MERITUM EX PACTO IN THE REFORMED TRADITION:
COVENANTAL MERIT IN THEOLOGICAL POLEMICS

by Harrison Perkins

Introduction

THERE IS A LONG HISTORY of debate in the Christian tradition about the notion of merit and its proper place amidst the various theological categories, but the difficulty with this category is that it regards the role of works in humanity's relationship with God, which has been an issue of reoccurring dispute. Even in the early centuries of church history, Augustine (A.D. 354–430) wrote against Pelagius, discussing Romans 14:23:

> For that reason, moreover, he [Paul] often says, righteousness is counted to us not by works, but by faith, seeing that rather faith works through love, not in that way as I should suppose that I come to that faith by the merit of works, since that faith is the first principle from whence good works begin, as it was said, that which does not come from that faith is sin.[1]

The point here is not to enter into a full discussion of Augustine's doctrine of justification, but merely to indicate that the notion of merit has clearly been an important point of debate in Christian theology concerning issues of salvation.[2] Even with Augustine's clear statement that righteousness is not counted because of works and that we do not come to faith by merit, still later centuries saw fierce debate even about how Augustine and other early church fathers should be understood on the topic of merit. The Reformation period produced furious arguments over the doctrine of merit both historically and theologically, which extended well into the post-

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1. S. Aurelii Augustini, "De Gestis Pelagii," in *Opera Omnia, Tomus Decimus*, in Jacques-Paul Migne (ed.), *Patrologia cursus Completus, series Latina*, 221 vol. (Paris, 1844–64), 44: col. 341 (*Ideo vero saepe dicit, non ex operibus, sed ex fide, nobis justitiam deputari, cum potius fides per dilectionem operatur, ne qui: quam existimet ad ipsam fidem meritis operum perveniri, cum ipsa sit initium, unde bona opera incipient; quoniam, ut dictum est, quod ex ipsa non est, peccatum est.*). I have cited this by column number because English versions ascribe different chapter headings to this work than what is in the original Latin.

2. For varying discussion on Augustine and justification, see Michael Horton, *Justification Volume 1* (Grand Rapids: Zondervan, 2018), 84–91; Alistair E. McGrath, *Iustitia Dei: A History of the Christian Doctrine of Justification*, 3rd ed. (Cambridge: Cambridge University Press, 2005), 38–54.

Reformation era. For example, Archbishop James Ussher's (1581–1656) historical research on the topic of merit shows how early-modern Roman Catholics had tried to use patristic and medieval sources to support their doctrine of merit, but Protestants aggressively responded with their alternative readings of the ancient sources.[3] As the period of Protestant orthodoxy continued, Reformed theologians offered increasingly nuanced accounts of their doctrine of merit as a polemic against Roman Catholic soteriology.

This essay explores how theologians in the Reformed tradition used and interacted with the concept of *meritum ex pacto*—merit by the covenant. This essay's argument is not that *meritum ex pacto* was a major or defining category of early-modern Reformed theology, but simply that it was an operating concept that Reformed theologians implemented in various ways to connect several doctrines and refute Roman Catholic notions of merit. This essay, therefore, describes various ways that Reformed theologians understood and employed *meritum ex pacto* in order to gain a better understanding of how theologians in various geographical and temporal contexts found the category useful for their theological agendas. By looking at various instances of *meritum ex pacto* in the Reformed tradition, it becomes clear that Reformed writers developed this category to explain Adam's obedience in the covenant of works, to clarify Christ's obedience as the mediator for the elect, and to formulate a polemical category against Roman doctrines of condign and congruent merit.

1.   Framing the Historical Research about Merit in the Reformed Tradition

This essay presents evidence that many Reformed theologians made use of this category of *meritum ex pacto* in developing doctrines related to Protestant soteriology, but this category is not one of the most well-known in the study of Reformation and Post-Reformation dogmatics. Still, even if *meritum ex pacto* may not have been an overwhelmingly predominant theme in early-modern theology, Richard Muller's point that studying "lesser figures" of past eras helps prevent Whiggish historiography undoubtedly also applies to studying "lesser ideas."[4] Even those lesser ideas were part of the web of circulating concepts that form the context for how the so-called greater ideas were formulated and disseminated, and even how they endured.[5] Reformed theologians of the early-modern period commented differently on the category of *meritum ex pacto*, not only because they assessed the concept differently, but also because they situated it within the developing body of Reformed divinity at different

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3. James Ussher, *An Answer to a Challenge Made by a Jesuite in Ireland* (Dublin, 1624), 492–527.

4. Richard A. Muller, "Reflections on Persistent Whiggism and Its Antedotes in the Study of Sixteenth- and Seventeenth-century Intellectual History," in Alister Chapman, John Coffey, and Brad S. Gregory (eds.), *Seeing Things Their Way: Intellectual History and the Return of Religion* (Notre Dame, IN: University of Notre Dame Press, 2009), 143–44, 137–41.

5. Quentin Skinner, "Meaning and Understanding in the History of Ideas," in *Visions of Politics: Volume 1: Regarding Method* (Cambridge: Cambridge University Press, 2002), 57–89.

periods of time. Without separating eras too starkly, historians generally accept some division in the period of Protestant Scholasticism, and the relevant boundaries here are early orthodoxy (ca. 1560–1620) and high orthodoxy (ca. 1620–1700).[6] The ongoing doctrinal development in these periods was immense, not least of all concerning the advance of Reformed covenant theology, which highlights the more precise relevance of the present argument.

This essay presents evidence that Reformed thinkers across a widespread chronological and geographical sampling used *meritum ex pacto* largely within two motifs, both of which intersect with the ongoing development, codification, and integration of their covenant theology. First, many implemented *meritum ex pacto* to explain Christ's saving work, namely they used covenantal merit to establish why the Son of God, whose life was of infinite value, would merit specific things for his incarnate obedience. Although not all of the authors examined in this essay are explicit, this motif is part of the development of the doctrine of the covenant of redemption, which posits a covenantal relationship between the persons of the Trinity. Although some of the writers cited here predate the terminological category, the description of the Son's merit being established on a covenantal principle with his Father requires the assumption of a covenant between them. Even the best and most helpful discussion of the historical development of the covenant of redemption did not incorporate consideration of Reformed use of *meritum ex pacto*.[7]

The second motif concerning *meritum ex pacto* in Reformed theology was their use of the category to explain or integrate their doctrine of the covenant of works. This doctrine in its mature form suggested that God made this covenant with Adam—the first human and legal representative of all humanity in this covenant—before the fall. As the name of this covenant suggests, the condition for Adam to receive reward from God was good works. According to early-modern theologians, therefore, this covenant rested on a legal foundation. Throughout the sixteenth to early-eighteenth centuries, the Reformed used this doctrine to set the contrasting issues of works and grace in a covenantal paradigm, using the covenant of works as a historical and principial foil for the covenant of grace wherein God promised the same everlasting life he had offered to Adam, but now on the condition of faith in Jesus Christ.[8] Some authors, as

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6. Willem J. van Asselt, "Scholasticism in the Time of Early Orthodoxy (ca. 1560–1620)," and "Scholasticism in the Time of High Orthodoxy (ca. 1620–1700)," in Willem J. van Asselt, T. Theo J. Pleizer, Pieter L. Rouwendal, and Maarten Wisse, *Introduction to Reformed Scholasticism*, trans. Albert Gootjes (Grand Rapids: Reformation Heritage Books, 2011), 103–66; Richard A. Muller, *Post-Reformation Reformed Dogmatics: The Rise and Development of Reformed Orthodoxy, ca. 1520–1725*, 2nd ed., 4 vol. (Grand Rapids: Baker Academic, 2003), 1:30–32.

7 . J.V. Fesko, *The Covenant of Redemption: Origins, Development, and Reception* (Göttingen: Vandenhoeck & Ruprecht, 2016); Richard A. Muller, "Toward the *Pactum Salutis*: Locating the Origins of a Concept," *Mid-America Journal of Theology* 18 (2007): 11–65.

8. Willem J. van Asselt, "Christ, Predestination, and Covenant in Post-Reformation Reformed Theology," in Ulrich L. Lehner, Richard A. Muller, and A.G. Goeber (eds.), *The Oxford Handbook of Early Modern Theology, 1600–1800* (Oxford: Oxford University Press, 2016), 221–25; Andrew A. Woolsey, *Unity and Continuity in Covenantal Thought: A Study in the Reformed Tradition to the Westminster Assembly* (Grand Rapids: Reformation Heritage Books,

this essay demonstrates, began to incorporate the notion of *meritum ex pacto* into this burgeoning covenant theology to explain how God promised to reward Adam on the basis of his works. Richard Muller has noted how the *ex pacto* category in some ways has links to the medieval Scotist doctrine of God's ordained power, which taught that God appointed specific means to acquire grace, but the Reformed developed this notion in quite different directions from the Scotists.[9] This essay shows that, in contrast to the Scotists, many Reformed theologians implemented the *ex pacto* category as a polemic against Roman Catholic paradigms of merit that were perhaps more closely related to the Scotist/Franciscan notions of merit.

These two motifs show that the doctrine of *meritum ex pacto* became part of the discussion about the development of covenant theology in the early-modern era. Although it was not a marked feature of the theology of the first-generation Reformers, *meritum ex pacto* came to play a role in describing how works function in the distinction between the covenant of works and the covenant of grace, as well as in how the Reformed explained the way that the representative head of each covenant—Adam and Christ respectively—had the ability to earn rewards for themselves and those whom they represented. Although he cited only one primary source, Aaron Denlinger has argued that the seventeenth-century Reformed increasingly explained Adam's work in the covenant of works by reference to merit.[10] This essay substantiates Denlinger's claim, but also highlights the developing parallel theme that related to Christ's merit as well.

2. Tension in the Reformed Tradition Regarding Covenantal Merit

The Reformed tradition's use of *meritum ex pacto* is not without complexity and disagreement. For example, William Perkins (1558–1602), lecturer of Christ's College, Cambridge, took specific issue with the Roman notion that "workes (as they teach) are meritorious in two waies: first: by covenant, because God hath made a promise of reward unto them: secondly, by their own dignitie, for Christ hath merited that our workes might merit."[11] Instead he affirmed that "we [the Reformed] renounce al merit of works, that is, all merit of any worke done by any meere man whatsoever. And the true merit whereby we looke to attaine the favour of God, & life everlasting, is to be found in the person of Christ alone: who is the storehouse of all our merits."[12] Perkins clearly held that Christ was the only person who had real merit and explicitly

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2012), 399–539; R. Scott Clark, "Christ and Covenant: Federal Theology in Orthodoxy," in *A Companion to Reformed Orthodoxy,* ed. Herman J. Selderhuis (Leiden: Brill, 2013), 403–28; Harrison Perkins, "Reconsidering the Development of the Covenant of Works: A Study in Doctrinal Trajectory," *Calvin Theological Journal* 53, no.2 (2018): 289–317.

9. Richard A. Muller, *Dictionary of Latin and Greek Theological Terms Drawn Principally from Protestant Scholastic Theology*, 2nd ed. (Grand Rapids: Baker Academic, 2017), 114.

10. Aaron Clay Denlinger, "Introduction," in Robert Rollock, *Some Questions and Answers about God's Covenant and the Sacrament That Is a Seal of God's Covenant*, trans. and ed. by Aaron Clay Denlinger (Eugene, OR: Pickwick, 2016), 14.

11. William Perkins, *A Reformed Catholike* (Cambridge, 1598), 104.

12. Perkins, *Reformed Catholike*, 104.

rejected merit by the covenant (*ex pacto*). Just more than fifty years later, however, Richard Baxter (1615–1691), the controversial English theologian, claimed that "our own Divines generally approve of them that hold only *Meritum ex pacto,* as to the thing, denying only the fitness of the name, and that this is any proper Merit." [13] Whereas Perkins eschewed the category of covenantal merit, Baxter propounded that most Reformed divines affirmed it. Clearly, there was disagreement among the Reformed about this category of *meritum ex pacto*, but this essay shows how it was an active, even if minor, category in early-modern Reformed divinity.

Before presenting a chronological examination of other instances where *meritum ex pacto* appeared in Reformed sources, it might be helpful to address the tension between Perkins's and Baxter's views. The major issue involved shifting terminology for various categories of merit in the transitions from the medieval to the post-Reformation eras. More specifically, Perkins rejected an understanding of covenantal merit that was synonymous with congruent merit, which proposed that God covenanted to cooperate with a person's natural ability to do good and accept a person's best efforts as sufficient for justification. [14] As David Steinmetz argued, in this medieval covenant theology which is most associated with Gabriel Biel (ca. 1420–1495), "God has agreed on the basis of His ordained power (*de potentia ordinata*) and according to the terms of His covenant (*ex pacto dei*) to justify every sinner who" acts in accord with their natural abilities to love God. [15] Heiko Oberman too, like Muller as well, linked Biel's notion of merit to the Franciscan doctrine of God's ordained power, by which God appointed a covenant to accept humanity's deficient best efforts as meritorious. [16] Medieval theologians, therefore, did have a covenant theology, but it differed greatly from later Reformed covenant theology.

That medieval background is a supremely important factor for understanding any Reformed use of merit in connection to covenant theology, especially the tension highlighted between Perkins's and Baxter's approaches to *meritum ex pacto*. Berndt Hamm has shown that the terminology of *meritum ex pacto* also referred to that system of congruent merit during the medieval period, which creates a contextual factor that historians must consider in analyzing Reformed discussions of *meritum ex pacto*. [17] Thomas Aquinas (1225–1274), the great Dominican theologian, even in the thirteenth century had raised the issue of the disproportion between the dignity of human work and the reward of eternal life. God, therefore, must agree to grant a specific recompense to human works, since no inherent link exists between the disproportion

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13. Richard Baxter, *Richard Baxter's Admonition to William Eyre of Salisbury concerning his Miscarriages in a Booke lately Written for the Justification of Infidels* (London, 1654), 10.

14. Muller, *Dictionary of Latin and Greek Theological Terms*, 215–16.

15. David Steinmetz, "Medieval Nominalism and the *Clerk's Tale*," *The Chaucer Review* 12, no. 1 (1977): 44.

16. Heiko A. Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism*, 3rd ed. (Grand Rapids: Eerdmans, 2000), 131–45, 170–72.

17. Berndt Hamm, *Promissio, Pactum, Ordinatio* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1977), 202–5; Stephen Strehle, *The Catholic Roots of the Protestant Gospel: Encounter between the Middle Ages and the Reformation* (Leiden: Brill, 1995), 21–25.

conditions and reward.[18] As the evidence later in this essay shows, this concern about disproportionality remained a live issue even in the formulation of Reformed covenant theology. Hamm noted how later medieval theologians discussed *meritum ex pacto* in order to address this issue of disproportion:

> By granting only a *meritum de condigno* in the form of a *meritum ex pacto* with regard to eternal life, he can accept the sentence "grace and glory are not proportionate." Even though *meritum ex pacto* is like *meritum ex condigno absolute* in being characterized by the debt of rewarding on account of the liable debt, it does not result from the value of the performance, but is anchored in the free will of the contracting party.[19]

In other words, covenantal merit resolves the tension between an infinitely valuable reward and a finitely valuable work. As Steinmetz and Alistair McGrath have indicated, the problem with this formulation according to Reformation theology is that theologians applied this meritorious construction to how fallen sinners can gain salvation.[20] Stephen Ozment has also noted how Martin Luther understood this medieval use of covenant theology to have a direct relationship to the doctrine of congruent merit that undermined justification by faith alone, which in some ways explains the hesitancy in Lutheranism to develop the law-gospel distinction in covenantal categories.[21] The point here, however, is that early-Reformation theologians perceived *meritum ex pacto* as a concept linked with medieval categories that undermine justification by grace alone.

Reformed theologians like Perkins would then obviously deny a premise that had enabled the development of the late-medieval soteriology, which had become one reason for the Reformation. When Perkins refuted works that were meritorious "by covenant," he was rejecting that Roman doctrine of congruent merit, which is not the same thing that other Reformed writers meant when they positively implemented the

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18. Thomas Aquinas, *Summa Theologica*, translated by the Fathers of the English Dominican Province, 5 volumes (Notre Dame, IN: Christian Classics, 1948), 1a2ae.93.1–2.

19. Hamm, *Promissio, Pactum, Ordinatio*, 204 (Indem er auch hinsichtlich der vita aeterna nur ein meritum de condigno in Gestlt eines meritum ex pacto einräumt, kann er den Satz "Non sunt proportionalia gratia et gloria" akzeptieren. Zwar ist das meritum ex pacto wie das meritum ex condigno absolute durch die Schuldnerschaft des Belohnenden gekennzeichnet, durch eine Schuldnerschaft aber, die nicht aus dem Wert der Leistung resultiert, sondern in der freien Willensverfügung des Vertragspartners verankert ist).

20. Steinmetz, "Medieval Nominalism and the *Clerk's Tale*," 44; Alistair E. McGrath, "Homo Assumptus? A Study in the Christology of the *Via Moderna* with Particular Reference to William of Ockham," *Ephemerides Theologicae Lovanienses* 60 (1984): 283–97; McGrath, *Iustitia Dei*, 87, 114–15, 286.

21. Stephen E. Ozment, *Homo Spiritualis: A Comparative Study of the Anthropology of Johannes Tauler, Jean Gerson and Martin Luther – 1509–1516 – In the Context of Their Theological Thought* (Leiden: Brill, 1963), 174–76; cf. Dino Bellucci, S.J., *Fede e Giustificazione in Lutero: Un Esame Teologico Dei "Dictata Super Psalterium" e Del Commentario Sull' Epistola Al Romani (1513–1516)* (Rome: Libreria Editrice Dell Universita Gregoriana, 1963), 126–28.

category of *meritum ex pacto*. Whereas Perkins listed only two types of merit, condign and covenantal (by which he referred to congruent), other Reformed writers approved of *meritum ex pacto* specifically as a third type of merit formulated precisely as a polemic to undermine Roman categories of condign and congruent merit.

That point becomes clear if we pay attention to the full context of Baxter's claim that most Reformed theologians approved of *meritum ex pacto*, wherein he clearly affirmed that this was a tool used to argue against Catholic doctrine.

> The next words [and in no other sense do the Papists affirm it,] is another notorious falsehood: which if it were in Doctrinals only, I could answer it with a cold *Negatur;* but thus to multiply falsehoods one after another, seems a sad practice from a godly man. He might well know, if indeed he know what the Papists hold, that they are of several parties among themselves differing about this Point, yet all of them except *Waldensis,* or very few more, do maintain the fitness of the word Merit: most assert both Merit of Congruity before Regeneration, and Merit of Condignity after; and *Scotus* and a few more that reduce all to the right by promise are rejected by the rest, who affirm a Merit of value or proportion: And our own Divines generally approve of them that hold only *Meritum ex pacto,* as to the thing, denying only the fitness of the name, and that this is any proper Merit. This all Divines know to be true that have read the Papists writings and ours against them. And yet this man did not fear to say, that [in no other sense do the Papists affirm it,] yea and that I [give as much to Works and less to Christ then the Papists:] I shall purposely delay my particular proof of the contrary till I speak to Mr *Crandon.*[22]

This passage confirms that Reformed writers were concerned to refute Roman Catholic understandings of merit, but the evidence examined from Reformed sources below clarifies that the Reformed used the concept of *meritum ex pacto* to support their understanding of the doctrine of justification as a definitive and purely forensic act that declared a person righteous before God, and they used *meritum ex pacto* to support justification by connecting it to their covenant theology. These connections did not instantly occur all at once, but throughout the sixteenth to early-eighteenth centuries, the Reformed increasingly knit these doctrines together.

The point then to observe about the tension between Perkins and Baxter's seemingly opposed views about covenantal merit is that both men wanted to refute Roman Catholic doctrinal constructs about soteriology. *Meritum ex pacto* was not universally used in the Reformed tradition, but it was one way that developed in refuting Roman views. In regard to this essay's argument that the Reformed implemented *meritum ex pacto* in polemics against Roman views, the tension between Perkins and Baxter on this issue shows that *meritum ex pacto* was not a universally used polemical tool, nor were anti-Roman polemics limited to *meritum ex pacto*, but it was one conceptual device that some Reformed used in those polemics

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22. Baxter, *Richard Baxter's Admonition*, 10.

as the categories of covenant theology developed in the sixteenth and seventeenth centuries.

3. The Chronological Development of *Meritum ex Pacto*

This section demonstrates how several Reformed theologians implemented the doctrine of *meritum ex pacto* in explaining their covenant theology. The focus here is on highlighting primary source material, and producing new and unconsidered evidence in connection to this topic.

3.1. Daniel Chamier (1565–1621)

Daniel Chamier was a French Reformed minister, who studied in Geneva under Theodore Beza (1519–1605). He was involved in shaping the Edict of Nantes (1598), which temporarily granted greater freedom to Protestants in France, and he helped establish the academy at Montpellier, where he became a professor.[23] His writings tended to be published in Geneva, some being published after his death. *Panstratia Catholicae*, likely his magnum opus, was a four-volume polemical work against Catholicism, unique in being such a significant work produced from within the French context. Under the section "concerning Christ's merits by the agreement," Chamier raised the issue of *meritum ex pacto*. He argued: "Customarily in fact, merit should be used in a twofold notion, as one is absolute merit, and the other is merit by the covenant." He said that absolute merit was a good work that created obligation by its fulfillment of the law.[24] Then, "In merit by covenant, however, the work is that to which whereas nothing on account of itself would be strong enough to obligate, nevertheless, by the voluntary communion, or agreement, obligation occurs, therefore, so that a reward of such great excellence is owed."[25] Chamier argued then that Christ merited eternal salvation by the covenant, at least according to his human nature and was able to restore those who are guilty to God because of that covenant.[26] In this sense then, which clearly had that issue of proportionality of human work and reward in view, Chamier used *meritum ex pacto* to define the value of Christ's saving work. His point to specify its value in reference to Christ's human nature was meant to distinguish between what Christ would merit as a divine person and what he merits as he undertakes saving work as the mediator for humanity. Chamier made this point clear: "Therefore, Christ's blood purges by God's covenant and institution, not

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23. Samuel MacAuley Jackson, ed., *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, 13 vol. (New York, NY: Funk and Wagnalls Co., 1908–14), 3:1.

24. Daniel Chamier, *Panstratiae Catholicae*, 4 vol. (Geneva, 1626), 3:241 (*Meritum enim solitum usurpari duplice notione, ut sit unum absolute Meritum, aliud Meritum ex pacto*).

25. Chamier, *Panstratiae Catholicae*, 3:241 (*Meritum verò ex pacto, opus est, cui cùm per se nulla sit vis obligandi, tamen ex voluntate communi, sive compacto fit obligatorium, ita ut debeatur merces talis, tantque*).

26. Chamier, *Panstratiae Catholicae*, 3:242.

simpliciter and because of itself, that is, apart from any meaning."[27] His point was that God's covenant assigned the reward for Christ's suffering merit. If God's Son had become incarnate and died, it did not necessarily have to be intended to forgive sinners, but God's covenant with Christ gave his death that value. Even though Chamier did not list *meritum ex pacto* as an explicit third category in contrast with condign (absolute) and congruent merit, he was not using the term interchangeably with congruent merit. He was propounding categories of merit that he thought were real, of which congruent merit was not one.

Chamier discussed *meritum ex pacto* elsewhere, again under the topic of Christ's merits. There, he wrote:

> On the other hand, merit by the covenant, whereas it does not have the strength to obligate on its own account, nevertheless, it does have it from the arrangement, so that either a full or greater reward for the work is owed to it. This again has a twin; it has strength to merit some things by the promise, others by the covenant. That is by the promise it has strength to merit so far as by its arrangement by which reward is expected, so that the rewards are displayed with sporting contests whether by the King or by the people. Then indeed merit of such value is by the arrangement, but furthermore the method of the arrangement pays from only the will of the one who arranges.[28]

This passage described what *meritum ex pacto* is, again making the distinction between absolute merit and merit by the covenant. According to Chamier, the covenant establishes what reward that a work must receive. The point was much the same as before, but establishes that Chamier repeatedly implemented this category across his works. His purpose in each case was to explain Christ's work in terms of its merit.

Chamier's views should perhaps not be surprising since he trained in Geneva, and cited John Calvin (1509–1664), Beza's predecessor at the Geneva Academy, in conjunction with each of these discussions. Calvin summarized the medieval scholastics as saying "works have no intrinsic dignity but are meritorious by the covenant."[29] According to him, the scholastics "did not see that works are always stained with sin," "but nevertheless this principle is true the reward for works hangs

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27. Chamier, *Panstratiae Catholicae*, 3:242 (*Ergo sanguis Christi purgat ex pacto & instituto Dei, non simpliciter & per se, id est, absque ulla acceptione*).

28. Daniel Chamier, *Corpus Theologicum Seu Loci Communes Theologici* (Geneva, 1653), 220 (*At meritum ex pacto, etsi per se vim obligandi non habet, tamen ex instituto habet: ut ei operi merces, vel tota vel tanta debeatur. Hoc rursus geminum, alias ex promissione vim merendi habet, alias ex pacto; quod est ex promissione, vim merendi habet duntaxat ex eius instituto a quo merces expectatur: ut cum ludicris certaminibus proponuntur praemia sive a Rege, sive a populo: tunc enim non tantum meritum est ex instituto, sed etiam instituti ratio pendet a sola voluntate eius qui instituit*).

29. Joannis Calvini, *Opera Quae Supersunt Omnia, vol. XLIX* in *Corpus Reformatorum, Volumen LXXVII* (Brunswich, 1892), 56 (*opera non intrinsica dignitate, sed ex pacto meritoria esse*).

from the voluntary promise of the law."[30] Matthew Tuininga has convincingly argued that these and similar passages in Calvin's writings show that Calvin implemented some understanding of *meritum ex pacto*. Tuininga explained that Calvin believed in two different types of covenants and the Mosaic covenant, in contrast to God's covenant with Abraham, expressed a legal principle akin to that which was formulated in the later development of the covenant of works.[31] Although the elements of the covenant of works as later Reformed theology construed it are certainly present in Calvin's writings, Tuininga's case presented Calvin's view as emphasizing the legal covenant more as something that ran within the Mosaic covenant parallel with and hypothetical to the free promise of the gospel. William Perkins also seemed to articulate the distinction between the covenants of works and grace in the same way.[32] Calvin and Perkins' point was to undermine the Catholic doctrine of congruent merit, which claimed that God accepts imperfect works as sufficient for justification. Calvin's quoted remarks were comments on Romans 3:20, a *locus classicus* for the doctrine of justification, and his argument was that since merit requires perfect works, and since a person cannot render perfect works, justification must be by faith. Calvin, therefore, used *meritum ex pacto* to uphold the Protestant view of justification. It should then not surprise us that Chamier also implemented the notion of *meritum ex pacto* in his discussion of the work of Christ to explain how Christ earned salvation for his people. None of these thinkers linked *meritum ex pacto* with the structure of the covenant of works between God and Adam as later Reformed thinkers did, as we will see. It is still interesting that significant Reformed theologians in differing geographical and political contexts all interacted with the notion of covenantal merit, all three defending thorough Protestantism, and two of the three positively using *meritum ex pacto* to do so.

3.2. Richard Crakanthorpe (bap. 1568, d. 1624)

Richard Crakanthorpe was a Reformed Episcopal and religious controversialist in England, who was well appreciated by those typically called the puritans especially for his preaching. One of his two most important, although posthumously published, works was *Defensio Ecclesiae Anglicanae* (1625), wherein he argued that the English Reformation was a purification of rather than a departure from, the medieval tradition. This book was a polemic against the archbishop of Spalato, making the case that England had significant connections to foreign Protestant churches and denying that the Roman communion was the mother of all churches.[33] Crakanthorpe at times, like Perkins, interacted with *meritum ex pacto* by treating it as synonymous with congruent merit.[34] In another place, however, Crakanthorpe made an interesting concession that

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30. Calvini, *Opera*, 320 (*non vident vitiis semper inquinta esse opera . . . verum tamen est illud principium, ex voluntaria legis promissione pendere operum mercedem*).

31. Matthew J. Tuininga, *Calvin's Political Theology and the Public Engagement of the Church: Christ's Two Kingdoms* (Cambridge: Cambridge University Press, 2017), 271–74.

32. Perkins, "Reconsidering the Development of the Covenant of Works," 302–9.

33. A.P. Cambers, "Richard Crakanthorpe (bap. 1583, d. 1624)," *ODNB*.

34. Richard Crakanthorpe, *Defensio Ecclesiae Anglicanae* (London, 1625), 361.

in "positing the covenant of God with Adam, eternal life would have been delivered as the merit of justice, if people had continued in righteousness without the whole fall, and because they did not continue [in righteousness], therefore now eternal life is not given by merit and the dignity of works, but only by grace and because of grace."[35] This example is the first instance where a theologian directly connected the covenant between God and Adam with merit. Crakanthorpe's point was clearly that it was possible to merit eternal life, namely because of the covenant with Adam, except for the entrance of sin, which made it necessary to receive eternal life by grace. It is significant that Crankenthorpe set this notion of covenantal merit, which was a merit according to some sort of justice, in sharp contrast to grace. His point was that no category of merit is viable after Adam's fall, after which grace, rather than covenanted justice, becomes the necessary method of relating to God. Crakanthorpe then exemplifies how Reformed theologians used the notion of *meritum ex pacto* to defend their view of justification, but also how that polemic began to be linked to the covenant of works.

3.3. John Buckeridge (d. 1631)

John Buckeridge does not likely fit within the Reformed camp, but does possibly explain why Baxter said that Reformed theologians deny "the fitness of the name" for *meritum ex pacto*. Buckeridge was part of the seventeenth-century Laudian party that promoted a ritualistic view of the Christian life over and against the Reformed emphasis on preaching. Buckeridge preached:

> Insomuch that we may thus resolve: First, *Non tenetur Deus: God* is not bound to give us any *reward* for any *dignitie* or *worthinesse of our works.* Secondly, *Non Meremur nos,* we deserve nothing, but are *unprofitable servants,* and our best workes are unperfect, and fall short of that perfection that Law and Iustice do require. And thirdly, *Non deerit tamen Deus*: though *God* be not *bound,* and man *merits* not, yet *God* never failed any man, that did do any good worke, but he was sure of his *reward.* For, though we be bound to good works *ex debito,* of duty: *God* commands them, and requires an account of them: yet *God* is not bound to reward them *ex debito,* out of any debt owing to us for them; but onely *ex pacto,* out of his promise, and agreement. For, *aeternall life* is not a reward which man may exact and require in *Iustice* at *God's* hands, for his *labour* and *hire*; but it is *His free gift*: and therefore he calleth it not *tuum,* thine, but *Meum,* mine owne, *May I not do what I list with mine owne?*[36]

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35. Crakanthorpe, *Defensio Ecclesiae Anglicanae*, 324–25 (*(posito Dei pacto cum Adamo) aeterna vita, ut meritum iustitiae (si in iustitia sine omni lapsu homines permansisset) refferetur: & quia non permanserunt, ideo iam non ex merito, & operum dignitate, sed solummodo ex gratia, & propter gratiam donator*).

36. John Buckeridge, "A Sermon Preached at the Funeral of the Right Reverend Father in God Lancelot late Lord Bishop of Winchester. In the Parish Church of St. Saviors in Southwarke on Saturday being the XI of November, A.D. MDCXXVI," in Lancelot Andrewes, *XCVI*

His point about *meritum ex pacto* was that God can award eternal life according to merits from an agreement. This passage does not seem to be talking about a covenant between God and Adam before the fall like Crakanthorpe did, but rather about an actual method of salvation. This method, of course, was that model of congruent merit to which all Reformed theologians had a significant allergy. The fact that the category of *meritum ex pacto* was being used to promote a less than Protestant soteriology may be the reason why some shied away from the language, as Baxter noted. Buckeridge does not align with most of the evidence in this essay, but is still important because he and those of his theological persuasion may reveal one reason why *meritum ex pacto* was not a more predominant motif in early-modern Reformed divinity.

3.4. Thomas Adams (1583–1652)

Thomas Adams was another Reformed Episcopalian, who was concerned to rid the Church of England of what he perceived to be lingering hints of Roman Catholic theology. He had vocally opposed James I's suggestion to wed his son to a Spanish princess. Although Adams was a popular and well-known preacher, he never attained a high position in the church, likely because his anti-Catholicism ran afoul of William Laud and his staunch royalism then put him in ill graces with Oliver Cromwell.[37] He had a lengthy explanation of issues surrounding *meritum ex pacto*:

> GOD is a just Master, and will pay all men their wages according to their worke. They that doe the businesse he sets them about, shall have a blessed recompence: none of his servants were ever losers by him. The ungodly indeed set themselves on worke; yet howsoever, he will pay them their wages; but it is such a *reward,* as they would thanke him to goe without: a righteous wages, for an unrighteous service. God shall pay all: Satan may be his executioner, but God is the Iudge. The executioner cannot lay on a stroke more than the Iudge appoints. Wicked men, properly, doe pay when they are payed: when God payes them, he payes himselfe of them: and this shall be to the *uttermost farthing.* So the unmercifull servant was bound over, *till hee should pay all his due.* At once they both receive their wages, and pay their debts.
>
> *Wages* is understood to be an equall retribution, a reward proportionable to the worke: and is either *ex pacto,* what is covenanted; *Didst thou not agree with me for a peny?* or *ex merito,* what is earned, *The labourer is worthy of hire.* Equality of recompence defines wages: if it be too much, and above desert, it is munificence: if too little, and short of desert, it is injustice. The Iewes might give forty stripes, they would give but nine and thirtie, for feare

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Sermons (London, 1629), 14. (Note the pagination in this volume restarts at this sermon. It is the last sermon in the collection.) Buckeridge (d. 1631) was a prominent anti-Calvinist.

37. J. Sears McGee, "Thomas Adams (1583–1652)," *ODNB*; Joel R. Beeke and Randall J. Pederson, *Meet the Puritans: with a Guide to Modern Reprints* (Grand Rapids: Reformation Heritage Books, 2006), 11–14.

of excesse. They were commanded to restore fourefold: some of them, as *Zacheus,* did quintuple it; for feare of the defect. But there is neither defect, nor excesse, in a just reward. Man may fault in this, God cannot; he payes just *wages;* not a dramme too light, not a scruple too heavy. *Every man shall receive according to his workes. With the same measure that ye mete, it shall be measured to you againe.*[38]

Adams interestingly distinguished *ex pacto* from *ex merito*. His point was still that God would agree to certain terms as the mode by which he would grant a reward. The argument moves in such a way as to show that God never properly owed humanity anything, and especially owes them nothing after the fall, but if he agreed to certain conditions, God would honor them by his covenant. This again was a way to circumvent Roman Catholic understandings of merit for the sake of salvation by grace alone.

3.5. John Brown of Wamphray (ca. 1610–1679)

John Brown was a Church of Scotland minister who was part of the Covenanters movement, and who died in the Netherlands once the Restoration of 1660 forced him into exile.[39] Likely his most important work was his *The Life of Justification Opened* (1695), which was actually published after his death. In that book, he addressed *meritum ex pacto* as synonymous with congruent merit. It was noted above that some read this doctrine to be akin to Gabriel Biel's medieval theology, which starkly contrasted with the Reformed emphasis on a forensic understanding of justification by faith alone. Brown wrote:

By merit here must either be understood, that which is called *meritum ex condigno,* that is, that merit, which ariseth from the due proportion of worth, that one thing hath unto another, in the ballance of equity & justice. And who ever imagine this merit in their works, must dreame of an intrinsic worth in their works, which God, if he do according to justice, cannot but reward with eternal life: or that which is called *meritum ex congruo,* which floweth not from any inward Condignity in the work, but from a Promise or Covenant, & so it is *meritum ex pacto,* whereby the reward is not absolutely of grace, but of debt, because of a congruity in the thing, in respect of the Promise & Compact made. Our Adversaries cannot understand this last, when they say, that *Paul* disputeth against merit, because themselves own it, when they make works the Condition of the Covenant, & God to have promised justification & life unto our works.[40]

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38. Thomas Adams, *A commentary or, exposition vpon the diuine second epistle generall, written by the blessed apostle St. Peter* (London, 1633), 851 (italics original).

39. Thomas Lockerby, *The Life of the Rev. John Brown* (Edinburgh, 1839).

40. John Brown, *The life of justification opened.* (Utrecht, 1695), 481 (italics original).

Although Brown criticized the doctrine that this essay argues is a part of the Reformed tradition, his work is worth noting because it shows how different theologians understood this category to have different content. This demonstrates the earlier point concerning terminology and substance. In the initial quote from Richard Baxter, he acknowledged that some Reformed theologians were critical of the terminology, which may have had some explanation from the theology of less-than-Reformed thinkers such as Buckeridge. That concern is indeed evident in Brown's work, as Brown, much like Perkins, considered *meritum ex pacto* to be another name for congruent merit. Still, Brown's concern matched that of other writers who did endorse *meritum ex pacto* in that he defended the Reformed understanding of justification.

3.6. Johannes Cocceius (1603–1669)

Johannes Cocceius, a Dutch theologian who taught at Bremen, Franeker, and Leiden, made several contributions in the development of covenant theology, even if some of those contributions were controversial. His book *The Summary of the Doctrine concerning God's Covenant and Testament* is one of the more important books of seventeenth-century federal theology.[41] Willem van Asselt has discussed some of Cocceius's controversial views related to covenant theology, the most relevant of which for this essay has to do with his understanding of the abrogation of the covenant of works.[42] In sum, Cocceius taught in this doctrine that the development of redemptive history entailed a staged abrogation of the covenant of works. On the other hand, Brian Lee has highlighted Cocceius as an example of how Reformed theologians continually implemented exegesis in developing their formulations of covenant theology.[43] Although Lee focused on Cocceius's exegesis of the letter to the Hebrews, the present essay shows that Cocceius's commentary on Genesis also contained theological emphases in the development of covenant theology, namely in connection to *meritum ex pacto*.

Cocceius's role as professor of philology and Hebrew led to commentaries on most of the Old Testament, but his theological reflections upon the book of Genesis contain many of his arguments for *meritum ex pacto*. Cocceius argued that the covenant of works was immutable and fused to human nature because Adam's creation

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41. Johannes Cocceius, *Summa Doctrinae de Foedere et Testamento Dei* (Leiden, 1654).

42. Willem J. van Asselt, "The Doctrine of Abrogations in the Federal Theology of Johannes Cocceius (1603–69)," *Calvin Theological Journal* 29 (1994): 101–16; idem, *The Federal Theology of Johannes Cocceius (1603–1669)*, trans. Raymond A. Blacketer (Leiden: Brill, 2001); idem, "*Expromissio* or *Fideiusso*? A Seventeenth-Century Theological Debate between the Voetians and Coccieans about the Nature of Christ's Suretyship in Salvation History," *Mid-America Journal of Theology* 14 (2003): 37–57; idem, "Christ, Predestination, and Covenant," 222–25; J. Mark Beach, *Christ and the Covenant: Francis Turretin's Federal Theology as a Defense of the Doctrine of Grace* (Göttingen: Vandenhoeck & Ruprecht, 2007), 272–98.

43. Brian J. Lee, *Johannes Cocceius and the Exegetical Roots of Federal Theology: Reformation Developments in the Interpretation of Hebrews 7–10* (Göttingen: Vandenhoeck & Ruprecht, 2009).

in God's image demanded continuation in perfect obedience. Even though God promised to reward Adam's perfect obedience, this was not condign merit since God owed nothing to creatures as such for their obedience. The merit by which Adam could earn the reward of heavenly life was covenantal merit. Cocceius wrote:

> §124. XII. Man, therefore, by the very fact that he was made according to God's image, has been constituted as in a covenant with God. I call this covenant or pact a firm agreement in mutual obligation because God bound Adam by oath unto loving and seeking him as his God, that is being examined also in an ardent attachment to God together with obedience throughout the examination period, performed to God's eternal glory in him who will be revealed in beatific life. And in turn he offered to Adam the assurance of what must be expected for standing in uprightness and rectitude, and for observing the law of examination, and from him, as his God, for striving after that revelation of God's glory in himself, and the blessing in the multiplication of his posterity with God's image. This is already clearly evident from what has been said.

> §125. XIII. In this pact, heavenly life is considered as the reward that must be reckoned according to what is owed. This is usually called merit. But what the nature of this merit would be must be considered. It is not condign. Man is able to pay nothing to God, God accepts nothing from his hands, it is not profitable or beautiful according to man's work. Man owes everything to God. See Luke 17:10. It, therefore, remains that merit is by the covenant.[44]

Cocceius outlined how, even though God did not owe Adam any reward for his obedience *de facto*, God did enter a covenant with Adam so that Adam could trust that God would provide the expected reward if Adam rendered obedience during his probation in the Garden. Cocceius argued, citing Luke 17:10, that since Adam already owed everything to God and could pay God nothing, Adam's merit in this covenant could not be condign. On the other hand, Cocceius's unstated premise here was that God did not accept anything besides true righteousness in Adam's obedience, which undermined any notion of congruent merit. Rather, Adam's merit was covenantal,

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44. Johannes Cocceius, *Commentarius in Pentateuchum, Josuam, et Librum Judicum* (Amsterdam, 1669), 38 (§124. XII. *Homo igitur eo ipso, quod fuit factus ad imaginem Dei, fuit constitutus quasi in foedere Dei. Foedus illud dico sive pactum, conventionem mutua obligatione constantem. quia Deus Adamum obstrinxit ad amandum & quaerendum se ut Deum suum, h[oc].e[st]. desiderandam & in affixione ad Deum atque obedientia per tempus explorationis operandum gloriam aeternam Dei, in ipso manifestandam in vita beatissima: & vicissim Adamo stanti in veritate & rectitudine, & praeceptum explorationis observanti dedit fiduciam sperandi & ab ipso, ut Deo suo, petendi eam gloriae Dei manifestationem in se, & benedictionem in multiplicatione posteritatis cum imagine Dei. Hoc jam ex dictis clare patet.* §125. XIII. *In hoc pacto consideratur vita coelestis ut* merces *reputanda* κατ᾽ ὀφείλημα. *Hoc meritum dici solet. Sed considerandum est, quale id meritum sit. Non ex condigno. Homo nihil Deo potest dare, nihil accipit Deus ex manibus ejus, non sit ditior aut beatior per hominis operam. Homo debet omnia Deo. Vide Luc. 17:10. Restat igitur meritum ex pacto*).

meaning that Adam genuinely could earn his reward from God, but only because God had offered that reward on the basis of the covenant.

Cocceius was clear that this form of covenantal merit applied to Adam only before his fall into sin, which was the way that Cocceius used covenantal merit as a polemic to refute Roman Catholic paradigms of soteriology. First, Cocceius argued that the covenant of works could not be diminished, diluted, or even altered, since it was tied to God's image hardwired into humanity, which reflects God's immutable image.

> §128. XV. The covenant of works is immutable and indispensable because it depends upon God's image, and thus upon God's nature, that is upon eternal uprightness and justice, which is established by him, who is God, and has all divinity; and for that reason the covenant cannot be changed, unless the principal reality is changed.[45]

Cocceius argued that this point about the covenant of works' immutability meant that the category of merit could not be applied after Adam's fall, which was the mistake present in Roman Catholic soteriology. Cocceius named John Duns Scotus as a promoter of this idea that merit was a legitimate category for how fallen people might obtain eternal salvation, but Cocceius argued that this view resulted "to confound the covenant of grace and the covenant of works." [46] Cocceius, therefore, contrasted God's justice with grace and understood the doctrine of *meritum ex pacto* to be one way to uphold the distinction between the law and the gospel through covenantal categories.

Cocceius's later discussion in his Genesis commentary explicitly brings together many of the themes that this essay has argued that Reformed theologians uphold by developing the category of *meritum ex pacto*. Cocceius clearly implemented this doctrine in a polemical attack against Robert Bellarmine, the famous Roman apologist, in order to refute Bellarmine's notion that a person could still merit after the fall.

> §28. Between these [previously discussed types of merit], on the other hand, truth must be separated from falsehood. 1. The truth is that our works in no way merit without covenants. In this respect, Bellarmine does well. But similarly how is the dignity of the person and the dignity of the work and the communication introduced, unless it is a covenant? They are plainly not consistent. They certainly do not begin to be proportionate and equal, therefore, it is because God has fixed, has prepared, and has promised an

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45. Cocceius, *Commentarius in Pentateuchum*, 38–39 (§128. XV. *Foedus operum est immutabile & indispensabile. Quia nititur imagine Dei, & sic natura Dei, h[oc].e[st]. aeterna veritate & justitia, quae fundatur in eo, quod Deus est, & omnem divinitatem habet; atque ideo foedus mutari non potest, nisi prima veritas mutetur*).

46. Cocceius, *Commentarius in Pentateuchum*, 38 (§126. *Unde patet, quantopere peccent, qui meritum saltem ex pacto statuunt post lapsum. ut Schola Cantabrigiensis.* Virtutum pulchra & speciosa caterva Salutem Aeternam ex pacto quam meruere dabunt. *A Joh. Duns id didicerunt. Hoc est confundere foedus gratiae & foedus operum. Sed multo magis delirant, qui debitum ex condigno statuunt sub foedere gratiae*).

eternal reward to them. 2. The truth is that the merit of works comes into being by the covenant, but it is wicked to confound this covenant with the gospel promise. For that reason, Scripture opposes law and promise, as in Galatians 3:17. 3. This covenant, from which is merit, has been established in itself by the production of nature. The creature whom God has dignified with his image has thereby also been dignified with the calling to everlasting life because God has displayed himself to him, and it could not be otherwise. Moreover, the former doctor has perceived here in the right part, containing that of Bellarmine's account. But plainly he has wickedly understood the same that he has furthermore thought that the same condition for life remains possible after the fall; and the same condition to be the doing of a good work proceeding from regeneration and justification. 4. Rightly, Bellarmine said that Christ has absolutely merited life for us. And that our merit would conflict with him without a covenant, by the very nature of a good work, and that otherwise only Christ is rightly able to merit by working. But in that, on the other hand, it is contrary to him that thinks that covenantal merit can be adjacently added with Christ's merit of life. No certainly instead, the merit from natural works conflicts with Christ's merit of life, and thus by the secret covenant, which covenantal merit circumcised. And it is false, when he says, "It is of greater grace and of his kindness, that he would have willed us to have not only by the law of inheritance, but also by the law of merit." For it is lesser grace to be merited and to be found as the way to the condition of the new covenant, so that in the end if we have stood by that covenant, we might arrive at life; which life Christ has merited for us closely, immediately, and thus absolutely. That is sophistry. God has willed us to have life, as an inheritance and as a compensation, truly so that we begin that living to please God, and thus now to act as sons, and to declare the hope of everlasting blessedness by good works, but not to diminish from God's glory to any extent. 5. Concerning the promise, which is opposed to the law, neither understands well. For the promise properly is the declaration of the testament, which God made in Christ, concerning life that must be given on account of him to them, who had been given to him. It is, therefore, his sign that Christ has procured. Thus it is said: "I will put enmity between the seed of the woman and you." And, "I will be God to your offspring. In Isaac, your offspring will be reckoned. Ask me, and I will give the Gentiles as your inheritance. I have made you the father of a multitudes of nations. In your offspring, the families of the earth will be blessed." This promise insofar as it ordains eternal life, is applied to each individual according to the conditional word, so that the designated heirs are truly roused unto seeking the inheritance in Christ; and they, who flee unto Christ so that they might have the hope that has been offered unto that taking hold (Heb. 6:18). For

thus, the Testament crosses into the strength of the covenant, but a new condition is not established for meriting eternal life. [47]

Cocceius acknowledged that the difficulty in speaking about human merit is that the person's dignity and their work's dignity are disproportionate to the reward that God would grant.[48] Cocceius's solution was that the merit is not inherently in the dignity of the person or work, but "comes into being by the covenant." According to Cocceius, this merit that Adam was able to achieve before the fall could not be applied to our situation after the fall. This mistake would conflate the law and the promise and confound the covenant of works and the covenant of grace. God does not set out the hope of everlasting life if we take hold of Christ's merits and add our works to that, but instead has ordained that Christ's merits be applied for the everlasting salvation of those whom the Father gave to the Son to redeem, and those are then to live the grateful

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47. Cocceius, *Commentarius in Pentateuchum*, 76 (§28. *In his rursus est discriminanda veritas a mendacio. 1. Verum est, quod opera nostra nullo modo mereantur sine pactos. quod bene Bellarminus. Sed quomodo idem dignitatem personae, & dignitatem operis &* communicationem *introducit, si sit pactum? Quae plane non consistunt. Non enim incipiunt esse proportionate & aequalia, ideo quia Deus illis destinavit, praeparavit & promisit praemium aeternum. 2. Verum est, quod meritum operum proveniat ex pacto: sed male id pactum confunditur cum promissione Euangelica. Ideo Scriptura* legem & promissionem *opponit. Gal. 3:17. 3. Pactum illud, a quo est meritum, in ipsa naturae productione fundatum est. Creaturam, quam Deus est dignatus imagine sua, eo ipso etiam dignatus est vocatione ad vitam immarcescibilem: quia se ei quaerendum proposuit. Neque aliter fieri potuit. Atque hac in parte recte sensit ille doctor, cum quo Bellarmino res. Sed plane pessime sensit idem, quod putavit, etiam post lapsum manere eandem conditionem vitae possibilem; & eam esse factionem boni operis ex regeneratione & justificatione proficiscentem. 4. Bene Bellarm. Christum nobis meruisse vitam immediate. Et quod cum eo pugnet meritum nostrum sine pacto, ex ipsa natura boni operis. quodque alias Christus tantum sit meritus potestatem bene operandi. Sed in eo rursus sibi est contrarius, quod putat cum Christi merito vitae immediate posse conjungi meritum ex pacto. Non enim magis cum Christi merito vitae pugnat meritum ex natura operis, & sic pacto tacito, quam meritum ex pacto verbali. Et falsum est, quod dicit,* hoc esse amplioris gratiae & benignitatis ipsius, quod voluerit nos vitam habere non tantum jure haereditatis, sed jure etiam promeritorum. *Nam minor est gratia, mereri & aperire quasi viam ad novi pacti conditionem, ut demum si eo pacto steterimus ad vitam perveniamus; quam vitam Christum nobis meritum esse proxime, immediate & sic absolute. Sophisma hic est. Deus nos voluit vitam habere, ut haereditatem & ut compensationem: nempe ut incipiamus hic viventes Deo placere, & sic jam tanquam filii agere, & spem gaudiorum bonis operibus firmare: non vero de Gloria Dei aliquid delibare.* 5. *De* promissione, *quae legi opponitur, neuter bene sentit. Nam ea proprie est declaratio Testamenti, quod Deus fecit in Christo, de vita danda propter ipsum eis, qui ipsi dati sunt. Est igitur significatio ejus, quod Christus impetravit. Sic dictum est:* Ponam inimicitiam inter semen mulieris & tuum. Et, Ero Deus semenis tui. In Isaaco vocabitur tibi semen. Postulo a me & dabo gentes haereditatem tuam. Patrem multarum gentium dedi te. In semine tuo benedicentur familiae terrae. *Haec promissio, quatenus vitam aeternam decernit, singulis per verbum conditionatum applicatur, ut nempe designati haeredes excitentur ad haereditatem quaerendam in Christo; & illi, qui confugiunt ad Christum* spem expositam habeant *ad eam* arripiendum. *Hebr. 6:18. Nam sic Testamentum transit in firmitudinem pacti: non autem vitae aeternae promerendae statuitur nova conditio*).

48. Aquinas, *Summa Theologica*, 1a2ae.93.1–2; Hamm, *Promissio, Pactum, Ordinatio*, 204.

and obedient lives of sons to declare the reality of having received everlasting life. In sum, Cocceius used *meritum ex pacto* as an important element of his doctrine of the covenant of works in order to develop a clear distinction between Reformed and Roman Catholic soteriology, and to reject any notion that the law and the gospel could be mixed.

3.7. Johannes Braun (1628–1708)

Johannes Braun, once a pupil of Cocceius, was professor of theology and Hebrew at the university of Groningen. Notably, he vigorously opposed Arminianism and its version of God's decrees, and promoted a supralapsarian understanding of election.[49] On the other (perhaps controversial) hand, he also held to a version of Cartesian philosophy, although it was more of a tool for his theology than a full-orbed philosophical outlook.[50] To this essay's argument, Braun argued that *meritum ex pacto* explained the structure of the covenant of works between God and Adam.

> If Adam had stood, and performed all things [of the law], he would even have merited, but I. not by *condign merit*, as if either his person, or his works would have been worthy of so great a reward. There is no creature, though perfect, who can merit this way in the presence of God. 1) Because we owe everything to God. Lk. 17:10. 2) No one is able to bring obligation upon God since he would be El Shaddai, God the sufficient one. Gen. 17. See Job 22: 2. 3) Whatever good things a man has, it is from God. Phil. 2:13; Ac. 17:28; 1 Cor. 4:7. 4) Nothing is given proportionately between the work of creatures, and the enjoyment of God. II. It would not even have been by *congruent merit*, certainly because of the extraordinary gifts, which he had received from God. 1) Because God is not a respecter of persons, whom he made able by the particular gifts. 2) Because there was no grace in the case of Adam, the one building favor, when everything he would have was from God. Merit, therefore, was to its extent by the *covenant*, following the stipulation of the covenant, by the mere good pleasure of God. [51]

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49. Johannis Braunii, *Doctrina Foederum sive Systema Theologiae*, 2 vol. (Amsterdam, 1691), 2.9.11, 24 (cited according to part.chapter.section).

50. Piet Steenbakkers, "Johannes Braun (1628–1708), Cartesiaan in Groningen," *Nederlands Archief voor Kerkgeschiedenis* 77, no.2 (Jan 1997): 196–210.

51. Braunii, *Doctrina Foederum*, 259–60 (*Si Adamus stetisset omniaque fecisset, meritus quidem fuisset, sed I. Non ex* Condigno, *quasi vel ipsius persona, vel ipsius opera tanto praemio digna fuissent. Nulla sane creatura, etiamsi perfectissima, apud Deum mereri potest. (1. quia Deo Omnia debemus. Luc. 17:10 (2. Deo nullum potest adferri commodum cum sit אל דיש Deus sufficiens. Genes. 17. Vide Job 22:2. (3. Quicquid homo boni habet, id habet a Deo. Phil. 2:13. Act. 17:28. 1 Cor. 4:7 (4. Nulla datur proportion inter opus creaturae, & fruitionem Dei. Nec etiam II. Meritus fuisset ex* congruo, *scilicet propter eximia dona, quae a Deo acceperat. (I. quia Deus fuisset acceptor personarum, qui benefaceret ob propria dona, (2. quia in Adama nulla fuit gratia gratum faciens, cum Omnia a Deo habuerit. Ergo meritus ex* pacto *tantum, secundum stipulationem foederis, ex mero beneplacito Dei*).

Braun explicitly affirmed that Adam would have merited in the covenant of works had he not sinned, but also parsed how he meant that Adam could merit. Braun's explanation of *meritum ex pacto* is another example of a Reformed theologian implementing this doctrine as a polemic to subvert Roman doctrines of merit. He denied that the two Roman categories of merit could apply between God and his creature. On the one hand, he rejected that Adam could merit condignly because it is de facto impossible to put God in human debt. On the other hand, he also rejected that Adam could merit congruently because God did not give any grace to Adam in the covenant of works. Adam's potential merit, which was merit because he genuinely could have earned something from God upon a legal premise, therefore, had to have been covenantal, meaning God set terms to Adam and assigned the reward if he strictly met them. Braun was then another Reformed theologian who used *meritum ex pacto* to strengthen his doctrine of the covenant of works.

3.8. Frans Burman (1632–1679)

Frans Burman was born in Leiden, pastored a church in Hanau, and later taught theology (1662–1671) and then history (1671–1679) at the University of Utrecht. He wrote books on theology, biblical commentary, philosophy, and ethics.[52] In his *Synopsis of Theology and Inspection of God's Covenant*, Burman made significant use of the doctrine of *meritum ex pacto* to explain both the covenant of works and Christ's work. The first reference to the doctrine surprisingly comes under his treatment of angels, wherein he raised the question about angels' merit. He wrote:

> Merit indeed is not opposed to the Scripture, if only that merit is not founded in the fixed dignity of works, but in the generous divine promise; the type of merit is by the covenant, and also the righteousness of works, even as to the first man, if he had continued obeying, then he would been suitable.[53]

Although the connection Burman drew between angels and merit is interesting, the relevant point for this essay is that he argued not only that the category of merit, properly understood, is compatible with Scripture, but also that that God's relationship with Adam in the covenant of works is the best illustration of how covenantal merit operates. God's covenant with Adam forged the potential for merit.

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52. John Watkins, *The Universal Biographical Dictionary*, new ed. (London, 1821), 302; Alexander Chalmers, *The General Biographical Dictionary*, new ed. (London, 1813), 7:354–55.

53. Frans Burman, *Synopsis theologiae et speciatim oeconomiae Foederum Dei, ab initio saeculorum usque ad consummationem eorum*, 2 vol. (Utrecht, 1671–72), 1.46.9 (*Quod de merito ipsorum quaeritur, an istud ipsis tribui, ipsorumque remuneratio & vitae aeternae praemium illi adscribi possit; id quidem Scripturae non repugnat, modo meritum id non fundetur in intrinseca quadam operum dignitate, sed in liberali repromissione divina; quale meritum ex pacto, atque operum justitia, etiam homini primo, si obediens permansisset, competivisset*).

Burman argued this point further in the chapter "concerning the covenant with the first man."

> Now also, God's kindness is that he would want to summon the creature, who by default has been subordinated to him and owes him everything by natural obligation, to special communion with him by entering into a covenant, and would want to temper his completely absolute rule with that self-indulgence of love and mutual obligation. The result was that the man, who had been made with a fixed means to the supreme blessedness, was firmly able to expect that blessedness, not only because of God's sheer goodness and natural love for the creatures, in each manner promised to him, but certainly also because of the covenant, and thus on account of God's truthfulness and faithfulness. Now also, this agreement of the covenant impels reward and certain great and abundant gift, which the man would have been able to hold out to God because of God's law that he knew by nature.[54]

Burman already explicitly stated that God's covenant with Adam worked on the premise of *meritum ex pacto*, but in this passage he further outlined what that meant. He protected God's freedom, and refuted absolute merit, by indicating that God was kind to make a covenant with his creature, who had every obligation to obey and no inherent right to a reward. This point clearly had that issue of disproportionality in view again. Once God made that covenant though, it "impels" him to reward Adam's obedience to the natural law. Burman noted how the law was the premise of this covenant and the condition for Adam to have union and communion with God:

> God's covenant is the agreement between God and man, by which God declares by the extensive law the method of perceiving his love and of enjoying union and his communion; and man in return embraces that method prescribed in the covenant, and promises himself for enduring service, and expects reward and payment because of the covenant.[55]

Clearly, Burman labored that motif that *meritum ex pacto* helps explain how God could promise to reward Adam's works before the fall without creating an opening for

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54. Burman, *Synopsis theologiae*, 2.2.4 (*Atque ex hac Dei benignitate est, quod creaturam sibi ultro subditam, ac ex naturali obligatione omnia debentem, inito foedere ad propriorem sui communionem invitare, ac imperium suum plane despoticum ista amoris & mutuae obligationis* Ἀκρασία *temperare voluerit. Ut jam homo, certissimo aditu ad beatitudinem facto, eam non ex mera solum Dei bonitate, & naturali in creaturas amore, sibi quoquo modo polliceri, verum etiam ex pacto, adeoque propter veritatem & fidelitatem Dei certo expectare possit. Atque infert haec foederis conventio remunerationem ac liberalitatem quandam majorem & abundantiorem, quam homo sibi ex jure Dei per naturam cognito promittere potuisset*).

55. Burman, *Synopsis theologiae*, 2.2.6 (*Foedus Dei est conventio inter Deum & hominem, qua Deus lata lege declarat homini rationem percipiendi sui amoris, & unione ac communione ipsius fruendi; & homo rursus rationem foedere praescriptam amplectitur, ac servaturum sese promittit, & ex foedere remunerationem ac mercedem expectat*).

the Roman system of merit after the fall. In respect to the latter half of that point, he qualified Adam's potential, "and merit would obtain in only this human state [before the fall], but even then not another way than by the covenant and generous promise."[56] Further, "Because of the universal state of sin," he wrote, "not even a great person is able to hope for salvation by works."[57] These quotes demonstrate how he qualified the notion of *meritum ex pacto* to exclude the possibility of implementing it in the post-fall context.

Burman, however, also employed the other motif of using *meritum ex pacto* to explain Christ's work. Concerning the sponsor of the covenant of grace, he wrote,

> His exaltation had to consist not barely in the payment of eternal life, in so far as it was the reward of the covenant of works, must be conferred to him by justice, but just as he accepted this specific mandate from the Father, so also he initiated a specific covenant with him, in which the reward was likewise promised to him alone, and as the God man's merit is clearly greater than the bare man's, thus also glorious exaltation was owed to him, not by the covenant of works simpliciter, but because of his covenant with the Father.[58]

This is a formulation of the covenant of redemption outright, wherein the Trinitarian persons covenant together concerning the plan of salvation and here Christ earned his glorious exaltation because of his covenant with the Father. Still, Burman upheld that Christ had genuinely condign merit in addition to this covenantal merit: "Since this exaltation was owed to the Son because of this covenant, there is a reason to call his obedience and subjection truly and properly merit . . . and this merit was not only by the covenant, but was also condign." [59] These passages prove that Burman had incorporated both motifs concerning *meritum ex pacto* into his theology both to explain how Adam could earn a reward in the convent of works, while polemically excluding Roman notions of post-fall merit, and to explain how Christ earned salvation for his people. It seems clear that these motifs became increasingly

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56 . Burman, *Synopsis theologiae*, 2.3.21 (*Atque in hoc solo hominis statu meritum obtinuisset, sed non aliud quam ex* pacto, *ac liberli repromissione*).

57 . Burman, *Synopsis theologiae*, 6.5.8 (*Sed per peccatum universus iste status, & qualiscunque illa justitia, ac justification desiit; neque ex operibus salute sperare homo amplius potest*).

58. Burman, *Synopsis theologiae*, 2.15.13 (*Quae ejus exaltatio non nude consistere debuit in collatione vitae aeternae, quod erat praemium foederis operum cuilibet justo conferendum; sed sicut ille peculiare mandatum a Patre acceperat, & peculiare pactum cum eo inierat, quo singulare etiam praemium ipsi promissum erat; & sicut θεανθρωπος meritum majus plane est merito nudi hominis; ita etiam gloriosior exaltatio ipsi debebatur; non ex foedere operum simplici, sed ex pacto illo cum Patre*).

59. Burman, *Synopsis theologiae*, 2.15.14 (*Cum autem exaltatio haec Filio ex pacto isto debita fuerit, obedientia & subjectio ejus veri & proprie dicti* meriti *rationem habuit . . . meritum hic fuit non tantum ex pacto, sed etiam ex condigno: tanta enim humiliatio tantae personae gloriae isti & exaltationi proportionata fuit*).

integrated into Reformed covenant theology, at least with those theologians who appreciated the terminology, as the period of high orthodoxy gathered steam.

3.9. Francis Turretin (1623–1687)

Francis Turretin studied in Geneva, Leiden, Utrecht, Paris, Saumur, Montauban, and Nîmes before returning to Geneva as a pastor and professor of theology.[60] Turretin has received a fair amount of attention in the secondary literature, especially in terms of Genevan thought, partly due to his role as the last major theologian before the deconfessionalization period, and perhaps partly due to the recent translation of his three-volume theology into English.[61] J. Mark Beach has provided an extensive survey of Turretin's covenant theology, which laid much of the groundwork for any treatment of Turretin's federal ideas going forward.[62] Stephen Grabill has discussed Turretin's view of the natural law, which is so clearly connected to issues linked to covenant theology and the covenant of works in particular.[63] Other scholars have explored various facets of Turretin's theology as well, but Beach and Grabill's studies are the most relevant in terms of covenant theology.[64] In particular Beach and Cornelis Venema have discussed Turretin specifically in connection to *meritum ex pacto*, which makes their studies worth considering briefly here.

The studies by Beach and Venema both highlight how Turretin used *meritum ex pacto* as a polemical tool against Roman notions of condign and congruent merit. Beach focused on Turretin's distinction between strict merit and covenantal merit, which underscores that creatures as such cannot demand a reward from God in a strict and proper sense, but God can promise a reward to us upon the conditions of a covenant that he makes with us.[65] Beach rightly noted how Turretin's distinction undermines the very premises of Roman doctrines of condign and congruent merit,

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60. Emidio Campi, "FrançoisTurrettini," *Dictionnaire Historique de la Suisse* (accessed on July 3, 2020 at https://hls-dhs-dss.ch/fr/articles/011337/2012-12-07/); "Funeral Oration of Benedict Pictet concerning the Life and Death of Francis Turretin," in Francis Turretin, *Institutes of Elenctic Theology*, trans. George Musgrave Geiger, ed. James T. Dennison, Jr., 3 vol. (Phillipsburg, NJ: P&R, 2007); 3:659–676.

61. Turretin, *Institutes of Elenctic Theology*.

62. Beach, *Christ and the Covenant*.

63. Stephen J. Grabill, *Rediscovering the Natural Law in Reformed Theological Ethics* (Grand Rapids: Eerdmans, 2006), 151–74.

64. James F. Bruce, *Rights in the Law: The Importance of God's Free Choices in the Thought of Francis Turretin* (Göttingen: Vandenhoeck & Ruprecht, 2013); HyunKwan Kim, "Francis Turrretin on Human Free Choice: Walking the Fine Line between Synchronic Contingency and Compatibilist Determinism," *Westminster Theological Journal* 79 (2017): 25–44; J. Mark Beach, "Reading Turretin: Some Observations on Francis Turretin's *Institutes of Elenctic Theology*," *Mid-America Journal of Theology* 27 (2016): 67–84; B. Hoon Woo, "The Difference between Scotus and Turretin in Their Formulation of the Doctrine of Freedom," *Westminster Theological Journal* 78 (2016): 249–69; Lucas W. Sharley, "Calvin and Turretin's Views of the Trinity in the Dereliction," *The Reformed Theological Review* 75, no. 1 (April 2016): 21–34.

65. Beach, *Christ and the Covenant*, 201–2.

not only but especially in regard to the way that sinners can be saved.[66] Venema
highlighted how Turretin used the doctrine of *meritum ex pacto* to address that issue
of disproportionality between the works Adam could offer and the reward that he
would receive in the covenant of works, which we have seen was a concern that other
Reformed authors shared.[67] Venema noted that Turretin's use of *meritum ex pacto*
meant that any merit that Adam could achieve must be considered merit
"improperly."[68] Of course, it should be emphasized that Turretin's language of
"improper" merit does not mean that God accepted less than perfect obedience or
overcame a deficiency in Adam's ability or performance, as was the case in Roman
notions of congruent merit. In this respect, it is not that Turretin thought justice was
inoperative in the covenant of works or that Adam's relationship with God in the
covenant of works had an actual premise of grace, but simply that Adam as a creature
per se could never demand a reward from God and so God voluntarily condescended
to offer a reward to Adam's perfect obedience by making a covenant.[69] As we have
seen in other theologians, such as Cocceius whom Beach showed Turretin closely
followed on this point, one point of *meritum ex pacto* was to support the real
distinction between works and grace.[70]

Because the secondary literature has already given some attention to Turretin on
meritum ex pacto, the brief examination here focuses on demonstrating the points just
made in the discussion about Beach and Venema's arguments. Turretin's discussion
of *meritum ex pacto*, as so many other Reformed writers, focused upon its application
to the covenant of works with Adam. Turretin explained this doctrine as follows:

> The covenant of nature is that covenant which the Creator God entered with
> upright man as his creature, concerning that giving of eternal happiness and
> life under the condition of perfect and personal obedience. It is called
> "natural" not from a natural obligation, which God does not have toward man,
> but because it was established in human nature as it was originally created by
> God, and in its integrity or abilities. It is furthermore called "legal" because
> the condition on man's part was the observation of the natural law, which he
> had stamped into him. And "of works" because it depended upon works or
> his proper obedience.[71]

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66. Beach, *Christ and the Covenant*, 196–202.

67. Cornelis P. Venema, *Christ and Covenant Theology: Essays on Election, Republication, and the Covenants* (Philipsburg, NJ: P&R, 2017), 88–89.

68. Venema, *Christ and Covenant Theology*, 136 n.86.

69. Harrison Perkins, *Catholicity and the Covenant of Works: James Ussher and the Reformed Tradition* (New York, NY: Oxford University Press, 2020), 103–16; cf. Beach, *Christ and the Covenants*, 117–19, 198.

70. Beach, *Christ and the Covenants*, 119.

71. Franciscus Turrettinus, *Institutio Theologiae Elencticae*, 3 vol. (Geneva, 1679–85), 8.3.5 (*Foedus naturae est, quod Deus Creator cum homine integro, tanquam sua creatura pactus est, de illo felicitate, & vita aeterna donando sub conditione perfectae & personalis obedientiae: Vocatur naturale, non ab obligatione naturali, quae nulla est Dei erga hominam; sed quia in natura hominis, prout primitus a Deo condita est, & in illius integritate, seu viribus fundatur.*

Turretin clearly stated that Adam's reward would have been eternal life, but the condition was his perfect, personal, and proper obedience.[72] He argued that any help that God gave to Adam "did not extend to pouring any new virtue into him, but only to revealing the power of that strength which he had received." [73] This point underscores the integrity of original human nature and refutes the Roman view of the *donum superadditum*. It becomes very clear in Turretin's later discussion about merit under the topic of sanctification that he intended these points as a polemical tool against Roman doctrines of merit.[74]

More specifically in regard to *meritum ex pacto*, Turretin argued that Adam as God's creature did have the absolute, inviolable requirement to obey God, but God added a covenantal promise to that requirement, so that it became the meritorious condition, not as such but according to the terms of the covenant, for Adam to earn his reward from God.

> XVI. On the other hand, the mutual obligation of the parties originates from this covenant, which differ according to their condition. For with respect to man, the condition was not only according to the covenant, but also absolute and from the nature the thing; then, because of God, to whom man – as the creature to the Creator, the beneficiary to the benefactor – owed his entire self and whatever he was to God, and was bound to love him with his whole heart. But with respect to God, the condition was free inasmuch as it depends upon the covenant or free promise, according to which God was bound by an oath, not to the man, but to himself and his own goodness, faithfulness, and truthfulness (Rom. 3:1; 2 Tim. 2:13). There was, therefore, no debt, properly speaking, by which man would be able to produce a right, but only a debt of faithfulness rising from the promise by which God revealed his constancy and his infallible and immutable truth. Because if the Apostle is seen to acknowledge a right or debt (Rom. 4:4) it must not be understood in any other sense than as respective, not in respect to the proportion and condignity of the duty that man rendered to God (Rom. 8:18; Luke 17:10), but in respect to God's covenant and covenanted justice, namely faithfulness.[75]

Dicitur etiam legale, *quia conditio ex parte hominis fuit observatio legis naturae, quam sibi habebat insculptam. Et* operum, *quia operibus, seu obedientia ejus propria nitebatur*).

72. Turrettinus, *Institutio*, 17.5.8.

73. Turrettinus, *Institutio*, 8.3.14 (*Quod auxilium non tendebat ad virtutem novam aliquam ipsi infundendam, sed tantum ad efficaciam illius virtutis exerendam, quam acceperat*).

74. Turrettinus, *Institutio*, 17.5.6–17.

75. Turrettinus, *Institutio*, 8.3.16 (XVI. *Ex hac vero pactione nascitur* obligation *mutual partium, quae diversa est pro conditione earum; Nam respectu* hominis, *non tantum fuit ex pacto, sed absoluta & simplex ex natura rei, tum propter Deum, cui homo tanquam creatura Creatori, beneficiaries benefactor seipsum totum, & quicquid erat Deo debebat, & illum toto corde amare tenebatur. Sed respectu* Dei, *fuit gratuita, utpote pendens ex pacto seu promissione gratuita, per quam Deus, non ipsi homini, sed sibi, suaeque bonitati, fidelitati, & veracitati obstringebatur Roman. 3.1. 2. Tim. 2.13. nullam ergo fuit* debitum *proprie dictum, ex quo homini jus posset nasci, sed tantum* fidelitatis debitum*, ex promissione ortum, quod ejus constantiam, & veritatem infallibilem & immutabilem ostendit. Quod si Apostolus jus sive*

God had no natural debt to Adam, but his voluntary action of covenanting with Adam bound God by his own faithfulness to reward Adam if he met the condition.[76] Significantly, Turretin said that this pact created a condition of "covenanted justice," which indicates that Turretin thought that the covenant of works was a matter of justice rather than grace.[77] We saw above that Crankenthorpe and Cocceius also explicitly shared this same specific concern. God had set the terms of that justice and offered a disproportionate reward, but it remained justice.

Turretin further explained that this covenantal arrangement did include a component of merit, not strictly speaking but according to the covenant.

> XVII. If, therefore, upright man in that upright state had obtained this merit, it must not be understood *properly and rigorously* because, since man has everything from God and owed everything to God, he can demand nothing from him as by right, nor can God be a debtor to him. This merit was not according to the condignity of the work and from its intrinsic value because whatever sort it may be, it cannot have any proportion with the infinite reward of life; but by the covenant and God's liberal promise according to which man did have the right of demanding the reward, according to which God had voluntarily obligated himself. And to compare with the covenant of grace, it depends upon only Christ's merit, by which he acquired the right unto life for us, but this covenant antecedently demanded proper and personal obedience, by which he obtained both his own justification before God and life, as the covenanted reward of his labor.[78]

Turretin again addressed the issue of disproportion between Adam's work and the reward God offered. The disproportion meant that Adam could not achieve any proper merit.[79] Still, the principle of covenanted justice from Turretin's previous paragraph meant that Adam's covenantal merit even gave him the right to demand his reward if

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debitum videtur agnoscere, Rom. 4.4. non alio sensu intelligendum est, quam respective, *non ad proportionem, & condignitatem officii, quod homo praestat Deo Rom. 8.18. Luc. 17.10. Sed* Dei pactum, & paciscentis justitiam, *id. fidelitatem*).

76. Turrettinus, *Institutio*, 17.5.6–7.

77. Turrettinus, *Institutio*, 17.5.25.

78. Turrettinus, *Institutio*, 8.3.17 (emphasis original; XVII. *Si quod ergo* meritum *homo integet in illo statu obtinuisset, non intelligendum est* proprie & in rigore, *quia cum homo omnia habeat a Deo, & Deo debeat, nihil jure tanquam suum potest ab illo repetere, nec Deus illi debitor esse potest: Non per condignitatem operis, & ex intrinseco ejus valore, quia qualecunque illud sit, nullam proportionem habere potest cum praemio vitae infinito; Sed* ex pacto, *& liberali Dei promissione, juxta quam jus postulandi praemii homo habuisset, ad quod Deus ultro se obligaverat. Et* compare ad foedus gratiae, *quod solo merito Christi nititur, quo jus ad vitam nobis acquirit: Hoc vero obedientiam propriam & personalem postulabat antecedenter, ex qua & justificationem suam coram Deo, & vitam obtineret, tanquam mercedem pactam sui laboris*).

79. Turrettinus, *Institutio*, 17.5.7, 13.

he fulfilled the covenant's conditions.[80] Venema highlighted this section as a clear example of *meritum ex pacto* in the development of Reformed covenant theology.[81]

In implementing *meritum ex pacto* as a polemic against Roman Catholic doctrine, Turretin developed the theme in regard to justification as well. Like Cocceius had argued that in the covenant of grace sinners must lean entirely upon Christ's merits and not add their own works to it, so too Turretin argued in regard to the link between good works and eternal life that there is "a relation of order and connection of the sort that is between a means unto the end, of the way unto goal, of the contest unto the crown, of the antecedent unto the consequent."[82] It is important to note, however, that Turretin was clear that this principle that works lead to eternal life is not a description of the Christian life of sanctification, but of how merit—which can exist only according to the covenant—operates. That is clearly the role that his statement here plays in his argument against Roman views of merit.[83] Again like Cocceius, in order to explain how sinners can obtain eternal life if works are the antecedent condition for it, Turretin explained, "Because Christ most fully merited life and salvation for us, there can then be no place for our merits (Acts 20:28; Heb. 9:12; Acts 4:12)."[84] Even though Turretin was clear that humans as God's creatures cannot merit anything de facto or in a strict sense from God, he was equally clear that once the covenant set the terms of justice, then merit remained merit and the conditions could not be diluted. In this way, he used the concept of *meritum ex pacto* as he had developed it in reference to the covenant of works as a polemic against Roman schemes of merit.

Turretin extensively discussed the topic of merit and *meritum ex pacto* specifically, but other secondary literature already adequately covers some of the contextual issues in his arguments. The evidence provided here should be sufficient to establish the points most relevant for this essay. Turretin clearly implemented *meritum ex pacto* in order to explain the covenant of works and as a polemic against Roman Catholic paradigms of merit. He also used it to address the recurring issue of disproportionality between human works and heavenly rewards, to establish how this covenantal merit worked upon a principle of covenanted justice, and to uphold justification by grace alone.

3.10. Other Seventeenth-Century Evidence

The remainder of the seventeenth century included other scatted examples of *meritum ex pacto* in both English and Continental Reformed theology. Matthew Barker (1619–

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80. Turrettinus, *Institutio*, 17.5.7, 14, 25.

81. Cornelis P. Venema, "The Mosaic Covenant: A 'Republication' of the Covenant of Works: A Review Article: *The Law Is Not of Faith: Essays on Works and Grace in the Mosaic Covenant*," *Mid-America Journal of Theology* 21 (2010): 64–65.

82. Turrettinus, *Institutio*, 17.5.13 (*Fatemur enim dari relationem ordinis & connexionis, qualis est inter medium ad finem, vaie ad metam, certaminis ad coronam, antecedentis ad consequens*).

83. Turrettinus, *Institutio*, 17.5.14–19, 23.

84. Turrettinus, *Institutio*, 17.5.18 (*Quia Christus vitam & salutem nobis plentissime meruit, unde nullus dari potest locus meritis nostris Act. 20.28. Heb. 9.12. Act. 4.12*).

1698) was an Independent minister and parliamentarian during the English civil war. He had close ties to Joseph Caryl (1602–1673) who was a member of the Westminster Assembly and to John Owen (1616–1683), the famous Independent theologian. He wrote his book *Flores intellectuals* to help unify nonconformists. [85] He wrote, "The Satisfaction Christ made for our Sin was not only *Ex pacto,* but *Ex merito,* by reason of the intrinsick Value that was in his Obedience."[86] In this quote, Barker drew on that theme present in Chamier and Burman to use *meritum ex pacto* to explain the work of Christ, as well as Adams's distinction between *ex pacto* and *ex merito*, however, in this case affirming that Christ's work earned reward by both covenant and merit.

Herman Witsius (1636–1708), a prolific author who taught at the universities in Franeker, Utrecht, and Leiden, represents further Dutch use of concept of *meritum ex pacto*. He is perhaps most remembered for his *Economy of the Covenants* (1694), which holistically discussed Reformed soteriology. He tied the topic of *meritum ex pacto* to the doctrine of justification by including it in his understanding of the covenant of redemption.[87]

> Since indeed there is a covenant between the Father and Son, "if the Son's soul would offer itself as a sacrifice for sin, so he sees the seed." (Isaiah 53:10) By fulfilling the condition, the Son acquired the right to the reward for himself, and thus has merit by the covenant. On the contrary, since this is not a mere man's obedience, but Christ's, the God-man's, an infinite person's, it is likewise of infinite value. Consequently, he has the just proportion corresponding to that highest glory, and to this point is merit, which they call condign, in a way that no mere creature carries.[88]

Witsius linked *meritum ex pacto* to Christ's work as the new representative of humanity as that role was established in the covenant of redemption. This approach was similar to Chamier, Barker, and especially Burman, and this observation confirms that there were two running themes for *meritum ex pacto* in the early-modern period. One was to explain the work of Christ in covenantal terms, which whether explicitly or not, was a premise of the intra-trinitarian covenant of redemption. The other was to explain how God could promise Adam a reward on the basis of his works before the fall without undermining the doctrine of justification by faith alone after the fall. The

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85. E.C. Vernon, "Matthew Barker (1619–1698)," *ODNB*.

86. Matthew Barker, *Flores intellectuales, or, Select notions, sentences, and observations collected out of several authors, and made publick, especially for the use of young scholars, entring into the ministry* (London, 1691), 66.

87. Fesko, *Covenant of Redemption*, 83–108.

88. Herman Witsius, *De Oeconomia Foederum Dei cum Hominibus*, 3rd ed. (1694), 156 (2.3.33) (*Quum enim hoc pactum inter Patrem & Filium sit,* si anima Filii se posuerit victimam pro peccato, videbit semen. Ies. LIII.10. *conditione praestita, Filius sibi jus acquisivit ad mercedem, & sic habet* meritum ex pacto. *Imo quum obedientia haec non meri hominis sit, sed Christi* θεανθρωπος, *personae infinitae, ipsa quoque infinitae Dignitatis est, consequenter justam proportionem habet ad maximam gloriam illi respondentem, atque hactenus est* meritum*, quod vocant* de condigno*, quale in nullam meram creaturam cadit*).

next and final theologian examined in this essay makes the codification of those twin themes abundantly clear.

3.11. Benedict Pictet (1655–1724)

Benedict Pictet, Turretin's nephew, was an important theologian in Geneva in the period of high orthodoxy, who played a significant role as a pastor and instructor in the academy, as well as in other developing institutions. [89] His work *Theologia Christiana* (1716) represented an important statement of Continental Reformed theology, although it has received far less attention than Turretin's *Institutes of Elentic Theology*. Pictet's work, however, deserves attention as a representation of Genevan Reformed thought into the eighteenth century, particularly in reference to his covenant theology. Even though his teacher, Turretin, witnessed the beginning of the deconfessionalization period, Pictet vigorously argued for the Swiss to maintain the Helvetic Formula Consensus as the ecclesiastical confession. Furthermore, Pictet's use of the covenant of works and *meritum ex pacto* to uphold the Protestant doctrine of justification clearly undermines the notion that Reformed federal theology was somehow a British idiosyncrasy.

Pictet explained one of the clearest connections between the doctrines of justification, the covenant of works, and merit by the covenant. He described justification as it theoretically applied to Adam before the fall. He argued that justification can be considered as it related to humanity in different conditions: "either as innocent and upright, or as a sinner, but repentant and believing, or as regenerate and endeavoring after holiness." [90] He further explained that Adam before the fall could have merited eternal life because of "the free covenant" God made with him. The section where he outlined this point is worth quoting in full because it so pointedly demonstrates this essay's argument that Reformed writers used *meritum ex pacto* to undergird their covenant theology in support of the Protestant understanding of justification.

> We say, however, that if the first man would have endured in innocence, then he would have been justified by fulfilling the natural law, which God had imprinted upon his heart, along with the other precepts which God could have prescribed to him, namely that he must perfectly love his God and his neighbor. For if he would have fulfilled this mandate, then he would have been declared righteous, and would have acquired for himself the right to glory, not indeed as if he had properly merited it, because in fact a creature can is able to merit nothing from the Creator, except by the free covenant by

89. "Bénédict Pictet," *Dictionnaire Historique de la Suisse* (accessed on August 2, 2019 at https://hls-dhs-dss.ch/fr/articles/011291/2010-02-26/); Martin I. Klauber, "Family Loyalty and Theological Transition in Post-Reformation Geneva: The Case of Benedict Pictet (1655–1724)," *Fides et Historia* 24, no. 1 (Winter/Spring 1992): 54–67; Eugne de Budé, *Vie de Bénédict Pictet, theologien genevois (1655–1724)* (Lausanne: Georges Bridel, 1874).

90. Benedict Pictet, *Theologia Christiana* (Geneva, 1716), 703 (*vel ut* innocens & Justus, *vel ut* peccator, *sed* poenitens & credens, *vel ut* regenitus & *sanctitati incumbens*).

which God would have rewarded him those things by payment. . . . The way is most different by which a man could have been justified in the first covenant [of works], and the way by which he is justified in the gospel covenant, and the distinction is between the conditions which God demands in either covenant, and between the foundation because of which a person is justified in either. The way by which God would have justified the innocent person would have been a declaration of the person's holiness and righteousness, and that justification, therefore, can be defined as God's act as judge, by which grants eternal life and glory to the perfectly holy person. The way by which God justifies in the gospel covenant, as we will see, is by remitting sins. The requisite condition for the first man was perfect holiness, but the condition afterwards by which a person is justified in the gospel covenant is faith. The foundation of the first type of justification was the merit of good works, although as has been said, nevertheless it cannot properly be called merit. The foundation of justification in the gospel is Christ's death and satisfaction.[91]

Pictet outlined a precise and calibrated covenant theology that accounted for new developments throughout the Reformed world. He posited a covenant between God and Adam that established the principle of merit for Adam to gain his eternal reward. He further qualified this point to exclude absolute merit, so that merit could not be used as a post-fall category. In the last sentence, he shifted the ground from mere human merit to Christ's merits as the foundation of justification in the covenant of grace.

Conclusion

This essay argued that some Reformed writers used the theme of *meritum ex pacto* in their theology to uphold Protestant soteriology and as a polemic against Roman Catholic paradigms of merit. The point is not that it was necessarily a predominant or

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91. Pictet, *Theologia Christiana*, 704–5 (*Dicimus autem quod primus homo, si in innocentia permansisset, justificatus fuisset adimplendo legem naturalem, quam ipsius cordi impresserat Deus, & alia praecepta, quae Deus ipsi praescribere poterat, diligendo perfecte Deum suum & proximum; Nam si haec mandata praestitisset, declaratus fuisset justus, & jus sibi peperisset ad gloriam, non quidem quasi eam proprie meruisset, nihil enim mereri potest creatura a Creatore, sed ex liberali pacto quo Deus ista mercede eum remuneraturus fuisset…Diversissimus est modus, quo homo justificatus fuisset in primo foedere, & modus quo justificatur in foedere Evangelico, & discrimen est inter conditiones quas Deus in utroque foedere exigit, & inter fundamentum propter quod justificatur in utraquo homo. Modus quo Deus justificasset hominem innocentem, fuisset declaratio sanctitatis & juftitiae hominis; unde justification illa definiri potuisset;* Actio Dei judicis, qua hominem perfectè sanctum vita donat aterna & gloria. Modus *quo Deus justificat in foedere Evangelico, ut videbimus, est remittendo peccata; Conditio requisita in primo homine fuit perfecta sanctitas, At Conditio sub qua justificatur homo in Evargelico foedere eft fides; fundamentum juftificationis primae fuisset* dignitas bomorum operum*, quamvis, ut dixi, proprie tamen mereri dici non potuisset; fundamentum justificationis Evangelicae eft* mors & satisfactio *Christi*).

centrally important theme, but simply that some Reformed theologians did use it, firstly, to explain their covenant theology—namely, the covenant of works—by using it to ground the way that God could let Adam earn, even merit, a reward by his works despite the fact that creatures cannot properly merit anything from their Creator, and, secondly, to explain Christ's work by using it to establish why the eternal Son of God, whose life was of infinite value and so would have de facto condign merit, earned specific things—namely, exaltation for himself and salvation for believers—through his incarnate obedience. These two motifs both link into the structures of Reformed covenant theology, which means that this is a category that could warrant future attention as the literature on that topic continues to expand.

This main argument has a few subsidiary conclusions. First, the Reformed writers who used the *meritum ex pacto* concept lived and worked in various different places. This essay examined sources from Germany, the Netherlands, France, England, and Scotland, which shows us that, at least geographically, *meritum ex pacto* was in widespread use. That breadth of occurrence indicates that there was a lot of intellectual traffic across the Continent and to what is now the United Kingdom. That widespread use also indicates that Reformed writers were implementing this idea apart from a concern to refute any one locally isolated issue. They employed *meritum ex pacto* as a device to support the burgeoning pan-Reformed structures of covenant theology and to explain the obvious shared concern about Christ's work.

Second, just as *meritum ex pacto* was used across the geographical spectrum, so too did it cover the chronological one. The sources examined range from the late-sixteenth to the early-eighteenth century. The at least two centuries of use shows that even if *meritum ex pacto* was a minor theme, it was an enduring one. It was not constructed spontaneously to address a passing issue, but remained valuable to some throughout the ongoing development of Reformed theology even after the wane of high orthodoxy. It was, therefore, a genuine feature of the Reformed tradition.

Third and finally, there were more and less important Reformed thinkers who implemented *meritum ex pacto*. As noted above, some did criticize the terminology. This feature reveals again the unity within diversity of the Reformed tradition. They were all concerned to uphold justification by faith alone, and were all basically using the covenant of works-covenant of grace scheme. Still, they did not all agree on how *meritum ex pacto* related to those Reformed concerns. They were free to formulate these nuanced doctrines in various ways as they all worked to promote the same broader Reformed cause. The Reformed use of *meritum ex pacto*, therefore, points to some unexplored areas of diversity and nuance within the Reformed tradition and towards new directions in exploring the details of early-modern Reformed thought.