

SIC ET NON: VIEWS IN REVIEW

Westminster Seminary California Distinctives?

I. Law and Gospel (Michael S. Horton and Mark A. Garcia); II. The Reformed Two Kingdoms Doctrine (David VanDrunen and Jeffrey C. Waddington); III. The Republication of the Covenant of Works (J. V. Fesko and Cornelis Venema).

In naming this new section of the journal after Peter Abelard's famous twelfth-century work of scholastic debate ("*Sic et Non*" is translated "yes and no"), we are acknowledging that there are points of confessional, Reformed doctrine on which good men differ. Unfortunately, the issues covered in this year's journal have typically produced more heat than light. We thought it might be (more!) helpful to have a calm, rational debate on these issues, which are certainly hot-button topics in the Reformed world today. We invited three professors from Westminster Seminary California to explain their views, and three critics of these views to respond. Lord willing, these contributors will reverse their roles for next year's issue, with the critics writing essays positively setting forth their views, and the Westminster faculty members responding. We hope that you will benefit from these distillations of debate that will (in our opinion) produce much more light than heat. If there is any progress in the Reformed world of understanding the various positions, then our labors will be more than adequately recompensed.

The first issue in the exchange is the law/gospel hermeneutic. This is not a discussion limited to Lutheran circles, as some writers would have us believe. The law/gospel distinction is something that has been present in Reformed circles as well, even from the beginning. Michael Horton ably defends the law/gospel distinction, while Mark Garcia thoughtfully responds and challenges Horton at various points. The implications touch on justification and its relationship to sanctification and union with Christ, as well as the way in which we read our Bible, which is also called our hermeneutic.

It is quite possible that the second issue in the exchange (the doctrine of two kingdoms) is the most contentious of the three, and probably the most misunderstood. The acrimonious nature of the normal internet exchanges is wholly lacking, however, in this thoughtful exchange between David VanDrunen and

Jeff Waddington. The practical ramifications of these questions are obvious: how is a Christian to think about living in a secular world? How shall we then live?

The nature of the Mosaic economy and its relationship to the Covenant of Works and the Covenant of Grace is the subject of the third exchange between J.V. Fesko and Cornelis Venema. This topic is certainly the thorniest question of the three (involving as it does the tremendously difficult questions of the development of covenant theology, the nature of the relationship of the Old Testament to the New, and other much-vexed questions), and we believe readers will agree that Fesko and Venema have contributed greatly to the clarity of the debate.

We wish to extend a hearty thanks to our contributors, who have to deal with an editor who was constantly in the weeds all year long, and who also endangered the entire enterprise on more than one occasion by his forgetfulness. Not only did our contributors take that in stride, but they also managed to produce incredibly incisive contributions, in some cases on very short notice! Another round of thanks is due to our contributing editors on this project, Alan Strange and Rich Leino: this project benefited greatly from their thoughtful reading of the papers.

One final note to our readers: they will notice that our reviews section is much shorter this year. The reason for this is that the reviews editor was also in charge of the *Sic et Non* section. What with a move and a new ministry, this editor was not able to pester more people to contribute reviews for this year. We do hope, however, that you will find these contributions more than adequate compensation for the lack of book reviews.

LANE KEISTER ■

VIEWS IN REVIEW: In this our eighth issue, we inaugurate an occasional feature, *Sic et Non: Views in Review*. This section is under the purview of the Reviews & Responses section editor and will afford a place for a collegial and scholarly discussion of noteworthy if not controversial positions within the Confessionally Reformed community.

I. Law and Gospel

By Michael S. Horton with Response by Mark A. Garcia

Reducing intellectual systems to a central dogma from which each principle is deduced and by which one could distinguish one from another was a reigning method among nineteenth-century historians. Historical theologians like Max Goebel, Matthias Schneckenburger, and Alexander Schweitzer contrasted Lutheran and Reformed systems in terms of the central dogmas of forensic justification and divine sovereignty, or union with Christ and predestination, or Christology and the Absolute. Even the more judicious Philip Schaff spoke of contrasting personalities between Lutheran and Reformed churches.

In view of such approaches, B. B. Warfield complained, “It is unfortunate that a great body of the scientific discussion” throughout the nineteenth century “has been carried on somewhat vigorously with a view to determining the fundamental principle of Calvinism, has sought particularly to bring out its contrast with some other theological tendency, commonly with the sister Protestant tendency of Lutheranism”¹ There are important differences. “But it is misleading to find

the formative principle of either type of Protestantism in its difference from others.” While Lutheranism and Reformed theology display unique characteristics, “they have infinitely more in common than in distinction. And certainly nothing could be more misleading than to represent them (as is often done) as owing their differences to their more pure embodiment respectively of the principle of predestination and that of justification by faith.” Warfield added, “The doctrine of predestination is not the formative principle of Calvinism, the root from which it springs. It is one of its logical consequences, one of the branches which it has inevitably thrown out.” If one is looking for a “central truth,” Warfield explains, it is for Reformed theology’s “complete dependence upon the free mercy of a saving God” and it is in defending this truth that predestination has its proper place. Nor is belief in predestination a Reformed peculiarity, but is simply “Augustinianism.” “Just as little can the doctrine of justification by faith be represented as specifically Lutheran . . . Calvinism asks with Lutheranism, indeed, that most poignant of all questions, What shall I do to be saved? and answers it as Lutheranism answers it” (Warfield, 5:358).

This zeal to distinguish the genius of Reformed theology can lead not only to the misrepresentation of other traditions, but to the disfigurement of historic Reformed theology itself.

Although the central dogma thesis has been discredited in recent scholarship, both in its method and conclusions, it continues to animate caricatures and reductionism. Following Barth’s assimilation of the law to gospel, many of Barth’s students (most notably Thomas and James Torrance) set Calvin against Reformed orthodoxy as if the latter were too “Lutheran”—or perhaps legalistic—in comparison with the christocentrism of the great reformer. Charles Partee writes, “The main and specific point that Calvin makes in this section of the *Institutes* [book 2] is that grace takes precedence over law.”² Collapsing these distinctions, however, Partee suggests that for Calvin “—the gracious law is God’s

THE AUTHORS: Dr. Michael S. Horton is J. Gresham Machen Professor of Systematic Theology and Apologetics at Westminster Seminary California, where he has taught since 1998. He hosts the White Horse Inn (a weekly broadcast) and is editor-in-chief of *Modern Reformation* magazine. He is the author of many books including *The Christian Faith: A Systematic Theology for Pilgrims on the Way* (Zondervan, 2010), *Introducing Covenant Theology* (Grand Rapids: Baker, 2009); *Covenant and Salvation: Union with Christ* (Louisville: WJK, 2007). Mark A. Garcia (M.A.R., Westminster Theological Seminary; Ph.D., University of Edinburgh; postdoctoral research, Cambridge University) is the minister of Word and Sacrament at Immanuel OPC on the west side of Pittsburgh, PA and an adjunct professor of theology at Westminster Theological Seminary (Philadelphia and London) and Reformed Presbyterian Theological Seminary (Pittsburgh). In addition to a number of articles and essays, he has written *Life in Christ: Union with Christ and Twofold Grace in Calvin’s Theology* (Paternoster, 2008) and served as an assistant editor (theology, history of ideas, and history of exegesis) for the five-volume *Minutes and Papers of the Westminster Assembly* (OUP, 2012).

1. *The Works of Benjamin B. Warfield* (Grand Rapids, MI: Baker Book House, 1991) vol. V, pp. 356–7.

2. Charles Partee, *The Theology of John Calvin* (Louisville: WJK, 2008), 136.

promise of salvation and the gracious gospel is the fulfillment of that promise. In his earlier writings Calvin followed Luther's emphasis on and order of 'law before gospel,' but later, Calvin teaches that grace precedes law" (Partee, 137). Partee does not offer a footnote for this "later" view. Lacking such evidence, it seems more appropriate to accept that the diversity that Partee recognizes in Calvin on this point is due to the subtlety with which he uses the categories of law and gospel.³

It is clear enough that Partee's main objection is to the developing Reformed tradition's correlation of law and gospel with the covenant of works and the covenant of grace, respectively. "The role of the law in the covenant of works is a post-Calvin topic" (Partee, 137). Again, this obscures more than it explains. Calvin certainly held that humanity "in Adam" is obligated to fulfill the law as a covenant of life and that Christ fulfilled this Adamic commission, meriting life for his posterity. In fact, the substance of the "covenant of law" is found in Irenaeus and Augustine.⁴ Ironically, given his strong statements of discontinuity above, Partee says, "Turning from the law's purpose to its effects, Calvin suggests that the moral law would produce eternal salvation if it could be completely observed (II.73). In this line Calvin veers closest to the Westminster Confession's concept of a once-valid-but-now-rejected covenant of works."⁵

Closer to home—and with more nuance than some—Mark Garcia refers to Luther's "puzzling exhortation to believers" to ignore "the whole of active righteousness and the law," turning one's whole attention away from the law to grace.⁶ Yet he fails to mention precisely the same exhortation may be found in Calvin.⁷ In both cases, the question is how trembling questioners may find peace. Garcia follows Lillback in contrasting Calvin's "covenantal" and Luther's "law-gospel" approach. Garcia judges, "Consequently, whereas Luther warned believers to avoid the law, Calvin pointed his readers to the biblical imperatives of covenantal obedience" (*Life in Christ*, 76).

As with other matters addressed in this issue, the distinction between law and gospel has been viewed with sympathy by the Reformed for most of its history, but is more recently characterized by some as a "Lutheran" invention. As we will see, there are crucial differences in the way Lutheran and Reformed traditions developed this distinction. For example, the covenant theology that became part of the systematic architecture of Reformed interpretation introduced a more redemptive-historical treatment, over against the more abstract opposition of law and gospel in Lutheranism. Nevertheless, both traditions insisted upon the distinction as necessary for sound biblical interpretation, preaching, doctrine, and life.

The subject is large, so what follows is more of a summary of arguments than the arguments themselves. After a brief exegetical rationale, I will turn to the role that this distinction has played in Reformed theology.

I. AN EXEGETICAL RATIONALE FOR THE LAW-GOSPEL DISTINCTION

As I explain below, the distinction between law and gospel was not only embraced in Reformed theology, but became the architectural structure of mature federalism. Above and before all historical covenants stands the eternal covenant of redemption, entered into by the persons of the Trinity. Establishing the unconditional basis of God's electing and redeeming purposes, this *pactum salutis* has as its goal the glory of God, exhibited supremely in the union of the elect with Christ in everlasting fellowship. The two major covenants with humanity are the covenant of creation (also called the covenant of works, nature, or law) and the covenant of grace. As the Westminster Confession summarizes,

The first covenant made with man was a covenant of works, wherein life was promised to Adam; and in him to his posterity, upon condition of perfect and personal obedience. Man, by his fall, having made himself incapable of life by that covenant, the Lord was pleased to make a second, commonly called the covenant of grace;

3. Partee later states, "Calvin declares that 'the word "gospel," taken in the broad sense, includes those testimonies of his mercy and fatherly favor which God gave to the patriarchs of old' (II.9.2)" (Ibid., 142). This is an accurate description. However, Calvin most certainly did not see the severe and conditional threats of the Sinai covenant themselves as "testimonies of [God's] mercy and fatherly favor" any more than he saw Jesus' warnings about eternal judgment as such.

4. Irenaeus, "Against Heresies," 4.25, from *The Ante-Nicene Fathers*, ed. Alexander Roberts and James Donaldson (repr., Grand Rapids: Eerdmans, 1989), 5.16.3, 554; 4.13.1, 24; 4.15.1 and 4.16.3, 25–26; Augustine, *City of God*, 16.28, trans. Henry Bettenson, ed. David Knowles (New York: Penguin, 1972), 688–89.

5. Partee, *The Theology of John Calvin*, 138–39. Obviously, "once-valid-but-now-rejected covenant of works" is Partee's judgment rather than a general consensus, at least among confessional Reformed/Presbyterian churches.

6. Mark Garcia, *Life in Christ: Union with Christ and Twofold Grace in Calvin's Theology* (Paternoster, 2008), 75–76.

7. For example, see John Calvin, *Institutes* 3.19.2: When discussing justification, Calvin cautions emphatically that "the question is not how we may become righteous but how, being unrighteous and unworthy, we may be reckoned righteous. If consciences wish to attain any certainty in this matter, they ought to give no place to the law." All references to this source are from John Calvin, *Institutes of the Christian Religion*, ed. J. T. McNeill; trans. F. L. Battles. 2 vols. (Philadelphia: Westminster, 1960).

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 to eternal life his Holy Spirit, to make them willing and able to believe.⁸

Thus, these two covenants differ in their basis (fulfillment of the law rather than the inheritance promised in the gospel). They also are distinguished by the fact that Adam was the mediator of the first covenant, while Christ is the mediator of the second. Nevertheless, the covenant of works foreshadows Christ and the goal of both covenants is confirmation in everlasting blessedness. The blessings of the covenant of grace are a gift-inheritance to us because as the Last Adam our Lord has fulfilled the covenant of works. Hence, “This covenant of grace is frequently set forth in Scripture by the name of a testament, in reference to the death of Jesus Christ the Testator, and to the everlasting inheritance, with all things belonging to it, therein bequeathed” (WCF, *ibid*, 852).

In my view, the best approach exegetically is to begin by comparing and contrasting the Abrahamic and Sinai covenants. To be sure, the relation between these covenants is more controversial in the history of Reformed interpretation than the relation between the covenant of works made with Adam and the covenant of grace promised after the fall. Nevertheless, it is in the relation between Sinai and Zion that Scripture most clearly impresses us with a clear distinction between law and gospel as different covenantal principles: namely, attainment and gift-inheritance. I have explored this exegetical territory at length elsewhere.⁹ Here I will only summarize the point by appealing to a few examples.

Challenging his opponents’ conviction that salvation not only comes *from* the Jews but only comes to those who themselves *become* Jews, the Apostle to the Gentiles explains that there are two very different types of covenantal arrangements in the Old Testament itself. Paul speaks forcefully in Galatians 4 of two covenants, two mountains, and two mothers. There is a covenant of law established at Mount Sinai, engendering an earthly Jerusalem, which is identified with Hagar the slave, and a covenant of promise promised to Abraham and his seed, engendering a heavenly Jerusalem, which is

identified with Sarah the free woman. Confusion of these two covenants, Paul believed, lay at the heart of the Galatian heresy, a charge repeated by the Protestant Reformers in the sixteenth century.

The principles of law (i.e., personal performance) and promise (i.e., inheritance of an estate by virtue of the performance of another) give rise to antithetical forms of religion. The inheritance, Paul insists, is either by our obedience to the law or by someone else’s, bestowed on us by free grace alone; it cannot be by both. Being the beneficiary of an inheritance is not the same as being a successful partner who receives a reward for service rendered. Paul makes this point not only in Galatians, but in such places as Romans 3 and 4, where Abraham is once more presented as the paradigm case of justification through faith alone “apart from the deeds of the law,” so that the inheritance (election, redemption, new life) may come to Gentiles as well as Jews. Boasting is therefore entirely excluded (3:27). “Now to him who works, the wages are not counted as grace but as debt. But to the one who does not work but believes in the one who justifies the ungodly, his faith is accounted for righteousness...” (4:4–5).

So we have two principles or “laws” at work, which in Galatians 4 Paul actually calls “two covenants”: a covenant of law, which promises blessing upon perfect obedience and curses for any transgression, and a covenant of promise, which promises blessing as a gift resulting from the personal performance of another. Since the fall, all biblical covenants serve God’s redemptive purposes in Christ, who is not only prefigured but is actually embraced by our Old Testament fathers and mothers. For this reason we are wise to follow the language of the Westminster Confession: “This covenant [of grace] was differently administered in the time of the law and in the time of the gospel,” as shadows give way to the reality. There have never been two plans of salvation or two peoples of God, but only one covenant of grace “under various dispensations” (WCF, VII.6). However, in its old covenant administration, an additional covenant was added: namely, a national covenant establishing a temporal theocracy, with Moses as the mediator, and law as its basis. The Sinai covenant is in service to the covenant of grace, establishing a divine regime for prefiguring Christ. Yet it is not itself an everlasting promise depending on Christ’s sole mediation; nor does it include a remnant of all the nations, but is exclusive to Israel. The stipulations and sanctions of this covenant as spelled out, for example, in Leviticus 26 and Deuteronomy 28 (see also Joshua 24) are exactly as the Confession describes the covenant of works,

8. The Westminster Confession of Faith, VII.2–4, in *The Trinity Hymnal*, Rev. Ed. (Atlanta/Philadelphia: Great Commission Publications, 1990), 852.

9. Michael Horton, *Introducing Covenant Theology* (Grand Rapids: Baker, 2009); *Covenant and Salvation: Union with Christ* (Louisville: WJK, 2007), especially chapters 2–6.

“wherein life”—in this case, “long life in the land,” not everlasting blessedness—“was promised to Adam”—in this case, to Israel—“upon condition of perfect and personal obedience.”

Moses himself was justified by grace alone through faith in Christ alone, but the formula coined by E. P. Sanders for “covenantal nomism” is appropriate for the theocracy: “get in by grace, stay in by obedience.”¹⁰ After the fall, God’s blessings can only be a gracious gift. Delivered from Egyptian slavery by Yahweh, the “mixed multitude” that God led through the Red Sea and the desert could in no way merit the gift of Canaan (Deut. 9:5–6). However, the covenant code in Deuteronomy makes it perfectly clear that the terms for remaining God’s holy nation, and avoiding eviction, were conditioned on the nation’s performance of the law’s stipulations.

As Jewish scholars like Jon Levinson have pointed out, the Sinai covenant and the history that emerges from it echo explicitly the imagery of a new creation, with Canaan as a new trial, and Israel as a new Adam. The temple imagery itself is replete with references to Eden, with the priests representing the people as “a royal priesthood, a holy nation, a people for God’s own possession” (1 Pet 2:9). The warning of exile, too, completes the circuit of the Adamic trial. “But like Adam they transgressed the covenant; there they dealt faithlessly with me” (Hos 6:7). The tragedy is that Israel, like the nations, is “in Adam,” yet this is also the opportunity for God to reveal his powerful salvation to the whole world: Jew and Gentile alike. Interestingly, Levinson contrasts the Sinai traditions with the Zion traditions (Abrahamic-Davidic-New Covenants) in terms that are remarkably close to Paul’s contrast in Galatians 4 (as well as Hebrews 12). The former covenant is somewhat shaky, dependent as it is on human faithfulness, and it is temporal—pertaining to a piece of real estate; the latter is “above,” its blessings beyond the reach of Israel’s attainment, a sheer promise that in spite of disobedience God will act in saving mercy.¹¹

Covenant theology can either contribute to the confusion that Paul recognized in Galatia or alleviate it, depending on the specific kind of covenant theology being articulated. Even non-Reformed biblical scholars specializing in the treaty-covenants of the Ancient Near East emphasize the difference in form and content between law-covenants and promise-covenants in the biblical text.¹² Indeed, Pope Benedict XVI makes the same observation, drawing on this research.¹³ So it is ironic when some recent Reformed theologians reduce these different arrangements to a single type of covenant—in

essence, confusing law and gospel (whether by assimilating the former to the latter or vice versa).

In an effort to offer a biblical-theological definition, we have to go back behind Paul’s famous allegory of the two mothers and try to discern the Old Testament background. While there are certainly more than two explicit covenants in scripture, they can all be grouped around two *kinds* of arrangements: conditional covenants that impose obligations and unconditional covenants that announce a divine promise. In Galatians 3, Paul labored the point that the Sinai covenant could not annul the Abrahamic promise. He treats the former as an intermezzo or parenthesis in redemptive history. The new covenant is not an extension of the Sinai covenant, but the realization of the Abrahamic covenant which the Mosaic economy foreshadowed but could never bring about.

When the prophets bring Yahweh’s lawsuit, the threats are based on the covenant of law (Sinai), but beyond the exile there is the promise of a new creation, an inheritance by grace alone in the Messiah, that will include the whole earth and a remnant from all the nations. These evangelical promises look back to the Abrahamic covenant and forward to the new. None of these everlasting blessings are premised on the people’s renewal of the Sinai covenant, but on Zion descending from heaven. Their performance condemns them to exile, but God’s performance in the last days will bring a salvation far greater in depth and scope than the nation had experienced in its most joyful days. While Israel swore, “All this we will do,” at Mount Sinai, Yahweh promises that *he* will swear a “new covenant.” It is “*not like* the covenant” at Sinai (Jer 31:31–32, emphasis added). It will be God’s unilateral gift of a new heart that loves his law, based on his saving presence in mercy: “. . . they shall all know me, from the least of them to the greatest,” declares the LORD. “For I will forgive their iniquity, and I will remember their sin no more” (v 34).

10. E. P. Sanders, *Paul and Palestinian Judaism* (Minneapolis: Fortress, 1977), 93, 178, 371.

11. Jon Levenson, *Sinai and Zion: An Entry into the Jewish Bible* (San Francisco: HarperSanFrancisco, 1985), especially 24–101.

12. See for example Delbert Hillers, *Covenant: The History of a Biblical Idea* (Baltimore: Johns Hopkins University Press, 1969), 7, 105, 179; G. E. Mendenhall, *Law and Covenant in Israel and the Ancient Near East* (Pittsburgh: The Biblical Colloquium, 1955), 37–38, 45–49, 179; Dennis McCarthy, S. J., *Treaty and Covenant: A Study in the Ancient Oriental Documents and in the Old Testament* (Rome: Biblical Institute Press, 1963), 52–53; Stephen McKenzie, *Covenant* (St. Louis: Chalice Press, 2000), 66.

13. Joseph Cardinal Ratzinger, *Many Religions—One Covenant: Israel, the Church and the World* (San Francisco: Ignatius Press, 1999), 36–73.

This covenant, God adds, is as inviolable and unbreakable as the laws of nature (vv 35–36).

Paul is therefore not introducing any new scheme that was not already present in the form and content of these treaties themselves, referred to in the prophets, executed in the ministry of John the Baptist, and consummately in our Lord's ministry. It is not those who are "of the law" who are heirs, but the children of promise who are Abraham's offspring.¹⁴ Executing the covenant curses on the nation and its leadership, even on the temple itself, Jesus assumes the role not only of prophet but of true Israel, temple, high priest, and king upon his arrival on the temple mount to accomplish everything and claim his victory.

So Paul is treading familiar territory when he too distinguishes sharply between two types of covenants—even calling them "two covenants." Furthermore, he correlates these two covenants with "law" and "promise" as their respective basis. The further contrast Paul draws in Galatians 4 drives the point home: Sarah the free woman vs. Hagar the slave; the Jerusalem that is above vs. the Jerusalem that is below; Sinai vs. Zion. A similar contrast, especially to the last, is found in Hebrews 12:22–24.

This distinction between two types of covenants—law and promise (or gospel)—is not an imposition of systematic categories, but arises from the text itself. Rather, it is the rejection of any such distinction that seems more evidently driven by a priori considerations. Given the enormous consensus of non-Reformed biblical scholars, it seems hardly an opportune moment for Reformed theologians to discard the two-covenant scheme that is intrinsic to its system of doctrine.

II. REFORMED INTERPRETATION OF THE LAW-GOSPEL DISTINCTION

Calvin and Melancthon were friends and colleagues. In fact, they reached such agreement on the Supper that Melancthon earned the label "crypto-Calvinist" from

14. Bryan Estelle notes, "Paul uses Leviticus 18:5 in Galatians 3 in a manner similarly juxtaposed to his quote from Habakkuk to demonstrate the same principle: a fundamental antithesis of works and grace. In short, in the apostle's understanding of the nature of the Mosaic Covenant, there was a works principle operative in the administration of the covenant of grace" ("Leviticus 18:5 and Deuteronomy 30:1–14 in Biblical-Theological Development: Entitlement to Heaven Foreclosed and Proffered," in *The Law Is Not of Faith: Essays on Works and Grace in the Mosaic Covenant*, ed. Bryan D. Estelle, J. V. Fesko and David VanDrunen [Phillipsburg, N.J.: P&R, 2009], 132–3).

15. John Calvin, Preface, *Commentaries on the Four Last Books of Moses*, Vol 1, trans. Charles W. Binham (repr. Baker, 2005), xvii.

Gnesio-Lutheran critics. Calvin identified himself as a disciple of Luther's. It has been said many times before, but bears repeating: first, that Calvin cannot be easily distilled by searching the index of the *Institutes*. As he himself pointed out, he leaves extended exegetical arguments to his commentaries. Second, Calvin was not the only shaper of the Reformed tradition. Nevertheless, his significance is obvious enough, especially to the extent that his "paradigm" is contrasted with that of Luther and Lutheranism.

A. Calvin

The Genevan reformer followed Thomas Aquinas in distinguishing between the civil, ceremonial, and moral aspects of the law.¹⁵ Through Moses God gave the law to Israel, "not to be proclaimed among all nations and to be in force everywhere." Since "the law of God which we call the moral law is nothing else than a testimony of natural law..." the common laws of nations should be ruled by equity (justice tempered by love). "Hence, this equity alone must be the goal and rule and limit of all laws,... howsoever they may differ from the Jewish law, or among themselves" (*Institutes*, 4.20.16).

Calvin nowhere picks a fight with Luther over the law-gospel distinction. Rather, he aims his sharpest rebukes toward Anabaptists. On one hand, especially in their polemics against including children of believers in baptism, they disparaged the Old Testament, as if our forebears in the faith did not share with us in the same covenant of grace. Here Calvin, like Bullinger and others, stresses the unity of the covenant across both testaments—as the Westminster Confession does (VII.6). On the other hand, at least radical Anabaptists "deny that a commonwealth is duly framed which neglects the political system of Moses, and is ruled by the common laws of nations. Let other men consider how perilous and seditious this notion is; it will be enough for me to have proved it false and foolish" (*Institutes*, 4.20.14). When interpreting Calvin and other Reformed writers (as well as our confessions), it is important always to bear in mind which audience is in view when continuity (one covenant of grace) or discontinuity (different administrations) is being stressed.

But did Calvin embrace Luther's law-gospel distinction, or did he affirm a more "covenantal" approach that harmonized them in terms of promise and fulfillment?

Not even in this case did Calvin set out to create a new theory. However, at this point he followed Luther's critical departure from medieval interpretation. In fact, Luther's departure was in large measure a rediscovery

of Augustine's *The Spirit and the Letter*. For Aquinas, the gospel (synonymous with the New Testament) is "the new law," superior to the old law because it brings the realities to which the typological shadows merely pointed and also because it is more gracious.

Like Luther, Calvin challenged the identification of the good news as "a new law" and Christ as a new Moses. However, by distinguishing more carefully than Luther that this opposition is not between Moses and Christ per se or the Old and New Testaments, Calvin made room for affirming both the continuity of law and gospel (in terms of Old and New Testaments) and opposition (in terms of justification).¹⁶

For the most part, Luther focused on the antithesis in doctrinal terms, as roughly equivalent to justification by works and justification through faith alone. Distinguishing law and gospel, he argued, was the chief burden of theologians and pastors as well as the most difficult thing to do in actual practice. The law commands and threatens punishment without mercy; the gospel gives and freely absolves sinners through faith alone. The law, whether adumbrated in the Old or the New Testament, comes to kill the sinner, not to heal and reform. *Legis semper accusat*: "The law always accuses," Luther insisted. Sometimes it seems that the law and the gospel float above the actual history of redemption, as abstract principles, rather than being grounded in specific covenants. "Law" functions differently in a covenant of works ("Do this and you shall live!") than it does in a covenant of grace ("This is how the justified must live!").

Melanchthon clarified and refined Luther's teaching on the subject. Like Melanchthon, Calvin continued to speak of law and gospel in two senses: as Old Testament and New Testament and as condemnation and justification. This important nuance is found explicitly even in Paul, where he refers to "law" in both of these senses even in the same sentence: "But now the righteousness of God has been manifested *apart from the law*, although *the Law and the Prophets* bear witness to it..." (Rom 3:21, emphasis added). Calvin himself acknowledges these two senses: "Paul harmonizes law and faith, and yet sets the righteousness of one in opposition to that of the other." Why? "The law has a twofold meaning; it sometimes includes the whole of what has been taught by Moses, and sometimes that part only which was peculiar to his ministration, which consisted of precepts, rewards, and punishments." The goal of his ministry was to lead the people of God "to despair as to their own righteousness, that they might flee to the haven of divine goodness, and so to Christ himself. This was the end or design of the Mosaic dispensation....

And whenever the word law is thus strictly taken, Moses is by implication opposed to Christ: and then we must consider what the law contains, as separate from the gospel."¹⁷

This nuance is crucial for understanding the different references to law and gospel not only in Calvin but in Scripture itself. So when we dip into the *Institutes* for quotes, we should be cautioned that Calvin (again, like Luther and Melancthon) uses "law" and "gospel" differently—and without notice, depending on the context and the point he is making.

Calvin speaks exactly like Luther when engaging Rome: law and gospel are entirely opposed. In this sense, law and gospel refer to different principles of obtaining salvation (correlative later to "covenant of works" and "covenant of grace."). Here, there is no law in the gospel and no gospel in the law. However, when his sights are aimed at the Anabaptists, he stresses the continuity of the law and the gospel as Old and New Testaments in one covenant of grace. Here, of course, there is gospel in the Law and the Prophets and law in the New Testament.

When it comes to the basis of salvation, Calvin is a "Lutheran." In his *Antidote to the Council of Trent* (on Canon XX), Calvin writes, "For the words of Paul always hold true, that the difference between the Law and the Gospel lies in this: that the latter does not like the former promise life under the condition of works, but from faith. *What can be clearer than the antithesis*—'The righteousness of the law is in this wise, The man who doeth these things shall live in them. But the righteousness which is of faith speaketh thus, Whoso believeth,' etc. (Rom. x. 5). To the same effect is this other passage: 'If the inheritance were of the law, faith would be made void and the promise abolished. Therefore it is of faith that in respect of grace the promise might be sure to everyone that believeth' (Rom. iv. 14) (emphasis added).¹⁸ In *The True Method of Giving Peace and of Reforming the Church*, he adds, "Faith, I say, is a firm certainty of conscience, which embraces Christ as he is offered to us by the gospel" (250). "When Paul distinguishes the gospel from the law, he calls it 'the doctrine of faith'"

16. Luther was not always consistent in this procedure; sometimes he correlated law and gospel with Old and New Testaments. See, for example, Philip Watson, *Let God Be God: An Interpretation of the Theology of Martin Luther* (Philadelphia: Fortress, 1947), especially chapter five.

17. Calvin, *Commentaries Upon the Acts of the Apostles; Commentaries Upon the Epistle of Paul the Apostle to the Romans*, translated and edited by John Owen (rep. Grand Rapids: Baker, 1996), 386–87.

18. Calvin, *Selected Works of John Calvin: Tracts and Letters*, ed. Henry Beveridge and Jules Bonnet (Edinburgh: Calvin Translation Society, 1851; repr. Baker Book House, 1983), 3:156.

(Rom. x. 6).... And after teaching that ‘the goſpel is not by the law, but by promise,’ he immediately concludes, ‘that the promise may be given by faith’ (Gal. iii.22)” (Calvin, *Tracts and Letters*, 3:251).

Here are some further examples: in Romans 10:8, Paul’s object is once again “to show how great is the difference between the righteousness of the law and that of the goſpel.” He adds,

Sufficient then for pacifying minds, and for rendering certain our salvation, is the word of the goſpel; in which we are not commanded to earn righteousness by works, but to embrace it, when offered gratuitously, by faith. The ‘word of faith’ is to be taken for the word of promise, that is, for the goſpel itself, because it bears relation to faith. The conſtraſt by which the difference between the law and the goſpel appears, is indeed to be underſtood: and from this diſtinction we learn that as the law demands works, so the goſpel requires nothing else, but that men bring faith to receive the grace of God. The conſtraſt between Law and Goſpel is to be underſtood, and from this diſtinction we deduce that, juſt as the Law demands work, the Goſpel requires only that men ſhould bring faith in order to receive the grace of God.¹⁹

The law is a mirror, to show us our ſin and ſend us to Chriſt: “This was the purpoſe of the miniſtry of Moſes” (Calvin, *Acts*, 386–387). The law tells us ſimply “what we owe” God, “according us no hope of life unleſs we fulfill every part of it, and, on the contrary, annexing a curſe if we are guilty of the ſmalleſt tranſgreſſion” (*Inſtitutes* 2.9.4). “The life of the Law is man’s death” (Calvin, *Four Laſt Books of Moſes*, vol.1, p.316).

For one thing, he declares in his commentary on John, “The peculiar office of the Law [is] to ſummon conſciences to the judgment-seat of God.”²⁰ The law’s

purpoſe is not to incline our hearts to godlineſs, but to reveal our miſery ſo that we would flee to Chriſt. “Moſes had no other intention than to invite all men to go ſtraight to Chriſt” (Calvin, *John*, 1:217). In his preface to the commentary on the Pentateuch he ſays that the whole purpoſe of the old covenant law is “to ſhut us up deprived of all confidence in our own righteousness, ſo that we may learn to embrace his Covenant of Grace, and flee to Chriſt, who is the end of the law.”²¹

In Galatians 4:24, Calvin writes, “Paul compares the two *diathekai* to two mothers.... As in the houſe of Abraham there were two mothers, ſo are there alſo in the Church of God. Doctrines are the mothers of whom we are born, and is twofold, Legal and Evangelical,” the one leading to bondage and the other to freedom. “The two covenants, then, are the mothers, of whom children unlike one another are born; for the legal covenant makes ſlaves, and the evangelical covenant makes freemen.”²² In this explicit diſtinction between legal covenant and evangelical covenant we diſcern the embryonic features of the law-goſpel diſtinction worked out in two diſtinct types of covenants (works and grace).

Calvin even echoes Luther’s famous maxim, “The law always accuses;” for example, in a ſermon on Isaiah 53:11:

The Law only begets death; it increases our condemnation and inflames the wrath of God....The Law of God ſpeaks, but it does not reform our hearts. God may ſhow us: ‘This is what I demand of you,’ but if all our deſires, our diſpoſitions and thoughts are contrary to what he commands, not only are we condemned, but, as I have ſaid, the Law makes us more culpable before God....For in the Goſpel God does not ſay, ‘You muſt do this or that,’ but ‘believe that my only Son is your Redeemer; embrace his death and paſſion as the remedy for your ills; plunge yourſelf beneath his blood and it will be your cleaſing.’²³

Otto Weber notes the inheritance from Auguſtine at this point, eſpecially his *De Spiritu et litera*: “As the Reformers ſaw it, Paul was really underſtood here ... [as] the diſtinction between law and Goſpel, between the letter and the ſpirit, was brought to full theological validity.”²⁴

Calvin preſuppoſes this diſtinction when he follows the apoſtles (e.g., Rom 1:16; 10:17; 1 Pet 1:23–25) in attributing the new birth to the preaching of the goſpel. Indeed, Calvin ſays, “Faith is not produced by every part of the Word of God, for the warnings, admonitions and threatened judgments will not inſtill the confidence and peace requiſite for true faith.”²⁵ As I. John Helleſink ſummarizes, “The evangelical, not the legal,

19. Calvin, *Commentaries Upon the Acts of the Apoſtles; Commentaries Upon the Epiſtle of Paul the Apoſtle to the Romans*, 390–391.

20. Calvin, *Commentary on the Goſpel of John* (repr. Baker Book Houſe, 1996), 2:140.

21. John Calvin, Preface, *Commentaries on the Four Laſt Books of Moſes*, Vol 1, xviii.

22. Calvin, *Commentaries on The Epiſtles of Paul to the Galatians and Ephesians*, trans. William Pringle (repr. Grand Rapids: Baker Book Houſe, 1996), 137–138.

23. Calvin, *Sermons on Isaiah’s Prophecy and the Death and Paſſion of Chriſt*, trans. T. H. L. Parker (London: James Clarke and Co., 2002), Isaiah 53:11.

24. Otto Weber, *Foundations of Dogmatics*, trans. by Darrell L. Guder (Grand Rapids: Eerdmans, 1981), 1.88.

25. I. John Helleſink, *Calvin’s Concept of the Law* (Allison Park, PA: Pickwick, 1992), 28.

character of Calvin's concept of God is what stands in the foreground" (Hesselink, 30). Arguing along similar lines, B. B. Warfield went so far as to suggest that Luther and Lutheranism give more place to fear in piety than we find in Calvin.²⁶

When discussing the "fatherly indulgence of God," Calvin explains Paul's reference to "the spirit of bondage" versus "the spirit of adoption," in Romans 8:15:

One he calls the spirit of bondage, which we are able to derive from the Law; and the other, the spirit of adoption, which proceeds from the Gospel. The first, he states, was formerly given to produce fear; the other is given now to afford assurance. The certainty of our salvation, which he wishes to confirm, appears, as we see, with greater clarity from such a comparison of opposites ... From the adverb again we learn that Paul is here comparing the Law with the Gospel. This is the inestimable benefit which the Son of God has brought us by his advent, that we should no longer be bound by the servile condition of the Law.... Although the covenant of grace is contained in the Law [now referring to it as Old Testament], yet Paul removes it from there, for in opposing the Gospel to the Law [in the theological sense] he regards only what was peculiar to the Law itself, viz. command and prohibition, and the restraining of transgressors by the threat of death. He assigns to the Law its own quality, by which it differs from the Gospel.²⁷

Therefore, there is no graciousness in the Law, as considered in itself (i.e., as a theological-hermeneutical category), but there is graciousness in the Old Testament, as the covenant of grace is promulgated in both testaments under distinct administrations.

A distinction is made between the *totus lex* and the *nuda lex*, the former referring to the entire Old Testament, while the latter refers to the Law as a category of command without promise. But Calvin is not finished with this point:

Finally, the Law, considered in itself, can do nothing but bind those who are subject to its wretched bondage by the horror of death as well, for it promises no blessing except on condition, and pronounces death on all transgressors. As, therefore, under the Law there was the spirit of bondage, which oppressed the conscience with fear, so under the Gospel there is the spirit of adoption, which gladdens our souls with the testimony of our salvation. Note that Paul connects fear with bondage, since the Law can do nothing but harass and torment our souls with wretched discontent as long as it

exercises its dominion. There is, therefore, no other remedy for pacifying our souls than when God forgives us our sins, and deals kindly with us as a father with his children (Calvin, Acts; Romans, 298).

Commenting on Galatians 3, the reformer adds,

It is an argument from *contradictions*, for the same fountain cannot yield both hot and cold. The Law holds all men under its curse. From the Law, therefore, it is useless to seek a blessing. He calls them of the works of the law who put their trust for salvation in those works. Such modes of expression must always be interpreted by the state of the question. Now we know that the controversy here relates to the cause of righteousness.... The Law justifies him who fulfills all its commands, whereas faith justifies those who are destitute of the merit of works and rely on Christ alone. To be justified by our own merit and by the grace of another are irreconcilable; *the one is overthrown by the other* (emphasis added, Calvin, Galatians and Ephesians, 88).

If we are asking about justification, Calvin says, we must turn our attention entirely to the gospel. "If consciences wish to attain any certainty in this matter, they ought to give no place to the law" (*Institutes* 3.19.2). Commenting on Romans 3:21, Calvin insists that even believers after they are justified must be vigilant in distinguishing the law and gospel; otherwise, they will, with Augustine, conclude that the righteousness that they have before God, though a gift of regenerating grace alone, is inherent in the believer. "But it is evident from the context that the apostle includes all works without exception, even those which the Lord produces in his own people." It is not enough to attribute sanctification to grace; in this whole matter, all righteousness (produced by God or self) that is by Law is to be considered the very antithesis of the righteousness that is by faith. "In the same way, in his Epistle to the Galatians he sets the Law in opposition to faith with regard to the effect of justification, because the Law promises life to those who do what it commands (Gal.2:16), and requires not only outward performance of works, but also a sincere love of God." Believers no less than the unbeliever must have the Gospel "daily repeated in the Church." "That

26. B. B. Warfield, *Calvin and Augustine* (Philadelphia: Presbyterian and Reformed, 1980), 175–176. B. A. Gerrish also writes, "It is particularly striking how often Calvin simply identifies believing in God with recognizing God's fatherhood," *Grace & Gratitude: The Eucharistic Theology of John Calvin* (Edinburgh: T. & T. Clark, 1993), 66.

27. Calvin, *Commentaries Upon the Acts of the Apostles; Commentaries Upon the Epistle of Paul the Apostle to the Romans*, 298.

peace of conscience, which is disturbed on the score of works, is not a one-day phenomenon, but ought to continue through our whole life.”²⁸ Since we are ever-assaulted by the fear inculcated by the law, we must be ever-assured of the promises of the Gospel. Whenever the believer seeks assurance or favor with God, the Law is never a comfort, but when he is trusting in Christ’s imputed righteousness, his relation to the Law changes. It no longer represents God as Judge, but God as Father. Not even the justified and renewed believer can appeal to the law for assurance of God’s favor.

Therefore this thing alone remains: that from the goodness of the promises he should the better judge his own misery, while with the hope of salvation cut off he thinks himself threatened with certain death. On the other hand, horrible threats hang over us, constraining and entangling not a few of us only, but all of us to a man. They hang over us, I say, and pursue us with inexorable harshness, so that we discern in the Law only the most immediate death (*Institutes* 2.7.4).

The law covenants conditionally, while the Gospel covenants on the basis of Christ’s fulfillment of all conditions in the believer’s stead. “The promises of the Law depend on the conditions of works while the Gospel promises are free and dependent solely on God’s mercy” (*Institutes* 3.11.17). In short, the gospel is “the instrument of regeneration and offers to us a free reconciliation with God.”

The law, on the other hand, as it simply prescribes the rule of a good life, does not renew men’s hearts to the obedience of righteousness, and denounces everlasting death upon transgressors, can do nothing but condemn. Or, if you prefer it another way, the office of the law is to show us the disease, in such a way as to show us, at the same time, no hope of cure: the office of the gospel is to bring a remedy to those who were past hope.²⁹

Yet this is precisely why the third use is “the principal use,” since we are no longer “under the law” in the judicial sense (i.e., a covenant of law). No more than it can justify can the law sanctify. However, whereas for Luther the emphasis falls almost exclusively on the negative (condemning) function, for Calvin there is a greater sensitivity to the new relation of the believer

to God and his law. Immediately after warning against giving any place to the law in assuring the conscience, Calvin adds, “Nor can any man rightly infer from this that the law is superfluous for believers, since it does not stop teaching and exhorting and urging them to do good, even though before God’s judgment seat it has not place in their conscience” (Calvin, *Institutes*, 3.11.2). It is possible to delight in the law precisely because it cannot terrify the conscience of those in Christ and because through this union they are not only justified but renewed by the gospel. “For the law is not now acting toward us as a rigorous enforcement officer who is not satisfied unless the requirements are met,” but is pointing out “the goal toward which throughout life we are to strive” (Calvin, *Institutes*, 2.7.12–13).

In short, while Calvin does indeed allow more of a “covenantal” space for the redemptive-historical transition from law (promise) to gospel (fulfillment), as Lillback and Garcia suggest, it does not keep him from making the most “Lutheran” statements about the law-gospel antithesis on the point of justification with repeated emphasis.

In my view, Calvin (among others) improved on Luther’s principle. In addition to widening the scope to accommodate greater nuance demanded by actual passages, Calvin’s subtle but important differences from Lutheran treatments bear a richer redemptive-historical and eschatological flavor. In fact, where divergences appear even implicitly, they are due more to this than to any formal difference over the distinction itself. I do not have space to pursue the point adequately, but perhaps I may be allowed to summarize briefly.

Luther is more dialectical in his thinking (e.g., old man wholly condemned and sinful; new man wholly justified and renewed), often leading to a somewhat abstract opposition of law and gospel in principle. So in this dialectical view, it is easy to exaggerate in both extremes. On one hand, there is a somewhat over-realized eschatology:

Oh, it is a living, busy, active, mighty thing, this faith. And so it is impossible for it not to do good works incessantly. It does not ask whether there are good works to do, but before the question rises, it has already done them, and is always at the doing of them.... Hence a man is ready and glad, without compulsion, to do good to everyone, to serve everyone, to suffer everything, in love and praise to God, who has shown him this grace. And thus it is impossible to separate works from faith, quite as impossible as to separate burning and shining from fire.³⁰

28. Calvin, *Commentaries ... Acts; Romans*, 136.

29. Calvin, *Commentary on The Epistles of Paul the Apostle to the Corinthians*, trans. John Pringle (Baker Book House, 1996), 2:178.

30. Martin Luther, *Commentary on Romans*, trans. J. Theodore Mueller (Grand Rapids: Zondervan, 1954), xvii.

On the other hand, Luther can say, “I have heard of it but as yet have seen nothing of it. Not in essence, but by promise, I have eternal life. I have it in obscurity, I do not see it, but I believe it and will hereafter surely feel it” (*Luther’s Works*, 16:52, 19–21).

Calvin thinks more redemptive-historically and eschatologically. In Reformed theology, the believer is not in any sense the “old man” who is “under the law” as a covenant, but has passed from death to life. There is a real transition here; the new creation has dawned. Believers are not only forgiven and justified, but definitively transformed. Thus, their relation to the law has changed forever and they do experience this reality. At the same time, they do not simply do good works spontaneously with uninterrupted zeal. From this perspective, an *already-not yet* tension seems sometimes threatened in Lutheran theology by a *both-and* dialectic.

This new relation of the believer to the law is why the “third use” is the “principal use” for Calvin: precisely because the law cannot condemn those who cling to Christ alone in faith. (*Institutes*, 2.7.12). The same is true of the tradition generally. The law still shows us what our sins deserve so that we will desert lingering confidence in our own “righteousness” and flee to Christ (WCF XIX.6). Yet because of this definitive transition in history between old and new creation with Christ’s resurrection from the dead, the law can only show us what God requires and forbids, “although not as due to them by the law as a covenant of works” (*ibid.*).

However, even in suggesting such differences, I am reminded of many statements in Luther where law and gospel are treated with nuance (refusing, for example, to identify them with Old and New Testaments, respectively); the definitive breach with sin’s power as well as its guilt is maintained vigorously. Calvin agrees with Luther not only that the law cannot justify but that only the Gospel promises can move us to grateful obedience: “He lays hold not only of the precepts,” says Calvin, “but the accompanying promise of grace, which alone sweetens what is bitter. For what would be less lovable than the Law if, with importuning and threatening alone, it troubles souls through fear, and distressed them through fright? David especially shows that in the Law he apprehended the Mediator, without whom there is no delight or sweetness” (*Institutes*, 2.7.12).

Nor is there any basis for the suggestion that in the so-called Lutheran paradigm, sanctification is merely a consequence of justification, without any relation to union with Christ. Ironically, according to the New Finnish Interpretation, Luther’s “central dogma” of mystical union became marginalized by Lutheran

orthodoxy’s notion of forensic imputation. Both assertions exhibit the poverty of “central dogma” approaches. Mystical union is at the heart of Luther’s “marvelous exchange,” an emphasis he drew from Bernard of Clairveaux. In fact, in *Against the Antinomians* Luther asserted, “This doctrine is not mine, but St. Bernard’s. What am I saying? St. Bernard’s? It is the message of all of Christendom, of all the prophets and apostles.”³¹ Faith not only justifies; it “unites the soul with Christ as a bride is united with her bridegroom,” he says. “At this point a contest of happy exchanges takes place. . . — Is that not a happy household, when Christ, the rich, noble, and good bridegroom, takes the poor, despised, wicked little harlot in marriage, sets her free from all evil, and decks her with all good things?”³² Not surprisingly, Calvin’s discussion of union with Christ is filled with direct citations from Bernard.

Furthermore, not only is the “third use” of the law (obliging believers to walk in holiness) affirmed extensively and vigorously in the Book of Concord; Luther’s treatise *Against the Antinomians* argued that this heresy was as dangerous in separating sanctification from justification—as if to tear Christ into pieces—as Rome’s assimilation of the latter to the former. It was Melancthon who first introduced the “three uses of the law.”³³ Hesselink’s conclusion suffices: “Here Calvin does not differ significantly from Luther, except in emphasis and discretion” (Hesselink, *Calvin’s Concept of the Law*, 158).

B. Does the Reformed Tradition Develop Calvin’s Law-Gospel Hermeneutic?

While it is anachronistic to read later refinements into Calvin, it is clear enough that he not only held to a distinction between law and gospel, but that he characterized them (with Paul) as two distinct covenants: legal and evangelical. In fact, the way of works is “a covenant of law” (*Institutes* 3.17.15). Furthermore, he held to what would be identified as “the active obedience” of Christ. “A man who was free, by constituting himself a surety, redeems a slave: by putting on himself the chains, he

31. Martin Luther, “Against the Antinomians” in *Luther’s Works: The Christian in Society IV*, American Edition, ed. Franklin Sherman (Philadelphia: Fortress, 1971), 47:110.

32. Martin Luther, “The Freedom of a Christian,” *LW* 31:351.

33. In fact, both referred to the “two-fold use” of the Law: pedagogical (theological) and civil (Calvin combined the civil and moral use until the 1559 *Institutes*, although there is a reference to the “three-fold use” in the 1539 edition), still after Melancthon’s identification of the three uses in the 1535 *Loci communes*. See Timothy Wengert, *Law and Gospel: Philip Melancthon’s Debate with John Agricola of Eisleben over ‘Poenitentia’* (Grand Rapids: Baker, 1997), especially page 195.

takes them off from the other. So Christ chose to become liable to keep the law, that exemption from it might be obtained for us..."—exemption, that is, from its threat, but not from its moral authority (Calvin, *Galatians and Ephesians*, 118–119).

The influences of Luther and Melancthon on Reformed leaders were hardly limited to Calvin. Melancthon's summary of doctrine (*Loci communes*) was influential in Bullinger's renunciation of his decision to join the Carthusians and become a "Martinist" (follower of Luther). Ursinus studied under Melancthon at Wittenberg before he adopted the Reformed confession. In spite of the Eucharistic controversy, where differences were clearly debated, the law-gospel distinction was never among the disputed points. It appears in Bullinger's Second Helvetic Confession. As Otto Weber points out, in Heidelberg, Herborn, Marburg, and Bremen, all places where the Reformed movement was strongly influenced by Melancthon, the concept of the covenant came to dominate dogmatics, even subordinating predestination to it.³⁴ If some today are wary of "Lutheranizing" influences, the whole tradition seems rather compromised in that regard.

While some have sought to separate Calvin from Luther, some of their professed heirs have sought to separate both from Calvinism and Lutheranism. In recent Reformed developments, no figure is more the target of such caricatures than Theodore Beza, Calvin's close associate and hand-picked successor. Furthermore, Beza explicitly carried on Calvin's work and nowhere can this consistency be better observed than in Beza's *Confessio*, published in Geneva in 1558.

In that summary of the faith, Beza addresses "The means which the Holy Spirit uses to create faith in the heart of the elect." His answer, of course, is the Word and the sacraments, and these discussions therefore follow. But the discussion of "The Word" itself is divided into two parts: "The Law" and "The Gospel":

We divide this Word into two principal parts or kinds: the one is called the 'Law,' the other the 'Gospel.' For, all the rest can be gathered under one or the other of

34. Otto Weber, *Foundations of Dogmatics*, Vol. 1, tr. Darrell L. Guder (Grand Rapids: Eerdmans, 1981), 125. "The whole emphasis is shifted from the Absolute to salvation-history and anthropology," as can be seen especially in Bullinger, Ursinus, Alsted, Pareus and others. This is an exaggeration, since at no point (particularly with Calvin) was the Reformed tradition focused on "the Absolute" (an invention of German Idealism) and at no point was covenant theology an attempt to tone down predestination.

35. Theodore Beza, *The Christian Faith*, trans. by James Clark (Lewes, England: Christian Focus, 1992), 40–51.

these two headings. What we call Law (when it is distinguished from Gospel and is taken for one of the two parts of the Word) is a doctrine whose seed is written by nature in our hearts ... What we call the Gospel ('Good News') is a doctrine which is not at all in us by nature, but which is revealed from Heaven (Mt. 16:17; Jn.1:13), and totally surpasses natural knowledge. By it God testifies to us that it is his purpose to save us freely by his only Son (Rom. 3:20–22), provided that, by faith, we embrace him as our only wisdom, righteousness, sanctification and redemption (1Cor. 1:30).

Beza warns, "We must pay great attention to these things. For, with good reason, we can say that ignorance of this distinction between Law and Gospel is one of the principal sources of the abuses which corrupted and still corrupt Christianity." Why is this? People always turn the Law into something easy and the Gospel into something difficult, as if the Gospel were "nothing other than a second Law, more perfect than the first."

Beza then devotes a great deal of space to distinguishing the Law from the Gospel. We know the law by nature, inwardly, while the Gospel is "from above." "Having carefully understood this distinction of the two parts of the Word of God, the Law and the Gospel, it is easy to understand how and to what end the Holy Spirit uses the preaching of the one and the other in the Church." We do not know our sinfulness. "This is why God begins with the preaching of the Law," and after discussing this point more fully, he concludes, "There then is the first use of the preaching of the Law." But "after the Law comes the Gospel" in preaching. The "third use" Beza discusses under the heading, "The other fruit of the preaching of the Law, once the preaching of the Gospel has effectually done its work," and here he argues that because the believer's relation to the Law has changed, it simply directs instead of inspiring fear and doubt.³⁵

This distinction between law and gospel is just as prominent in the writings of Reformed theologians as diverse as Zacharius Ursinus, William Perkins, and John Owen. In fact, as I have argued elsewhere, it is the substratum on which the federal system of the covenant of works and the covenant of grace is overlaid.

1. Continental Development

As early as the first page of his *Commentary on the Heidelberg Catechism* Ursinus (primary author of the Heidelberg Catechism) states, "The doctrine of the church

is the entire and uncorrupted doctrine of the law and gospel concerning the true God, together with his will, works, and worship.”³⁶ He then elucidates what was to be a typical Reformed statement of the distinction that was held in common with the Lutheran confession:

The doctrine of the church consists of two parts: the Law, and the Gospel; in which we have comprehended the sum and substance of the sacred Scriptures.... Therefore, the law and gospel are the chief and general divisions of holy scriptures, and comprise the entire doctrine comprehended therein ... for the law is our schoolmaster, to bring us to Christ, constraining us to fly to him, and showing us what that righteousness is, which he has wrought out, and now offers unto us. But the gospel, professedly, treats of the person, office, and benefits of Christ. Therefore we have, in the law and gospel, the whole of the Scriptures comprehending the doctrine revealed from heaven for our salvation... The law prescribes and enjoins what is to be done, and forbids what ought to be avoided: whilst the gospel announces the free remission of sin, through and for the sake of Christ.... The law is known from nature; the gospel is divinely revealed.... The law promises life upon the condition of perfect obedience; the gospel, on the condition of faith in Christ and the commencement of new obedience (Ursinus, 2–3).

Ursinus was hardly a crypto-Lutheran, having converted to the Reformed confession, and his view had already been amplified by Bullinger and Calvin, two figures in the tradition who were widely known to disagree from time to time.³⁷ In fact, in his *Reformed Symbolics* (ET 1962) Wilhelm Niesel observes, “Reformed theology recognises the contrast between Law and Gospel, in a way similar to Lutheranism. We read in the Second Helvetic Confession: ‘The Gospel is indeed opposed to the Law. For the Law works wrath and pronounces a curse, whereas the Gospel preaches grace and blessing.’”³⁸

A trail of the formative Reformed theologians not only invoked the distinction, but made it integral to their covenant theology. They warn repeatedly of turning the gospel into a new law, of confusing law and gospel, and especially of denying the covenant of works as the counterpart to the covenant of grace. Petrus van Mastricht cautioned that such confusion would undermine the active obedience of Christ and therefore imputed justification. In fact, he adds that in Hebrews 2:14–15 “the Apostle is speaking of the covenant in Paradise so far as it is re-enacted and renewed with Israel at Sinai in the Decalogue, which contained the proof of

the covenant of works.”³⁹ In the words of the Formula Consensus Helvetica, “the promise annexed to the covenant of works was not just the continuation of earthly life and felicity,” but of a confirmation in righteousness and everlasting heavenly joy (Heppé, 295).

Herman Witsius’s widely influential *Economy of the Covenants* (1677) reflects the consensus in organizing Scripture according to its own internal distinction between law and gospel, a covenant of works and a covenant of grace. Even those who found themselves on opposite sides in many debates, like Cocceius and Voetius, jointly emphasized the absolute and unconditional foundation of the covenant and saw the law-gospel distinction as integral for its preservation. “Ypeij and Dermout point out that in those days a denial of the covenant of works was regarded as a heresy,” Berkhof observes.⁴⁰ A confusion at this point would mean a confusion of law and gospel—the very confusion that Paul lamented in Romans 10 concerning his fellow-Jews and criticized with such vehemence in his letter to the Galatians.

The continental Reformed theologians during and immediately following the Reformation period were unanimous in this respect and the significant structural place that they give to “Law and Gospel” in their systems is evident even as recently as Louis Berkhof’s opening to his section “The Word of God as a Means of Grace.”⁴¹ J. Van Bruggen adds more recently, “The [Heidelberg] Catechism, thus, mentions the gospel and deliberately does not speak of ‘the Word of God,’ because the Law does not work faith. The Law (Law and gospel are the two parts of the Word which may be distinguished)

36. Zacharius Ursinus, *Commentary on the Heidelberg Catechism* (P & R Publishing, from the 1852 Second American Edition), 1.

37. See Michael S. Horton, “Calvin and the Law-Gospel Hermeneutic,” *Pro Ecclesia*, (6:1, Winter, 1997): 27–42.

38. Wilhelm Niesel, *Reformed Symbolics: A Comparison of Catholicism, Orthodoxy and Protestantism*, tr. David Lewis (Edinburgh: Oliver and Boyd, 1962), 217.

39. Cited by Heinrich Heppé, *Reformed Dogmatics*, revised and edited by Ernst Bizer; trans. G. T. Thomson (London: Wakeman Great Reprints, from 1950 edition), 290.

40. Berkhof, *Systematic Theology* (Grand Rapids: Eerdmans, 1979), 212.

41. *Ibid.*, 112: “*The Law and the Gospel in the Word of God*. The Churches of the Reformation from the very beginning distinguished between the law and the gospel as the two parts of the Word of God as a means of grace. This distinction was not understood to be identical with that between the Old and the New Testament, but was regarded as a distinction that applies to both Testaments. There is law and gospel in the Old Testament and there is law and gospel in the New. The law comprises everything in Scripture which is a revelation of God’s will in the form of command or prohibition, while the gospel embraces everything, whether it be in the Old Testament or the

judges; it does not call a person to God and does not work trust in him. The gospel does that.”⁴²

2. Puritan Development

We cannot even find a basis for separating the Puritans from their Continental counterparts, especially since the Westminster Confession was the culmination of these British labors. The divines appealed liberally to Robert Rollock, a pioneer of federal theology, who explicitly develops the two-covenant scheme out of the law-gospel distinction.⁴³ William Perkins, father of Elizabethan Puritanism, taught practical theology to generations of students through his *Art of Prophesying* (1592; 1606). In that work he asserts, “The basic principle in application is to know whether the passage is a statement of the law or of the gospel. For when the Word is preached, the law and the gospel operate differently. The law exposes the disease of sin, and as a side-effect stimulates and stirs it up. But it provides no remedy for it.... The law is, therefore, first in the order of teaching; then comes the gospel.”⁴⁴ We must be attentive, he says, to the ways in which even inspired Old Testament expressions of law are made in the New Testament inspired expressions of gospel. He cites Deuteronomy 20:11, 14: “For this commandment which I command you today is not too mysterious for you, nor is it far off.... But the word is very near you, in your mouth and in your heart, that you may do it.” “This same sentence which is legal in character in Moses,” Perkins points out, “is evangelical in character in Paul (Rom. 10:8)” (Perkins, 55). Even believers need to hear the Bible preached and applied with a clear view of this distinction. “Our sanctification is partial as yet. In order that the remnants of sin may be destroyed we must always begin with meditation on the law, and with a sense of our sin, in order to be brought to rest in the gospel” (Perkins, 60).

New, that pertains to the work of reconciliation and that proclaims the seeking and redeeming love of God in Jesus Christ. And each one of these two parts has its own proper function in the economy of grace.”

42. J. Van Brugen, *Annotations on the Heidelberg Catechism*, (Neerlandia, Alberta: Inheritance Publications, 1998), 170.

43. Robert Rollock, *A Treatise of Our Effectual Calling and of Certain Common-Places of Theology Contained Under It*, in *Select Works of Robert Rollock*, ed. William M. Gunn, Vol. 1 (Edinburgh: The Woodrow Society, 1849), especially chapter 2.

44. William Perkins, *The Art of Prophesying* (Edinburgh: Banner of Truth, 1996), 54.

45. Petrus Dathenus, *The Pearl of Christian Comfort* (reprint: Grand Rapids: Reformation Heritage Press, 1986).

46. See David C. Lachman, *The Marrow Controversy* (Edinburgh: Rutherford House, 1988); cf. Philip Graham Ryken, *Thomas Boston as Preacher of the Fourfold State* (Edinburgh: Rutherford House, 1999).

Though Reformed divines were convinced that the covenant of grace is unconditionally gracious in its basis, they acknowledged that it also included conditions. These were not conditions in the strict sense (as in a covenant of works), since even repentance and faith were gracious gifts. Apart from faith, there is no justification, and apart from works, there is no faith. Union with Christ brings justification and sanctification through the same act of faith. Again, all of this can be found in Luther and his heirs as well. However, just as Lutheran pietism emphasized the subjective and conditional character of this union, Puritanism developed some of its own antinomian-neonomian debates.

Concerned about a growing lack of assurance in the gospel among some, Petrus Dathenus, author of the Dutch Reformed liturgy adopted at the Convent of Wessels, wrote a winsome little dialogue with an English noblewoman. His *Pearl of Christian Comfort* takes as its main thesis that its interlocutor did not know how to properly distinguish law and gospel because of the preaching that she was evidently having to endure.⁴⁵

But all along, a clear trajectory emerges: those who emphasized a distinction between the covenant of works and covenant of grace (law and gospel) discerned in their fellow-churchmen who blurred that distinction nothing less than the spirit of Arminian neonomianism or Romish legalism. Exchanges became heated, for example between John Owen and Thomas Goodwin over against Richard Baxter and John Goodwin. According to the former pair, rejection of the classic formulation of covenant theology seemed to go hand-in-hand with a rejection of a purely forensic justification.

During the Marrow Controversy in Scotland, a rediscovered theology text from 1645 by Edward Fisher that had been celebrated by his contemporaries, was vilified as “antinomian” by an eighteenth century Church of Scotland that indicted unblemished Puritan fathers such as John Preston as being antinomian for regarding salvation entirely as “a deed of gift and grant.” Eventuating in the Secession of 1733, the controversy shows that the dominant sentiments in the Church of Scotland in that period were so far removed from those of the Reformation that the standard Reformed orthodoxy enshrined in the Westminster Standards could be condemned as antinomian heresy.⁴⁶

This law-gospel/covenant of works-covenant of grace structure is far from idiosyncratic, but represents the organic development of Reformed, covenant theology. This pattern of rendering “law-gospel” and “covenant of works-covenant of grace” interchangeable is not a Lutheran-Calvinist hybrid imposed recently on Reformed

theology.⁴⁷ Any typical manual of confessional teaching from any writer in our tradition before World War II elucidated this scheme.

With no suspicion that it downplays the *historia salutis* in favor of the *ordo salutis*, Geerhardus Vos treats the covenant of works-grace scheme as a corollary of the law-gospel distinction. In fact, he observes that Reformed theologians “who strictly separate law and gospel and make the latter to consist wholly of promises—as a matter of fact, those theologians more than others—put emphasis on the fact that the law, as the comprehensive norm for the life of man, also determines man’s relation to the gospel.” It is Christ’s fulfillment of the covenant of works that gives solidity to the covenant of grace. “The covenant is neither a hypothetical relationship, nor a conditional position; rather it is the fresh, living fellowship in which the power of grace is operative.”⁴⁸

Drawing heavily on Turretin, Charles Hodge repeats the same structure. For example, in relation to promise-and-fulfillment, the old covenant belongs to the gospel (covenant of grace) by type and shadow. Yet he adds,

Besides this evangelical character which unquestionably belongs to the Mosaic covenant, it is presented in two other aspects in the Word of God. First, it was a national covenant with the Hebrew people. In this view the parties were God and the people of Israel; the promise was national security and prosperity; the condition was the obedience of the people as a nation to the Mosaic law; and the mediator was Moses. In this aspect it was a legal covenant. It said, “Do this and live.” Secondly, it contained, as does also the New Testament, a renewed proclamation of the original covenant of works. It is as true now as in the days of Adam, it always has been and always must be true, that rational creatures who perfectly obey the law of God are blessed in the enjoyment of his favour; and that those who sin are subject to his wrath and curse. Our Lord assured the young man who came to Him for instruction that if he kept the commandments he should live. And Paul says (Rom. ii. 6) that God will render to every man according to his deeds; tribulation and anguish upon every soul of man that doeth evil; but glory, honour, and peace to every man who worketh good. This arises from the relation of intelligent creatures to God. It is in fact nothing but a declaration of the eternal and immutable principles of justice. If a man rejects or neglects the gospel, these are the principles, as Paul teaches in the opening chapters of his Epistle to the Romans, according to which he will be judged. If he will not be under grace, if he

will not accede to the method of salvation by grace, he is of necessity under the law.⁴⁹

Similarly, in his *Commentary on Second Corinthians* he observes that the Mosaic law was, first, a “reenactment of the covenant of works” and in this sense, is a ministry of condemnation and death; second, a “national covenant” based on national obedience and “in this way it was purely legal.” But thirdly, it pointed Israel to Christ.⁵⁰ It was on this point—whether the Mosaic covenant was in some sense a reenactment of the covenant of works—that our tradition has displayed, and may understandably continue to display, some variance of positions.

3. Challenging the Distinction

Along with the law-gospel distinction, Karl Barth rejected the idea of a covenant of law or works that could be distinguished from the one covenant of grace. In fact, the distinction between these covenants marked the first “fatal historical moment” in Reformed theology, Barth insisted.⁵¹ Those who suspect the classic Calvinists of setting systematic theology (*ordo salutis*) above or even against biblical theology (*historia salutis*) might also be interested in Barth’s second “fateful moment” in Reformed orthodoxy: “... the introduction of an understanding of revelation as a sequence of [historical] stages” (Migliore, xxxviii). A vigorous “Calvin versus the Calvinists” school emerged in Barth’s wake.⁵²

47. In fact, citations of Augustine are replete on this point among the Reformed scholastics, such as the following remark from *The City of God*: “The first covenant was this, unto Adam: ‘Whosoever thou eatest thereof thou shalt die the death,’ and this is why all his children “are breakers of God’s covenant made with Adam in paradise” (*City of God*, Bk. XVI, ch. 28).

48. Geerhardus Vos in Richard B. Gaffin, *Redemptive History and Biblical Interpretation: The Shorter Writings of Geerhardus Vos* (Phillipsburg, NJ: P&R, 1980), 254, 256.

49. Charles Hodge, *Systematic Theology* (New York: Scribner and Sons, 1873), vol. 2, “Covenant of Grace,” §7.

50. Charles Hodge, *Commentary on Second Corinthians* (Grand Rapids: Eerdmans, 1973), 40–52. Some in our circles have recently included Hodge among those who affirm a more “Lutheran” than “Reformed” paradigm, so these citations may not prove convincing to those who share his view. However, Hodge is here simply restating a wide consensus of federal theologians: namely, that the Sinai covenant is an administration of the covenant of grace, but is itself based on a legal, local, and temporary “dispensation.” This is what I take Reformed writers to mean when they speak of the Sinai covenant as “in some sense a republication of the covenant of works.” The relationship is analogous, not a one-to-one correspondence in every respect.

51. Karl Barth, cited by Daniel L. Migliore’s Introduction to Barth’s *The Göttingen Dogmatics*, ed. Hannelotte Reiffen; trans. G. W. Bromiley, vol. 1 (Grand Rapids: Eerdmans, 1991), xxxviii.

52. Brian G. Armstrong, *Calvinism and the Amyraut Heresy*

Some monocovenantal positions reduce “covenant” to a purely gracious disposition; others, to a purely works-based disposition, many others to a combination.⁵³ Barth, of course, opted for the first move. Though hardly “Barthian,” John Murray took that position as well.⁵⁴ Murray’s fundamental assumption is that any covenant between God and human beings must be gracious. A covenant is by definition “a sovereign administration of grace and promise.”⁵⁵ Of the covenant with Noah he writes, “Here we have covenant in the purity of its conception, as a dispensation of grace to men, wholly divine in its origin, fulfillment, and confirmation” (Murray, *The Covenant of Grace*, 15).

It should be granted that many Reformed theologians saw a gracious element in the covenant of works with Adam, not to mention the Sinai covenant. However,

(Madison: University of Wisconsin Press, 1969); R. T. Kendall, *Calvin and English Calvinism to 1649* (Oxford: Oxford University Press, 1979); Holmes Rolston III, “Responsible Man in Reformed Theology: Calvin vs. The Westminster Confession,” *Scottish Journal of Theology* (vol. 23, no. 2, May, 1970); Alan Clifford, *The Atonement and Justification* (Oxford: Oxford University Press, 1990); J. B. Torrance, “Contract or Covenant,” *Scottish Journal of Theology* (vol. 23, no. 1, February, 1970) and “The Concept of Federal Theology—Was Calvin a Federal Theologian,” in Wilhelm H. Neuser, ed., *Calvinus Sacrae Scripturae Professor* (Grand Rapids: Eerdmans, 1994), 15–40; Basil Hall, “Calvin Against the Calvinists,” in *John Calvin*, G. E. Duffield, ed., *Courtenay Studies in Reformation Theology* (Appleford: Sutton Courtenay Press, 1966); Charles Bell, *Calvin and Scottish Theology: The Doctrine of Assurance* (Edinburgh: Handsel Press, 1985); On the other side, see Paul Helm, *Calvin and the Calvinists* (Edinburgh: Banner of Truth, 1982); Joel Beeke, *The Assurance of Faith: Calvin, English Puritanism and the Dutch Second Reformation* (London: Peter Lang, 1991); Lyle Bierma, “Federal Theology in the Sixteenth Century: Two Traditions?,” *Westminster Theological Journal*, 45 (1983), 304–321; Richard A. Muller, *Christ and the Decree: Christology and Predestination in Reformed Theology from Calvin to Perkins* (Durham: Labyrinth, 1986); “The Covenant of Works and the Stability of Divine Law in Seventeenth-Century Reformed Orthodoxy,” *Calvin Theological Journal*, 29 (1994), 75–101.

53. See for example Mal Couch, ed., *An Introduction to Classical Evangelical Hermeneutics* (Grand Rapids: Kregel, 2000), 159–60: “Dispensationalists respond that nowhere does the Bible call Adam’s obedience a kind of covenant. . . God related to Adam in this innocent condition. But in no way can this be called a covenant relationship in the normal sense of the words. Dispensationalists have far more evidence for calling the period the dispensation of innocence than do covenant theologians for calling it the covenant of works.”

54. For instance, John Murray’s widely noted reticence to accept the pre-Adamic covenant of works is, at least on my reading, semantic rather than substantive (cf. his “The Adamic Administration,” in John Murray, *The Collected Works: Systematic Theology* (Vol. 2) (Edinburgh: Banner of Truth, 1977), 47–59).

55. John Murray, *The Covenant of Grace: A Biblico-Theological Study* (London: Tyndale Press, 1954), 15; 30–31.

56. Murray, *The Covenant of Grace* (P&R, 1988), page 20.

57. John Murray writes, “In the degree to which error is entertained at this point, in the same degree is our conception of the

everything turns on one’s definition of grace. Those who did use that language speak of this grace as God’s free condescension. Insofar as God’s act of creating and sustaining man in a lavish garden, with the prospect of confirmation in righteousness and blessedness, is in no way necessitated by anything in the creature, they considered it “gracious.” In no way did they mean that it was thereby a covenant of grace rather than a covenant of works. (Notably, the Westminster Confession speaks of God’s “voluntary condescension” rather than “grace” as the comprehending basis for all covenants.) With respect to the Sinai covenant, there has always been a respectful divergence of views. Yet there was no blurring of law and gospel or of the differences between the terms and promises of the Sinai covenant and those of the Abrahamic covenant.

Why must a biblical covenant be based, by definition, on a purely gracious promise even in the absence of fault and the integrity of God’s creation? Must God’s goodness, kindness, and love be gracious in order to respect the Creator-creature distinction? If so, does this not impugn the integrity of creation, as if there were some inherent moral defectiveness in pre-fallen humanity?

More concretely, how can one fit the stipulations and sanctions of Deuteronomy into such a Procrustean bed? Is the Adamic administration or the Sinai covenant exactly the same in character as such grants of inheritance as the *protoeuangelion* and the Abrahamic, Davidic, and new covenants? Unflinching, Murray answers affirmatively.⁵⁶ Notice, though, his recognition of the opposite consensus:

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 (Murray, 22).

As the case of Murray amply demonstrates, it is entirely possible to question the propriety of referring to the Adamic administration as a “covenant of works” without denying the importance of the distinction between law and gospel.⁵⁷ Not all of those who have followed his “recasting” have been as willing to affirm the law-gospel distinction as more than a Lutheran corruption.

Where Murray’s own argument seems motivated by a concern to uphold grace, some of those who have followed in his wake—notably, Norman Shepherd—seem

more concerned about blurring the distinction out of concern to protect the conditionality of the covenant. “Paul is saying in Galatians 3 that the Mosaic covenant is a further unfolding of the Abrahamic covenant,” Shepherd writes. It is difficult for me to know how one could construe Paul’s argument that way, since the whole point of chapters 3 and 4 is to contrast the “two covenants,” explicitly in terms of “law” and “promise,” identifying them as the Sinai and Abrahamic covenants, respectively. Why would Paul have needed to say that the law-covenant which came 430 years later could not annul the Abrahamic promise (Gal 3:17)? More fatally, Norman Shepherd’s confusion of law and gospel leads him to reject as “Lutheran” the Westminster Confession’s definition of justifying faith as a “receiving and resting on [Christ] and his righteousness”—a justification that is “not for anything wrought in them, or done by them, but for Christ’s sake alone; nor by imputing faith itself, the act of believing, or any other evangelical obedience to them, as their righteousness....”⁵⁸

III. CONCLUSION: A PLEA FOR UNITY

As I’ve observed, John Murray’s rejection of the covenant of works did not dampen his enthusiasm for the importance of distinguishing law and gospel. There is another important difference, I think, between John Murray and some of his students. Murray frankly acknowledged that he was attempting “a recasting” and “reconstruction” of covenant theology.⁵⁹ He knew that he was rejecting what reasonably could be considered essential to the “system of doctrine” that he subscribed. To my knowledge, at least, he did not characterize brothers who upheld the confessional Reformed view as “Lutheranizing” innovators.

Apparently, according to some, the wide and long Reformed consensus, well summarized in the Westminster Standards, shares in this departure from a pristine “un-Lutheran” Calvin whose genius was forgotten until recently. Only exegesis can yield ultimate conclusions. However, the methods and conclusions of historical theology introduced by Norman Shepherd among others have generated considerable confusion about Calvin and the Reformed tradition, not to mention caricatures both of Lutherans and of Reformed brothers.

Like the reformers and their heirs, Thomas Boston, at the center of the Marrow controversy, warned, “In a sinking state of the church, the law and gospel are confounded, and the law justles out the gospel, the dark shades of morality take place of gospel light; which plague is this day begun in the church, and well far advanced.”⁶⁰ It is entirely possible to avoid Arminian or

Roman Catholic conclusions about justification without accepting every element of the Reformed-covenantal system. Yet at least within our tradition, challenges to that system rarely fail to lead to further distortions of the gospel; justification eventually loses its supporting beams and buttresses. More recently, R. C. Sproul expresses the integral logic of the Reformed system:

Without Christ’s active obedience to the covenant of works, there is no reason for imputation, there is no ground for justification. If we take away the covenant of works, we take away the active obedience of Jesus. If we take away the active obedience of Jesus, we take away the imputation of His righteousness to us. If we take away the imputation of Christ’s righteousness to us, we take away justification by faith alone. If we take away justification by faith alone, we take away the Gospel, and we are left in our sins.... There is nothing less than our salvation at stake in this issue.⁶¹

As Reformed Christians, we believe that it is the Spirit, working through his Word, who not only unites us to Christ but to the communion of saints, so that our witness participates in what Jaroslav Pelikan called “the living tradition of the dead” rather than “the dead tradition of the living.”⁶² In my own experience, the deeper I go into the Reformed tradition, the more I am challenged in my parochialism and opened up to the great conversation to which they introduce me, and is still in progress. These figures introduce us not only to deeper differences but to deeper affinities of which we were not aware. Overstating similarities would be a mistake.

gospel perverted...What was the question that aroused the apostle to such passionate zeal and holy indignation, indignation that has its kinship with the imprecatory utterances of the Old Testament? In a word it was the relation of law and gospel,” *Principles of Conduct* (Grand Rapids: Eerdmans, 1957, reprinted 1991), 181.

58. Westminster Confession of Faith, XI.1. See Norman Shepherd, *The Call of Grace* (Philipsburg, NJ: P&R, 2000), 8, 16, etc.

59. John Murray, *The Covenant of Grace* (London: The Tyndale Press, 1954), pp. 4–5: “It appears to me that the Covenant theology, notwithstanding the finesse of analysis with which it was worked out and the grandeur of its articulated systematization, needs recasting. We would not presume to claim that we shall be so successful in this task that the reconstruction will displace and supersede the work of the classic covenant theologians. But with their help we may be able to contribute a little towards a more biblically articulated and formulated construction of the covenant concept and of its application to our faith, love, and hope.”

60. Thomas Boston, *Gospel Truth* (Canonsburgh, PA: Andrew Munro, 1827), 106.

61. R. C. Sproul, “The Covenant of Works,” *Tabletalk* (Oct 1, 2006).

62. Jaroslav Pelikan, *The Vindication of Tradition* (New Haven: Yale University Press, 1984), 65.

Lutheran and Reformed systems differ more in their refined cast than they did in the sixteenth century, on many points that were largely unaddressed in that era. Yet overstating differences leads inevitably not only to caricature of other traditions, but to idiosyncratic and possibly dangerous interpretations of one's own tradition that have in fact been rejected for reasons that seem to me to have been justified by recent trajectories.

If respect within the wider body of Christ is so important, how much greater is our obligation to preserve unity in our relatively small and often isolated circles, in

which we tend to gravitate toward this or that thinker. Eventually, it begets a school, and then a sect, while the Word creates a church that confesses the same faith. On one hand, we can break the bond of peace in the church by raising our own convictions, or particular schools in our own history, to the level of confessional subscription. On the other hand, we can break fellowship by rejecting an integral element of that system that together we confess as scriptural. To do both at the same time would be a double threat to that common witness, fellowship, worship, and life.

A Response to Michael S. Horton's "Law and Gospel."

By Mark A. Garcia

I am grateful for the invitation to provide a response to the essay by Michael Horton and to offer an essay of my own next year. I do so with the hope these exchanges may advance understanding and constructive discussion in a context where I think most would agree these have been rare commodities. The argument sketched in Professor Horton's essay is primarily historical and this will determine the nature of my response. Considerations of a more biblical and theological nature will have to await development in my essay. In this case, and particularly given Horton's line of argument, this also means my remarks here can be suggestive rather than comprehensive.

FIRST CLARIFICATIONS

Since this series of essays with responses is designed to encourage understanding and dialogue over matters of disagreement, it seems prudent to begin with a bit of necessary table-clearing of some misconceptions reflected in the essay. What follows are five observations along these lines, but they should not be seen as a comprehensive list of misconceptions in the broader debate.¹

Firstly, Horton refers to my language of Luther's

1. A range of other matters would have to be brought into view to do justice to this feature of the debate, including close look at the use of texts. At first glance one might expect the many recent publications by John Fesko to serve as a profitable point of departure for such an investigation, yet Fesko's handling of texts, both primary and secondary, is a phenomenon of its own requiring separate, focused treatment, and I hope to complete an attempt at an analysis of it shortly.

2. Pages referred to in parentheses throughout this response are references to Mark A. Garcia, *Life in Christ: Union with Christ and*

"puzzling exhortation to believers" to ignore "the whole of active righteousness and the law." I am grateful, incidentally, for Horton's remark that I refer to Luther in this case "with more nuance than some." However, his claim that I "[fail] to mention precisely the same exhortation may be found in Calvin" falls short, inasmuch as his footnote to Calvin does not in fact show Calvin mentioning "precisely the same exhortation." In both my citation of Luther and Horton's citation of Calvin, Calvin and Luther certainly have the grounds of justification in view, and this is where their agreement is the closest on law and gospel. But in the passage in my book to which Horton refers, I am not dealing with the grounds of justification but conditional language in the hands of a law-gospel hermeneutic and the related question of God's acceptance of a believer's works.

Secondly, Horton evidently believes he is arguing against my work when he points out that Luther had a strong doctrine of union with Christ which had no small part in the development of his doctrine of justification. I have always thought it curious that I have been read as a critic of Luther on this point. Not only do I focus explicitly in my book on emerging *Lutheran* (rather than Luther's) Eucharistic and soteriological texts and ideas in relation to Reformed ones, but what I *do* argue at length about Luther on union and justification is exactly what is suggested I have denied: a large portion of my second chapter is devoted to outlining the importance of union with Christ in Luther's theological development on justification (pp. 53–68), including noting its likely influence on Zanchi's teaching on union with Christ (p. 78, n. 98).² I am greatly indebted

to the late Heiko Oberman on this matter, and was able to bring alongside his insights some of my own, related to union with Christ and the “great exchange” in late medieval wedding sermons.

Thirdly, after this remark on Luther, Horton denies that there is “any basis for the suggestion that in the so-called Lutheran paradigm, sanctification is merely a consequence of justification, without any relation to union with Christ.” In fact I have not ever suggested that it is without “any relation” to union with Christ. Indeed, union with Christ has a place in Lutheran dogmatics just as it does in every tradition of the visible Church and as it has had, in one form or many, throughout Church history. As far as sanctification being a consequence of justification (in Lutheranism *ordine causarum et effectuum*), I would refer the reader to my exposition of Melancthon’s influential Romans commentary where he argues this way repeatedly, syllogistically, and with evident concern to be clear (pp. 103–6, 122–5), and to the Lutheran confessions in their statements on sanctification and good works (e.g., FC SD III, 40, 41). With regard to Lutheranism, I am not only already aware that the so-called “third use” of the Law has its origins in Melancthon, I’ve said as much (p. 103, n. 38), and I’ve also pointed to Bucer’s “legal/evangelical” distinction as likely influencing Calvin’s thought (p. 31).

Fourthly, and related to the preceding point, Horton objects to my conclusion that the Reformed and Lutheran traditions developed distinguishable ways of understanding the theological contexts for justification and obedience. In this context he criticizes my general agreement with Peter Lillback that, important nuances and qualifications notwithstanding, Calvin’s approach to the Law seems more “covenantal” in light of later developments that go by that name whereas Luther’s is more “law-gospel.” However, in the rest of his essay Horton seems to affirm precisely what he objects to in my analysis. For instance, Horton himself notes soon after this that “there are crucial differences in the way Lutheran and Reformed traditions developed [the law-gospel] distinction. For example, the covenant theology that became part of the systematic architecture of Reformed interpretation introduced a more redemptive-historical treatment, over against the more abstract opposition of law and gospel in Lutheranism.” He also states, later on, that Calvin distinguishes Law and Gospel on the one hand and the Old and New Testaments on the other “more carefully than Luther.” Luther “focused on the antithesis in doctrinal terms, as roughly equivalent to justification by works and justification by faith alone,” an observation that I regard as not only perceptive but

highly relevant when exploring the differences among various uses of the language. Moreover, Calvin and Luther are alike in that they speak identically, as Horton says, “when engaging Rome: law and gospel are entirely opposed” (emphasis mine), another observation I think is extremely important for all its circumscribing implications for assessing their similarities.³ Similarly, “when it comes to the basis of salvation, Calvin is a ‘Lutheran’” (emphasis mine). Further, Horton says, “Calvin thinks more redemptive-historically and eschatologically” and “Believers are not only forgiven and justified, but *definitively* transformed” (emphasis mine). Finally, when he writes, “while Calvin does indeed allow more of a ‘covenantal’ space for redemptive-historical transition from law (promise) to gospel (fulfillment), as Lillback and Garcia suggest, it does not keep him from making the most ‘Lutheran’ statements about the law-gospel antithesis on the point of justification with repeated emphasis,” he seems to retract his earlier criticism and affirms something I’ve never been interested in denying.⁴

Lastly, in light of these remarks, I agree extensively and in fact fail to see any real disagreement on the general points. Where we disagree appears to have more to do with how consistently we will apply these observations when determining real areas of similarity and dissimilarity, and for judging how significant those differences are for the traditions as a whole. In short, the area of dispute is not with the narrow question of the “first use,” but whether or not the Law only really (or at least primarily) functions in terms of that use and, in turn, how to understand the positive place of the Law in its “third use.” As the many quotations Horton puts forward make clear, it is *when discussing justification* in one way or another, and more particularly the *grounds*

Twofold Grace in Calvin’s Theology (Studies in Christian History and Thought; Milton Keynes: Paternoster, 2008). While other publications of mine are relevant to my response, for the sake of simplicity I will refer only to this work unless otherwise indicated in footnotes.

3. Confirmation of this indispensable polemical context for interpreting the law and gospel language in Calvin is found in his comments on Galatians 3, quoted by Horton. There he states, “such modes of expression [i.e., “law” and “works of the law”] *must always be interpreted by the state of the question*. Now we know the controversy here relates to the cause of righteousness... To be *justified by our own merit* and by the grace of another are irreconcilable...” (emphases added).

4. I would mention here, however, that I am largely (and indeed for the most part positively) summarizing Lillback’s work in the section of the book Horton has in view, rather than making the argument myself. Personally, I am more reticent than some to speak of Calvin’s “covenantal” theology along these lines, at least because of how much of what we identify as self-consciously “covenantal” theology took place after, rather than within, Calvin; a historical fact that can easily inhibit a responsible reading of Calvin on his own terms.

of justification and the peace of conscience, that one finds in Calvin and many other Reformed writers an accent on the condemnation-only function of the Law. I am not aware of any publications in which I've suggested otherwise. This is straightforward and needs no defense, and given how tirelessly Horton has tried to demonstrate the point I regret that our agreement on this renders the bulk of Horton's presentation moot.

THE DISTINCTION AND THE HERMENEUTIC

I mention these missteps only because discerning where avenues of progress may be found requires noting more carefully where the disagreement really does and does not exist, and this is the burden of my response. Whenever we are dealing not only with a theological term but, as in this case, a piece of theological shorthand, inevitably we run up against the difficulty of contrasting, conflicting, and ambiguous uses of vocabulary, even within the same author, whether historical or contemporary. Add to this the fact that "law and gospel" is in our day a barb on a stick used in the context of controversy and we begin to gain a sense of our predicament.

Horton is aware of the problem of varied historical uses of the terminology, yet this only takes him so far. Horton's essay generalizes what is in fact a rather nuanced and yet important disagreement. In doing so, it may not only suggest disagreement where there isn't any, but also overlook the weightiness of the actual points of dispute. Allow me, then, to attempt to nail down one of these tent pegs so the whole thing doesn't fly away from view: given the way the language is being used, I recommend we attend to the difference between the law-gospel "distinction" (LGD) and the law-gospel "hermeneutic" (LGH). I have no difficulty whatsoever in recognizing that the language of "law and gospel" as well as appeal to a LGD can be discovered in many Reformed authors of the sixteenth and seventeenth centuries. And the LGD is an important distinction which, properly understood, serves to safeguard our affirmation of an indispensable truth regarding the Christian confidence and hope: the law-righteousness of Christ, imputed or reckoned by God and received through faith, is *alone* the *meritorious ground* of the *justification* of sinners. Any confusion of this meritorious ground with the believer's personal righteousness or holiness, in the present or the future, fatally compromises the Gospel.

However, I suggest that the LGH is a distinct question, again at least in the way the language is often used. The LGH takes the LGD and uses it as a filter for all of sacred Scripture, arguing that all of Scripture is either

Law or Gospel, and typically this amounts to identifying all conditional passages—i.e., biblical passages which contain obligations, or in which eternal life is conditional in some sense on the believer's obedience or perseverance—as "law, not gospel." The LGH begins with assumptions about what constitutes "law" and what constitutes "gospel" and proceeds accordingly to divide Scripture into one or the other. More on this shortly.

Once again, however, allow me to clarify that I am not suggesting that the LGH, like the LGD, is not found among Reformed writers: undoubtedly it is, and Horton has noted many of them. Searches for the vocabulary in the texts of the tradition turn up many more than he has listed, too. However, Horton has treated both the LGD and the LGH together, and most of his references to the tradition have to do with the former, not the latter. Since I am not here suggesting, nor have I elsewhere suggested, that the LGD or LGH are never found among Reformed writers, or that the LGD is a uniquely Lutheran phenomenon, this means the bulk of Horton's effort in his essay is unproblematic for me, disappointing as this may be for readers. That said, the LGH merits careful consideration as a matter of real instead of imagined disagreement.

USING THE LAW

Horton is correct to note, as many have before, that Beza, for instance, "divides" Scripture into two parts, Law and Gospel, and he appropriately notes others who do something similar. Yet I would mention again that the *presence* or *fact* of such a distinction, and in this case something closer to a hermeneutic, in Beza or others is uncontested as far as I am concerned. Merely pointing out that sixteenth and seventeenth century writers used it proves little as to whether or not it is theologically sound, from whence this way of thinking came, and in what tradition's context it fits naturally. The theological viability and coherence of such a hermeneutic is a different question.

As Horton recognizes, one port of entry into the question is the so-called three uses of the Law. In Calvin's usage, the third use of the Law (as a guide for Christian living) is its "principal" use, but not just in the sense that it becomes useful to the Christian because justification has taken care of the problem of the first use, as Horton suggests, but because the Law's proper or ordinary work is to guide and shape faithful obedience to God. As he famously put it, "The third, and principal use, which pertains more closely to the proper use of the law, finds its place among believers in whose hearts the Spirit of God already lives and reigns" (*Inst.* 2.7.12). The first use of the

Law, to condemn sinners by bringing them into the light of God's righteous Law, is a use provoked by the fact of the Fall into sin. It is an important use, certainly, and critical to affirm when it is suggested one might be justified by one's own works. But in Calvin's work the "principal" use of the Law is, by divine design, that use which is not contingent on the Fall or sin: as a rule for faithfulness before God. To use Herman Sasse's language noted later below, unlike the Lutheran view which makes the Law Christ's "strange work" and the Gospel his "real work," the Reformed tradition, following Calvin, sees both Law and Gospel as Christ's "real work." The difference between the two orientations is not incidental but monumental in significance for relating to the Law as a Christian. To confirm how serious Calvin was about this, note that in his 1541 Catechism Calvin not only places the discussion of the law *after* faith but also gives the "third use" much larger space than any other. Similarly, in his liturgy, Calvin took the existing order of reading the law before the prayer of confession and *reversed* it to make the reading of the law *follow* confession, a practice that would not fit easily into the way some Reformed Christians think of law and gospel today. The question is, then, if in the Lutheran tradition the "first use" is paramount, and in the Reformed tradition the "third use" is the principal use, how does this difference play out theologically? This is a question Horton's survey prompts.

LAW, GOSPEL, COVENANT, AND CONDITIONS

When addressing the actual function of the law-gospel distinction in hermeneutical context, Horton speaks of law and gospel as "different covenantal principles," and elaborates on these principles as follows: "the principles of law (i.e., personal performance) and promise (i.e., inheritance of an estate by virtue of the performance of another) give rise to antithetical forms of religion." Horton offers this schematic as a synopsis of the issue in Paul's Epistle to the Galatians. Weighing the merits of his reading of Sinai and Zion in Galatians will have to await comparison with my own treatment of the passage in next year's essay. For now I would direct attention to the inferences drawn from the language of "law" and "gospel" as "principles." According to Horton, the principle of "law" is personal performance, which is set opposite "promise" which is inheritance by virtue of the performance of another. Thus, again, for Horton, the law has to do with one's *own* performance whereas the gospel has to do with the performance of someone *else*.

This, in my view, is a most unfortunate characterization, and it may be that this kind of assumption or

inference regarding "law and gospel" has more to do with the confusion in our day than anything else. To speak briefly, and only to assert for now (indeed, with this topic I come dangerously close to stealing from what I hope to suggest later), such an inference can only hold if one thinks exclusively of the "first" use of the law, i.e., that condemning function of the law when the question is the grounds of a sinner's justification before God. However, this inference is regularly applied more generally, as though these are valid principles that pertain to law and gospel *as such*. Thus this reading rules out, from the start, any place for one's *own* real obedience from the heart to the law as part of the promises of the *Gospel*, something which at least the prophets Ezekiel and Jeremiah considered to be at the heart of Gospel hope. To put it differently, if by entitlement to inheritance we have in mind a justification matter, then yes, personal "performance" is diametrically opposed to the performance of Another, namely Christ. Yet, sanctification in the form of obedience from the heart to God's Word, which is necessary to salvation according to the Reformed confessions, is a matter of one's "own performance" to the extent that it is not Christ obeying *instead of us* in this context. But this "performance" would be placed, on Horton's principles, in the "law" rather than "gospel" category. Performance by oneself or by another is only applicable to the law-gospel distinction when we have in view the grounds of justification; it is not a valid inference for speaking of law and gospel more generally, and certainly not as a hermeneutical filter.

My concerns can be focused even more by attending to the ways that biblical passages containing conditions are treated. Again, I would refer readers to my somewhat lengthy treatment of the question in my comparison of Calvin's exegesis of conditional language in Romans with Melancthon's law-gospel treatment of the same passages (pp. 89–147 *et passim*). One way to ask the historical question is: on what understanding of the relationship of law and gospel can Calvin speak positively and forcefully of good works as inferior (secondary) causes of salvation or eternal life, as he does both in his Romans commentary and in its parallel passage in the *Institutes* starting in 1539 (see again pp. 89–147, esp. 106–13, 140–47)? I fear it is not the law-gospel model many Reformed historians and theologians expect Calvin to have. Further, I fear many law-gospel preachers in Reformed pulpits would accuse Calvin of confusing law and gospel and taking away peace of conscience.

On the nature of the covenants themselves, Horton states that all covenants in Scripture can "be grouped around two *kinds* of arrangements: conditional covenants

that impose obligations and unconditional covenants that announce a divine promise” (italics Horton’s). However, once again this way of distinguishing the covenants rules out the true conditions and obligations that pertain, biblically, to the covenant of grace and of promise, such as the *sine qua non* conditions not only of faith but of perseverance, suffering in and with Christ, and holiness for salvation. Related to this, I suggest, is the mistaken idea that it is *conditionality* per se that distinguishes the old covenant (whether in Eden or, for the sake of argument, in typologically republished form at Sinai) from the new. But it is not conditionality but the question of meritorious grounds that distinguishes the covenants. Conditions are a defining feature of *any* covenant in the nature of the case, and are not unique to or a distinguishing mark of the covenant of works. The point is worth emphasizing given the illegitimate inferences too frequently drawn from a mistaken notion of covenant. For instance, in a law-gospel hermeneutic based on this view of covenant, we emasculate the force and power of the new covenant biblical admonitions by automatically dismissing them all as “fulfilled by Christ” in a way that makes them something less than truly conditional for us.

Indeed, the more I read the literature on both sides of this disagreement, the more I suspect that the single most important issue is the difference between the doctrine of perseverance on the one hand and the popular evangelical idea of “eternal security” on the other. Perseverance and “eternal security” are different in fundamental respects, in ways that reflect different understandings of Christ, salvation, and the Church. In the current debate it would appear a great deal of progress could be made by focusing on what we mean by perseverance, and what this entails about faith, the covenants, law and gospel, and salvation. I can hardly put the difference better than John Murray once did: “The doctrine of perseverance is the doctrine that believers *persevere*; it cannot be too strongly stressed that it is the *perseverance* of the saints. And that means that the saints, those united to Christ by the effectual call of the Father and indwelt by the Holy Spirit, will persevere unto the end.... It is not at all that they will be saved irrespective of their perseverance or

their continuance, but that they will assuredly persevere. Consequently the security that is theirs is inseparable from their perseverance. Is this not what Jesus said? ‘He that endureth to the end, the same shall be saved.’”⁵ It is important to keep this difference in view for the law-gospel debate. The content of perseverance is faithful attachment to God’s Word unto the end, and it is the necessity of perseverance that animates the “if, then” conditional language of the New Testament.

THE REFORMED AND/OR LUTHERAN QUESTION

Given the way the law-gospel relationship has figured in recent debates, the specific question that dominates Horton’s presentation is the Reformed-Lutheran one. This is understandable, and Horton’s treatment of the question highlights areas where greater clarification might be achieved.

In response to Horton I would note that recognizing important, even fundamental differences between the Reformed and Lutheran traditions on law and gospel is neither new nor Reformed. A skim of the great works of Lutheran dogmatics in the late sixteenth and seventeenth centuries reveals that they, too, were acutely sensitive to the differences they had with their Reformed brethren, differences which included salvation and the law-gospel relationship. This continues to be the case among scholars of confessional Lutheranism. As one eminent historian of Lutheran orthodoxy, Robert Kolb, has put it, in his view while “Law and Gospel” has played the chief role in Lutheran dogmatics, “Such is not the case in respect to the Reformed Confessions.” He continues, “These symbols display no conscious attempt to follow any theological hermeneutic based upon the proper distinction of Law and Gospel. True, the earlier Calvinistic Confessions (The First Helvetic Confession of 1536 and the Heidelberg Catechism of 1563) generally follow Melancthon’s outline in his *Loci Communes* or the Augsburg Confession. But that is all. And the Westminster Confession of Faith written in the next century (1644) significantly departs from Melancthon’s outline in a number of ways, not only by ignoring the topic of Law and Gospel, but notably by introducing the topic of predestination to ‘everlasting life’ and ‘eternal death’ immediately after the article on the Trinity before any of the other themes pertaining to Law and Gospel are presented.”⁶

Similarly, Robert Preus argues “the doctrine of the proper distinction between Law and Gospel is a doctrine which developed almost entirely and only on Lutheran soil.”⁷ Note, too, the words of Herman Sasse, which also reflect the Christological and theological

5. John Murray, *Redemption Accomplished and Applied* (Grand Rapids: Eerdmans, 1955), 154–5. Thanks to the Rev. John Mahaffy for drawing my attention to this passage.

6. Robert Kolb, “Law and Gospel in Early Lutheran Dogmatics” in *The Beauty and the Bands*, ed. John R. Fehrmann, Daniel Preus, Bruce Lukas (Crestwood, MO: Luther Academy and Minneapolis, MN: Association of Confessional Lutherans, 1995), 55–6.

7. Robert Preus, “Chemnitz on Law and Gospel,” *Concordia Journal* 15 (October 1984): 409; cf. Preus, “Law and Gospel in the Lutheran Confessions” in *The Beauty and the Bands*, 44–5.

implications of this difference: “The difference lies in the fact that the Reformed believe that both Law and Gospel are parts of Christ’s real work, and consequently are essential functions of the church; the Lutheran Church, on the other hand, teaches that the preaching of the Law is the ‘strange,’ and the preaching of the Gospel is the ‘real,’ work of Christ, and that accordingly, although the church must also preach the Law—how else could it proclaim the Gospel?—the only thing which is essential to its nature as the church of Christ is that it is the place, the only place in all the world, in which the blessed tidings of the forgiveness of sins for Christ’s sake are heard.”⁸

Horton’s way into this question is significant in itself. At the outset of his essay, Horton refers to B. B. Warfield’s complaint regarding the “central dogma” approaches to Calvinism and Lutheranism in his day. He quotes Warfield’s essay, “Calvinism,” in which Warfield states it is unfortunate that the discussion “has been carried on somewhat vigorously with a view to determining the fundamental principle of Calvinism, [and] has sought particularly to bring out its contrast with some other theological tendency, commonly with the sister Protestant tendency of Lutheranism.” Horton then provides a transitional remark, “There are important differences,” and then picks up quoting Warfield again: “But it is misleading to find the formative principle of either type of Protestantism in its difference from others.” “While Lutheranism and Reformed theology display unique characteristics,” says Horton, he cites Warfield who writes “they have infinitely more in common than in distinction....”

A few brief remarks are in order here. Firstly, though I’m reticent to speak confidently as to Horton’s intentions here, in hope of helping others avoid generating the proverbial heat rather than light (at least for those familiar with highly criticized trends in the historiography of the Reformed tradition), it is unfortunate that Horton opens his essay with reference to the central dogma theories of the nineteenth-century. After identifying the theory as “a zeal to distinguish the genius of Reformed theology,” Horton says the central dogma theory “continues to animate caricatures and reductionism” and then refers to Barth’s students, Partee, and then my own work. It is regrettable that writers today tend to frame the more recent debates within our circles along these lines, suggesting that accounts of the Reformed and Lutheran traditions that disagree with the Escondido version owe their differences to perpetuating the blind spots of a century-old, flawed model. This alone has ensured that most discussions have failed to gain much traction. It is simply a false and misleading association, and obviously so for readers familiar with the

primary literature from both that period and our own rather than the popular characterizations of either one.

At least in my own work (and not to raise here the work of Barth, the Torrances, or Partee), I have conscientiously rejected the central dogma reading of the Reformed tradition and, in my analysis of Calvin in particular, explicitly distinguished his working doctrine of union with Christ from even recent versions of that model (pp. 15–19). Add to this the fact that I have no qualms with the distinction between the covenants of works and of grace, as the Barthian conflation of law and gospel ordinarily has, and whatever resemblances to that model a reader thinks he may have noticed would, I hope, have to fade from view. To date, however, my effort to situate my study of Calvin within the larger story of Calvin interpretation has been dismissed by those who are confident I am a throwback to the central dogma days. Yet my original distinction remains, and if one is unable to appreciate the differences between union with Christ as “a singularly determinative idea in Calvin’s soteriology,” rather than his “theology as a whole” (pp. 18–19), on the one hand, and the central dogma model on the other, still this does not warrant the confusion of the two.

Secondly, both the relevance and nature of these opening remarks pulled from Warfield are liable to misunderstanding. With respect to relevance, I would note again how strongly I have affirmed wide-ranging and important agreement between the Lutheran and Reformed traditions in every publication on this topic. And given this, the reader should be aware that, in context, Warfield is not justifying the recent refusal to recognize any significant differences in theological orientation and structure between the two traditions.

Lastly, and on that same note, I want to affirm here all that Warfield has said in the lines Horton quoted from him in his opening remarks. But Horton has only selected the expressions from Warfield’s essay that he thinks support his point. In fact, what Horton has left out from Warfield’s statements provide important protections against misunderstanding him. Quoting Warfield in the same essay and on the same pages, I would also want to clarify that, just as the central dogma

8. Herman Sasse, *Here We Stand: Nature and Character of the Lutheran Faith*, trans. Theodore G. Tappert (Adelaide: Lutheran Publishing House, 1966), 129; cf. Sasse’s conclusion that the Reformed replaced the Lutheran *articulus stantis et cadentis ecclesiae* (justification) with predestination, and that this amounts to a different way of speaking about God. Sasse is incorrect about the role of the Reformed doctrine of predestination, but he plainly recognizes a substantial difference between the traditions.

approach is flawed, yet it remains true that “undoubtedly somewhat different spirits inform” the Reformed and Lutheran traditions, and thus that the Reformed tradition does indeed have a “distinguishing spirit” in relation to Lutheranism, one that can be identified as its distinguishing “formative principle.” Moreover, I would argue that justification by faith alone is not uniquely Lutheran but a wholly and thoroughly Reformed affirmation. But I would also go so far as to claim that, over against Lutheran theology, “it is only among the Reformed that it has retained or can retain its purity.” These are Warfield’s words, not mine, in the very passage which Horton cites.

Again, it is a curiosity of the last few decades that putting the differences between Reformed and Lutheran traditions in these terms should now be considered suspect, and that readers would see in them the echoes of that old central dogma approach. Yet these differences are long recognized among Reformed theologians who know the texts of the two traditions, and this includes Warfield. The statements in quotation marks in the immediately preceding paragraph are the words of Warfield himself, *pulled from the places in Warfield’s essay which Horton left out of his opening remarks and, in one case, replaced with an ellipsis*. Particularly when we consider the Eucharistic-soteriological controversies of the sixteenth century out of which the Reformed tradition was born, they are observations we would do well to remember if we are to understand the why and what of the Reformed tradition at all.

CONCLUDING REMARKS

I conclude with a few, somewhat wide-ranging remarks of a general character. Horton’s survey of figures and texts in which he recounts examples of Reformed writers either referring to the law-gospel distinction or using it in some way to organize Scripture is interesting and helpful to establish those points. In fact it is a survey I will no doubt find useful when I have occasion to make the same observations. On the whole, however, these are largely uncontested points, at least for me, and, as Horton appreciates, there are also considerations of ambiguity and variety (rather than uniformity) within these texts to which we must be sensitive and for which this kind of survey cannot account. Neither does the historical question settle the theological one in a way that speaks sufficiently to current debates, though this is not to deny the relevance of the historical question to those debates. For this reason, I have in the past suggested, and now suggest again, that the more profitable

way of navigating this topic is by exploring the exegesis of conditional language in Scripture in relation to theological conclusions reached on the place of obedience to God’s Word or law within the covenant grace of salvation in Christ.

Indeed, if I were to appeal for special attention to one concern, it would be that one. Rendering law/gospel as analogous to the covenants of works/grace when it pertains to the very narrow question of the grounds of justification is defensible, although requiring great care in exposition. Commending that analogy in more general terms, however, is at least infelicitous inasmuch as, minimally, it puts obedience to the law—by the ministry of the Spirit, according to prophetic promise—in an unnatural and somewhat forced relationship to the gospel and the covenant of grace. This Spirit-given and personal obedience by believers according to promise, and in prospect of eternal life, is so strong a biblical motif that this discordant note within the law-gospel structure should make us more than uneasy. In such a construal the “third use” of the law can hardly resemble something akin to Calvin’s “principal” use.

A chief reason for concern about the law-gospel question in our day is the prevalence of what Horton calls the “abstract opposition of law and gospel in Lutheranism” within purportedly Reformed churches and writings. The LGH is itself an abstraction, a meta-textual and *a priori* filter through which individual texts are run. Notably, writers of a “Gospel-centered” sort have in recent years confused this kind of law-gospel approach with the defense and commendation of the freedom of the Gospel over against the bondage of sin and condemnation. However, it is no such thing, and Reformed theologians are in the best position to appreciate why this is so.

Horton closes with a “plea for unity.” I heartily affirm the spirit of the plea and hold some hope—admittedly thin and weak at this point—for profitable deliberation. I would add to this an accent on the ethical responsibilities we have as readers of texts, primary and secondary, in a context of disagreement, something with which I’m sure Horton would agree and to which he, too, has been sensitive. I believe Horton’s historical survey advances the discussion in ways that are helpful. As I have indicated, however, I believe the discussion can be advanced even more profitably by attention to the issues that are in fact contested. Moreover, while I continue to have concerns about the historical contexts and ideas which formed the theological origins of what we call the “Reformed” tradition, I suggest real advance in this debate requires entertaining more concertedly the exegetical and theological, and not only the historical, questions.