

## **The Theonomic Thesis in Confessional and Historical Perspective**

*By Dr. Greg Bahnsen*

Questions pertaining to ethical standards and Christian conduct are vital and relevant theological concerns in the modern church. We should thus welcome healthy interaction and criticism regarding our commitments in these areas.<sup>[1]</sup> Paul commended the Bereans because "they received the word with eagerness and examined the Scriptures daily as to whether these things were so" (Acts 17:11). Likewise, as we reflect on the question of God's law in Christian living today, let us "prove all things, hold fast to that which is good" (I Thessalonians 5:21). When one thinks through his commitment to Jesus Christ, he begins to see that submission to God's law in the Scriptures of the Old and New Testaments is the natural outworking of Christian faith. This positive attitude toward the standards of God's law, moreover, pervades the *Westminster Confession of Faith* and Catechisms. Even those with strong reservations about the theonomic perspective in ethics have recognized its advocacy within the Westminster Standards.<sup>[2]</sup> A rehearsal of my personal confession of faith along with the view of the Westminster Confession of Faith can thus serve to introduce and summarize the position of theonomic ethics.

## Jesus My Savior

The most blessed teaching of God's word and the central joy of my life is that God sent His only-begotten Son to save sinners such as myself. When I became a Christian, it was with a sense of my sin and misery before God. Because of the Spirit's work in my heart I recognized that "every sin ... being a transgression of the righteous law of God, and contrary thereunto, doth, in its own nature, bring guilt upon the sinner, whereby he is bound over to the wrath of God, and curse of the law, and so made subject to death" (Westminster Confession of Faith VI. 6). Hereby I saw my need of the Savior freely offered to me in the gospel and embraced Him in faith.

Accompanying this saving faith in Christ there was a repentance unto new life in Him. "By it [repentance] a sinner, out of the sign and sense not only of the danger, but also of the filthiness and odiousness of his sins, as contrary to the holy nature, and righteous law of God; and upon the apprehension of His mercy in Christ to such as are penitent, so grieves for, and hates his sins, as to turn from them all unto God, purposing and endeavoring to walk with Him in all the ways of His commandments" (*Westminster Confession of Faith* XV. 2). Such repentance gave meaning to my faith - "accepting, receiving, and resting upon Christ alone for justification, sanctification, and eternal life." In terms of this Confessional conception of saving faith, I found myself "yielding obedience to the commands, trembling at the threatenings, and embracing the promises of God for this life and that which is to come" as they were found in God's inspired word (*Westminster Confession of Faith* XIV. 2).

Because I came to Christ in this fashion, with a sense of my guilt before the standard of God's law and with sorrow for my law-breaking, it was only natural that, upon reflection, I would take a theonomic approach to ethics - that is, recognizing the binding validity of God's commandments in my life today. The conviction of my sin, which was prerequisite to coming to Jesus as Savior, was possible only because of God's holy law. "Sin is lawlessness" (I John 3:4). "I had not known sin except through the law" (Romans 7:7). John Murray taught,

The word "ought" can have no meaning apart from a rule or standard of right, that is apart from law ... Sin then is moral evil because it is a contravention of that which by its own right, apart from any extraneous consideration, binds and demands .... The law that sin violates is the law of God.[\[3\]](#)

Without God's law there would be no sin, and thus no need for the Savior; the gospel would become expendable. The very fact that Christ had to die to satisfy divine justice and the law's demand is dramatic proof that God's commandments cannot be laid aside, changed, or ignored.

My salvation is not grounded in my own law-obedience, but rather in that of Christ. Paul said, "Clearly no one is justified by the law before God, for "The righteous shall live by faith"" (Galatians 3:11). Instead, "through the obedience of the one man the many will be made righteous" (Romans 5:19). The Pharisees had made a religious show of adhering to the law, but it was a mere façade - vain hypocrisy. "You hypocrites, Isaiah was right when he prophesied of you, saying "These people honor me with their lips, but their hearts are far from me. In vain do they worship me, teaching as their doctrines the precepts of men"" (Matthew 15:7-9). In actual fact, the Pharisees skirted the internal demand of the law, avoided its weightier matters, and perverted its teachings - as Jesus constantly brought to their attention (for instance, in Matthew 5:21-48 and 23:23-24).

They were, like many teachers today, "blind guides" who trimmed down the requirements of God's law so as to make it conform to their own cultural traditions. "And He answered and said unto them, "Why do you also transgress the commandment of God because of your tradition? For God said....But you say....So you have made void the word of God for the sake of your tradition"" (Matthew 15:3-6, 14).

The Pharisaical form of obedience was a self-serving way of justification, as Jesus indicated in the story of the self-righteous Pharisee who went to pray at the temple at the same time as a penitent tax collector (Luke 18:9-14). "You are the ones," He said in another place, "who justify yourselves in the eyes of men, but God knows your hearts" (Luke 16:15). Despite appearances, their lifestyle left them full of iniquity. "Woe to you, teachers of the law and Pharisees, you hypocrites! You are like whitewashed tombs, which look beautiful on the outside but on the inside are full of dead men's bones and everything unclean. Likewise, outwardly you seem righteous to men, while inwardly you are full of hypocrisy and iniquity" (Matthew 23:27-28). Accordingly, their trimmed-down, self-centered righteousness could never bring entrance into the kingdom of God. "For I say to you, that except your righteousness shall exceed that of the scribes and Pharisees, you will by no means enter into the kingdom of heaven" (Matthew 5:20). If the Pharisees had genuinely upheld the integrity and demand of God's law, they would not have been driven to legalism but to the Savior for His mercy. J. Gresham Machen put the truth well: "A low view of law always brings legalism in religion; a high view of law makes a man a seeker after grace. Pray God that the high view may again prevail."[\[4\]](#)

So then, as I have said, it was the law which convicted me under the Spirit's influence of my ungodliness and my need for His Son. That law was a reflection of God's own perfect, holy character. "The law of Jehovah is perfect, restoring the soul" (Psalm 19:4). "So then, the law is holy, and the commandment is holy, righteous, and good" (Romans 7:12). Perfection and holiness are preeminently qualities of *God* (Matthew 5:48; Revelation 15:4). Those who despise and break His law, then, can have no fellowship with God. To put aside the law is to put God aside as well - to alienate Him by unrighteousness. To abrogate the law would be to abrogate the very moral character of the Creator.

The law of God is simply the expression or transcript of his moral perfection for the regulation of thought and life consonant with his perfection....Herein appears the perverseness of the idea that the moral law may be abrogated and is superseded by love.[\[5\]](#)

John Duncan (Hebrew professor at New College, Edinburgh, where Bannerman, Cunningham, Buchanan and Smeaton likewise taught) preached that "the ground of the amiableness of God's law lies .... in the moral perfections of God Himself." Because these perfections are eternal, he said, "this law... of necessity must remain." Thus Duncan held that it was contrary to the work of the Holy Spirit applying the law that any man "should grumble at it, for he sees the law is holy, just, and good in precept and in sanction, and so he says "Amen, Amen."" Accordingly, "whatever tends, by taking down the sacred majesty of the law, to dishonor the character of God, can have no other effect on the created mind, but to debase and pollute it."[\[6\]](#)

If God never meant for us to comply with this law as the reflection of His holiness, then His wrath and curse against transgressors of the law would be arbitrary or play-acting to achieve some other

end. However, the death of Christ demonstrates how serious God is about the law and its necessity. As Christians we have been saved from our law-breaking - and thus unto law-keeping. Robert Dabney maintained accordingly, "Everywhere, the law which we are still required to obey, is the same law which, by its perfectness, condemned us."[\[7\]](#) Those who know Jesus Christ as their Savior from sin cannot, therefore, deny the validity and place of God's law today.

Jesus My Lord

After I came to Christ in faith and repentance, experiencing thereby the pardon of God for my transgressions of His holy law, the natural question became, how should a Christian live? I praise God for my Reformed church training which taught me that those who have a new heart "are further sanctified, really and personally, through the virtue of Christ's death and resurrection, by His Word and Spirit dwelling in them ... strengthened in all saving graces, to the practice of true holiness, without which no man shall see the Lord" (*Westminster Confession of Faith* XIII.1). For this reason I was taught to obey the commandments of God, looking to Scripture for my guidance rather than to myself as a sinner who was attuned to a fallen culture. And I was taught this regarding all areas of my life, never dreaming that, while God's word was necessary to reform and guide my internal and interpersonal affairs, my socio-political ethic was all right as it was and in need of no reforming guidance from Scripture.

Dabney insisted, rightly I believe, that "the preaching and expounding of the Law is to be kept up diligently, in every gospel Church."[\[8\]](#) Such an emphasis is far from incompatible with a religion of free grace held Dabney:

The view I have given of the Law, as the necessary and unchanging expression of God's rectitude, shows that its authority over moral creatures is unavoidable.... It is therefore simply impossible that any dispensation, of whatever mercy or grace, could have the effect of abrogating righteous obligation over God's saints.[\[9\]](#)

A. A. Hodge observed that this was the outlook of the *Westminster Confession of Faith*: "While Christ fulfilled the law *for* us, the Holy Spirit fulfils the law *in* us, by sanctifying us into complete conformity to it. And in obedience to this law the believer brings forth those good works which are the fruits though not the ground of our salvation."[\[10\]](#) Samuel Bolton, a participant at the Westminster Assembly, published a book against antinomian opinion at the time of the Assembly, saying: "We cry down the law in respect of justification, but we set it up as a rule of sanctification. The law sends us to the Gospel that we may be justified; and the Gospel sends us to the law again to inquire what is our duty as those who are justified."[\[11\]](#) Because Christ is not simply my Savior, but simultaneously my Lord, it is incumbent upon me to live in obedience to His commandments. "He became the source of eternal salvation for all who obey Him" (Hebrews 5:9).

In sanctification I am to imitate the holiness of God, expressed in His law. "Sanctify yourselves, therefore, and be holy, for I am the Lord your God. And you shall keep my statutes and do them?" (Leviticus 20:7-8; cf. 19:2 and I Peter 1:15-16). To attempt to be sanctified apart from this standard is to challenge the Lordship of God my Savior. John Murray explained that "every depreciation of the law of God as the pattern in terms of which sanctification is fashioned invariably leads to the adoption of patterns which impinge upon the unique prerogatives of God."[\[12\]](#)

In sanctification I strive to live according to the example of Christ, who kept the law perfectly. "I have obeyed my Father's commandments and remain in His love" (John 15:10). "If anyone obeys His word, God's love is truly made complete in him. This is how we know we are in Him: whoever claims to live in Him must walk as Jesus did" (I John 2:5-6).

In sanctification I live by the power and leading of the Holy Spirit who conforms me to the law of God. Scripture teaches that Christ "condemned sin in the flesh in order that the ordinance of the law might be fulfilled in us, who walk not after the flesh, but after the Spirit" (Romans 8:4). Therefore, whether we consider the holiness of God, the life of the Son, or the work of the Spirit, sanctification finds its blueprint or *pattern* in God's law. I would not want to say that the law is the "basis" or motivating power of sanctification - as the editor portrays my view[\[13\]](#) - for as the Confession of Faith correctly teaches, this basis is found in the dynamic ministry of God's indwelling Spirit. "After beginning with the Spirit, are you now trying to attain your goal by human effort?" (Galatians 3:3). The law supplies a pattern of behavior for which the Holy Spirit is the power of compliance.

What the above discussion indicates is that since Christians, living under the Lordship of Christ the Savior, are to avoid sinning, they must be concerned to obey the law of God. "My dear children, I write these things to you so that you will not sin" (I John 2:1), and "through the law we become conscious of sin" (Romans 3:20). Therefore, "he who says "I know Him," but does not keep His commandments is a liar, and the truth is not in him" (I John 2:4). "Those who keep His commandments abide in Him, and He in them" (I John 3:24). The law is important to my sanctification.

A.A. Hodge wrote these words in his commentary on the Confession of Faith: "In respect to regenerate men, the law continues to be indispensable as the instrument of the Holy Ghost in the work of their sanctification. It remains to them an inflexible standard of righteousness, to which their nature and their actions ought to correspond."[\[14\]](#) In his 1841 explanation of the Shorter

Catechism, Ashbel Green declared that believers are fully under the law of God "as a rule of duty; and they account it their happiness and privilege to be so"[\[15\]](#) - language reflecting the earlier, 1765, commentary edited by Erskine and Fisher.[\[16\]](#) Of course, such an attitude of admiration and delight in the law of the Lord is not characteristic *merely* of the past three centuries of Reformed thought. Early in this century Herman Bavinck wrote in a similar vein:



The moment we have learned to know that other righteousness and holiness which God has given in Christ and which through faith He makes our own, our attitude towards the law and our sense of its significance changes entirely .... We let the law stand in its exalted sublimity, and make no effort to pull it down off its high pedestal. We continue to honor it as holy and righteous and good .... We delight in it according to the inner man. And we thank God not for the gospel only but also for His law, for His holy, righteous, perfect law. That law too becomes to us a revelation and a gift of His grace. How love I Thy law; it is my meditation all the day.[\[17\]](#)

The editor adduces no evidence from my book, *Theonomy in Christian Ethics*, to warrant or explain his bald claim that I give a different content to the Psalmist's words, "O how love I Thy law," than the sense originally intended.[\[18\]](#) As far as I can see, the meaning of that exclamation is faithfully expounded above, in harmony with what I teach in my book. The implication of the Psalmist's attitude toward the law of God, as set forth in my book, is stated nicely in the words of John Murray:

Do we recoil from the notion of obedience, of law observance, of keeping commandments? Is it alien to our way of thinking? Is so, then our Lord's way is not our way. That is the issue and it is surpassingly grave. It is the issue of our day and it is aimed at the center of our holy faith. It is aimed at the Savior's self-witness and aimed at his supreme example. Anew, therefore, may we appreciate the ethic that is derived from him who said: "I delight to do thy will, O my God: yea, thy law is within my heart" (Psalm 40:8), and that follows in the train of a psalmist who said: "O how love I thy law! it is my meditation all the day" (Psalm 119:97), and of an apostle: "I delight in the law of God after the inward man....So then with the mind I myself serve the law of God" (Rom. 7:22,25).[\[19\]](#)

From this quotation we can also see how fallacious is the editor's remark that, based on the very fact that *Theonomy* was published and argues against contrary views of law in relation to grace, its author intended thereby to say something different and obviously thought he was proposing something new.[20] Otherwise, said the editor, the Westminster Confession would suffice and *Theonomy* would be superfluous.[21] Such remarks as these are neither materially true nor reasonably inferred. Books just sometimes defend older points of view! As Murray's quotation pointed out, a supremely grave issue in our day - one that threatens the heart of our Christian faith - is the current antagonism expressed toward obedience to God's law. Such antagonism calls us to appreciate anew the Biblical ethic of God's law. That is why I penned *Theonomy*: not to go beyond the Confession, but to uphold and defend the Confession's Reformed or Puritan position regarding the standard of Christian ethics. The editor's remarks notwithstanding, my intention was not to present something novel and creative, but to resurrect a golden heritage - to present a Biblical and consistent case for the Confessional viewpoint I had always known and loved. It was not any inadequacy in the position of the Confession but rather *the current crisis* of lawlessness and confusion in Christian ethics that solicited the publication of *Theonomy in Christian Ethics*.

We have observed in the previous discussion that because Jesus is my Savior, the validity of God's law must be upheld. And because Jesus is my Lord, it is imperative to strive to obey the law of God as the pattern of sanctification. As saved, I have become the disciple of Christ and aim to live a disciplined life under His direction. The law which I was formerly obligated to obey, but failed as an unbeliever to perform (thus necessitating the work of the Savior), is still the proper rule for my life as one saved and indwelt by the Holy Spirit. In light of these observations I cannot understand what the editor means when he expositis *Theonomy* as teaching that once someone is saved the law takes on a *different* dimension - so that obedience becomes a *must*, and the law is now the *pattern* and the *rule* of life.[22] This distinction between "pattern" and "rule" is obscure to me and will require some explanation. But more importantly, let us notice that obedience to the law of God is a "must" for *all* men, saved or unsaved, before and after regeneration; it does not *become* a requirement simply after salvation.

Failure to obey the law, you see, defines that sin which calls for the alien and imputed righteousness of Christ - a righteousness, remember, in perfect obedience to the law - in order for one to be justified in God's sight. Subsequently, in the power of Christ's Spirit, the believer attains personal righteousness in some measure by obeying the very same required law of God. Moreover, since our justification and our sanctification are both according to the grace of God, it is hard to see that "different dimension" of the law to which the editor was referring. He would not seem to have been expounding my views in any case. From my perspective, the believer comes to see the law of God in a new light; what he once despised and spurned has now become (by the Spirit opening blinded eyes) beautiful and a delight. "The sinful mind is hostile to God; it does not submit to God's law....You, however, are controlled not by the sinful nature but by the Spirit" (Romans 8:7,9).

From the preceding discussion we can say that the Christian life is one disciplined by the law of God according to the working of God's Spirit. Yet to the contrary the editor has said that the disciplined life is a matter of proper motivation and direction - and *not* a matter of a written code or a catalogue of specifics for behavior.[23] Such a claim distorts the Biblical ethic, overlooking the necessity and place of God's written code in the sanctification of believers, as taught by both

the Bible and our Confession of Faith. The editor's mistake is his pitting of the goal (direction) and motive (motivation) of Christian ethics against the standard (written law) of Christian ethics. In reality the three perspectives require each other<sup>[24]</sup>

We should have God's glory and kingdom for the *goal* of our behavior in all aspects of life and all areas of conduct. "Seek first His kingdom and His righteousness" (Matthew 6:33). "So whether you eat or drink or whatever you do, do it all for the glory of God" (I Corinthians 10:31). Moreover, in all of our thoughts, words, and deeds we should be *motivated* by faith and love. "Everything that does not come from faith is sin" (Romans 14:23). "If I have a faith that can move mountains, but have not love, I am nothing" (I Corinthians 13:2). But just here we must note that such moral considerations as these about our goals and motives are delivered by the Author of the *law* - indeed, such considerations are themselves commands from God about our conduct (for example, love is the greatest commandment of all according to Matthew 22:36-40). The considerations do not stand over against the law of God, as though we are to choose between them and following the commandments. After all, God is consistent with Himself and has not revealed to us divergent paths of morality in the Bible.

As things actually work out in life, we cannot determine *which* of our actions and attitudes seek the glory of God and are consonant with love unless God's law guides us into the paths of righteousness. The falsity of the editor's antithesis between goal and motive on the one hand and commandments on the other hand is perfectly clear from the fact that, for instance, obedience to God's law is the specific form of Christian love: "If you love me, you will keep my commandments" (John 14:15). "And this is love: that we walk according to His commandments" (2 John 6). Therefore, according to the New Testament testimony of Christ and the apostles, the disciplined life of the believer is one of obedience to the written law of God. In that case the editor has set before us a false antithesis and choice. We do not follow a proper goal and motive *or* a set of commands; we should follow both. Indeed, one's goal and motive are not in fact pleasing to God if they encourage violation of His standards, and His standards are not being fully kept if one has the wrong goal and motive. A disciplined life is characterized by the Biblical goal, motive, and standard - all three, in harmony. The Great Commission shows us how intimate is the connection between "disciplining" (making people who were indifferent *disciples*) and "teaching them to observe whatever I have commanded you" (Matthew 28:18-20).

## The Law of the Lord

Jesus, as both Savior and Lord, does not dispense with the law of God, as we have seen above. According to the *Westminster Confession of Faith*, He does not dissolve it in any way in the Gospel but rather "much strengthens this obligation" (SIS.5). Reformed theologians have always held such a conviction. Herman Bavinck wrote:

The gospel does not make the law of no effect, but restores and establishes it.... The righteousness of the law, that which the law asks in its commandments, is fulfilled precisely in those who do not walk according to the flesh but according to the Spirit (Rom. 8:4).... For Jesus and for the apostles the will of God...continues to be known from the Old Testament.... The moral laws retain their force....Hence again and again that Old Testament is quoted in order to cause the Christian church to know the will of God.... In other words, the moral law is, so far as its content is concern, quite the same in the Old and New Testament.[\[25\]](#)

Likewise Robert Dabney wrote with respect to Christ and the law:



We deny that He made any change or substantial addition.... Christ honored this law, declared it everlasting and unchangeable....The moral law could not be completed, because it is as perfect as God, or whose character it is the impress and transcript. It cannot be abrogated or relaxed, because it is as immutable as He.[\[26\]](#)

When God delivered His law in the Old Testament He indicated that it was not to become outmoded or invalidated. "Whatever I command you, you shall be careful to do: you shall not add to nor take away from it" (Deuteronomy 12:32). Ashbel Green commented:

All the requisitions of the moral law are *immutably* binding on man, unless he have an express dispensation in regard to positive precepts, from the lawgiver, God Himself....in no possible case, can they be altered, changed, or abrogated by man, without this appointment....The moral law is a *perfect* rule of life and manners - so perfect that it admits of neither addition, nor diminution.[\[27\]](#)

Accordingly the Psalmist declared, "Every one of your righteous ordinances is everlasting" (Psalm 119:160), and "all His precepts are trustworthy; they are established forever and ever, to be performed with faithfulness and uprightness" (Psalm 111:7-8).

God is not wavering with respect to what is right and wrong. He does not operate on a double-standard of morality. Whatever was evil according to the Old Testament law is also evil in the perspective of the New Testament. For example, God's law explains that, as an application of the seventh commandment, homosexuality is an abomination and thus prohibited (Leviticus 18:22). As one would expect, the New Testament upholds this case law requirement, noting that homosexuality is contrary to "the ordinance of God" (Romans 1:26-27, 32). Similarly, the Old Testament law outlawed the marrying of your father's wife (Leviticus 18:8). As expected, the New Testament concurs with this moral perspective (I Corinthians 5:1). So then, those who feel that there is a fundamental discontinuity between the moral standards (law) of the Old and New Testaments - or who feel that the New Testament ethic endorses the Old Testament law *only* to the extent of the ten commandments - must be challenged as to their consistency and Biblical accuracy. Do they believe that it is permissible today to commit homosexuality or incest? They must be challenged to give a credible account of why, if only the Decalogue binds us today, the New Testament inconsistently departs from that artificial restriction and supports - without apology or explanation - details of the Old Testament law which lie outside the ten commandments. How is it, also, that Jesus could find the *greatest* of the commandments outside the Decalogue in the case law requirements about loving God and your neighbor (Matthew 23:35-40, citing Deuteronomy 6:5 and Leviticus 19:18)?

The Biblical answer is that every one of God's laws is righteous and unchanging. What was wrong yesterday cannot become right today. Homosexuality did not *start* being wicked at Mount Sinai, and it did not *cease being wicked at the advent of Christ. It always was and always will be wicked* because of the holy and unchanging character of God. Plenty of Bible-believing Christians want to say that about such a disgusting contemporary problem for them as homosexuality. We all need the courage and integrity to say it about the *rest* of God's holy law *as well* - not picking and choosing among His commandments like a moral smorgasbord to suit our tastes. The Reformed perspective in ethics is that there is continuity between the covenants (or Testaments): God's word for our behavior is valid and binding until the Lawgiver Himself says otherwise. It "cannot be broken" (John 10:35). And because God delivers only righteous laws, He does not alter them, Dabney put it this way: "the idea that God can substitute an imperfect law for one perfect, is derogation to His perfection. Either the former standard required more than was right, or the new one requires less than is right; and in either case God would be unrighteous."[\[28\]](#)

We must conclude with Dabney, then, "that the Old Testament teaches precisely the same morality as the New."[\[29\]](#) This perspective is well-grounded in the word of God, being explicitly promulgated by Jesus Christ our Lord. "Do not think that I came in order to abrogate the law or the prophets; I came not to abrogate, but to confirm. For truly I say unto you, until heaven and earth pass away, until all things have come to pass, not one jot or tittle shall in any way pass away from the law" (Matthew 5:17-18). This passage, as the editor notes, is the foundational authority for my book, *Theonomy in Christian Ethics*.[\[30\]](#) It should be said, however, that this passage is not the sole foundation - nor a uniquely necessary one. The same premise is and can be verified from other passages and teachings of God's word (for instance, that every Old Testament scripture

is presently useful for instruction in righteousness, according to 2 Timothy 3:16-17). The editor points out that I take the word 'fulfill' in Matthew 5:17 in the sense of 'to confirm,' and he claims (with some exaggeration) that this is extensively argued for forty pages (in reality, it was half as much).<sup>[31]</sup> This precise definition of 'fulfill' is correct, I believe, and yet it is in no way crucial to the thesis of my book.

The salient point for Christian ethics is that Jesus forthrightly denies that His coming has the effect of abrogating the Old Testament law. *Twice* he states this denial in Matthew 5:17. One can only wonder how some scholars can hope to be clever enough somehow to present Jesus as *nevertheless* abrogating the demands of the Old Testament law. Whatever 'fulfill' might more precisely connote or mean, it cannot imply the abrogation of the law without making the verse turn out self-contradictory. Perhaps Jesus means that He fulfills the law by supplementing it, or obeying it Himself, or enforcing it in His hearers (suggestions which I examine and put aside in my book), but in none of these cases would lie turn back or *annul* the standards which *already* held from the Old Testament commandments.

In Matthew 5:18 Jesus explains why His advent does not abrogate the law. Not the slightest stroke of the law, He says, will cease to have binding moral force until heaven and earth pass away. Now, if Jesus the divine Messiah does not remove our obligation to any law from God, what right would any mere man (even a theologian) have to do so? It unavoidably seems that those who oppose the continued use of any Old Testament precept - oppose the teaching of our Lord and Savior here. The usual attempts to explain away the clear and forceful declarations of Jesus, where He shows how the New Testament gospel accepts the Old Testament law as abidingly valid, have come to strike me as maneuvers which, apart from this context of discussion with its strong feelings, would be called exegesis-by-embarrassment. Whatever may be proposed, however, it just does not seem possible for them to overthrow Christ's *own application* of His teaching in Matthew 5:17-18. He says, "Therefore, whoever shall break one of these least commandments, and shall teach men so, shall be called least in the kingdom of heaven" (Matthew 5:19). Anyone who presumes to demote any single one of God's laws will himself be demoted by God within His kingdom, according to the word of the King Himself. To ignore or transgress the law which the King upholds is an insult to His authority. That is true no matter what area of life is addressed by the law.

Accordingly Dabney wrote:

To what extent, then, does the consistent Reformed theologian hold the old covenant to be abrogated?....God's law being the immutable expression of His own perfections, and the creature's obligation to obey being grounded in his nature and relation to God, it is impossible that any change of the legal status under any covenant imaginable, legal or gracious, should abrogate the authority of the law as a rule of acting for us.[\[32\]](#)

The fact that we live under grace and not merely under law was understood by Paul to mean that sin (*violation* of the law) would no longer have dominion over us (Romans 6:12-18) - that grace would serve law-keeping. "Shall we sin because we are not under law but under grace? By no means!....You have become slaves to righteousness." God's grace in the New Covenant writes the law on our hearts and empowers us to keep its requirements. "This is the covenant I will make with them after that time, says the Lord. I will put my laws in their hearts, and I will write them on their minds" (Hebrews 10:16, citing Jeremiah 31:33). "For the grace of God that brings salvation has appeared to all men, teaching us to deny ungodliness...and to live godly lives in this present age, while we wait for the blessed hope and glorious appearing of our great God and Savior, Jesus Christ, who gave Himself for us to redeem us from all lawlessness" (Titus 2:11-14).

The law of the Old Covenant is still binding, therefore, in the New Covenant - even as God declared, "My covenant I will not violate, nor will I alter the utterance of my lips" (Psalm 89:34). The point is that God is a covenant-keeping God, not one who alters His feelings or standards from age to age. Can the law be deemed contrary to the promises of God? Paul answered, "Not at all!" (Galatians 3:21). When God promised and then instituted the New Covenant which we enjoy today, He did not establish a new law or new moral outlook for man. To the contrary, He declared that He would take the well known law which He had already revealed and now write it effectively upon the hearts of His people. The New Covenant enables obedience to the Old Covenant's law-code. Whereas the mere letter of the code brought spiritual death for disobedience, the Holy Spirit brings life and righteous behavior. "He made us competent as ministers of a new covenant - not of the letter but of the Spirit; for the letter kills, but the Spirit gives life...the ministry which brings righteousness" (2 Corinthians 3:6,9). God promised in the Old Testament: "I will put my Spirit within you and cause you to walk in my statutes, and you will be careful to observe my ordinances" (Ezekiel 36:27). And the covenant-keeping God has honored His promise: "For what the law could not do, in that it was weak through the sinful nature, God sending His own Son . . . in order that the ordinance of the law might be fulfilled in us who walk not after the sinful nature but after the Spirit" (Romans 8:3-4).

"Do we then make void the law through faith? Not at all! Rather, we establish the law" (Romans 3:31). Given what has been seen in the previous discussion, I find it impossible to agree with the editor when he claims that life under God's grace is *not conscious* of the law of God.<sup>[33]</sup> Paul said, "I of myself with the mind, indeed, serve the law of God....I delight in the law of God after the inward man" (Romans 7:22,25). The New Testament ethic calls for us to look carefully at how we conduct ourselves and to understand what the will of the Lord is (Ephesians 5:15, 17), thus having God's word in mouths and in our hearts as the law calls us to do (Deuteronomy 30:14, cited by Paul in Romans 10:8). Indeed, the New Testament leaves no doubt about the law as a standard for making practical moral decisions today. We are never to judge contrary to the law (James 4:11). Instead, we should follow the example of Paul, who made ethical decisions on the basis of the law's requirements (as in I Corinthians 9:9 and 14:34). We must pay attention to the commandments, for they are a standard by which to evaluate our relationship to God as well as our love for the brethren. "We know that we have come to know Him if we obey His commandments . . . . This is how we know that we love the children of God: by loving God and carrying out His commandments" (I John 2:3; 5:2). Thus the law of the Lord surely has a conscious place in the believer's life. Righteous living in obedience to God's law is not, as the editor claims,<sup>[34]</sup> simply feeling right and being comfortable with compliance. It calls for mental

attention to the written word (see John 17:17; Colossians 3:16; I Thessalonians 4:1-2) and then subsequent action based on it (James 1:21-25).

Of course, the editor was correct when he began by saying that there is a qualitative difference between law obedience *under law* and law obedience under grace.<sup>[35]</sup> It is not the difference between conscious and unconscious observance of the law, but rather the difference between utter *inability* to obey the law and Spiritual *enablement* to do so (Romans 8:2-10; cf. 6:1-22). That is, because we are not under the law but under grace, sin no longer has dominion over us (Romans 6:14).

We can further see that we have a present obligation to keep the law of God from the plain and evident New Testament exhortation to love, for "love is the fulfillment of the law" (Romans 13:10). According to the editor, under grace the believer's relationship to the law is not a relationship to a list of specific stipulations but only to a generality summed up in two precepts, "Love God and love neighbor."<sup>[36]</sup> Jesus said that on these two commandments - which were, remember, quotations from the Old Testament law at Deuteronomy 6:5 and Leviticus 19:18 - hang all the law and the prophets (Matthew 22:37-40). Yet these love commands did not, according to Christ's thinking, dispense with the laws of God. John Murray pointed out that, "If the law hangs on love, it is not dispensed with. That on which something hangs serves no purpose and has no meaning apart from that which hangs on it....Love does not devise the norms of its exercise nor the ways of expression."<sup>[37]</sup> Love does not take the place of the law of God; it merely summarizes the law. Commenting on Paul's word that love fulfills the law, Murray says:



If they are summarized in one word, the summary does not obliterate or abrogate the expansion of which it is a summary. It is futile to try to escape the underlying assumption of Paul's thought, that the concrete precepts of the decalogue have relevance to the believer as the criteria of that behavior which love dictates.[\[38\]](#)

In turn, the Decalogue does not stand alone in God's word but is given to "summarily comprehend" the *entire* moral law of God (Westminster Larger Catechism 93,98). Love summarizes our duty, but law gives it specific definition. "Love is not an autonomous, self-instructing and self-directing principle. Love does not excogitate the norms by which it is regulated."[\[39\]](#) Otherwise a person might reason rationalize that his love for his neighbor's wife could permit an adulterous affair with her. However, Christ said: "If you love me, keep my commandments" (John 14:15). John taught, "This is love: that we walk according to His commandments" (2 John 6). Love to God and brother is known, recognized, and guided by nothing less than the commandments of God (I John 5:2-3). And these commandments are *not* the "spiritually defined generality" by which the editor bids us to walk.[\[40\]](#) They are detailed, clear, and to the point. In God's objective and written word, they define a specific pattern of behavior pleasing to God.

## Lord Over All

To this point three basic Reformed commitments have been rehearsed. As my Savior, Christ shows me the necessity of the law. As my Lord, Christ directs me to live in obedience to the law. And this law of the Lord is just as binding in the New Testament as in the Old, not being invalidated by the institution of the New Covenant or by the principles of faith, grace, or love. To these three points can be added a fourth distinctive: Christ is Lord over *all* of life and over *all* mankind.

No area of a person's life is a safety zone from God's control and demands. The Lord will not tolerate a dichotomy of life into sacred and secular. He requires holiness throughout all the areas of life. "Like as He who called you is holy, be yourselves also holy in all manner of living" (I Peter 1:15). Nothing in our lives can be withheld from Him. "You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. This is the first and great commandment" (Matthew 22:37-38). The first commandment of the Decalogue, "You shall have no other gods before me" (Exodus 20:3), requires us to glorify God by "yielding all obedience and submission to him with the whole man; being careful in all things to please him" (*Westminster Larger Catechism* 104).

Thus nothing pertaining to my attitudes and behavior - whether they pertain to myself, my family, my church, my employment, my social relations, my society, or my state - is immune from the Lord's direction. Christ has saved me from my socio-political sins as much as from my personal sins, and He exercises Lordship over my life in all of its facets and relations. In repentance I turned from all of my sins in every area of life, "endeavoring to walk with Him in all the ways of His commandments" (*Westminster Confession of Faith* XV.2; cf. *Larger Catechism* 76). I did not think that my transgression of His laws in some particular domain (say, employment or politics) could be overlooked in indifference, while I sorrowed for my infractions of the law in other domains (say, personal attitudes and relationships with others). In *all* the ways of His commandments I turned from sin to follow Him, wherever He chose to speak. Accordingly the aim is that my sanctification "Is throughout, in the whole man" (*Westminster Confession of Faith* XIII.2; cf. *Larger Catechism* 75). The law of the Lord guides not simply my private and religious life, but every facet of my walk as a servant of God - in recreations, economics, friendships, culture, family, and all things. Wishing to please my Lord, I recognize that "sin is any want of conformity unto, or transgression of, any law of God" (*Westminster Larger Catechism* 24). Any failure regarding any law of God is wicked on my part, no matter on what subject the law happens to speak.

Paul instructs me that it is my reasonable and spiritual service to offer my body as a living sacrifice to God and my mind to be transformed completely by His perfect will (Romans 12:1-2). When I offered myself up to Christ, I gave myself over to one who is Lord over all. This, I believe, is a vital perspective for any believer to have, and it is certainly essential to a Reformed world-and-life-view. It naturally leads one to see that the law of the Lord is *not* a pattern of righteousness *merely* in *certain* areas to which it speaks. It is not a reflection of God's character *only* for *some* aspects of life. It is not simply a delight when it talks about a *select* few matters of behavior. God's law is not a guide to God's glory and love for Him in a *special* subsection of its requirements. God's law is His perfect and unchanging will for *all* matters *to which it speaks*, and in some fashion it speaks to all matters.

John Murray put it this way:

The law of God extends to all relations of life. This is so because we are never removed from the obligation to love and serve God. We are never amoral. We owe devotion to God in every phase and department of life. It is this principle of all-inclusive obligation to God, and of the all-pervasive relevance of the law of God, that gives sanctity to all of our obligations and relations.[\[41\]](#)

As Bavinck said: "this law governs all the relationships in which man finds himself, whether to God, whether to his fellow man, to himself, or to the whole nature."<sup>[42]</sup> Sanctification according to the pattern of God's law must be *throughout* life, seven days a week, in every aspect of behavior. Christ is both *Savior* and Lord in every department of life, from private to public. He has given me a new heart on which is engraved the law of God (Ezekiel 11:19; 36: 26-27; Jeremiah 31:33; Hebrews 10:16), and out *of* the heart flow all the issues of life (Proverbs 4:23). Accordingly it seems that everything I *think* and *do* should be governed by God's law, even as Deuteronomy 6:8 instructs us that the commandments should be placed upon the forehead and hand. If this be true, then we will have to come to agree with Murray that "no one factor has been more prejudicial to the Christian ethic in the home, the church, and society, than contempt for the negatives of God's law."<sup>[43]</sup> We can withhold no area of our lives - home, church, or society - from the direction of our Lord, who guides us by His ever relevant law.

Not only is Christ Lord over all of life, but He is Lord over all men as well. He owns this universal Lordship in virtue of being Creator, Redeemer, Judge, and King (divine and Messianic). All things were created by Him and for His service (Colossians 1:16). As Redeemer He expects all nations to be disciplined to Him and taught to observe whatever He has commanded (Matthew 28:18-20). The same Creator and Redeemer will one day judge all men according to their every deed (2 Corinthians 5:10; 2 Timothy 4:1). Christ is both the divine and Messianic King. In the former capacity He is the ruler over the nations (Psalm 22:28) who chastens them out of the law (Psalm 94:10, 12). In the latter capacity He is head over all things (Ephesians 1:20-22) who punishes everyone who acts lawlessly (Matthew 13:41).

Therefore as a Christian I cannot deny that God's law binds all men in all places, for to do so would be to detract from Christ my Creator, Redeemer, Judge, and King. In that light we can turn to our Westminster Confession and Catechisms, where we learn that "The duty which God requireth of man [without distinction or qualification] is obedience to his revealed will" (Westminster Larger Catechism 91). In the Scriptures, moreover, "the whole counsel of God concerning all things necessary for His own glory, man's salvation, faith and life" can be found (Westminster Confession of Faith I.6). The moral duty of all men in all areas of life, then, is contained in God's inspired word.

Of God the *Westminster Confession of Faith* says, "He is most holy in all His counsels, in all His works, and in all His commands. To Him is due from angels and men, and every other creature, whatsoever worship, service, or obedience He is pleased to require of them" (II.2). It is evident, then, that no creature is in a position to resist doing what God directs him to do in any area of life, for "reasonable creatures do owe obedience unto Him as their Creator" (*Westminster Confession of Faith* VII.1). The *moral obligation* of friends, parents, farmers, and even rulers to the law of God does *not* rest upon a *saving* relationship to God. As *Creator* He demands that His law be observed by all men. By the law of God the Lord bound Adam "and all his posterity, to personal, entire, exact, and perpetual obedience" (*Westminster Confession of Faith* XIX.1). So we read that "the moral law doth for ever bind all, as well justified persons as others, to the obedience thereof; and that, not only in regard of the matter contained in it, but also in respect of the authority of God the Creator, who gave it" (*Westminster Confession of Faith* XIX.5). Whether we consider the content of the law or its Author, we must conclude that all men are bound to it. As the exalted King Christ has all power over all things in heaven and earth (*Westminster Larger Catechism* 54). As

such He corrects believers for their sins and brings vengeance upon unbelievers for their sins (*Westminster Larger Catechism* 45). No person is given permission to violate the law of God in any respect. The *Westminster Confession of Faith* teaches that *all* men will give an account to Christ, as Judge, for *every* aspect of their lives (XXXIII.1), and this fact should "deter all men from sin" (XXXIII.3).

A grand summary of the implications which follow from the fact that Christ is Lord over all - over all areas of life, and over all mankind - is provided by the *Westminster Larger Catechism*. "The moral law is the declaration of the will of God to mankind, directing and binding every one to personal, perfect, and perpetual conformity and obedience thereunto, in the frame and disposition of the whole man, soul and body, and in performance of all those duties of holiness and righteousness which he oweth to God and man" (93). "The moral law is of use to all men, to inform them of the holy nature and will of God, and of their duty, binding them to walk accordingly" (95). "The law is perfect, and bindeth every one to full conformity in the whole man unto the righteousness thereof, and unto entire obedience for ever; so as to require the utmost perfection of every duty, and to forbid the least degree of every sin....What God forbids is at no time to be done....What is forbidden or commanded to ourselves, we are bound, according to our places, to endeavor that it may be avoided or performed by others" (99).

Given such clear teaching about the all-pervasive authority of God's law, I cannot see why it should have struck the editor as somehow a "unique thesis" in *Theonomy* that every bit of God's law is equally binding upon believers and unbelievers.<sup>[44]</sup> This is nothing more than an expression of that classic Reformed thought found in the Westminster Standards. Consistent application of these premises may be unusual and unpopular today, even as the Confession and Catechisms are vaguely known among Reformed clergy in this day, but the premises are nevertheless lifted straight from the historic Reformed position on ethics. They are the natural outworking of a few basic theological convictions: that Christ is Savior and Lord, that He directs us by revealed law, and that He is Lord over all departments of life and all nations. What is truly *unique* is the twentieth-century emergence of "Reformed" scholars who *reject* the all-pervasive relevance and authority of God's law.

In an age of increasing socio-political tolerance for immorality and declining commitment to the full distinctives of Biblical Christianity, an age ever willing to settle for the lowest common religious denomination among men in a society, an age demanding religious neutrality outside of personal piety and internal church matters (lest specific divine stipulations be intruded into the common affairs of men), the troublesome aspect of traditional Reformed ethics has become the socio-political realm. Even where Reformed writers call for a transforming influence by Christians in this sphere today, the direction for, or standards of, this transformation have over and over again been set aside as without authority in such matters, despite their speaking directly to them. The standards which have replaced the law of God in these matters have come more and more simply to reflect the same political theorizing that is characteristic of extra biblical reasoning, under the ambiguous sanction of "common grace" or the secular idea of "pluralism."

However, historic Reformed thought, consistent with the teaching of Scripture, has viewed the law of God as having a "political use" in man's government. That is, God's law binds the state, whether it is presided over by pagans or Christians (even as God's word binds the church, whether its ministers are believers or unbelievers). Carl F. H. Henry summarizes the outlook in this way:

Even where there is no saving faith, the Law serves to restrain sin and to preserve the order of creation by proclaiming the will of God....By its judgments and its threats of condemnation and punishment, the written law along with the law of conscience hinders sin among the unregenerate. It has the role of a magistrate who is a terror to evildoers....It fulfills a political function therefore, buy its constraining influence in the unregenerate world.[\[45\]](#)



Because Christ is "the Ruler of the kings of the earth" (Revelation 1:5), all magistrates in the state owe Him obedience to His law. That law was specifically laid down, says Paul, for the restraint of those who are unruly in society (I Timothy 1:9-10). This is as much the perspective of the New Testament as it is of the Old Testament. God has not changed His standards for justice in society as a result of the coming of Christ! If anything, He would expect more of men today than less.

All men, Jewish and Gentile alike, are responsible before the law of God. This is Paul's doctrine in Romans 1-3. Indeed all men, including pagans, have God's specific laws testifying in their hearts (Romans 2:15) - so that God says that they know His ordinance, for instance, against homosexuality (Romans 1:32). It should be evident, then, that the law which all men know as creatures of God is not limited to the ten commandments but includes the entire law of God as it defines and punishes sin. For this reason Sodom could be destroyed for its homosexuality even before the special revelation of God's law to Israel on Mount Sinai. The New Testament identifies the cause of Sodom's judgment specifically as "lawless deeds" (2 Peter 2:6-8). So there can be no mistake: God's law (even outside the strictly summary statement of the Decalogue) is binding on all mankind, totally apart from the reception of redemptive, special revelation. God does not have a double standard of morality, either in personal or public morality. What was sinful within the borders of Israel was not condoned just over the state line, making a farce of God's holiness - even as the presence of a liquor store just over the county line of a "dry county" today only reinforces the sense of arbitrariness felt in public law. God is Lord over all men at all times, and thus His righteous standards are not just for one time and place. Homosexuality is just as forbidden today for the United States as it was in ancient Israel, for example.[\[46\]](#)

Up until the twentieth century, if you had asked just about any Reformed theologian, he would have told you as much, for it was recognized that God's law has international civic relevance. In the giving of the law God made it plain that He had only one standard of ethics for the native as well as the stranger in Israel, even as His absolute holy character would demand....You stranger in Israel, even as His absolute holy character would demand. "You are to have the same law for the alien and the native-born. I am the Lord your God" (Leviticus 24:22). Accordingly God severely punished the Canaanite tribes - exactly the same way that He would punish Israel - for their violations of His law. "Do not defile yourselves in any of these ways, because this is how the nations that I am going to drive out before you became defiled. Even the land was defiled; so I punished it for its sin, and the land vomited out its inhabitants. But you must keep my decrees and my laws. The native-born and the aliens living among you must not do any of these detestable things, for all these things were done by the people who lived in the land before you, and the land became defiled. And if you defile the land, it will vomit you out as it vomited out the nations that were before you" (Leviticus 18:24-28).

In revealing His law in written form to Israel, His redeemed people, God intended for it to be a model for surrounding cultures to follow. "Behold, I have taught you statutes and ordinances, even as Jehovah my God commanded....Therefore keep them and do them, for this is your wisdom and your understanding in the sight of the peoples, who shall hear all these statutes and say, "Surely this great nation is a wise and understanding people."...What other nation is so great and has statutes and ordinances so righteous as all this law which I have set before you today?" (Deuteronomy 4:5-8). Consequently, David declared, "I will speak of your statutes before kings" (Psalm 119:46) - obviously referring to other kings than himself and thus outside of Israel. David

likewise said that he would constrain surrounding nations to obey his Theonomic rule (Psalm 18:43-50). "The kings of the earth belong to God" (Psalm 47:9). Thus "a throne is established through righteousness" (Proverbs 16:12) and "by justice" (Proverbs 29:4), *even as* "righteousness and justice are the foundation of His [the Lord's] throne" (Psalm 97:2). God's standards should be reflected in the rule of all earthly kings. Indeed, it is axiomatic that those who rule over men righteously, "should rule in the fear of God," will be like a cloudless and sunny morning (2 Samuel 23:3). In the second Psalm David calls upon earthly rulers, saying "Now therefore be wise, O kings; be instructed, judges of the earth. Serve Jehovah with fear" (vv. 10-12). He warns them of retribution from God if they do not: "Kiss the Son, lest he be angry, and you perish in the way, for His wrath can be kindled in a moment."

There can be no doubt, therefore, that all nations are bound to the standards of God's law, even in their social and political morality. "Righteousness exalts a nation, but sin is a disgrace to any people" (Proverbs 14:34). Accordingly "it is an abomination for kings to commit wickedness, for the throne is established by righteousness" (Proverbs 16:12). The Old Testament prophets, such as Isaiah, saw God's law as a light of justice for all peoples (Isaiah 51:4) - even as Jesus spoke of the "light of the world" in the context of the moral standards of God's law (Matthew 5:14). It must be assumed that the Gentile nations were subject to God's law, for the Old Testament prophets condemned pagan states for their infractions of His holy law, sometimes bringing the same indictment against a pagan country as was brought against Israel herself (as in Habakkuk 2:12 and Micah 3:10). God's law was and is impartially and universally binding on mankind. Hence Ezra found it a matter of praise, rather than distress, that the Lord would bring a pagan emperor to enforce God's law - even its penal sanctions - in all of the area surrounding Israel (Ezra 7:11-28).

Consistent with this Old Testament perspective, Paul taught that civil magistrates in the era of the New Testament were to be "ministers of God" who avenge His wrath against "evildoers" (Romans 13:4), which is to say against violators of His *law* (cf. v. 10). *To this specific end* "they bear not the sword in vain." When the civil ruler refuses to rule in terms of God's law and replaces it with his own law, writing his own name on the forehead and hand where God's law belongs (Revelation 13:16-17; cf. Deuteronomy 6:8), he is a "beast" or "man of lawlessness" (cf. 2 Thessalonians 2:3,7). It should be perfectly clear, then, that kings owe allegiance to "the King of kings," and none are morally exempt from the stipulations of His holy and just law.

In accord with this line of thought the Westminster Confession of Faith and Catechisms teach that magistrates, "for His [God's] own glory and the public good," have the right to punish evildoers (*Westminster Confession of Faith* XXIII.1). In this task the law of God should be their guide (*Westminster Larger Catechism* 129-130, with Scripture citations, all of which pertain to civil rulers). The *Westminster Confession of Faith* teaches, consequently, that those who maintain practices which are contrary to "the light of nature [God's law revealed in creation and conscience], the principles of Christianity, or the power of godliness" may be "lawfully. . . proceeded against. . . by the power of the civil magistrate" (XX.4). The Scripture proofs given include God's law against the seduction to idolatry, and the command to have Ezra enforce God's law, even its penal sanctions. In chapter XXIII, section 3, the authors of the *Westminster Confession of Faith* cited Isaiah 49:23 to show that magistrates were to be nursing-fathers to the church, seeing to it that God's ordinances are observed. Biblical tests were thus adduced which instruct the magistrate to execute blasphemers and idolaters. Elsewhere the magistrate is held accountable to rule according

to the wisdom of God found in His law, which, if slackened, leads to unrighteous civil judgments (see the Westminster Larger Catechism 129-130, 145, with Scripture tests).

In this light we can understand the assertion of Baillie and Gillespie, two prominent participants in the Westminster Assembly, when -- at the appointment of the Church of Scotland -- they subsequently wrote: "The orthodox churches believe, and do willingly acknowledge, that every lawful magistrate, [is] by God Himself constituted the keeper and defender of both tables of the law" (Proposition 41). Samuel Bolton, another theologian who participated in the writing of the *Westminster Confession of Faith*, asserted:

A magistrate may require those things at our hands which are clearly revealed to be the will of God....The people were bound to obey the magistrates when they commanded obedience to that which God had commanded....He is but a subordinate, and Christ is the supreme Master. The magistrate tells us what is God's will, not what is his will. He tells us it is his will, too, but only because it is God's will first.[\[47\]](#)

The outlook of those who authored the *Westminster Confession of Faith* was clearly that the civil magistrate is morally bound to obey the law of God as it bears on civil morality.

A century earlier, in 1550, Martin Bucer wrote his treatise on social ethics for Edward VI, entitled *De Regno Christi*. There he stated:

Since no one can describe an approach more equitable and wholesome to the commonwealth than that which God describes in his law, it is certainly the duty of all kings and princes who recognize that God has put them over his people that they follow most studiously his own method of punishing evildoers...Insofar as the substance and proper end of these [Mosaic] commandments are concerned, and especially those which enjoin the discipline that is necessary for the whole commonwealth, whoever does not reckon that such commandments are to be conscientiously observed is certainly not attributing to God either supreme wisdom or a righteous care for our salvation.[\[48\]](#)

In 1573, the Anglican Bishop, Edwin Sandys, wrote to Heinrich Bullinger that it was the position of presbyterian reformers in England that: "The judicial laws of Moses are binding upon Christian princes, and they ought not in the slightest degree to depart from them....These good men are crying out that they have all the Reformed churches on their side."[\[49\]](#)

In the next century, in 1636, the well known American Puritan theologian, John Cotton prepared an explicit essay, entitled "How Far Moses' Judicials Bind Massachusetts,"[\[50\]](#) in which he addresses the question, "whether we as Christians or as a people of God are not bound to establish laws and penalties set down in the Scripture as they were given to the Jews," and then offers nine supporting reasons why the answer must be affirmative. That same year Cotton produced a model civil code for his colony entitled *Moses His Judicials*, which contained entire sections verbatim from the Mosaic law.[\[51\]](#) In his 1663 publication, *A discourse about Civil Government*, Cotton wrote that the best form of government for Christians to endorse was one where the laws by which men rule are the laws of God.[\[52\]](#) A decade earlier in England, John Owen preached a sermon before Parliament, in which he declared that the substance of the Mosaic judicial law (apart from its particular Jewish form or clothing) was "everlastingly binding" upon his nation.[\[53\]](#) The teaching of the Westminster Assembly was set forth in the same general time as the ministries of Cotton and Owen.

During the next century Thomas Ridgeley's commentary on the Westminster Larger Catechism, *A Body of Divinity* (1731-1733), indicated that the principles of the Old Testament judicial law were permanently and universally binding. That the state should submit to these laws was advocated by the English annotator of the Bible, Thomas Scott, and by the American president of Princeton University, John Witherspoon. Such a commitment to theonomic political ethics could not be extinguished by the new and secularizing social views of the Enlightenment. Even into the late nineteenth century respected Reformed theologians were contending that the state should conform its laws to those found in the law of God. The southern presbyterian, James H. Thornwell, stated in 1861: "We long to see, what the world has never yet beheld, a truly Christian Republic," and thus he proposed that these words be added to the constitution of the Confederate States of America:

Nevertheless we, the people of these Confederate States, directly acknowledge our responsibility to God, and the supremacy of His Son, Jesus Christ, as King of kings and Lord of lords; and hereby ordain that no law shall be passed by the Congress of these Confederate States inconsistent with the will of God, as revealed in the Holy Scriptures.[\[54\]](#)



The northern presbyterian theologian, A.A. Hodge, published a lecture on "The Kingly Office of Christ" in 1887. In it he dealt with people who argued that the separation of church and state meant the absolute divorce of the state from the mediatorial authority of Jesus Christ and the disregard of Biblical Law.

It is absurdly argued that if the State is absolutely free from any entangling alliances with the Church,...it must be free from the authority of Jesus Christ, the Head of the Church, and of the Bible, which contains his code of laws....These inferences, however unwarrantable and preposterous, are exceedingly prevalent, and are admitted, if not proclaimed, by many true Christians who are unconscious of their absurdity and utter disloyalty to the Lord that bought them and whom they profess to serve as their King....It is simply absurd that a man can be thoroughly convinced that God exists and that he is a Moral Governor who will demand an account for all the deeds done in the body - that he can have heart full of loyal affection and devotion to God as an individual while engaged in private business, and then be perfectly oblivious of the existence and of the claims of God as soon as he begins to act politically as a citizen of the State. If a man knows that God has forbidden theft, or incest, or divorce except on certain conditions, or the pursuit of worldly business on the weekly Sabbath, he cannot as a citizen do otherwise than make and execute laws in conformity to the known will of God. If a State in its public law acts atheistically, it can only be because a majority of its citizens are in heart atheists, no matter what religious professions they may make....*Every Christian must believe that the State ought to be obedient to the revealed law of Christ....*All intelligent and honest Christians must seek to bring all the action of the political society to which they belong obedient to the revealed will of Christ the Supreme King, the Ruler among the nations. The Church and the State are mutually, entirely independent. The officers and the laws of the one have no jurisdiction within the sphere of the other. Nevertheless, Christ is the common King of each, and his Bible is the common statute-book of each....Christ and conscience and the Bible rule equally in each sphere.[\[55\]](#)

So then, in view of what we have observed in the Westminster Standards - as well as in notable Reformed writers in the century *preceding* the Standards, the century *of* the Standards and *every century subsequent* to them[\[56\]](#) - it is hard for me to comprehend why the editor, in the absence of any supporting premises or evidence, maintained that "there is a great leap" from the outlook of the Westminster Standards to the theonomic position that the entire Mosaic law is binding today, even on pagan states.[\[57\]](#) There is simply *no gulf* between the Westminster Standards and *Theonomy* which needs to be leaped! The outlook of the Westminster Assembly and that of Puritan New England is expounded in Appendices 2 and 3 of the book, yet without any attention to that fact given by the editor.

What is *at odds* with the historic Reformed approach to the state as found in the Westminster Standards and in the Puritans of England and America is the modern, neutralist or secular outlook of Christians who, in the name of "pluralism" or "common grace," emancipate God's minister (cf. Romans 13:4) from God's specific directives in His law. I can still recall the initial embarrassment I felt when college and university instructors would point a critical finger at the political ethic of my Calvinist forefathers, say in Geneva or Puritan New England. As an "enlightened, modern, tolerant" thinker, I tried to find ways to explain the error of my Reformed predecessors - until I took the time seriously to research and reflect upon the Biblical roots for their political ethic. I am

now glad to endorse it as the natural outworking of my Biblical and Reformed foundations. If Jesus my Savior is Lord over all, then even the state owes obedience to the Lord's directives.

## The Whole Law

How much of the Lord's directives are binding today however? If the state must obey God, what law has God given for present day obedience? We have already learned that our obligation to keep God's commandments is evident from the very fact that Jesus is Savior and Lord. We have learned that the law of the Lord is unchanging from Old to New Testaments. We have learned further that as universal Lord Christ binds all men and all areas of life by His word. These Biblical emphases would certainly imply - in the absence of any contrary or qualifying teaching of Scripture - that God directs political morality by His law today as much as He directs my personal morality by His law today. Every stroke of that law has relevance for my thoughts and actions throughout the spectrum of life's activities. The New Testament Christian must not expunge or ignore the details of the law if he or she is to live under the pervasive Lordship of Jesus Christ. If I am to sanctify and transform all areas of life to the glory of God, then it must be according to the directions of His holy law, rather than according to my own faulty wisdom and sinful imagination.

Toward the end of reforming all aspects of life, we pray, "Thy kingdom come, thy will be done on earth even as it is in heaven" (Matthew 6:10). In such a petition we all pray "that the kingdom of sin and Satan may be destroyed...,that [Christ] would be pleased so to exercise the kingdom of his power *in all the world* ...,that God would by his Spirit take away from ourselves and others all blindness, weakness, indisposedness, and perverseness of heart; and by his grace make us able and willing to know, do, and submit to his will *in all things*"(*Westminster Larger Catechism* 191-192, emphasis added). No area of life in any area of the world is a safety zone from God's kingdom and directives. For that reason we must pay attention to the whole law of God as found in the inspired word of the Lord. Only in this way can we obey the apostolic injunction to "avoid *every kind* of evil" (I Thessalonians 5:22). Ashbel Green wrote that,

It is the deep sense which the believer has of...his infinite obligation for redeeming mercy, which makes him earnestly desirous to obey all God's commandments....He loves the whole law of God, and loves it because it is a perfect law. If he could have a mitigated law, which some vainly talk of, it would only, on that very account, be the less amiable to him.[\[58\]](#)

That is, the believer ought *not* to settle for "a spiritually defined generality" which is indifferent to God's list of specific guidelines, as the editor recommends.<sup>[59]</sup> One of the best known verses to Christians who are theologically conservative is the declaration of Paul that "every scripture" of the Old Testament is "useful for instruction in righteousness...in order that the man of God may be perfectly equipped for every good work" (2 Timothy 3:16-17). To ignore some of those specific scriptures would be to live by an incomplete and inadequate ethic, for without them one cannot be *thoroughly* equipped for righteous living.

James taught that if we stumble at even *one point* in the law we are "guilty of breaking all of it" (James 2:10). So the details are just as binding as the whole, and they can be pushed aside only at the expense of disobedience to the Lord. For that reason I cannot agree with the editor when he claims that after Christ some details of the law "might never again matter at all."<sup>[60]</sup> Every point of the law as found in every Old Testament scripture, when properly and contextually interpreted according to its literary genre and intent, is profitable today for ethical living and is a measure of our obedience to the Lord. Such is the united teaching of Paul and James. In this they were but echoing the teaching of Jesus Christ Himself.

Having declared that His coming did not have the effect of abrogating the Old Testament law, our Lord expressly taught: "For truly I say to you, until heaven and earth pass away, until all things come about, not one iota or one stroke will by any means pass away from the law. Therefore, whoever breaks one of the least commandments and teaches men to do so will be called least in the kingdom of heaven" (Matthew 5:18-19). Until the end of history not the slightest detail of God's law will become invalid, and thus teachers are warned by Christ Himself not to depreciate the details of the law. Consequently, for the editor to say that Christ's fulfilling of the law suggests nothing about a checklist of specifics <sup>[61]</sup> is to fly directly in the face of our Lord's teaching about fulfilling the law in Matthew 5:17-19. That He "fulfills" the law implies, according to His own authoritative reasoning, that nobody has the right to ignore the *specifics* of God's holy law.

In commenting upon Matthew 5:17-19, John Murray had this to say:

Jesus refers to the function of validating and confirming the law and the prophets....Jesus is saying here that he came not to abrogate any part of the Mosaic law . . . . If there is anything that is distasteful to the modern mind it is concern for detail, and particularly is this the case in the field of ethics. By a lamentable confusion of thought concern for detail is identified with legalism.... 'One jot or one tittle.' It is a clear assertion that the law in all its details must come to fulfillment and be accomplished.... Our Lord recognized that the minutiae of the law had significance. If we do not like minutiae or insistence upon them, then we are not at home with the attitude of Jesus. We are moving in an entirely different world of thought.... We are not to expect an under-valuation, far less disparagement, of the details of law; and we may as well expect from the outset that, if our perspective is one that looks for the wood but not the trees, then we shall not be at home in the teaching of Jesus.... Too often the person imbued with meticulous concern for the ordinances of God and conscientious regard for the minutiae of God's commandments is judged as a legalist, while the person who is not bothered by details is judged to be the practical person who exemplifies the liberty of the gospel. Here Jesus is reminding us of the same great truth which he declares elsewhere: "He that is faithful in that which is least is faithful also in much, and he that is unjust in the least is unjust also in much" (Luke 16:10). The criterion of our standing in the kingdom of God and of our reward in the age to come is nothing else than meticulous observance of the commandments of God in the minutial details of their prescription and the earnest inculcation of such observance on the part of others.[\[62\]](#)

Such is the perspective advanced by *Theonomy in Christian Ethics*, and I believe it to be in harmony with what the entire word of God teaches us about the authority and permanence of the whole law of God. That law is binding in every detail of its teaching (as those details are properly interpreted).

The specifics of God's law, contrary to the editor's discussion,[\[63\]](#) applied comprehensively to Christ, who was "tempted in all points without sin" (Hebrews 4:15), perfectly kept His Father's commandments (John 15:10; cf. 8:46), and was able "to fulfill all righteousness" (Matthew 3:15). In this He is our example today, and we should heed His instruction that, in the midst of keeping the weightier matters of the law, *the minor specifics* should *not* be left *undone* (Luke 11:42). Every jot and tittle is our standard of Christian ethics. As Samuel Bolton, the Westminster divine, wrote:

Since Christ, who is the best expounder of the law, so largely strengthens and confirms the law (witness the Sermon on the Mount, and also Mark 10:19); since faith does not supplant, but strengthens the law; since the apostle so often presses and urges the duties commanded in the law; since Paul acknowledges that he served the law of God in his mind, and that he was under the law to Christ (I Cor. 9:21); I may rightly conclude that the law, for the substance of it, still remains a rule of life to the people of God.... If Christ and His apostles commanded the same things which the law forbade and condemned, then they did not abrogate it but strengthened and confirmed it. And this is what they did: see Matt. 5:19.[\[64\]](#)



I conclude that the detailed specifics of God's whole law are binding on all men today, as those specifics are interpreted according to their literary character, context, and purpose.

For convenience the law of God may be considered as falling into *three categories*, each one of which serves a particular theological or literary function, but all of which are in some sense "confirmed" by Christ today and "established" by saving faith (cf. Matthew 5:17; Romans 3:31). Among God's commandments in the Bible we find (1) general precepts, (2) illustrations for how those precepts are applied in particular cases, and (3) instructions which pertain to the covenant mercy of God and His way of redemption and restoration (which is made necessary by infractions of the first two kinds of laws). The applicatory illustrations (2) would be classified within the same general, *theological* category as the general precepts (1), for they are but an expansion and explanation of those precepts. Thus both general precepts and their explanatory applications define sin and its proper judgments (temporal and eternal), thereby reflecting the righteousness of God. The restorative or redemptive laws(3), reflecting God's mercy, typified the redemptive economy of Christ - pointing to the way of salvation - and symbolically taught the perfection or holiness required of the redeemed community.

Some examples can help us to understand these three kinds of laws and how they apply to us in the New Testament age between Christ's advents. As a summary precept the law of God declared, "You shall not steal" (Exodus 20:15). This general principle is permanently binding. "The commandments,... 'Do not steal,'...are summed up in this one rule: 'Love your neighbor as yourself'" (Romans 13:9). The *continuing* obligation which all men have is to love (Romans 13:8). Thus it is never right to steal.

But how does the prohibition against stealing apply? God explained in His law that, among other things, this commandment means that it is wrong to defraud or oppress employees (Deuteronomy 24:14) and that even an ox is not to be deprived of its livelihood from the work which it does (Deuteronomy 25:4). Such were illustrations of the general precept that we ought not to steal. With changed circumstances or a different culture, the case law illustration or application might be expressed differently. Yet the underlying principle (embodied in the details of the case law) would always remain valid and binding. For that reason Christ Himself utilized the Old Testament case law in telling the rich young ruler that he ought not to defraud (Mark 10:19), and Paul spoke of the church's obligation to New Testament ministers in terms of the case law of the Old Testament oxen, quoting "You shall not muzzle the ox as it treads" (I Timothy 5:18).

Likewise, an application of the sixth commandment against murder (Exodus 20:13) is found in the case law which required that Israelites place a fencing around the roofs of their houses, lest they be guilty of bloodshed "if someone falls from it" (Deuteronomy 22:8). The underlying principle of this law still applies to us today, even though we may not apply it to rooftop entertaining of guests since we do not usually entertain on flat roofed houses in our culture. The fact that the *illustration* which teaches a moral principle is not *itself* applicable does not mean that *what it teaches* is likewise inapplicable! The passing of flat roofs does not mean the passing of our obligation of "avoiding all occasions...which tend to the unjust taking away of the life of any" (as the *Westminster Larger Catechism* 135 declares, citing the Biblical passage in view here). For instance, we might apply Deuteronomy 22:8 today by placing a fence around our backyard

swimming pool - again, in order to protect human life and thus obey the general precept of God's law that we should not murder.

Without the case law explanations and illustrations of the general or summary precepts of God's law found in the ten commandments, the moral law of God would easily be twisted, rationalized, and applied to suit man's own sinful desires. For instance, liberal legislators might erroneously argue that "You shall not murder" means that capital punishment is immoral today. By preferring their own extremely narrow understanding of the commandment, "You shall not commit adultery," impure men might exonerate their premarital, incestuous, or homosexual affairs. However the case law specifications of the general precepts require capital punishment in some instances, and they prohibit sexual impurity in all of the mentioned cases. As one would expect, the New Testament reiterates all of these case law details (see Romans 13:4; Hebrews 13:4; I Corinthians 5:1-5; I Timothy 1:10). The details are just as binding today as the summary precepts.

It should now be clear that the ten commandments or general precepts of God's law cannot be read and understood apart from the explanatory context of all of God's revealed law. Bavinck made note of the fact that,

The law of the ten commandments does not stand loosely and independently by itself; it finds itself, rather, in the middle of a rich environment.... In Israel that law...was taken up in a body of rights and ordinances which had to govern the whole life of the people. Besides, this law was explained, developed, and applied throughout the history of Israel by the psalmists, proverb writers, and prophets.... The law of the ten commandments may not be separated from this rich context of affairs. Indeed, the decalogue must be viewed and explained in the light of the whole revelation of God in nature and in Scripture. Understood in this way, *the Ten Commandments are a brief summary* of the Christian ethic and an unsurpassed rule for our life. There are also many other laws to which we are bound.[\[65\]](#)

In *Theonomy* I put it this way: "The case law illustrates the application or qualification of the principle laid down in the general commandment."[\[66\]](#) Or to use the words of Patrick Fairbairn:

A considerable portion of the statutes and judgments are...a simple application of the great principles of the Decalogue to particular cases, intended at once to explain and confirm them.... It thus appears that the class of enactments referred to have an abiding value, as they serve materially to throw light on the import and bearing of the Decalogue, confirming the views already given of its spiritual and comprehensive character.[\[67\]](#)

The case laws lying outside of the Decalogue (also called "judicial laws" in Reformed literature) are thus *moral* in character, revealing the righteousness of God for human affairs. Because their details are often communicated in terms of ancient Israel's culture, these laws are not binding *as such* (in terms of their illustrative wording) in today's culture. Rather, we are now required to keep the underlying principle (or "general equity") of these laws. What the illustrations *teach* is still our rule today.

This was clearly the outlook of the Westminster Assembly as it composed the Confession of Faith and Catechisms. It is the view of some people today that the New Covenant has enlarged the Christian's liberty, so that now he is released from the details of the law of God as found in the case or "judicial" commandments outside of the Decalogue. The Westminster Confession of Faith speaks directly to this question in a quite full and detailed chapter, "Of Christian Liberty." Having spoken of the liberty available to all believers, whether they were under the old covenant or not, the Confession continues: "But, under the new testament, the liberty of Christians is further enlarged" (XX.1). This would be the natural and appropriate expected place for the Confession to declare that believers have been released from obligation to the extradecalogical case or judicial laws, *if* this had been the conviction of its writers. We note that the Confession's statement at this point *does continue* on with a *specification* of the various ways in which the freedom of believers is greater with the institution of the new covenant, listing among them "freedom from the yoke of the ceremonial law, to which the Jewish Church was subjected." Yet nothing of the sort is said about the judicial laws of the Israelite state; they are conspicuously *absent* from the list of ways in which freedom is now enlarged under the new covenant. To explain that absence as an oversight on the part of the meticulous authors of the Confession - and at just the point where an assertion of release from obligation is called for, *if* applicable - would call for a preconceived conviction approaching blinding proportions of intensity. The plain and simple fact is that the Westminster writers did not believe that New Testament Christians are free to disregard or break the case of judicial laws of the Old Testament.

What they did believe is that the passing away of the Jewish state meant that nobody could be bound to follow the judicial laws in virtue of any duty owed to that earthly political unit, and that the cultural form or historical expression of those laws was but the vehicle for revealing an underlying *moral principle* that binds all men, (apart from matters which were unique to the ancient nation of Israel). Historical research demonstrates that this was a prevalent point of view among Puritan and Reformed writers of that day.[\[68\]](#)

John Calvin had taught that the commandments outside of the Decalogue have a divestible form or outer constitution which can be altered with changing circumstances; nevertheless, these commandments, he held, possessed a general equity which expresses a perpetual duty that is the same for all men. He said, "This equity alone must be the goal and rule and limit of all laws," so that in relation to the judicial laws of Moses, the laws of a modern nation may "indeed vary in form but have the same purpose" (*Institutes of the Christian Religion* 4:20:15-16). Calvin would allow Christians to dismiss the Mosaic judicial laws only to the extent of their peripheral cultural trappings; their essential moral demand - what love requires of all men - is permanent. Speaking of the extradecalogical laws of lending, he said: "The judicial law, however, which God prescribed to His ancient people, is only so far abrogated as that which charity dictates should remain" (*Commentary* at Exodus 22:25). A complete rejection of these laws, so that their example and

instruction might be ignored in moral decision-making, was not allowed by Calvin. Taking account of changed circumstances, the applicatory illustration in the judicial law was to be a model for current practice. Commenting on the extradecalogical stipulations about proper treatment of slaves, Calvin wrote: "Although the political laws of Moses are not now in operation, still the analogy is to be preserved, lest the condition of those who have been redeemed by Christ's blood should be worse amongst us, than that of His ancient people of old" (*Commentary* at Leviticus 25:42). Calvin's endorsement of the authority of the judicial laws (as to their principal demand, a model of love) is quite clear in his treatment of the laws on incest in the Mosaic code. That they were judicial in character is an opinion he stiffly rebuked:

Absurd is the cleverness which some persons but little versed in Scripture pretend to, who assert that the Law being abrogated, the obligations under which Moses laid his countrymen are now dissolved; for it is to be inferred from the preface above expounded, that the instruction here given is not, nor ought to be accounted, merely political.... In short, the prohibition of incests here set forth, is by no means of the number of those laws which are commonly abrogated according to the circumstances of time and place, since it flows from the fountain of nature itself, and is founded on the general principle of all laws, which is perpetual and inviolable.... I do not see, that, under the pretext of its being a political Law/French: that the Law of Moses has ceased, the purity of nature is to be abolished (*Commentary* at Leviticus 28:6).



Calvin immediately observes that the Old Testament enactment of this law was not according to the temporary utility of a single people or to some unique custom, and so it must be seen as perpetually binding. He countenances the anticipated objection that someone will raise, arguing that this judicial prohibition is not repeated in the New Testament. Showing the absurdity to which this line of thought reduces, Calvin then replies by asking the embarrassing question of whether "promiscuous connexions" are therefore now permitted. Obviously, the judicial laws (apart from passing circumstances) continued to be valid according to Calvin, whether they happened to be repeated in the New Testament or not. The assumption was that God's laws were perpetually binding in their basic moral requirement. Consequently Calvin, in his *Commentary on the Four Last Books of Moses*, expounded the ten commandments and made copious allusion to the laws outside of the Decalogue to elaborate and explain the meaning of the moral law. His attitude is captured in a remark made about two of the judicial laws of the Old Testament: "Who can deny that these two things apply as much to us as to the Jews?" (*Institutes* 2;8:32).

In the *Second Helvetic Confession*, Heinrich Bullinger (1504-1575), wrote that God's entire will for every part of life was fully declared in the law, so that no departure from it was allowed (Xii). In the *May 13, Decades* he declared that, even though the outward or cultural form of the judicial laws may vary from nation to nation, "the substance of God's judicial laws is not taken away or abolished." Another Continental theologian of Reformed persuasion, Johannes Wollebius, (1586-1629) wrote that the judicial law is binding on us (harmonizing as it does with the moral law and ordinary justice), except "in those matters which were peculiar to that law and were prescribed for the promised land or the situation of the Jewish state" (*Compendium of Christian Theology* 14.6). Reformed thought on the Continent in the first generations of the Reformation, then, had begun to distinguish the substance or equity of the judicial laws from their outward cultural form and from matters unique to the ancient Jewish land or state. This approach to the permanent authority of the judicial laws was developed explicitly in the English speaking sector of the Reformed world.

An influential Reformed theologian in England was Martin Bucer (1491-1551), a first generation Reformer from Strassbourg and close friend of Calvin, who became a professor at Cambridge in 1549 and published his *de Regno Christi* in the next year for King Edward VI. In this work Bucer strictly defended the civil penalties of the Old Testament law, and of the civil commandments in general Bucer said that it would be insulting to God not to maintain obedience to them "insofar as the substance and proper of these commandments is concerned." The outstanding leader of the Scottish Reformation, John Knox (1513-1572), was for a time chaplain to Edward VI and later, while in exile, consulted with Calvin in Geneva. The Scottish Confession and the First Book of Discipline were produced by Knox. The latter established that rulers as well as preachers were subject to church discipline, and "discipline stands in the correction of those things that are contrary to God's law" (IX). Thomas M'Crie, biographer of Knox, indicated that he held the conviction "that the judicial laws given to the Jewish nation were binding upon Christian nations, as to all offences against the moral law."

English Puritans of the late sixteenth century provide a helpful background to the Westminster Confession of Faith's statement about the judicial law of the Old Testament. Previous Reformed opinion had championed the equity or substance of the judicial law as permanently binding, discounting its outward form and peculiar circumstances. The Puritans pervasively agreed. Thomas Cartwright said that since some of the judicial laws were "made in regard of the region

where they were given, and of the people to whom they were given," those who keep "the substance and equity of them (as it were the marrow), may change the circumstances of them, as the times and places and manners of the people shall require." Likewise William Perkins, addressing a question of civil ethics, spoke of "the law of Moses, the equity whereof is perpetual" (to use the words of Pickering's summary). Henry Barrow spoke of God's Old Testament "statutes and judgments," saying that they "endure forever" as "the true exposition and faithful execution of his moral law: which laws were not made for the Jews' state only...but for all mankind, especially for all the Israel of God, from which laws it is not lawful in judgment to vary or decline either to the one hand or to the other." Referring to one of the penal sanctions of the Old Testament law, the puritan pamphleteer Philip Stubbs said, "which law judicial standeth in force to the world's end."

William Ames (1576-1633), who had been tutored by Perkins, is an example of particular interest because he brings us into the seventeenth century, because his influence was felt beyond England in Holland and America, and because he was a highly regarded Calvinist moral theologian. Because of anti-Puritan sentiment in England, Ames immigrated to Rotterdam in 1610, where he earned a reputation as one of the very best Calvinist theologians of the day in his polemics with Remonstrants and Romanists; he assisted at the Synod of Dordt and was appointed professor in Franeker in 1622. He had a great desire to go to New England, where his work was quite influential among Puritan settlers, but ill health and death prevented it (his widow donated his library to the colonists). Ames' incisive work on moral casuistry, *De Conscientia* (1630), went through many Latin and English editions and was widely regarded as authoritative in the Dutch Reformed Church. In it he taught that the judicial laws of the Old Testament are just as *moral* in basic character as the Decalogue, but they were revealed often in a particularly Jewish form or character.

The laws concerning the return of borrowed and owed goods, concerning just weights and measurements, concerning the wages of the laborer, and concerning many other similar things not expressed in the Ten Commandments, are not more judicial or less moral and natural than is the command *thou shalt not steal*, etc...The laws considered judicial but whose forms exhibit no particularly Jewish character, belong to the affairs of the other nations and all participate in that Moral and Natural Law common to all nations.

Accordingly, in expositing the law, Ames made thorough appeal to the judicial laws as explaining the decalogue (defending, for instance, "the fairness of the Mosaic laws which supplement the Fifth Commandment"), and Ames taught that obstinate public blasphemy should be punished with the death sentence and theft punished with restitution (the Mosaic penal sanctions). The judicial law was clearly authoritative in modern practice for Ames, once its ancient Jewish form of expression was taken into account.

In Puritan New England, where the Reformed were afforded opportunity to put their social ethic into practice, we see that the case laws of the Old Testament were esteemed and obeyed. We have already noted above that in 1636 John Cotton produced a treatise which gave the theological rationale for the civil use of the judicial laws of Moses ("How Far Moses' Judicials Bind Massachusetts"), asserting therein: "The more any Law smells of man the more unprofitable." That same year Cotton produced a civil code entitled *Moses His Judicials*, indicating by that very fact that the Puritans viewed themselves as obliged to keep the laws outside of the Decalogue, even in

civil affairs. Within the same decade as the Westminster Assembly, the prominent Newtown pastor, Thomas Shepard, wrote:

The judicial laws, some of them being hedges and fences to safeguard both moral and ceremonial precepts, their binding power was therefore mixed and various, for those which did safeguard any moral law, (which is perpetual,) whether by just punishments or otherwise, do still morally bind all nations:...and hence God would have all nations preserve their fences forever, as he would have that law preserved forever which these safeguard.... The learned generally doubt not to affirm that Moses' judicials bind all nations, so far goeth as they contain any moral equity in them....

In utilizing the judicial laws, then, the new England Puritans recognized that the particular Jewish form or garb in which they were presented by Moses was not the point. They also recognized that some of these laws were peculiar to ancient Israel's land and circumstances; (for example, Cotton judged Old Testament stipulations about the Levirate institution, the inalienability of property in the promised land, some aspects of the Jubilee, etc. to be of temporary validity, as also were any appendages to the ceremonial law such as the prohibition on mixed cloth and on yoking unequal animals). Such *Qualifications* on their endorsement of the judicial - qualifications which they took to be obvious enough for any intelligent interpreter of the Scripture to discern - did not make them hesitate to affirm submission to the judicials. Thus in the New Haven Colony Records for 1641, we read:

And according to the fundamental agreement, made and published by full and general consent...that the judicial law of God given by Moses and expounded in other parts of Scripture, so far as it is a hedge and a fence to the moral law, and neither ceremonial nor typical nor had any reference to Canaan, hath an everlasting equity in it, and should be the rule of their proceedings.

In that same year, 1641, John Cotton's work, *Moses His Judicials* was published in London under the title of *An Abstract of the Laws of New England, as They are Now Established*. Two years later, in London, the Westminster Assembly began its deliberations. Samuel Rutherford, theological professor at St. Andrews, was appointed to the Assembly, and during the time of its work he published his famous *Lex Rex*, which was hailed among the commissioners to Westminster. In this treatise on the law and the prince, Rutherford demonstrated his commitment to the laws outside of the Decalogue by quoting numerous passages among them as authoritative for political practices in his own day. In his *Divine Right of Church Government* (1646), Rutherford maintained that the Old Testament requirement for "punishing of a sin against the Moral Law by the magistrate is moral and perpetual," although - lest we become obligated to keep all of the cultural trappings or judicial forms of the law (for instance, the way in which a captive pagan woman was to lament her parents' death) -- he doubted that all of the particular punishments "in their positive determination to the people of the Jews" had to be *the* method of punishing (unlike his colleague Gillespie). Reformed theologians sometimes differed among themselves as to just what features of the Mosaic law were consignable to ancient Jewish circumstances and judicial form from the basic moral teaching just in order to guard the *binding* character of the *extra* decalogical commandments. It was Rutherford's opinion that the judicial law as far as its judicial character and as far as it pertained exclusively to the Jewish Republic were not binding, "though the moral equity of all those [laws] be not abolished." Another Scottish commissioner to the Westminster Assembly was George Gillespie, who, like Rutherford, published an important treatise while the Assembly was in progress. In 1646, Gillespie published his *Aaron's Rod Blossoming*, wherein he stated: "I know some divines hold that the judicial law of Moses, so far as concerneth the punishment of sins against the moral law...ought to be the rule to the Christian magistrate; and for my part, I wish more respect were had to it, and that it were more consulteth with" (I.1).

Also during the time of the Westminster Assembly, in 1645, the esteemed Reformed scholar, Samuel Bolton, published his treatise against antinomianism, which has been cited previously. Like Rutherford and Gillespie, Bolton got around to commenting upon the judicial law in his *True Bounds of Christian Freedom*, he said that is "a common maxim" toward which "we find considerable agreement...and few dissenters" that:

As for the judicial law, which was an appendix to the second table, it was an ordinance containing precepts concerning the government of the people in things civil, and it served three purposes: it gave the people a rule of common and public equity, it distinguished them from other peoples, and it gave them a type of the government of Christ. That part of the judicial law which was typical of Christ's government has ceased, but that part which is of common and general equity remains still in force.[\[69\]](#)



In the preceding series of illustrations we have seen that Reformed theologians have consistently upheld the binding authority of the judicial laws of the Old Testament as to its *substance* or *general equity*, allowing that the judicial *form* of the laws and matters *unique* to the ancient Jewish state have passed away. Less than a decade after the writing of the *Westminster Confession of Faith*, John Owen preached before Parliament, saying:

Although the institutions and examples of the Old Testament, of the duty of the magistrates in the things and about the worship of God, are not, in their whole latitude and extent, to be drawn into rules that should be obligatory to all magistrates now,...yet, doubtless, there is something moral in those institutions, which, being unclothed of their Judaical form, is still binding to all in the like kind, as to some analogy and proportion. Subduct from those administrations what was proper to, and lies upon the account of, the church and nation of the Jews, and what remains upon the general notion of a church and nation must be everlastingly binding.

The Savoy Declaration (1658) of the Congregationalist ministers expanded upon the Westminster Confession's statement about the judicial law, explaining that these commandments have a "general equity...being still of moral use." Yet *in a sense* the judicial law has been discontinued, *this sense being* that it the judicials "expired together with the state of that people [of Israel], not obliging any now *by virtue of that institution*" (emphasis added). Like previous expressions of Reformed conviction, the Declaration recognizes that as a political constitution of the ancient Jews, the judicial law does not in that capacity bind citizens of other, later countries. Every nation must enact its own specific laws - keeping in mind, however, the binding authority of the general equity found in the judicial laws of the Old Testament. In the decade following the Westminster Assembly's work, David Dickson delivered lectures in Edinburgh on the Confession, published as *Truth's Victory Over Error*. Therein he explained why it was an error to maintain that the *whole* Jewish judicial law was "yet alive" (or binding). It constituted "a Body Politick" which has obviously passed away, and believers "are appointed under the Gospel to obey the civil Law, and Commands of those under whose Government they live, providing they be just." We are not ancient Jewish citizens of Israel. Further, in many things the judicial law "was accommodated to the Commonwealth of the Jews, and not to other Nations also" that is, some matters were unique to Israel's situation (Dickson illustrates by citing the Levirate institution and some matters of slavery and divorce). Finally, some matters of the judicial law which do not reveal a basic moral requirement ("from the Law of Nature obliging by Reason") are peripheral to our duty and not "pressed upon Believers under the Gospel to be observed." Although unique aspects of outward form are not the point of the law and thus not binding today, the moral principle remains binding. As given to the Jews, the judicial laws may have expired (or be "*morua*, dead") as to their *peculiar* circumstances, said James Durham (*The Law Unsealed, or a Practical Exposition of the Ten Commandments*), but they are useful in explaining the moral law: "The judicial law is for regulating outward society, and for government, and doth generally (excepting what was peculiar to the people of Israel) agree with the moral law; this, as given to them, is not perpetual, their policy being at an end." Although the ancient form of these laws expired with their political authority, they have a basic moral character so that they "may where it is thought fit, with the foregoing caution, be used under the New Testament."

Our brief survey of key Reformed statements on the judicial or case laws of the Old Testament outside of the Decalogue has clearly highlighted two facts in the attitude held regarding these laws. On the one hand, the judicial laws have *expired* in that: (1) they constituted a political order to which we do not belong as citizens of other countries, or (2) they contained matters which were peculiar to the land and circumstances of the ancient Jews, or (3) they were expressed in a form and language geared to the ancient culture of Israel. On the other hand, the judicial laws contain an underlying substance or *equity* which is the continuing moral requirement of all men in all cultures at all times. This balance is reflected in the *Westminster Confession of Faith*. As already noted above, the Confession speaks clearly and directly to the greater freedom which believers have now under the new covenant, and it does *not* teach there that our obligation to the judicial law has come to an end (as has our obligation to the ceremonial law). Still the Confession recognizes that it is the *underlying* general principle of the Old Testament judicial laws which remains authoritative, and not their specific cultural form or political system. So it says, "To them also, as a body politic, He gave sundry judicial laws, which expired together with the State of that people, not obliging any other now, further than the general equity thereof may require." The use of this familiar vocabulary in the established context of Reformed opinion can leave little doubt as

to the position taken by the writers of the Confession. The "general equity" of the "judicial laws" (e.g., the judgments found in Exodus 21-223 according to the Confession's proof test) is *required*. In support of its teaching here, the Confession cites Biblical passages which have also been used in theonomic ethics to explain the Reformed outlook.

The "equity of a statute," according to the *Oxford English Dictionary*, is "according to its reason and spirit so as to make it apply to cases for which it does not expressly provide." It is this equity of the judicial or case laws of the Old Testament which the Confession teaches as our present obligation. The Old Testament expression may mention oxen treading out grain, but the *equity* of the law applies to *Other cases* not mentioned there - for instance, to ministers of the gospel (cf. Deuteronomy 25:4; I Timothy 5:13). According to the *Westminster Larger Catechism*, "the moral law is summarily comprehended in the ten commandments" (98). Thus with respect to *each* one of the *summary* commands of the Decalogue, "under one sin or duty, all of the same kind are forbidden or commanded; together with all the causes, means, occasions, and appearances thereof, and provocation thereunto" (99). The Decalogue forbids stealing, for example; yet this is a *summary* of all the *same kind* of sins, for instance defrauding employees, muzzling oxen (or ministers), etc.

Consequently, when it expounded the ten commandments, the *Westminster Larger Catechism* listed general sins and duties pertaining to each commandment, and then substantiated that elaboration of what each commandment means by citing texts from Scripture, a large host of which were among the judicial (case) laws of the Old Testament (see 103-148 in the Catechism). The case law exegetes the Decalogue. For instance, in telling its readers what sins are forbidden when God said, "You shall not bear false witness" (Exodus 20:160, the *Westminster Larger Catechism* (145) turns to the judicial or case laws of the Old Testament to explain that God forbids lying (Leviticus 19:11), talebearing (Leviticus 19:16), raising false rumors (Exodus 23:1), and concealing the truth (Leviticus 5:1; Deuteronomy 13:8). (It may be noted, as well, that the Westminster authors, in their *Presbyterial Form of Church Government*, defended a parochial system of congregations by citing a judicial law of the Old Testament, saying that its "moral tie is perpetual; for Christ came not to destroy the Law, but to fulfill it.") This kind of *procedure* is the best indicator of the Westminster conviction that the extradecalogical laws of the Old Testament were still binding, and it clearly shows us what they *understood* by the general equity of the judicial laws. The underlying general principle of a judicial law helps us to see what the summary commands of the decalogue mean in practice.

We have examined two of the categories of Old Testament laws mentioned by the *Westminster Confession of Faith*: the summary or general precepts (the ten commandments, commonly called moral law) and the explanatory applications and illustrations (the judicial or case laws). The third category of law which we mentioned above is the restorative or redemptive law, which the Westminster Standards call "ceremonial law" (the traditional designation). The commands which fall into this category functioned to typify the way of redemption to be provided by Christ, and to symbolically illustrate the holiness (the "separation") required of the redeemed community.

For instance, Leviticus 17:11 taught the necessity of blood atonement if sins were to be forgiven: "it is the blood that makes atonement for one's life." Because the law specified this, the New Testament taught that "it was necessary" that Christ sacrificially die and shed His blood for our

salvation (Hebrews 9:22-24). The Old Testament laws of redemption were but "a shadow of good things to come" (Hebrews 10:1), and the shed blood of animals was never in itself sufficient to atone for sins (Hebrews 10:4).

Now in the Old Testament, those who were redeemed by blood atonement and were members of the covenant community were to celebrate the Passover as a memorial of their salvation. With the coming of Christ, the old manner of observing the Passover has been made inoperative, with the new celebration of the Lord's Supper - its functional equivalent - taking its place; believers saved by Christ's shed blood have a memorial of their salvation, "for Christ, our Passover lamb, has been sacrificed," says Paul (I Corinthians 5:7). Under the old covenant, the cleansing of one's sinful nature necessary for acceptance with God was symbolized by circumcision. With the coming of Christ, the outward sign has changed, but the same cleansing of one's sinful nature is still necessary; thus Paul says of Christians, "in Him you were also circumcised, in the putting off of the sinful nature, not with a circumcision performed by men's hands but with the circumcision performed by Christ, having been buried with Him in baptism" (Colossians 2:11-12). As with the redemptive or sacrificial laws, we see the continuity and discontinuity between old and new covenants regarding the laws pertaining to covenant signs. The old laws are still valid in their essential requirement and meaning, but the way in which they are observed has been changed by the accomplishment of salvation in Christ.

In the Old Testament, because the redeemed community had been "separated out" of the nations by God, the community was to remind itself of its holiness (or "separation") by drawing a separation between clean and unclean meats (Leviticus 20:22-26), by refusing to mingle different kinds of seeds and fabrics, and by not plowing with diverse or unequal farm animals (Leviticus 19:1-2, 19; Deuteronomy 22:9-11). Following the pattern which we have already traced regarding the sacrificial and covenant sign laws in the Old Testament, we would say of these holiness laws that they are not observed in the same manner today as they were in the Old Testament, for the Savior has fulfilled the foreshadows of the Old Testament and established His holy, international, covenant community in the church. When we study the whole context provided by God's word - every jot and tittle - we learn that the "system of commandments contained in ordinances" which created a "middle wall of partition" between the Jews and Gentiles has been "abolished in His flesh" as Christ "reconciles them both into one body unto God through the cross" (Ephesians 2:14-19). Consequently, the laws typifying the separation of holiness of Israel are no longer observed by teaching Jews to be separate from Gentiles. For instance, in Acts 10 Peter learned that the laws pertaining to unclean meats had been made inoperative; what God had cleansed was no longer to be deemed unholy - in which case the gospel of the kingdom was readily to be preached to the Gentile, Cornelius.

Nevertheless, these laws are still blinding upon the New Testament church insofar as they teach the necessity of the redeemed community to be separated from the world, to be "holy" in God's sign. Hence Paul requires that believers not be "unequally yoked" with unbelievers and that believers be separate from unbelief and "touch no unclean thing" (2 Corinthians 6:14-17). likewise they are to "purge out the old leaven" of sin (I Corinthians 5:7; cf. Deuteronomy 16:4) and "hate even the garment spotted by the flesh" (Jude 23; cf. Leviticus 13:47-52). All such exhortations are patterned quite obviously after the restorative or "ceremonial" laws of the Old Testament. The

manner in which they are observed has been altered after the work of Christ, but the point of the commandments is the same.

Therefore, the *Westminster Confession of Faith* teaches us that, "besides this law, commonly called moral, God was pleased to give to the people of Israel, as a church under age, ceremonial laws, containing several typical ordinances, partly...prefiguring Christ..., and partly, holding forth divers instruction of moral duties" (XIX.3). The Scripture texts cited are the same as those used in the preceding explanation. So then, with respect to this third category of Old Testament commandments, the restorative or ceremonial law, we would say that, "under the new testament, the liberty of Christians is further enlarged, in their freedom from the yoke of the ceremonial law, to which the Jewish Church was subjected" (*Westminster Confession of Faith* XX.1). Yet Christ "confirmed" even these laws, being "the permanent and final embodiment of all the truth portrayed in the Levitical ordinances."[\[70\]](#)

No then, given the foregoing discussion of the different kinds of laws we find in the Old Testament and how they are binding in the context of the new covenant, we can see how it is that theonomic ethics holds that the *whole* law of God retains its validity and authority today. The position is simply that which we already find worked out in elementary form in the Westminster Standards and tracing back to the very earliest Reformed theologians. There have certainly been dissenters from this viewpoint, and not every Reformed scholar has endorsed it to the same degree as others, but the theonomic position is really nothing but the consistent outworking of certain cardinal doctrines within the Reformed perspective.

That perspective, reflected in the *Westminster Confession of Faith* and Catechisms and representing the uniform teaching of God's word, sees that because Jesus Christ is our Savior and Lord, the law of God continues to be an authoritative and valid moral standard for us today. Moreover, the law of the Lord is an unchanging standard of rectitude, retaining its validity with the change from Old to New Testament. Because Christ is Lord over all, the Lord's law ought to be obeyed by all men in all areas of their lives. Accordingly the whole law of God is binding upon our behavior today, without the subtraction of even one jot or tittle. As the *Westminster Standards* express this viewpoint, it is really quite suitable to quote the *Westminster Confession* in description of the theonomic position in ethics; what the Confession teaches is - contrary to the editor's remarks[\[71\]](#) - an adequate summary of *my own* confession at this point.

Theonomic ethics takes a *positive* approach to the commandments of God in His inspired word, recognizing the obligation we have to the *whole* body of God's written revelation. Far from suggesting that we add the jot and tittle details to our duty to keep the "moral law" (in the Westminster sense of that term), theonomic ethics argues that, once properly interpreted, these details have always categorically been part of the moral law of God. While the ten commandments cover the entire field of our moral duty to God and man - just as the requirement of love covers the entire field of our obligation as well - they do so in a *summary* fashion with general precepts. The ten commandments are always "enough" to show us what we should do, but because they are a summary spoken to sinful men, we are often in need of the explanatory applications and details of the whole law of God. Without them, we would not be *thoroughly* equipped for every good work (2 Timothy 3:16-17).

## The Law's Penal Sanctions

The next step in the outworking of the implications of my confession of faith as a Reformed believer was to understand how my convictions bore on the question of the Old Testament law's penal sanctions. Now admittedly this area of thought is not a very large or dominant element in the entire Christian outlook, and I would be utterly opposed to seeing it take on disproportionate emphasis in the Christian witness. The question of how the magistrate should punish violators of God's law for society is a minor sub-point in the overall structure of Christian theology. However, it is an issue which clearly tests the consistency of one's approach to Biblical ethics, and given the malaise in modern criminal justice systems it is a question in which at least some Reformed Christians ought to take an interest.

If the whole law of God as it bears on all aspects of life has an abiding validity today, does that mean the penal sanctions prescribed in the law are likewise to be obeyed (as much as possible within the limits of one's social system - whether dictatorial or democratic) by the authorized rulers in a country?<sup>[72]</sup> The theonomist, noting the justice of God's penal code, would want justice to continue to be done today within our system of criminal penology. Unless God's word teaches that the Old Testament social penalties have been laid aside, the presumption of the theological themes explored above would be that those punishments are prescribed for us to follow today as well. Not even the least commandment should be disregarded or broken (Matthew 5:19), much less commands as significant as those detailing penal sanctions as a just way of responding to crime. Of course, to take this consistent position - upholding the prescribed penalties revealed in God's law unless the Lawgiver reveals that the requirement has somehow altered - leads to the endorsement of capital punishment for murder and other Biblically defined crimes, which is unpopular in our secularized age.

The editor says, "What one must come to terms with in a decision for or against *theonomy* is not capital punishment for murder but capital punishment for adultery. Or for cursing one's parents."<sup>[73]</sup> This may suggest that, if you cannot feel that the death penalty is applicable for these crimes today, then you should not endorse theonomic ethics. However such a theological method would be quite unacceptable. Theonomic ethics maintains that God's word teaches the current validity of the law's penal sanctions. Whether we like those sanctions or find them congenial to a secularized society is really irrelevant to whether God's word *teaches* their validity or not. The theonomic claim here can only be countered on Biblical and exegetical grounds, not personal ones. We may choose to *reject* the teaching of the Bible because we do not like it, but we cannot - simply because we do not favor it - *change* what is or is not the teaching of the Bible.

Moreover, the provisions of God's law *should not* be decided for or against *by the Christian* on the basis of his preconceived notions, personal feelings, cultural traditions, or what have you. No believer, not even the editor, is free to reject some detail of God's law just because it strikes him as somehow harsh or absurd for today. Our obligation is rather to bring our feelings and thinking into conformity with the word of God, for *scripture alone* - not extraneous and unauthoritative human reasoning or emotion - should be the determinative factor in our theological and ethical convictions. None of us has the prerogative to reject any law of God arbitrarily, without some exegetical defense for our opinion. In a sense this is at the heart of the theonomic approach to ethics: insisting that our Christian convictions about the death penalty for adultery (or whatever

the Bible specifies) be geared to the *scriptural teaching* about the continuation or abrogation of capital punishment (and other penalties). We presume continuity with the Old Testament unless the New Testament text indicates otherwise.

The editor has said that a decision regarding theonomic ethics cannot be made on the basis of one's view of capital punishment for murder, but must be determined by one's view of capital punishment for other crimes, such as adultery or cursing parents (i.e., in the Biblical sense of incorrigible rebellion against their authority). However this remark is actually an indirect challenge to the editor's own viewpoint or that of any non-theonomic view, for you see, the remark readily *assumes* that it is acceptable to believe in capital punishment for murder *without* also believing in it for other specified crimes. To believe in the death penalty for further crimes, it is thought, requires *extra* evidence and argumentation. These misguided assumptions will point to the *inconsistency* in the editor's approach to the Bible on the question of penal sanctions in society. In arguing for the death penalty in cases of murder, most Christians are proving far *more* than they realize.

In the same issue as one of his articles about theonomic ethics, the editor sharply censured the bishop of a church for incorrectly portraying the attitude of Christ toward capital punishment,[\[74\]](#) and in his opening article on theonomic ethics the editor takes for granted the validity of the death penalty for murder.[\[75\]](#) Indeed, the editor has elsewhere written an essay in defense of the death penalty, reacting to those who favor its abolition; its title tells you his attitude: "Capital Punishment...Right and Necessary."[\[76\]](#) It would be instructive for us to glance at his argument there in light of the question whether capital punishment is valid today for *adulterers*.

The editor indicates that because we still believe the Old Testament to be inspired, we should not hold that Christ corrected the Old Testament law.[\[77\]](#) Presumably, the reader then thinks, Christ would not have corrected the law about penalizing adulterers. The editor strengthens that presumption when he goes on to write that "the principle of penalty is an unalterable law of the universe....'You don't break God's law; you violate God's laws and they break you!'"[\[78\]](#) In that case it would seem that we are warned not to break the *unalterable* law of penalty for adulterers. The editor contends that evil must first and foremost be penalized or else "Goodness is mocked."[\[79\]](#) and surely adultery is an evil in the eyes of our good God. Even the redemptive death of Christ, claims the editor, does not remove temporal penalty for sin,[\[80\]](#) in which case we apparently should not see the work of Christ as abrogating the death penalty for adultery. As a case in point the editor refers to Jesus' treatment of the woman taken in adultery, saying "You will find nothing in that story to suggest that He said to her accusers, 'She does not deserve to be punished!'"[\[81\]](#)

The editor also correctly observes that the Apostle Paul did not abrogate capital punishment, insisting that he should die if he had done anything worthy of death (Acts 25:11) and supporting the magistrate's power of the sword (Romans 13).[\[82\]](#) That being the case, we are not encouraged to think that the Old Testament penalty for adultery has been abrogated; it is still valid today. Indeed, Jesus Himself did not alter the requirements of the Old Testament, says the editor: "Capital punishment is not abrogated in the New Testament. In the Sermon on the Mount, Jesus Christ said that not a jot or tittle of the law would be changed by His coming."[\[83\]](#) This sounds precisely like a theonomic line of thought. If nothing regarding capital punishment has been changed by the



coming of Christ - not one jot or tittle - then we must conclude that the penal sanction against adultery is unchanged as well. Finally, the editor advances a *reductio ad absurdum* argument against those who, arguing from the sixth commandment's prohibition of killing, would abrogate the Biblical teaching about capital punishment. He says, "*If capital punishment is no longer valid, then neither is the sixth commandment. They both come from the same law.*"<sup>[84]</sup> The excellent insight afforded here is that the law of God is a *unit*, so that its commandments stand or fall *together*. If one law has become invalid, so has the other; you cannot pick and choose. You cannot hold onto the sixth commandment, while rejecting the penal sanction of death. The very same logic would thus compel the conclusion that, since the death penalty for adultery comes from the same law as the death penalty for murder, if you abrogate the penalty for adultery you likewise abrogate it for murder. Since the editor rejects such a consequence - upholding capital punishment for murder - we would think that he likewise upholds the death penalty for adultery. They are part of the same law.

So we see how the editor's argument in favor of capital punishment displays his inconsistency in rejecting the theonomic endorsement of that penalty for adultery, based on the inspired law of the Old Testament. By arguing for capital punishment (in cases of murder, undoubtedly) in the way that he does (along with most Bible-believing Christians), the editor has ended up proving a great deal more than he may have thought. He has shown that the penal sanction against adultery is valid today, and now he can reject it only by arbitrary special pleading. It has yet to be shown that the New Testament narrowly endorses capital punishment *solely* for murder, while abrogating all the rest. The relevant passages in support of the death penalty in the New Testament are too general in scope to lend discriminating support to non-theonomic supporters of the penalty.

Perhaps an illustration can help explain. The editor would - like most defenders of capital punishment today who are Christians - undoubtedly appeal to Romans 13:4 to show the legitimacy of the state punishing with the sword, that is to the point of death. But how can the editor criticize those...who oppose capital punishment *for murder* without defining those kind of "evildoers" toward whom Paul says the magistrate "bears not the sword in vain"? Surely Paul's mind set would have been the context of Scriptural (Old Testament) teaching as he spoke of "evildoers." But if the editor appeals to the Old Testament penal code to substantiate that the sword can be used by the state against murderers, how can he be consistent and turn around to reject that same penal code when it specifies adulterers...as "evildoers" worthy of death as well? It is contrary to the principles of covenant theology for theologians to pick and choose which covenants they will follow and which stipulations within the covenants they will keep. The Lord of the covenant is displeased when His servants do not adhere to all that He has decreed. So then, if capital punishment for murder is right today, why would it not be right for adultery as well? After all, both of these sanctions were prescribed by the same unchanging, holy God. The Lord placed both of these laws in the statute book of His people. How can a theologian be Biblical and consistent by rejecting (or adopting) one without the other?

Furthermore, if the editor does not endorse God's law as it pertains to the punishment of criminals (other than murders anyway), where will he find a more just, reasonable, and beneficial penal code to follow in society? For instance, if he were a judge or a Christian adviser to a judge, what justice would the editor say should be meted out to a rapist or kidnapper? What do these crimes actually *deserve*? The theonomist believes that the righteous Judge of all the earth will certainly always do

what is right (cf. Genesis 18:25), and that Judge has set down a standard for social and penal rectitude which gives a criminal no more and no less than he deserves (e.g., Exodus 21: 23-25) and promises good to the society at large (cf. Deuteronomy 10:13). God expects His creatures to honor and obey His just standards over and above the unjust opinions of men. (Even when those standards cannot be carried out in a society, believers ought nevertheless to *believe* that they should be carried out and ought to work within the limits of that given social order to *reform* the laws when opportunity arises.) And God does not expect that we will take a smorgasbord approach to His precepts.

Therefore, how can the editor defend his conviction that murderers should be executed today, while discarding the other penal sanctions of God's law? We cannot have God's law both ways, valid and invalid at the same time. In the New Covenant the law of God is written right on our hearts (Hebrews 8:10), with every Scripture and every jot and tittle thereof beneficial and authoritative for righteous living (2 Timothy 3:16-17; Matthew 5:17-19). So if the entire Old Testament is binding on us today, with New Testament explanations and qualifications, we cannot choose to ignore the Mosaic covenant or - when the subject is relevant - the just penal sanctions of the Mosaic law.

Although it would be terribly mistaken to proceed on the assumption that the Lawgiver must reaffirm His commandments if they are to be authoritative in a new age, for His law (even its penal prescriptions) continues to be valid until He rescinds it, the fact is that positive New Testament teaching supports and confirms the Old Testament penal sanctions. When Paul says that the magistrate does not bear the sword in vain (Romans 13:4), it is just because Paul deems the ruler *God's minister*. It is this minister's job to avenge wrath - *God's wrath* (cf. Romans 12:19) - against those who do "evil," those who do not live according to *God's law* (cf. Romans 13:10). The sword, we see, may not be wielded independently of God's direction at the arbitrary desire or whim of the civil magistrate (or of the general populous, for that matter). If it were, it would assuredly be wielded "in vain." That sword is not vainly used when it is used in a manner conforming to the standards of social rectitude found in God's law. It only makes sense, does it not, for God to require "the minister of God" who is "ordained of God" to follow the dictates OF GOD rather than the desires of wayward men!

Now then, where does God deliver His will for criminal penology? The New Testament has little to say on the subject (primarily, it would seem, because the Old Testament had already spoken adequately). If the Old Testament penal sanctions are thought to be invalidated today, then we must ask, *what crimes* are legitimately covered by Romans 13:4? Since the New Testament does not deliver a catalogue explicitly answering this question, are we to infer that any and all "evildoers" (e.g., double-parkers, over-eaters, income-tax cheaters) can be punished with death? Do we infer that the definition of a social "evildoer" is open to varying human deliberations and feelings, apart from directives given by God? It would seem, rather, that with Paul we should find the answer to such crucial and unavoidable questions in the already clear directions of the Old Testament, not a jot or tittle of which has been abrogated.

Paul confirms this approach when he teaches that the law of God was given, and is *lawfully* used today, to restrain criminal behavior in society - that is, was laid down for the unruly, murderers, fornicators, homosexuals, perjurers and the like (I Timothy 1:8-10). Paul thinks of the Old

Testament law of God as serving this civil restraining function. Accordingly, when many serious accusations were brought against Paul himself by adherents of the Old Testament law, he clearly affirmed his own submission to the moral authority of God's penal sanctions in the law. He said, "If I am an evildoer and have committed anything worthy of death, I refuse not to die" (Acts 25:11). A number of things should be noted about this declaration. Notice that Paul speaks of himself, considered a criminal according to *God's law*, as a supposed "evildoer" (the same word which appears in Romans 13:4 as the object of the magistrate's judgment). Observe next that the scope of his concern is much broader than that of one and only one misdeed being worthy of death. He says, "If I have done *anything* worthy of death." next we see that he utilized a standard Old Testament designation for capital crimes as those deeds which are "worthy of death" (e.g., Deuteronomy 21:22). The New Testament perspective on the Old Testament penal code is not that it was a temporary and artificial standard for society, but rather the exact standard of justice. "Every transgression and disobedience received a just recompense of reward" (Hebrews 2:2). Nothing was punished with death except those deeds strictly *worthy* of death. Thus Paul spoke of the capital crimes of which he had been accused according to God's law as things "worthy of death," and he insisted that *if* he had *indeed* committed anything of that nature, he refused not to die. Justice in such cases demanded the death penalty, and Paul approved of its use.

So, do New Testament Christians want to do justice or injustice toward criminals in our society? Obviously, social *justice* must be done, punishing criminals *neither* too leniently nor too harshly. Then we must, with Paul, be advocates of doing what the perfectly just law of God requires. In issues of life and death such as we find in the area of criminal penology, who else would we trust to decree exact justice but God? If we wish justice to be done in our criminal courts, then we should praise God, as did Ezra, whenever God puts it into the hearts of rulers (even unbelieving rulers) to have the law of God enforced, even to the point of its stipulations for capital punishment (cf. Ezra 7:25-28). Social justice was not a moral obligation *simply* for the Israelites in the Old Testament; it was required of all nations and rulers. It is similarly required of our rulers today.

To object that obedience to the standards of God's law on the part of civil magistrates today would violate the separation of church and state is grossly to misunderstand the proper separation of church and state - both as a historical fact and as a Biblical prescription. There were obvious ways in which the Old Testament Jewish society distinguished between matters of civil administration and religious cult (e.g., the king could not be a priest), even as we distinguish between the domain of the state, and the realm of the church today. *However* one understands the differences between the Old and new Testaments regarding the separation of church and state - whether to a greater or lesser degree of dissimilarity with the Old Testament - neither the history of the doctrine nor the teaching of Scripture will support the notion that the separation of church and state means that the state is separated from God and His directives to it, being morally autonomous. Both the church *and the state*, whatever their differences and distinctives, owe moral allegiance to God and ought to obey those directives of His word which are relevant to their own distinctive domains. The idea of a religiously neutral and pluralistic society is humanistic, not Biblical. The new Testament, just as much as the Old, requires civil magistrates to rule as *ministers of God* (Romans 13:1-4), following the model code of social justice found in His inspired law (Deuteronomy 4: 6-8; Isaiah 51:4; Psalm 2:10-12; 119:46; Proverbs 16:12; 20:26). To be *wise* rulers who establish their thrones on righteousness, they will *serve Jehovah* with fear and follow the *wisdom of God's statutes* revealed to Moses. Humanist society has yet to demonstrate that it has a wiser and more beneficial

way of dealing with social problems than God's way, as history and present experience make plain to all but the ideologically blinded. One does well, in passing, to reflect on the telling observation that our current society is experiencing its most devastating social difficulties in connection with actions which are capital crimes according to God's inspired word. To break God's law is to be broken by God's law. If we spurn the light, we consign ourselves to stumble in darkness.

Therefore, attempting to be consistent with fundamental Reformed distinctives in theology, theonomic ethics is led to endorse the whole law of God for all areas of life, including the penal sanctions of the law for criminal justice. It is anything but novel to be driven to these conclusions. Firmly rooted in the Reformed tradition is the conviction that God's penal code for societies has not become obsolete, invalidated, or unjust in the Christian era. Without those sanctions the magistrate would be left with no positive direction regarding his key function of punishing evildoers. Robert Dabney correctly pointed out that the precepts of God's law "guide secular laws, and thus lay a foundation for a wholesome civil society," and for Dabney that obviously included the penal sanctions of the law, for instance against adultery.[\[85\]](#)

This perspective has over and over again been advocated within the ranks of Reformed theologians sensitive to the need for social reform and public justice. To be sure, Reformed writers through the centuries have not always agreed with each other totally; there have been those who took a more disparaging or negative view of the judicial law and its penal sanctions than those mentioned in this chapter. For that reason I resist using such misleading phrases found in current polemics as "the historic consensus of Reformed theologians" and "the mainstream of Reformed thought" - both of which are located by those speaking of them by the process of gerrymandering the evidence. In a matter which has been debated from numerous perspectives over centuries by men who are not always clear or consistent in their statements and practices, it is quite unlikely that *anyone* has a familiarity with the evidence which is detailed enough in primary sources and comprehensive enough in scope to make a credible judgment as to *the* "consensus" or "mainstream" of Reformed thought. Consequently, my point is simply that the theonomic perspective on the current validity of the Old Testament penal sanctions is nothing astonishingly new to the history of Reformed thought.[\[86\]](#)

John Calvin, despite vacillating or equivocal statements earlier in his career, was one such advocate. We might expect this, given Calvin's attitude toward the law of God. He said, "A perfect pattern of righteousness stands forth in the law" which is our "one everlasting and unchangeable rule to live by"; the law was not restricted to the Old Testament age, "for it is just as applicable to every age, even to the end of the world" (*Institutes of the Christian Religion* 2:7:13). Against those who denied a continuing obligation to the Old Testament law, Calvin appealed to Matthew 5:17-18, saying that Christ "sufficiently confirms that by his coming nothing is going to be taken away from the observance of the law.... Therefore through Christ the teaching of the law remains inviolable" (*Institutes* 2:7:14). For Calvin the law's standards were to be respected by the civil state as well. In the French Confession of 1559, for instance, he wrote: "God put the sword in the hand of the state to resist not only sins against the second but also against the first table of the law" - a perspective also found in the *Institutes* (4:20:9). This view of the magistrate's duty is at odds with the pluralistic opinion today that freedom of religion bars the magistrate from enforcing God's law, especially its first four commandments. To protect the community from unjust men was, held Calvin, a major function of the law (*Institutes* 2:7:10). Correspondingly, an appointed aim of civil

government for him was that of forming "our social behavior to civil righteousness" (4:20:2). Thus Calvin declared, "I approve of a civil administration that aims to prevent the true religion which is contained in God's law from being openly and with public sacrilege violated and defiled with impunity" (*Institutes* 4:20:3).

In 1554 Calvin published a defense of Geneva's action against the blasphemer, Servetus - an action for which Calvin is as well known as for his doctrine of predestination. Summarizing Calvin's defense, Philip Schaff wrote: "Calvin's plea for the right and duty of the Christian magistrate to punish heresy by death, stands or falls with his theocratic theory and the binding authority of the Mosaic code. His arguments are chiefly drawn from the Jewish laws against idolatry and blasphemy" (*History of the Christian Church* VIII). In his *Defensio* Calvin straightforwardly asserts: "Whoever shall now contend that it is unjust to put heretics and blasphemers to death will knowingly and willingly incur their very guilt. This is not laid down on human authority; it is God who speaks and prescribes a perpetual rule...." Calvin's teachings (e.g., arguing from the judicial law as though abidingly authoritative) and Calvin's actions (e.g., putting even the penal sanctions of the law into practice) manifest that he was much closer to a theonomic viewpoint than to one which contradicts it. (It should be noted here, to avoid misconceptions, that most theonomic writers today would disagree with the view that the Old Testament law teaches that heresy should be punished with death; only such forms of heresy which also constitute blasphemy or sheer idolatry would deserve that penalty according to a more accurate interpretation of the law.) The point of agreement is that whatever the law teaches as to social punishment for crimes is a "perpetual rule" to be observed by magistrates today.

Calvin's most extensive and explicit treatment of the Old Testament law is found in his *Commentaries On the Four Last Books of Moses, Arranged in the Form of a Harmony*. In 1563, just a year before his death, Calvin finished his commentary on the harmony of Exodus-Deuteronomy. It soon became one of his most respected works, reflecting clear and mature thought on the law of God as given through Moses (although it has been overlooked by many today). In this work Calvin spoke plainly and even boldly in favor of the penal sanctions of the Old Testament - the last step in the outworking of theonomic basic convictions. For instance, he asserted, "Capital punishment shall be decreed against adulterers" (*Commentary* at Deuteronomy 13:5). Elsewhere he adds: "It appears how greatly God abominates adultery, since He denounces capital punishment against it .... Conjugal faith should be held too sacred to be violated with impunity" (*Commentary* at Deuteronomy 22:22). In his *Defensio* Calvin considered Christians who rejected the penal sanction against blasphemers, God's "perpetual rule," as incurring their guilt. He was equally as hard on dissenters from the Old Testament penal sanctions in his commentary on the harmony.

By the universal law of the Gentiles, the punishment of death was always awarded to adultery; wherefore it is all the base and more shameful in Christians not to imitate at least the heathen. Adultery is punished no less severely by the Julian law than by that of God; whilst those who boast themselves of the Christian name are so tender and remiss, that they visit this execrable offense with a very light reproof, (*Commentary* at Deuteronomy 22:22).

Calvin immediately mentioned those who attempt "to abrogate God's law" by making (spurious) appeal to the coming and example of Christ. Calvin's conclusion was that "their relaxation of the penalty has flowed from gross ignorance." Elsewhere Calvin took an equally firm stand in favor

of the Mosaic penalty for the crime of subverting to apostasy: "In a well constituted polity, profane men are by no means to be tolerated" (*Commentary* at Deuteronomy 13:5). Speaking of some who opposed the law's penal sanction, Calvin continued to say: "God commands the false prophet to be put to death.... Some scoundrel or other gainsays this, and sets himself against the author of life and death. What insolence is this!" It is evident from Calvin's discussion at this place that he believed if God had even once pronounced capital punishment against some crime, it cannot be arbitrarily put aside by present-day magistrates.

What is the meaning of this madness, in imposing a law upon God, that He should not make use of the obedience of magistrates in this respect? And what avails it to question about the necessity of this, since it pleases God?... It is superfluous to contend by argument, when God has once pronounced what is His will, for we must needs abide by His inviolable decree (*Commentary* at Deuteronomy 13:15).

Calvin's sermons on the book of Deuteronomy are further confirmatory of his advocacy of the theonomic conclusion that the penal sanctions of God's law are authoritative and binding on civil magistrates today.

Calvin's friend and fellow Reformer, Martin Bucer, penned an entire chapter for his book, *de Regno Christi*, on the subject of civil penalties for crime from a Christian perspective. Writing to Edward VI, Bucer said this about "The Modification of Penalties":

It is certainly the duty of all kings and princes who recognize that God has put them over his people that they follow most studiously his own method of punishing evildoers.... Insofar as the substance and proper end of these Mosaic civil commandments are concerned, and especially those which enjoin the discipline that is necessary for the whole commonwealth, whoever does not reckon that such commandments are to be conscientiously observed is certainly not attributing to God either supreme wisdom or a righteous care for our salvation.... And so whoever decides that these misdeeds of impiety and wickedness are to be kept out or driven from the commonwealth of Christians by more mitigated punishment than death necessarily makes himself wiser and more loving than God as regards the salvation of men.

The thoroughness of Bucer's theonomic commitment is revealed in his direct appeal to the King: "Your Majesty will prove his trust and zeal for governing the commonwealth in a holy way for Christ the Lord, our heavenly King, if for every single crime, misdeed, or offense he establishes and imposes those penalties which the Lord himself has sanctioned." Hebrews 2:2 assures us that every transgression and offense received a just recompense of reward under the Old Testament law, and accordingly Bucer's quite appropriate appeal could be made to all civil rulers today.

Heinrich Bullinger viewed the judicial laws concerning civil polity and punishment to be a commentary on the second table of the Decalogue, and to be so universally binding as to be written on men's hearts, even though more clearly expressed through the written law of Moses so that no man could excuse himself from them by ignorance. In the *Second Helvetic Confession*, Bullinger wrote that God's entire will for every part of life was fully declared in the law so that no departure from it was ever allowed (XII). Speaking of the magistrate, he taught:

In like manner, let him govern the people, committed to him of God, with good laws, made according to the Word of God in his hands, and look that nothing be taught contrary thereto.... Therefore let him draw forth this sword of God against all malefactors, seditious persons, thieves, murders, oppressors, blasphemers, perjured persons, and all those whom God has commanded him to punish or even to execute (XXX).

Another Reformer of some stature, John Knox, held similar convictions and advocated them in Scotland. Because he saw the binding authority of the judicial laws of Moses, said his biographer Thomas McCrie, Knox held that idolatry could justly be punished by death. In the *First Book of Discipline* where his influence was exercised, Knox spoke of Romanist laws and customs which were invented by men and imposed on men's consciences "without the express command of God's word." Although I disagree with him that *this form* of idolatry is that which the law punishes with civil sanctions, Knox declared, "All maintenance of such abominations would be punished with the civil sword." The *Second Book of Discipline* (1578) was even more explicit. In chapter one we read:



This power and policy of the kirk should lean upon the word immediately, as the only ground thereof... being ruled by his [Christ's] laws.... So ought the person of the magistrate to be subject to the kirk spiritually.... The spiritual rulers should require the Christian magistrate to minister justice, and punish vice.... The ministers exercise not the civil jurisdiction, but teach the magistrate how it should be exercised according to the word (I.11, 14, 17, 21). 83

In chapter ten, "Of the Office of a Christian Magistrate in the Kirk," the Book of Discipline protects the separation of church and state, while nevertheless requiring magistrates to protect Christ's kingdom with laws framed in conformity with God's word.

Although all the members of the kirk are bound every one in their vocation, and according thereto to advance the kingdom of Jesus Christ so far as lies in their power; yet chiefly Christian Princes and other magistrates, are bound to do the same.... To make laws and constitutions agreeable to God's word... without usurping anything that pertains not to the civil sword (X.2,8).[\[87\]](#)

The perspective taught by Calvin, Bucer, Bullinger, and Knox was that the perpetual authority of God's law extended even to its penal sanctions.

This perspective was advanced by English Reformers and Puritans up through the time of the Westminster Assembly. In his "Declaration of the Ten Commandments," John Hooper wrote that adultery was rightly punished with death by "both God's laws and man's laws, Christians 'and gentiles,'" citing Deuteronomy 22 and Leviticus 24. Hugh Latimer, preaching before Edward VI, proclaimed that preachers were to expound the binding direction of God to magistrates from the law of Moses, and that rulers were then to enforce it with the sword. In his *catechism*, Thomas Bacon pointed to the penal sanctions of the Mosaic code as exemplary for civil rulers in every age, affirming that it is by God's "expressed commandment" that we should execute idolaters. When Thomas Cartwright endorsed the judicial laws of Moses (as we observed previously), he drew this point: "But to say that any magistrate can save the life of blasphemers, contemptuous and stubborn idolaters, murders, adulterers, incestuous persons, and such like, which God by his judicial law hath commanded to be put to death, I do utterly deny, and am ready to prove, if that pertained to this question." The validity of the judicial laws was particularly seen in the just punishments they prescribed for crime, and Cartwright was ready to refute an opinion to the contrary. When William Perkins spoke of the "perpetual equity" of the judicial laws (noted above), it was with specific reference to the Mosaic law that witches were to be punished with death. Likewise, when Philip Stubbs maintained the validity of the judicial law which "standeth in force to the world's end" (also referred to earlier), he was speaking of the death penalty for blasphemers in the Old Testament judicial law.

The Puritans who came to America in the seventeenth century brought these same kind of convictions with them, putting them into practice with the formation of new civil communities. The leading Reformed theologian of the general era, John Cotton, was requested by the General Court of the Massachusetts Bay Colony to draft laws agreeable to God's word for the new plantation in 1636. What he delivered to the Court, the earliest body of laws framed in English America, was *Moses His Judicials*, a document which drew heavily and directly from the Old Testament law of Moses. In a supporting document which explained why such laws should be kept by the new community ("How Far Moses' Judicials Bind Mass."), Cotton distinguished between temporary judicial laws (viz., those simply foreshadowing Christ and those peculiar to the Jews regarding the land of Canaan) and perpetual ones. The latter were held to be obligatory, argued Cotton, because of the general continuity of the law's validity in the New Testament. Arguing from Deuteronomy 4:6,8 that these laws are most righteous (answering to the righteousness of God), Cotton maintained that they should be our wisdom in the sight of unbelievers. He pointed out that God had given no other revelation of such laws to govern a commonwealth, and yet God does not

permit lawlessness in governing society. Moreover, since God had placed Christians in the stead of the Jews, "we are as much bound to their laws as well as themselves." If the magistrate judges in the place of God in society, then Cotton said, God would have him judge according to God's own laws. Later in the treatise Cotton held:

If it was a part of the misery of gentiles to be aliens from the commonwealth of Israel (Eph. 2:12), then it is a part of the happiness of Christian nations that they are subject to the laws of that commonwealth of Israel.... Christ is king of church and commonwealth.... Christ is head of all principalities and powers for the church, and he will subordinate all kingdoms one day to the church.

As Cotton pursued the drafting of a civil law for Massachusetts with the foregoing convictions in mind, he was led to endorse the penal sanctions of the Old Testament judicial law as binding - a model of social reform, to be enacted positively into the law of modern nations whenever the influence of the church was strong enough to encourage it (as in his own situation). Thus in chapter VII of *Moses His Judicials* (or *An Abstract of the Laws of New England*) capital crimes are listed and include: blasphemy, idolatry, witchcraft, wilful perjury, profaning of the Lord's Day, sedition, being a rebellious child who smites parents, murder, adultery, incest, sodomy, bestiality, whoredom, and man-stealing. When Thomas Shepard wrote his treatise, *The Morality of the Sabbath*, and taught that the equity of the judicial laws was perpetually binding on men (as noted before), he included the penal sanctions in that abiding validity: "those which did safeguard any moral law, (which is perpetual,) whether by just punishments or otherwise, do still morally bind all nations." While the list of capital crimes just given by Cotton is far from generally acceptable in *our* secular society (where the reforming influence of the church has obviously waned), Shepard spoke of his Reformed and Puritan age, saying "the learned generally doubt not to affirm that Moses' judicials bind all nations, so far forth as they contain any moral equity in them." It seems then, that this theonomic theme was tenaciously taught and upheld during this Puritan period. Nathaniel Ward's *Body of Liberties* (1641) was ratified as the first legal code of Massachusetts. In it Ward, a pastor who enjoyed ten years of previous experience in London law, specified capital crimes in section 94 and affixed Biblical substantiation for them; they were: idolatry, witchcraft, blasphemy, murder, bestiality, homosexuality, adultery, man-stealing, life-threatening perjury, insurrection. Similar lists (including rape and incorrigibility in teenagers, as well as specifying restitution for stealing) appear in the *Massachusetts Code* (1648), the New Haven Colony Records (for the 1640s), descriptions of Plymouth Colony, and in the Province Laws (1697). Through such avenues the Puritans influenced the constitutions of every one of the colonial states.

The Puritan position of Reformed theologians in England and New England during the period of the Westminster Assembly and immediately preceding has been rehearsed, and we can see how it harmonizes with the views of first and second generation Reformers on the Continent and in England. Respectable writers in this theological tradition were theonomic enough in outlook to endorse many or all of the penal sanctions of the Old Testament judicial law, and they were vocal in the deliberations of the Westminster Assembly as well. An influential Scottish delegate to the Assembly was George Gillespie. In 1644, his *CXI Propositions Concerning the Ministry and Government of the Church* was published, teaching that the Bible should be seen as useful for directing the governing of a nation and as instructing magistrates about penal sanctions for crime.

47 ...It is one thing to govern the commonwealth, and to make political and civil laws; another thing to interpret the word of God, and out of it to show the magistrate his duty, to wit, how he ought to govern the commonwealth, and in what manner he ought to use the sword....

48. For to that end also is the holy Scripture profitable, to show which is the best manner of governing a commonwealth, and that the magistrate, as being God's minister, may by this guiding star be so directed, as that he may execute the parts of his office according to the will of God, and may perfectly be instructed in every good work....

In his much praised volume of 1646, *Aaron's Rod Blossoming*, Gillespie - aware that there were some dissenters from the civil authority of the judicial law - declared that he stood on the theonomic side of the question:

I know some divines hold that the judicial law of Moses, so far as concerneth the punishments of sins against the moral law, idolatry, blasphemy, Sabbath-breaking, adultery, theft, etc., ought to be a rule to the Christian magistrate; and, that it were more consulteth with.

By endorsing the equity prescribed in the judicial laws of the Old Testament as a perpetual requirement (as was shown previously), the Westminster Standards thereby supported the authority and use of the penal sanctions of the law, for those judicial laws contained much which bears precisely on the penal response to criminal activity. The Confession at chapter 19, section 4, points to Exodus 21-22:29 to illustrate what it means by "sundry judicial laws," and that passage of Scripture is pervaded with penal instructions (nearly a dozen cases of capital crimes and lengthy direction for restitution and compensation).

That the Westminster Standards taught the magistrate's duty to enforce the civil sanctions against violations of BOTH tables of the law (i.e., common parlance for commandments 1-4 and 5-10) is made evident by the Larger Catechism 99 and 108. "We are bound, *According to our places* [e.g., civil ruler], to endeavor that it [whatever is forbidden or commanded to ourselves] may be avoided or performed by others" (99), in which case the magistrate must exercise his office so as to promote obedience to the same law - God's law - which binds him personally. Because "tolerating a false religion" is a sin according to the Larger Catechism (108), the magistrate has the duty to remove false religions; the Catechism says, regarding idolatry and false worship, that our duty includes "according to each one's place and calling, removing it." While the magistrate has no spiritual or temporal authority touching a citizen's unbelief, he does bear the responsibility to punish unbelievers whose wickedness transgresses these social boundaries revealed in both tables of the law.

The chapter on the civil magistrate in the *Westminster Confession of Faith* (XXIII) teaches that God Himself has armed civil magistrates with the power of the sword. Accordingly, the penal power of civil rule may not be exercised arbitrarily, lawlessly, or autonomously, for it is "to this end [viz., His own glory, and the public good]" that God has armed the state with the authority "for the punishment of evil doers" (section 1). There are restraints and by which the magistrate ought to use *Standards* the sword. *The Westminster Larger Catechism* 130 tells us that it is a sin for superiors to be "commanding things unlawful... counseling, encouraging... them [inferiors] in that which is evil." At that point the Catechism's Scripture citations point to illustrations of *magisterial* abuses of the *power of the sword*, violating in each case the law of God. Indeed, the Catechism indicates that to encourage *evil* is to promote "things unlawful" - obviously meaning things contrary to *God's* law (since it is the magistrate's own law that is here described as unlawful). So then, when the Westminster authors teach that the magistrate's sword is to serve God's glory by punishing *evil* doers, we may conclude that the magistrate in Westminster perspective is to punish violators of God's law with the sword God has put in their hands. This inference is supported by chapter XX, section 4, of the Confession, which asserts that those who maintain practices contrary to the law of God inwardly revealed to all men (that is, "the light of nature," citing Romans 1:32), the moral principles of Christianity, or the power of godliness "may *lawfully* be called to account,

and proceeded against, by... the power of the civil magistrate" (emphasis added). The Biblical warrant for this position is found by the Westminster theologians in the law's prohibition of seduction to idolatry (Deuteronomy 13:6-12), the decree of Artaxerxes for Ezra to have magistrates and judges appointed who will enforce the law of God and its penal sanctions (Ezra 7:23-28), and the reforms of Josiah and Asa according to the stipulations of God's law.

Therefore, given the historical setting of Puritan teaching about the law's penal sanctions, given the contextual and proof-texting setting of the whole Westminster Standards, and given the very wording of the relevant chapter, we conclude that the Westminster view of the magistrate's sword was that it should be used in accord with God's law to punish criminal violations of God's law. Civil rulers ought to honor and uphold the penal sanctions of the law. Commenting on XXIII.1 of the *Westminster Confession of Faith*, A. A. Hodge said:

Christian magistrates should also seek in their influential positions to promote piety as well as order... by the explicit recognition of God and of Jesus Christ "as Ruler among the nations;" and by the enactment and enforcement of all laws conceived in the true spirit of the Gospel, touching *all questions upon which the scriptures indicate the will of god specifically* or in general principle, and especially as touching questions of the Sabbath-day, the oath, marriage and divorce, *capital punishments*, etc., etc.[\[88\]](#)



The authors of the *Westminster Confession of Faith* and *Catechisms* indicated their general acceptance of the law's penal sanctions, not only in what they wrote, but also in their ready *citation* of those sanctions of the law in their Scriptural enforces this penal sanction], is drawn rather from the grossness of Pagan sources than from Bible principles. [89]

The Reformed and Puritan influence on social morality and civil law has lingered on (weakly) even into the twentieth century in America, where one must note that many states continued for decades to honor and enforce the law's stipulation of capital punishment for crimes beyond that of first-degree murder. It has only been within the last two generations that the "liberating" forces of secular humanism have succeeded in the repeal of the death penalty for crimes such as rape and kidnapping in many or most states. It is somewhat shocking to hear some modern Christians now contending that this opposition to the penal sanctions of the law, and hitherto led and fostered by those with extra-Biblical and anti-Biblical basic convictions, is after all the proper and *historic* attitude of the church (representing *New Testament Christianity*) as well! Regrettably, an all-encompassing secular mind set in our culture has made the Reformed and Puritan past an embarrassment to many since it is so awkward and against the times; even more regrettably, some have begun to pretend that this past never was.

Nobody can deny, of course, that an obvious change in perspective has come about over the last three centuries. The question which we *should* ask ourselves is, to what extent have advances in godly Biblical exegesis, insight, and theology legitimated this change in mentality? Have we learned something from Scripture which the puritans did not know and which invalidates their general theological conclusion about the law's penal sanctions? I am not aware of what it would be. In recent years the redemptive-historical focus of Biblical theology has received greater attention, to be sure, but the *questions* which distill from that approach were not unknown among seventeenth century theologians; and when all is said and done, the key passages which *define* the character of redemptive-historical development (e.g., texts speaking to the relationship of old to new covenant) were not overlooked by Puritan thinkers, nor can redemptive-historical students today present that subject in any way *except* within the definitive outlook of such passages anyway. Whatever is *new* in the methods or conclusions of redemptive-historical Biblical theology as it bears directly on the moral authority of the law's penal sanctions will either be Biblical or extra-Biblical in character and origin. If the latter, it is dispensable and without authority for a Reformed theologian who is wedded to the epistemological principle of *sola Scriptura*. If it is the former, then we will need to see some convincing exegesis of Biblical texts (and not mere appeals to the label of "redemptive-historical Biblical theology") in order to be persuaded that the Puritans were theologically mistaken. And in that case, we have *returned* to the original question: have we learned something *from Scripture* which the Puritans did not know and which *now* invalidates their theological conclusion about the law's penal sanctions? If we do have, no published critic of theonomic ethics has yet to make it generally know. Thomas Shepard's seventeenth century remark is arresting: "the learned generally doubt not to affirm that Moses' judicials bind all nations, so far as they contain any moral equity in them" - and for the Puritans that encompassed the law's sanctions along with its stipulations. Since *God's* just character remains immutable, His law's penal sanctions would retain, and should expect, *their equitable* character even into our day.

## Conclusion

Jesus is my *Savior* from law-breaking and its condemnation. Jesus is also my *Lord*, directing my new life according to *the law of the Lord*, which is unchanged from Old Testament to New. Since Jesus is *Lord over all* men and aspects of life, even unbelieving rulers owe obedience to His word. And according to that word, Jesus has not abrogated but rather confirmed in some sense *the whole law* of God, making even the *penal sanctions* perpetually valid for the state. This is my theonomic confession of faith applied to a subordinate issue of social reform. Long before me, it was given more general expression in the *Westminster Confession of Faith*. It is the natural and consistent outworking of the theological premises of the Reformed faith, and it seems to me to enjoy the substantial support of much that is revealed in the written word of God. My reformed conviction is that only by the standard of Scripture can this theonomic perspective be established - or refuted. And given the preponderant teaching of Scripture, I believe that the burden or proof lies heavily upon anyone who would hold that some Old Testament law is no longer to be honored and obeyed in the age of the New Testament - whether that be a theonomist who says laws about sacrifice or the promised land are now inoperative or a non-theonomist who insists that the penal sanctions of the law have been abrogated. Our assumption must be moral continuity (Matthew 5:19), even when we move into the specialized and secondary issues of political ethics (Romans 13:4; I Timothy 1:8-10).

By way of conclusion, I find myself agreeing wholeheartedly with the Publisher's Introduction to the work of the Westminster divine, Samuel Bolton, who three centuries ago defended the place of God's law in Christian behavior. The publisher rightly says:

An unbalanced emphasis on grace has led men to neglect certain of the law's various functions.... Grievous and alarming is the present-day deterioration in the moral condition of society. For this decay the Church is partly blameworthy, because as the preserving salt of the community, she has largely lost her savor. Modern theology has defected. It has cut itself adrift from the ancient landmarks, and present-day society reaps 'the evil thing and bitter' which is the inevitable consequence. The present prevailing theology has not been able to elevate society and halt its moral decline, and unquestionably, one explanation of this is its misunderstanding of the place of the law and its usefulness in the service of the covenant of grace. The Church needs to know again the truth of Bolton's statement: 'The law sends us to the Gospel for our justification; the Gospel sends us to the law to frame our way of life.'[\[90\]](#)

Let us pray that the God of the covenant will make a high view of His law prevail again, so that with a view to Jesus Christ in His Kingly office, we may confidently and gladly restore even the "political use" of the law of the Lord.



[1] The essay which appears here is an expanded version of my response to the editor of *The Presbyterian Journal*, G Aiken Taylor, who published four critical discussions of the theonomic position in the issues for September 13, 20, November 20, and December 6, in 1978. The essay was originally distributed by the session of the St. Paul Presbyterian Church in Jackson, Mississippi, "in the interest of open discussion in a spirit of Christian love ... [and] to clarify some of the issues" (to quote the cover letter). The latter part of the essay, in which I deal directly with Taylor's main line of criticism, appears in a subsequent chapter of this book. I have added here some material dealing with Taylor's own view of capital punishment and further evidence for the theonomic perspective in the history of Reformed thought. A very abbreviated summary of this response appeared as "The Authority of God's Law" in *The Presbyterian Journal*, vol. 37, no. 32 (Dec. 6, 1978), pp. 9-12, 22-23.

[2] Meredith G. Kline, "Comments on an Old-New Error," *Westminster Theological Journal*, vol. 41, no. 1 (Fall, 1978), pp. 173,174.

[3] John Murray, "The Nature of Sin," *Collected Writings of John Murray*, vol. 2 (Edinburgh: Banner of Truth Trust, 1977), pp. 77, 78.

[4] J. Gresham Machen, *What is Faith?* (Grand Rapids: William B. Eerdmans, 1925), p. 142.

[5] Murray, "The Nature of Sin," p. 78.

[6] John Duncan, *Colloquia Peripatetica*, 2nd ed. (Edinburgh: Edmonston & Douglas, 1870), pp. 82, 84, 87; "Love to God's Law" in *Rich Gleanings After the Vintage* from "Rabbi" Duncan, ed. J. S. Sinclair (London: Charles J. Thynne & Jarvis, 1925), pp. 319-320.

[7] Robert L. Dabney, *Lectures in Systematic Theology* (Grand Rapids: Zondervan Publishing House, 1972 [1878]), p. 633.

[8] *Ibid.*, p. 354.

[9] *Ibid.*, p. 353.

[10] A.A. Hodge, *The Confession of Faith: A Handbook of Christian Doctrine Expounding the Westminster Confession* (London: Banner of Truth Trust, 1958 [1869]), p. 251.

[11] Samuel Bolton, *The True Bounds of Christian Freedom* (London: Banner of Truth Trust, 1964 [1645]), p. 71.

[12] John Murray, "The Pattern of Sanctification," *Collected Writings of John Murray*, vol. 2, p. 307.

[13] G. Aiken Taylor, "Theonomy and Christian Behavior," *The Presbyterian Journal*, vol. 37, no. 20 (Sept. 13, 1978), p. 9b.

[14] A. A. Hodge, *The Confession of Faith*, p. 253.

[15] Ashbel Green, *Lectures on the Shorter Catechism* (Philadelphia: Presbyterian Board of Publication, 1841), II:16.

[16] E. Erskine and J. Fisher, eds., *The Westminster Assembly's Shorter Catechism Explained* (Philadelphia: Presbyterian Board of Publication, 1753).

[17] Herman Bavinck, *Our Reasonable Faith*, trans. Henry Zylstra (Grand Rapids: Wm. B. Eerdmans, /1909/1956), p. 490.

[18] Taylor, "Theonomy and Christian Behavior," p. 18b.

[19] John Murray, "The Christian Ethic," *Collected Writings of John Murray I* (Edinburgh: Banner of Truth Trust, 1976): 181.

[20] Taylor, "Theonomy and Christian Behavior," p. 10c.

[21] *Ibid.*, p. 18b.

[22] *Ibid.*, p. 10a.

[23] G. Aiken Taylor, "Not Under Law but Under Grace," *The Presbyterian Journal* 37 (September 20, 1978): 10b.

[24] Cf. Cornelius Van Til, *Christian Theistic Ethics, In Defense of Biblical Christianity*, vol. III (n.p.: den Dulk Foundation, 1971).

[25] Bavinck, *Our Reasonable Faith*, pp. 484,485.

[26] Dabney, *Systematic Theology*, p. 357.

[27] Green, *Shorter Catechism*, II:14, 15.

[28] Dabney, *Systematic Theology*, p. 633.

[29] *Ibid.*, p. 402.

[30] Taylor, "Theonomy and Christian Behavior," p. 9c.

[31] *Ibid.*, p. 10a.

[32] Dabney, *Systematic Theology*, p. 636.

[33] Taylor, "Not Under Law," p. 10c.

[34] *Ibid.*

[35] Ibid., p. 10b.

[36] Ibid., p. 10c.

[37] Murray, "The Christian Ethic," p. 179.

[38] John Murray, *Principles of Conduct: Aspects of Biblical Ethics* (Grand Rapids: Wm. B. Eerdmans, 1957), p. 192.

[39] Murray, "Nature of Sin," p. 78.

[40] Taylor, "Not Under Law," p.

[41] "Nature of Sin," p. 78.

[42] Bavinck, *Our Reasonable Faith*, p. 489.

[43] Murray, "The Christian Ethic," p. 177.

[44] Taylor, "Theonomy and Christian Behavior," p. 10b,c.

[45] Carl F. H. Henry, *Christian Personal Ethics* (Grand Rapids: Wm. B. Eerdmans, 1957), p. 355.

[46] Carl F. H. Henry, *Christian Personal Ethics* (Grand Rapids: Wm. B. Eerdmans, 1957), p. 355.

[47] Bolton, *True Bounds of Christian Freedom*, pp. 208,209.

[48] From "The Fourteenth Law: The Modification of Penalties," introduced by Jack Sawyer, *Journal of Christian Reconstruction V* (Winter, 1978-198-79): 8-16

[49] Letter CXIV, *The Zurich Letters* (Cambridge: University Press, 1842), pp. 294ff.

[50] John Cotton, "How far Moses Judicials Bind Massachusetts," *Transactions of the Massachusetts Historical Society*, Second Series, XVI (October, 1902): 280-284 (modern spelling supplied).

[51] Reprinted as "An Abstract of the Laws of New England" (1641) in Greg L. Bahnsen, *Theonomy in Christian Ethics* (Nutley, New Jersey: Craig Press, 1977), pp. 558ff.

[52] John Cotton, *A Discourse About Civil Government* (Cambridge, 1663), pp. 14-15.

[53] Cited by James B. Jordan, "Calvinism and 'The Judicial Law of Moses': A Historical Survey," *Journal of Christian Reconstruction V* (Winter, 1978-1979): 34.

[54] Ibid., p. 46.



[55] A.A. Hodge, *Popular Lectures on Theological Themes* (Philadelphia: Presbyterian Board of Publication, 1887/recently reprinted by Banner of Truth Trust as *Evangelical Theology*/), pp. 274-277 (emphasis added).

[56] The material on these Reformed authors, from Bolton through Hodge, has been added here to the original paper.

[57] Taylor, "Theonomy and Christian Behavior," p. 18b.

[58] Green, *Shorter Catechism, II:10-11*.

[59] Taylor, "Not Under Law," p. 10c.

[60] *Ibid.*, p. 11a.

[61] *Ibid.*

[62] Murray, *Principles of Conduct*, pp. 150-154.

[63] Taylor, "Not Under Law", p. 11a.

[64] Bolton, *True Bounds of Christian Freedom*, p. 62.

[65] Bavinck, *Our Reasonable Faith*, pp. 488, 489 (emphasis added).

[66] Bahnsen, *Theonomy in Christian Ethics*, p. 313.

[67] Patrick Fairbairn, *The Revelation of Law in Scripture* (Grand Rapids: Zondervan Publishing House, /1869/1957), pp. 97,99.

[68] Jordan, "Calvinism and 'The Judicial Law of Moses'" and the entire issue of *The Journal of Christian Reconstruction* V, no. 2: Symposium on Puritanism and Law (Winter, 1978-1979), from which most of the following examples have been drawn; also F.N. Lee, "Christocracy" (Tallahassee, Florida: personal publication in "Jesus Lives" Monograph Series, n.d.). some of the following examples did not appear in my original paper.

[69] Bolton, *True Bounds of Christian Freedom*, p. 56.

[70] Murray, *Principles of Conduct*, p. 151.

[71] Taylor, "Theonomy and Christian Behavior," p. 10c.

[72] The following discussion of the law's penal sanctions is taken from a later section of my original paper (beyond the opening statement of the theonomic position) with changes and supplementary material.

[73] Taylor, "Theonomy and Christian Behavior," p. 18c.

[74] G. Aiken Taylor, "Capital Punishment," *The Presbyterian Journal* 37 (September 20, 1978): 10a, b.

[75] Taylor, "Theonomy and Christian Behavior," p. 18c.

[76] G. Aiken Taylor, "Capital Punishment...Right and Necessary," *Essays In the Death Penalty*, ed. T. Robert Ingram (Houston: St. Thomas Press, 1963), pp. 45-54.

[77] *Ibid.*, p. 47.

[78] *Ibid.*, p. 50.

[79] *Ibid.*, p. 51.

[80] *Ibid.*

[81] *Ibid.*, p. 81.

[82] *Ibid.*, p. 54.

[83] *Ibid.*, p. 53.

[84] *Ibid.* (Emphasis original)

[85] Dabney, *Systematic Theology*, pp. 354, 407.

[86] Unless otherwise indicated, the examples which follow are taken from *The Journal of Christian Reconstruction* V, no. 2, exp. pp. 8-96; they were given abbreviated mention in my original paper.

[87] Reproduced as an Appendix to Stuart Robinson, *The Church of God* (Philadelphia: Joseph M. Wilson, 1858).

[88] A. A. Hodge, *The Confession of Faith*, p. 295 (emphasis added).

[89] Dabney, *Systematic Theology*, pp. 407-408.

[90] Bolton, *True Bounds of Christian Freedom*, pp. 10-11.