

# Chapter 7

## Article 4: Republic vs. Theocracy

### Section 1

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Except for the additional power granted to an unbiblical Congress, Clause 1 contains nothing particularly unscriptural.

The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

### Section 2, Clauses 1-2

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

#### Cities of Refuge

Had the constitutional framers intended to be Biblical, in addition to Article 4's provision for interstate extradition, they would have included a provision for cities of refuge:

...ye shall appoint you ... cities of refuge ... that the slayer may flee thither, which killeth any person at unawares [unintentionally, NASB]. And they shall be unto you cities for refuge from the avenger; that the manslayer die not, until he stand before the congregation in judgment.... Then the congregation shall judge between the slayer and the revenger of blood according to these judgments: And [when the death is unintentional] the congregation shall deliver the slayer out of the hand of the revenger of blood, and the congregation shall restore him to the city of his refuge, whither he was fled: and he shall abide in it unto the death of the high priest.... But if the slayer shall at any time come without the border of the city of his refuge, whither he was fled; and the revenger of blood find him without the borders of the city of his refuge, and the revenger of blood kill the slayer; he shall not be guilty of blood: Because he should have remained in the city of his refuge until the death of the high priest: but after the death of the high priest the slayer shall return into the land of his possession. (Numbers 35:11-28)<sup>1</sup>

Refuge cities are for the protection of the innocent. They provide the means for a person (who might otherwise be killed by a blood avenger) to present his case before an unbiased Biblical court. Because Yahweh's law allows the blood avenger to take the life of a person who kills a relative with impunity *at any time*, the refuge cities also encourage litigation. A murderer has two choices: live the remainder of his life on the run in fear of being put to death by the blood avenger by any means he chooses, or allow a Biblical court to judge his case, which, if it proves him guilty, will also put him to death:

A man who is laden with the guilt of human blood will be a fugitive until death; let no one support him. (Proverbs 28:17, NASB)

The inherent deterrent effect in this law should be self-evident.

This may seem like a difficult statute to apply today, but the cities of refuge are nonetheless a part of Yahweh's judicial system. Under the Old Covenant, the Levitical priests often served as judges (Deuteronomy 17:9-12, 21:5; 1 Chronicles 26:29; 2 Chronicles 19:5-8; Ezekiel 44:24). Jesus<sup>2</sup> is the antitype and fulfillment of the Old Covenant high priest and will never die again. Nevertheless, under the New Covenant, the same protection from a blood avenger can be afforded the person who accidentally kills someone. The death of the chief justice could serve as the replacement for the death of the high priest.

The use of a city of refuge would be an extremely rare occurrence. Most cases would be settled without a city of refuge being required. But for the person who kills someone unintentionally and whose life might be in jeopardy from a blood avenger, a refuge city would provide protection both before and after a trial.

...in England, the privilege of sanctuary existed until abolished by statute in 1623.<sup>3</sup>

### Section 2, Clause 3

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

This clause refers to runaway slaves:

This is the last of three compromises respecting slavery. Time has made it obsolete. It related to the fugitive slave. It was designed to overcome [sic] the decision (1722) of Lord Mansfield, Chief Justice of the King's Bench, fifteen years before in the celebrated case of the Negro, Somerset, that a slave brought by his master from Virginia to England became free.... To apply that principle [of the Lord Mansfield's case] in America would liberate the slave who might flee to a northern State.<sup>4</sup>

Although this clause was made obsolete by Amendment 13, it is nonetheless entirely unbiblical:

Thou shalt not deliver unto his master the servant [slave, NASB] which is escaped from his master unto thee. (Deuteronomy 23:15)

See [Chapter 22](#) "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding this statute as it applies to slavery.

### Section 4

The United States shall guarantee to every state in this union a republican form of government....

#### Sovereignty vs. Sovereignty

Constitutionalists insist the United States government is a republic, not a democracy, but they never stop to consider that the two are virtually the same regarding sovereignty.

Christian Constitutionalists further insist republics are Biblical. However, because republics (like democracies) rely upon the majority vote of the people for the selection of their leaders, rather than upon Yahweh's choice (as per Deuteronomy 17:15), republics are not anymore

Biblical than are democracies. Both democracies and republics culminate in a government of, by, and for the people rather than a government of, by, and for Yahweh. The same is true with other issues voted upon by the people: ultimately the majority's will is exalted over Yahweh's will.

As demonstrated in [Chapter 3](#), both republican and Christian governments are ultimately theocracies. As a result, they are incompatible and hostile to each other. A republic looks to the people as its sovereign; a Christian theocracy looks to Yahweh. The very definition of a sovereign, or supreme ruler, excludes simultaneous sovereigns.

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### End Notes

1. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.
2. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "[The Third Commandment](#)" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.\*
3. H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) p. 276.
4. Thomas James Norton, "The Constitution For the United States: Its Sources and Its Application: Article IV" <http://www.barefootworld.net/constit2.html>.

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