

Christian Magistracy in the RPCNA—Then and Now

Part 1: Theonomy

By Vindiciae Legis

Preliminary Explanation

My primary purpose in writing this article is to demonstrate that the leaders of the RPCNA¹ in its earlier years were thoroughgoing theonomists² and establishmentarians.³ From the constituting of the Reformed Presbytery of the United States of North America in 1798, until well into the 19th century, these men held firmly to the teaching of the Westminster Confession (*WCF*) on Christian Magistracy. They had a theocratic outlook, a high view of God's law and a full recognition of the civil magistrate's duty to protect and uphold the church.⁴

¹ RPCNA stands for "Reformed Presbyterian Church of North America."

² For the purposes of this article, "Theonomy" is defined as the teaching that biblical judicial laws, insofar as they support the moral law, are still binding in the sight of God. The subset of judicial laws which were specially intended for the Jewish Commonwealth—such as laws concerning the cities of refuge—are expired, except for their general equity.

The broader definition of "theonomy"—often given a lower case "t"—as the teaching that the civil magistrate is, in some manner, to uphold both tables of the Decalogue but may ignore the judicial law, is not intended in this article.

It should also be stated that the 19th century Reformed Presbyterian pastors cited below were strongly committed to the Westminster Standards and would therefore have abhorred modern, heretical distortions, taught by some who claim—or once claimed—to be theonomists, such as the proponents of "Federal Vision." They would also have rejected the decidedly anti-theonomic, Radical Two Kingdom theology.

³ The term "establishmentarians" is here used to describe those who believe in what is now called the "Establishment Principle," the view that church and state should be *distinct*, but *closely coordinated* institutions, which work harmoniously together to advance the Kingdom of God on earth. It implies that the courts of the Church are fully recognized and their decisions respected by the civil magistrate and the civil courts respected by the church. The spheres of operation of church and civil courts are separate but nevertheless interfaced in ways delimited by the Word of God. We shall see later that this is very different from what is called "Erastianism:" the view that the church is to be controlled by the civil magistrate, or is even a department of state. See James Bannerman, *The Church of Christ* (Edinburgh, 1868), 1:102-4, <http://archive.org/details/churchofchristtr01bann> & <http://archive.org/details/churchofchristtr02bann>.

⁴ This is particularly evident in the chapters, "Of Christ's Headship," and "Of Civil Government," in their *Declaration and Testimony* of 1806. See *Declaration and Testimony of the Reformed Presbyterian Church in America* (New York, 1806), in *Reformation Principles Exhibited, by the Reformed Presbyterian Church in the United States of America* (New York, 1807), pt. 2, 65-67, 102-9, available on Google Books (URL is too long for inclusion here).

They also held strongly to the Regulative Principle: the idea that we are to worship God according to his revealed will, rather than according to our own whims and fancies. Among other things, this entailed singing the Psalms exclusively—as opposed to uninspired hymns—in private and public worship, without instrumental accompaniment.⁵

These men are greatly to be admired for their steadfast commitment to the standards of the Second Reformation in their lives, teaching, and worship. They made mistakes to be sure,⁶ but in the strength of their attachment to the core principles of the Reformed Faith, including Christian Magistracy, they were truly exemplary. Today's Reformed Presbyterians and those in other Reformed communions can learn much from them.

In the first part of the article, I focus mainly on the theonomic aspects of Christian Magistracy as they appear in the confessions and covenants of the Scottish church and how they were adopted and held by the early leaders of the RPCNA. A second and shorter part, still in the early stages of preparation, and focusing mainly on the Establishment Principle, *may* be made available at a later date (D.V.). If the question is asked, “Can one really be a Reformed Presbyterian or Covenanter and reject Theonomy or the Establishment Principle?” we shall see that the answer is, “No, not at least in the historical sense of those terms.” We shall also see that Confessional Theonomy is more consistently theonomic than much of modern Theonomy⁷ which, with few exceptions, seems indifferent to the Establishment Principle.

Notes: 1. Many of the periodicals used in preparing this article are available online at <http://www.rparchives.org>. 2. Unsigned articles in *The Covenanter* and *The Reformed Presbyterian* magazines are assumed to come from the pen of the editor. 3. A few selections from a previous draft were issued previously in a short article entitled,

⁵ See G. I. Williamson, “Singing Psalms in the Worship of God,” accessed February 13, 2012, <http://www.nethtc.net/~giwopc/psalms.html>.

⁶ A prime example was their overreaction to the abuse of alcoholic beverages. Moderation itself was condemned and only total abstinence was deemed acceptable. Eventually this led to a compromise of the Regulative Principle of worship: unfermented grape juice came to be substituted for the biblically required, fermented wine in their communion services. The debate about communion wine was ongoing in 1850. See: “Should Fermented Wine be used in the Lord’s Supper,” *The Reformed Presbyterian*, January 1850, 332. The article bears the initials “W.S.”—presumably RPCNA Pastor, William Sloane.

⁷ I owe a great deal to the writings and lectures of R. J. Rushdoony, Greg Bahnsen and other modern theonomists such as Gary North. Without them I might not have discovered Theonomy and realized that it was no new thing, but a recovery of old and vital, biblical teaching concerning the law of God; teaching strongly held by the Puritans—including the Westminster divines—Covenanters, and by their Reformed Presbyterian successors well into the 19th century. Some criticisms of Bahnsen and particularly Rushdoony follow in this article and in its footnotes. I believe these are fair and appropriate, but the reader should not regard them as in any way disparaging the groundbreaking contributions to the rediscovery of Theonomy made by Bahnsen, Rushdoony, etc.

“Covenanter Theonomy.”⁸ These included excerpts from the sections on the *Queensferry Paper* (Donald Cargill), and James Renwick Willson.

Christian Magistracy: Theonomic and Establishmentarian

Christian Magistracy was propounded by the Magisterial Reformers of all stripes. Luther, Calvin, Zwingli, Cranmer, and Knox all held high views of Christian Magistracy. It was biblically refined and developed, especially in Scotland, by Knox, Melville and their Covenanter successors. The English Puritans, particularly the Presbyterians, and many Independents recognized the theonomic calling of the civil magistrate.

Reformed Christian Magistracy is unflinchingly theocratic and stands on two major pillars: Theonomy and the Establishment Principle. Both pillars are built on the foundation of the Mediatorial Kingship of the Lord Jesus Christ.⁹ The first deals with how the civil magistrate is to obey and uphold the laws of God revealed in the Holy

⁸ Vindiciae Legis, “Covenanter Theonomy,” *Theonomy Resources* (blog), March 10, 2014, <http://theonomyresources.blogspot.com/2014/03/covenanter-theonomy.html>.

⁹ Westminster divine, George Gillespie, feared that placing the civil magistrate under Christ’s Headship or *Mediatorial* Kingship would lead to Erastianism. In *Aaron’s Rod Blossoming* he wrote: “We are sure the lawful magistrate (whether heathen or Christian) is God’s viceregent, . . . But our opposites shall never prove that any civil magistrate (though Christian and godly) is the viceregent of Jesus Christ as Mediator.” Gillespie taught a twofold kingdom of Christ: a *general Kingdom*, and a *Mediatorial Kingdom* restricted to the church. A modern scholar, Emily M. Robinson, draws attention to the difference between Gillespie and Samuel Rutherford on this issue: “The doctrine of Christ’s mediatorial kingship was not exclusive to Covenanters. . . . Moreover, the seventeenth-century Covenanters themselves were split between those, like Samuel Rutherford, who supported the doctrine, and others like George Gillespie who denounced it as Erastian.”

Chap. 19, sec. 3 of the *Declaration and Testimony* (1806) made it clear that Christ’s “mediatory authority” is universal, thus the RPCNA rejected the restrictive teaching of Gillespie on this issue. James M. Willson wrote, “As to Gillespie, we highly respect him. We would be no Covenanter—no Presbyterian, if we did not. He was in his day, the champion of Presbyterian church government. But we do not call *all* his sentiments ‘sound and orthodox.’ We pin our faith to no man’s sleeve. On the subject of Christ’s headship, he was in error.” John Fairley (or Fairly) (1729-1806), a Scottish Reformed Presbyterian, wrote: “He [Gillespie] seems to me to advance some things. . . greatly injurious to the scripture doctrine of the Mediator’s supreme and universal headship of power over all persons and things. . .” Greg Bahnsen would have agreed with the Reformed Presbyterian position: “The Lord’s Messiah has absolute, firm and autocratic authority over all the magistrates of the nations; they are guided, directed, and chastised by Him.”

See: George Gillespie, *Aaron’s Rod Blossoming* (Edinburgh, 1844), 109; James M. Willson, “The Evangelical Repository,” *The Covenanter*, May 1846, 314; James M. Willson, “The Evangelical Repository,” *The Covenanter*, May 1847, 315-17; John Fairly, *An Humble Attempt In Defence of Reformation Principles, Particularly on the Head of the Civil Magistrate* (Edinburgh, 1770), 159n; Greg L. Bahnsen, *Theonomy in Christian Ethics* (Phillipsburg, NJ: Craig Press, 1984), 362; Emily Moberg Robinson, “Immigrant Covenanters: Religious and Political Identity, From Scotland to America” (Ph.D. thesis, University of California, 2004), 252-53.

Scriptures. The second concerns his relationship to the Church and his duty to protect and nurture it. As the Puritan, William Ames explains:

The chiefe care of the Magistrate ought to bee, that hee promote true Religion, and repress impiety, Esa.¹⁰ 49. 23. Psalm 2, 11.¹¹

The Establishment Principle properly understood and applied requires faithful, theonomic, Christian magistrates. Theonomy and the Establishment Principle are so tightly bound together that one implies the other, and neither is complete without the other. Churches are never rightly established without theonomic, Christian magistrates, who conscientiously perform their God given duties toward his church. And, no church should ever allow itself to be unequally yoked together with magistrates that are unbelieving, ignore God's laws, or tyrannically usurp the authority Christ has invested in his church and in its government alone. The established churches in England (Prelatic, i.e. Episcopalian) and, at least until fairly recently,¹² Scotland (Presbyterian) are examples of churches yoked, in some degree, to godless civil government.

I hesitate to include postmillennialism as a third pillar, even though Reformed Christian Magistracy is certainly part of the millennial hope, and may never be instituted as perfectly as it will be then. However, there have already been times when such Magistracy has been approximated to various degrees and durations, in Calvin's Geneva, New England, Scotland, England, and some European states.

Even so, it would be remiss not to mention here that the 19th century RPCNA pastors introduced later in this article were all postmillennialists. Having an eschatology of victory rather than defeat, gave them the assurance that Reformed Christian Magistracy would someday be fully realized on a worldwide scale.¹³ Their *Declaration and Testimony* (1806) included these words:

¹⁰ Isaiah.

¹¹ William Ames, *Conscience with the Power and Cases Thereof* (1639; repr., n.p.: Puritan Reprints, 2010), 165.

¹² Since the Church of Scotland Act (1921), which opened the way for union with the voluntaryist United Free Church in 1929, the status of the Church of Scotland is unclear. Apparently, this is due in part to some of the language of the Act being carefully finessed in an effort to make it acceptable to establishmentarians and voluntaryists alike. Civil and ecclesiastical legal opinions are both divided as to whether the Church of Scotland is established or not. According to Colin Kidd, "The status of the Kirk remains the most mysterious of several black holes in Britain's uncoded constitution." Colin Kidd, *Union and Unionisms: Political Thought in Scotland, 1500-2000* (Cambridge: Cambridge Univ. Press, 2008), 242-56, the quotation is from p. 256.

¹³ David M. Carson writes: "The optimism of the church in this period...was reinforced by the belief of the church regarding the millennium—the thousand years of peace and righteousness which were to come *before* [my italics] the return of Jesus Christ....Alexander McLeod published in 1814 his *Lectures upon the Principal Prophecies of the Revelation*, presenting an interpretation of that book which dominated the church for at least half a century..." David M. Carson, *Transplanted to America...: A Popular History of the American Covenants to 1871* (Pittsburgh, PA: Board of Education & Publication, R.P. Church, n.d.), 25. See

(Footnote continued on next page.)

God shall, according to his promise, overthrow the empire of darkness, and introduce the millennial state, in which the earth shall be full of the knowledge of the Lord, as the waters cover the sea.¹⁴

Earlier Covenanters such as Samuel Rutherford made it clear that the Christian magistrate is no tyrant. By protecting the Church and upholding the laws of God, he is the protector of God given liberties and not their destroyer.

Tyranny being a work of Satan, is not from God, because sin, either habitual or actual, is not from God: the power that is, must be from God; the magistrate, as magistrate, is good in nature of office, and the intrinsic end of his office, (Rom. xiii. 4) for he is the minister of God for thy good.¹⁵

But the power of a king is given as a blessing and favour of God to defend the poor and needy, to preserve both tables of the law, and to keep the people in their liberties from oppressing and treading one upon another.¹⁶

The received teaching of the RPCNA was that, subject to scriptural constraints, magistrates are constituted by the “mutual election of the people” and “the constituting of the relation betwixt rulers and ruled, is voluntary and mutual.” While these quotations are from a late Covenanter¹⁷ document, the Ploughlandhead,¹⁸ *Act, Declaration, and*

also, Thomas Sproull’s lecture to his seminary students: Thomas Sproull, “The Coming of the Son of Man,” *The Reformed Presbyterian and Covenanter*, January 1867, 1-8.

¹⁴ *Declaration and Testimony* (1806), 119. Sadly, during the 20th century, the RPCNA became increasingly influenced by the defeatist eschatology of amillennialism.

¹⁵ Samuel Rutherford, *Lex Rex, or the Law and the Prince* (Edinburgh, 1843; repr., Harrisonburg, VA: Sprinkle Publications, 1982), 34.

¹⁶ *Ibid.*, 142.

¹⁷ The Scottish remnant of faithful Covenanters constituted the Reformed Presbytery in 1743, and from then on, they were increasingly known as Reformed Presbyterians. They again renewed the Covenants at Auchensauigh in 1745, reflecting the earlier renewal of the Solemn League and National Covenants in the *Auchensauigh Renovation* of 1712. Auchensauigh Hill stands between Crawfordjohn and Douglas in Lanarkshire, Scotland.

The term, “Reformed Presbyterian,” may have been in use earlier, though perhaps in a more generic sense. Church historian Matthew Hutchison’s first known use of the term was in the written testimony of Sir Robert Hamilton who died in 1701. Matthew Hutchison, *The Reformed Presbyterian Church in Scotland* (Paisley, Scotland, 1893), 134-38.

¹⁸ Believed to be what is now High Plewland in Lanarkshire, Scotland. An interesting line of evidence is found in a 1741 edition of Thomas Watson’s *Body of Practical Divinity*, p. viii. In the list of subscribers is “John Moor Farmer in Ploughlandhead, there.” The word “there” refers back to “Evandale Par.” [Evandale Parish] an old name for Avondale Parish, Lanarkshire. There are several other subscribers from “Evandale” Parish including two from “Ploughland.” <http://www.archive.org/details/abodypracticald00watsgoog>.

Testimony of 1761¹⁹ (*ADT*), they well reflect the teaching of earlier Covenanters such as Samuel Rutherford in his famous work: *Lex Rex*.²⁰

Furthermore, among the scriptural constraints recognized by the *ADT*—we here cite the 3rd edition—were important limitations on the lawful calling of civil magistrates in a Christian nation. Only professing Christians are eligible for office and only professing Christians may engage in their election. The Reformed Presbytery testified against and rejected the “absurd opinion” that:

the office, authority, and constitution of lawful magistrates, doth not solely belong to professing Christians, in a Christian reformed land, but that the election and choice of any one whomsoever, made by the civil body, (whether Pagan, Papist, Atheist, Deist, or other enemy to GOD, to man, and to true religion,) makes up the whole of what is essential to the constitution of a lawful magistrate according to GOD’s ordinance.—A tenet contrary to the light and dictates both of reason and scripture.²¹

The Rejection of Christian Magistracy

Sadly, the biblical and confessional teaching of how the civil magistrate ought to rule, his duty to recognize and uphold the Church, and how he is constrained by the Law of God, is much neglected, misunderstood, and even resisted in our own day. A major factor enabling this ignorance and prejudice was the ratification and adoption of revisions to the *WCF* and *Larger Catechism* by the Presbyterian Church in 1788.²² These revisions weakened the church’s commitment to anything resembling Reformed Magistracy and

¹⁹ *Act, Declaration, and Testimony, for the Whole of Our Covenanted Reformation*, 1st ed. ([Edinburgh?], 1761), 190 (hereafter cited as *ADT*). The title page and a few following pages are missing from the copy in the library of the Reformed Presbyterian Theological Seminary, Pittsburgh, PA. A PDF version of the selfsame volume is available for download at <http://www.truecovenanter.net>.

Later 18th century Scottish editions, with minor changes, appeared in 1762, 1777 and 1797. The American edition of 1841 is based on the Scottish 1777 edition. American editions of 1850 and 1876 contain additional material inserted by David Steele and his followers.

²⁰ Rutherford, *Lex Rex*, 9. “God’s dispensation in this warranteth us to say, no man can be formally a lawful king without the suffrages of the people: for Saul, after Samuel from the Lord anointed him, remained a private man, and no king, till the people made him king, and elected him; and David, anointed by that same divine authority, remained formally a subject, and not a king, till all Israel made him king at Hebron; and Solomon, though by God designed and ordained to be king, yet was never king until the people made him so (1 Kings i.).”

²¹ *Act, Declaration, and Testimony, for the Whole of Our Covenanted Reformation*, 3rd ed. (Edinburgh, 1777), 198. (The wording of this paragraph was significantly improved in the 3rd edition.)

²² William E. Moore, *The Presbyterian Digest of 1886* (Philadelphia, 1886), 51-52, <https://archive.org/details/presbyteriandige188600pres>.

opened the door to “voluntaryism”²³ which is essentially an Anabaptist view of Church and State. The chapters and sections involved were 20.4, 23.3, and 31.2. “Tolerating a false religion” was also removed from the sins forbidden in the Larger Catechism, Answer 109.

To their credit, several generations of the RPCNA rejected the American revisions and continued to be faithful to the original *WCF*. Reformed Presbyterian ministers like James R. Willson,²⁴ his son James M. Willson,²⁵ Moses Roney,²⁶ and James Chrystie²⁷ considered the revised Confession to be “mutilated.”

As the current RPCNA Constitution admits, “The Westminster standards were approved ‘as they were received by the Church of Scotland.’”²⁸ The qualifying statement, “as they were received by the Church of Scotland” is of the greatest significance,

²³ Voluntaryism, in this context should not be confused with the political philosophy of the same name. Here it is the opposite error to Erastianism: it teaches that church and state are *absolutely separate* institutions; they are not *separate, yet coordinate*, institutions, which work together to advance the Kingdom of God. In voluntaryism the civil magistrate has no duties whatsoever in matters of religion, and in the exercise of his office, is indifferent to the truth, or falsity, of any and all religions. See Bannerman, 1:137ff.

It is worth mentioning that R. J. Rushdoony appears to have held a hybrid position between voluntaryism and the Establishment Principle; a position which attempts to be theocratic while disregarding the Establishment Principle. This is evident in Rushdoony’s chapter “Theology and the State” which, sadly, downplays the teaching function of the church. He writes: “The union of church and state has not been successful... the separation of church and state has not been successful either...the key is *not* the church.... Very plainly, God here [in Deut. 6:4-7] does *not* establish the church as the companion institution to civil government. The function God requires as the *necessary concomitant* to a godly law order is *teaching*.” R. J. Rushdoony, *The Institutes of Biblical Law*, vol. 2, *Law and Society* (Vallecito, CA: Ross House Books, 1982), 115.

²⁴ “Even as mutilated by the General Assembly of the Presbyterian Church...” James R. Willson, *Political Danger: Essays on the Mediatorial Kingship of Christ over nations and their political institutions 1809-1838*, ed. Gordon J. Keddie (Pittsburgh PA: Crown & Covenant, 2009), 63.

²⁵ “It is a mutilated Confession, from which all that relates to national religion has been expunged.” James M. Willson, “New School Presbyterian and the Confession of Faith,” *The Covenanter*, October 1845, 92. (The unsigned article appears to be by James M. Willson, the then editor of the magazine.)

²⁶ “Their mutilated Confession...” Moses Roney, “Divisions in the Churches,” *The Reformed Presbyterian*, January 1838, 327. (The unsigned article appears to be by Roney, the editor of the magazine.)

²⁷ “They [Reformed Presbyterians] take these documents, Confession of Faith, Catechisms...not as they have been mutilated, altered and compressed...” James Chrystie, “The Westminster Formulas of Doctrine, Worship and Government: Their Validity and Obligation in the Reformed Presbyterian Church,” *The Reformed Presbyterian*, January 1850, 318.

²⁸ *The Constitution of the Reformed Presbyterian Church of North America* (Pittsburgh, PA: Crown & Covenant, 2004), I-2, <http://reformedpresbyterian.org/images/documents/constitution2010.pdf>. The same words are found in the 1949 edition of the Constitution.

particularly because it rules out any and all Erastian interpretations that could be malevolently imposed on the *WCF*.²⁹ Moreover, it rules out later mutilations.

The view of the RPCNA through much of the 19th century *was* the view of the Scottish Reformers and Covenanters together with most of the English Puritans; it is free of any hint of Erastianism or its polar opposite, the error of voluntarism. It is also theonomic. The Reformed Presbyterian *Declaration and Testimony* of 1806 was exactly in line with the unmutilated Confession. Chapter 28.7, “Of Civil Government,” declares:

It is the duty of the Christian magistrate to take order, that open blasphemy and idolatry, licentiousness and immorality, be suppressed, and that the church of Christ be supported throughout the commonwealth; and for the better discharge of these important duties, it is lawful for him to call synods, in order to consult with them; to be present at them, not interfering with their proceedings, (unless they become manifestly seditious and dangerous to the peace), but supporting the independency of the church, and its righteous decisions, and preserving its unity and order against the attempts of such despisers of ecclesiastical authority as should endeavour, in a riotous manner, to disturb their proceedings.³⁰ Rom. 13:4; Lev. 24:16; 2 Chron. 14:2,3; Rev. 17:16; Prov. 20:26; Psalm 101:8; Prov. 14:34, 16:12; Isa. 49:23, 60:10,12, 62:4; 2 Sam. 23:3; 2 Chron. 29:2,4,15, 30:22; Rev. 21:24; Dan. 7:22; 1 Cor. 10:31; Psalm 137:5, 112:7.

The theonomic intent of this statement is confirmed by the appeal to biblical law in the Scripture proofs. Rom. 13:4 is cited concerning the civil magistrate’s sword, followed by Lev. 24:16: “And he that blasphemeth the name of the LORD, he shall surely be put to death.”

The same exact statement appeared in each edition of the *Declaration and Testimony* for over a century and continued in force until the 1920’s, when the church

²⁹ As footnoted earlier, “Erastianism” is a gross perversion of the Establishment Principle in which Church government is usurped by the civil magistrate, making the Church a creature of the State. Only a small minority of the Westminster Assembly led by John Lightfoot were Erastians. One would not expect such a body to produce a document with Erastian intent.

It should also be noted that in their Act of August 27, 1647 approving the *WCF*, the Church of Scotland precluded Erastian interpretations by their declaration that parts of *WCF* 31.2 were to be understood only of Churches in an unsettled state: i.e. “kirks not settled, or constituted in point of government.” *The Confession of Faith; The Larger and Shorter Catechisms* (n.p.: Free Presbyterian Church of Scotland, 1976), 14-15.

Robert Letham refers to the Westminster Assembly as “an Erastian body” primarily because it was called together by, and answered to, Parliament. He, nevertheless, confirms that “only a handful of its members had Erastian convictions.” Robert Letham, *The Westminster Assembly* (Phillipsburg, NJ: P & R Publishing, 2009), 35. Arguably, it was not “an Erastian body” because the English church was in a highly unsettled state, divided into multiple factions: Presbyterians, Independents, Episcopalians, etc. & Calvinists, Arminians, etc. It is not Erastian for the civil magistrate to perform his duty, acting *circa sacra*, to try and remedy such a situation.

³⁰ *Declaration and Testimony* (1806), 102.

was clearly on the downgrade. Sadly, the Constitution of the RPCNA, from 1980 onwards, effectively excises important parts of the Confession, which teach Christian Magistracy.³¹ It is shown later in this article that the RPCNA currently has no stated position on Theonomy. It is neither for it nor against it.

The website of the Orthodox Presbyterian Church refers to the above mutilations as “minor revisions.”³² I beg to differ. They are tantamount to the denial of an integral doctrine of the Reformed Faith. Obviously, when it comes to Christian Magistracy, what passes for the “Reformed Faith” today is very different from the Reformed Faith of the Reformers, Puritans, and the Scottish Covenanters. A useful side-by-side comparison of the original wording of the *WCF* with American 18th century, and later revisions, is provided on the OPC website.³³ The OPC proudly displays its defections from the original Westminster Standards for all to see.

Some Historic Theonomic Documents

All Confessions, Covenants, Declarations, etc., pertaining to Covenanter history are intrinsically theonomic. Some of the more explicit examples are included below.

The Scots Confession, 1560

John Knox tells us that this Confession was the work of six Johns: John Winram, John Spottiswoode, John Douglas, John Row, John Willock, and himself.³⁴ Furthermore, it took only four days from the order of Parliament for the preparation of the Confession,

³¹ *RPCNA Constitution*. See in particular these statements:

On *WCF* 23.3, “*We reject* the portion of paragraph 3 after the colon,” page A-73.

On *WCF* 31.2, “*We reject* paragraph 2 of the *Confession of Faith*,” page A-101.

See also on *WCF* 20.4: “The civil magistrate has no authority to pronounce ecclesiastical censures,” page, A-60. This is, strictly speaking, correct but nevertheless unfortunate because it obscures the fact that neither *WCF* 20.4, nor any other part of the *WCF*, ever assigns any such power to the civil magistrate. It does, however, call magistrates to take *civil*, as opposed to ecclesiastical, action against those who publish opinions, or maintain practices “contrary to...the known principles of Christianity.”

³² “Confession and Catechisms,” Orthodox Presbyterian Church, accessed February 15, 2012, <http://www.opc.org/confessions.html>.

³³ “American Revisions to the Westminster Confession of Faith,” Orthodox Presbyterian Church, accessed February 15, 2012, http://www.opc.org/documents/WCF_orig.html.

³⁴ David Laing, ed., *The Works of John Knox*, vol. 2 (Edinburgh, 1895), 128. Note that the *Confession* is there referred to as “the Doctrin.”

to it being presented before that body.³⁵ It is believed that John Knox himself was responsible for the initial version.³⁶

The 24th Article of the Confession deals with the civil magistrate and affirms the theonomic nature of Reformed Magistracy in maintaining “true Religion” and suppressing idolatry and superstition:

Moreover, to Kings, Princes, Rulers and Magistrates, we affirm that chiefly and most principally the conservation and purgation of the Religion appertains; so that not only they are appointed for Civil policy, but also for maintenance of the true Religion, and for suppressing of Idolatry and Superstition whatsoever: As in *David, Jehoshaphat, Hezekiah, Josiah* and others highly commended for their zeal in that case, may be espied [observed]³⁷ (spelling modernized).

The First Book of Discipline

The *Scots Confession* of 1560 was a book of *doctrine*. Within a few months the same six Johns were commissioned and charged to prepare a book of *practice* detailing the “Polecey and Discielyn of the Kirk, as weill as thei had done the Doctrin.”³⁸ This was known as *The First Book of Discipline* (FBD) and comprises 25 *heads* or chapters.³⁹ A few theonomic extracts from this work are given below.

The first tells us that the civil magistrate, not the Kirk, has the primary duty to deal with “Blasphemie, adulterie, murder, perjurie,” etc. These are capital crimes, crimes “worthy of death.”

Blasphemie, adulterie, murder, perjurie, and other crimes capitall, worthy of death, ought not properly to fall under censure of the Kirk; because all such open

³⁵ Ibid., 2:92.

³⁶ G. D. Henderson, ed., *Scots Confession, 1560* (Edinburgh: C.of S. Committee on Publications, 1937), 8-9.

³⁷ The old Scots version reads: “Mairover, to Kings, Princes, Rulers and Magistrates, wee affirme that chieffie and most principallie the conservation and purgation of the Religioun apperteinis; so that not onlie they are appointed for Civill policie, bot also for maintenance of the trew Religioun, and for suppressing of Idolatrie and Superstitioun whatsoever: As in *David, Josaphat, Ezechias, Josias* and utheris highlie commended for their zeale in that caise, may be espyed.” Ibid., 95.

³⁸ Laing, *Works of John Knox*, 2:128.

³⁹ “The First and Second Booke of Discipline,” True Covenanter, accessed February 15, 2012, http://www.truecovenanter.com/kirkgovt/scotland_kirk_books_of_discipline_1621.phtml. See also, Laing, *Works of John Knox*, 2:185-260.

transgressors of Gods lawes, ought to be taken away by the civill sword (*FBD, The seventh head*).

The judicial law of Ex. 22:16,17 is assumed and applied in cases when “a virgine is defloured.” Likewise, whoredom, fornication, and adultery are to be punished “according as God hath commanded.”

But the father, or neerest friend, whose daughter being a virgine is defloured, hath power *by the law of God* to compell the man that did that injurie, to marry his daughter: and if the father wil not accept him by reason of his offence, then may he require the dowrie of his daughter, which if the offender be not able to pay, then ought the civill magistrate to punish his body by some other punishment. And because whoredome, fornication, adulterie, are sinnes most common in this realme; we require of your Honors in the name of the eternall God, that severe punishment, *according as God hath commanded*, bee executed against such wicked contemners. (*FBD, The ninth head... Of Marriage*; italics added)

An adulterous offender “ought to suffer death, as God hath commanded.” If the civil magistrate fails in his duty, then excommunication is required, and the innocent party is free to re-marry.

Marriage once lawfully contracted, may not be dissolved at mans pleasure, as our master Christ Iesus doth witnes, *unlesse adulterie be comitted*; which being sufficiently proved in presence of the civill magistrate, the innocent (if they so require) ought to be pronounced free, *and the offender ought to suffer death, as God hath commanded*. If the civill sword foolishly spare the life of the offender,⁴⁰ yet may not the kirke be negligent in their office, which is to excommunicate the wicked, and to repute them as dead members, & to pronounce the innocent partie to be at freedome, be they never so honourable before the world. (*FBD, The ninth head... Of Marriage*; italics added)

The Confession of Faith of the Kirk of Scotland: or, The National Covenant

The *National Covenant*, as it is generally known, was subscribed in Scotland several times between 1589 and 1651. It was subscribed “by Barons, Nobles, Gentlemen, Burgesses, Ministers and Commons” in 1638, and again in 1639 “by persons of all ranks and qualities.”⁴¹ Charles II subscribed the *National Covenant* in 1650 and again in 1651.

⁴⁰ The simple consideration of a negligent civil magistrate, reveals the uncharacteristically specious nature of the argument made by John Murray: “Our Lord instituted divorce for adultery (Matthew 5:31,32; 19:9); by implication he abrogated the Mosaic death penalty.” John Murray, *Principles of Conduct: Aspects of Biblical Ethics* (Grand Rapids, MI: Wm. B. Eerdmans, 1957), 119.

⁴¹ *Confession of Faith, Larger and Shorter Catechisms*, 347.

Charles II would later prove himself a perjurer, a persecutor of the Covenanters and a betrayer of the Second Reformation.⁴²

After citing a series of acts of the Scottish parliament, the National Covenant extracts this passage from them, the intent of which is to establish theonomic Christian Magistracy.

That all Kings and Princes at their coronation, and reception of their princely authority, shall make their faithful promise by their solemn oath, in the presence of the eternal God, that, enduring the whole time of their lives, they shall serve the same eternal God, to the uttermost of their power, according as he hath required in his most holy word, contained in the Old and New Testament; and according to the same word shall maintain the true religion of Christ Jesus, the preaching of his holy word, the due and right ministration of the sacraments now received and preached within this realm, . . . and shall abolish and gainstand all false religion contrary to the same; and shall rule the people committed to their charge, according to the will and command of God revealed in his foresaid word, and according to the laudable laws and constitutions received in this realm, nowise repugnant to the said will of the eternal God; and shall procure, to the uttermost of their power, to the kirk of God, and whole Christian people, true and perfect peace in all time coming: and that they shall be careful to root out of their empire all hereticks and enemies to the true worship of God, who shall be convicted by the true kirk of God of the foresaid crimes.⁴³

The Solemn League and Covenant

The purpose(s) and key dates relating to *The Solemn League and Covenant*⁴⁴ (SLC) are recorded in its extended title.⁴⁵ Its first stated purpose is the “reformation and defence

⁴² Charles II fled from Scotland to the continent later in 1651, escaping Cromwell’s forces. Following the death of Cromwell in 1658, and the collapse of the Protectorate in 1659, he was (in absentia) proclaimed King by the English Parliament on May 14, 1660. He returned to England, landing at Dover on May 26. In Scotland, the covenants were annulled and laws protecting Presbyterianism repealed by the “Act Rescissory” of the “Drunken Parliament,” March 28, 1661, and the covenants were declared unlawful oaths by the “Abjuration Act” of 1662. At the behest of Charles II, the covenants were burned by the public hangman, in London on May 22, 1661 and at Linlithgow, Scotland, on May 29, 1662.

⁴³ Ibid., 351-52.

⁴⁴ Ibid., 358-60.

⁴⁵ The full title is: THE SOLEMN LEAGUE AND COVENANT FOR Reformation and Defence of Religion, the Honour and Happiness of the King, and the Peace and Safety of the Three Kingdoms of Scotland, England, and Ireland; agreed upon by Commissioners from the Parliament and Assembly of Divines in England, with Commissioners of the Convention of Estates, and General Assembly in Scotland; approved by the General Assembly of the Church of Scotland, and by both Houses of Parliament and Assembly of Divines in England, and taken and subscribed by them, *Anno* 1643; and thereafter, by the said authority, taken and subscribed by all Ranks in Scotland and England the same Year; and ratified by Act of the Parliament of Scotland, *Anno* 1644: And again renewed in Scotland, with an Acknowledgment of Sins, (Footnote continued on next page.)

of religion.” The *SLC* was first “taken and subscribed” in 1643 by the General Assembly of the Church of Scotland, the English Parliament, and the Westminster divines and then by “all Ranks in Scotland and England.” Together with the *National Covenant* it was later “taken and subscribed” twice by Charles II, first in 1650 and then in 1651. Again, these were later seen to be acts of perjury.

The *SLC* presumed a king or other civil magistrate(s) who would uphold the Reformed religion. It bound all who swore to it to uphold the Reformed Faith, with all the powers their station in life gave them, but it did not bind them to support or even to recognize godless rulers who would reject the Reformed Faith.⁴⁶ The preamble began thus:

We, {noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the Gospel, and commons of all sorts, in the kingdoms of Scotland, England, and Ireland, by the providence of GOD *living under one king, and being of one reformed religion*,}⁴⁷ having before our eyes the glory of GOD, and the advancement of the kingdom of our Lord and Saviour JESUS CHRIST. (italics added)

All who took and subscribed the *SLC* swore before God that in their “several places and callings” they would:

endeavour the extirpation of Popery, Prelacy... superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine and the power of Godliness. (*SLC*, art. 2)

and Engagement to Duties, by all Ranks, *Anno* 1648, and by Parliament 1649; and taken and subscribed by *King Charles II.* at *Spey*, June 23, 1650; and at *Scoon*, January 1, 1651.

⁴⁶ Alexander Shields when writing about those Scottish Presbyterians who in 1687 had solicited and accepted the terms of the *Declaration of Indulgence* from James VII (James II of England) offering toleration on condition of their absolute loyalty to him, states emphatically that, “This is not a Christian loyalty, or profession of conscientious subjection, to a minister of God for good, who is a terror to evil doers, but a stupid subjection and absolute allegiance to a minister of antichrist, who gives liberty to all evil men and seducers. This is not the presbyterian loyalty to the king, in the defence of Christ’s evangel, liberties of the country, ministration of justice, and punishment of iniquity, *according to the national covenant*; and in the preservation and defence of the true religion and liberties of the kingdoms, *according to the solemn league and covenant*; but an erastian loyalty to a tyrant, in his overturning religion, laws and liberties, and protecting and encouraging all iniquity. This loyalty in doctrine will be found disloyalty to Christ.” Alexander Shiels, *A Hind Let Loose* (Glasgow, 1797), 213, <https://archive.org/details/hindletlooseorhi00shie>.

⁴⁷ The words within the curly braces were omitted when the *SLC* was renewed by Covenanters at Auchensaugh, Scotland (1712) and at Middle Octorara, Pennsylvania (1743). Thomas Henderson, ed., *The National Covenant, and Solemn League & Covenant... As they were Renewed at Auchensaugh near Douglas 24th July 1712* (Paisley, Scotland, 1820), 35,50. W. M. Glasgow, ed., *Renewal of the Covenants... As they were Carried on at Middle Octorara, in Pennsylvania, November 11, 1743* (1748; repr., n.p., [1895?]), 41. This is a *circa* 1895 reprint of a 1748 reprint, with the addition of an Introduction by W. M. Glasgow (1856-1909).

And according to their “several vocations,” they would:

preserve and defend {the King’s Majesty’s}⁴⁸ person and authority, in the preservation and defence of the true religion. (*SLC*, art. 3)

In other words, they would fully guard and protect the king’s, or other lawful civil magistrate’s, authority in his duty to preserve and defend true religion. Furthermore, they would do all within their power to see that offenders against the “reformation of religion” may receive “condign punishment.”

We shall also, with all faithfulness, endeavour the discovery of all such as have been or shall be incendiaries, malignants, or evil instruments, be hindering the reformation of religion, dividing {the King}⁴⁹ from his people,... that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient. (*SLC*, art. 4)

During the reign of James VII (James II of England), Covenanter, Alexander Shields (1660-1700), preached on the confederation of his fellow countrymen with James, and their defection from the *SLC*. While dealing with articles 3 & 4, he makes it clear that the “Penal statutes in the Old Testament” concerning idolatry are moral, and they “are not abrogated yet.” As far as idolaters and murderers are concerned, “condign punishment” (art. 4) means that they “should die the Death.”

He [James VII]... hath Arrogate[d] to himself an absolute power; by vertue [virtue] whereof he hath stopped and disabled all our Penal statutes made against *Idolaters*: and is intending to Rob us of all Privileges and Liberties, as we are Men and Christians.... Nay, we are obliged to cut off Idolaters: The Idolater should be put to Death, according to the Law of GOD; and those Penal statutes in the Old Testament are not abrogated yet, for they are Moral....

We are bound to bring the Malignant Enemies of GOD to Condign punishment. By the Law of GOD *Idolaters* should die the Death; and Murderers should Die the Death; that the Land should not be defiled with Blood.... And is that a bringing of these Enemies, Idolaters and Murderers to punishment, to Feed them, and Confederate with them? O ye have made thereby an unhappy Conjunction.⁵⁰

⁴⁸ These words were replaced by the more general phrase: “*the lawful supreme Magistrate’s*” in the marginalia, when the Covenants were renewed at Auchensaugh and Middle Octorara. Thomas Henderson, 5,51n. Glasgow, *Renewal*, 42n.

⁴⁹ The phrase “the king” was generalized to “*The lawful Magistrate, when obtained*” in the marginalia of the Covenant renewals at Auchensaugh and Middle Octorara. The words “*when obtained*” imply that the then current magistrates were not regarded as lawful. Thomas Henderson, 5,51n; Glasgow, *Renewal*, 42n.

⁵⁰ Alexander Shields, *Some Notes or Heads of a Preface and of a Lecture: Preached at Distinckorn-Hill, in the Parish of Gaastoun, by Mr. Alexander Shields, preacher of the gospel, 25 April, 1688* (n.p., 1688), 19.

Similarly, Shields in his work *A Hind Let Loose*, discusses the moral nature of Old Testament judicial, and positive laws. There is no doubting his theonomic inclinations.⁵¹

The Westminster Confession of Faith

In our own day, the *WCF* has been widely misunderstood and misrepresented on the issue of Theonomy. There are two principal reasons why this is so. Firstly, because modern writers have rarely taken the trouble to discover how the Puritans in general and the Westminster divines in particular, used the term *judicial law*. Secondly, there is a tendency to misread *WCF* 19.4.

The prevailing idea of the Puritans was that the judicial law was *twofold*. It was divided into two simple and ideally distinct categories:

- (a) A category that expired, and
- (b) A category that did not expire.⁵²

The expired category was the judicial law in the *strict* sense of that term. It was referred to in terms such as “Laws properly Judiciall”⁵³ and comprised laws of *particular*

⁵¹ Shiels, *Hind let Loose*, 775-79.

⁵² “Know then that of [the] Judicial laws of *Moses*, some are abrogated, some are not.” William Perkins, *A Commentarie or Exposition upon the Five First Chapters of the Epistle to the Galatians* (London, 1617), 202. Perkins uses the stronger word “abrogated” rather than “expired.”

This division of the judicial law was acknowledged recently by Richard J. Ross of the University of Illinois College of Law: “Mosaic legalists divided the judicial laws into two groups as the first step towards figuring out which rules still applied. Ordinances of ‘particular equitie’ prescribed ‘justice according to the particular estate and condition of the Jewes Commonwealth’....By contrast, precepts of ‘common’ or ‘general’ equity continue to bind in the present day because they were made ‘according to the lawe or instinct of nature common to all men: and these in respect of their substance, bind the consciences not onely of the Jewes, but also of the Gentiles’.” Ross uses the term “Mosaic legalists” for what we would call “theonomists.” Richard J. Ross, “Distinguishing Eternal from Transient Law: Natural Law and the Judicial Laws of Moses,” *Past and Present*, 217 no. 1 (November 2012): 85, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2168816. Ross is quoting, William Perkins, *A Discourse of Conscience* (Cambridge, 1596), 17, http://books.google.com/books/about/A_Discovrse_of_Conscience.html?id=rfVBAAAYAAJ.

⁵³ The term “Laws properly Judiciall” is taken from the marginalia of Daniel Cawdrey and Herbert Palmer, *Sabbatum Redivivum: or the Christian Sabbath vindicated*, part 1 (London, 1645), 6n, <https://books.google.com/books?id=IAA8AQAAMAAJ&pg=PA6&lpg=PA6&dq=intitle:sabbatum+intitle:redivivum&source=bl&ots=CNFuHrjUEj&sig=AkuCnVOnkGXYrMX8ZF5IC2GcL1Y&hl=en&sa=X&ei=hgCjVJjEPIaMyASqolDgCA&ved=0CGAQ6AEwDA#v=onepage&q&f=false>. All four parts are bound together; the unusually long URL is provided because of the importance of the book and the difficulty of finding it by a normal search.

(Footnote continued on next page.)

equity or *particular right* (*juris particularis*). These laws applied specifically to the Jewish nation—to Jews as Jews—not to mankind in general. Some protected the ceremonial law and some were typical in intent and nature.

A *broader, looser* usage of the term judicial law also included the unexpired laws. The unexpired category comprised laws said to be of *common* or *general equity*, or *common right* (*juris communis*). These laws were essentially moral and applied to Jews and Gentiles alike—to men as men—and made in the image of God. They were perpetually binding on Jew and Gentile alike.⁵⁴

An additional twist is that some Puritans understood the “Laws properly Judicial” as appendices to the *second* table of the Decalogue only, and not the first table. Samuel

Thomas Edwards uses similar language: “these lawes of punishing Idolaters, false Prophets, &c. *were not properly judicial Lawes*, nor abrogated by Christs coming...” (italics added). Thomas Edwards, *The Casting Down of the last and strongest hold of Satan, or, a Treatise against Toleration and pretended Liberty of Conscience* (London, 1647), 77.

⁵⁴ “Therefore the judiciall lawes of Moses according to the substance and scope thereof must be distinguished; in which respect they are of two sorts. Some of them are lawes of particular equity, some of common equity.” Perkins, *Discourse of Conscience*, 17.

The “lawes of particular equity” and “common equity” are noted in the marginalia as “*Iuris particularis*” and “*Iuris communis*,” respectively.

Essentially the same distinction is used in an article: “Abrogation of the Mosaic or Judicial Law of the Jews,” in *The Reformed Presbyterian*, translated from Turretin’s *Institutes of Elenctic Theology*. “There must be an accurate discrimination between those things which were strictly peculiar to the Jews and of *special obligation* [Lat. *juris particularis*] on them, growing out of their territorial locality as a nation, as also their condition and their times. Such was the law prescribing, in certain cases, the marriage of a man to the wife of his deceased brother, the writing of divorce, the gleaning of cornfields, and the like. On the other hand must be noticed those things which are of *common and universal obligation* [Lat. *juris communis & universalis*], founded in the laws of nature and applicable to all conditions of human society” (italics added). “Special obligation” corresponds to “particular right” and “common and universal obligation” corresponds to “common and universal right.” “Abrogation of the Mosaic or Judicial Law of the Jews,” *The Reformed Presbyterian*, August 1850, 172, 173. The translator simply uses the initial “C.”

Note that the G. M. Giger translation of the same passage uses the terms “particular right” and “common and universal right.” Francis Turretin, *Institutes of Elenctic Theology*, trans. G. M. Giger, ed. J. T. Dennison, Jr. (Phillipsburg, NJ: P & R, 1994), 2:166.

Rutherford⁵⁵ held this opinion as did his fellow Westminster divines, Samuel Bolton,⁵⁶ Daniel Cawdrey and Herbert Palmer. Laws protecting the first table were seen as moral.⁵⁷

Moreover, many of the laws of *particular equity* were to some extent grounded in *general equity*. Once these laws are stripped of all that relates to the special circumstances of the Jewish Commonwealth, there remains an intact core of moral law that still applies to all men everywhere.⁵⁸

Any divine who recognized the distinction between biblical laws of *particular equity* and laws of *common equity*, was by definition theonomic. He recognized that those laws not specifically designed for the Jewish commonwealth continue to be binding on Jew and Gentile alike. In view of this, it should go without saying that if a scholar does not know in which sense a divine is using the term judicial law, his analysis of what the divine is saying is likely to be muddled or totally wrong.

Often the distinction is implicit rather than explicit as observed in Fisher's Catechism.

Q. 94. What was the JUDICIAL law?

A. It was that body of laws given by God, for the government of the Jews, *partly founded in the law of nature* [common equity], and *partly respecting them, as they were a nation distinct from all others* [particular equity].

Q. 95. What were those laws which respected them as a people distinct from all others?

⁵⁵ "The Jewish State or Commonwealth, as such was ruled by the judicial Law onely, which respecteth onely the second Table, and matters of mercy and justice, and not piety and matters of Religion which concerne the first Table." Samuel Rutherford, *The Due Right of Presbyteries* (London, 1644), 68.

⁵⁶ "As for *the judicial law, which was an appendix to the second table*, it was an ordinance containing precepts concerning the government of the people in things civil..." (italics added). Samuel Bolton, *The True Bounds of Christian Freedom* (Edinburgh: Banner of Truth Trust, 1964), 56.

⁵⁷ "So then we esteem those properly *Judicials*, which between man and man were relatives [related] to the Land of *Canaan*, and expectation of the *Messiah*. And all other, (not such, nor *ceremonial* as before) we esteem *moral*." Cawdrey & Palmer, 7.

The expression "between man and man" implies laws relating to the second table of the Decalogue. This may well be a phrase translated from Thomas Aquinas who held a similar view of the judicial law. He wrote: "But judicial precepts are so called from judgment. Therefore it seems that the judicial precepts were those which directed the relations *between man and man*" (italics added). *The "Summa Theologica" Of St. Thomas Aquinas*, Part II. (First Part), Third Number (QQ. XC—CXIV), trans. Fathers Of The English Dominican Province, (London: R. & T. Washbourne, 1915), 240.

⁵⁸ "By the judicial law the Levites had not their portion in Canaan for their inheritance, as other tribes had; therefore, in lieu thereof, by the said law, they had the tenth of the rest of the people... The general equity, that they who communicate unto us spiritual matters, should partake of our temporals; and that they who are set apart wholly to attend God's service, should live upon that service, is moral." William Gouge, *A Commentary on the whole Epistle to the Hebrews*, vol. 2 (Edinburgh, 1866), 108. (William Gouge was a Westminster divine.)

A. They were such as concerned the redemption of their mortgaged estates, Lev. 25:13; the resting of their land every seventh year, Ex. 23:11; the appointment of cities of refuge for the man-slayer. Num. 35:15; the appearing of their males before the Lord at Jerusalem, three times in the year, Deut. 16:16; and the like.

Q. 96. Is this law abrogated, or is it still of binding force?

A. *So far as it respects the peculiar constitution of the Jewish nation [particular equity], it is entirely abrogated; but in so far as it contains any statute, founded in the law of nature, common to all nations [common equity], it is still of binding force.*⁵⁹ (italics added)

Q. 95 makes it clear exactly which kinds of laws are considered to be of particular equity. These are very different from judicial laws dealing with moral offenses such as blasphemy, adultery, etc.

There is also an observable tendency—sometimes, perhaps, driven by anti-theonomic bias—to misread a key clause in *WCF* 19.4 dealing with “Laws properly Judiciall.”

To them [the O.T. Jews] 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. (*WCF* 19.4)

The expression “He gave sundry judicial laws, which expired...” is usually misread as if the word “sundry” was not there, or as if it were completely redundant. Such a misreading could imply that *all* the judicial laws expired, and ignores the fact that Puritans understood the laws of *common equity* (*juris communis*) never to have expired. The word “sundry,” usually meaning “various” or “several,” removes any implication that *all* judicial laws are in view and have expired.⁶⁰ The clause in question means simply

⁵⁹ James Fisher and other Ministers of the Gospel, *The Assembly's Shorter Catechism Explained by way of Question and Answer*, 22nd ed. (Edinburgh, 1849), 226-27, <https://archive.org/details/assesshor00fish>. This was a Seceder rather than a Covenanter publication. A new edition (PDF) is available from <http://reformed.org/documents/fisher/Fisher.pdf>, see p. 200.

⁶⁰ See: Francis Nigel Lee, “Are the Mosaic Laws for Today?” 3rd Revised Edition (2004), <http://www.dr-fnlee.org/docs4/atmlft/atmlft.pdf>.

An example of ignoring the word “sundry” occurs in an article by Matthew Winzer in *The Confessional Presbyterian*. He dismisses its obvious import as “various” or “several,” and also fails to recognize the fundamental division in the judicial law into laws of *particular equity* and *common equity*, made by Puritan divines. As explained, the first category expired, the second category, being moral and universally binding, did not. Seemingly unaware of the two categories (or subsets) of judicial law and ignoring the intent of the word “sundry,” Winzer writes: “At no point does it [the text of *WCF* 19.4] partition the judicial law and speak of a subset of them. The pronoun, *which*, refers back to what was given to Israel—‘sundry judicial laws.’ It is therefore the whole set of judicial laws which are expired, and not merely a subset of them.” Furthermore, the reader will realize that Winzer’s argument about the use of the pronoun “which” is circular, assuming what it purports to prove. Matthew Winzer, “The Westminster Assembly & the Judicial Law: II. Analysis,” *The Confessional Presbyterian*, 5 (2009): 68.

(Footnote continued on next page.)

that sundry or various judicial laws expired, not all of them. It is absurd to apply it to laws of common equity which the Puritans considered to be unexpired and universally binding.

The whole of *WCF* 19.4 applies exclusively to “Laws properly Judicial”—the expired laws of *particular equity*. Although no part of *WCF* 19.4 applies to judicial laws of *common equity*, the last clause allows for the fact that some laws of *particular equity* are partially grounded in *common* or *general equity* of abiding application.⁶¹ By contrast, the *unexpired* laws belong to the moral law and are therefore covered by *WCF* 19.5, which deals with the perpetually binding obligation of the moral law. William Ames expressed the moral nature of the unexpired laws beautifully.

For God would have his Law guarded with such kind of injunctions as with bounds to keepe men off from more heynous sinnes. Now as the bounds and wall which defended the house was reckon'd as one with the house, so these [judicial] appendixes to the commandements make but one Decalogue.⁶²

The above discussion of *WCF* 19.4, etc., is a brief digest of my article: *Understanding the Westminster Confession of Faith, Section 19.4, on the Judicial Law and General Equity*.⁶³ The article contains much more evidence of the unequivocally theonomic nature of the *WCF*, in the form of citations and extracts from the Westminster divines, and their Puritan contemporaries and predecessors, than can be presented here. The parallel teaching of some continental divines is also noted.

The Scripture proofs used to ratify the Confession’s teaching on the authority of the civil magistrate provide good insight into the theonomic intent of the *WCF*. Among the proofs given in *WCF* 20.4 for “the power of the civil magistrate” to proceed against heretics and other disturbers of the “the external peace and order which Christ hath established in the Church” are: Deut. 13:6-12; 2 Kings 23:5,6,9,20,21; 2 Chron. 15:12,13,16; Zech. 13:2,3.⁶⁴

In this regard, it is also significant that *WCF* 20.1, speaking of Christian liberty says: “...under the new testament, the liberty of Christians is further enlarged in their freedom from the yoke of the ceremonial law, to which the Jewish Church was subjected. *WCF* 20.1 tells us that “freedom from the yoke of the ceremonial law, to which the Jewish Church was subjected” is part of Christian liberty but makes no comparable statement about the judicial law. There is no hint in *WCF* 20 that the judicial law, as it protects the Decalogue, is a “yoke” or that we are free from it.

⁶¹ For example, the law of not muzzling the ox, Deut. 25:4, is used by Paul to establish the Lord’s ordination “that they which preach the gospel should live of the gospel,” 1 Cor. 9:9-14.

⁶² Ames, *Conscience*, 109.

⁶³ Available at: “Free Download: ‘Understanding the Westminster Confession of Faith, Section 19.4, on the Judicial Law and General Equity,’” *Theonomy Resources* (blog), October 28, 2011, <http://theonomyresources.blogspot.com/2011/10/free-download-understanding-westminster.html> .

⁶⁴ The remaining Scripture proofs are: Rom. 13:3,4; 2 John 10,11; Ezra 7:23,25-28; Rev. 17:12,16,17; Neh. 13:15,17,21,22,25,30; 2 Kings 23:5,6,9,20,21; Dan. 3:29; 1 Tim. 2:2; Isa. 49:23.

Observe that Deut. 13:6-12 is cited as a judicial law of common equity—it would not serve as a proof if it had expired—mandating the civil magistrate to treat seduction to idolatry as a capital crime.

If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which *is* as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers...Thou shalt not consent unto him, nor hearken unto him...But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people. (Deut. 13:6,8,9.)

2 Chron. 15:12,13,16. This proof demonstrates the divines' belief in the duty of Christian nations to covenant with God, as in the *Solemn League and Covenant*, and the duty of civil magistrates to enforce such covenants. Idolatrous magistrates are to be deposed.

And they entered into a covenant to seek the LORD God of their fathers with all their heart and with all their soul; That whosoever would not seek the LORD God of Israel should be put to death, whether small or great, whether man or woman....And also *concerning* Maachah the mother of Asa the king, he removed her from *being* queen, because she had made an idol in a grove: and Asa cut down her idol, and stamped *it*, and burnt *it* at the brook Kidron. (2 Chron. 15:12,13,16.)

Zech. 13:2,3 provides clear evidence of the divines' theonomic perspective. It is not a judicial law as such, but rather a prophecy that judicial laws of *common equity* will be enforced in the *New Testament* era, particularly in the Millennium. Notice how false prophets are dealt with.

In that day there shall be a fountain opened to the house of David and to the inhabitants of Jerusalem for sin and for uncleanness. And it shall come to pass in that day, saith the LORD of hosts, *that* I will cut off the names of the idols out of the land, and they shall no more be remembered: and also I will cause the prophets and the unclean spirit to pass out of the land. And it shall come to pass, *that* when any shall yet prophesy, then his father and his mother that begat him shall say unto him, Thou shalt not live; for thou speakest lies in the name of the LORD: and his father and his mother that begat him shall thrust him through when he prophesieth. (Zech. 13:1-3.)

A similar but not identical set of proofs are provided to support the magistrates duties in *WCF* 23.3:

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. (*WCF* 23.3—part)

The Scripture proofs for this extract are: Isa. 49:23; Ps. 122:9; Ezra 7:23,25-28; Lev. 24:16; Deut. 13:5,6,12; 2 Kings 18:4; 1 Chron. 13:1-9; 2 Kings 24:1-26; 2

Chron. 34:33; 2 Chron. 15:12,13. Interested readers may wish to examine these for themselves. *WCF* 23.3 will be dealt with in the context of the RPCNA later.

The Queensferry Paper

This document was produced in a time of deadly persecution of the Covenanters, in the latter part of the reign of Charles II. Johannes “Jack” G. Vos in his concise but excellent history, *The Scottish Covenanters*, explains its origin and why it was so-called:

On June 4th, 1680, a paper was found on the person of Henry Hall, a strict Covenanter who was apprehended at South Queensferry, from which fact the paper was afterwards known as the Queensferry Paper. It was an unsigned document, but is regarded as having been produced by the joint labors of Hall and Donald Cargill. The document was long, comprising about 6,000 words... it was the first formal statement of the distinctive principles of the group which later became known as Cameronians, MacMillanites and Reformed Presbyterians.⁶⁵

The *Queensferry Paper* expresses the firm commitment of the Covenanters to appoint godly magistrates who will rule theonomically, according to the judicial law of Scripture—excluding, of course, those parts that are “ceremonial or typical.”

Moreover we declare, that those men whom we shall set over us, shall be engaged to govern us principally by that civil and judicial law (we think none will be so ignorant as to think, by the judicial law we mean that which is ceremonial or typical) given by God to his people of Israel, no man, we think, doubting, but it must be the best so far as it goes, being given by God.⁶⁶

In a lecture on 2 Chron. 19:1-2, Donald Cargill makes reference to the *Queensferry Paper* and reaffirms the duty of the Christian magistrate to enforce the judicial law. Then, with more than a hint of irony, he adds, “let Heathens and Turks go to the Law that Nature finds out.”⁶⁷ Evidently, he considered natural law to be of little value to the Christian magistrate.

⁶⁵ Johannes G. Vos, *The Scottish Covenanters* (Pittsburgh, PA: Crown & Covenant, 1980), 98-99. Vos (1903-1983) had the middle name *Geerhardus* and it is worth noting that he was the son of the Princeton theologian, Geerhardus Vos. He was ordained into the ministry of the RPCNA in 1929 and spent several years in the run up to World War II, as a missionary in Manchuria until expelled by the Japanese in 1941.

⁶⁶ John C. Johnston, *Treasury of the Scottish Covenant* (Edinburgh, 1887), 138. The *Queensferry Paper* is also available online at “Welcome to the Covenanted Reformed Presbyterian Church Homepage,” True Covenanter, accessed February 15, 2012, <http://www.truecovenanter.com>.

⁶⁷ “We shall say this one word more, there is one Great Thing Folk stumbles at in that *Paper* [the *Queensferry Paper*] that *Kings* ought to Rule or Judge according to the *Judicial Law*; and that these *Laws* *Kings* ought to Rule by, ought to be according to the *Word of GOD*, And think ye this a Great Wrong? The *People of GOD* was ruled Two Hundred Years and upwards by this *Law* only, and can any be fitter to be a *Law-Giver* than *GOD*?... So the *Law* of *GOD* should be our *Law*. Where the *Law* of *GOD* is received [is]

(Footnote continued on next page.)

The Ploughlandhead, Act, Declaration, and Testimony

American Reformed Presbyterianism was rooted deeply in Scottish Reformed Presbyterianism. Writing in *The Covenanter* of May 1849, John B. Johnston tells us, “That the American church, till 1806, was bound by the Scottish testimony, no one will deny.”⁶⁸ This was to be expected because Covenanter ministers, serving in North America during the latter half of the 18th century, were ordained in Scotland or Ireland before moving to North America. The previously mentioned *ADT* was part of the Scottish Reformed Presbyterian “Terms of Communion” which, prior to 1807, were also used by American Reformed Presbyterians.⁶⁹ Item 5 of these Terms requires:

The owning of all the scriptural testimonies and earnest contendings of Christ’s faithful witnesses, whether martyrs under the late persecution, or such as have succeeded them in maintaining the same cause, and *especially* of the Judicial Act, Declaration and Testimony, emitted by the Reformed Presbytery.⁷⁰ (italics added)

Notice how the word “especially” emphasizes the importance of the *ADT*.

According to the *ADT*, those guilty of promoting anti-Christian or heretical opinions or attempting to destroy “pure peace and good order established by CHRIST in his church” are to be dealt with “by inflicting ecclesiastical censures or civil pains, in a way agreeable unto the divine determination in the word concerning such offences.” (*ADT*, 186) The civil magistrate may not assign arbitrary penalties; they must be “agreeable unto *the divine determination in the word*”—a core principle of Theonomy.

Pluralism, the toleration by the civil magistrate of any and all heresies and false religions is seen as striking “against the sovereign authority of God,” as destructive “of all true religion” and Christian liberty.

where *Christians* are; Let *Christians* go to the *Law* which GOD has found out; And let *Heathens* and *Turks* go to the *Law* that *Nature* finds out” (italics and capitalization as in original). “A Lecture upon 2 Chronicles 19th Chapter, First and Second Verses,” *A Lecture and Sermon Preached at Different Times by that Faithful and Painful Minister of the Gospel, and now Glorified Martyr Mr. Donald Cargill* (n.p., n.d.), 10. Online at: “A Lecture and Sermon....” True Covenanter, accessed February 15, 2012, http://www.truecovenanter.com/cargill/cargill_lecture_and_sermon_re_unlawful_association.html.

⁶⁸ John B. Johnston, “‘Terms of Communion.’—Extent of their Obligation,” *The Covenanter*, May 1849, 296.

⁶⁹ “In 1807 Presbytery adopted revisions of the Terms of Communion and the Formula of Queries. The original Terms and Queries, of which there is no record extant, evidently were those of the Presbyteries in Scotland and Ireland (for these, see Hutchison’s *The Reformed Presbyterian Church*, p. 213).” *RPCNA Constitution*, 1-2.

⁷⁰ Hutchison, 213.

And further, they declare, that it is most wicked, and what manifestly strikes against the sovereign authority of God, for any power on earth to pretend to tolerate, and, by sanction of civil law, to give licence to men to publish and vent whatever errors, heresies, and damnable doctrines, that Satan, and their own corrupt and blinded understandings may prompt them to believe and embrace; toleration being destructive of all true religion, and of that liberty wherewith CHRIST has made his people free (*ADT*, 186).

The *ADT* teaches that God for “his own glory and the public good” has provided civil magistrates with, among other things, the theonomic duty to enforce *both* “tables of the law.” God has:

authorised and instituted in his word the office and ordinance of civil government and governours, for the preservation of external peace and concord, administration of justice, defence and encouragement of such as are, and do good, and punishment of evil doers, who transgress either table of the law (*ADT*, 189).

The civil magistrate is called to defend the Church from all enemies of the truth and use civil sanction—as distinct from ecclesiastical sanction—to ensure that all the workings of “CHRIST’s house” are “done according to the law of the God of heaven.” Thus:

magistrates are especially to exert [their power] for defence of the church of God, against all her external enemies, purging out of their dominions all blasphemers, idolaters, false-worshippers, hereticks, and all openly malignant enemies of truth and godliness, with all avowed contemnors of the worship and discipline of the house of God; and by his civil sanction to corroborate all the laws and ordinances of CHRIST’s house, providing and enjoining, that every thing in the house of the God of heaven, be done according to the law of the God of heaven (*ADT*, 190).

Some Notable Reformed Presbyterian Ministers in the United States

Presented below are extracts from a number of Reformed Presbyterian ministers serving mainly in the first 60 years of the 19th century. These extracts demonstrate: (a) their theonomic commitment; and (b) their rejection of any claim that natural law, although in complete harmony with *both* tables of the moral law, provides a sufficient basis for Christian Magistracy in a fallen world. A brief biographical summary is given for each minister, most of which is taken virtually word-for-word—except for considerable abridgement—from W. Melancthon Glasgow’s *History of the Reformed Presbyterian Church in America*.⁷¹

⁷¹ W. Melancthon Glasgow, *History of the Reformed Presbyterian Church in America* (Baltimore, 1888), <http://archive.org/details/historyofrefor00glas>.

Alexander McLeod, DD (1774-1833)

Alexander McLeod was born on the Isle of Mull, Scotland. His father was a Church of Scotland minister. Sadly, he was deprived of both his pious parents at an early age; nevertheless, he received an excellent classical education, and in 1792 came to America at the age of 18, finding employment as a teacher of Greek in Schenectady, NY. He graduated from Union College in 1798, studied theology under the direction of Rev. James McKinney, and was ordained and installed pastor of the united, Reformed Presbyterian congregations of Coldenham, NY, and the City of New York in 1801. By 1803 he was able to devote his efforts entirely to the rapidly growing congregation in the City of New York. According to W. M. Glasgow,⁷² he was “in the front rank of the scholars and preachers of his day.” He received calls from several denominations, and was “sought after by different institutions of learning,”⁷³ including “an invitation to become vice-president of what is now Princeton University.”⁷⁴ All these were declined so that he might continue to serve his flock in the City of New York.

Alexander McLeod on Magistracy and Theonomy

McLeod believed that “civil rule should be regulated by the maxims of Christian law.”⁷⁵ Accordingly, the constitution of civil government should conform to the “preceptive will of God,” i.e. to the will of God as revealed in Scripture, especially in the moral law. Thus, all aspects of magistracy “should be warranted by the moral law.”

But the essential ingredients of the constitution [of civil authority] should be in agreeableness to the preceptive will of God. That the power of the magistrate should be warranted by the moral law, in respect to its nature, ends, subject, manner of acquisition, and the condition upon which it is held.⁷⁶

McLeod was the author of the original draft of the *Declaration and Testimony* of 1806 which as previously cited, in its final form, contained the words, “It is the duty of the Christian magistrate to take order, that open blasphemy and idolatry, licentiousness and immorality, be suppressed.”⁷⁷ We saw that the theonomic intent of these words was

⁷² Glasgow, *History*, 608-11.

⁷³ *Ibid.*, 609.

⁷⁴ Carson, 24.

⁷⁵ Alexander McLeod, *A Scriptural View of the Character, Causes, and Ends of the Present War* (New York, 1815), 31, <http://archive.org/details/scripturalviewof00>.

⁷⁶ Samuel B. Wylie, *Memoir of Alexander McLeod, D. D., New York* (New York, NY, 1855), 37, <http://archive.org/details/memoirofalexander00wylj>. McLeod is concurring with the thoughts expressed in John Thorburn’s *Vindiciae Magistratus* (Edinburgh, 1773).

⁷⁷ *Declaration and Testimony* (1806), 106.

confirmed by the use of Lev. 24:16 as a Scripture proof, because the judicial law of Lev. 24:16, which prescribes the death of the blasphemer, is presumed to be still binding. It would be worthless as a Scripture proof if it did not apply to the present day.

The legitimate concern that McLeod's draft version of the above quotation might have been materially changed by an amendment⁷⁸ before reaching its final form can be quickly dispelled. That is because a similar statement is found in his pamphlet, *Messiah, Governor of the Nations of the Earth*, thus making it clear that the quotation agrees with his thinking on these matters.

Coercion, indeed, may never be used [by the civil magistrate] in order to make his subjects Christians; but it may and must be used in order to suppress immorality, prophaneness, and blasphemy, and in order to remove the monuments of idolatry from the land.⁷⁹

In his work, *Negro Slavery Unjustifiable*, McLeod cites the judicial law of Exod. 21:16 as "obligatory still" because "it proceeds on moral ground." This is the essence of Theonomy which recognizes the major subset of judicial laws which uphold the moral law—laws of common equity—as permanently binding.

The divine law declares this [man stealing] a crime, and prescribes the punishment. *He who [that] stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death* [Exod. 21:16]. This law was given to the Hebrews as a body politic; but it proceeds on a moral ground, and is, consequently, obligatory still on every subject of moral government.⁸⁰

Alexander McLeod on Natural Law

McLeod sees no conflict between moral and natural law; the Divine law is one and the same whether viewed as moral or natural. This law is universally binding.

Nevertheless, the Divine law is one, moral and natural. . . . The moral relations between rulers and ruled. . . must depend upon the Divine law, which is universal and obligatory.⁸¹

⁷⁸ The final form of the *Declaration and Testimony* of 1806 contained some unspecified amendments. After these were added it was unanimously approved and ratified. *Declaration and Testimony* (1806), n.p. (see certification following title page).

⁷⁹ Alexander McLeod, *Messiah, Governor of the Nations of the Earth* (Elmwood Park, NJ: Reformed Presbyterian Press, 1992), 33, http://www.rpts.edu/media/documents/AD/Messiah_b.pdf. A different edition can be found here, n.p., <http://www.reformedonline.com/pamphlets.html>.

⁸⁰ Alexander McLeod, *Negro Slavery Unjustifiable*, 11th ed. (New York, 1863), 6, <http://archive.org/details/negroslaveryunju00mcle>. Page ref. is same for original edition (1802). See also McLeod, *Scriptural View*, 56.

⁸¹ Wylie, *Memoir of Alex. McLeod*, 36-37.

In McLeod's view, the civil magistrate is to rule according to the "law of nature" which he sees as one with the moral law. Scripture revelation is a "communication of God's will" from "the author of nature." It is an "illustration and aid," giving light on how to discern and apply that law; an "illustration and aid" which is fully binding, and should be reflected in "national polity."

The law of nature is the rule of the magistrate's duty, and embraces the Scripture revelation for its illustration and aid because it necessarily binds all the subjects of moral government to attend to every communication of God's will made to them by the author of nature.⁸²

The kingdom of Christ is *of* God, *over* the nations, therefore we apply the laws of that kingdom to the national polity.⁸³

Only in nations which are deprived of the light of God's word, is the civil magistrate limited to natural law alone; such nations are confined to "the law of nature, which, where revelation does not exist, is the only standard of civil duty."⁸⁴ Christian ministers are called to remedy this situation and to "endeavour to...restore them in allegiance to their lawful governor, 'the prince of the kings of the earth.'"⁸⁵

Samuel Brown Wylie, DD (1773-1852)

Samuel B. Wylie was born in County Antrim, Ireland, studied at the University of Glasgow, Scotland and came to America in 1797. He was the first Covenanter minister ordained in America (*sine titulo*) at Ryegate, Vermont, in 1800. In 1803 he was installed as pastor of the congregation in Philadelphia, and eventually became the first Professor in the newly organized Theological Seminary there. Later, he was elected Professor of Latin and Greek in the University of Pennsylvania, and held this position until his retirement (Emeritus).⁸⁶

⁸² McLeod, *Messiah, Governor*, 48.

⁸³ McLeod, *Scriptural View*, 33.

⁸⁴ *Declaration and Testimony* (1806), 105; we are here assuming that the quotation was as originally written by McLeod, and not materially changed by amendment.

⁸⁵ McLeod, *Scriptural View*, 33.

⁸⁶ *Ibid.*, 740-41. Glasgow notes that, "At the division of the Church in August, 1833, Wylie became identified with the New School [New Light] branch of the Covenanter Church." The other 19th century R.P. ministers discussed later were Old School. Alexander McLeod died a few months before the division.

Wylie wrote a book with the intriguing title, *The Two Sons of Oil; or, The Faithful Witness for Magistracy and Ministry upon a Scriptural Basis*.⁸⁷ “The Two Sons of Oil” is a reference to the “two olive branches” and the “two anointed ones” of Zech. 4:12,14. It is best to let him explain the title in his own words:

The Church of Christ may be considered under a twofold point of view, namely, invisible and visible. In relation to the first, the two olive branches may be emblematical of Christ and his Spirit, the Redeemer and Comforter....In relation to the second, viz., the visible church, they may be symbolical of the two great ordinances of Magistracy and Ministry, vested at that time in these two illustrious characters, Zerubbabel and Joshua, the former in the state, and the latter in the church. They are characterized as “Sons of Oil.”⁸⁸

Wylie’s purpose was to expound the biblical teaching on Magistracy and Ministry, the relationship between them, and what he saw as the shortcomings of the United States’ Constitution and individual State constitutions. For Wylie, the primary calling of the civil magistrate is to uphold God’s laws and protect the true Religion.

That magistrates have officially, by divine authority, something to do with religion, to enforce the commands of God, and suppress the violations of his law, appears plain even from New Testament documents. Rom. xiii. 4. “He (the magistrate) is the minister of God.” ...In one word, when speaking of idolaters, Deut. vii. 5, he commands, “to destroy their altars, and break down their images, and cut down their groves, and burn their graven images with fire.” Upon whom are these injunctions obligatory? Is it only upon private individuals? Is the magistrate exempted? Does the circumstance of his being God’s minister, loose him from the obligation of the divine law?

This, indeed, would be doctrine worthy of modern illumination. But it stands in direct contradiction to the whole volume of the book of God. See one passage, Deut. xvii. 18, 19...

The civil magistrate ought to defend and protect the church of Christ. Isai. xlix. 23. “Kings shall be thy nursing fathers, and their queens thy nursing mothers,” &c. Does not this imply protection?⁸⁹

This is exactly in line with the *Scots Confession 1560*, Art. 24, quoted above, and with the teaching of the Puritans. It is of interest that Wylie’s *The Two Sons of Oil* elicited an

⁸⁷ Samuel B. Wylie, *The Two Sons of Oil; or, The Faithful Witness for Magistracy and Ministry upon a Scriptural Basis*, 3rd ed. (Philadelphia, 1850), <https://archive.org/details/twosonsofoilorfa00wylirich>. The original edition appeared in 1803. Thirty or so years later Wylie repudiated the criticisms of the Federal Constitution he had expressed in this work.

⁸⁸ Ibid., 6-7.

⁸⁹ Ibid., 24-26.

anti-theonomic response from William Findley, a US Congressman from Pennsylvania, in the form of a full length book.⁹⁰

Samuel B. Wylie on Magistracy and Theonomy

Wylie speaks of the “Divine Law” as God’s prescribed constitution. The civil magistrate has the duty to enforce the penalties specified therein:

It may perhaps be inquired, what are those things which he may lawfully command? To this I answer, he may lawfully command whatever is contained in the constitution, prescribed by him [God] whom he represents. Deut. xvii. 18, we are told what this is, namely, the Divine Law. *Whatever penalties are specified in that law, and nowhere either repealed or mitigated, should be duly inflicted, in case of disobedience.*⁹¹ (italics added)

This duty extends to both tables of the law. The second table he regards as obvious and therefore focuses on the first table, taking each commandment in turn:

That offences against the second table of the moral law are punishable, is admitted by all. This, therefore, requires no proof.

That breaches of the first table should also be punished, is equally warranted by reason, and the word of God, Let us examine the penalties annexed to the obstinate violation of the first four precepts of the decalogue. With respect to the first of these, see Deut. xiii. 1, 5. “If there arise among you a prophet, or a dreamer of dreams that prophet, or that dreamer of dreams, shall be put to death, because he hath spoken lies, to turn you away from the Lord your God, which brought you out of the land of Egypt”...

With respect to the second commandment, the penalty annexed to the breach of it is also expressly stated in Deut. xiii. 6. “If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Come, let us go, serve other gods thou shalt not consent unto him, neither shalt thou spare, neither shalt thou conceal him, but thou shalt surely kill him.” Compare Exod. xxxii. 27....Shall he who robs God of his glory, and gives it to graven images, stocks, and stones, who, as in Hab. i. 16, sacrifices unto his net, and burns incense to his drag, be allowed to pass with impunity?

With respect to the third precept of the decalogue, we are informed, Lev. xxiv. 15,16. “Whosoever curseth his God, shall bear his sin, and he that blasphemeth the name of the Lord, he shall surely be put to death; and all the congregation shall stone him,” &c. Shall a man be punished for a treasonable expression against an earthly magistrate, and be

⁹⁰ William Findlay, *Observations on “The Two Sons of Oil”* (Pittsburgh, 1812), <http://archive.org/details/observationsonth00findrich>.

⁹¹ Wylie, *Sons of Oil*, 30.

protected in blaspheming Christ, denying his divinity, and vilifying and reproaching his blessed Spirit!!⁹²

Wylie believes that Sabbath keeping is to be enforced and invokes Neh. 13:21 as an “approved example” proving that “obstinate violators” are to be punished by the Christian magistrate:

With respect to the fourth, we may consult Nehemiah xiii. 15,19. When the people about Jerusalem engaged about secular employments, bearing burdens, and trafficking out and in the city, he expostulates with them, shuts the gate of the city, and sets his servants to see that no burdens be brought in on the Sabbath. And in the 21st verse, he testifies against the merchants who lodged about the gates and wall, saying, “Why lodge ye about the wall? If ye do so again, I will lay hands on you.” Here, we have an approved example, for punishing the obstinate violators of the holy Sabbath. Thus, the breakers of all the precepts of the first table are punishable by civil pains.⁹³

Later in the book, when explaining that enforcing the laws of God is not persecution, he again makes it clear that the penalties to be enforced are those “specified” in the Divine law itself, a fundamental principle of Theonomy:

*Whatsoever the law of God commands to be punished, ought to be punished with the penalties therein made and provided; but God has commanded gross heretics, blasphemers, and idolaters, to be punished with certain specified penalties. Therefore, such ought to be punished.*⁹⁴ (italics added)

Furthermore, according to Wylie, such penalties apply to all men and not just to the Jews of biblical times.

These commands could not belong to the ceremonial law, for then they would have flowed entirely from the arbitrary will of God, and been mere signs between him and Israel. Who would dare to think so of gross heresy, &c.? *Neither could they belong to that part of the judicial law which respected the Jews peculiarly.* Who would dare to say that none but the Jews were, or are, under obligation to worship God in purity, or abstain from blaspheming his nature and dignity? They must, therefore, *belong to the moral law*, and flow from the moral nature of Jehovah, who has declared he will not give his glory to another, nor his praise to graven images.⁹⁵ (italics added)

This fits exactly with what was said earlier about a twofold judicial law. His reference to “that *part* of the judicial law which respected the Jews peculiarly” corresponds to the

⁹² Ibid., 34-35.

⁹³ Ibid., 35-36.

⁹⁴ Ibid., 91.

⁹⁵ Ibid., 92.

specifically Jewish laws of *particular equity*. Laws against gross heresy, blasphemy, etc., “belong to the moral law” and correspond to the judicial laws of *common equity*.

Samuel B. Wylie on Natural Law

Wylie cites part of *WCF* 23.4 which states that “Infidelity or difference of religion” does not disqualify a civil magistrate. This he applies only to magistrates of nations who rely only on the “dim and feeble” light of nature, and which have not discovered the “meridian splendor” of special revelation.⁹⁶ Once the teachings of Scripture become known they must be adopted, and incorporated into “civil legislation.” We would add that interpreting *WCF* 23.4 in this way avoids any conflict with the *SLC*.

“Infidelity or difference of religion, does not make void the magistrate’s just and lawful authority.” This light, [the light of nature] though but dim and feeble, is not opposed to the light of revelation. It springs from the same source, and cannot be contradictory. It differs in quantity, as the morning dawn from the meridian splendor of the lamp of day....But while the Bible recognizes the legitimacy of governments constituted in the mere light of nature, it requires every community to adopt the instructions of revelation, so soon as enjoyed, and incorporate the maxims of supernatural wisdom with civil legislation.⁹⁷

James Renwick Willson, DD (1780-1853)

The ancestors of James R. Willson were Covenanters who came to America in 1713. His place of birth was Allegheny County in western Pennsylvania. Although initially connected with the Associate Reformed Church, he was ordained and installed pastor of the Reformed Presbyterian united congregations of Coldenham and Newburgh, New York in 1817. He continued at Coldenham except for a period of three years when he was pastor of the Reformed Presbyterian congregation in Albany, New York. While in Albany he served as a chaplain to the New York State Assembly—a position from which he was summarily *expelled*. In the words of W. Melancthon Glasgow:

During his residence in Albany, he was frequently called upon to open the Legislature with prayer. His fame soon became known as he denounced the ungodliness of that body, and the wickedness of the city. The Legislature feared his prayers. When he preached his

⁹⁶ Wylie’s citation from *WCF* 23.4, is best understood in the sense of the *Declaration and Testimony* (1806), 105: “It is lawful for Christians residing in nations in which the light of the gospel has not been generally diffused, to continue in submission to such authority as may exist over them, agreeably to the law of nature, which, where revelation does not exist, is the only standard of civil duty. In such cases the infidelity of the ruler cannot make void the just authority conferred upon him by the constitution.”

⁹⁷ Wylie, *Memoir of Alex. McLeod*, 456. Wylie wrote these words after the division of 1833 had taken place. The Reformed Presbyterian Church had irreparably split into two separate factions. As noted earlier, Wylie identified with the New Light faction.

famous sermon “Prince Messiah,”⁹⁸ the Legislature discussed it for a whole sitting, and denounced the author in the most violent terms. The prayers of such a man were, by a unanimous vote, banished from the legislative halls; the sermon was consumed in a public bonfire, and the author burned in effigy before the State House door.⁹⁹

The attitude of the legislature reminds one of the blame transference in the wicked king Ahab’s words to Elijah: “Art thou he that troubleth Israel?” 1 Kings 18:17.

Willson was later chosen as Professor of Theology in 1836 and was a prolific writer on many subjects, especially on themes relating to Christian Magistracy.¹⁰⁰

James R. Willson on Magistracy and Theonomy

Willson’s theonomic views are well illustrated by his paper, “The Written Law,” originally published in 1838.¹⁰¹ They are explained in the context of the Reformed doctrine of Christian Magistracy and the Mediatorial Dominion of the Lord Jesus Christ.

Care must be taken to understand Willson’s terminology. He uses the term “judicial” to apply only to the expired subset of judicial laws that were peculiar to biblical Israel. These were referred to earlier in this article as “Laws properly Judicial,” i.e. laws of *particular equity* or *juris particularis*. He tells us that the laws “commonly called judicial” are no longer in force except for “their spirit and import”—what *WCF* 19.4 refers to as their “general equity.” Willson uses the example of “gleaning” in his explanation of what he means by a judicial law:

There were also laws peculiar to the state of the Jewish commonwealth—commonly called judicial—which are no longer of force except as to their spirit and import. Such are the provisions respecting the reaping the corners of their fields, the gleaning of the vintage and of the harvest, that were to be left for the poor of the land. These laws instruct in the duty of making benevolent provision for the destitute; but the prescribed manner of doing so, is no longer obligatory.¹⁰²

⁹⁸ Republished in James R. Willson, *Political Danger*, 243-63 & 264-97 (two parts).

⁹⁹ Glasgow, *History*, 726. This took place in 1832. For what may be an autobiographical account, see “Persecution,” *The Albany Quarterly*, ed. James R. Willson & Samuel M. Willson, 1 no. 1 (1832):19 (repeated page no.), (<http://www.rparchives.org/albany.html>). A more critical view of James R. Willson, but nevertheless a very informative account of this and related events, is found in James S. Kabala, “‘Theocrats’ vs. ‘Infidels’: Marginalized Worldviews and Legislative Prayer in 1830s New York,” *Journal of Church and State* 51, no. 1 (Winter 2009): 78-101, doi:10.1093/jcs/csp002.

¹⁰⁰ The biographical information presented for James R. Willson is mainly taken from two sources: Glasgow, *History*, 723-27, and James R. Willson, *Political Danger*, 9-14 & 15-19.

¹⁰¹ Republished in James R. Willson, *Political Danger*, 383-448.

¹⁰² *Ibid.*, 417.

By contrast, although the ceremonial and judicial laws (of *particular equity*) are abrogated or expired, all the rest are still in force—“in their full vigor.”

All the rest remain in their *full vigor*. Hence Christ says: “Think not that I am come to destroy the law or the prophets: I am not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled.”¹⁰³ (*italics added*)

Willson leaves no room for doubt about his views of theonomic Magistracy when he explains which laws “remain in their full vigor.” Under the subheading “There are laws enacted and revealed in the Bible, which civil rulers only can execute” he writes:

These are all the penalties of the law, in which indemnity for wrong is made by property, and in all corporeal punishment. Everyone knows that the Old Testament abounds with such penalties. Such are all the laws respecting theft, damage, gross idolatry, blasphemy, the desecration of the Sabbath, rape, incest, adultery, assaults and batteries, manslaughters, and murders. *That these penalties remain under the New Testament in full force is evident*; for they were neither ceremonial nor judicial; they were no better adapted to Israel than to other nations; they do not expire by their own limitation; the crimes against which they were enacted are as aggravated now and as mischievous to society as of old, and men are now as prone to commit them as they were in Judea.¹⁰⁴ (*italics added*)

Note that he includes laws protecting both tables of the Decalogue and the Old Testament penalties are said to “remain under the New Testament in full force.” Evidently, he sees such laws as moral in nature, which indeed they are.

The other details of the moral law are no more than the development of the great law principles summed up in the Decalogue... Admit then the perpetual morality of the ten commandments, and the permanence of the whole code is granted. Admit that the decalogue binds all nations, and you extend as largely the whole body of the moral law given to the Jews.¹⁰⁵

The duty of obeying and enforcing biblical laws is extended to “all nations who have *access* to the Bible revelation,” not just covenanted nations. Thus, it is biblical law—rather than mere natural law—that binds all nations having access to the Scriptures.

Paul says of Christ Jesus, that He “is over all, God blessed forever” (Rom. 9:5). The service which all are bound to render is obedience to His Law. As His Law is clearly revealed in the holy Scriptures, all nations who have access to the Bible revelation of the

¹⁰³ Ibid., 417-18.

¹⁰⁴ Ibid., 422-23.

¹⁰⁵ Ibid., 416.

will of Christ are bound to obey it in civil as well as in all other things. All are bound “to honor the Son even as they honor the Father” (John 5:23).

It is then the prominent doctrine of this text: That as God the Father has conferred on God the Son as Mediator universal dominion, all nations who have access to the Bible are bound in all their civil institutions to honor him by framing and administering their laws according to its requisitions.¹⁰⁶

The same sentiments are repeated later in his paper. Again, he emphasizes their grounding in the Mediatorial Dominion of Christ:

That the written Word of God is the rule by which civil governments are bound to frame their constitutions and administer their law is manifest from the truth that Christ as Mediator is the Prince of the kings of the earth, and that the law of God is given into His hand, that He may apply it in the administration of the government.¹⁰⁷

Moreover, Willson uses strong words against those who would argue the contrary:

A writer who once contended for better doctrine teaches in a late pamphlet that the law of God contained in the Scriptures is not binding upon any nation, until the nation engages to take it for its rule. This proposition is really so monstrous that it may well be wondered how any one professing to be a Christian and minister of Christ, could have the effrontery to give it utterance...

The command of God most solemnly enacted, and most clearly revealed, the objector does not consider binding on the creature until he consents to take it for his rule of action. Perhaps no sentiment ever did greater dishonor to the Lawgiver than this unholy doctrine.¹⁰⁸

James R. Willson on Tolerance and Persecution

In his “Essay on Tolerance”¹⁰⁹ Willson recognized that men who were “disposed to exclude the Almighty himself, from having any rule in his own creation,” had developed a new vocabulary, redefining the words, “tolerance,” and “persecution.” Willson saw that in the “modern style” of his day, enforcing the laws of God “may be called persecution.”

¹⁰⁶ Ibid., 386.

¹⁰⁷ Ibid., 411. The whole citation appears as an extended subheading in the Keddie edition. Subheadings in the Keddie edition are displayed in this article by using a bold typeface.

¹⁰⁸ Ibid., 430-31.

¹⁰⁹ James R. Willson, *Political Danger*, 139-47.

There is perhaps no word in the English language more abused than the word tolerance. If a writer is found vigorously supporting any cause which he believes to be right, and endeavoring to shew that the opposite must be wrong, he is immediately styled intolerant.¹¹⁰

Does “tolerance” mean dispensing with God’s law?

Is it meant by tolerance, that the divine law in every case, or in some cases, ought to be dispensed with?... What is this thing called tolerance? Again, what is intolerance?... Some men would exclude religion from having any place in the world; but the modern vocabulary of tolerance and intolerance seems disposed to exclude the Almighty Himself, from having any rule in His own creation.¹¹¹

For Willson it is a given that God has the “paramount authority” and therefore men can have no rights which conflict with the authority of God. Men may claim such rights but in reality, they do not exist; the rights of God completely transcend and trump the “rights” of men. He makes the profound point that conscience is not “a *rule* or *law*, but a *judge*.” In other words, *conscience is not a source of law*, or lawgiver, but rather it is intended to act as a judge and decide what is right or wrong according to the law of God.

It may be yet objected, that this view of the matter will give the Bible a decided preference. And it will be asked, are not the rights of those who deny the Bible as sacred as those of the Bible believer?...

The right of a Deist to deny divine revelation, or that the Bible is so [i.e. that the Bible is given a decided preference], is what the objection contemplates.... Let it be admitted that the paramount authority is on the side of God Almighty and the supposed right of the Deist will be a nonentity. There is no such right. This in modern style may be called persecution. So the government of God may be called tyranny. No matter, still the Lord God will govern, and His law must be obeyed, or men must abide the consequences.

It will, no doubt, be urged, that the *right of conscience* is a sacred right—that whatever a man’s conscience thinks right, is right to him.

No matter whether he be a Jew, a Christian, a Pagan, or a Mahomedan—whether he believes the Bible or the Koran, or that both are an imposition provided he conscientiously believes what he believes. Every man has an inalienable and indefeasible right to think, believe and act according to the dictates of his own conscience. And to call this in question is tyrannical, and to attempt to prevent it is persecution....

In answer to this, it would be necessary to settle the point: What is conscience, and what is right? Conscience may be considered as a faculty or power of the soul of man, by which, as a judge he passes sentence, in God’s name upon his own conduct. It is the deputy or vicegerent of God in the soul,...

¹¹⁰ Ibid., 141.

¹¹¹ Ibid., 142.

The conscience, therefore, is not a rule or law but a judge, applying the law to the case at hand and pronouncing sentence accordingly. To identify the law with the judge is a compounding of distinct ideas and calculated to destroy the precision of language....

What are the rights of a judge? They are precisely what the law allows him. The rights of conscience are precisely what the law of God allows it, neither more nor less....Anything, therefore, which the divine law forbids never can be found among the rights of conscience.¹¹²

James R. Willson on Natural Law

Willson finds no fault with natural law in itself; neither does he find any conflict between natural law and Scripture. The fault lies entirely with fallen mankind. For Willson, although “it is impossible that the law of nature and that revealed in the Holy Scriptures, should not be the same, so far as they relate to the same things,”¹¹³ nevertheless, even the best of heathen magistrates are merely “groping in darkness.”¹¹⁴ This is not because of any shortcomings in natural law, but because “their understandings were darkened, their wills were perverse, and their passions tumultuous.”¹¹⁵

Given the moral darkness of men’s hearts and the resultant incapacity to properly discover and interpret natural law, biblical law is immeasurably superior to laws concocted by heathen magistrates:

There is more equity, more sound political wisdom, in three chapters of Exodus, than in all the judicial codes of pagan antiquity.¹¹⁶

The folly of reverting to the light of nature when biblical revelation is available is compared to preferring the “glimmerings of a taper” to the shining light of “the sun of righteousness.”

Those who recur to the light of nature only, when they have access to the light of the sun of righteousness shining in the firmament of revelation, act not more wisely than he who would reject the light of day, and prefer the glimmerings of a taper. Why were all the other nations of antiquity so far inferior to Israel in their laws and maxims of civil

¹¹² Ibid., 144-46.

¹¹³ Ibid., 411.

¹¹⁴ Ibid., 422.

¹¹⁵ Ibid., 415.

¹¹⁶ Ibid., 415.

government? Because they had the light of nature only to guide them, while God placed His law in Jacob and His statutes in Israel.¹¹⁷

We have seen how Willson rejects any idea of turning to natural law instead of biblical law. He holds to the moral nature and perpetuity of biblical laws and penalties that are generally regarded as judicial. The exceptions are laws specific to Israel “which are no longer of force *except* as to their spirit and import.”¹¹⁸ All other judicial laws he viewed as binding on all nations that have access to the Bible. He does not call these laws “judicial” but that is merely a matter of terminology.

James McLeod Willson, DD (1809-1866)

James M. Willson, son of James R. Willson, was the editor and proprietor of *The Covenanter* magazine. He was ordained by the Southern Presbytery, and installed pastor of the First congregation of Philadelphia in 1834. In 1859, he was elected Professor of Theology in the Allegheny Theological Seminary, serving in that position until his death.¹¹⁹

James M. Willson on Magistracy and Theonomy

In James M. Willson’s book *Biblical Magistracy*, we see that the moral law of Scripture is constitutionally, legislatively, and executively, binding on all Nations. It is clear that by “moral law” he intends not just the Decalogue but every judicial law throughout the Scriptures which supports the Decalogue; “Both the Old and New Testaments” are Christ’s “statute books.”

Nations are bound to frame their constitutions of government; to enact their laws; and to conduct the civil administration, in professed and real obedience to the Scriptures... Submission to his sceptre implies the reception of his law and obedience to its demands. The laws of Christ are contained in the Bible, and all the laws of the Bible are Christ’s laws. Both the Old and New Testaments are his statute books. Every moral law found there, carries with it an obligation to obedience. And it is the imperative duty of all Christ’s subjects to search, each for himself, the inspired record, that he may ascertain from its pages the principles of righteousness by which his conduct ought to be governed. “Search the Scriptures;—and they are they which testify of me.” As nations are under the

¹¹⁷ Ibid., 422.

¹¹⁸ Ibid., 417 (As previously cited).

¹¹⁹ Glasgow, *History*, 720,721.

government of the Mediator, this obligation rests upon them as well as upon individuals.¹²⁰

In his work on *Civil Government*, we see that, just as ministers of the church are servants of God through Christ, so are civil rulers. The civil magistrate is held accountable to perform his duties according to the “laws which Christ, his Master, has enacted.”

The magistrate is God’s servant. “For he is the minister...of God;” and that in a sense, not materially different from that in which ministers are styled...“servants of Christ”... So civil rulers; for they, also, are called to administer a divine institution for the promotion of the ends contemplated in the ordinance of civil society: the parallel holds in another most important particular. The servant of Christ is, necessarily, under law to Christ, not only as accountable to Him for the manner in which his service is performed, but *as the very performance itself is regulated by laws which Christ, his Master, has enacted* [my italics].¹²¹

Introducing an article submitted to *The Covenanter* by John McAuley, then of the Associate Church, James M. Willson writes:

The general drift of the article, and the bulk of its reasoning, meets our approbation. It is designed to prove that magistracy is instituted in the Scriptures, and that of course, all who have the Bible are bound to go to the Scriptures to ascertain what magistracy is; that to *invent* a system of magistracy out of men’s own heads,—leaving the Bible out of view—is foolish, unwarrantable, infidel. In connexion with this—for they are inseparable—the writer maintains the accountability of the magistrate to God in Christ.¹²²

Clearly, the idea that a nation was to invent its own system of “magistracy” and ignore Scripture was repugnant to James M. Willson.

In his booklet *The Deacon an Inquiry into the Nature, Duties, and Exercise of the Office of the Deacon in the Christian Church*,¹²³ we see that for James M. Willson, biblical Magistracy is theonomic. What was moral in “the Old Testament economy,” remains binding today:

¹²⁰ James M. Willson, *Bible Magistracy: or Christ’s Dominion Over the Nations: With an Examination of the Civil Institutions of the United States* (Philadelphia, 1842), 47-48. See “Chapter III. The duty of Christian nations,” <http://archive.org/details/BibleMagistracyChristsDominionOverTheNations>.

¹²¹ James M. Willson, *Civil Government: An Exposition of Romans XIII. 1-7* (Philadelphia, 1853), 62, <http://archive.org/details/civilgovernmente00will>.

¹²² Editor James M. Willson’s introductory remarks. John McAuley, “The Dominion of Christ,” *The Covenanter*, March 1848, 227.

¹²³ James M. Willson, *The Deacon: An Inquiry into the Nature, Duties, and Exercise of the Office of the Deacon in the Christian Church* (Philadelphia, 1841), <http://archive.org/details/deaconinquiryint01will>.

In civil order what was moral under the Old Testament economy, is still binding. Why should its light and power be entirely rejected in matters of ecclesiastical order? What was typical is done away, but what was moral still remains.* ¹²⁴

A footnote at the asterisk contains an extract from *The Divine Right of Church Government*,¹²⁵ a document originally issued at the time of the Westminster Assembly and with the involvement of many of the divines.¹²⁶

Ignorance of this principle or unwillingness to apply it, has led to lamentable disregard in civil things, of the wise provisions of the Jewish constitution. The London divines reply to the objection that “arguments for the form of church government, must not yet be fetched from the Jewish Church.—“2. We answer, the laws of the Jewish Church, whether ceremonial or judicial, so far 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. The Jewish polity is only abrogated in regard of what was in it of particular right, not of common right: so far 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 the Jewish church had not as Jewish, but as it was a political church, or an ecclesiastical republic, doth belong to the Christian church.*” Divine Right, &c. p. 202 [As cited by James M. Willson].¹²⁷

Notice the terms used in James M. Willson’s citation from *The Divine Right of Church Government*, agree with terms introduced earlier in this article, namely: *common equity*, *common right* and *particular right*. Note also the theonomic assertion that ceremonial or judicial laws “serving to the maintenance of the moral law” are still in force.

James M. Willson began the January 1849 issue of *The Covenanter* with a laudatory review of a book by Robert Craig on the theocratic nature of Reformed Magistracy.¹²⁸ In

¹²⁴ Ibid., 29.

¹²⁵ The citation by James M. Willson matches the pagination of *The Divine Right of Church Government* (Paisley, Scotland, 1799), 202, <http://archive.org/details/divinerightofchu00owen>. See also *Jus Divinum Regiminis Ecclesiastici: Or, The Divine Right of Church Government....* (London, 1646), 233, <http://archive.org/details/jusdivinumregimi00lond>.

¹²⁶ The title page states: “By Sundry MINISTERS of CHRIST within the City of London.” Recall the earlier discussion of *WCF* 19.4—here is another case where “sundry” removes any implication of “all.” It obviously does *not* mean “By *All* MINISTERS of CHRIST within the City of London.”

¹²⁷ James M. Willson, *The Deacon*, 29n.

¹²⁸ Robert Craig, *Theocracy or the Principles of the Jewish Religion Adapted to All Nations and Times* (Edinburgh, 1848), <http://archive.org/details/TheocracyOrThePrinciplesOfTheJewishReligionAndPolityAdaptedToAll>.

Robert Craig was a “Disruption Worthy” of the Free Church of Scotland. See: Thomas Brown, *Annals of the Disruption* (Edinburgh, 1884), iii, 118ff, 802, http://openlibrary.org/books/OL23337322M/Annals_of_the_disruption.

it he concurs with Craig's opinion that the Jewish Theocracy and Christian Theocracies are fundamentally the same.

THEOCRACY; or, the Principles of the Jewish Religion and Polity adapted to all Nations and Times. By the Rev. Robert Craig, A. M., Rothesay. 12mo. pp. 309. John Johnstone, Edinburgh, 1848....

A prevailing error, and an exceedingly hurtful one, is, that the Jews were under the divine government in some extraordinary and inimitable manner: that God was partly their self-constituted, and partly their elected chief magistrate: that he was their king in some other way than he is king of other Christian nations: that the Jews were under a peculiar Theocracy. This error Mr. C. [Craig] ably combats.¹²⁹

James M. Willson continues with an extract from the book under review.

We do, indeed, hold that the Jews were under a Theocracy; *but so also are all baptized nations*. They are as truly taught of God, and as firmly bound to serve him, as the Jews ever were. They have, at least, as great advantages for knowing his will and for doing it as the Jews ever had; and it is difficult even to imagine how Christianity could ever relax the obedience of nations, or remove farther away from them the eye and the hand of that providence which so intimately superintended the affairs of the Jews. 'Is he the God of the Jews only, and not of the Gentiles? Yea, of the Gentiles also,' who have a greater abundance of his oracles and law than the Jews, before the coming of Christ, ever enjoyed.¹³⁰ (italics added)

In the October, 1849 issue of *The Covenanter*, James M. Willson gave a negative review of an article entitled "Mr. Neil's Declinature" appearing in the September, 1849 issue of *The Evangelical Repository* which was submitted by "Wm. Neil." James M. Willson was surprised by Neil's misrepresentation of the facts surrounding Calvin's involvement in the execution of Michael Servetus, an act that Neil was attempting to paint as Erastian. He takes strong exception to Neil's idea that putting "to death an open blasphemer of the Most High" is somehow Erastian.

But, after all, we were surprised to find the following... We scarcely thought he [Mr. Neil] was so far gone as to repeat the nauseous slanders of infidels and papists, "Yet they (Calvin and the reformers) had to yield to the operation of that prevailing principle, to some extent, as may sufficiently appear from the trial and execution of Servetus at Geneva, for heresy, though only a passenger through the place, in virtue of a statute of the Popish Emperor Frederic II., of more than three hundred years' standing."¹³¹ To put to

¹²⁹ James M. Willson, "The Jewish Polity," *The Covenanter*, January 1849, 161-65.

¹³⁰ Ibid., 165.

¹³¹ William Neil, "Mr. Neil's Declinature," *The Evangelical Repository* 8, no. 4 (September 1849): 164. For more information on Neil (or Neill) see Glasgow, *History*, 642-43.

death an open blasphemer of the Most High, was [according to Neil] to assume an Erastian Headship over the church!¹³²

James M. Willson on Natural Law

James M. Willson's view of natural law is much the same as his father's. He draws an interesting contrast between the "law of nature" and the feeble "light of nature" in fallen man, and therefore condemns the rejection of the "Word of God" by civil governments.

The "law of nature" is not to be confounded with the "light of nature"—the law as a complete rule of human duty is man's primitive condition—the light that is now in man is too feeble to discern it in any thing like its holiness and perfection. To reject the Word of God in this [civil government], as in any other department of duty, is, to use the words of John Brown of Haddington, "an obstinate drawing back to heathenism."¹³³

The light of nature is altogether insufficient as a guide in anything involving moral principle. There is little certainty in its revelations. The nations before Christ came "felt after God." And "the world by wisdom knew not God." And even in the plainest matters of moral duty there is an absolute necessity for the correcting influence of Bible truth.* Indeed, the light of nature as it has been called, is neither more nor less than the will of the people themselves.¹³⁴

This is footnoted at the asterisk with a comment containing glaring examples of the utter failure of the feeble "light that is now in man" to interpret and apply the "law of nature."

In some Pagan nations, children murder their aged and infirm parents. Many nations have offered human sacrifices; parents offering their own children. We would suppose that if nature's light were a sufficient guide in anything, it would have prevented these hideous crimes. The name of justice can hardly be applied to the administration of law, in any but Christian countries.¹³⁵

David Scott (1794-1871)

David Scott was born in Pollockshaws which was then a burgh, situated a few miles South of the city of Glasgow, Scotland. In early life, he pursued a classical course of

¹³² James M. Willson, "Mr. Neil's Declinature," *The Covenanter*, October 1849, 99-100.

¹³³ James M. Willson, *Civil Government*, 49.

¹³⁴ James M. Willson, *Bible Magistracy*, 52.

¹³⁵ *Ibid.*, 52n.

study. As a young man, he graduated from the University of Glasgow in 1820; two years being spent in the study of medicine. He then entered Paisley Seminary and in 1824 was licensed by the Glasgow presbytery. On coming to America in 1829, he served first as a home missionary and was later installed as pastor of the Albany, NY, congregation in 1836. In 1844, he was installed to the pastorate of the Rochester, NY, congregation, and was released in 1862. W. Melancthon Glasgow informs us that: "With the exception of the winter of 1866, when he taught in the Allegheny Theological Seminary, he labored within the bounds of the Rochester Presbytery the remainder of his life."¹³⁶ In his written works he strongly opposed the New Light position.¹³⁷

David Scott on Magistracy and Theonomy

Like James R. Willson, James M. Willson and many other Covenanters, including those discussed in this article. Scott held that civil government was subordinated to the Mediatorial Dominion of the Lord Jesus Christ. At the same time, he was careful to stress that civil government was not instituted by Christ the mediator, and did not originate in the "system of grace."¹³⁸

Civil government is subordinated to Christ. This is one of the all things put under his feet. Civil government has not its origin in the system of mercy, but from God the Creator, and is revealed in the moral constitution of man; but it is subjected to the authority of Christ, and is part of the dominion that belongs to him as Mediator.¹³⁹

Civil government does not originate in the system of grace, and therefore is not instituted by the Mediator, but it is nevertheless subjected to him, as a part of his universal dominion.¹⁴⁰

It follows that nations, their peoples and rulers are to be subject to the laws of God. When nations reject God, their government, and rulers are not ordained of God.

Nations then must take care not to assume independence of the divine law.... The moral power which national society possesses is derived from the fact that civil government is a divine institution. If the divine law is rejected by a nation, government is not in that case

¹³⁶ Glasgow, *History*, 663.

¹³⁷ Glasgow provides a partial list of Scott's publications, *Ibid.*, 664.

¹³⁸ The error that civil government originates in the "system of grace" and was instituted by Christ as mediator leads to the Erastian idea that the civil magistrate is entitled to rule the church. There is an essential distinction between civil government being instituted by Christ as mediator, and civil government being made subject to Christ as mediator. See also note 7 above.

¹³⁹ David Scott, *Distinctive Principles of the Reformed Presbyterian Church* (Albany, NY: 1841), 204-5.

¹⁴⁰ *Ibid.*, 206.

the ordinance of God; nor is the ruler the minister of God. “They have set up kings, but not by me; they have made princes and I knew it not [Hos. 8:4].”¹⁴¹

Furthermore, it is the duty of the civil magistrate to enforce *both* tables of the Decalogue.

They [civil magistrates] punish crime because it is a violation of the Divine law, that law under which nations as well as individuals are placed....

The magistrate’s power of punishing immorality is co-extensive with the moral law. It embraces the first as well as the second table of the Decalogue....No satisfactory reason is given why theft or murder may be punished by society, and atheism or idolatry may not. It is in vain that the scripture record is searched for such a distinction; it contains none.¹⁴²

Scott’s definition of God’s law went beyond the Decalogue and included *all* the moral obligations which the scriptures enjoin upon mankind.

By divine law, I mean not only the summary of moral duty contained in the decalogue; but, all that by which God makes known to us the obligations which we owe to Him: and expressed in scripture by a variety of names; such, as the law, testimonies, statutes, precepts and commandments.¹⁴³

His hermeneutical principle presumed that laws given in the Old Testament continue to be binding unless they are somehow cancelled in the New Testament. Moreover, his emphasis is always on the moral character of those laws which remain binding. In what follows we shall see that his position was essentially the same as Greg Bahnsen; indeed both authors use the word “rescinded” with respect to the cancelled laws. Bahnsen wrote:

We 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.¹⁴⁴

In his defense of a national provision for religion, an implication of the Establishment Principle, Scott argues that the laws mandating this in the Old Testament continue in “full force” in the New Testament. Such laws, he maintains, were never rescinded.

The Old Testament is of divine authority as well as the New, and as obligatory in its precepts for our direction in doctrine and practice as the New Testament, in everything

¹⁴¹ Ibid., 208-9.

¹⁴² Ibid., 256-57.

¹⁴³ Ibid., 19.

¹⁴⁴ Greg Bahnsen, *By This Standard: The Authority of God’s Law Today* (Tyler, TX: Institute for Christian Economics, 1985), 345-46.

except the peculiarities of the former dispensation.... It is not necessary then that there should be any precept in the New Testament;¹⁴⁵ that which was given in a former dispensation continues in full force.... A merely positive appointment remains in force till it is abrogated. Does the New Testament contain any such rescinding act? Had it been only a positive appointment if not rescinded it would have remained in force; how much more being a moral duty?¹⁴⁶

He uses the same logic while defending the continuing obligation of “social covenanting” whenever, in the providence of God, it is called for.¹⁴⁷

The writings of Moses contain a full and, explicit statement of the precepts of the moral law; nor are they formally repeated in the subsequent parts of the sacred writings, whether of the Old or New Testament.... being moral, they necessarily continue in force.... The fact that a moral principle is once established, sufficiently explains, in any given instance, the subsequent silence of scripture on the subject; moral principles are not susceptible of change, their obligation is permanent, irrespective of circumstances.¹⁴⁸

Scott does not make an explicit distinction between laws of *particular equity* and *common equity* but he nevertheless implies it when he speaks of “The local and temporary character...of many of their judicial laws...” and of “The permanency and perpetual obligation of such [judicial laws] as were moral in their nature.” Concerning the obedience required in Deut. 28:1, he writes:

For it is obedience to all the “commandments which I command thee this day.” These include the moral law which had been just now given to the Jews, as well as those “commandments” that were peculiar to that people. The principle is applicable to all nations, enjoying the light of divine revelation, in so far as the moral law, and precepts of universal equity are concerned. The local and temporary character of their ritual system, and of many of their judicial laws did not affect the permanency and perpetual obligation of such as were moral in their nature. Obedience to the moral law is included in the promises [of Deut. 28], and the universal obligation of the moral law shows that the promises were not peculiar to the Jewish nation, but common to all who enjoy divine revelation.¹⁴⁹

His view of the “permanency and perpetual obligation” of certain judicial laws is well illustrated in his discussion of slavery. He regards this as a moral issue and the offenders are to be punished “with the utmost severity.”

¹⁴⁵ Scott appears to mean that it is unnecessary to repeat an Old Testament precept in the New Testament. Unless rescinded it remains obligatory and needs no further confirmation.

¹⁴⁶ Scott, 292.

¹⁴⁷ He uses the example of the British covenanters of the seventeenth century who bound themselves by the *SLC*. *Ibid.*, 17.

¹⁴⁸ *Ibid.*, 69.

¹⁴⁹ *Ibid.*, 195.

As it respects moral principle it makes no difference whether twelve millions hold three millions in the condition of slavery, or whether the three millions should hold the twelve millions in this condition. In either case there is a...transgression of the divine law, and the ends of government are defeated.¹⁵⁰

Slavery is opposed to the revealed will of God. “He that stealeth a man and selleth him, or if he be found in his hand shall surely be put to death. The law was made for men-stealers.” The sin thus pointedly condemned in scripture, a government is bound to prevent by all due care; and if committed, to punish *with the utmost severity*.¹⁵¹ (italics added)

David Scott on Natural Law

Scott’s view of natural law is that it embodies “God’s moral perfections” and is one and the same with the moral law as revealed throughout the scriptures. The only difference between the two is the mode of revelation. There is no difference in content.

The law of nature is a transcript of God’s moral perfections; it is these perfections embodied in the form of law to direct the action of rational creatures. It is identical with the moral law, a summary of which is given in the ten commandments, and more minutely exhibited in the moral precepts of the Bible....this one law however, has been revealed in two different ways, first in the moral constitution of man, and secondly in a written form, a summary of which is contained in the decalogue or ten commandments. From the first of these modes of revelation it has received the name “law of nature;” from the second it has sometimes been called the “supernatural revelation of the law of God,” or “the written law.”¹⁵²

Scott also provides an exceptionally clear and full explanation of the all-important distinction between “the law of nature” and “the light of nature.” Although the law of nature is perfect, the light of nature, which is man’s ability to grasp and perceive that law, is occluded and quenched by the corruption of his fallen nature. Thus, the fault is in man, not in the law. We see that some of the other RPCNA pastors discussed in this article described the light of nature by such expressions as “dim,” “feeble” or the mere “glimmerings of a taper;” but Scott, perhaps, takes it a step further in saying that among the heathen who have no “supernatural revelation of the law....the light of nature is only *darkness*” (italics added). For the benefit of the reader, his entire passage on the light of nature is given below.

¹⁵⁰ Ibid., 243-44.

¹⁵¹ Ibid., 245.

¹⁵² Ibid., 199-200.

Light of nature. This has sometimes been confounded with the law of nature; they are however altogether distinct. The law or nature, as has been explained, is the universal law of action dictated by the Creator to man. The light of nature is the perception which man has of this rule of action; it is his knowledge of the law of nature. Originally man apprehended the law in all its length and breadth; the light of nature was then co-extensive with the law of nature; the one was parallel and co-incident with the other, but sin has quenched in a great measure the light of nature. The depraving influence of sin blinds the understanding and sears the conscience of man so that he has not adequate views of duty. The light of nature is not competent to perceive the claims and obligations of the law of nature. The defect is not however in the law, but in man's incapacity to perceive the claims of the law, and perform its obligations. The law is the same now as when first promulged¹⁵³ to Adam, but man's capacity is not now equal to Adam's. The law remains unchanged, and like its Author, unchangeable, but the light in man as a medium of perceiving it is lessened. Hence the need of a supernatural revelation. In a country where this is enjoyed, many things may be easily demonstrated, to be agreeable to reason, which reason unaided could never have discovered. Such furnish no evidence whatever of the competency of the light of nature; for in such instances reason is aided and guided by supernatural revelation.

To form a fair estimate of the light of nature it must be seen as it exists among heathens, where there are [is?] no supernatural revelation of the law. And there, the light of nature is only darkness.¹⁵⁴

William Louis Roberts, DD (1798-1864)

William L. Roberts was born in West Virginia to parents who were members of the Associate Reformed Church. In 1820, he received appointment as a cadet in the US Military Academy at West Point, New York, but was finally persuaded to abandon his military aspirations by the Rev. Dr. James R. Willson. He connected with the Covenanters Church and studied theology under the direction of the Rev. Dr. James R. Willson at Coldenham, New York, and was ordained by the Northern Presbytery and installed pastor of the congregation of Paterson, New Jersey, in 1824. Resigning in 1825, he was installed pastor of the united congregations of Clyde, Galen, Caledonia, and York, New York, in 1826, and later held pastorates in Baltimore, Maryland; Clyde and Sterling, New York; and Hopkinton, Iowa.¹⁵⁵

¹⁵³ This is a correct but archaic variant of "promulgated." See http://oxforddictionaries.com/definition/american_english/promulge.

¹⁵⁴ Scott, 200-201.

¹⁵⁵ Glasgow, *History*, 655-57.

William L. Roberts on Magistracy and Theonomy

The August 1847 issue of *The Covenanter* contained the conclusion to an article by Roberts entitled “Essays on Romans XIII. 1-7.” We learn from this article that the judicial law “has not been altogether abrogated” and that “those enactments which relate to the punishment of crime, which were sanctioned by God for the defence of the Decalogue...are to be executed by the Christian magistrate.” The reasons given are, the law “contains enactments, the end and scope of which are perpetual,” and that “crimes are the same in all ages as to their criminality... and are, therefore, deserving of the same punishment.” Furthermore, “the penal sanctions of the law *are a part of the law itself*” and the civil magistrate must be given “full authority to execute the penal sanctions of the divine law.” It is unusual to find a more overt, clear, theonomic statement than this extract:

God hath clothed the civil magistrate with his own vengeance as the moral governor of the nations, this vengeance is to be executed by his minister. He is a “revenger to execute wrath.”

But where has God meted out this vengeance? I answer, in the judicial law given to Moses. This law has not been altogether abrogated; for it contains enactments, the end and scope of which are perpetual. Those regulations which it contains peculiar to the commonwealth of Israel have been abrogated, such as the emancipation of Hebrew servants every seventh year: Exodus xxi. 2. The marriage of a brother with the widow of a deceased brother who died childless: Deut. xxv. 3. The release of debts in the year of release: Deut. xv. 2. Marriage with a woman of the same tribe: Num. xxx. 8. Such regulations as these, have necessarily been abrogated with the destruction of the Jewish commonwealth. But those enactments which relate to the punishment of crime, which were sanctioned by God for the defence of the decalogue, have not been abrogated, and are to be executed by the Christian magistrate. Those laws for the punishment of crimes are of a moral nature, and not conventual, and were enacted for the defence of the decalogue. Things which are moral, are immutable in their nature, and the authority of the decalogue is ever to be defended. Crimes are the same in all ages as to their criminality, and are, therefore, at all times deserving of the same punishment Idolatry, blasphemy, murder, adultery, &c., possess the same moral turpitude at the present moment, which they did in ancient times, and are, therefore, deserving of the same punishment. *Vengeance*, rendering to every criminal his due, as the word signifies, is the same now as of old, and with this vengeance the civil magistrate is clothed. The penal sanctions of the law *are a part of the law itself*. Abolish the sanction, and you annul the law....

The righteous man, however, has nothing to dread. “The law (judicial) was not made for him, but for the lawless and disobedient, for the ungodly and for sinners, for unholy and profane, for murderers of fathers, and murderers of mothers, for manslayers, for whoremongers, and those that defile themselves with mankind, for men-stealers, for liars, for perjured persons, and if there be any other thing that is contrary to sound doctrine, according to the glorious gospel of the blessed God, which was committed to my trust:” 1 Tim. i. 9, 10. This New Testament declaration covers all those enactments of the *judicial law* which were enacted to sustain the precepts of the decalogue, and to enforce them as the basis of the Constitution of the Commonwealth of Israel. They are correspondent with

the benign character of “the glorious *gospel* of the blessed God,” a benignity infinitely exalted above the fanatical imaginations of deluded minds, or the hypocritical sympathy of infidel humanity.

Civil government, therefore, authorized by this passage [Rom. 13:1-7], must be so constituted as to give the magistrate full authority to execute the penal sanctions of the divine law, as Jehovah has, therein, proportioned his vengeance to the moral turpitude of transgressors. It is a terror to the evil. The magistrate “*is sent for the punishment of evil doers.*”—1 Pet ii. 14.¹⁵⁶

Roberts’ *Reformed Presbyterian Catechism*¹⁵⁷ contains the same thoughts in Q & A format. He makes it clear that judicial laws appended to both the first and second tables of the law are still in force, and therefore crimes such as murder, adultery, and blasphemy still carry the death sentence. The judicial laws in question are described as “penal statutes, enacted as sanctions and enforcements of the precepts of the Decalogue.”

Q. Is not civil government bound, as it is God’s ordinance to execute the penal statutes, enacted as sanctions and enforcements of the precepts of the Decalogue?

A. This seems to be a necessary deduction from the principles established. Because, 1. Those particular *judgments* which were enacted for the defence and enforcement of the moral laws are, from the nature of the case, of perpetual obligation, for the penal sanction of a law is a part of the law itself. Take away the sanction, and the law is annulled. 2. They were the punishments decreed of God for crimes committed in violation of his own law, and he knows best what punishment is due to its transgression. 3. The moral law is of universal and perpetual obligation, its penal sanctions must carry with them a tantamount obligation. 4. They were enacted for the defence of the authority of the decalogue, which is ever to be defended—the defence should perpetually surround the law: 5. The nature of crime is invariably the same, no lapse of time destroys its punishable character; hence, like crimes in every age deserve like punishment, as they attack the authority of God the Lawgiver, and subvert the good order, purity, and peace of society with equal malignancy. 6. The judicial judgments to which reference is had, were those which were appended to precepts of the first and second table; were reducible to these; were, in fact, the application of these to civil society, by the same awful authority which promulgated the decalogue. *He* who said, “Thou shalt not kill,” said also, “*The murderer shall SURELY be put to death.*” *He* who said, “Thou shalt not commit adultery,” said also, “*The adulterer and adulteress shall SURELY be put to death.*” *He* who said, “Thou shalt not take the name of the Lord thy God in vain,” said also, “*He that blasphemeth the name of the Lord shall SURELY be put to death.*” 7. Paul [in] 1 Tim. i. 8-10, which see, powerfully enforces this argument. It is evidently the penal law to which the apostle refers, because elsewhere he affirms that believers—the same with the righteous—are *under the law to Christ*. The righteous man is not *liable* to the judgments of the *penal* law, but the transgressor of the moral law is exposed to its sanctions. The law, as it is *preceptive*, is a rule of life to the righteous, and he delights in it after the inner

¹⁵⁶ William L. Roberts, “Essays on Romans XIII, 1-7,” *The Covenanter*, August, 1847, 13-14.

¹⁵⁷ William L. Roberts, *The Reformed Presbyterian Catechism* (New York, 1853). An alternative edition without page numbers is available at: <http://www.archive.org/details/ReformedPresbyterianCatechism>.

man. The *penal law* applies only to the wicked, “murderers.” &c. The *sanctions* of the law, then, are of equal obligation with the law itself. 8. Other judicial enactments are recognised by Paul as yet binding in their principle as a *moral rule*. 1 Cor. ix. 9, 10, “*For it is written in the law of Moses. Thou shalt not muzzle the mouth of the ox that treadeth out the corn. Doth God take care for oxen? Or saith he it altogether for our sakes? FOR OUR SAKES, NO DOUBT, THIS IS WRITTEN. That he that plougheth should plough in hope; and that he that thrasheth in hope, should be partaker of his hope.*”¹⁵⁸

In the same work, Roberts also asserts the theocratic nature of Christian Magistracy, and cites the same passage from Robert Craig on Theocracy as was used by James M. Willson, above.

Q. Were not the Jews under a *peculiar Theocracy*, and so, not an example in this respect?

A. We hold, with a modern writer, “that the Jews were indeed, under a Theocracy; but so also are all baptized nations. They are as truly taught of God, and as firmly bound to serve him, as the Jews ever were....”¹⁵⁹

William L. Roberts on Natural Law

Roberts first asks if God’s ordinance of civil Magistracy is founded on the law of nature. His answer strongly affirms that it was so instituted with our first parents and continues “through all ages of the world.”

Q. Is not civil magistracy, as the ordinance of God, founded in this law of nature?

A. Yes. Magistracy was first instituted in the human family when God gave Adam dominion over Eve and all the works of his hand on earth, (Ps. viii. 6,) of which this law was the *rule*; and still abides the supreme rule of civil magistracy among the posterity of Adam, through all ages of the world.

However, he clearly does not want his readers to draw any false conclusions from this. They should not assume that magistrates can ignore God’s word, and simply govern according to the law of nature. Fallen man is not to be considered as morally and intellectually capable of discovering and interpreting this law by human reason or the light of nature. It is only in the Holy Scriptures that man can now find the “perfect transcript” of the law of God. Only special revelation now suffices.

Q. Is this law fully discoverable by the reason of man from the *light of nature*?

A. Some faint traces of this law remain upon the moral nature of man, (Rom. ii. 14, 15,) and are revealed in some degree of legibility by the light of nature, (Rom. i. 20-32; Ps.

¹⁵⁸ Ibid., 100-101.

¹⁵⁹ Ibid., 74.

xix. 1.) “*so that men are without excuse*,” yet man’s intellect has been so much impaired and corrupted by the fall, that he is not able fully to discover what the law of nature directs in every circumstance of life, as every man finds in his own experience, that his reason is corrupt, and his understanding is full of ignorance and error.

Q. Has this blindness of human reason given occasion to the benign interposition of the Creator in giving a perfect transcript of this law, in a written revelation of his will?

A. Yes. God has been pleased at sundry times and divers manners to enforce his original law, by an immediate and direct revelation. The doctrines thus delivered we call the revealed or divine law.

Q. Where are they to be found?

A. They are to be found only in the Holy Scriptures; for until they were therein revealed they were hid from the wisdom of ages....

Q. Is not this revealed will of God in the Scriptures of truth, of even infinitely *higher authority* than that moral system which is framed by ethical writers, and denominated the natural law?

A. Unquestionably. Because the one is the law of nature *expressly declared so to be by God himself*. The other is only what, by the assistance of human reason, men *imagine* to be that law. If we could be as certain of the latter, as we are of the former, both would have an equal authority; but till then they are never to be put in any competition together.¹⁶⁰

A few pages later after dealing with the civil magistrate’s duty to enforce those judicial laws which we saw were “penal statutes, enacted as sanctions and enforcements of the precepts of the Decalogue,” Roberts strongly condemns the foolishness of renouncing biblical revelation in favor of “the dictates of conscience” and the sin obscured “law of nature.”

Q. Is it not at least strange, that men favoured with a pure copy of the divine law, in the volume of revelation, should reject this fountain of light, and go back to the indistinct “dictates of conscience” to regulate any part of human conduct?

A. Yes. It is more than strange, it is extremely stupid and utterly inconsistent with Christianity; especially when God declares that it is “To the law and to the testimony we must bring all actions and all relations. If they speak not according to these it is because there is no light in them.” Is. viii. 20. The truth is, that revelation is given to men to supply the imperfections of the law of nature; and to restrict ourselves to the latter, and to renounce the former, in any case in which it is competent to guide us, is at, once to condemn God’s gift and to defeat the end for which it was given; and is as absurd as it

¹⁶⁰ Ibid., 90-91.

would be to require men, when the sun is in the heavens, to shut out its full blaze, and go about their ordinary business by the feeble rays of a taper.¹⁶¹

William Sloane (1787-1863)

William Sloane, was born near Larne, County Antrim, Ireland, in 1787. He came to America in 1817, studied theology under the direction of the Rev. Dr. James R. Willson, of Coldenham, New York, and, in 1820 was ordained by the Northern Presbytery, installed pastor of Topsham, Orange County, Vermont. His later pastorates were in the united congregations of Greenfield and Londonderry, Ohio, and the Elkhorn congregation, Oakdale, Illinois.¹⁶²

William Sloane on Magistracy and Theonomy

William Sloane's sermon "National Establishment of Religion, A Divine Institution" was printed in *The Reformed Presbyterian*, December, 1860, ed. Thomas Sproull. The sermon was prepared for a special occasion and its introduction informs us:

The ministers about Sparta, Illinois, having agreed to commemorate the establishment of Presbyterianism in Scotland, 17th August, 1560, the following sermon was preached, in Grand Cote, by Rev. W. Sloane, to prepare the people for the celebration.¹⁶³

Given the close relationship between the Establishment Principle and Theonomy, it is hardly surprising to find a strongly theonomic passage in the sermon.

The civil magistrate should punish the church's enemies. We hold with the Reformers, that the civil magistrate is (*custos utriusque tabulae*) keeper of both tables. He should punish those that apostatize to idolatry, or entice others to idolatry; but he has no power to punish for idolatry those who have been brought up in the practice. Deut. 13th and 17th. He has no authority to inquire into any man's private opinion; but he should punish blasphemy. Lev. 24:16. He should also punish those that teach damnable heresies. "He is a revenger to execute wrath upon him that doeth evil." Some quibble here, and tell us, that teaching heresy is talking and not doing: they might say the same about blasphemy; but God has commanded the blasphemer to be put to death. But teaching is work; we read of the work of the ministry. Eph. 4:12. The minister that teaches damnable heresy is an evil worker; he doeth evil. Besides, heresies are expressly called works. Gal. 5:19, 20.¹⁶⁴

¹⁶¹ Ibid., 101-2.

¹⁶² Glasgow, *History*, 676-77.

¹⁶³ William Sloane, "The National Establishment of Religion, A Divine Institution," *The Reformed Presbyterian*, December 1860, 357.

¹⁶⁴ Ibid., 359.

Robert Hutcheson (1810-1880)

Robert Hutcheson was born near Loughgilly, County Armagh, Ireland in 1810. His parents were members of the Secession Church. He came to America in the spring of 1829, and settled near Cambridge, Guernsey County, Ohio, where he connected with the Covenantan Church, under the pastoral care of the Rev. William Sloane. He studied theology in the Allegheny Seminary, and was ordained *sine titulo* by the Pittsburgh Presbytery, as a Home Missionary in 1841. Afterwards he held pastorates in Brush Creek, Adams County, Ohio and later in Grove Hill, Bremer County, Iowa. He also served in Home Missions in Iowa and Minnesota. Finally, he removed to Washington, Iowa. W. M. Glasgow informs us that, “he contributed able articles to *McClintock and Strong’s Encyclopedia*, and essays, in the form of critical exegesis, to the magazines of the Church.”¹⁶⁵

Robert Hutcheson on Magistracy and Theonomy

Robert Hutcheson’s article, “How Much Of The Law Is Fulfilled And Abrogated?” was published in *The Reformed Presbyterian*, September, 1862, ed. Thomas Sproull. Rather than invoke the Puritans’ distinction between laws of *particular equity* and laws of *common equity*, his approach is to appeal to the general equity of the judicial laws. To Hutcheson, the judicial law “as an entire code”—i.e. taken as a whole—is no longer binding. However, there is still “a general equity pervading most of its requisitions” which continues to be binding. This approach leads to the same theonomic conclusions but by a somewhat different route.¹⁶⁶ Here is Hutcheson’s summary of the problem to be solved, as to what remains binding and what is “abrogated.”

This law ceased with the nationality of the Jews, and, as an entire code, is binding on no other people. There is, however, a general equity pervading most of its requisitions, which makes it the duty and privilege of all nations to adopt the greater part of its provisions; and here lies the difficulty of our present inquiry. How much of this code is abrogated, and how much is available for practical use, under the present dispensation?¹⁶⁷

¹⁶⁵ Glasgow, *History*, 542-44.

¹⁶⁶ Although the difference between Hutcheson’s approach and that of the previously mentioned Pastors is only a matter of semantics, nevertheless, by ignoring the distinction made by Puritans and Westminster divines between laws of *particular* and *common equity*, it creates needless difficulties in explaining and defending the unequivocally theonomic intent of the *WCF*. It appears to be essentially the same as Greg Bahnsen’s approach in applying *WCF* 19.4 to the whole judicial law and not just to the laws of *particular equity*. Strictly speaking, Hutcheson and Bahnsen were incorrect on this point because the laws of *common equity* were regarded by the Puritans as never having expired; they belonged to the moral law, and were therefore covered by *WCF* 19.5 rather than *WCF* 19.4.

¹⁶⁷ Robert Hutcheson, “How Much Of The Law Is Fulfilled And Abrogated?” *The Reformed Presbyterian* September 1862, 258.

As an example of Hutcheson's theonomic approach, his paragraph on the *lex-talionis* is given in full below. It has been selected because of its insight and interest. He compares the *lex-talionis* with the Old Testament laws of kindness to an enemy, and then explains how a potentially literal interpretation of the law, can be transformed into a fair assessment of pecuniary damages. There is even a reference to Shylock in Shakespeare's *The Merchant of Venice*.

Every sciolist¹⁶⁸ in law objects, at first sight, to the *lex talionis*—"an eye for an eye, and a tooth for a tooth;" yet it embraces the *only* principle on which a judge can administer justice. This law is recorded in Ex. 21: 23—Lev. 24:19—Deut. 19:16 to 21, and embraces three cases, accidental damage, willful injury, and false testimony; the accidental damage, however, is of such a peculiar kind as to put it on a par with the other cases. This law directs the magistrate how to dispose of them all. The Jews had applied this to individual and personal revenge, perverting by their *sayings* the application of the law. Our Redeemer, in Matt. 5: 38, is not treating of the statute *as it is written*, but only as "it hath been said." The law of the Old Testament required kindness to an enemy precisely as the New does. Ex. 23:4, 5, required the Israelite, if he found his enemy's beast straying, to bring it back; if lying under its burden, to help him in raising it up. 2 Kings 6:22, "Let them eat and drink, and go to their masters." Prov. 25:21, "If thine enemy be hungry, give him bread to eat; and if he be thirsty, give him water to drink;" v. 22, "for thou shalt heap coals of fire on his head, and the Lord shall reward thee." See also Ps. 7:4. But if a case must come before the judge, he must do justice. Common sense and Scripture agree that justice is a compensation for the damage; and this is expressed here in the best possible language. For first, the question suggested in court is not exclusively, What has the complainant lost? but also, What would the defendant take for a voluntary submission to the same injury? and, What would he give in order to avoid the same? These three questions afford much help in making up the award. (No jurist dreams of the possibility of administering the law literally. A live eye or tooth cannot be transferred from one possessor to another. See Shakespeare's Shylock.) Again, this form of expression helps much to reconcile both the parties to the award. Say an eye is lost, and the court awards \$500¹⁶⁹ damages; the plaintiff is much dissatisfied. Well, says the judge, would his eye, taken out, be of more value to you? No, answers the plaintiff; I lost a live eye, and a dead one is worth nothing. The judge responds, All the powers of earth cannot restore you a live eye; \$500 from a poor man to a poor man, is worth something, unless you prefer the dead eye for revenge. Let the award be \$5000, and the defendant is amazed at so large a sum. All right, says the judge; will you give your eye rather than pay the sum? Again, set the award at \$2000, and both parties appeal, equally dissatisfied, yet each can see that it is vastly better to abide the decision, than to gouge the eye. The law meets all the cases that can be raised by all the Shylocks; it is perfect in its principles, in its authority, in its very form of enunciation.¹⁷⁰

¹⁶⁸ A superficial pretender to knowledge.

¹⁶⁹ The "MeasuringWorth" calculator at <http://www.measuringworth.com/ppowerus/> yields the following result: "In 2013, the relative value of \$500 from 1862 ranges from \$9,027.00 to \$1,430,000.00." The results for \$2000 and \$5000 can be scaled upwards by 4× and 10×, respectively.

¹⁷⁰ Robert Hutcheson, "How Much Of The Law Is Fulfilled And Abrogated?," 262-63.

Some Other Authors

The *Reformed Presbyterian* magazine, under the editorship of the Rev. Moses Roney (1804-1854), Pastor of the Newburgh, NY, congregation, published a series of extracts from John Brown of Haddington entitled “On the Absurdity of Authoritative Toleration of Gross Heresy, Blasphemy, or Idolatry.”¹⁷¹ These extracts were spread over several issues of the magazine. Roney supplies a strongly commendatory, introductory comment.

As heretofore intimated, we commence the publication of that valuable and scarce work, *Brown on Toleration*. It is written in “letters to a friend,” in which the author says, “The doctrine of the Westminster Confession of Faith relative to toleration of a false religion, and the power of the civil magistrate about sacred matters are candidly represented and defended.” Probably no subject of equal importance is so little understood, or so greatly misunderstood, in this land, as that which is treated in these pages. We ask a careful study of the author's views: assured that the attentive reader will be abundantly gratified and rewarded.—Ed.¹⁷²

Brown, presumably with Roney's endorsement, demonstrates that it is not persecution to inflict punishment upon those such as “heretics, blasphemers and idolaters,” who commit gross sin while following the dictates “of an erring conscience.”

Object. XVI. “It is horrid cruelty and Unchristian persecution to restrain or punish men for believing, teaching and worshipping, according to the dictates of their own conscience, as charity obligeth us to believe is the case with heretics, blasphemers and idolaters....Men ought to follow the dictates even of an erring conscience.” Answ. 1. Where is your proof, from, either scripture or reason, that an erring conscience binds men to believe, teach, or practise gross heresy, blasphemy, or idolatry, any more than their promises or vows to do evil, bind to performance?—or than it can bind them to theft, murder, adultery, calumny, or the like? If we have an erring conscience, our immediate duty is to get rid of that error, by the illumination of God's word, as being sinful in itself...it...can never make sin lawful.¹⁷³

Brown dismisses the idea that “All civil laws establishing revealed religion must necessarily land magistrates in *persecuting* their subjects.” For him “the scripture allows nothing to be *persecution* but unjust severities exercised against the profession or practice

¹⁷¹ The actual title of the book from which the extracts are taken is a little different: John Brown, *The Absurdity and Perfidy of all Authoritative Toleration of Gross Heresy, Blasphemy, Idolatry, Popery in Britain* (Glasgow, 1803).

¹⁷² John Brown “On the Absurdity of Authoritative Toleration of Gross Heresy, Blasphemy, or Idolatry,” ed. Moses Roney, *The Reformed Presbyterian*, March 1842, 1.

¹⁷³ *Ibid.*, *The Reformed Presbyterian*, August 1842, 161.

of gospel truth—at least against innocence or virtue.” However, he believes that using the fullest extent of the law should be the exception rather than the rule because magistrates can “much promote the profession and practice of revealed religion without proceeding, unless very rarely, to any disagreeable severities.”

Object. XXXVII. “All civil laws establishing revealed religion must necessarily land magistrates in *persecuting* their subjects; for if these civil laws be contemned and violated, the breakers must be punished.” Answ. 1. For this reason no superior, parent, minister, or magistrate, must make any appointment relative to religious matters, because, if it be disregarded, censure or punishment must be inflicted, and that will amount to persecution in the sense of the objection... 2. Though *evil doers* ordinarily reckon restraints of iniquity *persecution*, the scripture allows nothing to be *persecution* but unjust severities exercised against the profession or practice of gospel truth—at least against innocence or virtue. Punishment of men for what is plainly contrary to the word of God is no persecution for conscience sake, but a proper correction of them for trampling on and murdering their conscience. 3. If, by the blessing of God, parents can do much to advance religion in their families, without any furious or hurtful beating of their children,—and ministers do much to promote it in their congregations, without proceeding, perhaps once in their life, to the higher excommunication;... why may not magistrates by their appointments, encouragements, and example, much promote the profession and practice of revealed religion, without proceeding, unless very rarely, to any disagreeable severities.... 4. If magistrates take heed never to punish on the head of religious matters, but when the crime is plainly relevant and manifest, plainly contrary to the laws of God, as well as to those of the land; and that the punishment be suitable and seasonable, circumstantially calculated to promote the real welfare of the commonwealth, why should they be charged with persecution, for prudently supporting their most important laws, and yet held innocent, if not virtuous, in supporting their comparatively insignificant laws, relative to fishing, fowling, hunting, or the like?¹⁷⁴

Other writers also dealt with the subject of God’s law in the RPCNA periodicals. Quotations from just two of these will suffice. “Pratensis”—undoubtedly a pseudonym—wrote of the law of retaliation or *lex-talionis* as “evidently founded on the principles of immutable justice”¹⁷⁵ and explicitly defended the continuation of the judicial law.

Christ calls them *hypocrites* who made void the *judicial law* through their traditions. Math. 15 chap, and Mark 7 chap. He gave that law his perpetual sanction, when he commanded his disciples to obey those who sat in Moses’ seat. The law which Paul mentions, 1 Tim. 1: 8—is evidently the *judicial law*; for he makes no allusion to any ceremonial institution: it cannot be the moral law, as a rule of life, for he says, “The law

¹⁷⁴ Ibid., *The Reformed Presbyterian*, November 1842, 261-62.

¹⁷⁵ Pratensis, “Capital Punishment,” *The Covenanter*, January 1847, 164. On the same page he acknowledges the perpetually binding nature of the death penalty for “he that curseth his father, or his mother,” (Exod. 21:17).

is not made for a righteous man.” He must therefore mean the judicial law, avowed with its sanction.¹⁷⁶

A writer using the pseudonym “PRESBYTER” defends the theocratic nature of Christian Magistracy and the judicial penalties for idolatry, Sabbath breaking and blasphemy. He argues that God’s moral precepts and penalties do not change with times and circumstances.

Obj. 2. The Jewish nation was a Theocracy and the precepts of their civil code are binding on no other nation. [Reply:] The premises of this proposition we admit, but by no means the conclusion. A more logical inference, and one that is scriptural, would be, that every nation should be a Theocracy. “Blessed is the nation whose God is the Lord.” Psalm xxxiii. 12....

Obj. 3. According to the application of these scriptures in the Confession of faith, the idolator, sabbath breaker, and blasphemmer should be put to death.... [Reply:] The objection asserts a truth. God has commanded the idolator, the sabbath breaker and the blasphemmer to be put to death. And a consideration of this, we think, should prevent fault finding with either the law or the penalty. Shall man be more wise, more just, or more merciful than his Maker? The thought is horrid impiety!... But, as they are the laws of God, and as the punishment for the violation of them is not the result of circumstances variable at different times, but growing out of the permanent and immutable nature of things, *who will dare to say that either precept or penalty is no longer binding?*¹⁷⁷ (italics added)

The Illinois Presbytery¹⁷⁸ made the following request at the Reformed Presbyterian Synod of 1865:

We ask the Synod to determine precisely what changes in the Constitution of the United States, and of the several States, are necessary before Covenanters can support them... We hope you may be able to give deliverance that will direct the members of the church in the good and right way.¹⁷⁹

Apparently, no specific guidance was given by the Synod at that time, but in the ensuing discussion one writer, “J.D.,” seemingly sensing a weakening of resolve within the church, warned about the dangers of compromise, and urged that:

¹⁷⁶ Pratensis, “The Westminster Confession on Magistracy,” *The Covenanter*, July 1848, 365.

¹⁷⁷ Presbyter, “An Inquiry into the Alleged Erastianism of the Confession of Faith,” *The Reformed Presbyterian*, May 1845, 51-52.

¹⁷⁸ Carson, 63, 64n. I am indebted to this work for much of the content of the current paragraph.

¹⁷⁹ “Minutes of the Synod of the Reformed Presbyterian Church,” *The Reformed Presbyterian and Covenanter*, July/August 1865, 211.

In this constitution the scriptural truths must be asserted, which will solemnly abjure and repudiate infidelity, popery, paganism, Mohammedanism, Mormonism, Deism, Judaism, Unitarianism, Universalism, Arianism, Socinianism, Quakerism, Rationalism, Swedenborgianism and Arminianism, with every species of secret societies.¹⁸⁰

Not only does our writer advocate the assertion of “scriptural truths” in the Constitution, he also goes on to remind his readers of the theonomic duties of the civil magistrate.

We say such an one is appointed by God, keeper of both tables of the law. He is, in his place (as the church is in hers), to see the penalty faithfully executed for every infraction of the law, for every command of the first table especially....*The sanctions and penalty, of every command in the moral laws of the unchangeable Jehovah, remain in as full force to this day, as ever they did*....It will, then, be the magistrate’s rightful province to...use his coercive power in suppressing every such baneful heresy as we have named above.¹⁸¹ (italics added)

Observe that the “sanctions and penalty of every command in the moral laws” are found in what is generally considered to be judicial law, i.e. in the judicial laws of common equity.

Theonomy and Today’s RPCNA

Presumably, enough evidence has been marshaled to demonstrate the theonomic beginnings of the RPCNA. In this, they were faithful to the teachings of the Reformed church in Scotland as reflected in the Westminster Standards, the Covenants, Confessions, and other documents going back as far as John Knox and the Reformation. These were teachings held firmly by faithful Covenanters well into the 19th century.

Men like James R. Willson and others cited above did not, of course, use the word Theonomy,¹⁸² but an examination of their teaching shows that they were indeed *theonomists*. There is some variation in their terminology, both between themselves, and when compared with today’s theonomists. Once the merely terminological issues are accounted for, there is no essential difference between the theonomic teaching of these 19th century RPCNA Pastors and that of Greg Bahnsen in the 20th century.¹⁸³

¹⁸⁰ [Josiah Dodds?], “National Reform,” *The Reformed Presbyterian and Covenanter*, June 1869, 163.

¹⁸¹ Ibid., 165.

¹⁸² “Theonomy” is a much older word than many might suspect. A search of *Google Books*, published before 1850, revealed that it goes back at least as far as 1799. The closest we get to modern usage is when it is contrasted with “autonomy” by a liberal theologian, Carl (or Karl) Immanuel Nitzsch, in 1849. Carl Immanuel Nitzsch, *System of Christian Doctrine*, trans. R. Montgomery and J. Hennen (Edinburgh, 1849), 226, <http://archive.org/details/systemchristian00nitzgoog>. Nitzsch is far from any semblance of orthodoxy.

¹⁸³ They would, however, have rejected Bahnsen’s ambivalence towards the Establishment Principle. See Bahnsen, *By This Standard*, 290-91. This writer agrees with Bahnsen on his point, “That all churches
(Footnote continued on next page.)

Furthermore, they were firmly committed to the *WCF*. They did not make the serious blunder of R. J. Rushdoony who considered the *WCF* to be anti-theonomic and, regarding the judicial law, “guilty of nonsense.”¹⁸⁴

As we shall see shortly, today’s position of the RPCNA vis-à-vis Theonomy is, apparently, that it takes no position. This is reflected in the ambivalence towards the God given powers of the civil magistrate in the previously noted changes to its Constitution regarding *WCF* 20.4 and *WCF* 23.3. The 1980 Constitution’s comment on *WCF* 20.4, “The civil magistrate has no authority to pronounce ecclesiastical censures,”¹⁸⁵ is confusing. At first glance, the reader is left wondering whether its purpose is to affirm *WCF* 20.4 or to correct it.

It should be noted, however, that the authority of the civil magistrate “to pronounce ecclesiastical censures” is an authority the *WCF* *never allows* in the first place. Therefore, the comment is technically correct, and its effect is simply to rule out any forced, Erastian interpretations of *WCF* 20.4, leaving its original intent unchallenged, and still in full force. The comment in no way denies the civil magistrate’s duty, acting *circa sacra*, to expose blasphemers, heretics, and idolaters to the power of the sword because that is a *civil*, and not an *ecclesiastical* censure. Those who are guilty of:

publishing of such opinions, or maintaining of such practices, as are contrary to the light of nature, or to the known principles of Christianity... or, such erroneous opinions or practices, as either in their own nature, or in the manner of publishing or maintaining them, are destructive to the external peace and order which Christ hath established in the Church,... may lawfully be called to account, and proceeded against, by the censures of the Church, *and by the power of the civil magistrate.* (*WCF* 20.4; italics added)

Sadly, since 1980, the Constitution effectively excised a major portion of *WCF* 23.3 dealing, *in part*, with blasphemers and heretics. It states, “*We reject* the portion of paragraph 3 after the colon.”¹⁸⁶ And thus—*ostensibly, at least*—it denies the magistrate’s duty to take action against such offenders. Here is the effect of the rejection:

should be supported by voluntary offerings” rather than by taxation. But it would have been better to have added that, in cases which involve discipline of members or adherents for not tithing, the church should, if necessary, be able to refer the matter to the civil magistrate who, acting *circa sacra*, could enforce redress. James Bannerman, a staunch defender of the Establishment Principle, points out that “endowment of the church out of the national resources,” presumably including taxation, is *not* part of the Establishment Principle. See Bannerman, 1:136, 136n1, 2:345-49.

¹⁸⁴ R. J. Rushdoony, *The Institutes of Biblical Law* ([Phillipsburg, NJ?]: Craig Press, 1976), 551. Rushdoony need not have made this blunder if he had understood the Puritan division of the judicial law into laws of *particular equity*, which expired, and laws of *common or general equity*, which did not expire.

¹⁸⁵ *RPCNA Constitution*, A-60.

¹⁸⁶ *Ibid.*, A-73. This rescission is particularly troublesome because it will weaken any stance the RPCNA may make against the erroneous and unconfessional, Radical Two Kingdom theology.

~~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)~~

Arguably, however, in view of what has been said about *WCF* 20.4, and seeing that the Constitution itself offers no further explanation, it may only be those clauses in the rejected portion which curb the civil magistrate's duties to the church—rather than against its enemies—that are being rejected. Moreover, if we do not interpret it this way, we are left with a conflict between the Constitution's positions on *WCF* 20.4 and *WCF* 23.3.

It should be noted that the rescission of this and another portion (*WCF* 31.3) of the Confession dealing with the civil magistrate and the Establishment Principle are glaring examples of what, as we saw earlier and in an almost identical context, James R. Willson and others called “mutilations.” It also represents a radical departure from the original purpose of the Testimony which was to explain and apply the teaching of Scripture and the Confession; especially to identify, guard against, and condemn the errors and evils of the day and age in which the church would find itself. The Testimony was never intended to modify the Confession's teaching, much less to dismember it.

Ironically, the rescission was itself an instance in which a godly civil magistrate should, and would have acted *circa sacra* in terms of *WCF* 23.3, to ensure that the church's transactions were “according to the mind of God.”

The “Report of the Corresponding Clerk of Synod” in the 2009 *Minutes of Synod* confirms that the RPCNA has “no officially stated position” on Theonomy.

To other questions regarding the position of our church on versions of the Bible, Christian Zionism, *Theonomy* and the observance of Christmas, I gave an overview of our practice and attitudes indicating that we have no officially stated position.¹⁸⁷ (italics added)

Perhaps, therefore, the best that can be said about the RPCNA's current stance on Theonomy is that “officially” it is not against it. However, “unofficially” and more positively, it has produced good men such as the late Raymond (Ray) Joseph (1927-

¹⁸⁷ *Minutes of the Synod of the RPCNA*, Session 178 (Pittsburgh, PA: RPCNA, [2010?]), 9. The Synod approved the Corresponding Clerk's report.

2006), who worked hard to restore the church's theonomic outlook and undoubtedly influenced succeeding generations of pastors, both inside and outside of the RPCNA.¹⁸⁸

Certainly, the RPCNA has made major progress in reformation since the first half of the 20th century. During that period, theological liberalism was on the ascendancy within the denomination. It was mainly due to the persistent efforts of J. G. Vos, Sam Boyle and a few others that this perilous trend was reversed. According to James Faris,

When he [J. G. Vos] returned to the States in the late 1930s [from missionary work in Manchuria, China], he was saddened and frustrated by the spiritual state of the denomination.

In the years following his service in China, Vos fought a number of battles in the RP Synod, but did not make significant progress and was sometimes treated with great disrespect. He, with the help of Philip Martin, narrowly thwarted a move to welcome women to the office of elder in the RPCNA. The denominational magazine, *The Covenanter Witness*, displayed liberal and modernistic leanings, to the chagrin of men like Sam Boyle (also a missionary to China) and Dr. Vos. One editorial, "When Silence is Golden," published March 15, 1944, promoted cooperation with liberal churches. Sam Boyle and J.G. Vos both wrote letters to the editor, and Dr. Vos preached, published, and distributed a sermon in response to the editorial. The *Covenanter Witness* then published a series of articles in late 1944, titled, "The Theology of Social Regeneration," written by a professor at Sterling College who was not a member of the RPCNA. These articles taught Arminian theology and the social gospel among other false doctrines.¹⁸⁹

Vos continued the battle, especially by publishing his magazine, *Blue Banner Faith and Life* which Faris tells us brought about a "reformation that transformed the RPCNA over the next three decades."¹⁹⁰ Hopefully there will be continuing reformation, and may the recently republished collection of James R. Willson's works in the aforementioned volume, *Political Danger*, be used of God in moving the RPCNA back to its theonomic and establishmentarian roots.¹⁹¹

¹⁸⁸ Ray Joseph was instrumental in the republication of William Symington's *Messiah the Prince* which emphasizes our Lord's Mediatorial Dominion. William Symington, *Messiah the Prince or, The Mediatorial Dominion of Jesus Christ* (Philadelphia, 1884; repr., Edmonton, AB: Still Waters Revival Books, 1990).

The London, 1881, edition is available online at <https://archive.org/details/messiahtheprince00symiuoft>. There is also a recent edition described as a "modernized abridgement." J. K. Wall, *William Symington's Messiah the Prince Revisited, The Mediatorial Dominion of Jesus Christ* (Pittsburgh, PA: Crown & Covenant, 2014).

¹⁸⁹ Brian Faris, "The Original RP Blog," *Gentle Reformation* (blog), March 8, 2011, <http://gentlereformation.com/2011/03/08/the-original-rp-blog/>. RP stands for "Reformed Presbyterian."

¹⁹⁰ Ibid.

¹⁹¹ This is not meant to imply that Vos would have agreed with James R. Willson and other 19th century Reformed Presbyterian worthies on issues like postmillennialism, toleration, biblical law, and the Establishment Principle.