

IN TRANSLATIÖNE

Samuel Rutherford
Of the Civil Magistrate

FROM EXAMEN ARMINIANISMI

The following translation is an excerpt from *Examen Arminianismi* (Utrecht, 1668), the theological and polemical university lectures of Samuel Rutherford (1600–1661). Although Rutherford developed these lectures for the express purpose of delivering them to his divinity students at St. Andrews, they were posthumously edited and expanded for publication by the Dutch theologian Matthias Nethenus, under the direction of Rutherford’s closest friend and disciple Robert MacWard. As its title suggests, the *Examen* is a work principally aimed at examining and refuting the central tenets of Arminianism, a system of thought that derived its name from James Arminius and that established itself as a clear threat to the Reformed church near the beginning of Rutherford’s lifetime and remained as such until well after his death. The polemical bent of this treatise, however, should not be allowed to overshadow the fact that the *Examen* is, as James Walker has stated, “an excellent theological manual.”¹ In it, Rutherford discusses every major theological *locus*—from the

THE AUTHOR: Dr. Guy M. Richard is Senior Minister of the First Presbyterian Church of Gulfport, Mississippi. He has worked extensively with Samuel Rutherford’s *Examen Arminianismi*, and is author of *The Supremacy of God in the Theology of Samuel Rutherford* (Milton Keynes: Paternoster, 2008).

1. James Walker, *The Theology and Theologians of Scotland 1560–1750* (Edinburgh: Knox Press, 21982) 10.

2. Thomas Murray, *The Life of Rev. Samuel Rutherford* (Edinburgh: Oliphant, 1828) 333–334.

3. In my forthcoming book *The Supremacy of God in the Theology of Samuel Rutherford* (Milton Keynes: Paternoster, 2008–9), I examine in detail chapters 1 through 14 (Scripture through soteriology).

4. The Leiden Professors included among them Johannes Polyander, Andreas Rivetus, Antonius Walaeus, and Antonius Thysius. Together they wrote *Censura in confessionem sive declarationem sententiae eorum qui in foederato Belgio Remonstrantes vocantur* (Leiden, 1626), to censure Arminian doctrines.

5. For Rutherford, the Old Testament judicial or civil laws are “temporary” and no longer binding upon the New Testament Christian, except insofar as their general equity allows (see note 7 below for more explicit comments from Rutherford about this). Nevertheless, it is true that in many of Rutherford’s other writings, his convictions about the judicial laws, especially with regard to penology, do seem

doctrine of Scripture (in chapter 1) to eschatology (in chapter 20)—and does so in a way that is clearer and more comprehensive than are any of his other treatises. For these reasons, Thomas Murray has appropriately argued that the *Examen* is Rutherford’s “best production.”² What follows here is an excerpt from chapter 19 on the civil magistrate, which is the final chapter Rutherford includes on the doctrine of ecclesiology.³ In it Rutherford touches upon such topics as the relationship between the church and the state—espousing the Melvillian Presbyterian view of “two kings and two kingdoms”—and the question of the ongoing validity of the judicial laws and their corresponding punishments.

CHAPTER 19, OF THE MAGISTRATE

Rom. 13:4, *For he is a servant of God for your good. But if you have done what is evil, be afraid: for he does not bear the sword in vain: For he is a servant of God, an avenger unto wrath for the one who has done what is evil.*

It is asked, *Whether it should be permissible for the Magistrate to cause profligate people and murderers to receive capital punishment?* Some *Remonstrants* deny this: like *Heinrich Welsing* (*de officio hominis Christiani*, p. 1); *Henricus Slatius* (*in aperta Declar.*, p. 53); *Johannes Geisteranus* (*de officio Magistratüs*). And *Socinians*, like *Christopher Ostorodius* (*Instit. Relig.*, ch. 28); and *Valentinus Smalcius* (disþ. 6, *de Magistratu civili, contra Frantzium*), deny that the *Magistrate* is able to shed blood and that *wars by Christians* are lawful. At least the society of the *Remonstrants* in its own *Confessio* does not deny it; but nor does it openly assert it enough, as the *Leiden Professors* note well.⁴ They do speak openly in their *Apologia* (chap. 12, p. 141), having been stung by the *Censura* of the *Leiden Professors*; but since they know that there are among them those who have denied it in public writing, they say, *those are to be tolerated who hold that it is not lawful for the Magistrate to punish perpetrators by the shedding of blood and capital punishment.*

We affirm that it is entirely lawful; and the contrary opinion, as it is erroneous, we openly disapprove of and reject.

1. Because *Gen. 9:6*, *The one who sheds the blood of man will have his own blood shed by man*; *Exod. 21:14*, *But when someone confers against his neighbor, to kill him by cunning, you shall drag him from my altar and put him to death*; *Num. 35:31*, *But you shall accept no price of redemption for any murderer, who is a criminal worthy of death, but he shall be handed over altogether to death*. But certainly this is not a *Judicial* and *temporary* Law but is evident from the effect of the *Law of Nature*;⁵ because otherwise innocent blood could not be atoned for; because *Verse 33* is never said in reference to the

Ceremonial or the Judicial Law,⁶ *That you may not corrupt the very land in which you will be, because such blood would corrupt this land: moreover for that land, there cannot be atonement, unless by the blood of the one who poured it out; Matth. 26:52, All who take up the sword will perish by the sword. But not all who kill will perish de facto by the sword. Therefore, Christ speaks of the right that the Magistrate has.*

2. Because the *Remonstrants* urge that the place *Gen. 9:6* is not only against murder but also against any shedding of blood. But with no exceptions can it be avoided that under the *New Testament* it is permissible for the Magistrate to bear the sword; because it is by divine institution, *Rom. 13, just as the servant of God bears the sword for vengeance.* But the sword is the instrument, not of *pecuniary punishment*, but of the *shedding of blood.*

And there are many places in the *New Testament*, if they are pressed to the letter, as the *Arminians* explain them along with the *Anabaptists*, which clearly prove that it is permissible to take no revenge, either *pecuniary* or *corporal* in any way, regarding parricides or matricides or the most profligate murderers and regicides. And so it will be necessary that the Magistrate would balance parricide and regicide with good and love, as is expressly the case in *Matth. 5:39, 43.* Indeed not resisting the one who wishes to destroy King, Parents, or Country by the means of a weapon and fire and burning people alive; and only praying or doing a good service to such murderers. Whereupon the *Magistrate bears the sword* only in order that it might coax all in the Church and State with its prayers and sweet pleadings and soft words; And contrary to his most mild commands, *Christ* himself, who with a whip made from thin rope, drove the buyers and sellers out of the Temple. They will not give to me *in toto* the *New Testament* place (unless the place *Matth. 5,* concerning private individuals, would be explained as a defense of private revenge by seizing power) from which they conclude that the Magistrate is anything other than a toothless Monitor, who can use neither the sword nor any *right* of power with the most detestable criminals and evil persons. They should mention the place! Indeed, in this way, no penalty is to be inflicted on anyone for stealing, and for not laboring with his or her hands, no one is to be denied food; but lightning from heaven is to be expected upon the heads of all criminals: And so Magistrate and King will be only a name. For where in the *New Testament* are laws concerning Incest, Adultery, Theft, and concerning Sodomy and a pervasive lust between men and beasts to be punished by death?

3. *It is proper for us to submit to Kings and Protectors [or Rulers], who are sent for the revenge of the wicked and the praise of good agents, 1 Pet. 2:13, 14.*

4. If killing men in War would be forbidden, then John the Baptist would have responded wickedly to the soldiers asking the way to eternal life by allowing them to stay in that

forbidden lifestyle without censure and by teaching only the manner and the reason by which they would go on living in abominable homicides, *Luke 3:14.* In this way also, *Peter* would have had less regard for the greeting of *Cornelius, Acts 10.* And *faith, which in Israel there was not greater,* could not have existed in the *Centurion*, in *Matth. 8,* together with an ordinary life of War, nor could conversion [consonant with] the justice and truth of God have existed in *Cornelius*, if War would be unlawful.

5. Because there are many Wars in the book of *Revelation* against the *Dragon* and the *Beast* with *Christ the Lamb* as the Leader and the One who foretells and approves of them. Thus *1 Cor. 9:7; Luke 3:14* and *14:31, 32.*

6. Our *adversaries* teach that a Magistrate *ought to impose penalties according to the magnitude of the crime.* Therefore, homicide is to be punished by the shedding of blood unto death.

7. The Law of Nature is, *force restrains force [vim vi repellere],* and, *in the just guardianship of life, to kill is more preferable than to be killed.*

It is asked, *Whether or not a Magistrate can punish a Heretic? Whether it might truly be consistent with the Laws of our most merciful Savior Jesus Christ that a Magistrate should tolerate in the Commonwealth Jews, Turks, Papists, Arians, Socinians, Libertines, and all Heretics, who err by a pure error of the mind?*

In this Question, these distinctions are to be observed. 1. It is to be distinguished, with *Heinrich Bullinger (Decad. 2, ser. 8),* between a *Heresiarch* and *those they have led astray.*

2. With *Johannes Polyander (Synopsis Purioris Theologiae, disp. 50, thes. 57),* between the *blasphemer* and others who are *heterodox.*

3. Between the *universal Apostate* from Christianity and *those who attack or deny a Fundamental article within it.*

4. *Knowledge* is one thing; *Conscience* another; and *external profession* yet another.

5. *A positive profession* is one thing; a *negative profession* is another.

to contradict his clear statements about their being temporary. But these apparent “contradictions” are due to Rutherford’s expansive idea of natural law rather than to any real contradiction in his thought concerning the continuity of the judicial laws. In other words, the reason that Rutherford believes that the death penalty should apply to things like blasphemy, for instance, is not because the Mosaic case law states that the penalty for blasphemy is death and is to be applied to us today as it was given then, but because every person knows, by natural law, that there is a God and that he should be worshiped and not blasphemed and that this is among the most serious of offenses. For more on this in Rutherford, see his *A Free Disputation against Pretended Liberty of Conscience* (London, 1649) 177–191. See also the Westminster Confession of Faith, §19.4.

6. In other words, verse 33 is not part of the ceremonial or judicial aspects of the law and, for that reason, is still binding today. See note 5 above and 7 below.

6. A *common penalty* is one thing; a *capital penalty* is another.

7. A *curable* error is one thing; an *incurable* one is another.

8. A *cumulative* power is one thing; a *privative* power is another.

Assertion 1. Liberty of pure knowledge and opinion ought to be granted by the Magistrate to all people, in this way, the Magistrate should be able to compel no one to supposing or thinking this or that in Religion. Because acts of the mind, since they are internal, are not subject to the Authority of the Magistrate. The Magistrate can command the *information* of the mind, through Teachers and Pastors, but not the *opinion* of the mind.

Assertion 2. The power of the Magistrate *directly* and *immediately* upon the conscience is null; yet, *indirectly* and *secondarily* the power of the Magistrate upon the conscience is *accumulative*; because it can command that someone should anxiously and diligently give attention to Orthodoxy by all means. But there is no *privative* power; because the King cannot deprive a conscience in its liberty of thinking rightly about God, nor can a tyrant do so, nor any created power.

Assertion 3. The Magistrate ought to compel the Heretic to a *negative* profession of sound faith, that is, he ought and can force a Heretic not to profess externally, nor to teach or disseminate anything in the exercise of Religion that is contrary to a sound faith. From this we think that all who profess a false Religion plainly and openly are to be punished according to the magnitude of the offense.

1. Because the Magistrate *bears the sword for the punishment of the wicked*, Rom. 13:4; 1 Pet. 2:13, 14. But such Heretics are wicked; and *Heresy is a work of the flesh*, Gal. 5:20. The King, however, is not a Servant of God, if, wrongly, he does not restrain their thinking and professing about Divine Majesty.

2. Those whom the Church ought to punish Ecclesiastically, as scandalous persons, the Christian Magistrate, as the Guardian, Nourisher, Tutor, Defender, and Protector of the Church, ought to punish them with a civil penalty: the office of Guard, Tutor, and Protector requires it. But the Church ought to convict those who speak against it, and excommunicate those who are obstinate, and shun Heretics.

3. A false public Religion against God is either a public sin or not. If the latter, then men in a Sect or Religion anywhere can be saved; which is absurd, since there is *one faith*, Eph. 4:5, and *salvation is through the name of Jesus alone*, Acts 4:12. If the former, then the Servant of God ought to punish and restrain it.

7. Here Rutherford expressly states, in keeping with the Westminster Confession of Faith, that the judicial laws “do not pertain to us,” except “in respect to their natural equity.” See also the discussion in notes 5 and 6 above.

4. Because if this reason of the *Remonstrants* would be valid, viz., that Heretics are not to be restrained by the sword, because *Religion is induced by reason alone, not by weapon, flame, and force*; then this reason would prove that not even Blasphemers and Heresiarchs (who in their erroneous consciences believe that they are engaged in the highest wickedness if they do not teach their destructive Heresies about *Christ* the False-prophet, even in public places) are to be restrained. But the Remonstrants themselves teach that the Magistrate is permitted and ought to forbid destructive errors from being promulgated by Teachers in temples and public places. But they reply in this way; Such a Heresiarch is to be induced by reason that he ought not to teach in public places any doctrine which he believes is beneficial and necessary for souls to be saved; he is not, however, to be prevented by force and sword from public Temples.

Assertion 4. The Magistrate cannot directly compel a Heretic to a *positive* profession of sound faith and to professing, as it were, saving truth, which he or she thinks to be blasphemy; because then it would be able to compel him or her to hypocrisy; But the Magistrate can compel him or her to let go of an erroneous conscience, in the causes, in the means, and in the reasons and the motives to be considered, heard, and learned.

Assertion 5. The Magistrate ought to inflict with capital punishment blasphemers, who profess both heretically and blasphemously about God, and who leave *Christianity* for *Judaism* or another false Religion.

1. Because God commands this: *Exod. 22:20, The one who sacrifices to other gods besides the one God, let that one be destroyed as a curse.* The Law is, *Deut. 13*, that the dreamer and the one who tempts others to serve foreign Gods, is to be killed without any leniency. The worshiper of the Sun and Moon is to be struck down with stones. *Lev. 24:16, Whoever has cursed his God will bear his own sin; and the one who has blasphemed the name of the Lord must be punished with death.*

To be sure, these laws do not pertain to us, as they are *Judicial* laws (as *Theodore Beza* notes in his *de Haereticis puniendis*): 1) Since they are from *Moses* not from our Magistrate; they are prescribed for the *Israelites*, not for us; 2) Since they speak in regard to corporeal sacrifices &c.; 3) Since they were made against dreamers. These things do not now apply among us. But in respect to their natural equity,⁷ it cannot be proven from the Scriptures that these Laws are of those which are abrogated by the death of *Christ*; unless those Laws would have said that the death of *Christ* accomplished the following, viz., that, although blaspheming the name of God might have been a sin among the *Jews*, it is permissible for us, or *adiaphora*; or, if it is sin, it would be a sin removed by the death of *Christ*, at least to this point, that it ought not to be punished by the Magistrate.

2. Because the edicts of King *Nebuchadnezzar* are praised, which did not pertain to the Political and Judicial Law of the *Jews*, *Dan. 3:29*; and the edicts of *Artaxerxes*, *Ezra 6:11* and *7:25, 26*, establishing death and eradication for those who have spoken blasphemy against *Jehovah* and refused to obey the Law of God. Thus, *2 Chron. 15:13*; *Ezra 10:8*.

3. This is confirmed no less by the examples of *Jehu*, who slaughtered the Priests of *Baal*; of *Josiah* sacrificing the Priests of the High Places; of *Elijah* destroying the Priests of *Baal* by the brook *Kishon*; of *Peter* striking down *Ananias* and *Sapphira*; of *Paul* striking *Elymas the Magician* with blindness. These all prove by arguing from the lesser, that it is a great deal more lawful for the Christian Magistrate to mark out blasphemers for death, since Justice would be natural in both cases because this sin is most serious, although not worse than parricide.⁸

Assertion 6. When people seduced by others go astray, then with much patience and with every leniency conveyed to them, they are to be compelled somehow with a lighter penalty to repentance so that they might be forgiven.

It is asked, *Whether no one would go astray by working hard, or would persuade himself or herself to go astray, when it is done with respect to one's own eternal salvation?* So the *Remonstrants* say (*Apologia*, p. 278). We deny it.

1. Because *Jeroboam* by working hard to establish the kingdom erected golden calves; and *Solomon* purposely made an offering to foreign Gods; and each was determined to be done regarding eternal salvation.

2. Because then someone would not be able to lie and say that God is corporeal, the author of sin, the cause of shameful gain or vain glory: which is incompatible with experience.

It is asked, *Whether that Heretic would be a blasphemer, who strives to prove his own blasphemy from the Word of God; and mentions it with so much reverence for the Divine Word that he would prefer to undergo a thousand deaths than to give it up?* The *Remonstrants* establish that such a Heretic is innocuous, upright, and pious (*Apologia*, ch. 24, p. 263).

We deny it. 1. Because their conscience is seared with a branding iron; thus they can be hardened by God judicially so that they would believe their own Heresy is in conformity with the Word of God and would undergo death for it: as is evident in the Priests of *Baal*, and in the *Jews*, who maintain from the *Old Testament* that the Son of *Mary* is a deceiver; and they are prepared to die for their own religion.

2. Because then the blasphemer would at no time in the nature of things be revealed by God to be abominable, who would believe in his or her bewitched conscience that *Christ* is a deceiver, the bitter enemy of God the *Father* and of his Religion, and who would make it the subject of daily conversation; and who would believe that it is lawful, indeed, pious, to kill *Christ* and the *Apostles*; which Scripture opposes. For what is

to be said concerning those who believe that the sacrifice of a child to *Molech* is religious obedience to God, just as God commanded to *Abraham*? *Jer. 7:31*. And, likewise, what is to be said concerning those who killed *Christ* and the *Apostles*? *Matth. 26:65, 66*; *1 Cor. 2:8*; *Joh. 16:2, 3*.

3. Because their chief reason why it is not lawful for the Magistrate to cause a Heretic to receive capital punishment is because no Magistrate, and no one among mortals, can judge regarding the secret of the heart, whether the heretic would hold his blasphemy against the dictates of conscience? But then, the one who would defend the beliefs that God is a physical body to be worshiped as an Idol, and that the *Son* of God is a Deceiver, and that there are three Gods, would have to be tolerated; Indeed, the one who applies the gangrene of his own false doctrine to others could not by physical force be prevented from doing so in public places; (against this, they themselves teach in *Apologia*, ch. 24, p. 257, that) Because whether internal stubbornness would constitute blasphemy only *the One who knows the heart* knows. And thus *Moses* and the Kings and people of *Israel* could not have stoned those who stir others up to the worship of false Gods; because it would be possible that such Heresy would itself be piety and innocence. What? Do people know the secrets of the heart? Is it not possible for any Heretic to be excommunicated, as was *Hymenaeus who made shipwreck of the faith*? Or, indeed, is it not possible for the Heterodox, who is heterodox to the extent that he or she is not stubborn or seduced by a simple error of the mind, to be reproached publicly by name or branded with any censure? They say, only *the One who knows the heart* knows, not the Church, nor any mortal.

It is asked, *Whether the power of the Magistrate, in the external control of the Church, would be supreme, immediately subjected only to God, superior to the Church in general in regard to power?* The *Remonstrants* say so (*Apologia*, ch. 25, p. 291, 292).

We deny it and determine the matter by these Assertions.

Assertion 1. The King, as a member of the Church, is under the Power of *Christ* the King reigning in his Word and in Church Discipline.

1. Because concerning all without exception (*However, it is not to be distinguished when the Law does not distinguish.*) it is said: *The one who hears you, hears me; the one who scorns you, scorns me.*

2. Because Ministerial authority in the name of God, above and beyond Kings, is given by God to his Prophets and Pastors;

8. Here Rutherford expressly states his thinking in regard to penology. It is appropriate for the Christian Magistrate to put blasphemers to death, but this is not because the Old Testament case law stipulates that penalty but because exercising this degree of "Justice would be natural" (i.e., because nature or natural law stipulates this penalty). Again see the discussion in notes 5, 6, and 7 above.

Jer. 1:10, See, I put you in charge this day of nations themselves and of kingdoms to root them out &c.

3. Because every created Power is under the Power of *Christ* the King in his Word and in the act of Church Discipline, which is the royal act of *Christ*; *Psal. 2:12, Kiss the Son, lest he be angry; Psal. 72:10, The Kings of the ocean, of the sojourner, and of the islander shall deliver tribute; the Kings of Sheba and Seba shall offer gifts; verse 11, accordingly, all kings shall bow themselves down, offering honor to him; all nations shall serve him. Christ is the King of Kings and Lord of Lords, Rev. 17:14 and 19:16.* Therefore, Kings are subordinate to him and subject to his laws.

4. All in the Church are either the Great Shepherd or sheep. Only *Christ* is the great Shepherd; the King, therefore, is a Sheep: he is required, therefore, to hear the voice of *Christ* speaking and commanding through his servants: he is under, therefore, the power of binding and loosing, which is given to the Church. For that which is appropriate to Christians, as Christians, is appropriate to all Christians; even to a Christian King.

Assertion 2. The King, as King, is guardian of each table of the law and is the *supreme governor in all judicial cases altogether with respect to political control and civil influence, whether they are Ecclesiastical and Spiritual or Civil and Temporal.* But it is not true that he is the proper or supreme governor and Judge of Ecclesiastical cases, contradistinguished from the Political. *Reason.* In every Ecclesiastical case, there are two aspects; one is *Political*, which touches the King and human Law, as it is placed under the King in his own Sphere under his commands; and to that extent the supreme Judge is the King. The other aspect is *Spiritual and Ecclesiastical*; and this is under the judgment of the Church, not that of the King. For if the King would simply be the Judge of all judicial cases, even of Ecclesiastical ones; then he would be the Judge regarding the Translation of the Bible from the *Hebrew and Greek* originals into *Latin* or into common speech, even if he did not have any experience with *Hebrew* letters: Indeed he would be the Judge of all *Philosophical* Disputations, all Questions about Nautical things, Military things, Agricultural things; which is to set up a King below the King, provided that they are diligent to honor him. Whatever there is of the *Political* in such Questions concerning civil law and divine law, that pertains to the King in his own sphere; *Rom. 13:4, He*

9. Rutherford, like Calvin and most Reformed theologians (and contrary to the Arminians), is a post-lapsarian voluntarist. He believes not only that the fallen individual's mind loses all ability to direct the will in choosing the good but also that the same individual's will now "resist[s] the truth in the mind...[and] imprison[s] it and cast[s] it in fetters" (Rutherford, *A Sermon Preached before the Honourable House of Commons, January 31, 1644* [London, 1644] 16). Thus, the will is now, after the fall, the "despotic and dominating faculty,"

is a servant of God; *Isa. 49:23, And Kings shall be your foster-fathers; and female rulers your nurses; Psal. 101:8, One morning at a time I shall destroy all the wicked of the land to cut off all the workers of iniquity from the city of God.*

Assertion 3. Hence, the Teachers rightly say that the King by his own royal authority exercises *commanded* acts not *produced* acts when dealing with Ecclesiastical things; just as the will, the despotic and dominating faculty,⁹ exercises royal and commanded acts when dealing with all faculties, both of the soul and of the body. The will commands the eye that it might see; the ear that it might hear; the locomotive faculty that it might walk; but the will itself has no *produced* acts in it; the will itself does not see or hear, nor is it moved to a place.

1. Because the offices of King and of Ecclesiastical Rulers are distinguished by object, nature, and kind (splendor); it is not possible, therefore, that the King, as King, should preach, ordain Pastors, or establish Synodic canons and impose them on the Church.

2. That which is appropriate for the King according to himself, is appropriate for all Kings, even *Pagan* Kings. But it is not appropriate for all Kings to do this, as our *Adversaries* admit.

Assertion 4. And what they say is not true, that the King, although not as King, yet as a *Christian*, that is, as that kind of a King, *properly directs and administers, in Ecclesiastical Control* (as *John Cameron* says, *Praelectionum*, bk. 2, p. 50), *the Ministry and exercise that is properly in the power of Ecclesiastical men.* Worthless nonsense!

Who would consider the King to have the *power* of preaching the Word, administering the Sacraments, exercising Church discipline, and prescribing canons: when the *acts* and *exercises* of preaching, etc, properly belong to the Pastor?

For, 1. The power of the acts of the Pastor is to be exercised in the Pastors, *namely*, authority conferred upon them for edification and for exercising acts of Discipline; *Matth. 18: 18, 19, 20; Mark 16:15, 16; Eph. 4:11, 12; 1 Cor. 4:1, 2, 21; 2 Cor. 2:10, 11; 2 Cor. 10:8.*

2. Thus Ministers would be merely the hands, instruments, and executors of the will of the King, and Pastors preaching and exercising acts of Discipline merely in the name and authority of the King. But they are servants of God, entrusted with an office that they carry out in the name of *Christ*; *2 Cor. 5:20; Gal. 1:1, 2.*

3. It is especially to be noted that the *Christianity* of the King being outwardly added to the office does not add a new authority to the *Christian* King over and above what he had before he could administer Ecclesiastical things; but *Christianity* only extends and stretches, as it were, the pre-existing Civil and Political Power more broadly and more intensely. Because the *Pagan* and *Muslim* King is equally and essentially King and is bound to his Regal Authority by virtue of

the Kingly responsibility of his office; and the same is true of the *Christian* King, with this extra gift, viz., that the Gospel is revealed to him, and with this extra responsibility, viz., that he is bound to *Christ* and to the increasing of *Christ's* kingdom. I want what is said about the obligation of the Law, not about the obligation which is modified by special gratitude, to be like that in *Luke 12:48*, to whom much is given, much will be required. But a *Christian* King, not as King, but as such a King, i.e., as a *Christian*, has Authority, according to the measure of grace received, to contribute to the good of the Church more abundantly and lavishly than the King who is simply King and the *Pagan* King who has heard nothing about *Christ*. The King then as a *Christian* is under a greater obligation than the *Pagan* King; but he is not primarily and essentially provided with a greater Kingly power. Because it is said concerning all Kings, *Prov. 8:15*, *By me, Kings reign...*¹⁰

Assertion 5. Certain spiritual acts of the King are appropriate, as King; For as King, and by virtue of the Kingly responsibility of his office, he can and ought to exhort and royally command that all indolent stomachs and all who covet Princely Ecclesiastical honors, would thereupon compare themselves to the flock of the Lord which is shepherded by him; Indeed he ought to command that anyone in his Kingdom, which is his own by office, should diligently perform, *2 Chron. 29:5*, *And Hezekiah said to them, Listen to me, O Levites, now sanctify yourselves and sanctify the house of your lord, and carry out that which is to be separated from the Holy Place.* For, thus, *Jehovah* had commanded, *Num. 8:6, 11* and *18:32*. And this exhortation, with respect to the substance of the command, does not differ from the Ministerial; But it does differ with respect to the Authority of the command and the penalty to be inflicted. The King commands by his Kingly authority and under threatening, censure, and civil punishment (if only Kings would scourge lazy Pastors, and those who strive only for their belly, the Princely Court, and its honors!) what the Pastor commands by Ecclesiastical Authority and under punishment of spiritual Censure.

Assertion 6. In the case of the Apostasy of the Universal Church, when the Pastors are Heretics because they are negligent in their office, and the people are deficient of the true worship of God, the King can and ought to reform Religion.

1. Because *Josiah* piously and laudably did it, *2 Kings 23*. He renewed the covenant between God and the people, purged the Temple, demolished the Altars of the Idols, and slaughtered the Priests of the High Places.

2. Because the Law of Nature is that any member, especially so eminent a member as is the Political head, would, to the utmost of their ability, provide for and consider the health of the whole body. But in these circumstances the King can do nothing by his absolute and independent kingly liberty and everything according to the command of the divine Word.

Assertion 7. The King, as King, can by right deny his own Royal sanction to wicked statutes, even if they might be Canonically determined by a Synod.

1. Because the conscience of a Magistrate is not absolutely but conditionally subject to the Canons of the Church, insofar as they agree with the Word of God.

2. That which is appropriate for all Christians is also appropriate for the King, as a Christian. But private discernment, as to whether a Law or a Canon would be agreeable to the word of God, is appropriate for all Christians. And here the King, as King, has public judgment, and, as a Christian, he has private judgment; he should accomplish or establish nothing by his own authority, because it is incompatible with the Word of God...¹¹

The logical Consequences of the Remonstrants in opposition to this are not valid. Hence they infer, 1. *Ministers, therefore, or Pastors have power and authority immediately, i.e., the first and greatest, under and from Christ. And in the same way, the Magistrate either does not have that kind of power, or does not have it immediately from Christ, like Ministers do, or the Minister and the Magistrate are supplied with that kind of power in the matter of Ministers.*

We say, the power in the external Control of the Church is a gift, given immediately to the Church alone, and not to both, but to the College or Body of Church Rulers; who alone have power immediately from *Christ* to bind and loose (as they prove from *Matth. 18:16, 17, 18; John 20:21, 22, 23; Acts 1:24, 25, 26; Acts 15:22, 23, 24*) and that power consists precisely in external Control. Nowhere has Scripture granted that kind of power to the Magistrates; there are no canons of a King in the whole of Scripture to excommunicate or to establish in discipline and right order in the Church; but only canons of the Church.

2. The Magistrate, not as the Magistrate, but as a member of the Church who is extraordinary politically and guardian of each Table of the law, has a collateral authority with the Church under *Christ* immediately conferred to him with the Church. But this power corresponds to the King, because and insofar as he is a member of the Church.

3. It does not follow that the King is a Minister and Servant of the Church, just because he is to look after it in such a way that the Laws and Canons of the Church would be commanded for enforcement; because he plainly commands with regal authority that the Canons of the Church should be commanded for enforcement. Indeed, because the King commands everyone legally and is to look after the Church to ensure that its Pastors preach the Word diligently and that

10. Omitted most of *Examen*, 744–745, to move on to “Assertion 5” on page 746.

11. Omitted a portion of *Examen*, 747–748.

its Canons conform to the Word of God, to this extent the King is a Minister of God but not of the Church.

The Remonstrants infer, 2. *Either Architectonic power immediately under Christ corresponds to both, i.e., to both the Magistrate and the Ministers of the Church, or to one only. But to correspond to both at the same time is absurd: For two different collateral Architectonic powers, of which one would not depend on the other, would be established in the Church of Christ; which is contrary to the nature of good Control. It corresponds to the Ministers, therefore, without the Magistrate.* Response: Some say having two collateral Architectonic Powers immediately under Christ, of which one would not depend on the other, would not be absurd at all; because both Powers are supreme in their own sphere. For as William Barclay says (*contra Bellarmine*, ch. 14, pag. 110), *Neither is subject to the other, and neither can overtake the territory or Jurisdiction of the other without the greatest wickedness; but both of them together are just like the arms of one body attached to the head, which is Christ.* Balschaser Meisnerus (*Sobriae Philosoph.* part. 3, sect. 2, ch. 2): *Civil Power depends on the Ministry in Spiritual things and Spiritual Power depends on the Magistrate in Temporal things.* But, properly speaking, Ecclesiastical Architectonic power resides only in Christ, the King and head of the Church: Ministerial power, however, corresponds only to Ministers. The supreme power of punishing, and the real punishing of disobedient people, is and remains in the power of Christ the King: Ministerial denunciation to a punishment that is according to the word and Ministerial excommunication is bequeathed only to Ministers. But the King and highest Magistrate truly have Architectonic power to produce Laws that are consistent with the Word of God and right reason; and, by the fullness of their power, to cause transgressors to receive the death penalty, not only in an easier way, but also for the reason of the crime. Two powers supreme in their own sphere, subordinate and not subordinate to themselves in turn, is, in a way, not only not absurd but necessary. For the King Politically, and with despotic Control, is the supreme guardian of each table of the law; but his supreme power here is *cumulative*, that is, he is able and is required to add and to accumulate his own Regal Authority to call a National Synod, to preside Politically over it, to add his Civil sanction to the Canons, to punish insolent violaters of the Canons: But his power is not *privative*, by which he would be able to deprive the Church with a power conferred by Christ or with an exercise of Ecclesiastic Power. From which we say that the power of Christ is *positive* and *privative*; but the power of the King is *permissive, accumulative, supplementary*, not *privative*. And the Power of the Church is in another sphere, in the sphere of Ecclesiastic, Pastoral, or Spiritual Power, and it is supreme in its own sphere and order; it is not under the King but is immediately from Christ. And in this way, the King, as King, is

inferior in rank to God alone and following God is superior to the Church in Civil Power: And the Rulers of the Church are superior to the King in Spiritual Power. For the King, as a member of the Church, is under the Church, as a Son is to his Mother, a part to the whole, a member to the body, a sheep to the college of Pastors. And this is not the opinion of the Pope, as the Remonstrants affirm.

1. Because the *Papists* subject the King and the conscience of the King to the Decrees and Canons of the Church, as if they were the infallible Word of God. But this is the true sense, the conscience of the King is subject to no Synod and to no Decree of the Church, except insofar as it agrees with the Word of God.

2. In this way, the *Papists* want the *virtual* Church, i.e., the *Roman Pope*, to be set over Kings, so that it would be permissible for the *Pope*, by the fullness of *Papal* Power, to dispose of Kings' affairs, to dislodge them from the truth of the written page, to deprive the crown. We detest such Tyranny; and we teach that the souls of all people, even of Pastors, ought to be subject to the King in the Lord, and that is on account of conscience. Likewise, the *Papists* want the *Pope*, according to his sovereignty, to be able to command Kings; they want Kings to be required to subject their own consciences to the Word of the Pope, as though that word was the living oracle of God speaking on earth; and they want the King, as executor and minister, to be under the *Pope*. We teach that the King is under the Church as sheep under Pastors: yet, in this way, that the Decrees of the Church would not bind his conscience to follow them, because the Decrees of the Church are only to be considered insofar as they agree with the Word of God. *British* Theologians do not believe that the King is the head of the Church, that is, that he has the same power as the Head of the Church, which power the Pope formerly usurped in *England*.

GUY M. RICHARD ■