

## NIAGARA DECLARATION FAQ

### *Why didn't you include other religious groups in this Declaration?*

Other religious groups will automatically (by default) benefit from this Declaration as they did from the Reopen Ontario Churches letter this spring – in fact we were kindly thanked by the Orthodox Jewish community in Toronto (who have since worked with us), because their synagogues were opened as a result. As argued below, a Christianized constitution actually leads to greater religious freedom for all.

That said, it is not the responsibility or calling of the church to declare, for example, the ‘liberties of Islam’ since we cannot, in faithfulness to Christ, declare the Lordship or authority of Allah or Mohammed in the nation – neither does Islam have any role in our constitutional history. It is not our place or obligation as the church to speak for the doctrines of Islam or other religions present in Canada. It is not our express desire that other religions would flourish in Canada leading people away from Christ, and so seeking to represent them in any official capacity is not our mission. Christians are prophets, priests and kings unto God, not idols and so to make declarations for expansive freedom for the implementation of Sharia Law, the Hindu Caste System or any other pagan beliefs and cultural norms, would be faithlessness to Christ.

### *Can you explain more about the oath that the Queen swore at her inauguration? Is the Declaration an agreement with the relationship between church and state that has existed in England?*

No, we are not endorsing formal establishment (of any church denomination) as it exists in England where Bishops are members of the House of Lords and the Prime Minister helps select the Archbishop of Canterbury. We view the jurisdiction of church and state as distinct (spheres of sovereignty) with different responsibilities under God. The Queen is the supreme governor of the Church of England (a Protestant denomination with a reformed confession), and the Church of England is officially endorsed by the state – our declaration does not presume to declare either way on whether this has been right or wrong for England. The Toleration Act in 1689 led to religious freedom for non-conformists, so the English Constitution has long endorsed freedom for all denominations and does not collect a tax for the Church of England as various states did for their established churches in other European nations. Other Christian denominations and indeed other religions are permitted, and enjoy the same freedoms, but are not formally endorsed.

The Queen is a devout Christian and swears to defend the Faith (Christianity) within the state over which she is monarch. She swears to maintain the laws of God and true profession of the gospel (not the profession of any one church) as the head of state. Canada is both a parliamentary democracy (currently not fully functioning as such due to emergency powers) and a constitutional monarchy (not a republic in the common use of the term) with the Queen as head of state, giving historic legitimacy to our national institutions and identity. The Christian roots of

our nation are in this respect incontrovertible. Because of the connection to the British crown, Canada has no *formal* separation of church and state (which the Americans do at the Federal [not state] level), although some argue Anglicanism was an *informal* establishment for many years in Canada. We seek no return to those days for any church denomination.

However, the separation of church and state is emphatically *not* the separation of God (or faith) and the state. While we have no aspirations for an ecclesocracy (where the church leaders rule the state), we firmly believe that all states are called to recognize the sovereignty of God (our Charter recognizes the supremacy of God) and Lordship of Jesus Christ – as does our Queen.

***Are you asserting that the Monarch is supposed to maintain Christianity as the official religion of the nation?***

There is always some form of state orthodoxy in every nation. A religiously neutral state is an impossible illusion – as hate speech codes, the redefinition of marriage, and the idolatry of secularism in Canada prove! The preferring of some values over others in terms of one worldview or another is inescapable – something frequently recognized by political philosophers. All states, by virtue of law and other forms of institutional life, seek to maintain those values deriving from a basic belief system, be it pagan secular, Christian, Islamic, Hindu, Marxist, or something else. Therefore, all states will seek to maintain the foundations of their social order, without which that social order will cease to exist. If that foundation becomes unstable, the culture begins to decay. Already, questions in the UK and her commonwealth are being asked about the Oath to be taken by our next monarch when Elizabeth dies – many are calling on Prince Charles to swear to be defender of the “faiths” in the multi-cultural (polytheistic sense). This is an inherent impossibility. For example, since all law is rooted in an idea of sovereignty, the state cannot both defend English Common Law derived from Scripture and Sharia Law basic to the practice of Islam without that culture committing suicide and descending into civil unrest and finally collapse.

No monarch (or state) can effectively maintain Christianity as the ‘official’ religion of a nation, unless that nation wants to follow the Lord. The Queen's task, to the best of her ability, is to uphold her oath to be faithful to the *foundations of the social order* of England and Canada (Australia, New Zealand et. al.) which is grounded in the reality of God’s sovereignty, the truth of His Word (which is why the Bible remains under the dispatch box in the English House of Commons) and Christ’s Lordship (inherent in the foundations of our constitutional liberties in Magna Carta). She is not called to ‘maintain’ atheism, Marxism, Islam, or Buddhism because these are not foundational to our constitutional life.

Christianity undeniably provided Western culture with the foundational beliefs that shaped cultural life and law, including the right to freedom of belief as affirmed in our Charter. The freedoms that Muslims, Hindus, secularists, etc. enjoy in Canada are largely attributable to the Christian faith. In fact, it is only in Christianized nations that religious freedom has ever flourished. If by the term “official”, it is being asked if Christianity should be the exclusive

religion permitted in Canada, we would say no. Christianity does not derive its authority from the state nor is it dependent on the state's imprimatur for its success. It is not the state's task to ensure people are Christians. In addition the churches should not claim direct governance over the state, or the right to forcibly convert citizens.

Nonetheless, the state remains obliged by God to recognise the Lordship of Christ and authority of His Word and in this sense is obligated to be Christian – a fallible Christian state is possible (as history shows) when its leaders recognize God's sovereign authority and that of His Son. As such, Christianity should continue to be recognized by the state, as affirmed in our laws, as the progenitor of the rights and freedoms Canadians enjoy and as Scripture requires, all nations must "serve the Lord with fear, and rejoice with trembling, kiss the Son lest he be angry, and you perish in the way" (Psalm 2).

It is noteworthy that other religions have never been able to provide such extensive rights and freedoms to the nations over which they hold sway. It is also remarkable that, as state authorities increasingly fail to recognize or acknowledge the contribution of Christianity to law and life in Canada, our freedoms are slowly disappearing – including freedom of speech.

***Doesn't Romans 13 require the church to submit to all the government's instructions, thereby making this Declaration an act of rebellion?***

It is not uncommon to encounter simplistic proof-texting among Christian leaders regarding submitting to every decree of political authorities, as though the Bible gives the state *carte blanche* to regulate individual, social and ecclesiastical freedoms out of existence if deemed necessary. These texts are almost never coherently framed in terms of the totality of Scripture and a broad Christian world and life view, but are frequently manipulated to mean the *opposite* of what they are saying. The idea that Paul's teaching in Romans 13 or 1 Timothy 2:1-2, for example, somehow gives the state almost unlimited sovereign power to command what it pleases is bereft of exegetical and theological substance or integrity.

In Romans 13 Paul specifically and explicitly places *all authority* under God, including civil government, as a sphere of power and authority instituted by Him alone. The apostle's exhortation against resisting God's order in temporal authority, assumes that to do so resists *God's command* (v.2). What is at issue here is man's propensity to resist *God's ordinances and commands*. Clearly, we cannot selectively obey God's commands at our convenience – including recognizing the legitimacy of temporal authority. This being the case, if the state presumes to forbid what God commands, or commands what God forbids, the state has moved beyond its sphere of authority, and those who obey God must at that point resist such arrogant presumption. This is clear from what follows when Paul shows that the civil authority is God's servant – that is literally God's *deacon* (v.4). The apostle explains that this imperative means being a terror to bad conduct and approving of good conduct, bearing the sword to avenge those that do wrong (v.3-4). But if the state becomes a terror to those who do good and rewards those that do evil, it is again in flagrant violation of God's command and ordinance, and Christians have at that point a duty to resist an authority that has ceased to be God's deacon. Were this not the case, we would

be bound to state absolutism with no basis for resistance to tyranny of any and every kind. So, we are to submit to God's ordinance to obey the duly constituted and legal requirements of civil authorities and fulfil our obligations until the state moves against God's ordinances and commands. In all other cases we obey for the sake of our conscience (which in Christ puts limits around our submission) and to avoid unnecessary punishment.

In 1 Timothy 2:1-2, Christians are urged to pray and intercede for kings and those in authority. Contrary to implying some sort of unquestioning subservience on the part of the church, this command reveals the *high position* of the believer and Christ's instituted church. We are required to go to the ruler of the kings of the earth (Rev. 1:5), because of our status as a royal priesthood and holy nation before God (1 Pet. 2:9) and intercede for mercy and wisdom (or indeed judgment) to be upon earthly rulers, in order that God's people be left in peace and freedom to live godly lives. In short, to use our high position before the Lord so that we be *left alone by civil authorities*, to serve the kingdom of God.

How these vitally important passages can be contorted by some into a defence of a massive *regulatory state*, fully justified in shutting down the life of the church institute indefinitely in the name of *health and safety* is highly problematic. The explosion of the regulatory state in the last seventy years (especially over the last thirty years), reaching into more and more areas of private life and civil society has nothing to do with Scripture or a biblical worldview. It is rooted in the idea of the *omni-competence* of the state and its bureaucracy. Neither Scripture nor Christian historical thought well into the early twentieth century, ever imagines such a freedom-sapping behemoth overtaking our lives.

The state does have a legitimate interest in protecting people from *criminal negligence*. Criminal negligence applies to anyone who does anything or omits to do anything, that it is his duty (as imposed by *public law*) to do and shows wanton or reckless disregard for the lives or safety of other persons in the process. We see this concern in biblical law, where it is required that the roof of the house (flat roofs), where parties and social gatherings took place, be fenced to prevent people falling off (Deut. 22:8-12). A similar requirement is found in Canada in regard to homes with swimming pools. Likewise, in Scripture, a domestic animal *known to be dangerous* that harms or kills someone subjects the owner to criminal penalties (Ex. 21:28-31). But a high degree of proof is required to establish *criminal negligence* and such necessary provision to prevent criminal and reckless endangerment of others, does not give the state the right to establish a *regulatory bureaucracy* of hundreds of thousands of laws that turn society into a kind of prison. Private companies, churches, clubs, guilds, institutions of learning and professional associations are quite capable of framing *non-civil private law* for their own government.

Finally, it should be noted that we are not *ruled* in Canada, we are *governed* and we participate in our own government. This distinction might seem negligible to some but was roundly defended by our forebears for the betterment of all citizens. The structure of our government includes debate, an Official Opposition, provision for peaceful protests, limited terms for government, and the right to vote in a democratic election. The structure of government actually *invites* opposition and disagreement with government choices. Thus far, we believe that churches that have challenged perceived government overreach and intrusion into the worship life and liberties of the church have both honoured Romans 13 and exercised their civil liberties in keeping with

Canadian law and the fundamental freedoms set out in our Constitution which is the supreme law of Canada.

***Does Article 8 deny that there could ever be a state of emergency in which the state forbids large gatherings in general, including church gatherings? (In other words, could it ever rightly move beyond dialogue to unilateral action?)***

No God-ordained institution has *totalitarian* authority whereby it can treat other spheres of life as merely *parts* of a greater whole. The church is not strictly a *part* of the state because the state is a *territory* over which a duly constituted civil government has *public legal* authority. There are families, schools, churches, institutions etc., existing within any given territory in which the civil magistrate is a *ministry of public justice*, but those institutions are not ‘parts’ of the state, or necessarily controlled by the state – the *parts* of the state are provinces and municipalities.

For the church in particular, the notion that a state has final and ultimate authority over the church meeting, worshipping etc. is a denial of the Lordship of Christ and *Sola Scriptura*. While any civil government ‘could’ move beyond dialog to unilateral action against any institution, the question is whether it ‘should’ or has the right to – can it legitimately become authoritarian and totalitarian? In criminal matters, the state certainly has the authority under God to take action, but beyond that, great care must be taken before bringing the civil authority with its coercive sword power into other areas of life. (Here is a recent article distinguishing the various kinds of law that exist in civil society and addressing the role of the state: <https://www.ezrainstitute.ca/resource-library/articles/freedom-the-church-and-state-absolutism/>)

The Declaration affirms the *mutual* interest of church and state to mitigate harm in the lives of people, and thereby honours, while not conflating these two distinct entities. Biblically the state has the power to wield the sword of justice, collect taxes to fund the organs of justice, and administer public justice by seeking a harmony of public legal interest. To these powers the believer is called to submit, barring clear violations of Scripture. The modern state however has invaded and claimed authority over almost every sphere of life including redefining the family, controlling education, charity, health, private land use, morality, the affirmation of marriages, etc. The church is not required by God to submit to every and any unilateral action taken by the state, including those claimed through ‘emergency measures’ in the name of public health – almost every tyranny has been installed in the name of the protection, health and well-being of the people. This is especially true when the unilateral actions of the state now extend well beyond gathering limits and apply in certain jurisdictions to such fundamental church matters as her worship, singing, and the Eucharist.

The modern ‘emergency powers’ provisions cannot be allowed arbitrary, unqualified and absolute sway in relation to the church if we are to remain faithful. Otherwise, on this basis, any state could declare an extended emergency (real or imagined) and indefinitely suspend the life of the institutional church with no theological/political recourse for the church. What Christians arguing *against limiting the state* in this area need to show, is where exactly Scripture provides a caveat to the requirements of meeting together, preaching/teaching, baptizing, administering the Lord's Supper, laying hands on the sick and appointing elders and deacons to establish churches?

In Matthew 28 Christ claims ALL authority in heaven and earth and commissions the church to do those things. There is no parenthesis – do them except during war or plague! In fact, history shows that it is precisely these things the churches have done during war and plague to great effect. The current global measures are literally unprecedented in recorded history! Any absolute power — devoid of meaningful dialogue, and without recognition and respect for other spheres of authority such as the family and church — granted to the state unchecked by the freedom of other institutions is therefore the epitome of tyranny.

We endorse the view, in terms of the principle of Sphere Sovereignty, that the state's impact on the various spheres of life is *extensive* – which is to say, in the interest of public justice we recognise that it *impinges lawfully* on all kinds of institutional life (even the family if a father is raping his daughter for example, etc.). This point is not in dispute in our Declaration. If a pastor were committing criminal acts in the church, being a member of the clergy should not protect him (as it did in parts of the medieval world) from state prosecution. Though of course, if the state does criminalize aspects of the faith, even though it has jurisdiction over criminal law, it must be disobeyed.

What is at issue in article 8, and what the Canadian Criminal Code seems equally concerned to avoid, is an *intensive* relation between church and state (note that Prime Minister Trudeau tried to delete Section 176 of the Criminal Code last year, because he presumably recognises what it represents – the sovereignty of another sphere of authority in civil society). Yes, the state's authority touches the life of the church, but how *intensively* is the question. In view of the current circumstances, the question to be asked is whether the state is the institution charged by God to exclusively manage, control and govern *public health*? Is human health *juridically* qualified? i.e. is it a matter of 'justice' that I or my neighbor are not exposed to a virus? If the state does have total jurisdiction over human health, and the state says abortion is also a matter of 'reproductive health' or that euthanasia is a matter of 'public health', and therefore interpreted as matters of *public justice*, how is the church to respond?

If, for example, the state proceeds (as the Federal Government currently intends) to criminalize biblical pastoral care for gender dysphoria or same-sex attraction in the name of 'public health,' (formerly Bill C-8), is the church then obligated to obey and surrender on the basis of Romans 13? Obviously not.

And this is where we think the heart of the problem lies. We should readily be able to distinguish between just and unjust laws like Bill C-8 and so on principle disobey the state, even though the matters of criminal law *are* the jurisdiction of the state. The problem we face with a unilateral lockdown is not simply the imprudence, arguably illegality and destructiveness of an unaccountable seizure of power, but we also are faced with the question of whether we can allow the state to restrict or lockdown the church unilaterally in the name of public health, when the role of the state is public justice. Is the unprecedented attempt of the state to 'stop a virus' by the unilateral lockdown of life in the name of public health, a legitimate function of the state as a ministry of public justice, and are there other ideological factors at work within the state's approach to the crisis that go beyond the question of public health? What should the churches' response be if the measures were in place for two years or more?

In other words, even if this disease were a serious threat to the health of all like the plague or Spanish Flu, we don't think the state has unilateral authority to lock down the church or family or civil society in the name of public health and safety. Consider the question this way: if the state declared, in the interest of stopping the spread of a virus (i.e. public health), that it was requiring infected children to be separated from their families and committed to state-run isolation facilities (as proposed by a member of the WHO a couple of months ago), is that a matter of 'public justice' and part of the lawful jurisdiction of the state to be obeyed? If, in the name of public health, and given the very real chance that another deadly virus will emerge in the future, the state permanently mandated contact tracing, should the church comply?

Here is a helpful article dealing with Romans 13 and the relations of church and state as developed in the traditions emerging from the Reformation:

<https://www.hausvater.org/articles/336-the-magdeburg-interpretation-of-romans-13-a-lutheran-justification-for-political-resistance.html>

***Would it not be wise to suspend church services until a vaccine is available or a cure has been found?***

Neither Jesus Christ, the apostles, nor the historic church have been found waiting for vaccines and cures before laying hands on the sick, ministering to the needy, preaching the gospel to the poor, or being with the dying. When pagans fled from plagues in the early centuries of the church, Christians remained in the city to minister to people's needs. When the sick came to Christ or his apostles, they did not socially distance, but laid hands upon them – including lepers. Scripture commands the members of the churches that if you are sick, you are to call for the elders of the church to lay hands on you and anoint you with oil – there is no command to get tested and download the government app, nor a caveat that this command only applies when the health condition is not a respiratory disease. Whilst as Christians we are called to apply godly wisdom and prudence in all things, and Scripture *does endorse* a limited quarantine of those who are seriously sick with infectious disease, there is no support in Scripture or historically in the West for the mass quarantining or lockdown healthy people while we wait for unknown cures for the sick.

We would argue that human health *cannot be reduced* to the avoidance of a virus (biotic health) but that there are such things as emotional and mental health, social and familial health, economic health, moral health, and the health of our faith or spiritual health, that all profoundly impact our physical health. As such, 'public health' is a far-reaching and complex idea touching *multiple spheres and institutions* and therefore cannot be the exclusive domain or province of state authority.

To protect the integrity of the state, ward off the temptation to abuse power as witnessed in history, and secure the authority of the church over spiritual affairs, the temporary suspension of Christian duties prescribed in Scripture would require dialogue between church and state.

***Do you believe that the lockdowns represent persecution against the church?***

The Declaration has broader application beyond the current events we face, including perceived persecution due to limited gatherings and restrictions on worship. We are not claiming any en masse, overt intention by any or all Provincial or Federal authorities to persecute the church. We do believe (see <https://www.ezrainstitute.ca/resource-library/articles/on-the-brink-the-criminalization-of-christianity-in-canada/> for cited examples), that the cultural milieu and spiritual climate of Canada has become increasingly hostile to Christianity, and the state has participated in these hostilities. We also believe that some political/ideological actors are intent on using this current crisis to reshape Canadian society and hinder the Gospel and influence of the church in people's lives. So 'government' is therefore not to be fully trusted either in it's intentions, or how it may be used by spiritual forces. A blind trust in government has been the downfall of many peoples in history and we are called to place our complete trust in Christ alone.