

# Conscience and COVID-19 Vaccine Mandates

## *In Defense of Sphere Authority*

Adopted September 19, 2021, by the session of Trinity Reformed Church, Bloomington, Indiana

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### **Executive Summary**

God is the source of all human authority, which He divides into three spheres: familial (or individual), ecclesiastical, and civil. Each sphere benefits when it honors the others and observes the boundaries established by God between them.

Over the last eighteen months, COVID-19 and the civil authority's responses to it have intensified already deepening discord between these spheres. Our government has supplied ever-changing information and introduced extreme countermeasures which it claims are justified by science. However, while science serves well as a counselor to the civil authority, it must also be weighed prudently with the adverse consequences of countermeasures. Under the current circumstances, it is our judgment that COVID-19 health risks and the efficacy of COVID-19 vaccines do not justify the recent vaccine mandates decreed by the civil government, and that such mandates exceed the civil

government's God-ordained jurisdiction. The decision whether or not to receive a COVID-19 vaccine properly rests with the conscience of the individual or of the father and mother for their children.

While we acknowledge the right of an individual to conscientiously object to this intrusion on individual authority, we do so noting that there is no Biblical requirement always to refuse compliance to a command from an authority who oversteps his bounds. In this vein, ecclesiastical authorities who revile the civil authorities, or who bind consciences by requiring disobedience to various COVID-19 mandates, dishonor God and commit a correspondingly serious overreach of authority. The decision to comply with or disregard a vaccine mandate must be done seeking wisdom from God, soberly counting the cost, and with all possible respect to the governing authorities.

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### **Preface**

As the Everlasting Sovereign, God is the source of all authority in the created order (Matt. 28:18; Col. 2:10b). All authority flows from Him, and He delegates it to whom He will (Dan. 4:17, 25, 32; Rom. 13:1). God has granted this authority to three distinct domains, or spheres: the familial, the ecclesiastical, and the civil.<sup>1</sup> As we said in a previous statement,<sup>2</sup> each

sphere has its own ministers raised up by God, and each has differing but overlapping and complementary duties.

The boundaries demarcating each sphere overlap and are often unclear. Some duties (e.g., care for children) pertain to multiple spheres, and so we must not be wooden in our understanding of this doctrine. Even so, each sphere should seek to avoid unjustifiable encroachments on the others. Indeed, each sphere should seek to honor and protect the authority of the others.<sup>3</sup>

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1. Westminster Larger Catechism, q. 124.

2. "Statement on Sphere Authority, Worship, and COVID-19 Quarantines," June 18, 2020, <https://evangelpresbytery.com/wp-content/uploads/2020/06/STATEMENT-ON-SPHERE-AUTHORITY-WORSHIP-AND-COVID-19-QUARANTINES.pdf>.

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3. John Calvin writes, "[Civil government's] function among men is no less than that of bread, water, sun, and air; indeed, its place of honor is far more excellent. For it does not merely see to it, as all these serve to do, that men breathe, eat, drink, and

Yet deference to each sphere's ministers is not absolute (Acts 5:29; Matt. 22:20–22). Ministers of any sphere must not command what God has forbidden, nor forbid what God has commanded. When a husband forbids his wife from attending Christian worship, she must obey God rather than man. When a pastor requires his parishioner to deny the Holy Trinity, that parishioner must not comply. Throughout Scripture, we see examples of such conscientious disobedience, including, for example, the Hebrew midwives' refusal to kill the newborn baby boys, and Jonathan's protection of David from Saul, his father and king. Today, soldiers must not intentionally target civilians when commanded to do so. Pastors must not comply with hate crime laws forbidding condemnation of sodomy. Doctors and pharmacists must not prescribe abortifacient drugs when healthcare authorities command them to do so. Nurses must not starve patients by withholding food and water when commanded to do so by the patient's family, physician, or a judge. In such cases, again, we too "must obey God rather than men" (Acts 5:29).

Not all situations are as clear. God has invested each sphere with overlapping areas of jurisdiction that make careful parsing of duties and responsibilities difficult. Moreover, given the Fall's corruption, we expect each sphere regularly to overreach in its claims of authority. Such claims may be out of a desire for accumulation of power, or even from a desire for good. In all such overreaching, it is the responsibility of the other two spheres to check such abuse of authority, calling those ministers who have abused their authority back to faithfulness to their own God-given duties—including the limitations He has placed on them.

### Present Context

The responses of the last year and a half to the COVID pandemic present a variety of tests of the integrity of

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are kept warm, even though it surely embraces all these activities when it provides for their living together." *Institutes of the Christian Religion*, trans. Ford Lewis Battles, ed. John T. McNeill (The Westminster Press, 1960), 4.20.3.

these spheres. As pastors and elders, we have observed this with dismay. In the midst of a dispensation of judgment from God's hand, we, His people, have given ourselves to complaining and railing, rather than repentance. We have rent our masks, but not our hearts (Joel 2:13); we have turned to anger, and not to the Lord. Further, in our leadership of God's people, our responses to civil authorities' COVID mandates have tended toward acquiescence or rebellion. For their part, civil authorities have not shown the proper fear of God or respect for the authorities God has ordained over the family and church. Church authorities have refused to bear the weight of their office in judging and resisting either the failures of civil authorities' exercise of their office or the disrespect and rebellion of the angry sheep of our congregations. As church fathers, we lament these failures of both ecclesiastical and civil authorities.

### Causes of COVID Turmoil

The current unrest is not new, but has grown over years and has a number of causes. Civil governments in the Western World have taken actions which have alienated the trust of many of their citizens. The present preeminence, if not dominance, of the executive and judicial branches over the legislative branch has completely inverted the system established by our Founders. Contrary to the Constitution, the growing power and presence of the federal government has caused a parallel diminishment of the authority of state and local governments. As laws and decrees have proliferated, the bureaucracy needed for implementation has also grown, and so has the dependence of elected officials on unelected officials to be the interface between civil authorities and their citizens. All these factors have caused much of the populace to become resistant to the consolidation of authority at the federal level, away from the fathers, elders, county officials, and state magistrates who have the closest understanding and sympathy for their citizens.

The past few decades have led to a growing societal division along political and cultural lines. This division

has been aggravated by a media predisposed toward progressive culture, the increasing prevalence of social media, and the rise of identity politics, all stoking envy and resentment between members of the body politic. Such divisions became front and center in the election of President Trump. Unable to contain their fury, major figures in the political, academic, and media world labeled the 2016 election fraudulent, and believed themselves justified in taking action to invalidate his presidency. For the large proportion of Americans who supported President Trump, such evident and pronounced disdain for their president revealed disdain for the electorate who put him in office.

Into this maelstrom COVID arrived, and it has intensified already-present difficulties between civil authorities and their citizens. One of the civil authority's chief duties is to protect the lives of his citizens. And indeed, many of the actions taken by the civil authorities during the current pandemic have been proper exercises of authority in fulfillment of this duty. For example, quarantines, as a general law of neutral applicability, have been the civil magistrate's purview throughout history (and in Scripture). Court cases throughout U.S. history have recognized impositions upon civil liberties as justified in cases of pandemic.<sup>4</sup> Vaccine mandates, too, are nothing new in the Western World. They have been justifiably implemented to protect citizens from destructive and deadly disease. To some extent, then, the prophylactic measures taken in recent months have resembled those taken in other previous pandemics such as smallpox, the Spanish flu, and polio.

Yet other factors have been markedly different. From the beginning, civil authorities' messaging and actions in response to COVID have seemed conflicting and inconsistent. In large part, this is understandable. COVID has presented scientists and policymakers with a completely new virus. Moreover, many citizens

have not taken into account how scientific advancement is a series of fits and starts, trials and failures, and conflicting studies and data. Knowing this, one can understand why civil magistrates have acted in ways inconsistent and changeable, perhaps even illogical. But in a political climate where half the population has been predisposed to distrust the civil authorities elected by the other half, the constantly evolving nature of civil authorities' guidance and decrees has confirmed the fears of many concerning the integrity of their civil authorities. Add to this the cavalier attitudes and practices in the personal and social lives of elected officials toward the travel bans, social distancing mandates, and mask requirements which they themselves instituted, and it's hard to counter the charges of hypocrisy widely leveled against them.

After an initial period in which the public was willing to bear the burden of governmental constraints in response to a novel epidemic, their concerns have since only grown. At times, health mandates for churches required stricter standards for social distancing and assembly than other non-religious places of assembly. What seemed to be public health officers' initial goal of simply "flattening the curve" appears to be evolving into a commitment to bear any societal cost in order to eliminate COVID entirely. Citizens' concerns over the vaccines have been widely scorned. Confident pronouncements about the dangers of COVID, the effectiveness of vaccines, and the growth in hospitalizations and death rates have regularly changed, yet there have not been parallel admissions by health officers or elected officials of the seriousness of these changes, nor of how much is still unknown about this disease. There has been an obvious absence of sensitivity toward the religious concerns of those maintaining their conscientious objection to the ubiquitous use of fetal cell lines in the testing and production of the vaccines. Dissent has been met by medical, civil, and tech authorities banning opinions and individuals from social media. Tech titans, the media, and elected officials (predominantly from one political party) have cooperated in silencing public disagreement, often citing the latest opinions of medical experts even as these

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4. *Prince v. Massachusetts*, 321 U.S. 158 (1943), <https://www.loc.gov/item/usrep321158/>; *Jacobson v. Massachusetts*, 197 U.S. 11 (1904), <https://www.loc.gov/item/usrep197011/>.

experts are in the process of reversing their opinions. Far from protecting freedom of speech in the public square, the authorities have been complicit in silencing the dissent of a large proportion of their citizens.

### Science and the Civil Magistrate

During the COVID pandemic, one of the most frequent exhortations given by civil authorities has been, “Follow the science.” There is much truth in this. The scientific method has been one of the most valuable tools God’s kindness has awakened in man. For centuries, Christians have been among the foremost scientists. Those who honor the Creator embrace the fundamental precept that the fear of the Lord is the beginning of knowledge (Prov. 1:7). But God—in what theologians refer to as “common grace”—has also given many gifts to and through those who deny Him. Whether in government, the academy, the arts, or medicine, those who refuse to acknowledge and praise their Creator nevertheless contribute knowledge and expertise that improve the lives of their fellow man. Members of Congress, college professors, violinists, and epidemiologists—all are means of God’s common grace being showered upon mankind, and all of us alike give thanks for their work and contributions to the public wellbeing. Particularly in the field of medicine, the contributions of science have averted much suffering and saved countless lives. Rather than rejecting facts that do not accord with our own presumptions or prejudices, Christians acknowledge that all truth is God’s truth, and is God’s kind provision not only for the City of Man, but also for the City of God.

Still, science is no magistrate. It is simply the magistrate’s handmaid. God has given science the ability to explain much about the world, but science is unable to tell us why it is so or what our response should be. With respect to the civil sphere, it is not the prerogative of science to pronounce what is wise, or to make policy. At its best, science can only provide facts and theories. Knowing that an apple dropped falls tells one nothing about whether the apple *should* be dropped.

### The Magistrate’s Burden of Judgment Concerning COVID

Concerning COVID, science may serve as a counselor to the civil authority, but science may not usurp the civil authority’s duty of decreeing public health policies and mandates. Many studies of COVID provide useful data, but neither the studies nor those with research expertise may substitute for the magistrate’s own judgment and decision. Certainly the magistrate is to consider the statistical prevalence of death and bodily harm, but this is only the beginning of his work. He must go on to weigh the consequences of his subjective policy responses and countermeasures, including those which may adversely affect the familial and ecclesiastical spheres. This judgment is his responsibility, and he must not abdicate or obfuscate this duty by claiming “science requires” this or that policy or mandate.

Moreover, making such a judgment requires the magistrate to weigh carefully three matters: (1) the risks posed by COVID, (2) the potential benefits of COVID countermeasures, and (3) any potential harm (particularly restrictions in liberty) that might attend those countermeasures. Some countermeasures (such as mask mandates) are less harmful, creating a lower level of restrictions on familial, ecclesiastical, and personal liberties. Other countermeasures (such as vaccine mandates) are potentially more harmful, coercing citizens’ submission to an invasive medical procedure which goes to the heart of individual liberty. Vaccine mandates thus require reasonable evidence of broad and unambiguous benefits to the lives of those subject to the civil authority’s mandating them. Such broad and unambiguous benefits were present in the past when civil authorities mandated vaccines for diseases such as smallpox and polio, which threatened to kill or maim upwards of 30% of the population. Mandates have also been deemed acceptable when a specific vaccine was judged capable of eradicating a serious disease. In such cases, vaccine mandates have been proper, but this is not the case with COVID vaccines. Thus far, our civil authorities have not demonstrated

that COVID is a disease whose threat is similar to these others, nor that the vaccines currently available are capable of eradicating this virus.

We judge the severe curtailing of liberty entailed by COVID vaccine mandates by governing authorities to be unjustified. Furthermore, such mandates will cause a continued decline in the consent of the governed, and this at a time when that consent has already become attenuated across the last six years.

With respect, we appeal to our civil authorities to temper their decisions concerning vaccines with the recognition that they have great potential to serve as an assault on the other spheres God has ordained. We doubt our civil magistrates understand the harmful effects of their masking policies, lockdown policies, and social distancing upon the familial and ecclesiastical spheres. Civil authorities contemplating vaccine mandates must stop and consider that it is fathers and mothers who are primarily responsible for the spiritual, emotional, and physical care of their families, by God's decree. Civil authorities must recognize there has been significant spiritual harm caused the past year and a half by COVID mandates, including particularly lockdowns so disruptive of normal social contact. Also by God's decree, ecclesiastical officers are responsible for the spiritual wellbeing of the souls under their authority, and these too have suffered significant harm from COVID's long-term disruptions to religious assembly, worship, and fellowship.

If civil authorities continue to demonstrate a lack of familiarity and concern, remaining unresponsive toward such duties and responsibilities delegated by God to familial and ecclesiastical authorities, we can expect further erosion of respect for civil authorities among those they govern. This bodes ill for the future health and peace of our civil union.

Civil authorities have not met the appropriate level of proof to justify the level of intrusion within these spheres. Yet vaccine mandates have been implemented and more mandates are on the table, threatening

a much higher level of intrusion in these spheres. While it may be true that for some to decline vaccination means others will be harmed, it is our judgment that the rates of fatality and serious illness from this epidemic do not justify the harm compulsory vaccination would cause. In our judgment, decisions concerning whether or not to be vaccinated against COVID should be made at the familial and individual level. They should not be made for the individual by city, county, or state authorities—let alone the federal government.<sup>5</sup>

Decisions in such a controverted matter properly reside with fathers, mothers, and individuals. They should be made on the lowest level of authority possible, the better to take into account unique familial and personal circumstances. It belongs to fathers, mothers,

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5. This statement acknowledges that state governments within the U.S. system have authority to protect the health, safety, and morals of their respective citizens. This is traditionally referred to as police power reserved to the state governments by the Tenth Amendment to the U.S. Constitution. Exercising such authority, state governments have at times imposed vaccine mandates over a general population or have granted authority to local bodies to best make decisions about disease prevention in cities or other localities. We do not believe the federal government was granted such authority by the U.S. Constitution to order the general population to receive a vaccine. A recent publication by the Congressional Research Service concerning COVID-19 vaccine mandates recognizes that state governments—and not the federal government—have traditionally exercised this power: “Although states have traditionally exercised the bulk of authority over public health matters, including vaccination, Congress shares certain concurrent authority in this area emanating from its enumerated powers in the Constitution.” “State and Federal Authority to Mandate COVID-19 Vaccination,” April 21, 2021, Congressional Research Service, accessed September 14, 2021, <https://crsreports.congress.gov/product/pdf/R/R46745>.

The Congressional Research Service did not document a single instance of a federal vaccine mandate over the general population in the 245-year history of our nation. It could only posit that Congress may have authority to impose one under the Spending Clause or the Commerce Clause of the U.S. Constitution. We think there is a compelling reason for the lack of historical example and the Congressional Research Service's tentative suppositions. The federal government lacks the authority to impose a vaccine mandate. This absence of authority, though, does not in and of itself justify civil disobedience, especially when so much of federal government activity has no source of authority from the organic, fundamental law of the land.

and individuals to make these decisions themselves, soberly and after reflecting on the requirements of God's Sixth Commandment, "You shall not murder" (Exod. 20:13).

### **An Appeal for Reasoned and Prudent Judgments**

Finally, as ministers of the ecclesiastical sphere that is Christ's Church, we appeal to the civil authorities not to subvert their own God-given authority by short-sighted and imprudent decisions. In other words, the civil magistrate must not undermine his authority by making arbitrary or capricious judgments which contribute to the decline of trust, respect, and submission in those he leads.<sup>6</sup> Such loss of trust and its fruit of rebellion has become increasingly evident in the body politic the past six years, and COVID public health policies and mandates have only fanned the flames.

While we—as Christians called to honor and submit to our civil authorities—would be pleased to be able to agree with the sermon of our Founding Father John Witherspoon in believing the magistrates' intentions to be better than their actions,<sup>7</sup> many of Witherspoon's fellow Christians today assume the worst of their civil magistrates, and are now declaring commitment to civil disobedience the test of Biblical orthodoxy. Such a time requires sensitivity, sympathy, and love on the part of the people toward those who lead them and on the part of the leader toward those God has delegated authority to as their ruler. Every instance where the civil authority manipulates data, oversells a vaccine, undervalues another treatment, or tries to squelch dissenting voices necessarily contributes to a further loss of credibility in the eyes of those he governs. Every time he oversteps his bounds, and without proper justification impinges upon the authorities of the

familial and ecclesiastical spheres, he makes himself more distrusted, if not contemptible, in the eyes of those he is called by God to care for and protect. And each degree to which the magistrate arrogates power on dubious grounds is one further degree where his subjects will oppose his authority in other areas even when it is exercised justifiably.

Rebellion against authority is unacceptable in the sight of God, yet so are draconian measures that precipitate it. And so in our judgment, the Church must now call the civil magistrate back from exceeding its jurisdiction in imposing COVID vaccine mandates. Whether to vaccinate in this present instance is a decision that belongs properly to the individual and to parents of minor children. Since Nuremberg in particular, the necessity of consent for medical treatment has been well understood morally and legally. The exceptions that exist have clear and compelling reasons. No such clear and compelling reasons exist today with COVID, and the refusal of large portions of the populace to be vaccinated should be expected. Thus, this overreach is not one of the many lesser ways that civil magistrates may overreach, where Christian deference for authority leads to submission in spite of an authority being unreasonable. Rather, it is an abuse that undermines the central authority of heads of households and arrogates that authority to the civil magistrate to whom it does not, in this present instance, belong. It is impossible to overstate the danger of normalizing the removal of medical decisions from their appropriate sphere and placing them in the hands of a government which—it must be carefully noted—rejects the sanctity of life of those not able to defend themselves, promoting the slaughter of unborn children and the starvation of the handicapped, the elderly, and the feeble; and which denies the scientific truth related to the sexes revealed in our bodies.

Accordingly, it is our judgment that no man is conscience-bound either to comply with or to refuse a COVID vaccine mandate placed on him by his civil or church authorities when he is sincerely convinced that mandate violates his conscience as a parent or

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6. See Westminster Larger Catechism, q. 130.

7. John Witherspoon, "The Dominion of Providence over the Passions of Men. A Sermon, Preached at Princeton, on the 17th of May, 1776. Being the General Fast Appointed by the Congress through the United Colonies."

individual. We can conceive of this judgment changing if the prevalence or morbidity of COVID and its variants, or the long-term efficacy of vaccines, were to significantly shift, but at this point in time, we assert the preeminence of familial and individual authority with regard to submission or dissent over COVID vaccine mandates.

Some indeed may decline COVID vaccines because their conscience requires it. Yet note: this is a high bar. To be bound by conscience to disregard a mandate is not the same as disagreeing with or objecting to the magistrate's right to institute it; nor is it the same as fearing its long-term political trajectory or health risks. Rather, it is to be convinced that it is a sin to comply with it. It must also be said that the conscience is neither pristine, nor innocent, but fallen and fallible (Jer. 17:9). Making wise decisions requires the conscience to be educated in truth and knowledge.

Christians who therefore refuse vaccine mandates on the principle of following conscience and protecting sphere authority must do so recognizing there is no Biblical requirement always to refuse compliance to a command from an authority who oversteps his bounds. Indeed, Christ Himself alternately complied or refused to comply with an overstepping authority, depending on the circumstances (John 10:39; 18:7–11). Thus, contrary to the understanding of many today, resisting tyranny is not always obedience to God. In all but the most severe cases, obedience and disobedience are matters of wisdom.

In fact, Jesus' harshest condemnations were not of political tyrants, but of religious tyrants. He chastised religious leaders who "tie up heavy burdens and lay them on men's shoulders, but they themselves are unwilling to move them with so much as a finger. But they do all their deeds to be noticed by men" (Matt. 23:4–5). We warn those who insist Christians must not comply with vaccine or mask mandates (simply because those mandates are overreaching) that they themselves must not overreach their own ecclesiastical authority, trampling on the authority delegated by God to parents of

households and individuals. To deny that the father, business owner, or session is free to make decisions about their buildings, homes, and families in this way is to respond to overstepping of authority by the civil magistrate by overstepping authority in our positions as church officers.

The man choosing to disobey a vaccine mandate for conscience's sake must also count the cost, recognizing that the various consequences he may suffer (e.g., being disallowed from restaurants, losing a job, or losing income) ought to be endured patiently, without reviling or threatening, trusting God to vindicate him (1 Peter 2:18–23). He must also consider whether refusing vaccine mandates puts himself or others at unreasonable risk of harm—even if the level of that harm does not justify a government vaccine mandate.

On the other hand, the Christian should remember that, as Witherspoon said in his sermon on the American Revolution, "The knowledge of God and his truths have from the beginning of the world been chiefly, if not entirely, confined to those parts of the earth, where some degree of liberty and political justice were to be seen, and great were the difficulties with which they had to struggle from the imperfection of human society, and the unjust decisions of usurped authority. There is not a single instance in history in which civil liberty was lost, and religious liberty preserved entire."<sup>8</sup>

## Conclusion

The Christian always seeks to sustain God's economy, which is to sustain God's spheres of authority. We do not seek to undermine any authority, including that of the civil magistrate, but rather to preserve it by calling it away from actions that are coercive and counterproductive. For the father, the elder, and the civil magistrate have all been delegated their authority by God. To harm or diminish another sphere's authority is no

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8. Witherspoon, "The Dominion of Providence over the Passions of Men."

gain to any authority, but a loss to all. In truth, authority is not, as we imagine, a zero-sum game, but rather the opposite. God lost no authority by delegating it. In His economy, the proper exercise of any authority by one minister in his sphere does not diminish, but rather enhances, the authority of the other spheres.

We appeal to the civil magistrate not to overstep his bounds set by God. We appeal to him to respect the family and the church as collaborators toward a common goal, and to dignify his authority by acting wisely and with restraint as a fellow minister of the Lord of all the earth. If, indeed, we as Christians must resist the civil authority, it is our obligation to do so not from

libertarian notions of autonomy, nor from a desire to avenge the wrongs of the past, nor from the wrath of man that accomplishes not the salvation of God (James 1:20). Rather, it is from our aim and purpose to honor God, with each member of society exercising his gifts: fathers that rule with love and tenderness, elders that keep watch over the souls of their sheep, and magistrates that protect the lives of their people, with wisdom and fear of God.

On Judgment Day, each of us will stand before God's Judgment Seat to render an account of the stewardship of His authority delegated to us for the good of those He has placed under our protection.

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This statement was adopted by the session of Trinity Reformed Church in Bloomington, Indiana, (TRC) on September 19, 2021. It was produced for the good of the Church. The entire statement or any part of it may be used freely and without attribution.

#### **Members of the Session of Trinity Reformed Church**

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At its stated meeting on August 19, 2021, the session appointed a committee to draft a statement on sphere authority and COVID vaccine mandates. The committee was composed of the following TRC pastors and elders, as well as the following pastors of sister churches in Evangel Presbytery who were asked to serve in an advisory capacity: Brian Bailey, JD, elder (TRC); Joseph Bayly, pastor (Christ Church, Cincinnati, Ohio); Tim Bayly, pastor (TRC); Joshua Congrove, PhD, elder (TRC); Andrew Dionne, DM, pastor (Trinity Presbyterian Church, Spartanburg, S.C.); Dan Sparks, PhD, elder (TRC); Joseph Spurgeon, pastor (Sovereign King Church, Louisville, Ky.); Lucas Weeks, pastor (TRC).