

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

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IF REFORMED THEOLOGY is known for any particular theological leitmotif or fundamental theme, it is the doctrine of the covenant(s). In the historical development of Reformed theology in the period subsequent to the reformatory labors of the early Reformers, the doctrine of the covenant became the primary idiom within which Reformed theologians of the orthodox period (late sixteenth and seventeenth centuries) articulated the relationship between the Triune God and human beings whom he created after his own image for fellowship with himself. In the orthodox formulation of Reformed covenant theology, which is classically codified in the Westminster Standards at the mid-point of the seventeenth century, human beings obtain their blessedness only within the framework of the covenant relationship that God established with the human race in the first Adam before the fall and that he graciously re-establishes and brings to fruition in the “last” Adam, the promised “seed” of the woman, after the fall.

In the period of Reformed orthodoxy, the doctrine of the covenant was commonly articulated in the form of a bi-covenantalism that distinguished a prelapsarian “covenant of works” from a postlapsarian “covenant of grace.” In this two-covenant scheme, the covenant of works, as its common name intimates, included the promise of life to Adam and his posterity “upon condition of personal and perfect obedience,” and the curse-sanction of condemnation and death in the event of Adam’s disobedience to its stipulations.¹ Because the first Adam was appointed the covenant “head” of the human race—a “public person” in the traditional language of covenant theology—his disobedience under the covenant of works demerited God’s favor and brought the entire human race under God’s just displeasure and condemnation. Though abrogated as a means to inherit life in perfected and indefectible communion with God, this covenant of works constitutes the framework for the biblical story of God’s work of redemption through Christ, the last Adam.

After the fall into sin, the covenant of grace represents the means whereby the Triune God, now as Redeemer of a new humanity in Christ, restores fallen

¹ In this paragraph, I am summarizing the main elements of the Westminster Confession of Faith, Chapter 7, which treats the doctrine of the covenants of works and of grace. The prelapsarian covenant relationship is variously denominated by covenant theologians. Sometimes it is termed a “covenant of nature” or a “covenant of creation.”

sinners to fellowship with himself and freely grants them eternal life. Within the overarching and sovereign purposes of God, the covenant of grace is the appointed means whereby the eschatological life forfeited through Adam's sin and disobedience would be graciously granted to his elect posterity. Furthermore, in the work of Christ, the Mediator of the covenant of grace, the truth and justice of God, which were manifest in the prelapsarian covenant of works, are upheld, since Christ fulfilled all the obligations of the law in the place and on behalf of his people. Life and blessing in communion with the Triune God are only possible through the work of Christ in whom God's grace super-abounds and the just demands of God's law are fully satisfied. Though there are a number of important differences between the covenant of works and the covenant of grace, there is a fundamental sense in which the work of Christ remedies graciously and justly the consequences of Adam's sin and obtains eternal life for those who are united to him by faith. In the work of redemption, the justice and mercy of God are simultaneously demonstrated, and the promise of blessedness originally made to Adam before the fall is granted to those for whom Christ was appointed as covenant head.

In the classic period of Reformed covenant theology, accordingly, the doctrine of the covenants of works and of grace provided a comprehensive biblical-theological account of the way human beings, created in God's image, obtain life and blessing in communion with the living God. The covenant theology of the Reformed tradition also provided a coherent account of the unity within the diversity of the various administrations of the covenant of grace throughout the history of redemption. From the moment of the first "mother promise" (*protevangelium*) in Genesis 3:15 until the coming of Christ in the fullness of time to fulfill all the types and shadows of the Old Testament economy, the Triune Redeemer was progressively revealing the one way of salvation and blessing for fallen sinners, which is by grace alone through faith alone in Jesus Christ alone.

In language that was already employed by John Calvin in the sixteenth century, a standard feature of Reformed covenant theology was the insistence that the covenant of grace throughout redemptive history was one in substance though diverse in mode of administration.² Through the various administrations of the covenant of grace from Adam to Abraham to Moses to the time of the so-called latter prophets, the promise of restored communion with God through the promised "seed" was progressively adumbrated and foreshadowed. With the coming of Christ in the fullness of time, all of the promises of the Old Testament economy were fulfilled and God's redemptive purposes were accomplished. A principal theme, therefore, of the covenant theology in the period of Reformed orthodoxy was that of the basic unity of the gospel throughout the course of the history of redemption. Whereas Old Testament believers trusted in the Christ who was to come, New Testament believers trust in the Christ who has come and in whom the blessing of restored communion with God the Redeemer will be consummated.

While this summary of the main tenets of classic Reformed covenant theology is in some respects inadequate, it does provide a background for

² The Westminster Confession of Faith, Chapter 7.6, expresses well the consensus on this point: "There are not therefore two covenants of grace, differing in substance, but one and the same, under various dispensations."

the focus of this article, which is to offer a critical evaluation of a recent, important study in Reformed covenant theology, *The Law is Not of Faith: Essays on Works and Grace in the Mosaic Covenant*.³ The authors of this volume, several of whom are professors at Westminster Seminary in California, offer an historical, biblical, and theological defense of the idea that the Mosaic covenant included “in some sense” a *republication* of the covenant of works.⁴ While the authors of this volume maintain their general adherence to the main lines of historic Reformed covenant theology, they are anxious to defend the claim that the Mosaic covenant plays a distinctive role in the history of the covenant by reiterating the “works principle” of the covenant of works as the basis for Israel’s inheritance of and continuance within the land of Canaan. According to the authors of this volume, Israel’s disobedience to the legal requirements of the Mosaic administration represented a kind of repetition of Adam’s prelapsarian disobedience and failure to obtain life in communion with God. By means of the republication of the works principle of the covenant of works under the Mosaic administration, Israel and all who are members of the covenant of grace were taught to look for a covenant mediator who would satisfy all the obligations of the law on behalf of his people and secure for them the inheritance of eternal life in communion with God. Israel’s disobedience under the law of the Mosaic administration becomes, therefore, an “anti-type” of the obedience of the true Israel in the person of God’s own Son who became incarnate in order to accomplish the redemption of his people. The title of the book, *The Law is Not of Faith*, derives from the language of the apostle Paul in Galatians 3:12, and is intended to capture this contrast between the Mosaic administration, which in some sense required perfect obedience as the ground of Israel’s inheritance, and the new covenant in Christ, which reveals that faith is the exclusive means of obtaining the free promise of justification and life.

I will have occasion in the first section of this article to unpack further the sense in which the authors of this volume view the Mosaic administration as a republication of the covenant of works. However, it should be noted that the question of the distinctive nature and role of the Mosaic covenant in the history of redemption was much discussed by the principal Reformed authors in the course of the formulation of the doctrine of the covenant in the period of Reformed orthodoxy. There is ample precedent in the history of Reformed theology on the doctrine of the covenant for a careful reflection upon the peculiar features of the Mosaic administration within the history of redemption. However, the distinctive thesis of the authors of this book is that classic Reformed covenant theology commonly viewed the Mosaic administration as in some sense a republication of the prelapsarian covenant of works. According to the authors, the doctrine of *republication* was a predominant position within Reformed orthodoxy and can be defended on historical, exegetical, and theological grounds as integral to a biblical-theological doctrine of the

³ Ed. by Bryan D. Estelle, J.V. Fesko, and David VanDrunen (Phillipsburg, NJ: Presbyterian & Reformed, 2009). Throughout this article, whenever reference is made to this volume, the page number will be given in the text within parentheses.

⁴ I place the phrase “in some sense” within quotation marks because this is an expression that is frequently used by various authors throughout the book. As we shall see, one of the principal challenges to any reader of the book is to determine precisely *in what sense* the Mosaic administration republishes the covenant of works.

covenant that preserves the radical contrast between the law and faith (in Christ) as antithetical means of obtaining justification and life in communion with God.

Before I offer a critical evaluation of the claims of *The Law is Not of Faith*, I will begin with a survey of the principal arguments of the various authors. Since there is a considerable diversity of opinion between the authors, we will focus upon the primary arguments and, where possible, the consensus that emerges throughout the volume. In the second and most important section of my review, we will examine whether these arguments and the consensus opinion of the authors are consistent with the writings of several key figures in the development of Reformed covenant theology and the codification of the doctrine of the covenant in the Reformed confessions. Though our critical assessment will also include a consideration of some of the exegetical and theological features of the claim that the Mosaic covenant republished the covenant of works, this consideration will not be the primary focus of our review.

1. A Survey of *The Law is Not of Faith*

In their introduction to *The Law is Not of Faith*, the editors begin with a case study, which represents an imaginary presbytery examination of a candidate for the gospel ministry who opines that the Mosaic covenant taught a “works principle” that represented a republication of the covenant of works. In response to the candidate’s interpretation of the Mosaic covenant, the presbytery queries him at some length regarding the compatibility of this claim with the Westminster Confession of Faith’s insistence that the Mosaic covenant was an administration of the covenant of grace. If the Mosaic covenant republishes the covenant of works, how can it be in substance an administration of the covenant of grace? Doesn’t this view of the Mosaic covenant smack of a kind of dispensational contrast between the Old Testament “legal” economy and the New Testament “grace” economy?

To these queries, the candidate responds by noting the “typological” function of the Mosaic law. The Mosaic law’s demand for perfect obedience in a passage like Leviticus 18:5 (“do this and you will live”) ultimately served to teach Israel the impossibility of inheriting the promise through obedience and pointed her to Christ, whose perfect obedience “under the law” is the only basis for securing the promise of eternal life. By means of this typological republication of the covenant of works, the Mosaic covenant taught Israel that blessings or curses in the land of Canaan depended upon her perfect obedience to the law. In this sense, the Mosaic covenant repeated Adam’s “probation” under the covenant of works, and taught a “works principle” that grounded Israel’s land inheritance upon her obedience to the law’s requirements. Furthermore, the candidate observes that this view of the peculiar function of the Mosaic covenant is reflected in the Westminster Confession of Faith’s appeal to passages like Romans 10:5 and Galatians 3:12, both of which cite Leviticus 18:5 to support the doctrine of a covenant of works.⁵

⁵ These passages are cited as proof-texts in Chapters 7 and 19 of the Westminster Confession of Faith, which address the subjects of the covenant of works and the identity of the moral law before and after the fall into sin.

The intention of the editors in their description of this imaginary candidacy examination at presbytery is to introduce the main focus and claim of the various authors of *The Law is Not of Faith*. Whereas the view of the candidate might appear novel and unsettling to a contemporary presbytery, the doctrine of the republication of the covenant of works under the Mosaic administration is actually “part of the warp and woof of Scripture and sound doctrine” (6). Far from being a “theological novelty,” the doctrine of republication represents a sound biblical-theological perspective upon Israel’s “probation and exile” as it is recorded throughout the Old Testament narrative of the covenant Lord’s dealings with his people, Israel. Both of “God’s sons, Adam and Israel, lived under *nomos*-governed circumstances” (9), and both failed the terms of their probation in a way that called for the coming of God’s true Son, Christ, who fulfilled all the obligations of the law and thereby secured the inheritance of eternal life for those who are united to him by faith. While acknowledging a diversity of opinion and formulation regarding the uniqueness of the Mosaic covenant in the history of the covenant, the editors insist that the idea of republication belongs to the mainstream of historic Reformed covenant theology and is embedded, for example, in the way the Westminster divines treat the Mosaic covenant in Chapter 19 of the Westminster Confession of Faith (10). According to the editors, “the divines saw that the law given to Adam was of a piece with that given to Israel at Sinai. In other words, in some sense, the covenant of works was republished at Sinai. It was not republished, however, as the covenant of works per se, but as part of the covenant of grace, which pointed to the person and work of Christ” (11). However, despite the common teaching of the doctrine of republication by Reformed stalwarts such as Amandus Polanus, Francis Turretin, and Charles Hodge, contemporary Reformed theology, influenced by such disparate figures as John Murray, Norman Shepherd, and even Karl Barth, has come to regard the idea with suspicion and even hostility (11–13).⁶

The purpose of the editor’s introduction, therefore, is to impress upon the reader that the doctrine of republication under the Mosaic administration belongs to the historic view of Reformed orthodoxy, and that it constitutes an important, if not essential, feature of a sound biblical-theological interpretation of the covenant. Indeed, in the opinion of the editors, the historic Reformed view of the contrast between the law and the gospel, which represent two antagonistic principles for obtaining the promise of eternal life in fellowship with God, is closely linked with this view of the Mosaic covenant. By means of their introduction, the editors aim to alert the reader to the importance of a proper view of the Mosaic covenant for an understanding of the work of Christ, especially his obedience “under the law” as the basis for the believer’s justification before God. In the estimation of the editors, the doctrine of republication is a critical component of a biblical and Reformed doctrine of the covenant of grace, and the loss of an understanding of this doctrine

⁶ On page 11 the editors quote Polanus to say “[t]he repetition of the covenant of works is made by God,” and footnote volume 1:44 of Richard Muller’s *Post-Reformation Reformed Dogmatics* (Grand Rapids: Baker, 2003). This reference should be to the first edition of Muller’s work (1987) where Muller offers a brief description of Polanus’ identity and major works. However, the quotation does come from Polanus’ *The Substance of the Christian Religion*, which is cited by the editors in the following footnote.

represents a serious declension in Reformed theology. The purpose of the book is to demonstrate upon historical, exegetical, and theological grounds, that more recent Reformed theology has failed to appreciate the importance of this view of the Mosaic covenant. In the opinion of the editors, the stakes in the debate regarding the peculiar nature of the Mosaic covenant in contrast to other administrations of the covenant of grace could not be higher

In order to prepare for my critical assessment of the republication thesis and the claims made on its behalf, I will now offer a summary of the arguments of the three major parts of the volume.

1.1. The Historical Arguments

The first part of *The Law is Not of Faith* consists of three chapters that defend the assertion that the doctrine of republication was a standard feature of the historic Reformed doctrine of the covenant. In the first of these historical studies ("Calvin and Witsius on the Mosaic Covenant"), J. V. Fesko treats the writings of two architects of the classic Reformed doctrine of the covenant, John Calvin and Herman Witsius. In the second ("Princeton and the Law: Enlightened and Reformed"), D. G. Hart considers the doctrine of the natural law in the theology of "old" Princeton and its significance so far as the republication thesis is concerned. In the third and last chapter in this part of the book ("Works in the Mosaic Covenant: A Reformed Taxonomy"), Brenton C. Ferry endeavours to articulate a taxonomy of viewpoints on the role of the law in the Mosaic covenant that are present in the history of Reformed theology. For the purposes of this review article, the first and third of these studies are the most important to an evaluation of the claims of the book's authors.

In his chapter on Calvin and Witsius, Fesko begins with an acknowledgement that Reformed orthodox theologians, including the Westminster divines, adopted a variety of viewpoints on the Mosaic covenant (25). Whereas some viewed the Mosaic covenant as a covenant of works, others viewed it as a kind of admixture of a covenant of works and of grace, and still others viewed it as simply a covenant of grace. Rather than attempt to sort out all of the diversity of position represented in the orthodox Reformed tradition, Fesko singles out John Calvin and Herman Witsius, the one an early Reformer of the sixteenth century, the other a mediating theologian of the late seventeenth century, in order to offer what he terms a "comparative historical-theological snapshot ... on this challenging issue" (26). Since Calvin and Witsius are generally regarded as key figures in the early and later period of Reformed orthodox reflection on the covenant, their views on the peculiar nature of the Mosaic administration are of special importance to an understanding of classic Reformed theology on the question.

Fesko introduces his treatment of Calvin's doctrine of the covenant by noting Calvin's emphasis upon the *substantial unity* of the covenant of grace throughout the course of the history of redemption. Employing the traditional Aristotelian categorical distinction between *substance* (that which makes something what it is) and *accidens* (that which is only adventitious or a matter of appearance or circumstance), Calvin insisted that the covenant of grace, whether in the Mosaic administration of the old covenant economy or in the

Christian administration of the new covenant economy, was one in “substance and reality” though different in “mode of administration.”⁷ Though the Mosaic covenant represented salvation through faith in Christ in shadows and ceremonies, and though this administration typified the spiritual blessings of communion with God in earthly and temporal forms, the doctrine of salvation was the same in the old economy as in the new.

However, Fesko maintains that Calvin also distinguished “two separate covenants” within the Mosaic administration: a “legal covenant” (*foedus legale*) and an “evangelical covenant” (*foedus evangelicum*) (30). On the one hand, the Mosaic administration “set forth a covenant governed by a works principle, namely, eternal life through obedience.” On the other hand, the Mosaic administration set forth antithetically a gracious covenant, which promised eternal life to Israel, not through obedience to the requirements of the law but through faith in Christ. According to Fesko, Calvin viewed the Mosaic administration as in substance a covenant of grace, though in the particular “accidents” of its administration it was a legal covenant (31). By enunciating a legal covenant, which promised Israel an inheritance through obedience to the requirements of the law, the Mosaic administration demonstrated “man’s sinfulness” and “inability to merit eternal life by his obedience” (32). In this way, the Mosaic covenant served to drive sinners to seek salvation, not in the works of the law, but in the way of faith in Christ who alone fulfilled all the obligations of the law on behalf of his people.

The second Reformed theologian whom Fesko considers, Herman Witsius, was a theologian of the later orthodox period. Between the time of Calvin’s early reformatory labor and that of Witsius, considerable development had occurred in the Reformed understanding of the covenant. Witsius’ treatment of the doctrine of the covenant presupposes, for example, the explicit bi-covenantalism of the Westminster Confession of Faith, which draws a careful and clear distinction between the prelapsarian covenant of works and the postlapsarian covenant of grace. Witsius also writes as a mediating theologian who sought to find consensus within the differing formulations of his contemporaries on a number of disputed questions of covenant theology, including the question of the distinctive nature of the Mosaic administration. In Fesko’s assessment of Witsius’ position on the Mosaic administration, he observes that his formulations, though in harmony with those of Calvin, are more articulate and precise on what distinguishes the Mosaic economy.

In his consideration of Witsius’ view, Fesko notes that Witsius embraces Calvin’s distinction between the “substance” and the “circumstances” of the covenant of grace in its various administrations. In substance, the old and new economies of the covenant are the same. However, they differ in their circumstances. Witsius also followed Calvin’s lead in observing that what

⁷ John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill, 2 vols. (Philadelphia: Westminster, 1960), II.x.2 (OS 3:404): “Patrum omnium foedus adeo substantia et re ipsa nihil a nostro differet, ut unum prorsus atque idem sit: administration tamen variat.” When referring to the *Institutes*, I will cite the reference by book, chapter, and section. For example, “I.i.1” refers to the *Institutes*, Book I, Chapter i, Section 1. When referring in what follows to Calvin’s works in the *Opera Selecta* (ed. P. Barth and G. Niesel, 5 vol., [München: Kaiser, 1926–52]), I will use the abbreviation, OS. When referring to the *Calvini Opera* (*Ioannis Calvini opera quae supersunt omnia*, ed G. Baum, E. Cunitz, E. Reuss et al., 59 vol. [vol. 29–87, *Corpus Reformatorum*. Brunsvigae, Schwetschke, 1863–1900]), I will use the abbreviation, CO.

distinguishes the Mosaic administration in the history of redemption is its “legal” nature (36). Where Witsius advances upon Calvin is in his emphasis upon the *typological* function of the law within the framework of the Mosaic administration. According to Fesko, Witsius viewed the law within the Mosaic administration as a republication of the covenant of works, which served a “pedagogical” purpose to drive Israel to Christ and to demonstrate that there is no possibility of obtaining life in communion with God through obedience to the law’s demands. However, in addition to this pedagogical function of the law as a republication of the covenant of works, Witsius ascribes a special role for the law within the Mosaic administration in the economy of redemption (*historia salutis*). In Witsius’ theology, the Mosaic administration was a “national” covenant between God and Israel, “one by which they [sic] could earn their salvation through their obedience” (37). Even though Israel proved incapable of fulfilling the law’s requirements and thereby attain life in the promised land, at this level the Mosaic administration replicated Adam’s probation in the garden of Eden. Just as Adam forfeited the promise of life through his disobedience, so Israel forfeited the inheritance of the land through disobedience to the demands of the law mediated through Moses (37). Combining elements of the covenants of works and of grace, the Mosaic covenant functioned typologically to foreshadow the person and work of Christ, the last Adam and true Israel, whose obedience secured the inheritance of life for believers.

Upon the basis of his treatment of the views of Calvin and Witsius, Fesko concludes that both of these theologians posited the presence of a “works principle” in the Mosaic administration. For Calvin, this works principle operated at the level of the individual Israelite’s procurement of the promise of life (*ordo salutis*), and served only “hypothetically” as a means of demonstrating the impossibility of life upon the basis of obedience to the law. For Witsius, this works principle operated also at the level of Israel’s corporate or national life (*historia salutis*), and demanded not a perfect but a “sincere” obedience as the means of life and blessing in the promised land (39). Consequently, both theologians represented the Mosaic covenant as a kind of “republication of the covenant of works,” whose legal requirements for Israel’s inheritance of life served ultimately to expose Israel’s sinfulness and the futility of obtaining life in fellowship with God through obedience to the law.

If the purpose of Fesko’s contribution to this volume is to illustrate the way two leading theologians of the Reformed tradition interpreted the Mosaic administration as “in some sense” a republication of the covenant of works, Brenton C. Ferry’s contribution aims to offer a comprehensive taxonomy of representative Reformed views on the role of works in the Mosaic economy. Expressing his dissatisfaction with previous attempts to sort out the various viewpoints on the distinctiveness of the Mosaic administration,⁸ Ferry seeks to

⁸ Ferry refers especially to three studies on the history of Reformed covenant theology, but expresses reservations regarding their reading of the sources: Peter Golding, *Covenant Theology: The Key of Theology in Reformed Thought and Tradition* (Fearn, Ross-shire: Christian Focus Publications, 2004); Rowland Ward, *God and Man: Reformed Theology and the Creation Covenant* (Wantirna, Australia: New Melbourne Press, 2003); and Mark Karlberg, *Covenant Theology in Reformed Perspective: Collected Essays and Book Reviews in Historical, Biblical, and Systematic Theology* (Eugene, OR: Wipf and Stock, 2000). In my judgment, Ward’s book is the most useful of these studies. Karlberg’s interpretation of the history of Reformed covenant theology suffers from an undue attachment to the formulations of Meredith Kline. It is noteworthy that the authors of *The Law is Not of Faith* do not

organize the rich and diverse formulations of the leading Reformed theologians of the orthodox period on the question of the uniqueness of the Mosaic administration. In doing so, Ferry attempts to fortify the historical argument for the presence, if not the predominance, of the “republication” thesis among Reformed theologians in the formative period of the development of covenant theology.

In order to achieve his purpose, Ferry distinguishes three key questions on the relation between the Mosaic administration and the covenant of grace: (1) “how does the Mosaic covenant relate forward to the new covenant?”; (2) “how does the Mosaic covenant relate backward to the covenant of works?”; and (3) “how does the Mosaic covenant relate to the covenant of grace?” (77–8). Though we will not offer a summary of Ferry’s answer to each of these three questions, the second, which directly focuses upon the relation of the Mosaic administration to the covenant of works, is clearly the most pertinent to the overall thesis of this volume and requires our special attention.

On the specific question as to whether the Mosaic administration was in some sense a republication of the covenant of works, Ferry distinguishes two broad types of views, “material republication” and “formal republication.” By the first type of view, material republication, Ferry means to identify a “soft” form of the republication thesis. Theologians who favor the idea of material republication simply emphasized the continuity in the *material content* of the moral law given through Moses to Israel and the moral law as it was engraved upon Adam’s conscience and known by nature in the prelapsarian covenant relationship. This view does not regard the law as it was mediated through Moses as in any substantial sense a covenant of works, but as merely a reiteration of the moral obligations that belong to the moral law of God in any of its distinct promulgations throughout the course of history (91–92). Regarding this type of view, Ferry observes that “it extracts any sense of a covenantal function or intent from the likeness between Adam and Moses, admitting only a moral continuity, which can be said about every historical dispensation of time from the probation to the eschaton” (92). In this broad type of view, the Mosaic administration doesn’t republish the covenant of works as such, but only republishes the moral obligations of obedience that are intrinsic to any historical revelation of God’s will for his moral creatures.

After a brief description of the first type of republication view, Ferry offers a more extensive taxonomy of distinct versions of the second type of view, which regards the Mosaic administration to have in some way reintroduced the original prelapsarian covenant of works. In this “hard” republication type of view, various Reformed theologians affirmed that the Mosaic administration reiterated not only the moral content of the law’s demands for perfect obedience, but also did so in the form of a covenant. Though Ferry hastens to add that these theologians rejected the inference that the Lord ever intended the law “to be used as a mechanism for actually earning eternal life” (92), he nonetheless maintains that the majority of Reformed theologians affirmed that the covenant of works was republished through Moses.

refer to the fine study of my colleague, J. Mark Beach, *Christ and the Covenants: Francis Turretin’s Federal Theology as a Defense of the Doctrine of Grace* (Göttingen: Vandenhoeck & Ruprecht, 2007). Beach’s study fills some of the gaps in the literature on the history of Reformed covenant theology, and provides a comprehensive treatment of Turretin’s position on the kinds of questions the authors of *The Law is Not of Faith* address.

In his effort to offer a more nuanced taxonomy of diverse formulations among Reformed theologians, Ferry distinguishes no less than five versions of the formal republication type: (1) a “relative, formal covenant of works” view that distinguishes the Mosaic economy as a covenant of grace for believers, who acknowledge Christ as the One who alone fulfilled all that the law requires on behalf of his people, and as a covenant of works for unbelievers, who find themselves condemned and without excuse by the law’s demands (93); (2) a “pedagogical, formal republication” view that interprets the Mosaic law as a “tutor” that leads believers to Christ (94); (3) a “hypothetical, formal republication” view that was commonly represented by Reformed theologians who argued that the Mosaic law made a hypothetical promise of salvation and life to all who keep the law perfectly, but that served by God’s design to break down Israel’s pride and expose human inability (93);⁹ (4) a “typological, formal republication” view that emphasized the typological nature of the law’s demands, which illustrated and pointed forward to Christ by emphasizing Israel’s obligation to inherit the land by “the national principle of works” (97); and (5) a “complex, formal republication” view that regarded the Mosaic administration as a complex republication of both the covenant of grace and the covenant of works (97). Ferry concludes, upon the basis of his survey and distinctions between various versions of the republication thesis, that some version of the doctrine of a republication of the covenant of works was a commonplace in the history of Reformed covenant theology. Rather than interpreting these versions of the republication thesis as incompatible, he also maintains that they were largely “complementary” in character.

Together with Fesko’s chapter on the views of Calvin and Witsius, Ferry’s chapter endeavors to offer a general historical argument for the principal thesis of *The Law is Not of Faith*, namely, that the special function of the Mosaic administration within the framework of the economy of the covenant of grace throughout history was its republication of the works principle of the prelapsarian covenant of works. Though the formulation of how this works principle functioned in the Mosaic administration might differ among Reformed theologians, its presence was commonly acknowledged among Reformed theologians of the formative period in the history of Reformed theology. By means of its enunciation of this works principle, the Mosaic covenant promised Israel an inheritance of life and blessing in the promised land and simultaneously threatened the curse of exclusion and exile in the event of disobedience. Israel’s probation under the Mosaic law was a kind of repetition of Adam’s probation in the prelapsarian covenant of works, and served ultimately within God’s purposes to direct believers to Christ, the obedient Adam and faithful Israel, who procured for his people a covenant inheritance and blessing through his perfect obedience to the law’s demands and substitutionary endurance of its curse-sanctions.

⁹ Though Ferry cites Calvin as an example of this kind of formal republication view, I will argue in what follows that Calvin does not conceive of the Mosaic administration as a republication of the covenant of works. Calvin’s view is much closer to what Ferry terms a “material” republication view, since Calvin only affirms that the Mosaic law reiterates the requirements of the natural (moral) law that was the rule of Adam’s obedience before the fall. The position Ferry terms a “material” republication view is, as I shall also argue below, the most common view in the Reformed tradition and hardly warrants being termed a “republication” of the covenant of works in any significant sense. Ferry’s taxonomy here and throughout is rather confusing and, for that reason, unhelpful.

1.2. The Biblical Arguments

In the second and most extensive section of *The Law is Not of Faith*, six authors contribute chapters that offer a variety of biblical studies that cumulatively support the thesis of a republication of the covenant of works in the Mosaic economy. To summarize the exegetical arguments of these authors represents a more formidable (if not impossible) challenge than the one we faced in treating the first and historical section of the volume. Here our summary of the arguments of *The Law is Not of Faith* will have to be even more selective and impressionistic than in the preceding. For our purposes, we will largely omit a treatment of three of the chapters in this section, since they are not as directly relevant to the principal claims of the book. These chapters treat such disparate biblical subjects as: the way the Psalms point forward to Christ, the truly righteous King, who secures entrance into fellowship and life with God for his people (Chapter 5, “The King, the Law, and Righteousness in the Psalms: A Foundation for Understanding the Work of Christ,” by Richard P. Belcher, Jr.); whether Hosea 6:7 teaches that Israel’s violation of the covenant repeated the violation of the covenant through Adam’s disobedience (Chapter 6, “Hosea 6:7 and Covenant-Breaking like/at Adam,” by Byron G. Curtis); and the interpretation of Paul’s appeal to Leviticus 18:5 in Romans 10:5 (Chapter 7, “Romans 10:5 and the Covenant of Works,” by Guy P. Waters). Although these chapters offer a number of suggestive and intriguing exegetical insights, they do not have as direct a bearing upon the principal claims of the authors of *The Law is Not of Faith* as the others.¹⁰

The first chapter in this section of *The Law is Not of Faith* that most directly supports the republication thesis is a study by Bryan D. Estelle on Leviticus 18:5 and Deuteronomy 30:1–14. Estelle’s chapter is extensive and offers a complex case for a form of the republication thesis. Estelle interprets these two Old Testament passages within their broad canonical context, and argues that the apostle Paul appropriately adduces them as illustrative of two antithetical inheritance principles that were enunciated in the Mosaic covenant. According to Estelle, these two passages “paradoxically” communicate what is required in order for believers to obtain entitlement to heaven or eternal life, though they set forth principles that are antithetical, a works principle that requires perfect obedience to the law in order for Israel to obtain life and a grace principle that reveals that eternal life can only be obtained through the perfect work and obedience of Jesus Christ. In Estelle’s summary of the thesis of his chapter, he observes that “these passages in their canonical development and context teach that God initiated and definitively obtained the goal of entitlement to heaven through the work of Christ which man may now possess by faith and not through his own works” (110).

In order to make his case, Estelle first treats the meaning of Leviticus 18:5, one of only two passages from Leviticus that the apostle cites in his epistles: “You must keep my statutes and my ordinances, which, if one does them, he

¹⁰ Curtis’ chapter, “Hosea 6:7 and Covenant-Breaking like/at Adam,” offers an interesting and rather compelling case for an interpretation of Hosea 6:7 that implies the idea of a prelapsarian covenant with Adam. Waters’ chapter, “Romans 10:5 and the Covenant of Works,” does not advance the kind of republication thesis that is present in the majority of the chapters of *The Law is Not of Faith*. Waters’ interpretation of Romans 10:5 and Paul’s appeal to Leviticus 18:5 is not substantially different from the view that I will argue in the next section was common in the Reformed tradition.

shall live by them: I am the Lord” (Estelle’s translation). In its original setting (Lev. 18:1–5), this passage especially urges the Israelites to avoid the sexual practices of the Egyptians and Canaanites. In his treatment of the passage, Estelle argues that there are two particularly important questions that it raises: (1) how far do the demands and promises of Leviticus 18:5 extend?; and (2) what is meant by the “life” promised to those who do what the law requires? (114) To the first of these questions, Estelle responds by noting that, in its original setting, the requirements of the law extended to all of the children of Israel, including the sojourners in the land (115). In this respect, there is a kind of “democratization” of the law’s obligations; everyone is obliged to keep the Lord’s statutes and ordinances. The extension of the law’s obligations to all the Israelites and inhabitants of the land anticipates in an “inchoate” fashion the “universal tenor” of the apostle Paul’s appeal to this passage in Romans 10:5 (116). In the broader canonical framework of Paul’s interpretation of this Old Testament text, the obligations of obedience to the law in order to obtain life in fellowship with the Lord are addressed to all human beings without exception.

To the second of these questions, Estelle acknowledges that the “life” proffered to those who do what the law requires originally focused on what might be termed “temporal” or “mundane” blessings in the land of promise. However, it would be a mistake to restrict the “life” promised in this passage to such blessings, since these blessings were—again in the broader canonical framework of interpretation—a typological pre-figurement of the fullness of life in communion with the Lord. They pointed forward to Christ in whom all the blessings of life, including entitlement to heaven, the true promised land, are obtained for those who belong to him by faith. This does not mean that the promise of life in Leviticus 18:5 was merely hypothetical, pointing forward to Christ and his obedience, which obtains entitlement to heaven for his people. So far as Israel’s tenure in the land of promise was concerned, Leviticus 18:5 posits a “real connection” between obedience to the law and the maintenance of her land inheritance and well-being (119). By virtue of this connection between obedience and blessing, Israel’s right to the promised inheritance could only be established through obedience, though this right should not be regarded as the “meritorious grounds of life in the eternal sense” (119).

The second passage Estelle treats is Deuteronomy 30:1–14, a passage that makes a remarkable promise regarding Israel’s restoration from exile and the initiative of God’s grace in enabling the people to live in obedience, however imperfect, to the requirements of God’s law. Unlike Leviticus 18:5, which requires an obedience that Israel was ultimately unable to fulfill and whose promise was “conditional,” the promise of future restoration and life in covenant with the Lord that is given in Deuteronomy 30 is an “unconditional” promise of blessing (130). Whereas “the principle of works was republished at Sinai” and summarized in the language of Leviticus 18:5 (“do this and live”), the principle of the Lord’s gracious initiative and provision is starkly revealed in the promise of Deuteronomy 30:1–14 (131). In Estelle’s summary, “this amazing passage anticipates ahead of time the plight in which the Israelite nation will find itself, destitute and unable to fulfill the stipulations of the covenant *on its own*. It also describes the new measure of obedience—accomplished *by divine initiative*—in

which they will satisfy the conditions hanging over them” (124). When this passage is interpreted in conjunction with its “echoes” in the prophecies of Jeremiah (cf. chap. 31) and Ezekiel, as well as the New Testament’s language of the fulfillment of the promise in Christ and by his outpoured Spirit, it must be viewed as standing in marked contrast to the works principle set forth in the Mosaic economy. What the Israelites were not able to obtain through obedience to the demands of the law, the Lord will graciously grant by his sovereign initiative and working, namely, the circumcision of the hearts of his people and the gracious enablement to live in obedience before the Lord. Consequently, the promise of Deuteronomy 30 reminds Israel “that the whole old covenant order will be annihilated, it will be wiped out, and it will go down in judgment as a *modus operandi*. The new covenant is not like that: it is not subject to breaking because it is built upon God’s initiative to complete it and Christ’s satisfaction in his penalty-paying substitution and his probation keeping” (130).

The most important section of Estelle’s chapter addresses the way the apostle Paul appeals to Leviticus 18:5 and Deuteronomy 30:1–14 in Romans 10:5–6, and to Leviticus 18:5 in Galatians 3. The apostle Paul adduces these passages from the Mosaic economy in a way that goes “beyond what is recoverable when these texts are taken in isolation from one another in the context of their immediate environment” (132). However, the apostle Paul’s use of these passages is consonant with their original meaning within the Mosaic administration, and makes special use of the antithesis that they express between two inheritance principles, the one a principle of works and the other a principle of grace. In both Romans 10:5–6 and Galatians 3 (where the apostle contrasts Leviticus 18:5 with Habbakuk 2:4), Paul draws a stark contrast between a righteousness that is by the law and a righteousness that is by faith in Christ alone. In so doing, the apostle understands the Mosaic administration to include a “works principle,” which posits a real connection between Israel’s obligations of obedience to the law and inheritance of life. “Although the substance of the covenant of grace is the same in both testaments, in the old covenant there was the need for compliance so that this would be *the meritorious grounds* for Israel’s continuance in the land, the typological kingdom” (136, emphasis mine). When the Lord summoned Israel to obedience in Leviticus 18:5, he communicated a works principle that is no longer operative in the new economy with the coming of Christ. Consequently, we may conclude that “the new covenant context has essentially changed matters here” (136).

In the Mosaic administration, the requirement of obedience to the law functioned at two levels: at one level, this requirement set forth a works principle of inheritance that Israel was unable to meet and that only “anti-typically” is met in the perfect obedience of Christ; and at another level, this requirement set forth the need for a grateful or “sincere” though imperfect obedience. The latter requirement remains an integral part of the new covenant in Christ, though the former has now been “eclipsed” (137). Paul’s appeal to these two passages, therefore, can only be properly interpreted in terms of an “antithetical” reading of Leviticus 18:5 and Deuteronomy 30:1–14. In the Pauline appeal to this passage, the Mosaic administration is treated at one

level as a republication of the works principle of the prelapsarian covenant of works, though Israel's probation, unlike Adam's, is articulated in "positive terms (temporal blessings)" rather than primarily in terms of the negative curse-sanction of the Adamic covenant administration (145).

The second essay that we consider in the biblical studies section of *The Law is Not of Faith* is authored by T. David Gordon, and offers an interpretation of the apostle Paul's contrast of the Abrahamic and Sinaitic covenants in Galatians 3:6–14. Gordon's essay sets forth the most provocative and strong version of the republication thesis that governs the essays in this volume. In his essay, Gordon treats the way the apostle Paul sharply contrasts the two covenant administrations made with Abraham and with the Israelites at Sinai some 430 years later, and insists that the Pauline contrast is incompatible with the way some Reformed theologians, especially John Murray, have argued for the coherence between these covenant administrations. In particular, Gordon identifies five key contrasts in Paul's argument in Galatians 3:6–14 that are "fatal" to Murray's thesis and that of other Reformed theologians who maintain that the "condition of obedience" in the Mosaic covenant was essentially the same as in the Abrahamic (240–1).¹¹

The first contrast Gordon notes between the Abrahamic and Mosaic covenants relates to the extensiveness of those with whom the covenant is made. In the case of the Abrahamic covenant, the promise to Abraham includes that of a "seed" in whom all the families of the earth will be blessed. The Abrahamic covenant, therefore, promises blessings that will include all the peoples of the earth, Gentiles as well as the people of Israel. In the case of the Mosaic covenant, however, the Gentiles are excluded through the distinguishing requirements of circumcision, feast day observances, and dietary laws. Though the Sinaitic covenant was restrictive in terms of its recipients, it did serve to preserve the "integrity" of Abraham's seed and thereby facilitate the promise of the Abrahamic covenant (242–3).

The second contrast or difference between these two covenants is more germane to Gordon's basic thesis. In Galatians 3:10–13, the apostle Paul sharply distinguishes these two covenants in terms of their outcome: the Abrahamic covenant blesses, the Sinaitic covenant curses. Whereas the Abrahamic covenant is "largely promissory" of what the Lord will do in graciously granting the blessing of life communion to his people, the Sinaitic covenant especially emphasizes "the threat of curse-sanctions" in the event of Israel's failure to do all that the law requires (245). Gordon observes that the threat of curse-sanctions, which is such an integral part of the Sinai covenant, is "entirely absent from the Abrahamic administration" and constitutes a substantial difference that sharply differentiates its unique character. Though a number of Reformed theologians have endeavoured to mitigate this contrast

¹¹ Gordon cites the following statement of Murray as an example of the position to which his essay is a "counterpart": "What needs to be emphasized now is that the Mosaic covenant in respect of the condition of obedience is not in a different category from the Abrahamic. It is too frequently assumed that the conditions prescribed in connection with the Mosaic covenant place the Mosaic dispensation in a totally different category as respects grace, on the one hand, and demand or obligation, on the other. In reality there is nothing that is principally different in the necessity of keeping the covenant and of obedience to God's voice, which proceeds from the Mosaic covenant, from that which is involved in the keeping required in the Abrahamic" (*The Covenant of Grace: A Biblico-Theological Study* [London: Tynedale, 1954], 22).

by arguing that the apostle Paul is addressing “an alleged abuse of the Sinai covenant,” Paul is actually addressing a problem that belongs inherently to the Sinai covenant. Since the Sinai covenant placed its recipients “covenantally under the law” and its curse-sanction, it could only condemn and curse, and not bless.

The third difference that Gordon discerns in Paul’s argument in Galatians 3:6–14 is that the Abrahamic covenant is “characterized by faith, the Sinai covenant is characterized by works of the law” (246). In Paul’s description of the Abrahamic and Sinai covenants, there is a repeated emphasis upon the sharp contrast between faith/belief in the promise and doing what the law requires. When God promised Abraham a seed, this promise was not contingent or based upon Abraham’s obedience. However, when God required Israel’s obedience to the law at Sinai, the blessings of the covenant were contingent or based upon Israel’s doing what the law requires. Again, Gordon insists that this contrast is not between the Abrahamic covenant and an alleged “abuse” of the covenant on the part of the Israelites who sought to obtain the covenant’s blessings through meritorious obedience. The contrast is between what “characterizes” or belongs to the nature of these two, radically distinct covenant administrations (247).

In Gordon’s essay, the fourth and fifth contrasts that surface in Paul’s argument in Galatians 3:6–14 are most important. Each of these contrasts serves to underscore the far-reaching and insuperable contrast between the two covenants, the promissory covenant with Abraham and the legal covenant with Israel at Sinai. The fourth contrast is between an Abrahamic covenant that justifies through faith alone in the promise and a Sinai covenant that is not able to justify since it requires perfect obedience to the law in order for Israel to receive blessing and not cursing (248). In the apostle Paul’s argument, it is “incontrovertible” that no one is able to be justified before God by the law, and that the only possible way of justification is through faith in Christ. This is the precise meaning of Paul’s phrase, “the law is not of faith,” in Galatians 3:12. The fifth contrast between these two covenants confirms the contrast between Abraham and Moses, when the apostle Paul “by synecdoche” denominates the first by the term “promise” and the second by the term “law.” Though these terms do not capture all the elements that belong to these two respective covenants, they do capture what is distinctive and antithetical about them. The dominating and characteristic feature of the Abrahamic covenant is that of promise. The dominating and characteristic feature of the Sinai covenant is that of law. According to Gordon’s summary, “[t]his consistent use of the synecdoche ‘promise’ to refer to the Abrahamic administration, and the equally consistent use of the synecdoche ‘law’ to refer to the Sinai administration, demonstrate convincingly that Paul did not conceive these two covenants as similar in kind, but rather as dissimilar in kind; one is characteristically promissory; the other is characteristically legal” (250).

At the conclusion of his essay, Gordon, having offered his interpretation of the marked contrast between the Abrahamic covenant and the Mosaic covenant in Paul’s argument in Galatians 3:4–16, raises the question why John Murray failed to recognize this contrast and adopted what Gordon terms a “monocovenantal” reading of the history of redemption. In Gordon’s estimation,

Murray's (and others') failure here was likely due to his focus upon the error of dispensationalism with its radical separation between the dispensations of law and grace and between Israel and the church. Furthermore, Murray, as a systematic theologian, was more intent upon a coherent and systematic formulation of the doctrine of the covenant and in the process failed to give priority to a careful exegesis of the argument of Paul in Galatians. The problem with Murray's attempt to treat these two covenants as essentially one in their promise and demand is that it does not comport with the "plain teaching" of Galatians 3. "What we must not do," Gordon argues, "is evade the plain teaching of Paul that the Sinai covenant itself, as it was delivered by the hand of Moses 430 years after the Abrahamic covenant, was a different covenant, different in kind, characteristically legal, Gentile-excluding, non-justifying because it was characterized by works, and therefore cursing its recipients and bearing children for slavery" (251). Indeed, so different in kind were these covenants that Gordon goes so far as to say that, were he among the children of Israel at Sinai, he would also have "resisted" this covenant as a "legal covenant" that could only "fail" due to the sin of the people of Israel.

The last essay that we consider in this section of *The Law is Not of Faith* deals particularly with the apostle Paul's argument in Galatians 5:1–6. In this essay, S. M. Baugh offers a more nuanced view of the republication thesis than that of Gordon, but nonetheless argues that the "works principle" of the covenant of works is a feature of the Mosaic administration to which Paul appeals in this passage against his opponents in Galatia.

At the outset of his chapter, Baugh appeals to Charles Hodge, who observed that the apostle Paul often speaks of the Mosaic law as though it were a kind of reiteration of the covenant of works, promising life on condition of perfect obedience. In Baugh's estimation, it is remarkable that many contemporary Reformed theologians no longer acknowledge this fact. Since the "precise character of a covenant of works resides in the imposition of an obligation to personal and perfect (or entire) obedience to its stipulated conditions," the key question is whether the Mosaic covenant includes such an obligation (259–60). To this question, Baugh answers by asserting that indeed the Mosaic covenant does disclose such an obligation or "works principle within its broader covenantal administration" (260). Even though the Mosaic covenant includes what Baugh terms a "typological priestly embodiment of mediation (the ceremonial Law)" and must therefore be regarded as essentially a covenant of grace, it also includes a works principle. What is peculiar to the Mosaic administration is that it republishes the covenant of works and its works principle, while at the same time revealing the gospel of salvation through Christ who fulfilled all the types and ceremonies of the law. When the Mosaic law is "narrowly considered," it reveals the works principle of the original prelapsarian covenant in a typological manner, representing Israel's blessedness and tenure in the land as based upon perfect obedience to the demands of the law (260). In order to confirm his thesis, Baugh treats Paul's argument in Galatians 5:1–6 and seeks to show how the apostle understood the Mosaic law to require personal and perfect obedience on the part of its recipients in order for them to obtain the Lord's blessing and favor.

Baugh begins his treatment of Galatians 5:1–6 by noting the importance of verse 1 in which the apostle Paul warns his readers to remain in the freedom that Christ won for them and not to submit “again to a yoke of slavery.” In this verse, the apostle links his warning with his preceding argument against those who would seek to be justified before God by their obedience to the law. Anyone who seeks to be justified before God on the basis of obedience to the requirements of the law, particularly the requirement of circumcision, assumes a personal obligation that he will not be able to meet. For this reason, the apostle supports his warning in verses 3–4 by reminding his opponents of the implication of seeking to be justified by doing what the law requires.

In Baugh’s opinion, the language of Galatians 5:1–6, especially the apostle’s insistence that anyone who seeks to be justified by obedience to the law’s requirement of circumcision will thereby obligate himself to the “whole law,” confirms that Paul understood the law to enunciate a fundamental “works principle,” namely, that the law requires personal and perfect obedience to all of its demands. Only those who are able to fulfill or to do everything that is demanded in the entire law of God will be able, upon the basis of such perfect obedience, to obtain favor and life in fellowship with God. By reminding his opponents of this principle, Paul assumes that no one is able to do or to “finish” off and “complete” all the requirements of the law. For this reason, no one is able to obtain blessing and life through the law (274–75). When Paul’s opponents insist upon circumcision in obedience to the law as a basis for justification before God, they assume thereby an obligation to obey the entire law that they cannot meet. Furthermore, by seeking to be justified upon the basis of their obedience to the law, they not only undertake an exercise in futility but also “sever” or “cut themselves off” from Christ (v. 4). Either a person is justified by his own personal obedience to the whole law, which is an impossibility for all human beings who do not do all that the law requires, or a person is justified by faith in Jesus Christ alone. The antithesis or contrast in these verses is between two ways of obtaining the promise of salvation and life: by works of the law or by grace through faith.

1.3. Theological Implications

The third part of *The Law is Not of Faith* consists of two chapters that address some of the broader theological implications of the republication thesis. The first of these chapters, “Natural Law and the Works Principle under Adam and Moses” by David VanDrunen, addresses the manner in which the Mosaic law reiterates the moral obligations of the natural law that governed Adam’s relationship to God in the prelapsarian state. The second, “Obedience is Better than Sacrifice” by Michael Horton, provides an exposition of Psalm 40, arguing that Christ obtained the right to enter into God’s presence and enjoy fellowship with him on the basis of his active and passive obedience. Horton argues that Christ thereby achieved what was promised to Adam and then to Israel, and in a manner that upheld the just requirements of the holy law of God. While Horton’s essay makes its own contribution to the principal argument of the volume, we will only summarize VanDrunen’s essay, which presents a more fulsome and provocative statement of the republication thesis.

VanDrunen introduces his essay with a helpful statement of his basic argument and thesis. In his judgment, one of the important reasons for the neglect of attention to the presence of a “works principle” in the Mosaic economy among contemporary Reformed theologians stems from the neglect of attention to the idea of natural law (283). Since these two ideas, the works principle in the Mosaic administration and the doctrine of natural law, are systematically related, neglect of the one will inevitably lead to a neglect of the other.

VanDrunen defines natural law as the “content of God’s moral law” that is “made known to every human being through natural revelation” (284). The natural law is written or engraved upon the heart of human beings as God’s image-bearers and is “perceived through the judgments of conscience.” Negatively, the natural law reminds all people of their sin and just condemnation before God, including their need of a Savior. Positively, the natural law serves as a “standard for the development of civil law” (284). Rather than being a “philosophical ethical theory of Roman Catholicism,” which diminishes the noetic effects of sin upon human awareness of the moral obligations of the divine law, the doctrine of natural law is a commonplace in historic Reformed theology. By the “works principle,” VanDrunen means to refer to “the law’s demand for perfect, personal obedience, with sanctions of blessing and curse to follow obedience and disobedience respectively to this demand” (284). In VanDrunen’s opinion, the predominant view of the Reformed tradition is that the works principle was present, not only in the prelapsarian covenant of works between God and Adam but also in the postlapsarian Mosaic covenant. The republication of the works principle in the Mosaic covenant, however, was not to offer Israel “a way of attaining everlasting life (impossible for sinners) but for redemptive-historical, typological purposes such as reminding sinners of their fall and judgment under Adam, their inability to provide perfect obedience to God themselves, and their hope of a coming Messiah who would himself be born under this works principle and satisfy its requirements on behalf of his people” (284–5).

Recognizing that his thesis may seem “somewhat complex,” VanDrunen argues for it in three successive stages. First, he presents a case for the correctness of the Reformed tradition’s teaching that the natural law proclaims the works principle. Second, he shows that the Reformed tradition also properly viewed the law of Moses as a reiteration or “application” of the natural law to the unique circumstances of Israel in the history of redemption. And third, he maintains that the presence of the works principle, both in the covenant of works and in the Mosaic covenant, serves a divinely-intended purpose, namely, to teach Israel to understand the “basic predicament of the *whole human race*” (285, emphasis VanDrunen’s). By means of the republication of the works principle, the Lord taught his people that all human beings stand condemned by the law and are unable to extricate themselves from this predicament through their own moral efforts or works. Though the arguments for each of these points in VanDrunen’s chapter are at times dense, we will present a summary of each of them in as simple and accurate a manner as possible.

The first stage in VanDrunen’s argument is pivotal to all that he maintains in the second and third stages. The fundamental claim VanDrunen makes

is that the natural law contains inherently the works principle that is an essential feature of the Adamic covenant. The natural law not only discloses the moral will of God for all human beings who bear his image, but it also discloses the consequences of human failure to do what the law requires. In VanDrunen’s judgment, “the law of nature not only imparts knowledge of and obligation to God’s basic moral will but also makes known the *sanctions* that attach to this obligation: life and blessing for obedience and death and curse for disobedience” (286). In the history of Reformed reflection upon the natural law, it is commonly acknowledged that the natural law discloses God’s moral will, and that this law is known by all human beings as image-bearers of God. However, VanDrunen observes that there is some “ambiguity” among Reformed theologians regarding the relation between the disclosure of the natural law and the prelapsarian covenant relationship (290).

On the one hand, some Reformed theologians affirm that God created human beings with a natural knowledge of the moral law and an awareness of the reward or punishment that follows upon obedience or disobedience to its requirements. But at the same time, these theologians are unwilling to *identify* the creation of human beings after God’s image and under the moral obligations of the natural law with the prelapsarian covenant of works. For these theologians, the promise of “eschatological life,” which was implicit in the prelapsarian covenant relationship, is something “added on to creation in the divine image” (290). Because the promise of eschatological life is presumably a covenanted promise that exceeds what human beings as creatures could justly obtain through their obedience to the natural law, these theologians distinguish between man’s state as a moral creature and image-bearer and his state as a covenant creature to whom God binds himself by covenantal promises and sanctions. On the other hand, some Reformed theologians expressed themselves in a way that implies an intrinsic connection between God’s creation of man in his image and God’s covenant with him through the law with its rewards and punishments.¹² For VanDrunen, the “ambiguity” of Reformed theologians at this point is helpfully resolved in the theology of a more recent biblical theologian, Meredith Kline, who maintains that the essence of the covenant of works is given with the creation of man in God’s image and with an awareness of the works principle embedded in the moral law (291). When God discloses the natural law to his image-bearers, that disclosure is itself the covenant of works, since it includes the communication of the promise of life and the sanction of death.¹³

¹² VanDrunen cites Francis Turretin and Herman Bavinck as examples of the former view, and Wilhelmus à Brakel as an example of the latter view. I will offer an evaluation of this reading of the sources in my treatment of some of the theological implications of the arguments of the authors of *The Law is Not of Faith*.

¹³ VanDrunen appeals to Meredith Kline’s description of the covenant of works to support the thesis that the prelapsarian covenant of works was inherent in the creation of Adam in God’s image, and that the so-called probationary command of Genesis 2:17 added nothing to what Adam already knew through natural revelation. See Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Overland Park, KS: Two Age, 2000), 92: “Man’s creation as image of God meant, as we have seen, that the creating of the world was a covenant-making process. There was no original non-covenantal order of mere nature on which the covenant was superimposed. Covenantal commitments were given by the Creator in the very act of endowing the man-creature with the mantle of the divine likeness. And those commitments were eschatological.” In my assessment of the theological arguments of *The Law is Not of Faith*, I will offer an evaluation of VanDrunen and Kline’s rather novel view of the prelapsarian covenant.

After offering a case for the connection between the doctrine of natural law and the works principle, which together constitute the elements of the original prelapsarian covenant of works, VanDrunen turns to the subject of the natural law and the Mosaic covenant. Though VanDrunen does not take up explicitly the thesis of republication in the second stage of his argument, the implications of this feature of his argument for the republication thesis are clear. If the Mosaic law represents a particular promulgation in the history of redemption of the original requirements of the moral law, then it must also include a republication of what belongs intrinsically to the nature of the law with its obligations and corresponding sanctions. The presence of the natural law in the Mosaic covenant, now in the form of a particular application of the moral obligations of God's will, requires the inference that the Mosaic covenant includes a republication of the covenant of works at some level. As VanDrunen puts it, "if the Reformed tradition is correct in seeing the Mosaic law as a particular application of the natural law for theocratic Israel, and if the natural law proclaims the works principle, then there is at least an initial presumption for recognizing the works principle as *one of* the constitutive aspects of the Mosaic covenant" (301, emphasis VanDrunen's). In his defense of this inference, VanDrunen appeals to historical and biblical evidences for the identification of the natural law and the moral law as it was communicated through the Mosaic administration to Israel. Once it is acknowledged that the law of Moses is rooted in and reiterates the fundamental requirements of the natural law, especially in its moral and civil aspects, it should be apparent that the works principle is also reiterated in the Mosaic law.

In the last stage of his argument, VanDrunen takes up the question of the purpose of the republication of the works principle in the Mosaic covenant through the moral law. In VanDrunen's assessment of this purpose, he suggests that in a "general" way this republication was given "for the historical purpose of serving as a pedagogue unto Christ (Gal. 3:24), who alone brings salvation" (309). The law served within God's purpose as a means of exposing Israel's sinful inability to procure life and favor with the Lord on the basis of obedience to the strict demands of God's law. Furthermore, the exposure of Israel's inability was itself a microcosm of the exposure through the law of the inability of all human beings without exception to obtain the blessing of God's covenant favor through works of the law. In comparison to the natural law, the revelation of the obligations of the moral law through Moses represents a "perfectly lucid" manifestation of human sinfulness that surpasses the more obscure knowledge able to be obtained through natural revelation (309). According to VanDrunen, the teaching of the apostle Paul in Galatians 4:3, 9 confirms this purpose of the Mosaic law's republication of the works principle of the Adamic covenant. In this passage, Paul "identifies slavery under the *stoicheia* ["elementary principles," ESV] as something that life under the Mosaic law and life under paganism had in common" (311). VanDrunen, who favors the translation of *stoicheia* as "elementary principles" or "basic teachings," interprets Paul's language in this passage to confirm the essential unity of the natural and the Mosaic law in their revelation of a works principle that can only leave its recipients in a state of slavery or bondage. The contrast that Paul draws between freedom from the law through faith in Christ alone and slavery

under the law is a radical contrast between two principles of inheritance, the one by grace and the other by works. In drawing this contrast, the apostle does not represent the works principle in the Mosaic law as a kind of “legalistic Jewish perversion of the law” but as an inherent feature of the Mosaic economy (311).

Though this completes our summary of the main stages of VanDrunen’s argument, there is one question prompted by his argument that requires brief notice. VanDrunen poses the question this way: “If the natural law written on the heart proclaims the works principle, and if in Christ we are no longer under the works principle ..., then are New Testament Christians in fact not under the natural law, though it seems to be constitutive of the very image of God in which we are being re-created?” (313). The reason VanDrunen is compelled to raise this rather provocative question is patent. If the obligations of the moral law, whether in the prelapsarian or the postlapsarian circumstances, necessarily place their recipients under the promises and sanctions of the covenant of works with its works-inheritance principle, then how can believers in the covenant of grace be subject to the law’s demands? Does not the freedom from the law that believers enjoy through Christ include a freedom from the moral law as well? VanDrunen does not shy away from this question, but answers it with the provocative claim that believers are not subject to the moral law *as believers, so far as their conduct in relation to fellow believers within the “spiritual” kingdom of Christ is concerned*. Though believers, so far as their conduct in the “natural” or “civil” kingdom is concerned, may be subject to the natural law, they are not subject to the natural law as Christians. Due to the provocative nature of this conclusion, we need to quote at length VanDrunen’s own statement of it:

First, in regard to the question whether New Testament Christians are under the natural law the answer is yes and no, and this answer depends upon the historic Reformed “two kingdoms” doctrine. Insofar as they are called to live in common with the world in the civil kingdom, Christians still exist under the authority of the natural law.... But insofar as they are called out of the world into the kingdom of Christ, Christians do not operate according to the natural law (though their basic moral obligations remain the same), for they are not under the works principle, either in regard to their justification before God or in regard to their conduct toward one another (313).¹⁴

If someone were to object to this position by citing Jeremiah 31:33, which speaks of God’s promise to write the law upon the hearts of his people, VanDrunen claims that this does not refer to the natural law but to the law of freedom that belongs to the covenant of grace.

With this summary of VanDrunen’s essay, I conclude my survey of the main arguments of *The Law is Not of Faith*. Though my survey does not fully present the detailed arguments of the various authors, it will suffice as a

¹⁴ VanDrunen’s separation between the two kingdoms, the civil kingdom and the spiritual kingdom (the church), is a subject that goes beyond the limits of my review of *The Law is Not of Faith*. His suggestion that the moral law as such governs only the conduct of believers within the civil kingdom is consistent with the strict separation that he wishes to maintain between these two kingdoms. For a further elaboration and defense of VanDrunen’s two-kingdom construction, see David VanDrunen, *A Biblical Case for Natural Law* (Grand Rapids: Acton Institute, n.d.); and idem, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (Grand Rapids: Eerdmans, 2010).

basis for the critical evaluation of their most important claims in the next part of my review.

1.4. A Summary of the Principal Claims of *The Law is Not of Faith*

One of the difficulties that a reviewer faces, when considering a volume that consists of a series of essays by individual authors, is the challenge of determining whether it sets forth any common themes or whether it only sets forth the individual viewpoints of the different contributors. The obvious challenge to a reviewer of a book like *The Law is Not of Faith* is to avoid ascribing specific views to all the authors, when they may only be the peculiar views of one or more contributors. I have already acknowledged that some of the essays in *The Law is Not of Faith* are not as relevant to the main arguments of the book as others. The principal thesis of the book is undoubtedly the claim that the Mosaic administration “in some sense” republished the prelapsarian covenant of works. However, the authors of this volume offer a variety of formulations of the republication thesis, and it would be unfair to ascribe the views of one author to all of the others. For this reason, I would like, in preparation for the critical evaluation that follows, to conclude this section of my review of *The Law is Not of Faith* with a summary of what I judge to be the principal claims of the authors, particularly in respect to the republication thesis. In doing so, I will also identify the contributors of the volume who most directly argue for these claims, acknowledging thereby that not all the contributors agree with every one of them.

Upon the basis of our summary of a number of chapters of *The Law is Not of Faith*, the following claims, roughly in the order in which they are presented, seem to be of primary importance. In keeping with the divisions of the book, these claims can be classified into three categories: historical, biblical, and theological.

1. In the history of Reformed theology during the formative period of the sixteenth and seventeenth centuries, the idea that the Mosaic covenant in some sense republished the covenant of works was a commonplace, even the predominant view. Some form of the doctrine of republication was pervasive among the formative writers in the period of Reformed orthodoxy (Fesko, Ferry).

2. Though there were diverse formulations among Reformed theologians of the sense in which the Mosaic covenant republished the prelapsarian covenant of works, most of these formulations involved a “formal” or “hard” view of the republication of the covenant of works, not simply as a restatement of the requirements of the law of God but as a formal reinstatement of the covenant of works at some level (Ferry).

3. When the apostle Paul appeals to key Old Testament texts that summarize essential features of the Mosaic covenant, especially Leviticus 18:5 and Deuteronomy 30:1–14, in passages like Romans 10:5–6 and Galatians 3, he interprets the Mosaic covenant as including the “works principle” that was an essential component of the prelapsarian covenant of works (Estelle, Gordon).

4. When the apostle Paul treats the Mosaic covenant as an administration that

republished the “works principle” of the covenant of works, he is not replying to a “legalistic” misuse of the Mosaic covenant or a feature of the Mosaic covenant that is being wrested (or abstracted) from its proper setting within the Mosaic covenant as an administration of the covenant of grace (Estelle, Gordon, Baugh).

5. The antithesis that the apostle Paul articulates in Galatians between the Abrahamic and Mosaic covenants is an antithesis between a covenant that is characteristically promissory and gracious and a covenant that is characteristically legal and condemning. In contrast to the unconditional and sovereignly gracious nature of the covenant of grace, the Mosaic covenant stipulates conditions that its recipients are unable to meet and that can only bring condemnation and death (Gordon).

6. The “works principle” that is an inherent feature of the Mosaic covenant functions typologically to teach Israel that its inheritance of and tenure as a corporate people in the land of promise was based upon her obedience to all the demands of the law (Fesko, Ferry, Estelle).

7. Since the Mosaic administration included a republication of the natural law, which reveals a works principle that belongs to the essence of the original covenant of works, the Mosaic covenant necessarily republishes the covenant of works (VanDrunen).

8. Since believers in the new covenant are no longer under the law of Moses as a covenant of works, at least with respect to their conduct as members of Christ’s spiritual kingdom, their conduct within the church is not governed by the law of Moses. Nor is the moral law as it was mediated through Moses the law that is written upon the hearts of believers in the new covenant (VanDrunen).

2. A Critical Assessment of *The Law is Not of Faith*

In the light of the preceding survey of the most important arguments of the authors of *The Law is Not of Faith*, I intend in this section of my review article to offer a critical assessment of the republication thesis and related topics. Just as my survey was necessarily selective, so my assessment will address some, but by no means all, of the arguments of the various contributors. Since the various contributors to *The Law is Not of Faith* offer divergent views of the republication thesis, I will attempt as much as possible to identify the contributions to which my assessment is especially directed. Though it is a rather general criticism of the volume, it could be argued that the most problematic feature of the book is the vagueness of its principal thesis. The repeated use of the phrase “in some sense” to modify the republication thesis begs the obvious question, “in what sense”? How precisely does the Mosaic administration republish the covenant of works? Some of the contributors attempt to provide an answer to this question; others simply assume that the reader will understand the meaning of this language. Due to the ambiguity

of the republication thesis, the challenge facing the critic of *The Law is Not of Faith* is similar to that facing someone who attempts to hit a moving target.

In keeping with the basic outline of *The Law is Not of Faith*, my evaluation will be organized in terms of the three parts of the volume. I will begin with a consideration of the broad historical argument that the doctrine of a republication of the covenant of works in the Mosaic administration was a commonplace among Reformed theologians in the formative period of the late sixteenth and seventeenth centuries. After a consideration of this historical claim, I will take up some of the biblical arguments of the second part of the volume. In the last section, I will identify and address briefly some of the theological dimensions and implications of the republication thesis.

2.1. An “Accommodated” Reading of the Sources

One of the difficulties confronting anyone who endeavors to interpret the history of the doctrine of the covenant in Reformed theology is the absence of any comprehensive account of this history. Though there are a number of secondary studies on particular Reformed theologians, the interpreter is confronted with a number of difficult choices in determining which doctrinal formulations belong to the consensus of Reformed covenant theology and which of them belong uniquely to a particular theologian. Historians of the orthodox period of Reformed theology are increasingly aware of the wide diversity of formulation that existed among the theologians of this period. The temptations that confront anyone who attempts to interpret the development of the doctrine of the covenant in this period include, among others, a selective reading of the sources or an anachronistic reading, which imposes categories of subsequent theologians upon those of an earlier period. The work of Richard Muller on the development of Reformed theology in the late sixteenth and seventeenth centuries, for example, illustrates the problem in terms of the debates regarding “Calvin and the Calvinists.” Muller has persuasively argued that the interpretation of Calvin’s theology was “accommodated” to a variety of twentieth century theological concerns, particularly those of neo-orthodoxy, and that in the process Calvin’s theology was often not interpreted in its historical context.¹⁵

The question raised by the historical arguments of the contributors to *The Law is Not of Faith* can be put in similar terms: have the authors of this volume “accommodated” their reading of the sources to demonstrate the claim that the republication thesis was a commonplace of Reformed theologians in this formative period? As I noted in my survey of *The Law is Not of Faith*, various authors throughout the book claim that the idea of republication was a commonplace of early Reformed theology, despite its absence in the formulations of many more recent Reformed theologians.

In order to test this historical claim, I propose to examine in this section of my review the positions of three Reformed theologians: John Calvin, Francis Turretin, and Herman Witsius. These theologians are arguably among the most important architects of traditional Reformed covenant theology. Furthermore,

¹⁵ See Richard A. Muller, *The Unaccommodated Calvin: Studies in the Foundation of a Theological Tradition* (New York: Oxford University Press, 2000), esp. 3–18.

both Turretin and Witsius are later figures who intentionally sought to articulate the “consensus” of Reformed theologians on disputed points. Rather than representing figures whose views were idiosyncratic or outside the mainstream of Reformed covenant theology, these figures articulated views that became fairly standard among Reformed theologians. In addition to these important Reformed theologians, I will also evaluate the claims of the authors of *The Law is Not of Faith* by the standard of the Westminster Confession of Faith, which undeniably sets forth a codification in confessional form of the most basic, and common, features of traditional Reformed covenant theology.

2.1.1. John Calvin

The danger of anachronism and over-interpretation is particularly pressing, when it comes to an evaluation of Calvin’s understanding of the distinctive nature of the Mosaic covenant within the history of redemption. It is commonly acknowledged that the doctrine of a prelapsarian covenant of works is not explicitly present in Calvin’s theology, and even the claim that Calvin anticipated many components of the later bi-covenantalism of Reformed theology remains open to dispute.¹⁶ To suggest that Calvin viewed the Mosaic administration as a republication of the covenant of works, therefore, is already liable to the obvious charge of an anachronistic reading of his formulations. However, Calvin does explicitly address the question of the special character of the Mosaic administration within the broader framework of the administration of the covenant of grace. In the course of addressing the peculiar nature of the Mosaic administration, Calvin makes statements about the law of Moses that prompt particularly Fesko and Ferry among the authors of *The Law is Not of Faith* to conclude that he conceived the Mosaic administration to be in some sense a covenant of works. In Fesko’s interpretation, Calvin conceives of the Mosaic administration as both a covenant of grace and a covenant of works (31). And in Ferry’s estimation, Calvin interprets the Mosaic administration as a “formal republication” of the covenant of works (95).

In order to evaluate Calvin’s view of the distinctive nature of the Mosaic administration, we need to note two indisputable and fundamental features of his position, both of which are correctly acknowledged by Fesko in his contribution to *The Law is Not of Faith* (28–29). First, when Calvin uses the term “law,” he does so in at least three distinct ways: (1) to refer comprehensively to the “whole religion of Moses” or to the Mosaic administration of the covenant of grace in its entirety;¹⁷ (2) to refer to the moral law of God, which was set forth in the two tables of the Decalogue and in Jesus’ summary of the law;¹⁸ and (3) to refer to the specific statutes and requirements of the law, which

¹⁶ For a defense of the thesis that Calvin anticipated many of the elements of the later Reformed doctrine of the covenant of works, see Peter A. Lillback, *The Binding of God: Calvin’s Role in the Development of Covenant Theology* (Grand Rapids: Baker Academic, 2001), 276–304; and Cornelis P. Venema, “Calvin’s Doctrine of the Imputation of Christ’s Righteousness: Another Example of ‘Calvin Against the Calvinists?’” *Mid-America Journal of Theology* (2009), 20: 37–44. For a recent case against this thesis, see Aaron Denlinger, “Calvin’s Understanding of Adam’s Relationship to His Posterity: Recent Assertions of the Reformer’s ‘Federalism’ Evaluated,” *Calvin Theological Journal* 44/2 (2009): 226–50.

¹⁷ *Institutes*, II.vii.1 (OS 3.326).

¹⁸ *Institutes*, II.viii (OS 3.343–98).

can be distinguished into three parts, the civil, judicial and ceremonial.¹⁹ An assessment of the claim that Calvin viewed the Mosaic administration as a republication of the covenant of works must carefully attend to these distinct uses of the term “law.” Failure to accurately identify Calvin’s use of the terminology of “law” in his descriptions of the Mosaic administration will inevitably lead to a misinterpretation of his position.

The second feature of Calvin’s view is his well-known insistence that the covenant of grace is *one in substance, though distinct in mode of administration*. At the outset of his consideration of the “similarity of the Old and New Testaments” in his *Institutes*, Calvin strongly asserts the unity of the covenant of grace throughout the entire course of the history of redemption: “Now we can clearly see from what has already been said that all men adopted by God into the company of his people since the beginning of the world were covenanted to him by the same law and by the bond of the same doctrine as obtains among us.”²⁰ Shortly after this statement of the unity of the covenant, Calvin acknowledges the diversity of its forms of administration: “The covenant made with all the patriarchs is so much like ours in substance and reality that the two are actually one and the same. Yet they differ in the mode of dispensation.”²¹

In the subsequent history of Reformed covenant theology, Calvin’s insistence upon the unity of the covenant of grace through all its various administrations becomes a commonplace. Upon the basis of this far-reaching formulation, Calvin consistently maintains that all of the essential components that make the covenant of grace what it is belong to each of its administrations. Consequently, whatever may distinguish the Mosaic administration as a distinct administration of the covenant of grace belongs to the category of what Calvin terms “accidental” forms that are incidental to the covenant’s nature. When Calvin and subsequent Reformed theologians employ the language of “substance” and “form” or “accidents” to refer to the distinct administrations of the one covenant of grace throughout history, they are employing a traditional category distinction from the philosophy of Aristotle. “Substance” refers to “what makes something what it is,” “accidents” refers to what belongs “contingently” to something. In the distinct administrations of the covenant of grace, including the Mosaic administration, there are elements that necessarily belong to each of these administrations as an administration of the covenant of grace. However, there are other features that belong only to a distinct administration of the covenant of grace at a particular moment in time.

Consistent with these features of his doctrine of the covenant of grace, Calvin first summarizes those features of the Old and New Testaments that belong to the substance of the covenant of grace in all of its administrations. According to Calvin, there were three features of the Old Testament that belong to and are of one substance with the New Testament. First, the Old Testament promise, however much it was framed in terms of earthly blessings and

¹⁹ *Institutes*, IV.xx.14–16 (OS 5.486–89). The distinction of the law into three types of statutes is traditional, and can be found in St. Thomas Aquinas’ treatment of the law of God in his *Summa Theologica*, rev. ed., vols. 1–5 (reprint; Allen TX: Christian Classics, 1981 [1920]), 1a2ae, 2:1031–36.

²⁰ *Institutes* II.x.1 (OS 3.403).

²¹ *Institutes* II.x.2 (OS 3:404).

circumstances, was the same promise of “hope of immortality” in the fullness of God’s spiritual kingdom as in the New. Second, “the covenant by which they [Old Testament Israel] were bound to the Lord was supported, not by their own merits, but solely by the mercy of God who called them.”²² And third, “they had and knew Christ as Mediator, through whom they were joined to God and were to share in his promises.” In all of these fundamental respects, the Old Testament was substantially in harmony with the New. Believers in the Old Testament trusted only in the Christ who was to come as the Mediator of their salvation and blessing, just as believers in the New Testament trust in the Christ who has come for every blessing. If this were not so, it would be impossible to speak of Abraham as the father of all believers, and of his being justified by faith apart from works.

After devoting a chapter to a discussion of the essential features that belong to the covenant of grace and make it what it is in all of its administrations, Calvin turns to a series of differences between the covenants. These differences do not touch the substance of the covenant, but have to do with incidental features that distinguish its various forms or administrations. Five such features are distinguished: (1) in the Old Testament, the spiritual blessings of the covenant were represented under temporal or earthly blessings, which reflected the infancy or immaturity of the Old Testament church in comparison to the New; (2) the Old Testament covenants set forth the substance and truth that belong to Christ in the form of “shadows” and “types” that prefigure the reality to come; (3) the Old Testament’s teaching is “literal,” whereas the New Testament’s teaching is “spiritual”; (4) the Old Testament held the people of Israel in a kind of “bondage,” but the New Testament grants freedom and assurance; and (5) in the Old Testament the Lord focused upon setting apart one nation, but in the New Testament the gospel and its blessings are extended to all the nations of the earth.²³

Regarding three of these differences (2, 3, 4), Calvin observes that they highlight the contrast between the “law,” which he uses inclusively to include both the promises of the covenant and the publication of the law through Moses, and the “gospel,” which he uses specifically to refer to the provision of salvation in Christ for all of the covenant people of the Lord.²⁴ None of these differences, however, touches the substance of the covenant or doctrine of salvation. In every administration of the covenant of grace, believers are saved through faith in Christ alone who is the one Mediator and Savior of his people. “Thus, God’s constancy shines forth in the fact that he taught the same doctrine to all ages, and has continued to require the same worship of his name that he enjoined from the beginning. In the fact that he has changed the outward form and manner, he does not show himself subject to change. Rather, he has accommodated himself to men’s capacity, which is varied and changeable.”²⁵

To this point, there is nothing in Calvin’s view of the covenant of grace that would suggest something like the idea of a republication of the

²² *Institutes* II.x.2 (OS 3.404).

²³ *Institutes* II.xi (OS 3.423–36).

²⁴ *Institutes* II.xi.10 (OS 3.432–33).

²⁵ *Institutes* II.xi.13 (OS 3.435–36).

covenant of works under the Mosaic administration. However, Fesko appeals to Calvin's language in describing the Mosaic covenant to support the idea that "with the dispensation of the Mosaic covenant there are two separate covenants, the *foedus legale* and *foedus evangelicum*, the ministries of Moses and Christ (2.11.4)" (30). Fesko further argues that these two covenants set forth antithetical principles, the "legal covenant" promising life through obedience, the "evangelical covenant" promising life through faith in Christ. In its administration, the Mosaic covenant was a legal covenant, but in its "substance" the Mosaic covenant was an evangelical covenant. While he acknowledges that Calvin denied the possibility of Israel obtaining life through obedience, he nonetheless concludes that Calvin viewed the Mosaic covenant to enunciate a "works principle" of inheritance that taught Israel to look to Christ alone for salvation (33).

There are two significant problems at this point with Fesko's interpretation of Calvin's view of the Mosaic administration. In the first place, Fesko misreads Calvin's language regarding a "legal" and an "evangelical" covenant. When Calvin uses this language, he is not referring to two covenants, which allegedly set forth different principles for obtaining life, but he is referring to two distinct administrations of the one (in substance) covenant of grace. In the section of the *Institutes* to which Fesko appeals for his conclusion that the Mosaic administration included two distinct covenants, Calvin clearly teaches that the "legal" and "evangelical" covenants are two administrations of one covenant, distinct only in their "accidents" but identical in their substance.

Let us then set forth the covenant that he once established as eternal and never-perishing. Its fulfillment, by which it is finally confirmed and ratified, is Christ. While such confirmation was awaited, the Lord appointed, through Moses, ceremonies that were, so to speak, solemn symbols of that confirmation. A controversy arose over whether or not the ceremonies that had been ordained in the law ought to give way to Christ. Now these were only the accidental properties of the covenant, or additions and appendages, and in common parlance, accessories of it. Yet because they were means of administering it, they bear the name "covenant," just as is customary in the case of other sacraments. To sum up, then, in this passage "Old Testament" means the solemn manner of confirming the covenant, comprised in ceremonies and sacrifices.²⁶

In this passage, which follows shortly after Calvin's use of the language of a "legal" and an "evangelical" covenant, Calvin clearly affirms that the "legal" or Mosaic covenant was an administration of the covenant of grace. He does not mean to designate two covenants by this language, but, as is customary in his writings, he uses the terminology of "law" or a "legal covenant" in the comprehensive sense to refer to the Mosaic administration (or "the whole religion of Moses") of the one covenant of grace. When Fesko adduces this language to confirm that Calvin viewed the Mosaic covenant as "in some respect" a different covenant with a different principle of obtaining life and favor with God, he fails to attend with sufficient care to Calvin's explanation of this language in the immediate context.

²⁶ *Institutes* II.xi.4 (OS 3.427).

In the second place, Fesko also misreads the contrast that Calvin subsequently draws in the *Institutes* between the “law” and “gospel.” Fesko interprets Calvin’s contrast to teach a real contrast between the Mosaic administration of the covenant of grace (at least at some level) and the gospel of Jesus Christ. According to Fesko, the contrast is that between the Mosaic covenant, which communicates a “works principle” for obtaining life, and the gospel, which communicates a promise of life by grace through faith in Christ alone. However, the passage that Fesko adduces for his understanding of this contrast shows that Calvin identifies the contrast as that between a “legalistic” misappropriation of the law of Moses, abstracted from its setting within the broader administration of the Mosaic covenant and used as a means of justification before God, and the gospel.

In the passage to which Fesko appeals, Calvin is explaining the contrast in Hebrews between the law and the gospel, and the reason the author appeals to the promise of Jeremiah 31:31–34. In his explanation, Calvin maintains that the contrast is between the law in the narrowest sense, namely, in terms of what it demands, promises, and threatens, and the gospel. However, this contrast is not between the Mosaic administration of the covenant of grace and the gospel, since the Mosaic administration also reveals God’s promises of mercy and gracious correction of human depravity.

For the apostle [author of Hebrews] speaks more opprobriously of the law than the prophet does—not simply in respect to the law itself, but, because of certain wretches who aped the law and, by their perverse zeal for ceremonies, obscured the clarity of the gospel. Their error and stupid predilection prompt Paul to discuss the nature of the law. It behooves us therefore to note that particular point in Paul. But both Jeremiah and Paul, because they are contrasting the Old and New Testaments, consider nothing in the law except what properly belongs to it. For example: the law contains here and there promises of mercy, but because they have been borrowed from elsewhere, they are not counted part of the law, when only the nature of the law is under discussion. They ascribe to it only this function: to enjoin what is right, to forbid what is wicked; to promise a reward to the keepers of righteousness, and threaten transgressors with punishment; but at the same time not to change or correct the depravity of heart that by nature inheres in all men.²⁷

For Calvin, the law as such was never intended to play an independent role within the broader administration of the Mosaic covenant, which was an evangelical covenant that communicated the gospel of God’s gracious promise of salvation through Christ. The contrast between the “law” and the “gospel,” therefore, is not between the Mosaic administration and the gospel. In Calvin’s view, when the apostle Paul and other New Testament writers oppose the “law” and the “gospel,” they are speaking of the law in the narrowest sense, wrested from its evangelical setting and misappropriated by those who falsely boast of their justification before God through obedience to the law’s demands. Though

²⁷ *Institutes* II.xi.7 (OS 3.429–30). For a more complete summary of Calvin’s distinction between Moses’ general and peculiar offices, or between the whole religion of Moses and the “bare law” (*nuda lex*) wrested from its setting within the covenant of grace, see Cornelis P. Venema, *Accepted and Renewed in Christ: The “Twofold Grace of God” and the Interpretation of Calvin’s Theology* (Göttingen: Vandenhoeck & Ruprecht, 2007), 232–36.

the law is holy and good, it can only demand perfect obedience and remind its recipients of the consequences of any failure to do what it requires. When the law is viewed in isolation from its evangelical setting, it can only condemn fallen sinners who are incapable of doing what it requires. Contrary to Fesko's reading of Calvin, there is no basis for interpreting Calvin to teach that the Mosaic administration included at some level a kind of "legal" covenant that republished the prelapsarian covenant of works.

2.1.2 Francis Turretin

The second Reformed theologian we consider is Francis Turretin (1623–87), a leading Reformed theologian of the orthodox period. Unlike Calvin, who was one of the principal architects of the earliest formulation of Reformed theology, Turretin deliberately sought to present the consensus of Reformed theology at the height of the period of Reformed orthodoxy. Turretin's principal theological work, *Institutes of Elenctic Theology*, was written, as its title intimates, in order to defend the consensus of Reformed theology against its theological opponents, whether within the Reformed community or within orthodox Lutheranism and Roman Catholicism.²⁸ For our purpose, which is to identify the way Reformed theologians viewed the Mosaic administration within the history of the covenant of grace, Turretin's handling of the question is of special value. Not only does Turretin offer his own conception of the unique place of the Mosaic administration within the broader history of the covenant of grace, but he also identifies the diversity of viewpoints among leading Reformed theologians of the period. Consequently, Turretin's exposition of the Mosaic covenant offers an especially significant piece of historical evidence for what may be described as a consensual or commonplace view among Reformed theologians on this feature of traditional Reformed theology.

Consistent with the scholastic form and method of his elenctic theology, Turretin offers a carefully nuanced and highly complex presentation of the doctrine of the covenant. In keeping with our limited purpose in this review, I will not attempt to trace out the complexities of Turretin's discussion, but focus upon the specific question of republication that is the concern of the authors of *The Law is Not of Faith*. However, before treating Turretin's handling of this specific question, I will begin with a brief summary of the main tenets of Turretin's doctrine of the covenant.

Unlike Calvin, who does not expressly distinguish between a prelapsarian covenant of works and a postlapsarian covenant of works, Turretin maintains that life and fellowship with the triune God, whether as Creator or as Redeemer, is always communicated by way of covenant. In the pre-fall state, God covenanted with the human race, promising life upon condition of Adam's perfect and personal obedience and threatening death upon Adam's disobedience.²⁹ The pre-fall covenant, which Turretin denominates a "covenant of nature," God gratuitously conferred upon Adam the right to eternal happiness upon condition of perfect obedience. Due to the infinite difference between God

²⁸ Francis Turretin, *Institutes of Elenctic Theology*, 3 vols., ed. James T. Dennison, Jr., trans. George Musgrave Giger (Phillipsburg, NJ: Presbyterian & Reformed, 1992–1996). For a comprehensive treatment of Turretin's doctrine of the covenant, see J. Mark Beach, *Christ and the Covenant*.

²⁹ *Institutes of Elenctic Theology*, 1:574–5.

as Creator and man as creature, and due to the disproportion between the creature’s obedience and the eternal life promised, Turretin clearly rejects the idea that Adam or the creature could “properly merit” life through obedience, though he acknowledges that, speaking improperly, we may affirm a kind of “covenanted merit” (*meritum ex pacto*) that derives “from the pact and liberal promise of God.”³⁰ By virtue of Adam’s disobedience and fall, it is no longer possible for human beings to enjoy happiness in fellowship with God by means of this covenant of works. In distinction from the prelapsarian covenant of nature, Turretin affirms that God as Redeemer instituted the covenant of grace as the means to restore the elect in Christ to fellowship with himself and to obtain the blessing of eternal life. Turretin summarizes his commitment to the standard Reformed doctrine of bi-covenantalism in the following manner:

[God] entered into a twofold covenant with men: first, a legal covenant (or one of works) with innocent man; another of faith and evangelical with fallen and sinful man. By the former, God promised eternal life to the man perfectly fulfilling the law and threatened the sinner with death according to the clauses, “do this and live” and “cursed is he who continueth not.” By the latter, he promises to the believer safety in Christ and on account of Christ. The former was made with Adam before the fall and in him with all men The latter was entered into with the elect in Christ after the fall.³¹

In his extended treatment of the covenant of grace, Turretin addresses a series of questions such as the identity of the parties of the covenant, the promises and stipulations of the covenant, and the senses in which the covenant of grace is “conditional” or “unconditional.” For our purpose, the most important questions that he addresses have to do with the unity of the covenant of grace in its diverse administrations throughout the history of redemption, and the peculiar features of the Mosaic administration. In the course of his consideration of these questions, Turretin addresses explicitly the debates among Reformed theologians regarding whether the Mosaic administration was an administration of the covenant of grace, whether it was also an administration in some manner of the covenant of works, or whether it was a distinct covenant altogether, neither a covenant of works nor a covenant of grace. In his discussion of these topics, Turretin offers answers that are directly relevant to the republication thesis of the authors of *The Law is Not of Faith*.

On the topic of the unity of the covenant of grace, Turretin distinguishes the Reformed view from that of the Socinians, the Remonstrants (Arminians), and the Anabaptists. Contrary to these alternative views of the relation between the Old and New Testaments, the Reformed teach that the covenant of grace is “the same as to its substance and essential parts” in all of its diverse administrations. Whereas the substance of the covenant remains the same throughout redemptive history, the diverse administrations of the covenant differ only in respect to their “accidentals and the different modes and degrees of dispensation and manifestation.”³² In every administration of

³⁰ *Institutes of Elenctic Theology*, 1:578.

³¹ *Institutes of Elenctic Theology*, 2:174.

³² *Institutes of Elenctic Theology*, 2:194.

the covenant of grace, we find the same Mediator (Christ), the same obligation of faith in Christ, the same promise of spiritual blessings, and the same way of reconciliation and salvation. So far as the “intention” of God is concerned, therefore, the Mosaic administration, as an administration of the covenant of grace, rightly belongs to the covenant of grace and differs from the new covenant only in terms of its accidental features.

Within the framework of these fundamental themes of Reformed covenant theology, Turretin takes up specifically the subject of what is unique to the Mosaic administration of the covenant of grace. In doing so, he acknowledges that there is a lack of consensus, even among Reformed theologians, on this question.³³ Indeed, he admits that

[t]he opinions of theologians vary on this subject. Some maintain that the Sinaitic covenant was a covenant of works; others that it was a mixture of the covenant of works and the covenant of grace; others that it was properly neither a covenant of nature nor of grace, but a third covenant distinct from both in its whole species and was instituted to minister to the covenant of grace (and for this reason properly called “subservient”). Finally others (with whom we agree) say that it was a covenant of grace, but promulgated with the law and lying under it (which was sanctioned in the unusual manner of terror and servitude, in accordance with the state of the Israelite people and the age of the church at the time).³⁴

As this statement of the differing viewpoints of the relation of the Mosaic administration to the covenants of work and of grace indicates, by the time of the writing of Turretin’s *Institutes* considerable difference of opinion had emerged among Reformed theologians on the subject. Turretin’s summary of these differences identifies at least four distinct opinions: (1) some viewed the Mosaic administration as a covenant of works; (2) some taught that the Mosaic administration was an admixture of the covenant of works and the covenant of grace; (3) a third opinion taught that the Mosaic administration was a distinct, subservient covenant, that was neither a covenant of works nor a covenant of grace; and (4) still others, with whom Turretin concurs, viewed the Mosaic administration as in substance a covenant of grace, though promulgating the law as a means to teach human inability and sinfulness and the need for the Mediator, Jesus Christ. In his consideration of these views, Turretin spends most of his time refuting the third opinion and arguing for the propriety of the fourth. With respect to the third or “subservient” covenant view, Turretin notes that it was primarily taught by John Cameron and Amyraut of the Amyraldian school. Though Turretin seems to permit some form of the other views within

³³ It is significant that, in his consideration of the Decalogue, Turretin observes a difference between the Reformed view and that of traditional Lutheranism. As he puts it, “[i]n assigning the difference between the Old and New Testaments the Lutherans differ also from our men and a question was agitated by them on this subject growing out of the sacramental controversy. They maintain that these two covenants are not only to be distinguished in substance, but also that the promise of grace is to be excluded from the old covenant” (*Institutes of Elenctic Theology*, 2:234). For a summary of Turretin’s assessment of the Lutheran view of the old covenant, see Beach, *Christ and the Covenant*, 265–69. It is interesting to observe that some of the representations of the Mosaic covenant by authors of *The Law is Not of Faith*, especially in the chapter of Gordon, resemble more the Lutheran view in this respect than the traditional Reformed view.

³⁴ *Institutes of Elenctic Theology*, 2.262.

the boundaries of acceptable Reformed opinion, he expressly repudiates the idea that the Mosaic covenant “subserved” the covenant of grace by “inflaming” the children of Israel with a desire for the promise of the covenant of grace and restraining their sinful inclination toward obedience.³⁵

In defense of the fourth opinion, Turretin argues that the Mosaic administration was an administration of the covenant of grace. Since there are only two kinds of covenants, a covenant of works and a covenant of grace, he rejects outright the idea that the Mosaic administration was a third kind of covenant. For Turretin, the Mosaic administration was “as to substance and species ... nothing else than a new economy of the covenant of grace.”³⁶ The Mosaic covenant was no different in its substance than the covenant with Abraham, though by its promulgation of the law it was “clothed as to external dispensation with the form of a covenant of works”³⁷ The specific purpose of the Mosaic administration’s promulgation of the law was not to reinstitute a covenant of works with Israel, but to remind Israel of her sinful inability to do what the law demands and thereby cultivate a more ardent thirst for the righteousness of Jesus Christ. The law served Israel as a pedagogue that led her by the hand to Christ, and taught the people that there is no basis for salvation than that which is found in him. In his elaboration of the place of the law, narrowly considered, within the Mosaic administration, Turretin offers an account that closely resembles the one we have already observed in Calvin.

The Mosaic covenant may be viewed in two aspects: either according to the intention and design of God and in order to Christ; or separately and abstracted from him. In the latter way, it is really distinct from the covenant of grace because it coincides with the covenant of works and in this sense is called the letter that killeth and the ministration of condemnation, when its nature is spoken (2 Cor. 3:6,7). But it is *unwarrantably abstracted here* because it must always be considered with the intention of God, which was, not that man might have life from the law or as a sinner might be simply condemned, but that from a sense of his own misery and weakness he might fly for refuge to Christ.³⁸

In this explanation, Turretin is making a point that we witnessed in Calvin’s conception of the Mosaic administration. When New Testament writers (especially the apostle Paul) contrast the “law” of Moses and the covenant of grace in Christ, the contrast is not between the Mosaic covenant as such and the covenant of grace. The contrast is between the law, abstracted from its setting within the Mosaic administration and considered only in terms of what it demands and promises, and the covenant of grace. However, when the law, narrowly considered, is regarded as having been promulgated by God through Moses to teach Israel to find salvation through works of obedience, then the law has been turned to a design contrary to God’s intention. Within the purposes of the God of the covenant, the Mosaic law was designed to serve the preaching of Christ and to point Israel to the only Mediator whose obedience could procure salvation. In a statement that both anticipates and opposes the appeal of the authors of *The Law is Not of Faith* to a passage like Galatians

³⁵ *Institutes of Elenctic Theology*, 2.262.

³⁶ *Institutes of Elenctic Theology*, 2.263.

³⁷ *Institutes of Elenctic Theology*, 2.263.

³⁸ *Institutes of Elenctic Theology*, 2.267 (emphasis mine).

3:12, Turretin observes that Paul speaks of the law “not as taken broadly and denoting the Mosaic economy, but strictly as taken for the moral law abstractly and apart from the promises of grace (as the legalists regarded it who sought life from it).”³⁹ In Galatians 3:12, accordingly, the apostle Paul is not equating the “law” with the Mosaic administration as such, and then sharply opposing the Mosaic administration to the covenant of grace. Rather, the apostle is contrasting what the law, wrested from its covenant setting, demands, and arguing against his legalistic opponents who pursued a righteousness that consisted in obedience to the law.⁴⁰

Though I will have occasion in what follows to consider further Turretin’s view of the role of the law in the Mosaic economy, it does not appear from my summary thus far that Turretin understands it to function at some level as a covenant of works. To be sure, Turretin affirms that the law, narrowly considered, reminds Israel of the requirements and consequences of obedience, and thereby closes the door to justification and life by the works of the law. In this respect, the law reiterates the demands of the covenant of works and shows why the promise of life and blessing cannot be obtained through the law. However, in doing so the law serves the gospel of God’s grace in Christ, demonstrating that the covenant of works has been wholly abrogated as an instrument for obtaining life. Part of God’s purpose in giving the law within the broad framework of the Mosaic economy was to point Israel to Christ who alone fulfills all the obligations of the law on behalf of his people. To view the law as though it were given *covenantally* as a means for obtaining the blessing of life and justification would be to “abstract” the law from the promises of grace that are an integral part of the Mosaic economy. Indeed, such an abstraction of the law from its divinely-intended place within the Mosaic economy is the error of the legalists whom the apostle Paul opposes in his letter to the Galatians. Though the Mosaic administration may include a *formal* republication of the law’s obligations, together with the consequences that follow in the instance of obedience or disobedience to its requirements, it does not thereby reinstitute at some level the pre-fall covenant of works.

2.1.3 Herman Witsius

The third theologian of the Reformed tradition whom we consider is Herman Witsius. Witsius’ views on the question of republication are important for two reasons. First, Witsius was a mediating theologian who wrote toward the

³⁹ *Institutes of Elenctic Theology*, 2.267–8.

⁴⁰ Turretin reiterates this point in the conclusion to his discussion of the question whether the Mosaic covenant was a covenant of works or a covenant of grace: “It is one thing to speak of the law in itself (which had the form of a covenant of works and was enacted not with the end of making alive, but to convict of transgression, extort the confession of debt and lead to Christ); another concerning the Sinaitic covenant itself, in which the law was enacted” (*Institutes of Elenctic Theology*, 2:269). See Beach, *Christ and the Covenant*, 243–72, for an extensive discussion of Turretin’s view of the “twofold economy” of the covenant of grace. Beach argues that Turretin viewed the Mosaic economy as an administration of the covenant of grace, though the promulgation of the moral law, when distinguished from its setting within the evangelical promise, does have the “form” of the covenant of works, “showing humans what they owe God and the consequences of failing to live according to his will” (252). In Beach’s estimation, however, Turretin subordinates this feature of the Mosaic economy to the level of a “form” or adjunct that does not materially alter the substance of the Mosaic covenant as a covenant of grace.

end of the formative period of Reformed theology and endeavoured to resolve some of the ongoing disputes among Reformed theologians on this question and other features of covenant theology. And second, Witsius is also cited by authors of *The Law is Not of Faith* as an historical example who confirms the prevalence of the republication thesis in traditional Reformed covenant theology. In his summary of Witsius’ view, Fesko, for example, argues that the republication thesis is more pronounced in Witsius than it was in Calvin. In addition to Calvin’s view that the Mosaic law republished the works principle of the covenant of works, Fesko argues that Witsius also developed the typology of Israel’s corporate subjection to the works principle. In his interpretation of Witsius’ position, Fesko insists that the Mosaic administration was interpreted as a kind of second Adamic probation in which God “set forth a legal covenant before the nation of Israel, one by which they could earn their salvation through obedience” (37).⁴¹

In his well-known *The Economy of the Covenants Between God and Man*, Witsius restates the classic bi-covenantalism of the Reformed tradition. Since Witsius’ formulation of the covenant of works and the covenant of grace differs in no significant respect from that of Turretin, I will focus only upon his handling of the question of the distinctive character of the Mosaic administration in the economy of the covenants. Following the long-standing consensus of Reformed theologians, Witsius assumes throughout his discussion of the Mosaic administration that it was in substance an administration of the covenant of grace, however distinct it might be in its accidental or incidental features or forms. As Witsius explains it,

The difference of the testaments consists in the different manner of dispensing and proposing the same saving grace, and in some different adjuncts and circumstances. Whatever was typical in that dispensation, and denoted imperfection, and an acknowledgment that the ransom was not yet paid, belongs to the Old Testament. Whatever shews that the redemption is actually wrought out, is peculiar to the New Testament.⁴²

On this cardinal assumption of Reformed covenant theology, Witsius is clear: the covenant of grace throughout history is one in substance, though distinct in form of administration. The question that arises, then, is: what were the distinct features or “adjuncts” of the Mosaic administration as an administration of the covenant of grace?

Witsius introduces his discussion of whether the Mosaic administration with its promulgation of the law at Sinai was a covenant of works or of grace by offering four preliminary observations. First, it is undoubtedly true that the moral law promulgated through Moses is a “repetition of the doctrine

⁴¹ There is a confusing inconsistency in Fesko’s account of the typology of Israel’s subjection to the requirement of obedience to the law. Only a page after the quote cited, Fesko represents Witsius to teach that the Mosaic administration was neither an exclusive covenant of works or an exclusive covenant of grace, but a “national covenant of ‘sincere piety’ that presupposes both covenants. This covenant of sincere piety in terms of the land inheritance did not require perfect obedience, but sincere obedience, which for the godly Israelite was the fruit of his faith” (38).

⁴² Herman Witsius, *The Economy of the Covenants Between God and Man: Comprehending a Complete Body of Divinity*, trans. William Crookshank, 2 vols. (reprint; Escondido, CA: The Den Dulk Foundation, 1990 [1822]), 1:308.

concerning the law of the covenant of works.⁴³ The law with its demands, rewards, and promises, repeats what was required of Adam before the fall and can only, when separated from the covenant of grace, condemn and curse its recipients who are fallen in Adam. Second, Witsius observes that the “tremendous signs of thunders and lightnings,” which accompanied the giving of the law through Moses at Sinai, were a “repetition of the covenant of works.”⁴⁴ Just as the covenant of works can only remind sinners of the condemnation and death that follows upon disobedience to the law of God, so these signs at Sinai reminded Israel of the threat of judgment and contrast in form with the “sweetness of the gospel.” Third, though Witsius language might suggest that the law republished and placed Israel under a renewed covenant of works, he also observes that “[w]e are not, however, to imagine, that the doctrine of the covenant of works was repeated, in order to set up again such a covenant with the Israelites, in which they were to seek for righteousness and salvation.”⁴⁵ The purpose of the giving of the law was not to renew the covenant of works, but “promote the covenant of grace” with its promises of life and blessing through God’s mercy. And fourth, Witsius closes his preliminary observations on the Mosaic administration by noting that it included the “repetition of some things belonging to the covenant of grace.”⁴⁶ When the Lord reveals his law through Moses, he does not do so without promises of friendship and blessing, and of the provision of a Mediator and his “suretyship.” If the Mosaic administration consisted only of the promulgation of the moral law through Moses, it could only fill its recipients with terror and exasperation. However, the Mosaic administration republishes the promises of the covenant of grace, even as it teaches Israel the impossibility of obtaining life through obedience to the demands of the law.

After these preliminary observations regarding the law of Moses, Witsius turns directly to the question whether it was a covenant of works or a covenant of grace. In his answer to the question, Witsius offers what can only be described as a perplexing answer. He begins with what appears to be a clear denial that the Mosaic law was a republication of the covenant of works. According to Witsius, the covenant made with Israel at Sinai “was not formally the covenant of works” for at least three reasons.⁴⁷ First, it is not possible that God would reinstitute the covenant of works with sinners, since they are not capable of the perfect obedience required in the covenant of works and of obtaining justification and life through such obedience. Second, the obedience required in the Mosaic covenant was a “sincere obedience, as an evidence of reverence and gratitude,” and not a perfect obedience that was to be performed in order to obtain God’s blessing. And third, the obligation of obedience in the Mosaic economy did not “conclude Israel under the curse, in the sense peculiar to the

⁴³ *The Economy of the Covenants*, 2:182. Witsius’ observation that the Decalogue given through Moses repeats the moral requirements of the natural law of God before the fall into sin, corresponds to what Ferry in *The Law is Not of Faith* terms a “material republication” of the covenant of works. This is not to say that the law is given in the form of a “covenant” of works, but that the law of Moses, as to its essential content, repeats the content of the natural or moral law.

⁴⁴ *The Economy of the Covenants*, 2:183.

⁴⁵ *The Economy of the Covenants*, 2:183.

⁴⁶ *The Economy of the Covenant*, 2:184.

⁴⁷ *The Economy of the Covenants*, 2:184.

covenant of works, where all hope of pardon was cut off, if they sinned but in the least instance.”⁴⁸

Immediately after his denial that the Mosaic administration was in form a covenant of works, Witsius adds a point that we have seen previously in the formulations of Calvin and Turretin. In Witsius’ interpretation of the apostle Paul’s contrasting of the law and the gospel, the apostle is contending against “carnal Israelites,” who did not regard the law in accordance with “God’s purpose or intention” but who “mistook the true meaning of that covenant, embraced it as a covenant of works, and by it sought for righteousness.”⁴⁹ Therefore, when Paul opposes the law of Moses and the gospel of justification through faith in Christ, he is not presuming that the law of Moses was “nothing but a covenant of works.” Rather, Paul was teaching that “the gross Israelites misunderstood the mind of God, and basely abused his covenant; as all such do, who seek for righteousness by the law.”⁵⁰

Upon the basis of these considerations, which militate against the view that the law of Moses was formally a covenant of works, the reader would expect Witsius to argue that it was in fact only an administration of the covenant of grace. However, Witsius also rejects the teaching that the law of Moses was “formally a covenant of grace.”⁵¹ In order for the law of Moses to be a covenant of grace, it would have to include the promises of blessing and life, which can only be granted by God and received in the way of faith, and it would have to bestow the strength required in order for its obligations to be performed. Since the law of Moses includes neither the gracious promises of God’s blessing nor the provision of the strength needed to perform what it requires, Witsius concludes that it is not a covenant of grace. If the law of Moses is neither formally a covenant of works nor formally a covenant of grace, then what, Witsius asks, is it? In answer to this question, Witsius proposes that the law of Moses should be understood as a “national covenant between God and Israel, whereby Israel promised to God a sincere obedience to all his precepts, especially to the ten words; God, on the other hand, promised to Israel, that such an observance would be acceptable to him, nor want its reward, both in this life, and in that which is to come, both as to soul and body.”⁵² In this understanding of the law of Moses as a national covenant, we may say that it presupposes both the covenants of work and of grace, though it is not strictly one or the other. In some sense the law of Moses includes or is an admixture of the covenant of works, which teaches Israel that the Lord’s blessing requires sincere obedience, and of the covenant of grace, which teaches Israel that the Lord’s blessing is finally dependent upon his mercy and grace.

It is difficult to determine where Witsius’ opinion of the peculiar nature of the Mosaic economy fits into the framework of his covenant theology as a whole,

⁴⁸ *The Economy of the Covenants*, 2:184.

⁴⁹ *The Economy of the Covenants*, 2:184–85.

⁵⁰ *The Economy of the Covenants*, 2:185. Witsius appeals at this point to Calvin’s interpretation of Romans 10:4, and to the apostle Paul’s arguments in Romans 9:31ff and Galatians 4 & 5.

⁵¹ *The Economy of the Covenants*, 2:185. Perhaps part of the explanation for Witsius’ hesitation to designate the law of Moses either a covenant of works or a covenant of grace, lies in the fact that he is speaking strictly of *the law of Moses* (the Decalogue), distinguished from the evangelical promise with which it is properly joined in the covenant of grace.

⁵² *The Economy of the Covenants*, 2:186.

and how it lines up, for example, with the four views that Turretin discerns among Reformed covenant theologians. Witsius' view is not compatible with the "subservient" or "third" covenant view advocated by John Cameron and the Amyraldians. When Witsius describes the law of Moses as both a covenant of works and a covenant of grace, he seems to favor the second view that Turretin identifies, namely, that the Mosaic economy was an admixture of the covenants of works and of grace. However, much of Witsius' treatment of the question corresponds to the themes that we have seen previously in Calvin and Turretin, and cumulatively support the view that Witsius regarded the Mosaic covenant as substantively an administration of the covenant of grace. Among the writers we have considered, Witsius' position does seem to anticipate some of the emphases of authors of *The Law is Not of Faith*, particularly the idea that the Mosaic economy includes in some sense a formal republication of the covenant works at the level of Israel's corporate or national life. But in this respect Witsius differs from the views of Calvin and Turretin, and in a way that is more confusing than it is clarifying.

2.1.4 *The Westminster Confession of Faith*

The best source for determining the historic Reformed consensus on the doctrine of the covenant is undoubtedly the Westminster Confession of Faith. Among the classic symbols of the Reformed churches, the Westminster Confession of Faith clearly presents the consensus doctrine of the covenant in the period of Reformed orthodoxy. As is typically the case with confessional documents, the formulations of the Westminster Confession represent the common and accepted features of the doctrine, and leave aside those peculiar features that belong only to this or that theologian of the tradition. For example, even though it was fairly common by the time of the writing of the Westminster Confession of Faith to speak of an intra-trinitarian "covenant of redemption" (*pactum salutis*), the Westminster Confession of Faith restricts its discussion of the covenant to the historical covenants before and after the fall into sin. Consequently, the Westminster Confession of Faith is an excellent standard to test the claims of the authors of *The Law is Not of Faith*. Is there any evidence that the Westminster Confession of Faith views the Mosaic administration as a kind of republication of the covenant of works?⁵³

In Chapter 7 of the Westminster Confession of Faith, which is entitled "Of God's Covenant with Man," the Confession presents a classic statement of historic Reformed bi-covenantalism. The first article of Chapter 7 underscores the importance of the doctrine of the covenant and offers a general definition of God's covenant with man. According to this article, all human beings were created in God's image and can only have "fruition of him as their blessedness and reward" by means of covenant (WCF 7.1). Even though human beings who bear God's image are obliged by nature to obey God, they would never

⁵³ For a recent exchange on this question, see D. Patrick Ramsey, "In Defense of Moses: A Confessional Critique of Kline and Karlberg," *Westminster Theological Journal* 66/2 (2004): 373-400; and Brenton C. Ferry, "Cross-Examining Moses's Defense: An Answer to Ramsey's Critique of Kline and Karlberg," *Westminster Theological Journal* 67/1 (2005): 163-68. As their article titles indicate, Ramsey is arguing against the republication thesis, as it is represented in the works of Kline and Karlberg, and Ferry, one of the authors of *The Law is Not of Faith*, is arguing for it.

be able to enjoy the perfection of eternal life without God’s sovereign initiative or “voluntary condescension” to enter into covenant with them. For the Westminster divines, the covenant relationship between God and human beings as his image-bearers, whether before or after the fall, is always based upon God’s free and unmerited condescension.

After making these fundamental points about the indispensability of the covenant to human blessedness and the nature of the covenant as a “voluntary condescension” on God’s part, the Confession proceeds to distinguish and define the prelapsarian covenant of works and the postlapsarian covenant of grace. What distinguishes the covenant of works is that it promises Adam and all whom he represented life “upon condition of perfect and personal obedience” (WCF 7.2). By virtue of Adam’s sin and disobedience, there is no possibility open to Adam or his posterity for life and blessedness upon the basis of the covenant of works. Consequently, God was “pleased to make a second, commonly called the *covenant of grace*; wherein he freely offereth unto sinners life and salvation by Jesus Christ; requiring of them faith in him, that they may be saved, and promising to give unto all those that are ordained unto eternal life his Holy Spirit, to make them willing, and able to believe” (WCF 7.3). The covenant of works and the covenant of grace are similar in respect to their source and promise. Both covenants originate with the triune God who voluntarily condescends to enter into covenant with his creatures. In the covenant of works, the parties are God, the triune Creator, and Adam and his posterity. In the covenant of grace, the parties are God, the triune Redeemer, and all who by faith are partakers of Christ and all his benefits. The life promised in the covenant relationship before and after the fall into sin is nothing less than the perfection of eternal life and blessedness in unbreakable communion with God. What distinguishes these two covenants as to their substance is that the first requires “personal and perfect obedience” as the condition for obtaining life, whereas the second requires faith in Christ, the Mediator.

The two concluding articles of Chapter 7 of the Westminster Confession of Faith are of special importance to the question of the unity of the covenant of grace throughout the history of redemption. In these articles, the Westminster divines embrace the formulation of Calvin and other Reformed theologians that the covenant of grace is one in substance throughout the course of history and in all its various dispensations.

This covenant [of grace] was differently administered in the time of the law, and in the time of the gospel: under the law, it was administered by promises, prophecies, sacrifices, circumcision, the paschal lamb, and other types and ordinances delivered to the people of the Jews, all foreshadowing Christ to come; which were, for that time, sufficient and efficacious, through the operation of the Spirit, to instruct and build up the elect in faith in the promised Messiah, by whom they had full remission of sins, and eternal salvation; and is called the old testament. (WCF 7.5)

Under the gospel, when Christ, the substance, was exhibited, the ordinances in which this covenant is dispensed are the preaching of the Word, and the administration of the sacraments of Baptism and the Lord’s Supper: which, though fewer in number, and administered with more simplicity, and less

outward glory, yet, in them, it is held forth in more fullness, evidence and spiritual efficacy, to all nations, both Jews and Gentiles; and is called the new testament. There are not therefore two covenants of grace, differing in substance, but one and the same, under various dispensations (WCF 7.6).

Nothing in these confessional statements regarding the unity and diversity of the covenant of grace throughout the history of redemption differs in any significant way from what we have seen in the writings of Calvin, Turretin, and Witsius. The administration of the covenant of grace “under the law” refers broadly to the entire Mosaic economy. In the view of the Westminster divines, the Mosaic administration in its entirety foreshadowed the person and work of Christ as Mediator. Believers under the Mosaic economy were saved in the same way, and enjoyed the same spiritual blessings that are now enjoyed by believers after the coming of Christ.⁵⁴

Though the authors of *The Law is Not of Faith* acknowledge these features of the Westminster Confession of Faith’s conception of the Mosaic economy, they especially appeal to Chapter 19 to argue for the view that the law of Moses “in some sense” republished the covenant of works (10–11, 43). In Chapter 19, which is entitled “Of the Law of God,” the Westminster Confession of Faith makes a number of important statements about the law within the context of the prelapsarian covenant of works and the postlapsarian covenant of grace. With respect to the covenant of works, the Confession notes that “God gave to Adam a law, as a covenant of works, by which he bound him and all his posterity to personal, entire, exact, and perpetual obedience” (WCF 7,1). Reiterating what was stated in Chapter 7 regarding the covenant of works, the Confession affirms that the “promise of life” made to Adam would have been granted upon the basis of Adam’s fulfillment of this condition.

In several subsequent articles of Chapter 19, the Confession also affirms that the moral law of God continued after the fall to be “a perfect rule of righteousness” for all human beings created in God’s image, and that it was communicated to Israel through Moses in the form of the Decalogue at Mount Sinai (WCF 19, 2–5). In addition to the moral law, which was summarized for Israel in the Decalogue, God also gave Israel various ceremonial laws, which foreshadowed the coming of Christ and are abrogated under the new covenant (WCF 19, 3). Of particular significance is the Confession’s declaration regarding the moral law that God gave to believers under the Mosaic administration and that continues to “bind” believers to obedience under the new covenant in Christ.

Although true believers be not under the law, as a covenant of works, to be thereby justified, or condemned; yet is it of great use to them, as well as to others; in that, as a rule of life informing them of the will of God, and their duty, it directs and binds them to walk accordingly.... The promises of it, in like manner, show them God’s approbation of obedience, and what blessings

⁵⁴ The Westminster Confession of Faith 11.6 affirms, for this reason, that believers under the old covenant administrations of the covenant of grace enjoyed the blessing of free justification: “The justification of believers under the old testament was, in all these respects, one and the same with the justification of believers under the new testament.” Though the authors of *The Law is Not of Faith* do not deny this affirmation, it is noteworthy that it hardly receives much emphasis in their characterization of the Mosaic administration.

they may expect upon the performance thereof; although not as due to them as a covenant of works...(19.6).

It is difficult to see what basis the authors of *The Law is Not of Faith* have for appealing to these articles in Chapter 19 of the Westminster Confession of Faith to prove that the Mosaic economy in some sense republished the covenant of works. The Confession clearly affirms that the moral law, whether promulgated through Moses or by Christ himself, constitutes a “perfect rule of righteousness” that is abidingly normative for the conduct of God’s people. Indeed, the moral law continues to obligate all creatures, “as well justified persons as others,” to a pattern of conduct in respect to God and to others that is pleasing to God as their Creator or Redeemer. The moral obligations of obedience remain the same after the fall into sin as they were before, though the particular form or expression of these obligations may differ throughout the course of redemptive history. But this does not warrant the conclusion that the Mosaic economy was in some sense a republication of the covenant of works. As a matter of fact, the Confession expressly denies that the law was given through Moses “as a covenant of works.” Unlike the covenant of works, which required “personal and perfect obedience” to the law as the condition for obtaining life and blessedness, the Mosaic economy requires faith in Christ alone for salvation. The obligations of the law under the Mosaic covenant as a covenant of grace are not set forth as a basis for the believer’s justification, but to teach believers of their need for Christ and to encourage them in their life of grateful obedience.⁵⁵

2.1.5. Summary

In my review of the covenant theology of three leading Reformed theologians, Calvin, Turretin, and Witsius, as well as my sketch of the covenant conception of the Westminster Confession of Faith, we have seen a consistent set of emphases. In every case, with the exception of Calvin who does not expressly articulate a doctrine of a prelapsarian covenant of works, a clear distinction is drawn between two substantially different covenants. The first covenant is the prelapsarian covenant of works, whose substance consists in God’s promise of life to Adam and his posterity upon condition of perfect and personal obedience. The second covenant is the postlapsarian covenant of grace, whose substance consists in God’s gracious promise of life to all who are united to Christ by faith and become thereby partakers of all his benefits. With respect to the postlapsarian covenant of grace, a clear consensus exists that this covenant, though diversely administered throughout the course of redemptive history, was one in substance. In all of its administrations, the covenant of grace promises life upon condition of faith in Jesus Christ. So far as the obligations of obedience under the covenant of grace are concerned, the moral law of God, which was known to Adam before the fall, serves as an abiding rule of conduct. However, the law of God, which was promulgated

⁵⁵ Ernst Kevan, *The Grace of the Law: A Study in Puritan Theology* (reprint; Morgan, PA: Soli Deo Gloria Publications, 1993 [1963]), 117, offers a helpful summary of the position set forth in the Westminster Confession of Faith, especially in Chapters 7 and 19: “The outcome of the debate [regarding the nature of the Mosaic economy among the divines] was that, on the whole, it was agreed that the mosaic Covenant was a form of the Covenant of Grace; and this view was embodied in the *Confession of Faith*.”

through Moses in the form of the Ten Commandments, does not function in any sense as a republication of the covenant of works. Though the law's moral demands remain the same, the law is not given through Moses or under any of the administrations of the covenant of grace as an instrument for obtaining the inheritance of life and blessing. Rather, the law functions in its first use to teach believers their need for Christ and his saving work, and in its third use to be a "rule of gratitude" for the sincere, though imperfect, obedience of God's redeemed people.

2.2. An Assessment of the Biblical Arguments

Though the historical argument for the republication thesis is a dominant feature of *The Law is Not of Faith*, the largest section of the volume consists of several articles that offer a biblical-theological case for the claim that the Mosaic administration republished the "works principle" of the prelapsarian covenant of works. The aim of the contributors to this section of the book is to confirm the biblical warrant for this view of the nature of the Mosaic administration. In keeping with the limitations of my review of *The Law is Not of Faith*, I will not engage all of the chapters in this section of the book, nor will I attempt to assess many of the details of the complex exegetical arguments of the authors. To do so would require nothing less than a biblical-theological monograph of considerable length. My assessment will focus only upon the articles that I summarized in my survey of the book, and upon some of their most important arguments.

Furthermore, rather than attempt an independent exegesis of the key passages adduced by the authors for their respective versions of the republication thesis, I will simply contrast the handling of these passages in *The Law is Not of Faith* with the interpretation of several representative Reformed exegetes. My aim in drawing the contrast between the handling of these passages by contributors to *The Law is Not of Faith* and by other Reformed exegetes will not be to determine whose interpretation is finally to be preferred. Rather, it will be my aim to establish at least two points: first, that the biblical-theological arguments of the contributors do not clearly belong to the mainstream of historic Reformed biblical theology; and second, that the biblical-theological arguments of the authors reflect more the far-reaching influence of a recent Reformed biblical theologian, Meredith Kline. If these two points can be established, then it seems to me that they undermine the larger claim of the authors of *The Law is Not of Faith*, namely, that their understanding of the republication thesis represents an integral part of the historic Reformed and biblical theology of the covenant.⁵⁶

In order to organize my assessment of the biblical-theological argument for the republication thesis, I will address three topics: (1) the interpretation of the apostle Paul's use of Leviticus 18:5 in Romans and Galatians; (2) Galatians

⁵⁶ In this part of my assessment of *The Law Is Not of Faith*, I do not in any way wish to impinge upon the legitimate "freedom of exegesis" that belongs to a proper confession of "Scripture alone" (*sola Scriptura*). Though Reformed exegetes are obligated to respect confessional boundaries in their exegetical labors, they are free to read the biblical data in a fresh and new way. The explorations and biblical-theological arguments of the contributors to *The Law Is Not of Faith* legitimately invite further study and reflection. Nothing in my assessment is meant to undermine inappropriately the enterprise of biblical-theological study of the distinctiveness of the Mosaic economy.

3:6–14 and the Mosaic administration; and (3) the typology of the Mosaic economy in relation to its New Testament fulfillment. With respect to each of these topics, I will compare the positions of the authors of *The Law is Not of Faith* with alternative views that are more characteristic of biblical theologians in the Reformed tradition.

2.2.1 Paul’s Use of Leviticus 18:5

Throughout *The Law Is Not of Faith*, various contributors interpret the apostle Paul’s use of Leviticus 18:5 in Romans 10 and in Galatians 3 to be clearly based upon the conviction that the Mosaic economy in some sense republished the covenant of works. In the biblical studies of Estelle and Gordon, this is a basic component in their arguments for republication.

In his chapter, Estelle argues that Paul views Leviticus 18:5 to communicate a covenant-inheritance principle that is antithetical to that of the covenant of grace, which promises life and blessing through the work of Christ and upon the basis of God’s gracious initiative. In his description of the function of Leviticus 18:5, Estelle interprets the “works principle” it enunciates to serve two distinct purposes. On the one hand, Estelle maintains that this works principle was “republished” at Sinai to drive its recipients to acknowledge their sinful inability, and to cause them to trust in “God’s provision to accomplish the goal, that is, entitlement to the land of heaven” (131). On the other hand, Leviticus 18:5 served another function, namely, to teach Israel that obedience to the law “would be the meritorious grounds for Israel’s continuance in the land, the typological kingdom” (136).⁵⁷ For his part, Gordon offers an interpretation of the use of Leviticus 18:5 that shows the radical contrast between the Mosaic administration as a covenant of works, which could only place its recipients under condemnation and death, and the Abrahamic administration as a covenant of grace, which promises justification and life to those who place their trust in Christ alone. In the view of Estelle and Gordon, Paul’s use of Leviticus 18:5 demonstrates compellingly that the Mosaic covenant was in some sense a covenant of works that set forth a works principle that is antithetical to the grace principle of the gospel. Gordon’s statement of the antithesis between the Mosaic covenant and the covenant of grace is more unqualified than that of Estelle. However, both contributors insist that Paul appeals to Leviticus 18:5, not to oppose those who *misused* or *abused* the meaning of this passage within the broader framework of the Mosaic economy, but in accord with its proper meaning and significance.

Before I compare the way Estelle and Gordon interpret Paul’s use of Leviticus 18:5 with that of other Reformed exegetes, it should be observed that they give little attention to the meaning of this text in its original, Old Testament setting. While Estelle acknowledges the difference between Leviticus 18:5 in its “original setting” and in Paul’s use of it (111), he does not offer an account of the difference. However, the reason Paul’s appeal to Leviticus 18:5 raises a

⁵⁷ As noted earlier (fn 41), Estelle’s position on the nature and significance of the “works principle” in the Mosaic economy is difficult to interpret, since he seems to contradict himself. In the statement of the purpose of the “works principle,” he sometimes speaks of it as though it required “meritorious” works that would be the basis for Israel’s tenure in the land, as in this passage. But at other times, he describes the Mosaic economy’s obligation of obedience as an obligation for “grateful” or “sincere obedience,” an obedience that would serve as a witness to the nations (137).

number of difficult exegetical questions derives precisely from this difference. In its original setting within the Mosaic economy, Leviticus 18:5 can scarcely be understood apart from other essential elements of the covenant of grace. For example, the obligations of obedience stipulated in Leviticus 18:5 assume the truth of Israel's redemption from bondage by God's outstretched arm, and are placed within this context in a manner that is similar to the promulgation of the law at Sinai. When the Lord calls his people to holiness, he does so as one who is holy, but also as one who graciously makes provision for the justification and sanctification of his people.

It is especially noteworthy that the statutes of the Mosaic covenant to which Leviticus 18:5 requires compliance include all the provisions in the Levitical legislation that concern the offering of sacrifices for the cleansing away of the guilt and pollution of sin. Indeed, all of the ceremonies of the law to which Israel is subject constitute a typological prefigurement of the person and work of Christ as Mediator and Savior. Furthermore, the Lord, who makes provision for the removal of the guilt and uncleanness of the people through the Levitical legislation, also promises the people that he will sanctify them (see, e.g., Leviticus 22:32–33). In this context, Leviticus 18:5 can hardly be read to be a republication of the covenant of works, which obliges Israel to a perfect obedience as a basis for her blessing in the land of promise. This would not only wrest Leviticus 18:5 from its setting within the Mosaic economy and the Levitical legislation, but it would also suggest that this economy was no longer undergirded by the promises first made to Abraham, who was justified before God through faith alone and in no other wise than believers are justified in the New Testament economy. When Estelle and Gordon maintain that Leviticus 18:5 republished the covenant of works, they offer little or no explanation of how this comports with these fundamental features of the Mosaic covenant as an administration of the covenant of grace.

More important than their failure to explain how Leviticus 18:5 fits within the framework of a covenant administration that was substantively a covenant of grace, Estelle and (especially) Gordon dismiss a common Reformed interpretation of Paul's use of this text in Romans and Galatians. As we have seen in our consideration of the view of the Mosaic administration in Calvin, Turretin, and Witsius, these formative writers in the history of Reformed theology consistently interpret Paul to be addressing a "legalistic" abuse or misappropriation of the teaching of Leviticus 18:5. Remarkably, Gordon, in the course of his rather dismissive treatment of John Murray's view of the obligations of obedience under the Mosaic covenant, writes as though Paul's argument cannot possibly be read in any other way than the one he presents.⁵⁸ In offering his criticism of Murray, Gordon actually criticizes a rather standard

⁵⁸ Gordon's attack upon John Murray in his chapter seems to exceed the bounds of propriety for an academic essay in biblical theology. For example, he asserts that Murray not only could not have made any sense of Paul's argument in Galatians, but also that whatever he would have written would be "obfuscatory in the highest degree" (253). And, as if that were not enough, he adds, "I like to think that he [i.e. Murray] was aware that he was entirely flummoxed by Paul's reasoning, and that he therefore determined not to write anything about the matter until he could make some sense of it." In actual fact, Murray does address the matter directly in his commentary on the book of Romans, which includes an appendix on Paul's appeal to Leviticus 18:5, that we will consider in what follows. Furthermore, Gordon neglects to note that Murray addresses the interpretation of Galatians 3 in his *Redemption Accomplished and Applied* (Grand Rapids: Eerdmans, 1955 [44–45]), and that his lectures on Galatians at Westminster Theological Seminary are available to the public (see <http://sites.google.com/site/themosaiccovenant/john-murray>).

view in the history of Reformed interpretation of Paul’s argument in Galatians. Even were Gordon able to prove that Murray could have made “no sense” out of Paul’s letter to the Galatians, as he alleges, he would still have to acknowledge that the interpretation of Paul’s argument that he dismisses was fairly common, and probably predominant, among the principal exegetes of the tradition.

In the writings of Calvin, Turretin, and Witsius, Paul’s appeal to Leviticus 18:5 in Romans 10 and Galatians 3 is interpreted quite differently than in the chapters of Estelle and Gordon. Each of these theologians interprets Paul’s use of Leviticus 18:5 in terms of what might be called a “narrow” or “abstract” view of the law of Moses. Within the broader framework of the Mosaic administration of the covenant of grace, God’s design and purpose in promulgating the law was twofold. On the one hand, the law was given to Israel after her redemption from bondage in Egypt as a comprehensive description of the kind of grateful and sincere obedience that the Lord properly expected from his covenant people. In Reformed theology, this is commonly termed the “third” and “principal” use of the law.⁵⁹ On the other hand, God’s design in giving the law through Moses was also “pedagogical,” since the law serves to expose human sinfulness and inability in order to drive its recipients to Christ, who is the “end” and “fulfillment” of the law. This use is typically termed the “first” or “pedagogical” use of the law. However, when the apostle Paul draws a contrast or speaks of an antithesis between the “law” and the “gospel,” he is not teaching that the Mosaic administration in some sense republished the covenant of works and is, in this respect, contrary to the gospel. Rather, the apostle is opposing a kind of “legalism” that appeals to the “law” as an instrument for pursuing righteousness and justification before God upon the basis of works of the law.

In the interpretation of Calvin, Turretin, and Witsius, Paul’s appeal to Leviticus 18:5 is interpreted within the context of his polemic with the legalism of his opponents. In their reading of Romans 10 and Galatians 3, Paul’s appeal to Leviticus 18:5 aims to remind his legalistic opponents that the law, *narrowly and abstractly considered*, could never serve as an instrument of self-justification before God. In its narrow and abstract meaning, the law reveals only the demands and obligations of perfect obedience. These demands and obligations coincide with the moral law of God to which all image-bearers of God, including Adam before the fall, are subject. By means of the law, God reveals to his people what pleases him, namely, perfect conformity to his statutes. When the law with its demand for perfect obedience is separated from the promises and provisions of God’s grace, it can only impress upon its recipients their sinful inability and the futility of obtaining acceptance with God on the basis of the works of the law.

Rather than cite again passages from each of these theologians to illustrate their interpretation of Paul’s appeal to Leviticus 18:5, I will treat Calvin’s comments on Romans 10:5 and Galatians 3 as illustrative of themes that are common to all of them.

In his commentary on Romans 10:5, Calvin explains Paul’s appeal to Leviticus 18:5 by distinguishing between “the whole of the doctrine (*universam*

⁵⁹ Calvin regards the third use of the law as a rule of gratitude to be its “principal” use (*Institutes* II.vii.12 [OS 3:337]): “Tertius usus, qui et praecipuus est, et in proprium Legis finem propius spectat” On Calvin’s view of the diverse uses of the law, see Cornelis P. Venema, *Accepted and Renewed in Christ*, 229–47.

doctrinam) taught by Moses” and “that part of it which belonged peculiarly to his ministry.”⁶⁰ In his “universal office,” Moses taught nothing that is contrary to the gospel. The Mosaic economy or administration of the covenant included the preaching of repentance and faith, and therefore it included “offering the promises, the free promises, of the divine mercy.” In the discharge of his comprehensive office, Moses preached the gospel with its summons to faith and repentance. Within the context of the universal office of Moses, the law provided the people instruction in their duties and obligations of obedience. However, the apostle Paul appeals to Leviticus 18:5 as an example of Moses’ peculiar office as a teacher of the demands and obligations of the law, which by God’s design served as a means to instruct the people of Israel “in how many ways they were accursed and how far they were from being able to earn anything from God by their works. Being thus led to despair of attaining any righteousness of their own they were to flee to the haven of divine goodness—to Christ himself. This was the purpose of the ministry of Moses.”⁶¹ Though the ministry of Moses included a preaching of the gospel and its promises, Calvin observes that, in his particular office as a teacher of the law, Moses was called to teach the character of the righteousness of works and to remind the people of the rewards and punishments due to those who obey or disobey its precepts. When Paul contrasts the “law” of Moses and the gospel, the contrast is not between the universal office of Moses and the gospel, but between the peculiar office of Moses and the gospel. “Whenever the word *law* is used in this restricted sense, Moses is implicitly contrasted with Christ. We are then to see what the law contains in itself when separated from the Gospel. I must, therefore, refer to what I say here of the righteousness of the law not to the whole office of Moses, but to that part of it which was peculiarly entrusted to him.”⁶²

According to Calvin, in this passage Paul is opposing those who “put their trust for salvation” in their works performed in obedience to the law. When Paul speaks of those who are “of the works of the law,” he is speaking of the Judaizers who sought to use the law as a means of self-justification before God.⁶³ Though the law of God is holy and good, by itself it can only “curse” all those who are unable to perform perfectly what it requires.

[The apostle] concludes boldly that all are cursed because all have been commanded to keep the law perfectly, and this is because, in the present corruption of our nature, the ability is wanting. Hence we conclude that it is accidental that the law should curse, though at the same time perpetual and inseparable.⁶⁴

⁶⁰ Comm. Rom. 10:4–5, in *The Epistles of Paul the Apostle to the Romans and to the Thessalonians*, trans. Ross Mackenzie, ed. David W. Torrance and Thomas F. Torrance, vol. 8: *Calvin’s New Testament Commentaries* Grand Rapids: Eerdmans, 1960), 222–23 (CO 49.197). Hereafter I will use CNTC to refer to this translation of Calvin’s commentaries.

⁶¹ Comm. Rom. 10:4–5, CNTC 8:223 (CO 49.97).

⁶² Comm. Rom. 10:4–5, CNTC 8:223 (CO 49.98).

⁶³ Comm. Gal. 3:10–11, CNTC 11:53 (CO 50.208). Calvin’s interpretation of the language, “of the works of the law,” in Galatians 3:10 differs from that of Gordon who insists that Paul is not opposing those who misuse the law by “relying on” the works of the law as a means of self-justification (244–45).

⁶⁴ Comm. Gal. 3:10–11, CNTC 11:53 (CO 50.208).

In order to interpret Paul’s appeal in this passage to Leviticus 18:5, it is necessary, according to Calvin, to bear in mind that his “language is adapted to these particular circumstances. The contradiction between the law and faith lies in the cause of justification.”⁶⁵ While the law of God continues to serve believers as a rule of gratitude, the law of God serves, so far as justification before God is concerned, to show the impossibility of justification by works. When Paul adduces Leviticus 18:5 against his opponents, he is not offering a complete account of the law within the framework of the Mosaic covenant. Nor is he denying that, with respect to the believer’s conduct, the law serves as a norm for the good works that faith necessarily produces. What the apostle wishes to deny is the claim that it is possible to do what the law requires and upon that basis obtain favor with God. In respect to the decisive question of justification, the law can only serve to remind sinners of their unworthiness and need for the work of Christ as Redeemer. As Calvin remarks, “[w]e admit that the doers of the law, if there were any, would be righteous. But since that is a conditional agreement, all are excluded from life because none offers the righteousness that he ought.”⁶⁶

Though there are a number of past and more recent interpreters of Paul’s appeal to Leviticus 18:5 that follow in the trajectory of Calvin’s view, I also wish to consider the way John Murray addresses this topic. Since Gordon singles Murray out for particular criticism and insists that he could not have offered a convincing interpretation of Paul’s appeal to Leviticus 18:5, it is instructive that Murray does address the subject and follows closely the interpretation of Calvin.

In his commentary on the book of Romans, Murray devotes an appendix to the question of Paul’s appeal to Leviticus 18:5 in Romans 10:5. Murray devotes special attention to this question since, as he acknowledges, Paul’s use of Leviticus 18:5 seems to contradict the meaning of the passage in its Old Testament context. In the Old Testament economy of redemption, Leviticus 18:5 does not appear in a context “that deals with legal righteousness as opposed to that of faith.”⁶⁷ Rather, Leviticus 18:5 seems to present the law in the same way as it is presented in Exodus 20, Deuteronomy 5, and in many other passages in the Pentateuch, namely, as a rule of gratitude that norms the conduct of a redeemed people in their life-fellowship with the Lord. According to Murray, Paul’s use of Leviticus 18:5 cannot help but raise the question: “could Paul properly have appealed to Lev. 18:5 as an illustration of works-righteousness in opposition to that of faith?”⁶⁸ In Murray’s answer to this question, three “distinct relationships” are identified in which the principle enunciated in Leviticus 18:5, “the man that does shall live,” has particular relevance.

First, in “a state of perfect integrity,” Murray argues, the law of God reveals a “principle of equity in God’s government.”⁶⁹ Since the law discloses to human beings what accords with God’s will, obedience to the law will invariably be

⁶⁵ Comm. Gal. 3:12, CNTC 11:54 (CO 50.209).

⁶⁶ *The Epistle to the Romans, New International Commentary on the New Testament*, F.F. Bruce, gen. ed., 2 vols. (Grand Rapids: Eerdmans, 1959, 1965), “Appendix B: Leviticus 18:5,” 2:249.

⁶⁷ *The Epistle to the Romans*, 249.

⁶⁸ *The Epistle to the Romans*, 249.

⁶⁹ *The Epistle to the Romans*, 249.

pleasing to God and warrant his approbation and justifying verdict, whereas disobedience will always be displeasing to him and warrant his disapproval and condemnation. God always judges human conduct according to the truth, whether it be conduct that pleases or displeases him. In the state of Adam's integrity before the fall, it was possible for him to enjoy God's approval by doing what the law required. However, by virtue of Adam's fall and disobedience, the law of God as such can now only expose him and his posterity to condemnation and death, since all have sinned and fall short of God's glory. Since the fall of Adam, man's original relationship to the law is no longer operative. Now the law can only reveal the sinfulness of all and their just liability to condemnation and death.

Second, "within the realm of sin" or the world subsequent to the fall of Adam, the principle, "the man that does shall live," must be regarded as "totally inoperative" as a means for obtaining favor and acceptance with God.⁷⁰ According to Murray, the absolute contrast that the apostle Paul wishes to set forth in Romans 10:5, 6 between the righteousness of works and the righteousness of faith, is a contrast between *doing* what the law requires and *embracing* what God freely gives in Christ. When Paul adduces Leviticus 18:5 to illustrate this contrast, he appeals properly to what the language of this text *by itself* expresses. Leviticus 18:5 expresses what "holds true when law-righteousness is operative unto justification and life and also express[es] the conception entertained by the person who espouses the same as the way of acceptance with God (cf. also Gal. 3:12)."⁷¹ When the apostle Paul appeals to Leviticus 18:5 to prove the futility of obtaining a right standing with God on the basis of works, he properly demonstrates the futility of any such endeavor. No one is able to do all that the law requires, and therefore no one is able to obtain life through the works of the law.

And third, the purpose of Paul's quotation of Leviticus 18:5 is shaped by his polemic with those who would appeal to their works of obedience to the law as a basis for justification and life. In making his appeal to this passage, the apostle legitimately opposes any attempt to use the law as an instrument of self-justification. However, in Murray's judgment, the misappropriation of the law as a means to obtain life and justification before God by Paul's opponents, does not mitigate the proper use of the law as a norm for Christian obedience and sanctification. "But we must not suppose that doing the commandments as the way of life has ceased to have any validity or application. To suppose this would be as capital a mistake in its own locus as to propound works-righteousness as the way of justification. ... In the realm of grace, therefore, obedience is the way of life. He that does the commandments of God lives in them."⁷² When Paul adduces Leviticus 18:5 to expose the futility of any effort to obtain justification upon the basis of the works of the law, he does not thereby deny the legitimacy of an appeal to Leviticus 18:5 in support of a sincere and grateful obedience to the law of God. Nor does he deny the sense in which such sincere obedience is the way of life and blessing for the redeemed people of God.

⁷⁰ *The Epistle to the Romans*, 250.

⁷¹ *The Epistle to the Romans*, 250.

⁷² *The Epistle to the Romans*, 250-51.

From these comments of Murray on Paul’s use of Leviticus 18:5, it is apparent that he follows in all important respects the interpretive approach of theologians in the Reformed tradition whose views we have surveyed. Though several authors of *The Law is Not of Faith* challenge this interpretation, it represents a cogent and more common Reformed explanation of Paul’s appeal to Leviticus 18:5 in Romans and Galatians.⁷³

2.2.2 Galatians 3:6–14 and the Mosaic Administration

Perhaps the most provocative exposition of the republication thesis in *The Law is Not of Faith* is the chapter by Gordon that offers an interpretation of the contrast between the Abrahamic and Mosaic covenants in Galatians 3:6–14. Upon the basis of his reading of this passage, Gordon argues that these covenants are “characteristically” different. Whereas the Abrahamic covenant was unconditional and gracious, the Mosaic covenant was conditional and legal. Contrary to the Abrahamic covenant, which promised life and blessing through Christ, the Mosaic covenant enunciated a “works principle” that could only condemn and curse the people of God. In Gordon’s interpretation, Paul’s appeal to this contrast was not skewed by a legalistic misuse of the law of Moses by his opponents. Rather, Paul was appealing to the radical contrast between two principles of inheritance that characterized the Abrahamic and Mosaic covenants—the one a gracious, the other a works principle—in order to confirm the gospel of salvation by grace alone through faith alone.

In my assessment of Gordon’s interpretation of Paul’s argument in Galatians 3, I will follow the same procedure as in the previous section. I will begin with a summary of Calvin’s interpretation of Paul’s argument in Galatians 3, and then consider as well the interpretation of the argument by a more recent Reformed biblical theologian, Herman Ridderbos. My purpose in doing so will not be so much to refute Gordon’s interpretation as such, but to establish the point that there are other, more common interpretations of Galatians 3 in the Reformed exegetical tradition, past and present.

I have already noted that Calvin interprets Paul’s appeal to Leviticus 18:5 in Galatians 3:12 to illustrate the contrast between the law and gospel on the issue of justification before God. Since no one is able to obey perfectly what the law requires, no one is able to be justified by the works of the law. With respect to the basis for the justification of believers before God, the law, narrowly considered, is opposed to the gospel. There is an antithesis between the righteousness of the works of the law and the righteousness of faith.

However, in the course of his exposition of Paul’s contrast between the Abrahamic and Mosaic economies in Galatians 3, Calvin is at some pains to defend their full harmony and coherence. Calvin does not conclude from Paul’s argument that the Abrahamic and Mosaic administrations are “characteristically” different, to use Gordon’s language. In his interpretation of Paul’s argument, especially the contrast the apostle draws between the promise given to Abraham and the law mediated through Moses, Calvin observes that the law of Moses was never intended to nullify or state a principle that opposes

⁷³ For another example of this explanation by a Reformed exegete, see William Hendriksen, *Exposition of Galatians* (Grand Rapids: Baker Book House, 1968), 127–31.

the promise. In order to sort out the complex argument of the apostle Paul, Calvin insists that we need to distinguish the different ways in which the apostle speaks of the law. Though there is a contrast between the law and the gospel on the question of justification, the law of Moses ultimately serves the ministry of the gospel promise. "I again repeat that if you do not understand that the promise is free, this statement will be quite empty, for the law and the Gospel are not at variance except that, in regard to justification, either the law justifies a man by the merit of works or the promise bestows righteousness freely."⁷⁴ The law was not given through Moses as a means or instrument of justification, for that, according to Calvin, would "make the promise of none effect."

According to Calvin, when Paul contrasts the law and the Gospel in Galatians 3, he emphasizes only one of the uses of the law, namely, the pedagogical use whereby the law directs its recipients to Christ as the only Mediator. But Calvin hastens to warn against a possible misunderstanding of Paul's comments about the law. "Readers must be put on their guard on this matter; for I see many make the mistake of acknowledging no other use of the law than what is expressed here. But elsewhere Paul himself applies the precepts of the law to teaching and exhortation (2 Tim. 3.16). There this definition of the use of the law is not complete and those who acknowledge nothing else in the law are wrong."⁷⁵ In addition to the pedagogical use of the law as a teacher of sin and a schoolmaster that directs its recipients to Christ the Mediator, the law of Moses was given to Israel as a comprehensive rule of life. On the one hand, the law of Moses directs the people of Israel to look to Christ, who is the end or fulfillment of the law. Now that Christ has come, this peculiar function of the law is finished. In this way, the law of Moses was preparatory to the coming of Christ in the fullness of time. On the other hand, the law of Moses was given as a comprehensive rule of life, which reveals to the redeemed people of God the manner of life and grateful devotion that pleases the Lord. As a rule of conduct, the law of Moses is given within the context of God's gracious promise, not as an instrument for obtaining life and acceptance with God, but as an instrument for regulating Israel's sincere obedience to him.

[Paul] affirms that under the reign of Christ there is no longer a childhood which needs to be ruled by a schoolmaster, and that consequently the law has finished its task. This is another application of the comparison. He had undertaken to prove two things: that the law is a preparation for Christ, and that it is temporary. But here again it may be asked whether the law is so abolished that it has nothing to do with us. I reply that the law, so far as it is a rule of life, is a bridle which keeps us in the fear of the Lord, a spur to correct the slackness of our flesh, in short, so far as it is profitable for teaching, correcting, reproof, that believers may be instructed in every good work, is as much in force as ever, and remains intact.⁷⁶

For Calvin, Paul's argument does not warrant the conclusion that the Mosaic administration is opposed in any substantial way to the gospel promise. Rather

⁷⁴ Comm. Gal. 3:17, CNTC 11:59 (CO 50.213).

⁷⁵ Comm. Gal. 3:19, CNTC 11:61 (CO 50.215).

⁷⁶ Comm Gal. 3:25, CNTC 11:67 (CO 50.221).

than being at odds with the gospel promise, the Mosaic economy has only “ended in so far as it differs in outward aspect from the covenant of grace.”⁷⁷

Though it would be instructive to review how other Reformed theologians in the orthodox period treat Paul’s argument in Galatians 3, it is interesting to observe that a more recent Reformed biblical theologian, Herman Ridderbos, offers a strikingly similar interpretation to that of Calvin. In his magisterial work, *Paul: An Outline of His Theology*.⁷⁸ Ridderbos’ interpretation of Paul’s argument in Galatians 3 differs markedly from that of Gordon and follows closely Calvin’s view of the Mosaic economy.

In his interpretation of the apostle Paul’s view of the law of Moses, Ridderbos acknowledges that there is an apparent inconsistency between the way Paul treats the redemptive-historical function of the law in passages like Galatians 3 and 4, as well as Romans 10, and the “positive purpose” of the law in the Old Testament economy.⁷⁹ In the Old Testament economy, the law was given within the framework of redemption and served to regulate the conduct of the people of God in the land of promise. Within this framework, the law was not intended to serve as the basis for Israel’s justification and life before God. The law was intended to set forth a positive rule of conduct for the people of God. However, in Paul’s references to the law of Moses in Galatians 3 and 4, he speaks negatively of the law as a covenant “that brings forth children of slavery” and sharply contrasts the law with the righteousness of faith. According to Ridderbos, Paul’s characterization of the law’s function in these passages poses “an exceedingly complex problem” that can be put in the form of the question:

[C]an the redemptive-historical significance Paul ascribes to the law be thought to be in harmony with the foundation on which the law was given in the Old Testament (Exod. 20:2), and on which its demand is intended to function, as appears from the whole Old Testament revelation of God?⁸⁰

Since the law was never given to Israel as an instrument for obtaining justification and life, Paul’s contrast between the law and the promise in Galatians 3 seems inconsistent with the purpose and function of the law in the Old Testament economy. In his treatment of this complex problem, Ridderbos offers several general observations that correspond at a number of points with emphases we have already witnessed in the writings of Reformed theologians, including Calvin, of the orthodox period.

First, Ridderbos notes that a resolution of the problem of Paul’s negative appraisal of the law of Moses must be consistent with the apostle’s teaching that the Mosaic administration also taught the righteousness of faith. “It should be maintained first that, for Paul the advent of Christ does not mean the great redemptive-historical incision in the sense that it was only with Christ that the possibility of faith had come, and that prior to it righteousness by the law was the only way of salvation assigned to Israel.”⁸¹ Ridderbos notes that the apostle Paul taught that “the way of faith ... constituted the essence

⁷⁷ Comm. Gal. 3:25, CNTC 11:67 (CO 50.221).

⁷⁸ *Paul: An Outline of His Theology*, trans. John R. De Witt (Grand Rapids: Eerdmans, 1975).

⁷⁹ *Paul: An Outline of His Theology*, 153.

⁸⁰ *Paul: An Outline of His Theology*, 153.

⁸¹ *Paul: An Outline of His Theology*, 154.

of the Old Testament economy of redemption,” and that Abraham was justified by faith and not by works (Rom. 4). Remarkably, the apostle Paul even appeals to pronouncements in the law of Moses to confirm the gospel of righteousness by faith (Rom. 10:6ff; Gal. 3:11; 4:21). Unless the apostle Paul contradicts himself, we must assume that his negative assessment of the law of Moses in Galatians 3 does not include a negative assessment of the Mosaic economy as a whole. For Ridderbos, it would be a mistake to conclude from Paul’s argument in Galatians 3 that the apostle regarded the Mosaic economy to be at variance with the gospel promise previously revealed through the Abrahamic covenant. Such a conclusion would imply that the apostle Paul’s view of the Mosaic economy was inconsistent and contradictory at key points.

Second, Ridderbos further argues that, when Paul appeals to the law of Moses in a positive manner to confirm the gospel of salvation by grace through faith, he refers to the law in “the larger sense,” and not the law ‘consisting in commandments and ordinances.’”⁸² In the course of his polemic against the Judaizers, Paul opposes not the Mosaic administration in its entirety, but the failure of his opponents to “see the law in the proper light.” When the law is abstracted from its place within the broader framework of the Old Testament economy, it can be viewed, as was true in the case of Paul’s opponents, “as a means for setting up their own righteousness” before God. By isolating the law from its setting within the broader framework of the Mosaic administration, Paul’s opponents were wresting the law to an inappropriate purpose, namely, as a means for obtaining righteousness and life before God.

Third, Ridderbos maintains that the apostle Paul engages his opponents by proceeding from their standpoint, namely, from the law “as it functioned in the synagogue’s doctrine of redemption.” The negative manner in which Paul describes the righteousness of the law can only be understood in terms of the position of his opponents, whose view of the law was opposed to the gospel of the righteousness of faith through Christ.

Now, it is from this law, as it functioned in the synagogue’s doctrine of redemption opposed by him, that Paul again and again proceeds, the law as he saw it before him in the life of the Jews, the law as he himself had also lived from it (Phil. 3:6), that is, the law before Christ and the law without Christ. That he is able to see the function of the law in another way as well, in the light of grace and of faith, as the rule for the new life, is apparent from the manner in which presently he will again connect the life that is from the Spirit with the law (Rom. 8:4, *et al.*). But in the antithesis with Judaism this function of the law does not arise, but the ultimate consequence is drawn from what takes place when the sequence of salvation and law is reversed, and the law itself is made a means of salvation. One can say, therefore, that in combating the Jewish doctrine of the law Paul starts from the Jewish standpoint and from thence makes plain what happens to the law and to man and what from God’s side must happen when righteousness and life are anticipated from the law and not from the promise, from human volition and endeavor and not from the power of the Spirit.⁸³

For Ridderbos, Paul’s negative appraisal of the law represents a kind of *argumentum ad hominem*, an argument that proceeds from the mistaken

⁸² Paul: An Outline of His Theology, 154.

⁸³ Paul: An Outline of His Theology, 154–55.

standpoint of his opponents in order to prove the impossibility of any attempt to seize upon the law as an instrument of self-justification before God.

Fourth, after these preliminary observations about Paul’s argument, Ridderbos identifies the most difficult question regarding Paul’s negative evaluation of the law in a passage like Galatians 3. If Paul’s argument proceeds from the false standpoint of his opponents, who sought to use the law as an instrument for self-justification, then the apostle “would in essence have taken his point of departure in a false position.”⁸⁴ Moreover, if the apostle proceeds from the false standpoint of opponents, who seized upon the law as a means of self-justification before God, how can we explain Paul’s appeal to Leviticus 18:5? To put the question in the sharpest terms, “[w]ould Paul ... have cited Leviticus 18:5 in support of a false prophecy?”⁸⁵ On the surface, Paul’s appeal to this passage seems to assume that the law not only requires obedience, but also that such obedience is in some sense the proper basis for obtaining life and salvation. Rather than opposing the standpoint of the Judaizers, this passage appears to argue that Moses taught the principle that life may be obtained on the basis of works.

In his response to this difficult question, Ridderbos identifies two possible explanations of what Paul is doing, each of which poses insuperable problems. The first explanation is that Paul does attribute the view of his opponents to Moses, and in doing so implies that Moses taught a view regarding the way of justification and life before God that was based upon works. According to this explanation, Paul’s appeal to Leviticus 18:5 means that he understood Moses to teach the propriety of pursuing a legal righteousness as a means of self-justification before God. In Ridderbos’ judgment, this explanation cannot be correct, since Paul appeals elsewhere to Moses precisely to refute such a legalistic pursuit (e.g. Rom. 10:6).

The second explanation that Ridderbos identifies is especially significant, since it resembles closely the explanation offered by Gordon in *The Law is Not of Faith*. In this explanation, Moses is understood by Paul to have “posited two possibilities, of which the first (righteousness by the law) was intended by him as a way impossible for the sinner.”⁸⁶ According to Ridderbos, there are two difficulties with this interpretation of Paul’s argument and appeal to Leviticus 18:5. In the first place, Leviticus 18:5 in its original setting and in accordance with “the intention of Moses” communicates a “rule of the covenant,” namely, that life and blessing within the covenant require obedience to God’s statutes. The point of this text in its original setting is not to invite Israel to obtain life on the basis of her obedience, and to show thereby that such obedience is impossible. The point of the text, as is true of the giving of the law of Moses in general, is to summon Israel to grateful and sincere obedience. In his own understanding of the Christian life as a life of “faith working through love” (Gal. 5:6), the apostle Paul also affirms the positive place of obedience in the life of God’s redeemed people. And in the second place, when Paul appeals to Leviticus 18:5 against those who seek to establish their own righteousness before God based upon obedience to the law, he properly reminds his opponents “that he who strives after the righteousness that is by the law is

⁸⁴ Paul: An Outline of His Theology, 155.

⁸⁵ Paul: An Outline of His Theology, 155.

⁸⁶ Paul: An Outline of His Theology, 156.

then bound to the word of Moses, that is, to do what the law demands.” In Ridderbos’ understanding of what Paul is doing, “[t]his is not an appeal to Moses in support of ‘a false position,’ but a binding of this position to its own point of departure: he who seeks righteousness in the law faces, as appears from the law itself, the requirement of doing (cf. Gal. 3:10, 12).”⁸⁷

What Paul means to say is this, that he who strives after the righteousness that is by the law is then bound to the word of Moses, that is, to do what the law demands. Likewise the wrong use of the law, to be zealous for the law without understanding, finds in the law itself the standard to which, if it is to have a chance of success, it must measure up. In that sense it can be said that Moses (or the law itself) “defines” the righteousness that is of the law.⁸⁸

Ridderbos’ explanation of Paul’s argument conforms in all important respects with the one we have seen in Calvin and other Reformed covenant theologians. When Paul appeals to Leviticus 18:5, he is not offering a complete account of the nature of the Mosaic administration. Rather, Paul is showing to his opponents the futility of any attempt to make the law an instrument of justification before God. For, if the law is seized upon as an instrument of justification, then it places its recipients under the burden of doing all that the law requires.

2.2.3. *Typology in the Mosaic Covenant*

One feature of the biblical arguments for the doctrine of republication in *The Law is Not of Faith* that requires assessment is the typology of the Mosaic economy. When some of the authors speak of the typology of the Mosaic administration, they mean to refer in part to the way the Mosaic economy repeated the probation of Adam in the garden and pointed forward to the obedience of Christ, the “last” Adam (36–87, 97–98). Just as Adam was required to be obedient in order that he might obtain the promise of eschatological life, so Israel was required to be obedient in order that she might maintain tenure and enjoy blessings in the land of Canaan (118–119). At the administrative

⁸⁷ *Paul: An Outline of His Theology*, 156. Moisés Silva offers a very similar interpretation of Paul’s argument in Galatians 3. Silva notes that Paul’s treatment of the law in Galatians, especially when he opposes the law to the promise, is “colored” by the position of his opponents, who were seizing upon the law as a means of self-justification or as the “source” (not the “manner”) of life before God. See Moisés Silva, *Interpreting Galatians: Explorations in Exegetical Method*, 2nd ed. (Grand Rapids: Baker Academic, 2001), 187–95; idem, “Abraham, Faith, and Works: Paul’s Use of Scripture in Galatians 3:6–14,” *Westminster Theological Journal* 63/2 (2001): 251–68; and idem, “Faith Versus Works of Law in Galatians,” in *Justification and Variegated Nomism*, vol. 2: *The Paradoxes of Paul*, ed. D.A. Carson, Peter T. O’Brien, and Mark A. Seifrid (Grand Rapids: Baker Academic, 2004), 217–48. Interestingly, Silva rejects Meredith Kline’s interpretation of Paul’s view of the law in the argument of Galatians, noting its similarity with the views of historic Lutheranism and dispensationalism (*Interpreting Galatians*, 190). Silva also shares Ridderbos’ (and Calvin’s) view that, when Paul speaks in Galatians 3 of those who are “of the works of the law,” he means to speak of those who “rely upon” or appeal to the law as an instrument of justification before God. See especially his “Faith Versus Works of Law in Galatians,” 222–26. This view is, as we have seen, strongly criticized by Gordon in his contribution to *The Law is Not of Faith*. See also Thomas R. Schreiner, *Romans* (Grand Rapids: Baker Books, 1998), 551–62; and idem, *The Law and Its Fulfillment: A Pauline Theology of Law* (Grand Rapids: Baker Books, 1993), “Appendix: Mark Karlberg’s View of the Mosaic Law,” 247–51. Schreiner follows in the trajectory of Ridderbos’ and Silva’s interpretation, and offers a critique of the kind of doctrine of the Mosaic administration that is represented in *The Law is Not of Faith*.

⁸⁸ *Paul: An Outline of His Theology*, 156.

level, therefore, the Mosaic economy republished the works principle of the covenant of works in order to teach Israel to recognize her sinfulness and to point forward to Christ whose perfect obedience obtained the inheritance of eternal life for believers. With respect to Israel’s corporate enjoyment and retention of her covenant inheritance, tenure and blessing in the land of promise, the Mosaic covenant repeated the works inheritance principle of the prelapsarian covenant of works. At the level of Israel’s earthly inheritance, the Mosaic administration functioned typologically to reveal the need for the perfect obedience of Christ, who “merited” the inheritance of eternal life for the elect people of God. By means of the repetition of the works principle, Israel was taught the impossibility of obtaining her ultimate spiritual inheritance of eternal life in God’s kingdom in any other way than through the obedience of Christ.

There are two observations that need to be made about this feature of the biblical argument of the authors of *The Law is Not of Faith*.

First, the stimulus and source for this understanding of the typology of the Mosaic covenant is undoubtedly the biblical-theological formulations of Meredith Kline. In the writings of Reformed theologians in what I have termed the “formative” period of the formulation of covenant theology, the language of a “works principle” in the Mosaic economy is not found. However, this language is frequently employed by Meredith Kline in his biblical theology of the covenants of works and of grace, and it is evident that Kline’s formulations lie behind those of several of the authors of *The Law is Not of Faith*. The idea that the covenant of works was republished “in some sense” is a significant part of Kline’s understanding of the distinctive nature of the Mosaic economy. In Kline’s view of the Mosaic economy, there are two levels or strata that reflect distinctive inheritance principles. At the basic and organic level of the Mosaic administration as an administration of the covenant of grace, the salvation of the individual member of the Old Testament people of God was by grace through faith in Christ. However, at the level of the Mosaic economy as an administration that republished the covenant of works, Israel’s national inheritance of and tenure in the land of promise was based upon a works principle. The following statement of Kline’s view illustrates the basic similarity between his conception of the typological function of the works principle in the Mosaic economy and that of several of the authors of *The Law is Not of Faith*:

[T]he old covenant order was composed of two strata and the works principle enunciated in Leviticus 18:5, and elsewhere in the law, applied only to one of these, a secondary stratum. There was a foundational stratum having to do with the personal attainment of the eternal kingdom of salvation and this underlying stratum, continuous with all preceding and succeeding administrations of the Lord’s Covenant of Grace with the church, was informed by the principle of grace (cf., e.g., Rom 4:16). Because the Abrahamic covenant of promise found continuity in the Mosaic order at this underlying level, it was not abrogated by the latter. *The works principle in the Mosaic order was confined to the typological sphere of the provisional earthly kingdom which was superimposed as a secondary overlay on the foundational stratum.*⁸⁹

⁸⁹ *Kingdom Prologue*, 321 (emphasis mine). See also Meredith Kline, “Gospel Until the Law: Rom 5:13–14 and the Old Covenant,” *Journal of the Evangelical Theological Society* 34 (1991): 434.

A cursory reading of this rather complex statement of Kline's view demonstrates the significant parallels between his conception of the typology of the Mosaic economy and that of the authors of *The Law is Not of Faith*.

Second, the claim that the Mosaic economy republished the covenant of works in a typological manner with respect to Israel's inheritance and blessing in the land of Canaan begs some important questions regarding the nature of biblical typology. Though this is a complicated topic in the history of theology, biblical types may be defined as those features, including events, persons, or institutions, of the Old Testament that prefigure or foreshadow their New Testament realities.⁹⁰ Biblical typology focuses upon those features of the Old Testament economy that typify, symbolize, and foreshadow features of the New Testament economy. As Geerhardus Vos observes, "[a] typical thing is prospective; it relates to what will become real or applicable in the future."⁹¹ An obvious and important instance of biblical typology is the Old Testament tabernacle and temple.

The tabernacle affords a clear instance of the coexistence of the symbolical and the typical in one of the principal institutions of the Old Testament religion. It embodies the eminently religious idea of the dwelling of God with His people. This it expresses symbolically so far as the Old Testament state of religion is concerned, and typically as regards the final embodiment of salvation in the Christian state.⁹²

For our purpose, it is important to observe that biblical typology assumes the essential similarity in meaning and symbolism between the Old Testament type and the New Testament reality to which it points forward. To use the broad language of "promise" and "fulfillment," the types of the old covenant economy are promissory of their fulfillment in the new covenant economy.

From the vantage point of this understanding of the nature of biblical typology, it is difficult to make sense of the claim that the Mosaic administration functioned typologically as a kind of covenant of works, at least at the stratum of Israel's inheritance of temporal blessings. In order for this to be the case, a disjunction has to be posited between Israel's inheritance of temporal blessings and her inheritance of spiritual blessings. In the usual view of Reformed covenant theology, however, the temporal blessings promised Israel are regarded typologically as a foreshadowing of the full spiritual blessing of fellowship with God in a renewed creation. The promise to Israel of blessing and life in the land of promise represented in the state of her immaturity a picture of the fullness of salvation in the life to come. Canaan was a "type" of the "city that has foundations, whose designer and builder is God" (Heb. 11:10, ESV). Moreover, in Kline's view of the typology of the Mosaic covenant, two radically opposed inheritance principles are posited, each of which is said to operate at a distinct

⁹⁰ T. Norton Street, *How to Understand Your Bible*, rev. ed. (Downers Grove, IL: InterVarsity, 1974), 107, offers the following helpful definition of a biblical type: "A type can be defined as a divinely purposed, Old Testament foreshadowing of a New Testament spiritual reality." For a more fulsome discussion of biblical typology, especially as it relates to the Mosaic economy with its types and ceremonies, see Geerhardus Vos, *Biblical Theology: Old and New Testaments* (Grand Rapids: Eerdmans, 1948), 144–82.

⁹¹ *Biblical Theology*, 144.

⁹² *Biblical Theology*, 148.

level of Israel’s life, the earthly and the spiritual. In the case of Israel’s earthly inheritance, the operative principle is one of (meritorious) works; in the case of Israel’s spiritual inheritance, the operative principle is that of grace alone. The problem with this conception is that the typology of Mosaic economy does not foreshadow or prefigure, at least at the level of Israel’s existence as a nation in the land of promise, the blessings that are granted freely and graciously to the new covenant people of God. The blessings are different in kind; and the principles for the inheritance of these blessings are radically different. To put the matter differently, because the Mosaic administration actually consists of two levels of covenant administration, one of works and the other of grace, it cannot function at both levels as a typological promise of the new covenant, which is essentially and exclusively a covenant of grace.

Since the problem with this understanding of the typology of the Mosaic covenant has been summarized by O. Palmer Robertson, I will conclude with his assessment of the way it conflicts with the general nature of biblical typology:

Kline’s view of the Mosaic economy as a “covenant of works” is fundamentally flawed at several points. He bases his case on the assumption that in God’s redemptive covenants a distinction can be made between the basis of temporal benefits and salvific benefits. But in scripture these two aspects of redemption are both matters of grace. He must also assume that a difference in the basis for operation may be made between the typological experience of Israel and the redemptive experience. But Vos effectively makes the point that the typological can communicate in its essence nothing different than the symbolized reality it portrays (*Biblical Theology*, 145–46). Kline’s definition of the Mosaic covenant as a covenant of meritorious works is also flawed by its effort to make a radical distinction between the basic nature of the Abrahamic and Davidic covenants in comparison with the Mosaic covenant. The same typological images present in the Abrahamic and Davidic covenants may be found in the Mosaic, and the same type of law condition in relation to promise is found in all three covenants. David admonishes his son/successor Solomon to “keep [God’s] decrees and commands, his laws and requirements, as written in the law of Moses, so that ... the Covenant Lord may keep his promise to me” (1 Kings 2:3–4 NIV). David obviously saw his covenant relation to the Lord as an extension of the Mosaic covenant and had no problem joining commandments to promises.⁹³

Robertson’s point is the same one that I wish to make. Consistent with the pattern of biblical typology, the promises and demands of the Mosaic economy are “typical” of the promises and demands of the new covenant economy. The redemption promised in the covenant of grace always requires the response of faith and sincere, albeit imperfect, obedience on the part of the people of the covenant. As it was in the covenant administration of Moses, so it is in the covenant administration of Christ.⁹⁴

⁹³ *The Christ of the Covenants* (Phillipsburg, NJ: Presbyterian & Reformed, 2004), 364–65 n. 6.

⁹⁴ In this connection, it is instructive that Estelle finds Geerhardus Vos’ treatment of the “Sinaitic covenant and legal merit” unclear, because Vos treats the obligations of obedience under the Mosaic covenant to be non-meritorious and of one piece with the obligations of obedience under the new covenant economy. In my judgment, Vos’ treatment of this topic is quite clear, even though it militates against the conception that Estelle and other authors of *The Law is Not of Faith* wish to defend. Vos, in his *Biblical Theology*, 127, states the matter nicely: “It is plain, then, that law-keeping did

2.3. Theological Ambiguities or Problems

Before concluding this critical review of *The Law is Not of Faith*, I wish to identify several theological ambiguities or problems that recur throughout the volume. Each of these ambiguities or problems warrants more elaboration than I can give them in a review article. However, they are of sufficient importance to warrant notice, and represent at best several important items of unfinished business in the elaboration and defense of the coherence of the republication thesis.

2.3.1. *One in Substance, Diverse in Mode of Administration*

The first of the theological ambiguities of *The Law is Not of Faith* is especially vexing. Though the authors of the volume profess their adherence to the historic Reformed theology of the covenants, they offer an account of the Mosaic economy that seems at odds with the classic Reformed position that there are only two covenants, a prelapsarian covenant of works and a postlapsarian covenant of grace, of which the Mosaic covenant is a particular administration. The traditional formula of Reformed covenant theology, that the covenant of grace is one in substance though diverse in administration, entails that the Mosaic covenant was *substantially* a covenant of grace and only *accidentally* distinct from other administrations of the covenant of grace. This means that the distinctive features of the covenant of grace, which distinguish it in substance from the covenant of works, characterize the Mosaic administration in its entirety. It also means that whatever features of the Mosaic administration distinguish it from other administrations of the covenant of grace belong to the category of adjuncts or accidents, which do not materially affect its nature or character.

The theological problem posed by the republication thesis can be stated rather simply. If what belongs to the substance of the covenant of works does not belong to the substance of the covenant of grace *in any of its administrations*, it is semantically and theologically problematic to denominate the Mosaic administration as *in any sense* a covenant of works. As I observed in my summary of the historic Reformed doctrine of the prelapsarian covenant of works, the substance of the covenant of works is the promise of God to grant life to Adam (and his posterity) upon condition of perfect and personal obedience. The way

not figure at that juncture as the meritorious ground of life-inheritance. The latter is based on grace alone, no less emphatically than Paul himself places salvation on that ground. But, while this is so, it might still be objected that law-observance, if not the ground for receiving, is yet made the ground for the retention of the privileges inherited. Here it can not, of course, be denied that a real connection exists. But the Judaizers went wrong in inferring that the connection must be *meritorious*, that, if Israel keeps the cherished gifts of Jehovah through observance of His law, this must be so, because in strict justice they had earned them. The connection is of a totally different kind. It belongs not to the legal sphere of merit, but to the symbolico-typical sphere of *appropriateness of expression*." The point Vos is making can be stated more succinctly: Old Testament believers were called to receive the redemptive promises of God by faith alone, but the faith of Old Testament believers, like that of New Testament believers, was a faith "ever accompanied" by a sincere obedience to God's commandments. Believers are always saved by a faith that works through love in grateful devotion to God. To insist upon this does not raise the fearful specter of "merit" in the relation between believers and their covenant Lord, since the graces of free justification and progressive sanctification are freely granted by God himself to those whom he is pleased to save, namely, the elect.

of life and blessing in the covenant of works is, as its name appropriately indicates, the way of obedience to all of the requirements of God’s holy law. Adam’s inheritance of life and blessedness in unbroken communion with his Creator was radically contingent upon his own obedience to the covenant’s obligations. However, in the covenant of grace, the Lord promises graciously to grant to believers, upon the basis of the saving work of Christ as Mediator, the inheritance of life and blessing in fellowship with himself. Christ’s mediatorial work includes not only his substitutionary endurance of the penalty of his people’s disobedience to the law of God but also his substitutionary obedience to all of the law’s requirements. Though the covenant of grace requires a believing reception of the promise of salvation upon the basis of the work of Christ, this reception, and all of the fruits of obedience that spring from true faith, are graciously bestowed upon the elect people of God. In all of its administrations, the covenant of grace promises life by grace alone through faith in Christ alone. Justification and life in fellowship with God is, in every administration of the covenant of grace, freely granted to believers for the sake of Christ’s work as Savior. Because the Mosaic administration of the covenant includes everything that belongs to the substance of the covenant of grace, it communicated the same grace of Christ, albeit in the form of anticipatory types and shadows, as is communicated in the new covenant in Christ. The promises and obligations of the Mosaic economy are substantially the same as the promises and obligations of the new covenant economy.

When the fundamental and substantial differences between the covenant of works and the covenant of grace are acknowledged, it is difficult to see how the Mosaic administration could be in any sense a republication of the covenant of works. For this to be the case, as the authors of *The Law is Not of Faith* argue, the Mosaic administration would have to republish the requirement of personal and perfect obedience as the basis for Israel’s inheritance of life and blessing in fellowship with God. The repetition of the “works principle” of the covenant of works in the Mosaic economy, to use the language of the authors of *The Law is Not of Faith*, would constitute at least one aspect of its administration of the covenant of grace. At some level of the covenant’s administration, Israel’s life and blessedness would be based upon meritorious works, or at least works that were the covenanted basis for some dimension of Israel’s life in fellowship with God. The difficulty posed by this conception is that it ascribes to the Mosaic economy at some level a principle that is in substantial conflict with its essentially gracious character. To use the scholastic language of “substance” and “accidents,” the authors of *The Law is Not of Faith* posit the presence within the Mosaic economy of a principle that belongs substantially to the economy of the covenant of works. In doing so, the Mosaic economy is viewed as though it included features at some level of administration that belong to the substance of a different covenant, namely, the prelapsarian covenant of works.

Another way of stating the theological problem posed by the republication thesis is to compare it to some of the views expressed during the history of Reformed reflection on the Mosaic economy. The viewpoint represented by the authors of *The Law is Not of Faith*, seems closer to minority opinions that were represented in the history of Reformed theology, but that were never the

consensus opinion. For example, in our summary of Turretin's view in the preceding, we noted that he identified at least four distinct views on the question of the peculiar character of the Mosaic administration. Two of these minority views, which Turretin and the majority of Reformed theologians repudiated, were the "mixed" covenant view, which regarded the Mosaic administration as a covenant of grace but also at some level as a covenant of works, and the "subservient" covenant view, which regarded the Mosaic administration as a characteristically legal covenant that was preparatory for the covenant of grace in Christ. Though it lies outside of the purview of this article to sort out the complexities of these various views of the Mosaic administration in the history of Reformed theology, there are considerable similarities between these alternative, albeit minority, viewpoints in the tradition and the view of the authors of *The Law is Not of Faith*. These similarities undermine the claim of the authors of *The Law is Not of Faith* to be representing the historic consensus of Reformed theology on the Mosaic administration.⁹⁵ They also confirm that the republication thesis does not cohere well with the general consensus that the Mosaic economy was substantially a covenant of grace with certain distinctive, accidental features.

2.3.2. *The Covenant of Works, Voluntary Condescension, and the Covenant of Law*

A second theological ambiguity in *The Law is Not of Faith* that requires brief comment arises in connection with the tendency of some authors to equate the moral law of God *as such* with the covenant of works. Though this tendency seems implicit in the general argument of the book that the moral law as it was promulgated through Moses was in a sense a republication of the covenant of works, it becomes explicit in VanDrunen's argument in the theological section of the book. According to VanDrunen, the history of Reformed theology reflects an "ambiguity" regarding the prelapsarian covenant of works. While some theologians recognized that the natural or moral law of God was in itself a kind of covenant of works, promising life to those who perfectly obeyed its demands, threatening death to those who were disobedient, others viewed the covenant of works as distinct from the creation of man in God's image. In the view of theologians like Turretin and Herman Bavinck,

⁹⁵ For a description of these minority views, see Beach, *Christ and the Covenant*, 262–72, 301–16. Beach argues that Turretin represented the consensus view among Reformed theologians: "Turretin asserts that this covenant [the Mosaic] can be viewed in a bifurcated way: the first way, which is also the proper and principal way, is to view this covenant according to God's own intention and design, namely as leading to Christ; the second way is to view this covenant as separate from Christ and abstracted from him. ... But this [second way] isn't how the Sinaitic covenant is properly considered, for the divine intention wasn't that 'man might have life from the law' or that humans as sinners 'might be simply condemned'; rather, the divine intention was that fallen persons, from a sense of their own misery and weakness, 'might fly for refuge to Christ.'" Another minority viewpoint in the Reformed tradition, Cocceius' doctrine of a gradual abrogation of the covenant of works through the successive administrations of the covenant of grace, also bears some similarities to the viewpoint represented by authors of *The Law is Not of Faith*. For a comprehensive study of Cocceius' covenant theology, see Willem J. van Asselt, *The Federal Theology of Johannes Cocceius (1603–1669)* (Leiden: Brill, 2001). Interestingly, Cocceius denied that believers under the old covenant economy enjoyed a true "forgiveness of sins," but only a "passing over" of sins. Rather than being a traditional consensus viewpoint of Reformed covenant theology, the position on the Mosaic covenant espoused in *The Law is Not of Faith* has more similarities with these minority views.

for example, the covenant of works includes not only the natural obligation of human obedience to God’s moral law, but also a positive revelation of God’s will and promise of eschatological life. In the prelapsarian covenant of works, these theologians distinguish between the creation of Adam in God’s image and the provisions of the covenant of works, which include God’s initiative in revealing and granting to Adam the promise of eternal life upon the basis of his obedience and the threat of spiritual death in the event of his disobedience. According to VanDrunen, these theologians fail to recognize that the creation of man in God’s image and the natural knowledge of the moral law of God are sufficient conditions for the covenant of works. For VanDrunen, the failure of these theologians to recognize the intrinsically covenantal nature of the natural law represents an ambiguity in traditional Reformed theology that has only recently been clarified in the biblical theology of Meredith Kline, who identifies *simpliciter* the creation of man in God’s image with the prelapsarian covenant of works.⁹⁶

VanDrunen’s characterization of this “ambiguity” in historic Reformed theology is rather puzzling. There is little evidence that many covenant theologians in the orthodox period simply identified the covenant of works with man’s creation in God’s image and subjection to the moral law of God.⁹⁷ Rather than being an ambiguity in Reformed covenant theology, the distinction (without separation) between the creation of man in God’s image and the institution of the prelapsarian covenant of works is nearly the unanimous opinion of the covenant theologians of the sixteenth and seventeenth centuries. VanDrunen’s claim that there is an ambiguity in Reformed covenant theology on this point is belied by the express language of the Westminster Confession of Faith, when it describes the covenant as a “voluntary condescension” on God’s part. Rather than being an ambiguity in the history of Reformed covenant theology, the consensus opinion expressed in the Confession views the covenant of works as a sovereign and voluntary initiative of God. In the traditional view of Reformed theologians, God not only reveals the covenant of works with Adam by means of what Gerhaardus Vos terms a “pre-redemptive special revelation” but he also freely *grants* an entitlement to eschatological life upon the basis of Adam’s personal and perfect obedience. Due to the radical disproportion between the infinite Creator and the finite creature, the obedience of Adam to the moral law of God could never obtain for him anything more than the

⁹⁶ See Meredith Kline, *Kingdom Prologue*, 92. For sympathetic elaborations of Kline’s covenant theology, particularly his identification of creation and covenant, and his emphasis upon the idea of a “meritorious” works principle in the covenant of works, see Mark W. Karlberg, “The Original State of Adam: Tensions in Reformed Theology,” *The Evangelical Quarterly* 59 (1987): 291–309; and Lee Irons, “Redefining Merit: An Examination of Medieval Presuppositions in Covenant Theology,” in *Creator, Redeemer, Consummator: A Festschrift for Meredith G. Kline*, ed. Howard Griffithy and John R. Muether (Jackson, MS: Reformed Theological Seminary, 2000), 2563–69.

⁹⁷ See Beach, *Christ and the Covenant*, 57–61, 106–19, for a discussion of Turretin’s and the consensus view of the majority of Reformed theologians. Beach’s summary of Turretin’s view on the relation of creation and covenant captures well the predominant opinion of Reformed covenant theology: “Turretin, however, in refusing to identify creation with covenant has not compromised the goodness of creation or somehow rendered it second-rate; rather, the Creator/creature relationship is incorporated into the covenant relationship and even presupposes it. What Turretin refuses to do, however, is to confuse these relationships, for creatures *as creature* are without rights before the creator. God does not owe humans eternal life as such. Moreover, God does not become the debtor of human beings by creating them, for creation is an act of freedom. This is why Turretin argues that unless God condescends to enter into a covenant relationship with humans, thereby choosing to become man’s debtor through an act of goodness and love, they remain without rights before him.”

title of an “unworthy servant” who had merely performed his duty. Obedience to the law of God is required of man as a creature, but God was under no obligation by nature to grant Adam the fullness of glorified life upon the basis of his personal and perfect obedience. When God voluntarily condescended to enter into a covenant with his image-bearer, Adam, he conferred upon him and his posterity a covenanted right to eternal life that was an unmerited favor. Admittedly, it may be misleading to speak of “grace” in the prelapsarian covenant relationship, since the Scriptures ordinarily reserve the term for an unmerited favor that God grants to sinners who have demerited his favor and deserve only condemnation and death. However, the traditional and consensus view of Reformed theologians is that the covenant of works was a voluntary condescension on God’s part that could never be “merited” in the proper and strict sense of the term.⁹⁸

The point of my comments is not to settle the question whether Kline’s treatment of the relation (or identity) between creation and covenant represents a clarification of a theological ambiguity in Reformed theology, as VanDrunen asserts. The point is that, on this as well as a number of other features of *The Law is Not of Faith*, the authors tend to accommodate their reading of the history of Reformed theology to contemporary theological concerns, especially the distinctive formulations of Meredith Kline.

2.3.3. *The Abiding Validity of the Moral Law (Uses of the Law)*

The third theological ambiguity in the arguments of the authors of *The Law is Not of Faith* concerns the abiding validity and function of the moral law of God as a rule of conduct for the covenant people of God. Though it may lie outside the purview of the particular focus of the authors, it is strange that little is said in *The Law is Not of Faith* about the positive role of the law of God, whether in the Mosaic or new covenant economies, as a norm for the sincere, albeit imperfect, obedience of God’s covenant people. In the history of Reformed covenant theology, one of the important themes is the abiding validity of the Mosaic law as a rule of conduct not only for the people of Israel but for the new covenant believer in Christ. Calvin even denominates the use of the law as a rule of gratitude as its “principal” use, and at the same time denominates the law’s first use, as a teacher of sin, as merely an “accidental” function owing to human sinfulness after the fall. Even though it may be an argument from silence, it is remarkable to observe how seldom the authors of *The Law is Not of Faith* comment on the positive function of the law to norm the conduct of

⁹⁸ For a treatment of the question whether Adam’s obedience could “merit” the reward of life, see Francis Turretin, *Institutes of Elenctic Theology*, 2:710–23; Herman Bavinck, *Reformed Dogmatics* (Grand Rapids: Baker Academic, 2004), 2:569–71; and J. Mark Beach, *Christ and the Covenant*, 112–119, 196–202, 326–328. The following observation of Turretin is of particular significance to an understanding of the most common Reformed view: “Hence also it appears that there is no merit properly so called of man before God, in whatever state he is placed. Thus Adam himself, if he had persevered, would not have merited life in strict justice, although (through a certain condescension [*synchatabasin*]) God promised him by a covenant life under the condition of perfect obedience (which is called meritorious from that covenant in a broader sense . . .)” (2:712). In Turretin’s understanding, we may only speak “improperly” of “merit” in the relation between Adam and his Creator. By virtue of the covenant that God condescends to make with Adam, there is a “connection” stipulated between Adam’s obedience and the promised reward.

the covenant people of God. In one of the few instances where this function is addressed, Gordon takes strong exception to John Murray’s claim that the covenant obligation of Israel to obey the law of Moses was substantially similar in nature to the obligations of obedience in the new covenant. And in the case of the argument of VanDrunen, it is not even clear whether the moral law, as it is summarized in the Decalogue of Moses, may be viewed as an abiding rule of conduct for the people of God within the spiritual kingdom of the church. In historic Reformed reflection upon the moral law of God, a far more vigorous and positive conception of the role of the law as a rule of gratitude is evident than that found in this volume.

In my estimation the failure of the authors of *The Law is Not of Faith* to affirm vigorously the positive function of the law as a rule of gratitude in the Mosaic economy is not accidental. Because the authors of *The Law is Not of Faith* view the moral law of God to express necessarily the “works principle” of the covenant of works, they do not have a stable theological basis for affirming the abiding validity of the moral law as a rule of gratitude. The argument of the authors seems to be something like the following: because the moral law of God, rooted as it is in God’s holy and righteous character, always requires perfect obedience, and because God’s moral government requires that obedience be rewarded and disobedience be punished—the moral law is essentially a covenant of works. For this reason, VanDrunen seems compelled to conclude that the moral law of God is no longer the rule of conduct for believers in relationship to each other within the “spiritual kingdom” of the church of Jesus Christ. VanDrunen even goes so far as to suggest that the law that is “written upon the heart” of the new covenant people of God is not substantially the same moral law that was promulgated in the Decalogue through Moses. Even though the other authors of the volume do not explicitly make this claim, the implication of their arguments, which equate the law with its demands and consequences with the works principle of the covenant of works, seems to lead in the same direction. For the same reason, the authors assume that Chapter 19 of the Westminster Confession of Faith supports the republication thesis. However, when Chapter 19 affirms the abiding validity of the moral law, it does so to emphasize the positive role of the law as a rule of conduct for the covenant people of God, and not to suggest something like the republication of the covenant of works through Moses.

Perhaps the theological problem at this point can be clarified further in terms of the traditional Reformed view of the various functions or “uses” of the law. In the Reformed tradition, the moral law of God is presumed to be an “abiding” and stable rule of righteousness for human conduct. The holy law of God that governed Adam’s conduct as an image-bearer of God before the fall into sin is *identical* in its material content to the holy law of God that governs human conduct, and especially the conduct of God’s covenant people, after the fall into sin. There is a great difference, however, between the function of the law within the framework of the covenant of works before the fall and the diverse uses of the law within the framework of the covenant of grace after the fall. Though the nature and demands of the holy law of God remain unchanged after the fall of Adam, the “uses” of the law within the covenant of grace diverge substantially from the “use” of the law before Adam sinned.

In Reformed theology, the law has three distinct uses, each of which recurs throughout all of the administrations of the covenant of grace, including the Mosaic administration and the new covenant after the coming of Christ. In its first or “pedagogical” use, the law teaches believers to acknowledge their sin and inability to find favor and acceptance with God upon the basis of their obedience to the law. In this use, believers are taught to flee to Christ and to find in him the righteousness that alone answers to their need. In its second or “civil” use, the law serves to curtail human wickedness and rebellion, especially in the civil arena. Though the civil use of the law does not presume the inward regeneration of the heart, it does serve to restrain externally human sinfulness and disobedience. In its third and principal use, the law functions as a “rule of gratitude” that governs the conduct of believers in their life of grateful devotion to God. Even though believers are not perfectly sanctified in this life, their grateful obedience to the law of God is itself a fruit of the renewing work of the Holy Spirit and a benefit of the gospel of Jesus Christ. In the state of glorification, believers will be perfected in righteousness and be as holy in their personal conduct as they have already been declared through the grace of free justification in this life.

For the purpose of our assessment of the arguments of the authors of *The Law is Not of Faith*, it must be observed that, in none of these three uses of the law of God, does the law function at any level as a kind of republished covenant of works. In all of its uses and promulgations after the fall into sin, the moral law serves the gracious purposes of the covenant of grace in Christ. Whether in its “first” or “third” uses, the law does not serve covenantally as a kind of repetition of the prelapsarian covenant of works. Rather, the law serves to communicate the gospel of Christ’s person and work, not only in his obedience to all of its obligations on behalf of his people but also in his work of renewing his people in the way of increasing conformity to the law’s obligations. In the striking words of Francis Turretin, in the history of redemption “the law is not administered without the gospel, nor the gospel without the law. So that it is as it were a legal-gospel and an evangelical-law; a gospel full of obedience and a law full of faith.”⁹⁹

3. Concluding Observations

Now that I have offered a critical assessment of the primary arguments of *The Law is Not of Faith*, I would like to conclude with several observations. These observations are intended to draw together some of the more important aspects of my assessment of the book.

First, though I have some serious reservations regarding the claims of the authors of *The Law is Not of Faith*, I recognize the difficulty of the topic addressed in this volume and, perhaps more importantly, the notable diversity of opinion regarding this topic in the history of Reformed theology. In the course of my review of *The Law is Not of Faith*, it should have been apparent that the question posed by the authors—does the Mosaic administration in some sense republish the prelapsarian covenant of works?—is not new or unknown in the history of Reformed reflection upon the biblical doctrine of the covenants. Already in the early period of Reformed theology, Calvin was aware of the similarities and

⁹⁹ *Institutes of Elenctic Theology*, 268.

differences between the diverse administrations of the covenant of grace in the history of redemption. In subsequent Reformed theology, a vigorous debate arose regarding the peculiar character of the Mosaic economy, especially in the light of the contrast between the law and the promise set forth by the apostle Paul in his argument in the letter to the Galatians. In the period of Reformed orthodoxy, the question of Paul’s use of Leviticus 18:5 in Romans 10 and Galatians 3 was often discussed and disputed. Some theologians in the Reformed tradition were of the opinion that the Mosaic covenant reiterated the demands of the moral law, together with the consequences of obedience and disobedience, in a way that republished the stipulations and sanctions of the prelapsarian covenant of works. As we noted, especially in connection with Turretin’s discussion of this question, several diverse answers were given as to how the Mosaic economy was related to the covenant of works. Viewed against the background of the history of Reformed covenant theology, the particular question of the distinctiveness of the Mosaic administration posed by the authors of *The Law is Not of Faith* is a legitimate one, and one with a long pedigree in the history of Reformed theology. That some contemporary Reformed theologians find the question itself to be puzzling or problematic does reflect, as the editors of *The Law is Not of Faith* observe, a loss of historical awareness and appreciation for the complex history of Reformed reflection on the covenant.

Second, underlying many of the arguments of the authors of *The Law is Not of Faith* lies a proper desire to guard the biblical and Reformed doctrine of justification from corruption or distortion. In the historic Reformed view of justification, there is a radical contrast between the law and the gospel, when it comes to the question of the believer’s justification and inheritance of life in communion with God. The law *as such* can only demand perfect conformity to God’s holy will, and it can only communicate the consequences of obedience and disobedience. Under the conditions of human sinfulness since the fall and disobedience of Adam, there is no way whereby sinners can find favor and acceptance with God through the law. Indeed, the law can only lead to condemnation and death. Believers can only be justified upon the basis of the work of Christ, who fulfilled all the obligations (penal and perceptive) of the law of God on behalf of his people. In Reformed theology, the free justification of believers before God is solely based upon the granting and imputing to believers of the entire obedience and righteousness of Christ, consisting in his active conformity to the requirements of the law and his substitutionary endurance of its penalty. Though my review of *The Law is Not of Faith* offers a number of criticisms of the author’s arguments, I fully concur with the authors’ aim to uphold and teach the doctrine of justification by grace alone through faith alone upon the basis of the righteousness of Christ alone. As I put it in my description of *The Law is Not of Faith* on the book jacket, the “authors ably refute recent attacks upon the classic Reformed understanding of the grace of free justification on the basis of the entire obedience and sacrifice of Christ alone.”

Third, while I recognize the manifest diversity of opinion on the question of the distinctive nature of the Mosaic economy in the history of Reformed theology, my primary objection to the arguments of the authors of *The Law Is Not of Faith* is to what I have termed an “accommodated” reading of the sources. Though it is difficult to know finally “in what sense” the authors regard the Mosaic economy to republish the covenant of works, they all embrace some or another

version of the republication thesis. Furthermore, they generally agree that the idea of republication was pervasive in the history of Reformed theology, even the predominant view of the tradition as a whole. I do not believe this interpretation of the history of the development of Reformed covenant theology can stand up to careful historical scrutiny. The majority opinion of Reformed theologians of the orthodox period, and one that is codified in the Westminster Confession of Faith, is that there are two covenants, the covenant of works and the covenant of grace, that are *substantially* different. The substance of the covenant of works is the promise of life upon condition of Adam's personal and perfect obedience. The substance of the covenant of grace is the promise of life upon condition of faith in Christ, the Mediator. Since the Mosaic administration is an administration of the covenant of grace, which differs from other administrations only in its accidental or incidental features, it hardly seems appropriate to regard it as "in some sense" a republication of the covenant of works. Though it is difficult to determine the pedigree of the version of the republication thesis with which the authors of *The Law is Not of Faith* identify, it seems to be a view that finds its origins more in the recent writings of Meredith Kline than in the writings of theologians of the orthodox period.

Fourth, in my critical assessment of the republication thesis of *The Law is Not of Faith*, I have intimated that the historic Reformed distinction between the "three uses" of the law provides a better answer to the complex question that this thesis aims to resolve. Within the broad framework of the Mosaic administration as a covenant of grace, the first or pedagogical use of the law, which accords with God's own intention, serves to point the people of God to Christ as the only Mediator. In this "use" of the law, which Calvin terms an "accidental" use by virtue of the introduction of human sin through the fall of Adam, believers are taught to recognize their inability to obtain favor with God through the works of the law. In this way, the law serves the gospel and preaches Christ. This use of the law is not even unique to the Mosaic administration, since the law continues, even in the new covenant economy, to serve this purpose. But the law was never given to the people of God after the fall as a kind of covenant of works, that is, as an instrument that demands obedience as the basis at any level of the covenant for the obtaining of life and justification. Such a use of the law, which the apostle Paul opposes in Romans and Galatians, represents a legalistic misappropriation or abuse of the law of Moses. When the law is "wrested" from its evangelical setting and the gospel promise of the covenant of grace, it may be misappropriated as though it were a kind of covenant of works. But this misappropriation of the law does not accord with the divine intention undergirding the Mosaic economy and its promulgation of the law. Furthermore, the third and principal use of the law, in the Mosaic as well as in all other administrations of the covenant of grace, is as a perpetual and abiding rule of righteousness. Though we may speak, to use the language of Ferry, of a "material" identity of content between the moral law of God before and after the fall into sin, the law's function within the covenant of grace is entirely embraced within the framework of redemptive promise. The God of the covenant, who gave the Ten Commandments through Moses at Sinai, invites his redeemed people through the law to a life that pleases him.

And fifth, the tendency to identify the holy law of God with the covenant of works or what the authors of *The Law is Not of Faith* term the "works principle" of

covenant inheritance, creates an instability with respect to the Reformed view of the third use of the law. This instability becomes especially evident in VanDrunen’s contribution to the volume. When VanDrunen argues for an identification of the moral law of God with the substance of the covenant of works, he finds it difficult, if not impossible, to affirm the moral law as an abiding rule of righteousness for the conduct of believers within the orbit of the spiritual kingdom of the church. In VanDrunen’s view, since the law demands perfect obedience, and since the law necessarily promises eschatological life to its recipients upon condition of such obedience, the promulgation of the moral law of God necessarily republishes the substance of the covenant of works. The “logic” of this argument compels VanDrunen to argue that believers are not governed by the moral law in their relations with others within the spiritual kingdom. However, in historic Reformed covenant theology, the law of Moses, in so far as it republished the moral requirements of God’s holy and unchangeable will, constitutes an abiding rule of conduct for the covenant people of God throughout the history of redemption. Though VanDrunen’s theological argument for the identification of the covenant of works with the moral law may not be shared by other authors of *The Law is Not of Faith*, it does illustrate the need for further reflection on the subject of the role of the law of God within the framework of the covenants of works and of grace. The implication of the republication thesis, as it is stated by some of the authors, seems to undermine the positive function of the law within the administrations of the covenant of grace.