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John Gill's

A BODY OF PRACTICAL DIVINITY

Book 4—Chapter 4

**OF THE RESPECTIVE DUTIES OF
MAGISTRATES AND SUBJECTS**

The duties of subjection and obedience to magistrates, supreme and subordinate, are frequently inculcated in the sacred writings; and the reason why the apostles so often and so strongly urge them, is because of the scandal to the Christian religion, which was like to arise from a contrary behaviour, of which there was danger; since in the first churches were many Jews, who were impatient of the Roman yoke, and Christians in general were called Jews by the heathens; and it was enough to fix the charge of sedition on any to say they were Jews, who were troublers of the state, (Acts 16:20, 21) and of all the Jews the Galileans were reckoned the most turbulent, and factious, and the most averse to payment of taxes to the Roman governors, (Acts 5:37; Luke 13:1) and Christ and his followers were commonly called Galileans, and so liable to the same imputation; besides, the first Christians might not be so willingly subject to heathen magistrates, because they were such, and many of them very wicked men, called, "spiritual wickednesses in high places"; and Nero, the then reigning emperor, when the apostle Paul wrote many of his epistles, was a monster of wickedness; and they might also imagine, that subjection to men was inconsistent with Christian liberty. To all which may be added, that there were many false teachers, men of bad principles and practices, who "despised dominion, and spoke evil of dignities"; wherefore the apostles thought it necessary to "put in mind" the saints they wrote to, of their duties of subjection and obedience to civil government, that the gospel, and the religion of Christ, might not be evil spoken of; and for the same reason we who are called Baptists, and by way of reproach Anabaptists, should be careful to observe these duties; since it seems there were some of the same name formerly, in foreign countries, who held, if not misrepresented by many writers, that it was not lawful for a Christian man to bear the office of a magistrate; and from thence inferred, that the laws of such were not to be obeyed: and nothing

is more common with every puny writer against us, than to upbraid us with the riots and tumults at Munster in Germany; which, though begun by Paedobaptists, yet because some called Anabaptists joined them, men of bad principles and scandalous characters, the whole blame was laid upon them. But be these things as they may, what is all this to us here in England, who disavow and declare against all such principles and practices; as our general behaviour, our writings and public confessions of faith, printed at different times, manifestly show? and yet the calumny is continued; wherefore it becomes us to wipe off the foul aspersion, both by our declared abhorrence of it, and by our conduct and deportment towards our superiors; that those who falsely accuse our good conversation in things civil, may blush, and be ashamed.

Now as the respective duties before treated of, arise from relations of a different nature; those of husbands and wives from a relation founded in marriage; and those of parents and children from a relation founded in nature; and those of masters and servants from a relation founded in contract and compact; so those of magistrates and subjects arise from a relation founded in consent, agreement, and covenant: a coalition of men, and bodies of men, in a political sense, whether it arose from "mutual fear", as Hobbes says; or rather from a propensity in human nature to society, man being a sociable animal, as Aristotle, and other politicians think; yet it most certainly was by agreement and consent; and men being thus united together, agreed to choose some from among themselves to preside over them, to keep the better decorum and order among them; with these they entered into covenant, on certain conditions and fundamental laws made; when they agreed, the one to govern according to those laws, and to defend the lives, liberties, and properties of men from lawless persons; and the other swore fidelity to them, and promised a cheerful subjection and obedience to their lawful commands, and to support their government: and this is the original of free and well regulated states; from whom certain respective duties, both of magistrates and subjects, arise; now to be treated of. And,

1. First, it will be proper to consider, of whom the duties of subjection and obedience are required, and to whom they are to be yielded.

1a. First, of whom they are required: of everyone that belongs to the commonwealth; "Let every soul be subject to the higher powers", (Rom. 13:1) that is, every man; see (Rom. 2:9,10) every man that has a soul, every rational man; and to be subject to and obey civil magistrates, is but his reasonable service; everyone of each sex, male and female, men and women; of every age, young and old; and of every state and condition, high and low, rich and poor, bond and free, ecclesiastics not excepted; the papists plead for an exemption of them, but without any reason.

The priests under the law were subject to civil government; as Abiathar to Solomon, (1 King 2:26, 27) and so the ministers of Christ under the gospel; Christ and his apostles paid tribute to Caesar, and even Peter, whose successor the pope pretends to be, (Matthew 17:24-27) The apostle Paul appealed to Caesar, owned his

authority, and claimed his protection (Acts 25:10,11). The same doctrine was inculcated by the successors of the apostles in the age following, who professed their subjection to the civil magistrate, and taught it; says Polycarp, we are commanded to honour magistrates, and the powers that are ordained of God; the same doctrine was taught by Ignatius, Irenaeus, and Justin; and Pliny the heathen bears witness to the Christians of the second century, that they did all things in conformity to the civil laws.

1b. Secondly, to whom these duties are to be performed. These are the "higher powers"; called "powers" because they are invested with the power of government, and have a right to exercise it; higher powers, because they are set in high places, and have a supereminence over others, (Rom. 13:1) sometimes they are called "principalities and powers", (Titus 3:1) by whom are meant, not angels, to whom men are not put in subjection; on civil accounts; nor ecclesiastical officers, as elders and pastors of churches, whose government is not of a civil, but spiritual nature; they do not bear the temporal sword, nor are they to make any use of that; but civil magistrates, as the words are explained in the same verse, "Obey magistrates"; rulers or governors, and these include supreme and subordinate ones; "Kings, and all that are in authority" under them, and derive their authority from them, for whom prayer is to be made (1 Tim. 2:1,2). Every ordinance of man, or every creature of man; that is, every magistrate, who is of man's creating, is to be submitted to; "Whether it be to the king, as supreme, or unto governors, as unto them that are sent" and appointed "by him", (1 Peter 2:13, 14) and as heathen magistrates were to be submitted unto, for such were they designed in the above passages, then certainly Christian magistrates; for it is no ways inconsistent with the grace of God, nor for a good man, to be a magistrate; the better man, the better magistrate; such there were under the former dispensation; as Moses, the Judges in Israel, David, Solomon, Jehoshaphat, Hezekiah, Josiah, and others. And under the gospel dispensation, when the Roman empire became Christian, there was a Constantine, the first Christian emperor, thought to be a very good man; and there have been such in after times; though it must be owned they have been rare and few; but there are prophecies of more, and there may be an expectation of more in the latter day glory; when all kings shall fall down before Christ; when kings shall come to the brightness of Zion, or to the church's rising, and when her gates shall stand open continually for kings to enter in, and become church members; and when kings shall be nursing fathers, and queens nursing mothers: and these are most certainly to be submitted to, and their laws obeyed. I go on,

2. Secondly, to consider the duties both of magistrates and subjects. And,

2a. First, of magistrates; for though the duties of subjection and obedience are incompetent to them; yet there are duties incumbent on them, arising from their relation to their people, and covenant with them. And,

2a1. They are to make and pass such laws as are for the good of their subjects. The government of the people of Israel was very peculiar; it was a Theocracy; God was

their King in a civil sense, and made laws for them, which he delivered to them by the hands of Moses; and their kings had no power to make any new ones; nor did they, not the best and wisest of them, as David, Solomon, &c. but governed according to the laws made to their hands. Our kings have a concern in the making of laws; that is, they have a negative voice, and can put a check upon any laws, and refuse to sign them made by the other branches of the legislature; and it is their duty to refuse to sign such laws as are not salutary to their subjects, or are contrary to the laws of God, and to the fundamental laws of the state.

2a2. They are to govern according to such righteous and salutary laws, and to execute judgment and justice, as David did, and other good kings do; and then magistrates do their duty, when the king reigns in righteousness, and princes decree judgment (Isa. 32:1).

2a3. They are to discountenance and suppress impiety and irreligion; and to countenance and encourage religion and virtue; even Aristotle observes in his book of Politics, that the first care of government should be the care of divine things, or what relate to religion. Civil magistrates are appointed for the punishment of evildoers, and for the praise of them that do well; they are to discourage vice, and vicious persons; a king, by his eye, the sternness of his looks, and the frowns of his countenance, should scatter away evil, and evil men; and these being removed from him, his throne will be established in righteousness, (Prov. 20:8, 25:5). Kings are the guardians of the laws of God and man; and Christian kings have a peculiar concern with the laws of the two tables, that they are observed, and the violaters of them punished; as sins against the first table, idolatry, worshipping of more gods than one, and of graven images, blaspheming the name of God, perjury, and false swearing, and profanation of the day of worship: and those against the second table; as disobedience to parents, murder, adultery, theft, bearing false witness, &c. most of which, under the former dispensation, were capital crimes, and punishable with death; and though the punishment of them, at least not all of them, may not be inflicted with that rigour now as then; yet they are punishable in some way or another; which it is the duty of magistrates to take care of.

2a4. The principal care and concern of a king is the welfare and safety of his people, that they are secured in their lives, liberties, and property; that they live peaceable and quiet lives, unmolested by any; that they dwell safely, every man under his vine and fig tree, as Israel did in the times of Solomon; the maxim of the Roman orator is a very good one; "Salus populi suprema lex esto"; Let the safety and welfare of the people be the supreme law of government; the safety of a king and his people is closely connected together, and the one is included in the other: it is an observation of an heathen moralist, that "he is mistaken, who thinks that a king is safe, where there is no safety from him; for, "adds he, "security is by compact and covenant, to be established and confirmed through mutual security." Justice, prudence, and clemency, are virtues highly becoming kings.

2b. Secondly; there are duties to be performed by subjects to magistrates. As,

2b1. To honour them, and show reverence to them (Rom. 13:7; 1 Peter 2:17). Next to the fear of God, is the honour of the king; yea, the fear or reverence of God and the king is joined together (Prov. 24:21). There is a semblance of divine Majesty in a king, which makes him the object of fear and reverence. Kings are called gods, because they are in God's stead, his vicegerents, and represent him; "I said, ye are gods", (Ps. 82:1, 6).

2b2. As subjects are to think honourably, they are to speak respectfully of rulers; "Thou shalt not revile the gods, nor curse the ruler of thy people"; no, not in thought, nor in the bedchamber, in the most secret place, since, sooner or later, it may be discovered, and the person be brought to condign punishment, (Ex. 22:28; Eccl. 10:20) they are reckoned as the vilest and most abandoned among men, and as such described, who "despise government, and are not afraid to speak evil of dignities", (2 Peter 2:10; Jude 1:8) we should speak evil of no man, particularly of magistrates, and more especially of the king, as supreme; not of his person, nor of his administration; there are "arcana imperii", secrets of government, which we know nothing of, and it is not proper we should; were they to be known in common, the good designs of government would be defeated by the enemy. The springs of action in government we are not acquainted with, and only judge of them by the success of them; which is a fallacious way of judging. A thing may be well planned, and wisely concerted, at the time it was, all circumstances considered, noticing better; and yet by one unforeseen accident or another, the design of it is defeated; and because it met not with success, is condemned as a piece of bad policy.

2b3. Subjects should speak to a king with great reverence and respect; "Is it fit to say to a king, thou art wicked?" (Job 34:18) it is not decent and becoming; no, not to a wicked king. But if a king does wickedly, must he not be told of it, and reprov'd for it? He may, but not by every impertinent and impudent fellow; only by persons of eminence, in things sacred and civil, and that in a respectable manner; and perhaps no instance can be given from the word of God, of a king being reprov'd by any but a prophet, or one sent of God. Herod, a wicked prince, was reprov'd by John the Baptist, and a reason given for it. David, a good prince, was reprov'd by Nathan the prophet, sent of God to him; which reproof he delivered in a decent manner, wrapped up in a parable, and he took the proper opportunity to apply it; which had the desired effect. But such language Shimei used to David, was not fit to be used to a king (2 Sam. 16:7).

2b4. Civil magistrates, supreme and subordinate, are to be prayed for, (1 Tim. 2:1, 2) for their health, happiness, and prosperity, and the peace of their government, and the continuance of it; for in their peace is the peace of subjects (Jer. 29:10).

2b5. They are to be submitted to and obeyed in all things, which are not contrary to the laws of God, and the fundamental laws of the kingdom; for otherwise God is to be obeyed, and not men (Acts 4:19, 5:29).

2b6. They are to be supported in their government, by a payment of all lawful tribute, tax, and custom; "Render to all their dues; tribute to whom tribute is due, custom, to whom custom" (Rom. 13:7). This is a doctrine taught not only by the apostle, but by Christ himself, and confirmed by his own example and practice (Matthew 22:21, 17:27). Government cannot be supported without such methods; and without government there is no safety of a man's life and property; but he must be exposed to a banditti of robbers, plunderers, and levellers, who would strip him at once of all he has: would not any wise man part with some of his substance to secure the rest? without government, as the Roman orator says, "not a family, nor a city, nor a nation, nor all mankind, nor the whole nature of things, nor the world itself, can stand." And government cannot be maintained without defraying the expenses of it, which are many and large, by the payment of tribute and taxes, which ought to be done cheerfully; nor should any illicit methods be taken to defeat the payment of them, which is foolishly called, cheating the king, and that is said to be no sin; whereas men hereby cheat themselves, cheat the public, of which they are a part; some individuals may avail themselves by such unlawful practices, but the public suffers, and so does every honest man; and it is the very means of the multiplicity of taxes complained of; for if a duty is laid on one commodity, and it is defeated by such iniquitous practices, either it must be increased on that commodity, or laid upon another.

3. Thirdly, there are various reasons to be given, why subjection and obedience should be yielded by subjects to magistrates.

3a. Because that magistracy is by the ordination and appointment of God; "The powers that be, are ordained of God", (Rom. 13:1) it is he that sets up one and puts down another (Ps. 75:6, 7; Dan. 2:21). "By me kings reign", says Wisdom, "and princes decree justice", (Prov. 8:15) not that it may be that any particular form of government is of God; there are various forms; as "monarchy", which is the government of one man; "aristocracy", which is the government of the chief and principal persons in a nation; and "democracy", which lies in the people: which is the best sort of government I will not take upon me to say; but this I will venture to say, that the worst government is better than none at all; perhaps a mixed government may be best, made up of all three; as our's is: there is an appearance of monarchy in the "king", of aristocracy in the "nobles", and of democracy in the "commons", chosen by the suffrages of the people. Moreover, it is not this or that particular man in government, that is of God; he may assume that to himself which does not belong to him, and so is not of God, but of himself; or he may abuse the power he is possessed of, which, though by divine permission, and may be for a scourge to a people; yet not of God's approbation: it is not therefore this or that form of government, or this or that particular person, but government itself that is of God; for there is no power but of him; what Adam had over the creatures, the husband has over the wife, parents over their children, and masters over their servants, it is of God; and so is the power magistrates have over subjects, (John 19:11) and therefore are to be obeyed.

3b. To resist them, is to resist the ordinance of God (Rom. 13:2). Not that magistrates are above the laws; but are to be subject to them, and are liable to the penalty of them, when broken by them; they are under the laws, but over men; so says Cicero; "the laws preside over magistrates, and magistrates over the people; and, "adds he, "the magistrate is a speaking law, and the law a mute magistrate." So that these have a close connection with each other; the laws are binding on magistrates, and they are to govern according to them; and when they do that which is wrong, or attempt it, they may be resisted; as Saul, when he would have put his son to death, for the breach of an arbitrary law of his own, and which his son was ignorant of; but the people would not suffer him; and they were in the right: so Uzziah, when he went into the temple to offer incense, which to do was a breach of the law of God, then in being; Azariah, and fourscore priests more, followed him, and withstood him, and they had the approbation of God; for before the king could get out of the temple, he was smote with a leprosy. But a king, or a civil magistrate, is not to be resisted in the execution of lawful power and authority.

3c. "Such who resist, shall receive to themselves damnation", or "judgment"; either temporal judgment from men or from God; as did Korah, Dathan, and Abiram; or eternal judgment; for those who despise dominion, and speak evil of dignities, the blackness of darkness is reserved for ever and ever (Jude 1:7, 8, 11, 13). There are other reasons to be gathered from (Rom. 13:1-14), enforcing obedience to civil magistrates; taken from their being the ministers of God for good, for civil good, the protection of men in their lives, liberties, and properties; and for moral good, for the restraint of vice; for if the fence of magistracy was plucked up, vice would issue in like an inundation, and carry all before it; (see Judg. 21:25) and from their being encouragers of good works, and the executors of the wrath of God on evil men; and by good men are to be obeyed, not for wrath's sake, or for fear of punishment, but for conscience sake; and a good conscience cannot be exercised without obedience to them.