

IPS PRINCIPLE PERSPECTIVE

A Journal from the Institute for Principle Studies

Winter 2020

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COVID, CIVIL AUTHORITY & THE CHURCH

THE INSTITUTE BEHIND THE JOURNAL

Founded in 2005 as a Christian para-church ministry, the Institute for Principle Studies (IPS) endeavors to reverse over 200 years of societal decay by returning civil government to its Biblically-prescribed role.

In order to do so, the body of Christ must articulate the Biblical case for the proper role of government to a principle-starved world. IPS stands ready to aid the church and provide this defense.

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PRESIDENT'S LETTER

By Michael R. Winther



As we turned our calendars from 2019 to 2020, who could have imagined what the new year was going to bring? The outbreak of COVID-19 was certainly unexpected, but it was not the biggest surprise of the year—after all we have had contagious disease outbreaks before. The greater surprise is the astonishing change in America's view of rights and government that took place in a few short months.

Who could have imagined that federal, state and local governments in America would mandate the closure of millions of businesses; that it would be illegal for most of the country to go to work; that churches would be shut down; that those few churches who were allowed to meet would be prohibited from singing; that curfews would make it illegal to leave your home at certain times of the day; and that, when allowed to leave our homes, it would be against the law to go anywhere except those locations deemed “essential” by the state?

Meanwhile, the elected leaders who imposed these draconian rules hypocritically violate them with impunity. While Californian's hair salons were closed, California Congresswoman and Speaker of the House, Nancy

Pelosi is photographed having her hair done in a San Francisco salon. While the state has travel restrictions, a group of California legislators take a Hawaiian “business trip” to have some meetings in paradise. Few political figures have imposed more restrictions on his state than California Governor Gavin Newsom. While most restaurants in the state were closed and citizens were being told to limit their Thanksgiving guests to no more than three households, he is found to have been part of a multi-household party of 12 who dined, without masks and without social distancing, in an enclosed space at a posh California restaurant. Similar examples are abundant all across the nation.

America, we have a problem!

This issue of *Principle Perspective* will attempt to answer a number of critical questions like: “What is the proper role of government in a pandemic?” and “What does the Bible teach about submission to the civil authorities?”

As we compiled this issue of *Principle Perspective*, one of my concerns was that some readers will view this content as fostering disrespect for our institutional rulers and promoting inappropriate rebellion against them. Nothing could be further from the truth.

The Christian walk should be one of submission. First and foremost, we are to submit to Christ. Second, we are to submit to earthly authorities—this includes the authorities in each of the God-ordained government institutions. Because our God is absolutely righteous, our submission to Him should be absolute. But the rulers in our human institutions are not absolutely righteous—like all of mankind, they have a sin nature and do not always rule justly. It is for this reason that our submission to human rulers must always be conditional.

Our desire in this issue is that every reader would develop a clear perspective on submission and resistance that is:

- 1) Biblically sound
- 2) consistent in its application; and
- 3) that understands some of the church history on the subject.

As I survey the social landscape in our current world, I believe that some members of society are overly rebellious and that others are overly submissive. The same is true among Christians. Most common in this era of time are people whose submission and rebellion are confused: they rebel where they should submit and they submit where they should rebel. For example, it is common to find those who don't want to submit to family government or church government, but will submit to every ordinance of the civil government.

Because of space limitations, this issue of *Principle Perspective* does not deal with most of the Constitutional crises created by these policies. There is no doubt that most of these policies violate both state and federal constitutions, but we will save our Constitutional discussion for another time.

There is a lot of content in this issue of *Principle Perspective*. I hope that you will take time to read each article and then pass this important content on to friends, neighbors and church leaders. You can also order additional copies for wider distribution.

Serving the King,

Mike Winther
President

WHAT IS THE PROPER ROLE OF GOVERNMENT IN A COMMUNICABLE DISEASE OUTBREAK?

The proper role of government: An overview

The proper role of government can be boiled down to the task of protecting the rights of its citizens. We clarify this thesis by stating that a right is not a product or service, but rather the freedom to pursue a product or service—or to otherwise act in any way that does not violate the rights of others. Government should not give “things” to its people because government cannot give to one without taking from another. For government to give a material benefit to one person, it would have to forcibly take that same material value from others. In an effort to protect the citizen’s rights, civil government should not, itself, become a violator of the rights that it was commissioned to protect. The rights that are to be protected by government are intangible; these rights are freedoms and liberties, not money or property.

Perhaps the most important philosophy of the American founding era was a belief that rights come from God and that these rights can only be infringed by the civil authorities as punishment for certain biblically prescribed crimes. This was the most important “foundation principle” of our nation. Although America is the only modern nation founded on the premise that rights come from God, this view of rights is not distinctly American. This concept is communicated in both the old and new testaments and was discussed regularly throughout the Protestant Reformation. The understanding that rights come from God is the primary reason for the success of the American system. It produced more liberty, more wealth, and more civic responsibility than the world had ever known before.

As the years have progressed, Americans have allowed this foundation principle to be compromised again and again.

“Perhaps the most important philosophy of the American founding era was a belief that rights come from God and that these rights can only be infringed by the civil authorities as punishment for certain biblically prescribed crimes.”

Our nation has drifted from its foundational moorings and is now adrift in a sea of atheistic relativism without principles—and without God. It is understandable that the atheist or the agnostic rejects the idea of God-given rights—after all, how can a non-existent being bestow anything. What is hard to understand, however, is the extent to which Christians, particularly Christian leaders, have abandoned the concept of God-given rights. For many in the modern church, rights have become relative, subject to the winds of public opinion. The end result is that the definition of proper government authority has also become relative, situational, and subject to popular currents.



Regardless of whether humans acknowledge it, there are absolute standards that define the proper role of civil government and the rights that result from these standards.

When can a government limit or remove rights?

The removal or limitation of a person’s rights is only legitimate as a punishment for a crime. The convicted criminal experiences a number of consequences that are each limitations of his rights. Depending on the crime, the convicted criminal may lose the rights of movement, property, or assembly. We should view punishment as a limitation of rights and a limitation of rights as a punishment. If a person has not committed a crime, then there is no legitimate reason to punish—or to limit their rights.

The very definition of liberty is based on our concept of rights. Liberty (or freedom) is the possession of God-given rights, acknowledged, protected and not violated by the civil state.

In our efforts to protect the rights of citizens, we have established procedures that are designed to protect rights and ensure justice. Some of these procedures come from the pages of scripture; others are creations of man that have been adopted because of hard lessons learned in history—but even these procedures have foundations in biblical principle. In unique times, it is easy for some members of society to suggest that we disregard these procedures. Perhaps a particular crime is so egregious and so obvious that we feel no need to hold a trial before convicting the perpetrator. However, we must resist the temptation to short-cut those procedural protections that serve us so well. This is as true in a pandemic as it is for the trial of a mass murderer. What follows is a presentation of some of the principles and procedures that can help people make good decisions as to what their government's actions should be in times of epidemics.

The necessity of guilt

As we have established, any infringement on the rights of a citizen is a form of punishment. Justice demands that a determination of guilt must precede any civil punishment. It may be obvious, but it is often overlooked that the person who is punished must be guilty of some offense. This guilt may be an action that was taken (an act of commission) or it may be an act of negligence (an act of omission). In either event, government must prove that an offense occurred and that the accused is guilty of that act.

Is justice collective or individual?

Let's assume that a particular city is subject to extremely high crime rates. Murder, assault and theft are common. In this community, we know that 75% of crime is committed by males between the ages of 18 and 30. Additionally, we know that 90% of males in this age range will commit multiple felonies. The civil government could prevent a substantial amount of crime by incarcerating every male in this age range. It is, after all the job of civil government to protect the rights of the innocent and this action would protect a lot of people and prevent a lot of suffering and loss. Would it be reasonable to accept this policy? Would it be just to accept this policy? The answer to both questions should be no; it is not reasonable and it would not be just—even though we would prevent a lot of crime with this policy.

Why don't we use civil government to prevent these crimes? We wouldn't do this because not all of the young men that we would incarcerate will be guilty of a crime. This proposed action would incarcerate some who are

innocent. It has long been a maxim of jurisprudence that it is better for nine guilty to go free than to have one innocent be punished. Preventing crime is not an adequate rationale for violating the rights of an innocent person. This is true even if we help far more people than we harm.

Burden of proof

When society or the government believes that someone is guilty of a crime, that person is investigated, charged and tried for that crime. To be thought guilty of a crime is not the same as actual guilt. Because we don't want government to violate the rights of the innocent (even if they are accused), our legal system is designed to protect the rights of the accused until they are proven guilty by a jury of their peers. To protect the accused, we place a "burden of proof" on the government in criminal proceedings. We assume (or we should assume) that the person is innocent until proven guilty. The first legal burden is not for the accused to prove themselves innocent, rather the first burden is on the state to make its case against the person. A trial is not even necessary until the state demonstrates high probability of guilt.

The very same principle applies (or should apply) to the use of government in a disease outbreak. If we surrender the concept of the government's first burden of proof in any area of jurisprudence, we jeopardize the concept in every area.

The problem of brightlines

We wouldn't think of punishing someone for murder or bank robbery without having a definition of these two crimes. In our criminal laws, we labor to carefully define each crime. We even make distinctions between categories of murder or theft—each with different amounts of punishment.

We should not prosecute someone for theft if we don't have a consistent, well-defined definition of what constitutes theft. The legal standard that separates theft from non-theft is what we might call a brightline. We need brightlines to help us know when someone has "crossed the line" from acceptable to unacceptable behavior. Good brightlines (or "thresholds") are critical to good policy making. If we are going to punish people for spreading (or potentially spreading) a contagious disease, we must be able to define the offense. This raises two important questions of definition: magnitude and probability. And each of these require well-defined brightlines.

The question of magnitude considers how significant must

be the illness before the civil government can intervene? Does the mildest of colds necessitate (or even allow) government action? To allow government intervention at this lowest level of illness would certainly be a departure from all past models of governance. More importantly, this low standard for regulating human behavior would make day-to-day commerce and human interaction nearly impossible.

The second question to consider is that of probability. How likely must the transmission of disease be before the civil government can intervene? If a person is 1% likely to spread a disease, can we infringe his rights to protect others? What if the probability is 30% or, as in our city crime example above, what if the probability is 90%?

Our criminal justice system knows only two brightlines for removing a person's rights. These are the standards of "beyond a reasonable doubt" and "probable cause". Probable cause is also referred to as the standard of "more likely than not". The "beyond a reasonable doubt" standard applies in all criminal trials. Although we have no statistical probability attached to this standard, it must be admitted that this is a very high standard. This author would place this standard in the 99% range. I certainly would not want to convict someone, if I believed that there was a 5% chance that they were actually innocent. In a jury trial, we require that all jurors believe that this standard has been met. If even one juror believes that this standard has not been met, our system would refuse to punish the accused. This creates a very high hurdle to the conviction of the accused.

“If we are going to punish people for spreading (or potentially spreading) a contagious disease, we must be able to define the offense.”

The lesser standard of "probable cause" or "more likely than not" does have a statistical probability associated with it. This probability is assigned as anything over 50%. This is a much lower standard, but this is not a standard for conviction of a crime—it is only a standard for a search warrant. The issuance of a search warrant allows the government to engage in a temporary, short-term violation

of only one right—the right of property and privacy.

Our current government restrictions for dealing with the COVID outbreak could not be justified by either of these standards (beyond a reasonable doubt or probable cause). To create a new, lesser standard would be to change the balance scales of justice and to invalidate these two current standards in our justice system.

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We cannot take a citizen's liberty/rights because they "might" harm someone else.

The problem of the arbitrary

Without brightlines, laws become arbitrary. This is why we have different gathering standards for casinos than we have for churches. In a school 4th graders have to wear masks all day, but 3rd graders don't. Members of the same family don't have to wear masks when they are in close confined quarters in their home, but they do if they go for a walk outdoors.

Who do we quarantine?

Traditional views of quarantine allowed for the isolation (and reduction of freedom) for those who were known to have a contagious disease. These traditional policies of quarantining those who were sick and contagious were based on the assumption that the person to be isolated had already crossed over the brightlines of both magnitude and probability. Unfortunately, the world's policy makers of 2020 are giving no consideration to the brightlines of the past. The reader should not assume that this author is unconditionally defending past procedures relating to quarantines. Our past policies on quarantines (pre-COVID)

have not always been consistent and they certainly could use some deeper philosophical thought. (In particular, our quarantine policies should be re-thought to consider the principles and concepts contained in this article.) Nevertheless, it is noteworthy that quarantines have not traditionally been applied to the general populace who may or may not have been exposed to any particular disease.

The problem of “science” and “data”

Mark Twain once said that there are three kinds of lies: lies, damned lies, and statistics.



When we talk about basing our public policies on science and data, we have to ask, “which science?” and “whose data?” We live in an age when bias and “spin” are more assured than facts. With the current dearth of ethics in our society, it is hard to find studies or data that is not tainted by political bias. Assuredly, some studies and data are accurate, but how do we know which ones are trustworthy?

The truth of the matter is that we don’t need data on murder rates to determine that murder is wrong. Whether it is common or rare, we should define it and punish it based on principle, not on prevalence.

As ironic as it sounds, the use of data to decide the proper role of government is actually relativism. If we say that right and wrong are decided based on the data and upon our perceptions of how bad that data is, we are embracing a dangerous form of situation ethics. If we assert that it is permissible for government to violate our rights if a pandemic is sufficiently large, we have created a relative standard. We now have a standard without a brightline. Do we take away citizen liberties if the pandemic is predicted to kill 100,000 people? What about 50,000 people? What about 200,000 people or 1,000 people? (And then there is the question of whose predictions should be believed.) Without a clear brightline, people will vehemently disagree as to when it is appropriate for the government to limit our liberties. Some may want government action at 5,000 deaths, but others will say that it should be at 250,000 or 1,000,000. This kind

of standard will create enough frustration, anger, and malice to tear a society apart. This is the fruit of relativism and this is what we are witnessing right now!

Does the end justify the means?

People, even principled people, often abandon their principles when they see a crisis of sufficient magnitude. Unfortunately, this kind of thinking is somewhat collectivist in nature—it undervalues the individual and overvalues the group. If we say that a particular government policy is not justified by one illness or one death, but it is justified by some greater multitude of illnesses or deaths, we have a bad decision-making methodology. We have devalued that single individual and overvalued the greater group. As a parallel, we would not say that one murder does not justify a law against murder. Murder should be against the law no matter how many murders there may be.

If we say that a law requiring face coverings is not justified for an illness that will only take one life, but is justified if it takes 50,000 lives, we have adopted a collectivist mindset that bases policy on numbers and ignores principle. If we will adopt a policy (or law) based on 50,000 people, we should be willing to adopt the same policy for one person.

Our laws should not be justified based on the magnitude of a problem. Instead, they should be based on a principle—a principle that is not dependent on a set of numbers. If a particular government action is proper, it is appropriate even if it affects only one person. If a government action is not appropriate, it is still wrong, even if millions of people are affected by the problem.

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Conclusion:

The law-abiding citizen who does not have a contagious disease deserves the same protections of their rights that is afforded the bank robber. Even those with a contagious disease deserve procedural protections of their rights and liberties.

The only legitimate reason to limit a citizen's rights is as a form of punishment for the infringement of the rights of the innocent. If we limit the God-given rights of an individual, we are actually punishing that person. As a society, we must decide when it is appropriate to punish people.

We make a mockery of justice if we allow civil government to punish those who have done no harm; if we set a standard that government can punish those who might commit a crime; if we judge people collectively instead of individually; if we define a crime without brightlines; if we punish without a trial; and if we remove the burden of proof from the government and place it on the accused.


For those who desire a powerful government, every problem is a justification for more government control. None of us like poverty, sickness, accidents or suffering and it is easy to

“...government is only good at a small number of tasks and when we ask government to go outside of its proper boundaries, government will make our problems worse, not better.”



turn to the government in an effort to fix every problem that afflicts mankind. But government is only good at a small number of tasks and when we ask government to go outside of its proper boundaries, government will make our problems worse, not better. Most importantly, we should never sell our birthright of God-given rights in exchange for some pottage of supposed safety.

When it comes to matters of justice, we live precariously on a precipice that is surrounded by peril on every side. Real justice can be scarce and our best human efforts to obtain it are found only on the mountain top where a dozen important principles converge. If we abandon our principles of justice or if we abandon the sound procedures that have been found necessary to its preservation, we will become the victims of a very slippery slope.

A principle ceases to become a principle if it is rejected, even in a small matter. To abandon the principle of the government's burden of proof in any area of governance is to admit that it was not a principle at all. 

Should Compassion be Mandated?

Society should be careful not to confuse the question of what a citizen “should do” with the very different question of what our government should mandate. If a particular action is appropriate for individuals, it does not follow that it is appropriate for civil government to mandate that same action. There are many good things that we can do for others, but when mandated by the force of civil government would be considered tyranny. Actions that are commendable for individuals may become evil when mandated by the state. As a society, we should encourage and exhort each other to act with compassion without the use of force.

WHAT HAPPENED TO SEPARATION OF POWERS?

Much of the news throughout 2020 has focused on the efforts of our governors and our President to contain the impact and the spread of the novel coronavirus. There is considerable debate about whether the anti-virus measures are too restrictive, too lenient, too early, or too late. There is very little discussion, however, about whether it is appropriate for these executive branch officials to bypass their legislatures to make law. This necessitates a long overdue discussion of law-making and separation of powers.

For the most part, the restrictions that we face (restrictions on our movements, our assembly, our freedom of worship and our ability to work) have come from the executive branches of our governments and not from our legislative bodies.

One of the basic principles of our American system of government is that our nation's laws are made only by the legislative branch of government. The U.S. Constitution states in Article I, section I, that, "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." Note the use of the word "all".

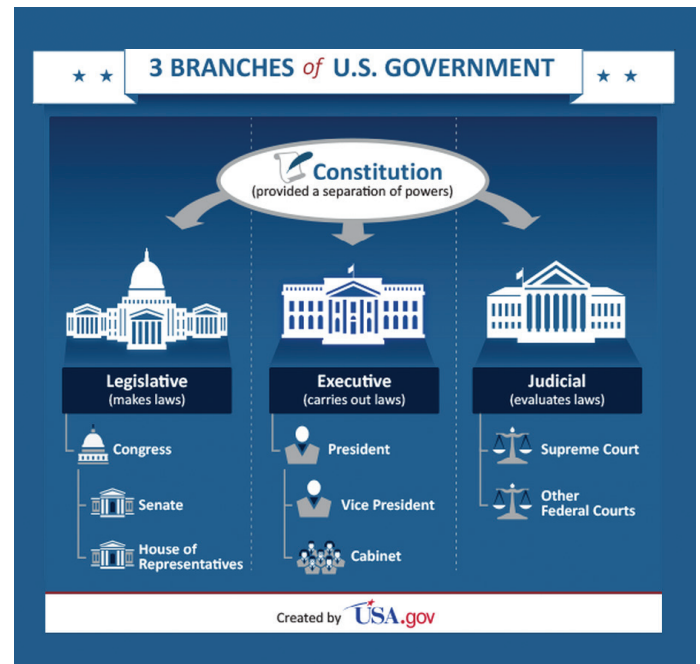
Separation of Power versus Tyranny

Tyranny is defined as the unjust and unrestrained use and abuse of government power. One of the key traits of tyranny is the consolidation of legislative, executive, and judicial power in one place. The king and the dictator assume each of these powers without any checks and balances. Our nation's founders understood that separating these three roles was essential to the preservation of liberty.

In the American Constitutional system, the Legislative Branch of government makes laws (the Executive Branch can veto a proposed law, but cannot make law). The Executive Branch administers and enforces the laws and the Judicial Branch adjudicates disputes. These are three different roles of government and our Constitution wisely ensures that no person or group of people can perform more than one of these roles.

Separation of Powers Under Attack

In the past century, those who wish to subvert the basic principles of American government have creatively



manipulated the language to subvert the Separation of Powers principle. We now have "rules", "policies", "directives", "executive orders", "regulations", "signing statements" and, worst of all, "administrative law". We can employ an entire thesaurus of terms, but ultimately anything that regulates the citizens is a law and must be properly enacted—by a vote of Congress and then by the signature of the President or the congressional override of his veto.

Regardless of what they are called, each of these "rules" are used to regulate people's rights or behaviors. They are no different than laws except that they did not originate in the Legislative Branch of government. The use of all of these synonyms is intended to confuse both citizen and lawmaker in an effort to undermine the Constitution and its checks and balances.

Legislators Complicit

At both the state and federal level, legislators are often participating in the surrender of their powers. Both the U.S. Congress and state legislatures regularly pass legislation in which they delegate their law-making power to others. At the federal level, Congress has delegated law-making to hundreds of administrative agencies and departments.

“If we allow the Constitution to be violated without complaint, and if we turn our back on the essential principle of Separation of Powers, we will deserve the monarchy that will enslave us.”

The EPA, OSHA and the IRS are but a few examples of agencies within the executive branch of government that now make law.

The Constitution does not allow any branch of government to delegate its authority. It is important to remember that all legitimate federal government powers are, and must be, enumerated (listed) in the Constitution. We cannot assume a power of delegation unless it is specified in the Constitution—and I assure you that no such delegation can be found in the document. If we properly understand the Separation of Powers into three branches (the legislative, the executive and the judicial), we would then understand how objectionable it would be to our founders to have one branch delegate its powers to one of the other branches. What if the Congress and the Supreme Court were to delegate all of their authorities and powers to the President? It should be obvious that no Founding Father would allow that this could be constitutional. This is anathema to both the letter of our Constitution and the principles that undergird it.


Yet, Congress has delegated its law-making authority to hundreds of agencies within the administrative branch of

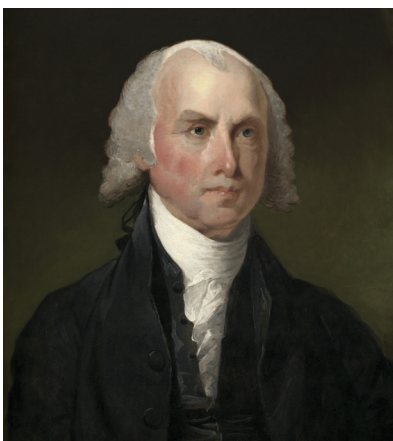
government. These agencies produce tens of thousands of pages of regulations each year and there is no vote of Congress to approve them.

This is a problem at every level of government. Each of America's 50 states is constitutionally bound to have a republican form of government and they all have legislatures that exist to make law. Unfortunately, our state legislatures are guilty of the same practice of delegation. In many cases, legislatures have passed laws granting extraordinary numbers of “emergency powers” to their chief executives. These supposed “emergency powers” are a gross violation of the concept of Separation of Powers.

In this era of the COVID-19 virus, we observe the President and our 50 governors making “rules” about travel, gatherings, and business closings. (For the purpose of this article, let's ignore the important question about whether these actions are a proper use of government force. A host of other IPS resources address this question.) If we were to assume, for a moment, that these rules are a proper use of government, it should still be necessary that these policies be properly enacted by the appropriate legislature. Without this, there is no Separation of Powers.

The founders of America rebelled against monarchy and established both a constitution and a legislature. These two institutions have been under attack ever since.

Americans need to speak out against all laws that are not enacted by constitutional procedure. We need to remember that policies, rules or regulations are just creative names for what should be called “laws”. If we allow the Constitution to be violated without complaint, and if we turn our back on the essential principle of Separation of Powers, we will deserve the monarchy that will enslave us. 



“The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, selfappointed, or elective, may justly be pronounced the very definition of tyranny.”

-James Madison

ROMANS 13 & AUTHORITY: ABSOLUTE OR CONDITIONAL?

The issue of proper submission to authorities has challenged mankind throughout most of recorded history. The issues relating to submission and rebellion to authority are not new, but the COVID-19 outbreak and government's efforts to limit public gatherings (including church services) and other freedoms have brought renewed attention to this issue. For Christians, it is imperative that we base our views of submission on a sound understanding of scripture.

When discussing submission to civil government authorities, portions of Romans and I Peter quickly come to mind. There are two ways to read Romans 13, verses 1-7 (and the similar passages in I Peter chapter 2:13-17). For the purposes of this article, I will refer to these two opposing perspectives as the "absolute submission" view and the "conditional submission" view.

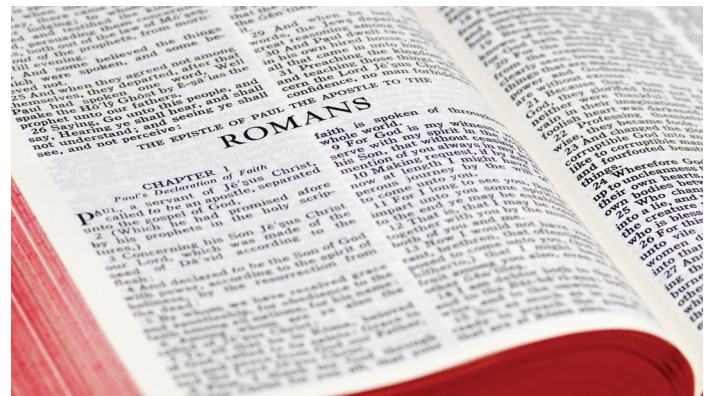
The absolute submission view places its focus on the absolute statements in verse 2 and verse 5 of Romans 13.

Therefore whoever resists the authority resists the ordinance of God, and those who resist will bring judgment on themselves. (Verse 2)

Therefore, you must be subject, not only because of wrath but also for conscience' sake. (Verse 5)

The conditional submission view places its focus on broader contexts: First, on the entire context of verses 1-7, and second, on the context of scripture as a whole. The conditional submission view does not deny the need for submission, but holds that this submission is not absolute. Instead, it is predicated upon certain conditions.

“Both views of submission have the potential for license. If the conditional submission view is seen as license for the citizen, then the absolute submission view would be seen as license for the official.”



To some, the conditional submission view may seem to be an excuse for license (perhaps the equivalent of saying, “I will submit when I feel like it”), but this is an inaccurate appraisal of this perspective. In this view, the need for submission is still absolute if certain conditions are met. Both views of submission have the potential for license. If the conditional submission view is seen as license for the citizen, then the absolute submission view would be seen as license for the official.

Let's evaluate these two opposing perspectives as we consider four main points regarding Romans 13:1-7.

1) The Context of the Passage

The assumptions of the passage

In context, what kind of ruler or authority is in view?

The author of Romans repeatedly characterizes a particular kind of government. In verse 3, we are told, “For rulers are not a terror to good works, but to evil.” This statement is followed by:

Do you want to be unafraid of the authority? Do what is good and you will have praise from the same. (Verse 3b)

For he is God's minister to you for good. (Verse 4a)

But if you do evil, be afraid; for he does not bear the sword in vain; for he is God's minister, an avenger to execute wrath on him who practices evil. (Verse 4b)

Each example of a governing authority in Romans 13 refers to a good and righteous authority (one who punishes the evil doer and does not punish, but praises those who do well). The absence of any reference to a bad authority (one who punishes those who do well while praising the evil doer) in this section of Romans is striking—and we should wonder why no such example is given.

Depending on how you count, there are at least four mentions of good authorities, but there are no references to authorities that are evil. In fact, there are not even any references to “less than good” authorities. In Romans 13 (and in 1 Peter 2:13-17), only righteous authorities are in view.

If the letter to the Romans is intending to tell us to submit to all governing authorities (even the wicked), it is strange that there is not even one example of an unrighteous authority. The purpose of examples in any teaching is to clarify the understanding and application of the concept being taught. Easy teachings may not need examples; but it is the difficult teaching that requires examples and applications.

Which is easier: to tell people (specifically Christians) to obey a good and righteous government or to tell people to obey an evil government? Clearly the latter teaching is far more difficult. It is therefore more likely to need examples. But to this latter concept (to submit to evil authorities), we have no examples.

Keeping scripture true

We can evaluate our interpretive framework by testing to see if that framework results in a perspective that is consistent with all parts of scripture. In this case, we can ask, “Does our interpretation make Paul a liar?” Verse 3 states, “For rulers are not a terror to good works, but to evil. Do you want to be unafraid of the authority? Do what is good, and you will have praise from the same.” Is this last sentence of verse 3 universally true? “Do what is good and you will have praise from the same.” Every era of history has a plethora of examples of rulers who terrorize those who do right. These evil rulers existed in the ancient world, they existed at the time that Romans was written, and they exist today. If Paul is intending to communicate “absolute submission” to all rulers, then he is also telling us that all rulers are good rulers. But we know that there have always been evil rulers who are a terror to those who do good. With this interpretive framework, we can draw no other conclusion than that Paul is making an inaccurate

statement. Paul’s statement is true, however, if we interpret Romans 13:1-7 from the “conditional submission” perspective and assume that he is talking about the good and just rulers. Paul’s statement is only false if we use the “absolute submission” interpretation and assume that he is referring to all rulers.

We must interpret scripture in a way that supports scripture. If we are confronted with two possible interpretations of a portion of scripture: one interpretation that renders some part of scripture untrue and another that renders it true, we must prefer that interpretation that does not invalidate some other portion of scripture.

What about “the conscience”?

According to Romans 13, it appears that our consciences should align with our obedience. Verse 5 states, “Therefore you must be subject, not only because of wrath but also for conscience’ sake.”

There are then two reasons to submit. The first reason is for fear of punishment. The second reason is for the sake of the citizen’s conscience. There is an assumption here that our submission to the rulers is done with a clear conscience. It is possible to obey and submit to unjust mandates of the civil magistrate, but if the Christian citizen to which Paul is writing believes that the order is unjust, it seems difficult, even impossible, to do so with a clear conscience. This is another assumption in Romans 13 that only makes sense in a “conditional submission” framework.

2) The Whole of Scripture

The absolute submission interpretation of Romans 13 would cast judgment on many heroic acts that scripture itself commends. The civil authorities were disobeyed by the Hebrew midwives in Exodus chapter 1 and by the King’s officials in 1 Samuel chapter 22. In addition, we have the civil disobedience of Daniel, Shadrach, Meshach, and Abednego. Each of these refusals to submit are celebrated in scripture. When we examine the entirety of scripture, it seems obvious that there are circumstances in which it is right to disobey the civil authorities. Even the Apostles disobeyed the authorities in Acts chapter 4 and again in Acts 5:29.

As a result of this larger scriptural context, some will propose that, as Christians, we ought to obey the civil rulers except when they command us to violate God’s law. This was certainly the case with some of the heroes mentioned

above. This is a reasonable limitation on our obligation to submit to the civil rulers. But it must be pointed out that this conclusion cannot be drawn from an absolute submission view of Romans 13, since Romans 13 makes no mention of this exception. To allow this exception to our duty of submission, therefore, is to reject the “absolute submission view” and accept the “conditional submission view” of the passage.

Put another way, to allow this exception, necessitates an interpretation of Romans 13 that places heavier emphasis on the context of the section and does not rely on the isolated use of verses 2 and 5 out of the text. This contextual perspective then assumes that the obedience referred to here is to the just and righteous civil ruler and that the citizen’s obedience rests on some set of conditions.

If we allow this exception, it must inform our view of Romans 13. This exception contradicts the absolute submission approach—since nothing in Romans 13:1-7 mentions this exception. The result is that we must take verses 2 and 5 and view them in the context of the whole section and conclude that the descriptions of the civil rulers are relevant to the command of submission.

3) The Concepts of Original Sin and Accountability

The doctrine of the “divine right of kings” was an often cited and respected belief that the monarch ruled with absolute power; power that was granted, authorized and approved by God. The divine right of kings doctrine is a direct result of the absolute submission approach to Romans 13 (and 1 Peter 2:13-17). This doctrine came in handy for kings and queens who needed to justify their actions, often tyrannical,

to their subjects and counselors. Even in its heyday, this doctrine was often discounted, but this doctrine began to seriously unravel with the advent of the Reformation.

One of the many problems in the “divine right of kings” concept is that it ignores an important central doctrine of biblical truth: that of the sin nature of man. Is it likely that God, knowing full well of the weakness of man, would intend that any individual or group of individuals, should have unbridled, absolute power?

“Is it likely that God, knowing full well of the weakness of man, would intend that any individual or group of individuals, should have unbridled, absolute power?”

Lord Acton put it this way, “Power tends to corrupt and absolute power corrupts absolutely”. God intends there to be accountability (checks and balances) on man, but Satan desires that there be no such accountability.

There are many ways that the concept of accountability is observed in scripture and one of these is in the idea of confrontation. For example, we are told to confront the erring brother in Matthew 18. More importantly to this topic, scripture seems to endorse the confrontation of rulers in all three institutions. The prophet Nathan confronted King David, Paul confronted Peter, John the Baptist confronted Herod, and Samuel confronted King Saul.

The Christian Standard for Submission and Resistance

During the Reformation, the biblical doctrine of submission and resistance to governing authorities was crystallized under three categories.

When a government...

- ...commands you to do something according to God’s law, you must submit.
- ...commands you to do something contrary to God’s law, you must resist.
- ...commands you to do something outside its God-given sphere of authority, you may resist.

The absolute submission view of citizen obedience offers no human accountability on the civil rulers and would seem inconsistent with the principles of the sin nature of man. Theologian and historian, Gary DeMar, puts it this way, “As with all authority, there are limits, including limits on civil government. We know this only from the Bible.”


4) Romans must be Instructive to Rulers as well as Citizens.

We shouldn’t ignore the fact that this passage doesn’t just apply to citizens. It must apply to rulers as well. The rulers referred to in this first part of Romans 13 are to be “God’s ministers” for good. Rulers/leaders are held accountable for their actions as rulers. Psalm 2 reminds rulers... “Now therefore, be wise, O kings; Be instructed, you judges of the earth. Serve the LORD with fear, and rejoice with trembling. Kiss the Son, lest he be angry and you perish in the way”.

How often do we study Romans 13 with the idea of holding the rulers accountable to God’s word? Are government leaders above God’s law? Most certainly not. When men violate God’s law, should they be confronted? Most certainly.

Conclusion

Of the two views for interpreting Romans 13:1-7 (and 1 Peter 2:13-17), the absolute submission view presents considerable difficulty. On the other hand, the “conditional submission” view seems to present the best option for understanding the text.

This means that our submission to the civil government and civil rulers is conditional. If the proper conditions are met, we are commanded to submit and to do so willingly with a clear conscience. 

CURIOUS STILL FOR DEEPER ANALYSIS ON ROMANS 13?

Order *The Establishment and Limits of Civil Government* by James M. Willson (1809-1866) through the IPS bookstore



Visit www.PrincipleStudies.org/Shop

Price: \$15

It is a serious mistake to take Paul’s instructions in Romans 13 and claim that civil rulers cannot be challenged by the citizenry. James Willson makes the point, “For surely none but an atheist can deliberately affirm that even the law of the land can set aside, weaken or nullify the authority of the law of God. To the best government, obedience can be yielded only in things lawful; for there is a ‘higher law’ to which rulers and subjects are alike amenable.”
– from the back cover

CRISIS, ECONOMICS AND THE COMPROMISE OF PRINCIPLE

As the world grapples with the Covid-19 crisis, Congress passed an economic relief bill with an advertised price tag of about 2.2 trillion dollars. This is an amount roughly equal to 10% of our 22 trillion dollar federal debt. This debt took 185 years to accumulate and now we are increasing it by 10% in one nearly unanimous congressional vote. In addition, the Federal Reserve is pumping vast amounts of liquidity (cash) into the market. As if that was not significant enough, it is quite likely that more bills and more government expenditures are on the way.

“Even the most honest of men is tempted to steal bread when his hunger becomes severe”

Almost every corner of our culture has been convinced that this unconstitutional largesse is necessary—and apparently permissible. Even the well-known “conservative” talk show hosts are applauding these expenditures. They say that the severity of the crisis demands that we temporarily set aside our principles and seek a practical solution to treat such a severe problem. Why are these supposed Constitutionalists and fiscal conservatives so quick to abandon their principles? Why are they supporting measures that expand debt, cause inflation and redistribute wealth?

The reason is that principle tends to give way to practicality when a problem seems big enough. Even the most honest of men is tempted to steal bread when his hunger becomes severe. And it appears that even fiscal conservatives and constitutionalists may be willing to steal some bread, if not for their own hunger, for the hunger of others. The compassionate motives here may be commendable, but are these policies right? Are they necessary?

Of course, anyone who might oppose this cascade of cash is portrayed as cruel or insensitive. Certainly, I would be the first to recognize that the partial shutdown of our economy places a tremendous hardship on tens of millions of Americans. Surely, we can't expect the free market and a government restrained by its Constitution to be able to handle such a cataclysmic event. Should we?



This brings me to the key question of the day: Should a modern economy be able to cope with a crisis like this without government help? What factors reduce the ability of businesses and households to withstand any economic downturn—including this one?

1) High Debt & Low Savings

The ability of households and businesses to financially survive a slowdown, shutdown, or crisis is impaired by debt. For most households and businesses, debt is a significant part of the monthly operating cost. Households and businesses with lower cost of operation are more stable and can better endure a downturn. The opposite is equally true: more debt increases the cost of operation and reduces stability.

“...the most significant cause of our debt cycle can be attributed to our nation's monetary policy”

We can gain a better understanding of this issue if we look at history. While our nation's debt levels have varied depending on our economy's booms and busts, the big-picture, historical view of our debt is striking. When we study the American economy over the past 75 years, we discover that business and household debt has grown substantially over this time. Household debt in America has gone from almost zero in the 1950's to about \$14 trillion (14,000,000,000,000) today.

Some argue that this debt surge is the natural result of consumers purchasing new and expensive appliances and technology. The data, however, does not support this conclusion. After World War II (1945 and later), millions of returning soldiers bought homes and millions of Americans were purchasing cars, washing machines, vacuum cleaners, etc. After a decade of post-war spending on these high-ticket consumer items, household debt was minimal. This is because very little of this consumer blitzkrieg was funded with debt.

What, then, is responsible for the onslaught of so much debt today? Very few social problems have one single cause and certainly there are multiple reasons for our debt-ridden society. But I would argue that the most significant cause of our debt cycle can be attributed to our nation's monetary policy. The Keynesian philosophy of economics has dominated our nation (and the western world) for most of a century. This philosophy advocates that the government and the independent, but congressionally created, Federal Reserve Bank should manage and control the economy. This central control of our economy has increased gradually, but steadily, since 1913.

One of the effects (in fact, often one of the goals) of the Keynesian economic model is inflation. But inflation, at any level, discourages savings. Savings makes no sense if low-risk savings options pay three to five percent interest when inflation is at 6%. In this environment, the saver's money is losing value each and every year. Although a few people will still save, most will choose to spend their money before it loses more value. Inflation is always a disincentive to savings.

The evil of inflation doesn't stop with its attack on savings. Inflation also encourages debt. The cost of borrowing is determined by subtracting the inflation rate from the loan's interest rate. If the inflation rate is at 6% and I can borrow money at 4%, it makes sense to borrow—or to borrow more. The problem gets worse when income tax policies make interest costs a tax-deductible expense. These factors increase the incentive to borrow because the real cost of borrowing is the interest rate less the inflation rate and less the tax benefits. This adds significant additional incentive to borrow.

Time and space do not allow me to discuss the multitude of other ways that our nation's monetary and fiscal policies reduce savings and increase debt, but the point is clear that our government policies have made debt attractive and savings very unattractive.

2) Tax Load

As a family's tax burden increases, their ability to save will decrease. Even households of modest income are paying considerably more tax than they know. Households with moderate earnings are often paying well over 50% of their income in taxes of various forms. (Most of America's tax load does not show on their pay-stub. Our nation has become very accomplished at hiding much of our tax burden.) Income tax, social security tax, and Medicare tax are obvious on our paychecks, but property taxes, sales taxes, use taxes and a whole host of other hidden taxes have significant impact on the family budget and are not disclosed on the pay-stub.

3) A Weak Charitable Climate

For those who don't have savings, it is good for our society to have some "safety nets" to meet basic needs. The question is who should provide these safety nets, government or voluntary charity? Voluntary charities abound in our nation, but they have been hampered by many of our government policies.

Governments at all levels have created a mindset that devalues private charity. Americans are conditioned and taught that it is the government's job to take care of the needy. Schools teach us that it is the job of government to help the poor or needy, politicians make speeches promising to take care of those in need, and the media reinforces these messages.

High taxation and inflation diminish both the ability and willingness of people to give to private charities.

THE LESSENING OF A CRISIS

Imagine how different this current crisis would be if businesses and households were not saddled with massive debt. Imagine the difference that a modest household savings rate would make.

Renters who have no debt and a few months of savings could easily live and pay their rent for a few months during an economic interruption—even if they lose their job or income. The landlord who has no mortgage is in a better position to survive if he loses a few months of rent. During a total quarantine, the debt-free airline could cease operations, furlough employees and survive without a government bailout.

My reader may say, “Yes, but even without these bad government incentives, some companies and some households may still be carrying significant debt, and these entities will still not survive an economic crisis without aid”. I would grant this argument, but only partially. It is clear that the vulnerability of any business or household is proportional to its debt to savings ratio. If greater numbers of businesses and households have financial stability, the impacts of any downturn are reduced proportionately.

If we had this kind of world, we could easily imagine the following: 1. Government bailouts would not be necessary; 2. People would be far more willing to voluntarily shelter in place during an epidemic because they know that they can financially survive a short-term economic shutdown.


Unfortunately, our government policies for over a century have created an environment that substantially hampers the ability of our economy to endure unforeseen interruptions. These government bailouts are interventions into the natural, unmanaged operation of a free society. These “unnatural” interventions have many costs, including loss of liberty and loss of economic well-being.

Underlying this (and most public policy issues) is the debate over the effectiveness of the free market. Can the free market best address our world’s challenges or do we “need” government to act in the economy? Those who advocate for big government are quick to point out the

apparent shortcomings of the free market, but they usually fail to notice that the supposed free market failure was often the result of some earlier government intervention. A free market economy does not necessarily eliminate all hardships, but a true free market with a properly functioning (and limited) government is always the best way to minimize any hardship.

ONCE AGAIN, PRINCIPLE SURRENDERS TO PRACTICALITY

In our economic response to the Covid-19 virus, principle has truly given way to practicality. In this crisis, the practical argument has become so powerful because of our lack of savings and staggering debt. Previous generations of Americans gave us these problems when they abandoned Constitutional and free market principles and allowed Keynesian inspired intervention into our economy. Our current actions are now sowing the seeds of the next (and greater) crisis. Each violation of principle produces an undesirable practical outcome and that outcome becomes the practical argument for the next violation of principle.

Yes, the bailouts are unconstitutional and so is the inflation and the taxes that have made the bailouts seem necessary. As is so often the case, one violation of principle begets another—and one violation of the Constitution begets another, and another. 

PLAN NOW TO CHANGE THE FUTURE

Include IPS in Your Will or Trust

The battle to return civil government to its biblically-prescribed role is a long-term fight. As such, the cause will outlast most of us. But there is a way to contribute toward the end goal now and leave a legacy of liberty for your posterity.

The simplest way is by leaving a charitable bequest to IPS in your will or trust. This can be as simple as modifying your will or living trust to include the Institute for Principle Studies. Just include our name, a dollar amount or percentage, and our Federal Tax ID# 20-3366904. That’s it.

Of course, there are many other planned giving options beyond including IPS in your will or trust. We encourage you to consult with your tax advisor, attorney, or financial planner. There may be a better option that fits well in your specific circumstances while maximizing the benefit to IPS and minimizing taxes.

Most importantly, we’re all capable of leaving the world a better place after we’re gone. With some forethought and planning, the difference can be remarkable. The next time you consider your legacy, we hope you’ll consider IPS as well. The cause of biblically-based government is both worthy and noble.



A CONSISTENT PHILOSOPHY OF SUBMISSION

Scripture provides a significant amount of instruction about how a society should be regulated and governed. This governance occurs through a number of mechanisms, but the three most important instruments of governance come in the form of the three God-ordained institutional governments: family government, church government and civil government.

Scripture commands submission to the leaders of each of these institutions.

Civil Government:

Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God. (Romans 13:1)

Therefore submit yourselves to every ordinance of man for the Lord's sake, whether to the king as supreme, or to governors, as to those who are sent by him for the punishment of evildoers and for the praise of those who do good. (1 Peter 2:13-14)

Family Government:

Wives, submit to your own husbands, as to the Lord. For the husband is head of the wife, as also Christ is head of the church; and He is the Savior of the body. Therefore, just as the church is subject to Christ, so let the wives be to their own husbands in everything. (Ephesians 5:22-24)

Children, obey your parents in the Lord, for this is right. (Ephesians 6:1)

Church Government:

And we urge you brethren, to recognize those who labor among you, and are over you in the Lord and admonish you, and to esteem them very highly in love for their work's sake. (1 Thessalonians 5:12-13)

“When studying the three institutional governments in scripture, our hermeneutical approach should be the same for each government—especially when it comes to our submission to these governments.”



And if he refuses to hear them, tell it to the church. But if he refuses even to hear the church, let him be to you like a heathen and a tax collector. Assuredly, I say to you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven. (Matthew 18:17-18)

Remember those who rule over you, who have spoken the word of God to you, whose faith follow, considering the outcome of their conduct. (Hebrews 13:7)

Obey those who rule over you, and be submissive, for they watch out for your souls, as those who must give account. (Hebrews 13:17).

Although these three governments have different roles and responsibilities in society (as well as different tools for enforcement of their rule), there is one clear commonality that they all share: Scripture commands submission and obedience to each of the three governments.

With regard to each institution, the student of scripture may reasonably ask: “Is this submission absolute or is it in some way conditional?” The answer to this question should be consistent for all three governments. It may be said that there should be only one answer to this question, not three different answers.

When studying the three institutional governments in scripture, our hermeneutical approach should be the same for each government—especially when it comes to our submission to these governments. We should not have one framework for our study of civil government and a different one for studying church government or family government. An accurate perspective on submission to authority should produce a consistency across these three governments. If

there are limits to church authority, there will be limits to family authority and civil authority. Conversely, if there are no limits to church authority, then there should be no limits to family authority or civil authority.

With regard to our three institutional governments, we need to determine if there are boundaries or limits to the institution's authority?

Scripture is clear that there are jurisdictional limits to the authority of each of these governments. There are two of these jurisdictional limitations: **citizenship jurisdiction** and **role jurisdiction**. "Citizenship jurisdiction" refers to whether a person has membership in the relevant group. (Are we a member of that family, that church, or that government?) A citizen of one country is not bound by the dictates of the rulers of a different country in which the citizen does not live and is not visiting. A child of one family is not necessarily bound by the rules of another family's father. An unbeliever is not held accountable to church leadership. To be subject to the rule of a leader, the subject must be a member of the relevant group, e.g. a citizen of that group.

The second jurisdictional consideration is "role jurisdiction". Each institution has prescribed duties or roles. To a significant extent, these roles are described in scripture. It is beyond the scope of this article to identify all of these biblical roles. For now, the necessary point is that there are proper roles for each institution. Conversely, we can say that there are improper roles for each institution.

It is interesting to note that, the size or scope of the "role" of the institution is inverse to the size of the citizenship of the institution. Because the citizenship of the family is small, the role of parents is larger than that of the leaders of other institutions. Because the citizenship of the civil state is large, the civil official's role is smaller.

The more powerful and far-reaching the institution, the more narrow and limited is its authority. This is because a powerful and far-reaching government has great potential to do harm. As the institution's ability to do harm increases, scripture seems to place greater limits on that institution's jurisdictional role.

At this point in our analysis, family government is worthy of some additional observations. Of the three God ordained institutional governments, the family leaders have the greatest role within their sphere. There are several reasons for this. First, the family is charged with the raising of children. Because children are less able to make decisions for themselves, it is imperative that the parents have a greater role in ruling over them. Second, the period of time in which children are subject to parental authority is relatively

brief—perhaps 20 years. Third, there are special bonds of both genetics and love within a family that reduces the risk of tyranny. Fourth, because the citizenship is small and the duration is relatively short, the role of the family leaders can be extensive without great risk to society as a whole.

It is often stated that we are under no obligation to obey a governing authority if that authority commands the direct disobedience of God's law. This is true, but if all government authority comes from God, then no government could receive from God the authority to command its subjects to violate one of God's commands. This is to say that the governor who commands a violation of God's law cannot be exercising legitimate authority—and the citizen is under no obligation to submit to illegitimate authority.

Testing consistency

In Hebrews 13:17, we are told to be submissive to our church leaders. Should this submission be absolute? Let's examine a hypothetical situation. Let's assume that the elders of our church make a rule that every family in the church is to enact a 7:00 PM bedtime for all of their children. Since a 7:00 PM bedtime violates no biblical law, we cannot reject this church mandate as requiring us to violate any biblical command. Additionally, it is unlikely that this policy would in any way harm our children. So the question is this: "Are the families in our church obligated to submit to this rule?"

It is likely that most of my readers would hold that our church families are not biblically obligated to submit to this rule because bedtimes are outside of the jurisdictional role of the church. This should be a matter for family government, not church government.

We could investigate the same hypothetical situation with a civil government that tries to enforce the same mandate for a 7:00 PM bedtime. Are we, as Christians, obligated to submit to this law? If we are being consistent, the answer should be the same: "This is a family government jurisdiction and the civil government is attempting to legislate outside of its proper jurisdictional role.

If we are to be consistent, the church must treat the tyrannical and abusive civil authority the same way we treat the tyrannical and abusive husband and father. Would the church elders demand that the abused wife fully submit to her abusive husband? Assuming that the answer is "no", then we should be consistent when the civil official becomes tyrannical and abusive. No human leader should ever be exempt from human accountability. And no human official is ever above God's law. And while accountability can come in many forms, the most important mechanisms of accountability come in the form

of our three governing institutions. Each has the right and duty to be a check on the others.

The scripture passages cited at the beginning of this article do not include any specific limits or conditions on that obedience. Are we, therefore, adding or taking away from scripture if we allow limits on these statements? For two independent reasons, the answer is “no”. Two tools tell us that there must be limits on the scope of the legitimate power of authorities—and therefore limits on submission. The first tool is the whole of scripture. Since properly interpreted scripture does not contradict itself, we need to test our interpretations of any difficult sections to see if our exegesis is consistent with the teaching of easier and clearer sections. If our understanding of a challenging portion of scripture is inconsistent with the rest of the Bible, then we need to rethink our interpretation of that difficult passage. Put another way, scripture should interpret scripture. Scripture gives us numerous examples of people who are honored for not submitting to a particular directive of a governing power.

The second tool is consistency. Many Christians readily accept conditions in the need for submission in the realms of family government or church government, but don’t hold the same standard when it comes to civil government. This is an inconsistent application of scripture. Whether we hold to an absolute submission view or a conditional submission view of these passages, we need to be consistent with all three governments. If we analyze submission with consistency in mind, most believers will arrive at a model of conditional submission.

Jurisdiction matters

So, when all is said and done, what are the limits to submission? Some would say that we must submit to our civil government leaders unless they ask us to disobey God’s law. Others would say that we must submit unless the leaders are acting outside of their jurisdiction. In actuality, both of these statements are true and our standard for submission should incorporate both limitations.

As we have seen above, jurisdiction matters. To ignore jurisdictional limitations on the authority of our institutional leaders is to impair justice and undercut important biblical principles. What this article has described as jurisdiction is also described as “sphere sovereignty”. The great Dutch theologian, philosopher and statesman, Abraham Kuyper, devoted much of his teaching and writing to this concept of sphere sovereignty. Each institution has a sphere (or area) of authority and it is essential that no institution attempt to rule outside of its proper sphere.

“Many Christians readily accept conditions in the need for submission in the realms of family government or church government, but don’t hold the same standard when it comes to civil government. This is an inconsistent application of scripture.”


Let’s examine two scriptural examples that would seem to support the idea that acceptable rebellion to rulers goes beyond those situations when the ruler asks a citizen to violate God’s law.

In II Kings chapter 11, we are told of Jehoiada, the priest, who organizes a coup to overthrow Athaliah. Athaliah was a wicked ruler and all indications from scripture are that Jehoiada’s rebellion was righteous and praiseworthy. The rebellion of Jehoiada was not a simple refusal to obey one of the ruler’s mandates. Jehoiada actively rebelled against the ruler to the point of removing Athaliah from office. (Well, removed from office and executed.)

A second example is found in the harlot, Rahab, in Joshua chapter 2. Rahab engaged in a treasonous act by aiding the Israelite spies. Additionally, Rahab disobeyed and deceived the King of Jericho to protect the spies. Her actions were not submissive to the ruler and were an act of outright rebellion. Rahab had not been commanded by the ruler to take an action that would cause her to violate God’s law, but still engaged in rebellion. It is noteworthy that we find Rahab in the “faith hall of fame” in Hebrews chapter 11.

Conclusion

The submission to leaders that is commanded by scripture must have some limitations. Biblical submission assumes appropriate jurisdiction. This question of appropriate jurisdiction includes considerations of citizenship and role. The need for submission assumes that we are a subject of the institution in question. For example: in family government, we ask if we are a member of that family, in church government, we ask, “are we a member of that church”, and in civil government, we ask, “are we a citizen of that state”. The second aspect of jurisdiction tests whether that particular government is operating within its jurisdictional role.

No leader, whether in family, church, or civil government, has authority outside of their jurisdictions of citizenship and role. 

ARE CHRISTIANS SELFISH WITH OUR LIBERTIES?

As the “stay-at-home” orders and other government restrictions on movement and assembly have continued, many churches have become frustrated at the limitations on their corporate worship. As a result, many church bodies have made statements or drafted documents that are asking public officials to restore their ability to gather for congregational worship.

I want to applaud these efforts. It is important for the church to defend its God-given rights to travel, assemble, and worship. I do, however, want to challenge all churches and all believers to develop a consistent philosophy on rights: one that is accurate, consistent, and not selfish.

Here are some important questions that all Christians need to contemplate:

1. Do our rights come from man or do they come from God?

Perhaps the most important philosophical foundation of the 18th century “American experiment” was the proposition that rights come from God. This was a religious statement, but more importantly it was a sociological and political statement. If God is the source of our rights, then only God can legitimately remove or regulate them. If, on the other hand, these rights are derived from man, then man can legitimately remove or regulate them. For centuries, insightful scholars both inside and outside of the church have understood that there is no security of rights without the understanding that they derive from the Creator.

2. Do all people have a God-given right to freedom of assembly?

If the rights outlined in our Bill of Rights, along with the myriad of other rights that go along with them, are God-given, then we must ask, “To whom does God give these rights?” Does He give them only to believers? Theologians often refer to the “common grace” by which the Lord blesses all mankind. (Both the just and the unjust receive the blessings of rain.) For a host of reasons, both scriptural



and logical, we must conclude that God’s preceptive will bestows these rights to all mankind.

Civil rights are those rights that relate to man’s relationship with the civil government authorities. True “civil rights” are simply a reflection of God’s justice. If we pursue true justice as described in the pages of scripture, we arrive at an orderly, consistent system of civil rights. As followers of Jesus Christ, we must provide justice and the protections of justice to all men. These civil rights (this justice) must be applied equally to all mankind.


3. What is our witness to the world if we defend our rights, but fail to defend the rights of others?

Luke 6:31 tells us, “Do to others as you would have them do to you”. If, as Christians, we want unbelievers to support our rights, we ought to do for them what we want them to do for us. That is: we should be fervent in protecting the liberties of our non-Christian neighbors.

Yes, it is permissible for Christians to work to protect our God-given rights, but we should be even more ardent in the defense of our neighbor’s rights. If we would share our food with those in need, how much more fervently should we share that far more valuable gift of liberty?

Conclusion

If, as Christians, we desire to advocate for our rights to movement and assembly, we must also advocate for the same rights for others. If we believe that our 300-member congregation should be free to gather, then we should also

believe that a 300-member secular service club should be free to meet. We should make sure that all of our statements and documents on the issues related to public policy responses to the novel coronavirus are clear to support the fundamental principle of God-given rights for all people, not just the church. 

“First they came for the socialists, and I did not speak out—because I was not a socialist. Then they came for the trade unionists, and I did not speak out—because I was not a trade unionist. Then they came for the Jews, and I did not speak out—because I was not a Jew. Then they came for me—and there was no one left to speak for me.”

Martin Niemoller
Lutheran Pastor in Germany (1892-1984)

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THE CHURCH & RESISTANCE TO TYRANNY: FROM MAGDEBURG TO PHILADELPHIA

The embers of the Reformation were set ablaze in 1517 when an Augustinian monk named Martin Luther nailed his 95 Theses on the church door in Wittenberg, Germany. By the middle of this same century, the church revival had spread from Germany all over Europe. After years hidden in obscurity, the light of the Gospel was once again unleashed. While everyone understands the Reformation brought about reforms in the Church, many fail to understand the impact this revival had on the view of civil government. As Luther nailed those theses to the door, the death knell tolled for a belief that had plagued Christendom for years: the divine right of kings. Once the church rejected the notion of unlimited submission to the Pope, it was not long until the doctrine of unlimited submission to the civil magistrate was likewise abandoned.

A resurgence of that once-discredited idea of the divine right of kings has taken root in our day. We have forgotten our history. The work of our Christian forefathers has faded from memory and not without destructive consequences. In the wake of the Covid-19 outbreak, how many Christians and churches have blindly followed orders from the civil government? How many have argued for complete submission because an order has come from “God-ordained authorities?” Has the church never dealt with these questions in the past? In this short paper, I will demonstrate the Church’s long-standing and rich heritage of biblically-

informed resistance to tyrannical civil government.

While much could be said about the Church’s resistance to tyranny prior to the 16th century, it was not until 1550 with the Magdeburg Confession, that the church laid out a statement of the biblical principles related to resisting tyrannical authority. Therefore, it is in Magdeburg that we will start.

Never idle for long, the forces of darkness mounted a counterattack to the Protestant Reformation in 1548 (just two years after the death of Luther) with the Augsburg Interim. Charles V, the Holy Roman Emperor, began applying political pressure with an eye to recover the Lutherans back into the fold of the Roman Church. Although the Augsburg Interim allowed some freedom of conscience on matters of faith, it required some compromise as well. For instance, the Lutherans were required to reject the doctrine of justification by grace alone, but were allowed to have the clergy marry.

What was the Church to do? By conviction from Scriptures, the Lutherans had decidedly split ways with the Roman Church on matters pertaining to faith and worship. On the other hand, their political authority, Charles V, was commanding a change to their worship. How were these conflicting claims to be resolved? What does the Bible

“The Magistrate is an ordinance of God for honor to good works, and a terror to evil works. Therefore when he begins to be a terror to good works and an honor to evil, there is no longer in him, because he does this, the ordinance of God, but the ordinance of the devil. And he who resists such works, does not resist the ordinance of God, but the ordinance of the devil.”

-Magdeburg Confession



City of Magdeburg in Modern Day

say about submission to civil magistrates? Are all their commands to be obeyed? These questions were to be clearly answered by one city in Germany – Magdeburg. Bolstered by the pastors, the city leaders of Magdeburg took their stand against the edict of the Emperor and endured a 13-month siege.

Knowing that the Christian world was watching and they were in danger of being accused of rebellion, nine pastors in the city came together to lay out their case biblically. The fruit was a well-reasoned, thoughtful treatise on the proper response of Christians in the face of tyranny. This became known as the Magdeburg Confession. Using Scripture, reason, history, and law, a compelling case for armed resistance against a tyrant is laid before the reader. The overarching theme running throughout this confession is the covenantal nature of the civil government. It is to this theme we now turn.

Without dispute, Christian doctrine recognizes the supreme authority of God. He is the only one with absolute sovereignty. All earthly leaders hold their authority under Christ who is called the King of kings and Lord of lords. In other words, since rulers are called by God to be His ministers of justice, they by virtue of their office, are bound by covenant to rule according to His law. For this reason, the citizens of Magdeburg in appealing to Charles V, implored him to rule with “faithfulness in the administration of the realm that has been entrusted to you.” Care is also taken to remind the emperor that he will have to give an account to God for how he rules, and that the people of Magdeburg would gladly render obedience to him as long as he kept within his proper limits. And just in case Charles forgot where the limits to his rule are set, the confession states clearly that those limits are set by God and the law.

Over against the pernicious doctrine of unlimited submission, which the Magdeburg Confession described as devilish, the pastors laid forth a doctrine from Scripture that recognized that both rulers and citizens are accountable to God. While the citizens are to give due submission to their leaders, the leaders are required to be God’s ministers of justice. In other words, accountability goes both ways. Each one in his respective sphere, both citizen and ruler, is covenanted with God to follow what He says. What happens if the rulers become a terror to the good works instead of the evil? What if a leader breaks his covenant to be God’s minister? Answering this, the Confession pointed out that when civil leaders begin punishing the righteous (intending to lead them away from what is right) instead of the wicked, those leaders “instead of being an ordinance of

God they become an ordinance of the Devil.” At this point, they argued, the citizen no longer owes obedience, but can rightly resist the ruler.

How is this resistance to be undertaken? It is in answer to this question that the Magdeburg Confession lays out an important doctrine which has become known as “the lesser magistrate” or “interposition.” When one leader throws off his calling as God’s minister to punish the wrong and praise the good, a lesser magistrate has a duty before God to fulfill his end of the covenant by interposing himself between the tyrant and his subjects. This resistance against the tyrant is not to be seen as rebellion, but as obedience to God. For what is the lesser magistrate doing but fulfilling his duty as set forth in Romans 13, to be a terror to evil works? They argued it was the tyrant who was rebelling against his calling before God, and that the opponents of Magdeburg did “mistakenly mark us for the crime of contumacy and rebellion.”

“For earthly princes lay aside all their power when they rise up against God, and are unworthy of being reckoned in the number of mankind.”

John Calvin in his commentary on Daniel

For the first time in the history of the Christian church, the doctrine of righteous resistance to tyrannical rule was set forth in confessional form. The city leaders of Magdeburg, bolstered by the biblical arguments of the pastors, stood alone in Germany against the tyranny of the Holy Roman Emperor. Their confession laid a solid framework for those who would follow. And follow they did.

Just nine years later, in 1559 the Counselors of Scotland (the lesser magistrate) were faced with the question of what to do with the Queen Regent Mary de Guise who had become increasingly tyrannical. Among the list of grievances were: soliciting the aid of a foreign army against her subjects, removing citizens from their homes for no crime, and debasement of the currency. All these were seen by the Counselors of Scotland to be aimed at destroying the liberties they had long enjoyed. In order to shed light on the proper course of action, these rulers called on two pastors to instruct them on the matter. Responding to that request,

pastors John Willok and John Knox stepped forward on October 21, 1559 to lay before the civil magistrates their God-given duty.

First to speak, John Willok brought forward four affirmations to help put matters in perspective:

- 1) *The authority of civil leaders is “bound and limited by God in his word.”*
- 2) *There is a reciprocal duty between the magistrate and the subject. The subjects are commanded to obey their leaders and the leaders are commanded to give “some duty to the subjects.”*
- 3) *Though magistrates are given their office by God, none are established so as to prohibit their removal from office for just cause.*
- 4) *God oftentimes used earthly powers to depose a tyrannical ruler, as in the cases of Asa with Maacha, and Jehu with Joram and Ahab’s household.*

Concluding his speech, Pastor Willok argued that the Queen Regent had forfeit her right to rule due to her tyranny and that the Counselors could justly depose her from office.

John Knox, approving of the conclusion reached by the pastor who preceded him, added three words of caution:

- 1) *Though the wickedness of Mary de Guise was sufficient grounds that she should be deposed, all should remember the obedience due to lawful authority.*
- 2) *If the motives of those deposing Mary were impure (from malice or private envy), they would not escape the just judgment of God.*
- 3) *If Mary were to repent, she should have the right to regain her office.*

With the instruction from the pastors finished, the Counselors drew up a document listing the abuses of Mary de Guise. Armed resistance was offered and Mary was no longer considered their rightful ruler. Again, the right of armed resistance against a tyrannical magistrate was upheld by the church.

When the Reformation teachings were introduced in a country, they were always met with opposition. In some countries, the battles raged more fiercely than others. France was one of those marked by continual conflict. For the first part of the 16th century, the French Protestants offered humble submission to the Catholic civil authorities in matters of state, while resisting the intrusions in matters of faith and doctrine. For this, they suffered and fought off and on, until the summer of 1572. Encouraged by his mother, King Charles IX ordered the massacre of the French Protestants (called Huguenots). At his behest, thousands of innocent citizens were murdered simply for their religious beliefs.

The Saint Bartholomew’s Day massacre marked a turning point in the thinking of the Huguenots. By necessity, they were forced to rethink the duties and rights of magistrates and citizens. From this suffering came two important works that contributed to the Church’s developing doctrinal understanding of resistance to tyrants. The first, *Concerning the Rights of Rulers Over Their Subjects and the Duty of Subjects Towards Their Rulers*, was written in 1574 by Theodore Beza. An interesting point to note, Beza credits much of his thinking on the subject to the Magdeburg Confession. The second work, *Vindiciae Contra Tyrannos*, was written in 1579, commonly attributed to Philippe Du-Plessis-Mornay, and was widely read by our Founding Fathers.

Both of these books approached the question of submission and rebellion with a series of questions and answers that are full of biblical and historical references. Once more, the right of Christians to resist unlawful commands and even depose a tyrant, was clearly set forth; this time in much bolder language.

Another country that embraced the gospel of free grace as explained in the Reformation teaching was the Netherlands. At the time of the Reformation, the Low Countries were colonies of Spain. Both Charles V and Phillip II after him could not stand the idea that the Dutch had turned to this doctrine. The Inquisition was introduced in an attempt to root out their fledgling faith, but these rulers were to have more than they bargained for. A people who had both reclaimed land by conquering the sea and been gripped by

the love of Christ are not easily tamed. In 1566, the rebellion began under the leadership of William of Orange and later continued under Prince Maurice (the lesser magistrates). When convinced that peace could not be restored under the leadership of the Spanish monarch, the Dutch declared their independence.

“If princes exceed their bounds, they may
be resisted even by power.”

John Knox to Mary, Queen of Scots in 1561

The Dutch Declaration of Independence, also known as the Act of Abjuration, was written in 1581, and was the declaration of the Dutch people to the world that they ought to be free from the rule of Spain. In it the leaders of the Netherlands describe what a ruler ought to be. Additionally, they explain what the subjects ought to do when the ruler ceases to fulfill his God-appointed function. Listen to the clarity of their argument from the introduction:

As it is apparent to all that a prince is constituted by God to be ruler of a people, to defend them from oppression and violence as the shepherd his sheep; and whereas God did not create the people slaves to their prince, to obey his commands, whether right or wrong, but rather the prince for the sake of the subjects (without which he could be no prince, to govern them according to equity, to love and support them as a father his children or a shepherd his flock, and even at the hazard of life to defend and preserve them. And when he does not behave thus, but, on the contrary, oppresses them, seeking opportunities to infringe their ancient customs and privileges, exacting from them slavish compliance, then he is no longer a prince, but a tyrant, and the subjects are to consider him in no other view. And particularly when this is done deliberately, unauthorized by the states, they may not only disallow his authority, but legally proceed to the choice of another prince for their defense. This is the only method left for subjects whose humble petitions and remonstrances could never soften their prince or dissuade him from his tyrannical proceedings; and this is what the law of nature dictates for the defense of liberty, which we ought to transmit to posterity, even at the hazard of our lives.

The Dutch went on to list the abuses endured at the hands of their Spanish overlords as justification as to why their resistance was necessary. You are not alone if this sounds a lot like our own Declaration of Independence penned about 200 years later. The seeds sown by our Christian brothers and sisters during these times of turmoil were to bear fruit in our own struggle against tyranny.


There is time to briefly mention two more instances before turning to the American application. In 1642, the English Puritans wrote the, *Declaration of the Lords and Commons to Justify Their Taking Up Arms*, defending the action of Parliament (the lesser magistrate) to resist the tyranny of King Charles I. Not long after that, in 1688 the Parliament again was forced to hold the king, this time James II, accountable to the law. James refused and was replaced by a ruler who would comply. Once again, the truth that even the highest ruler on earth is accountable to God and to the people was publicly declared.

The stage was now set for the great conflict in our own land. Since 1607 in America, the English colonies had long enjoyed the liberties common to all Englishmen until the war against those liberties came to a head in 1776. King George III and Parliament had been slowly forging the chains of servitude for the American colonies for over a decade. Were the colonists to endure this tyranny without a word because George was their king? With an eye towards obedience to God and a duty to their posterity, the states united in a declaration of independence from the British crown in July of 1776. The states (the lesser magistrates) officially took up arms in opposition to a government bent on enslaving them. After years of toil and sacrifice, our liberties were won, and then enshrined in our Constitution. That is the heritage that has been passed on to us.

“From Luther to Washington, from
Magdeburg to Philadelphia, both history
and the Church declare the right and duty
of Christians to resist tyranny.”

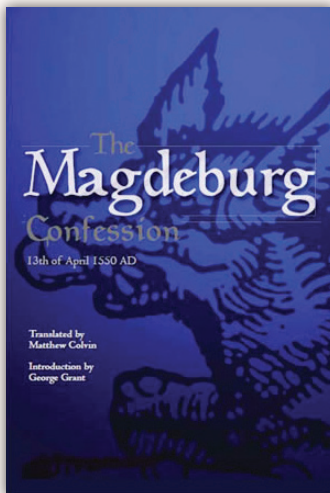
In our day, these liberties are under attack by a government that is out of control. Should we submit to every whim of our governmental authorities? What is the duty of a Christian?

Our Christian brothers and sisters who have gone before have shown us our duty. From Luther to Washington, from Magdeburg to Philadelphia, both history and the Church declare the right and duty of Christians to resist tyranny. Remember, dear reader, that God has ordained every office in government, both great and small, for the purpose of protecting the righteous and punishing the wicked. What happens if we have a wicked Congress, Court, or President? A wicked Governor or state legislature? The same biblical principles expressed and explained by the church in times

past apply in our day as well. Though it would be great to have a good President and Congress, we don't need those offices. All we need is one local, elected official, one lesser magistrate who is willing to interpose between a tyrant and the citizens. We still have our Constitution, which every elected official swears an oath to support and defend. Let us commit to getting good men and women elected to local offices; ones that will take their oaths seriously. It is not too late to hand down the blessings of liberty to our children. 

THE MAGDEBURG CONFESSION

Translated in English



If ever America needs to understand the lesser magistrate doctrine, it is now. What used to be considered evil is good and what used to be good is now evil. Unborn babies are murdered in their mother's womb and homosexuality is proliferated by the established media and educational institutions. Our federal, state and local authorities for the most part applaud it or stand by and do nothing. All authority is delegated and no man or woman holds their office autonomously. This authority received in office is delegated by God and thus, all those in authority stand accountable to God. This is why the practice of the church historically has been – *when the State commands that which God forbids or forbids that which God commands, we have a duty to obey God rather than man.*

The Bible clearly teaches this principle and we now live in the midst of a statist, slave-like people where such thinking has long been forgotten. The Lesser Magistrate Doctrine teaches that when a superior authority makes immoral or unjust laws or decrees, the lesser magistrate/authority has a God-given right and duty to resist those immoral or unjust laws or decrees. History is rife with many important events that occurred because of the Lesser Magistrate Doctrine. The effects of these events even had a huge impact upon the thinking of our founders and upon our nation's people regarding government and law. The Magdeburg Confession is one of history's most important events involving the lesser magistrate doctrine. Men like John Knox, Theodore Beza and Phillip Mornay were deeply impacted by The Magdeburg Confession and the repercussions of this great writing were felt throughout western civilization all the way to the founding of America as a nation. Now, for the first time in over 460 years, English-speaking people can read the Confession for themselves. This is the first English translation of *The Magdeburg Confession* ever written. *The Magdeburg Confession* is the first document in the history of man to set forth the *Lesser Magistrate Doctrine*. (Description from the Publisher)

For further information or to order the book go to magdeburgconfession.com



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