

Time to start thinking seriously about Church and State

I remember being puzzled as a student about why law undergraduates were required to study Roman law. Apparently the reason was that it was of historical interest, and a valuable intellectual exercise for honing their abilities in applying legal logic. But it had no relationship at all to the actual practice of law in Britain today.

I think that is how most students of theology, and most ministers, see the theological question of the relationship of church and state. Historically interesting, and a valuable test of theological logic, but since 1689 (in Britain) and 1776 (in America) surely of no actual relevance.

Whether or not that is a correct historical assessment, the extended period within which churches have been able to safely to ignore the issue is almost certainly drawing to a close. We do not know the government's precise plans, but the continued themes of enforcing 'British Values' in government policy (clearly repeated in the recent Queen's Speech), a stated aim to 'stamp out extremism in all its forms' without ever defining what it is that is being taken to extremes, and talk of regulation of church youth and children's work by Ofsted all suggest that it is a question of when, not if, the government seeks formally to regulate, assess or control the teaching of churches.

So how should we respond to this? Surely it is time for us to think seriously again about our theological understanding of the church and the state. The application of our doctrine here will be very different to what it would have been in the days of a Christian consensus in the governments of Europe. But we must still think through and apply our doctrine. We must here, as everywhere, obey God and not men.

I want to submit that this is a far more serious issue than one of 'freedom of religion', which is a rather more problematic concept than is often assumed. There is a basic issue here of what the church is, and the faithful fulfilling of her commission from Christ to preach the gospel. I want to argue that no faithful Christian ministers can tolerate a requirement to submit our teaching to the approval of the state, for in that we are answerable to Christ alone. And I will end with some proposals for how we are to respond practically if (or when) we are asked to do so.

I shall start with some biblical principles, then set out some historical positions based on them, before considering some implications.

Biblical Principles

Here are some principles more or less universally held among orthodox Protestant churches since the Reformation.

1. The Church holds a direct commission from Christ to go and make disciples, baptising them in the name of the Father, Son and Holy Spirit, and teaching them to obey all Christ has commanded (Matthew 28:18-20)
2. The Church has a real power over people's lives, which Jesus refers to as the 'keys of the kingdom' (Matt 16:19). It is a power delegated from Christ himself. This is a Spiritual power; to proclaim the one gospel of Jesus Christ, including both judgment and salvation, in preaching and teaching; and to admit to and exclude from the membership of the church, as marked by the sacraments and as applied and made effective in people's hearts by the Holy Spirit. This is what is meant by the ministry of word and sacrament. The church has no power of coercion by violent or economic means.
3. The State ('governing authorities') has been instituted by God to approve what is good and carry out God's wrath on wrongdoers (Romans 13:1-7). Note that this is not conditional upon the godliness of those in government, nor on their recognition that their authority is a delegated one from God. Given Jesus' ascension and enthronement at God's right hand, and his identity as the 'Son of Man' to whom all of God's authority has been given (Daniel 7:13-14; Matt 28:18; Eph 1:20-

22) in the age of the gospel it is right to say that governing authorities, like the church, hold a delegated authority from Christ. This is the basic reason why Reformation theologians rejected Anabaptism, which denied any valid authority to the state at all. Thus the state and the church both derive their authority from Christ but through separate commissions.

4. The state has a real power over people's lives, also delegated from Christ, referred to as 'bearing the sword' in Romans 13:4. So the State's power is one of the legitimate use of violence and economic coercion. Put simply, the state may run an army, a police force, prisons, and a taxation system; which of course the church may not.
5. The church's power includes the proclamation to the world of the gospel of Jesus Christ, as King of kings, Lord of lords, and Saviour of sinners who repent and believe. She has no other gospel to proclaim. She does not have the power to control the state or attempt to wield its sword (this is a basic Protestant objection to the position of the Church of Rome).
6. The state has no power to oppose the teaching of the gospel of Christ or limit the church in the exercise of her Spiritual power. If the civil authorities oppose the preaching of the gospel, the church's response is always 'we must obey God rather than men' (Acts 5:29)

So far, most Protestants would agree. However, it leads to four (historically-speaking, at least) widely-held views about the ideal relation of church and state.

1. The Anglican position. Historically this has been known by the rather vague and possibly inaccurate term 'Erastianism'. While affirming all the above, Richard Hooker argued that the state has the power to make ecclesiastical appointments. That is, God has given the King the power to appoint the Bishops. The power of the keys remained with the church, which alone (not the King or Parliament) may define and teach doctrine and apply church discipline. But the persons who hold and wield those keys are chosen by the state. The Lutheran churches adopted a somewhat similar position.
2. The Classic Reformed position. This holds that church and state hold separate commissions directly from Christ, and therefore must be distinct. The state has no power over the church's use of the keys nor of church appointments, ie. who hold the keys. Indeed, the choosing and ordaining of ministers is part of the church's Spiritual power which must not be arrogated by the state. Meanwhile, the state holds its commission *from Christ*, and so must endeavour to shape the laws of the land according to the law of God (for what other standard could it hold people to?). The church therefore rightly instructs the state in the laws of God and calls her to submit to them and enforce them. The state has the power to call synods of the church to resolve doctrinal issues, and to ensure that their proceedings are guided by the word of God, but beyond that no power to influence the decisions of those synods. And the state has the duty to oppose false religion when it arises in the land. Put simply, the state is to preach and apply the law of God, the church is to preach and apply the gospel of God. Therefore a single recognised Reformed church should coexist alongside a confessionally Christian state, without either transgressing the bounds of the other. This is the position of the Westminster Confession and Catechisms.
3. A 'modified Reformed' position. This attempts to recognise that state-imposed conformity to a single established church is extremely difficult in practice. It therefore extends a degree of state toleration to all Christian (or sometimes all Protestant) churches, while the state itself remains Christian in its self-understanding. The separate authority of church and state as distinct delegated authorities from Christ is retained. This is the position of the 1658 Savoy Declaration.
4. The 'Secular State' position. Historically first advocated by Roger Williams, an English Baptist who founded the Rhode Island colony in 1636, this is often confused with the classic and modified Reformed positions. But while it agrees with them that church and state are to be distinct, it radically departs from them in asserting that that they are to be entirely separate. That is, the state is not to be Christian at all, but is to occupy a position of neutrality with reference to all religions. This entails an assumption that it is possible to frame laws by the use of human reason apart from the revelation of Scripture, and holds that this is desirable for the purpose of avoiding persecution on the grounds of religion.

The fourth of these, the 'secular state' position, is that adopted by the American constitution of 1787 and clarified in the first amendment of 1789 (though some American Christians argue that the intention was closer to the 'modified Reformed' position). It has been the *de facto* position of the British government since the Second World War, and arguably for a considerable time before that, despite the clearly Anglican wording of the Monarch's coronation service. Today it is the most widely-held view among conservative Christians in Britain and America. In my opinion it is fatally flawed and fails to apply the Biblical principles outlined above, but I shall not argue that here.

So then, would any of these positions be happy to accept the monitoring and approval of the church's teaching with the state? The answer is clearly no. Even those who are convinced Anglicans in the tradition of Hooker, and who therefore recognise a strong power of the State over the Church, understand this power to be mediated purely via the bishops. No consistent Anglicans have ever envisaged a situation wherein extra-ecclesiastical powers appointed by the state may directly regulate the teaching of individual churches.

What about those who hold to a Classic Reformed position? The Westminster Confession says that the civil magistrate has a duty 'to take order... that the truth of God be kept pure and entire' in the church (chapter 23.3). What the church teaches is a matter for state concern, but there are two caveats to this. First, his authority is only to ensure conformity to the word of God. The fact that he may oppose teaching that denies the gospel does not give him an authority to oppose teaching that affirms it. And second, the only means allowed to him to do this is through the calling of synods and requiring their conformity to the word of God. What is specifically excluded is that he 'assume to himself the administration of the Word and Sacraments, or the power of the keys of the kingdom of heaven'. He may call a synod of the church to resolve a doctrinal dispute, and intervene to ensure that the business of the synod is conducted according to the word of God consistently with Christian orthodoxy. That is, he may dismiss heretics and those not wishing to submit to the word of God from participation in such synods. What he may not do is steer a synod away from the word of God. Moreover, he has no power whatsoever to interfere in the ministries of word and sacrament as they are exercised in churches. The idea of submitting teaching programmes to the approval of an arm of the state is absolutely ruled out.

Given that adherents to a Modified Reformed or Secular State position do not allow even the limited power to the state that the Classic Reformed position does, it should go without saying that neither of them allow this either. Those who believe the state should be either generically Christian or entirely secular clearly cannot allow that the state should regulate the teaching of the church.

The conclusion of the above is this: none of the historic Protestant understandings of Church and State, despite their wide variation, allows to the state the authority directly to regulate the teaching and pastoral ministry of the church. Indeed, since neither the Roman Catholic nor Eastern Orthodox churches allow that either, it is not too much to say that *there is no Christian understanding of Church and State which allows to the state the authority directly to regulate the teaching and pastoral ministry of the church.*

The heart of the issue is this. Ministers of the church hold a commission from Christ, which is in no way mediated by the civil government. At our ordinations we were charged by Christ to preach the word. No civil power, not even the Queen herself, had any part in that. How much less any of her lower officials. We are answerable to Christ alone for that commission, via the church authorities he has established.

To state the point succinctly: the Church does not preach the gospel by permission of the State. We preach it in obedience to the charge of the Lord Jesus. Presbyterians will understand that authority to be mediated via the ordained elders of the church, Congregationalists via the collective will of the gathered saints. Anglicans believe it mediated by royally-appointed bishops. But all will agree that in no sense whatsoever is the preaching of the gospel dependent upon the approval of the government. We will always render to Caesar what is Caesar's (which is why we are no threat to the wellbeing of the state, but on the contrary are the best citizens any state could have), but this ministry of the Church is God's alone and we will render it to none but him.

And all of this would be true even if the state were as Christian as could be. Even in Calvin's Geneva, where the civil magistrates supported thoroughgoing Reformed Christianity to the hilt, the Company of Pastors (who allowed to the state far more authority than would almost any modern Protestants) would not tolerate their intrusion into matters of preaching, teaching, doctrine or church discipline. How much more, then, in 2017 when our governments have not the remotest allegiance to the Christian Scriptures.

So then, what should be our reaction to attempts by the British state to regulate the teaching of churches? If, for example, we are told that we must register our church's youth work with Ofsted, how should we react?

Well, this would be a straightforward attempt by the state directly to regulate the teaching of the church, in exactly the manner in which I have argued above that no Protestant Christians have ever allowed. It would be an instruction from government to surrender to the state the commission that Christ gave to us as ministers of the church. And as such I suggest that we must not countenance doing so. Our ordination vows and our ordination charge demand that we do not. Our loyalty to Christ our chief shepherd demands that we do not.

So then, let me recommend the following as a course of action, if and when we are told to register our church teaching and pastoral activities with the state – whether that relates to our children or anyone else.

1. We must make clear that all the ministries of the church are entirely open. We have nothing to hide; on the contrary, we welcome anyone coming to view the work of our church. We can invite anyone, whether employed by the government or not, to come and see anything we do. This includes Sunday Schools and Holiday Clubs, youth groups, student groups, home groups, and of course principally our worship on the Lord's Day. Indeed, this is a great opportunity to get others to hear the gospel. Likewise, we should make all of our policies, our doctrinal statements, and our teaching syllabi available to any who should ask for them. Whatever church government structures we have, whether congregational meetings, elders' meetings, or anything else, we invite and welcome people to observe. All we do in our churches should be a display of God's glory. There is nothing we want more than for people – whether government officials or anyone else - to see it.
2. And we must make clear that we will not under any circumstances register any of these activities for the approval of the state, whether that is Ofsted or any other state body. We should tell the inspectors that they may come to anything and everything (with the exception of confidential pastoral meetings of course) but that we will sign nothing. We should explain that this is because the Church of Jesus Christ does not operate by permission of the State. Both the State and the Church operate by permission of Jesus Christ. We welcome them to see all that we do, but they need to know that we will do it whether they approve of us or not.
3. And we must be clear in our own minds, to our congregations, and to any relevant government bodies, that we will happily go to prison or face any other sanctions rather than back down on this. As ordained ministers of Jesus Christ we would rather face the sword of man than the disapproval of the Chief Shepherd, whose undershepherds we are.

This may seem radical and dangerous, but it is as far as I can see the consistent position that our forefathers in the faith have taken, both under the pagan Roman empire and in the various bursts of state oppression that the church has endured since, particularly in the Reformation and post-Reformation periods. And it is only when the church has stood firm like this that, under God, and after often great cost to her ministers and other Christians, that in time the claims of Christ upon the world have come to be heard again and governments have relented and the church has come to flourish and multiply. But even if, in the wisdom and providence of God, that should not happen, and we and the church should simply suffer to no benefit that is obvious to us, we should still be delighted to do so as we follow our suffering Lord.

Matthew Roberts is minister of Trinity International Presbyterian Church, York. *This article first appeared, in a slightly modified form, on Matthew Roberts' blog, <https://matthewpwr Roberts.wordpress.com>, on 5 July 2017. We are grateful to him for permission to reproduce it here. This article is taken from the Affinity Social Issues Bulletin for July 2017. The whole edition can be found at www.affinity.org.uk*