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A CATHOLIC DOCTRINE

I believe...in the holy catholic church.

The Apostles' Creed.

Doctrine divides. Or so they say. But this book is about a doctrine that has united Christians in every century and across denominations. Not uniquely Eastern or Western; Roman Catholic or Protestant; conservative or liberal; Patristic or Puritan; Thomist, Calvinist, or anything else; the threefold division of the law is catholic doctrine. Throughout history, the church's most prominent theologians expounded, maintained, and defended its teaching. It was 'well known' and adopted by the 'ancients', says Calvin.¹ Most Reformed² confessions likewise adopt the division and even those that do not declare it work within its framework.³ We will return to consider the historical roots of this doctrine, but what is the threefold division of the law?

¹ John Calvin, *Institutes of the Christian Religion* (Grand Rapids: Eerdmans, 1995), 4:20:14.

² I use 'Reformed' in an historical sense to refer to churches that have their roots in the Reformation, particularly those influenced by Calvin and Swiss Protestantism as opposed to Luther and German Protestantism. Contemporary Reformed denominations incorporate a variety of theological opinion.

³ For example, *The Three Forms of Unity*, that is *The Heidelberg Catechism*, *The Belgic Confession*, and *The Canons of Dort*.



NO MINOR THREAD

The division exists not just to explain a doctrine of biblical law; its practical-theological teaching answers the Christian's question, 'Am I still bound to obey the Mosaic Law?' The threefold division of the law says, 'Yes and no.' The Mosaic Law does not apply without exception to the Christian, but nor can we dispense with it altogether. One part of the law is non-binding, another binding in its underlying principles, and another ever-binding.

The non-binding laws were exclusively 'ceremonial'. They regulated the Israelite sacrificial system and matters such as ceremonial cleanliness. Although they hold forth moral duties, they were typical of Christ's sacrifice and since he has fulfilled all that they typified, they are abrogated and non-binding upon those who follow Christ.

Laws concerning everyday civil matters in the Israelite community are binding in their underlying principles. The Christian is not bound to obey the Mosaic civil code in detail, but the moral principles at the heart of the civil law still bind.

The only laws that are, without exception, ever-binding are the laws of the Decalogue. Those Ten Commandments reveal the demands of God upon all people, not just those in ancient Israel. From the beginning, they were the basis upon which God judged mankind. The coming of Christ and the incorporation of Gentiles into the church did not nullify the Decalogue; it remains binding upon Christians and non-Christians alike.

The threefold division of the law has been expressed in various ways throughout the centuries, but this non-binding, binding in underlying principles, and ever-binding distinction captures the practical essence of the division. In this book I will take *The Westminster Confession of Faith* formulation as a primary example of the division, not because I plan to have a uni-focal emphasis on seventeenth-century theology, but for three reasons. First, it represents one of the most recent and expansive confessional

restatements of the threefold division. This not only allows for comparison with the theological arguments used to support the framework in periods of church history unaffected by Puritan concerns, it also reveals some of the rationale behind the widespread acceptance of the doctrine. Second, the wording in *The Westminster Confession of Faith* is almost identical with that of *The Thirty Nine Articles* and *The Irish Articles*, so it may be viewed as representative of the theology that shaped Protestantism in Britain, Ireland, and those countries where Presbyterianism and Anglicanism dispersed their children.⁴ Third, although terms of subscription vary, those documents remain the subordinate standards for many Reformed denominations throughout the world.

The Westminster Confession's Chapter XIX, 'Of the Law of God', reads as follows:

- I. God gave to Adam a law, as a covenant of works, by which he bound him, and all his posterity, to personal, entire, exact, and perpetual obedience; promised life upon the fulfilling, and threatened death upon the breach of it; and endued him with power and ability to keep it.
- II. This law, after his fall, continued to be a perfect rule of righteousness; and, as such was delivered by God upon mount Sinai in ten commandments, and written in two tables; the first four commandments containing our duty towards God, and the other six our duty to man.
- III. 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 of worship prefiguring Christ, his graces, actions, sufferings, and benefits; and partly holding forth divers instructions of moral duties. All which ceremonial laws are now abrogated under the New Testament.

⁴ For a summary of statements in some of the earlier Reformed confessions see Robert Letham, *The Westminster Assembly: Reading its Theology in Historical Context* (Phillipsburg: P&R Publishing, 2009), 294–5.

- IV. To them also, as a body politick, 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.
- V. 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. Neither doth Christ in the gospel any way dissolve, but much strengthen this obligation.
- VI. Although true believers be not under the law as covenant of works, to be thereby justified or condemned; yet it is of great use to them, as well as to others in that as a rule of life, informing them of the will of God and their duty, it directs and binds them to walk accordingly; discovering also the sinful pollutions of their nature, hearts, and lives; so as examining themselves thereby, they may come to further conviction of, humiliation for, and hatred against sin; together with a clearer sight of the need they have of Christ, and the perfection of his obedience. It is likewise of use to the regenerate, to restrain their corruptions, in that it forbids sin; and the threatenings of it serve to shew what even their sins deserve, and what afflictions in this life they may expect for them, although freed from the curse thereof threatened in the law. The promises of it, in like manner, shew them God's approbation of obedience, and what blessings they may expect upon the performance thereof, although not as due to them by the law as a covenant of works: so as a man's doing good, and restraining from evil, because the law encourageth to the one, and deterreth from the other is no evidence of his being under the law, and not under grace.
- VII. Neither are the forementioned uses of the law contrary to the grace of the gospel, but do sweetly comply with it; the Spirit of Christ subduing and enabling the will of man to do that freely and cheerfully which the will of God revealed in the law requireth to be done.

In this citation, section III explains the non-binding 'ceremonial laws' and section IV deals with the 'judicial laws' of which only 'the general equity' still stands. The remaining five sections discuss the ever-binding 'moral' law: It was 'delivered by God upon

Mount Sinai in ten commandments', having first been given to Adam 'as a covenant of works'. Nevertheless, 'true believers be not under the law as covenant of works' and such uses of the law 'sweetly comply' with the grace of the gospel.

This was how the *Westminster Confession* answered the Christian's question, 'Am I still bound to obey the Mosaic Law?' In a context where 'the Reformers were at odds, not with the Catholic tradition, but with its immediate representatives,'⁵ the Westminster Divines subjected their approach to the law to biblical scrutiny like any other doctrine. They debated the exegetical foundations, not in isolation, but 'self-consciously as part of the great tradition of the church.'⁶ Thus, the *Westminster Confession of Faith* restated the catholic view of the law.

A few centuries on, not all subscribers to their confession appreciate that restatement. According to Tim Keller, nearly all Presbyterian Church in America presbyters subscribe to *The Westminster Confession of Faith* 'with only the most minor exceptions (the only common one being with regard to the Sabbath).'⁷ If, however, such an exception amounts to a wholesale rejection of the confessions's approach to the Sabbath, its authors might have judged Keller a master of understatement. Were the *Westminster Confession* a garment, you would not want to pull this 'minor' thread, unless you wanted to be altogether defrocked. And perhaps the reason that some people pull at this thread is because they regard the confession as more of straightjacket than a garment. Unbuckle the Sabbath, and you are well on your way to mastering theological escapology.

If this seems overstatement to rival Keller's understatement, let me say that biblical law, with its Sabbath, is no easily dispensable

⁵ Letham, *Westminster Assembly*, 96.

⁶ *Ibid.*, 97.

⁷ Tim Keller, 'How Then Shall We Live Together? –Subscription and The Future of the PCA.' Accessed on-line, 22 March 2010, <http://web.archive.org/web/20050328000226/http://www.tnpc.org/ga/GAKeller.PDF>.

part of the Reformed doctrinal infrastructure. And what applies to the theology of the Reformed churches often applies to wider Protestant theology. Attempts at performing a precision strike on the Sabbath produce an embarrassing amount of unintended damage. Strike out the Sabbath and you also shatter the entire category of moral law and all that depends on it.

If the *Shorter Catechism* represents Reformed theology in one of its most practical forms, it seems that any expurgation of biblical law from the theological framework it expounds, should lead to its complete unravelling. Nearly half of the catechism's 107 questions⁸ deal with the demands and consequences of ever-binding moral law. The *Westminster Confession* itself gives fewer words to the subject, yet law remains integral to the theology of the documents. From the beginning, law was written on the heart of man.⁹ 'Sin is any want of conformity unto, or transgression of, any law of God, given as a rule to the reasonable creature.'¹⁰ My 'every sin deserves God's wrath and curse, both in this life, and that which is to come.'¹¹ The moral law leaves me 'inexcusable'¹² and without escape apart from receiving Jesus Christ and resting upon him alone,¹³ the one who offered himself as 'a sacrifice to satisfy divine justice'.¹⁴ Should I refuse this 'freely offered'¹⁵ salvation, I will, on the day of judgment, 'give an account of my 'thoughts, words, and deeds'¹⁶ and be convicted 'upon clear evidence',¹⁷ but if the Holy Spirit persuades and enables me to

8 Questions 39–84.

9 *WCF* IV.2.

10 *WLC* 24.

11 *WSC* 84.

12 *WLC* 96.

13 *WSC* 85.

14 *WSC* 25.

15 *WSC* 31.

16 *WCF* XXXIII.1.

17 *WLC* 89.

embrace Jesus Christ¹⁸ I will have every transgression of the law pardoned. God will accept me as righteous in his sight.¹⁹ This is the confession of presbyters and office bearers across many Reformed denominations. It broadly encapsulates the instinctive confession of Christian believers throughout Reformed and evangelical churches. But as Hugh Martin asks in *The Atonement*, ‘What instrumentality or efficiency towards any thing like this can possibly be ascribed to the Incarnation of God’s Son, if there be no strictly moral and authoritative juridical law?’²⁰ And he goes on to say that, ‘So long as philosophy and theology shall conserve the distinctive peculiarity of Moral Law... the Westminster doctrine, which is the Catholic doctrine, of Atonement is impregnable.’²¹

In an article entitled, ‘Why Is the Doctrine of Penal Substitution Again Coming Under Attack?’, D. A. Carson lists five ‘developments that have contributed to this sad state of affairs’.²² It is a brief piece in which he could hardly cover every possibility, but perhaps there is a sixth development that Carson does not mention—the rejection of the threefold division with its view that moral law and sin are defined by the Decalogue. Perhaps there is a coherent explanation for penal substitution without moral law, but the issue Martin raised is not inconsequential to the integrated body of catholic doctrine. For that reason alone, an investigation into the biblical and theological basis for the threefold division of the law is not a trivial pursuit.

This makes the often perfunctory dismissals of the threefold division that have proliferated in recent decades all the more

18 WSC 31.

19 WSC 33.

20 Hugh Martin, D.D., *The Atonement: in its Relations to the Covenant, the Priesthood, the Intercession of Our Lord* (Edinburgh: Lyon and Gemmell, 1877), 274.

21 *Ibid.*, 255.

22 From Google’s cache of thegospelcoalition.org/articleprint.php?a=45. It is a snapshot of the page as it appeared on 18 Jun 2008 01:50:18 GMT.

remarkable. Let me give two examples. First, Tom Wells, co-author of *New Covenant Theology*, tells us that biblical evidence to support the Puritan approach to the Decalogue ‘was always wanting’.²³ He goes on:

As evidence for the wider sweeping conclusion that everything moral is comprehended in one of these ten commands, both the *Larger* and *Smaller* [sic] *Catechism* offer just three verses, Matthew 19:17, 18, 19. This is, surely, much too narrow a base from which to draw such a comprehensive conclusion. Further than that, assuming that Matthew 19 contains the best evidence for this opinion, we must note that it was not available to OT believers at all.²⁴

Wells seems to imagine the divines took a similar approach to proof texting as a preacher I saw on the GOD Channel giving ten principles for business success, complete with proof texts. For his second point, ‘Expand into international markets,’ the preacher offered the text, ‘Ask of me, and I will give you the nations for your inheritance’ (Ps. 2:8). The Westminster Divines were a little more sophisticated. No reasonable person can dismiss their scholarship, breadth of knowledge, and sensitivity to biblical context. Most significantly, the first edition of the confession contained no proof texts. Apart from Parliament’s insistence, it would have had none. A reluctant Assembly added proof texts not because they feared ‘being unable to support the propositions of the Confession by Scripture’ but because they realised ‘that a complete presentation of Scripture proof would have required a volume.’²⁵ In this case, it is Wells’ approach that is most obviously wanting.

The second example comes from a recent book by Jason Meyer, *The End of the Law*. He writes these words:

²³ Tom Wells and Fred Zaspel, *New Covenant Theology* (Frederick: New Covenant Media, 2002), 72.

²⁴ *Ibid.*, 74.

²⁵ John Murray, ‘The Work of the Westminster Assembly’, *The Presbyterian Guardian*, vol. 11 (1942). See also Letham, *Westminster Assembly*, 107, 137.

The NT itself does not make these three distinctions, and no one living under the law of Moses seriously thought they could pick which parts were binding and which were optional. God's law comes as a set with no substitutions. Therefore, exegetes should not read the three distinctions into NT texts that speak of the law as a singular entity. Furthermore, one will find it challenging to divide all laws into three neat, watertight compartments.²⁶

So, as Tony Blair said on his last appearance at the dispatch box, 'That is that. The end.' There we have it, the orthodox view, two thousand years of Christian teaching, written off in seventy-five words—seventy-five words of tilting at windmills, seventy-five words that make one wonder if the author has ever read the confessional explanations of the threefold division. It is not necessary to read beyond *The Westminster Confession* 19.3 to see that the oft-repeated claim that the traditional view divides 'all laws into three neat, watertight compartments' is false. Ceremonial laws, says the confession, contain 'several typical ordinances, *partly* of worship, prefiguring Christ...and *partly* of divers instructions of moral duties.' Nonetheless, many who reject the threefold division do so because they do not believe it is biblical. The chapters that follow will therefore discuss the biblical and theological basis for the threefold division of the law. Before coming to that, however, I will summarise recent comment on the subject, sketch the historical roots of the doctrine, and say something about theological method.

FOR OR AGAINST? MOSTLY AGAINST

According to John Barton, 'Protestant moral teaching' differs from Catholic moral theology in that 'it has often only concerned itself with the right way of life for those who have made a decision

²⁶ Jason C. Meyer, *The End of the Law: Mosaic Covenant in Pauline Theology* (Nashville: B & H Publishing Group, 2009), 282.