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# **Covenant, Constitutionalism, and Christian Liberty: An Exploration of Wang Yi's Early Political Theology and Later Reformed Political Theology**

**Joyce XIAO**

## **Abstract**

This article explores how Wang Yi lays the foundation for considering a political theology based on the ways in which covenant and related ideas were transformed into concrete social and political realities manifested in the American experiment. It further explores how the concept of covenant points Wang toward embracing the Reformed tradition and constructing his Reformed political theology to tackle problems he sees with current church-state relations in mainland China. This exploration shows that Wang's construction of political theology is based on a misreading of the covenant concept and its relation to American constitutionalism. Wang also overlooks some biblical and theological meanings of covenant and draws on a particular reading of the Bible to justify his sociopolitical arguments. This misreading indicates that Wang's approach to political theology is questionable because it is rooted in his misinterpretation of American constitutionalism and covenant.

## **Keywords**

Wang Yi, political theology, covenant, constitutionalism, Christian liberty, church-state relations

Wang Yi is one of the most influential house church leaders and a prominent figure in the human rights movement in mainland China. Because of his active involvement in social and political activities, he was listed as one of the "50 Most Influential Public Intellectuals of China" by *Southern People Weekly* (南方人物周刊) in 2004 and awarded the "Prize for the Contribution to Promoting Religious Freedom" by the Conference

**Corresponding author**

Joyce XIAO: [joyce.Xiao313@outlook.com](mailto:joyce.Xiao313@outlook.com)

for Global Christians in Law in 2008.<sup>1</sup> This fame has attracted Asian and Western media interest, making him even better known in China and abroad; his fame has also called attention to scholars—such as Gerda Wielander, Chloë Starr, Alexander Chow, and Ma Li<sup>2</sup>—who have devoted articles and books to introducing Wang’s works and the social activities of his Early Rain Covenant Church (ERCC). Their research has influenced other scholars looking to review the larger landscape of how Wang and the ERCC employ Christian beliefs to engage Chinese society. Following this line of research, in this article I focus on covenant, constitutionalism, and Christian liberty to investigate the task of formulating Wang’s entire political theology from a theological perspective. This investigation is based on a careful study of Wang’s printed and online works.

### COVENANT: ENABLING A POLITICAL THEOLOGY

Wang is a constitutional scholar, and his Christian belief leads him to construct constitutionalism in terms of the Christian covenant concept, paying particular attention to the legitimacy of the Chinese house church and Christian freedom in mainland China. While this type of constitutionalism, associated with Christian belief, is controversial given China’s multicultural context, Wang believes that a Christian theory of constitutionalism from the perspective of church-state relations “is a system that allows Christians and non-Christians to co-exist in a peaceful basic order and with secular freedom and rights.”<sup>3</sup> Wang also highlights how a covenanted constitutionalism could contribute to the transformation of the Chinese polity.

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- 1 See the cover of Liu Tongsu and Wang Yi, *Observations on China’s House Churches in Cities* (观看中国城市家庭教会) (Taiwan: Christian Arts Press, 2012).
  - 2 Gerda Schack, *Christian Values in Communist China* (London: Routledge, 2013); Chloë Starr, *Chinese Theology: Text and Context* (New Haven: Yale University Press, 2016); Chloë Starr, “Wang Yi and the 95 Theses of the Chinese Reformed Church,” *Religions* 7, no. 12 (December 2016): 1–16; Alexander Chow, “Calvinist Public Theology in Urban China Today,” *International Journal of Public Theology* 8, no. 2 (May 2014): 158–175; Ma Li, *Religious Entrepreneurism in China’s Urban House Churches: The Rise and Fall of Early Rain Reformed Presbyterian Church* (London: Routledge, 2020).
  - 3 Wang Yi, “The Possibility of Political Theology: Christianity and Liberalism,” *Chinese Law & Religion Monitor* 8, no. 1 (January 2012): 113.

Constitutionalism is the idea that government can and should be legally limited in its powers; that is to say, “constitutionalism is a kind of self-constraint and self-limitation by those in power.”<sup>4</sup> However, this understanding begs the question: How can a government be legally limited if the government creates the law? More specifically, what is required to restrain a government? In Wang’s view, human knowledge is insufficient to impose limits as a result of sin, even though people are able to create laws and principles. Reason also cannot do so because its source is human.<sup>5</sup> So, constraints must lie in transcendental sources, and ultimately human beings must appeal to the highest transcendental source to constrain government and guide its political activity.

Regarding the transcendental sources, some Chinese scholars appeal to Confucianism and Daoism to seek answers, and Wang was also inclined to do so. But after his conversion, Wang rejected them and has turned to Christianity in the belief that the highest transcendental source par excellence has its roots in Christianity. He also notes that the Bible serves as the main source for the formation of American constitutionalism and that the biblical covenants set a crucial assumption for constraints.<sup>6</sup> Particularly, “the concept of covenant simultaneously encompasses both moral restraints and institutional restraints.”<sup>7</sup> In Wang’s view, the theoretical possibility is exemplified in the practice of early Puritan settlers in North America, and their stories display how the biblical covenants bound these people to God and organized them into a new community whereby they are envisaged as entering into an existing society to live according to related covenants. The stories of these settlers are still relevant to today’s society and inspire Christians to follow their path to renew society.

Wang assumes that the concept of covenant not only provides the source for constraints but also lays a moral ethos and political foundation for the reconstruction of the human political commonwealth.<sup>8</sup> In this fashion, Wang proposes that covenant could make political theology

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4 Wang Yi, *On Constitutionalism: Changes in Concepts and Systems* (宪政主义: 观念与制度的转捩) (Jinan: Shandong Renmin Press, 2006), 14.

5 Wang Yi, “The Possibility of Political Theology,” 102.

6 Wang Yi, *On Constitutionalism*, 141–143.

7 Wang Yi, “The Possibility of Political Theology,” 106.

8 Wang Yi, “The Possibility of Political Theology,” 107.

possible. Particularly, the crucial political-philosophical concepts such as social contract and equality rooted in the covenant offer a premise for political theology.<sup>9</sup> Given the concept of “political theology”—as the relationship between theological concepts and politics—we cannot ignore the fact that recent use of the term is often associated with the work of Carl Schmitt, whose canonical sentence, “all significant concepts of the modern theory of the state are secularized theological concepts,”<sup>10</sup> emphasizes the significance of a theological origin for political concepts. It also points out that “political theology” is a crucial inquiry into the fundamental religious assumptions that undergird political theory and practice.

Wang’s understanding of political theology shares Schmitt’s assumption that the ideas of the modern theory of state “were transferred from theology.”<sup>11</sup> Political theology for Wang, however, also means exploring a kind of covenant-oriented constitutionalism. As he notes, “the proposition I put forth about constitutionalism is a kind of political theology in the weakest sense.”<sup>12</sup> This type of constitutionalism is the limitation of government by law, a concept associated with the political theories of John Locke and the founders of the American republic. Constructing such a constitutionalism is to dismantle Chinese authoritarianism and secure a liberal democracy-based state. Wang’s task of “political theology,” hence, may differ from that of Carl Schmitt, who argues that the theological concept of sovereignty is nondemocratic. More precisely, Schmitt tends to dissociate the idea of democracy from liberalism and rule-bound practices of popular election in favor of his core political concept of the friend-enemy distinction, which redefines a politically united people; this approach is incompatible with the will of people and political equality.<sup>13</sup>

Wang’s discussion of political theology is mainly focused on how covenant and related ideas are transformed into concrete social and political realities and how the process of transformation was manifested in the

9 Wang Yi, “The Possibility of Political Theology,” 116–118.

10 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2005), 35.

11 Carl Schmitt, *Roman Catholicism and Political Form* (Westport, MS: Greenwood Press, 1996), 36.

12 Wang Yi, “The Possibility of Political Theology,” 116.

13 Carl Schmitt, *Constitutional Theory*, trans. J. Seitzer (Durham: Duke University Press, 2008), 257–264.

history and nature of American constitutionalism, which provides China with the formula for constitutionalism reformation. Wang's discussion relies heavily on Western scholars' positive views regarding the relationship between covenant and American constitutionalism. By appealing to these views, Wang draws a conclusion that American constitutionalism derives from two sources: the covenantal ideas displayed in the practical experiences of early Puritan settlers, who created their covenanted families, communities, towns, and local governments on the basis of compact, suggesting what kind of polity was formed in America from the very beginning; and covenant-related ideas borrowed from John Locke.<sup>14</sup> For Wang, these two sources successively led to the formation of American constitutionalism in practice and in theory for the early Puritan settlers, colonial America, and the United States.

Regarding the Puritan experience, Daniel Elazar's analysis has deeply shaped Wang's understanding of it. Following Elazar, Wang illustrates that covenantal ideas had developed an ideological expression through the evolution of the terminological shift in covenant, which influenced American political culture and shaped its government and institutions. In a departure from Elazar's analysis, Wang claims that the United States is a unique example of binding people through covenants to create a covenanted state with a unique polity. Even the modern political principles proclaimed in the United States are extensions of the early Puritan interpretation and practice of the biblical covenants between God and his people. Tracing the process back to its earliest beginnings, Wang finds that the Puritan Mayflower Compact of 1620, as the first covenantal act, proves this to be the case. Included within,

In the name of God, Amen. We whose names are under-written...for the glories of God, and advancement of the Christian faith, and honour of our king and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia, does by these presents solemnly and mutually in the presence of God, and one of another, covenant and combine our selves together into a civill body politick...and by virtue hearof to enacte, constitutions, and offices...<sup>15</sup>

<sup>14</sup> Wang Yi, *On Constitutionalism*, 155–156.

<sup>15</sup> Wang Yi, *On Constitutionalism*, 151; English citation from Daniel Elazar, *Covenant and Constitutionalism: The Great Frontier and the Matrix of Federal Democracy* (New

The narrative of the Mayflower Compact describes how covenant created a religious community in North America. Glenn Moots notes that the compact was a civil covenant conceived for the survival of the community.<sup>16</sup> While the term “covenant” was transformed into the language of “compact,” divine providence is still involved in the religiopolitical historical event, so one might call it a sacramental compact.<sup>17</sup> This transformation discloses that a covenant can become a compact in which a transcendental moral force rooted in God is a direct party as a guarantor of a particular relationship. In this way, a body politic could be constituted out of the consent of the governed while creating political principles for people’s proper standards of life. The principle of consent lays the foundation for the early settler communities and, later, for their government’s formation.

Given the American example, Wang stresses the connection between covenant and political theology. Yet, questions arise: Does the term covenant in this context remain faithful to its original biblical usage, or has Wang introduced a major terminological shift? Is drawing political implication from the biblical-theological understanding of covenant compatible with the biblical-theological treatment of covenant? Before proceeding to answer these questions, we must acknowledge that leveraging the biblical covenant to garner either religious or political authority has been applied in various ways in both political philosophy and theology since the sixteenth century. However, this usage of covenant and its reciprocal relation between religion and politics has also been substantially challenged by biblical scholars and theologians. As such, Wang’s exposition of the biblical covenant and its connection to political theology equally deserves careful examination.

Wang’s fusion of covenant with sociopolitical meaning and religious authority is untrue to the original intent as described in the Bible. There are several different covenants in the Bible that are connected by the common thread of covenant, meaning an agreement between God and his people,

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Brunswick, NJ: Transaction Publishers, 1997), 18–19.

16 Glenn A. Moots, *Politics Reformed: The Anglo-American Legacy of Covenant Theology* (Columbia: University of Missouri Press, 2010), 100.

17 It is distinct from an ordinary compact, which relies on an ethical grounding for its politics on the basis of mutual pledges rather than the guarantees of a higher authority. Wang Yi, *On Constitutionalism*, 151–152; Wang’s idea and argument derive from Daniel Elazar, *Covenant and Constitutionalism*, 7–8.

though some are mutual and others are unilateral. The Mosaic covenant, for example, is a conditional covenant between God and the Israelites at Mount Sinai, not agreed upon as evidenced by the one-sided promise but a mutual commitment that God commands loyalty and sacrifices from the Israelites in exchange for their protection and prosperity. The mutual agreement reflected in the covenant was shaped by the unshakeable will and commandments of God and the duties set out for the Israelites to be obedient to him and live a holy life.<sup>18</sup> The other covenants in the Bible are unilateral covenants of promise, and it is God who bound himself to fulfill what he promised regardless of the other party's level of commitment; there is nothing mutual in those covenants. Therefore the biblical covenants undermine the application of Wang's account of covenant as a morally and politically binding compact. In other words, covenant, when understood as a human compact, immediately loses its original meaning and cannot function as a biblical concept.

The term "compact," while a form of covenant, indicates a kind of contractual relationship witnessed by two or more competent parties in agreement. Generally, a compact functions within contemporary law as serving to provide prediction, explanation, and justification. This means that the term "compact" fails to convey the very meaning of religious discourse. Given this conceptual difference, one might argue that the reductionist accounting of covenant not only distorts the nature of the covenants about the trinitarian God and his relationship with his creation, but it also transforms them into something they never claim to be. John Murray and Herman Ridderbos express this line of critique in their rejection of the early modern definition of covenant as "compact" or "agreement."<sup>19</sup> According to Ridderbos, "the covenant of God does not have the character of a contract between two parties, but rather that of a one-sided grant...it comes not from man at all, but from God alone."<sup>20</sup>

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18 Sophia R.C. Johnson, "'We the People of Israel': Covenant, Constitution, and the Supposed Biblical Origins of Modern Democratic Political Thought," *Journal of the Bible and Its Reception* 8, no. 2 (October 2021): 252.

19 J.V. Fesko, *The Covenant of Works: The Origins, Development, and Reception of the Doctrine* (New York: Oxford University Press, 2020), 194–98, 203; John Murray, "Covenant Theology," in John Murray, *Collected Writings of John Murray*, vol. 4 (Edinburgh: Banner of Truth, 1982), 216–240.

20 Herman N. Ridderbos, *The Epistle of Paul to the Churches of Galatia* (Grand Rapids:

The way Wang renders his political theology by simply adopting biblical covenant stripped of its narrative character reveals that he fails to see that the concept of covenant only takes on meaning in a narrative—because a narrative is what forms covenant. Moreover, “a narrative is already a form of interpretation,”<sup>21</sup> and it conveys its own meaning. In other words, the meaning of covenant is constituted by the uses of the specific language of narrative. The Bible from Genesis onward has a start-to-finish narrative—a whole story conveying a coherent message. The stories of God making covenants with his people take the form of a narrative, and, more importantly, these divine-human relationships (that is, covenants) push the narrative forward until it reaches its climax in the story of the life, death, and resurrection of Jesus. The stories in covenants tell us that God has chosen a people and that he has chosen to be in covenant with them—not vice versa—so his covenant cannot be understood as a human compact; otherwise, Christian conviction might become a reductionist concept that emphasizes sociopolitical implications devoid of religious substance—where God’s covenant and Christian convictions might separate from the person and work of Jesus of Nazareth and be reduced to religiopolitical concepts that serve only to guide the secular affairs of society.

Furthermore, while this reduction seems to have taken place historically in the quasi-covenantal forms of polity exemplified in the Christian community, as Wang argues, one might contend that the historical context falls short of providing a basis for creating a common political structure and moral order in present-day pluralistic societies. Chinese society today consists of fifty-six ethnic groups speaking various dialects and practicing diverse cultural and religious systems. With only 5 percent of this population Christian, it is difficult to imagine how this quasi-covenantal model could be implemented within that context. Chinese society might radically exclude this particular theistic polity, especially “in the face of diverse religious perspectives competing with one other for acceptance and expansion.”<sup>22</sup> In the case of the existing tension between Chinese Muslims

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Eerdmans, 1953), 130.

21 Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame, IN: University of Notre Dame Press, 1981), 92.

22 Hak Joon Lee, “Models of Polity and the Reinvention of Covenant in a Postmodern Society,” *The Annual of the Society of Christian Ethics*, vol. 20 (January 2000), 124.

and Chinese Christians, Muslims attack and persecute Christians and Christian missionaries who proclaim the gospel to Muslims in the Uyghur and Hui autonomous regions. Imposing a Christian polity on the Chinese government to govern multiple ethnic groups would create more religious conflicts and political crises. The reality of Chinese multiculturalism has concerned Chinese legal theorists who have been struggling with implementing Western constitutionalism. They have been aware that it could jeopardize China and have suggested that the Communist Party “recognize the basic nature of constitutionalism.”<sup>23</sup>

Additionally, the polity per se faces a challenge in a postmodern, capitalist society. As Lee Hak Joon points out, it “is not so much how to limit state power but rather to regulate the exploitative, imperialistic force of market economy.”<sup>24</sup> He argues that unlike the traditional economic system, capitalism distorts free exchange and makes the equal conditions of covenanting become increasingly difficult. In a global capitalist society, the market is dominated by highly industrialized capitalists who “use their unrivaled speculative power and storage capacity to further augment and expand their economic gains and domination.”<sup>25</sup> It therefore may be a mistake to assume that a polity rooted in covenant—and providing for free agreement and free exchange—could thrive within such a self-interested economic system.

### **COVENANT-RELATED IDEAS: ENABLING A LIBERAL DEMOCRATIC POLITY**

Despite the aforementioned issues, Wang nevertheless illustrates how covenant-related ideas such as natural law and social contract developed by Locke shaped American institutions and democratic traditions.<sup>26</sup> Scholars disagree about whether and how Locke’s political thought factored into the Puritan covenant tradition or Protestant Christianity.<sup>27</sup> Yet, this dispute

23 Samson Yuen, “Debating Constitutionalism in China: Dreaming of a Liberal Turn?,” in *China Perspectives* 4, no. 4 (January 2013): 69-70.

24 Hak Joon Lee, “Models of Polity,” 125.

25 Lee, “Models of Polity,” 125.

26 Wang Yi, *On Constitutionalism*, 156.

27 For detailed arguments, see John Dunn, “What Is Living and What Is Dead in the Political Theory of John Locke?,” in John Dunn, *Interpreting Political Responsibility*:

does not seem to have influenced Wang's point of view. He interprets Locke's works religiously, regarding Locke as a devout Puritan whose theological commitment shaped his political writings. According to Wang, one might see that the founding fathers' self-evident truths about the right to life, liberty, and the pursuit of happiness were not much different from Locke's natural rights to life and property. One might agree that Thomas Jefferson had drawn from Locke's *Essay Concerning the True Original, Extent and End of Civil Government* to formulate his ideas for the Declaration—the paraphrased passage, “life, liberty, and pursuit of happiness,” may derive from Locke's “life, liberty, and estates.” Furthermore, Locke's position on securing these rights, which can only be guaranteed by the contract of government, is parallel to the Declaration's statement that “to secure these Rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.” Locke had argued that “the great and chief end, therefore, of men uniting into commonwealths, and putting themselves under government, is the preservation of their property... received and allowed by common consent.”<sup>28</sup> In other words, Locke's writings reveal a concordance with the themes of the Declaration on the purpose of establishing a government and its role.

With respect to the role of government, Wang further argues that the concept was improved in the federal Constitution of 1787. The document establishes a set of norms for creating and defining the U.S. national government as a limited government and lists the aims of the national government and the methods for achieving them. Most importantly, for Wang, unlike the Chinese constitution, it has a well-articulated Bill of Rights—regarding speech, assembly, and various forms of property—designed to protect the people. Nevertheless, this constitution set up a federal system by dividing powers between the national and state governments while establishing a balanced national government through separation of executive, legislative, and judicial powers.<sup>29</sup> The system was

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*Essays 1981-1989* (Cambridge: Polity Press, 1990), 11; John Dunn, *The Political Thought of John Locke, An Historical Account of the Argument of the “Two Treatises of Government”* (Cambridge: Cambridge University Press, 1969), xi; Michael P. Zuckert, *Launching Liberalism: On Lockean Political Philosophy* (Lawrence, KA: University Press of Kansas).

28 John Locke, *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven, CT; London: Yale University Press, 2003), Book 2, Sec. 124.

29 Wang Yi, *On Constitutionalism*, 193-196.

designed to protect rights by constraining power; in the Constitution's words, "the Constitution defines the powers delegated to the national government. In addition, it protects the powers reserved to the states and the rights of every individual."<sup>30</sup>

From covenant to covenant-related ideas, Wang's arguments about the formation of American constitutionalism and its corresponding polity merit further investigation. Wang appears to admire how the early Puritan settlers created a covenanted commonwealth and later how the founding fathers—Christians embodying Christian belief—forged a constitutional relationship between individuals and the state so that the American people's rights would be secured. The United States, as Wang sees it, was hence founded as a Christian nation; its constitutionalism directs its government to be legally limited in power while its constitution aims to protect people's rights. In short, Wang ascribes the success and uniqueness of American constitutionalism to Christianity. However, Wang ignores key aspects of American constitutionalism and the history of the American establishment, particularly regarding the questions of whom sovereignty belongs to and whose rights can be protected. History tells us that the establishment of the United States began with settler colonialism, which featured killing off and driving away members of other ethnic groups to maintain the new society. Seemingly, the Constitution defines the American political system in such a way as one might imagine the society to have been founded by an act of popular sovereignty. But the questions should always be asked about whose agreement and whose sovereignty were involved given the past and present racial issues.

Furthermore, while the founding fathers' self-evident truths about people's right to life, liberty, and the pursuit of happiness had been written into the Declaration of Independence, we must question who was actually granted those rights. Women, for example, lacked the right to vote until the Nineteenth Amendment; and multiracial democracy was impossible until the Constitution was amended following the American Civil War. As Eric Foner comments, the war destroyed the institution of slavery and started building an egalitarian society on the ashes of slavery.<sup>31</sup> Although the

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30 *About America: The Constitution of the United States of America with Explanatory Notes adapted from The World Book Encyclopedia, 2004*, World Book, Inc, 3.

31 Eric Foner, *the Second Founding: How the Civil War and Reconstruction Remade the*

granting of rights has been broadened through constitutional amendments, some clauses remain questionable. The Fourteenth Amendment, for example, is written in the language of general principles, discussing equal protection and privileges, and it still cries out for elaboration and remains an inevitable never-ending source of contention.<sup>32</sup> In addition, the Thirteenth Amendment “did not clearly define ‘involuntary servitude’...it allows involuntary servitude to survive as a punishment for crimes, seemingly offering constitutional sanction to the later emergence of a giant system of convict labor,”<sup>33</sup> and the Fifteenth Amendment “leaves the door open to forms of disenfranchisement that while not explicitly based on race, bar most blacks from voting.”<sup>34</sup> According to Foner’s analysis, the existence of visible ambiguity within the amendments may continue to challenge universal rights and equality and lead to future struggles.

American constitutionalism also allows for substantial ambiguity surrounding the government’s ability to use emergency powers (which may intrude upon the rights of citizens) in order to protect democracy itself from a major threat. A case in point is how a liberal democratic government such as the U.S. tackled the coronavirus pandemic of 2020. Can the state protect itself without undermining its democracy during such an unpredictable emergency? As Ferejohn and Pasquino note, “the rights and protections [the government] provides and preserves can prevent the government from responding efficiently and energetically to enemies that would destroy those rights and, perhaps, even the constitutional order itself.”<sup>35</sup> The pandemic crisis tested American self-government and unfolded at a time of considerable tension between democracy and centralization and between liberty and safety. Given the emergency, government authorities struggled to issue stay-at-home orders to combat the pandemic. While the orders stayed in place, debate continued regarding their legality. Some citizens took to the streets, claiming the pandemic response amounted to

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*Constitution* (New York: W.W. Norton & Company, 2019), xix.

32 Foner, *the Second Founding*, xxv.

33 Foner, *the Second Founding*, xxv.

34 Foner, *the Second Founding*, xxv.

35 John Ferejohn and Pasquale Pasquino, “The Law of the Exception: A Typology of Emergency Powers,” in *International Journal of Constitutional Law* 2, no. 2 (April 2004): 210. COVID-19 is considered as an enemy, an invisible enemy, threatening an established regime.

an overreach of government power.<sup>36</sup> Some protesters even stated that, to protect the rights of citizens, they would rather choose the liberty to die than adhere to stay-at-home orders and live.<sup>37</sup> It appears that the democratic system of checks to maintain the complex system of rights has been challenged.

Moreover, the pandemic revealed a tension between federal and state governments. According to the U.S. federal system, there is a balance between federal and state powers, although the federal government has broad authority in certain areas. The pandemic highlighted a challenge to this balance. As (now) former President Donald Trump's administration called for reopening the economy amid the pandemic, some state governors pushed back, arguing that this could trigger a new wave of infections and death; state governors resisted putting a date on reopening without an assessment of their own state's situation.<sup>38</sup> This tension called into question how a federal system can operate effectively when faced with such an urgent crisis. Nevertheless, the pandemic redefined norms and liberal democracy's capacity to cope with an emergency.

### **RESTORING CHRISTIAN LIBERTY: THE NECESSITY OF CONSTRUCTING A REFORMED POLITICAL THEOLOGY**

Puritan settlers developed the prototype for a covenant-oriented society, laying the foundation for American constitutionalism and its corresponding government. Wang claims that this kind of constitutionalism, with its roots in the Puritan faith tradition, also later epitomizes the principle of the separation of church and state in accordance with the perspective of

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36 Manny Fernandez, "Conservatives Fuel Protests Against Coronavirus Lockdowns," in *The New York Times*, April 18, 2020; <https://www.nytimes.com/2020/04/18/us/texas-protests-stay-at-home.html> (accessed April 21, 2020).

37 Alexandra Petri, "Give Me Liberty and Give Me Death!," in *The Washington Post*, April 17, 2020, <https://www.washingtonpost.com/opinions/2020/04/17/give-me-liberty-give-me-death/> (accessed April 21, 2020); Fernandez, "Conservatives Fuel Protests Against Coronavirus Lockdowns."

38 Brett Samuels and Morgan Chalfant, "Trump Officials Lay Groundwork for May Reopening," in *The Hill*, April 9, 2020, <https://thehill.com/homenews/administration/492065-trump-officials-lay-groundwork-for-may-reopening> (accessed April 20, 2020).

Calvinist Puritans.<sup>39</sup> It is therefore arguable that American constitutionalism is “a political system with the fewest constraints on the spread of the Gospel; that applies to any other religions or value system as well.”<sup>40</sup> Following this assumption, Wang proceeds to reconstruct church-state relations in the Reformed tradition to safeguard Christian liberty.

Wang turns his attention to the Protestant Reformation and crafts his Reformed political theology wherein one might notice that Luther’s and Calvin’s concepts of natural law and the two kingdoms fit within the broader stream of Wang’s theological reflection on the Christian’s relation to the larger world;<sup>41</sup> they also offer Wang the key to affirm his visions on the freedom of the house church and Christian liberty, and to challenge the current Chinese church-state relationship. Specifically, Wang’s version of Reformed political theology begins with the premise of natural law that both Calvin and Luther assumed.<sup>42</sup> Wang’s essential point is that natural law exists as Scripture describes it: “for us there is but one God, from whom all things came and for whom we live... we bear His own image.”<sup>43</sup> It means that God created humans and this world, and all people are accountable to their creator. This law provides common ground between Christians and non-Christians and also lays the foundation for all positive law and public morality to govern people.

Building on this universal law, Wang applies it to Chinese society and claims that God’s governance extends to all levels of society, because all earthly authorities of every family, community, and government ultimately come from God and are subject to God, yet they are also subject to earthly law.<sup>44</sup> This means that the earthly authorities remain but also submit to

39 Wang Yi, “The Possibility of Political Theology,” 113–114.

40 Wang Yi, “The Possibility of Political Theology,” 113.

41 The term “God’s law” rather than “natural law” often appears in Wang’s works, yet the terms are interchangeable.

42 Regarding natural law and the two kingdoms, while the arguments of Calvin and Luther differed somewhat, I suggest that the similarities are more important than the differences; Calvin’s articulation of the two concepts has continuity with the thought of Luther. For this same view, see David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (Grand Rapids, MI: Eerdmans, 2010), 68.

43 Wang Yi, *The Gospel Revolt: Meditation of Protestant Reformation* (福音的政变: 宗教改革沉思录) (Hong Kong: Covenant Publishing Limited, 2017), 161.

44 Wang Yi, *The Gospel Revolt*, 161.

what they should regard as the highest authority—God and Scripture—which is not the only authority but the final one. Wang further builds his claim on the epistemic notion that “the requirements of the law are written on their hearts, their consciences also bearing witness.”<sup>45</sup> In taking this view, like Calvin and Luther, Wang develops a biblical model to confirm human moral and epistemological capabilities and the importance of Scripture. Unlike Calvin, however, Wang’s knowledge of the Creator is formulated from only one source: the revelation of God in creation and in Scripture. Wang ignores the other source—Christ—which Calvin underscored.

With the premise of natural law settled, Wang moves to illustrate the respective authority of church and state in the framework of the two-kingdom concept. Like Calvin and Luther, Wang clearly distinguishes the two kingdoms and affirms their continuing dual roles in this world. However, Wang’s interpretation and application presents a position that somewhat diverges from that of Calvin and Luther due to Wang’s concrete social circumstances and concerns. Specifically, Wang distinguishes between spiritual and earthly kingdoms, which are identical to an Augustinian two-cities paradigm.<sup>46</sup> Wang divides this world into Christians and non-Christians, the former belonging to the spiritual kingdom and the latter to the earthly kingdom. Like Luther and Calvin, he assumes that the two kingdoms have different kings and different laws. But Wang extends the notion by directly identifying the two kingdoms with the Chinese house church and the Chinese government to differentiate them without analyzing the aspects of the two kingdoms. On the nature of the church, citing Mathew 16:18 and Ephesians 1:23, Wang claims that God established the church, the body of God, “a kingdom that no eye can see and it submits to the authority of Christ.”<sup>47</sup> Its relationship with the state is therefore a relationship between “two kingdoms.”<sup>48</sup> Even though the Chinese government regards the church as a religious organization, that still does not dismiss its legitimacy in God. On the nature of the state, Wang suggests it is as an earthly kingdom that possesses the authority of the “sword” entrusted by God, aiming to maintain earthly order by rewarding the

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45 Wang Yi, *The Gospel Revolt*, 168.

46 Wang Yi, *The Gospel Revolt*, 172–73.

47 Wang Yi, *The Gospel Revolt*, 171.

48 Wang Yi, *The Gospel Revolt*, 172.

virtuous and punishing the wicked, and its purpose is for God's own glory and the people's public interest.<sup>49</sup> In summary, the church pertains to the soul and the government to external things.

Given the spiritual and earthly characteristics of the two kingdoms, Wang contrasts their ecclesiastical and civil authority and their relationship to each other. The church has been given the mission of the gospel to witness to the truth and has been given "the keys of kingdom" by God.<sup>50</sup> So it has authority to proclaim the gospel and conduct divine worship. These are all spiritual matters; the government regulates only external conduct and enacts human laws. While there is overlap between God's things and Caesar's, since they have some connection with present life such as matters of policy and economy, they are still confined in a way to their own boundaries. Render therefore to Caesar the things that are Caesar's and to God the things that are God's, but God's things are above Caesar's and not under the control of Caesar. Most importantly, no government or social organization can judge human conscience and belief.<sup>51</sup>

Given the distinct natures and roles of church and state, Wang argues that current Chinese church-state relations do not fit his ideological model. He hence transfers his theological account of the two kingdoms to tackle the tension between the Chinese house church and the government. Wang portrays this currently unbalanced relationship of church and state in this way: "the Chinese government has been trampling on its constitution and laws regarding religious freedom for 60 years"<sup>52</sup> and has even crossed the boundary between church and state to "trample the church's internal things such as worship, theological education, and doctrine in an illegal, autocratic and barbarian manner."<sup>53</sup> To redefine the church-state relationship and restore the authority of the house church spiritually and legally, Wang makes a bold move to challenge the government through his online posting of "Reaffirming Our Stance on the House Churches: 95 Theses."<sup>54</sup> The "95

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49 Wang Yi, *The Gospel Revolt*, 178.

50 Wang Yi, *The Gospel Revolt*, 179.

51 Wang Yi, *The Gospel Revolt*, 178.

52 Wang Yi and Liu Tongshu, *Observations*, 9.

53 Yi and Tongshu, *Observations*, 9.

54 Wang Yi, "Reaffirming Our Stance on the House Churches: 95 Theses" (我们对家庭教会立场的重申, 九十五条), <https://www.cclifefl.org/View/Article/4248>

Theses” functions as a political pamphlet. To support this stance, Wang uses his church to confront the government through the two-kingdom concept, placing the church in a position of tension with the state.

### SEPARATION OF CHURCH AND STATE: CONTRADICTIONS IN THEORY AND PRACTICE

Wang’s move from theology to practice is to some degree inconsistent, as are his theological arguments themselves, particularly when he applies the theory of Christ’s lordship and individual conscience. Some features of Wang’s practice and theology raise questions about the coherence of his theological view. But before exploring this issue, it is helpful to consider the source of Wang’s Reformed theology. As discussed earlier, the political theology of Luther and Calvin was influential in Wang’s formulations, but that theology was constructed within the Christendom context, “in which church and state were distinguished but viewed as parts of a larger, unified Christian society.”<sup>55</sup> In contrast, Christendom has never been a feature of mainland China, nor has the Christendom image that “the widely shared belief throughout Europe was that only one church and one religion should be recognized in a given jurisdiction.”<sup>56</sup> This issue is highly relevant when considering Wang’s theology and practice.

Reading Wang’s works closely, one might surmise that Wang constructs a theological framework in which church and state are separated, based on the two-kingdom concept. Yet at the same time, Wang urges the church to work toward transforming Chinese society, including the regime and the core values of Chinese civilization.<sup>57</sup> Wang hence places a high value on the “openness” of the house church to challenge the state politically. He articulates that this openness provides a path to lift the house church out of the ghettos and into the mainstream and, in doing so, to urge the government to create a new legal system for the development of civil

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(accessed November 12, 2020); Chloë Starr’s article considerably examines “the 95 Theses.” See Starr, “Wang Yi and the 95 Theses of the Chinese Reformed Church.”

55 VanDrunen, *Natural Law*, 83.

56 VanDrunen, *Natural Law*, 83.

57 Wang Yi, “The Reformed Belief Will Impact the Change of China” (改革宗信仰将影响中国转型), *Chinese Christian Tribune*, November 24, 2009.

society.<sup>58</sup> Thus, it appears Wang no longer adheres to the principle that the church should remain confined within its spiritual boundary; rather, it should actively seek political change. Regarding this apparent inconsistency, some points may be raised in its defense: one might ponder whether his advocacy of a sharp distinction between church and state is actually just a strategy to create a space for the church to engage in the public sphere. This thought finds an answer in Alexander Chow's comments that some urban intellectual Christians in mainland China, including Wang, make use of the teachings of Calvin and his followers to form their own theological understanding of engaging in the public sphere around subjects like the rule of law, constitutionalism, and civil society.<sup>59</sup> In this way, the church already crosses its internal boundary, as Wang defines it, and gets involved in external things—a position seemingly at odds with his view that church and state should remain separate and distinct.

Wang's works, activities, and the activities of his church might support the charge that his approach is inconsistent. Wang polarizes church and state as two different authorities and claims that the Bible is a "constitution" for the church.<sup>60</sup> While church and state overlap in the sense that they are both subsumed under God's economy,<sup>61</sup> Wang stresses the dialectic tension between church and state and argues that the church's authority is higher than that of the state. He even relegates other matters to Christian considerations alone in terms of Christ's lordship.<sup>62</sup> Particularly, when it comes to certain matters and conflicts between church and state, it seems that Wang no longer follows his own principle of the separation of church and state. Instead, he attempts to employ the two concepts of Christ's lordship and individual conscience to synthesize irreconcilable views on church and state. In the case of conflicts between his church and the government on issues of running a Christian school and a Christian

58 Wang Yi and Liu Tongshu, *Observations on China's House Churches in Cities*, 124–125.

59 Alexander Chow, "Calvinist Public Theology in Urban China Today," 158–175.

60 Wang Yi, "Is It Legal to Run a Christian School?" 办教会学校合法吗? [www.holymountaincn.org/bbs//forum.php?mod=viewthread&tid=3016&extra=page%3D1](http://www.holymountaincn.org/bbs//forum.php?mod=viewthread&tid=3016&extra=page%3D1) (accessed November 11, 2020, no longer available). See Wang Yi et al., *Faithful Disobedience: Writings on Church and State from a Chinese House Church Movement*, ed. Hannah Nation and J. D. Tseng (Westmont, IL: IVP Academic, 2022).

61 Wang Yi, *The Gospel Revolt*, 178.

62 Wang Yi, *The Gospel Revolt*, 172.

seminary, Wang strongly criticizes China's public education system and advocates establishing Christian schools under the governance of the church. He cites scriptural warrant to affirm that Christians "must obey God rather than men" (Acts 5:29).<sup>63</sup> Elsewhere, Wang has also written at length to affirm Christian authority when human law clashes with divine law. He stresses that "the legitimacy of Christian schools is over and above that of secular education; establishing Christian schools is in accordance with the instruction of the Lord Almighty despite the fact that the Chinese government denies it."<sup>64</sup> So to obey God is nothing other than to follow God as the God of life, which includes defending Christian rights. Nevertheless, the autonomy of the church should be respected and constitutionally protected by the government.

Wang's position remains resolute. In particular, he integrates Christian conscience and liberty of conscience to strengthen the Christian moral and legal position to resist the government: Wang holds forth liberty of conscience in that "no government or social organization can control and judge men's consciences,"<sup>65</sup> and everyone's behavior must be responsible to God in a manner agreeable to one's conscience. So when Christians regard external law, order, and suggestion, these are not exempted from the conscience of the individual Christian to consider that God alone is the judge of human hearts, and to him only are they answerable. Human consciences are therefore not the objects of human legislation; rather, they are subject to God and God's words alone, "doing the will of God from your heart" (Eph. 6:6).<sup>66</sup> Wang's church hence established a Christian school<sup>67</sup> and a Reformed seminary,<sup>68</sup> although Wang has admitted that the existence of the schools violated external laws. Wang stresses that attending a Christian school is the right choice for faithful Christians, and the school's

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63 Wang Yi, "Is It Legal to Run a Christian School?"

64 Wang Yi, "Is It Legal to Run a Christian School?"

65 Wang Yi, *The Gospel Revolt*, 179.

66 Wang Yi, *The Gospel Revolt*, 162–163.

67 However, this Christian school has been closed down due to poor management and power struggles. For details, see Ma Li, *Religious Entrepreneurism in China's Urban House Churches*, 112–140.

68 I visited Wang's seminary with two Western Christians in Chengdu, on September 14, 2014.

principal, under Wang's guidance, even challenges churchgoers, claiming, "you are not a human being if you do not choose Christian education."<sup>69</sup>

Given Wang's arguments, one might notice that in practice, God and God's word have priority over other theological concepts, such as the two kingdoms, which Wang adopts to defend his church's position. The notion of God and God's word appears to reduce to a scriptural strategy—*sola scriptura* formulated by Luther and adapted by Wang—to endorse his position in which absolute authority is ascribed to the church above the state. In doing so, this claim of religious truth leaves no space for other rational arguments, including theology. Accordingly, it allows scriptural authority to adjudicate legal and political claims, rather than vice versa, by locating the political logic within the authority of God's word. This textual approach remains plausible while its political applicability may be contested in terms of the relationship between God and text. Although the textual approach can be understood as a kind of political strategy—Scripture alone is sufficient for the destruction of earthly power—when it is considered the sole authority it leaves little room for God and his continued inspiration.

On top of this, Wang's *sola scriptura* also appears to establish an individual's conscience for valid and certain knowledge and to legitimate self-consciousness as the ultimate condition and justification. In this fashion, conscience has an ambiguous relationship with civil law and God's law: It seems that Christians would be outside both civil law and religious law, even in the face of the law, where an individual's conscience is judged. If the ultimate condition and justification are as such, Christians would follow no civil law, or they may selectively get to decide which laws to obey or ignore. Thomas Hobbes was aware of Protestant conscience becoming politically dangerous in his time, noting, "if it be lawful then for subjects to resist the king, when he commands anything that is against the Scripture, that is, contrary to the command of God, and to be judge of the meaning of Scripture, it is impossible that the life of any King, or the peace of any Christian kingdom, can be long secure."<sup>70</sup>

On this point, even though Luther had tremendously valued the concept of conscience, he also emphasized that conscience cannot be separated

69 Ma Li, *Religious Entrepreneurism in China's Urban House Churches*, 116.

70 Thomas Hobbes, *The English Works of Thomas Hobbes of Malmesbury*, ed. W. Moleworth (London: J. Bohn, 1840), vol. 6, 190.

from the Word of God. He hence rejected radical conscience and reminded us that that laws and lives are in danger when the people are persuaded by their own consciences. This somewhat explains why Luther called for nobles to put down (tragically) the German peasant revolt.<sup>71</sup> Most importantly, the term “conscience” per se used in the Bible does not reflect individuality. As C.A. Pierce illustrates, “it is as members of the church and not primarily individuals that they have sure knowledge of God. This *knowledge* could not have so sufficient a reality as to uphold a man in face of unjust suffering, were it not fundamentally a *shared knowledge*.”<sup>72</sup> For Wang, however, the precise relationship between conscience and law and to what degree an individual’s conscience is above the law remain ambiguous.

### CONCLUSION

From political theology to Reformed political theology, covenant as a core concept lays the foundation for Wang’s entire project to address his political agenda—establishing constitutionalism and restoring Christian liberty—which aims to construct a liberal democratic polity in mainland China. With this polity, Wang imagines a new political order where power is limited and divided, individuals have inalienable rights, and Christians are free from state interference to practice their faith while contributing to the public good. However, Wang’s construction and imagination are based on a misreading. It seems that covenant plays a role in the early Puritan community, but it has nothing to do with American constitutionalism. The Constitution is a wholly secular document and makes no mention of a transcendental source or Christianity. The Constitution even prohibits the government from taking a religious stance, as Article 6 declares: “no religious test shall ever be required as a qualification to any office or public trust under the United States.” The American constitutional democratic polity per se, based on equal citizenship, requires itself to disconnect from any religion to safeguard equal rights. Furthermore, Wang imagines that his Reformed political theology empowers Chinese Christians to challenge civil law by employing God’s law and individual conscience to promote

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71 Edward G. Andrew, *Conscience and Its Critics: Protestant Conscience, Enlightenment Reason, and Modern Subjectivity* (Toronto; Buffalo: University of Toronto Press, 2001), 16.

72 C.A. Pierce, *Conscience in the New Testament* (London: SCM Press, 1955), 107.

Christian rights and liberty. But this contradicts the principles of a liberal democratic constitution—equal civil rights and religious freedom—and poses the danger of jeopardizing the rights of other religious believers.

Despite its problems, Wang's exploration of political theology contributes to the ongoing debate about Western constitutionalism and its implementation in mainland China among Chinese legal scholars. His advocacy of constitutionalism aiming to emphasize Christian values to protect Christian liberty also raises an awareness of this significant topic. That is, protecting only Christian freedom of religion poses a danger to the civil rights of other religious groups and those of the LGBTQ community. When Christian freedom is exercised unlimitedly in the public sphere, these groups' rights are at risk of being threatened. There are already some related court cases that have happened in both Europe and North America. To build a democratic society in China, we need to avoid a "Christian monopoly" and allow different religions to coexist to protect everyone's beliefs.

**About author**

Joyce XIAO is an independent researcher.