

SAMUEL RUTHERFORD AND THE CONFSSIONALLY CHRISTIAN STATE / COVENANTED NATION

On the CD:

- 1) The “Reduced *Lex, rex*” – pdf document listing available editions of *Lex, rex*, giving the full title page and the detailed table of contents, and providing selected illustrative quotations giving a flavour and sense of the whole book (44pp.)
- 2) An Exposition of *Lex, rex* – my chapter from *Tales of Two Cities*, ed. Stephen Clark, (Leicester: IVP, 2005), entitled, “Put not your trust in princes: Samuel Rutherford, the four causes and the limitation of civil government”. (65pp.) Reproduced with permission.

Some further reading:

See “Put not your trust in princes” on the accompanying CD – pp.148-51 for further reading. Unmissable from that ...

- S. Joel Garver, “There is another King: Gospel as Politics” - <http://www.joelgarver.com/writ/phil/politics.htm>
- Hans-Hermann Hoppe, *Democracy, The God that Failed*
- Peter J. Leithart, *Against Christianity*
- Gary North, *Political Polytheism: The Myth of Pluralism*
- Oliver O’Donovan, *The Desire of the Nations*
- Stephen Perks, *In Defence of the Christian State*
- Herbert Schlossberg, *Idols for Destruction*
- N T Wright, “Paul’s Gospel and Caesar’s Empire” and “God and Caesar, Then and Now”

Additionally, there’s fun to be had with ...

- Jonathan Chaplin, “Political Theology” in Vanhoozer (ed), *Dictionary for Theological Interpretation of the Bible*
- The Coronation Service of Queen Elizabeth II - <http://www.oremus.org/liturgy/coronation/index.html>
- Gary DeMar, *Myths, Lies, and Half-Truths*
- T.S. Eliot, *The Idea of a Christian Society*
- David Field, “Not the Least Lash Lost” - <http://davidpfield.com/other/AAPC2-3lecture.pdf>
- David Mackay, “The crown rights of King Jesus today” in *Tales of Two Cities* (see 2) above)
- The National Covenant of 1638 - <http://www.constitution.org/eng/conpur023.htm>
- Oliver O’Donovan, *The Ways of Judgment*
- Derrick Olliff, “The Return of the King” - <http://www.davidpfield.com/other/Olliff-Gospel-King.pdf>
- The Solemn League and Covenant of 1643 - <http://www.constitution.org/eng/conpur058.htm>
- Doug Wilson and Doug Jones, *Angels in the Architecture*
- N T Wright, *Fresh Perspectives*, esp pp.59-82

Introduction

1. LEX, REX AND THE CONFSSIONALLY CHRISTIAN STATE / THE COVENANTED NATION

a) Introduction

- Samuel Rutherford and 1644
- *Lex, rex* – “An unusually comprehensive statement of Calvinistic political thought” (John Coffey)
- A tension? – the “full-blooded defender of Reformed theocratic ambition” vs the “Whig constitutionalist”? (Coffey)

On the one hand, Rutherford’s arguments for popular sovereignty, the rule of law, and the right of resistance to tyranny, remind us of Locke, and can lead to the impression that the author of *Lex, Rex* was something of a modern liberal. On the other hand, his desire for a covenanted nation purged of heresy, idolatry and unbelief, makes him appear thoroughly reactionary, utterly committed to the ideals of Christendom. (Coffey)

- What follows?

Many modern evangelicals think that belief in a confessionally Christian state produces, or at the least tends to, a fundamental intolerance. Actually, the opposite is true. There are only three possibilities:

1. A false confession – this is idolatrous because it makes a false god to be the ultimate authority.
2. No confession – this is tyrannical because it means that the actions of the state are ungrounded.
3. A Christian confession – this is the foundation of justice and true tolerance, better called liberty.

Some Christians – principled pluralists – try to find a fourth position but it is unstable and resolves, under pressure, into one of the other three positions.

b) The main arguments of Lex, rex

John Maxwell's title: *The Sacred and Royal Prerogative of Christian Kings* AND Samuel Rutherford's title: *Lex, rex: The Law and the Prince. A Dispute for the Just Prerogative of King and People*.

"I reduce all that I am to speak of the power of kings, to the author or efficient, - the matter or subject, - the form or power, - the end and fruit of their government, - and to some cases of resistance." (*Lex, rex*, p.1)

The final cause of government – what is its purpose? The purpose of civil government is to secure the well-being of the people by protecting them and the church so that they may attain their highest good in the knowledge of God in Christ. This is *why* government exists.

The efficient cause of government – who or what brings it into being? The God who rules all things through his exalted Son brings government into being using the consent of the people as a means. God is the primary cause and the people are the secondary cause; God is the principal and the people are the agent. This is *how* government comes to be.

The formal cause of government – what is the essence of government? What makes government government is its submission to and embodiment of the law of God discovered through study and application of his infallible and sufficient Word, the Bible. Embodiment of the law of God – this is what government *is*.

The material cause of government – what is the stuff out of which government is made? Government is made of ordinary sinful human beings, equal with all others by nature and each one of whom is directly accountable in conscience and on judgment day to the one true living God. This is what government is *made out of*.

c) Lex, rex and Rutherford's vision of a confessionally Christian state / covenanted nation

Illustratively, those seeking a confessionally Christian state or a covenanted nation (or Christendom) would say something like this:

The first line of the constitution of each and every nation on earth should include a statement such as "The triune God, Father, Son, and Holy Spirit, is the one true living God and he is the maker, ruler, redeemer, and judge of the world. The Bible is his infallible and altogether authoritative Word. Jesus Christ, the Son of God, is King of Kings and Lord of lords and has all authority in heaven and on earth."

This would have been obvious to Rutherford and follows from his understanding of government:

- the will of God through the consent of the people brings about government's existence
- the law of God defines government's essence
- the creatures of God form government's raw materials
- the purpose of God provide government's *raison d'etre*.

This could be summarized even more briefly and, I hope, uncontroversially in three brief questions:

- 1) Is Jesus Christ the ruler of the kings of the earth?
- 2) Is it desirable that the kings of the earth should acknowledge this?
- 3) Is it desirable that the kings of the earth *qua* kings should publicly confess this?

2. OBJECTIONS TO THE CONFESSIONALLY CHRISTIAN STATE / COVENANTED NATION

1. This is a departure from NT priorities, the NT agenda for the church.
2. This amounts to the worship of “power”.
3. This will lead to the adoption of unbiblical methods of societal change.
4. The confessionally Christian state has no room for democracy or tolerance: it imposes belief on people.
5. The confessionally Christian state has a bad track record.
6. This goal is associated with a coercive and arrogant and intolerant demeanour.
7. You can’t confidently hold this as a goal until you’ve solved hermeneutical problems about the Christian use of the OT.
8. Proponents of a confessionally Christian state fail fully to take into account our fallibility and ignorance – other voices must be heard.
9. This represents an over-realized eschatology.
10. This is an unbiblical confusion of authorities – it leads to ecclesiocracy.
11. It’s too late - we live in a post-Christian world.
12. It’s too difficult, it’s perfectionist.
13. This is no different from a Muslim arguing for *Sharia* law.
14. Pluralistic liberal democracy works fine.
15. Put a confessionally Christian state in place and you’ll end up with horrible intolerance and with punishing people for their beliefs.
16. There are too many exegetical questions to deal with.

3. ALTERNATIVES TO THE CONFESSIONALLY CHRISTIAN STATE / COVENANTED NATION

“In any society, the source of law is the god of that society.”

“All law is imposed morality.”

Ultimate ethical authority, the one who determines good and evil – and ultimate authority is god.

a) A false confession: the idolatry of radical Islam

Islam quite openly acknowledges the need for a confessional state. It quite openly declares that all the nations of the world should now and one day will have constitutions which contain that confession. It insists that the statute-book reflect accurately and consistently what is in the confessional constitution. And it then announces an idolatrous confession, one which denies the one true triune God, Father, Son and Holy Spirit, which denies that the Bible is the altogether true, sufficient and authoritative Word of God and which denies that the Lord Jesus Christ, the Son of God crucified and risen, has been given all authority in heaven and on earth. It rebels against the truth of God and replaces it with a lie.

b) No favoured confession: the tyranny of humanistic pluralism

Imagine a modern humanistic pluralist, a supporter of liberal democracy, claiming that modern society is committed to tolerance and diversity. Such a person will claim to privilege no ideology when it comes to the arrangement of the state. Things are not quite so simple though.

- a) Distinguish between the constitution (the ideological or confessional basis for the arrangement of the state which amounts to the identification of the ultimate ethical authority, the groundedness of declaring that certain behaviours are right and certain behaviours are wrong) on the one hand and the statute-book (the list of behaviours which are legally required and forbidden) on the other hand.
- b) Neither the pluralist nor the covenanter (a label chosen in honour of Rutherford) believes in an empty statute-book: they both believe that certain human behaviours are to be forbidden and, if engaged in should draw down negative sanctions. Murder is an obvious example.
- c) Neither the pluralist nor the covenanter believes that the statute-book should cover every single human action: they both believe that there are areas of human behaviour where there should be toleration, i.e. if you look up this topic in the statute-book you will find nothing: the state will impose no sanctions, negative or positive, in relation to this action. Which football team you support, your views of your own cleverness or handsomeness, or what colour toothbrush you use are examples which come to mind.
- d) So the pluralist and the covenanter both believe in the criminalization of some activities and in the toleration of some activities. (And the covenanter believes that there will be many sins amongst the tolerated actions).
- e) What pluralists and covenanters disagree about, then, is *how to determine* which activities should be criminal and which should be tolerated. And the criterion which they apply and the authority to which they appeal is, in effect, what they write in their constitution.
- f) The ultimate constitutional pluralist would write “everyone is right and no-one is right and none of us can ever know for sure” in his constitution. This is a refusal to choose between the gods, to give preference to one ultimate authority claim over others. But it is also a refusal to identify a criterion against which to make decisions as to what is right or wrong, or, more relevantly, to determine what should be in the statute-book.
- g) This means EITHER that the statute-book of the ultimate constitutionalist pluralist is empty OR that those things it contains are there arbitrarily. If there are no grounds whatever upon which decisions as to what should and should not be put in the statute-book can be based, then plainly the criminalization of some activities and toleration of others is both arbitrary and unstable.

- h) But the arbitrary, unstable and ungrounded criminalization of certain behaviours is tyrannical. The ultimately pluralist state requires and forbids behaviour on no grounds at all – that is tyranny. What starts by looking very tolerant – the refusal to favour any ideology at the constitutional level, ends by being arbitrary and tyrannical.
- i) At this point the constitutional pluralist might retreat somewhat and declare that he does have a confession but that it is one which does not decide between competing religious claims. His constitution (confession) might say, “We will not take a view upon whether Jesus is Lord and the Bible is sufficient, nor upon Allah and Muhammed, nor upon ... but we will proceed on the basis of X”.
- j) It is obvious where this is leading. Two questions arise:
 - what grounds the decision “not to take a view upon whether Jesus is Lord” and
 - what is X?
It may well be that the answer to each of these two questions is the same – they are authority questions. Even if they are not, sooner or later, either one will lead to the other as the *ultimate* authority or they will both lead to the identification of another ultimate authority.
- k) And this ultimate authority – “what all major religions agree on”; “what all decent people think”; “what commands majority support at election time”; “what the expert ethics committees recommend”; “what the random-answer-generator produces each Wednesday lunchtime” – or whatever else it might be, has become the confessional basis for the arrangement of the state.
- l) Thus EITHER the humanistic pluralist is consistent with his claim not to have a confessional state (to have an empty public square / to be non-ideological) in which case he is arbitrary and tyrannical OR he is inconsistent with that claim and proves not to be the pluralist he thought he was. And at that point we are no longer in the business of deciding between “confession or no confession?” but rather in the business of deciding “which confession?”. The inconsistent humanist pluralist has a false confession. The consistent humanist pluralist, who initially looks so tolerant, actually proves to be a tyrant
- m) On the other hand, the covenanter may start the exercise looking terribly intolerant by declaring that his ideological basis for the arrangement of the state is the fact that “the Triune God is maker, ruler and judge of all things, the Bible is his infallible and sufficient Word, the Lord Jesus Christ has all authority in heaven and on earth and the civil government is God’s servant, an avenger of his wrath on the evil-doer ..”. However, when on the basis of the Bible he then goes on to declare that murder should be criminalized whereas pride, though sinful should not, that is built on a public, wise, righteous and fitting foundation, namely the revealed will of God in the Bible;
- n) The apparently generous constitutional pluralist is a tyrant and the toleration he offers is arbitrary and unstable; the apparently narrow covenanter actually requires, forbids, and tolerates behaviours on a firm and righteous basis – the revealed will of the triune Creator;
- o) Humanistic constitutional pluralism is unstable: either it opts for an ideological basis (it confesses its ‘god’) and so ceases to be constitutional pluralism or it refuses to confess its ‘god’ in which case it makes whoever manages to have power at the moment the god – an inscrutable, unaccountable, arbitrary and thus tyrannical god.

But praise God ...

- He keeps back the unregenerate from consistency with their presuppositions.
- A large part of humanist inconsistency is its use of stolen Christian goods. This is confusing because it can make it appear that humanist pluralism can actually work (!); it is encouraging because it means that the more consistent the humanists become, the less effectively they will function in God’s world; and it is splendid because it means that life’s not as bad as it might be even in a gospel-rejecting country!
- This line of thought in *Lex, rex* relates to what he says about the formal cause of government. Rutherford argues that what makes government government is its submissive and subordinate embodiment of the law of God. Running through these sections, Rutherford writes about law where we have been thinking about “confession/constitution” and he writes about the king where we have been thinking about the “statute-book”.

c) A mixed and muted confession: the confusion of Christian “principled pluralism”

Principled pluralism is unstable. It might mean

- a) We have a Christian confession combined with wide definitions of “toleration”. (Why call this pluralism?) But this is not a distinct position – it is Christian confessionalism. The ‘only’ question is whether its moves from “constitution” to “statute-book” are correct.
- b) We are ultimate constitutional pluralists – we don’t have a confession. But this is not a distinct position – it is the same as humanistic pluralism and subject to the same criticism (tyrannical).
- c) We have a confession but it is not a Christian confession. Follow i) to k) of the argument on the previous page. This calls itself pluralism because it allows a number of distinct confessions together to form the basis of the state. In reality, this amounts to the identification of a common denominator confession – the X of i) above.

But note:

1. This confession tells us that there is a part of life in which we are not to assert that Jesus is Lord and / or that there is a part of life in which we can operate well (effectively and faithfully) while not taking a view upon whether or not Jesus is Lord.
2. This means that operationally and ideologically this sphere (the sphere in which the “we shouldn’t or don’t need to confess that Jesus is Lord” confession holds) is idolatrous / polytheistic because in this sphere, Jesus is lord along with other lords.
3. It also means that there are whole areas of activity and thought (where the various acknowledged lords disagree) on which no judgment is given. That is, there may be something which King Jesus declares to be a crime but which the state is not to declare to be a crime because Baal or Isis or Allah disagree with Jesus. False gods have a veto on the wishes of the true God.
4. If the state continues in the silence of 3. then it has a false confession; if it sides against Jesus then it has left X and adopted a false confession; if it sides with Jesus then it has left X and adopted a Christian confession.

The amazing thing is that some Christians think that c) above is a tenable position. But

- a) X is idolatrous / polytheistic
- b) It is unstable – moving towards polytheism, tyranny, or Christian confession
- c) It conflicts with the the biblical data: Ps.2, Ps.72; Dan.4; Matt.28; Rom.13; Phil.2; Col.1; Rev.1
- d) And where does it come from? Some principled pluralists think it’s from “natural law” but a “natural law” which conflicts with the Bible comes from our sinful hearts not from the general revelation of the God who speaks consistently; and a “natural law” which tells us that there are parts of life over which Jesus is not to be confessed as Lord nor the Bible acknowledged as his Word, parts of life in which we can function in a way pleasing to God without Jesus-Bible acknowledgement and dependence is Satanic.

Why do some Christians try “natural law” or “principled pluralism” or “common denominator confessionalism” or “X”?

Conclusion

Rutherford’s view of government amounts to a demand for a confessionally Christian state, a covenanted nation. The many objections to this notion do not stand. There are three alternatives to a confessionally Christian state:

- a) Islam (or other false confessions) – but that is idolatrous
- b) humanistic pluralism (or other versions of ‘no confession’) – but that is tyrannical
- c) principled pluralism (or other Christian evasions or dilutions) – but that is confused and unstable.

Strictly speaking, this is a ‘gospel’ matter because the gospel is, amongst other things, the announcement of a new regime, the proclamation of dynastic transfer, the good news of kingdom / empire, the message that rule has passed to the rightful Lord. Once that is understood then we will see humanism, other religions, and inconsistent Christian confession as denying or diluting the gospel. And we will see that a proper part of gospel commitment is our recognition and our desire that the state should be confessionally Christian.

Matthew 7.24-27