 (1976): 438–57; compare Ernest T. Thompson, *The Spirituality of the Church: A Distinctive Doctrine of the Presbyterian Church in the United States* (Richmond, VA: John Knox, 1961).

⁵⁷ "The Gardiner Spring Resolutions," May 16, 1861, PCA Historical Center, <https://www.pcahistory.org/documents/gardinerspring.html>.

⁵⁸ *Ibid.*

importance.⁵⁹ The church is in no way hindered by the doctrine from speaking to such moral issues as slavery, racism, and elective abortion. What the doctrine does is establish certain critical parameters around such speech. The issue must be one that is expressly raised in Scripture. The church's declaration on the matter must not venture into the arena of public policy and thus bind the consciences of any of her members. The church must recognize that Christians may concur with respect to biblical beliefs and morals and yet disagree as to their prudential implementation in the public square. It is the task of the church to inform people of the revealed will of God so that the people of God may undertake the application of the word of God in their various callings.

Understanding these principles is critical to the life and well-being of the church in the twenty-first century. Faithfulness to them will help preserve the peace and unity of the church. It will help safeguard the liberty of the Christian and respect the bounds that Christ has set for his church. It will also help to ennoble and encourage Christians' engagement in the culture, particularly the public square. It does so by offering biblical direction with respect to the content, form, and manner of Christians' speech in such matters. Also, it will especially help the church remain faithful to her calling to proclaim the gospel of Christ, making known the whole counsel of God.

⁵⁹ This becomes evident from even a casual survey of the acts and deliverances of the General Assemblies of the American Presbyterian Church. See, for example, Samuel J. Baird, *A Collection of the Acts, Deliverances, and Testimonies of the Supreme Judicatory of the Presbyterian Church ...*, 2nd ed. (Philadelphia: Presbyterian Board of Publication, 1855), and George F. Nicolassen, *A Digest of the Acts and Proceedings of the General Assembly of the Presbyterian Church in the United States* (Richmond, VA: Presbyterian Committee of Publication, 1923). Note the testimonies against "fœticide" (abortion) of the 1869 General Assembly (Old School), reaffirmed by the 1874 General Assembly: "Nor can we shut our eyes to the fact that the horrible crime of infanticide, especially in the form of destruction by parents of their own offspring before birth, also prevails to an alarming extent." "[We view this] with abhorrence, as a crime against God and against nature; and as the frequency of such murders can no longer be concealed, we hereby warn those that are guilty of this crime that except they repent they cannot inherit eternal life." "All who seek to avoid the responsibilities and cares connected with bringing up children not only deprive themselves of one of the greatest blessings of life, and fly in the face of God's decrees, but do violence to their own natures, and will be found out of their sins even in this world," as cited by J. Aspinwall Hodge, *What Is Presbyterian Law as Defined by the Church Courts?*, 7th ed. (Philadelphia: Presbyterian Board of Publication and Sabbath-School Work, 1894), 106–7.