

## THE SUPREMACY OF GOD AND THE RULE OF LAW: OUR CHARTER OF FREEDOM

The Canadian Charter of Rights and Freedoms begins with the following underpinning assumption: “Canada is founded upon principles that recognize the supremacy of God and the rule of law.”

This defining statement alerts us to the fact that in Canada there is not a “separation between religion and state.” (Neither is there, constitutionally speaking, such in the USA, but the clause forbidding Congress to “establish religion” federally has been badly perverted by those who worship a secular god.) To the contrary, this statement affirms that *religion is integrated into the very founding principles of our nation.*

Foundations determine the shape of the structures built upon them. Therefore, the assumption of the Charter is that the shape of Canada is determined by “the supremacy of God and the rule of law.” But what does this mean?

Throughout history, rulers have gravitated toward amassing ultimate power in their own persons. Although terms such as “theocracy” (meaning, *God-rule*) stir up venom very quickly, the truth is that *this statement in our Charter is a defense of liberty*, which is precisely why it stands at the head of a document guaranteeing *rights and freedoms.*

### **The Supremacy of God**

In Romans 13, the Apostle Paul writes that the governing authorities are appointed by God as His *ministers* (servants), in order to be a “terror” to bad conduct, “an avenger who carries out God’s wrath on the wrongdoer.”

While unbelievers jump on this statement as endangering a collapse between church and State, a couple of things ought to be observed regarding this.

#### *God is Supreme Over Every State - Even “Secular” Ones*

First, Paul is not talking simply about an *ideal* State. He is talking as well - indeed, first of all - about the governing authorities in his own day. These authorities were not, by and large,

believers in Christ, although you can find a few believers scattered among them in the pages of the New Testament.

Thus Paul's point is not specifically that governors are even *self-consciously* doing God's work, let alone doing the bidding of the Church. The truth is that in Paul's day, the Roman authorities were most invested in doing *Caesar's* work, rather than that of "the gods" - and certainly, the Triune God of the Hebrews and Christians was not within the panoply of their celestial hosts.

*Theocracy (God-rule), not Ecclesiocracy (Church-rule)*

And yet, second, there is, shall we say, a *sacred* tone to this chapter. Just as various officers within the Church are identified as God's *ministers*, so Paul designates civil authorities with this same terminology.

Ironically, however, this implies that Church and State are not the same, but analogous in some way. The Church has *its own* "courts" and punishments - excommunication (1 Corinthians 5; cf Matthew 18.15-20) - but Paul is dealing here with another set of courts and punishments, punishments backed by lethal power which neither Jesus nor Paul grant to the Church.

The governing authority, therefore, is not to be identified with the institution known as the Church, and yet its calling is nonetheless sacred, done in service to God (whether wittingly or unwittingly).

And this indicates that, whatever those civil authorities may themselves think, they are not independent or absolute. They are appointed by the leave and authority of God Himself, and their purpose is to carry out His justice in the world.

I use that term "justice" intentionally, for that is the crux of the civil authority's calling in Romans 13. It is to "avenge" wrongdoing, which is why Paul says the authority "does not bear the sword in vain." (Note of course that Paul does not say that the authority punishes *all* wrongdoing, but that what the authority is authorized to do is punish wrongdoing. The point is that *all punishment* which the authority administers is supposed to be carried out against wrongdoing; but it is impossible that any State, no matter how powerful, can or should attempt to punish *all wrongdoing* on God's behalf. God Himself is the ultimate Judge, which is why we may rightly distinguish between *sin* and *crime*. Indeed, it is the very fact that God *is* supreme

which liberates governing authorities from the task of being ultimate judges who must comprehensively recompense every human action. The supremacy of God allows them to leave room for God's ultimate, perfect, and comprehensive judgment. This too represents liberty for the citizens to do wrong *in some things* without the State intervening.)

So how is this depiction of the governing authority as God's servant such a defense of liberty? Simply this: *the governing authority is not absolute*. Every State, and every agent of the State, is a *servant*, and Scripture repeatedly reminds us that God keeps an account of His servants, and they will ultimately answer to Him.

It is when we understand this, that citizens are empowered to resist injustice and call the governing authorities into question when they begin to punish well-doing rather than wrongdoing, or when they start arrogating to themselves godlike powers. Romans 13, which teaches us "the supremacy of God," in the language of our Charter, is therefore a tremendous counterweight to the idolatrous aspirations of politicians and bureaucrats. It provides a plane upon which citizens may stand and defend liberty.

There is a third way in which the supremacy of God and in particular, Paul's account of it in Romans 13, offers an implicit guard to liberty. And that is simply that if the specific calling of the magistrate is execution of justice, then the further afield the authority extends its tentacles, the less claim it has to backing by divine authority. If a nation is founded upon "the supremacy of God," there is thus a counter to this governmental expansion - an expansion that, whatever its stated intention, always ends up with less liberty for the citizenry. *The supremacy of God is a roadblock on the road to serfdom.*

If God was the liberator of Israel from slavery in Egypt, the corollary is that the nation which rejects God's supremacy is, of necessity, embracing slavery. The choice is supremacy of God - or slavery.

### **The Rule of Law**

As with "the supremacy of God," so too with "the rule of law": the Charter with both of these phrases ties the hands of would-be omnipotent politicians and other governors.

Over against “the divine right” claimed by many kings throughout history (by which they made the jump from being *God’s servants*, to the galling assumption that *whatever they willed was God’s own will* and therefore unopposable), “the rule of law” limits the power of human beings. It is a reminder that the actions, not only of ordinary citizens, but also those of judges and prime ministers and policemen and - dare we say - tribunals, are all circumscribed by objective standards.

The rule of law means that members of the government cannot play by different rules than the rest of us. To use an American example, it means that Nixon cannot break into Democratic headquarters without facing the music. Hitting closer to home, it means that “human rights tribunals” cannot make arbitrary decisions that reward evildoers just because they belong to a politically-correct cause, or punish the righteous just because they do not.

The rule of law preserves liberty, because autocrats will be held accountable for their actions.

### **Why Both Phrases?**

These two phrases are mutually-supporting and cannot stand alone. Simply saying that the nation is founded upon “the supremacy of God” leaves things too open to some authority - whether a church leader or otherwise - claiming to “speak for God” and by that means ruling arbitrarily for his own advantage or that of others.

But the converse is also true. *“The rule of law” cannot stand alone.* If there is no God standing above and behind the law, the law becomes nothing more than a convention. This is why our governments and our bureaucrats have increasingly had the “courage” to violate the constraints of our nation’s own laws. It’s why judges think themselves competent to “reinterpret” constitutions and charters counter to the intentions - indeed, the very *wording* - of the documents and their writers. They have seen themselves as the masters rather than the servants, and laws of whatever order can be made and reshaped to their own whims.

This is what happens when law is denuded from the divine power which stands behind and above it.

The bottom line is that there is, as Calvin said, an idol factory in the human heart. And the first idol every heart wants to exalt as God is *oneself*.

When a *private citizen* makes himself his own god, he acts selfishly and antisocially. But when a *governing authority* makes itself god, the inevitable result is the loss of freedom for the populace.

For unlike the true god, fallen human beings who ascribe to themselves absolute power will inevitably and necessarily act with corruption, and their totalitarian benevolence will be more dangerous than the willful benevolence of mere petty dictators.

The supremacy of God and the rule of law. These mutually-reinforcing principles are principles of liberty, and the further we disregard them, the less free our nation becomes.

It is high time we halted our long march into Egypt.

TIM GALLANT  
DECEMBER 2008

CHANGEINTHEWIND.CA