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(With Kenneth L. Gentry, Jr.)

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NO OTHER STANDARD
THEONOMY AND ITS CRITICS

Greg L. Bahnsen

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With affectionate memories,
this book is dedicated (at long last) to:

MICKEY AND JUDY SCHNEIDER

And my good friends at
St. Paul Presbyterian Church
in Jackson, Mississippi

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The way to test the greatness and incisiveness of any truly evangelical theology is to ask how it relates Biblical law to God's gospel of grace. The history of the Church's achievement on this issue has not been remarkable or convincing.

The so-called three uses of the law were vigorously debated by the Reformers, and more recently by their descendants, but with few clear exegetical results that have stood the test of time. It is no wonder, then, that when "dominion theology," under the leadership of Greg L. Bahnsen, raised the question of law and grace in a form that few had ever thought of before, a cry of "legalism" went up from evangelicals and fundamentalists. Not only were the traditional unanswered questions of law versus grace and continuity versus discontinuity between the Testaments brought to the forefront again, but now there was added the unresolved issue of the political use of the law. The law/grace question must now be answered in the larger context of the Church/state tension. . . . Now we had to settle all those questions in the context of a fairly extensive ecclesiology and eschatology. [The theonomists] have unleashed a number of furies from a theological Pandora's box. Life will never be the same. But this is not all bad, for the Church has always found that challenges have forced her to grow in her doctrinal expression.

Walter C. Kaiser, Jr.*

*Kaiser, *Journal of the Evangelical Theological Society* 33 (Sept., 1990).

PUBLISHER'S PREFACE

Gary North

In the spring term of 1973, Greg Bahnsen handed in his Th.M. thesis to his committee at Westminster Theological Seminary in Philadelphia: "The Theonomic Responsibility of the Civil Magistrate." The committee accepted it and awarded him his degree that term. There was no controversy about it at the time. No protests were filed, no letters sent to faculty members by outraged presbyters, no protests of reviewers appeared. Westminster even awarded him a small stipend to go on to graduate school.

After a delay of four years, due to circumstances beyond Bahnsen's control, the thesis, with certain additions, was published as a book by Presbyterian & Reformed Publishing Company: *Theonomy in Christian Ethics*. Two years after this, Bahnsen was awarded his Ph.D. in philosophy by the University of Southern California.

Five years earlier, in 1974, his ordination to the teaching eldership (ministry) in the Orthodox Presbyterian Church had been blocked at the last minute – literally a few minutes before the actual ordination – by the protest of an OPC ruling elder. It took a year of procedural activity before his ordination was confirmed.

What had caused such intense hostility? It was the ethical position presented by Bahnsen publicly and defended exegetically in *Theonomy in Christian Ethics*, although the book had yet to appear in print when the elder's attack was launched. A thesis that had raised no public protest on campus subsequently raised blood pressures all over the Reformed world, and even beyond that

circumscribed world. One does not normally expect a master's thesis to create a sensation, but in the context of the late 1970's, this one did. Why?

The reader needs to understand that this controversy was not produced by the style of the presentation. It read like what it was: a master's thesis. It was written as an academic exercise that had been aimed at a committee of professional theologians. While the book is readable by non-theologians, its style is precise, non-confrontational, and even a bit dry, given the magnitude of its content. It was the substance of the thesis, not its style, that created the controversy.

What was Bahnsen's thesis? That the civil and moral laws of the Old Testament are still binding on society in the New Testament era, unless annulled or otherwise transformed by a New Testament teaching, either directly or by implication. In short, *there is judicial and moral continuity between the two testaments.*

Animal Husbandry, Canaanite Style

Appealing to a graphic biblical case law example that I hope will produce no formal protests from presbyteries around the world, let me state my deeply felt opinion that just because bestiality is not specifically condemned in the New Testament as it is in the Old Testament (Lev. 20:15-16), there is no biblical reason to argue that it is no longer a civil crime in God's eyes. Those critics of the Old Testament's case laws who maintain, as dispensationalists do, that an Old Testament civil law is automatically annulled by the New Covenant unless formally reconfirmed by the New Testament, have a theological problem with this law.[1] That dispensationalists hold such a hermeneutic is not surprising; their system is based on the almost total judicial discontinuity of each of seven different covenants in history. On the other hand, that non-dispensationalists also defend a hermeneutic of total judicial discontinuity is remarkable. It leaves them without a biblical theory of civil government. They are forced to appeal to some secular theory of civil law, most often a version of natural law – the

1. Those dispensationalists who regard only Paul's epistles as judicially binding, or narrower still, his prison epistles, have an even greater problem.

assertion of the moral and judicial neutrality of the mind of covenant-breaking man. Yet this myth of neutrality is usually denied by most modern evangelicals. Thus, to acknowledge the continuing authority of the civil law against bestiality, those who deny judicial continuity between the two testaments must resort to strange exegetical gyrations. When they do, this question is legitimate: What about the law's specified civil sanction, execution?

The common answer – "Everyone knows that such action is immoral" – begs the question. If everyone knows this, why was the act formally prohibited in the Old Testament? Didn't everyone also know this during the Old Testament era? And even if everyone did know it, were there some people who violated the law anyway? Furthermore, should we argue (as so many of theonomy's critics argue) that Old Testament civil law applied only to geographical Israel? If everyone knows that bestiality is wrong today, then didn't people also know this outside of Israel during the Old Covenant era?

If they did *not* know, then what happens to natural law theory, the only other alternative for Christians who deny the legitimacy of theonomy? If fundamental ethical and judicial standards are not universal, then natural law theory collapses. If men do not universally acknowledge that bestiality is worthy of death, as the Bible says, then what is left of hypothetically neutral natural law theory, which serves as the theoretical foundation of most versions of Christian political pluralism? Is neutral natural law theory opposed to the Bible? Does such a universal natural law, autonomous from the Bible, actually exist? And if it is a myth of self-proclaimed autonomous man, then what remains besides biblical law as the judicial foundation of righteous civil government? What will the critics of theonomy then propose as a valid substitute for biblical law?

Furthermore, what was the appropriate civil penalty for this crime outside of Israel? The same as in Israel, the theonomist answers. What does the non-theonomist answer? Nothing. If he says "the death penalty," then he opens the door to the same penalty today. If he answers that some other penalty was appropriate, he must show what this penalty was and why it was

appropriate. So, he remains prudently silent. This is the standard response of all of theonomy's critics: prudent but unedifying silence.

Silence Is Not Golden

The offense of theonomy in the minds of its critics is that it forces Christians to choose: standards, sanctions, and theories to defend both standards and sanctions. People do not want to make this choice in an era of religious and political pluralism. They want to remain neutral with respect to God's required civil standards in history. They say that the civil government should also remain neutral. They do not want to appear unliberal, which is to say, they do not want to appear *biblical*. This is especially true of those who teach in humanist-accredited institutions of higher learning, which almost all Christian colleges and seminaries are today. They have submitted the practice of their callings before God to the sanctions of covenant-breakers, not because they are required to do so by perverse civil law (which in some cases they are), but because they want to. Their theology tells them that the civil authorities should bring these professional sanctions only in terms of the hypothetical standards of neutral natural law. They seek to submit institutionally as a public affirmation of their politically pluralistic faith.

To deal with a challenge as comprehensive as Bahnsen's *Theonomy in Christian Ethics* and *By This Standard* (1985),[2] Christian academics have adopted a policy of prudent silence, as I have already said. But their tactics have gone beyond mere silence. They have adopted a black-out. The best recent example took place at Jerry Falwell's Liberty University in late March, 1991. Bahnsen had been invited to speak by Professor Kevin Clausen. Bahnsen spoke a dozen times in classes and evening lectures. When asked to debate him, no faculty member accepted. Only one professor attended, other than Clausen. The day he left, he saw a poster for a faculty symposium to be held in three days: "Reconstruction: What Is It? Is It Biblical? Is It Dangerous?"[3]

2. Tyler, Texas: Institute for Christian Economics.

3. A faculty/student forum: Dr. James A. Borland, Dr. Norman L. Geisler, and Dr. Daniel R. Mitchell. March 28, 1991. Sponsored by the Liberty Center for Research and Scholarship.

They had waited until he was off campus to challenge him.

Professor Norman Geisler, a defender of natural law theory, listed these criticisms of theonomy: legalism, allegorism, over-optimism, postmillennialism, politicism, and revelationism (stressing special revelation rather than general revelation). It is worth noting that at that symposium, Geisler handed out an outline in which he referred to nine published items critical of Christian Reconstruction. Seven of these were dispensational. The eighth was Rodney Clapp's *Christianity Today* essay (Feb. 20, 1987);[4] the ninth was *Theonomy: A Reformed Critique*, edited by William S. Barker and W. Robert Godfrey.[5] This is the book written by the faculty of Westminster Seminary.

Why isn't Geisler willing to debate Bahnsen in public? Why did he wait until Bahnsen was gone to offer his challenge? The question is not difficult to answer, even for non-philosophers. Another easy question to answer: If silence is not golden, what color is it?

Debates Are Won By Arguments

Bahnsen has made his position clear for almost two decades. He now replies to numerous critics who have not understood his clear arguments or who have chosen to answer straw men of their own creation. As Joe Louis said of one fast-footed but ill-fated opponent in the ring, "He can run, but he can't hide." Most of Bahnsen's critics cannot even run. One by one, he overtakes them and disposes of their arguments.

Some of these early criticisms have been cited by recent critics, notably the faculty of Westminster Seminary. One example is the unpublished 1980 essay by Paul Fowler, which he wisely left unpublished. Bahnsen responds to it in this book because it has been cited favorably by several critics over the years. That a number of these early critical reviews were quite short is also significant. It is my view that if the critics had detailed, theologi-

4. My 1987 response is reprinted in my book, *Westminster's Confession: The Abandonment of Van Til's Legacy* (Tyler, Texas: Institute for Christian Economics, 1991), Appendix B.

5. Grand Rapids, Michigan: Zondervan Academie, 1990.

cally defendable criticisms to offer, there would be several books refuting Bahnsen's book. (A symposium is not a book.) What is remarkable is that there have been only two books written in response to *Theonomy*, neither of which received much attention or later citation. Bahnsen dissects both of them in this book.

The critics have neglected the old rule of politics, "You can't beat something with nothing." Where are the critics' judicial, moral, and cultural alternatives? It is not sufficient to argue that Bahnsen's view of biblical law is wrong. The critics have an obligation to their readers and to the Church in general to show what view is correct. They never do. They remain content to leave the Church without any authoritative proclamation to bring before the civil magistrate. This keeps the Church silent, which is exactly what the humanists want. There is an unstated operational alliance between the humanists who hate God's law and the Christian pietists who hate God's law. This alliance leaves the humanists in control of culture and politics, and it leaves the pietists in control of the churches on Sunday morning . . . until the humanists decide to change the rules.

Conclusion

The issue that Bahnsen has raised is biblical law. Therefore, the issue by extension is the legitimacy of the ideal of *Christendom*: the comprehensive kingdom of God in history.[6] The issue is the legitimacy of the Lord's prayer in history *for* history: "Thy kingdom come, thy will be done, in earth as it is in heaven." It is time for the critics of Bahnsen's theological position to explain in detail just what it is that they are offering in its place as a biblical ideal. It is time for them to fight something very specific with something equally specific and equally biblical. So far, they have self-consciously avoided doing this.

But they now have more to do than this. They need to respond to this book. They need to show why Bahnsen's replies to all of them, one by one, are inaccurate. Then they need to tell us

6. Greg Bahnsen, "This World and the Kingdom of God," reprinted in Gary DeMar and Peter Leithart, *The Reduction of Christianity: A Biblical Response to Dave Hunt* (Ft. Worth, Texas: Dominion Press, 1988), Appendix D.

what is correct biblically. If they refuse, they are admitting by their silence that they have no biblical answers to his position, and have had none since 1977.

Gentlemen, if any of you believe that I have overstated the case, you can prove me wrong. Just get a book out in reply. Then Dr. Bahnsen will have another opportunity to clarify his position in a book aimed specifically at yours. What will it be: Your prudent but deafening silence or the next phase of the theonomy debate? It is now your decision. A lot of people are waiting to hear from you. Please, no more hit-and-run attacks.

"All scripture is inspired of God and profitable. . . for instruction in righteousness"

2 Timothy 3:16

"And be not fashioned according to this world, but be transformed by the renewing of your mind, that you may approve what is the good and acceptable and perfect will of God"

Romans 12:2

"Bahnsen's advocacy of a presumption of continuity is understandable in a Christian atmosphere given to ignoring the Old Testament in general and its penology in particular. He is summoning the troops to awake from their slumber and their compromises with the evil world around and to recognize the wisdom of the Old Testament."

Dr. Vern Poythress,
Theonomy: A Reformed Critique (1990), p. 121

1

INTRODUCTION TO THE DEBATE

Before it went out of print, my book *Theonomy in Christian Ethics* was banned in the bookstore of a reformed seminary in the South. So are any other books of a theonomic or reconstructionist nature. Books which are critical of the position are openly sold, however. At another reformed seminary it is presently a matter of policy that no teacher – indeed, not so much as a guest speaker – who is theonomic or reconstructionist in conviction may lecture on campus. When *Theonomy* was reviewed in the *Westminster Theological Journal*, the reviewer demanded that nobody be allowed to respond to him in print – and the editor yielded! When a dispensationalist professor who co-authored an entire book condemning reconstructionist theology was invited to debate the issues publicly (with cross-examination), he backed out. These are sorry times for Christian scholarship.

It appears at times that the conservative Christian intellectual world is retreating to a new dark age – one which shuns open investigation of the truth, blackballs those who disagree, and works according to prejudice instead of analysis. Yet our Christian forefathers through the ages staunchly maintained that the truth has nothing to fear from public exposure. They always figured that the easiest (and most honest) way to silence a contrary point of view was to refute it. The desperation to keep the Christian public from contact with hearing or considering the theonomic point of view makes one think we are dealing with pornography, rather than stodgy, age-old Puritan theology!

What is the debate over theonomy all about? What criticisms have been raised against theonomic ethics, and are they really

cogent? Has the heated opposition been appropriate or well-grounded? If Christians are not supposed to take a theonomic approach to society and politics, what is the Biblical alternative? I hope that this book will help answer such questions for you.

Background

My interest in the Christian world-and-life-view has always given my reading, studies, and teaching a focus on philosophical apologetics and Biblical ethics. From an apologetic standpoint, I have been confronted, not only with epistemological and metaphysical questions about the truth of the Christian Scriptures, but also with questions about the practical value of Christianity in addressing matters of contemporary importance – for instance, whether it has any concrete answer to the pressing dilemmas of men and their cultures. From an ethical standpoint, I have been faced with questions about the meaning and justification of moral judgments, the possibility of ethical absolutes, the nature of God's will, the authority of Scripture, the relationship between Old and New Testaments, the respective functions of the Spirit, law, freedom, love, etc.

Such philosophical and ethical issues began to be given earnest attention while I was an undergraduate student at an evangelical college, majoring in philosophy. The fact that I also polemicized against the opening of the college library on Sunday – defending the moral theology which I had acquired in my Reformed church background – generated plenty of challenges (especially dispensational in nature) about the foundations of my convictions. The fact that these were the years of the Viet Nam war, economic upheavals, the civil rights movement, the sexual revolution, and the counter-culture gave added impetus to my ethical reflections, forcing me to ask just how a Christian worldview could speak to the social and political realms in a faithful and distinctive way. Thus my studies, my colleagues, and my culture all worked to push me to attempt a resolution of difficult questions bearing on Christian ethics as it must deal with autonomy in the world and antinomianism in the church.

The result was the book *Theonomy in Christian Ethics*.[1] In it I offered a lengthy, affirmative answer to the question of whether the moral standards (laws) of the Old Testament dispensation were still morally authoritative today, along with New Testament teaching, and if so, whether they provided the Christian with socio-political norms for modern culture. It was not a novel thesis, but one sanctioned for over five hundred years by many leading Reformed theologians. Advocating it – and especially its political usefulness – in the pragmatic and relativistic milieu of the late twentieth century was, however, novel. R. J. Rushdoony must be credited for being a courageous (and nearly lone) voice for this pro-nomian, covenantal view of the Old Testament's social relevance in my generation.[2] Although I do not agree with everything he has written, the more I studied and reflected upon the essentials of his outlook, the more I realized that they had firm Biblical support, regardless of their unpopularity.

Theonomy in Christian Ethics argued that God's word is authoritative over all areas of life (the premise of a Christian world-and-life view). It argued that within the Scriptures we should presume continuity between Old and New Testament moral principles and regulations until God's revelation tells us otherwise (the premise of covenant theology). It argued therefore that the Old Testament law continues to offer us an inspired and reliable model for civil

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1. Greg L. Bahnsen, *Theonomy in Christian Ethics* (Nutley, New Jersey: The Craig Press, 1977). After a couple of reprints (1979, 1983), the book was published in expanded and hardback form (Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Co., 1984). The first draft of this manuscript had actually been submitted to the publisher in 1971 (after my first year in seminary), and a few sections were revised and expanded as my master's thesis at Westminster Theological Seminary. After a series of typesetting and printer delays, the book appeared in 1977; by that time I was finished with my doctoral exams and had taken a position teaching apologetics and ethics at a theological seminary.

2. See for instance his massive *Institutes of Biblical Law* (Nutley, New Jersey: Craig Press, 1973) and his popular essays, *Law and Liberty* (Fairfax, VA: Thoburn Press, 1971). In 1974 the *Journal of Christian Reconstruction* began to be published twice a year with Dr. Gary North as editor. Interestingly, the view that the principles of God's law (summarized in the Decalogue) provide a total view of ethical life and a fundamental basis for social reform was advanced earlier in this century by Elton Trueblood. Trueblood's little book on the ten commandments carried the proleptic title *Foundations for Reconstruction* (New York: Harper and Brothers Publishers, 1946)!

justice or socio-political morality (a guide for public reform in our own day, even in the area of crime and punishment).

The book was met with far greater enthusiasm than I ever reasonably expected – and a handful of very strong reviews. I never anticipated it to be a piece of literature which appealed to a wide reading audience. The subject matter had an academic cast (exegetical and theological reasoning about the normative standard of conduct), the text was long and detailed (justifying the occasional charge of overkill), and the prose was sometimes ponderous and at other times polemical. Still, for all those genuine drawbacks, it obviously touched – and continues to touch – on matters of vital moral concern to others like myself. It also occasioned "spirited" opposition (to put it politely).

Yes, but what censors have done generally for pornography, the critics have done for theonomy. They have brought it much greater attention than it would have gained, encouraged greater inspection, and in the end made it much more popular.

The criticisms have come in all shapes and sizes, from many quarters, and have approached the subject from a wide variety of angles. Some of them have been of charitable spirit and responsible in their scholarship, obviously searching for fidelity to God's word. Many have displayed lesser qualities. This volume is my grateful response to all of the kinds of critics – writers who in one way or another have tried to analyze, understand, and exegetically refute the position, or (on the other hand) discredit, obfuscate, distort, censor, or frighten the public about what has come to be called the theonomic viewpoint.

In some institutional settings, the more ignoble (and usually less competent) critics have minimally gotten their way, while in the broader marketplace of ideas, they have steadily undermined themselves. By returning the favor – and now criticizing the critics – perhaps I can be of some small service in explaining why it seems that the more Christians actually study the issues involved the more they see the Biblical strength and warrant for theonomic ethics.

My hope is that this effort will be appreciated by friends and foes alike, for it should in some measure clarify matters, focus on

just what is at stake, and by exposing errors (directly those of others, or indirectly my own) serve to bring us all closer to a proper conception of what God speaks in His holy word. While it would be easy to fasten on personalities and untoward events which have played a role over these last years in theonomic disputes (in educational institutions, churches and presbyteries) – pointing out how their meanness, deceptions, or unfairness reveal the theological weakness or indefensible stance of certain opponents – here it would be better to pay greater attention to the intellectual issues themselves, considering simply the merit of the cases which have been set forth. The assumption is that all participants in the debate are interested above all in finding and promoting the truth of God, and thus an open consideration of the issues and criticism of mistakes which have been made cannot but help us all achieve that goal. Our aim in this on-going "debate" is to serve the Lord of the truth and, thereby, move the Christian community into a better position to present a world-and-life-view which constitutes a serious and specific alternative to the secular humanism which has inundated us like a flood in our generation.

Relevant Literature

Apart from the very sketchy summary of the theonomic position which is offered below, this book will take for granted that readers are familiar with the contours and content of the position. It is set forth and explained in my following publications:

Theonomy in Christian Ethics (1977, 1984)

By This Standard: The Authority of God's Law Today (1985)[3]

"The Theonomic Position" in *God and Politics: Four Views* (1989)[4]

"The Reconstructionist Option" in *House Divided* (1989)[5]

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3. Greg L. Bahnsen, *By This Standard: The Authority of God's Law Today* (Tyler, Texas: Institute for Christian Economics, 1985).

4. *God and Politics: Four Views on the Reformation of Civil Government*, ed. Gary Scott Smith (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1989), pp. 21-53.

5. Greg L. Bahnsen and Kenneth L. Gentry, Jr., *House Divided: The Break-up of Dispensational Theology* (Tyler, Texas: Institute for Christian Economics, 1989), pp. 29-44.

A number of taped lectures or series, including three courses on Christian ethics or political ethics, present the theonomic outlook and answer questions about it.[6]

The view has also been nicely summarized and presented by a number of other authors over the past few years.[7] The present volume is not the first publication to respond to the critics of the theonomic position.[8] Readers should be aware of the following other resources:

The "Preface to the Second Edition" of *Theonomy*[9] (1984) was a brief, systematic answer to those who had misrepresented or attempted to refute the theonomic approach to ethics up to that point.

Chapters 29-30 in *By This Standard*[10] (1985) responded to arguments against the general validity of the Old Testament law, and then against the political use of that law. Various criticisms were also taken up and answered in previous chapters dealing with

6. These are available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603. For example:

"The Immutability of God's Commandments" (#339), "Paul's View of the Law" (#341), "Separation of Church and State" (#346), "Capital Punishment" (#352), "The Theonomic Thesis Presented to Dispensational Pluralists" (#171-174), "Christian Ethics" (#256-276, or #277-294), "Christian Political Ethics" (#295-302), "Autonomy vs. Theonomy" (#515-518), "The Theonomic Approach to Ethics" (#303-308), "Responsible Living Today" (#309-315), "Christian Conduct" (#316-321), "Theonomic Ethics Explored" (#322-325), "A Theonomic View of Politics" (#326-328), "A Reconstructionist View of Civil Law" (#329-331).

7. For example, see the following works by Gary DeMar: *God and Government*, 3 vols. (Atlanta: American Vision Press, 1982, 1984, 1986); *The Reduction of Christianity*, with Peter Leithart (Atlanta: American Vision Press, 1988); *The Debate Over Christian Reconstruction* (Atlanta: American Vision Press, 1988).

8. At the end of the Preface to the expanded edition of *Theonomy*, I referred to a volume which I had written and was awaiting publication: *The Debate Over God's Law*. This was a very long and detailed reply to critics up to that point (1983) – actually impractically long (e.g., over 125 pages alone on two critics of the theonomic exegesis of Matthew 5:17-19). The intended publisher eventually decided against the expense of publication (although making photocopies of chapters available). The present volume will have to take the place of the previous project. This allows me to take in a wider scope of critics (those since 1983), but does not permit the same depth of analysis. *Some* portions of the earlier manuscript have been utilized or boiled down for inclusion in the present work.

9. *Theonomy in Christian Ethics*, expanded edition, pp. xi-xxvii.

10. *By This Standard: The Authority of God's Law Today*, pp. 303-340.

individual topics.

In *God and Politics: Four Views* (1989) the reader will find pointed interaction between four positions (including theonomy) which were advanced at a conference sponsored by various reformed groups and held at Geneva College (1987). In particular, one should consult the interchange with "principled pluralism."[11]

The specific purpose of *House Divided* (1989) was to offer a rebuttal to a book written by two dispensationalists against reconstructionist thought.[12] The book was *Dominion Theology: Blessing or Curse?* by Wayne House and Thomas Ice.[13] Dr. Ken Gentry answered the critique of postmillennialism, while I replied to the critique of theonomic ethics.

In a forthcoming book to be published by Zondervan and entitled *Law, Gospel, and the Modern Christian: Five Views* (ed. Wayne Strickland), the theonomic approach to the Old Testament law interacts with four other positions (from modified Lutheran to dispensational), represented by Walter Kaiser, Douglas Moo, Wayne Strickland, and Willem VanGemeren.

A number of articles and tapes should be mentioned here as well:

"The Authority of God's Law" (1978) appeared in the *Presbyterian Journal* as a brief answer to previous criticism of theonomy which had been written by the editor, Aiken Taylor.[14]

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11. *God and Politics: Four Views*, chapters 2, 6 (by Carl Bogue), and 17.

12. "Reconstructionism" popularly names a theological combination of positions which usually includes presuppositional apologetics, a postmillennial view of eschatology, and a theonomic view of ethics (cf. the name of the journal started when R. J. Rushdoony, Dr. Gary North, and I were all working together at the Chalcedon Foundation: *The Journal of Christian Reconstruction*). Dispensationalists House and Ice wrote to warn their readers against the "curse" represented by the last two viewpoints.

13. Portland, Oregon: Multnomah Press, 1988.

14. See vol. 37, no. 32 (Dec. 6, 1978) for my reply to Taylor's "Theonomy and Christian Behavior" in issue no. 20 (Sept. 13, 1978). Taylor perpetuated his critique in issues for Sept. 20, Nov. 1, and Dec. 6. A lengthy and detailed essay rebutting Taylor (including his subsequent articles) was entitled "God's Law and Gospel Prosperity, A Reply to the Editor of the Presbyterian Journal" and was distributed by the Session of St. Paul's Presbyterian Church in Jackson, Mississippi. (A photocopy of it is available from Covenant Tape Ministry, 24198 Ash Court, Auburn CA 95603.)

"M. G. Kline on Theonomic Politics: An Evaluation of His Reply" (1980) was a methodical cross-examination of a scandalously bad article on *Theonomy* which Meredith Kline published in the *Westminster Theological Journal*. It was necessary for me to publish my rebuttal in the *Journal of Christian Reconstruction*.[15]

"Should We Uphold Unchanging Moral Absolutes?" (1985) appeared in the *Journal of the Evangelical Theological Society* as a reply to an earlier essay in that same journal by Doug Chismar and David Rausch, in which they criticize arguing for the law's continuing validity from God's immutability.[16]

"What Kind of Morality Should We Legislate?" and "For Whom Was God's Law Intended?" (both 1988) were articles published in *The Biblical Worldview*, distributed by American Vision in Atlanta. They answered criticism of the theonomic view which had been popularized by Norman Geisler.[17]

At the annual meeting of the Evangelical Theological Society for 1984 in Toronto I publicly debated the subject of theonomic ethics with Dr. Paul Feinberg, a teacher at Trinity Evangelical Divinity School (and son of the well-known dispensationalist at Talbot Seminary, Louis Feinberg).[18]

"Theonomy and Its Critics" is a six-tape series of lectures given in Ashland, Ohio, addressing different types of theonomic criticism, grouped together in categories.[19]

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15. *Journal of Christian Reconstruction*, vol. 6, no. 2 (Winter, 1979-80), pp. 195-221. Kline's review article appeared in the *Westminster Theological Journal*, vol. 41, no. 1 (Fall, 1978), pp. 172-189. Despite the listed date, the volume did not appear from the printer until mid-1980. I offered my printed response to Robert Godfrey, the current editor of WTJ, only to be told that he had promised Dr. Kline that, if Kline published his critique of theonomy, nobody would be allowed to interact with it. Not meaning to be discourteous, I must say that I am still shocked at this cowardice and collusion. For the sake of the good name of WTJ, I would add that a subsequent editor who looked into this affair a few years later wrote an apology to me.

16. My article appears in vol. 28, no. 3, pp. 309-315. The previous piece by Chismar and Rausch, entitled "Regarding Theonomy: An Essay of Concern," appeared in vol. 27, no. 3, pp. 315-323.

17. My essays appeared in vol. 4, nos. 10 & 12 (Oct., Dec. 1988). Geisler had written "Crosscurrents: A Premillennial View of Law and Government" for *Moody Monthly* (Oct., 1985), pp. 129-131.

18. A tape of the debate is available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603; request tape #340.

19. Available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603; request tapes #332-337.

My "Foreword" to Gary DeMar's *The Debate Over Christian Reconstruction* offers a sincere moral admonition against the continuing slurs and misrepresentations made by certain critics of the theonomic position.[20]

A variety of shorter letters to editors also aimed to correct the record, especially over erroneous representations of the theonomic viewpoint.[21]

A Brief Synopsis of Theonomy[22]

Any conception of the role of civil government that claims to be distinctively "Christian" must be explicitly justified by the teaching of God's revealed word.[23] Anything else reflects what the unbelieving world in rebellion against God may imagine on its own. If we are to be Christ's disciples, even in the political realm, it is prerequisite that we abide in His liberating word (John 8:31). In every walk of life, a criterion of our love for Christ or lack thereof is whether we keep the Lord's words (John 14:23-24)

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20. DeMar, *Debate*, pp. ix-xvii.

21. For instance, see: "About Law," *Presbyterian Guardian*, vol. 47, no. 3 (March, 1978), pp. 9-10; response to a review by Walter Chantry in *The Banner of Truth*, issue 178 (July, 1978), pp. 30-31; "Strong Complaint" in *Christianity Today*, vol. 25, no. 21 (Dec. 11, 1981), p. 8; "Puritans Were Theonomists" in *New Horizons*, vol. 6, no. 1 (Jan., 1985), p. 2.

22. The opening portion of this short summary of theonomic principles is taken from the first part of my position paper in *God and Politics: Four Views on the Reformation of Civil Government*, pp. 21-25. The summary has appeared in a few places, sometimes in shorter, sometimes longer, form. Cf. *By This Standard: The Authority of God's Law Today* (Tyler, Texas: Institute for Christian Economics, 1985), pp. 345-348; "Ten Theses of Theonomy" in *Journey*, vol. 1, no. 6 (Nov.-Dec., 1986), p. 8; "Christ and the Role of Civil Government" in *Transformation*, vol. 5, no. 2 (April-June, 1988), pp. 24ff. The annotation upon the enumerated principles is taken from chapter 31 in *By This Standard.*

23. God's word is of course found not only in special revelation (Ps. 19: 7-14), but also in natural revelation (vv. 1-6). And to whatever degree unbelievers do civic good, and whenever there has been anything like a reasonably just government in non-Christian lands, it is to be credited to common grace and natural revelation. Scripture is nonetheless our final authority. In a fallen world where natural revelation is suppressed in unrighteousness (Rom. 1:18, 21), special revelation is needed to check, confirm, and correct whatever is *claimed* for the content of natural revelation. Moreover, there are no moral norms given in natural revelation which are missing from special revelation (2 Tim. 3:16-17); indeed, the content and benefit of special revelation exceeds that of natural revelation (cf. Rom. 3:1-2).

rather than founding our beliefs upon the ruinous sands of other opinions (Matt. 7:24-27). And as those especially in the Reformed heritage confess, to the extent that our view of civil government (or any matter) does adhere faithfully to Scripture, that view stands above any and all challenges which stem from human wisdom and tradition (Rom. 3:4; 9:20; Col. 2:8).

Thus Christians who advocate what has come to be called the "theonomic" (or "reconstructionist") viewpoint[24] reject the social forces of *secularism* which too often shape our culture's conception of a good society. The Christian's political standards and agenda should not be set by unregenerate pundits who wish to quarantine religious values (and thus the influence of Jesus Christ, speaking in the Scripture) from the decision-making process of those who set public policy. Theonomists equally repudiate the *sacred/secular dichotomy* of life, which is the *effect* of certain extra-scriptural, systematic conceptions of Biblical authority that have recently infected the Reformed community[25] – conceptions which imply that present-day moral standards for our political order are not to be taken from what the written word of God directly and relevantly

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24. From the theonomist's standpoint, there really is no need for a new or distinctive label, since the position is deemed essentially that of Calvin (cf. his sermons on Deuteronomy), the Reformed Confessions (e.g., the Westminster Confession, chapters 19, 20, 23 and the Larger Catechism's exposition of the Ten Commandments), and the New England Puritans (cf. *Journal of Christian Reconstruction*, vol. 5, no. 2 [Winter, 1978-79]). Even as hostile an opponent as Meredith Kline concedes that the theonomic view was that of the Westminster Confession of Faith (see his review-article in the *Westminster Theological Journal*, vol. 41, no. 1 [Fall, 1978], pp. 173-174).

25. Two pertinent illustrations are found in (1) the Dooyeweerdian scheme of dichotomizing reality into modal spheres having their own peculiar laws and (2) Meredith Kline's idea of dichotomizing the canonical authority of various elements of Scripture, both between and within the two testaments. In the former case, explicit Biblical texts pertaining to civil government may not provide a Christian view of the state, for Scripture is said to apply directly only to the modal sphere of "faith" (cf. Bob Goudzwaard, *A Christian Political Option* [Toronto: Wedge, 1972], p. 27). In the latter case, the moral authority of certain elements of Scripture is arbitrarily dismissed on the basis of separating (without conceptual cogency or exegetical justification) faith-norms from life-norms, individual-norms from communal-norms, and "common-grace" principles from "eschatological-intrusion" principles – implying that the most explicit Biblical directions about political ethics may not be utilized today (*The Structure of Biblical Authority* [Grand Rapids: Eerdmans, 1972]).

says about society and civil government. This sacred/secular stance is a theologically unwarranted and socially dangerous curtailing of the scope of the Bible's truth and authority (Ps. 119:160; Isa. 40:8; 45:19; John 17:17; Deut. 4:2; Matt. 5:18-19).

We beseech men not to be conformed to this world, but transformed by the renewing and reconciling work of Jesus Christ so as to prove the good, acceptable and *perfect will* of God in their lives (2 Cor. 5:20-21; Rom. 12:1-2). We call on them to be delivered out of darkness into the kingdom of God's Son, who was raised from the dead in order to have pre-eminence in *all* things (Col. 1:13-18). We must "cast down reasonings and every high thing which is exalted against the knowledge of God, bringing *every* thought into captivity to the obedience of Christ" (2 Cor. 10:5) in whom "*all* the treasures of wisdom and knowledge are deposited" (Col. 2:3). Thus believers are exhorted to be holy in all manner of living (I Peter 1:15), and to do whatever they do for the glory of God (I Cor. 10:31). To do so will require adherence to the written word of God, since our faith does not stand in the wisdom of men but rather in the work and teaching of God's Holy Spirit (I Cor. 2:5, 13; cf. I Thes. 2:13; Num. 15:39; Jer. 23:16). That teaching, infallibly recorded in "*every* scripture" of the Old and New Testaments, is able to equip us "for *every* good work" (2 Tim. 3:16-17) – thus even in public, community life.

For these reasons theonomists are committed to the *transformation* (reconstruction) of every area of life, *including* the institutions and affairs of the socio-political realm, according to the holy principles of God's revealed word (theonomy). It is toward this end that the human community must strive if it is to enjoy true justice and peace. Because space will not allow a full elaboration, with extensive qualifications and applications, of the theonomic position here, it may prove helpful to begin with a systematic overview and basic summary of the theonomic conception of the role of civil government in terms of Christ's rule as King and of His inscripturated laws:

> 1. The Scriptures of the Old and New Testaments are, in part and in whole, a verbal revelation from God through the words of men, being infallibly true regarding all that they teach on any subject.

2. Since the Fall it has always been unlawful to use the law of God in hopes of establishing one's own personal merit and justification, in contrast or complement to salvation by way of promise and faith; commitment to obedience is but the lifestyle of faith, a token of gratitude for God's redeeming grace.

3. The word of the Lord is the sole, supreme, and unchallengeable standard for the actions and attitudes of all men in all areas of life; this word naturally includes God's moral directives (law).

4. Our obligation to keep the law of God cannot be judged by any extrascriptural standard, such as whether its specific requirements (when properly interpreted) are congenial to past traditions or modern feelings and practices.

5. We should presume that Old Testament standing laws[26] continue to be morally binding in the New Testament, unless they are rescinded or modified by further revelation.[27]

6. In regard to the Old Testament law, the New Covenant surpasses the Old Covenant in glory, power, and finality (thus reinforcing former duties). The New Covenant also supersedes the Old Covenant shadows, thereby changing the application of sacrificial, purity, and "separation" principles, redefining the people of God, and altering the significance of the promised land.

7. God's revealed standing laws are a reflection of His immutable moral character and, as such, are absolute in the sense of being non-arbitrary, objective, universal, and established in advance of particular circumstances (thus applicable to general types of moral situations).

8. Christian involvement in politics calls for recognition of God's transcendent, absolute, revealed law as a standard by which to judge all social codes.

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26. Standing law" is used here for *policy* directives applicable over time to classes of individuals (e.g., do not kill; children, obey your parents; merchants, have equal measures; magistrates, execute rapists), in contrast to particular directions for an individual (e.g., the order for Samuel to anoint David at a particular time and place) or positive commands for distinct incidents (e.g., God's order for Israel to exterminate certain Canaanite tribes at a certain point in history).

27. By contrast, it is characteristic of dispensational theology to hold that Old Covenant commandments should be *a priori* deemed as abrogated – unless *repeated* in the New Testament (e.g., Charles Ryrie, "The End of the Law," *Bibliotheca Sacra*, vol. 124 [1967], pp. 239-242).

9. Civil magistrates in all ages and places are obligated to conduct their offices as ministers of God, avenging divine wrath against criminals and giving an account on the Final Day of their service before the King of kings, their Creator and Judge.

10. The general continuity which we presume with respect to the moral standards of the Old Testament applies just as legitimately to matters of socio-political ethics as it does to personal, family, or ecclesiastical ethics.

11. The civil precepts of the Old Testament (standing "judicial" laws) are a model of perfect social justice for all cultures, even in the punishment of criminals. Outside of those areas where God's law prescribes their intervention and application of penal redress, civil rulers are not authorized to legislate or use coercion (e.g., the economic marketplace).

12. The morally proper way for Christians to correct social evils which are not under the lawful jurisdiction of the state is by means of voluntary and charitable enterprises or the censures of the home, church, and marketplace – even as the appropriate method for changing the political order of civil law is not violent revolution, but dependence upon regeneration, re-education, and gradual legal reform.

Notice what these principles tell us about the theological and moral character of theonomic ethics. The foundational authority of scripture (#1) and the precious truth of salvation by grace alone (#2) provide the context within which every other theonomic thesis is developed and understood. "Theonomic" ethics is committed to developing an overall Christian world-and-life-view (#3) according to the regulating principle of *sola Scriptura* (#4) and the hermeneutic of covenant theology (#5). The new and better covenant established by Christ does offer Biblical warrant for recognizing changes in covenantal administration (#6), but not changes in moral standards, lest the divinely revealed ethic be reduced to situationism or relativism – just one tribal perspective among many in the evolutionary history of ethics (#7). Righteousness and justice, according to Biblical teaching, have a universal character, precluding any double-standard of morality.

"Theonomic" ethics likewise rejects legal positivism and maintains that there is a "law above the (civil) law" to which appeal

can be made against the tyranny of rulers and the anarchy of overzealous reformers alike (#9). Since Jesus Christ is Lord over all (cf. #3), civil magistrates are His servants and owe obedience to His revealed standards for them (#9). There is no Biblically based justification (cf. #5) for exempting civil authorities from responsibility to the universal standards of justice (cf. #7) found in God's Old Testament revelation (#10). Therefore, in the absence of Biblically grounded argumentation which releases the civil magistrate from Old Testament social norms (cf. #5, #6), it follows from our previous premises that in the exercise of their offices rulers are morally responsible to obey the revealed standards of social justice in the Old Testament law (#11). This does not mean, however, that civil rulers have unlimited authority to intrude just anywhere into the affairs of men and societies (#11 #12); their legitimate sphere is restricted to what God's word has authorized them to do – thus calling for a limited role for civil government. Finally, Christians are urged to use persuasive and "democratic" means of social reform – nothing like the strong-arm tactics slanderously attributed to the theonomic program (#12).[28]

In this book, I will attempt to respond to many of the criticisms of the theonomic position – certainly the major objections which have been raised – in a topical fashion. I will consider first the definition and distinctiveness of the position known as "theonomy." The next section of the book addresses various kinds of logical and theological fallacies which deter the effectiveness of

28. For example, the main thrust of a widely read article on theonomic ethics by Rodney Clapp in *Christianity Today*, vol. 31, no. 3 (Feb. 20, 1987), was captured in its title: "Democracy as Heresy." He recklessly accuses theonomists of seeking "the abolition of democracy" (p. 17), when surely Clapp is aware that the word 'democracy' is susceptible to an incredibly wide range of definitions and connotations (e.g., from an institution of direct rule by every citizen without mediating representatives to a governmental procedure where representatives are voted in and out of office by the people, to the simple concepts of majority vote or social equality, etc.). Theonomists are opposed to some of those ideas, but surely not to what is commonly understood by the word: namely, democratic procedures for choosing representatives to rule. Indeed, in reply to Mr. Clapp's inflammatory rhetoric, Dr. Gary North very appropriately pointed out as a historian the irony that it was precisely our Puritan (and theonomic) forefathers who fought for and established this kind of "democracy" in the Western world!

so many critics: emotional appeals to the horrid examples of what the Old Testament law commanded, arguments from subjective impressions or from silence, and criticisms which claim theonomy has the wrong emphasis or is too simplistic in its reasoning.

We come then to theological arguments against theonomy which attempt (too ambitiously) to dismiss whole sections or categories of Old Testament law in one swoop; critics who operate in this fashion are using a meat cleaver where a scalpel is more appropriate. We consider dispensational critics and those who argue on the basis of change from Old to New Covenant, criticisms pertaining to categories of the Old Testament law or the theocratic uniqueness of Old Testament Israel. (The exegesis of Matthew 5:17-19 which Biblically grounds the theonomic presumption of continuity with the Old Testament law is defended in an appendix.)

Finally, having attempted to clear the air of fallacious kinds of reasoning and arguments which are too broad, the final section of this book concentrates on what amounts to the central controversy over theonomic ethics: its application to political affairs. I will respond to criticisms pertaining to church-state separation, the use of the Old Testament law in modern civil government, and then – the most controversial part of the theonomic thesis – the penal sanctions of the Old Testament. I conclude with a plea to theonomic critics that they have presented no Biblically grounded and theoretically, hermeneutically self-conscious alternative to theonomic politics.

The focus of this volume will be on the hermeneutical, exegetical, theological, and political matters which have been raised by the critics of theonomic ethics. In my opinion, they have not found any major defect in theonomic thinking which would require an abandonment of its distinctives. Obviously, the reader will need to be the judge of that. I hope that the issues will be considered fairly and according to the highest standards of Christian scholarship – whether in logic, exegesis, or theological method. When they are, I hope that you will agree with my basic assessment. My one regret is that constraints of time and space do not permit me also to address the theologically subordinate matter of theonomy

in church history, particular applications of the theonomic thesis, sociological speculation concerning the "movement," etc. Although such matters are but a sidelight to the hermeneutical and theological controversy, they are of interest to me, naturally, and are areas where I think there has been considerable misunderstanding. But that will need to await another day.[29]

29. By way of acknowledgment, I wish to extend my gratitude to Gary North for patiently supporting this publication through to its completion. I am grateful to the Southern California Center for Christian Studies for supporting my writing and lecturing, granting me time to write this book. (For information about the center and its activities, write to SCCCS, P. O. Box 18021, Irvine, CA 92713). The affection and extra help around home given me by my four children during the compressed time of composing and preparing the book will be remembered with thankfulness. Finally, I wish to thank Virginia Bahnsen and Marc Porlier for their valuable help in preparing and proofreading the manuscript – truly labors of love. Above all I thank the Lord Jesus for being so gracious as to call me into His eternal kingdom, and I pray that my thinking and teaching might more faithfully serve Him who is worthy of all praise as the Lamb of God and King of kings.

"Man shall not live by bread alone, but by every word that proceeds from the mouth of God."

Matthew 4:4

"Just as He who called you is holy, you yourselves also be holy in all manner of living: because it is written 'You shall be holy, for I am holy'."

1 Peter 1:15-16

"So 'the abiding validity of the law in exhaustive detail' isn't quite what it may appear to be at first glance. . . . Thus theonomy is not quite as radical as one might have initially supposed. . . . The reconstructionists find much in the Old Testament law that we cannot follow literally today. . . . The disagreements and divisions within the reconstructionist movement itself indicate that these tasks [of interpretation and application] are not at all simple."

John Frame,
Theonomy: A Reformed Critique (1990), pp. 91, 92

"Although there may be some differences among those adhering to a theonomic ethic, they who wish to follow the whole of God's law as their moral principle are definitely set apart in theological-ethical alignment from . . . those who force Scripture onto a dispensational Procrustean bed, and the proponents of redirecting the focus of Christian life and behavior into a narrow ecclesiasticism. The advocates of a theonomic ethic . . . hold that God's commandments (inclusive of the Older Testament) are neither mere artifacts in a religious museum nor suspended ideals (over an age of parenthesis) appropriate only for the coming day of consummation."

Theonomy in Christian Ethics (1977), p. xxx

2

A RECOGNIZABLE, DISTINCT POSITION

A book addressing the place of God's law in Christian ethics and employing the term "theonomy" could turn out to take any number of positions on the subject. This term has been utilized by serious Reformed scholars (Willem Geesink, Herman Bavinck, Cornelius Van Til), popularizers (R. C. Sproul), and heretical writers alike (e.g., Karl Barth, Paul Tillich). There is no necessity, then, for identifying "theonomic ethics" as the position taken in my book *Theonomy in Christian Ethics*; nevertheless, that label has come to be conveniently attached to the view advocated there.[1] The position is sometimes designated "reconstructionist" as well.[2]

Who Speaks for the Position?

Theonomic ethics is a definable and distinct school of thought. That school of thought is unified by certain fundamental princi-

1. Critics of the position were the first to use such nomenclature (cf. D. Dunkerley, "What is Theonomy?" [privately distributed: McIlwain Memorial Presbyterian Church, Pensacola, Florida, 1978]). Aiken Taylor wrote that this outlook "has become recognized by the title *Theonomy*" ("Theonomy and Christian Behavior," *The Presbyterian Journal*, vol. 37, no. 20 [Sept. 13, 1978], p. 9). The "Report of the Committee to Study 'Theonomy'" presented to Evangel Presbytery (P.C.A.) on June 12, 1979, stated that "in its narrower sense . . . 'Theonomy' is a definite school of thought . . . advocated by the writings of Rousas J. Rushdoony, Gary North, and Greg L. Bahnsen" (p. 3). Many other illustrations are available: e.g., D. A. Rausch and D. E. Chismar, "The New Puritans and Their Theonomic Paradise," *The Christian Century*, vol. 100, no. 23 (Aug. 3-10, 1983).

2. "Reconstructionism" (cf. *The Journal of Christian Reconstruction*) names a broader theological outlook which includes (at least) a postmillennial view of eschatology, a theonomic view of ethics, and (usually) a presuppositional approach to apologetics patterned after C. Van Til.

ples of Biblical reasoning about ethics ("ethical hermeneutics or meta-ethics," if you will) – rather than by unanimity in the particular application of those principles to concrete issues or cases.[3] The theonomic school of thought is also publicly identifiable in terms of certain recognized spokesmen (teachers, writers, preachers) – rather than in terms of anything and everything anyone who calls himself a "theonomist" says or does. In these respects, the theonomic perspective is like any other school of thought with which we deal as Christian scholars: each has its essential tenets and known spokesmen.

This should be common knowledge, but unfortunately needs repeating here. It will help us focus the target at which critics of theonomy ought to be shooting. In light of these observations, critics should bear in mind that:

1. To criticize the specific ethical conclusion reached by a specific theonomist (that is, the particular application *of* theonomic principles) is not at all the same as criticizing the theonomic view (that is, those underlying *principles themselves*).[4]

2. Theonomists may readily disagree with each other on particular issues in normative ethics, and yet all be genuine adherents of the theonomic perspective and agree on essential points about *how* we should reach ethical conclusions.[5]

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3. Regardless of the disagreements or realignments among theonomists over a number of questions of application, the school of thought "is not so nebulous that certain leading characteristics cannot be identified." So say the editors in the "Preface" to *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 9. In the same volume, though, Bruce Waltke ridicules the theonomic project of applying the Old Testament law to contemporary society because of the "many differences among theonomists" (p. 80). Before Waltke goes too far down this path, he had better stop and reflect upon the many differences between the members of the Westminster faculty (with whom he wrote this critique of theonomy) on how and whether to apply the Old Testament to society today!

4. Such principles like: (1) one may not dismiss an Old Testament moral injunction simply on the basis that it was found in the Old Testament, or (2) one may not dismiss the authority of God's moral standards for any area of life – even society, economics, and politics, or (3) one may not dismiss the validity of God's law for civil magistrates based simply on its disharmony with the contemporary cultural status quo, etc.

5. The attempt to interpret and apply the *details* of God's commandments is a very

3. Not everything taught by someone who calls himself a "theonomist" thereby becomes an essential part of the theonomic school of thought or even (as such) compatible with its essential principles.[6]

Therefore, not everything said or published by theonomists is thereby fair game for criticizing "the theonomic perspective." We all acknowledge this kind of thing in dealing with other schools of thought.

Not everyone who has taken it into hand to offer public criticism of theonomy has honored such scholarly protocols. For in-

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necessary task, but one which leaves much room for controversy and disagreement. I myself do not agree at a number of points with the exegesis or reasoning attempted by many who have been identified as theonomists. A notorious example is R. J. Rushdoony's view that believers ought to observe the dietary laws today, but they are not subject to discipline (even by the church) for failing to observe the law's sabbath regulations (*Institutes of Biblical Law*. n.p.: Craig Press, 1973, pp. 131-133, 151-154, 297-302). A whole host of secondary, detailed disagreements in interpretation or application could be mentioned: e.g., Gary North's endorsement of literal stoning as the method of execution today (*Tools of Dominion: The Case Laws of Exodus*. Tyler, Texas: Institute for Christian Economics, 1990, pp. 44-45) or David Chilton's treatment of the head tax of Exodus 30:11-16 as the province of the civil government (*Productive Christians in an Age of Guilt Manipulators*. Tyler, TX: Institute for Christian Economics, 1981, p. 35). Especially troublesome are certain hermeneutical abuses: for instance I cannot concur with the fanciful stream-of-consciousness connections, allegorical flights, and even numerology proposed by James Jordan (e.g., *The Law of the Covenant*. Tyler, TX: Institute for Christian Economics, 1984, appendices F and G) or the artificial imposition of an imagined, blanket outline (with imprecise, pre-established categories) on Biblical materials suggested by Ray Sutton (*That You May Prosper*. Tyler, TX: Institute for Christian Economics, 1987, e.g., appendices 1-5). It should not be overlooked by critics of theonomy that theonomists are willing to have their views revised by healthy theological criticism and better Biblical exegesis. They are sometimes falsely portrayed as arrogant and unteachable souls who think they never have to change their minds. Such subjective preconceptions are hard to shake for critics who do not keep up with theonomic literature. A good example of how willing theonomists – even those with harsh reputations – are to reform their previous opinions is the fact that Gary North, once distinguished by his view that home mortgages must be limited to seven years, has changed his view. And unlike many critics of theonomy, Dr. North has the humble honesty to publicly admit his corrections (*Tools of Dominion*, pp. 716-718, entitled "Revising Past Mistakes").

6. Just like anybody else, theonomists hold views on a large variety of subjects – not simply ethical hermeneutics! And just like anybody else, theonomists are capable of shallow and inconsistent reasoning, even with respect to their views on ethical hermeneutics.

stance, one writer who aimed to criticize the theonomic position took such a strained approach that he was led to assert things purporting to represent the position which were actually diametrically the opposite of what it actually holds! I wrote and requested a correction of the record. The article stated categorically: "theonomists have a radical principle of unity which fails to distinguish **any** historical uniqueness in the various epochs of redemptive history" – which is directly contradicted by chapter 16 in my book *By This Standard*, pointedly entitled "Discontinuity Between the Covenants on the Law." I have stated: "The redemptive history and national covenant enjoyed by Israel certainly set the Old Testament Jews apart from modern nations as significantly unique" (p. 324). Again: "the redemptive dispensation and form of the kingdom in the Old Covenant has dramatically changed in the New."[7]

Another example: the article stated that theonomy "brings forward into the new covenant age *the same* relation of Church and State that existed under the Mosaic covenant." However, in my published views I say just the opposite: for instance, in the chapter on "Church and State" in *By This Standard* (and many other places) I indicate that "Of course there were many unique aspects to the situation enjoyed by the Old Testament Israelites. . ." (p. 288). I explicitly affirm the proposition that "there are significant. . . differences between our situation today and the church-state situation in Old Testament Israel" (p. 331).

The article goes on to represent theonomists as holding "that a nation today may be in *the same covenant relationship* to God as was Israel in the Old Testament"[8] – a preposterous falsehood. *No* nation stands in special, redemptive covenant with God as did Old Covenant Israel, and that truth has *never* been compromised or questioned.

The response I received was disappointing and inadequate. The author replied that "there is no one theonomic position."

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7. *God and Politics*, ed. Gary Scott Smith (Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Co., 1989), p. 36.

8. "Laws and Wonders" in *Session to Session* (a publication of Wallace Memorial Presbyterian Church, Maryland), vol. 3, no. 4 (Aug.-Sept., 1989), author's name withheld out of courtesy for the (weak) correction the publication eventually made.

This was both inaccurate and self-defeating. There certainly *is* a commonly held set of distinctive doctrines which are known as the theonomic viewpoint – central tenets held by those who have a reputation for being theonomic, despite their differences on other matters (such as application of those central views). The fact that theonomists differ with each other on some points is completely trivial; dispensationalists differ with each other on some – not all – points, and we can still identify the common distinctives of "dispensationalism."

Even more, the author's defense that there is no one theonomic position was, even if true, self-defeating. When he wrote his original, critical essay he did not hesitate to refer to something called "theonomy," as though he were denoting some *identifiable* position! Doing so does not comport with his later defense for misrepresenting the position. The fact remains that *none* of the publicly known writers or exponents of the theonomic position can be indicted for holding the views pinned on the school of thought identified by the label "theonomy."

The author granted that not all "theonomists" hold the view he described in his essay, but that some candidate for the ministry who is known as a "theonomist" had expressed it nevertheless. This was a confession on the author's part that he had given up high standards of Christian scholarship and writing. He knowingly portrayed the theonomic view in a way contrary to what its key spokesmen have published, picking instead the worst and weakest expression of a theonomist (not of theonomy) to criticize instead. Why did he not inform his readers that what he was portraying as "theonomy" was contrary to the best explanations of the position, indeed contrary to what its main proponents have written and taught? Selecting the opinions of an unpublished advocate as the object of criticism, pretending that these opinions are the position itself, is ultimately a waste of time.

The preceding example leads to two further protocols in criticizing the theonomic position, which can be put this way:

> 4. The proper target of criticism ought to be views which are representative of what most recognized theonomists teach and which are essential to the position.

5. Where someone chooses to criticize a particular application of theonomy (instead of theonomy itself), the critic ought to focus upon the strongest reasoning offered for that opinion or, where theonomists disagree, upon the particular opinion most readily defended.

In their effort to criticize the reconstructionist[9] position, House and Ice displayed a tendency to disregard these scholarly requirements.[10] They misled their readers by portraying some particular opinion as being "the reconstructionist view" on a given subject – when in fact there are honest *differences* between reconstructionist writers on that subject which are not duly noticed by the authors or pointed out to the reader. To properly deal with *generic* reconstructionism, then, instead of with a particular author or two, Ice and House should have limited themselves to the commonly accepted, underlying theological distinctives of those called "reconstructionists" (things such as eschatological optimism, the normativity of the whole Bible, etc.). They have confused themselves and their readers by repeatedly shifting between species and genus. To make things even worse, however, the authors sometimes – in full knowledge of scholarly and theological disagreement among reconstructionists[11] – would choose the weaker or more easily faulted opinion to illustrate reconstructionism to their readers.[12] If you are going to do a worthwhile job in criticizing a school of thought, you must choose the best formulations and least controversial versions of it, so that you are accurate and your

9. "Reconstructionism" names a broader theological outlook which includes (at least) a postmillennial view of eschatology and a theonomic view of ethics. Both were the subject of the critique written by House and Ice.

10. H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988). My reply to their disregard for these protocols is found in Greg L. Bahnsen and Kenneth L. Gentry, Jr., *House Divided: The Break-up of Dispensational Theology* (Tyler, Texas: Institute for Christian Economics, 1989), chapter 5.

11. For example, my critique of Sutton's alleged covenantal model (pp. 347-348) or the departure of Sutton and Jordan from theonomic exegesis or reasoning (p. 364).

12. For instance, although they acknowledge in these cases that theonomists hold contrary opinions, Ice and House choose to report and focus upon Rushdoony's idiosyncratic view of the continuing validity of the laws regarding diet and mixed-fiber clothing, and on North's endorsement of stoning as the method of capital

criticisms go to the heart of the matter. Ice and House took the low road here instead.

In short, critics of theonomy ought to focus on the generic school of thought (its essential tenets), selecting those presentations or particular applications which are representative of its key published proponents and which show the school of thought at its best. Where such protocol has not been observed by those who have written against the theonomic school of thought – and it has been often – I will simply request the fair-minded reader to disregard the criticism.

Is the Position Overstated?

David Neilands is one of many critics who object to the "unqualified language" used by theonomists in stating that the law of God remains binding in the New Testament, when in fact they turn around and make exceptions by holding that certain details of the law are no longer to be followed.[13] However, *Theonomy in Christian Ethics* explicitly stated in what sense and how the endorsement of the Old Testament law was to be qualified (even if the book may not have done so when and how Neilands would demand), and so we can only invite greater attention to detail on the part of critics who feel there is a reversal on the part of theonomists. Moreover, if Neilands objects *on principle* to any unqualified statements about the law's continuing validity, he would be forced to censure this declaration as well: "truly, *not one jot or one tittle* will pass away from the Law until heaven and earth pass away." I submit that theological generalizations and statements which do not *explicitly and immediately mention* all of their relevant qualifications should not be universally condemned – lest we condemn our Lord Himself!

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punishment even today (pp. 39, 73-74). It is hard to find other theonomists who agree with Rushdoony on this point (although that does not make him wrong), and it is easy to find other theonomists who can present cogent counter-arguments to North (although his position might be right).

13. David Neilands, "Theonomy and Its Unqualified Language" (privately produced and distributed, in connection with a study committee on theonomy in the Presbytery of Northern California, O.P.C., 1982).

John Frame considers "The Abiding Validity of the Law in Exhaustive Detail" (the title of chapter 2 in *Theonomy*) surely to sound like "a fine brash hypothesis" which dies the death of a thousand qualifications.[14] But that expression meant only to summarize the teaching of Jesus Himself in the particular text at Matthew 5:17-19. Did it not do so correctly? Jesus spoke of the "validity" of the law ("Do not think that I came to abrogate"). Jesus spoke of it "abiding" ("until heaven and earth pass away"). And Jesus spoke of it in exhaustive detail ("not one jot or tittle," "the least of these commandments"). But when Jesus spoke, then, of the abiding validity of the law in exhaustive detail, was it "a fine brash hypothesis" just because the general principle would be qualified by Biblical teaching elsewhere? I do not think we really want to say that. In this connection, Bruce Waltke's disdain for "fine details" and the fear of a second encyclopedic Talmud (as voiced by Rodney Clapp)[15] does not comport well with the words of Jesus about heartfelt concern for jots, tittles and even the least of the commandments (Matt. 5:17-19) – observing the "weightier matters of the law" *without* leaving the other undone (Matt. 23:23).

Has the Position Changed?

It has sometimes been insinuated or explicitly charged by the critics of theonomic ethics that the position has been changed over the years – and changed so often or dramatically that we just cannot tell what theonomic ethics represents anymore. Such criticism is easier to speak than to substantiate. Indeed, it is simply a fabrication. And I should know. The essentials (and virtually all of the detailed argumentation) of the theonomic position have not been reversed, modified or changed in any significant way whatsoever.[16] For example, Ice and House gratuitously

14. John M. Frame, "The One, the Many, and Theonomy," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 89.

15. Theonomy in Relation to Dispensational and Covenantal Theologies," *Theonomy: A Reformed Critique*, p. 80.

16. Only a few peripheral examples even come to mind. I have been persuaded by Daniel Fuller that Romans 3:31 ("we uphold the law" by faith) is better inter-

assert at one point that "Bahnsen has so modified some of his views" that the theonomic position is dying the death of a thousand qualifications.[17] Absolutely no examples or substantiation is given, and I have no idea what they imagine has been modified that is crucial to the position as such. Since the original publication of *Theonomy* there have come along the way fuller explanation and consistent refinement of the thesis, but this is not usually deemed a fault, but a virtue. Moreover, this does not come anywhere close to gutting the thesis of its original claims ("dying the death of a thousand qualifications"). If I say "There is a barn north of the field," I have certainly not qualified-away my statement or challenged its truth by later specifying it further with "There is a red barn north of the field."

Close Resemblances: Is Everyone a Theonomist After All?

In the article which he contributes to a recent book on theonomy by the Westminster faculty, John Frame repeats the theme of recognizing commonality, minimizing differences (which often indicate rhetorical overstatement), and pointing to the need for doing responsible exegesis regarding particular Old Testament commandments instead of relying on any one broad theological principle – the same theme he had previously advanced in a couple of essays with which I had interacted.[18] "Neither broad theological proposal [Bahnsen's paradigm or Kline's paradigm],

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preted – better than I did in *Theonomy* – as Paul saying that his message of salvation through faith endorses or substantiates the same message as found in the Old Testament (the law): see *Gospel and Law: Contrast or Continuum?* (Grand Rapids: Wm. B. Eerdmans, 1980). Likewise, Fuller convinces me that I was wrong to say of Romans 10:4 that it sets aside the law as a way of attaining righteousness – since the law was never presented as such in the Bible anyway (even the Old Covenant). The other example is that I no longer believe (as was suggested on p. 213 in *Theonomy*) that the sanction of death in Lev. 10:8-11 or Num. 4:15 denotes capital punishment – but rather direct, divine intervention to punish the offender with death.

17. House and Ice, p. 20.

18. In "Thoughts on Theonomy" for his seminary ethics class (1984), Mr. Frame suggested that the differences between theonomists and their critics are not clear-cut. I replied that this picture is fuzzy; indeed, there is an objective and precise difference: viz., all theonomists affirm (while non-theonomists deny) that we should presume

taken in itself, requires or forbids the continuing normativity of any biblical law. That question must be answered by exegesis of individual texts. And once we get down to individual texts, Bahnsenian and Klinean exegetical procedures don't differ much from each other." Frame wants to remind us all that neither school of thought "has all the answers,"[19] and he thinks that the positions are not ultimately as far apart as they seem. This is all fine. But it is not the only issue here.

Even if the differences are not so great as they initially seem, is there no core theological difference between theonomists and non-theonomists like Kline? Are we all theonomists (or intrusionists) after all? Frame has to admit otherwise. He says "I am certainly not saying that the positions of Kline and Bahnsen are indistinguishable, or anything of the kind. There are genuine theological differences here."[20] Such theological differences are to be objectively resolved by the teaching of God's inspired word. It is my studied conviction (and has been for years) that teachers who *categorically* dismiss the validity and applicability of the Old Testament law or its socio-political requirements in advance of particular exegesis of texts which would justify doing so – whether they appeal to dispensations, covenant-canons, or theocratic typology, etc. – transgress the Biblically verifiable principle that only God may modify His commandments and expects His people to presume their continuing validity until He indicates otherwise. I also believe that such teaching and thinking have done phenome-

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that Old Testament criminal and penal commands for Israel as a nation (not specially revealed earlier) are a standard for all nations of the earth. Mr. Frame responded in June of 1985 with an essay "Let's Keep the Picture Fuzzy" – switching from considerations of theological truth and error to considerations of attitude and persuasion between the parties.

19. I certainly do *not* believe that theonomists have all the answers. Indeed, in a number of cases I believe the answers they offer are positively wrong! Theonomy was never *intended* to be "rich enough to *determine* the answers to all questions of exegesis and application" – much less an apostate effort to gain a system of ultimate continuity for understanding reality! (Frame, pp. 97, 98). With Frame, I agree that the exegetical work on specific texts remains to be done. It seems that theonomists, though, are more often the ones doing it (even with occasional errors), not so much their critics.

20. Frame, p. 97.

nal ethical damage to the church and its witness in the twentieth-century. That is why I continue to advocate theonomic ethics. It makes a practical difference in determining whether we are open to all the instruction in righteousness which is available in "all scripture" (2 Tim. 3:16-17).

Vern Poythress comments: "Bahnsen's advocacy of a presumption of continuity is understandable in a Christian atmosphere given to ignoring the Old Testament in general and its penology in particular. He is summoning the troops to awake from their slumber and their compromises with the evil world around and to recognize the wisdom of the Old Testament."[21] Not only its wisdom, but likewise its authority.

Close Resemblances: Respecting the Law Without Submitting to Its Authority

Some critics of theonomic ethics take up a position which unwittingly ends up sounding very much like it, although they seem unaware of that fact. Take Walter Chantry, for example. When he wrote *God's Righteous Kingdom*[22] his animosity toward theonomic ethics was explicit, accusing it of mutilating Biblical doctrine, being sinister and aberrant, and advancing a new legalism. The vitriolic condemnation is mystifying, however, in light of the pervasive parallels between his book and theonomy![23] He disagrees with the view that Old Testament commands are canceled unless repeated in the New Testament and holds to the unity of Biblical covenants. He writes that Christians must apply righteous standards in all issues of life in this world, even politics. Chantry even recognizes that the judicial laws of the Old Testament show "in principle" how the gospel message should influence civil laws. He concedes that Christianity does have some useful advice for the crises of modern Western civilization. He even asserts: "we find a general wisdom of God embedded in the judicial system of Moses which can counsel us in modern affairs

21. Poythress, p. 121.

22. Edinburgh: Banner of Truth Trust, 1980.

23. Cf. my 1981 essay "Chantry on Law and Reconstruction" (available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603).

of state." Not only that, but Chantry recommends that we re-examine Western civil laws in the light of the "theocratic" laws of the Old Testament, even regarding a penal issue such as restitution.[24] It thus turns out that, despite his severe denunciation of theonomic ethics, Chantry looks very much like a theonomist at many important points. Indeed, he would have to admit, given what he himself says in his book, that theonomic goals and models for political ethics are *not wrong in principle* after all. Why, then, the exaggerated accusations that theonomy is a sinister mutilation of Biblical doctrine?

Chantry's position is not so different (in principle, anyway) from theonomy as he thinks. Still, it is different. How can we define that variance? The key to understanding it may be found in Chantry's (erroneous) remark that theonomists want "to bind the Christian conscience to live by the entire system of Moses in its exhaustive detail."[25] Theonomists would treat these commandments as a binding moral obligation ("bind on the conscience"), whereas Chantry would simply say that there is a general "wisdom" to the commandments which provides *good advice* to us today. He is willing to "re-examine" our civil laws regarding the punishment of a thief, and he seems to advocate the "greater wisdom" of restitution (as found in the Mosaic law) than the methods used in our modern society (such as imprisonment). However, Chantry represents the execution of blasphemers as out of the question.

In a book written to criticize theonomic ethics,[26] dispensationalists Wayne House and Thomas Ice adopted and refined Chantry's policy of picking and choosing among the Old Testament laws (which have been abrogated, strictly speaking) and utilizing those which appear to have a "wisdom" which commends them to us today. Like Chantry, House and Ice demonstrated a mystifying and dialectical tendency to excoriate theonomic ethics, while

24. Chantry, pp. 25, 121, 122.

25. Chantry, p. 120, 122.

26. H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), pp. 132 134; cf. pp. 86, 87, 100, 119, 137, 186, 187, 188.

at the same time looking for a way to move closer and closer to the position in its actual outworkings! They concede that theonomists "do have something worth saying." In comparing their "wisdom approach" to the law of God with the theonomic perspective, Ice and House themselves end up saying "There is not much difference in how one approaches the Old Testament case laws." Each school of thought feels there is a sense in which these laws are applicable, and each makes some modifications for modern culture. Both approaches love the law of God and follow it because they walk in the Spirit. Nevertheless, it must be added, they insist that in the theonomic approach, the Mosaic commandments "are wrongly taken as law binding on us today."

According to House and Ice, you may choose to follow the provisions of the Mosaic law for reasons which seem persuasive to you, but there is no moral obligation for you or anybody else to do so. Indeed, the nations may look at the precepts of Moses and gain wisdom from them. The laws of Moses may be helpful to us today as examples. "Certainly many of the practical expressions of the law God gave to Israel, and the particular penalties, may be used as a model for establishing civil laws for society, but there is no requirement to do so." "Wisdom is advice with no legal penalties attached," for consideration is given instead to "certain benefits" which will come from following the law's suggestion.

By What Standard?

Since Chantry, House, and Ice all believe that we would do well – would reap certain benefits – to follow *some* of the judicial laws of the Old Testament, but also consider theonomy to be a sinister perversion for advocating *other* judicial laws today, it is only natural for the reader to wonder what standard is to be used (according to these authors) to discriminate between laws which are to be observed and ones which are not. How does anyone know which judicial laws to advocate and which ones to repudiate? Given the emotional denunciation of those who endorse *more* of the Mosaic laws than they would, these authors would be expected to tell their readers what their standard of judgment is.

The reader has a right to know, unless Chantry, House, and Ice expect their own conclusions to be blindly accepted as though they were moral popes for the rest of us.

Is the standard they use to separate the usable (beneficial) Old Testament laws from the unusable ones an objective standard? Can it be communicated and taught to others so that they, using it, could predict and reach the same conclusions as Chantry, House or Ice? An arbitrary and inconsistent standard would be utterly unacceptable. Moreover, if there is an objective standard used by these men, and if it can be communicated (and made predictable), is that standard warranted by the Protestant principle of *sola Scriptura*? A standard grounded in human inclination or imagination would be as unreliable as fallen human nature in general. Finally, the reader would want to thoroughly examine the application of any such objective, teachable, Biblical standard of judgment and see whether Chantry, House and Ice are correct, when all is said and done, that theonomists are willing to follow *too much* of the Old Testament law today. It could just be that these three authors are willing to accept far too little of the wisdom of God found in those laws. But until the authors tell us what standard they are using, nobody can really tell.

The theonomic principle is objective and Biblical in character. Its policy for Old Testament interpretation and for application of the laws found there is that the moral standards revealed by God are all beneficial and continue to be binding unless further revelation teaches otherwise (Deut. 4:2; 10:13; Ps. 119:160; Matt. 5:19; 2 Tim. 3:16-17). As a result, the theonomist concludes that most of the judicial laws of the Old Testament, having not been modified or canceled by Scripture later, continue to be binding according to the principle which they teach or illustrate. Yet Chantry calls this biblically based policy a "new legalism"!

The theonomist would contend that neither we as individuals nor our society as a whole has enough wisdom to improve upon that which God Himself has revealed in the pages of His holy law. Sinful creatures are in no position to question or correct the wisdom of God at any point where He has chosen to speak. Indeed, God's word stands true, even though all men should

prove liars (Rom. 3:4). No man is qualified to become His counselor (Rom. 11:34). If we do not see the "greater wisdom" in all of God's commandments, then we are the ones who need changing – not God's laws. We must not trade the objective standard of *sola Scriptura* in our Christian ethic for the subjective standard of personally perceived wisdom – whether the perception is that of Chantry, House or Ice. We should all heed James' caution against becoming people who "speak against the law" (James 4:11) by preferring our wisdom to God's own.

The real question is whether the approach of Chantry, House and Ice truly reflects *the Biblical concept of wisdom* itself, or rather represents a concept devised in an extrabiblical fashion and is now being imposed upon the Bible from outside. We must be careful of any subtle (even well-meaning) influences which would lead us to diminish from God's word what He Himself has not taken away (Deut. 4:2). The book of Proverbs is calculated to teach and instill in us the virtue of true wisdom (1:2). The wisdom which it gives encourages insightful and faithful application of God's word to the practical details of life – thus involving some flexibility, a large dose of teachability, and proper appreciation for the general and long-term consequences of one's conduct and attitudes. What is the attitude and approach of *true wisdom* to these commandments from God? Proverbs tells us:

> The wise in heart will receive commandments (10:8).
>
> He that fears the commandment shall be rewarded (13:13).
>
> He that keeps the commandment keeps his soul, but he that is careless of his ways shall die (19:16).
>
> They that forsake the law praise the wicked, but such as keep the law contend with them (28:4).
>
> Whoever keeps the law is a wise son (28:7).
>
> Where there is no revelation the people cast off restraint, but he that keeps the law, happy is he (29:18).

In Biblical perspective it is the epitome of foolishness to depart from the path laid out in God's word. It is *never wise* for us to disagree with or act contrary to the divine wisdom which is set forth in the word of God, including His obligatory law. Where

would we ever get the "greater wisdom" necessary to decide *against* compliance with the wisdom set forth in a commandment from God? *By what standard* would a sinful human being look at the demand of God's law, compare it with some other (uninspired) suggestion, and then choose the latter over the former? "The ordinances of Jehovah are true and righteous altogether. . . . Moreover by them is thy servant warned. . . . Who could discern His errors?" (Psalm 19:9-12). "O the depth of the riches both of the wisdom and the knowledge of God! . . . For who has known the mind of the Lord? or who has been His counselor?" (Romans 11:33-34). "Who has known the mind of the Lord that he should instruct Him?" (1 Corinthians 2:16). God has supreme wisdom, and nobody can presume to correct His ordinances or find them less wise than what sinful man would propose. The best benefits in this life (and hereafter) will come from submitting to the wisdom of God's revelation, rather than leaning upon our own understanding and foolishness. Indeed, Moses infallibly taught that the commandments of God – every statute of them – would *constitute* our very *wisdom* before a watching world (Deut. 4:6).

Conclusion

In *Theonomy*, chapter 15, I tried to warn my readers about an approach to God's law which I called "latent antinomianism." "Having paid courtesy to the law of God, the latent antinomian proceeds to arbitrate *which* of God's laws he deems appropriate to the Christian life today. . . . He looks to himself to choose *how much* of God's law he will consider as binding. In the final analysis the latent antinomian is actually his own moral authority; in taking upon himself to delimit the extent to which the Older Testamental law applies to him he is not really submitting to God's will but rubber-stamping it where it parallels his own feeling. . . . *Without clear scriptural justification* he will presume to nullify portions of that law."[27]

The fundamental problem with any latent antinomianism – any attitude which chooses which laws of God to follow

27. *Theonomy*, pp. 308-309 (emphasis original).

based not on scriptural exegesis but subjectively perceived wisdom in those laws – is what I wrote many years ago: it "still feeds upon the polluted stream of autonomy." This is not what critics of theonomy would want to do. Men like Chantry, House and Ice surely wish to honor above all the pervasive and infallible authority of God's word in all their thinking. Theonomists attempt to do them a service by observing that their "wisdom-approach" to discriminating between the laws of the Old Testament (with its autonomous character) runs counter to their better theological intentions.

"God . . . made us sufficient as ministers of a new covenant. . . . But if the ministration of death, engraved in letters on stones, came with glory . . . how shall not even more the ministration of the Spirit be with glory?"

2 Corinthians 3:6-8

"So the law is holy, and the commandment is holy, righteous, and good."

Romans 7:12

"As we see it, theonomy . . . overemphasizes the continuities and neglects many of the discontinuities between the Old Testament and our time."

William Barker & Robert Godfrey,
Theonomy: A Reformed Critique (1990), p. 11

"Our study of the New Covenant scriptures has shown us, in summary, that there are definite discontinuities between the New Covenant relation to the law and that of the Old Covenant. The New Covenant surpasses the Old in glory, power, realization, and finality. . . . The Covenantal *administrations* are dramatically different . . . but *not* as codes *defining* right and wrong behavior or attitudes."

By This Standard (1985), p. 168

3

SPURIOUS TARGETS AND MISGUIDED ARROWS

The job of responding to the critics of theonomic ethics would be much easier if one did not need, first, to hack through a jungle of rhetorical overgrowth. Readers and serious students must be warned that a great deal of the anti-theonomic literature available to them is simply misleading and misconceived. Before anything valuable can be said in terms of theological interaction, much of the ground must be cleared of misrepresentations, emotional vehemence, emphasis-complaints, unhelpful sloganizing, and false dangers.

Fabrication and Ridicule

Just like theonomists, non-theonomists are comprised of individuals of good will and those who are ugly and contentious. Neither camp has a monopoly on either sanctification or besetting sin. Ignoring Jesus' admonition about logs and specks in the eye (Matt. 7:5), critics of theonomy have sometimes faulted the personal failings or incautious language of particular theonomic writers.[1] On a *personal* level, I believe that this rebuke of adherents of the theonomic position for not showing greater humility, for not getting along with each other, for displaying a churlish lack of love, etc. is entirely appropriate and needs to be heeded. No Christian can be proud of or defend a failure to show the fruit of God's Holy Spirit or to use careful language. Such personal criticisms have

1. E.g., H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah press, 1988), pp. 347, 351-352, 359-361.

little place or relevance, however, in a critique of the theonomic *position.* It is just here that critics have fallen into a notorious logical fallacy (viz., arguing *ad hominem*). Its fallacious nature can be seen from a number of angles.

(1) The theonomists who are criticized by the critics for their bad personalities (or for using careless expressions) are also professing *Christians.* If their bad personalities were proper grounds for critics to reject theonomy as a position, they would likewise be proper grounds to reject the Christian faith altogether – which would be absurd. (2) Theonomists *themselves* have been critical of other theonomists for the harshness or carelessness about which the critics complain. Obviously it is not the theological position *itself* which is the culprit, then, since adherents of that position both display *and* decry the bad personal traits or habits which are in view. (3) Indeed, you find this to be the case among *non-theonomists* as well. Both camps contain individuals who fall short of the mark in Christian maturity or sanctification. Both have "embarrassing advocates" as well as models of Christian grace and love. It would be too easy a task (and unedifying) to amass a list of the pugnacious, arrogant, divisive and churlish behavior or remarks of various anti-theonomic writers and preachers. Such a personal laundry-list would not have anything to do with refuting their views *as* a theological position, though. I only ask that opponents of theonomy apply the *same* restraint in their attempt to criticize the view.

An example of responsible and irresponsible attitudes toward criticizing theonomy can be found in one article by two authors. Douglas Chismar and David Rausch criticize theonomic ethics in an article for the *Christian Century* [Aug. 3, 1983], though not by addressing themselves to theological substance, but for the most part by engaging in ridicule and personal panning sustained by a number of false allegations (which could be easily disproved). This led subsequently to Mr. Chismar publishing an embarrassed retraction [Nov. 9, 1983]. We would all greatly prefer not to have been misrepresented and personally defamed in the first place, of course, but I must say how much I respect Mr. Chismar's humility and efforts to clear the air.

For his own part, by contrast, Mr. Rausch has now pushed

further, absurdly trying to align theonomic ethics with the Nazi holocaust![2] In a similar vein of maligning theonomists with ridicule, Laird Harris has cynically alluded to "population control" through theonomy's endorsement of the penal sanctions of Scripture.[3] These kinds of charges and sarcasm are unbecoming in serious Christian scholarship. So is the downright fabrication of the horrible consequences or character of theonomy. This is what John Muether has done in outrageously suggesting that theonomists believe the church should take up the sword as one of its weapons.[4] According to Albert Dager, what theonomy is seeking is "vengeance in society" – including the idea that after an unbeliever rejected Biblical standards (the very first time) he would be put to death![5] Norman Geisler has claimed that theonomy advocates capital punishment for drunkards.[6] Such efforts to malign and falsely portray your theological opponent are irresponsible, a falling short of the mark for us as Christians.

Such misrepresentation and sloppy claims can be found in

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2. *Moody Monthly* (April, 1985). Such a ridiculous and slanderous suggestion is reworked into an entire book by an equally irresponsible writer: Hal Lindsey, *The Road to Holocaust* (New York: Bantam Books, 1989). Such criticism is so extreme and lacking in integrity that it should not be taken seriously. It is rebutted on pages 53-54 and in Appendix B (by Dr. Gentry) in Greg L. Bahnsen and Kenneth L. Gentry, Jr., *House Divided: The Break-up of Dispensational Theology* (Tyler, Texas: Institute for Christian Economics, 1989), pp. 367ff. A more thorough rebuttal can be pursued in Gary DeMar and Peter Leithart, *The Legacy of Hatred Continues: A Response to Hal Lindsey's "The Road to Holocaust"* (Tyler, Texas: Institute for Christian Economics, 1989). See also Steve Schlissel, "To Those Who Wonder if Christian Reconstruction is Anti-Semitic," in Gary DeMar, *The Debate Over Christian Reconstruction* (Atlanta: American Vision Press, 1988), as well as Schlissel's detailed discussion in David Brown and Steve Schlissel, *Hal Lindsey and the Restoration of the Jews* (Edmonton: Still Waters Revival Books, 1990).

3. R. Laird Harris, review of *Theonomy*, in *Presbyterion*, vol. 5, no. 1 (Spring, 1979), p. 14.

4. John R. Muether, "The Theonomic Attraction," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 258.

5. Albert James Dager, *Vengeance is Ours: The Church in Dominion* (Redmond, WA: Sword Publishers, 1990), pp. 8, 217. Dager also claims that theonomists really are out to "force" the law of God on people, even though they insist that such would be wrong (p. 198).

6. *Moody Monthly* (Oct., 1985).

certain efforts which have been made to chronicle the history of the "theonomy movement" or individuals within it. Stories have been fabricated, gossip and hear-say accepted as fact, and embarrassing errors about historical details propagated by critics who were more interested in making a negative report on theonomy than in accurate research and reporting.[7] Similarly, maligning is operative when theonomic critics tar everybody who advocates theonomic tenets with a broad brush which applies (if at all) only to some. Charges like this can become very personal and allege to find an ignoble spiritual condition – such as that theonomy has a low view of the church,[8] of marriage, etc. Some writers and teachers have been so vehemently against the theonomic position that responsible scholarship and careful treatment of the facts have taken a back seat to defaming the theonomic heretics. Significantly, such opponents have usually not produced theological analysis and refutation to show good reason for their strong feelings.

Overkill, Vehemence, Name-calling

The critics of theonomy have hardly been a model of restraint in speaking of their opponents. Gary Long has accused theonomy of Judaizing the New Testament; Albert Dager asserts that it is promoting "a modern Phariseeism."[9] Ice and House published that theonomy should be rejected simply because of the "possibility" that it might be guilty of moralism, unprincipled pragmatism, apostasy, compromise with the world, and permeating the faith with humanism![10] Walter Chantry accuses theonomists of speak-

7. David Watson has written of the "movement" in *The Outlook*, having previously written a master's thesis on the subject. The thesis was riddled with fabrications and falsehoods. Another example of negligent historiography can be found in House and Ice, *Dominion Theology*, which makes one factual blooper after another about Rushdoony, North, DeMar, myself, etc. Cf. *House Divided*, pp. 83-84.

8. E.g., Muether, pp. 253-255, 258.

9. Gary Long, "Biblical Law and Ethics: Absolute and Covenantal," presented to a Baptist Council in 1980, serialized in *Sword and Trowel* (1980-81), and published by Backus Books of Rochester, New York; Dager, p. 200.

10. *Dominion Theology*, pp. 335, 339, 340, 341, 342, 344, 349-350, 356, 374-375, 377, 388, 390.

ing perverse things, of having deformed and distorted views, of propounding a twisted theology which is a threat to the church, of mutilating Biblical doctrine, of being sinister and aberrant. Chantry says we are unlearned. He comes very close to asserting they we do not belong to God's kingdom at all.[11] I have hardly ever encountered such vitriolic name-calling under the guise of Christian scholarship, unless it was found in Meredith Kline's review-article of *Theonomy*.[12] He calls theonomy "a delusive and grotesque perversion" of the teaching of Scripture which has been rejected as "manifestly unbiblical" by virtually all students of Scripture – something which "must be repudiated as a misreading of the Bible on a massive scale." The "blatantly unbiblical results" which theonomic politics inevitably produces afford a "startling warning of the utter falseness" of the thesis. "What we are talking about here is not something illusively subtle or profound, but big and plain and simple." In my "obfuscation of the lucid biblical picture" I miss what is "simple, obvious, all-important" and "clear" in the Bible. Kline charges that I manage to miss a "simple message . . . written large across the pages of the Bible so that covenant children can read and readily understand it." In his estimation, I can hardly be a child of the covenant. My "delusive and grotesque perversion" of the Bible must be evidence that I am either a dangerous heretic or someone virtually devoid of common intelligence.

But come now. Could things *really* be that extreme? Are the critics perhaps increasing the emotional volume and rhetoric to compensate for a lack of cogent analysis and substantial criticism? Are they engaging in proof or pontification? In studying further in this book, the reader can judge for himself. The issues before us ought to be decided on the exegetical and logical merits of the case (made one way or the other) and not encumbered with personal antagonism, appeals to emotion, fallacious tactics of criticism, or caricatures. "Even the Gentiles" who are engaged in

11. *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), pp. 9, 10, 11, 17, 18, 21, 23, 25, 26, 29, 47, 54, 87, 100, 123.

12. Meredith G. Kline, "Comments on an Old-New Error," *Westminster Theological Journal*, vol. XLI, No. 1 (Fall, 1978), p. 173.

scholarly work know better than to behave and speak in the way illustrated above. Those of us who represent the Lord who claims "Truth" as His very own title should certainly maintain at least as high a standard of scholarly integrity, accuracy, and concern for sound reasoning (rather than name-calling) as those who make no profession of following Him. The amazing thing is that you would expect, in the face of the kind of uncharitable and unscholarly lambasting of theonomists as we have seen above, that the refutation of this horrible error would carry a compelling cogency commensurate with the personal condemnations. But such has not been forthcoming (especially from those critics who have been the nastiest in their name-calling). One might think that if theonomy is as ridiculous and misguided as critics wish to suggest, the critics would not have needed to waste time stooping to the weak and beggarly maneuvers of maligning theonomists. They could have simply gone to the heart of the matter and openly refuted the obvious error in the position itself.

The Notable Extent of Counterfeiting

The above call for scholarly integrity goes hand in hand with a demand that our opponent's viewpoint not be counterfeited by misrepresentation. I realize that anybody who undertakes to be a writer or public instructor of any kind must expect a measure of erroneous reporting of what he or she teaches. This is an occupational hazard. With some grace and a sense of humor, minor occurrences of false depiction of your views can be endured. The problem I have with many, many critics of theonomic ethics goes way beyond that, however. The extent of the misrepresentations and the severity of the falsehoods taken to the general public are so startling (and repeated) — and made the basis for rejecting the position as false — that one must now indignantly criticize the critics for their irresponsibility (both intellectual and moral). The reader should appreciate the fact that theonomists are not crying out against this offense simply because they are thin-skinned. Space does not permit a full detailing here; so let me simply warn the reader to beware of claims which are commonly made about

theonomic ethics.[13] Read the position for yourself.

Refinement Rather than Refutation

Sometimes theonomy has been criticized for having the "wrong emphasis" in terms of the overall scope of Christian theology or Christian living. It has been faulted for laying stress on socio-political morality – and in particular the issue of penology (and most dreadfully, capital punishment). Critics make the point that there are more important things than this in the full range of Biblical doctrine. They have insisted that the life of the believer has more fundamental concerns than crime and its punishment. To be brief, there are two things I would say in reply to this line of criticism. First, I don't disagree that the issues taken up in *Theonomy* are of subordinate importance in the Christian life, preaching of the church, range of theological loci, etc. Second, there is no indication (as far as I know) in my writings, lecturing, or preaching which would indicate any other estimate than that. This is a criticism which creates a problem that does not exist. Surely the fact that some Christians take up the question of God's law and its relation to modern penology – and that some write on the subject – does not mean that they believe that subject is the most vital issue for all believers (or even for themselves).

Another way in which people have attempted to criticize the theonomic position is by accusing it of simplistic thinking – not taking into account how complicated the application of God's word is to our modern world, or not giving enough attention to related aspects of Christian theology, or not recognizing enough of the situational factors which bear upon the different uses of the law between Old Testament Israel and the New Covenant, etc. Some critics have thought that the argumentation in support of theonomic conclusions is too simplistic. What would I say to these kinds of remarks? Well, perhaps there is some truth to them; I

13. In the "Foreword" to Gary DeMar's book, *The Debate Over Christian Reconstruction* (Atlanta: American Vision Press, 1988), pp. xiv-xv, the occasion was afforded for me to issue a moral admonition to fellow-believers about the extensive maligning and false claims which were being made concerning the theonomic (reconstructionist) school of thought. It bears reading at this point.

certainly would not want to distort the precious truth of God by mishandling it in an incorrect or oversimplified fashion. But there is some satisfaction in knowing that for over a decade now, not one critic who has leveled this kind of charge has given any example of an overlooked, relevant factor which could not already be found in my writings or lectures. (There may still be some, of course.) Those who have suggested oversimplified reasoning have not pinpointed the fallacious logic or poorly conceived premises (as yet anyway).

These two different kinds of criticism have something in common: namely, neither one of these criticisms refutes the theonomic position, *even if* the criticisms turned out to be warranted.[14] That is, in the nature of the case, such criticisms do not undermine *the truth* of the basic theses of theonomic ethics. They simply show that there is more to say about the subject or that it should be given less emphasis. And that is fine. I would simply insist that we say *as much* as theonomy maintains, when (and where) it is *appropriate* to deal with God's law or the subject of the civil magistrate.

Is the Appeal to God's Immutability Simplistic?

The theonomic approach to ethics has been thought to be too simplistic when it appeals to the immutability of God's character

14. This is repeatedly the case in a recent "critique" of theonomy by certain faculty members at Westminster Theological Seminary. Readers have been given the impression that *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey, is a decisive refutation of the theonomic position. Advertisements say that they have "written the book" (*the* book, not "a book") on the subject of theonomy. However, much of the book is given to questions of emphasis in Biblical theology, cautions against simplistic hermeneutics, or exhortations that all parties not be lazy but do their difficult homework in properly interpreting and applying the Old Testament law today (e.g., articles by Frame, Poythress) – all of which may be well and good, without demonstrating whatsoever that the distinctive tenets of theonomic ethics are objectively mistaken. The "critique" turns out to be of certain *possible* dangers that could arise from the position, not of theonomy as a theological position as such. After warning that theonomists (and intrusionists of the Kline-variety) should not be satisfied with their "initial impressions" of a particular text but understand the "whole warp and woof of God's revelation," Poythress recognizes that, nevertheless, the theonomic reading of Scripture may be "true as far as [it] goes" (p. 119).

as proof that the law of God, which reveals that character, is unchanging in its validity. For instance, John Frame writes: "if God's unchangeability is compatible with changes in the applicability of ceremonial laws, as it is for Bahnsen, why may it not also be compatible with such changes among the judicial laws?"[15] The answer is clear. The only changes in God's law which are indeed compatible with His unchanging moral character are those which He Himself has revealed. Theonomists find such changes revealed in Scripture regarding the ceremonial laws, whereas theonomic critics do *not* adduce such Biblical grounding for the changes they propose in the judicial laws.

Moreover, it should not be thought that theonomists move simply from the immutability of God to a definite conclusion about the validity of any particular law *without giving consideration* to relevant Biblical teaching that might affect the use or application of that law. (That would be a simplistic understanding of theonomy!) We move from the theological premise, giving a presumption of continuing validity, *through Biblical exegesis* to our applications – or at least we are supposed to! Finally, theonomists recognize (as some critics do not) that the immutability of God is not completely the same thing with respect to His essential character (which the moral law reflects on a creaturely level) and with respect to His eternal purposes or choices (reflected in the plan and accomplishment of redemption, and expressed in the foreshadows of ceremonial law, but realized in the substance which is Christ and His work on our behalf). Frame's rhetorical question should not be taken as suggesting that there is no underlying rationale for distinguishing the character of judicial laws (presumed to have continuing validity) from that of ceremonial laws (expected to be modified in the course of redemptive history).[16]

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15. John Frame, "The One, the Many, and Theonomy," *Theonomy: A Reformed Critique*, p. 90.

16. House and Ice, chapter 5, have also demurred at the theonomic argument from God's unchanging moral character. But an analysis of their reasoning reveals that they have only tripped themselves up through lack of conceptual clarity, equivocation over the use of the word "law," and misrepresentation of the theonomic viewpoint. They declare: "the idea that the unchangeableness of God requires that the specific details of the Mosaic code be transferred to all times and cultures simply

Doug Chismar[17] considers the "case laws" (e.g., Exodus 21-22) of the Old Testament to pose some tremendous difficulty for upholding the immutability of God's commands. These laws were expressed in terms of very specific, cultural details (e.g., goring ox, flying axehead, rooftop railing). Chismar wonders how theonomists can maintain the immutability, not only of the summary laws (e.g., love commands, the Decalogue), but also of these very specific case laws "despite apparent radical changes in application." He finds the resolution of this problem, however, in my own teaching (and even quotes me). According to Chismar, the case laws epistemically "provide paradigm instantiations of the principles or summary laws. Only the principles, however, are morally binding for all times. . . . Thus we are not bound to put

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does not follow." But of course *theonomists do not* argue for transferring "the specific details" of the Mosaic code to all other cultures (e.g., the specific detail of rooftop railings is not relevant to much of modern American culture). For my analysis of the equivocations and contradiction in the position of House and Ice, see *House Divided,* chapter 6, where among other things I note their tendency to slide from the theological concept of God's essential character to the logically different concept of God's eternal purposes. The presumption of continuing and universal validity for the moral *provisions* (underlying demands, not specific cultural details) of God's law does indeed "follow" from their reflection of His essential and unchangeable character.

The same problem undermines Lightner's criticism. He says: "The problem, however, with theonomy is that it makes God's immutability to be immobility" (Robert P. Lightner, "A Dispensational Response to Theonomy," *Bibliotheca Sacra,* vol. 143 [July-Sept., 1986], p. 231). This is a linguistic muddle. (We are supposed to believe that God does not "change" but He does "move"?) Lightner goes on to ask, "Why does it follow that since God is unchanging in His essence, He cannot deal differently with His creatures at different times?" The answer should have been obvious. If the two different moral standards both reflect the essence of God, then either God's essence has an inner contradiction (between one standard and the other), or God's essence changes (from one standard to the other). Lightner has not sufficiently grappled with the philosophical and theological problem inherent in his dispensationalism.

17. I pursued the argument from God's immutability in a lecture delivered at the annual meeting of the Evangelical Theological Society at Toronto in 1981. (A tape of the lecture is available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603.) Doug Chismar subsequently offered a critique of this line of thought (Douglas E. Chismar and David A. Rausch, "Concerning Theonomy: An Essay of Concern," *Journal of the Evangelical Theological Society,* vol. 27, no. 3 [Sept., 1984], pp. 315-323). My response to Chismar can be found in "Should We Uphold Unchanging Moral Absolutes?," *Journal of the Evangelical Theological Society,* vol. 28, no. 3 (September, 1985), pp. 309-315.

fences around our roofs today, but we may be bound to put them around our swimming pools." Do the underlying principles illustrated by the case laws of the Old Testament explicate, qualify, and show us how to obey the more general commands of Scripture, as theonomists say? In his article Chismar admits that they do. They do not reduce simply to the more general commands (e.g., "love your neighbor"), but play a definitional role, illustrating the application of those commands, and thus helping generate new laws from the summary principles. This is just the theonomic position expressed in Chismar's language.

Chismar correctly notes that there are "massive cultural/technological/geographical differences" between the society of Old Testament Israel and our own – differences which make the translation of Old Testament demands into contemporary applications a difficult and challenging task. Although the difficulty has sometimes been exaggerated, Chismar is right that there will even be some difficulty "in determining which principle is being instantiated" by specific case laws. But what Chismar has pointed out is not a unique hermeneutical problem for theonomic ethics. Such remarks apply to every effort to bring the ancient literature of the Bible (whether from the Mosaic, prophetic, or even New Testament periods) to bear upon our very different, modern age. Relativists insist that it is impossible. The alternative of abandoning God's ancient, written revelation of His will in favor of modern wisdom may have greater simplicity, but it is treason against the King of heaven and earth. Let us not allow the difficulty of the task make us hesitant to give it our best, sanctified efforts.

The Schoolboy Error of "Direct" Application?

The editors, Barker and Godfrey, charge that theonomy "overemphasizes the continuities and neglects many of the discontinuities between the Old Testament and our time."[18] This kind of ambiguous and overgeneral remark is of little help. We are rarely told precisely *what* discontinuities the theonomist has actually overlooked or how exactly the continuities are *over*emphasized. A verbal standoff can be created by simply responding that no,

18. "Preface" to *Theonomy: A Reformed Critique*, p. 11.

rather, it is the case that non-theonomists overlook the continuities and overemphasize the discontinuities! It would be a whole lot more profitable for everybody if theologians (in general) got out of the habit of criticizing each other's "emphasis" and paid constructive attention to the actual premises and conclusions advanced by each other.

Something which would make the job of theonomic critics much, much easier is if theonomists did not try to draw careful distinctions, qualifications, and detailed evaluations regarding their own basic tenets and the text of Scripture – or if they just did not believe (as they do) in a redemptive-historical reading of the Bible.[19] (It would be hard to explain why they write such long and detailed books, though.) Vern Poythress acknowledges: "We do not merely assume that no changes can ever be entertained. Bahnsen instructs us to examine patiently the particular texts and warns us of the complexities involved." Again: "Theonomy at its best takes considerable note of discontinuities introduced by redemptive history and in particular by the coming of Christ."[20]

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19. John Muether, p. 251, tries (simplistically) to dismiss the theonomic outlook for its alleged "unwillingness to make important redemptive-historical distinctions." He offers no argumentation to support that judgment and gives no indication of what important distinctions theonomists miss from scripture. Likewise, Tremper Longman claims: "Theonomy tends to grossly overemphasize continuity to the point of being virtually blind to discontinuity" ("God's Law and Mosaic Punishments Today," *Theonomy: A Reformed Critique*, p. 49). "Virtually blind" to discontinuity? Longman does not tell us just exactly what he sees that is relevant to refuting the theonomic approach, but which theonomists blindly overlook. Longman's co-author, Dennis Johnson, readily enough corrects this accusation of gross blindness: "Both theonomists and their critics acknowledge continuity and discontinuity between the old covenant and the new. . . . No theonomist of whom I am aware actually contends that the law's applicability remained utterly unchanged by the coming of Christ. . . . So the difference between theonomists and non-theonomists is not that one group sees nothing but continuity between the Mosaic order and the new covenant, while the other sees nothing but discontinuity" ("The Epistle to the Hebrews and The Mosaic Penal Sanctions," *Theonomy: A Reformed Critique*, pp. 172, 173). Johnson easily offers a number of such important discontinuities spoken of in my writings.

20. "Effects of Interpretive Frameworks on the Application of Old Testament Law," *Theonomy: A Reformed Critique*, pp. 121, 109. The article by Poythress is not intended as a refutation or critique of the theonomic position itself "in its best form" and calls for no further response.

If theonomy can be *portrayed* as obtuse to these obvious complications in using the whole Bible for socio-political ethics today, it would be a very easy job for the critic to dismiss the position as simplistically appealing to the Old Testament and "directly" and thoughtlessly applying it to the modern scene.[21] For instance, Christopher J. H. Wright has misconceived and thus badly misrepresented the "theonomic" approach as calling for a "literal imitation of Israel" which simply lifts its ancient laws and transplants them into the vastly changed modern world.[22] It amazes me sometimes that some theonomic critics, especially those who have not done their reading, can just assume that they alone are bright enough to be conscious of situational changes which must be taken into account in the use of the Old Testament[23] – or are concerned to read the Old Testament in a "covenantal Christological" fashion.

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21. At two critical junctures in his polemic against theonomic ethics, Dan McCartney tries to distinguish himself from his opponents by suggesting that they, unlike himself, want to apply the Old Testament case law or civil law "directly" ("The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, pp. 146, 148). In backing away from the impression his anti-theonomic comments have made, he says for instance: "This is not to say that Old Testament law does not apply to unbelievers" – yet it must not be forgotten: "*but* only that it does so very *indirectly*" (p. 148, emphasis mine). The "direct" and "indirect" polemic is a pointless begging of the question, since the terms have no predictable meaning or application. Whatever McCartney does with the Old Testament law will count to him as "indirect," but surely whatever his theonomic opponents are doing must be the dreaded "direct" use. James Skillen's overworked and ambiguous criticism of theonomy is that it makes a "direct" move from the character of God, or the Old Covenant code, or Israel's ancient state to modern politics (*The Scattered Voice* [Grand Rapids: Zondervan, 1990], pp. 171, 172, 174, 177, 178).

22. "The Use of the Bible in Social Ethics: Paradigms, Types and Eschatology," *Transformation*, vol. 1, no. 1 (January/March, 1984), p. 17.

23. For instance, Bruce Waltke chides theonomists: "Similarities between Israel's anointed kings and uncircumcised pagan kings do not establish their equivalence. One must also note the many dissimilarities between these kings" ("Theonomy in Relation to Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, p. 83) – as though theonomists do not see those dissimilarities! Well then, what specific dissimilarities do these simple-minded theonomists actually overlook? Waltke offers only one (only one!) illustration, the dissimilarity that Israel had special principles to observe for holy war – precisely a leading illustration of uniqueness which is pointed out right in theonomic literature!

Theonomists do *not* practice nor advocate anything like a "direct" move from the unchanging character of God, or the old covenant code, to modern law-codes. As Poythress notes, it is a mistake "to insist on straight-line continuity of application for all the Mosaic laws except those that are explicitly altered in the New Testament."[24] The assumption of "direct" or "abstracted" application, though, is a linchpin in many arguments against theonomy, making the critic's job an all-too-easy shortcut to serious interaction and analysis.

Otherworldly Criticisms

Some critics of the theonomic position seem (at first glance anyway) to hold that matters of socio-political morality ought to be of no concern to the Christian – that Christ's kingdom does not concern temporal, material or external matters. They write that we should simply be strangers and pilgrims in this passing vain world, so that matters of evangelism and personal piety should occupy the Christian's concern, not cultural and political affairs – as though true spirituality is purely otherworldly in character.[25] Given such premises, interest in the validity of the Old Testament civil laws is impertinent, seeing that God has not called us to reform our societies in the first place. Believers ought

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24. Poythress, p. 105. He correctly observes that in some cases where the observance of Old Testament commands is modified or set aside, the affected law is "never explicitly altered in the New Testament" (pp. 105-106), thus reminding us to use sophisticated hermeneutical (and theological) principles of interpretation rather than "strict wooden" ones. It must be noted as well, however, that there is a world of difference between altering an Old Testament command on the basis of some specific and textually based line of theological reasoning and altering an Old Testament command with no textual tether whatsoever in one's reasoning (and just a meat cleaver dismissal of Old Testament civil commands as a whole). Theonomy calls for the control principle of what the Biblical text actually says ("ex-plicit") rather than interpretative frameworks imposed upon the text from outside. The *way* in which the Biblical text publicly teaches alteration in an Old Testament command, however, need not be by means of explicit enumeration, flagging, or direct comment.

25. E.g., Chantry, pp. 15, 16, 18, 20-21, 27, 51, 59, 62; Neilson, pp. 19-20; Dan McCartney, *Theonomy: A Reformed Critique*, pp. 142, 148; Dager, pp. 175, 189; Peter Masters, "World Dominion: The High Ambition of Reconstructionism," *Sword & Trowel* (May 24, 1990), pp. 16, 18-19.

to be more heavenly-minded, interested in the church rather than the world.

Despite the intense rhetoric that often attends this kind of criticism, readers must realize that the critics cannot be taken at face value. In most cases, these same writers will turn around elsewhere and admit that, well yes, Christians cannot turn away completely from this world but must live responsibly and righteously with respect to cultural affairs too – thus reintroducing the relevance of theonomic ethics "through the back door" (as it were). It is hard to avoid the New Testament witness that holiness is supposed to characterize not only personal and ecclesiastical aspects of life, but rather "all manner of living" (1 Pet. 1:15), that God's glory is to be pursued not only in home and church but also in "whatsoever you do" (1 Cor. 10:31). Christ calls His followers to be the salt "of the earth," not merely in the church! In the end, the critics of theonomy do not renounce any and all Christian involvement in social affairs and political reform after all. At best, their complaint is with the "wrong emphasis" found in theonomic ethics, and at best this complaint is slippery and poorly conceived. We may readily grant that socio-political reconstruction has *less urgency* than personal spirituality or the church, but this does not bear whatsoever upon the truth or error of the theonomic *standard* for politics.

Theonomists do not, *as theonomists* anyway, diminish, undervalue or obscure the surpassing importance of personal salvation, a pious walk with God, and the life of the church. We would not for a moment suggest that the New Testament message of the accomplishment and application of redemption to God's people by Jesus Christ – with a view to the individual's standing before God and his eternal destiny – is of secondary importance or merely a means for getting to what is "really" important, namely social transformation. We cry out with Paul: "God forbid that I should glory save in the cross of our Lord Jesus Christ, by whom the world is crucified unto me and I unto the world" (Galatians 6:14).

This-worldly Criticisms

The thesis of theonomic ethics is not logically tied to any

particular school of millennial eschatology. Accordingly, the article by Richard Gaffin in the recent book by the Westminster Seminary faculty opened with a conceptual *faux pas* by stating in its first sentence: "Essential to the emergence of theonomy . . . has been a revival of postmillennialism."[26] He adds the equally inaccurate remark that postmillennialism "is plainly integral" to the position, whether logically or psychologically. These claims are factually mistaken. Dr. Clair Davis offers this corrective: "One does not need to share an 'optimistic' postmillennial perspective to see the value in theonomy."[27] Critics trip themselves up by confusing the question of what ought to take place in the world (ethics) with the question of what will in fact take place in the world (eschatology).

Millennial critics (like Gaffin) often make a further mistake by unfairly representing the theonomic and/or postmillennial position as forgetting the theology of the cross and – in "triumphalist" notes of progress or victory – obscuring or removing the constitutive dimension of suffering from the present triumph of the church. The question is not whether the people of God shall suffer in this age (or a time when the ruling powers are more favorable to a Biblical perspective). The questions are rather: (1) do our inevitable sufferings issue in greater or lesser manifestation of Christ's saving rule on earth, breaking the power of sin, and (2) do our inevitable sufferings as obedient followers of the Messiah deter us from striving to persuade men and societies to submit to His rule (and rules)? Scripture teaches us that our

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26. Richard B. Gaffin, Jr., "Theonomy and Eschatology: Reflections on Postmillennialism," *Theonomy: A Reformed Critique*, p. 197. The same error is made by Robert P. Lightner, "Theonomy and Dispensationalism," *Bibliotheca Sacra*, vol. 143 (Jan-March, 1986), pp. 30-31, 142-143; House and Ice, p. 9; Meredith G. Kline, pp. 172-173; Lewis Neilson, where one-fifth of his booklet is actually directed against postmillennialism.

27. D. Clair Davis, "A Challenge to Theonomy," *Theonomy: A Reformed Critique*, p. 391. Davis also corrects another misunderstanding which arises in Gaffin's article when Davis comments: "Is it impossible to harmonize the theonomic vision of a biblical society and the New Testament picture of a persecuted church? Not necessarily." Although I expressed my own postmillennial convictions in *Theonomy* (pp. 191-193, 424-425, 428-429, 432, 486), I also indicate that even premillennial futurists can agree with the ethical point being made (e.g., p. 397).

laboring is not in vain and that tribulation is not incompatible with greater manifestation of Christ's saving dominion. Scripture teaches us that persecution and hardship are no obstacles to the commission that we teach the nations to obey all that Christ has commanded. I do not see how any legitimate charge of triumphalism can be laid at our feet for believing these Biblical truths.

Nevertheless, this sloganized, ambiguous criticism continues. Indeed, the threat of triumphalism in many forms seems to be the unifying concern of the recent book written about theonomic ethics by the faculty of Westminster Seminary. The editors offer this commentary: "Even to some sympathetic observers of theonomy the most troubling aspect of the movement, besides its application of the penal sanctions of the Old Testament judicial law, is the triumphalist tone of much of its rhetoric."[28] Connected with this is a concern of a few authors that theonomists might be too dogmatic in making their case.[29] Such cautions are well-meant and should be taken to heart by theonomists (cf. Rom. 2:17-20). We all have much to learn, and nobody has all the right answers, to be sure. On the other hand, we must not portray the task God has given us as *overly* difficult and virtually impossible to do. My admonition is against a kind of functional *agnosticism* that easily becomes the theologian's (and seminarian's) self-inflicted paralysis. We do not want to suggest that the Great Commission is really *too great* to carry out by the church! So let's not *overstate* the case for caution and teachability, and let's not become disobedient to the task Christ has given His people to do in this world out of concern for a pseudo-danger called "triumphalism" (cf. Rev. 2:26; Matt. 16:18).

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28. *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey, p. 193. The title of section 4 is "Theonomy and Triumphalist Dangers," but the whole book is permeated with this theme. The spirit of it all is captured by Bruce Waltke's plea: "May the church boast in its weakness, not in its might!" (p. 85). Of course, one must be careful not to run to the opposite extreme from triumphalism and seek a kind of spiritual and social masochism for the church!

29. E.g., the editors, p. 10; Poythress, pp. 117, 123; Frame, p. 99; Johnson, pp. 172, 191. Davis cautions theonomists against portraying their own perspectives as "the only correct ones" in the church; he reminds them of "political ambiguity" in this world (chapter 16).

Finally, it can hardly be a well-reasoned criticism of theonomic ethics that some "potentially dangerous ideas" could arise from following the holy laws of God in Scripture. We live in a fallen world where adherents of any and *every* political philosophy (including attempted Biblical ones) will err in carrying out their ideals. That being the case, it only makes sense to err on the side of the angels, starting with the best (indeed, infallible) ideals available to men – the revealed laws of God! Just imagine what "potentially" (no, actually!) dangerous ideas have stemmed from *not* following God's law, but rather the human speculations found in worldly philosophers and politicians. The world is a dangerous place – too dangerous for human authorities (or their theoreticians) not to be restrained and regulated by the justice of God's laws.

We know that the law is good, if a man uses it lawfully, as knowing this, that law is not made for a righteous man, but for the lawbreakers and rebels, for the ungodly and sinners. . . ."

1 Timothy 1:8-9

He bears not the sword in vain, for he is a minister of God, an avenger of wrath to him who does harm. . . . Love works no harm to his neighbor; love therefore is the fulfillment of the law."

Romans 13:4, 10

"Therefore the law is applied *only* to believers, and the only sanction ever in view is removal from fellowship. . . . Not once in the New Testament is the civil aspect of the Old Testament law applied to the civil authority as an ideal."

Dan McCartney,
Theonomy: A Reformed Critique
(1990), pp. 144, 145

"In his preaching against sin John [the Baptist] indicted the illegality of the magistrate's behavior, specifically mentioning Herod. The summary of his indictment is given in Mark 6:18: 'it is not lawful for you to have your brother's wife.' . . . Not only were public officials to obey the law of God, but it is clear that even the sanctions of the law were to be observed. For instance, if a tax collector were to steal from the people, God's law would require restitution of him (cf. Ex. 22:1). And this is actually what we find in the case of Zacchaeus. . . . Revelation [13:16; 14:12; cf. Deut. 6:8] condemns human government (e.g., imperial Rome) that replaces the law of God with the law of the state."

Theonomy in Christian Ethics
(1977), pp. 392, 393, 394

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THEOLOGICAL AND LOGICAL FALLACIES

Some attempts at refuting the theonomic position rest on reasoning which is notoriously fallacious. Critics at times employ a line of thinking which they would readily recognize as unreliable and illegitimate on just about any other topic, even though they press it into service in an effort to criticize theonomic ethics. Examples which are especially noteworthy include the theological fallacy of testing God's authoritative word by extrabiblical standards, the related fallacy of appealing to subjective impression, and the logical fallacy of arguing from silence.

Testing Theonomy By Evaluating the Details of the Law

The easiest but most theologically fallacious maneuver into which people have fallen in criticizing the theonomic thesis is to complain about "horrid examples" of what it would mean to obey the law of God in our society today. An unabashed expression of this approach to criticizing theonomy was offered very early by Aiken Taylor, who wished to criticize theonomy by its consequences: "to evaluate *Theonomy* . . . it would be necessary to test it against a 'jot' or 'tittle'" because the book argues for the validity of every jot and tittle of the Old Testament law today.[1] Mr.

1. "Theonomy and Christian Behavior," *Presbyterian Journal*, vol. 37 (Sept. 13, 1978), p. 18c. In similar fashion Robert Strong wrote about "the great difficulty" of carrying Old Testament ethical material into the New Testament, appealing to "embarrassing examples" of what this would entail ("Theonomy: Expanded Observations," privately distributed from Reformed Theological Seminary, 1978, pp. 2-3). He erroneously portrayed theonomy as calling for "literal" application of the details

Taylor's opinion was that theonomic ethics must be tested by assessing the details of God's law as revealed in the Old Testament (as though we already understand perfectly well what kind of ethic for today would be reasonable and expected from God). Accordingly, he proposed nine or ten examples of what he thought would be applications of these details to life today, telling his readers that such are "not facetious examples." Because these alleged applications of the theonomic thesis were disturbing to Taylor, he promptly dismissed the theonomic position as extreme. But in this he moved too hastily and revealed his own faulty theological method.

If his examples were not facetious by intention, they were nevertheless inaccurate in most every case.[2] Readers have thus been seriously misled and prejudiced against considering the biblical warrant for theonomic ethics. More important than the erroneous applications of the Old Testament law which Taylor attempted to affiliate with *Theonomy*, however, was the theological methodology he employed. His "test by details" is open to serious question. The issue before the theologian is not whether every detail of the law can be readily understood and applied to our modern culture in a way which is congenial to our feelings or

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of the judicial laws of Moses. He also completely overlooked the fact that his line of refutation just as readily refutes the use of New Testament ethical material in the twentieth century (due to major cultural changes)! Dr. Strong's understudy, L. Roy Taylor, liked to distribute "A Cursory Survey of O.T. Judicial Case Laws" as a gallery of horrid examples, personally arguing against theonomic ethics by speaking of the "practical impossibilities" of applying theonomy out in "the real world" (as though the world of criminals, victims, police, courts, etc. is less real than the world of a seminary instructor?). Likewise, Donald Dunkerley thought it appropriate to point to some penal sanction of the Old Testament as sufficient proof that theonomy was an "extreme position" ("What is Theonomy?," privately distributed from McIlwain Memorial Presbyterian Church, Florida, 1978, pp. 4, 7). The same line of thinking was utilized when H. Wayne House and Thomas Ice tried to dissuade readers by considering (and falsely portraying) the frightening scenario of "What Would a Christian Reconstructed America Be Like?" (chapter 4 in *Dominion Theology: Blessing or Curse?* [Portland, Oregon: Multnomah Press, 1988]); not only was their theological method unorthodox, their examples were largely contrived and mistaken.

2. Cf. my essay "God's Law and Gospel Prosperity, A Reply to the Editor of the Presbyterian Journal" (1978), which is available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603.

mindset in the twentieth century. Our obligation to keep the whole law of God may not be judged on the basis of whether its specifics strike us as reasonable or fit into our present way of thinking or behaving. The issue is rather what God's word itself says about the law of God. Scripture must interpret itself regarding the validity of God's whole law today.

We may draw an instructive parallel here to the question of biblical inerrancy. The Bible makes a large set of indicative claims; among them one will find certain statements which refer to the Scripture as a whole. Does one decide on the inerrancy of Scripture by examining all of the individual assertions one by one and verifying their truth (even in the case of the "problem passages"), or does one heed the special self-referential statements of Scripture about itself and let Scripture's evaluation control his handling of all the rest of its claims? The biblical and Reformed answer is the second alternative. The entire truthfulness of Scripture is not a matter of my solving all biblical problems and making all of its claims appear true in light of modern thinking. It is a matter of what Scripture says about itself.

Likewise, the Bible makes many ethical claims upon its reader's attitudes and behavior; in addition to such commandments the Bible contains certain statements *about* God's law itself. It not only delivers laws, it also *comments* on these laws. The issue of our obligation to keep the whole law of God today cannot be settled by seeing whether all of the law's details can be made to appear agreeable to modern thinking; the issue rests on what Scripture *itself* says about its own law. Therefore, Taylor's "test by details" is – inherently – a theologically unacceptable way to determine the acceptability of theonomic ethics.

Secondly, we must ask: *By what standard* would one carry out such a "test by details" regarding the law of God? When someone finds a particular Old Testament law and discerns its proper application to life today, *by what standard* does he decide on the acceptability of that law? If the standard is Scripture itself, then one is reaffirming the theonomic approach to ethics; every jot and tittle of God's word (including Old Testament as interpreted by New Testament) determines our ethical obligations today. Noth-

ing is abrogated or subtracted from the Old Testament law except at the word of the Lawgiver Himself. But this is not what the critics of theonomy have in mind. But then, by what *extrascriptural* standard would they propose to "test the details" of God's law as applied today (and thereby evaluate the theonomic thesis)?

The uniqueness of biblical ethics and the unchallengeable authority of the biblical God make it theologically impossible to find any extrascriptural standard by which His law could be appraised. It cannot be the ways of this world (Rom. 12:1-2). Nor can it be the standard of revered tradition (Matt. 15:6), majority opinion (Rom. 3:4), the lifestyle of unbelievers (Eph. 4:17), the desires of sinful men (I Peter 4:1-5), other high-sounding ethical standards (Col. 2:26-23), the view of religious teachers (I Jn. 4:1), human wisdom (I Cor. 1:17-31), worldly philosophy (Col. 2:8), human laws (Acts 5:29), governmental decrees (Rev. 13:8, 16-17, 14:1, 12), public approval (2 Tim 3:3, 12), personal convenience (Matt. 5:10), financial cost (Matt. 6:24), advancement in the world (Matt. 19:17, 29), protection or special favors (Heb. 11:25-26), ease of application in the face of the status quo (Acts 17:6), or simplicity of understanding and applying those laws (Heb. 5:11-14). I trust that nobody will think that *sola Scriptura* is "taking Reformed principles too far." Rather than allowing our present opinions and attitudes to be the standard by which we evaluate God's law, we ought to take God's law as the standard by which we evaluate and adjust our present opinions and attitudes!

Thirdly, I must express my uneasiness with the *manner* in which Taylor treats those details of God's law which he chooses to mention. These specifics from the law are set forth by him as though any reasonable person would see how ridiculous they are. They are presented as apparent embarrassments to a modern theologian or believer – almost in a belittling light. How else can we account for the fact that Taylor merely alludes to them – without argument or commentary – and expects the mere allusion to dissuade readers from believing that "every jot and tittle" of God's law is valid today? He seems to think that it will be self-evident to everybody that these strange, extreme, or horrible

laws cannot be accepted by us in the twentieth century church.

This approach to God's holy law is unworthy of us as those who believe in the inspired and infallible word of God; it is unbecoming of us who have renounced personal self-sufficiency and trusted in Christ, who Himself delighted in every detail of God's law. Every specific Old Testament law came directly from God, and as such every detail calls for our respect and honor – even if we believe that God has put certain details out of gear for the present age. Since these laws were to be taken by God's people as good and proper in the Old Testament, it *cannot* be simply *obvious* that they cannot be good and proper for God's people today. What was the *delight* of the Psalmist is not an obvious *absurdity* to us.[3]

Such laws cannot be repudiated by modern believers without a sufficient, biblical argument to that effect. Current application of God's law cannot be ruled out simply by inspection of the content of the law itself, for in itself that law is the transcript of God's holiness. To deprecate those laws for what they say in themselves is to disrespect the holy character of their author. Those who worship the Author of the law and love His revealed word simply must not begin with the assumption that Old Testament laws are somehow weird, unreasonable, or too strict. That would easily lead to fallaciously reasoning from unreliable prejudices, rather than from the theologically authoritative and infallible word of God. The Trinity, the incarnation, predestination,

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3. One of the horrible things which is often attributed to a theonomic view of the civil order is that it would constitute tyranny. Gary North has very pointedly exposed the shameful nature of this suggestion: "But then someone may ask: Wouldn't biblical law lead to tyranny? I answer: Why should it? God designed it. God mandated it. Was Israel a tyranny? Or was Egypt the real tyranny, and Babylon? Tyranny was what God visited upon His people when they turned their backs on biblical law" ("The Theonomy Debate," *Journey* [Nov.-Dec., 1986], p. 16). Incredibly, Albert Dager swallows the absurdity indicated in the "tyranny" polemic! In a doubly weak line of evaluation and thought, Dager claims that "the best example of Israel's tyranny was the religious establishment." But then he goes on to explain that it was tyrannical "by enforcing God's law even beyond the parameters that God's word required" – in which case it was *not* the law of God which was tyrannical after all. See Albert James Dager, *Vengeance is Ours: The Church in Dominion* (Redmond, WA: Sword Publishers, 1990), p. 199.

everlasting damnation, and the death penalty for murder are all doctrinal positions which have *seemed* severe or extreme to people today, despite the fact that Biblical Christians affirm them as the teaching of Almighty God. Personal feelings are not authoritative for proper Christian theology, for it is tied to the epistemological attitude of *sola Scriptura*. When something is taught in God's word, regardless of how extreme or severe it may *appear* to fallen sinners, our perspective must be that of Paul: "Let God be true, though all men are liars" (Romans 3:4).

A Christian "Holocaust"?

The most blatantly emotive appeal for opposition to theonomic ethics (and the present day, civil use of God's law) is found in the claim that, if we had a theonomic state, *millions* of people would have to be executed, thereby bringing "a Christian holocaust."[4] This thinking makes the serious mistake of assuming that God's law (endorsed by theonomists) would condone vigilante justice or *ex post facto* enforcement of God's laws. The fact that millions of people are committing what would be capital crimes today (if it is a fact) does not mean that these millions would be executed, for at present our civil laws do not penalize them (or at least not in this way). Theonomists do not believe in going back and executing such individuals after new laws are passed which correspond to Biblical standards. To suppose that theonomic ethics would bring a Christian "holocaust" because millions will commit capital crimes even in a society which has taken God's law as the law of the land is to engage in pure speculation – speculation which, as it happens, contradicts the expectation revealed in God's word that the proper application of the law's penal sanctions will

4. The expression comes from L. Roy Taylor. Compare Harris' remark about *population control* in *Presbyterion*, vol. 5 (Spring, 1978), p. 14. Likewise Peter Masters ridicules theonomists by saying (without due reflection): "it staggers the imagination to think how many millions of people would perish by the death sentence if the laws of Israel were applied throughout the world today" (Peter Masters, "World Dominion: The High Ambition of Reconstructionism," *Sword and Trowel* [May 24, 1990], p. 17). It also staggers the imagination to observe the murderous, violent, destructive and sexually perverse character of those societies which have *spurned* those laws, does it not?

actually *diminish* the instances of capital crimes because the society will "hear and fear" (e.g., Deut. 13:11; 17:13; 19:20). A society which is converted and sanctified enough to desire God's laws as its own, and a society which properly enforces those standards, will not be one where "millions" need to be executed.

The Horrors of History

A version of the "horrid example" criticism of the theonomic thesis is sometimes found in the appeal to past historical events of an embarrassing nature – the fallacious argument from abuse. For instance, critics such as Laird Harris, have appealed against theonomy to the horror of religious wars, the inquisition, the state's punishment of heretics, etc.[5] as alleged examples of what theonomic ethics endorses or leads to. This grotesque appeal to prejudicial emotion was made all the worse by the fact that theonomic ethics does not entail or advocate anything like the horrid examples cited. Theonomy does *not* hold that the civil magistrate has the prerogative to judge fine matters of doctrine and punish heretics who stray from the truth, and it does not do so because it does not read the Old Testament law as granting this power to civil rulers. Ironically, if Harris does not endorse the theonomic principle of civil government, and if (as he suggests) rulers are to govern by the dictates of their own consciences, then there is nothing – in principle – to stop magistrates from arbitrarily taking matters of Biblical doctrinal disagreement into their hands and persecuting those who do not in their hearts subscribe to the "true faith"! Their consciences may lead them to do so, even as some have been led in the past. So, ironically, it is the theonomic position which can appeal to written law – not the conscience-based preference of Harris – that erects a principled obstacle to the very inquisitional and persecuting abuses to which he appeals against theonomic ethics!

To take another example, David Rausch has published certain critical remarks about two particular attempts to see how

5. *"Theonomy in Christian Ethics*: A Review of Greg L. Bahnsen's Book," *Presbyterion*, vol. 5, no. 1 (Spring, 1979), pp. 1, 14-15.

God's commands should apply to society.[6] Because I do not endorse what he describes (but have publicly criticized some of these very things), Rausch's criticism simply barks up the wrong tree. The fact remains that even adherents of the best theological insights have (and will) make mistakes in applying them. But we should recognize this principle of common sense: it is unreasonable for a sick person to abandon himself to poison simply because doctors have sometimes misapplied good medicine. Rausch and other critics should apply that dictum by analogy to their "horrid example" approach to criticizing theonomic ethics. I prefer imperfect efforts in society to use *God's righteous commandments* to the destructive (and in principle uncorrectable) use of *fallen man's unrighteous ones*. The consequences of the latter are available for all to see today. Even as extreme an example as the Salem witch trials (where, once, twenty people died) would not be worthy to be compared to the one and a half million babies which are slaughtered by American humanism every year, or the sixty million (plus) people who have been killed by Eastern Communism in this century. Critics of theonomic ethics have lost all sense of proportion in selecting the theonomic theory of social ethics for their expenditure of *ad hominem* criticism.

Begging the Question

Critics of theonomic ethics have over and over again offered unwitting illustrations of the fallacy of begging the question in their dispute with the theonomic position. Their manner of criticism ends up telling us something about the critic personally – his own beliefs and assumptions – but nothing about the objective state of affairs in the debate or the merit of any case made on one side or the other. The way in which critics have often done this is by appealing to (1) their subjective impression of the thrust of the Biblical text and/or by appealing to (2) what the Bible does not say (i.e., where it is silent). Upon such weak and flimsy foundations – personal impressions and textual silence – critics

6. Douglas E. Chismar and David A. Rausch, "Concerning Theonomy: An Essay of Concern," *Journal of the Evangelical Theological Society* 27, 3 (Sept., 1984): pp. 315-323.

have attempted to erect very weighty conclusions. This is theologically dangerous and really quite contrary to the Protestant spirit of *sola Scriptura.*

A Subjectivistic Fulcrum

A convenient illustration of a couple of erroneous lines of argumentation used by critics of theonomic ethics is provided by Lewis Neilson.[7] In order to counteract the theonomic argument Neilson concedes that he cannot appeal to any passage of Scripture which is definitive. Neilson insists that we need to acquire and focus upon the "overall impression," "the whole character and spirit of Scripture"; one of his booklet's major sections is entitled "New Testament Impressions." He feels that Scripture creates a "strong impression against" the theonomic view – that the "preponderant weight" or "the trend of Scripture" is contrary to it. This does not mean, again, that he can cite numerous passages which are inconsistent with it in any strict sense; there are no direct contradictions found in the text of Scripture. Instead, his claim is that theonomy "loses the broad scriptural sense." He claims that "the spirit, the tenor, appear contrary"; accordingly, in his argumentation he rests in the "prevailing spirit of the New Testament" and cites "the spirit (at least as claimed by me) of the balance of the New Testament." Neilson's monograph is freckled with expressions like "my general feeling," "I have the impression," "appears incongruous," where we must remember that such feelings, appearances, and impressions are not anchored in specific exegetical or logical argumentation but rather in an "aggregate tendency" and "cumulative effect" allegedly communicated by Scripture. He depends upon "the preponderance of overall impressions." With a variety of expressions he makes explicit mention or appeal to this feeling for the implicit tenor of the New Testament more than two dozen times in about fifty total pages of relevant discussion of the ethical issue. His thinking ends up this way: "So each must choose. The scales to me move in favor of contending for no punishment for religious sins. I trust others will feel at peace in the same conclusion from all Scripture and

7. *God's Law in Christian Ethics* (Cherry Hill: Mack Publishing Co., 1979).

will not feel impelled otherwise by the approach adopted by Bahnsen."

Now then, we must realize that when specific texts (separately or together) are not used to settle a theological dispute, everyone is left to *choose* on the basis of *his own* generalized impression from the Bible as a whole! Therefore, Neilson's "argument" against theonomic ethics is easily and sufficiently countered by simply saying that "the impression" I get from the Bible is different from Neilson's. End of dispute – if subjective impressions from the overall effect of Scripture were the basis of our theologizing.

Controlled exegesis of the objective text of Scripture (using historico-grammatical interpretation, along with the analogy of faith or demand for consistency) and good and necessary consequences which follow from such exegesis are the required bases for our doctrinal decisions. The first chapter of the Westminster Confession of Faith is eloquent to this effect and should be consulted here. Feelings about the "tenor" of the Bible must eventually be anchored to Biblical *teaching* (either in a specific passage or larger set of passages) and its *logical implications*, or else such feelings simply have no authority in theological matters and reasoning. The crucial locus of our decision-making reflection must be the publicly discernible text of Scripture and canons of sound argumentation, not the unsure and subjective recesses of private feeling and impression. That is precisely why *Theonomy* cautioned readers in advance against "tenor-arguments":

"As the history of theology evidences, it is just when men are willing to depart from Scripture's *explicit* statements in favor of their generalized, undeniably subjective, assessments of the *implicit* message or meaning of the Bible that doctrinal deviation begins to cut its wide swath. Of course, it is amazing how that imagined, trans-textual "tenor" of the Bible (or N.T.) always seems to correlate so exactly with the theological milieu, ecclesiastical background, and personal opinions of the one who assesses this "tenor"; one's own predispositions and the ideological status quo are easily read into this not so clearly defined and defended "tenor." There is a sober lesson here for contemporary evangelical and Reformed teachers; that which we disapprobate in unorthodox theologians

is all too easily and unwittingly pressed into service against teaching that is uncongenial to our preconceived opinions. Resort is then made to 'tenor' over against *text*."[8]

Arguing From Silence

Neilson's effort is weakened even more by the fact that he often tries to develop or bolster his perception of the "overall impression" of the New Testament's "tenor" (so as to cast doubt on the theonomic view of the penal sanctions) by appealing to *silence* and a lack of explicit assertion in the New Testament on the question.[9] He finds it significant that "there is no absolutely definitive portion of Scripture that addresses the issue" of civil sanctions today for certain "religious" offenses. The passages to which theonomists appeal "do not make precise and unequivocal reference to a duty to punish such sins"; indeed, that duty is not stated *anywhere* "in direct terms," for there is always a "failure clearly to specify a religious sin."[10] So his claim concerns what

8. *Theonomy*, p. 203.

9. He is by no means alone in such fallacious reasoning. I have even seen homosexuals argue from the silence of Jesus about this sexual practice that Jesus did not agree with the Old Testament condemnation. Likewise, Dan McCartney blatantly argues from silence against theonomy ("The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, ed. Barker and Godfrey [Grand Rapids: Zondervan Publishing House, 1990]), hoping to find support in the (alleged) fact that the issues of civil sanctions and state enforcement of the Mosaic legislation do not arise in the New Testament. Similarly, Robert Strong argues that Jesus did not press the Roman government to enforce God's law ("Theonomy: Expanded Observations," pp. 2, 4), and the Evangel Presbytery (P.C.A.) report on theonomy argues that the apostles did not crusade against political rulers for failing to do so (submitted in Gadsden, AL, 1979, p. 10). Jon Zens insists that since the New Testament is our guide, silence implies the repeal of Old Testament commandments (*Baptist Reformation Review*, vol. 7 [Winter, 1978], p. 45). Dispensationalists House and Ice, pp. 89-90, quite naturally follow this line of reasoning. Jon Zens speaks of the "basic hermeneutical question. Are we going to base doctrines on the 'silence' of the New Testament? Or will we allow the New Covenant revelation [to] be our guide in all things?" ("This is My Beloved Son. . . Hear Him," *Baptist Reformation Review*, vol. 7 [Winter, 1978], pp. 15ff.).

10. In passing, the careful reader should note the futility of Neilson's effort to categorize certain crimes as "religious" sins, while others allegedly are not. *All* crimes are religious as well as civil in character, for ultimately all offenses are against the holiness of God Himself. All crime as defined by God's law is simultaneously sin. (This does not mean, contrariwise, that all sins should be treated as crimes.)

the New Testament *explicitly* says or does not say. "There is no Scripture that states explicitly: the civil magistrate today is to enforce all the Old Testament laws, including the penal laws."[11]

The observation is argumentatively trivial because the absence of such explicit mention of a doctrine in the New Testament does nothing to indicate whether the doctrine is obscure or not. Well-founded and clear doctrines, such as the Trinity, the hypostatic union, and the intermediate state, all lack *explicit* Biblical mention, *without* thereby becoming questionable as to their truth. Moreover, if it is somehow significant that the New Testament does not explicitly mention that the civil penalties of the Old Testament are binding today for certain "religious" offenses, it need only be observed that an explicit *denial* of their abiding validity is *equally as absent* from the New Testament – as Neilson would have to admit ("but also there is no Scripture that states specifically that the magistrate is not to enforce all the Old Testament penal laws"). Therefore, apart from a controlling presumption, appeals to silence are fallacious and prove nothing, for the silence could *equally* support *contradictory* theses.

Nevertheless, the theonomist maintains just here that there *is* a controlling presumption which should affect our conclusions about the New Testament view of the validity of Old Testament commandments – and that controlling hermeneutical assumption is mandated by no less than the authority of the Lord of the covenant Himself, speaking directly to the very question of the law's continuing validity (Matt. 5:17-19). The *New* Testament teaches us that – unless exceptions are revealed elsewhere – *every* Old Testament commandment is binding, even as the standard of justice for all magistrates (Rom. 13:1-4), including every recompense stipulated for civil offenses in the law of Moses (Heb. 2:2). From the New Testament alone we learn that we must take as

11. Neilson says that the absence of an "express repeal" of an Old Testament commandment does not settle anything; indeed, "the very force of the new covenant itself can operate as a revocation without express statement" (pp. 13, 14, 39). This is contradicted by the controlling authority of Deut. 12:32. It is also terribly arbitrary since critics who say such things do not believe that everything from the old covenant is revoked by the coming of the new; they use this principle as a taxi, to be utilized or dismissed according to whatever conclusion they wish to reach.

our operating *presumption* that any Old Testament penal requirement is binding today on all civil magistrates. The presumption can surely be modified by definite, revealed teaching in the Scripture, but in the absence of such qualifications or changes, any Old Testament penal sanction we have in mind would be morally obligatory for civil rulers.

Given this presumption, the *silence* of the New Testament about any particular civil punishment would actually give *support* to its continuing validity, rather than detract from it. This is a logically inescapable conclusion. Neilson does not wish to submit to it, however; his refusal to do so is a rejection of the hermeneutics of covenant theology.[12] According to him, despite the general conclusion which theonomy can establish from New Testament texts, it is decisive that "There is no precise command or illustration in the New Testament to which we may point as authority for insisting on civil punishment of religious sins." This could be likened to someone reasoning that, although the Bible teaches that *all men* are sinners subject to God's wrath, it does not *specifically* say that *Japanese* people are sinners, and therefore they are innocent before God! The exegetical establishment of the *general presumption* of continuity for the law's validity settles the debate in favor of theonomic ethics, even in the face of New Testament silence regarding *particular* commands (or types of commands).

The Burden of Proof

In an article aiming to critique the theonomic view of the Mosaic penal sanctions, Dennis Johnson realizes from the outset that he cannot hope to make his case unless he can dispose of the burden of proof which rests upon those who depart from the Old Testament law's guidance. So, immediately following the introductory words in his article, he turns to a discussion of "Continuity, Discontinuity, and Burden of Proof" (the title of the subsec-

12. "The correct principle of interpretation is not the Baptist one of discarding everything in the O.T. not reasserted in the New, but rather the acceptance of everything in the Old not abrogated by the N.T. teaching" (Gordon Clark, *First Principles of Theology*, unpublished ms., pp. 763-764; cf. *What Do Presbyterians Believe?* [Philadelphia: Presbyterian and Reformed, 1965], p. 241).

tion).[13] This is understandable, but his discussion does not establish what he hopes.

Speaking of the conflict between the operating assumption of theonomists (continuity) and that of non-theonomists (discontinuity), Johnson proposes that we can skip the issue of which side bears the burden of proof in cases of New Testament silence. That is, we should not accept either one of their hermeneutical presumptions. This sounds nice, but quite clearly one cannot logically work on both assumptions; moreover, in the face of New Testament silence, one cannot refrain from using one operating hermeneutical presumption or the other. It is an objective, non-negotiable fact that presumed continuity and presumed discontinuity are logically incompatible, and that there are no other alternatives (except of course to refrain from interpreting the New Testament at all). The option proposed by Johnson (viz., no choice) is simply not available, and we fool ourselves if we pretend that we have adopted it.[14]

Johnson is wrong to think that what he has proposed is neutral regarding a choice between operating assumptions. He concludes: "we must rest our convictions on the statements, not the silences, of the New Testament." Notice very well: the *state-*

13. "The Epistle to the Hebrews and The Mosaic Penal Sanctions," *Theonomy: A Reformed Critique*, pp. 172-175. It is disappointing to see Johnson attempting to base his argument on New Testament silence. Notice the logic of his essay: "The question whether the penal sanctions should also instruct the state as it is charged to administer justice to persons within and without God's covenant is not explicitly addressed in the New Testament." To this absolute *silence* he adds another, *relative* silence – the fact that the New Testament less often addresses the responsibilities of political rulers (and "more often and more explicitly" those of political subjects). And *into these silences* he reads his intended conclusion, namely "The New Testament's minimal direction to governmental officials does not support the view that the Mosaic penalties should be enforced. . . ."

14. Johnson's argument confuses the (antecedent) operating hermeneutical rule with the (subsequent) results of specific interpretation. He says that the two general approaches to interpretation (presumed continuity, presumed discontinuity) ". . . do not help us understand the *precise character of the continuity and discontinuity* in God's revelation." Precisely! They are only rules of operation, not preconceived conclusions. This would be like complaining that the rules of baseball do not "really help us" know anything precise about who will win the World Series, so we don't really need such rules anyway!

ments, not the silences. That is simply to say, where the New Testament is "silent" about an Old Testament precept, we may not assume its applicability. If the New Testament does not "state" the precise nature of some precept's continuity, then we may not conclude for its continuity. Johnson expects *New* Testament *re*statement or *re*-interpretation anyway, or else silence implies *discontinuity.* This proposal is a definite choice of one operating presumption (or way to handle New Testament silences) over the other – and it is, sadly, not the covenantal one.[15] Nor is it a choice with which Johnson is really willing to be theologically consistent.[16]

Now then, we must add that the choice between the hermeneutical presumption of continuity and that of discontinuity is not an abstract theological dispute which we may settle "outside of" Scripture or in terms of our "accustomed way of reading" Scripture. It is not a question, moreover, on which Scripture itself is silent. The disappointing thing about Johnson's discussion of "the burden of proof" is that he does not address the exegetically based answer which is readily available in the teaching of the Bible about how we should see the coming of Christ affecting the general operating question of continuity or discontinuity with the Old Testament law (Matt. 5:17-19). Where the Lord of the covenant Himself answers that question – and it was precisely that issue which He was raising (or sensing from His audience) – Biblical theologians are *not free* to overlook the answer or adopt another

15. Johnson disguises this fact from himself by thinking that he is simply talking about "the character" *of* the continuity or discontinuity between the Testaments (pp. 175, 190) – when in actuality he has adopted a hermeneutical rule *about* continuity or discontinuity in cases of New Testament silence.

16. Does Johnson sincerely adopt the pattern of reasoning he sets before his readers? What does he theologically conclude from the fact that infant baptism "is not explicitly addressed in the New Testament"? or the regulative principle of worship? or a specific sabbath-keeping requirement? or a prohibition of searching into the secret things of God? or a prohibition of bestiality? We could continue with such questions. We can also be relatively certain that Dr. Johnson (and many theonomic critics like him) would *not* treat issues like these in the way that he has treated the issue of Mosaic penal sanctions. The appeal to silence as a tool of abrogation is selective and arbitrary. And for that reason alone it is theologically illicit.

one. Indeed, Jesus specifically warned those who are *teachers* that they come under His displeasure if they tell those who hear them that they may set aside even the least commandment of the Old Testament law (Matt. 5:19). There is no exegetical stalemate or standoff here, as though non-theonomists can adduce equally strong, universal, and pointed statements from Jesus (or the apostles) that every jot and tittle, indeed even the greatest commandment, have been revoked by the advent of the Messiah and the New Covenant. Christ speaking in the Scriptures does not permit silence to revoke the Old Testament law of God.

"God, sending His own son . . . 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. . . . The mind of the flesh is enmity against God, for it is not subject to the law of God. . . . But you are not in the flesh, but in the Spirit"

Romans 8:3-4, 7, 9

"Is the law then against the promises of God? May it never be!"

Galatians 3:21

"Finally, and above all, theonomists err by putting saints back under the administration by the Mosaic law rather than by leaving them under administration by the Spirit of Christ."

Bruce Waltke,
Theonomy: A Reformed Critique (1990), p. 85

"Thus the Old Covenant administration (sacrifices, covenant signs, temple) can be set aside for the New Covenant realities, even though the Old Covenant moral law remains fundamentally the same."

By This Standard (1985), p. 314

5

CHANGE OF DISPENSATION OR COVENANT

There are those who oppose the theonomic position because they believe that Christians are no longer under the dispensation of law (revealed by Moses), but rather the dispensation of grace inaugurated by Christ. There are also people who oppose the theonomic position because they believe Christians are no longer under the Old Covenant (especially as revealed by Moses), but rather under the New Covenant instituted by Christ. Whether speaking of dispensations or covenants, such critics believe that theonomic ethics is perpetuating something (the law) which God's redemptive plan in history has made outdated.

Dispensational Reasoning About the Nature of the Law

If anything should be obvious when one studies the theonomic position, it is that theonomy stands diametrically opposed to the theological school of dispensationalism and its method of approaching the Old Testament scriptures. As Lightner says, "As systems of theology, dispensational theology and covenant theology stand in sharp contrast. This contrast begins with a different hermeneutic employed by each."[1] He later notes: "Dispensationalists believe the Law of Moses in its entirety has been done away as a rule of life. This strikes at the very heart of theonomy in particular and of covenant Reformed theology in general."[2] More

1. Robert P. Lightner, "Theonomy and Dispensationalism," *Bibliotheca Sacra*, vol. 143 (Jan.-March, 1986), p. 32.

2. Lightner, "A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 (July-Sept., 1986), p. 235. In dispensational terminology, Lightner says the law

than anything else, then, dispensationalism is the theological foil against which the theonomic perspective is developed. The two positions are logically incompatible in their hermeneutic (the question of presumed continuity or discontinuity with the Old Testament) and in their theological conception of the Old Testament (gracious or legalistic). Let us look at this last matter first.

Living Under the Law

Dispensationalists often confuse themselves and equivocate regarding the expression "live under the law," sometimes taking it to mean living under the terms of the Mosaic *covenantal administration* (called "the law"), but at other times taking it to mean living according to the *moral standards* revealed by Moses (also called "the law"). It is therefore easy to slide from an obvious truth (viz., that Christians are not under the Old Testament administration of God's covenant) into an obvious falsehood (viz., that Christians have moral standards different from the Old Testament's). Scripture does *not* present the law-covenant as fundamentally opposed to the grace of the New Covenant, thus exposing a false antithesis at the heart of dispensational thinking.

According to the theonomic position, the Old Covenant administration of law (or the Mosaic administration itself) did not offer a way of salvation or teach a message of justification which differs from that found in the gospel (the New Covenant). The Old Covenant was *not* a covenant of works which proposed salvation by works of the law. It was rather a covenant of *grace* which offered salvation on the basis of grace through faith, just as does the good news found in the New Testament. The difference was that the law-covenant *looked ahead* to the coming of the Savior, thus administering God's covenants by means of promises, prophe-

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of Moses "is not operative as a stewardship, or a way by which God manages His 'household affairs,' today" (p. 236). If God's *moral* management of His "household" really differs from dispensation to dispensation, how can dispensationalism extricate itself from the charge of teaching a double standard (or seven-fold standard) of morality? If the changes are progressive refinements and further information, then that would be one thing. But if the changes represent contradictions (e.g., under this dispensation it is obligatory to do X, but under that dispensation it is not obligatory to do X), then the household affairs are really in disarray.

cies, ritual ordinances, types and foreshadows that anticipated the Savior and His redeeming work. The gospel proclaims the *accomplishment* of that which the law anticipated, administering God's covenant through preaching and the sacraments. The substance of God's saving relationship and covenant is the same under the law and the gospel.

Scripture does *not* present the law-covenant as fundamentally opposed to the grace of the New Covenant. For example, consider Hebrews 3-4. According to New Testament theology, why was God displeased with the Israelites so that they could not enter the promised land? The answer is that they were disobedient (3:18), but this is the same as the answer that they were lacking faith (3:19)! They had gospel preached to them, even as we do (4:2), but they failed to enter into God's promised provision because they failed to have faith (4:2) – which is just to say, they were guilty of disobedience (4:6)! You cannot pit faith and obedience against each other in the Old Covenant; they are different sides of the same coin – even as in the New Covenant (James 2:14-26). Paul asks quite incredulously, "Is the law then against the promises of God?" Should the grace of the Abrahamic covenant be seen as contradicted by the law revealed by Moses? The Apostle's answer is "May it never be!" (Galatians 3:21).[3]

The law was never intended to be a way of works-righteousness, as Paul goes on to say. By her self-righteous effort to gain merit and favor before God by obedience, Israel "did not arrive at the law" at all! (Romans 9:31) And why not? "Because they sought [righteousness] not by faith, but as it were by works" (v. 32). Paul knew from his personal experience that he needed to die to legalism, to the use of the law as a means of merit before God. And how did Paul learn that lesson? Listen to Galatians 2:19. "I *through the law* died unto the law, that I might live unto God." It

3. For an excellent exegetical discussion of this text, see Moises Silva, "Is the Law Against the Promises? The Significance of Galatians 3:21 for Covenant Continuity," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), chapter 7. What Dr. Silva teaches is perfectly consistent with and supportive of the theonomic position on the relationship of Old and New Covenants. One only wonders, therefore, why it is included in a "Critique" of theonomy.

was *the law* itself which taught Paul not to seek righteousness and God's acceptance through law-works! "Law" and "Grace" may be tags for different covenantal administrations (viz., Old and New Covenants), but they both were administrations of God's *grace* as the way of acceptance before Him. Paul very clearly included the Mosaic covenant – the "*law*" covenant, which erected a wall between Jews and Gentiles (alienating the uncircumcision from "the commonwealth of Israel") – as part of "the covenants of *promise*" (Ephesians 2:12).

Dispensational Reasoning About the Law's Jurisdiction

Robert Lightner states the essential dispensational problem with theonomy: "Dispensationalists believe the Law of Moses in its entirety has been done away as a rule of life." Why this radical conviction? "The fact that God gave the Law to the people of Israel and not to the Church is the beginning point for dispensationalism's difference with theonomy. All other points of disagreement stem from this one."[4]

Where does Scripture warrant such reasoning, this idea that God's truth or standards are intended only for the *immediate recipients* of the word He sends? Paul told the Corinthians that it was shameful for them to be pursuing law-suits against each other before unbelieving magistrates (1 Cor. 6:1-8). According to dispensational logic, this would not be binding upon the Colossians, since it was not revealed to them, but to the Corinthians! Such thinking is readily reduced to absurdity. Since *none* of the New Testament was revealed to twentieth-century, English-speaking churches or believers, should we conclude that none of us is bound to the truth and ethics of the New Testament?

To extricate himself from the problem his dispensational reasoning creates for him, Lightner will need to maintain that what Paul wrote to the Corinthians was meant for a *whole class* of people that extends beyond Corinth in the first century: the class of believers in Jesus Christ, whether in first-century Colossae or

4. Robert P. Lightner, "A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 (July, 1986), pp. 235-236.

twentieth-century California. He will then, of necessity, have to separate that class of individuals from the class of individuals which constituted Old Testament Israel, arguing that God revealed His law to the latter class or group – and *only* to them.[5] This stands in direct contradiction to the witness of Scripture itself, however. The law was not given *only* to Israel, but *through* Israel to the world (Deut. 4:5-8; Isa. 2:3; 51:4; Ps. 2:10-11; 119:46). Paul explicitly says "Now we know that whatever things the law says, it speaks to them who are under the law – that every mouth may be stopped, and *all the world* may be brought under God's judgment" (Rom. 3:19). Jesus and Paul both taught that this same law was meant for the believers of the new dispensation (Matt. 5:17-19; Rom. 7:12; 8:4; 1 Tim. 1: 8).

Dispensationalism's logic is thus unbiblical. It is also inconsistently maintained. Dispensationalism dispenses with the law of Moses since it was revealed to Israel (not the church), but dispensationalism does not dispense with the Psalms, which were likewise revealed to Israel (not the church). Nor do dispensationalists draw back from the *promises* which were revealed to Old Testament Israel (but only from the law revealed to Israel). This arbitrariness betrays the dispensationalist line of reasoning.

The dispensational mindset is pitted against the Apostle Paul,

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5. He admits that his argument logically depends upon the *dispensational* way of distinguishing Israel from the church (p. 236). He mistakenly holds that Israel and the church are not interchangeable in the Bible. However, in Galatians 6:16 Paul directly calls the Christian *church* "the Israel of God" (including Gentile believers: cf. Gal. 2:2,5; 4:8; 5:2). Christians are the true "Jews" (Rom. 2:28-29), the true "circumcision" (Phil. 3:3), the true "seed of Abraham" (Gal. 3:7, 29), the "children of promise" like Isaac (Gal. 4:28), the "commonwealth of Israel" (Eph. 2:12, 19). Israel's glory was the presence of God among them in the temple (Lev. 26:11-12), and the church now is that temple, indwelt by the Holy Spirit (1 Cor. 3:16; 2 Cor. 6:14-16; Eph. 2:21-22; 1 Peter 2:5). Israel was called the people of God's own possession (Ex. 19:5; Deut. 7:6; 14:2; 26:18), and now the church has been given that same designation (Eph. 1:14; 1 Peter 2:9; Titus 2:14). There is but one olive tree, with Gentile and Jewish branches both a part of it (Rom. 11:17-18). The New Covenant, which was made *with Israel*, is established with the church (Jer.31:33; Matt. 26:28; 2 Cor. 3:3-18). It is obvious that dispensationalism's radical distinction between Israel and the church as one covenanted people of God was not developed from within the scriptures and their manner of speaking, but is an *a priori* theological conception developed outside Scripture and now imposed upon it like a Procrustean bed.

for he spoke of "all scripture" – referring specifically to the Old Testament, including the Mosaic law – as profitable for instruction in righteousness (2 Timothy 3:16-17), not merely for doctrine. The dispensational assumption of discontinuity with the Old Testament also stands against the teaching of our Lord Himself, who warned against an antagonistic attitude toward the Old Testament law: "whoever breaks the least of these commandments and teaches men so shall be least in the kingdom of heaven" (Matthew 5:19).

The Universality of the Law

Contrary to this infallible dictum, dispensationalists such as House and Ice claim that *none* of the Mosaic regulations or precepts are *as such* universally obligatory, but were binding only on Old Testament Israel. With conspicuous selectivity, they hold that Christians today are under the regulations and precepts only of the Adamic covenant, the Noahic covenant, and the New Testament. Ice and House assert that "the Mosaic law given to Israel" is not binding upon "any other nation not under the [Mosaic] covenant."[6]

However, the Gentiles clearly were obligated to the *same* moral requirements as the Jews, even though the Jews *alone* enjoyed the privileges of a special covenantal relationship with Jehovah. On the one side, the Old Testament indicated that Israel had a special, redemptive relationship to God, for He Himself said "You alone of all the families of the earth have I known" (Amos 3:2). On the other side, the nations of the world were morally bound to God's commandments, just as were the Jews (e.g., Lev. 18:24-27). House and Ice miss the significance of this last passage by confusing the written code of Moses (which the Gentiles did not receive, obviously) with the moral content of that code (by which the Bible says the Gentiles were indeed judged). Ice and House

6. H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), pp. 100, 129. Note should be made of their failure to distinguish a set of *commands* from the *covenantal form*, circumstances, purposes, and trappings in which they are found (e.g., "Since the nations around Israel were not called to adopt the Mosaic Covenant, it seems evident that the pagan nations would not be judged by the law of Moses," pp. 128-129).

make the same kind of mistake regarding the significance of Romans 2:14-15 when they incorrectly hold that "the nations have a law written in their hearts even though they do not have the stipulations of the Mosaic law" (p. 130). The Bible never suggests that general and special revelation represent two different laws of God (two different moral standards), the former being a smaller set of the larger. The Bible does not suggest that the "specific regulations" differ between the two revelations, or that one is "more detailed" than the other (as suggested by House and Ice). This may very well be the heart of the problem in the dispensational opposition to the theonomic thesis. All the wicked of the earth who stray from God's statutes are condemned (Ps. 119:118-119); indeed, Paul declares that "all the world" is brought under the condemnation of the law (Rom. 3:19). It provides the moral standard for Jews and Gentiles alike.

Does Romans 6:14 Release Us From the Law's Moral Authority?

In paradigmatic dispensational fashion, House and Ice appeal to Romans 6:14 in an attempt to prove that "the law of Moses has been set aside" in the present dispensation (p. 113). Paul says there "For sin shall not have dominion over you; for you are not under law, but under grace." Ice and House confuse matters by alluding to Galatians 3:23, thus interpreting Paul's words in Romans 6:14 to mean that "Christians are not 'under *the* law' as a rule of life" (p. 118). This is a serious misreading. Unlike Galatians 3, Romans 6:14 does not refer to "the law" of Moses (cf. Gal. 3:19) or to the Mosaic law *as* a particular *administration of God's covenant* (cf. Gal. 3:17, 24). There is nothing like this in the immediate textual context of Romans 6:14 to supply a specifying sense to Paul's words, and to be technically precise, one should observe that Paul there does *not* speak of being under "the law" – but rather to being "under law" (generically, without any definite article). He teaches that those whose personal resources are merely those of law, without the provisions of divine grace, are for that reason under the inescapable *dominion of sin.* The "dominion of law" from which believers have been "discharged"

is forthrightly explained by Paul to be the condition of being "in the flesh [the sinful nature]," being "held in" by "sinful passions which bring forth fruit unto death" (7:1-6). From this spiritual bondage and impotence, the marvelous grace of God through the death and resurrection of Jesus Christ has set the believer free. It has *not* set him free to sin against God's moral principles.

When Paul speaks of not being "under law," even Ice and House cannot consistently interpret him to mean "law" in the sense of some "rule of life" (moral demands), since *they themselves* insist that believers *are* under a law in that sense, "the law of Christ." Moreover, "law" in Romans 6:14 *cannot* refer to the *Mosaic* administration or dispensation in particular, for as we have seen, "under law" is equivalent to being under the dominion of sin. We cannot credibly say that all those saints who lived under the law of Moses were under sin's dominion.

One last point. It is clear to all schools of interpretation that Paul in Romans 6:14 teaches that believers should *not* be controlled by "sin" (cf. vv. 1-2, 6, 11-13, 15-18). How, then, did Paul himself understand what sin was? "I had not known sin except through the law" (7:7). Consequently, far from dismissing the authority of the law, Romans 6:14 teaches that believers should not transgress the law (and thereby sin). It is precisely the mind of the sinful flesh which is "not subject to the law of God" (8:7). But Christians have the mind of the Spirit, who leads and enables them to "fulfill the ordinance of the law" (8:4). Dispensationalism finds no footing for its theology in the teaching of Paul in Romans, then, much less in Romans 6:14.[7]

Running a Dispensational Gauntlet: New Covenant, Thus New Law

In various articles which have appeared in the *Baptist Reformation Review*[8] since 1977, Jon Zens has argued that the New Testament teaches us to begin our ethical reasoning with the words and

7. For rebuttals to the dispensational interpretation of further texts, see Greg L. Bahnsen and Kenneth L. Gentry Jr., *House Divided: The Break-Up of Dispensational Theology* (Tyler, Texas: Institute for Christian Economics, 1989).

8. The name was later changed to *Searching Together.*

example of Christ Himself. Zens argues that law in these last days "is solely in the hands of Christ, not Moses."[9] He argues that since a law code must always be related to an act of redemption [where is this axiom taught?], and since *everything* going on in Israel was of a typical nature [even the sins committed? even the mundane elements of life common to all cultures?], the law which now binds us must be identified with the covenant in force – rather than the former covenant which is no longer operative, unless elements of it have been incorporated into the New Covenant. In short, a new covenant means a new law. Even the Decalogue is abolished along with the former covenant, unless its elements are repeated in the New Testament. "To push Moses' law (as a totality) into the New Covenant is legalism," Zens concludes, for we are bound now only to the law of Christ.

Of course, the fundamental mistake in all of this discussion is the underlying premise which denies the covenant of grace. Zens nowhere demonstrates that Scripture teaches a *presumed discontinuity* between Old and New Covenants – a general repeal of Old Testament principles and precepts unless repeated by the New Testament. The very opposite presumption is the one clearly set forth by the Bible, both Old and New Testaments (Deut. 4:2; Matt. 5:17-19). Indeed, the *very terms* of the New Covenant in Jeremiah 31 (repeated in Hebrews 8 and 10) indicate that God's law – not a new law, but the already well known law – will be written upon the hearts of God's people. Thus the Mosaic law is confirmed in the New Covenant as an essential feature of that covenant.

Paul speaks of Gentiles as "strangers from the covenants of the promise," thereby explaining why they were "alienated from the commonwealth of Israel" (Eph. 2:12) until the blood of Christ brought them nigh. Obviously, the Mosaic covenant was one of these "covenants" (plural) of "the promise" (singular) made to Abraham. The Mosaic covenant was occasioned by God's remembrance of His covenant with Abraham (Exodus 2:24), and

9. "Crucial Thoughts on 'Law' in the New Covenant," *Baptist Reformation Review*, vol. 7 (Spring, 1978), pp. 7ff.

Paul emphatically denied that the law was against the promises (Galatians 3:21). As Mediator of the New Covenant, Jesus pronounced a curse upon anyone who would dare break even the least of the commandments in the Law and the Prophets (Matthew 5:19). Thus the continuity between the various covenants from Abraham, through Moses, to Christ is a crucial point of Biblical theology. When Gentiles become Christians, they are made sons of Abraham by faith and heirs of the promise (Galatians 3:29) – the promise around which all the Jewish covenants were unified (Ephesians 2:12). God's grace – His merciful response to violations of His unbending law – is the singular core around which the covenants of the Old Testament were established. The New Covenant brings these former "covenants of the promise" to full force and realization (e.g., 2 Cor. 1:20), thereby demonstrating the continuity which characterizes the relationship of God's covenants to each other and warranting the concept of a covenant of grace.

A Christo-Centric Ethic

Zens is jealous to insist that in our age the law "is solely in the hands of Christ, not Moses" (as quoted above). He says, "To refer the believer to the details of a terminated economy, and not to the new and living way of grace and truth in Christ . . . is manifestly retrogressive."[10] According to him, the "primary norm" for the theonomist is not the commandments of Christ, but those of Moses (an unwarranted slander); theonomy does not, he says, do justice to "the superiority of God's speaking in Christ."

In an article entitled "This is My Beloved Son . . . Hear Him,"[11] Zens argued that the Old Testament law was a unity which has passed away with the covenant which embodied it. Throughout the article, Zens keeps stressing that we must be Christ-centered, rather than law-centered. He claims that "the whole Mosaic arrangement" has been abrogated, in which case theonomists are wrong to assert simplistically that what was sinful

10. Jon Zens, *Baptist Reformation Review* (Fourth Quarter, 1979), p. 17.

11. Jon Zens, *Baptist Reformation Review*, vol. 7 (Winter, 1978), pp. 15ff.

in the Old Covenant is likewise sinful in the New. The two covenants represent *two ethical regimes*, Jesus Christ being central to the New Covenant. Of course Christ was central to the Old Covenant as well (cf. Luke 24:27, 44), and theonomic ethics certainly permits changes from the Old to New Covenants as long as those changes are exegetically controlled. What is especially important to Zens is that we acknowledge that Christ is central to New Covenant ethics. He feels that the ethics of covenant theology "fails to do justice to the centrality of Christ," being "oriented around Moses, not Christ."[12]

The central conceptual mistake in Zen's insistence upon a Christ-centered ethic in the New Covenant is that it propounds a false antithesis between the commands of Christ and the law of Moses, insisting that the focus and starting point for our Christian norms of behavior must be the words of Christ and not the Old Testament law. What Zens does not see is that theonomists hold that we should honor the law of Moses *just because* the words of Christ require us to do so. Theonomy is not a matter of hearing Moses *instead* of Christ, but rather hearing Moses *because* of Christ. By not taking account of that fact, Zens has wasted many words in indirect criticism of the theonomic position. Equally unprofitable are Zens' many expressions to the effect that we must come to the law through the gospel and not vice versa. The relevant fact is that God requires us – even today – to come to His law for guidance of our lives.

Zens' critical claims turn out to be not only untrue to the character of covenantal writings about Christian behavior (showing how sensitive Zens personally may be about the elements of law exposition in them, overshadowing in his mind to the point of forgetting the emphasis on Christ and the Spirit), they are paradigmatic of what gives theology a bad name in scholarly circles. For all of the intensity of such accusations, just what precisely do they mean? Without explaining the *centrality* metaphor or the implied antithesis between Moses and Christ, Zens wields his slogan like a weapon – never pausing to consider the

12. Jon Zens, "An Examination of the Presuppositions of Covenant and Dispensational Theology," a paper presented to a 1980 Council on Baptist Theology, p. 12.

question of whether covenant theologians might be acquitted of these charges, were the meaning of the slogan made specific and clear. The simple fact that a theologian pays attention to the Mosaic law is not *ipso facto* an indication that Christ is no longer central in his theology or that he has become oriented to Moses! Again, covenantal theonomists wish to pay attention to Moses *just because* their Lord and Savior (who remains "central" to their lives and thinking, central as Lord and interpreter, central as Savior and one who sends empowering, central as the one whose kingdom is served, etc.) has instructed them to pay attention to the Mosaic law. The emphasis continues to lie on Christ, *even if* one does not agree with Zens' repudiation of the Old Testament law's validity today!

Zens finally states his position in these words: "I am not in any way denying the usefulness of the Mosaic commands in the Christian life. But these commands come to us *through Christ"* (p. 13). This is a real shock if taken seriously. If Zens does not "in any way" deny the usefulness of the Mosaic law in the life of the New Covenant believer, then what has all the fuss and controversy – all the articles, slogans, and criticisms – been about? If his only concern is that the Mosaic commands come to us "through Christ," then he should no longer have any concern over theonomic ethics, for that is precisely what theonomists do. The theonomist goes to the Mosaic law *through* heeding the words of Christ to do so. The moral demands of "the new exodus" as set forth by the covenant mediator *include* (unless modified elsewhere) the moral demands of the old exodus and covenant, to use Zens' terminology (Matt. 5:17-19).

More Fallacious Metaphors

Zens says that the New Testament teaches "that Moses' house has ended," and thus it is mistaken of theonomic ethics to endorse the continuing validity of the rules which governed that house. That inference, however, does not follow until one expounds the implications of the *house* metaphor as presented by Scripture; after all, in our own experience we know that similar rules are indeed followed in the building of and living in different houses. When

one turns to consider what implications follow from the Scriptural figure of Moses' house, however, he finds that Christ and Moses are part of the *same* "house" anyway (Heb. 3:1-6), related differently to it as servant and son. Thus, the premise of Zens' argument is faulty to begin with.

Other mistakes of this kind are made by Zens in his argumentation. When he treats the "new commandment" of Christ, he does not treat it as an added dimension to the existing moral standards of God but rather as a *substitute* for them. This is not only contrary to the way in which Jesus spoke of the new commandment, it overlooks the significance of the fact that Scripture says that the commandment is *not new* in a sense (I John 2:7).

When Zens turns to Hebrews 8:6, he correctly observes that the New Covenant has been put into effect with the force of law; this is true of all divine covenants: they are legally binding on God's subjects. It is a conspicuous *non sequitur*, however, for Zens to infer from this fact that all successive divine covenants (or the New coming subsequently to the Old) *replace* the legal stipulations of previous covenants. It does not follow from the fact that the New Covenant has been put into effect *with the force of* law that it constitutes a completely *new code of law;* it could as well be an addition and apex to previously established covenants with the force of law.

Metaphors aside, does Zens have any exegetical basis for his rejection of the Mosaic law in the New Covenant?

Galatians 4 and 1 Corinthians 9

In endorsing the validity of the Old Testament law, says Zens, the theonomist "perpetuates the details of an economy designated as 'beggarly elements' in the New Testament (Galatians 4:9-10)."[13] The problem is that Zens has misidentified the beggarly elements of the Old Covenant. The very passage which he has cited indicates that Paul was dealing with the *ceremonial* aspects of the Old Covenant and law – things such as observance of a special calendar (Gal. 4:10). The fact that Paul's concern was the ceremonial law is also evident from the historical context of

13. Zens, p. 14.

Galatians, which was the Judaizers' insistence on circumcision for justification. It should seem just a bit incongruous to Zens that Paul would at one place (on Zens' hypothesis) deprecate the law of God as beggarly, and at another place describe it as "holy, just, and good" (Romans 7:12). In fact, what Paul called "beggarly" in Galatians 4 was the "rudiments" or "elements" (Greek, *stoicheia*) – the same word used in Colossians 2:20 for ordinances (such as those dealing with offerings and holy days in the ceremonial law, as well as an admixture of extrabiblical ascetic rules: vv. 16, 21) "which are a shadow of the things to come" (v. 17) but laid aside by the redemptive death of Christ (v. 20). That is, the very word used in Galatians 4:9 would indicate that Paul was speaking of the ceremonial law as beggarly, and not the law in general.

A school bus may include seats and children, but when we speak of a noisy school bus, we are referring only to the children. The Old Testament included moral law and ceremonial ordinances, and when Paul speaks of the "beggarly elements (rudiments)," he should be interpreted as speaking of the ceremonial law – not that which was holy, just, and good. Semantics, context, and the analogy of faith require that conclusion. Paul was speaking of that *portion* of the Mosaic law which was *immature* (Gal. 4:1-3), but which directed "unto Christ for justification by faith" (3:24). Since the *moral law* does not show the way of redemption or foreshadow the justifying work of Christ, we understand that Paul was referring to the foreshadows contained in the *ceremonial law*, which fit the description of an undeveloped (immature) system of principles which nevertheless led to the truth of justification by faith in Christ (e.g., the sacrificial system, covenant signs, etc.). *These* are the ordinances which were laid aside "when [the object of] faith came" (Gal. 3:19, 25), as the New Testament confirms elsewhere. Thus, when Zens accuses the theonomic position of forfeiting the liberty which Christ purchased by finding the standard of moral perfection in a mere attendant (Gal. 3:24; 5:1), he misunderstands the position of both Paul and the theonomist. Paul was speaking of the *tutelage of the ceremonial law*, and theonomists do not seek to infringe on our liberty from

it by making it a standard of behavior today.

The only other passage to which Zens makes exegetical appeal in order to justify his view of the passing away *in toto* of the Mosaic law (due to the passing away of the Mosaic Covenant) is 1 Corinthians 9:20-21. There Paul indicates that he was *not* without the law of God, however, for he was "in-lawed" to Christ. Now, Zens might initially think that the law of Christ (and hence of God) which Paul kept was divorced from the Old Testament law's authority, for Paul says in the same passage that he operated as someone under the law at some times and without the law at other times. It is obvious, however, that Paul was not a moral schizophrenic, living arbitrarily under the requirements of the law but just as arbitrarily rejecting the law's demands at times as well. Nor was Paul speaking of trying to gain salvation "under the law" at some times and living as an antinomian at other times. *Whatever* interpretation one gives to these various attitudes ("under law," "without law," "not without law," "in-lawed to Christ"), they must be consistent with each other and be in agreement with other Pauline teaching. If Zens interprets the passage as saying that Paul lived without the Old Testament law and simply under the law of Christ, then it is difficult to understand or justify Paul's other statement that he indeed lived under this law as well.

The problem can be resolved, though, when we take notice of the context. Paul was speaking of the differences in his lifestyle or mode of ministry when he was among Jews and when he was among Gentiles. Certain Old Testament precepts erected a wall of separation between the Jews and Gentiles (cf. Eph. 2:15), such as dietary restrictions, the Passover, and the ceremonial system of ordinances in general. When he ministered to Jews, Paul lived in conformity with their ceremonial customs; but when he was among Gentiles, he functioned without such laws. Nevertheless, this variation (made possible by the fulfillment of the ceremonies in Christ and the removal of the wall of separation between Jews and Gentiles thereby) between being "under" the law and being "without" the law did not nullify the *general* truth that Paul was still *with* the law of God in his life (i.e., not without it) because he had submitted to the law of Christ. This passage, then, does

not teach a dispensational distinction between the moral standards of the Old and New Testaments, nor does it lay aside the Christian's obligation to the law of God in general. It simply indicates that the ceremonial laws which separated Jews and Gentiles – a separation *not* taught regarding the *moral* laws of the Old Testament (e.g., the prohibition of abortion or homosexuality) – need not be observed after the redemptive work or according to the moral demands of Christ. Paul insists in this passage that the New Covenant Christian is not without the moral demands of the Old Covenant law of God.

"And many peoples shall go and say, 'Come, let us go up to the mountain of Jehovah, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths,' for out of Zion shall go forth the law, and the word of Jehovah from Jerusalem. And he will judge between the nations"

Isaiah 2:3-4

"[Bahnsen] fails to appreciate . . . that the judicial and ceremonial laws, in contrast to the Ten Commandments, are meant for a specific situation and therefore are mutable, relative to changing purposes and situations. As noted, these laws were meant for Israel as long as they were in the Promised Land."

Dr. Bruce Waltke,
Theonomy: A Reformed Critique (1990), p. 80

"The distinction *must* be drawn between ceremonial and moral laws, and one must recognize that the former's manner of observation is today altered. . . . In view of these things we conclude that the distinction between moral and ceremonial laws is not one which the New Testament theologian today arbitrarily foists upon the Old Testament. Recognition of such a distinction (between morality *per se* and cult) can be illustrated in the Old Testament itself. . . . Due to the historical base which the restorative [ceremonial] law has . . . it can take *various forms* in different eras. . . . Thus the change in outward form of observance is grounded finally in the teaching of God's word."

Theonomy in Christian Ethics
(1977), pp. 212-213, 215

"Some people try to draw a line between 'moral' and 'civil' laws with the intention of giving the impression that the latter class are mere matters of time-bound administration which are irrelevant today; in this way they can shave off those laws of God which have social and punitive application. Yet Scripture recognizes no such demarcation."

Theonomy in Christian Ethics
(1977), p. 310

6

CATEGORIES OF OLD TESTAMENT LAW

Two different lines of theonomic criticism converge on the issue of recognizing distinctions within the various laws which are found in the Old Testament.

One line of criticism proceeds on the premise that all of the individual commandments of the Old Testament are of the same nature, stand on the same level with each other, are mixed together without recognizing different categories, and therefore must all – each and every one – be treated in exactly the same manner under the New Covenant. Since *some* of these laws are obviously not to be observed today (for instance, the sacrificial cultus), therefore *all* of these laws must likewise not be obligatory.[1] Theonomic ethics challenges this line of thinking, defending the traditional theological distinction between "ceremonial" and "moral" laws within the Old Testament.[2] However the infelicity of the "ceremonial" label is pointed out in *Theonomy in Christian Ethics*. I suggest that a more accurate description of the laws

1. Unless they are repeated in the New Testament, of course – the standard dispensational exception.

2. Inexplicably, Bruce Waltke thinks this is inconsistent with the theonomic view that the Old Testament law should be presumed to continue in validity unless God's word gives reason to believe otherwise: "Theonomy in Relation to Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), pp. 79-80. God's word gives reason for us to believe otherwise about the ceremonial law precisely in such texts as Waltke tries to use against theonomy (e.g., Gal. 4:9; Hebrews)! It is no embarrassment to the theonomist to say that we yet observe the underlying meaning of the old ceremonial laws – for Scripture itself tells us this (e.g., Heb. 9:22-24; 2 Cor. 6:17; Rom. 12:1). But Waltke conveniently omits any mention or treatment of such things in his hit-and-run criticisms.

falling into this category is "restorative" – reflecting God's mercy by which sinners are restored to Him, nourished in their salvation (the sacraments), and urged to a separated lifestyle in the midst of a fallen world.[3] In *Theonomy* as well as in *By This Standard*, the Biblical necessity of this category distinction within Old Testament laws was argued on the basis of texts like Hosea 6:6 ("I desire mercy, not sacrifice") and Ephesians 2:5 ("the law of commandments contained in ordinances," which separated Jew from Gentile).[4]

The second line of criticism comes from the opposite direction. It not only recognizes the legitimacy of a ceremonial category of Old Testament laws, but it wishes to assert a *further* classification of laws which, just like the ceremonial laws, are categorically abrogated under the New Testament – namely, the civil or "judicial" laws of the Mosaic revelation. Therefore, according to this thinking, the only Old Testament commandments which would remain binding in the New Covenant would be the "moral law," which is allegedly only the ten commandments (Exodus 20:1-17). Theonomic ethics challenges this understanding of the Old Testament civil or judicial laws, arguing that they are theologically distinct from the ceremonial laws, that the moral law cannot be reduced to the decalogue (its summary), and that the difference between judicial laws and the moral law which they apply is not principial but literary in character. *Theonomy* taught that we need "to apply the illustrations given in the Old Testament case laws to changed, modern situations and new social circumstances." For instance, with respect to the requirement of a rooftop railing: "Thus the underlying principle (of which the case law was a particular illustration) of safety precautions has abiding ethical

3. John Frame rehearses the ambiguities of the "ceremonial" rubric and reminds us, quite correctly, that laws must be placed into this category after exegesis, not as an *a priori* approach to their exegesis – in "The One, the Many, and Theonomy," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), pp. 91-92. He thinks the "restorative" label has some advantages.

4. *Theonomy in Christian Ethics* (Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Co., 1977, 1984), chapter 9; *By This Standard: The Authority of God's Law Today* (Tyler, Texas: Institute for Christian Economics, 1985), pp. 136, 316, etc.

validity" (pp. 540-541). I put it this way in *By This Standard*: "The *moral law* of God can likewise be seen in two subdivisions, the divisions having simply a literary difference: (1) general or summary precepts of morality. . . , and (2) commands that specify the general precepts by way of illustrative application" (p. 137).

Complaints Over the Ceremonial Law

The recognition of a ceremonial category of laws in the Old Testament is commonplace among theologians (from Thomas Aquinas to Charles Hodge). Nevertheless, there are critics of theonomic ethics who demur when this category is recognized by theonomists, even though theonomists properly insist that only inductive Biblical exegesis can warrant placing a particular Old Testament commandment into that category – rather than applying it speculatively or in some *a priori* fashion.

Some critics argue that the ceremonial category of laws is not Biblically countenanced, that the whole Old Covenant law must be seen as a unity. Therefore, the passing away of the sacrifices, dietary restrictions, and other ritual elements from the Old Covenant proves that the entirety of the Old Covenant law has passed away with those things.[5] Lightner contends, "As an indivisible unit the Law is not to be divided with some of it operative today while other parts are not."[6] Others say that the moral and ceremonial laws reflect the character of God in exactly the same ways and are thus inseparable.[7] Their contention is that the moral, civil, and ceremonial laws were not "strictly delineated" in the Old Testament, thus making the distinction theologically "mis-

5. Jon Zens, *Baptist Reformation Review*, vol. 7 (Winter, 1978), pp. 32-33, 40.

6. Robert P. Lightner, "A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 (July-Sept., 1986), p. 238. According to this thinking (as Lightner quotes Ryrie): "If the Law has not been done away today, then neither has the Levitical priesthood" (p. 243). The problem with this reasoning is that it is not warranted by Scripture: there are Biblical grounds for seeing the priesthood as put out of gear (Heb. 7, esp. v. 18), but not for the entire law. And to reason from "some" to "all" is simply a fallacy in logic.

7. H. Wayne House and Thomas Ice, *Dominion theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), pp. 42-43, 89, 100, 134.

leading."[8] If a distinction were to be drawn between ceremonial and moral laws, they complain, then it would prove difficult to determine to which category specific laws belong.[9] Other critics claim that if we say there is a sense in which the ceremonial laws are binding today (e.g., the underlying principle that there is no atonement without shedding of blood), but another sense in which they are not (e.g., we no longer observe animal sacrifices which foreshadowed the sacrifice of Christ because He has "once for all" shed His blood to atone for our sins), then we are guilty of logical equivocation.[10]

Such criticisms as these are not effective or cogent. It is precisely in order to avoid equivocation that theonomic ethics clearly distinguishes the different senses in which the ceremonial laws are binding and are not binding. Moreover, to complain that the moral/ceremonial distinction makes things difficult for a theologian is only saying what could be said of many perfectly acceptable theological concepts (e.g., the Trinity, the hypostatic union, communication of attributes, the different elements and order of redemption). The distinction was not invented by theonomists; the warrant and necessity of drawing this distinction is granted by many authors who are not theonomists.[11] Some laws are more difficult to handle than others, of course, because they incorporate both moral and ceremonial elements, but all responsible interpreters of the Biblical text must wrestle with such tough examples.

The *failure* to recognize the moral/ceremonial distinction is a

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8. Paul Schrotenboer, "The Principled Pluralist Response to Theonomy," in *God and Politics: Four Views on the Reformation of Civil Government*, ed. Gary Scott Smith (Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Co., 1989), pp. 56-58. The same line of argument is found in House and Ice, pp. 89, 100, 134.

9. R. Laird Harris, *Presbyterion*, vol. 5 (Spring, 1979), pp. 9-10; O. Palmer Robertson, Tapes: "Analysis of Theonomy" (available from Mount Olive Tape Library, Box 422, Mt. Olive, MS 39119), tape# OR107A1, A2, B3.

10. Paul Fowler, "God's Law Free From Legalism," (privately distributed from Reformed Theological Seminary, 1980), pp. 85-86, 107-110.

11. E.g., Walter C. Kaiser, Jr., "God's Promise Plan and His Gracious Law," *Journal of the Evangelical Theological Society*, vol. 33 (Sept., 1990), and many of the contributors to *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990).

serious literary, ethical and theological mistake on the part of critics. Once we clearly understand what a "ceremonial" law is,[12] we should readily acknowledge the theological necessity of countenancing such a category. Critics often miss the fact that categories of the Old Testament law did not *need* to be written out in *delineated* literary subsections in order for them to be, nevertheless, clearly *distinguishable* by the Israelites. The objection of critics about the moral/ceremonial breakdown invents a difficulty where one hardly existed. With the coming of New Covenant revelation which helps us understand even better the meaning and purpose of Old Covenant commands, the cogency and necessity of something like the moral/ceremonial distinction becomes *all the more* apparent. It accounts for Paul's insistence on submission to case-law ("civil") provisions of the Old Testament (e.g., 1 Tim. 5:18), but refusal to see other ("ceremonial") laws as obligatory (e.g., Gal. 2:3; 5:2, 6). Paul could do both without being in the least bit logically inconsistent. If the moral/ceremonial distinction is not recognized, then one renders the New Testament scriptures contradictory with respect to the Old Testament law. Paul declares that the law is holy and good (Rom. 7:12), and yet elsewhere that the law (in another sense, obviously) is a tutor that we are no longer under (Gal. 3:24-25; cf. 1 Cor. 9:20-21).

A *category distinction* is unmistakable in God's declaration, "I desire faithful love, not sacrifice" (Hosea 6:6). That statement would have made no sense whatsoever if Israel could not tell the difference between the laws demanding sacrifice (which we call "ceremonial") and the laws demanding faithful love (which we call "moral" and "civil"). Are we to believe that the ancient Israelites lacked the mental acumen to catch the contrast between laws which bound Jews and Gentiles *alike* (e.g., the death penalty for murder, Lev. 24:21-22) and those which bound Jews but *not*

12. A "ceremonial" (or restorative) law is one which has been "put out of gear" by the redemptive mission of Jesus Christ and redefinition of the New Covenant people of God – rather than a law (such as the case-laws) which is differently applied today because of cultural differences. The latter category of commands would include even *New* Testament commands (such as the story of the good Samaritan) which have nothing whatsoever to do with the monumental change brought in redemptive history by the work of Christ.

Gentiles (e.g., the prohibition on eating animals that died of themselves, Deut. 14:21)? Whether they used the verbal labels of "moral (civil)" and "ceremonial" (as we do) is beside the point.

Indeed, if the Israelites of old could not tell the difference between moral laws (defining moral obligation) and ceremonial laws (defining redemption for those who sin against the moral laws) – and if we today do not draw that distinction – then the purity of the gospel has been compromised. Both kinds of law pertain to redemption, but in very different ways.[13] We are not saved *by* our righteous behavior, but according to God's gracious payment of our penalty (ceremonial law) and *unto* righteous behavior (moral law) – Eph. 2:8-10; Rom. 3:28; 8:4. I fear that many critics of theonomic ethics veer dangerously close to error by their ambiguous language and fuzzy thinking about the law here. To eschew theological equivocation, theonomists concur with the Reformed heritage in discriminating between laws which display the *way* of redemption (ceremonial) from laws which define the righteousness of God (moral, civil) to be emulated as an *effect* of redemption.

Seeking Similar Treatment for Judicial Laws

Having said this, we are criticized by others for not going on to say more – for not treating the judicial laws (or civil, or case laws) of the Old Testament in exactly the same way. This category of Old Testament commands includes specific illustrations of how the ten commandments (expressed more broadly or categorically) are to be applied, often to judicial or civil matters.

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13. Schrotenboer equivocably states that all Old Testament laws are "redemptive" in character, since salvation is as wide as creation (pp. 57-58), and Robertson claims all the Old Testament laws had a cultic dimension. Cf. the comment by Vern Poythress: "In a broad sense every law has redemptive purpose" (*Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 108). It is similarly misleading to assert "all the verses point forward to Christ" and "have a unique redemptive-historical coloring" (p. 118). They certainly do not point to Him in the same way and with the same teaching content. The prohibition of theft points to His honesty, but the sacrificial system points to His redemptive work for thieves. Poythress and I are probably not that far apart, though, since he grants that "*as a matter of degree*" we may still distinguish laws as "primarily" moral or ceremonial in character.

According to many critics of theonomic ethics, these kinds of Old Testament laws have been abrogated in the New Testament, rather than simply applied to new cultural circumstances. They offer no Biblical warrant for this conclusion. Jesus warned against dismissing even the least Old Testament commandment (Matt. 5:19), and Paul taught that every Old Testament scripture instructs us in righteousness (2 Tim. 3:16-17). Not a single law, word, or stroke can be violated with impunity (Jas. 2:10; Matt. 4:4; Matt. 5:18). In endorsing the Old Testament law, the New Testament never stops to make a special exception for the judicial laws. Indeed, when Jesus summarized the entire law, He quoted not from the ten commandments, but from two laws about love outside the decalogue (Matt. 22:37-39; cf. Deut. 6:5; Lev. 19:18). *Laws outside the decalogue were quoted as on a par with the ten commandments* (Mark 10:19). Even the lighter demands of the law were not to be left undone, said Jesus (Luke 11:42). Consequently, Jesus condemned the setting aside of the death penalty for incorrigible children (Matt. 15:4-5). Paul appealed to the extra-decalogical prohibition against incest (1 Cor. 5:1). The case law against homosexuality was upheld in the New Testament (1 Cor. 9:9; 1 Tim. 5:18). James applied the judicial law about prompt payment of one's employees (5:4). The important New Testament injunctions about not avenging oneself, about going to an offending brother, and about caring for one's enemies are all taken from the judicial laws of the Old Testament (Rom. 12:19; Matt. 18:15; Rom. 12:20; Matt. 5:44). You see, the New Testament cites the judicial laws of the Old Testament too often, and without apology or disclaimer, to accept at face value the bald claim of theonomic critics that these laws have been abolished by the work of Christ or the coming of the Holy Spirit. "Not one jot or tittle will pass away from the law until heaven and earth pass away" (Matt. 5:18).

Isn't the Decalogue Somehow Unique?

The all-too-easy claim that the New Covenant does away with the judicial laws of Israel (or the commandments other than the decalogue) is one which must be backed up with impressive exe-

getical evidence. After all, God strictly forbids us to subtract from His commandments (Deut. 4:2). If theonomic critics wish to assert that the judicial (civil) laws of the Old Testament have been repealed, they are duty-bound to demonstrate that God Himself, the Law-giver, has authorized such a conclusion. Otherwise, this view must be condemned as arising from human tampering with God's sovereign prerogatives.

Some critics venture into this dangerous arena and try to base their repeal of the judicial laws on the distinctive character, function, or presentation of the decalogue in the Old Testament (e.g., its being directly uttered by God from heaven to the people, its being engraved on stone as the epitome of the covenant).[14] All such efforts are exegetically and logically flawed. For example, O. Palmer Robertson argues that the civil law of Israel was historically and socially conditioned – which is also true of the decalogue as we have seen; and this fact did not keep Paul from making authoritative use of the case laws (e.g., 1 Cor. 9:9-10). Robertson says that the decalogue is the "core" of the Mosaic law, but we could as easily say that the love commands are the "core" of the decalogue (cf. Matt. 22:40) – even though they are found outside the decalogue! – and not for a moment think that the ten commandments can thereby be dismissed today. Robertson also suggests that the civil laws of the Old Testament had a typological or prophetic dimension – but the same could be said for the ten commandments (e.g., the fourth typifying the New Creation, the fifth typifying the perfect Son who is rewarded with life forevermore, etc.).[15]

Bruce Waltke mistakenly contrasts the judicial law to the ten commandments, saying the wording of the latter (unlike the former) is "not restricted to time and place." In fact, though, God felt it important to introduce the ten commandments according

14. For instance: Fowler, pp. 39-44; Report of the Committee to study Theonomy (presented to Evangel Presbytery, P.C.A., meeting at Gadsden, Alabama, on June 12, 1979), pp. 9-10; Lewis Neilson, *God's Law in Christian Ethics* (Cherry Hill, New Jersey: Mack Publishing, 1979), pp. 33, 37; Walter Chantry, *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), pp. 87-88.

15. Tapes: "Analysis of Theonomy."

to a particular setting in history and in geographical place: "I am Jehovah your God who brought you out of the land of Egypt." Moreover, the wording of the ten commandments themselves contains temporal/spatial specifications (as do the judicial laws): "in the land which Jehovah your God gives you" (Ex. 20:12), stranger within the gates (v. 10), cattle, oxen and donkeys (vv. 10, 17). Such references scuttle Waltke's notion that the "unrestricted extension" of the ten commandments sets them apart from the judicial laws. (According to Deut. 4:5-8, the "extension" of those judicial laws was rather unrestricted too!) One could easily parody Waltke's argument to dismiss the judicial laws by making a case that the ten commandments *also* were "meant for a specific situation and therefore are mutable" (p. 80). If you look only at the literary presentation of either the judicial laws *or* the ten commandments (in local context only), you could just as easily argue that even the ten commandments "were meant for Israel as long as they were in the Promised Land" – indeed, cf. Deut. 4:1, 9-12, 22b-23, 26, 33, 40, 44 which all introduce a restatement of *the ten commandments* (Deut. 5:1-22)![16]

Advocates of theonomic ethics readily grant that the decalogue has many distinctive features about it. But that premise does not lead to the conclusion that *only* the decalogue is morally binding after the establishment of the New Covenant. It does not prove – and the critics never attempt to show how it could prove – that the decalogue is uniquely *obligatory*. Think about this for a moment. The unique features of the decalogue were true of it prior to the establishment of the New Covenant. Do the critics conclude, therefore, that only the decalogue was binding at that time, during the Old Covenant? Why, then, would those features prove that the decalogue *alone* is binding with the coming of the New Covenant? This reasoning makes no sense.

According to theonomic ethics (and a long line of standard Biblical interpretation), the judicial or case laws of the Old Testament explain and apply the meaning of the decalogue to the

16. Bruce Waltke, "Theonomy in Relation to Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), pp. 70-72.

ancient culture of Israel.[17] The principles which are illustrated in those judicial case laws, if they truly expound the *content* of the decalogue, must be as binding as the ten commandments themselves. To say that a principle which follows from or defines a law in one circumstance is no longer valid in a further but similar circumstance is in effect to change the character of the law in question – or to deny the universality of moral standards (which carries its own absurdity). Those critics who claim that the judicial case laws are no longer morally valid, and yet who claim to endorse the continuing validity of the ten commandments, are thus conceptually confused. They cannot have it both ways without unwittingly changing the very meaning of the decalogue's demands. "Thou shalt not commit adultery" is a generalized requirement of sexual purity which includes, among other things, the duty to avoid incest, homosexuality, and bestiality (cf. Lev. 20:11-16). If the judicial case laws are now set aside, then the New Testament has a conception of sexual purity different from the Old. Thus in a public debate at the annual meeting of the Evangelical Theological Society (Toronto, 1981), when Dr. Paul Feinberg argued for the abrogation of the judicial laws of the Old Testament, my rebuttal was that he could not (on that hypothesis) prove that bestiality is forbidden by God today![18]

Does Scripture Repeal the Case Laws?

Some non-theonomists have tried to show that the New Testament sets aside the case laws of the Old Testament. Two recurring problems attend these efforts. *First*, appeal is sometimes made to texts which do not allude to or pertain to the case laws whatsoever. For instance, appeal is made to Colossians 2:14 and to Ephesians 2:15 by critics of theonomy.[19] These verses have noth-

17. Cf. "The case laws are specifications of the general principles of the Ten Commandments," says Tremper Longman, "God's Law and Mosaic Punishments Today," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 46.

18. A tape of this debate is available from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603; request tape #340.

19. E.g., Dunkerley, p. 2; Robert Strong, "Theonomy: Expanded Observations" (distributed from Reformed Theological Seminary, 1978), p. 4.

ing particularly to do with the Old Testament case (judicial) laws, though. Colossians 2:14 deals with the condemning function of the law, while Ephesians 2:15 refers in particular to the ceremonial category of laws which erected a wall of separation between Jews and Gentiles. Chantry[20] appeals to Ephesians 2:15 as evidence that the judicial laws "shut out the rest of the world from faith," but this is extravagant. The requirement of a rooftop railing and the prohibition of rape (just to take two examples) did absolutely nothing to bar the Gentiles from coming to faith. It is not the *civil* regulations of the Jewish commonwealth which built a wall of partition between Jews and Gentiles. After all, Gentile aliens existed within the land of Israel and even came to saving faith. Moreover, the laws revealed by Moses for the commonwealth were intended to be a model for surrounding Gentile nations (Deut. 4:5-8). Chantry is thus wrong to think Paul was alluding to the judicial laws in Ephesians 2:15. Paul speaks of "the law of commandments in ordinances" which erect a wall between Jews and Gentiles.

God had revealed to the Jews the *way of salvation*, found in the foreshadows of the *ceremonial* law (sacrifice, temple, etc.). That law also contained outward signs of separation from the unbelieving world, such as the dietary separation of clean from unclean meats (Lev. 20:22-26). With the coming of Christ, these ceremonial means of redemption have been made inoperative (Heb. 8:13), and the symbols of separation have been laid aside (Acts 10:11-15). It was the self-sacrifice of Christ which removed these laws that placed a partition between Jews and Gentiles (Eph. 2:14-15), thus bringing both groups into one saved body on an equal footing. Paul's teaching in Ephesians 2:15 has nothing whatsoever to do with Israel as a political body or with the judicial laws of the Old Testament.

In the second place, if the critics were correct in their appeal to these passages, and if these passages pertain to the law itself (without discrimination), then the critics would be reduced to absurdity – proving far, far more than they intended. Such pas-

20. *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), pp. 117, 118, 121.

sages would then prove that the entire law of God has passed away (including the ten commandments), leaving us a moral code that no longer prohibits blasphemy, bestiality, cruelty to the blind, etc. (since they are not forbidden in the text of the New Testament).

McCartney's Slogans

Dan McCartney pursues a long exercise in arguing from silence in order to reach his conclusion that the New Testament does not apply the civil law of the Old Testament.[21] The burden of his article has been to show how the Pentateuch is used in the New Testament (although he misses many evidences there which conflict with his preconceived conclusion), and specifically he wants to teach his readers that Christ is the "focus" of the entire Old Testament. There is nothing wrong with this orientation, and theonomists teach it as well. But now notice what fallacious inferences McCartney tries to wring out of that observation: "The law, or rather the Old Testament as an entirety, is focused on Christ, and *through him* it becomes applicable to believers. Thus case law is not *directly* applicable, even to believers."[22]

Where in any of McCartney's discussion does he explain for us how the Biblical evidence implies that, if Christ is the "focus" of the Old Testament, the Old Testament speaks "only" to and about Christ? What would it mean to say that since the Old Testament Scriptures, which focus on Christ, are *applicable* to believers through Christ, then they are *not applicable* to believers? That would be incoherent. Well, McCartney saves himself from self-contradiction by adding the qualifier "directly" – the case law is "not directly applicable," since it is "applicable through Christ."

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21. Dan G. McCartney, "The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), chapter 6.

22. McCartney, p. 146 (emphasis his). He might have been able to say such a thing regarding the *promises* of the Old Testament since they were all made to Christ, and only in Him do they benefit believers (2 Cor. 1:20; Gal. 3:16, 19, 22, 26-27, 29; 4:7). But where does the Bible *ever* even suggest that the *moral demands* of God's law were, likewise, placed *only* upon Christ?

This rescues him at the cost of triviality, though. Of course, if something is applicable "through" something else, it is not being applied "directly."

What do all these sloganized expressions actually mean? The reader gets the impression that McCartney feels he has made some kind of important theological point (and made it *against* the theonomic way of thinking), but unquestionably he really has not. His own explanation of what this all means comes down to this: "it [the case law] is applicable only as a working out of God's moral principles, as expression of God's character revealed in Christ" – which any theonomist could say as well. None of McCartney's strained discussion gives any evidence or reason to believe that the case laws of the Old Testament are inapplicable today (when properly interpreted, of course). Moreover, the Christological "focus" of the Old Testament does nothing to preclude the application of the judicial case law to the civil sphere. McCartney emphasizes the law being applied by Christ as Head of the church – and that is an important and primary truth. But this same Christ is also "the only Potentate, King of kings and Lord of lords" (1 Tim. 6:15) according to New Testament theology, and as such Jesus Christ applies God's law not only to the church, but also to all kings and rulers of the earth (see Psalm 2, 72; Acts 12:21-23; 17:7; Rev. 2:27; 19:15-16; 21:24). McCartney's New Testament theology is too narrow and restricted.

Chantry's Case for the Decalogue Alone (Galatians 3-4)

Walter Chantry began his public interaction with the theonomic position by openly using a term of negative connotation for it, the term "legalism." He claimed that theonomy is "seriously adrift in the waters of legalism" because it binds on the conscience of believers "details of O.T. theocratic law which Scripture . . . regarded as set aside in the New Covenant."[23]

The term "legalism" commonly denotes the view that we are

23. *Banner of Truth*, issue 178 (July, 1978), p. 31. The same critical label of "legalism" is tossed about by Dunkerley (pp. 5, 7), Fowler (p. 95), and others equally disinterested in analysis and accuracy.

saved by works of the law[24] – a view which Chantry acknowledges is repudiated in *Theonomy*. The emotive label is inaccurately tagged on theonomists anyway. To that kind of charge John Murray once wrote: "It is strange indeed that this kind of antipathy to the notion of keeping commandments should be entertained by any believer who is a serious student of the New Testament."[25] On what basis did Chantry say that it is "legalistic" to maintain the continuing validity of the details of Old Testament theocratic law (the judicial or case laws)? He later attempted to set forth his argument.[26]

The closest Chantry came to offering an argument which would prove that the decalogue alone continues to be binding in the New Testament is found in chapter 9 of his book, entitled "Are All Mosaic Statutes Valid for the Kingdom?" It is an argument based on his exposition of Galatians 3:15-4:11. Does that passage teach that the judicial laws of Moses have been repealed? Paul does not appear in this text to be concerned with the case laws or political ethics at all. Indeed, the historical setting and literary context of Galatians have nothing to do with that portion of the law in particular. Paul is rather concerned with *the Mosaic administration* of God's covenant with His people ("the law"), and in particular with what is *distinctive* to the Mosaic administration, the ceremonial laws foreshadowing Christ. Paul teaches that we are no longer under the law as a tutor (or guide, guardian: Gal.

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24. E.g., *Baker's Dictionary of Christian Ethics*, ed. Carl F. H. Henry (Grand Rapids: Baker Book House, 1973), p. 385. Cf. "New Testament Opposition to the Abuse of God's Law," chapter 18 in my book, *By This Standard*, and "The Law's Inability to Justify and Empower," chapter 4 in *Theonomy*.

25. *Principles of Conduct* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1957), p. 182.

26. *God's Righteous Kingdom*. The book attacks the antinomianism fostered by certain predestinarian Baptists on the one hand (e.g., Jon Zens, Gary Long) and the alleged "legalism" fostered by reconstructionists (theonomists) on the other hand. Sadly, Chantry misrepresents and maligns both schools of thought in his effort to claim the "golden mean" for himself. The book reaches new lows for irresponsibility in scholarship: Chantry goes so far as to refuse to identify sources in his book, saying he does not think his readers need to study the works of those whom he opposes (pp. 11, 12)! Those who are confident of the truth need not fear letting their audience hear the "other side" to a theological disagreement.

3:23-24); the Mosaic administration pointed to and taught about Christ's redemptive work, but now we enjoy that redemptive work in its actual accomplishment. But this is not the way in which Chantry sees the passage.

Does he believe that "the law" as a tutor refers to the Old Testament law absolutely and without qualification? No, he does not take that view either, for he knows very well that not all of the law can be dismissed (e.g., the ten commandments).[27] So, Chantry does not argue that Paul released his readers from the law in general. That view would contradict things taught in the rest of Scripture, he says. According to him, the Mosaic law contained different elements, some of them permanent, but some peculiar to the Mosaic setting. Thus Chantry asserts: "Only the features unique to Moses' administration of the grace principle were temporary and done away at the coming of Christ" – which is virtually true by definition. Was the decalogue part of the unique and temporary aspect of the Mosaic law according to Chantry? No, because we can find support for the decalogue's validity elsewhere in Scripture (with which I agree). However, we can just as much find support elsewhere in Scripture for the continuing validity of the judicial laws of the Old Testament (as I have labored to show in *Theonomy* and other publications). So, Chantry has still not demonstrated his particular point. In order to do that, he is compelled to rest his case on a couple of theological and logical errors.

Chantry observes that we are no longer under the schoolmaster (tutor), according to Galatians 3:24-25. What part of the law was Paul thinking about as being such a schoolmaster? Chantry answers: "All that was restrictive, repetitive, worldly, harsh, and rigid is no longer appropriate for the heirs of God's house." That is, ancient schoolmasters were stern and restrictive, and thus it must be the stern and restrictive aspects of the law which were

27. This is the obvious problem with those theonomic critics who appeal to Galatians 3 and try to make the "tutor" the entirety of the Mosaic law, e.g. Robert P. Lightner, "A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 (July-Sept., 1986), p. 241; Paul Schrotenboer's essay in *God and Politics: Four Views*, ed. Gary Scott Smith (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1989).

denoted by Paul's use of this term.[28] Chantry goes on to assert that the judicial law was intended for Israel in a "childhood stage," whereas "full grown sons must be managed differently." If we are to believe Chantry's analogy, modern nations have outgrown the childish regulations of the Mosaic civil law; we are too mature for them today, even as a teenager is too mature for a three-year-old's discipline. (How can anyone honestly look at the world around him today and think we are too mature for the childish regulations of God's holy laws?) At its heart, then, Chantry's argument against the continuing validity of the Mosaic judicial laws is this:

1. The schoolmaster for immature children which we are no longer under was harsh and rigorous.
2. The Mosaic judicial laws were harsh and rigorous.
3. Therefore, the Mosaic judicial laws were the schoolmaster for immature children, which we are no longer under.

It should be readily apparent what is wrong with this argument. First, the second premise is simply a theologically false evaluation of the judicial laws of the Old Testament. They were not harsh, stringent, and stern according to God's word. They were "sweet," a "delight" which "rejoices the heart," and given for our "good" (Deut. 10:13; Psalms 1, 19, 119). To use them today is lawful and good (1 Tim. 1:8-10) – certainly not a burden (1 John 5:3). So the second premise in Chantry's argument is false, having been gratuitously asserted on his part. But the critical difficulty with Chantry's argument – one which cannot be repaired – is that it is logically fallacious. Chantry's conclusion does not follow from his premises. Notice the form of reasoning he employs:

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28. Paul's allusion to the law in terms of childhood, slavery, and "weak, beggarly principles," is interpreted by House and Ice (p. 116) by citing the opinion of A. J. Bandstra that the "elements of the world" pertains in part to "the law . . . as . . . [a] fundamental cosmical force," and the only example given of which is circumcision. It is hard to say whether Ice and House have seriously considered and understood the bizarre metaphysical notion championed by Bandstra (law as fundamental cosmical force), but it is doubtful that they would adopt it. One way or the other, the fact remains that the example of circumcision readily harmonizes with the theonomic interpretation of the passage, rather than detracting from it.

1. A is B
2. C is B
3. Therefore, C is A

To illustrate the fallacious and unreliable nature of this pattern of thinking, consider the following parallel:

1. Red is a color.
2. Green is a color.
3. Therefore, green is red.

As the reader can see, Chantry's argument from Galatians 3-4 is not sound. Its key premise is theologically inaccurate, and its form of reasoning is illogical anyway. Chantry has not shown that this passage of Scripture nullifies the continuing validity of the judicial laws of Moses (and only the judicial laws of Moses).

Conclusion

What was the actual object of Paul's discussion in Galatians 3-4? Contextual, historico-grammatical exegesis (resting upon the consistency and harmony of Scripture as a literary whole) leads us to answer that Paul was dealing specifically with the ceremonial aspect of the Mosaic law. The moral law—either in the decalogue or its case-law applications—did not serve as a "tutor unto Christ," teaching the truth that we are "justified by faith" (Gal. 3:24); it simply condemned us for our infractions against it. However, the ceremonial law was indeed a foreshadow of the Messiah and His redeeming work, applied to the Jews (and to us) by faith. The word "rudiments" in Galatians 4:3, 9 likewise points us to the regulations which, in the Old Testament setting, were a "shadow of the things to come" (cf. Col. 2:16-20, where such regulations were apparently being syncretized with pagan asceticism).

Historically, we know that Paul's opponents in Galatia were Judaizers who emphasized salvation through obedience to ceremonial regulations of Moses, such as circumcision. Finally, at the end of this literary pericope, Paul gives a concrete illustration of the laws about which he has just spoken, and he speaks of the ritual feasts of the ceremonial law (Gal. 4:10). Context thus de-

mands that we see Paul's "tutor" (schoolmaster, guardian) — whom we are no longer under in our Christ-given maturity — as the Mosaic ceremonial law in particular, or more generally the Mosaic administration of the covenant of grace. Anybody who wishes to include more than this in Paul's designation will need strong textual and theological argumentation such as the critics of theonomic ethics have not supplied.

"Behold I have taught you statutes and ordinances, even as Jehovah my God commanded me, that you should do so in the midst of the land wither you go in to possess it. Keep therefore 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. For what great nation is there that has a God so *near* unto them'."

Deuteronomy 4:5-7

"No other nation of the ancient or modern world is like Israel in its place in redemptive history. . . . Since God chose Israel as a nation to be his elect people, it was intolerable that a blasphemer or idolater or witch could be allowed to live. God caused his special presence to rest in the midst of Israel; his holiness would not allow such blatant rebellion to continue. However, God has not chosen America as a nation. He does not dwell on the banks of the Potomac as he did on Mount Zion."

Tremper Longman III,
Theonomy: A Reformed Critique (1990), pp. 47, 48

"Those who press the argument that modern states are not bound to the civil aspects of God's law since it was given in a national and redemptive covenant with Israel, will find that they cannot long maintain with consistency *any* of the Old Testament commandments today. Not only were the civil aspects of the law revealed in the same context of a national covenant, so also were the personal and interpersonal aspects of the law."

By This Standard (1985), p. 325

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ISRAEL'S THEOCRATIC UNIQUENESS

In this chapter we turn to the attempt to set aside the law of the old covenant in light of a specific consideration *within* Old Testament theology itself: namely, the unique political character of Israel as God's kingdom on earth.

Many critics of the theonomic position argue that theonomic ethics overlooks "Israel's past uniqueness."[1] They will observe that the law of God (with its judicial and penal provisions) was revealed to Israel in the context of a *national covenant* which God uniquely made with this people as a holy nation;[2] these covenantal laws were, it is claimed, revealed only to Israel. Israel had a unique relationship with God, and He ruled over them and revealed His law to them in a special way.[3] These laws cannot be considered, it is thought, "apart from their relation to the Covenant people."[4]

Doug Chismar claims that theonomic ethics tries to rescue the immutability of the individual case laws by maintaining that we are "still under the OT theocratic system."[5] To avoid a mislead-

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1. Lewis Neilson, *God's Law in Christian Ethics: A Reply to Bahnsen and Rushdoony* (Cherry Hill, New Jersey: Mack Publishing Co., 1979), p. 40.

2. Neilson, pp. 32-33; Paul Fowler, "God's Law Free from Legalism" (distributed from Reformed Theological Seminary, Jackson, Mississippi, 1980), p. 43.

3. Neilson, p. 33

4. Fowler, p. 43

5. Douglas E. Chismar and David A. Rausch, "Concerning Theonomy: An Essay of Concern," *Journal of the Evangelical Theological Society* 27, 3 (Sept., 1984): pp. 320-321. My full response to Chismar can be followed in greater detail in "Should We Uphold Unchanging Moral Absolutes?," *Journal of the Evangelical Theological Society* 28, 3 (September, 1985): pp. 309-315.

ing verbal dispute, Chismar and others might consult chapter 20 in *Theonomy in Christian Ethics* so as to distinguish clearly the differing senses for the word "theocracy." If the word is used for those cultic, geo-political, and administrative aspects which were unique to Old Testament Israel, then theonomic ethics certainly does *not* maintain that we are under such a "theocracy" today. But then, neither does theonomic ethics hold that such a "theocracy" is a kind of revealed *prerequisite* for the moral validity of the Mosaic laws. Scripture indicates the very opposite – that even the *non-theocratic* nations around Israel were held accountable by God to the same moral obligations as those revealed through Moses (e.g., Deut. 4:5-8; Lev. 18:24-30; cf. Psalm 2:10-12; 119:46; Sodom, Ninevah), these ordinances of the law being known by natural revelation and written on all men's hearts (Romans 1:20-21, 32; 2:11-15).

Assertions of moral uniqueness have been contested in *Theonomy*, but the counterevidence has not been answered by those making these assertions. God made a unique covenant with Israel, ruled uniquely in Israel, made Israel a holy nation, and specially revealed Himself to it – all very true. But God's laws (made clear in written form for a redeemed people) were *not* revealed *only* to Israel. They were continually made known through general revelation (Rom. 1:18-32; 2:14-15), and God held the pagan nations accountable to obey them (Lev. 18:24-27; Gen. 19). Through Israel these laws were to be made known to the other nations (Ps. 119:46) as a *model* for justice and righteousness everywhere (Deut. 4:6-8).[6] So, these commandments *can* be considered "apart"

6. Bruce Waltke charges that "Bahnsen distorts the purpose of the law when he alleges that one of its primary functions is to serve as a model of legislation for the nations" because the text in Deuteronomy teaches "little more than the fact that" sin is a disgrace to any people ("Theonomy in Relation to Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], pp. 81, 82). It is rather that Waltke *reduces* the purposes of the law as revealed by God. If Deut. 4 shows the nations the disgracefulness of sin, then it can surely show the disgracefulness of *civil* sin (as well as personal). There is much more to this passage than Waltke deals with in his minimizing interpretation (note: "all these statutes," greatness as a "nation," the "justice" of the laws). Moreover, Bahnsen nowhere "alleges" that serving as a legislative model is a "primary" purpose of the law according to this text. But it is one among others.

from the Covenant people. There is nothing in this which "lifts" them "right out of their historical context" (as Fowler groundlessly asserts). It is *just because* of the historical context of these laws – revealed throughout history to all nations by nature and conscience, enforced by God's historical judgments on nations, and given testimony by the historical example of Israel herself – that Israel's laws may not correctly be deemed merely a racial or tribal standard of justice. If laws revealed in the context of the covenant do not bind those outside of God's saving covenant, then not even the decalogue (which was the epitome of the covenant with Moses) remains to convict unbelievers of sin – in which case they do not need a saving covenant anyway.

From a logical standpoint, the error most readily committed by critics who appeal to Israel's theocratic uniqueness is that they demonstrate no ethical relevance between (or necessary connection between) the unique features of Israel and the moral validity of the law. Plenty of things were unique about Israel, but Scripture does not teach that God predicated the justice or obligation of His commandments upon those features. Yes, Israel alone received the "ceremonial law" for her salvation.[7] However, this redemptive blessing was not the reason (or only reason) that rape called for the death penalty and theft called for restitution in Israel. Likewise, Israel was given special instructions for holy war against the Canaanites. But there is not one text of Scripture which suggests that the penal sanctions of the Mosaic law were merely an extension of such holy war provisions.[8] The argument which is heard most frequently is that Israel was unique as a society where there was no separation of church and state – a misleading and mischievous claim to which I have given a separate chapter in this book.

The Argument From Israel as a Holy Nation and Its Typology

After *Theonomy in Christian Ethics* was first published, the editor

7. R. Laird Harris *"Theonomy in Christian Ethics*: a Review of Greg L. Bahnsen's Book," *Presbyterion* V (July, 1979), p. 12.

8. Contrary to Neilson, p. 33.

of the *Westminster Theological Journal* invited Meredith G. Kline, a well-known Old Testament professor, to review the book. Kline had a reputation for opposing the kind of ethical use of the Old Testament fostered by people like the Puritans (and thus theonomists). Moreover, in an appendix to *Theonomy*, I had offered some pointed and analytical criticisms of Kline's peculiar models for approaching the Old Testament. Kline argued that the community life-norms of the Old Testament cannot be binding today, representing a backward "intrusion" of the final day of judgment into history. Very little exegetical support for this particular aspect of Kline's thinking was offered by him, and it led to intolerable theological problems: (1) the arbitrariness of categorizing and rejecting some laws as "community life norms," (2) the ignoring of the fact that *all* sins (against whatever kind of law revealed by God) will merit death on the day of judgment, so that Israel's polity (which did not execute all sinners) could not really have been measured out according to eschatological severity after all, and (3) the error of thinking that the common grace of the Noahic covenant did not apply under the Mosaic covenant.[9]

Naturally, it was anticipated that Kline's review (which grew into a review article)[10] would be "the" decisive argument against theonomic ethics. It was expected to be the strongest form of anti-theonomic argument which one might hear from the standpoint of Israel's uniqueness as a nation. Unfortunately, apart from emotional pitch, the article proved to be anticlimactical as a theological and exegetical argument.[11] It becomes clear, upon

9. For a helpful summary of the many theological problems inherent in Meredith Kline's notion that the common grace of the Noahic covenant established a religiously neutral civil government which was temporarily suspended by the intrusion of the Jewish theocracy's community life-norms (socio-political laws), see John Frame, "The One, the Many, and Theonomy," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), pp. 94-97.

10. "Comments on an Old-New Error," *Westminster Theological Journal*, vol. 41, no. 1 (Fall, 1978).

11. The defects in Kline's logic, the lack of Biblical citation to support it, and the conspicuous misrepresentations of the theonomic position thoroughly discredited his attempt at criticism. My response to his review article can be found in *The Journal of Christian Reconstruction*, vol. 6, no. 2 (Winter, 1979-80). A theological and philosophical

analysis, that Kline's position reduces to Old Testament tribalism (or cultural relativism) because it cannot attribute to God's revealed laws the necessary conditions for ethical absolutes (e.g., situational invariance).[12]

If we were to strip away from Kline's article everything that was irrelevant to his debate with my book, everything that is fallacious in reasoning, everything that misrepresents my position, everything that serves his extreme denunciations of my position, and everything about the side issue of the Westminster Confession (which is too theonomic for Kline), very little of his original article – perhaps less than a third – would be left for us to consider. By trimming away the needless excess we can finally get down to the real substance of his disagreement with the position that civil magistrates should obey and enforce the objective revelation of God's law as it addresses matters pertaining to social morality.

The foremost argument that he has put to use against theonomic politics is, in summary, that it contradicts the redemptive-restorative nature of the nation Israel. Kline argues that the biblical distinction between the *kingdom of God* – that is, Israel's kingdom as a redemptive, theocratic prototype of Christ's redemptive kingdom – and the *kingdom of the world* is such that the function of enforcing the Mosaic covenantal laws belonged to Israel's king but not to all civil magistrates. Thus, the discontinuity between old and new covenants is not done justice by theonomists. Closely allied with this alleged mistake in *Theonomy* is the failure, according to Kline, to take account of *Israel's distinctive holiness as a kingdom* set apart from others by a special redemptive covenant unto the Lord – a distinctive identity that belonged not only to the cultus of Israel but to the total social-political-cultic entity.

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critique of Kline's line of thought can also be found in my lecture to the Evangelical Theological Society in 1981: "The Immutability of God's Commandments" (tape #00339 from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603).

12. The same fundamental error is evident in a theonomic critique cloned after Kline: Jim Bibza, "An Evaluation of Theonomy" (privately published and distributed, Grove City College, Spring, 1982).

Here we find what Kline thinks is so *very obvious* to every covenant child, but which theonomists *completely obscure and miss* in reading the Bible. Israel was a unique nation, being: (1) a type of Christ's redemptive kingdom and (2) a holy nation set apart by God's electing love. Kline specifically says that theonomists deny that Israel is a type of the redemptive kingdom of Christ, do not perceive the typological nature of the Old Testament theocratic kingdom, say that Israel as a kingdom was just another civil government of the world, and deny Israel's distinctive holiness as a kingdom set apart by a special redemptive covenant unto the Lord.

This argument by Kline is a real scholarly lapse on his part. Those familiar with the theonomic position will find it hard to believe that he would actually publish something like this against it. It is an outrageous misrepresentation of my theological position. The reader will not find one sentence to support Kline's portrayal in all of *Theonomy*. Kline has shot his largest theological canon at a straw man. *Theonomy* nowhere asserts an *equivalency* between Israel's king and all other civil magistrates. It nowhere loses sight of the distinction between the kingdom of God and the kingdom of the world. Nor can Dr. Kline demonstrate that anything which I have taught logically implies the views which he falsely attributes to theonomic ethics.

Kline wants to argue against the theonomic responsibility of the civil magistrate on the basis of typology, categorizing Old Testament political laws with the ceremonial laws, and the intrusive uniqueness of the theocracy. However, each one of these argumentative moves has already been refuted in *Theonomy* – without any rescuing response from him. Moreover, an elementary logical fallacy lies at the heart of Kline's attempted argument against theonomic politics.[13] Kline wants to emphasize the discontinuities between Israel and the nation, Israel and the New Testament kingdom. Theonomic politics points out that there is, never-

13. The same logical fallacy is committed in a discussion of the "parts of the covenant" by David Neilands, "Theonomy and the Civil Magistrates" (privately produced and distributed, in connection with a study committee on theonomy in the Presbytery of Northern California, O.P.C., 1982).

theless, a continuity to be found between Israel and the nations, Israel and the New Testament kingdom – namely, *a continuity of moral standards, private and public.* The fact that two things have one or more things in common does not imply that they have all things in common, just as the presence of one or more differences between them does not imply that they are completely different. A combination of continuities and discontinuities can characterize the relationship between two things. Kline is guilty of hasty generalization.

Kline's argument is likewise open to a rather obvious *reductio ad absurdum.* He has reasoned that "the socio-geo-political sector of the Israelite kingdom of God was a part of the total system of kingdom typology" – not just a portion of the kingdom, such as temple or cultus, but *the entire kingdom itself.* Therefore, he reasons, the socio-political laws, being part of the "total system of kingdom typology," ought not to be followed today in the age of the Messiah's antitypical kingdom.

One should now stop and remember that the laws given to Israel to regulate sexual relations were also just as much a part of the kingdom established by God – a "total system of kingdom typology" – as the political or ceremonial laws mentioned by Kline. Following his proposed pattern of reasoning, we should conclude that the sexual laws of the Mosaic code are not to be honored in this day of Messiah's antitypical kingdom. Anyone who insists that bestiality is contrary to God's permanent and objective moral standards is – in Kline's view – *ipso facto* denying the status of Israel as a redemptive type and holy nation! But surely this is absurd and morally unacceptable.

If Kline argues that the ("obvious") *implication* of the Biblical teaching about Israel as a redemptive type and holy nation is that the Mosaic socio-political laws are not normative outside of Old Testament Israel, then we need only test this implication by the teaching of the Bible. Should the Bible teach that those laws were and are normative outside of Old Testament Israel, Kline's implication would be decisively disproved. Now, it turns out that a good portion of *Theonomy* is given over to demonstrating that the Bible teaches the normativity of the Mosaic socio-political laws

outside of Old Testament Israel.[14] Kline renders not a single answer or explanation for all of the evidence which has been adduced against his proposed implication. The examples of Sodom, Ninevah, the expulsion of the Canaanites, David's intentions, Ezra's praise of Artaxerxes, Daniel's experience in Babylon, the prophetic rebukes of the nations, the wisdom literature, the man of lawlessness, the testimony of Paul in court, Romans 13, etc. are all strong disproofs of Kline's implication. Thus, we must conclude that his argument is unbiblical as to reasoning and implication. The status of Israel as a redemptive type and holy nation does not imply *in Biblical perspective* the discontinuity of moral standards between Israel and the nations, past or present. The Mosaic law (by which all men are condemned, says Romans 1-3) was a model for all nations to follow (Deut. 4:6, 8).

Not only were Israel's king and political laws *unlike* those of other nations (e.g., the kings and laws of the other nations did not, except with rare exception, typify the coming kingdom of Christ; Yahweh was enthroned in Israel and over the nations), they were also *like* those of other nations. There was discontinuity and continuity. It is the latter (continuity) that *Theonomy* takes up as a subject. Like all rulers and laws, Israel's kings and commandments addressed historical problems of government, performed common political functions, dealt with non-consummation issues of crime and punishment. God's law was *not* given *exclusively* as a foreshadow of consummation (remember, no explicit statement of Scripture speaks of the law in this way anyway); it also rendered impartial *justice* in pre-consummation situations. And common to *all* civil rulers is God's demand for justice in their proceedings. Indeed, all civil magistrates are to be "ministers of God" who punish "evildoers."

Questions of typology and unique holiness aside, the ethical question of unchanging, universal civil *justice* must be faced by all those who rule among men. Where can God's minister (be he Nero or David) find the standards of justice which will enable him to punish genuine evildoers? The notion that God has a double-standard of justice is not only ethical nonsense, it is reprehensible

14. E.g., *Theonomy*, chapter 18.

in light of everything the Bible tells us of His character and actions. *Theonomy* indicates that the justice of God – even for civil, temporal affairs – is revealed in His law, constantly communicated by general revelation and given written expression (progressively) in the Old Testament – most pointedly in the Mosaic law. Christ did not intend to have the slightest stroke of that law altered (Matt. 5:17-19). Moses said that the nations should imitate the law given to Israel as a geo-political unit (Deut. 4:6,8), and God held the nations (e.g., Sodom, the expelled Canaanites, Artaxerxes) accountable to the objective and universal standard of His law.

In this respect – moral standards, even for socio-political affairs – *Israel was very much like every civil institution* on earth, and the very holiness of Israel's law made it a common standard of justice for the nations. Israel as a nation had a special holiness, to be sure, over against the reprobate nations. Yet the divine law revealed to Israel was holy as reflecting the very character of God (Lev. 20:7-8); as that character did not change from nation to nation or time to time, the holiness expressed in the Mosaic law was objectively normative for all nations at all times. If justice is to be established in the earth, then even the remotest nations will need God's law (Isa. 42:4); God did not view Israel's unique holiness as somehow disqualifying the nations from coming to Israel to hear the declaration of the law from Zion (Isa. 2:2-4). All the earth is to worship the Lord in holy array (Ps. 96:9), and the Lord reigns over the nations upon His holy throne (Ps. 47:8). The whole earth is in some sense holy unto the Lord, and it is a disgrace to any people to violate the standards of holiness and sin against God (Prov. 14:34). In the days of God's universal reign the holy/common distinction will be least pronounced, for even the horses' bells and every ordinary kitchen pot will be "holy unto Yahweh" (Zech. 14:20-21).

What we observe in Scripture, therefore, is that the unique typological value and holiness of Israel's kings and law did not cancel out the *common standards of justice* between Israel and the nations as expressed in the law. Contrary to Kline's pattern of ethical reasoning, elements of discontinuity did not wipe out all traces of moral continuity. As Paul says, *both* Jew and Gentile are

found to be under the requirements of the law (Rom. 1:32; 2:12, 14-15, 17-23; 3:9, 19-20, 23).[15]

Theonomy and Typology Again

More than one critic of theonomic ethics attempts to make his case against the position by riding the coattails of Kline.[16] Because Kline (1) misrepresents the theonomic position, (2) cannot exegetically justify his pet theological model for the Mosaic law, and (3) makes illogical and unfounded application of that model anyway, those rebuttals that lean upon Kline's critique fall along with his own.

Raymond O. Zorn entered the theonomic debate at a point where there had already been significant interaction with two critics. Zorn's review of *Theonomy* takes into account my reply to Meredith Kline as well as a paper (independently circulated) in which I answered a book by Walter Chantry.[17] Zorn wished to further the debate with criticism he had developed, but it seems rather that his discussion mainly echoes what Kline and Chantry had said. His dispute with the theonomic endorsement of the penal sanctions of God's law is based on more foundational, theological premises having to do with the Old Testament theocracy and with the passing away of the Mosaic order. If he were consistent with his underlying presuppositions, he would really need to reject far more than the penal sanctions of the Old Testament; he would be driven to a position (with Kline) which is the functional equivalent of dispensationalism. Happily, he is not that consistent. Sadly, he cannot therefore justify rejection of the penal sanctions.

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15. The weakness and fundamental error of Kline's argument that theonomic ethics would, by endorsing Deuteronomy 13, be inconsistent with evangelism (destroying the church's mission field) is that it presupposes the absence of evangelism in the Old Testament period itself (contrary to fact) and would imply that there was a contradiction within God's preceptive will (between the law and evangelism) *even* during the period of the law's undisputed validity! *Reductio ad absurdum.*

16. For instance: Gary Long, Jon Zens, Raymond Zorn, Jim Bibza, James Skillen – and especially noteworthy, the dispensationalist Robert P. Lightner, "Non-dispensational Responses to Theonomy," *Bibliotheca Sacra*, vol. 143 (April-June, 1986), pp. 140-141, where he accuses theonomy of "scrambling" the holy and the common.

17. Zorn's article was published in *Vox Reformata* (May, 1982). The book by Chantry was *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980).

When Zorn comes to what he calls "the *crux hermeneutici* which separates theonomists and non-theonomists," he says that non-theonomists recognize that "the laws of the Mosaic economy were part and parcel of a typological redemptive system which, after its replacement by the New Testament age, would need New Testament revelation to tell the people of God if they yet apply." Zorn's underlying (but unrecognized) *dispensational hermeneutic* could hardly be confessed more clearly. Suffice it to say here that Zorn faces all the ambiguities and difficulties that Kline does on this score. How was the entire Mosaic economy a typological redemptive system? Did the death penalty for kidnapping foreshadow the redemptive work of Christ or the sacramental fellowship of His church? If it rather foreshadows the Final Judgment (where all sin is punished with death), what is the "redemptive typology" of the penalty of restitution for theft? If the Mosaic civil penalties were simply meant to foreshadow the Final Judgment, should not all crimes (indeed, all sins) have been punished by death?

Furthermore, even if Zorn could make clear his claim that the Mosaic laws were part of a typological redemptive system, would it logically or theologically follow that those laws are therefore temporary? Neither Zorn nor Kline is able to offer Biblical justification for that line of thinking. Marriage laws are typological of the relationship of Christ to God's redeemed people, and the Sabbath is typological of our eternal rest, but does that mean that the Mosaic regulations for marriage and the sabbath have all been abrogated in the New Testament?

A further, insurmountable problem with Zorn's (and Kline's) claim that the Mosaic laws must be seen as belonging to "a different order" from the civil laws for common nations is the textually verifiable truth that the Mosaic laws were held out in the Old Testament as a model for all nations and used as a standard by which those "non-typological" nations were judged by God. The evidence for this is plainly set forth in chapter 18 of *Theonomy*, but it has not been dealt with by Zorn or Kline at all. It obviously poses an embarrassing refutation of their theological inferences.

Zorn states that if theonomists saw that the typological char-

acter of Israel's economy means that its laws must be temporary, they would never claim that nations which were not God's people were obligated to follow those laws.[18] The glaring oversight of which Zorn is guilty here is that *Scripture itself* teaches that the Mosaic laws were – even if of typological significance (in a way unexplicated by Zorn) – still the moral standard for the "non-theocratic" (or "non-typological") nations around Israel. Scripture draws theological inferences which directly contradict Zorn's. Kline's theological "model" is guilty of the same deficiency and cannot rescue Zorn here.

This is also the fatal error in the reasoning offered by James Skillen.[19] Skillen observes that Galatians and Hebrews "treat Israel as an integral whole, prefiguring . . . the church of Christ. Therefore, the whole of Israel's covenant life, and not just one part of it, serves as the anticipatory model for the church." Based on this premise (which theonomists grant) Skillen illogically infers that no one part of Israel's covenant order may be "abstracted for use as a separable model" for states today. The fallacy and momentous oversight here, though, is that even with Israel as "a compact unity" (as Skillen puts it) which as a "whole" prefigured the New Testament church, Israel's law-code was *already in the Old Testament* a "model" for non-covenanted states. Obviously, then, it cannot be contradictory to Israel's typological status to treat its laws as a model for modern (non-covenanted) states either. If Skillen or Zorn or Kline finds this illegitimate "abstracting," then his argument is with Moses, not with theonomy.[20]

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18. Zorn only shows himself to be theologically arbitrary when he insists on the temporary nature of Mosaic laws due to the typological elements which may be found in or around them. After all, redemptive typology did not originate in the Mosaic period! There are clearly typological elements in the Adamic period (cf. Matthew 4:1; Romans 16:20), the Noahic period (cf. 2 Peter 3:5-7) and the Abrahamic period (cf. Hebrews 11:17-19). If Zorn were truly consistent in his principle that the typological elements in a covenantal period imply that the laws of that period are of temporary validity, then he ought to reject not only the Mosaic commandments, but *all Old Testament laws*! Logical consistency, however, is a rare jewel indeed.

19. James Skillen, *The Scattered Voice* (Grand Rapids: Zondervan Publishing House, 1990), p. 174.

20. According to Zorn, Galatians 3:15-4:11 teaches that "the Mosaic economy" has been set aside in the New Testament age, charging that I must supply textual

Pre-Mosaic Revelation, Natural Revelation and the Decalogue

Zorn contends that only those regulations or principles which antedate the (typological) Mosaic economy remain binding in the New Testament. But he does not offer any Biblical substantiation of his restriction on the authority of the Old Testament (contrary to Deut. 4:2). Nor is it clear how this restriction can be harmonized with the New Testament endorsement of every scripture (2 Tim. 3:16), every command (James 2:10), even the least command (Matt. 5:19), every word (Matt. 4:4) and every letter (Matt. 5:18) of the Old Testament. Where does Zorn or any other theologian have the prerogative to cut things off at the Mosaic period? Where does the New Testament restrict our moral obligation – or even our standards for criminal justice (1 Tim. 1:8-10; Heb. 2:2) – to the commands of the pre-Mosaic period? What sense would it make, if the Mosaic period is effectively a parenthesis in God's economy for men, as Kline and Zorn indicate, to say that Gentile believers have now been incorporated into "the commonwealth of Israel" (Eph. 2:11-13)? Zorn's approach to Old Testament commandments is entirely artificial and without textual justification.

Moreover, if only pre-Mosaic stipulations are binding today, then Zorn will have a number of embarrassing ethical problems to face – not the least of which is his desire to defend the Christian Sabbath. By what Biblical warrant would Zorn distinguish between manslaughter and murder today? That distinction is not found in the Noahic covenant, nor is it repeated in the New Testament. By what warrant would Zorn condemn a daughter marrying her widowed father? That detail of incest is explicitly forbidden in neither the pre-Mosaic nor New Testament revela-

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and theological support for saying that Paul was there referring to the *ceremonial* aspect of the Mosaic economy, rather than "the whole of the Mosaic economy" (to use Zorn's words). This is not difficult to do. The historical setting (the Judaizing threat, 2:11-21), the context (circumcision, 2:3-5; festivals, 4:10), the typological character of "the law" (pointing to Christ and justification by faith, 3:24), and the very vocabulary chosen ("rudiments," 4:3; cf. Col. 2:16-20) all point to the ceremonial law in particular. This has all been expounded elsewhere, and Zorn apparently has no answer for it – or at least does not offer one.

tions. By what warrant would Zorn preach against "divers weights and measures" which Moses forbade, but which are not taken up before or after the Mosaic "parenthesis"? By what warrant would Zorn discipline a member of his church for bestiality, which is not explicitly condemned prior to Moses or in the New Testament itself? What about bribes? Compensation for negligence or injury? We could go on and on and on. Given Zorn's espoused principle that Mosaic stipulations are set aside today ("the whole economy"), how can he Biblically defend the things we have mentioned here (and much more)? He is – if consistent – simply at a loss to present a credible and Biblically-based system of ethics.

It appears that Zorn has two devices which he might enlist to avoid the embarrassing bind his rejection of the Mosaic economy has put him in. (1) He might argue that the kinds of matters mentioned in the previous paragraph are "creation ordinances" taught to all men by general revelation (Romans 2:14-15). Or (2) he might argue that, though they are not explicitly mentioned in the New Testament, such matters as those referred to above are simply "incorporated with the moral law" (Decalogue) as part of the meaning of the ten commandments. What Zorn does not seem to have grasped, however, is that *both of these devices would just as well justify the theonomic conclusions* which Zorn wishes to reject! A theonomist could argue, for instance, that the death penalty for rape is (1) taught to all men by general revelation (cf. Romans 1:32), or is (2) part of the meaning of the seventh commandment (cf. Hebrews 2:2). If Zorn rejects this claim, but insists on the other hand (for instance) that the distinction between manslaughter and murder is a matter of general revelation *or* part of the sixth commandment, he will need some very strong and exegetically convincing argumentation to save him from the charge of arbitrariness and inconsistency! It does not appear from what he has written that Zorn has any answer for this problem.

Does the Mosaic Law Apply Simply to the Church Today?

A few years ago Richard Lewis began a critical discussion of

the theonomic thesis by stating that the Mosaic law was given to Israel "as" the covenanted and redeemed people of God, so that today this law has "special interest and application to the Church," the anti-type of Israel.[21] Does he mean that these commandments have *exclusive* application to the church? If not, then he has not contradicted the theonomic position. If so, then he commits numerous logical fallacies and provides no Biblical substantiation for his line of thought. Did the writers of the Old Testament restrict the authority of God's statutes to Israel? (Note for a couple of examples Deuteronomy 4:6,8 and Ezra 7.)[22] Did the Apostles restrict their application of Mosaic commandments to the Christian fellowship? (Note, for one example, Acts 23:3,5.) Paul declared it "good" to use God's law to restrain public crime (I Timothy 1:8-10).

According to Lewis' line of thought, however, the Mosaic prohibition of kidnapping (to take one example) would only apply to the church today! We need to think more cogently and biblically here. Scripture teaches that the same moral standards taught in the written oracles of God for His redeemed people have been communicated through general revelation to *all* men, even the heathen. Therefore, when Scripture condemns bestiality (Leviticus 18:23) or tripping blind men (Leviticus 19:14), our moral reasoning is seriously mistaken if we infer that such activities are morally forbidden only to saved individuals within the Christian fellowship!

Dan McCartney makes the amazing claim that in the New Testament "the law is applied *only* to believers."[23] When John the

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21. Richard Lewis, Report on "The Applicability of the Penal Code of the Old Testament" (privately produced and distributed, 1982), p. 1. Rev. Lewis wrote this paper for a study committee of the Presbytery of Northern California (O.P.C.). It did not receive the full support of the study committee and was never adopted by the presbytery. It has nonetheless received wide public circulation.

22. Cf. Greg L. Bahnsen, "For Whom Was God's Law Intended?," *The Biblical Worldview* (American Vision, Atlanta, GA), vol. 4, no. 12 (Dec., 1988).

23. Dan McCartney, "The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 144 (emphasis his). Likewise in an apparently broken sentence on p. 145 the author states that "*all* [aspects of?] the law apply only to believers and only through the mediation of Christ."

Baptist condemned Herod Antipas for his adulterous and incestuous marriage to Herodias, declaring "It is not lawful" for him to do so (Matt. 14:4), you cannot miss the fact that the Mosaic *law* was being applied to an *unbeliever*. How can a New Testament instructor who has done such a thorough inductive study of the relevant scriptures miss this obvious counter-example to his theological pronouncement? When Jesus used Exodus 21:17 to indict the tradition-bound scribes and Pharisees (Matt. 15:4), He was surely applying the law to unbelievers. When Paul denounced homosexuals for knowingly violating "the ordinance of God" (Rom. 1:32), he clearly applied the law to unbelievers. When Paul tells us that the commandment "You shall not covet" was used by God to kill his spiritual pride and show his need of the Savior (Rom. 7:7-11), he is telling us that the law needed to be applied to an unbeliever! When Paul denounces a hostile judge for commanding that he be "smitten contrary to the law" (Acts 23:3), he is quite obviously intending to apply the law to an unbeliever.[24] When Paul declares that the law was intended – and can be lawfully used – to restrain murderers of parents, kidnappers, sexual perverts, etc. (1 Tim. 1:8-10), he openly contradicts the conclusion of McCartney that the law is never applied to unbelievers.

This last text also discredits McCartney's categorical assertion that "Not once in the New Testament is the civil aspect of

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24. McCartney extends his fallacious argumentation from silence when he claims that Paul does not try to apply biblical law to secular courts (p. 141). A text like Acts 23:3 shows that the reasoning is not simply logically fallacious, it is factually mistaken. Surely at this point Paul deemed the Sanhedrin an unbelieving and "secular" court operating outside the true church! Besides, on this particular occasion, the court in which Paul spoke was convened, presided over and controlled by the Roman military tribune (Acts 21:31-33, 37, 24-30; 23:10) – whose concern was especially submission to Roman law! Paul did not in this setting hesitate to appeal to the law of God and expect it to be honored. A related mistake by McCartney is the part of his statement that claims "Paul will have nothing to do with the secular courts" (p. 141). Certainly he did not mean to say that (but rather Paul would have nothing to do with secular courts enforcing church discipline, or something). The book of Acts shows us that Paul would indeed involve himself, where wise and appropriate, with the secular courts – applying Roman law to the magistrates of Philippi (Acts 16:37), appealing at a hearing before Festus to be tried before Caesar (Acts 25:11).

the Old Testament law applied to the civil authority as an ideal."[25] Incredibly, McCartney claims on the same page that "there are in the New Testament only two citations that make reference to civil aspects of the law." One wonders if he is working with an artificially narrow concept of what is "civil" when he makes such a misleading pronouncement. Isn't condemning a man without a hearing a civil matter (John 7:51)? Isn't murder and its judgment a "reference to" the civil aspect of the law (Matt. 5:21)? Isn't "an eye for an eye" a civil aspect of the law (Matt. 5:38)? Isn't the execution of incorrigible delinquents a civil aspect of the law (Matt. 15:4)? Aren't things "worthy of death" charged by the Jews a reference to civil aspects of the law (Acts 25:7-8, 11)? Isn't theft a civil matter (Rom. 13:9)? extortion (1 Cor. 5:10; 6:10)? defrauding of salary (Jas. 5:4)? Isn't submission to civil rulers a "civil aspect" of God's law (1 Peter 2:13-17)? Our examples could go on and on, but the point should be made by now.[26]

McCartney's reasoning is conspicuously unsound: "the way the New Testament applies the Old Testament to the state is the way we ought to do it. That is, it does not, so we should not." That is an incredible remark, and I do not suppose that even McCartney really believes it. The New Testament does indeed apply the law to the state (as we have seen). Someone may not want to find that in the literature of the New Testament, but the conflict between the law of the political Beast and the law of God is a *key* motif in Revelation (12:17; 13:16-17; 14:1, 9, 12; cf. Deut.

25. McCartney, p. 145. Paul surely did not expect *ecclesiastical* authority to punish the unbelieving murderers, kidnappers, homosexuals, perjurers, etc. that he mentions in this passage (cf. 1 Cor. 5:12). Who then did he envision as "lawfully" applying the law in such cases? The civil magistrate (Rom. 13:4—punishing those who do "evil" which is contrary to the law of God, cf. vv. 9-10).

26. In the same article, McCartney makes the further mistake of claiming that in the New Testament "the only sanction ever in view is removal from fellowship" (p. 144). But this too is just not accurate. In Acts 25:11, Paul envisions the application of capital punishment to himself, if he should actually be guilty of the crimes charged against him (out of the law). This is more than excommunication! We could mention the favorable references to restitution (Zaccheus, Philemon), to the state's authority to "wield the sword" (Rom. 13), to tort resolutions (1 Cor. 6), etc., etc. These and other references show that in the New Testament removal from the fellowship is not "the only" sanction ever in view.

6:8). And what about this pattern of reasoning (from silence), even if the premise were true? Would McCartney likewise reason: "the New Testament does not apply the Old Testament law about bestiality to the family today, so we should not"?

Furthermore, are we really to believe that *none* of the Old Testament law is applicable to the state today? Notice how McCartney's claim is made (mistakenly and fallaciously) just that universally. Not surprisingly, then, McCartney reverses directions on himself and adds that Christians should, after all, argue for just laws that reflect God's character and love for our neighbors[27] – exactly what theonomists maintain as the reason why they endorse the validity of the Old Testament judicial law today! McCartney's futile defense against being confused with the theonomists against whom he writes is this qualifying explanation: "But" we should not apply any part of the law "*directly*." He never tells us just exactly what this "direct" application he is resisting is, and his theonomic opponents wouldn't want to make any such "direct" application anyway.

Conclusion

The anti-theonomic argument from Israel's theocratic uniqueness may have been the quickest, easiest, and most popular line of criticism into which opponents have jumped, but the clarity and cogency of this criticism have not been directly proportionate to its popularity. Christopher Wright has correctly concluded: "Though we cannot address secular society in the terms God addressed Israel, nor presuppose a covenant relationship, it is nevertheless valid to argue that what God required of Israel as a fully human society, is consistent with what he requires of all men. It is therefore possible to use Israel as a paradigm for social ethical objectives in our own society."[28]

27. McCartney, p. 148.

28. Christopher J. H. Wright, "The Use of the Bible in Social Ethics III: The Ethical Relevance of Israel as a Society," *Transformation*, vol. 1, no. 4 (October/December, 1984), p. 19.

"For what have I to do with judging them that are outside [the church]? . . . But those who are outside God judges."

1 Corinthians 5:12-13

"Give place unto the wrath of God, for it is written 'Vengeance belongs to me; I will recompense,' says the Lord. . . . [The ruler] is a minister of God, an avenger of wrath to him who does evil."

Romans 12:19; 13:4

"Bahnsen's advocacy of God's law as the basis for civil authority, with essentially the same kind of separation of church and state that existed in Old Testament Israel, opposes this sort of pluralism. . . . A further distinction between church and state is called for in our time than that which Bahnsen makes."

Dr. William Barker,
Theonomy: A Reformed Critique
(1990), pp. 229, 232

"Bahnsen sees no difference between church-state relationships in the Older Testament and in the New."

Dr. Bruce Waltke,
Theonomy: A Reformed Critique (1990), p. 78

"Of course there were many unique aspects to the situation enjoyed by the Old Testament Israelites. In many ways their social arrangement was not what ours is today. And the extraordinary character of Old Testament Israel may very well have pertained to some aspect of the relation between religious cult and civil rule in the Old Testament. Nevertheless, we will search in vain to find any indication in the Scripture that the validity of the Mosaic law for society somehow depended upon any of these extraordinary features."

By This Standard (1985), pp. 288-289

8

SEPARATION OF CHURCH AND STATE

Of all the lines of critical interaction with the socio-political application of the theonomic thesis, by far the most common one is argumentation which focuses on the question of church-state separation in Old Testament Israel, modern America, and the comparison of the two.[1] In this regard, critics have readily misrepresented the theonomic view on the subject of church and state in the Old Testament, thus rendering their subsequent criticisms pointless.[2]

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1. Cf. Greg L. Bahnsen, taped lecture: "Separation of Church and State" (#346 from Covenant Tape Ministry, 24198 Ash Court, Auburn, CA 95603) for an analysis of the different issues which are commonly grouped together under the rubric of "separation of church and state." This collection of multiple senses under one expression is easily conducive to logical equivocation.

2. For instance, Bruce Waltke categorically states: "Bahnsen sees no difference between church-state relationships in the Older Testament and in the New. . . . As a result there is no difference between Israel's kings and other nations' civil magistrates" ("Theonomy in Relation to Dispensational and Covenant Theologies," in *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 78). "No difference" at all? This is not a critique, but an instance of downright counterfeiting. And it invalidates the entirety of Waltke's misconstrued criticisms of theonomy on pages 82-84. He further falsifies what theonomy teaches by suggesting that it sees Old Testament kings appointed merely by popular choice (rather than along with divine appointment, p. 83), desacralizes Israel (p. 84), or finds institutional expression of the body of Christ in the state as well as the church (p. 84). Waltke is simply not shooting at the right target and so wastes his effort. He also falls into overstatement at points: e.g., saying that "the involvement of priests in battle" as we see it at Jericho "was normative" (pp. 82-83). Waltke throws together so many false, unargued and disputable claims, and employs so many fallacies of reasoning, that the reader wants to push away the indigestible potpourri.

Was Israel a Fusion of Church and State?

Walter Chantry claims that Old Testament Israel was a "theocracy" in the sense that it *identified* church and state.[3] Lewis Neilson claimed that in Old Testament Israel "everything was the church. . . . The civil and religious were fused together."[4] Other critics of theonomy have likewise maintained that everything in Old Testament Israel was fused into a "church-state" – or that there was "no distinction" between church and state in Israel.[5]

The downfall of most discussions of this nature is their notorious and slippery ambiguity (if not equivocation). The premise that everything in Israel was the church is so ambiguous as to be unworkable in an argument; there are numerous ways in which aspects of Israel's life were not elements of the church, but in answer to each one of them a person can imagine another sense for "church" which will rescue his claim – at the cost of equivocating (*moving* from one sense to another) *or* of losing *the* sense for this word which is relevant to the argument's conclusion. Moreover, whether we think of the persons involved or the work they did or the regulations upon that work, the idea that there was no separation between the king and the priest is manifestly untrue (otherwise King Uzziah would hardly have been culpable for doing the work of a priest). *Theonomy* discusses at some length the senses in which one might find a kind of separation of church and state in the Old Testament economy (see chapter 20). Critics have not grappled with the details and reasoning found in that discussion. Consequently, their arguments are often (1) equivocal,

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3. *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), p. 120.

4. *God's Law in Christian Ethics* (Cherry Hill: Mack Publishing Co., 1980), pp. 34, 35. Likewise, Dan McCartney categorically and fallaciously asserts "The Old Testament situation is unlike our own in that the church was the state" ("The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 147).

5. E.g., Paul Fowler, "God's Law Free From Legalism (privately distributed from Reformed Theological Seminary, 1980), pp. 89-93; "Report of the Special Committee to Study 'Theonomy'," for Evangel Presbytery, P.C.A. (submitted June 12, 1979, at Gadsden, Alabama), p. 11; Richard Lewis, report on "The Applicability of the Penal Code of the Old Testament" (privately produced and distributed, 1982), pp. 1-2.

if not (2) historically mistaken in their premise(s), and (3) prove quite a bit more than their proponents wish to accept – undermining the current normativity of all of the moral instruction for public justice given to Israel.

Is It Even Relevant?

The alleged church-state fusion in Old Testament Israel, even if clear and accurate, would still be argumentatively irrelevant to the conclusion that Israel's laws are invalid today, *unless* the critics can demonstrate that those laws were only valid within Old Testament Israel *because of* the fusion of church and state. The fact that the Mosaic laws are presented in the Old Testament as a standard of judgment over the Gentile nations and as a model of perfect justice for those nations to emulate (as shown in chapter 18 of *Theonomy*) deprives this church-state argument of any force, then, because the Gentile nations did not share the uniqueness attributed to Israel by this line of argumentation. The argument that Israel's laws were geared only to such a society constituted as a fused church-state – in which case they would be *inappropriate* for non-church-states around Israel or for "secular" states today – is refuted by the Biblical testimony that these laws are communicated to all cultures by general revelation, and through special revelation to Israel they were to be a model for all nations to follow. Civil magistrates today are still deemed "ministers of God" (Rom. 13:4), and the public crimes of evildoers must still be punished by a divine standard of justice – even in a modern nation with a clear separation of church and state, like America.

Would the Mosaic Law Give the State Authority Within the Church or Give the Church Authority Within the State Today?

Richard Lewis

Richard Lewis observes that the Old Testament kings were responsible to put away the high places, the Asherah, wizards, mediums, and idols, "*but under the new covenant,*" says Lewis, a Christian magistrate "cannot by virtue of his office exercise authority *in the church of God.*" The confusion here is manifest. When the

civil magistrate removes mediums and idols today, he would not thereby be exercising any ecclesiastical authority whatsoever *within* the Christian church. He would merely be performing a public and civil service to the community at large. In so doing, he would not become an ordained officer within any Christian denomination or fellowship, nor would he thereby take authority within any Christian congregation for its own doctrine or discipline. When Old Testament kings removed the high places and wizards, they did not thereby become priests in the temple! Nor would New Testament kings, when they restrain idolatry, be exercising authority "in the church of God." The field of their service would remain the civil community. If Lewis believes that Christian magistrates should not restrain idolatry or blasphemy even in *that field*, then he has yet to offer any Biblical justification for his belief—and he speaks contrary to the Westminster Larger Catechism (the end of #108). How can a Christian magistrate pray, "Hallowed be Thy name," if he is officially indifferent to idolatry and blasphemy within the sphere of his vocation and responsibility?

Laird Harris

Against the theonomic premise that there was an important sense in which we can see a separation of church and state in the Old Testament regarding Israel, Laird Harris offers an attempted rebuttal by observing that priests were judges prior to the monarchy in Israel.[6] He does not, however, answer the interpretation given this datum in *Theonomy* already: Levites would indeed have been court advisors regarding the interpretation of God's law—even as ministers could be today, without violating any legal separation of church and state. Levites were involved in both cult and state, as Harris notes, but we must remember: (1) that there was a division of families into the kind of service they rendered, and (2) in the nature of the case the Levite (and not simply the priestly family of Aaron) dealt with God's directions (His law) which had two-fold relevance, to the cult *and* to the state. That God's *law* entered Israel's court decisions and that

6. R. Laird Harris, "*Theonomy in Christian Ethics*: A Review," *Presbyterion*, vol. 5, no. 1 (Spring, 1979), pp. 11-13.

Levites could become judges in some cases (e.g., Samuel) was no more a violation of the separation of church and state than would be a functioning gospel minister taking on such a chore today. If we grant these (in principle) parallels to our own situation – where church-state separation is so jealously, if not fanatically, guarded and interpreted – why should we conclude that there was no separation of church and state in the Old Testament? Not *any* Old Testament judge could *become* a priest, and (after the monarchy was established) not any priest could presume to be king; thus the offices were clearly separate.

Harris reveals the underlying problem in his conception of church and state when he claims that the New Testament envisions no *theocracy* as seen in the Old Testament where priests and kings "all worked together in a Church State based on God's Word." But surely a separation of church and state does not logically imply that they cannot work together! And the fact that both church and state gain direction from God's word no more merges the two than does the fact that a family and the church both draw upon the Bible merge them into one official unit. God stipulates things for the state in His word; God stipulates things for the church in His word; and God expects these two sets of stipulations to harmonize so that church and state work nicely together. Nothing said here breaks down a functional and institutional separation of church and state either today or in Old Testament Israel.

Vern Poythress

Vern Poythress poses a problem for the theonomic position based upon Deuteronomy 17:8-9 where God instructed the Israelites that if legal complications arose and a particular judicial case became too difficult, they should take it to "the Levitical priest or judge who is in office in those days," so that a verdict could be reached.[7] But this can no longer be done today, says Poythress, since the levitical priesthood has been replaced with the High Priesthood after the order of Melchizedek – by the work of Christ.

7. Vern Poythress, Taped lecture: "A Critique of Theonomy" (Philadelphia: Westminster Media, 1979).

Does Poythress assume that the levitical priesthood was drawn into difficult cases because of some cultic aspect of the office which allowed for contact with supernatural guidance? This would not appear to be correct. Rather, the priest was consulted because it was his job to be an expert in the law and its application. Every legal system, in one form or another, has just this sort of person or persons who function to interpret the law and resolve difficult cases. In the Old Testament, that person was often a levitical priest.

The second reason why adjudication in difficult appeals is not inherently tied up with the levitical priesthood, as Poythress seems to assume, is found right in the wording of the text: guidance was to be sought from a priest *"or the judge who was in those days."* Judges, like priests, might serve as experts in the law for difficult cases, and judges did not need to have any connection with the levitical order of priests.

What would Deuteronomy 17:8-9 require of us today? Answer: Appellate courts and legal experts. It would not make the application of this Mosaic provision dependent upon the continued existence of the levitical priesthood. Even those nations without the levitical priesthood were called upon to apply God's law to their affairs, after all (Deut. 4:6-8; Ps. 119:46-47).

Is Essential Identity of Church and State Necessary to Theonomy?

One of the evidences offered by Laird Harris that there was no separation of church and state in the Old Testament was his claim that all citizens had to be part of the sacred community. This suggestion has been adopted and expanded by O. Palmer Robertson in one of the most carefully presented arguments against theonomic ethics based on Israel's church-state condition.[8] His argument is presented in the context of an overall evaluation of theonomic ethics (much of which is kind and supportive) and is argued through to the conclusion that Israel's penal code is not strictly binding on us today. A thorough examination of his case

8. Tapes of his lectures are available from Mount Olive Tape Library, Box 422, Mt. Olive, MS 39119; order #OR107A1, A2, B3.

will be helpful in determining whether such a line of attack can hope to be successful as a rebuttal of the theonomic perspective.

In his lectures Dr. Robertson affirms that the first or fundamental thesis of theonomic ethics – its "most important" contention – is that the relationship of cultic and civic aspects of the old covenant order is the same as the relationship of church to state today. He claims that this thesis underlies the distinctive conclusions of theonomic ethics. In his third lecture, he goes on to argue that this alleged thesis is the primary problem with my outlook – its most critical defect. Sometimes Robertson claims that *Theonomy* sees the church-state relation (or the relation between cultic and civic aspects of life) in the old covenant as "essentially the same" as the relation in the new covenant; at other times, he claims that *Theonomy* sees them as "precisely the same." Although there is an enormous difference between these two claims, I will not dwell on the inconsistency in answering the criticism contained in the claims.

(1) It turns out that I make *neither* one of these claims in my book. Indeed, I would not be willing to profess either one of these claims at present. Between two objects or concepts there can exist a large number of similarities and differences; to say that they are the same in *some* respects is *not* to say that they are *identical* ("essentially" or "precisely"). Theonomic ethics does not claim that the church-state relation in the New Testament is the same as that in the Old Testament, but rather that "*a parallel* can be found."[9] Finding one parallel between tanks and corvettes (e.g., they roll on wheels) does not make a corvette into a tank! Robertson has really overstated my position – just as we would overstate Paul if we said that he saw Christian ministers as identical to Jewish priests (on the ground that he taught both should receive their sustenance from God's people in I Cor. 9:13-14). Consequently, what he attributes to *Theonomy* as its most important thesis is not its thesis at all, and this invalidates all of his major criticism of the book (what he calls the "primary problem"). Since *Theonomy* does not deny differences between church-state relation in the Old Testament and the New Testament, when Robertson

9. *Theonomy*, p. 414, clarifying emphasis added.

argues against *Theonomy* by adducing such differences in his third lecture, he is not doing any damage to my position whatsoever. I could easily grant those differences and retain the theonomic principle, for I do not see *Theonomy* as first or primarily or essentially a doctrine about church-state relations – much less a doctrine asserting identical relations in Old Testament and New Testament.

(2) Naturally, given the above comments, I cannot agree with Robertson's reasoning when he says that the premise of *essential* identity between church-state relations in Old Testament and New Testament is the indispensable foundation for theonomic conclusions about the penal sanctions of the law. Those conclusions can be drawn regardless of one's view of the church-state relation in the Old Testament, for *Theonomy* argues on the basis of the objective obligation of all magistrates to perform public *justice*. If the agent of God's wrath against evildoers in the old covenant order exemplified some *unique* church-state relation (even if he were a priest-king, or if there were no difference at all between the church and state in Israel), the fact would remain that agents of God's wrath today would still be bound to the same *objective standards* of public justice laid down by God (even though they are not priest-kings or do not function in a church-state).

Theonomy's point is that God does not have a double standard of justice in society. Rape is wrong, whether in Israel, Nineveh, or New York. And punishing rapists too leniently or too harshly is wrong for magistrates, whether in Israel, Nineveh, or New York. If God has not revealed objective standards of justice for crime and punishment, then magistrates cannot genuinely be avengers of God's wrath against evildoers. They could only avenge their human anger against those who displease them, without any assurance that genuine evildoers are receiving a just recompense. In that case the "sword" would truly be wielded "in vain" (Rom. 13:4), and good people would have a real reason to fear (v. 3). The criminal standards of the Old Testament are God's objective standard of public justice, prescribing for every transgression its "just recompense of reward" (Heb. 2:2) and executing only those

who do things "worthy of death" (Acts 25:11; cf. Deut. 21:22) – even as the pagans know (Rom. 1:32; 2:14-15). These truths would be maintained as the conclusions of theonomic thought, even *if* Robertson could show that absolutely no similarity exists between the church-state relation of the old covenant order and the church-state relation today. Therefore, it seems to me that the premise which he has labored to criticize in his lectures is not my position, nor is it an indispensable assumption of my position.

Was Citizenship Coextensive with the Sacred Community?

Robertson proposes his own conception of the relationship between church and state in the old covenant, and he contrasts that with his conception of the relationship between church and state today. From that basis he criticizes theonomy as allegedly holding to a doctrine different from that proposed by him. I have already noted his misconception of the theonomic outlook. Thus we can best view the argumentative strategy in this part of his lectures as setting forth biblical truths which cannot be harmonized with the theonomic thesis. His remarks will be treated along this line, so that they are not automatically disqualified as criticizing a misrepresentation.

Robertson's position is that, unlike today, the old covenant church (cultic functions) and state (civil functions) were unified, as both were in a redemptive covenant relation with the Lord. Back then, the state was a redemptive covenant community, whereas today only the church is a redemptive covenant community. Thus the relationship of church to state was different in the old covenant context than it is today. Accordingly, says Robertson, we do not follow the Old Testament today in requiring the external sign of the covenant (circumcision-baptism) for citizenship in the state, and the state today does not require all citizens (males anyway) to participate yearly in the redemptive meal (passover-Lord's Supper). These truths, if they be truths, cannot be squared with a consistent following of the theonomic perspective, thinks Robertson, and thereby the position is critically faulted. Several things must be said in response to this line of argument.

(1) I cannot decide whether I agree with Robertson's statement of the difference between church-state relations in the Old Testament and New Testament, because the statement is quite ambiguous. It is subject to many (and conflicting) interpretations. To say that both the church and state in the old covenant were aspects of one redemptive, covenantal community is simply to look at Israel, God's chosen people, from two distinct perspectives (religious and national). I do not deny that redeemed Israel was typological of the church of Christ, which is today an international body unified by religious interests. Type and antitype differ, to be sure. But if Robertson's point about the *one* covenantal community suggests that, unlike today, the covenant church executed religiously heightened punishment on civil criminals, then he would obviously be *confusing* the *distinct* perspectives already drawn by his remark. Or if he is suggesting that the kingdom of God, of which Israel was the anticipation, is now no longer concerned with matters of civil justice, then he would be introducing a sacred/secular (or nature/grace) dichotomy which is foreign to God's word. The reorganization of God's people in the New Testament does not eliminate the Old Testament interest in having righteousness pervade all departments of life, nor does it necessarily alter God's standards of righteousness. So it is not evident whether we should agree with the remark made in the lecture or not.

Likewise, when Robertson says that the state of Israel was a "redemptive" community, I cannot decide what he means. That all in Israel were spiritually redeemed? That Israel as a national entity originated in the political redemption from Egypt? That the functions of the state were redemptive in nature or effect? Or simply that those who constituted the state were part of a community which in itself served the further end of typifying the coming work of the Redeemer? It makes quite a difference. Similarly, how are we to understand the claim that the "state" in the Old Testament was in a redemptive covenantal relation with the Lord? (The fallacy of reification always looms over such discussions.) The word 'state' can refer to a territory, a people, the governors of a people, the functions of government, the specific policies of

the governors, the general concerns of civil rule, etc. Which of these things does Robertson claim to have been in a covenant relation with the Lord in a uniquely redemptive sense? The Mosaic covenant was made with people; it touched on matters of territory, political rulers, and civil laws. Where it spoke of civil justice, it was not uniquely "redemptive" in its content, for it was proclaiming the righteous standards of the Creator as well (which explains the judgment on the Canaanite tribes, the prophetic words against the nations, and Paul's words in Rom. 1:32; 2:14-15). So again, I do not know whether to agree or disagree that the Old Testament state as well as the church was in a redemptive covenant relation with the Lord.

Not knowing whether to affirm Robertson's *statement* of the church-state relation in the Old Testament, let me move on anyway to consider his *application* of the view stated.

(2) Robertson says that, because the Old Testament state was a redemptive community, circumcision was required for citizenship. Membership in the civic community required membership in the church as denoted by the external sign of covenantal relation with God. Nowhere, says Robertson, does the Old Testament suggest that someone could be a citizen of the state of Israel without cultic obligations. Therefore, he concludes, a consistent application of theonomic ethics would mean that the state today should require baptism for citizenship — which is clearly unacceptable.

In response, I would contend that Robertson's remark is inaccurate. Citizenship in the old covenant order did *not* require circumcision, for in that case no woman was a citizen of Israel — which is clearly an unacceptable implication of Robertson's premise. We cannot brush away this counter-evidence with a passing remark about human physiology, a fact well known to God when He instituted the old covenant sign. We cannot get away from the truth that circumcision was primarily a sign of religious significance and not civil membership; as a *civil* badge it would have been extraordinarily inappropriate, unless one wishes to contend that women were not citizens.

At this point, nothing will be rescued in Robertson's argument

if he attempts to set forth some new and extraordinary *definition* of "citizen" which will render women only second-class citizens. That will circularly make his claim "true by definition" – and thus uninteresting and argumentatively irrelevant. A fruitful argument should conform to the conventional meaning of words and not erect special senses which will guarantee that claims are immune from counter-evidence. (This policy is temporarily forgotten when Robertson elsewhere "proves" that the Old Testament state was indeed an agent of "evangelism" – that is, when 'evangelism' is broadly **redefined**.)

When he and I speak of "citizenship" in the Old Testament or New Testament state, we are dealing with a *civil* concept. A citizen is an inhabitant of a land who is entitled to the political rights, social privileges, and police protection afforded to freemen and who owes allegiance and public obedience to the state's ruling powers. What Robertson has alleged is that in the old covenant order of Israel no *un*circumcised person could be a *citizen*. The civil status required the religious status of bearing the covenantal sign of circumcision. In that way, he maintains, there was an interlocking of church (*covenant* sign) and state (*civil* membership) in a way different from today.

This alleged merger of church and state in Old Testament Israel is not only disproved by the citizenship status of *women* (even if it be deemed somehow a second-class citizenship), it is all the more overturned by the status of uncircumcised *sojourners* in Israel. They were a significant part of Hebrew society. A mixed multitude had originally come up out of Egypt (Ex. 12:38), and Gentile foreigners continued to be assimilated throughout Israel's history (numbering 153,600 at the time of Solomon; cf. 2 Chron. 2:17) – some playing important roles in civil (e.g., Num. 13:30; 32:12; Josh. 14:6, 14; 15:13) and religious (2 Chron. 2:18) affairs. In Joshua 8, when Israel acknowledged its covenantal constitution as a nation, following the instructions of Deut. 27, the blessings and curses were pronounced from God's law to "all the assembly of Israel" (v. 35), which included the sojourners (v. 33). They stood constituted with the nation. Scripture is emphatic that the sojourners were to be required to follow the same civil duties and

to be granted the same civil privileges as the home-born Jew. There was not to be a double standard, but rather *one law* for the home-born and the sojourner (e.g., Ex. 12:49; Lev. 24:22).

Were they "citizens" in the conventional sense? Yes. They inhabited Israel as freemen, being entitled to the same rights, privileges, and protections as a home-born Jew and owing the same allegiance and public obedience to the ruling authorities. "The law accorded to foreigners not only protection and toleration, but equal civil rights with the Israelites."[10] For instance, they had the same civil duties as the Jews: e.g., being prohibited from idolatry (Lev. 20:2), blasphemy (Lev. 24:16), sabbath-breaking (Ex. 20:10), disrespecting authorities (2 Sam. 1:13-16), offering child sacrifice (Lev. 20:2), or engaging in sexual abomination (Lev. 18:26). Likewise, they shared the same civil protections and privileges with the Jews. They could acquire property and amass wealth (Lev. 25:47). They were protected from wrongdoing and treated like any home-born member of society (Lev. 19:33-34); that is, they ought to have been according to the provisions of the civil law. They were not to be oppressed (Ex. 22:21; 23:9), unjustly judged in the courts (Deut. 1:16; 24:16; 27:19), or defrauded of their wages (Deut. 24:14); instead they were to be treated kindly (Deut. 10:19). The cities of refuge offered them asylum like that provided for any Jew (Num. 35:15). And when they financially fell on hard times, the sojourners enjoyed the privileges of gleaning (Lev. 19:10; 23:22; Deut. 24:19-20) and the poor tithe (Deut. 14:29; 26:12). They were citizens of the state, as we would say today.

If Robertson wishes to point to *religious* differences between the sojourner and the home-born, that will be fine, for we are here talking about membership in the *civil* society (citizenship). Of course, it should be noted that the differences in religious duties or privileges were not very great at all either. Sojourners rested on the day of Atonement (Lev. 16:29) and the weekly sabbath (Ex. 23:12; Deut. 5:14). They could offer first-fruits (Deut. 26:11), vow, free-will, and burnt offerings (Lev. 22:18). Indeed they could

10. Merrill F. Unger, "Foreigner," *Unger's Bible Dictionary*, 3rd Ed. (Chicago: Moody Press 1960), p. 376.

offer sacrifices according to the same regulations as governed those of the home-born (Num. 15:14-16, 26, 29; e.g., Lev. 17:8-9). They could participate in the red heifer ceremony and undergo purification (Num. 19:10). They were not to eat blood (Lev. 17:10, 12-13), and they were to be cleansed from meat taken from an animal that died of itself (Lev. 17:15-16). They enjoyed the produce of the sabbath year (Lev. 25:6). Finally, the sojourners were welcome to the religious feasts of weeks (Deut. 16:11) and booths (Deut. 16:14) – two of the three annual festivals; during passover they respectfully did not eat leavened bread (Ex. 12:19). Indeed, it turns out that the uncircumcised sojourners differed from the home-born, circumcised Jews in only two redemptively significant ways. They did not take the passover meal (Ex. 12:43, 45), and if they became indentured servants the Jubilee did not secure their release (Lev. 25:45-46). They could not share the signs of God's saving deliverance (typifying the work of Christ: cf. Luke 4:17-21; I Cor. 5:7), unless they fully committed themselves to the covenant by assuming its sign. If the sojourner would become circumcised, then he could also eat the passover meal and be treated in all respects as a home-born Jew (Ex. 12:48). The typological value of this is evidenced in the Old Testament prophets, who taught that in the day of God's compassion the sojourners would fully join themselves to Israel (Isa. 14:1) and have an inheritance in the idealized promised land just as much as any home-born (Ezek. 47:22-23).

If, now, we carry over the Old Testament arrangement into the New Testament era, as Robertson suggests we should, we do *not* end up with the unacceptable circumstance which he has claimed we would. We do not have the covenant sign of baptism (circumcision) made a prerequisite for citizenship in the state at all, for uncircumcised sojourners were citizens in Israel. Rather, what we would have is this: unbaptized persons today would be citizens of the state (and subject, as were sojourners, to the same laws of justice delivered from God), but unless they assumed the covenantal sign of baptism (like sojourners being circumcised), we would not account them as slaves of sin released by the Redeemer's Jubilee or welcome at the sacramental meal of salva-

tion, the Lord's Supper (passover). I am not insisting on this point-by-point carry-over of conceptions as a theonomist; I am only showing that Robertson's line of argument, which uses such a carry-over device, is not telling against my position after all.

(3) Likewise, when Robertson argues that the theonomic perspective would require that the state enforce the Lord's Supper for every citizen on a yearly basis, he is not only misconstruing the theonomic perspective, he is not utilizing assumptions which are accurate for the Old Testament. As we have seen above, *not every* citizen took the passover meal in Israel (the uncircumcised sojourners), and further, as far as I can tell, there was no *political* enforcement for the eating of passover anyway. Hence there is no reason to think that there should be civil penalties today for failing to come to the Lord's Supper, even if one insists (as I do not) on a point-for-point transference of Old Testament concepts into the New Testament era.

(4) It is worth adding here that, even if Robertson's attempted *reductio ad absurdum* arguments against *Theonomy* had a more reliable foundation (i.e., even if Old Testament citizenship required circumcision and the Old Testament state enforced passover participation), there would be every reason to resist the conclusion that *Theonomy* requires the state to take such an interest in baptism and the Lord's Supper. In the nature of the case, circumcision and passover were regulations of a special kind; it would be the fallacy of sweeping generalization to lump them in with ordinary moral laws which continue to be binding today since these regulations belong in an extraordinary category – namely, the category of "ceremonial" or "restorative" laws. With the coming of the reality foreshadowed by the Old Testament system, with the inauguration of the age of the new covenant, the sacramental signs of the covenant have been changed, and the definition of the visible church or covenant community has been altered. The fact that what had some unavoidable connection with civil affairs of the state in the Old Testament now pertains only to the reorganized redeemed community, the church, would not be any embarrassment to the theonomic thesis.

If Robertson were correct that there is a discontinuity between

Old Testament and New Testament arrangements on this point of church-state interest in the covenant signs (circumcision, baptism; passover, Lord's Supper), we could only know that on the basis of the teaching of God's inscripturated word. But if this discontinuity is taught in the Bible, then theonomists have no difficulty with it at all; it would simply be the result of studying *every* jot and tittle of the Lord's revealed word, which *Theonomy* calls upon us to do. Theonomic ethics does not maintain a priori and necessarily that there simply *cannot* be alterations in the application of the law introduced by the Law-giver Himself (e.g., animal sacrifices, dietary laws, etc.). But apart from such a word from the Lord, we ourselves do not have the prerogative to introduce such changes. Thus if Robertson is correct that Scripture teaches a discontinuity regarding the church-state relation (centering on the covenant signs), then this is a *working out* of the theonomic principle – not an undermining of it.

(5) You see, Robertson's arguments regarding circumcision and passover in the context of the church-state relation within Israel cannot have any genuine bearing or strength until he demonstrates that these covenant signs were somehow *morally relevant* to the obligation to obey all of God's laws (the theonomic thesis). If the theonomic obligation in the Old Testament were tied to the covenant signs or to Israel's peculiar church-state relation, then we might have reason to doubt that obligation when the covenant signs are not followed (e.g., outside the church) or when that precise church-state relation is not in evidence (e.g., in modern American society). However, such an argument will likely never be convincingly developed. After the law was given at Sinai, Israel was fully obligated to keep it, even though they wandered for years without observing circumcision (cf. Joshua 5:2-9).

Totally apart from the covenant signs or church-state relation in Israel, the Gentile nations around Israel were held accountable by God to keep the law.[11] Paul declares that even uncircumcised Gentiles have a duty to follow the requirements of God's law (Rom. 1:32; 2:14-15), and when they do, their uncircumcision is

11. Theonomy, cf. 353-364.

reckoned as circumcision (v. 26)! So I must conclude that Robertson's main line of argument against theonomic ethics does it no damage. Our *duty* to obey all of God's laws continues from the Old Testament (Matt. 5:17-19), despite changes in covenant signs or in church-state relations, and God still requires *justice* to be done in the state to criminals (Rom. 13:4).

Misconceptions and Misapplications of the Separation

As a postscript to the above reply to Robertson, I should note certain overstatements or misconceptions found in his main line of argument against *Theonomy*.

(a) At the end of his third lecture, in a summation, he says that the church and state were *merged inseparably* in the old covenant. This will not accommodate the many obvious kinds of separation which are noted on pp. 401-413 in *Theonomy*. The fact that kings could not enter the holy of holies on the day of atonement tells us that there must have been *some* separation of cultic and civil functions, and thus Robertson's point must, upon reflection, be qualified by him.

(b) Also in his third lecture, Robertson insists that "the state is an interim institution that has a much milder function than the bringing in of the kingdom of God by enforcing the covenant law of Israel." However, this suggests a misconception of theonomic ethics. *Theonomy* does not maintain that the state's enforcement of the Old Testament law *brings in* the kingdom; rather, such enforcement *follows upon* the coming in of the kingdom. Robertson has inverted cause and effect. The presence of the kingdom brings obedience in all walks of life, not vice versa.

(c) At another point in the same lecture Robertson asserts that "it is not in the best interests of God's people or the advance of the gospel to have the state enforce the covenant laws of God upon its citizens" (where I think he is referring to laws such as in Deut. 13 against subversion to idolatry). But presumably Robertson *does* think that it is in our best interests and in the best interest of evangelism to have the state uphold and enforce laws against murder, adultery, and theft – laws found in the very epitome of the covenant, the decalogue. I would be surprised to hear

otherwise. Thus his general remark is somewhat overstated. Moreover, he does not offer us a biblical principle by which he would discriminate between laws which are for our good to enforce today and ones which are not. It seems to me that Scripture does not offer such a principle just because *all* of God's laws were given for our good (Deut. 6:24; 10:13), and to follow them is to the advantage of *any* nation (Deut. 4:4, 8; Prov. 14:34; cf. Matt. 6:33; I Tim. 1:8-10; 4:8; Rom. 13: 1-4).

(d) If the above assertion by Robertson infers that theonomic ethics promotes the imposition of God's law on a recalcitrant society by means of the sword, then I would need to disagree further with it. The church does not utilize any sword but the sword of the Spirit, according to *Theonomy*.[12] When that converting sword has done its work, then a society – being taught to observe whatsoever Christ has commanded (Matt. 28:18-20) – will *adopt* the law of God as the law of its land. It will be followed by choice, not by enforced threats. (Of course criminal elements will always have the law – *any* law which they violate – "enforced" upon them if they are punished for disobedience. That is true for any view of civil ethics. The question, then, is *which* law should we enforce, God's inspired one or man's humanistic one?) This is as true of the laws in Deut. 13 as those in Ex. 21.

(e) One of Robertson's arguments against the theonomic conception of the church-state relation leads him to insist that the Old Testament state was indeed "an agent of evangelism" – after he carefully redefines 'evangelism' in a broad enough fashion to include any subduing of an area of life to the revealed will of God, thereby advancing God's *kingdom*. I have no problem with this understanding of evangelism, if he wishes to use it. But if he does, then he must be consistent with it and thereby grant that states today (as also doctors, lawyers, plumbers, etc.) – even as the Old Testament state – are agents of "evangelism."

Conclusion

Isaac Watts put it well in his hymn, "Joy to the World": "He comes to make His blessings flow far as the curse is found." If the

12. *Theonomy*, pp. 414ff.

removal of the effects of the curse and subduing of areas of rebellion is evangelistic, then the state can indeed be evangelistic today. Of course, this all has nothing to do with my assertion in *Theonomy* to the effect that the state is *not* an agent of evangelism, for by that remark (where 'evangelism' is more narrowly and commonly understood) I was only saying that the state does not use its sword to compel its citizens to profess faith in Christ as Savior.

"When the Gentiles who have not the law do by nature the things of the law . . . they show the work of the law written in their hearts."

Romans 2:14, 15

"God gave them up to a reprobate mind to do improper things . . . who, knowing the ordinance of God, that they who practice such things are worthy of death, not only do the same, but also consent with them who practice them."

Romans 1:28, 32

"Bahnsen underestimates the role of natural law"

Bruce Waltke,
Theonomy: A Reformed Critique (1990), p. 84

"The state is going to be judged by God. Now since this is true, there must be criteria or a standard for this judgment. . . . It might be *natural law*, but this is simply a projection of autonomy and satisfaction with the status quo. . . . Others have gone on to maintain that *natural revelation* will be the standard of judgment. However, this either amounts to preferring a sin-obscured edition of the same law of God or to denying the unity of natural and special revelation (and being willing to pit the one against the other)."

Theonomy in Christian Ethics
(1977), pp. 399-400

9

GOD'S LAW AND CIVIL GOVERNMENT TODAY

Do the Mosaic Civil Laws Have Absolutely No Binding Force?

Some critics of theonomy are prone to greatly overstate their opposition. For instance, it is preposterous to think that "the Mosaic civil law" has absolutely "*no binding force*" in the New Testament, as we are told by David Neilands.[1] The Apostle Paul confidently asserted the very opposite in I Timothy 1:8-10. Does Neilands actually reject the Mosaic distinction between manslaughter and murder, seeing this as a "civil" law without any binding force today? Can the "civil laws" of Moses to which Neilands alludes be clearly defined for the sake of his argument? Do they include the prohibition of the "civil" act of stealing or adultery? If they are extra-decalogical, do they include laws against defrauding, incest, or danger to our neighbors (e.g., open pits, goring oxen)? Do such laws really have *absolutely no* binding force in our society? Are the "civil" laws of Moses not included in "the least of these commandments" protected by Christ under threat of divine disapprobation for teaching disobedience to them (Matthew 5:19)? Are they precluded from the "every scripture" which Paul says is profitable for instruction in righteousness (I Timothy 3:16-17)? Do they have "no binding force" of any nature at all in the New Testament? It appears that Mr. Neilands has either overstated himself drastically, or needs to reflect on the practical

1. "Theonomy and the Civil Magistrates" (privately distributed in connection with the work of a study committee on theonomy in the Presbytery of Northern California, O.P.C., 1982).

implications of his stated position.

Arguments against the theonomic endorsement of the *civil* laws of the Old Testament often prove to be embarrassing cases of overkill since they would, if applied consistently, lead us to set aside *all* of the laws revealed to Israel – because the rationale offered (e.g., the civil laws were revealed to an elect redeemed nation, to a church-state, etc.) is so broad as to include all of the Mosaic revelation. On the other hand such arguments against civil enforcement of the Mosaic law today often prove to be cases of overkill because they invalidate even the civil aspects and applications of the ten commandments! Critics who want their arguments to apply to the judicial laws of Moses but then exclude the provisions of the decalogue (e.g., prohibitions of theft, murder and perjury) are guilty of special pleading – especially since the judicial laws define and apply the decalogue. Theonomic critics cannot have their legal cake and eat it too. The "civil" character of laws cannot be arbitrarily recognized and then suppressed to suit a preconceived conclusion. Let theonomic critics have the courage of their convictions. If the "civil" aspects of the Mosaic law are abrogated today, then let us hear of no recourse to *any* such provisions.

By What Criterion Do We Pick and Choose?

The critics of theonomy are not always of a mind to reject any and all use of the Mosaic judicial laws for modern states. Richard Lewis concedes that rulers who come to know God's law are "responsible for carrying out its precepts both in their personal and official lives." Yet he also insists that the Mosaic law cannot be altogether applied to the state today.[2] It appears that he would use some principles of the law, but would find others inappropriate for modern states. Indeed, Lewis explicitly says: "Many of these [Mosaic] laws can be taken directly into his [the modern

2. Richard Lewis, personal report on "The Applicability of the Penal Code of the Old Testament" (privately distributed, 1982), p. 4. Rev. Lewis wrote this paper for a study committee of the Presbytery of Northern California (O.P.C.). It did not receive the full support of the study committee and was never adopted by the presbytery. It has nonetheless received wide public circulation.

magistrate's] civil code." *But how do we know where* to draw the line in the Lewis outlook? If he wants to put aside the "civil" or "judicial" aspects of the Old Testament law, or if he wants to abandon civil sanctions for "religious" crimes, just *what do these terms* clearly include and exclude? Where does Scripture lay down a discriminating principle with such concepts in mind? Is there any rule at all by which Lewis picks and chooses those elements of the Old Testament which he would have the state enforce today (e.g., punishing kidnappers?) and which he would not (e.g., punishing kidnappers *with death*?)? His position is left completely arbitrary and controlled by subjective considerations which cannot be warranted from publicly accessible, textually tested principles revealed by the Lawgiver Himself. By comparison, the theonomic principle is that we should presume continuity with the Old Testament moral standards, even for civil magistrates, unless God's word itself authorizes a modification.

By What Other Standard Should Rulers Rule? Conscience?

Laird Harris, like other theonomic critics, does not want the Old Testament law to be the moral standard for the state today. What does he suggest in its place? He proposes that unbelieving rulers should rule, rather, according to the dictates of conscience as it has been influenced by natural revelation and common grace.[3] If he means that conscience, *when* it has by common grace properly grasped and submitted to general revelation, should direct the ruler today, then he would reject the written law of God as a political standard only at the cost of preferring a less clear edition of the same revelation over one which is more clear—or else falsely assuming that the two forms of revelation have different moral content. And if he means that conscience itself (having been influenced successfully or not by common grace and natural revelation) should be the standard of political morality instead of the written law of God, then he has hardly been consistent with his

3. R. Laird Harris *"Theonomy in Christian Ethics*: A Review of Greg L. Bahnsen's Book," *Presbyterion*, vol. 5 (July, 1979), pp. 10, 12, 13.

concern regarding political abuses of power! If Harris does not want the rigor and restraints of God's written law to be the standard for a civil magistrate to follow – for fear that it will breed excesses and mistakes – then he should pause to consider what that same mistaken and excessive ruler might do if released to follow nothing else but his private conscience!

More important than any of these prudential considerations, however, is the question of what God's own word requires of civil rulers. And whether we trust the provisions He has made for safeguarding the justice and wellbeing of society or not, the fact would remain that such laws are our duty to uphold and (where applicable) to follow. Until a Biblical case can be made against the "civil" portion of the Old Testament law, we must presume that it continues to be binding today.

The Appeal to Common Grace

In a short essay written against theonomy, David Neilands has claimed that "theonomy has no place for common grace in the realm of government."[4] However following this claim, Neilands quotes a statement from my book in which I directly and explicitly contradict what he says about the theonomic position: "this restraint of evil by means of human governments is a sure example of God's common grace" (*Theonomy*, p. 584). Theonomy surely does have a place for common grace in the realm of civil government. But Neilands retorts – just this briefly – "This is hardly the general view of common grace. [Bahnsen's] common grace includes God's law which is special revelation." It appears from this remark that Neilands does not wish to take account of the extensive debates over the meaning of and Biblical justification for the various concepts represented by the expression "common grace," for otherwise he would not thoughtlessly allude to "the general view" of it – as though some kind of consensus could be taken for granted. If there is anything approaching "the general view" which could be clearly defined and justified, the theonomic

4. "Theonomy and Common Grace" (privately distributed, in connection with a study committee on theonomy in the Presbytery of Northern California, O.P.C., 1982).

view would be harmonious with it, I am sure. Neilands, the reader will find, may speak of the "general" view, but actually follows a partisan (and narrow) conception of common grace which suffers for lack of exegetical and logical credentials (viz., the conception advanced by Meredith Kline).

The crucial mistake to note in Neilands' remark, however, is the false notion that "God's law" is restricted to "special revelation," which in turn is precluded as such from communicating matters of "common grace." Note the logic of his remark against theonomy: viz., its view of common grace is deemed wrong because it includes God's law, which is a special revelation. Both steps in this thinking are faulty. The non-ceremonial (non-redemptive) law of God which defines unchanging moral standards was revealed not only in the "oracles" delivered by Moses to the Jews (Romans 3:2), but is *also made known* to all men through "general revelation" according to Paul in Romans 1:18-32 and 2:12-15. The divine norms of justice and righteousness are known by all men, having "the work of the law written in their hearts." This law of which Paul speaks is not limited to the Ten Commandments (see 1:28-32). It is the same law delivered to the Jews, but through a different medium of communication. Consequently Neilands is simply wrong to reason that the law of God advocated by theonomists for civil guidance cannot be found except in special revelation.

Moreover, he is misled to feel that the principles of *common* grace could not be found in *special* revelation, anyway. Does he not recognize the provisions of the Noahic covenant (e.g., regularity of seasons, execution for murder) as common grace principles? And are those principles not described in special revelation at Genesis 9? So there is no reason why something found in special revelation could not also be a matter pertaining to common grace – in which case Neilands has no cogent argument against theonomic ethics, *even if* the law of God which it advocates for civil use were somehow tied to special revelation.

Were God's Laws Only for a State Identical with His Kingdom?

Against the theonomic view that nations today are obligated

to obey the standards of civil justice revealed to Israel, Walter Chantry observes that no political body today is a nation identified with God's people.[5] Likewise, Richard Lewis contends that the law of Moses "cannot be applied wholesale and without modification" to any civil entity today, for "no state today can be identified with the Kingdom of God."[6] But since the Mosaic law was applied in the Old Testament itself to states which were *not* "identified" with the Kingdom of God, it is evident that this reasoning is not cogent or biblical in character. The states of the New Testament era are surely not to be "identified with the Kingdom of God" – even though the King of kings has only one universal moral standard to which He holds all kings responsible.

Were the Mosaic Civil Laws Not ("Directly") for the New Covenant?

House and Ice agree with theonomists that in Romans 13 Paul states that rulers have the function of being avengers of His wrath. They immediately add, however: "but he never ties it into the law of Moses."[7] Never? In 1 Timothy 1:8-10, Paul clearly ties the restraint of evil men to "the law" which would have been the well-known law of Moses (the subject of the disputes to which Paul there alludes). In Romans 13:4,9-10, Paul defined the evil which the magistrate is charged to punish with violations of "the law," where it cannot be denied that Paul quotes from the Mosaic code.

Jim Bibza likewise argues that Paul nowhere "tries to apply the social and political laws of Israel directly to the New Covenant situation."[8] What is strange about this, however, is that in his paper, Bibza had just admitted that the *principles* prescribed by

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5. *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), p. 112.

6. Richard Lewis, personal essay on "The Applicability of the Penal Code of the Old Testament" (privately produced and distributed for a study committee of the Presbytery of Northern California, O.P.C., 1982), p. 3.

7. H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), p. 135.

8. Jim Bibza, "An Evaluation of Theonomy" (privately published and distributed from Grove City College, Spring, 1982), p. 6.

these laws were indeed applied by Paul in various texts, and thus he appears to be somewhat confused. Maybe the key is his ambiguous use of the adverb "directly." That Paul did not "directly" apply these laws might mean that he did not use them literally for the case which the law mentioned (e.g., oxen), but that point would be too trivial and irrelevant to make. (After all, few people trying to be "good Samaritans" today do so in the literal way described by Jesus!) Or that Paul did not "directly" apply these laws might mean that he did not apply them to society or the state (that is, outside the church). This point is also irrelevant; after all, Paul did not write his epistles to society in general or to government rulers, but to the church. Bibza is indulging in a fallacious argument from silence.

Finally, if what Bibza means is that nothing Paul says in the New Testament would support the application of the social provisions in God's law "directly" to society after the inauguration of the New Covenant, then greater familiarity with Paul's words is necessary. He applied God's law to judges (Acts 23:3; cf. Leviticus 19:15). He endorsed God's prohibition of reviling rulers (Acts 23:5; cf. Exodus 22:28). In dealing with social relationships and conditions he appealed to the Mosaic case laws regarding incest (I Corinthians 5:1; cf. Leviticus 18:8), regarding homosexuality (Romans 1:27, 32; cf. Leviticus 20:13), and regarding fair treatment of slaves (Colossians 4:1; cf. Leviticus 25:43, 53). He endorsed the use of God's law to curb social crimes like killing one's parents, kidnapping, homosexuality, perjury, etc. (I Timothy 1:8-10). He expected the civil sanctions of God's law to be applied (Acts 25:11), teaching that civil magistrates must pursue their offices as "ministers of God" (Romans 13:1-4). He indicted the emperor for his "lawlessness" (2 Thessalonians 2:8).

Should Old Testament Civil Law Be Replicated In Detail?

Walter Kaiser has recently written in response to a syndrome of questions facing the evangelical world regarding God's Old Testament law.[9] Kaiser says he himself affirms "the principles"

9. Walter C. Kaiser, Jr., "God's Promise Plan and His Gracious Law," *Journal*

laid down for government which are found in the Old Testament law, but then by contrast describes my view as wanting to adopt "in detail" the model for government found under the theocracy. In wishing to check theonomy for hermeneutical consistency, Kaiser comments that he sees the case laws of the Old Testament as "illustrations of the Ten Commandments"; they "illustrate the principles laid down in the Decalogue." Thinking that he is posing a conflict with theonomic ethics, he asserts: "Nor should we attempt to replicate in detail all the laws given for judges and magistrates" found in the Mosaic law. Kaiser says we must remember that these are case laws and thus "search for those same precedents contained in these laws and use them to guide our society without imposing or prescribing the exact details of previous cases." As an example, he tells us that it would miss the point of the case "to continue to insist that Christians [sic] muzzle oxen."

From all this it appears to me that there is no real disagreement between Kaiser and theonomy on this point. He has misconstrued theonomic ethics as calling for a "replication" of Old Testament culture or theocratic conditions and as somehow overlooking the illustrative nature of the case laws. But theonomy does none of these things. The underlying principles of the Old Testament civil law are the abiding moral standards which should continue to guide civil magistrates in our day. That is why the Mosaic law is a "model" to be emulated, not a code to be simply quoted or read into modern statute books. Theonomy does teach, however, that the principles to be learned from God's revealed law to Moses (and other Old Testament writers) are found by studying *all* of the commands (even the least commandment, Matt. 5:18-19), not simply the ones with which we might have preconceived agreement. Those moral principles regarding crime and its

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of the Evangelical Theological Society, vol. 33 (Sept., 1990). On almost all important points Kaiser affirms the theonomic outlook: viz., the law never offered eternal life for perfect obedience, the law is legitimately divided into moral and ceremonial components, the moral provisions of Moses were addressed to all mankind and not merely Israel. Kaiser says, "Thus far we are in agreement with Bahnsen and the reconstructionists."

just punishment should be endorsed by all nations on the earth (under the King of kings) – not "replicating" the "exact details" of the Mosaic code, but expressing its moral requirements in a way applicable and appropriate to each nation's cultural setting. Dr. Kaiser, I believe, wishes to teach the same thing.

What Impression Does Scripture Give When the Theonomic Evidence is Removed?

Sometimes the argumentation against the theonomic view of civil government becomes noticeably strained. Critics reluctantly admit the apparent strength of the Biblical and theological case which is made for the theonomic position and then go to strange lengths to overcome it. We can take as an example the booklet written by Lewis Neilson.[10]

Neilson is not very confident of the strength of his argument against a narrow aspect of theonomy's view of the civil magistrate (viz., enforcing the Mosaic penal sanctions about "religious" crimes). His own admitted feeling is that the issue which he raises is difficult to decide; the question is not easily answered – is "not of easy determination." He allows that "we cannot be certain" of his perspective from the verses studied, and it is his opinion that there *is no* specific and clear reference in Scripture which could be absolutely definitive in this matter. Accordingly he openly says that he "is not purporting to rest too much" on his lines of argumentation. He hopes that, "although no one aspect of what has been said is conclusive," there might be a tendency in his combined remarks to show his point. And in contrast to this tentativeness Neilson concedes the apparent strength of the theonomic argument. It is, he says, "meticulously argued" with "constant appeal to Scripture." The underlying premises of the theonomic argument have "a seeming propriety." If *Theonomy* is correct about Matthew 5:17-19, then "the remainder of [the] argument flows with a seeming relentless logic." Neilson further says, "I appreciate the force of all this and admit the seeming

10. *God's Law in Christian Ethics: A Reply to Bahnsen and Rushdoony* (Cherry Hill, New Jersey: Mack Publishing Co., 1979).

relentless logic of it." It seems, then, that if he cannot refute the *exegesis* in *Theonomy or* show that it has committed a major *logical* blunder after all, Neilson would be unsuccessful in his effort to refine or correct the theonomic position. According to him, "There is a certain seeming logic in Bahnsen's argument for adoption of the penal laws and he is to be commended for attempting to adhere to Scripture."

In opposition to adopting the theonomic perspective, however, Neilson wants to raise "a caution" or "hesitancy." When all is said and done, this caution comes down to saying that the case in favor of the theonomic outlook is "to me" not convincing because it "just does not seem to fit" the "overall impression" which Neilson personally gets from the Bible. This is Neilson's main line of attack against the theonomic application with which he disagrees: he feels that the *tenor* of the New Testament is opposed to the use of civil sanctions for selected "religious" offenses. Over and over again he appeals to this sort of consideration, making use of it at the most critical junctures of his discussion, and concluding with it at the end of his monograph. For this reason the case which he attempts to build against the theonomic position simply *dissolves* — all the more because he admittedly draws his impression of the New Testament's tenor from what it does *not* say, that is, from its silence. Neilson repudiates the hermeneutical axiom of covenantal theology, that Old Testament precepts are binding until the New Testament teaches their repeal. Thus equipped with an "overall impression" of the New Testament's trend or spirit, one which in large measure is derived from the *silence* of the New Testament regarding civil sanctions for certain "religious" offenses, Neilson urges his reader to "feel at peace" in his conclusion that certain Old Testament penal commandments have been laid aside for this age. Neilson's argument reduces to subjectivism and a fallacious argument from silence.

There are further difficulties to mention. In the first place, Neilson's procedure is to set his personal impression of the overall trend and tenor of the New Testament over against the *concluding* thesis, and then over against the *supporting* points, of the theonomic argument regarding civil punishment for certain"religious" of-

fenses (chapters 5 and 6, respectively, in his booklet). *However*, he does so *only after* the main supporting texts for the theonomic view (viz., Matthew 5:17-19 and Romans 13:1-7) have been *removed* from consideration in gaining a "preponderant impression" of the New Testament outlook. That Neilson finally concludes that the trend of the New Testament is not supportive of the theonomic perspective under these conditions is hardly one of the logical wonders of the world! If an attorney were to attempt this line of reasoning in a court of law (e.g., telling the jury that his client gives the impression of being innocent when all of the prosecutor's key evidence has been removed from consideration) he would be held in contempt or fired from the case! It is more than just a bit unfair, *even if* we are going to argue in terms of "overall impressions," to gain our impression of the New Testament's tenor by arbitrarily *precluding* indicators which are (apparently) contrary to what we hope to show. This procedure does not give us an *overall* impression, but simply one that has been cut down to size. Imagine what it would be like to defend Christ's virgin birth from an overall New Testament impression *once* the *supportive* passages had been *removed,* only then to be told that this non-supportive overall impression now stands in *contradiction* to the purportedly supportive evidence, thereby contradicting your interpretation of those passages themselves! We would rightly think that a refutation had been spun out of thin air.

In the second place, when Neilson does get around (in chapter 7) to "reinserting" the key theonomic passages, the point he hopes to have made is that everything now hangs upon these passages, for the theonomic argument apart from them has been undermined by his (truncated) overall impression of the New Testament's tenor. However, he chooses first to consider these key passages *separately*, so that once again he can gain the advantage of comparing an *overall* impression with an individual evidence *isolated* from its total context. If his point, as he says, is to ask what the *overall* spirit of the New Testament is regarding the question of civil sanctions for certain "religious" offenses, then his consideration of the theonomic supportive passages in isolation is again a mite unfair. It is not until page 50, at the very end of his

discussion, that Neilson finally allows all of the theonomic argumentation and supporting passages to be considered all together for the overall impression *they themselves* supply. But just here his argument stops and he says, "So each must choose." He never faces up to refuting the case for theonomic ethics when all of its major premises, insights, and Scripture supports are working *in tandem*; he simply bails out, saying that "to me" they are not convincing.

This may seem to the reader not worth our attention as a serious critique of theonomic politics. I have taken the time to describe Neilson's method of attacking theonomy, though, merely because he has been overt and explicit about his line of thinking. He is by no means alone in reasoning in the fashion described above. Indeed the vast majority of what I have heard and read against the theonomic view of the civil magistrate is very much in line with Neilson's approach. He has simply been transparent enough to let the weakness of this line of thinking be openly seen.

Are There Actual, Further Qualifications Just Because There Might Be?

He has also been good enough to explicate for us another common line of fallacious reasoning against the theonomic position. Neilson's basic way of counteracting the key passages which appear to support the theonomic viewpoint (regarding civil sanctions for certain "religious" offenses) is anything but persuasive. Matthew 5:17-19 seems to teach that all of the Old Testament commandments are binding today, and Romans 13:1-7 appears to teach that the civil magistrate is to punish evil as defined by God's law. This much is granted. However, says Neilson, in both cases *qualifications* are *obviously necessary* when we examine the rest of Scripture. Not all of the Old Testament commandments are observed today since the ceremonial law has been fulfilled in Christ, and the magistrate is not to punish every form of evil but only outward offenses; consequently, both passages need to be limited in the scope of their application. Since *some* restrictions need to be placed upon the unqualified universality of Matthew 5:17-19 (every commandment) and upon the unqualified scope of

Romans 13:1-7 (evil in general), reasons Neilson, then possibly there could be *further limitations* upon these passages (beyond the ceremonial law and beyond inward evil, respectively). And since it is possible that further qualifications are necessary on these passages, Neilson argues, they must be considered *ambiguous* on the issue of civil punishment for certain "religious" offenses. This line of thought, however, is a false step, as is evident from the fact that Neilson goes on to demand specific New Testament *mention* of the penal sanction for the "religious" offenses in mind before they will now be deemed valid for the New Testament age.

This indicates that Neilson is illegitimately arguing from the *possibility* of further restrictions on the relevant passages to the *presumption* of further restrictions (a presumption which can only be overcome by specific New Testament endorsement of the penal sanctions in question). Such a move is completely unwarranted logically. It also turns the thrust of the relevant passages inside-out, from endorsing *all* commandments as binding (for instance) to taking *no* commandment as binding without *further* positive endorsement! And the resultant presumption is riddled with problems of its own.

Neilson's line of thought is guilty of the further fallacy of equivocating on a key term between premise and conclusion. His *premise* is that *some restrictions* need to be applied to the unqualified wording of Matthew 5 and Romans 13—by which he means restrictions *which are taught elsewhere in the Bible;* we accept this premise just because those restrictions are demanded by Biblical teaching itself. However, Neilson's *conclusion* is that perhaps *further restrictions* need to be applied to these passages—by which he means restrictions *which are not taught elsewhere* in the Bible, but can be read into the verses anyway. Neilson is guilty of an important oversight here. Matthew 5:17-19, for instance, teaches the abiding validity of every Old Testament precept, and we are willing to accept that the Bible has the prerogative to qualify that generalization; it may be restricted, but restricted only as the word of God restricts it. From that platform Neilson wrongly imagines that he can move to the *altogether different* policy of allowing restrictions on these passages which have no Biblical warrant whatsoever offered for them.

Refinement Rather Than Refutation

Only a few critics who have written against the political ethic advanced by theonomy have gone beyond general theological argument to pay attention to particular details in the argument(s) used in *Theonomy*. The value of such efforts is that they have attempted to be exegetically based, which is crucial to acceptable theological conclusions. The drawback has been that the criticisms offered have not been broad enough to disprove or undermine the basic theonomic position. Before ending this chapter we can pay attention to the kind of exegetical considerations which are aimed at subordinate points in the case for a theonomic view of the civil magistrate.

The first point in limited rebuttal to the theonomic view of the civil magistrate which Laird Harris[11] wants to make is that the anointing of theocratic kings in Israel was not "on a par" with the providential control of pagan thrones. With this, however, I fully agree. The point made in *Theonomy* was that God *appointed* both kinds of rulers (noting the wording of Romans 13:1), although anointing only one kind publicly. Harris next contends that such appointment of Gentile rulers did not mean that they ruled according to God's precepts, but only under His providential control. As a remark about their *de facto* governments, this is probably true enough, even though it is irrelevant to an argument about what they *ought* to have done as their moral obligation (cf. Lev. 18:24-27; 2 Sam. 23:3; Ps. 2:10-12). Harris makes the theocratic *uniqueness of* Israel's rulers precisely their obligation to follow God's laws – which begs the question between us (cf. Ps. 119:46).

Harris also wants to argue that Old Testament political officers were not given the religious title of "priest," and he claims that "too much" is made of the religious titles which were given to pagan kings in the Old Testament. Harris does not disprove the examples which I have forwarded, but simply suggests what "may" be another way to interpret them. And his indication that

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11. "*Theonomy in Christian Ethics*: A Review of Greg L. Bahnsen's Book," *Presbyterion*, vol. 5 (July, 1979), pp. 1-15.

Zadok and Abiathar were "among Solomon's entourage" is no counter-proof that priests held civil office in Solomon's court or cabinet; more needs to be said than that Solomon had chaplains, like most other rulers through history. When Harris says that the religious titles assigned to pagan kings, when not self-imposed, referred only to God's providential use of those kings, he says nothing which hurts the theonomic thesis. The titles show us in what light God's word saw these pagan kings – even as they were seen in Romans 13:1-6. Having this special function and position, rulers who are described in quasi-religious terms *ought* to honor and obey the God who has set them upon thrones and used them. This is hardly making "too much" of the limited Biblical indications of religious titles for pagan rulers. The fact that such rulers were not cultic functionaries did not make them "secular" in the true sense of the term; they always were ministers of God, answerable to Him for how they ruled.

Harris seems to think that the theonomic position holds that certain past rulers mentioned in the Bible (e.g., Artaxerxes, Cyrus, Nero in his earlier days) ruled in self-conscious obedience to the revealed law of God. This is a misreading at best. All of these rulers *ought* to have ruled self-consciously by God's law, as we can see by the calling of Cyrus "my anointed," by Ezra's praise of Artaxerxes' decree, and by the description of Nero as a "minister of God, avenging His wrath." But *that* they did so is not asserted in *Theonomy* (contrary to Harris). Even if Artaxerxes' decree were merely a permissive one (as Harris claims, and Ezra 7:26 seems to refute), the praise of God's servant for such matters being put in the king's heart (viz., enforcement of God's commandments) indicates what the *proper* sort of rule *would be* for any king, Gentile, or Jewish. The point made in *Theonomy* about the more beneficial character of Nero's rule in his earlier days is not made to show Nero's acknowledgment of theonomic obligation, but rather to embarrass the historical premise in a certain form of argumentation which says Romans 13 requires submission to even the worst of rulers such as Nero. Harris gives evidence of thinking, again falsely, that theonomists believe that all civil resistance against a magistrate is wrong (judging from his critical, rhetorical ques-

tions). The point is that God's law stands above both magistrate and populus, so that the people owe allegiance to the king unless he calls for the transgression of the law above him. In that case the people ought to obey God rather than men (who should be God's ministers, but are not acting so).

We can conclude that, as helpful as Harris' detailed interaction is, his discussion has not turned up anything which is both Biblically warranted and logically contrary to the theonomic position. His counter-indications are either questionable, harmonize with theonomic ethics, or do not rebut anything *crucial* to the case for theonomic politics.

"Knowing therefore the fear of the Lord, we persuade men. . . . For the weapons of our warfare are not carnal, but mighty before God for the casting down of . . . reasonings and every high thing exalted against the knowledge of God, and bringing every thought captive to the obedience of Christ."

2 Corinthians 5:11; 10:4-5

"In the context of Old Testament Israel as the nation in covenant with the Lord, the civil ruler was responsible to exterminate false religion and support the worship of God. But with the close of the Old Testament theocracy and the spread of the Gospel among the Gentile nations this is evidently no longer our Lord's intent for the civil authority. . . . [Bahnsen's position does not] protect the liberty of conscience and belief of non-Christians under a Christian government."

Dr. William Barker,
Theonomy: A Reformed Critique (1990), pp. 238-239

"That [critical] attitude is sometimes fueled without warrant by our own misinterpretation of what God's civil law actually does and does not require. (For example, Sider indulges in the common error of thinking that the Old Testament prescribed civil punishment for failing to worship God – which would imply positive 'enforcement of religious belief' today). But there is no warrant for this preconceived negativity. . . ."

God and Politics,
ed. G. S. Smith (1989), p. 50

"God's Word does not. . . grant the state the prerogative of promoting or enforcing the gospel. . . . I support the pluralism of the First Amendment – that the federal government is not to establish a religion. This means that our government must not establish one Christian denomination among others as the official state-supported religion of the land."

God and Politics,
ed. G. S. Smith (1989), pp. 45, 264

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RELIGIOUS CRIMES, RELIGIOUS TOLERATION

Some critics of the theonomic position, recognizing that they cannot demonstrate from Scripture any general abrogation of the Mosaic law today or even of the civil provisions of the Mosaic law, attempt nevertheless to argue that a certain subset of the Mosaic commandments should not be enforced by modern states: namely, those laws which punish "religious" crimes. For instance, this is the approach taken by Lewis Neilson.[1]

What Constitutes a "Religious" Crime?

Neilson delineates a list of "religious" offenses which he believes no longer require civil sanctions, even though the remainder of the Old Testament law retains validity today. (Strangely, he excludes blasphemy and sabbath-breaking from the index of "religious" offenses which the magistrate should not enforce.) The problem with his itemization, however, is that he offers no underlying rationale for what is included and excluded from the list. The laws which he claims are abrogated have been (it seems) arbitrarily selected out of the larger set of Mosaic commandments. He offers no discriminating rationale, and he offers no Biblical

1. *God's Law in Christian Ethics: A Reply to Bahnsen and Rushdoony* (Cherry Hill, New Jersey: Mack Publishing Co., 1979). What Neilsen wrote indicates an extensive area of agreement with theonomic ethics (e.g., the law is our standard of sanctification; Christian rulers are obligated to be instructed from Scripture in governing; abiding principles of social justice are found in the law) – and the area is even wider when certain inaccuracies in his understanding of theonomic ethics are removed (e.g., that absolutely *no* command given by God could be qualified or revoked, even by later revelation). He admits "On much of the same path I can travel with Bahnsen. . . . the contest between us is limited" (pp. 7, 9).

justification for the discrimination which he follows. Without such a rationale uniting the various particulars into an interrelated collection, setting that collection apart in principle from the remaining Old Testament laws which have an abiding validity, the list of these particular laws would be admittedly arbitrary in make-up, in which case nothing logically follows from what might be true about one member of the set to what is true about other members of the set – just as nothing follows from what may be true of the set as a whole to what might be said about other laws in the Old Testament. Neilson has simply stipulated by fiat what he will personally denote by the expression "religious" crime.

The very attempt to create a special category of "religious" crimes is predicated upon a false antithesis. All offenses, including crimes, are religious in character. Murder and rape are offenses against the image of God, repudiate God's revealed authority, and indicate arrogant self-deification. Neilson recognizes this. The suggestion that the "religious" category of sins is comprised of offenses "relating to the divinely revealed means of worshiping the true God" is also of little utility. *Any* transgression of God's law is a failure to worship and serve God in the way which He demands, for *all* of life is concerned with the glorifying and serving of God (cf. Rom. 1:21; 12:1-2; e.g., James 1:26-27). Nor does the common conception of religious worship (as concerned with sacred ritual or practices "directly" related to a supernatural deity) help in distinguishing sins taken as "religious" from sins which are not, for Neilson *excludes* from the category matters such as Sabbath-keeping and cursing God's name, which – in the common conception – would *surely count* as "religious" sins! We simply cannot avoid the stipulative character of what Neilson calls "religious" crimes that should no longer be punished by the civil magistrate.

Attempts to define a subset of Biblically delineated crimes as "religious" – as well as further attempts to qualify some offenses as "more," "directly," or "primarily" religious in contrast to others – suffer from a lack of textual control. They are ultimately fueled by subjective considerations and perceptions. Neilson and others should stop to consider the way in which the secular mind-

set all around us sees the (narrow) scope of "religious" matters, in contrast to the broader understanding of most Christians – and thereby recognize the slippery and subjective way in which different people or groups categorize "religious" matters. The appeal to this classification of materials in the Mosaic law is really unhelpful. There are tremendous exegetical and conceptual problems with efforts to divide out of the larger Mosaic law a smaller set of commandments which deal with "religious" crimes and are not to be enforced by civil magistrates today.

Where Does Scripture Restrict the Use of the Law for "Religious" Crimes?

According to Neilson the case for theonomic ethics does not paint a complete picture of the relevant Biblical factors. It has not taken into account the whole of Biblical teaching, inclusive of passages which weaken, contravene, or undermine the inferential argument for theonomy.

The first consideration mentioned by Neilson is the greater emphasis he finds in the New Testament on grace, compassion, inward holiness, spiritual life, and newness. Even accepting his characterization of this greater personal emphasis, however, there is nothing incompatible with it and the need for *social* justice as stipulated in the Mosaic law. The civil sanctions against "religious" offenses are not calculated to produce or compel inward holiness or heart-felt worship of God in the first place, and thus the emphasis the New Testament places on these latter characteristics would not conflict with the civil necessity for the former penalties – any more than the constructive New Testament emphasis on genuine interpersonal love is contrary to protective social penalties against rape.

Neilson speaks of the forgiveness which Christ urged. He points to the rebuke which Jesus gave to the disciples who desired judgmental fire from heaven upon those who did not welcome Jesus. He reminds us that the church does not advance by means of the sword, that the sword is not to be used to vindicate God or Christ, and that Christ's followers are not to work for the premature rooting up of the tares out of the world. Again, all of

this – pertaining as it does to interpersonal relations, the agency of the church, evangelism, and the sin of unbelief – is quite consistent with the civil magistrate's duty to promote social justice by punishing public crimes as they are defined by God in His word. Theonomic ethics does not view civil penalties as a work of the church, as "evangelism by the sword," or as an attempt to eliminate unbelievers from the world; indeed the sin of unbelief in itself is not even socially punishable according to the law of God in the first place.

Now, it is true that some people will *feel* that it is incongruous for the church, with the non-violent and spiritual character of its ministry and growth, to believe that the civil magistrate ought to punish crimes of a "religious" character (such as public idolatry or false prophecy). But of course some people mistakenly feel such an incongruity as well between the church's evangelistic character and the state's use of *any* force whatsoever (e.g., the death penalty for murder). So feelings of incongruity are not the point; feelings of incongruity must themselves be judged by the standard of God's word. If scripture actually teaches two things, then they are not in fact incongruous. Where God says that socially detrimental crimes of a "religious" character are justly to be punished by the state, *there is no inconsistency* between that civil duty and the *separate* ministry, agencies, and goals of the church.

Neilson points out that the "religious" offenses which are in question stem from the rejection of the truth, and that the New Testament teaches that those who commit these "religious" sins will be punished in hell. What he does *not show* is that the New Testament teaches that such offenses will be punished *only* in hell. The fact that murderers will suffer in hell does *not* indicate that the state ought not to punish them *as well.* Moreover, Neilson seems to overlook the fact that the Old Testament (which indisputably maintained civil penalties for these "religious" offenses) *also* taught that the "religious" offenses in question would be punished with everlasting damnation. Thus there is nothing inconsistent between the New Testament doctrine of final judgment and the validity of civil judgment for the same matters.

Neilson attempts to argue for the uniqueness of the Old Tes-

tament penal code by pointing to its typical significance; the fallacy in such reasoning (viz., uniquely typical history or revelation, therefore uniquely binding moral norms) has been discussed at some length already in *Theonomy* and in chapter 7 above.

Neilson also argues from the premise that civil punishment for certain "religious" sins was not pre-Mosaic – whereas civil punishment for "man to man" sins was – to the conclusion that the former are not binding today as are the latter. Such reasoning is blind to the import of *progressive* revelation, confuses moral *validity* with *special revelation* (as though the penal sanctions in mind could not have been the standard of justice as known through general revelation), and surely proves *more* than intended (e.g., since the distinction between murder and manslaughter is specially revealed at Sinai and not before, it is not binding today). Besides, the information in Genesis, though sketchy, is not devoid of indications of temporal judgment for "religious" sins (e.g., Babel), social enforcement of an anti-idolatry policy (e.g., Jacob with his household and servants), and the civil rule of the godly (e.g., Joseph's dominion, even over the Egyptian priests).

Neilson inaccurately asserts that Scripture does not show any civil government other than Israel's punishing "religious" sins (as properly defined in terms of the true God) in addition to social wrongs. The Old Testament prophets indict the idolatry of pagan rulers – and surely not simply as private sins of individuals (e.g., the king of Babylon in Isaiah 14). Ezra commends Artaxerxes for the emperor's civil enforcement of support for the temple of God in Jerusalem. And Paul declared in Caesar's court (represented by Festus) that he did not refuse civil sanctions, if he were guilty of the charges brought against him by the Jews – charges which surely involved "religious" matters, for they centered on concern for the temple. The Bible simply does not exhibit any intense concern to *exclude* "religious" crimes (always public misdeeds as defined by God's revelation) from those matters of justice which should be the concern of all *civil* magistrates (who, Paul says, are "ministers of God").[2]

2. One final observation here. Neilson's appeal to the alleged reluctance of the Roman government to prosecute "religious" matters is, even if accurate (after all,

Would Not Such Considerations Prove Too Much?

Remember that Neilson has not delineated any adequate and consistent principle for distinguishing "religious" crimes from "man to man" crimes. In light of that, one can easily go back through his alleged disconfirmations of the theonomic thesis (regarding civil sanctions for "religious" offenses) and apply his line of reasoning to other crimes as well, showing thereby that his disconfirmations prove – if anything – too much, and thus nothing after all. There is no reason to think that his considerations apply uniquely to "religious" offenses, exempting "man to man" offenses from their disconfirming force (if any).

For instance, the crime of rape is something which few people would think should be permitted to go unpunished by the civil magistrate. However, as Neilson has suggested, the New Testament has a greater emphasis on inwardness, compassion, and an attitude which does not long for premature judgment on unbelievers; rapists, of course, will receive their ultimate judgment in hell, according to the Bible. If anyone should observe that in the Old Testament rapists were to be executed, Neilson could note that individual cases of capital punishment were commuted in the Old Testament, and that the death penalty for rape was typical of the coming, final judgment anyway. Furthermore, there is no mention of civil punishment for rape before Sinai, such a civil sanction is never mentioned in connection with Gentile rulers, and the magistrate's punishing of rape is not prescribed or specifically mentioned in the New Testament. Would these considerations *reasonably* lead us to conclude that God has placed a *restraint* upon any *civil* sanction against rape in this age of spiritual warfare? Not at all. And unless Neilson can offer a Biblically based principle for distinguishing between perpetual and temporary penal sanctions from the Old Testament, whatever argument he uses to defend (or fault) the validity of civil penalties for the selected "religious" offenses with which his monograph is concerned will apply to *all.*

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executing Christians for failure to offer emperor worship is not supportive of this claim, cf. Rev. 13), hardly normative for a Biblical conception of socio-political morality.

Has the New Testament Revoked the Sanction Against Apostasy? (Hebrews 2, 10)

At one place in his monograph, Neilson does offer an attempt to find a more specific Biblical repeal of the selected "religious" offenses mentioned in his critique. Since this is the sort of counter-argument to the theonomic position which alone can succeed, if any can, it is incumbent upon us to give it due analysis and reflection. Has Neilson presented a divine authorization in Scripture for an exception to the general validity of Old Testament laws or penal sanctions – that is, a New Testament revocation for part of God's law?

Neilson first contends that in Hebrews 2:2-3 and 10:28ff. "there is some plausible intimation that Moses' law for apostasy has been repealed." He construes the passages "as contrasting a former temporal judgment for violating the Old Testament law with a now far greater judgment at the great day for neglecting the finally revealed salvation in Christ"; the punishment for apostasy has now been "relegated to the eternal." These two passages in Hebrews, according to Neilson, teach that a particular sin which used to be given civil punishment is no longer to be punished in that way, but now awaits only eternal condemnation. The particular sin in mind is that of "rejecting Christ," "apostatizing from Christ," or "neglecting the. . . salvation in Christ" – although Neilson would need to speak of the Old Testament analog in somewhat different words. It would appear that these two passages in Hebrews could be made to teach what Neilson claims only by numerous alterations or misconceptions.

In the first place, Neilson either does not properly understand the Old Testament penal sanction for apostasy, or else he conflates two separate matters when he speaks of apostasy receiving divergent treatment in Old and New Testaments. What is the apostasy in view in Hebrews? It is a change of belief and commitment, a retraction of profession, and a forsaking of the assembly – and all of this as centered on the messianic person and work of Jesus. What is important to observe is that the Old Testament law did not assign *civil* sanctions for *this kind* of sin in the first place. When we speak of the *civil* punishment of "apos-

tasy" in the *Old* Testament, we are not speaking merely of a shift in religious conviction but of political defection from, or subversion of, the law order of Israel's society by renouncing its highest authority through acts of public idolatry. But the *specific kind of sin* mentioned in Hebrews 2 and 10 did not receive *civil* punishment in the *Old* Testament any more than it does in the New.

Moreover, the civil crime and sanction on public idolatry from the Old Testament is not *particularly mentioned* in the relevant Hebrews passages. The *broader* denotation in Hebrews 2:2 is "*every* transgression and offense"; in Hebrews 10:29 the object is *generally* "the law of Moses" (with an indirect allusion, perhaps, to Deut. 17 in particular). If Neilson's interpretation were correct, then, the Hebrews passages would end up teaching the substitution of eternal damnation for the civil sanctions of *every* punishable offense in the *Mosaic law* – which clearly reduces the interpretation to absurdity. Since the Old Testament civil sanction and the sin dealt with in Hebrews pertain to *different things,* and since Hebrews does not *focus* on the civil sanction for *public idolatry* anyway, the Hebrews passages appealed to by Neilson simply do *not* say that Old Testament civil sanctions for a particular sin have been laid aside, so that punishment for this same sin has now been relegated to the eternal. The *contrast* regarding a single sin or sanction is just not there in the text.[3]

The Hebrews passages do not say anything about a *change* of penal policy, nor do they say that the civil sanctions of the Mosaic law used to be followed in the past, but no longer should be. All of this is simply read *into* the text by Neilson. There is no suggestion of *substitution* of standards in the text; actually such a notion is denied by the text. Neilson tells us that these verses teach eternal damnation *in the place of* (previous) civil punishment – "relegated to the eternal." But, again, we know that eternal punishment from the hand of God was not a liability or threat absent from the Old Testament; criminals were punished by the civil magistrate *and* by God after death. So the New Testament

3. The argument of the author of Hebrews is that if even the civil penalties of the Mosaic law (in general) are immutable, how much more will be the threat of eternal damnation (for apostasy in particular).

does not assign eternal punishment in the place of an Old Testament penal picture devoid of eternal jeopardy. Moreover, Hebrews 2 and 10 do not present the substitution of *exclusively eternal* punishment for Old Testament *civil* sanctions. The notion of cancellation and restriction and the notion of replacement are missing in these passages.

To the contrary, what we find is an *a fortiori* argument which *builds from* a lesser point to a greater one. Hebrews argues that we need to give "greater heed" today, for if even the (lesser) law demanded just recompense for offenses, the (greater) gospel will all the more do so – there will be no escape from God's wrath (2:1-3). Hebrews 10:29 makes the *a fortiori* thrust of the thought even plainer, beginning with the words "of *how much worse punishment* will be thought worthy. . . ." So the Old Testament civil penalties are not being set aside but rather *established* by this line of thought – established as the premised foundation for the justice and inevitability of eternal punishment for apostates. It is *precisely because* those (lesser) civil sanctions *are* valid and just that one must see that the (greater) eternal sanction will be valid and just. The eternal is not put in place of the civil; it is argued on the basis of the civil! If the civil sanctions could be mitigated or set aside in any way, one might perhaps hope that the eternal penalty might also be avoided; if the civil sanctions were somewhat arbitrarily harsh, then perhaps the threat of eternal damnation might turn out to be likewise overstated. But the author of Hebrews takes away all such false hopes. God's penalties are never unjust or set aside, *even* in the civil sphere – in *every* case they specified a "just recompense" (Heb. 2:2) which *any* criminal had to endure "without mercy" (Heb. 10:28). If this is true of God's civil code, *how much more* will it be true of His eternal judgment! It will justly and without mercy condemn the apostate. So the point in Hebrews builds upon, rather than replaces, the civil sanctions of the Old Testament. If those civil sanctions *could be removed,* as Neilson suggests, then the argument of the author of Hebrews would actually fall to the ground! Apostates might have some hope after all.

It should also be pointed out that Hebrews 2:2 begins by

asserting that "the word spoken through angels" – that is, the Mosaic law (cf. Deut. 33:1ff.; Ps. 68:17; Acts 7:53; Gal. 3:19) – was *steadfast.* The Greek word for this attribute *(bebaios)* and its cognates is used both in Biblical and secular literature of the period for something which does not lapse, which is permanent, which has secure validity; one ought not to challenge the binding character of something which is *bebaios.* It is firm and legally guaranteed (see Moulton & Milligan, and Arndt & Gingrich). The word connotes the surety of God's word in the very next verse of Hebrews (2:3), as well as in Romans 4:16; 15:8; 2 Peter 1:19; Philippians 1:7; and Hebrews 6:16 (cf. 9:17). The Mosaic law, according to Hebrews 2:2 then, has a firm and legally guaranteed character; it is steadfast and permanent. Interestingly, the offender spoken of in Hebrews 10:28 is one who "sets aside" the law of Moses. The Greek word (*atheteo*, and cognates) speaks of removing something by annulment, attempting to thwart the validity of something, or nullifying it – for instance, invalidating a will (Gal 3:15), breaking a pledge (I Tim. 5:12), or setting aside the commandment of God by following a contrary tradition (Mark 7:9). While God may annul His particular commandment (Heb. 7:18), men are condemned for treating God's laws as invalid by breaking them (Ezek. 22:26, LXX). Hebrews 10:28 is something of a threat to those who would not recognize or keep the laws of Moses, particularly (in this instance) those laws whose violation brought the death penalty. The two verses to which Neilson has gone to show that certain penal sanctions in the Mosaic law have been repealed begins, therefore, by asserting an entirely *contrary thought* – that the law is legally guaranteed or steadfast in its validity, and that setting aside the Mosaic law or treating it as nullified is a dangerous thing. From such a platform it is not likely that the passages will proceed to repeal the law's provisions!

Has the New Testament Revoked Deuteronomy 18:19?

Neilson also appeals to Acts 3:22-23 and its treatment of Deuteronomy 18:15-19 as supporting the repeal of the Old Testament civil sanction for a particular "religious" offense. His conclusion, "that God has particularly reserved for himself the dealing

with those who stand against Christ," is not one which stands in conflict with theonomic ethics however. It is not the view of theonomic ethics that those who reject or resist the Savior, Jesus Christ, should be punished by the civil magistrate. Nor was it the view of the Old Testament. In Deuteronomy 18:19, God declared with respect to anyone who would not heed the words of the coming prophet whom the Lord would raise up, "I will require it of him." In the place of these quoted words, Acts 3:19 interpretively substitutes the Septuagintal words of Leviticus 23:29, thereby showing us that the *way* in which *God Himself* would recompense the sin of rejecting Christ's words would be by "rooting him out from among the people" – that is, by cutting him off from the community by premature death or excommunication. Since this was not a sanction enforced by the civil magistrate, and since the Old Testament law in Deuteronomy 18:19 did not assign the punishment of the unbeliever to the civil authority (but reserved it for God Himself), Neilson's remark from Acts 3 that God has reserved for Himself the punishment of those who stand against Christ does not contradict or change anything in the Old Testament law. And even if it did, this would not contradict the theonomic thesis, for this kind of New Testament alteration of the Old Testament is precisely what the theonomic position yields to as the only basis for departing from the law today.

Neilson asks whether "there is an intimation that civil government is not to exercise jurisdiction over religious sins." The answer, obviously, is no. Such an intimation would be a hasty and irrelevant generalization. Acts 3 deals with a *particular* religious sin, not religious sins in general (and remember, all civil crimes are "religious" in an important sense anyway). And Acts 3 does not show a repeal of any Old Testament *civil* sanction against "religious" offenses anyway. The fact that Deuteronomy 18:19 is revealed "amidst pronouncements of temporal punishment for religious abominations and false prophets," does not indicate in the slightest that Acts 3 is repealing those civil penalties. Acts 3:23 *harmonizes* with Deuteronomy 18:19, and that fact has no bearing whatsoever on *abrogating* anything *else* in Deuteronomy 18 – unless v. 19 in Deuteronomy 18 *already during the Old Testa-*

ment era had the effect of repealing the other penal precepts of that chapter. The *context* of a verse to which *positive* allusion is made is not thereby *negatively* repealed!

Should the Unregenerate Judge Religious Matters?

When all is said and done, the heart of much theonomic antagonism is located in a revulsion to any idea that civil magistrates should punish "religious" crimes. This is also central to Laird Harris' opposition to theonomy.[4] He claims that it would be a terrible thing to have unsaved rulers – those who, as theonomists recognize, do not have a heart for true obedience – administer God's judgment upon religious questions. It seems he is referring to the enforcement of the Old Testament laws regarding "religious" crimes such as blasphemy, public idolatry, etc. If so, then we need to reply that regeneration was never laid down as a precondition for the enforcement of these laws even in the Old Testament. Furthermore, even if duties regarding "religious" crimes were to be nullified by an unregenerate heart in the magistrate, how much would properly be included under the label "religious"? Would not this consideration, if sound, end up abrogating nearly all Old Testament laws in the civil domain – including, e.g., laws about punishment of theft – if a ruler happened to be a non-Christian?

This interpretation of Harris' words, however, would not appear to be his own. In the context of his statement, the administration of God's judgment upon religious questions would seem to pertain to determinations about what constitutes true, and what constitutes heretical, teaching. Harris goes on to say that the theonomic position would make the world enter the church and make magistrates extirpate heresy. This would explain, perhaps, why the remark about the need for inner renewal is relevant to his criticism, for obviously anyone who is going to judge the proper interpretation of God's word and rule on departures from it would need to be regenerated by the Holy Spirit and illumined

4. "*Theonomy in Christian Ethics*: A Review of Greg L. Bahnsen's Book," *Presbyterion*, vol. 5, no. 1 (Spring, 1979), p. 14.

by Him (cf. I Cor. 2:10-16). Since, however, theonomic ethics does not maintain that determinations of this nature have been prescribed for the civil magistrate, and since theonomic ethics does not believe that the Old Testament law calls for the punishment of unbelievers or false teachers,[5] the point being made by Harris would be true but irrelevant. Even if terrible results would ensue from having unregenerate magistrates clean heretics out of the church, this is not something which theonomic ethics encourages or supports in the first place. In fact, theonomic ethics provides a principled way to *prevent* just such efforts on the part of civil rulers. Here the true and biblically based separation of church and state would need to be made quite evident.

Civil Intolerance for Theological Differences?

Critics of theonomy sometimes make the mistake of thinking that only a "pluralist" approach to politics will preserve any religious tolerance or freedom in the civil sphere. For instance, House and Ice make the preposterous charge that (1) theonomic ethics is incompatible with the perspective of our U.S. Bill of Rights, and (2) a theonomic civil magistrate would apply criminal sanctions against anyone holding to different theological beliefs than his own.[6] Such statements display inexcusable ignorance of the First Amendment of the U.S. Constitution, as well as of the actual requirements of God's law.

About the Bill of Rights, John W. Whitehead observes: "Thus the philosophical base of the First Amendment was that of *denominational pluralism* – a healthy coexistence between the various Christian denominations. Such practical denominational pluralism is not to be confused with the new concept of pluralism, which commands complete acceptance of all views, even secular humanism."[7]

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5. Note well that punishing public idolatry or blasphemy is not to punish unbelief *as such* – any more than punishing a rapist is to punish the person for being an unbeliever (as indicated by his wicked deed). Furthermore, the Old Testament law did not punish with civil sanctions the making of a theological mistake, but rather false presumption to prophecy (inspiration).

6. H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), chapter 4.

7. *The Second American Revolution* (Elgin, Illinois: David C. Cook, 1982), p. 96.

About the law of God, it should have been noticed that what the civil magistrate is called to punish is blasphemy (public cursing of God), *not* errors in doctrine. In the Old Testament the task of kings was not the same as priests (e.g., 2 Chron. 26) who were responsible for orthodoxy (cf. Mal. 2:7-8), even as in the New Testament the "keys" of the kingdom are separated from the coercive "sword" of the state (Matt. 16:19; 2 Cor. 10:4; Rom. 13:4). There is no Biblical warrant for thinking that the civil magistrate has either the competence or the divinely-given authority to judge heretics or resolve theological disputes between different Christian schools of thought.

Critics need to realize that theonomic ethics does *not* – contrary to the portrayal by House and Ice[8] – propose "the elimination" of any and all versions of political pluralism, does not seek "to abolish" any kind of pluralism for some "monolithic form of government," and does not believe "democratic societies are considered contrary to the enforcement of biblical law."[9] Theonomists have been badly misrepresented here. They enthusiastically champion democratic procedures within the state (e.g., open debate, competing parties, free elections) – indeed, it is our very theonomic (Puritan) forefathers that we have to thank for enjoying these privileges within the development of Western culture. Theonomists would not abolish pluralism *as such*, but simply seek the redefinition of its limits. *Everyone* places *some* limit upon the plurality of politically acceptable options. Even Ice and House would not say child molestation must be tolerated when practiced in subservience to a satanic religion. Theonomists wish to define those limits according to Scriptural teaching, while others use other ethical standards to set the limits. The question here, as always, is what should be the source of our ethical authority and direction, in politics and every other area.

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8. House and Ice, pp. 16, 131, 133.

9. The comment about "democracy" is particularly remiss, not only because the word is susceptible to numerous different meanings, but because House and Ice *themselves* go on to recognize the particular sense in which it is being used and to "concur" with Rushdoony's criticism of "democracy" – understood as the idea that there is no absolute moral standard except the whim of the people (pp. 132-133)!

The pluralism which was promoted and defended by our Reformed forefathers was *not* a civil tolerance which countenanced and protected *all religions* equally, but rather a civil tolerance for all branches and denominations *within the circle of Christianity.* Thus there were implicit limits on religious tolerance for our pluralist forefathers. For instance, consider the view of religious toleration in the writings of John Owen, the Puritan apologist for nonconformity, separation and ecclesiastical independency. Because Owen wrote in defense of the Protestant dissenters, it is not surprising that present-day pluralists like to cite him. When it came to the relationship of civil power to matters of faith and worship, Owen championed religious liberty, indulgence and toleration because these are issues governed by the freedom of every man's conscience. What Owen maintained, however, is that

> God hath not warranted or authorized any man . . . to punish [any other man] for yielding obedience in spiritual things . . . as his mind is by them apprehended (*if* the things themselves, though mistaken, are such as *no way interfere with . . . the fundamental articles of Christian religion. . .*).[10]

Owen's pluralism did not prevent him from contending elsewhere that "the supreme magistrate, in a nation or commonwealth of men professing the religion of Jesus Christ, may and ought to exert his power, legislative and executive . . . to forbid, coerce, or restrain such principles and practices as are contrary to [the faith and worship of God] and destructive of them."[11] And notice how this Reformed *pluralist* supported his thesis in a *theonomic* fashion:

> Among the people of the Jews, as is known and confessed, God appointed this as the chief and supreme care and duty of the magistrate . . . the preservation of that worship by God commanded was a moral duty. . . . No revocation of this grant, or command and institution, no appointment of any thing inconsis-

10. "Indulgence and Toleration Considered" (1667) in *The Works of John Owen,* ed. William H. Goold (London & Edinburgh: Johnstone and Hunter, 1852), vol. XIII, p. 530, emphasis added.

11. "Two Questions Concerning the Power of the Supreme Magistrate About Religion and the Worship of God" (1659), *ibid,* p. 509.

> tent with it, appears in the gospel: Then, universally to deny the right and exercise of the power inquired after is contrary to the positive law of God, given in reference unto doctrines of faith and ways of worship of pure revelation, such as were those possessed and walked in under the Old Testament.[12]

Likewise, the Westminster Standards, having taught that the office of civil magistrate is a lawful calling from God (Confession of Faith 23.1-2), went on to expound the second commandment by saying: "The duties required in the second commandment are . . . disapproving, detesting, opposing, all false worship; *and, according to each one's place and calling*, removing it, and all monuments of idolatry" (Larger Catechism #108, citing Deut. 7:5). We must note that when the American presbyterian church amended the wording of the Westminster Confession with respect to the civil magistrate as he relates to the church, they *did not* see the amendment as opening the door to equal civil status for all religions of the world. They left in tact the teaching of the Larger Catechism on the second commandment. Moreover, the purpose of the disestablishment provision of the United States constitution (particularly, the first amendment right to freedom of religion) "was not," to use the words of Supreme Court Justice Joseph Story, "to countenance, much less to advance, Mahometanism, or Judaism, or infidelity, by prostrating Christianity; but exclude all rivalry *among Christian sects*. . . ."[13]

The popular attempt today to take the pluralist language or concept of religious freedom which is found in our forefathers and apply it *beyond* the commonly understood limits of Christianity creates the absurdity of giving equal protection to the Satanic human sacrifices of Santeria, the absurdity of allowing a Hitlerian view of the state, the absurdity of protecting the deviant lifestyles of abortionists and homosexuals (in the name of privacy-rights) and others like them. *Equal civil protection cannot and should not be afforded without qualification to any and all "religious" commitments.* To assert this is not at all to endorse just any intrusion whatsoever

12. "Two Questions," pp. 510, 511.

13. *Commentaries on the Constitution of the United States*, 2nd ed. (Boston: Little, Brown, 1905), vol. 2, p. 595.

by the civil magistrate into matters of religious faith and practice. In particular it is not to maintain or even suggest (1) that civil power should be exercised against unbelievers for their lack of faith as such, or (2) that civil power should be exercised in or with respect to the affairs of the church.

(1) Refusing to honor equally all religious commitments would not lead the Christian magistrate (legislator, etc.) to promote or practice policies which would persecute or punish unbelievers for their unbelief, for refusing to profess faith, for failing to attend church, etc. That is, it would not open the door to such use of political power *as long as* the objective moral standard for civil rule was acknowledged to be God's word. (In pagan cultures, both ancient and modern, the civil authority has often interfered in – if not being identified with – the functions and authority of religious cult: e.g., Socrates' offense against Athenian society was simultaneously a religious offense.) God's law does not authorize the magistrate to judge people's hearts or punish their unbelief as such. To the greatest judge in Israel Jehovah said, "man looks on the outward appearance, but Jehovah looks on the heart" (1 Sam. 16:7). Accordingly, the Mosaic law provided the same protections for the circumcised Jew as for the uncircumcised stranger in Israel (cf. Ex. 12:49; Lev. 24:22; Num. 15:16); the circumcised Jew who refused to follow the religious ritual might be excommunicated (Num. 9:13), but the uncircumcised stranger was free to submit to the religious ceremonies (Num. 9:14; 15:14) *or* to choose not to do so *without* civil penalty. The civil magistrate was not authorized, nor were sanctions specified, in the law of Moses to judge the unbelief of one's heart. Likewise, Jesus warned against any attempt to root the tares (sons of the evil one) out of the world so as to leave only the wheat standing; this is God's prerogative alone, exercised at the end of the world, with the application – not of civil penalty, but rather – of eternal condemnation (Matt. 13:24-30, 37-43). In this age the sons of the kingdom (wheat) will always live and witness in the presence of the thorny sons of the evil one (tares), and God has not called the civil magistrate to bring it about otherwise.[14]

14. The eschatological lesson of this parable does not actually address the nature

(2) Furthermore, to say that equal civil protection cannot and should not be afforded without qualification to any and all "religious" commitments is not at all to imply that the civil magistrate has the right to take unto himself ecclesiastical authority. Just as surely as the Old Testament forbade kings to arrogate priestly functions to themselves (e.g., the case of Uzziah in 2 Chron. 26), the New Testament separates "the keys" of the kingdom from "the sword" which the state bears (cf. Matt. 16:19; Rom. 13:4; 2 Cor. 10:4). There is no Biblical warrant for thinking that the civil magistrate has either the competence or the divinely given authority to settle all religious matters of doctrine and life. The law of God does *not*, contrary to popular misconception, allow the *civil* courts to judge heretics or resolve theological disputes between different schools of Christian thought. Thus theonomists readily and fervently insist upon the "pluralist" view of the state found in our best Reformed heritage and even the U.S. Constitution: Lutherans should not use civil power to persecute Presbyterians (and vice versa, etc.), and the federal government should not establish Presbyterianism (or Anglicanism, etc.) as the state church. There is indeed a line to be drawn beyond which the civil magistrate is not to step in matters of faith and worship. But the theonomist would argue that this line is to be drawn by the exegesis of *God's written word* – not by some authority higher than the Bible, nor by the equivocal slogan of "equal protection for all," nor by some individual's interpretation of the lowest common denominator in religion. Religious liberty is too precious a commodity to be grounded upon anything other than God's authority, expressed in His infallible and unchanging, written word. It must be understood and applied in theonomic fashion.

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or function of civil government directly. Moreover, in restraining premature separation of wheat and tares, Jesus was not by implication condemning the temporal judgments and divine vengeance expressed through the civil magistrate.

"Why do the nations rage, and the peoples imagine a vain thing? The kings of the earth set themselves, and the rulers take counsel together, Against Jehovah and against His Anointed. . . . Now therefore be wise, O you kings; be instructed, you judges of the earth. Serve Jehovah with fear, and rejoice with trembling. Kiss the Son, lest he be angry and you perish in the way."

Psalm 2:1-2, 10-12

"These religious laws were appropriate for Israel's unique situation; they are not appropriate in a pluralistic society."

Dr. Bruce Waltke,
Theonomy: A Reformed Critique (1990), p. 85

"Similarly, claims to the effect that the Old Testament state punished "religious" crimes (for example, blasphemy) overlook the "religious" character of other crimes as well (for example, murder, adultery). Such arguments are based on a false notion of the *secular/sacred dichotomy* which is promoted by modern humanism, and they are therefore unhelpful in theological argumentation."

By This Standard (1985), p. 332

11

PLURALIST OPPOSITION TO THEONOMY

Not everyone uses the term "pluralism" in the way it is presented in the last chapter, a way consistent with historic Reformed theology and theonomic convictions. Within the Reformed world today there are those who oppose the theonomic conception of civil government and label themselves "pluralists" (or "principled pluralists").[1] The pluralist position maintains that the state ought to honor and equally protect the substantial philosophical differences between all religious perspectives or "faith communities" by refraining from basing state actions or legislation upon any single one of them, instead of the plurality of them.[2] Accordingly, the law of God revealed in Scripture (Old and New Testaments) must be precluded from being the moral authority upon which

1. A public interchange between advocates of pluralism and advocates of theonomy can be pursued in some detail in *God and Politics: Four Views*, ed. Gary Scott Smith (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1989). At the consultation on which the book is based, Dr. Gordon Spykman, James Skillen, Paul Schrotenboer, and Gary Scott Smith represented the pluralist viewpoint. The present author set forth the theonomic position paper, and the theonomic view was represented in the contributions made by Kevin Clauson, Carl Bogue, T. M. Moore, Joseph Kickasola, and Gary DeMar.

2. In light of Dr. Spykman's essay in *God and Politics: Four Views*, I should make clear that when I speak of "pluralism" I am referring to what he designates "*confessional* pluralism." It is this notion that is controverted by many Reformed scholars. What Dr. Spykman calls "*structural* pluralism" is so routinely assumed in Reformed political thinking – and so uncontroversial (even among many non-Christian political theorists) – that it is not at all a distinctive or characteristic mark of his school of thought. It does not merit special mention or need extended discussion in our circles. Nor does "structural" pluralism in any logically sound way provide warrant for "confessional" pluralism; they are quite different matters and answer altogether different questions.

the state authorizes its actions and by which the state, as a pluralist institution, is guided.

Pluralists rarely offer (or even think it is necessary to offer) exegetical warrant for their key moral premises about political order and guidance, nor do they effectively counter the Biblical case which can be made for the theonomic perspective.[3] Recent Calvinistic pluralists regularly rely upon the philosophical outlook of Herman Dooyeweerd and the language of sphere sovereignty, assessing ancient Israel as an "undifferentiated" society. Eschewing the use of specific Biblical legislation in contemporary politics as "biblicism," pluralists apply broad and ambiguous principles of "justice" to the state (usually in the sense of "equality" and tending toward a socialist or welfare state).

In brief synopsis, I believe that pluralism is *neither* faithful to Scripture, *nor* even logically cogent. (1) Contrary to the Biblical demand that all the kings and judges of the earth "serve Jehovah" specifically (Ps. 2:10-11), pluralism instead calls upon the rulers of the state to honor and protect all religious positions, regardless of their negative attitudes toward Jehovah. (2) By subtracting the civil commandments from God's law without relevant and specific Biblical warrant, pluralists come under the condemnation of the law itself (Deut. 4:2; 17:20) and under the censure of our Lord (Matt. 5:19). (3) But not only is pluralism morally wrong, it is logically impossible. When one religious philosophy *requires* the death penalty for murder, and another religious philosophy *forbids* the death penalty for murder, the state cannot conceivably give "equal protection" to both viewpoints; whether it executes the murderer or not, the state will have violated one of the competing religious convictions, thus not honoring both equally. The "King of kings," Jesus Christ, requires certain things to be done by the kings of the earth, and about those requirements we may not (morally) and cannot (logically) be "pluralists." As Jesus declared, "he who is not for Me is against Me" (Matt. 12:30). As faithful disciples of the Lord, we must urge the state to base its actions and policies upon the *one* and only sound moral perspec-

3. For example, see the exchange between Schrotenboer and myself in *God and Politics: Four Views.*

tive, the one revealed by Christ – not some blend of "plural" religious views and attitudes.

Does Theonomy Overlook the "Differentiation" of Modern Society?

In a recently published book, pluralist theoretician James Skillen devotes a chapter of critical analysis to "Theonomic Reconstructionists," saying that "we disagree over the nature and scope of the state's responsibility for enforcing God's law."[4] The target of his criticism in many cases does not prove to be what theonomists really hold, but actually contrary to their published opinions (or to the teaching of generic theonomic ethics).[5] His discussion suggests that it is enough to dismiss theonomy with general observations regarding of discontinuities (of some unmentioned kind), unexplained warnings about "direct" use of the Old Testament (as though somebody really is interested in that), and negative connotations about Americanism and libertarianism (which are anathema to theonomic principles anyway). Theonomic ethics may be a mistake, but to dismiss it in the easy way attempted by Skillen is misleading and inadequate. There is too much vague rhetoric without analytical reasoning here.[6]

The most distressing thing about Skillen's attempt to offer a pluralist critique of theonomy is the basis upon which he wishes

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4. James W. Skillen, *The Scattered Voice: Christians at Odds in the Public Square* (Grand Rapids: Zondervan Publishing House, 1990), chapter 8 (p. 178 for quotation).

5. E.g., theonomists do not find *all* the political guidance we need in the Old Testament. They do not deny a disjuncture between the old covenant state and states today. Nor are they tied to postmillennialism, libertarianism, or Americanism.

6. For example, at the end of his chapter Skillen says that "the question" that has to be answered so as to settle disagreement between theonomists and pluralists is, what constitutes the modern state? (In fact, the question is rather what moral obligations bear upon the modern state, regardless of how it is described and constituted.) Skillen then says: "The nature of that state must be discerned by the study of reality in the context of its historical unfolding. Biblical revelation illumines that historical reality but does not pre-describe it" (p. 178). Just what is that supposed to mean? Simply that the study of history determines the nature of the modern state (normatively, descriptively)? That the Bible may not prescribe ("pre-describe") what modern states ought to be like? What do Skillen's maxims mean, and on what basis does he assert them?

to make his case. Repeatedly he takes as his platform an ambiguous and equivocal appeal to the "differentiated" character of modern states (over against undifferentiated Israel). Moreover, he eschews the notion that our political ethic could be validated by textual exegesis of the Bible.[7] This is theologically disturbing, for it suggests that the believer's reading of *natural revelation* – God's providence in the "historical unfolding" of more "differentiated" states – carries greater authority in political theorizing than the exegesis of special revelation in the Bible. This seems to be the import of Skillen's declaration that the Biblical revelation does not "pre-describe" the nature of the state, but that it must rather "be discerned in the actual historical unfolding of God's creation order." If that is in fact the attitude or operating assumption of the pluralist, then I can only say that theonomy (and most Reformed and evangelical theology for that matter) holds to a diametrically contrasting epistemology. Regardless of the "differentiated" condition of modern states, the moral obligations for civil magistrates which God has revealed in the Scriptures (when properly interpreted) ought to be honored and obeyed. Discussions of "differentiation" – whatever that might precisely mean – cannot counteract the results of Biblical exegesis in finding the moral principles which God has revealed for politics – any more than for family or church.

What does Skillen mean by his repeated references to the "differentiated" character of states today (something lacking, in sufficient degree anyway, in Old Testament Israel)? It is not easy to say at all. The word has become something of a slogan lacking definable analysis. Skillen admits that theonomic ethics recognizes important "historical changes" and "greater institutional complexity" in today's society, as well as distinctions between church, state and economy; he admits they also teach that the church has changed its structure with the coming of Christ. Yet they are held

7. The concluding sentence of his chapter asserts that it "will require more than textual exegesis . . . to validate" the theonomic approach to politics (p. 179). What *more* authority to validate a theological or ethical principle is there than God's own word? That alone provides us the moral first principles which we then apply to the situation of the modern state.

guilty of overlooking "differentiation." What have they done wrong, then?

Believe it or not, Skillen says that theonomists recognize these historical changes in an "ahistorical" manner! He claims that although theonomists grant greater institutional complexity today, they see historical circumstances as "institutionally invariable"![8] What are we to make of these bold contradictions in Skillen's portrayal of the theonomic position? Skillen's preconceived (too easy) criticism of theonomic politics would have been that it naively ignores historical and institutional differences between Old Testament Israel and other cultures (especially our modern culture); however, theonomists actually do take account of such differences. But they do not do so in the very *same way that Skillen does* – especially since they draw a conclusion he wishes to avoid about the normativity of the Mosaic civil laws – and thus, he suggests, they don't really draw those distinctions at all. (*Their* varying institutions are really "invariable," *their* historical changes are really "ahistorical.") This is simply an abuse of language which proves nothing. If Skillen feels that some morally relevant change or variation has been ignored by theonomists, he ought to (1) specify what it is, and (2) show that it would logically entail laying aside the moral principles revealed in the Mosaic civil code, and (3) demonstrate these points from Biblical exegesis.

Flawed Reasoning From Scripture

On the question of Biblical exegesis, Skillen charges theonomists with using "a peculiar method of biblical interpretation" because they not only appeal to the universality of the Mosaic law, but they also find right within that law "the kind of distinctions" which Skillen thinks characterize only our differentiated society today – distinctions between church, state, economy, welfare. There

8. Skillen, pp. 171, 172, 173. He parodies theonomy as holding that "a state is a state is a state at any time in history." Yet it is ridiculous to think that theonomists are unaware of monumental differences between states throughout history (and even now). It is equally ridiculous to think that all of these differing institutions have nothing in common across the ages and cultures to account for all of them being designated "states."

is nothing peculiar here at all. Nor should it be thought that theonomists attempt to find an exact mirror of modern institutional structures or cultural conditions in the Old Testament (or New, for that matter). The only relevant distinction here is one that is moral in character, and that moral principle is – just because it is moral – universal in its application. This moral principle is that *no individual has the right to deprive another individual of his life (murder), freedom (kidnapping), or property (theft) apart from divine authorization.* God has given this authorization and the specified terms under which it is to be used to civil leaders, who alone may execute, imprison, or fine people as God has directed for the protection and well being of those governed by the ruler. Neither private citizens nor leaders of the religious community (much less any other kind of leader) have the right to judge people in this particular way. Civil leaders do not have the right to depart from these directives, nor do they have the right to add to them on their own authority.

Given this moral principle – which is readily proved in both Old and New Testaments – there is nothing whatsoever "peculiar" about theonomists arguing for a limited civil government (its use of compulsion limited to what God has authorized), a separate church (which has not been authorized to do what civil leaders do), and a basically free market (since neither the state nor other individuals have been authorized to interfere with property rights except as God has permitted). In nothing which has been said here is there any dependence upon a particular degree or configuration of societal or institutional "differentiation." All sorts of political administrations and all sorts of cultural variations are readily accommodated to this universal moral principle – in the same way that they readily comport with other revealed principles of morality (e.g., the prohibition of homosexuality or murder or theft, etc.).

Theonomists have exposed major departures from Biblical teaching in the pluralist approach to politics – and Skillen has not interacted with them or rebutted them by Biblical exegesis (or relevant historical argumentation, either). Moreover, pluralism provides no positive Biblical substantiation for its particular out-

look on politics at all. The pluralist attempt to find Biblical support, however meager, for its unique political tenets looks desperate when it reaches for the parable of the wheat and tares. Surveying the text of this eschatological lesson turns up not the slightest intimation that it pertains to the nature or function of civil government. Nor does it bear upon such issues by logical implication. The type of punishment dealt with in the parable is not temporal at all, but rather the judgment of eternal damnation (the tares are "gathered up" in "bundles to burn," Matt. 13:30). Moreover, the temporal judgments of the civil magistrate have nothing to do with discerning the hearts of men so as to divide the unregenerate ("the sons of the Evil One," v. 38) from the regenerate ("the sons of the kingdom"), but rather with punishing law-breakers while protecting law-keepers (*regardless* of the wheat/tare distinction). In restraining premature separation of wheat and tares, Jesus was not condemning the moral judgments and divine vengeance expressed through the civil magistrate at all (or else Paul really is to be pitted against Him: cf. Rom. 12:19; 13:4). Surely even pluralists would not protect any and all criminal behavior (e.g., molesting children in professed subservience to "the Evil One") for the sake of "safeguarding the freedom of religion for all citizens"! Accordingly, it is ridiculous for them to suggest that they alone conform to the teaching of this parable, while those who advocate civil enforcement of God's law regarding crime somehow do not.

Pluralism and Santeria

Civil legislators ought to be prejudiced in favor of Christianity in the sense that, as individuals who are each responsible to read and interpret God's word, they should publicly promote, and in their congressional voting apply, the moral standards for political order which are taught in the written word of God. Citizens ought to be prejudiced in favor of Christianity in the sense that, as individuals who are each responsible to read and interpret God's word, they should publicly support, and in their voting seek to elect, legislators who will faithfully do what has just been described above. Where Scripture speaks relevantly to issues of civil

government, all men should listen and obey. They should repudiate the idea that civil questions must be addressed only in a secular fashion, quarantining the religious values revealed by Jesus Christ and restricting them to the individual's heart, family or church. The lordship of Jesus Christ – and the scope of Biblical truth and authority – cannot be so neatly curtailed (Ps. 119:160; Isa. 40:8; 45:19; John 17:17; Deut. 4:2; Matt. 5:18-19).

The Lord Jesus Christ was raised from the dead and granted preeminence in *all* things (Col. 1:13-18). Following His resurrection, Christ declared, "all authority has been granted to Me in heaven and on earth" (Matt. 28:18) – a universal claim that contradicts any attempt to preclude Christ's directives from any sphere of life. We are called to "cast down reasonings and every high thing which is exalted against the knowledge of God, bringing *every* thought into captivity to the obedience of Christ" (2 Cor. 10:5) in whom "*all* the treasures of wisdom and knowledge are deposited" (Col. 2:3). God requires us to be holy in all manner of living (I Peter 1:15), and to do whatever we do for the glory of God (I Cor. 10:31). This calls for attention to the teaching of God's word, infallibly recorded in "*every* scripture" of the Old and New Testaments, a word which is able to equip us "for *every* good work" (2 Tim. 3:16-17) – even in the political sphere.

So then, it *should* seem obvious that the Bible ought to be our guide to personal *and* public morality. In the heritage of the Reformed faith, it has always been held that the word of the Lord is the sole, supreme, and unchallengeable standard for the actions and attitudes of all men in all areas of life. Moreover, a person's obligation to keep the law of God cannot be canceled by any extrascriptural standard, such as whether Scripture's specific requirements (when properly interpreted) are congenial to past traditions and philosophies or modern feelings and practices – whether they be those of the Koran, the Bhagavad Gita, the writings of Marx, the speculations of Bertrand Russell, or the latest Gallup poll. Christian involvement in politics is thus prejudiced toward God's transcendent, absolute, revealed word, using it as a standard by which to judge all civil proposals. Accordingly, we maintain the prejudice that civil magistrates in all ages and

places are obligated to conduct their offices precisely as "ministers of God" (Rom. 13:4), avenging divine wrath against criminals and giving an account on the Final Day of their service before the King of kings, their Creator and Judge.

This much, it has seemed, should be obvious. Our pluralist brothers, however, would have us eschew any such prejudice toward Christianity's values in the exercise of civil authority. At the First Consultation on Christ and Civil Government (held at Geneva College, 1987), the speaker for "principled pluralism," Dr. Gordon Spykman, was asked during a time of public questioning whether pluralism could be honestly and consistently maintained – whether equal rights and protections could be granted to *every* faith-commitment generated among pagans. The specific question (and counter-example) with which he was presented concerned the ritual practices of Satanists. Would not pluralism, if true to its premises, be required to grant Satanists the right to practice human sacrifice in the name of their religious commitment? Dr. Spykman surely saw that if he answered yes, his position would have been reduced to ethical absurdity. So instead of answering the question directly, he skirted it and would not take it seriously. The example was too impractical or hypothetical, dealing with at best a "lunatic fringe" that might be found in any society. He did not deal with the challenge to the cogency of pluralism as realistic.

On April 12, 1989, the pluralist attempt to skirt that difficult question lost all credibility and came face-to-face with the ugliness of pagan society. The front-page headlines of every major paper reported that authorities had dug up a number of mutilated human corpses, the vicious results of the religious ritual practiced by a Mexican offshoot of the Santeria cult: satanic sacrifices. The problem posed to Dr. Spykman is not simply a matter of hypothetical and trifling intellectual games. Real Satanists murder real people in real subservience to their real religious choices. Now then, should the civil magistrate respect this religious ritual of Santeria? Or should he rather in good (but morally prejudiced) conscience follow Christian values in giving a civil response to satanic sacrifice?

The libertarian-tainted spirit of our age tempts us toward an all-too-easy "answer" to this problem. Without due reflection we are tempted to reply that, because *all* faith-commitments must be equally protected, the pluralist position could justify the punishment and restraint of satanists who are destroying the lives and liberty of those who do not share their particular faith-commitment. That is, there is an implicit restriction in the pluralist equal-protection clause: viz., *one may not use his own religious liberty so as to infringe upon or impede the practice of anyone else's religious liberty.* This reply does *not answer* the original question, however; it simply shifts the question to a more basic issue. Given the pluralist commitment to the equal-protection of all faith-commitments, would he not need equally to protect those faiths which *do not honor* the restriction which was just enunciated here? Some religions do, and some religions do not. Apparently, the Santeria faith does not. Would the pluralist implicitly impose his Christian religious convictions on the followers of Santeria by requiring them to dishonor their own religious convictions about human sacrifice and/or to dishonor their rejection of the restriction just stated? If he would, *he too* is "prejudiced." If he would not, his position is morally bankrupt.

There simply are no pure, principled and consistent religious pluralists, although the rhetoric of "equal treatment and protection" is popular in our day. It is popular to run to the defense of "pluralism" as our society's bright hope and sure protection against religious bigotry and civil persecution. It is easy to propound simplistic slogans about "religious tolerance" and complete "freedom of religion." What is terribly hard — indeed, impossibly so — is to find someone who really, consistently, and without qualification follows the rhetoric.[9] In fact, all of us believe — and believe with

9. A real-life test case was provided as this book was about to go to press. On Friday, November 9, 1990, the *Orange County Register* (p. A3) reported the following: "A religious group that practices animal sacrifice filed a lawsuit Thursday to block a Los Angeles city ordinance that would ban such killings, saying the law infringes on its constitutional right to religious freedom. The ordinance, scheduled to go into effect Monday, was adopted by the City Council last month in response to concerns [over] a rise in the findings of dismembered animals. The Orisha Temple of the Yoruba religion will seek a temporary restraining order. . . ."

all our hearts – that there are certain things which nobody has a right to do *even in the name of religious commitment.* Therefore, all of us stand prepared to abridge or limit some of the "religious" practices of some people. It is not a question of *whether* we will draw the line somewhere, but only a question of *where* we should draw the line. I am led to conclude, then, that pluralism is *neither* faithful to Scripture, *nor* even logically cogent.

Can Pluralism Be Defended Biblically?

Dr. Will Barker has been a friendly critic of the theonomic position, arguing against it from the standpoint of a modified pluralism. His intention is to support his pluralist political perspective on the basis of Biblical interpretation and ethical application.[10] The Scriptures are our final standard of appeal – and our only objective basis for resolving disagreements. Thus I rejoice in Dr. Barker's good intentions and method of proceeding in our debate. I cannot, though, agree with his reasoning or the results of his attempt to use the Bible in political ethics.

Much of what Dr. Barker advocates in his paper is set forth as though it conflicts with a theonomic understanding of the civil magistrate, when in fact there are large areas of agreement which Dr. Barker did not see due to misconceptions about theonomic ethics. Barker says, "If we are indeed zealous for the application of God's law in society, our first question must be, what is our King's intention?" He answers: "his intention is for the civil authority to apply God's law in the area of human relations in which God has ordained him to serve." Given Barker's conception of how this application would take place, it is inappropriate for the state to propagate God's saving truth or promote personal faith. "Civil authority" should not be used "to enforce the true religion" or "enforce the true faith and worship," for instance by "destroying" other religions than Christianity. The state may not "in any way coerce belief or worship," nor is it responsible "to exterminate false religion." We must, rather, "protect the liberty of conscience

10. "Theonomy, Pluralism, and the Bible," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), chapter 10.

and belief of unbelievers under a Christian government." "It is not Caesar's to enforce the true religion." Accordingly, there ought not to be an "established church." We should "oppose the requirement of prayer or acts of worship in the public schools." The true religion ought not to be supported by taxation, and taxes ought to be paid even when the government follows a blasphemous religion. Victory for King Jesus "comes not through civil governments, but through his witnesses."

Theonomists agree heartily with beliefs such as these, and I have promoted such viewpoints zealously in my public lectures *because* I believe that they are required by a proper reading of *God's law*. It seems that Barker mistakenly expected theonomists to disagree with such views of religious liberty in the state because of his own misreading of the theonomic position. For instance he incorrectly asserts that theonomic ethics recognizes no greater and no different distinction between church and state today than existed in Old Testament Israel. Barker also incorrectly alleges that theonomic ethics holds that civil authorities are obligated to carry out and apply the whole law of God, all of its commandments – an exaggeration which is patently repudiated in my writings. Because of their advocacy of God's law as the standard (and limit) of political ethics, theonomists have a deserved reputation for advocating a *small* area of legitimate civil government.

No Enforcement of the First Table of the Law?

Putting aside Barker's misconceptions, what is the specific thesis advanced in his paper on political pluralism, and how does he attempt to provide Biblical support for it? The general thrust of Barker's argument is that the civil magistrate should be prejudiced toward Christian values only with respect to matters pertaining to the second table of the law – but then, to protect the religious liberty of non-Christians, approach these matters only through natural revelation. He says that according to the will of the Lord Jesus Christ, the civil magistrate today is not expected (nor permitted) to enforce the first great commandment (viz., loving God), that is, the first table of the law (viz., our duty toward God). Barker thinks that Jesus taught us so in His answer

regarding the coin and taxation (Matt. 22:15-22).

As interesting as the discussion of Christ's answer to His critics is, Barker's line of reasoning really does not demonstrate what he set out to show. In this passage Jesus taught that it is indeed lawful for political subjects to give tribute-money to Caesar (cf. v. 17). To infer from that premise that it is, then, unlawful for Caesar to give tribute to God (enforcing the civil aspects of the first table of God's law) is an enormous *non sequitur*. Barker attempts to squeeze that conclusion out of Jesus' answer by pointing to the distinction which Jesus draws between the things belonging to Caesar and the things belonging to God. But that distinction in itself was nothing new – certainly not a new divine revelation, a truth which was unknown or inoperative in the Old Testament (e.g., Jehoshaphat's distinction between "Jehovah's matters" and "the king's matters," 2 Chron. 19:11) – and everyone is aware that in the Old Testament, where that distinction was taken into account, *the king was indeed obligated* to show tribute to God by enforcing the civil provisions of the first table of God's law. Consequently, Christ's reminder of that distinction cannot *in itself* have the *logical* force of revoking such an obligation. Barker's reasoning does not deduce anything from the text, but rather reads it into the text from outside.

To make his thesis plausible, Barker would also need to offer a convincing explanation of why in the Old Testament era Gentile, *non*-theocratic magistrates were held accountable to the first table of the law (or first great commandment in its civil applications), but they are no longer required to do so in the New Testament. After all, the king of Babylon was indicted (even by the dead kings over the other nations) for daring to rule in such a way that he was guilty of idolatry and despising his duty toward Jehovah (Isaiah 14). Darius decreed that throughout his empire all men "must fear and reverence the God of Daniel, for He is the living God and endures forever" (Dan. 6:25-26). Why would non-theocratic kings *today* be under any *less* responsibility than the Old Testament kings of Babylon and Persia?

We find the *New Testament also* holding unbelieving civil magistrates responsible to honor and act in terms of the first table of

the decalogue. When Herod arrogantly acted in defiance of the first commandment, permitting and receiving the crowd's acclamation of himself as divine, God clearly displayed His own holy jealousy and displeasure by striking Herod dead of worms on the spot (Acts 12:21-23). Likewise Paul condemned the civil ruler known as "the man of sin" because he dares to conduct his office in violation of the first table of the decalogue, "setting himself forth as God" (2 Thes. 2:4). When Barker argues that civil magistrates ought to honor the second table of the law, but not the first table today, the distinction which his thesis advocates simply does not comport with the text of Scripture.

The same judgment applies to Dan McCartney when he attempts to argue *from silence* against the validity of the state submitting to God by honoring the civil requirements regarding idolatry. McCartney thinks it is "perhaps worth noting that Paul never urges people to break the *physical* idols of non-Christians, as a direct application of Old Testament civil law would have us do." The confusions and mistakes inherent in this comment are many. To say that Paul never *urged* such a thing is a long, long way from proving that Paul did not wish for or endorse such a thing. More to the point, McCartney has misrepresented the Old Testament law. It did not require that individual Jewish believers go just anywhere in the world and physically smash any idol that they found. The law's removal of graven images envisioned civil sanction for removing and destroying them, and envisioned a nation where such a law was recognized and honored as the law of the land. That was quite clearly *not* the situation in which Paul was living and ministering. Therefore, McCartney's argument from silence ("Paul never urged. . .") is embarrassing because Paul *would* not have urged what McCartney describes – precisely out of Paul's respect for the actual demands of the law.

Now then, does the fact that Paul does not send out believers on vigilante attacks against physical idols prove anything one way or the other about *whether* Paul would have longed for or endorsed nations honoring God and His law, especially the civil provisions which honor His holy, exclusive and sovereign prerogatives (by forbidding public idolatry)? Not at all. Those who try to read

some answer *into* the silence (lack of reference) are only begging the question by importing their own preconceived conclusions. McCartney makes things even worse when he says further: "With all the New Testament's emphasis on the *internality* of true religion, it would be odd indeed to find a New Testament writer suggesting that an external imposition of religion would accomplish anything."[11] So what? The Old Testament law did not call for "external imposition of religion." Theonomists do not call for "external imposition of religion." The author is tilting at windmills, misconceptions of his own creation.

Returning to Barker, there are other difficulties in his reasoning as well. For instance, the thesis that today's civil magistrates ought not to enforce the first great commandment really proves far too much since it would imply that the civil magistrate should not enforce *any* of God's commandments. Why is this? Because in terms of Biblical teaching (reflected in numerous Reformed works of theology) part of my duty *toward God* (thus part of what it means to love God) includes obedience to those laws regulating relations with *other men*; that is, the second great commandment is built into the first great commandment. Scripture persuasively declares that loving God *entails* loving my fellow man (e.g., 1 John 3:17; 4:8, 19; James 3:9-10). Hence the line of reasoning in Barker's essay implicitly rules out the magistrate enforcing laws which pertain to showing love to our fellow men (by protecting them from theft, rape, slander, abortion, sexual deviance, etc.) *as well as* to God Himself.

Can Pluralism Be Rescued From Secularizing or Deifying the State?

It would seem that Barker's approach could be rescued at this point only by resorting to some version of the sacred/secular distinction – for instance, by holding that the "secular" applications of loving-God-by-loving-my-fellow-man are to be followed by the civil magistrate, but not the "sacred" applications of loving-God-by-loving-my-fellow-man. We should all be well aware of the

11. McCartney, "The New Testament Use of the Pentateuch," *Theonomy: A Reformed Critique*, p. 147.

conceptual and theological quicksand Barker would be stepping into if he moved in that direction. To avoid it, he should instead move in the direction of the theonomic position which delineates the kind of love (toward God and/or man) which the magistrate *should* and should *not* enforce by the objective, written revelation of God's law.

Unfortunately, though, that option is not available to Barker, since he contends that it is *natural revelation* that should be the standard for civil laws. But this conviction is freighted with self-contradiction and/or a conspicuous theological lapse regarding natural and special revelation. This is evident when we remember that natural revelation *includes* the moral obligations contained in the *first* table of the decalogue (our duty toward God), just as much as it contains those of the second table. Paul taught that natural revelation condemned the pagan world for failing to glorify God properly and for idolatrously worshiping and serving the creature instead (Rom. 1:21, 23, 25).

It would seem that, by exempting the civil magistrate from the civil demands of the first table of the law and obliging him to follow natural revelation instead, Barker has contradicted himself. The fact is that *all of the Mosaic laws* (in their moral demands) are reflected in general revelation; to put it another way, the moral obligations communicated through both means of divine communication are *identical* (Rom. 1:18-21, 25, 32; 2:14-15; 3:9, 19-20, 23). Scripture never suggests that God has *two sets* of ethical standards or two moral codes, the one (for Gentiles) being an abridgement of the other (for Jews). Rather, He has one set of commandments which are communicated to men in *two ways*: through Scripture and through nature (Ps. 19, cf. vv. 2-3 with 8-9). Accordingly, the Gentile nations (and rulers) are repeatedly condemned in Scripture for transgressing the moral standards which we find revealed in the law of Moses – and not simply the summary commands of the decalogue, but their case-law applications and details as well (e.g., Mk. 6:18).[12] Therefore, Barker's preference for natural revelation *over* special revelation in civil matters involves a faulty conception of natural revelation. It also

12. Numerous examples come to mind (as if they were really necessary to substan-

assumes a mistaken view of the relation between natural and special revelation, overlooking the need for special revelation to *interpret and correct* our perception and understanding of natural revelation. The last thing we need in politics is the possibility of a Hitlerian perception of nature or "nature's laws" which cannot be checked by Scripture!

It would be a formidable task for Barker to rescue his thesis from these defects, but even if he could, there would remain an inherent inconsistency in his modified political pluralism. Just as we saw in the earlier evaluation of pluralism offered above, the position that there should be no special political dependence or preference shown to the religious distinctives of any one religion proves to be logically impossible. Barker illustrates this again when his paper addresses the problem of explaining how the state, on a pluralist basis, can be *prevented* from *deifying* itself (e.g., going the direction of Hitler). His answer is that the state should "recognize" its subordinate place in relation to "the things of God" – and that state officials should "bring a Christian understanding" to their tasks. But Barker cannot have his cake and eat it too! There are legal positivists, naturalists, secularists, and atheists who would not for a moment tolerate Barker's Christian understanding that "the things of God" limit the prerogatives of the state ("the things of Caesar"). They are not about to have such a "Christian under-

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tiate the fact that Jehovah's moral demands are not culturally relative):

Gen. 19:5-9, 15; 2 Peter 2:6, 8-9 with Lev. 18:22; 20:13.

Lev. 18:6-28.

Amos 1:6 with Ex. 21:16; Deut. 24:7.

Amos 1:13 with Ex. 21:22-23; Deut. 21:23.

Nahum 3:4 with Ex. 22:18; Lev. 19:21; 20:6, 27.

Hab. 2:18-19 with Ex. 20:4-6; Lev. 19:4; 26:1; Deut. 4:16; 27:15.

Hab. 2:6 with Ex. 22:25-27; Deut. 24:6, 10-13.

The Old Testament prophets applied the very same standards of political ethics to pagan nations (Hab. 2:12) as they did to Israel (Mic. 3:10), and their prophetic condemnations for disobedience to God were applied to pagan cultures as a whole, *including* the sins of Gentile kings and princes (e.g., Isa. 14:4-20; 19:1, 13-14, 22; 30:33). By contrast, Ezra the scribe praised God for inspiring the pagan Emperor to establish magistrates beyond Israel who would punish criminals according to the law of God (Ezra 7:25-26).

standing" intrude into the governing of the secular state. If Barker *calls for* bringing the Christian conception of a "higher law" to bear upon the state (to keep it from deifying itself), he *cannot* with logical consistency *also* argue that the state should *not* operate on any distinctively Christian understanding of its duties, limits or prerogatives over against the convictions of naturalists, positivists, etc. Honest pluralism logically precludes a distinctively Christian conception of the state.

Dr. Barker's interpretation and application of the taxation pericope in Matthew 22 does not, then, provide any good reason or Biblical basis for us to depart from the conclusions which we have reached earlier concerning the way in which the civil magistrate ought to be prejudiced in favor of Christianity in the exercise of his public office. The words of Jesus prior to His ascension in Matthew 22 should not be pitted against the divine pledge of Psalm 2 that, following upon the exaltation of God's Son, all the kings and judges of the earth would be required to serve Jehovah with reverence and to kiss the Son. Christian citizens certainly should render their tribute to Caesar by paying their taxes (for Caesar's image is on the coin), but civil magistrates should likewise render their own tribute *to God* (for *His* image is on *them*, as well as us all). Finally, the view that the state ought to be biased ("morally prejudiced") in favor of Christianity does not, when applied in a theonomic fashion (cf. chapter 10 above), rule out a Biblically conceived religious toleration, as Barker and others seem to fear.

"The earth also is polluted under the inhabitants thereof because they have transgressed the laws, violated the statutes, broken the everlasting covenant."

Isaiah 24:5

"Perhaps the Noahic covenant . . . applies to the world at large. But here the agency of man in applying a sanction is invoked only with regard to murder. This means that the only sanction required of all civil government by God's covenant with all mankind is the death penalty for murder."

Dan McCartney,
Theonomy: A Reformed Critique (1990), p. 147

"While one might appeal to the fact that the Noahic covenant was made with all the living creatures as well as Noah and his seed (thus having universal scope), someone else could just as well appeal to Romans 1-3 to show that the whole world is also under the Mosaic law (thus having universal scope as well)."

Theonomy in Christian Ethics
(1977), pp. 462-463

12

AUTONOMOUS PENOLOGY, ARBITRARY PENOLOGY

Here's the Rub

The most distinctive aspect of theonomic ethics, if not also its most controversial application, is its endorsement of the continuing validity and social justice of the penal sanctions stipulated within the law of God. Were it not for the fact that the theonomic position leads to this conclusion, if one is to be logically and Biblically consistent, many critics would not find it necessary to try to refute the position.[1] *Theonomy in Christian Ethics* argued that the laws of the Old Testament which defined civil justice for Israel should be presumed to be binding today (as Jesus said in Matthew 5:17-19); after all, they were a model of justice even for the Gentile nations surrounding Israel (as Moses said in Deuteronomy 4:5-8). Indeed, civil magistrates in the New Testament era still need divinely revealed direction to carry out their God-given duty to execute vengeance on criminal evil-doers (as Paul said in Romans 13:1-4). It is precisely a lawful use of the law of God to use it in the restraint of public, civil unrighteousness (1 Timothy 1:8-10), even to use the undeniably just penal sanctions found in

1. Tremper Longman III writes: "Most disturbing to those who are introduced to theonomy for the first time, it seems, is its advocacy, not only of the Mosaic case law, but also of its system of punishments. . . . Certainly the most controversial aspect of a theonomic penology is its advocacy of the death penalty for a variety of crimes" ("God's Law and Mosaic Punishments Today," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], pp. 41, 44). Longman finds it much easier to have an open and positive attitude about the theonomic view of Mosaic punishments less severe than capital punishment – such as promoting restitution over imprisonment (p. 54).

those laws (Hebrews 2:2). It is this conclusion above all which the critics of theonomy find unpalatable.[2]

Critics have used a large variety of methods to avoid being driven to an endorsement of the Old Testament penal code. In the meantime, they have done precious little to propose an alternative and Biblically sanctioned approach to the punishment of criminals in our own day. What little they have to say regarding this subject is easily faulted for embodying the same arbitrariness and/or tyranny which characterizes the penology of humanists. Why should the divinely revealed standards of crime and punishment found in the Bible be unacceptable? When we turn to the arguments of non-theonomists, we do not find very compelling answers.

Critics of the theonomic position usually take an approach to civil justice which originates in human imagination, rather than God's unchanging word. Consequently, those who take a position like that of Richard Lewis unwittingly slide into cultural relativism. He ends up saying with approval that "Different times and different geographical areas will see different laws and penalties enacted"[3] – precisely the relativism which, as I have said elsewhere, is the logical outcome for those holding to the theological distinctives of Meredith Kline. We are left with justice-by-"consensus" (to use Lewis' own word), rather than the genuine justice of God. If majorities at different times and places determine what constitutes "justice," then the transcendent foundation for civil law has given way, and there is no logical barrier to

2. They sometimes overstate the theonomic position on the penal sanctions, trying to make it sound as though these particular Old Testament commands may not (like others) be modified, qualified or put aside on specific Biblical evidence. Vern Poythress comments: "At a maximum are claims that penal laws require no substantial adjustments because of the coming of Christ. Theonomy as popularly understood involves such a maximalist position, but it is more accurate to say that Bahnsen's general statements concerning penal law are qualified by the places where he says that we should presume continuity unless we have biblical evidence to the contrary" ("Effects of Interpretive Frameworks," *Theonomy: A Reformed Critique*, pp. 120-121).

3. Personal report on "The Applicability of the Penal Code of the Old Testament" (privately distributed in connection with a study committee in the Presbytery of Northern California, O.P.C.), p. 7.

wicked oppression. We are left with legal positivism and no "law above the law."

What Should the State Punish?

Theonomists advocate a very limited view of the political state and the extent of its authority. According to them, the state is an agency of divinely authorized justice in the punishment of criminals (and thus defense of citizens from attacks, internal and external), according to a text like Romans 13:1-4. What should the civil magistrate use his penal threats to restrain and correct? Theonomists claim that the state should enforce only those aspects of the Mosaic law where rulers are directed to penalize public behavior by means of a sanction. Outside of that sphere, the sanctions of the home, church, marketplace, business world, school or what-have-you are the correctives available for sinful behavior in this world. Where God's law does not direct the state to intervene, "wielding its sword," the state is by implication forbidden to intrude.

David Basinger faults this criterion (rather superficially) on the ground that sincere Christians disagree in interpreting the Bible as to what are punishable crimes.[4] But given that reasoning, the Bible should *equally* be precluded from being the basis for our theological distinctions, matters of doctrinal truth, or church polity – again, because sincere believers have unresolved disagreements there. Moreover, even Basinger's own suggestion of a political standard (viz., those values which all men, believers *and unbelievers*, propound in common) would fall under his own censure; it is surely not a "common value" among men that political power should be restrained by values that are agreed upon by everyone! Besides, the only truly "common" values (if any) which are explicitly endorsed by absolutely all men are unhelpful verbal abstractions (e.g., "fair play," "justice") which lack particular applications (the very thing over which men notoriously and sharply disagree).

4. "Voting One's Christian Conscience," *Christian Scholar's Review*, vol. 15, no. 2 (1986), pp. 143-144.

Ronald Sider suggests that the principle to be used for distinguishing between social sins to be dealt with solely by the church and crimes to be punished as well by the state is the libertarian ideal: "persons should be free to harm themselves and consenting associates . . . as long as they do not harm others or infringe on their rights."[5] Such a principle is not only ambiguous, arbitrary, and inconsistently applied,[6] it is simply not Biblically derived. This is a fatal defect for a Christian. Not surprisingly, it leads Sider to a complete *reversal* of the explicit teaching of God's law: applying to the *state* what is appropriate only to the church (penal redress of racial discrimination in a matter of private property), and restricting to the *church* what God's law actually requires of the state (redress of adultery and homosexuality)!

Does Justice Leave Penal Sanctions to Autonomous Discretion?

Carl F. H. Henry shares a great deal of common ground with theonomic ethics, specifically in the area of socio-political morality.[7] For instance, he insists that civil law should not be severed from transcendent ties, lest it reduce to "mere sociological sagacity" which freely perverts principles of basic morality – as we are now finding in the cases of abortion and euthanasia. "Christians must acknowledge the divine linking of God's will with civil government," he says. On the same page civil rulers are seen as "ordained to promote divine justice." Without that "transcendent criterion for evaluating the law, despotism becomes the basis of civil government and rulers can spurn human liberties and cancel citizens' rights at will." Thus Henry concludes that "it is only transcendent objective authority, moreover, that can assure the fixed character of conventional justice and positive law." Dr. Henry then goes on to agree explicitly with *Theonomy in Christian*

5. "An Evangelical Vision for Public Policy," *Transformation*, vol. 2, no. 3 (July/September, 1985), p. 6.

6. See Greg Bahnsen, *Homosexuality: A Biblical View* (Grand Rapids: Baker, 1978), chapter 6.

7. Carl F. H. Henry, "The Christian and Political Duty," *God, Revelation and Authority*, vol. 6 (Waco, Texas: Word Inc., 1983), pp. 447-449.

Ethics that "God's commands impose universal moral obligation; that God's ethical standards ought universally to inform civil legislation; [and] that civil magistrates are ideally to enforce God's social commands." He states that these principles are established in my book "by a wealth of biblical data." So then: "There is no doubt that the Bible obliges even pagan rulers to exercise power according to God's law, for as avengers of God's wrath the authority of God's ordinances stands behind them. The magistrate is himself subject to criticism and divine judgment for lawlessness (Jer. 25:12ff.)." He later affirms that "civil law has the authority and force of law not simply because it is legislation but ultimately because it interprets and applies the law of God. . . . Positive law gains its moral authority because of its source and sanction in divine law." He categorically asserts: "That rulers ought everywhere to be guided by the scriptural view of moral obligation, law and civil authority is not here in question."

What then is the question? Having granted all of the above, Henry now wants to stop short of approving the penal sanctions of God's law for use today. "What is in dispute, rather, is that contemporary jurisprudence be asked to perpetuate the selfsame penal sanctions that governed the Hebrew theocracy." The real question, of course, is whether Henry can stop short and dispute this point in a way which is logically *consistent* with what he has already propounded. Having listened to Henry's commendable insistence that civil law be tied to a transcendent criterion and objective authority, that civil law give justice a fixed character, that civil law ought to find its source and sanction in divine law – lest it degenerate to sociological sagacity and political despotism which spurns human rights – we must wonder just how he could now turn about and say that the *central issue of political rule*, the issue of criminal punishment (Romans 13:4), must be determined *apart from* a fixed, transcendent, and objective criterion in God's law!

It is just such an outlook which opens the floodgates to a despotism which tramples upon human liberties and rights. After all, Paul's teaching about the divine ordering for civil government came to practical application at just the question of whether

magistrates wield "the sword *in vain.*" If penal redress is not informed and guided by God's objectively revealed law, then punishment is surely the "vain" imposition of unauthorized human tyranny. It is frightening to see how readily Henry, who up to this point insisted that governments base their policies on God's law, falls into thinking that *penal* policy should be divorced from divine revelation and left in the hands of human governors who are allowed to follow "a variety of alternative courses" based upon their opinion as to "what course best promotes law and justice." Henry says that the New Testament "leaves it" to rulers to formulate "appropriate sanctions." Here we find an open door for abuse – for the Hitlers and Idi Amins of history, who autonomously formulated penal policies which they believed would best promote law and justice. Undoubtedly Henry does not personally want to see such consequences, but the question is whether his espoused position provides any way to oppose them *on principle.*

Henry should have returned to his earlier and better insights about the need for transcendent, divine authority behind civil law. He must apply the same reasoning to the critically important issue of penal law in society. Failure to apply that sound thinking to penology has created the nightmare of our present social order, where a man convicted of rape can return to the streets (and repeat his criminal activity) in shorter order than someone who cheated on his taxes. The mere promulgation of laws by the magistrate does not hurt anyone; by themselves such decrees are mere advice. The power and authority of the magistrate is found in his right to *punish those who violate such decrees.* Therein lies his power to concretely affect (and hurt) others. What sense does it make to hold that the promulgation of laws must be guided by God's commandments, but not the penal sanctions which enforce those laws? Why is it that at just the relevant point where the magistrate can become a menace to others he is freed from obligation to God's authoritative direction and restraints? By what moral warrant does a magistrate assign differing degrees of punishment to differing crimes? Indeed, without divine warrant for civil penalties in the first place, how is a fine different from stealing? imprisonment different from kidnapping? execution different from mur-

der? It is strange indeed that Henry would abandon his theonomic commitments at just *this* crucial ethical point.

Arbitrariness in Selectivity, in Hermeneutical Principle

What Henry maintained is that "the particularities of statute law in the Old Testament theocracy" were "valid only for the ancient theocratic society of Israel"; "the ancient theocratic society is not normative for Christians." He claims that those who would endorse the penal sanctions of God's law for today do "not carefully preserve a distinction between theocratic and non-theocratic government."[8] Despite such claims, though, Henry's position eventually begins to shift somewhat, and he relents on any categorical rejection of the civil statutes of the Old Testament theocracy, subsequently conceding that *some* "have value" beyond Old Testament Israel. *Which ones* would those be? On what basis would they be re-categorized? Can laws which (on Henry's hypothesis) are invalidated by God be arbitrarily reactivated by human authority?[9] Are we not back to a smorgasbord approach to the Old Testament law? These are the questions which (repeatedly) the critics of the theonomic position on the Old Testament penal sanctions fail to answer. Given their selective endorsement

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8. Henry, pp. 444, 445, 447. This line of thinking has been answered elsewhere in this book already. In a similar fashion, Bruce Waltke claims that "capital punishment for religious offenses . . . were appropriate for Israel's unique situation; they are not appropriate in a pluralistic society" ("Theonomy in Relation to Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 85). But *how* does Waltke know what is "appropriate" or not here? He does not tell us, and so leaves us simply with his personal opinion. Waltke's attempt to create a special class of "religious" crimes is equally arbitrary—as pointed out by John Frame in another article in the same volume (p. 95).

9. Some theonomic critics have suggested that the Old Testament penal provisions are abrogated (or liable to abrogation) because there are instances where God did not apply them, e.g., Cain and David (Bruce Waltke, p. 84; Lewis Neilson, *God's Law in Christian Ethics: A Reply to Bahnsen and Rushdoony* [Cherry Hill, New Jersey: Mack Publishing Co., 1979], p. 37). Exceptions hardly prove a general policy, of course! Moreover, it is one thing to say that God has the authority to make such exceptions, and quite another to presume that man is authorized to do so on his own. When the "Report of the Special Committee to Study 'Theonomy'" (submitted to Evangel Presbytery, P.C.A., June 12, 1979) suggested that the penal law of the

and rejection of Old Testament penal sanctions, we are left with ethical arbitrariness – which is unacceptable both within and outside Christian circles of scholarship.[10]

Although Dr. Henry argues at some points that penal laws should be presumed valid unless repealed in the New Testament, at other points he takes the diametrically opposite approach and reasons that New Testament silence about a penal sanction entails its abrogation: "the New Testament . . . nowhere imposes all the details of theocratic jurisprudence upon civil governments generally."[11] Of course, he cannot have it both ways. Will he presume continuity or discontinuity with the laws of the Old Testament? A little of each is quite arbitrary – and unacceptable in any viewpoint which is meant to be systematic and consistent.

Is the Civil Law Restricted to the Noahic Covenant?

A recurring argument against the theonomic view of the Mosaic penal sanctions holds that modern states are restricted to the Noahic covenant in gaining civil laws or penalties from the Old

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Old Testament may be set aside because God Himself temporarily let some sins go unpunished (Acts 17:30; Rom. 3:25), it not only confused divine and human prerogatives, it also overlooked the fact that its supporting verses do not pertain to the suspension of *civil* punishment of crime by man, either in a particular case or as a general policy.

10. Sometimes theonomic critics address the question of *which* Old Testament sanctions to endorse, but do not reflect on the significance of their own rhetoric (allegedly against theonomy). For instance, Dan McCartney writes: "The explicit sanctions of Old Testament civil law thus apply only insofar as they are an underlining of God's holiness" ("The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, p. 148). What he does not realize about his conclusion is that those who differ with it would say exactly *the same* thing. The answer proposed does nothing to resolve the difference over conflicting opinions as to *which* penal sanctions are applicable today.

11. Deut. 4:2; Matthew 4:4; 5:17-19 (etc.) all undermine such arguments from silence, which abound among critics of theonomy. For instance, Jim Bibza asserts "no New Testament text gives the state the kind of power" to punish criminals with the penal sanctions of God's law ("An Evaluation of Theonomy," privately distributed from Grove City College, Spring, 1982, p. 7). But of course Romans 13:1-4 (cf. vv. 9-10; cf. 1 Tim. 1:8-10) does that very thing.

Testament.[12] In this way many critics hope to be able to presume that the Mosaic penal code has now been abrogated, and yet to maintain the validity of the death penalty for murder, since it was stipulated prior to Moses, deals with the image of God, and has not been invalidated by the New Testament. This line of reasoning is overburdened with arbitrariness, false assumptions and fallacious inferences (many of which were rehearsed in *Theonomy*, pp. 458-466, and which critics have yet to answer).

By endorsing and restricting modern states to the penal justice of the Noahic revelation, do critics also insist on the (equally Noahic) prohibition on eating meat in its blood (Genesis 9:4)? On what basis is this dietary restriction ignored, while capital punishment for murder is endorsed? If pre-Mosaic stipulations are *as such* universal and perpetual in their validity, the dietary requirement should not be set aside. On the other hand, if *only* pre-Mosaic stipulations are universal and perpetual standards for modern states, it would seem that we must rule out the state's right to tax its citizens (which is not mentioned in the Noahic covenant, although countenanced by Paul in Romans 13:6-7). Moreover, if the non-Noahic provisions of the Mosaic civil code are really no longer valid today, then non-theonomists would be compelled to set aside the distinction between manslaughter and pre-meditated murder which is revealed by Moses, but absent from the Noahic covenant. If states today are limited to punishing infractions as defined by the Noahic revelation, there would be precious little protection left to citizens – against such common crimes as theft, fraud, rape, kidnapping, perjury, violation of contracts, compensation for damages, etc.

The fact is that theonomic critics are anything but clear and consistent in their restriction of contemporary social justice to the

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12. With minor variations we find this line of thought set forth by Henry, "The Christian and Political Duty," *God, Revelation and Authority*, vol. 6, p. 447; Raymond O. Zorn, "Theonomy in Christian Ethics," *Vox Reformata* (May, 1982), pp. 17-18; O. Palmer Robertson, Tapes: "Analysis of Theonomy" (available from Mt. Olive Tape Library, Box 42, Mt. Olive, MS 39119), tape# OR107A1, A2, B3; H. Wayne House and Thomas Ice, *Dominion Theology: Blessing or Curse?* (Portland, Oregon: Multnomah Press, 1988), pp. 86, 119, 127, 130, 135, 137, 339.

Noahic revelation. They utilize the Noahic covenant like a convenient taxi, to be enlisted when desired but dismissed at whim. They *submit* to the Noahic covenant in only a selective fashion, respect the civil *restriction* to the Noahic covenant in only a selective way, and *reject* the post-Noahic regulations of the Mosaic law only in a selective way. Such arbitrariness is unacceptable for a theological foundation. Such selectivity is especially disapprobated by the words of our Lord in Matthew 5:17-19, who did not restrict Himself to the validity of the Noahic revelation, but endorsed every jot and tittle of the entire Law and Prophets.

The New Testament no more abrogates the Mosaic covenant's moral content than it does the Noahic covenant's moral content. This distinction is invented by theologians to suit preconceived conclusions. To suggest that in contrast to the penal sanctions of the Mosaic covenant, the penal sanction of the Noahic covenant was an expression of common grace, is to invite very mischievous theological inferences. Does this suggest that the Mosaic law regarding crime and punishment was not common (cf. Deut. 4:6-8; Heb. 2:2), was not gracious (cf. Ps. 119:29; Rom. 13:4 with 1 Tim. 1:8-10), or was not an expression of common grace but rather "saving grace"? To suggest that the universality of the Noahic covenant (made with all mankind through Noah) – in contrast to the particularity of the Mosaic covenant (made with Israel through Moses) – is the theological basis for applying it to the *state*, is both unbiblical (the Mosaic law was for the whole world as well: e.g., Rom. 3:19) and arbitrarily followed. To be consistent, those who argue in this fashion should also maintain that the only standards of *personal* morality which are to be applied to mankind today (from the Old Testament anyway) are those of the universal Noahic covenant, *not* those of the particularistic Mosaic covenant – not even the ten commandments, the love commandments, the prohibition of blasphemy, rape and bestiality, the demand for fair treatment of workers and compassionate treatment of the handicapped, the requirement of just weights and measures, or honoring one's parents, etc.

The polemical and argumentative appeal to the Noahic covenant by non-theonomists turns out to be insincere as a theological

principle. Moreover, it simply does not conform to Biblical practice. In the Old Testament, we see the Gentile nations being condemned, not only for infractions of the Noahic covenant's stipulations, but especially for violations of the Mosaic law's provisions. In the New Testament we see no discriminating restriction of socio-political ethics to the regulations of the Noahic covenant. Jesus bound us (farmers, merchants, teachers, *and* magistrates) to *every* jot and tittle of the Old Testament legislation of God's will, not allowing us to subtract *even the least* commandment (Matt. 5:17-19). Paul was willing to be executed for *anything* he had done which was "worthy of death" (Acts 25:11) and *not* simply the *single* crime of murder. The New Testament makes it clear that homosexuality is still "worthy of death" (Rom. 1:26, 32), as is violent cursing of one's parents (Matt. 15:4), and many other civil misdeeds as defined by the law of God (I Tim. 1:8-10).

Civil magistrates are to use "the sword" to avenge God's holy wrath against evildoers today (Rom. 13:4). If the "sword" is to be restricted to punishing murderers according to the Noahic covenant, though, what exact and just punishment should be imposed by the state for rape today? Is this question left completely to human autonomy during the New Testament era since the Noahic revelation is silent about it? That would be preposterous. *But non-theonomists have no way to answer this (and similar) questions in a way which is objective, publicly predictable, morally just, non-arbitrary, and textually justified.*

But imagine now that theonomy's critics were to begin to work hard and creatively to devise *some way* to justify the state's use of taxation today, its distinction between manslaughter and murder, and its laws against rape (etc.) – as well as to devise *some* theological and exegetical way to show that the infractions for which Old Testament prophets indicted the Gentile nations (e.g., slave trafficking, violation of loan pledges) were really found in pre-Mosaic revelation. I predict that such a project would end up lacking plausibility, but just imagine that it were accomplished anyway. The theonomist would simply at that point take principles and premises which were creatively used by the critic and use *the very same kind* of creative hermeneutic to show that any of

the other provisions of the Mosaic law could be equally "discovered" by means of this way of treating the pre-Mosaic or post-Mosaic Biblical texts.

Critics are not likely to go through the mental gymnastics with the text of Scripture at all, however. They will more readily reply that the things which we need to justify (e.g., manslaughter distinction, the state's right to tax, the prohibition on slave trafficking) are known through *general* revelation in nature and conscience. To this, of course, the theonomist will reply that *all* of the Mosaic moral standards are equally communicated to all mankind through general revelation.

The attempts made by critics of theonomic ethics to distinguish the moral authority of the Noahic revelation from that of the Mosaic revelation all prove to be unsuccessful and lacking in Biblical warrant. Moreover, theonomists can point to New Testament passages which appear to contradict the alleged restriction of penal directives to the Noahic covenant (e.g., Matt. 15:4; Heb. 2:2).

Valid Examples of the Authority of the Penal Code?

Raymond Zorn has disputed such New Testament examples which can be given for the continuing validity of the penal laws revealed by Moses.[13] About Matthew 15:4, Zorn says that Jesus cited a penal sanction of the Mosaic law simply because He and his hearers were "still under that economy." Allegedly, then, at some point in the very near future (say, after Christ's resurrection) this particular indictment of the Pharisees by Jesus would have lost its point and validity. To hold that, however, not only commits Zorn to a trivialization of Jesus' teaching here (after all, the Pharisees were ignoring a law which within months God would have them ignore anyway), it begs the very important question of whether the laws of the Mosaic economy can rightly be set aside after Christ's resurrection. *Where* does Scripture say this? Christ said not a jot or a tittle would be invalidated "until heaven and earth pass away" (Matthew 5:18) – not simply in a

13. "Theonomy in Christian Ethics," *Vox Reformata* (May, 1982), pp. 18-22.

few months. After his resurrection, he required his disciples to teach others "to observe all things whatever I commanded you" (Matthew 28:20) – including, it would certainly seem (note "*whatever*") His command at Matthew 5:19. Moreover, the Apostles did not hesitate to cite the Mosaic law after Christ's resurrection. We must conclude, therefore, that Zorn's assumption that appeals to the Mosaic economy are appropriate only prior to Christ's resurrection (thus accounting for the willingness of Jesus to cite a penal sanction at Matthew 15:4) is contrary to Scripture's own witness, thereby discrediting his attempt to escape the significance of Matthew 15:4 in supporting the theonomic perspective.

Zorn has another route by which he hopes to escape the theological significance of the fact that Jesus endorsed a Mosaic penal sanction in Matthew 15:4. Zorn notes that I teach in *Theonomy* (p. 209) that the laws which symbolically taught Israel not to mix with the unclean nations are no longer kept in the same outward fashion today; they typified, I say there, the spiritual separation of God's people from the world today (rather than a continuing physical separation of Jew from Gentile). Zorn then curiously leaps to a rhetorical conclusion: "if this applies in one case [the mixing laws], why not in the other [the penal sanction cited by Jesus] as well?" (p. 21). The answer should be obvious, however. The reason why theonomists believe that we no longer need to follow the outward form of the mixing laws, and yet believe that the penal sanctions are still binding, is that (1) Scripture teaches that the symbolic form of the mixing laws is no longer required (e.g., Acts 10), (2) those laws fall into the ceremonial category (which is evident even in the Old Testament), (3) Scripture does not teach that the penal sanctions were ceremonial in character (being foreshadows of the redemptive economy), and (4) Scripture provides no warrant for saying that these penal sanctions have been abrogated today. Zorn claims (without substantiation, again) that the penal sanction cited by Christ in Matthew 15:4 "belonged to that part of the Mosaic economy which distinguished Israel from the nations during the Old Testament dispensation." This statement is not only a mere claim without proof; it is clearly in error. The death penalty for reviling one's parents has nothing

about it which touches on the difference between Jew and Gentile, nor does it symbolically teach a separation between the races. Zorn has (and can) offer no Biblical justification for this characterization at all. Scripture is the theonomic control-principle for distinguishing applicable from inapplicable laws today. And Scriptural evidence is precisely what Zorn has not set forth for his opinions.

In response to Hebrews 2:2, Zorn thinks he can escape the theonomic significance of the passage by pointing to the *a fortiori* character of the author's teaching there. Zorn observes (quite correctly) that the penalty for despising the gospel about which the author warns his readers is eschatological in nature (rather than civil). That does not change the fact, however, that the *equity* of that eschatological judgment is supported by an *a fortiori* appeal from the equity of the *Mosaic penal system.* If the Mosaic punishments are not the expression of genuine justice, which the author to the Hebrews claims they are, then Zorn's argument about eschatological justice falls completely to the ground (cf. Hebrews 10:28-29). The book of Hebrews presupposes that "every transgression and disobedience" received from the Mosaic law its "just recompense of reward." We should presuppose the same. If we do, then the relevant question is whether *penal justice* should be done today or not. If Zorn thinks that it should not, he contradicts the Apostle Paul (Romans 13:4). If he thinks that it should, then he cannot evade the theonomic force of Hebrews 2:2.

Were the Penal Sanctions Too Ungracious?

Zorn suggests that perhaps theonomists (such as John the Baptist and Christ's disciples) need to learn that the New Testament age is principally one of grace, where direct divine judgment against sinful rebellion has been eschatologically put off.[14] But the muddled character of Zorn's reasoning should be apparent. The penal sanctions of God's law which are to be executed by the civil magistrate (1) were revealed by "the God of all grace," (2) cannot credibly be thought to have conflicted *during the Old Testament era*

14. Zorn, p. 23.

with the eschatological judgment which God Himself would impose, and (3) were not part of a covenant which stands in dispensational *antithesis* to the grace of the New Covenant. Why, then, would the graciousness of the New Testament affect in any way the civil penalties required by the law of God? Did the graciousness of the *Mosaic* covenant conflict with those penalties, or does Zorn believe that the Mosaic covenant was not gracious (enough)? Does he feel it was more important to be (more) gracious to offenders than to their victims?

Does Zorn, contrary to Paul (Romans 13:4), think that punishing criminals today is *out of character* with the graciousness of the New Testament or with the fact that God will ultimately judge sin on the Final Day? If not, then Zorn himself believes in civil punishment during the New Testament era and must, like every other ethicist, answer the question of what penal sanctions *justice* requires. Theonomists find their answer to that question in the law of God (from the Old through the New Testament). It is unclear *where* Zorn would find *his own* answers. But in calling for civil penalties against crime, theonomists do not – any more than Zorn does by believing in civil punishments – wish to call down fire from heaven against unbelievers (as did the disciples of Christ). Those who believe in the state's use of the sword – whether theonomic or non-theonomic – are not somehow asking for a premature end of history, expecting direct and ultimate, divine vengeance against all sin! Zorn's discussion is thus completely irrelevant to the issue at hand. Theonomists do not confuse civil punishment with eschatological judgment. It is *rather* Zorn who, by this mistaken use of Matthew 11, does so – trying to press a point about *eschatological* judgment from God to refute the theonomic position on *civil* punishment from the magistrate *during this age.*

Are All Sins Really Worthy of Capital Punishment?

Jim Bibza says some things against the use of the Old Testament penal sanctions which betray a lack of thorough reflection, even though such ideas are commonly thought. For instance, he claims that it was just for God to require the death penalty for

blasphemy and homosexuality because "these crimes, indeed all sins, are worthy of death."[15] This is terribly mistaken, however, and shows Bibza to be confusing divine, eschatological judgment with civil, historical judgment against crime (cf. *Theonomy*, pp. 435-436). All sin does *not at all* deserve to be punished by the state with death, as though laziness or prayerlessness or lustful thoughts or unkind words or overeating were capital crimes *in society*. We can be sure that God's law never prescribed civil punishments which were too harsh or too lenient (cf. Hebrews 2:2), but always "an eye for an eye," etc. And God's law does not make every sin a crime (punishable by the state), nor every crime a capital one (punishable by death). To suggest that envy or selfishness or theft should be punished with death is murderous, claiming that someone's life may be taken away without divine warrant.

Did Christ Bear All Our Civil Penalties?

Dan McCartney claims that the Old Testament sanctions (all of them? of any kind?) have become applicable to Christ since "He has become the curse for us. . . . The New Testament gives no indication of the law's sanctions as applicable to any except Christ" It would have been helpful, though, if he had addressed the refutation of this unbiblical notion which can already be found in *Theonomy* (pp. 451-452). If Christ, when He was crucified, was bearing the *civil* penalties which should fall upon us for our misdeeds, then we should never be obliged to suffer any punishment at the hands of the state. We should tell the traffic patrolman that, yes, we were speeding, but no, we ought not to pay any civil penalty – for that price was already paid by Christ! I find this line of thought not only theologically erroneous, but also socially

15. "An Evaluation of Theonomy" (Privately distributed from Grove City College, Spring, 1982), p. 4. Cf. Peter Masters, "World Dominion: The High Ambition of Reconstructionism," *Sword and Trowel* (May 24, 1990): "We must not forget that . . . *any* punishments prescribed on earth can never fully fit the crime" (p. 17).

16. "The New Testament Use of the Pentateuch: Implications for the Theonomic Movement," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), p. 147.

mischievous. The *civil* sanctions of the law were *not* executed in the death of Christ, as Paul's post-resurrection endorsement of the state's use of the sword clearly shows (Romans 13:4).

Has Excommunication or Divorce Replaced the Civil Sanctions?

From time to time non-theonomists want to argue that divorce and excommunication have replaced the Old Testament civil penalties for adultery, incest, and idolatry; to support this claim, appeal is made to passages like Matthew 19:9; I Corinthians 5:13 and 6:9-11.[17] Such appeals do not show annulment of the Old Testament penal laws, however, for such passages direct homes and churches in what they themselves can do regarding such offenses; they do not nullify what the civil authorities ought also to do. In fact, direction to homes and churches may be needed in these areas *just because* the state has abdicated its legitimate responsibility regarding them. It would hardly be logically sound to argue from what the state *is* not doing to what it *ought* not to do—just as it is a *non sequitur* to argue from directions addressed to the *church* or home to a repeal of completely other directions (not even mentioned in the passage) addressed to the *state*. Moreover, it is a notorious logical fallacy to argue from silence, especially if one is a covenant theologian. The errors involved in claiming that in the New Testament divorce and excommunication have replaced Old Testament civil sanctions are discussed in *Theonomy* (pp. 97ff., 458ff.). One could just as fallaciously argue that since *the church* is given direction about disciplining thieves (e.g., I Cor. 5:11; Eph. 4:28) and is *not encouraged* to turn over converted thieves to the state for punishment (I Cor. 6:10-11), therefore the New Testament repeals Old Testament authorization for the state to punish those who steal!

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17. E.g., Peter Masters, "World Dominion: The High Ambition of Reconstructionism," *Sword and Trowel* (May 24, 1990), p. 17. When Masters argues (from silence!) that "Nowhere in the New Testament epistles is there the slightest hint of an ancient Israelite punishment being applied *in the church*" (emphasis added), he reveals that he is not familiar with the position which he is intending to criticize. Theonomy explicitly rejects any idea that the *church* applies the *civil* penalties of the Old Testament order!

Palmer Robertson thinks we must be flexible and adapt the use of the Old Testament penalties because Deuteronomy 13 (execution for subversion to idolatry) "can only be used in the church today" as it excommunicates idolaters from the community of life.[18] His illustration is applied to a Mormon in society. However, where is Robertson's *evidence* that Deuteronomy 13 can *only* be applied in the church's use of excommunication? What he offers is only an illustration of his position. It is not *a priori obvious* to all biblical interpreters that Deuteronomy 13 can apply only to excommunication! Moreover, Deuteronomy 13 is not at all observed by the church today regarding Mormons anyway. You cannot excommunicate a person who is a member of a different group or fellowship! It thus appears that on Robertson's approach there would *no* punishment in temporal history for subversion to idolatry – which abrogates Deuteronomy 13 rather than "adapting" it. On page 452 of *Theonomy* I point out the inadequacy of applying the Old Testament penal code as ecclesiastical excommunication today. Robertson has not answered my criticisms. Moreover, he has not offered any *biblical* grounds for saying that excommunication takes the place today of just recompense within society at the hand of the civil magistrate.

Postponed Penalties?

Zorn offers the unargued claim that the Mosaic penal sanctions were "typological of the ultimate eschatological reality" and thus "have been postponed" until the consummation at Christ's second coming.[19] Likewise, Palmer Robertson proposes that a flexible way in which we can see the penal requirements of the Old Testament fulfilled is by seeing the punishment come at the last judgment.[20] But again, this notion has already been rebutted on pages 453-454 of *Theonomy*, and the critics have not answered

18. Tape: "Analysis of Theonomy" (available from Mt. Olive Tape Library, Box 422, Mt. Olive, MS 39119), tape# OR107A1, A2, B3.

19. R. O. Zorn, "Theonomy in Christian Ethics," *Vox Reformata* (May, 1982), p. 22.

20. O. Palmer Robertson, Tapes: "Analysis of Theonomy" (available from Mount Olive Tape Library, Box 422, Mt. Olive, MS 39119), tape# OR107A1, A2, B3.

the rebuttal. A rapist in the Old Testament faced a civil punishment *as well as* judgment on the last day. Accordingly, if today we forego the "civil" punishment for one to be administered at the last judgment, we not only contradict ourselves (since the punishment is no longer civil and temporal at all), but we actually collapse the civil penalty into the eternal penalty – thereby eliminating the civil punishment altogether. This is not fulfillment but *abrogation* (contrary to Matt. 5:17-19).

Even if, as it is sometimes hypothesized, the penal sanctions of the Old Testament served a typological value akin to that of the holy war of Old Testament history, this would no more invalidate the *preconsummation* use of Old Testament penalties for modern states than it invalidated the *preconsummation* use of them for ancient Israel. The pedagogical value of those divinely revealed penalties is not somehow incompatible with their socio-political use prior to the end of history.

If the Mosaic civil penalties were really the intrusion of the principles of final judgment into history (as Kline and others like to say), then *all* sin would have been treated as a crime in the Old Testament era – and *all* crimes would have been capital offenses. However, these logical consequences are manifestly untrue to the Old Testament system of law, thus refuting the intrusion thesis by *modus tollens*. There is no good reason for rejecting the view that the *pre*consummation *justice* of the Old Testament penal code for temporal society is still valid today.

Palmer Robertson's reason for saying that the penalties of the Old Testament could be seen as fulfilled at the last judgment is that executing blasphemers seems too rigid for the New Testament context, and it would be problematic for the civil authority to apply the laws against subversion to idolatry (Deut. 13) today. But again, these are not arguments, much less biblical arguments. They are impressions and feelings based on the current *status quo* in our society. I have no doubt that until our society is converted to a submission to God's word, is brought to think God's thoughts after Him, and willingly enacts laws against subversion to idolatry and blasphemy, the very idea of punishing such misdeeds will *seem* "rigid and problematic." But I think that our society should be

changed, rather than the law of God. The justice of God's penal code (Heb. 2:2) should remain our moral ideal, totally apart from the rebellious and sinful evaluations of our society. The fact that unbelieving philosophers today deem the gospel "foolish" does not stop my apologetical efforts, and the fact that people today deem God's penal code harsh, rigid, or impossible should not stop my spiritual and ethical efforts to convert them to a Biblical outlook. Let God be true though every man is a liar (Rom. 3:4).

"He is a minister of God to you for good. . . . He bears not the sword in vain, for He is a minister of God, an avenger of wrath to him who does evil."

Romans 13:4; cf. 12:19

"In summary, because the people of God are covenantally united to Christ, the spiritual description and function of Israel under the old covenant now pertain to the church. In particular, the spiritual sanction of being cut off from God's people now applies to the church, which is obligated to discipline its members, not by civil power but by removal from fellowship."

Dan McCartney,
Theonomy: A Reformed Critique (1990), p. 141

"A second suggestion would be that the penal sanctions of the law are confirmed in this age by the church's use of excommunication (which spells death for the apostate). However, the judgment of eternal death held for those who were *also* executed by the state in the Older Testament. And the sanction of excommunication was used in the Older Testament for cultic violations (i.e., a 'cutting off' which was not in some case the same as physical execution, but rather exile). Therefore, excommunication in the New Testament could hardly be the confirmation of execution in the Old Testament. Instead this would amount to collapsing execution into excommunication – that is, dropping it altogether. That would be abrogation, not confirmation. Furthermore, there are major discontinuities between excommunication in the New Testament and execution in the Older Testament. Repentance can secure release from church discipline (for the church is an agent of God's grace), but repentance could not secure release from civic punishment in the Older Testament . . . (for the state is an agent of God's justice in social matters). Then again, the magistrate in the Older Testament took as the scope of his jurisdiction the whole populace, but the elders of the New Testament church cannot judge those who are without."

Theonomy in Christian Ethics (1977), p. 452

13

THE PENAL CODE AS AN INSTRUMENT OF THE COVENANT COMMUNITY

Were Gentile Crimes Not an Insult to Jehovah?

In an evaluation of theonomic ethics, Jim Bibza once made the amazing statement that homosexuality, false prophecy, and blasphemy were punished with death in Israel only because such actions would be a poor testimony to unbelieving nations about the type of God worshiped in Israel. But such things would not have been punishable in Gentile nations, asserts Bibza, because "when a Babylonian or Assyrian engaged in false prophecy, blasphemy, etc., it said nothing about Yahweh."[1] This is not at all theologically accurate. The false prophecies of Babylonians were a direct insult and presumptuous sin against the one and only, living and true God of all creation. To prophesy something He has not revealed or to prophesy in the name of another deity was and is a momentous sin which despises the prerogatives and holiness of Yahweh. This was just as true within Israel as outside Israel, which explains why the Old Testament condemns the idolatry, superstitions, homosexuality, etc. of the heathen nations outside Israel (e.g., Sodom, Ninevah).

We must also question the cogency of Bibza's alleged explanation of the uniqueness of the death penalty within Israel for the crimes he mentions (viz., they would give the heathen a wrong idea about Yahweh). In Biblical perspective, blasphemy, homosexuality, etc. are capital crimes even if only Israelites are wit-

1. Jim Bibza, "An Evaluation of Theonomy" (privately distributed from Grove City College, Spring, 1982), p. 4.

nesses to them, for it is the objective quality of the act (rather than the incidental circumstance of heathen visitors) which determined the "just recompense of reward" for the crime. A testimony against certain kinds of behavior would have been afforded to the heathen by Israel imposing any number of kinds of penalty upon those guilty of the behavior. Thus Bibza's explanation does not sufficiently account for the necessity of the death penalty for the crimes in question.

The most significant defect of Bibza's discussion, however, is its conspicuous lack of any Biblical exegesis or references to bolster his imagined explanation of Old Testament penal sanctions. How can we expect to be doing serious Christian theology and Biblical ethics when we feel free to suggest just anything without the control of the Scriptural text? *Just where* does God tell us in His word that homosexuality and blasphemy are capital crimes (only) in Israel simply because the heathen might get the wrong idea about Him? By not addressing this question Bibza's discussion cannot hope to be taken for anything more than creative (even if fallacious) speculation.

Do Civil Penalties Blur the Line Between Believer and Unbeliever?

That speculation becomes increasingly disreputable when Bibza applies it to the church, maintaining that civil penalties for crime "blur the testimony and witness of the church by forcing unbelievers to look like Christians" – "rather than [providing] a clear contrast between light and darkness. . . ." Bibza suggests that there is something amiss with the state penalizing criminals (or is it only amiss when *God's penalties* are utilized?) because that would "coerce" or "force" people to "act publicly" in a lawful fashion. It has not occurred to Bibza that this reasoning applies to *all* civil penalties; they tend, by their very nature, to compel citizens to comply with the law. If this is not what we want, then are we to promote the abrogation of *all* penal sanctions by the civil magistrate (contrary to Paul in Romans 13:4)? Bibza suggests that if people are "coerced" into obedience to the law by civil penalties, then the clear contrast between light and dark-

ness – between God's people and the world – is "blurred." Does this imply that Christians should encourage a civil society where people act as evil as they can, so that the contrast between them and law-abiding Christians will be ever so clear? In opposition to Bibza's thinking here, Paul teaches that it is a "lawful" use of God's law to restrain public misdeeds by it (I Timothy 1:8-10). Those who are "the light of the world" (over against the darkness of sin) are also called upon to be "the salt of the earth," preserving it from spoil and decay (Matthew 5:13-14).

Moreover, there is no credibility to the notion that punishing rape, blasphemy, and other crimes defined by God's law forces people to "look like believers" in any distinctive way. After all, not all non-rapists are in fact believers! We must dismiss Bibza's poorly conceived argument that the use of penal sanctions (at least God's sanctions) is wrong because it restrains criminal activity and thereby – allegedly – "blurs the distinctions between the church and the rest of unbelieving society."

Are the Penal Sanctions Only for the Church?

Richard Lewis criticizes the theonomic position by attempting to explain the death penalty in Old Testament Israel as "the only means of purging away the evil" from God's kingdom – then claiming that in the New Covenant this aim is accomplished by excommunication instead.[2] There are obvious flaws in this reasoning. First, death was *not at all* "the only means" for purging away evil from Israel. Exile would have accomplished the same. And if death alone would do, then every crime in Israel should have

2. Personal report on "The Applicability of the Penal Code of the Old Testament" (privately distributed in connection with a study committee for the Presbytery of Northern California, O.P.C., 1982). Similarly, Lewis Neilson argues that "the penal laws reflected the church" in Old Testament Israel, and that "all the judgmental powers of Israel passed to the church as we know it" today in the New Testament (*God's Law in Christian Ethics: A Reply to Bahnsen and Rushdoony* [Cherry Hill, New Jersey: Mack Publishing Co., 1979], p. 36). He uses an ambiguous and misleadingly broad sense for "church" in this reasoning. Food "nourishes" a person, and the Bible too "nourishes" a person; but it would be a howling fallacy to think that the Bible has now replaced the ancient use of food. The penal sanctions of the Old Testament were applied by magistrates, not priests.

been a capital crime – which was not the case.

Second, if the Mosaic penal sanctions were only intended "to teach that sin not repented of excludes from the Kingdom of God," as Lewis claims, then he has a number of discrepancies to explain. Why is it that repentance and sacrifice did *not* cancel the death penalty for appropriate crimes in Israel? Why did an *unrepentant thief* not receive the death penalty in Israel? Why does the church excommunicate for *any* unrepentant sin (proved by due process), not simply for those sins which were capital crimes in Old Testament Israel? The line of thought suggested by Lewis just will not square with Old and New Testament evidence. Third, how can it be that the Mosaic penal sanctions apply to *the church* today, when the church does not use the sword? These are no longer the same punishments. Nor are they applied in the same way. Repentance ends church discipline, but repentance did not remove the civil penalty for a criminal in the Old Testament. Fourth, if the Mosaic penal sanctions apply *only* to the church today, what guidance and restraint of an objective, moral character is placed upon the *present-day state's* use of coercion and fatal power ("the sword")?

It has yet to be demonstrated in an exegetically sound and theologically cogent way that the Mosaic penal sanctions were simply for the purpose of purging the kingdom of God of evil – to remove defilement from the midst of a people who were redeemed and holy. Did not such penalties also serve to restrain wickedness in society, any human society? Were they not part of the model-justice which the Gentiles were to see in Israel (cf. Deut. 4:6-8)? It seems that those who argue in the fashion described above have a speculative model which is imposed on Scripture like a Procrustean bed.

The Covenant-Context Argument

Dennis Johnson views the Old Testament penal sanctions (for a certain set of crimes anyway) as drawing a line between God's covenanted people and the unholy world, serving to purge the covenant community of God-insulting and unholy sinners, and thus being applicable solely to the church today in the form of

excommunication.[3] Johnson's thinking leaves us wondering if Gentile crimes were not also (in some way) insulting to the holiness of God, wondering why only certain forms of sin in Israel insulted the holiness of God and required cutting off, wondering why one form of Old Testament cutting off (religious ostracizing) comes over into the church today but another form of cutting off (execution) is abrogated, and wondering how anyone holding this view can logically avoid cultural relativism in the matter of civil penology. It is all so arbitrary. Moreover, the core of Johnson's argumentation is a fallacious argument from silence, which has been analyzed above in chapter 4. As such the entire line of reasoning fails to reach its conclusion due to its logical and hermeneutical invalidity. Johnson would not follow such a theological method elsewhere, thus exposing an even deeper arbitrariness in his argument as well. These are decisive drawbacks in the case he wishes to make. But we will look into the details of his reasoning a bit further anyway.

In the Presence of God

Johnson begins on a sound enough note, observing that it is sometimes legitimate and necessary to interpret an Old Testament commandment as analogous to other commandments (or types of laws). He chooses a good example in the prohibition of mixed seeds and fibers, which he reasonably treats as analogous to the prohibition of mixing clean and unclean meats. Laws of this kind pedagogically symbolized the separation ("holiness") of God's people from the world. He then claims that "certain penal sanctions belong to categories of laws that set Israel apart from all the non-covenantal nations as a holy people, with God's temple in their midst" – which "entailed heightened responsibility to stay

3. Dennis E. Johnson, "The Epistle to the Hebrews and The Mosaic Penal Sanctions," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), chapter 8. I am especially glad to have my old friend objectify his thinking in writing on this question. For over a decade he was of great benefit in developing my theonomic convictions and supportive of them. Prior to his interview for the Westminster faculty this changed, but without explanation. It is good now for both of us to be able to inspect that explanation.

separate from *all* that would render a worshiper unfit to enter God's presence" (emphasis his). Three words in particular expose the erroneous nature of this reasoning: "certain" (some, not all), "entailed" (theological or conceptual necessity), and "all" (universality, emphasized by the author).

What does the Bible *include* in "all that would render a worshiper unfit to enter God's presence"? If we think first in terms of Biblical literature, certain key passages come to mind. In Psalm 15, David asks who may dwell in Jehovah's holy hill (v. 1), and his answer excludes (by implication) anyone who takes up a reproach against a neighbor, slanders, breaks promises, or lends money upon interest (vv. 3-5).

In Psalm 24, David again asks who may ascend into the hill of Jehovah and stand in His holy place (v. 3) – however his concern here (which saps Johnson's argument of strength) is for the holiness of God which is appropriate to *the entire world* due to God's tabernacle on earth (vv. 3, 7-10): "The earth is Jehovah's and the fulness thereof, the world and they that dwell therein" (v. 1). We learn that anybody on earth who has sworn deceitfully (v. 4) is rendered unfit to enter God's presence (typified at the tabernacle). If we ask what the Bible *includes* in "all" that would render someone unfit for God's presence, and we think more broadly and theologically now, the answer would be *any sin of any sort at any time or place at all.* Dr. Johnson knows this. "God is light; in Him there is no darkness at all" (1 John 1:5). "The evil man shall not sojourn with" Jehovah (Ps. 5:4). His "eyes are too pure to look on evil" (Hab. 1:13). Therefore all who are under the curse of sin will one day be ordered "Depart from Me into the eternal fire" (Matt. 25:41) – "shut out from the presence of the Lord" (2 Thes. 1:8-9). "Nothing impure will ever enter" the eternal city of God – "nor will anyone who does what is deceitful" (Rev. 21:27; cf. Psalms 15 and 24!).

Back then to Johnson's reasoning. He says that Israel's penal sanctions (actually, only "certain" of them) expressed a heightened responsibility to separate from *all* that rendered a person unfit for God's presence. From what we have seen in Scripture, this means that the penal sanctions in Israel were enforced against

every single kind of sin in whatever degree – including promise-breaking, slander, ungracious lending, etc. But that simply is contrary to fact, in which case Johnson's explanation is misleading and disproven. It is also arbitrary or inconsistent. He himself says that "certain" of the penal sanctions served this purpose. But since all sin renders men unfit for God's presence, it should have been the case (on Johnson's hypothesis) that *all* sins called for the sanction of "cutting off." And remember that this kind of penal sanction was said to be necessitated ("entailed") by the high privilege enjoyed by Israel as the covenant people of God.

"Cutting Off"

Johnson rightly identifies the church as the covenant people of God today. But *now* Johnson denies the necessity of this entailment – no longer does the high privilege necessitate the penalties prescribed by Moses. This is arbitrary. According to Biblical teaching, the people under the New Covenant have an even greater privilege and even greater responsibility. The "entailed" sanction should then be at least, if not more, demanding today than it was previously.[4]

A further arbitrariness is detected in the way Johnson treats the punishment of "cutting off," which he has said was used (only) by the covenant community as such – in which case such penalizing is the province only of the church today. But he understands this penalty in the Old Testament to have been part of "physical force and penalties [used] as a means to maintain the community's purity and integrity." Therefore, his reasoning would, if sound, entail the conclusion that the church must use "physical cutting off" as a punishment today. But of course Johnson rejects this inference from his own premises (since the New Testament contradicts it). The church uses *non-physical* cutting off to maintain its purity and integrity (as I agree). The problem, then, is that

4. Those who tend to base their reasoning in typological argument must be careful just here that they do not respond thoughtlessly: "Well, of course, the New Covenant sanction *is* more demanding because it involves eternal cutting off from God." Such an answer would relieve the logical problem at the expense of denying that people in the Old Testament faced that same judgment for their sins.

the church has not carried on with the same penal sanction(s) as Israel at all, for the punishment is not the same in substance (only in aim).

There are other problems with Johnson's attempt to argue from analogy with the category of "sins which require cutting off" – not the least of which would be that if we do an exegetical study of the expression in Scripture,[5] "cutting off" does not itself appear to have denoted (even if sometimes including) a *civil* or even humanly-inflicted penalty in the first place. This undermines Johnson's attempt to generate any argument from analogy and draw conclusions about the civil penalties of the Old Testament law (the topic of his essay).

The Sermon on the Mount

There are other errors of detail throughout Johnson's article which might also be noted. His discussion of Jesus' teaching in the sermon on the mount (Matt. 5:21, 38) leads him to conclude: "but Jesus' treatment of the penal sanctions poses difficulties for us if we assume that biblical statements about God's justice in interpersonal relations are always intended to define the role of civil government as 'God's agent of wrath' (Rom. 13:4)." The problem here is that theonomic ethics does not work upon that assumption at all – but quite the contrary. "Interpersonal" justice is a category distinct from "civil" justice (where God has directed the state to enforce certain penal sanctions), and thus we may not reason from the former to the latter.[6]

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5. See Gordon J. Wenham, *The Book of Leviticus*, The New International Commentary on the Old Testament (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1979), pp. 125, 241-242, 285-286. This punishment is threatened against some sins which, by their nature, were secret and thus difficult to prosecute. God Himself is sometimes said to be the executor of the punishment, not some human agent. It is at least once set in contrast to judicial punishment, and as Wenham argues, it does not generally mean excommunication from the covenant community because that treatment is reserved for "uncleanness," not criminality. Cutting off referred to "a threat of direct punishment by God usually in the form of premature death."

6. The sins of the heart/sins of the hand distinction which Johnson refers to in a footnote simply indicates that the civil magistrate cannot and may not judge

Johnson is also mistaken when he suggests that, contrary to Moses, Jesus now teaches that unjustified anger becomes ground for eternal condemnation. But that was the case in the Old Testament as well.[7] When Johnson asks whether Christians should, based on Matthew 5:22, urge their governments to make insults a capital crime, many confusions need to be cleared up. The expressions "judgment" and "sanhedrin" do not in themselves denote "capital punishment." Further, Johnson's implied answer (that of course we should not so urge our government) is misleading: there are indeed *some* forms and instances of contemptuous speech which should be liable to civil judgment (and actually are in secular, modern America). Accurate Biblical interpretation must also take account of the genre of literature we are dealing with (which Johnson's question does not seem to do); it is well known that throughout this broader passage Jesus uses intentional overstatement ("pluck out your eye") and intentional conflating of outward deed with inward motive ("adultery in his heart") – all to grab attention and drive home his point.

The Apostle Paul

I believe that Johnson is mistaken to hold that in Acts 25:11 Paul's words, "if I have done anything worthy of death," refer to the Roman law instead of the Torah.[8] Johnson's reason is weak,

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matters of the heart, but only publicly verifiable actions. It does not entail that the government may then judge *any and all* publicly verifiable actions (e.g., insulting speech) – but only those which God has authorized it to punish.

7. The truth that sinful anger warrants everlasting separation from God was not impossible to know before the revelation of the New Testament. The revelation of this as a new truth cannot be the import of Jesus' teaching here. Likewise, when Johnson later speaks of New Testament excommunication being "more severe" than the punishment of the Old Testament – since excommunication anticipates the final judgment – his comment temporarily overlooks the fact that final judgment was a penal threat to Old Testament sinners also. Indeed, being cut off from Israel (however you interpret the actual event or action) meant becoming alienated from the commonwealth of Israel and, just like excommunication, *thus* "having no hope and without God in the world" (Eph. 2:12).

8. I might add here that Johnson's interpretation of "worthy of death" in Romans 1:32 is overstated if meant to suggest that Paul was referring *only* to eternal condemnation, rather than to civil and divine punishments both. One cannot overlook the fact that the homosexuals "know *the ordinance of God*" that their behavior

namely that Paul could not have expected Festus to understand the complexities of the Torah (why not? are we question-begging?). But Paul's appeal does not presuppose that Festus even needs to understand the Torah. Paul simply cries out that he is not guilty of those things charged against him by the Jews – and if he were, he would not refuse to submit to the appropriate penalty of death. To turn the tables on Johnson, I would suggest that it would be straining credulity to think that the Jewish antagonists who "came down from Jerusalem" and "brought against [Paul] *many and grievous charges*" (v. 7) were debating points of Roman jurisprudence! The many serious crimes which would have been on Jewish minds would have been offenses against their own law – in which they prided themselves sinfully (cf. Rom. 2:18, 20, 23).

Johnson observes Paul's use in 1 Corinthians 5:13 of the expulsion language found in some Old Testament penal passages, "Put away the wicked from among yourselves," and he notes that we find there that excommunication is the *ecclesiastical* expression of that objective. Is this in any way contrary to what one would expect based upon a theonomic perspective on ethics, though? Not at all; it rather is exactly what the position would entail. The church – the covenant community – is unquestionably supposed to seek to remove wickedness from its midst (as the law requires), and the manner in which that is accomplished within the church is excommunication. This tells us nothing of Paul's views (positively or negatively) about whether, or the way in which, the civil state should seek that objective. Johnson recognizes that it does "not necessarily" follow from this passage that excommunication has replaced the Old Testament civil sanction, and he is correct.[9]

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is worthy of death. On Johnson's narrow interpretation, what ordinance would this be? The argument that not all sins listed in verses 29-31 are capital offenses is not on point. Those said to be worthy of death in verse 32 are the *hoitines* at the beginning of the verse – referring back to the homosexuals who have been "given up to a reprobate mind to do improper things, being filled with every kind of evil [such as . . .]" (vv. 28-29).

9. Johnson, p. 181. He says Paul's ending of his discussion with the use of this formula is "noteworthy" (and it is), but one suspects Johnson is hinting at more than

The Covenant Community

His further comment that the Old Covenant community had a political order with "authority to purge the community" through the use of capital punishment is not relevant to any argument with theonomic ethics, and even if it were, it would prove far too much for Johnson – namely, that *none* of the penal sanctions of the Mosaic law could be applied by modern states, since they are not the governing body of God's covenant community. His comment is argumentatively *without relevance* because the Bible does *not* teach (as theonomic critics hastily surmise) that *only* in the covenant nation could it be said that civil magistrates purge the nation by rooting out the wicked one (through death or banishment). Isaiah the prophet declared explicitly that "The earth also is *defiled* [polluted] under the inhabitants thereof," and the unambiguous specific cause of this defilement is "because they have transgressed the laws, violated the statutes" – nay, more, they have even "broken the everlasting covenant" (Isa. 24:5).

When the inhabitants of Gentile nations break God's statutes, even though they do not enjoy a redemptive covenant with God, they are still – on the authority of God speaking in His interpretive word – considered to be covenant-breakers who defile the earth. Do Gentile civil magistrates have divine authorization to remove such defilement through the penal sanctions of capital punishment or banishment? We are shown explicitly that they do in Ezra 7:26, where Ezra reports (and praises God) that the Persian king, Artaxerxes, decreed for "all the people beyond the river" (v. 25): "Whoever will not do the law of your God . . . let judgment be executed upon him with all diligence, whether it be unto death or banishment. . . ." It was not solely in Israel, the

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note-worthiness. He somehow thinks that this evidence – if not "necessarily" proving it – inductively strengthens his view that excommunication "replaces" the Mosaic penal sanction. But it would do nothing of the kind (except offer question-begging "inductive support") because Paul would just as readily have used this formula (indeed did) on theonomic presuppositions. What Paul does not say anything about here is "replacement" of penalties or "civil" sanctions in a more godly state – precisely the issues which separate theonomists and their critics. The "evidence" here is not relevant to discriminating between the competing views, and thus Johnson would clearly be arguing from silence, if he tried to rest anything on this text.

Bible being witness, that such penal sanctions were authorized by God to be applied to violators of His law (and polluters of the earth). Thus Johnson cannot show that *only* the church is to root out evil ones today, *nor* that in the Old Testament *only* Israel's political rulers were engaging in rooting out defilement. Accordingly, he has absolutely *no basis upon which* to reason that Paul's teaching in 1 Corinthians 5 implies that what was solely the work of the civil magistrate in the covenant-nation of Israel has now become solely the work of the new covenant church (in a new form of punishment).

I have belabored the errors of Biblical fact and theological reasoning here because it concerns me that many critics are not even aware that their "noteworthy" Biblical allusions and creative redemptive-historical "typologies" are not properly speaking *arguments* at all, but little more than a coloring in of their preconceived Gestalt. Many writers and debaters do far worse than Dr. Johnson in these kinds of critiques of the theonomic view of the penal sanctions. But in none of them are we offered analytically sound, exegetically well-grounded, conceptually clear and relevant premises, cogently and tightly reasoned arguments for their conclusion (against the theonomic perspective).

The Appeal to Hebrews 2 and 10

The announced platform for Dr. Johnson's covenant-context argument against the modern state using the Mosaic penal sanctions is the book of Hebrews, particularly the allusion to the Mosaic penalties in chapters 2 and 10. His introductory remarks about the book as a whole and the thrust of its message are uncontroversial. When he begins to focus his argument, however, there is a crucial equivocation and exegetical mistake at the first major step into his reasoning.

Priesthood and Law

Johnson claims, based on Hebrews 7:11, that the Jews were given the law "*on the basis of* the Levitical priesthood" – the priesthood of Aaron "is the very foundation of the law given through Moses to Israel." The equivocation that trips up the thinking

here is that "the law" is taken in one sense (the one intended by the author of Hebrews) as the Mosaic administration of the old covenant order, but "the law" is taken in another sense in Johnson's argument against theonomy (viz. the moral stipulations revealed by Moses). The exegetical problem is that Johnson has chosen to take the Greek word *epi* (Heb. 7:11) in the sense of "upon the legal basis of." While *epi* may take the sense of "upon the basis," as in Hebrews 10:28, it is there used with the dative case; any importation of the specific sense of *legal* basis comes from the context (not the construction). In no case of which I am aware in Hebrews does *epi* with the genitive (as we find in the Heb. 7:11) take the sense of "upon the basis." God has not spoken to us "on the [legal] basis of these last days" (Heb. 1:2), and God does not write His law "upon the [legal] basis of their hearts" (8:10)! The author of Hebrews did not believe that the moral stipulations of Moses were legally predicated upon the Aaronic priesthood – or even that the Mosaic administration of the covenant was legally grounded upon that priesthood (*whatever* legal grounding could mean in that statement). In Hebrews 7:11 he says, rather, that the law was given "in association with" (or even "at the time of") the giving of the Aaronic priesthood; they coincided.

Once we correct the erroneous interpretation given to the preposition in Hebrews 7:11 by Johnson's argument, it is evident that the question he poses in terms of it – "how sweeping is this change of law?" (v. 12) – is not the open door to the possibility of sweeping change that he anticipates. The change of law is a change *regarding* precisely that priesthood which was instituted in association with it. The author of Hebrews himself explicitly tells us that the change of law about which he speaks is "the law of fleshly requirement" – that priests come from the tribe of Levi (Heb. 7:13-16). When Johnson goes on to note, quite correctly, that there have also been changes in terms of sacrifices and cleansing available in the law, he attempts – without evidence – to tie them conceptually and/or logically to that particular "change of law" referred to in Hebrews 7:11. This alleged entailment is misleading since the "imperfection" of the Old Covenant sacrifices

and cleansing is argued by the author of Hebrews on other grounds than the priestly prerequisite of coming from the levitical tribe (e.g., Heb. 9:10-12; 10:1-2).

Changed Sanctions?

Johnson comes to the point of his article by asking whether a change in the application of the Mosaic penal sanctions has "also" been introduced. It must be borne in mind that nothing that has been said up to this point is either logically or theologically relevant to answering that particular question. To ask whether the penal sanctions have "also" been changed is to ask, therefore, whether we have a textually-grounded basis for believing that about them – as we "also" have such Biblical warrant regarding the other changes (in priestly requirement, sacrifices, and cleansing efficacy). Johnson offers no textual proof (or anchor) of that opinion at all – not even one clear case that he then could use for an argument from analogy. Rather his argument rests upon a misreading of the *a fortiori* logic of Hebrews 2:2 and 10:29.

Dr. Johnson is entirely correct that these passages in Hebrews prove (once again) how much more important and significant is the New Covenant order than the Old. The "greater the grace revealed in [God's] words to his people, the greater their liability should they disregard his voice." Precisely. But then listen to the way in which Johnson, without justification, narrows the premise of the *a fortiori* argument of the author to Hebrews: "At issue is not divine justice in abstract as a model for political jurisprudence," but the Lord's expectation of people with covenantal obligations. But *that certainly is at stake*, if the author's argument is intended to be theologically and logically sound! If in *any* of the ways God metes out punishment for transgression, He is arbitrary, harsh, lenient or *of changing attitude*, then one could indeed entertain the *possibility* that the threat of eternal condemnation for spurning so great a salvation offered in the gospel might be "escaped" (Heb. 2:3, the leading question here). *But* if universally valid and unchanging justice does not characterize even the capital crimes of the Old Covenant order, then the New Covenant (especially with its greater power or emphasis upon grace) could

enunciate threats which do not apply to everyone or apply for all time. Hell may be threatened, but God could change His mind (again!) about the absolute justice of His sanctions, just as He has done with the civil code. After all, if He has not insisted upon the universal, unchanging justice of the lesser (civil penalties), how much more could we expect that He would not insist upon the justice of the greater (eternal penalties)! This would be a perverse reversal of the point being made by the author of Hebrews. So, Johnson is in error. The divine justice of *all* the penalties of the Mosaic order (civil, ecclesiastical, eschatological or what-have-you) is precisely the premise upon which the author founds his argument. Take it away, by suggesting that the civil penalties can be dismissed, and you simultaneously destroy the conclusion which the author builds upon that premise – from lesser (Mosaic) to greater (New Covenant).

Hebrews 10

Nothing more than this needs to be said about Hebrews 10:28 and Johnson's treatment of it, at least in terms of the theonomic debate. I agree with Johnson that the issue in Hebrews 10 is the sin of apostasy, but it is entirely speculative to think that the Old Testament allusion is only to the sin of apostasy. The "mouth of two or three witnesses" language is not restricted to Deuteronomy 17:6; see also Deuteronomy 19:15, which applies this prerequisite to "any sin."[10]

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10. If someone wanted to argue that the specific capital crime mentioned in Deuteronomy 17:2-7 was one for which civil magistrates were functioning *solely* in a "covenantal role" (enforcing sanctions applicable *only* to those "in covenant" with God) – a possibility to which I have always been open as a theologian (cf. the footnote in Poythress, p. 107) – I would have thought the most fruitful line of argument to take would begin by noting that "doing what is evil" (v. 2), namely offering liturgical worship to other gods (v. 3), is specified in this case as "transgressing His [Jehovah's] covenant" (appositionally wedged between the two other descriptions). I would then observe that the focus of the covenantal allusion is ceremonial, as the proximity of verse 1 suggests. And in particular, I would discuss the fact that this is described as a covenant "of Jehovah" (belonging to Him, under His initiative) – not a covenant "with" Jehovah, into which somebody might think later New Covenant nations could choose to enter by their own agreement (rather than divine selection). I would embark along that line of reasoning, if this were my

Dr. Johnson is obviously correct that civil governments today do not have the role of enforcing the elective, redemptive covenant of grace. Theonomists have taught the same for years. The questions remain whether there are (non-redemptive) "covenantal" obligations resting upon the rulers of the earth, whether all punishable liturgical idolatry is a violation only of a redemptive covenantal obligation, and whether all civil offenses can be somehow categorized as that kind of idolatry.[11] Johnson does not even address these necessary theological issues before moving ahead (jumping) to his conclusion. The entire earth and its inhabitants are not in elective redemptive covenant with God, and yet according to Isaiah 24:5, they break "the everlasting covenant" by violating God's laws. All of the kings of the earth are under God's wrath when they try to "break the bonds" with Jehovah, rather than serving Jehovah with fear and kissing His Son as King (Psalm 2:2-3, 6, 10-12). So much, much more would have needed to be said and discussed by Johnson before he could begin to construct a successful argument for the conclusion which he wished to draw.

Political Powerlessness

One last thing. Readers must not be misled by the questionable theological reasoning used by Johnson when he notes the "politically powerless" situation of the early church and minimal need for directions to political rulers – both part of God's timing

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argument. I have also reflected upon a number of theological and exegetical problems which could be raised against it along the way. But discussion of such things will need to await another book (if and when I have studied enough to determine which conclusion is the sound one.)

11. Johnson asserts without argument that "the justice of the Mosaic sanctions presupposed the offender's privileged status and prior commitment as a member of the Lord's covenant." But this is gratuitous and begs the entire question! Theonomists maintain that *the justice* of those sanctions does *not* presuppose privileged status, as though God has a double-standard inside and outside of Israel. It is true that God revealed His universally just standards to those who enjoyed a privileged status with Him. But the Bible testifies that the standards which He revealed and entrusted to Israel were for the purpose of Israel becoming a conduit for them to the watching (and needy) world! Cf. Deut. 4:5-8; Ps. 119:46; Isa. 2:2-4; Micah 4:2-3.

and providence – and says "this situation is itself significant."[12] Significant of what? Johnson says it reflects the sovereign and wise "design of his Word, the standard for our faith and life" – remarkably shifting from the *written* word as our doctrinal and ethical standard, to the *metaphysical* word by which all events are providentially controlled. And then he commits the naturalistic fallacy, arguing from what is the case to what ought to be the case. Johnson makes the "design of [God's] Word" – meaning the providential design of God to reveal the New Testament to a politically powerless church – "the standard of our faith and life"!

Accordingly, he concludes that the "new Testament's minimal direction to governmental officials does not support the view that the Mosaic penalties should be enforced by a non-covenantal government structure. . . ." Upon reflection, Johnson himself surely knows what numerous *reductio ad absurdum* counter-examples are available to this kind of theological thinking. God did not sovereignly decree that airplanes be invented for the New Testament church, and the "wise design of God's [providential] Word" is our standard of faith and life; *therefore* Christians ought not to build airplanes or fly in them? According to God's providential and wise design for history, the climax of redemptive revelation came "when the time had fully come" and women were pervasively treated as social inferiors, no-counts and chattel. God's metaphysical Word is the standard of our faith and life; *therefore* Christians ought not to work for a society in which women are valued and treated more in accord with Biblical standards? This was not a note worthy of Dr. Johnson's theology on which to end his line of argumentation against theonomy.

12. Johnson, p. 191. Co-author Dr. Davis offers a needed counterbalance in the same book: "while this age is characterized by powerful attempts to destroy the family, that has nothing to do with Christian responsibility" (p. 391).

"For this commandment which I command you this day, it is not too hard for you, neither is it far off. . . . But the word is very near unto you, in your mouth and in your heart, that you may do it."

Deuteronomy 30:11, 14

"For this is the love of God, that we keep his commandments, and his commandments are not burdensome."

1 John 5:3

"It has been correctly observed that the application of the Old Testament law to contemporary society would necessitate a new scribal caste that would produce a new Mishnah. . . . This passage [Deut. 15:1-3] illustrates the complexity and difficulty involved in applying Old Testament penology to the present situation."

Tremper Longman III,
Theonomy: A Reformed Critique (1990), p. 50

"We need to be sensitive to the fact that interpreting the Old Testament law, properly categorizing its details . . . and making modern day applications of the authoritative standards of the Old Testament is *not an easy or simple task.* It is not always readily apparent to us how to understand an Old Testament commandment or use it properly today. So the position taken here does not make everything in Christian ethics a simple matter of looking up obvious answers in a code-book. Much hard thinking —exegetical and theological homework— is entailed by a commitment to the position advocated in these studies."

By This Standard (1985), p. 7

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FLEXIBILITY REGARDING THE PENAL CODE

O. Palmer Robertson argues against the theonomic position on the basis that it displays an inadequate flexibility in applying the Old Testament penal code today. Theonomy maintains that the justice of the penal sanctions be rigidly and precisely followed, not allowing for the kind of adaptation in the use of these laws as it does with the ceremonial law.[1]

The reason why the penal code is not adapted in its application in the same way that the ceremonial law is adapted should be initially obvious: *the penal code is not ceremonial (redemptive) in nature.* Until Robertson gives biblical evidence to disprove that observation, it is futile to complain against its implications. I am sure that he would say the same to someone who argued that he (Robertson) does not show adequate flexibility in the use of the sixth commandment today, refusing to alter its requirements or application as he allows with the sacrificial laws. The fact is, God the Law-giver has instructed us to alter the way in which we observe the ceremonial laws, but He has not likewise given instructions to alter the observation of the sixth commandment *or* the penal sanctions of the Old Testament. If that is deemed "inflexible," then God's inflexibility lies behind it.

Should We Flexibly Treat the Penal Code as the Ceremonial Law?

What kind of "flexibility" is Robertson asking us to observe?

1. O. Palmer Robertson, Tapes: "Analysis of Theonomy" (available from Mount Olive Tape Library, Box 422, Mt. Olive, MS 39119), tape #OR107A1, A2, B3.

What kind of "inflexibility" does he reject? We need to be careful to pay attention to the *emotive* weight which our words carry. The very *same* attitude or action, such as holding firmly to one's position in an argument, can be described by friends as "tenacious," while described by foes as "pig-headed." Here we find *differing* emotive impacts, even though the *same* thing is being described. What kind of emotive impact does "inflexibility" have in our day and age? In our overly tolerant culture, a position which is inflexible is to be shunned and disdained; being "inflexible" has quite negative connotations. If we condemn all premarital sex today, we risk being called "inflexible" by those who have relative, situational, and pliable standards of morality. Robertson would not agree with these flexible ethicists by any means! So what kind of inflexibility does he want to reject?

Theonomy is "flexible" enough to recognize that laws about oxen can in principle apply to ministers (cf. I Cor. 9:9-10), and it is "flexible" enough to be open to a change in the mode of execution from Old Testament stoning to current day gas chambers. Yet this seems inadequate to Robertson. So what kind of flexibility is he advocating? You see, God commands in His inspired word that rapists be put to death. Theonomists maintain that rapists ought to be put to death. I would be inclined to call the theonomic position *obedient* to the word of God (provided it has been properly interpreted), while I get the impression that Robertson thinks this is *inflexible.* If the penal sanction against rape in the Old Testament has been somehow abrogated or altered in the New Testament, then theonomists are *not merely* inflexible; they are biblically *mistaken.* So you see why Robertson's argument strikes me as odd. It seems relevant to speak of a position as obedient or disobedient, true or mistaken. I cannot see where flexibility and inflexibility have anything to do with the question.

The Question of Justice

Robertson asks why the ceremonial law can be deemed just, although temporally limited in use (since it is pedagogical), while

the penal law cannot. The answer would simply be that, as I read it, the Bible does not teach the temporary use of the penal sanctions, although it does teach the temporary use of the ceremonies. The ceremonial law does not express God's absolute justice; He is not *bound* to redeem guilty sinners, but does so according to His free mercy – even though His manner of redemption coheres with His justice. The penal requirements of the Old Testament, however, do reflect the absolute justice of God – the same equitable justice that will condemn sinners forever (cf. Heb. 2:2-3). By His holy and just nature, God is indeed *bound* to punish infractions of His law. He has chosen to render civil and eternal punishments in some cases, and each are absolutely just according to their own sphere of reference. The sacrificial system was consistent with God's justice, while the penal system was dictated by God's justice. (To put it in theological categories: the necessity of the ceremonial laws is a "subsequent necessity" – subsequent to God's decision to redeem sinners, while the necessity of the penal laws is an "antecedent necessity" – necessary according to God's nature even before any decision about redemption should be made.) It should not be forgotten here that the principles of the restorative-ceremonial laws of the Old Testament are still *necessary* today (cf. Heb. 9:21-26), *if* someone wishes to be saved. The penal sanctions of the Old Testament are necessary today *without* qualification; judges who do not obey them are guilty of injustice, totally apart from their desire to be saved.

The Inflexibility of the Penal Sanctions

Robertson has introduced the issue of flexibility into the discussion of the penal sanctions. Strangely enough, of all the laws in the Old Testament, the penal sanctions have more said about their *in*flexibility than any other! To be sure, we are to be careful in obeying *all* of God's law, not adding anything to it or subtracting anything from it (Deut. 4:2). However, much more is said about the *necessity* of carrying out the penal sanctions. A parent need not punish every disobedience of his or her child, and in interpersonal offenses love can cover a multitude of sins. But such discretion is explicitly *prohibited* to the magistrate in regard to the

law's penal sanctions.[2] They were not to swerve to the right or the left from the law (Deut. 17:18-20), and justice is perverted when the law is slackened (Hab. 1:4). God declared "Thine eye shall not pity" when criminals are to be executed (Deut. 19:13, 21), for that would make the magistrate guilty of being a respecter of persons (Prov. 24:23). "The evil man shall not be unpunished" (Prov. 11:21). Mercy on the part of the civil magistrate in applying the penal sanctions of the law against criminals is strictly forbidden. "A man who had violated Moses' law died without compassion on the word of two or three witnesses" (Heb. 10:28) – the justice of which procedure is foundational to our conviction that God is just in condemning apostates for eternity (v. 29)! Those who wish to keep God's law, therefore, will definitely contend with the wicked (Prov. 28:4). Not even a trespass offering before the priest (Lev. 6:4-7; Num. 5:5-8) or clinging to God's merciful altar (Ex. 21:14) could relieve the criminal of his punishment – even as the sacrificial death of Christ upon the altar for our salvation does not relieve criminals today. *Inflexibility* regarding the law's penal sanctions is a *virtue*, not a drawback. Such inflexibility was Paul's attitude (Acts 25:11), and without it the good citizens of a society can have no confidence because the sword held over the criminal elements in society is carried in vain (Rom. 13:3-4).

Accommodation and Flexibility

The report of the Special Committee to study the theonomic question in Evangel Presbytery (P.C.A.) evidenced a concern that theonomists recognize the need for a *flexible* application of God's law in our day. Its leading question to theonomy was whether it adequately recognizes the distinction between the Decalogue and the cultural applications of it in the judicial laws of the Old

2. I am speaking here of the necessity of punishing the criminal, rather than the necessity of the particular punishment inflicted. It is another question whether the law of God *itself* grants discretion (in some cases) to civil judges in wisely choosing the specific penalty that will be applied in a specific case. On the issue of flexibility *within* the law of God itself regarding civil penalties, see the discussion below in response to Dr. Kaiser.

Testament.[3] The answer is that any crucial inadequacies in the theonomic position (apart from occasional expressions of it) have not yet been pointed out or demonstrated. Theonomic ethics does indeed see the distinction between the Decalogue (summary and apodictic) and the judicial laws (case laws).

The report goes on to observe God's accommodation to sinful man's situation as reflected in His law, and to illustrate Biblical flexibility in the application of the civil law. Theonomic ethics agrees that God's law has been accommodated to sinful man's situation – perfectly and permanently accommodated to what the sinner needs in his fallen condition. Until the effects of the fall have been finally eradicated, there will always be a need for the justice embodied in God's precepts. The Old Testament illustrations of flexibility which are offered in the report turn out to be contextual interpretations, applications, or qualifications of the laws revealed by God. Since theonomists insist on understanding the law's requirements according to all that Scripture dictates and qualifies with respect to them, such illustrations pose no difficulty but are quite welcome (provided the detailed exegesis and hermeneutics are unobjectionable).

When the report goes on to speak of flexibility with respect to the civil law in the New Testament, however, it moves from (Biblically defined) interpretation of the law's requirements to alleged elimination or removal of the law's requirements. This is altogether another thing. The report says of Christ that "the basic tenor or mood of His ministry is certainly not characterized by pressing the details of the civil law." Such reasoning and the non-theonomic inferences often based upon it are logically fallacious. The fact is that "the tenor" of Jesus' earthly ministry is *not* characterized by a *repudiation* of the civil statutes of the Old Testament. At the explicit and relevant points, he supports them. The examples offered of His alleged departure from them turn out to be spurious. Missionary endeavors do not require bodily destruction of unbelievers, and thus the silence of Jesus about destroying an apostate Samaritan village (Luke 9:51-56) is not at all contrary

3. "Report of the Special Committee to Study 'Theonomy'," for Evangel Presbytery, P.C.A. (submitted June 12, 1979, at Gadsden, Alabama), p. 9.

to the Old Testament law which dealt with a different situation and different offense (Deut. 13:13-14). Since the regulations concerning the "avenger of blood" in the Old Testament dealt with a criminal and judicial situation, and since that institution had already been superseded by uniform recourse to civil adjudication (rather than simple inter-personal or inter-family resolution), the instructions of Jesus concerning love for one's enemies did not address the same matters and did not repudiate the civil concerns or procedures about blood-vengeance. He was not replacing one civil recourse with another, nor was He suggesting that all civil recourse should be dropped, if we are to love our enemies.

Flexibility Within the Penal Code Itself

On the major theological issues pertaining to the Old Testament law and the modern Christian, Dr. Walter Kaiser has expressed a position which is very much like that of theonomic ethics.[4] The one area where there seems to be a genuine disagreement has to do with the penal sanctions prescribed for civil magistrates in the Old Testament. Kaiser says, "While it is true that the law is given for all nations, times and peoples, I cannot agree that each of the capital punishments is still in vogue." The one exception he would make is that capital punishment for murder is still obligatory since it "has as its reason a moral principle: People are made in the image of God." This reasoning is faulty, however. *All* of the capital crimes of the Old Testament have similar "moral principles" invoked as the reason for the severity of their penalty: "bloodguiltiness is upon them," "I am Jehovah," etc. If this were the extent of Kaiser's argument, it would readily be overturned by further study of the penology of the Old Testament. None of God's penalties is arbitrary (Heb. 2:2). They all require only what justice demands for each crime: "an eye for an eye," etc. Those who are punished with death in God's holy law are so punished only because they have "committed a sin *worthy of death*" (e.g., Deut. 21:22). It is moral principle that requires the penalties to be what our holy God has prescribed them to be – not

4. Walter C. Kaiser, Jr., "God's Promise Plan and His Gracious Law," *Journal of the Evangelical Theological Society*, vol. 33 (Sept., 1990).

just in the case of murder, but in all the cases.

Elsewhere, Dr. Kaiser offers a different line of argument for opposing the theonomic view of the Old Testament penal sanctions. He maintains that the penalties of the law do not continue to be an integral part of the law today. However, Kaiser makes it clear that he does not take this position for anything like the reasons offered by Meredith Kline: "Kline's intrusionism does not appear to differ much from distinctive dispensationalist approaches to the law. . . . We are still left without any explanation as to how these legal texts function for the contemporary Christian. . . . Furthermore the details of the text usually are swallowed up in a wide-sweeping generalization about the history of salvation being fulfilled in Christ."[5]

Why, then, does Kaiser himself not affirm the continuing validity of the Old Testament penal sanctions? To his theological credit, Kaiser's argument attempts to be well-defined (a scalpel, not a meat cleaver) and attempts to be exegetically based (appealing specifically to the text in Numbers 35:31). For these reasons alone, his approach is superior to most everything else I have needed to respond to as a theonomist. *Moreover* and most importantly here, *if* Kaiser's treatment of the text and his logical inferences are sound, then there is no reason for advocates of the theonomic position, as theonomists, to disagree with him.

What Kaiser Is Doing

Indeed, what Kaiser is doing is simply an application and carrying out of theonomic ethics – rather than a refutation. Theonomy teaches that the Old Testament civil law cannot be categorically and simply dismissed as abrogated in the New Testament; Kaiser does not attempt to dismiss it in any such way (as do dispensationalists, critics who appeal to theocratic uniqueness, etc.). Theonomy teaches that we cannot dismiss the Old Testament civil code as somehow horrible in its severity; Kaiser is fully in agreement: "This is not to argue that we believe that the OT penal sanctions were too severe, barbaric or crude, as if they failed

5. Kaiser, pp. 292, 293. Of course, I applaud Kaiser for these important observations against Kline's treatment of the Old Testament.

to match a much more urbane and cultured day such as ours is. Bahnsen appropriately notes that in Heb. 2:2 'every violation and disobedience received its just [or appropriate] punishment.'" Theonomy teaches that only the Lawgiver has the prerogative to modify or revoke His laws; Kaiser again says the same thing: "only God could say which crimes might have their sanctions ransomed."

Therefore, it is important to note that what Kaiser is doing – and the theological framework within which he is working – is just as theonomic in character as my own teaching and publications. Furthermore, what Kaiser is arguing is *not* that there has been a *change* in the penal sanctions from the Old to the New Testament, but rather that *even within the Old Testament itself* the law of God did not necessarily or absolutely require the death penalty for all the crimes where that penalty is mentioned. Accordingly, what Kaiser is championing today is simply the same thing that (he believes) the Old Testament law taught for the Old Testament. This is very significant because it demonstrates that Kaiser and theonomists, if they disagree after all, do not disagree over the principles of theonomic ethics – but simply over the interpretation of what the law originally meant. If the law taught what Kaiser claims, then a theonomist is committed to advocating what Kaiser's interpretation teaches us as the moral standard for civil governments in our day.[6]

The Key Verse

This, then, leaves us with the question of whether Dr. Kaiser is correct in his interpretation of the Old Testament law. He might be. I am not convinced as yet, however. According to Kaiser, "the key verse in this discussion is Num. 35:31. . . . Only in the case of premeditated murder did the text say that the officials in Israel were forbidden to take a 'ransom' or 'substitute.' This has been widely interpreted to imply that in all the other

6. The reader should also not overlook the fact that Kaiser's interpretation does *not* demonstrate that the death penalty is impermissible today in connection with the crimes specified in the Mosaic law, but only that such a penalty in those cases is not necessary. They might still be utilized under appropriate circumstances.

fifteen cases the judges could commute the crimes deserving of capital punishment."[7] This reasoning involves at least two errors which need correcting:

(1) It involves a fallacious argument from silence: viz., since the law did not forbid commuting the capital penalty for crimes other than murder, the penalty for those crimes may be commuted. This is analogous to the following line of reasoning: Christ applies to certain specific sins the explicit censure of hell-fire (e.g., Matt. 5:22, 29-30; 23:15, 33; 25:41), but does not explicitly mention this in connection with *every* particular sin; *therefore* the punishment of hell applies only to a few particular sins. We would surely reply to such logic that (a) the particular sins mentioned are but an example of how *every* sin will be treated by God, and (b) there are texts in Scripture which more generally teach that God's eternal wrath will be visited upon all sins in general. Likewise, Kaiser has not dealt with the very real possibility that the prohibition on taking a substitute (and thus commuting the penalty) in the case of murder was *intended* to teach us how *every capital crime* should be treated – that is, should be treated as illustrative for the rest of the class. Moreover, Kaiser has not made any response whatsoever to the texts in Scripture which generally teach that the penalties of the law were *all* precisely just, precisely what the crime deserved, and (apparently) not to be commuted. Thus judges were ordered by God: "Your eye shall not pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot" (Deut. 19:21; cf. 25:12); Hebrews tells us that those who broke the relevant portions of the Mosaic law "died without compassion upon the word of two or three witnesses" (10:28). Kaiser's interpretation of Numbers 35:31 might be correct, but until he answers Biblical considerations such as these, we have no adequate Bibli-

7. Kaiser, p. 293. The only confirmatory evidence offered by Kaiser for this interpretation is the fact that Paul did not prescribe capital punishment in the case of the incestuous fornicator in 1 Corinthians 5. This kind of argument from silence is refuted elsewhere. Are we to believe that Paul was "commuting" the sentence of the person guilty of incest – or rather that Paul was not attempting to pass *civil* sentence whatsoever? The answer should be obvious. Excommunication is not a civil penalty whatsoever, but in Kaiser's view it would have been the commuted sentence!

cal basis to agree with him. His reasoning is a fallacious argument from silence.

(2) Furthermore, his argument rests upon an incorrect premise (and needs to be at least modified, if not negated). His premise (inferred from Num. 35:31) is that "only in the case of premeditated murder" was the death penalty absolutely required. However, we know from the teaching of the Old Testament elsewhere that this is simply not accurate. Consider two examples. Exodus 22:18 says "You shall not allow a sorceress to live." This says much more than simply that a convicted, practicing witch should be assigned some civil penalty. It specifically forbids allowing such a criminal to continue living (which she or he would do if any other penalty than capital punishment were inflicted). The next verse, Exodus 22:19, teaches "Whosoever lies with an animal shall surely be put to death." This too cannot be interpreted as simply calling for some kind of civil penalty for bestiality. The original text uses an idiomatic Hebrew expression that communicates the *certainty* of that which is being required: "dying he shall die" (or "being executed, he shall be executed") – which is commonly and properly translated "he shall *surely* die." God's explicit command is that the crime of bestiality shall without question be punished with the death penalty. Variation is not allowed in cases like witchcraft and sexual perversion.[8] We need not pursue our study of Old Testament penology any further in detail at this point. This is sufficient to show that the premise of Kaiser's argument is in error.

So then, the argument offered by Dr. Kaiser is doubly un-

8. Given the apparent transition in Exodus 21:29-30 to penal instructions where the death penalty may be used, but ransom is now permitted, it has seemed to some commentators that the death penalties in verses 12-25 (e.g., for kidnapping, violent attacks upon one's parents) are mandatory ones. This would not mean that *all* cases which prescribe the death penalty make it the mandatory punishment; there may be cases where the law should be read (in context, local or wider) as making the death penalty the maximum allowable sentence a judge may impose, allowing a lesser sentence where circumstances warranted. However, we can only determine this on a *case by case basis*, requiring sound Biblical reasoning in each instance, before determining that the prescription of execution is not absolutely required. (For example, Matthew 1:19 could be used to show that justice did not demand the death penalty in every case of sexual relations with a betrothed woman.)

sound. It rests upon a false premise, as well as fallaciously arguing from silence. There may, nevertheless, be flexibility *within* the penal code of the Old Testament which Biblical scholars need to take account of. However, Kaiser's line of reasoning does not demonstrate this conclusion, and even if the conclusion is true, Kaiser's statement of it calls for refinement and qualification.

Tremper Longman: Not Far From Theonomy

Much of what we have said in general about Kaiser's response to theonomy's view of the penal sanctions applies equally well to the article on this subject by Tremper Longman III.[9] Longman points out the fact of cultural and redemptive-historical differences between Old Testament Israel and modern America (which theonomists freely grant), and he examines the flexibility inherent in the Old Testament itself regarding the penal sanctions. As long as we are dealing with a flexibility *within* the law itself, we are not saying anything critical of the theonomic approach to ethics and politics. Longman shows that there was definitely some degree of flexibility and judicial discretion taught within the Old Testament law itself regarding some civil penalties – e.g., the choice between death or a ransom in the case of an ox that gores a second time (Ex. 21:28-32), the absence of a set number (except for a maximum limit) of lashes in Deuteronomy 25:1-3. Theonomists would teach the same thing in such cases.

As a matter of fact, what Longman has to say in his article is not so much a critique of the theonomic position, but a discussion which virtually agrees with it. He wants civic life guided by divine revelation, not autonomy and arbitrariness. He agrees that "the time *is* ripe" for a change from the prison system to the Old Testament requirement of restitution. He says more generally "the most significant contribution of theonomists, however, is simply their pointing to the Bible as crucial to the whole issue of just punishments. . . . There is deep wisdom and necessary guidance to be found in the principles of law and punishment contained in

9. "God's Law and Mosaic Punishments Today," *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey (Grand Rapids: Zondervan Publishing House, 1990), chapter 2.

the Old Testament. . . . We can be grateful to theonomy for forcing the church to take these issues seriously."

Misconceptions About Theonomy

Longman appears to think that his differences with theonomic penology are bigger than they really are because he entertains misperceptions of the outlook and attitude of theonomists. For instance, he repeatedly says that theonomists are loathe to admit any kind of "subjectivity" whatsoever in the process of using God's law in the punishment of criminals. This just is not so, but is simply the author's subjective impression. Longman thinks theonomists are unwilling to consider "the mentally deficient" or "minors" as ineligible for the death penalty for any capital crime. But I have taught those very exceptions for years (in carefully defined cases: e.g., incompetence due to organic brain disorders, the very young who should have been governed by their parents). Longman suggests that perhaps the *ius talionis* is "not mandating in every case" the penalty of death, but teaching the maximum penalty allowed. I am open to that possibility (in some, not all, cases of the death penalty), provided it is supported with sound reasoning and competent exegesis. (That has yet to be done, though.)

Longman believes that theonomists feel that the application of the Old Testament penal sanctions today is an easy and simple matter, not difficult at all—just a matter of looking up answers in a book (as it were). Those who know me and my teaching know better; I have never considered this an uncomplicated and simple matter. Far from being "unwilling to admit" the difficulty (as Longman paints me), I quite freely do so. (What disturbs me, of course, are those who insist it is an impossible thing to do or something we morally ought not even try to do.) According to Longman, in reading theonomic works "one can easily get the impression" that we believe the application of the penal code is simple and clear-cut. In 1990 Dr. Gary North published a detailed study of the case laws of Exodus 21-23, entitled *Tools of Dominion.* It ran over 1200 pages! In the same year he published a related book entitled *Victim's Rights.* This hardly gives the impression that

the application of the penal code is simplistic! Of course, we can make mistakes in applying it. This shortcoming, I trust, does not invalidate our arguments for the *need* to apply the law of God with respect to crime and punishment (which is admittedly difficult).

Anyway, Longman's perspective is, on the whole, not far from that of theonomy. Where he does disagree, he sometimes does so with no argumentation or proof at all.[10] Sometimes his thinking rests upon frivolous considerations – e.g., theonomic penology would, *mirabile dictu*, require "a new Mishnah"! (Can't we just hear early church heretics "refuting" the doctrine of the Trinity by pointing to the dreadful eventuality that this doctrine will require systematic theologies which are three-volumes long!) Sometimes he engages in *non sequiturs* – as when he draws the conclusion that Christian legal judgments should be "guided by the principles of Scripture rather than by the explicit statements of the Old Testament" from the premise that the explicit statements sometimes involve flexibility or difficulty in interpretation. Such considerations provide no support whatsoever for the idea of *turning away* from the "explicit statements" of Scripture and *substituting* more general principles! (Besides, are not "general principles" flexible and difficult to interpret also?) Jesus did not permit us the option of dismissing the explicit statements of Scripture – not even a jot or a tittle of the least commandment in the law (when properly interpreted of course, Matt. 5:17-19).

The only theological or exegetical arguments (brief though they be) which Longman sets forth contrary to the delimited area where he disagrees with the theonomic view of penology have already been answered elsewhere in this book.[11]

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10. For example, he simply dismisses as "unsuccessful" with a wave of his hand (stroke of his pen) the detailed and exegetically based theonomic argument against the idea that Jesus departed from the Old Testament view of divorce and revoked the civil penalty for adultery (p. 53). There is no demonstration offered.

11. The argument from Numbers 35:31-32 for numerous cases where a ransom could be substituted for the death penalty is rebutted in the discussion of Kaiser's view above. The argument that ecclesiastical excommunication replaces the civil penalty for something like blasphemy is challenged in chapter 12. The argument from God's special, holy presence in the midst of Israel is analyzed in my response

Conclusion

After hearing the many considerations or criticisms raised against the theonomic endorsement of the Old Testament law's civil sanctions (chapters 12-14), we still do not find a theologically sound, logically consistent, and exegetically based argument which disproves the theonomic perspective. Certain facts remain, after all the dust of debate has settled. Christians believe that justice has a universal character and is not culturally relative. Christians believe that God has ordained civil magistrates to wield the sword against criminal offenders, not in vain but with justice. Christians believe that crimes should not be punished too leniently or too excessively, but only according to what they deserve. Scripture teaches that within the Mosaic law, every transgression and offense received its "just recompense of reward" (Heb. 2:2). Therefore, if the critics of theonomy are unwilling to endorse the use of the Old Testament civil sanctions, they are caught on the horns of an unrelenting theological dilemma. In rejecting *God's revealed* standards for the civil punishment of criminals, the critics have either abandoned the need for justice in matters of crime and punishment, or they have fallen into the error of thinking that civil justice is completely variable (beyond the inspired and restricted flexibility in certain of the Old Testament's penal laws). In the end, they have no other divinely authorized standard by which to guide civil magistrates than the one proposed by theonomists. They are left promoting *just one more human opinion among many.* And human opinion is an inadequate basis upon which to deprive any other human being of his or her life, property or freedom. The critics of theonomy would thus, in *principle* (and not by intention), undermine the civil order of society and leave us with a "Beast" as our government. Think about it.

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to Meredith Kline in chapter 7. The conclusion is far from following from the premise; weaknesses in this Klinean kind of argument are also summarized by two of Longman's co-authors in *Theonomy: A Reformed Critique*: John Frame (chapter 4) and Vern Poythress (chapter 5).

"And now, Israel, what does Jehovah your God require of you, but to fear Jehovah your God, to walk in all his ways, and to love him, and to serve Jehovah your God with all your heart and with all your soul, to keep the commandments of Jehovah, and his statutes, which I command you this day for your good"

Deuteronomy 10:12-13

". . . the American evangelical community needs theonomy. It has emerged at the right time with exactly the right questions."

"Christians may find it easy to focus on accomplished salvation only in terms of forgiveness and consider deferred salvation only in terms of deliverance. It is that . . . imbalance that theonomy seeks to correct. Theonomy's great strength is that it seeks to offer detailed, specific, biblical direction for the shape of that correction."

Dr. Clair Davis,
Theonomy: A Reformed Critique
(1990), pp. 392, 397

"Most of those critics are rather unclear as to what they would put in the place of theonomy."

John Frame,
Theonomy: A Reformed Critique (1990), p. 92

"Christians who claim that our ethical standards are restricted to the New Testament cannot, if consistent, deal with the full range of moral issues in our day."

By This Standard (1985), p. 349

15

WHAT OTHER STANDARD?

Now that the theonomic position has been set out and defended against the criticisms of its opponents, it will be important for the reader to ask whether any critic has found *crucial* weaknesses in an area of the theonomic outlook which is logically *essential* to it. It will also be good to ask whether those who have opposed the thesis of *Theonomy* have not ended up with more theological difficulties of their own to resolve.

I have listened closely to these critics, and I especially notice the dramatic way in which some of them paint the theonomic position as a *major* theological error.[1] For instance, Kline said that *Theonomy* was "a delusive and grotesque perversion of the teaching of Scripture" which is "big and plain and simple" – missing the obvious message which any covenant child would have understood.[2] Chantry calls the theonomic perspective a "new legalism," a "perverted" view or "aberration" of "the unlearned" who do not belong to God's kingdom.[3] D. A. Rausch and D. E. Chismar accuse it of being "intellectually inadequate," "illogical" and "dangerous."[4]

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1. Some opponents have campaigned for institutional intolerance of theonomists, others have spread false accusations and public ridicule. Ironically, many of these harsh-speaking critics – without the benefit of self-examination – have had the nerve to try to paint *theonomic ethics* as the promoter of unkind, cold, judgmental, or hostile attitudes (cf. Romans 2:1)!

2. "Comments on an Old-New Error," *Westminster Theological Journal*, vol. 41, no. 1 (Fall, 1978), pp. 172, 176.

3. *God's Righteous Kingdom* (Edinburgh: Banner of Truth Trust, 1980), pp. 11, 87, 100, 123.

4. "The New Puritans and Their Theonomic Paradise," *The Christian Century*, vol. 100, no. 23 (Aug. 3-10, 1983), pp. 713, 715.

However, I am more than ever convinced now that whatever mistakes have been made are not big and obvious, but rather extremely subtle. Tremendous mistakes should not have proven *so difficult* for competent critics to expose and refute. In the end we will generally find far more rhetoric than cogent reasoning in what the detractors have had to say.

Throughout this volume we have seen how the attempted refutations of the theonomic position have turned out to be flawed and ineffective. They have been lacking in exegetical, theological and/or logical validity. But the *really nagging and essential drawback* to the views advanced by the critics is more basically practical in nature. By *what other standard* would they prefer to have our society governed, if not by the law of God?

It is difficult to see how the critics of theonomy can hope to bring any significant, relevant light into this very dark world of modern society and government, if they are unwilling to turn to the revealed wisdom of God's laws (even as found in the Old Testament). For instance, if God's law against rape has been abrogated (as they say by dismissing the Old Testament law) and is not repeated in the New Testament, on what basis would non-theonomists argue for a civil prohibition of this heinous crime? If God's revelation of a just civil treatment of convicted rapists has been abolished (as critics of theonomy argue), then what would non-theonomists put in its place? What should Christians counsel legislators (police, judges) regarding this degrading crime and seeing staggering rates of increase in our major cities? Would they simply fall back on the wisdom of men, on personal opinion and feeling, on the expert analyses of sociologists and psychologists, or just what? What would they do? What would they say? It is dishonoring to Christ the King to ignore this evil, to abandon our neighbors and society to civil injustice, to play theological parlor-games when people are suffering. What, then, do the non-theonomists have to offer? Nothing. Nothing which carries the authority of God's direction and sanction. "Christ is the answer" is not the answer. It is unhelpful and trivial in the face of a specific, practical challenge to show how Christianity makes any real difference in the world.

The Eventual, Practical Issue

In light of the Biblical, reasonable, and practical nature of the theonomic theses and conclusions explained in chapter 1 above, the position has not seemed so controversial to many people after all. The position makes perfectly good, ethical sense for a Christian. Furthermore, theonomic conclusions have a great deal of practical value in our day. It is not accidental that the glaring socio-political and criminal problems of the late twentieth century concern matters where our society has turned against the specific directives of God's law. What we are reaping is criminal anarchy on the one hand, and (ironically) an ever-increasing scope of state authority on the other. The state is doing more and more (and spending irresponsibly), but doing less and less of what God has ordained it to do for our good. Civil justice – respect for every person's rights, freedom and protection – has fallen in the streets. Have the critics of theonomic ethics not noticed this? Do they have any other standard to propose than God's law? What exactly is the alternative they have to theonomic ethics?

We have inherited the worst of both worlds when it comes to political theory: a social order which is simultaneously authoritarian (big government) and disrespectful of law (big crime). The state interferes with everything from milk prices to private Christian schools, promoting discriminatory results by unjustly restricting the market and our freedoms. Yet the criminal justice system is as ineffective and unfair as we have ever seen: first degree murder receiving a lighter sentence than armed robbery in some cases; teenage hoodlums being arrested up to seventeen times (including felonies) before spending any time in jail; molestation, rape, and destruction of property rising sharply in incidence and severity; unborn children slaughtered for convenience; assault and gang violence becoming a way of life (death); sexual infidelity as well as perversion promoted everywhere from the media to the schools (with no right to discriminate against it); prisons inhumanely warehousing offenders who will return repeatedly; plea-bargaining and early parole making a mockery out of already light sentences, etc. The opponents of theonomic ethics do not, I would bet, live in the neighborhoods which most often suffer from these

things. At the same time, the opponents of theonomic ethics have unwittingly turned us over to the worst kind of tyranny imaginable – political power which is not restrained by any objective, publicly accessible, written standard of transcendent justice by which the state's actions and prerogatives may be judged. Having no inscripturated morality from God as our socio-political standard (or nothing specific enough to be helpful), the critics of theonomy have no principled basis or guidance for a judicial system by which to protect us from those who defy God (criminals) or those who wish to play God (the state).

The most persuasive refutation – and biggest indictment – of those who have criticized theonomic ethics is not the detailed rebuttals found in the preceding pages. It is that they have *no other standard* to offer which can deal with the problems theonomy addresses. My experience has been, to be honest, that the critics show very little concern for those practical problems of men and society; their lifestyles insulate them from criminal and political injustice. And those who do show a concern for these practical problems would, amazingly, *prefer any other* solution to them *than* what is revealed in God's holy law. I hope the reader will step away from the trees just long enough to get an overview of the forest. If we are not supposed to be governed by God's law, then what *other standard* do the critics seriously set forth? I cannot see that they have offered any credible, Biblical alternative whatsoever.

If Christianity makes a difference – and Christ the King does indeed have an answer to this world's concrete socio-political problems – then the critics of theonomy must eschew reference to the Old Testament law and, nevertheless, promote a system of political and criminal justice which can be proven by Biblical exegesis of the New Covenant scriptures. They have yet to do so. I do not believe they can do so. Their alternatives end up being warmed-over left-overs from their own (humanistic) political traditions and personal preconceptions. It would be *more honorable* simply to admit that Christianity has nothing specifically to say to politics, privatizing the faith as a narrow and inward matter of piety. I praise God that He is bigger than that – that the reign

of Christ my King is universal, that the word inspired by the Holy Spirit equips us for every good work in this world. I praise the Lord Jesus that He is concerned about injustice and warfare (Psalm 72; Isaiah 2:2-4) – that in the face of criminal and political oppression, He decrees, "Let justice flow down like a river, righteousness like a never-failing stream!" (Amos 5:24). I am grateful that He, mercifully, has not been silent in directing this world as to what justice is. So with David of old, I am glad to say: "I will speak Thy testimonies before kings and shall not be put to shame" (Psalm 119:46).

"*Therefore* whosoever shall break one of these least commandments, and shall teach men so, shall be called least in the kingdom of heaven"

Matthew 5:19 (cf. vv. 17-18)

"The Golden Text of theonomy, Matthew 5:17, cannot aim to establish a theonomic ethic. . . . Jesus cannot be establishing every jot and tittle of the law, as Bahnsen's thesis declares, and at the same time abrogate some of the laws. The many specific changes of the law in the New Testament seriously undermine the thesis that the burden of proof rests on the interpreter to show that the law is not in force."

Dr. Bruce Waltke,
Theonomy: A Reformed Critique (1990), pp. 80, 81

"If we are to submit to God's law, then we must submit to every bit of it (*as well* as its *own* qualifications). . . . Every jot and tittle of the law must be as jealously guarded as Christ guarded it (Matt. 5:17-20). . . . The *presumption* would have to be continuity, not contradiction."

Theonomy in Christian Ethics
(1977), pp. 309-310, 313

Appendix A

THE EXEGESIS OF MATTHEW 5

Exegetical treatment of a theological subject is necessitated by a commitment to *sola Scriptura*. Sadly, many critics of theonomic ethics have virtually skirted such considerations in addressing the question of the validity of God's law today, thereby weakening the persuasive power of their efforts for Bible-believing Christians. For the believer committed only and totally to Scripture as the authoritative source for his theology, disputed issues must always be resolved on the basis of what God actually teaches in His infallible word. "Let God be true, though all men are liars" (Rom. 3:4).

Did Jesus assume basic continuity or basic discontinuity between His ethic and that of Moses? In asking whether we should presume that the old covenant law is binding or abrogated today, one relevant and important passage which cannot be avoided is Matthew 5:17-19. Thus it was given detailed attention in my book *Theonomy in Christian Ethics*, even though it is not the only text which could be used to substantiate the theonomic operating premise. The absolutistic character of Christ's words in Matthew 5:17-19 certainly supports the operating assumption of basic continuity.[1]

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1. Bruce Waltke quickly tries to dismiss the theonomic reading of Matthew 5:17-19 by saying that "Jesus cannot be establishing every jot and tittle of the law, as Bahnsen's thesis declares, and at the same time abrogate some of the laws [elsewhere]" ("Theonomy in Relation to Dispensational and Covenant Theologies" in *Theonomy: A Reformed Critique*, ed. William S. Barker and W. Robert Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 81). But as a biblical exegete, Waltke knows better than this. You may not avoid or alter the *linguistic meaning* of a text by looking at *other* Biblical teachings out of the corner of your eye. You may

It is in a theonomic approach to the Old Testament law that one finds an explicit, consistent, and Biblically based principle of continuity and discontinuity. Theonomy teaches that we should presume continuity with the Old Testament law *unless Scripture elsewhere* gives warrant for modification of it or laying it aside.[2] For example, in Acts 10 and Hebrews 9-10 we see the use of ceremonial features of the law altered, and in texts such as Matthew 21:43; Galatians 3:7,29; Ephesians 1:13-14; and I Peter 1:3-5 we see changes relevant to the identity of God's people today and to the land of Israel's inheritance. When a Christian offers *scriptural* exegesis as the basis for not applying an Old Testament command today, he is behaving like a theonomist. But if he simplistically argues against applying an Old Testament command because it comes from the Old Testament (was intended for Israel, was part of the theocracy, is not revealed in the New Covenant, comes from the era of law and not grace, is too horrible to follow today, etc.), he is reasoning in a way contrary to theonomic teaching. He is using a hermeneutical meat cleaver where a scalpel

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import whatever theological distinctions and qualifications which are appropriate into the matter as an interpreter and preacher of the text, but you *may not* read them *into* that text (in the name of "exegesis," reading them out). Waltke as much as theonomists and anybody else must deal honestly with the absolutistic character of Christ's words in Matthew 5:17-19. Theonomists see Him using a common teaching device of laying down the general principle, but allowing for qualifications and refinements to be brought in later. If Waltke has a better proposal, he has yet to give it.

2. In an otherwise fine essay discussing the continuities and contrasts between Old and New Covenants, Robert Knudsen near the end of his article gives expression to a hasty *non sequitur*. He says "Thus, we may not assume that every law in the Old Testament age without exception continues to apply until it has been revoked" ("May We Use the Term *Theonomy*. . . ?" in *Theonomy: A Reformed Critique*, p. 36). Nothing in the twenty preceding pages of the article offers any relevant premise from which such a conclusion follows, however; indeed, much of what Dr. Knudsen says about the moral continuity between the Testaments would tell *against* such a conclusion. Knudsen's inference (that we may not presume continuity) stands in open contradiction to the words of our Lord in Matthew 5:17-19. Knudsen says that we may apply a specific Old Testament law today "only if it fits." Theonomists say that the objective standard of *appropriateness* for an Old Testament law (whether it "fits" the New Covenant or not) can only be the word of Jesus Christ itself. We have no extrascriptural knowledge of moral "fitness" which may be applied to God's revealed will.

is required. There is no New Testament text that can be found which (when exegetically studied with precision) speaks emphatically and categorically for an attitude of *dis*continuity toward each and every command of the Old Testament. Matthew 5:17-19 should settle the basic hermeneutical dispute between theonomists and non-theonomists. It is the same hermeneutical dispute that separates covenant theology in general from dispensational theology.

In this chapter we will look at two representative efforts to defeat the basic exegetical understanding of Matthew 5:17-19. The reader can decide for himself whether the two critics have been successful, or whether their exegetical errors undermine their attempted refutations.

Fowler's Critique of the Exegesis of Matthew 5

Paul B. Fowler has circulated a lengthy paper entitled "God's Law Free From Legalism: Critique of *Theonomy in Christian Ethics*."[3] Actually, Dr. Fowler has made *two* efforts at presenting a convincing exegetical argument against the treatment of Matthew 5:17-19 in *Theonomy*.[4] The second attempt was considerably longer than his first paper, repudiated and *reversed* his earlier approach

3. Bruce Waltke relies upon Fowler's exegesis ("Dispensational and Covenant Theologies," *Theonomy: A Reformed Critique*, ed. Barker and Godfrey [Grand Rapids: Zondervan Publishing House, 1990], p. 80). The argument of dispensationalists House and Ice in *Dominion Theology* (Portland, Oregon: Multnomah Press, 1988) follows the line of thought set forth earlier by Paul Fowler at crucial points. The dispensationalist Robert Lightner likewise criticizes the theonomic exegesis of Matthew 5:17-19 by depending upon the work of Fowler; see "Non-dispensational Responses to Theonomy," "A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 (April-June, 1986), pp. 136-137. When Lightner adds his own critical notes about the theonomic exegesis of Matthew 5:17, he focuses upon my translation of the word *plaroo* as "to confirm in full measure." However, Lightner *grants* that the word can and does mean this sometimes. He misconstrues the theonomic view as choosing this translation *instead of* "to fulfill." In fact, the question is rather *which* of the many senses of "fulfill" is more precisely intended in this text? Lightner minimizes the teaching of Jesus – and divorces it from the specific issue which prompted an answer from Jesus – when he says "it is better to understand Christ's words as teaching the inerrancy of Scripture" ("A Dispensational Response to Theonomy," *Bibliotheca Sacra*, vol. 143 [July-Sept., 1986], p. 230).

4. In 1979 Dr. Fowler, a New Testament instructor in the seminary where I was teaching, privately distributed a 37-page discussion entitled "Theonomy," which was taken up by a study committee in Evangel Presbytery, P.C.A., as well as by many

to verse 19 (and thereby the overall thrust of the passage), and shifted the crux of his argument away from exegesis to a *theological* discussion of the "judicial laws" and the New Testament form of God's kingdom. The changes made by Fowler are significant ones. Between his first and second efforts to criticize theonomy, he has silently conceded the overall debate, hanging on now merely to differences of detail.

Although his second paper needed to soften his criticism of my treatment of Matthew 5:17, the most important change from Fowler's first effort to criticize the theonomic position to his second effort has been his complete turn-around regarding the teaching of Matthew 5:19. So dramatic has been his shift that Fowler has unwittingly come around to the very position taken by my book, when all is said and done! In his first paper, Fowler suggested that it was only "at first glance" that it "might appear" that this verse teaches the need for "meticulous observance by Kingdom citizens of the least details of the Old Testament law." In an attempt to overcome this initial appearance, Fowler began to question what "the content" of "these least commandments" would be, indicating that it had to be some thing "deeper and more profound" than the Mosaic laws which the Pharisees kept – and which Jesus went on to modify in this passage. If Fowler granted the initial theonomic impression of Matthew 5:19, his case would be lost, and so he struggled to find a way around it. Turning away from literary exegesis, he hoped that a look at the (alleged) history of Reformed theological treatment of the law would offer an understanding of the content of "the least commandments" in Matthew 5:19 which would not be theonomic.

What is most significant now is that with the distribution of his second effort, Dr. Fowler has *completely revised* his approach to Matthew 5:19. The original three pages dealing with this verse have been completely dropped out of sight, and ten completely new pages have replaced them. "The issue" regarding Matthew

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others seeking a refutation of my book. I subsequently distributed a thorough analysis and rebuttal of that paper. Then in February, 1980, Dr. Fowler privately published a *revised* paper entitled "God's Law Free from Legalism" (distributed from Reformed Theological Seminary, Jackson, Mississippi).

5:19 is no longer what the content of "these least commandments" might be, but *rather* whether Jesus' broad affirmation was "meant to be qualified or not." Fowler *now* concedes that there is "little doubt" that Jesus was referring here to the minutiae of the Old Testament commandments. Fowler *now* says that these details are not distasteful or legalistic, as though they might not be deep or profound enough for genuine heart-felt righteousness. In short, Fowler's new position is that Jesus endorsed meticulous obedience to the Old Testament commandments in Matthew 5:19, and the only remaining question is whether this broad endorsement is not qualified by other Biblical considerations. And this is, ironically, the very perspective advocated by theonomic ethics! The Old Testament law remains binding unless Biblically qualified.

Dr. Fowler does a poor job of communicating my view, and an even poorer job of refuting it in what follows. In the first place, as a student of the New Testament, I would be happy to translate *plarosai* in Matthew 5:17 simply as "to fulfill." The immediate question arises, however: "In *what sense* did Christ fulfill the law?" Thus, we are forced to offer a precising definition of the Greek word involved. In the second place, when Fowler presents my view (wrongly suggesting that it conflicts with "to fulfill"), he does not express it fully – even as the Pharisees failed to express the meaning of the law fully! Because the scribes and rabbis truncated the meaning of the law, Jesus expressed his supportive relation to that law as ratifying its full intent (cf. "ful*fill*ing"). So I claim that *plarosai* teaches that "He came to confirm and restore the full measure, intent, and purpose of the Older Testamental law."[5] This view also has scholarly support from non-theonomists. Fowler's portrayal is quite narrow and barren by comparison. That Fowler would accuse me of the confused schoolboy mistake of interpreting a Greek word by an English dictionary shows that he has not grasped the technical linguistic argument at all. Given the syntactical setting in Matthew 5:17 (especially the operator, *alla*), one needs to find a correct functional equivalence in the target language for *plarosai*; *this* is where the English language authorities necessarily come into the question. One must finally

5. *Theonomy*, p. 64.

note the *available* senses of the Greek term and choose that translation which is the best functional equivalent (indicated by the syntactical use of the term and the English counterparts).

The distinction between common words for "confirm" and "fulfill" which Fowler points to in Hebrew and Greek is utterly irrelevant, for this does nothing to preclude the use of one word as a precising definition of the other in suitable contexts. In every language there is more than one way to express the same thing, and any linguist knows that the combinations and distributions of senses for verbal tokens do not have a one-for-one correspondence or parallel between different languages. Consequently, Fowler's observation that *one* of the Hebrew words for "confirm" is never rendered in the (Greek) Septuagint by the Greek word "fulfill" is greatly beside the point. It is all the more irrelevant, since Fowler must eventually admit that linguistic authorities and translators recognize that a common Hebrew equivalent for the Greek word *plaroo* appears in the Old Testament with the obvious sense of "to confirm."

What other reasons can Fowler offer, then, for rejecting the linguistic argument set forth in *Theonomy* that *plarosai* has the precise sense of "to confirm in full measure"? Well, Fowler demurs at the suggestion that *alla* implies exact opposites – contrary to the testimony of Greek grammarians. He offers counter-instances, all of which bear testimony to a real failure of understanding on his part. For instance, Fowler thinks that the exact-opposite understanding of *alla* conflicts with Matthew 6:13 ("Lead us not into temptation, *but* deliver us from evil") because it would allegedly require the verse to be translated: "*Lead* us not into temptation, but *mislead* us from evil." What this reveals, however, is simply that Dr. Fowler confuses concepts with words. The opposition expressed in a statement utilizing *alla* is an opposition in concepts, not necessarily in single words (much less the main verbs)! Delivering us from the evil one *is indeed* the exact opposite (in conception) to leading us into temptation. This verse in reality *substantiates* the point made by Greek grammarians about the adversative *alla*! Fowler's critique of my method of determining the precise sense for "fulfill" in Matthew 5:17 has simply not found any validity.

Fowler misconceives my position when he states that it is "critical" to my interpretation of Matthew 5:17 that Jesus is not speaking of His life. *If* Jesus meant to state there that His life would be in utter conformity to the Old Testament, this would still imply the law's continuing validity, and thus the point is *not* critical for my thesis at all. Further, the simple use of the Greek verb *althon* does nothing (contrary to Fowler) to indicate the *purpose* of the "coming" which the verb expresses. In his discussion, Fowler commits the fallacy which is often found in Kittel-type word studies: namely, assuming that every instance of a word carries with it the accumulated load of its connotations everywhere else it is used. The issue is the *precise* use of the word in the *particular* text before us. Fowler's assertion that Jesus' teaching and life cannot be divorced is beside the point. The fact is that they can be *distinguished* (even as the heads and tails of a coin cannot be divorced but distinguished) and thus referred to separately. Anyone can look at the context of Matthew 5:17 and see that it is not pointedly about the life and behavior of Christ, but rather a discourse (His doctrine) about the lifestyle of His followers.

The debate between Fowler and myself over the 18th verse of Matthew 5 would be with respect to the closing *panta genetai* clause. He mistakenly states my position when he claims that I make the two *heos* clauses "read as one" and that I would translate *genetai* as "become invalid." In fact, what I see in Matthew 5:18 is the common device of parallelism, the two *heos* clauses being functionally equivalent to each other (viz., referring to the end of the world). What is wrong with interpreting "until heaven and earth pass away" as parallel to "until everything comes to pass"? Fowler points to the change of main verb from one *heos* clause to the other as showing that something new is being said, but this is a *non sequitur*. It may simply be that the *same* thing is being said in a *new way*. Fowler would prefer to parallel "come to pass" in Matthew 5:18 with "fulfill" in 5:17, but this is merely a personal preference without argument. The syntactical parallelism *within* verse 18 (rather than between verses 17 and 18) is surely more obvious.

Fowler's basic argument against my interpretation of "until all things come to pass" as functionally equivalent to "until heaven and earth pass away" is that this would be possible only if the words "all things" (*panta*) had no antecedent. I maintain that *panta* indeed has no antecedent because it does not agree in gender with any of the relevant, preceding words or phrases. Fowler's interpretation of Matthew 5:18 rests entirely upon the legitimacy of his making the "all things" refer to the "jots or tittles" of the law. As he sees it, Jesus taught in Matthew 5:18 that the Old Testament commandments would not pass away until He accomplished obeying them all – until "all things" (the jots and tittles of the law) came to pass in His life.

The issue over Matthew 5:18, therefore, comes down to whether *panta* can take *iota hen a mia keraia* as its proper antecedent (as Fowler's view demands) or not (as my view maintains). There is a *prima facie* problem with Fowler's view, of course. "All things" does not agree with "one jot or one tittle" (in the Greek original) in either number or gender. Fowler responds that *panta* is plural so as to agree with "one jot or one tittle" in an inclusive sense (jots and tittles of the law together), and it is neuter in gender so as to agree with "one jot" which has the commanding position in its combined phrase ("one jot or one tittle"). But all of this is quite *contrary to common Greek grammar.* In the first place, Fowler's treatment of "one jot or one tittle" as a plural expression changes the very sense of the phrase in Matthew 5:18. Whereas Matthew uses it disjunctively and mentions two separate objects for the sense of emphasis (note how the adjective "one" is repeated) – "not one jot *or* one tittle" – Fowler treats it conjunctively and inclusively (as "jots and tittles"). He is reading into the verse, not exegeting out of it! Moreover, Fowler has violated the regular pattern of Greek grammar with respect to gender agreement with compound nominal expressions (like "one jot or one tittle"). The gender of "all" would ordinarily agree with the gender of the *last* mentioned item in its complex antecedent. Thus if "all things" were to take "one jot or one tittle" as its antecedent, it would agree in gender with "tittle" (rather than with "jot"), and this is not the case in Matthew 5:18. Thus Fowler is wrong.

However, he has one more argument to set forth. He notes that the verb in this clause, *pareltha*, is in the third person singular, and he recalls that a neuter plural subject in Greek can take a third person singular verb; he concludes, then, that *panta* is being treated like a neuter plural subject. Fowler's reasoning here is as fallacious as his Greek grammar. In the first place, the practice of using a singular verb with neuter plural subjects pertains to words, *not* phrases. In the second place, Fowler commits a notorious logical fallacy here: affirming the consequent. He reasons: (1) If a subject is neuter plural, then it can take a singular verb; (2) "one jot or one tittle" is a subject taking a singular verb; and (3) therefore, "one jot or one tittle" is a neuter plural subject. To put it simply: (1) If P, then Q; (2) Q; (3) Therefore, P. One just as well could argue: (1) If Castro shot Kennedy, Castro is a scoundrel; (2) Castro is a scoundrel; (3) therefore, Castro shot Kennedy. Such reasoning patterns are totally unacceptable (for they overlook other causes or reasons for the second premise than the one suggested in the first premise). Blass and Debrunner sufficiently explain why "pass away" is in the singular; this is what we expect when the subject of the clause is two singular subjects connected by *a* – precisely the situation in Matthew 5:18.

Fowler's treatment of *genetai*, taking it to mean "fulfill," is a further flaw in his interpretation of Matthew 5:18. His appeal to a parallel with 5:17 is based on his own unproven assumptions, and his appeal to "root meaning" is simply contrary to fact for this common and colorless Greek verb. Fowler just reads into this word the heavy theological overtones he seeks to find. Fowler's interpretation of this verse would, moreover, suggest that the Old Testament commandments (e.g., prohibition on bestiality) passed away when Jesus himself perfectly obeyed them – which is theologically and ethically intolerable, as though three years after Jesus' dramatic statement it became morally permissible for people to commit bestiality, the law having now passed away!

Finally, it should be noted that Fowler's interpretation creates a contradiction within Matthew 5:18, for it portrays the saying of Jesus as specifying two conflicting points of termination for the

law's validity – one at the end of history, and the other sometime within history (when the law is perfectly kept or realized by Jesus). Fowler's reply is that the second temporal clause is intended to specify more narrowly the termination point which is more broadly indicated in the first temporal clause; the first clause offers a framework, and the second sets the specific limit. This is really far-fetched! Why would the first temporal clause – laying down an alleged "framework" – be mentioned at all? (Why would the mortgage company write to you and say that *within the framework of the next century* your house payment is due on the first of next month?) Fowler's claim that the second temporal clause is "more exact" than the first is patently mistaken to anyone who will compare "until all things come to pass" with "until heaven and earth pass away." The "all things" clause utilizes much broader, less specific Greek words than the "heaven and earth" clause. Finally, we can note that Fowler's interpretation of Matthew 5:18 would demand some kind of coordinating or subordinating conjunction in the verse, giving the relation between the two temporal clauses (if they are not taken as parallel to each other). To say, "Until the end of the game Riley will remain the quarterback, *or* until he is injured" makes perfectly good, grammatical sense. But the statement makes no sense with the word "or" removed. Since no such connective stands in the Greek for Matthew 5:18, we must judge that Fowler's suggested way of treating the verse leaves it grammatically senseless.

Long's Critique of the Exegesis of Matthew 5

Much of Gary Long's paper, entitled "Biblical Law and Ethics: Absolute and Covenantal (An Exegetical and Theological Study of Matthew 5:17-20)"[6] is both accurate and spiritually nourishing, in need of no answer. I especially agree with his criticisms of those who equate "moral law" simply with the Deca-

6. The essay was presented at the 1980 "Council on Baptist Theology" held in Dallas; this is the manuscript which I answer here. I have learned subsequently that Rev. Long's paper can be found serialized in the American tabloid, *Sword and Trowel* (1980-81), or published in pamphlet form (Rochester, New York: Backus Books, 1981).

logue. Nevertheless, his treatment of the Matthew passage does suffer from certain exegetical and logical errors of which we must take account, and they are of such a nature as to deprive his criticism of the theonomic understanding of force.[7] Fundamentally, what separates Long from theonomists is that he presumes abrogation, while they presume continuing validity, between the Mosaic law and Christ. Long's handling of Matthew 5:17-19 shows how frustrating it can be to try to maintain the presumption of discontinuity with the law. Honest scrutiny will indicate that even Long cannot support such a discontinuity *exegetically* from Matthew 5:17-19, but must turn to theological convictions he believes to be based on *other* passages outside of the one in question here.[8]

It is Long's opinion that we are "not under law . . . as a rule," and that the covenant law of Moses "is not applicable today." He asserts that we are under obligation to the Old Testament *only* to the degree that it has been *repeated* ("only so much of it as has been taken up and incorporated into Christianity"). However in the actual text of Matthew 5:17-19 Jesus said that because the Old Testament law was not abrogated (Matthew 5:17) and will remain valid as long as heaven and earth stand (v. 18), whoever teaches men the breaking of even the least commandment will be least in the kingdom of heaven (v. 19). This certainly *appears* to teach the fundamental principle of theonomic

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7. From a logical standpoint, one could prove any conclusion he wishes from Long's premises since he contradicts himself throughout the paper. On the one hand, he teaches that Christ came to disannul the Mosaic Covenant's law (manuscript pp. 11, 17, 19, 24, 25, 27, 29, 33) – and yet elsewhere he teaches that Christ "in no way" disannulled God's will from the Old Testament (pp. 7, 10). On the one hand, he teaches that some Old Testament commandments have been realized or accomplished and are now dated (pp. 34-35) – even though elsewhere he says that "not one" of the least Old Testament commandments can be violated without penalty (p. 36). On the one hand he says the *whole* Mosaic law as covenant law has been abolished and passed away, not being applicable or binding any longer (pp. 14, 15, 16, 22, 28, 32, 38, 43) – but elsewhere he says that Christ came to apply the unchanging standard of righteousness found in the Old Testament commandments, that *aspect of* them which is eternally binding (pp. 4, 7, 10, 22, 25-26, 35, 39, 46).

8. At one point even Long has to candidly admit: "This distinction is implied but not expressly stated in Matthew 5:17, 19" (manuscript p. 22). He does not demonstrate that it is even implied, in my view.

ethics: viz., we are to presume that any Old Testament commandment is binding today (when properly interpreted) unless God's word itself teaches us otherwise. In the face of the warning from Jesus, only a word from God Himself should be acceptable to us as a basis for turning away from applying any commandment from the Old Testament scripture.

Nevertheless Long does not acknowledge what appears so obvious here. He baldly asserts: "the saying of our Lord in Matthew 5:19 is surely no basis for asserting either the applicability today of all the Mosaic law as covenant law, or the applicability of any particular part or parts of it in its covenant configuration." What makes Long so "surely" deny this? What evidence does he offer in support of his opinion? "The covenantal distinctions of God's law . . . are not being specifically dealt with in the Sermon on the Mount. Therefore, 'no deduction can be drawn from these words binding the Jewish law, or any part of it, as such, upon Christians'." That is, unless necessary qualifications are specifically drawn *right here* in the local context of the passage (rather than elsewhere in further revelation), no basis *whatsoever* can be found for answering a question about the law's presumed validity or invalidity today. This logic needs to be untwisted. It would rather seem that *just because* no qualifications were made by Jesus in the text before us (and will need to be gathered from other texts of God's word), the passage provides a clear *presumption* for the validity of any and all Old Testament commandments. Just because of the unqualified character of Jesus' declaration — and its explicit scope (even "the least commandment") — His declaration *does indeed* provide a basis for asserting an answer to the question of the applicability of the Mosaic law today — however it is not Long's preconceived and desired answer.

The desperation of Long's maneuver comes out when he winds up saying that Matthew 5:19 merely teaches the inviolability "of all applicable commandments" — thus turning the stern warning of Jesus into an empty tautology! We can be sure that our Lord was not simply insisting upon something which is true by definition. To interpret the verse in any way that allows us freedom to neglect any Old Testament requirement, without defi-

nite justification from scripture, is to *reverse* the very meaning of Jesus' declaration. At best, this is what Long is left saying about the authoritative continuity between Old and New Testaments based on Matthew 5:17-19: "the inspired documents continue to stand, primarily as a witness." Implications about the plenary inspiration of the Old Testament can very well be found in the passage, but they are implications. They cannot legitimately be used to push out of sight the direct and specific teaching of the passage about the continuing validity of the moral standards found throughout the Old Testament canon – which is the point relevant to what Jesus was explaining to His hearers. It was the moral authority of the Old Testament, not simply the continuation of its witnessing character as a document, which Jesus addressed.

In terms of an overall evaluation, the preceding criticism indicates the fundamental defect in Long's understanding of Matthew 5:17-19. There are also a host of particular analytical problems which should be mentioned as well. It is not always easy to tell just what Long means when he expounds his own position. It is obscured by vagueness, ambiguity and equivocation.[9] In presenting his case, Long is also not careful to avoid falling into question-begging.[10] He needs to explicate much more (and offer supporting reasons) for his manner of characterizing the tempo-

9. For example, he uses the word 'realization' (or expression 'bring to realization') with so many different objects, in so many different settings, in so many different constructions, and with so many different entailments or results (developing some things, conserving other things, abrogating yet other things), that the careful reader must wonder if the word has not become elastic enough to accommodate just about any theological perspective you wish. Long even speaks of an "unchanging" standard of righteousness being brought to "full realization" – in which case the unchanging undergoes change!

10. For example, he "argues" that his understanding of "disannul" in Matthew 5:17 must be correct, for otherwise we would be driven to the theonomic conclusion that in some legal sense the New Covenant believer is yet under the Old Covenant, which Long says is "utterly contrary" to the New Covenant Scriptures. But that is precisely what Long is supposed to demonstrate – not take for granted! He again simply begs the question when rejecting 'establish' as a translation for 'fulfill' in Matthew 5:17, saying that this translation would affirm the abiding validity of the Mosaic covenant without its ceremonial dress, including a divine mandate today for civil governments to enforce the Old Testament penal sanctions! That is, such a translation cannot be correct, because then Long would be proved wrong!

rary aspects of Old Testament law.[11]

Long's treatment of Matthew 5:17 is weighed down with exegetical difficulties as well. He insists that the verse pertains to Christ's life (behavior) and teaching, even though there is nothing in the local context which broaches the subject of Christ's own actions or achievements. Christ speaks of the purpose or effect of His coming as the Messiah – the effect of that advent on the theological issue of the law's validity. The fact that His own behavior and teaching were relevant to each other does not (as Long thinks) justify reading a reference to Christ's own life (in addition to his teaching) *into* the text. Long's treatment of "law or prophets" is also strained. He acknowledges that this is common phraseology for the literary collection of the Old Testament canon, but Long also wants it to denote the promise features and the command features of Old Testament teaching. He really cannot have it both ways, though. It may be a fine piece of exhortation to say, as he does, "the law and the prophets and commandments and promise go together in a unity that have their Messianic fulfillment in the New Covenant mediator," but it is deplorable literary exegesis. One phrase in one verse does not mean *all* of these things simultaneously. Looking at the context of the verse, it should be evident that Jesus was not dealing with the prophecies of the Old Testament canon at all, but rather with its moral instruction (found throughout the canon – throughout "the law or the prophets"). There is simply no *textual* basis for Long to import a reference to Old Testament promises or prophecies into Matthew 5:17.

Long attempts to defend his exegesis of v. 17 with the unusual suggestion that, although Jesus was speaking in Greek, He was thinking according to Hebrew idiom – which allows a negative assertion to be taken comparatively, rather than absolutely. That

11. Long claims that the covenantal or temporary aspects of the law are those parts of it which pertain to sanctions and motives, pertain to community rather than individual, or pertain to administration or configuration of the covenant. This is open to a wide range of meanings, as well as numerous easy Biblical counter-examples. Love is a motive in both Old and New Testaments. Murder is surely a community concern. What is the "configuration" of a covenant all about?

is, when Jesus declared "I did not come to disannul," he meant "I did not come *primarily* [comparatively] to disannul the law." What Long really wants to argue (to strengthen his case) is that the words of Jesus, "I came not to disannul but to fulfill," are a case of relative negation. This is readily countenanced by Greek grammarians. The Greek construction "*ou . . . alla*" which is usually translated by the formula "*not* A *but* B," can sometimes be taken in the sense of "not so much this, but that."[12] This formula is sometimes used in Greek to tone down a first element in order to bring into the picture an added element, thus having an ascensive thrust – viz., "not only . . . but even more" (cf. Matt. 4:4; 21:21). For example: "the one believing on me does *not* believe (so much) on me, *but* (even more) on the One who sent me" (John 12:44).

Now then, is this what Jesus was doing in Matthew 5:17? Despite Long's theological preconceptions which lead him to answer yes, there are strong exegetical grounds for denying the idea that Jesus was using relative negation in this verse. Ordinarily "*ou . . . alla*" clauses communicate sharp contrast, rather than relative negation. This is especially the case in Matthew's writing (see, e.g., 5:15; 7:21; 8:8; 9:12, 13, 24; 10:24; 13:21; 15:11; 16:12, 17, 23; 17:12; 18:30; 19:11; 20:23, 26, 28; 22:32). If Matthew was using relative negative in Matthew 5:17, it is most certainly the exception to his general rule! Furthermore, the accepted instances of this linguistic phenomenon of relative negation all show a discernible pattern of paradox in their introductory clauses. The dialectical pattern of communication is this: affirm A, deny A, but (even more) assert B. The paradox of affirming and denying A is resolved by the statement of B. Notice these examples. "Whoever receives me does not receive me, but (even more) the One who sent me" (Mark 9:37; cf. John 12:44). "My teaching is not mine, but (even more) His who sent me" (John 7:16). This is precisely what we find in one undisputed instance of relative negation in Matthew's gospel: "it will be given what you may say, for you are not the ones speaking, but (even more) the Spirit of your Father who speaks in you" (Matt. 10:19-20). What is

12. For instance, see Blass and DeBrunner, *A Greek Grammar of the New Testament* (Chicago: University Press, 1961), p. 233.

obvious or stated to be the case is denied, and the contradiction is relieved by the ascensive thrust of the word "but." It is just this paradoxical introductory formula which is not only absent in Matthew 5:17, but is the *very opposite* of what we actually find. Far from a paradoxical foil against which Jesus might direct an ascensive negation, Jesus delivered a *double direct denial* of something. He denied that His coming was for the purpose of abrogating the law; then He denied it again for emphasis. Then he set forth the diametric opposite by means of the standard, contrasting negation: "but rather to fulfill." This is not the toning down of an opening (paradoxical) negation, but the explanation of an opening emphatic denial.

Our final criticism of Long's exegetical handling of Matthew 5:17 is his treatment of the verb *plarosai* ("to fulfill"). The effect of Long's treatment of the verse is to have Jesus teaching, "I came to disannul the law *by* fulfilling it," thus turning the verse into the very opposite of what Jesus actually said ("I came not to disannul, but rather to fulfill").[13] "Fulfill" is the antithesis, not the agency, of disannulling the law! Moreover, Long understands the word "fulfill" (*plaroo*) to mean "bring to full realization." This allows the text to mean anything and everything found in the interpreter's theological preconceptions. For Long, that Jesus brought the entire Old Testament to realization means, at one and the same time, that: the temporary fell away, the permanent was preserved, the Old Testament was fulfilled, the whole Mosaic covenant was disannulled, the one standard of righteousness was validated, Jesus obeyed the law in His personal life, Jesus taught the universal principle of righteousness, Jesus accomplished the prophetic predictions, Jesus was the antitype of the ceremonies, Jesus wrote the law on the heart, Jesus gave grace to obey the

13. Likewise, Paul Schrotenboer somehow ends up with "fulfill" supporting the discontinuity (as opposed to continuity) side of Christ's relation to the Old Testament law—which is obviously and completely at odds with the local context. See "The Principled Pluralist Response to Theonomy," in *God and Politics: Four Views*, ed. Gary Scott Smith (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1989), chapter 2. As I point out in my reply to Schrotenboer (in the same volume), he also does violence to the exegetical context of the passage by holding that "fulfill" pertains to Christ's redemptive acts and mission.

law, Jesus took away the law's curse, Jesus culminates the revealed truth, Jesus fulfilled Jewish history, Jesus satisfied man's aspirations and hopes, and Jesus replaced the Old Covenant with the New! Needless to say, one word cannot simultaneously intend to communicate all of these things. Long thinks of bringing something to full realization as its occurrence as an event, but elsewhere as setting down its legal status (sometimes abrogating it, sometimes preserving it). This interpretive zig-zag is hard to follow, being less the result of controlled textual exegesis than the result of wanting to say everything at once. If *plaroo* is given completely diverse and even contradictory senses all at one time, it has actually been rendered sense*less*.

Long's treatment of Matthew 5:18 makes some of the same mistakes as did Fowler's (providing an antecedent for *panta*, treating *genatai* as if it were *plarosai*, etc.), but the final and decisive problem with Long's interpretation of Matthew 5:18 is this: He says that the verse assures us that before the earth passes away, not the least aspect of the Old Testament will be unaccomplished. The various parts of the Old Testament will individually, in their own appropriate time, become gradually accomplished, dated and will pass away, in the course of history, *but* the *entire* Old Testament will not become dated as a whole until the end of the universe. There are a host of real problems with this unusual suggestion, but the most salient point is that this runs counter to the precise language of Matthew 5:18. What Jesus said there is that *not even the slightest detail* ("jot or tittle") – much less the Old Testament as a whole – will pass away until heaven and earth pass away. It is not merely the complete contents of the Old Testament that will not expire prior to the universe passing away, but not even the smallest part of the Old Testament. Jesus is dealing with minute parts, but Long's interpretation assumes that Jesus spoke simply of the Old Testament as a collective whole. Any treatment of Matthew 5:18 which renders the last clause as invalidating the law prior to the end of history (which Long intends to do) makes the verse self-contradictory.

Conclusion

Other critics have given attention to the exegesis of Matthew

5:17-19 in *Theonomy*, but most everything they have said is already dealt with in the responses above. The reader can judge for himself whether the theonomic interpretation of this text is outlandishly wrong (as some try to say) or closer to the mark than what the critics have proposed in its place. Surely we cannot miss the stress Jesus placed on His continuity with the moral standards of the Old Testament, each and every one of them (we must presume). All participants in the debate over God's law must put aside their polemics and scholarly strategies long enough to bow to the solemn word of their Lord: "Whoever breaks the least of these commandments and teaches men so shall be called least in the kingdom of heaven" (Matthew 5:19). When all of the debating is finished, each of us will still be left to deal before God with that direct admonition.

Appendix B

POYTHRESS AS A THEONOMIST

After I had sent the manuscript for this book to the printer, a new book relevant to theonomy appeared in publication, about which it would be appropriate for me to append a brief response. I enjoyed and learned much from reading *The Shadow of Christ in the Law of Moses*[1] by my friend and former seminary classmate, Vern Poythress. I appreciate the kind and thoughtful spirit of his book, as well as many of its insights. At various times over the years he has addressed the subject of theonomy, and the transition from his initial antagonism to virtual agreement with its essential points is welcome. Since his book was not written in order to *refute* theonomy, it would not really require an "answer" in the present text. Nevertheless, I hope that he will appreciate my efforts here to sharpen his thinking as much as I have appreciated his own contribution to the discussion.

1. Fundamental Agreement

Poythress writes: "I affirm what is often regarded as the essence of the theonomic view, i.e., the abiding value of the law" (p. 335). He affirms that "a good many deep, Biblically rooted concerns make up the common core of theonomy" (p. 312). He states that he "can affirm virtually all of Bahnsen's ten main theses concerning theonomy" which are used by me to summarize the position (p. 343; cf. above pp. 11-13).

Poythress is right on target when he says, "Many of us reject theonomy because we think that the Mosaic law is harsh. But the

1. Brentwood, Tennessee: Wolgemuth & Hyatt, Publishers, 1991.

real problem is with us, not with the law" (p. 315). This is particularly true of the penal sanctions of the law: "The punishments are easy to accept once we deal with the perversions and misunderstandings in our own hearts. . . . If we can see the true seriousness of our sin, we will no longer object to God's supposed severity" (p. 120).[2]

"At the heart of theonomy is the fundamental conviction that God's word is the only proper standard for evaluating all human action, including the actions of government officials and the laws made by civil legislators." He says all Christians should support this thesis (p. 313). Indeed, "this emphasis on evaluating politics, economics, business, and social action by the Bible is sorely needed in our day" (p. 314). He commends theonomy for "deeply Biblical concerns" for the universal Lordship of Christ, love for God's law, and concern for healing the hurts of modern society.

Moreover, with theonomists, Poythress insists that not every sin is to be treated as a civil crime (p. 294), and he decries the widespread statism of our day which expects civil government to cure all ills (pp. 291-292). He recognizes that the state is not an agency of pardon or mercy, but of justice (p. 157); it has no business attempting to compel people to have religious faith (p. 160). Likewise, "we must avoid thinking that the kingdom of God is established primarily by means of political or economical power" (p. 242).

Theonomists and Poythress agree that the civil state today does not have a special holiness which characterized Old Testament Israel's civil order (pp. 300-301), *even though* all "human governments are included under [Christ's] rule. When they fulfill their duties properly, they are reflecting Christ's justice on an earthly plane" (p. 136). He says "modern states . . . are one and all under the authority of God and the rule of Christ," so that they must adhere to the "principles of justice embodied in" the

2. Poythress might reflect anew upon what he has said here when, later, he does not want evangelicals to be required to "make large scale adjustments in their emotional reactions," declaring his personal, emotional aversion to a (debatable) theonomic application of Deuteronomy 13 – saying it would be a "monstrous" injustice (p. 356).

Mosaic judicial laws (p. 139, cf. pp. 155-156). The penal sanctions which states apply today must be based upon divine justice, not imagined deterrence or rehabilitation (pp. 162-163). As such they are not discretionary or culturally relative (pp. 247-248). And "until the Second Coming the state has legitimate responsibility to oversee its earthly execution of justice" (p. 185).

In short, Poythress is at base a theonomist in theological outlook, although he has reservations about the application of the position. Moreover, even when he warns time after time that theonomists *might* be susceptible to distorted or short-sighted use of their principles, careless misapplications, tempting hermeneutical errors, and personal failings in sanctification, he nevertheless almost always adds that such things are *not* at all inherent in the theonomic view and do not *actually* characterize the best representatives of the position.[3] I am grateful that Poythress does such a conscientious job to present an accurate and fair-minded understanding of the theonomic view.[4]

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3. In light of the need for such repeated exoneration-following-exhortation, Poythress should perhaps consider the misleading tendency in the way he writes. In Appendix B ("Evaluating Theonomy") he gives a great deal of space to describing "possible" defects which could arise in the reasoning or personalities of theonomists (e.g., simplistic thinking, hermeneutical insensitivity, hastiness and laziness, one-sidedness, stridency) – portraying errors which are only too easy to criticize or disdain, *and* which could readily be turned around as a warning against possible defects in *critics* of theonomy (whose quick and simplistic dismissal of the political use of the law based on ill-conceived typologies is surely as easy, if not easier, to find all around us today as any of the potential theonomic defects pointed to by Poythress). Having gone on at length with such warnings, cautions, or concerns, Poythress briefly concedes that in its best form theonomy is actually not guilty of those defects. But what impression is left on the reader? (The position somehow is guilty of such things after all) Let me suggest that this is unworthy of Poythress as a scholar and as a Christian – almost a hankering to use *ad hominem* or "straw-man" complaints against the position, but knowing better than to do so. Will his readers also know better? Therein lies the unfairness or carelessness of what he writes. His exercise in *psychologizing* his opponents (pp. 357-359) is particularly distasteful and unwarranted, especially the exhortation not to confuse the value of fleshly weapons and spiritual weapons – which (as he knows, p. 358, n. 52) can just as readily be found in my book *Theonomy* (pp. 414ff.).

4. There are minor lapses. It is unfair to complain that I "conveniently restrict" myself to "standing laws" when summarizing the theonomic thesis, pointing out that the scope of Matthew 5:17-20 is broader than that (p. 345). The summary theses of theonomic ethics were not intended or offered as an exposition of the Matthew text

2. Yet a Severely Weakened Version of Theonomy

Although Poythress is fundamentally a theonomist, the version of theonomy which he sets forth in his book suffers from certain avoidable shortcomings. I will focus on a few of the most damaging in my estimation. If they were corrected, the theonomic perspective advanced by Poythress would be theologically and practically strengthened – which I know he is sincere in seeking.

A major flaw is found in the way which Poythress attempts to distinguish *crimes* (as a subclass) from the larger class of sins. Theonomists insist that not all sins are crimes, and they maintain that only God has the right to define either. Crimes are those offenses for which God has authorized application of a penal sanction by the civil state.[5] According to Poythress, however, the state's right to punish offenses "covers only those cases in which human beings are injured" (p. 135). This is a speculative theological premise for which Poythress offers no Biblical warrant whatsoever. Indeed, if he were to attempt an inductive generalization from the revealed data in the law, he knows very well that he would run into immediate problems with texts like Deuteronomy 13 and other places where it appears (*prima facie* anyway) that God expects civil magistrates, as His appointed representatives, to punish certain offenses which assail His honor or prerogatives.

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in the first place, but of the theological position called "theonomy." I did not "conveniently" restrict myself to a discussion of standing laws, but simply *specified* what the theonomic view was about. Further, Poythress misses the point in complaining that the distinction between standing law and positive law is a "relative one" (since both cover some period of time). Policy directives ("standing" laws) are those whose period of relevant application is left open-ended, unlike the (implicitly or explicitly) defined period for obeying a positive law. In itself this distinction does not, contrary to Poythress (p. 346), "discourage" people from asking whether the validity of previous "standing laws" has been terminated with the coming of the New Testament.

5. This is the answer to the question Poythress poses in defense of his restriction of crimes to injuries against other human beings. He challenges those who might disagree: "How do we any longer distinguish between a sin and a crime?" (p. 295). He erroneously thinks that, if the state is responsible to punish offenses against God, then "all sins that are legally demonstrable would appear to be the state's responsibility" – a rather obvious *non sequitur.*

Since it is one of the driving aims of his book to argue that such laws are no longer applicable to the state today (e.g., pp. 178-179, pp. 294-296), Poythress naturally finds it necessary to introduce the artificial restriction that "the state deals with injuries against other human beings, not injuries against God" (p. 159; also see p. 294). This is little more than a roundabout way to beg the question.

The Kline Problem

A second major flaw in Poythress' book is his willingness to incorporate incoherence into his position by claiming that he can hold fundamentally to the theonomic perspective *and yet* "Paradoxically, I can also agree with a good deal in Kline's intrusionist approach" (p. 343; cf. p. 399). It is an understatement to deem this paradoxical. It is rather evidence of logical inconsistency, for Kline's position is in principle antithetical to theonomy.

Kline holds that the civil state, as an institution of common grace, is categorically not under the specially revealed guidance of Moses to Israel as a holy, redemptive nation; the community life-norms of Israel were uniquely for Old Testament Israel, anticipating the Final Day of wrath. Poythress, on the other hand, openly affirms the general validity and applicability of the civil laws of Israel for nations today. To say, then, that he agrees with Kline's intrusionist position is simply incoherent – asserting and denying the same premise. Poythress is well aware of the exaggerations and inaccuracies in Kline's attempt to make the Decalogue or Deuteronomy a replica of Hittite treaty forms (pp. 65-66, 76). He knows Kline's personal animosity to theonomy and recognizes that "intrusionists run the danger of using the appeal to the special situation of Israel in order to prejudice the question whether we can find principles of universal justice in Mosaic statutes" (p. 326). This is *not* simply the proclivity or exaggeration of Kline's followers. He himself has publicly promoted and defended that very prejudice. Poythress has openly negated Kline's key thesis on a conceptual or theological level, regardless of his personal gratitude for the role Kline has played in the evolution of his theological reflections.

The incoherence of claiming to agree with both theonomy and Kline's intrusionist position has, in principle, devastating consequences for Poythress' theology. As logicians know very well, from contradictory premises one is able to prove *anything whatsoever* (by means of logical addition, then disjunctive syllogism). Thus if a system of thought incorporates inconsistent premises or principles – which Poythress does by agreeing yet disagreeing with the main point of intrusionism – it may arbitrarily lead to any conclusion or application one wishes. This arbitrariness, depending upon which side of the contradiction one wishes to stand upon at any given point, would render the system of thought unreliable and irrational.

Theological Relativism

A related major flaw in Poythress' book is its tendency toward an unwitting, yet unnerving, theological relativism. Poythress would have his readers believe that the stark differences between theonomists and intrusionists when they interpret the Old Testament law do not arise from any genuine conflict of theological principles or exegetical reasoning. Rather these disagreements arise from, and reduce to, the differing conceptual *frameworks* which the two schools bring to the text of Scripture (pp. 316-335) – which in turn are affected by the *personalities* of the individuals involved (pp. 350-351). Making those kinds of remarks lays a congenial basis for appealing to both sides to understand each other sympathetically and not polarize the debate – to "listen to each other" and appropriate each other's insights (p. 352). But if Poythress is not cautious, the price he pays for that social rapprochement will be theological scepticism.

Surely Poythress does not wish to imply that everybody approaches Scripture with a preconceived framework which is neither justifiable nor correctable on the basis of Scripture itself – which would cut us off from ever arriving at the unadulterated truth of divine revelation. Surely Poythress does not wish to imply that differing theological frameworks are all equally legitimate and complementary – which would be logically absurd. So then, on the assumption that Kline and theonomists arrive at

different conclusions about the use of the Mosaic law because of conflicting theological frameworks, we must not simplistically dismiss the debate and exhort each other to mutual acceptance of the conceptual conflict. We must identify the points of disagreement in the frameworks and ask which (if any) have the support of God's word.

Poythress would rather like to say that there is legitimacy to both of the frameworks (despite logical conflicts between them) since each has its strengths, insights and proper functions. Rather than utilizing both perspectives, Poythress says, people end up choosing between the frameworks because they are "likely to notice only that with which they are most comfortable" or insights they feel "most at home with" (pp. 350-351). It comes down, then, to differing personality types. Some individuals are "analytical people," while others are "artistic people."

These remarks by Poythress can be assailed in themselves for their inaccuracy, ambiguity, speculative character, and misleading reductionism.[6] But more importantly, we must protest the basic conjecture that conflicting schools of theological thought and Biblical interpretation are ultimately separated by the psychological proclivities of their adherents. One cannot hope to accomplish a Hegelian synthesis between antithetical positions in this all too easy fashion. If legitimate theological debates (ones not demonstrated to be mere verbal disputes) are skirted as arising from equally legitimate conceptual frameworks and unpredictable differences of personality, then we really are on the slippery slope to relativism. This is not at all where Poythress wishes to end up, and thus I would encourage him to reconsider taking the first

6. It is especially objectionable that Poythress attempts to portray people with a desire for analytical clarity as tending to ignore literary context (local or broad) when they interpret the Scriptures (p. 351). That is an unwarranted censure and prejudicial characterization. Careful analysis neither requires nor encourages artificial overlooking of the relevant literary (or historical, or social, or logical) contexts of a text which is being analyzed. Where there are typological or artistic connections intended in a text, not simply imposed from without, proper analysis of the text will need to take account of them. We should also protest the intimation that in an analytical approach we find a "desire for quick answers" which "short-circuits" meditation on the riches of God's revelation and cheapens its general principles into "abstract, *impersonal* absolutes" (p. 342).

steps toward it, as his book appears to do.

Inherent Differences

Often enough the differences between Poythress and theonomy are simply matters of emphasis and expression. There are, nevertheless, considerable differences as well in hermeneutical method and in conclusions reached about the law. He says "the most significant disputes between myself and theonomy concern . . . what the law means. . . . Such differences may be far-reaching in practice" (p. 335). We agree, as Poythress himself acknowledges, that a proper reading and use of any law requires grasping its purpose in the light of the Biblical contexts where it is revealed – which means distinguishing general principles from specialized circumstances (pp. 340-342). "There is no substitute for careful study and meditation" (p. 342). We both say as much. We both see our respective approaches to the law as Christ-centered. Theonomic interpretation does not legalistically interpret the law "in isolation" from its purpose of revealing Christ (cf. p. 359). Poythress writes that "our discernment grows only as we know Christ more and more deeply (Ephesians 3:17-19), for His law reflects His just character. Such is the purpose of my book" (p. 343). I certainly endorse, then, the purpose of his book.

What I cannot endorse at many points is the actual manner in which he handles or interprets the law. As Poythress puts it, we are sometimes separated by our *hermeneutical* approach and by our different understanding of Old Testament *details* (cf. pp. 344, 349). This is *not* a matter of whether or not we find typology and a full range of literary devices in Scripture. Poythress himself quotes me as saying: "The artistic and pedagogical designs inherent in the Scriptures certainly must not be ignored or despised; however, neither must they be abused by trying to make them say something which Scripture itself does not say" (p. 352, from *Theonomy*, p. 456). It is rather a difference in how we identify those artistic devices and then theologically apply what Scripture intends by them.

Poythress finds it hard to express what is objectionable in theonomic interpretation of the law, and he resorts finally to

unhelpful or emotive descriptions. He doesn't want a "slavish" or "wooden" or "straight-line" or "straightforward" application of the law (e.g., pp. 225, 343, 348, 398). But since he does not offer any clear definition or identifying marks of such "straight-line" application (etc.), we are left with a mere slogan. Theonomy repudiates a "wooden" or "straight-line" application of the Old Testament law today, just as much as Poythress does. Nevertheless, theonomists cannot readily endorse the *practical outworking* of Poythress' approach to interpreting the law today because in crucial ways it employs unreliable reasoning.

3. Unreliable Reasoning

A methodological flaw runs through the new Poythress book from one end to the other, undermining much of what Poythress wishes to say about the law. The fundamental problem is not with Poythress' general endorsement of the Old Testament law or his positive attitude toward using it today, nor with each and every conclusion he draws or insight he suggests (many, many of which are healthy and commendable), but rather with his hermeneutic – the *way* in which he *handles* the law. Upon analysis, *the manner in which Poythress reaches his conclusions* is unreliable and crippled by arbitrariness – which makes it both ethically dangerous and theologically unusable. If we are concerned for clarity, objectivity, consistency and predictability in our treatment of the Scripture, we must disapprove of his overall procedure for interpreting the law. Having examined and compared the various lines of reasoning which Poythress uses from case to case, we must object to the lack of systematic care in basic theological method which is displayed in the book for determining how – and if – the law should be applied by civil magistrates in the modern world.

Let me state the methodological problem concisely: *when your principles are so vague and are used so dialectically that you can prove* **anything** *by means of them (depending upon your predilection), then those principles are as good as "proving"* **nothing**.

Bewildering, Open-ended Vagueness

Notice, as we begin our critical analysis, that Poythress has a

penchant for appealing to vague "motifs" in Biblical passages and then telling us (*without* exegetical basis) that they are suggestive of some theological "connection" or "relation" (*without* definition). To deal with broad and ambiguous allusions is not precise enough to demonstrate any specific conclusion; because there are no control principles or predictability in how such vague notions will be taken, the door is left open too wide for the interpreter's subjective creativity. And simply to assert that X is (somehow) "related" or "connected" to Y is trivial—not very informative. (Everything is related in some way to everything else, after all.) These vague connections play a determinative role where Poythress wants to draw significant theological conclusions. For example, in the midst of explaining how one should not fall into theonomic misapplication of the law, Poythress calls for interpreters to take account of the contexts of the law—and includes this entirely vague observation: "the context of the tabernacle is also relevant because the tabernacle and the law are closely related" (p. 341). But being "closely related" could mean any number of different things, in which case no pro-theonomic or anti-theonomic inferences follow from this remark. The implications of the law's "close relationship" to the tabernacle are left to the interpreter to fill in.

About his style of Biblical interpretation Poythress offers his own commentary: "all these associations are of a vague, suggestive, allusive kind . . . suggesting a multitude of relationships" (p. 29). Westerners, he claims, minimize "the personal depth dimensions of human living" (whatever that means); by contrast, "to appreciate a symbol, we must let our imaginations play a little" (pp. 38, 39). Just what we need in controlled theological argument: a playful imagination! We are always left wondering whether the results of such Biblical interpretation reflect the mind of God or merely that of the interpreter.

In this mode of communication, some of what Poythress says is nearly unintelligible. He can speak of a "framework of correspondences" between the tabernacle and promised land, declaring that the land "shares in the multiple symbolic relations" of the tabernacle "at least indirectly," or "at a reduced level of intensity" (p. 70). What exactly is he claiming (or denying) by these enig-

matic remarks? Indirect sharing in a framework? A framework of correspondences which are multiple symbolic relations? Later he just as ambiguously claims that, because the law and tabernacle both express God's character, dominion and fellowship (pretty broad categories!), there is a "close connection" between them (ah, but what *kind* of "connection"?) – in which case they both "must" fundamentally foreshadow and signify "the same realities" (pp. 78, 79). You can hardly say this thinking is false, but you can hardly tell what it specifically means for it to be true, either.

"Multiple" symbolic relations is putting it mildly.[7] For Poythress, "the multiplicity of connections of tabernacle symbolism" is bewildering. It replicates, or is analogous to, or is connected to, or is a pattern for, or looks forward to all kinds of things – heaven itself, but also the created universe, or the past garden of Eden, but also the future new Jerusalem, even though it is also the past Exodus from Egypt, or the corporate church, as well as the individual believer, or Christ specifically, etc. (p. 96). And this doesn't simply mean that there is a particular point of analogy or remembrance with the tabernacle in each case, but apparently it means that all of the things analogous to the tabernacle can also be used to analyze or interpret *each other* – unlike literary conventions in interpreting uninspired literature.[8] You can do some very strange things, though, once you catch on to these "multiple symbolic relations." Poythress tells us that the "order" of the ten commandments and the "order" of the tabernacle will alike "suggest a transition from heaven to earth" (p. 90). Another example: the "close inner connection" between the tabernacle and the law likewise teaches us, since both tabernacle and law point to God's original creation, that the law's distinctions between clean and unclean things "intensify the original separations that God made in creating the different regions of creation"

7. Cf. "The strength of the artistic approach" to interpretation of the law is that it takes into account "the multidimensional connections that the verse enjoys with various themes and structures, large and small" (p. 350).

8. When the poet says "my love is like a rose," as well as "my love is the radiance of the morning," we do not ordinarily conclude that the poet believed mornings must be analyzed in some fashion like roses.

(p. 97)! Apparently, since both the legislation about uncleanness and the account of creation involve *distinctions* – despite their being of completely different kinds – they must be somehow connected to each other. Accordingly, the separations made by God at creation are also to be taken as "analogous to the separations [of rooms, furniture] within the tabernacle" (p. 80). This is really strained.

The key to drawing artful "connections" everywhere in the Bible, of course, is to make your categories broad and vague enough to include just about anything. This is what Poythress does when he makes the law out to be organized according to the theme of articulating God's "order" (pp. 80ff.) or expressing "life" (pp. 83ff.). There are so many senses and kinds of "order" – so many ways to think about or allude to "life" – that this explanatory device gains maximum flexibility and coverage at the cost of minimum teaching value or equivocation. (Even so, Poythress still struggles to make some commandments fit into his scheme; theft is arbitrarily seen as "disordering" human ownership [p. 89] when more accurately it simply *reorders* ownership). The same vagueness and ambiguity is evident when he ties together the law, the tabernacle and the promised land because they all were "reflecting the orderliness" of God (p. 109).

Lack of Adequate Logical, Textual Controls

But now then, what does Poythress do when he encounters competing symbolic explanations – divergent broad "themes" or "connections" which might be proposed to explain something in the Biblical text, such as the classification of things as clean or unclean? This question gives us insight into the "logic" of his method for Biblical interpretation. It turns out that in such a case as this the vague and open-ended approach of Poythress allows him to say about competing schemes of symbolic interpretation: "in a sense it does not matter"! Why not? Because all we need to say is that "the two themes . . . are in fact complementary" (p. 82; cf. also p. 68 on competing conceptual subdivisions). Presto! Nearly everything and anything that comes to mind can thus be accommodated to this imaginative approach to Biblical interpre-

tation. What Poythress sees as this approach's strength is precisely its devastating weakness.

What is the theologian supposed to do with such discussions? They aren't arguments, really. They are more like mood enhancers ("take a couple of Valium and enjoy the experience"). Seen in their least harmful light, I suppose, such discussions may have homiletical or pedagogical value – as adductive or illustrative aids for conclusions established on more reliable exegetical grounds. They may even subjectively reinforce preconceived theological commitments, but they hardly function as objective proof in a theological argument, one subject to common rules of reasoning, predictable results, and public examination. Poythress is not the only author these days who enjoys this style of writing: stringing together a host of loose "connections" in a stream-of-consciousness style, often with organizing categories broad enough to include almost anything anyway, until one stipulates that he has reached a "conclusion" – one which is usually as vague and ambiguous as it is lacking in textual warrant. I would like to say that Poythress does it "better" than others, but there is really little way to judge (since there are so few objective criteria).

Early in his book Poythress acknowledges that his symbolic interpretation is "bewildering in its variety." He asks, can something "really suggest so many different things? Are we in danger of being carried away or beguiled by our imaginations?" (p. 30) The answer is, sadly, yes.[9] That is precisely the danger in this hermeneutic and why it cannot be relied upon to settle any theological dispute.[10]

Let us take but one example. On page 145 we come across

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9. For example, Poythress' own imagination gets quite "carried away" when he gets around to suggesting that the Father's forsaking of His Son at the crucifixion is "like that of a severed marriage bond" (p. 194). Marriage bond?

10. Interestingly, with respect to *other* symbolic interpreters Poythress acknowledges the problem with arbitrariness: "the danger of letting imagination go wild is a real one" (p. 31). He recognizes that some "become fanciful because they are occupied too much with their own ideas, not with what God communicated to the Israelites" (p. 40). Unfortunately he doesn't readily see it in himself. He has convinced himself that, unlike the others, he has a prophylactic against arbitrariness because in the playful use of the imagination he "endeavor[s] to do so like an

this statement by Poythress: "We have established, then, that Israelites were subject to holy war through substitution, just as Christians are." Notice that he claims his discussion has "established" that odd-sounding conclusion, when realistically it has done nothing of the sort. According to Poythress, "the Old Testament contains ample indications that God brings the Israelites under His rule by a process of holy war similar to the conquest of Canaan" (p. 143).[11] But he then proceeds to give not one – not one – textual clue that God is portrayed as going to *war* against the Israelites. Instead Poythress discusses another theological topic, namely substitutionary sacrifices which are "consecrated to destruction" in the redemptive history of Israel. But sacrificial imagery is not the same as the imagery of war. Abraham's sacrifice of Isaac and Israel's sacrifice of the Passover lamb were not *instances* of "God going to war" against the Israelites at all. What justifies Poythress' loose use of playful imagination here ("try looking at it like this"), mixing metaphors and turning sacrifices into warfare? The answer exposes terribly fallacious reasoning.

Poythress feels he may transform God's *sacrifices for* Israel into God's holy *war against* Israel simply because in some way both involve "consecration to utter destruction" (*herem*). This one point of contact becomes the crux for turning one concept into the other. (Actually, even that single point of literary contact is not present: Poythress uses the example of the Passover sacrifice, which was not "consecrated to destruction" at all, but rather eaten.[12] Accuracy in textual details is expendable with this kind of imaginative hermeneutic.) One could as readily and fallaciously reason that,

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Israelite" of old would do so (p. 39). What is missing here is adequate appreciation of the Reformed control principle of "literal" interpretation – that is, interpretation governed by the *letter*, the text of Scripture itself.

11. Note the false assumption that Israel had not "come under the rule" of God prior to the institution of substitutionary sacrifice (wrongly taken by Poythress as a form of holy war). The ceremonial cultus within Israel did not "establish" God's rule over the nation, but *presupposed* it. Poythress' imagination is carefree in terms of such inaccuracies.

12. The other example used by Poythress is Abraham's sacrifice of Isaac. Technically this is called a "whole" offering (*olah*), rather than using the language of "consecration to destruction" (*herem*).

because fields could be "devoted" (*herem*) and cities could be "devoted" (cf. Lev. 27:21; Num. 21:2), in Biblical multiperspectivalism, fields are "seen as" a type of city! These creative kinds of Biblical "connections" and conclusions are only too easy to draw. Both judicial restitution and a bride's dowry involved making a financial payment; consequently, marriage was looked upon in the Bible as a kind of judicial punishment. In the Bible, Jerusalem is portrayed as having gates, and hell is said to have gates; therefore, the holy city was seen as a kind of hell. Anybody can get the hang of this – and be logically hung by it (cf. red is a color, and green is a color; thus we can see red "as" a kind of green!)

So then, Poythress has not "established" as a theologically warranted conclusion that the Israelites (or Christians later) were subject to "holy war" by means of sacrificial substitution. So what? If this were simply a homiletical illustration that doesn't work very well, we might shrug it off. However, it is much more important than that in the context of Poythress' reasoning. He attempts to erect some rather momentous theological and ethical conclusions on the basis of that confused and unwarranted premise (pp. 145-153). To put it briefly: Poythress assimilates the legislation of Deuteronomy 13 (punishing a rebellious Jewish city for idolatry) to God's holy war against the Canaanites – which God also pursued against the Israelites (by sacrificial substitution) – which "prefigures" Christ in His dying as our sacrificial substitute and waging war against Satanic hosts today – in which case Deuteronomy 13 (*and* everything Poythress hopes to "connect" to it in later discussions in his book)[13] should not be applied by civil magistrates after the coming of Christ! The imaginative symbolism of treating sacrifices as holy war is simply too thin and too hermeneutically fallacious a reed on which to rest such a weighty and broad theological judgment.[14]

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13. See chapter 10, pp. 178-179, 181, etc. The entire discussion in Appendix A ("False Worship in the Modern State") is skewed by the erroneous and unwarranted premises that Deuteronomy 13 reflects a theology of holy war, that Israel is the offended party in Deuteronomy 13, and that the penalty prescribed there foreshadows the work of Christ.

14. I should make clear that my point is not to insist that Deuteronomy 13 must be applied by civil magistrates today. Perhaps there is good Biblical reason to think

Arbitrariness and Inaccuracy

Poythress has advocated a hermeneutic of multiple symbolism – one which we have found vague, fallacious and uncontrolled by the Biblical text itself. Once this kind of reasoning is given a foothold in one's theological thinking, the results become increasingly arbitrary and bizarre. Consider again the attempt by Poythress to interpret the standing penalty for false worship in Israel (Deuteronomy 13) as part of God's temporary provisions for "holy war," seen in the conquest of the land of Canaan.

He says Deuteronomy 13 described "continuation of holy war in the land once it is conquered" (p. 148) and *on this basis* he eventually applies the legislation today to excommunication of those guilty of idolatry within the Christian church.[15] Does the law have any civil application today outside the church as well? When Poythress comes to this question, he decides to *shift* his metaphors or perspectives. Now he does not consider the church as analogous to the Old Testament situation of Israel in the land, but rather: "the church lives in a situation more like that of the Jews dispersed in Babylon" (p. 151), where the legislation of Deuteronomy 13 would not have been applicable. But which will it be? The church as Israel-in-the-land *or* as Israel-in-exile? What we see here is an example of the arbitrariness of theology which is rooted entirely in multiple symbolic interpretation. The various Biblical metaphors or symbols are simply convenient taxis for the theologian, to be selected and dismissed on the basis of where he wants to go in his reasoning. If one kind of preconceived conclu-

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that it should not. My point is simply that the interpretive procedure of Poythress has certainly not provided it. The defects in Poythress' discussion are magnified by the fact that he attempts to make this difficult case the paradigm for understanding the less controversial cases of Old Testament penology (p. 139) – something which is neither justified nor wise in theological procedure.

15. One arrives at the extremely odd conclusion, following the line of thought offered by Poythress, that the Old Testament prescription for false worship is to be applied today in the form of excommunication, remembering that the excommunicated person "is to be treated with love and respect" (p. 150). One must really strain his interpretive imagination to see the requirement of *not showing pity* to a criminal but rather brutally stoning him to death (Deut. 13:8-9) as analogous to (connected to, related to, applied as) treating someone under church discipline *with compassion*! Multiple symbolic interpretation can make black and white out to be the same color.

sion is desired, he chooses this metaphor or foreshadow; if a different kind of preconceived conclusion is desired, he chooses a different metaphor or foreshadow. He can prove anything he likes in this manner.

Let's go back to the outset of Poythress' line of thinking about holy war and Deuteronomy 13, noticing further signs of such arbitrariness. His discussion begins with the wholly gratuitous claim that the city which engages in false worship has committed "an offense against Israel, not merely against God" (p. 140). But this is not at all what the text says. Rather, we read that an abominable thing has been done "among" Israel ("in your midst") – not "against" Israel. False worship deprives God of what is due *to Him*; it does not violate any worship due to fellow men. But Poythress asserts that the crime is "against the congregation. . . . This particular crime is a crime precisely because of the holiness of Israel" (p. 141; cf. p. 302).[16] No, "precisely" because of the holiness of God Himself. The holiness of the nation was not compromised unless it failed to respond against the idolatrous behavior (thus becoming guilty by consent).

Moreover, Poythress is being short-sighted. Seduction to idolatry is far more than bringing pollution into the midst of a holy nation. It also challenges the final and ultimate authority of the civil order in the nation, thus undermining the law of God and dismissing the lawful exercise of the government; it creates ethical chaos by asserting competing ethical authority and guidance in the nation.[17] As such, seduction to idolatry could be treated as a

16. On the one hand Poythress asserts that Deuteronomy 13 is silent as to whether false worship represents "injury to the state" (p. 303); yet he does not hesitate to claim that false worship offends "the congregation." The text is equally silent about that claim too, though. Moreover, Poythress says that it is not the "state," but the "congregation," which carries out the penalties of Deuteronomy 13 (pp. 140, 293). This too is arbitrarily read into the text by him. Indeed, there are textual indications that there is a civil, judicial process involved – e.g., diligent search of the evidence (v. 14), the accuser being the first to put his hand to the execution (v. 9).

17. For instance, see Peter C. Craigie, who says about Deuteronomy 13:13-19, "the evil-doers are 'urban revolutionaries' in that the action they advocated would be contrary to the constitution of the state." *The Book of Deuteronomy* (Grand Rapids: William B. Eerdmans, 1976), p. 226.

form of treason and revolution – which even Poythress himself elsewhere admits "merits death" today (p. 188). But this is not even seriously considered by him.[18] Nor does he take adequate account of the significance of Old Testament texts (like Ezra 7:25-27) which demonstrate the propriety of the civil state outside of Palestine protecting the true worship of God.[19] Poythress sees the judicial execution of an idolatrous city within Israel (Deuteronomy 13) not only as the punishment of a crime against Israel, but also as the continuation of the holy war which was used to conquer the Canaanites.[20] This implies, rather bizarrely, that the

18. The notion that false worship is an act of treason is broached (p. 298) and given one skimpy paragraph (p. 300), but Poythress does not deal with the position as suggested and interpreted here at all.

19. Poythress claims that the scope of Ezra 7:25-27 is really only the Jews, so that the decree does not extend the rule of God's law to the Gentiles but simply reapplies it to the Jews (pp. 352-353). The text, however, refers to "all the people beyond the [Euphrates] river" – which is hardly equivalent simply to the Jews (and thus only awkwardly an appropriate appositional expression for them). Artaxerxes issued his decree with universal force – in the name of "the God of heaven" (vv. 12, 21). Poythress argues, though, that Artaxerxes' decree "focused" merely on Judah and Jerusalem (cf. v. 14). But this reasoning is short-sighted. The decree also covered all the province of Babylon as well (v. 16). And most significantly it covered authority to command "all the treasurers that are beyond the river" (v. 21) – which obviously applies to the Empire's provinces, not simply Judah. In v. 21, the expression "beyond the river" is used, as it is in v. 25, which leads us to take "all the people beyond the river" as likewise a reference to Jews and Gentiles alike. The decree of Artaxerxes forbids exacting taxes from the Jewish priests (v. 24), which most naturally applies to non-Jewish magistrates. Poythress' restriction, then, of vv. 25-27 to Jews (exclusive of Gentiles) is inaccurate and strained. He claims the support of the commentators, but this too is inaccurate. P. R. Ackroyd in the Torch Bible Commentaries (1973) is but one example of a scholar who takes the "all" of v. 25 in an unqualified fashion, pointing to the vision of the entire region coming under the rule of God's word. The treatment Poythress gives Daniel 3:29 and 6:26 is somewhat more strained (pp. 353-355) – suggesting that the narrative does not actually state approval of the decrees of Nebuchadnezzar and Darius, and that the wording of the decrees does not exactly match the formulations in the Mosaic law. I do not see how the reader can miss the evidence that the Bible commends Gentile rulers for protecting in some fashion the true worship of God.

20. In both cases "justice and purity" are being established or maintained, says Poythress (p. 142). Of course this overlooks entirely the profound and ethically significant difference that in the case of holy war, God is the judge and director at a particular time and place, whereas in the situation envisioned in Deuteronomy 13, a human tribunal is the judge and director of execution as a matter of standing civil policy. Poythress tries to interpret the ordinary in terms of the exceptional.

Canaanite idolatry was likewise a crime *against Israel*, which is exactly what Poythress is forced to say. "When Israel enters the land with God in her midst, the land is in effect claimed for God. . . . Israel destroys the nations in recompense for the pollution that they would do to her" (p. 143). This is ethical nonsense. The aggressing nation is, on Poythress' logic, bringing "recompense" *before the fact* against "potential polluters" of that nation's holiness! If this kind of principle where followed in civil law, I doubt that anyone would call it "justice."

Poythress has simply not given sufficient attention to the fact that the idolatrous and perverse practices of the Canaanites were *already* an abomination in the eyes of God prior to Israel "entering the land with God in her midst." The land was already "defiled" by such abominations before Israel's occupation (cf. p. 70). Such abominations did not become worthy of death only after Israel arrived; they were worthy of death for all the preceding years as well, and Israel was simply the tool of God's historical judgment against Canaanite abomination. In Leviticus 18 we read that God will "visit" the land in judgment because of the abominations which the men of the land had done in it "before you came" (vv. 25, 27, 30, NIV).

Likewise, Poythress has simply not given sufficient attention to the fact that the Bible teaches that idolatrous practices did not simply pollute the promised land (both *before* and after its conquest by the holy nation, Israel); they also polluted the entire earth *outside* of Palestine. This is the clear testimony of Isaiah 24:5, where we read that "the earth is polluted under the inhabitants thereof because they have transgressed the laws" of God. The attempt to narrow the civil application of Deuteronomy 13 to the temporary circumstance of Israel protecting her holiness from defilement in the land of promise (the temple in her midst) simply does not do justice to the fullness of God's revelation in Scripture. Even if Poythress is correct that Deuteronomy 13 functions to purge the land of pollution, he has not taken into account the significant Biblical truth that such "pollution" can occur completely apart from the presence of Israel in the land and completely apart from Israel altogether. Therefore, it is fallacious for

Poythress to infer that the passing of Old Testament Israel as a holy nation (with the temple, promised land, etc.) *automatically* means the passing away of the civil use of Deuteronomy 13.[21] His reasoning is arbitrary and inaccurate.

Further examples of arbitrariness in Poythress' discussion of Deuteronomy 13 may be given. He claims that "this passage prefigures Christ's own war against Satanic hosts" (p. 148); "Deuteronomy 13 and 17 give us a foreshadowing of the triumph of Christ's rule through the gospel" (p. 356). *But there is not the slightest textual or literary hint of such a connection between Deuteronomy 13 and the relevant New Testament teaching.* Likewise, he alleges that the separation of Israel as a holy nation, which Deuteronomy 13 enforced, "foreshadows the judgment of the end of the age" (p. 153). But once again, *there is no textual evidence provided from Scripture for this claim*; Poythress cites 2 Thessalonians 1:7-10, but there is no suggestion of a connection with Deuteronomy 13 in that text at all. This is not the authority of God speaking to us, but the artful imagination of Poythress. Suggestions such as these, drawing parallels between Deuteronomy 13 and spiritual warfare today or the final judgment, may have some homiletical value; on that level, they are perhaps unobjectionable.[22] The principled objec-

21. The Old Testament shows us that God punishes the idolatry of civil rulers outside of Israel (e.g., Isa. 14). The rulers of the nations belong to Jehovah Himself (Ps. 47:9), and He specifically orders all rulers and judges of the earth to serve Him with reverence (Ps. 2:11). They receive their authority from Him (Jer. 27:5-6), and thus they should turn around and honor "the King of heaven" (Dan. 4:34, 37). They are looked upon, even outside the holy nation of Israel, as the servants of God. Civil magistrates can even be called "gods" (Ps. 82:1) because they represent Him (cf. Rom. 13:1, 4). It is at least theologically plausible, then, that God expected civil rulers anywhere in the world to protect His prerogatives and punish false worship under their jurisdictions (thus applying Deuteronomy 13). Poythress never really addresses this in any convincing or pointed way. Why shouldn't God expect states to avenge open rebellion against Him as much as He expects them to avenge open rebellion against other men? There may be a Biblically grounded answer to that question, but Poythress has yet to give it.

22. For instance, I do not disagree with Poythress, but have taught for years, that the manner of conquest seen in the Old Testament (viz., holy war) has changed in the New Testament (to proclamation and persuasion) – without arbitrary typologies, but on the basis of the Biblical text (e.g., 2 Cor. 10:3-5). I must, however, decry the way in which Poythress turns this theological truth into a shameful false antithesis, when he asks "Do we follow the Great Commission? Or do we use state laws to

tion must arise when interpreters like Poythress go further and claim that such creative conceptual "connections" may be used to draw *definitive theological conclusions* about whether certain laws revealed by God may be put aside by civil magistrates today. For that we need something which is less arbitrary and subjective, something which can be more clearly based on the text of Scripture – something which can be objectively exegeted from the word of God Himself (Deut. 4:2).[23]

Capricious Use of Principles

The most serious criticism which can be made of the reasoning pursued by Poythress is that his use of certain key principles of theological argument is inconsistent. Indeed, given the way in which Poythress appeals to such principles at some times but at

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suppress false worship by force?" (p. 290) Likewise, he indulges in all-too-easy question-begging when he argues – as though it were theologically relevant – that obedience to Deuteronomy 13 today would make evangelism "more difficult" (pp. 306, 396-397). Theonomists who have concluded that this part of the law should ideally be applied by modern states have also made it abundantly clear that Deuteronomy 13 is not an evangelistic policy or appropriate to missionary situations. (Ironically, Poythress makes the huge mistake of seeing the passage as the Old Testament "type" for New Testament evangelism!)

23. Even Poythress himself occasionally concedes the inconclusiveness, ambiguity and uncertainty which characterizes the conclusions he draws from his multiple-symbolic interpretations of God's law. When it comes to civil penalties for sexual crimes, "we cannot be absolutely sure how the logic of justice operates" (p. 205); there are many possible approaches. Moreover, having dismissed the Mosaic penalties for sexual crimes (due to the unique significance of sex within Israel as possessing the promised land and being the race through which the Messiah will come), Poythress realizes that he cannot readily or objectively "establish the full nature and extent of such disruption" to society by sexual sins – and so cannot say with any fairness or assurance what the civil penalties should be (pp. 209, 214, 218). But only God is in a position to determine and has the authority properly to decree what justice demands in these cases, which is precisely why we should go to the law of God for our direction today (cf. Heb. 2:2)!

We should note the practical consequence of the judicial agnosticism spawned by Poythress' approach. Nearly two thousand years after the introduction of the New Testament, he still cannot be sure how certain sexual sins are to be punished by the civil magistrate. Think about that. Was civil justice simply to be put off for centuries and centuries while Biblical interpreters continued to debate imaginative typologies and symbolisms? In the name of caution and doing the right thing (cf. p. 286), Poythress actually ends up having the magistrate do nothing at all. Does God's word endorse such a view of (postponed) civil "justice"?

other times does not appeal to those same principles, or at yet other times appeals to conflicting principles, there is no predictability to the conclusions which are reached (or can be reached) in terms of his style of interpreting and applying the Old Testament law. The reasoning can be pressed to prove that a certain Old Testament command is to be applied by civil magistrates today – or, equally, that the same command is not to be applied in modern states. A methodology which is this random or arbitrary is simply lacking in cogency and bears no authority for drawing theological conclusions.

Poythress wants to say that there is continuity between the Old and New Testaments regarding the law of God (or some particular commandment), *and yet* there is also discontinuity. And from that generalized, dialectical platform it then becomes unpredictable (and unjustifiable) whether Poythress will personally come down upon the continuity emphasis or the discontinuity emphasis in the conclusion he draws from case to case about the applicability of any law today. He portrays the law as having an authority which cannot pass away, "but in another sense" it did not have ultimacy and fades away (p. 98). "The new covenant thus continues the standards of righteousness of the Mosaic covenant. Yet radical transformation is also in view" (p. 116). The Israelite law teaches us about the concrete embodiment of justice in an imperfect world, Poythress teaches, and then in the next breath he asserts: "but" that law was meant to foreshadow Christ and thus be temporary in use (p. 161). Repeatedly it is "yes and no." And from this abstract principle[24] that there is always continuity-but-discontinuity Poythress appears to approach individual cases of

24. The problem is not that Poythress believes that there are particular points of continuity as well as particular points of discontinuity between the Old and New Testament regarding particular commandments; theonomists teach that such a *combination* of particular continuities and particular discontinuities characterizes the relation between the Testaments. The problem enters when we move away from dealing with exegetically-based *particulars* (whether continuities or discontinuities) and hermeneutically rely simply upon an abstract generalization of continuity-but-discontinuity-also when interpreting a specific commandment. We are not permitted to define the continuity or discontinuity for any law on our own, guided by the abstract principle, but can do so only on the basis of exegesis of the given texts of Scripture.

the Old Testament law and arbitrarily pick out from them whatever he wishes to retain. There is no objective operating presumption or control principle evident in his interpretation of whether and how any particular law is valid or set aside today. The theonomic principle is that we are to presume continuity between Old and New Testaments until the objective, exegetically-based interpretation of Scripture teaches us that there is rather discontinuity.

Take another example of interpretive caprice from Poythress. Over and over again he alleges that the penalties of the Old Testament law must be seen "as a shadow of the final punishment in hell" (p. 114). Indeed, God's Old Testament punishments "always" foreshadow God's final judgment; "all" the punishments seen in Old Testament Israel are foreshadows of hell (p. 121) – and thus they all point forward to Christ's bearing the law's penalty as the substitute for sinners (pp. 125, 133, 158, 227, 259; cf. the title of chapter 9). Two weighty criticisms can be levied against Poythress' thinking here. First, he confidently asserts this theological conclusion about the foreshadowing function of Old Testament penalties, and yet he never at any point offers the slightest exegetical evidence that the Mosaic civil penalties were intended by the Divine Author of Scripture as foreshadows of the final punishment (or death of Christ). The claim is hermeneutically arbitrary. But second, we must give full weight to the way in which Poythress insists that every single one of the Mosaic penalties is a foreshadow of final judgment. Given the universal or categorical character of the claim, we would expect that Poythress comes to the same conclusion in each case about modern use of the Mosaic penalties. But this is far from the case. Sometimes the (alleged) foreshadowing function of the penalties leads to the conclusion that they should not be carried out by the state today. But at other times the (alleged) foreshadowing function of the penalties does not prevent Poythress from concluding that certain penalties should indeed be used by modern states. He himself writes that "Christ's sacrifice does not eliminate the responsibility of the state to redress wrongs on its limited human plane" (p. 166) – in which case the fact that an Old Testament penalty

foreshadowed hell or Christ's bearing of the judgment of hell does nothing to prove that the penalty should not be utilized after the work of Christ. So this line of reasoning turns out to be arbitrary in terms of the inferences which are to be drawn (or not drawn) from case to case.

Perhaps the best example of all, though, is found in the way Poythress treats the notion that certain crimes were punished in the Old Testament because of the special holiness or redemptive experience of Israel as a nation. He alludes to this notion repeatedly in his book (for instance, pp. 123, 162, 166, 181, 188-189, 205-206, 209, 211, 213, 217, 218, 229). More often than not, this is the rationale to which he turns when he disagrees with theonomists about the use of particular Old Testament civil penalties today. It is a crucial point in his theological reasoning. And yet it is so capriciously understood and applied by him as to be of virtually no argumentative value. Let me explain.

Sometimes Poythress argues that a particular Mosaic statute or penalty was given with respect to the holiness of the promised land (possessing the tabernacle and God's chosen people) and is accordingly restricted in civil application to Israel in the land. Thus he says that all of the commands from Deuteronomy 6:1 onward "are qualified by the geographical boundaries of the land" (p. 100). Yet he must immediately surrender this line of argument, admitting that this is only "a matter of degree" (p. 101) – that such references to "the land" in the law of God *do not*, after all, automatically imply that the relevant laws are restricted in application to the Old Testament promised land. Even the Decalogue mentions "the land" (in the fifth command), but nobody dismisses the universal validity of it; indeed, Paul appeals to the commandment without hesitation and interprets its wording about "the land" as applying to "the earth" as a whole (Eph. 6:2-3).[25] Therefore, nothing can be settled about the application

25. The wording of the law at times refers to things which were uniquely true of Israel, and yet such contextualizing allusions cannot credibly be taken as implying that the law was valid only for Israel. As Poythress himself recognizes, the Ten Commandments were preceded by the Lord's declaration of His redemptive work on behalf of Israel at the Exodus. Poythress rightly notes: "This most significant contextual note does not literally apply to anyone but Israel" (p. 102). Yet nobody

or inapplication of an Old Testament law today simply by appealing to its contextual wording about "the land."

Sometimes Poythress argues that an Old Testament civil penalty is not to be applied by states today, and the main premise upon which this conclusion rests is the assertion that this civil penalty was prescribed in the law because of the special holiness of Israel as a nation (for instance, see his treatment of the penal sanctions for sexual crimes in chapter 13). In order for the argument to have any force, then, Poythress must be able to establish its key premise. But how can he do so? And how can he know that the special holiness of Israel must affect our interpretation of an Old Testament law in any particular case?[26]

It might seem that the answer would be that the special holiness of Israel should be taken as explaining a particular Old Testament commandment when the language of the statute explicitly alludes to that holiness. But that line of reasoning is not adopted by Poythress. Notice what he says in discussing the mention of "purging evil" in the Old Testament law about punishing perjury (Deut. 19:19): "Such language may indicate a particular concern to protect the special holiness of Israel. *But* such language by itself *does not* constitute conclusive evidence that the holiness of Israel is decisively affecting the nature of the penalty. For example, the discussion of murder in Numbers 35:33-34 includes a note about how blood pollutes the land. The pollution of the land makes the execution of the murderer all the more necessary" (p. 178). This is an amazing concession by Poythress (and surely demanded by a consistent approach to the Old Testament text). In terms of it, *Poythress has himself undermined the key rationale to which he appeals in his book for arguing against the theonomic use of particular civil penalties today.* Whenever he presses the argument about Israel's special holiness against a theonomist for en-

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reasonably concludes from this that the Decalogue applies only to Old Testament Israel!

26. Even more, how can he prove that the *only* rationale for some particular penalty was the unique holiness of Israel? Apart from that premise, the passing of Israel as God's holy nation would not in itself prove the putting aside of the law in question.

dorsing a particular Old Testament penal sanction today, the theonomist can turn around and rebut Poythress with his own words as quoted here.

Likewise, in responding to the idea that the Old Testament penal sanction for murder is restricted to Old Testament Israel because murder is dealt with in terms of the land's defilement and Israel's holiness (pp. 172-173), Poythress treats the cleansing function of the murderer's execution as an "additional value" (within the promised land), going beyond the universal appropriateness of the death penalty for murder even outside Israel. In answer to the idea that the death penalty for murder in the Old Testament points ahead to Christ bearing the punishment for the violation of human life and restoring that life through His resurrection, Poythress says "In the midst of the changes brought about by Christ's resurrection, the authority of the state over civil penology is confirmed rather than abolished (Romans 13:1-7). . . . Only at the resurrection of the dead does the task of the state legitimately come to an end" (p. 171). In both of these cases Poythress should realize that *the same pattern of reasoning which he has employed* would be used in turn *by theonomists* when he appeals to Israel's holiness or foreshadows of Christ's work to argue against their endorsement of the continuing validity of other Old Testament penal sanctions. This fact points out once again the capricious character of the argumentation found in Poythress' book. He can employ certain lines of reasoning when he (unlike theonomists) wants to set aside the continuing civil use of certain penal sanctions, and yet he can (like theonomists) readily counter those arguments with other lines of thought. Accordingly, one cannot predict regarding any particular Old Testament law whether the theological and hermeneutical approach advocated by Poythress will support continuing or discontinuing it today. It all depends on which of the divergent lines of reasoning he chooses to enlist in any particular case.

But there is more to be said by way of critical analysis. We have just seen that, for Poythress, it does not decisively count against the continuing use of an Old Testament penalty today that allusion to the holiness of Israel can be *found* in the text of

the law. On the other hand, *absence* of any textual allusion to the holiness of Israel as the appropriate context or rationale for an Old Testament penal sanction does not, for Poythress, mean that we may not dismiss the civil use of that penal sanction today on the basis of Israel's special holiness! He cautions the reader on page 215 that "we cannot tell for certain whether the special holiness of Israel has an influence on the nature and severity of the penalty" for adultery. That is, Poythress is open to applying the argument from Israel's special holiness against the continuing civil use of an Old Testament penal sanction, *even when* the text gives no warrant for doing so. (In logic this is known as the fallacy of "arguing from ignorance": viz., the mitigating principle of Israel's holiness can be applied because "we cannot tell for certain" that it does not.) But now notice the utter *arbitrariness* with which Poythress is left in his reasoning from Israel's special holiness. The argumentative force of that feature about Israel (for setting aside the continuing validity of an Old Testament penal sanction) might not come into play when the feature *is* mentioned by Scripture, but it might come into play when the feature is *not* mentioned by Scripture! When we examine the argumentation in Poythress' book, it all appears to be guided by the subjective feelings of the interpreter and whatever conclusion he desires to reach. The danger, therefore, is that we end up reading our own thoughts into the Bible, rather than reliably exegeting it to find God's thoughts.

Now that we have traversed the preceding explanations and illustrations, let me go back and restate the debilitating methodological problem which the careful reader sees throughout Poythress' book: when your principles of Biblical interpretation and theological argument are so vague and are used so dialectically that you can prove **anything** by means of them (depending upon your predilection), then those principles are as good as "proving" **nothing**.

4. "Fulfillment" of the Law in Matthew 5:17

In the last chapter (pp. 251-286) as well as final appendix to his book (pp. 363-377), Poythress takes issue with me for arguing

in *Theonomy* that the Greek word *plaroo* in Matthew 5:17 means "to confirm."[27] Other theonomic critics have occasionally complained about my treatment of the word "fulfill" in Matthew 5:17 as well. But this has usually happened because these critics have unjustifiably narrowed what I say about the word in that passage – reducing it merely to "confirm," and then (on top of that) portraying confirmation in a linguistically shallow and connotatively sparse manner (e.g., "purely static continuation," mere "reiteration," and other phrases with purposely negative and unwarranted connotations). By setting up this straw man, the critics can then berate theonomy for ignoring the *richness* of the word "fulfill" in Matthew 5:17. Well, I have not overlooked that connotative richness at all. Long ago I wrote in *Theonomy*: "Jesus says in Matthew 5:17 that He came to confirm and restore the full measure, intent, and purpose of the Older Testamental law. He sees the whole process of revelation deposited in the Older Testament as finding its validation in Him – its actual embodiment. . . . *Plaroo* is subject to the norm both of literal Older Testamental wording and the meaning of salvation manifested in Jesus Christ" (p. 64). I go on to say that, since the Jewish teachers had perverted and emptied the law of its full meaning and moral demand, when Jesus spoke of "fulfilling" the law, the Greek word *plaroo* should specifically "be taken to mean 'confirm and restore in full measure.'"

In the world of Biblical scholarship I am certainly not alone in holding such a view about this passage. Indeed, I learned this view from John Murray (*Principles of Conduct*, p. 150). The idea that in Matthew 5 Jesus was confirming or establishing the law in its full measure, thus upholding the validity of the Old Testament commandments, can be found (despite differences of response or application) in a wide, wide variety of scholars: Calvin,

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27. This was previously part of a paper submitted by Poythress to the Consultation on the Biblical Role of Civil Government, held at Geneva College in December, 1988. What I already told him briefly in personal conversation at that time can now be rehearsed for the reader as well. It is not clear to me just what Poythress thinks we might be arguing about, if there is really any argument between us at all. He seems to be engaging in a mere verbal dispute (over a verbal question!).

Bolton, Plumer, Fairbairn, George Campbell, David Brown, J. P. Lange, Hans Windisch, J. A. Alexander, B. B. Warfield, Ernst Kevan, Carl Henry, John Stott, G. S. Sloyan, W. C. Allen, Alfred Plummer, William Hendriksen, Herman Ridderbos – even dispensational scholars like A. C. Gaebelein and R. D. Congdon. Most of these writers readily used the word "confirm" (or similar tokens like "establish, ratify") to explain the sense of fulfillment in Matthew 5:17.

This lingustic sense is supported by a detailed argument in *Theonomy*, but that translation had already been given to *plaroo* in the past by scholars such as B. H. Branscomb, W. H. P. Hatch, and G. Dalman. Recent scholarship continues to support this line of interpretation: e.g., in his article, "Fulfilling the Law," Robin Nixon says that Jesus was not abolishing the law but giving it its full meaning and (*prima facie* anyway) inculcating obedience to the smallest commandment.[28] David Wenham argues (against Robert Banks) that the Greek word *plarosai* in Matthew 5:17 should indeed be translated as "establish":

> We may agree with Banks that *plerosai* is normally used in Matthew to mean 'fulfill' (especially of the fulfilment of prophecy). . . . But whereas Banks believes that Matthew's thought [in 5:17] is that of 'fulfilling and so transcending', the context suggests rather that the thought is that of 'fulfilling and so establishing'. The contrast in v. 17b, 'I came not to abolish but to. . . ,' favours this view: 'abolish – fulfil/establish' are a more natural pair of opposites than 'abolish – fulfil/transcend'. And the subsequent context also favours this interpretation: the fact that Jesus is the fulfiller of the law leads on to the practical 'therefore' of v. 19: Jesus' followers are to uphold and not abolish the law.[29]

No less able a New Testament scholar than George Eldon Ladd grants the legitimacy of this linguistic understanding of *plaroo* in Matthew 5:17: "The word translated 'fulfill' can mean to 'establish, confirm, cause to stand' and need mean only that

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28. In *Law, Morality and the Bible*, ed. Bruce Kaye and Gordon Wenham (Downers Grove, Illinois: InterVarsity Press, 1978), pp. 56-57.

29. "Jesus and the law: an exegesis on Matthew 5:17-20," *Themelios* (April, 1979), p. 93.

Jesus asserted the permanence of the Law and his obedience to it."[30] In the technical discussion of the Greek word *plaroo* which is published in *The New International Dictionary of New Testament Theology*, we are specifically told that in the Greek Old Testament (Septuagint) this word is used for "confirming the words of someone else (1 Ki. 7:51)."[31]

Therefore, it is something of a mystery to me just what complaint Poythress has in appendix C of his book. He may not personally prefer the translation "confirm in full measure" at Matthew 5:17, but to suggest that there is *no* substantial evidence for the legitimacy of this as a linguistic translation is pushing too hard. Numerous scholars, as we have just seen, have granted the legitimacy of this kind of translation (even if it is not the statistically most common use for *plaroo*). Does Poythress have the surpassing competence to simply declare them all mistaken? He says that "the testimony of standard lexicons must be allowed to carry great weight in cases like this one" (p. 377). Yes, and the standard New Testament lexicon by Arndt and Gingrich glosses "confirm" as one possible translation for *plaroo* – precisely at Matthew 5:17! They may not favor that view, but they had no qualm with glossing it as a legitimate possibility. So just what is Poythress' problem? *Even Poythress himself* has to admit that there is some "plausible" evidence for this use of the term *plaroo* outside of Matthew 5:17 (p. 376).[32] So again, just what is the problem?

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30. *A Theology of the New Testament* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1974), p. 124. Ladd goes on to give his own view that the word "fulfill" here has the meaning of bringing to full intention and expression – which I need not deny.

31. R. Schippers, "Fulness [*plaroo*]," *NIDNT*, vol. 1, ed. Colin Brown (Grand Rapids: Zondervan Publishing House, 1975), p. 734.

32. Poythress would *prefer*, even here, not to use the translation "confirm" (pp. 369-370), but that is a far different matter than holding that such a translation is *impossible*. Also, the reasons he offers against the (commonly accepted) translation of "confirm" in 1 Kings 1:14 (3 Kings, Septuagint) are really nothing more than quibbles. Indeed, when we examine his responses to the examples I have provided for places where *plaroo* could be translated "confirm (pp. 369-376), we find basically the same thing. He does not demonstrate that this translation cannot be correct, but simply offers his own reasons for taking the word in a slightly different way. This is more autobiography than refutation.

More importantly, the reader should notice that *even if* we were to grant legitimacy to the *linguistic* complaint Poythress may have with translating *plaroo* as "to confirm," this would not in any way weaken the *theological* point made by theonomists with respect to Matthew 5:17. The reason is that Poythress readily admits that the concept of confirmation is *an implication* of many of the legitimate translations of the Greek word *plaroo* (pp. 365, 373, 376).[33] When all is said and done, the significant thing about the theonomic thesis (and its treatment of Matthew 5:17) is not some linguistic point about preferred translation, but rather a substantial theological conclusion about the relationship of Jesus to the Old Testament law. If Poythress wants to insist that Jesus did not "say" that He confirms the Old Testament law, but rather that Jesus "implied" by what He said that He came to confirm the Old Testament law, theonomists need not stop to argue. The crucial theological point has still been established.

Indeed, when Poythress asks how the teaching of Jesus constitutes "fulfillment" of the Law, he mentions the view that "Jesus reasserts the true meaning of the law against Pharisaic distortions, and thereby confirms its validity." And then Poythress adds his own evaluation: "This view, I believe, is nearly correct"! (p. 264). So what is the problem? He says that in this verse "Jesus claims something more." Notice, then, that Poythress cannot dispute the theonomic view of Matthew 5:17; he does not contradict it or try to refute it. He simply wishes to say "more." However, what he wishes to add to the interpretation of the verse is not in general theologically objectionable or specifically contrary to theonomic ethics at all (so I hesitate to demur at any length). It is simply exegetically unwarranted at this spot.

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33. In my opinion Poythress is wrong to think that I confuse the semantic meaning of a term with its conceptual implications (a strange thing for Poythress to worry about anyway, given his view of a continuum between translating and interpreting texts). Further, his effort to individuate and distinguish (to categorize and count) the various "senses" for a word – and to logically relate "senses" to "nuances" and "implications," *then* regiment correspondences between these different things and a variety of verbal tokens, as well as correspondences between the verbal tokens in two different languages – is in ways misleading and artificial. But these things are not really important here. Even granting the claims Poythress makes, they do not tell against the theological conclusions of theonomy at all.

We saw above how Poythress wishes to dump every imaginative "connection," "parallel" or "association" into broad Old Testament themes or motifs – in a way which is hermeneutically illegitimate and which results in arbitrary conclusions. Likewise, Poythress wishes to take every connotation or association he can imaginatively draw to the word "fulfill" in Matthew's gospel and claim that they are all packed together into each use of the term (and particularly at Matthew 5:17). This interpretive method is fallacious from the standpoint of both logic and literature (despite its popularity among some theologians). The verb "fulfill" will have slightly different linguistic senses, depending upon the object which is said to be fulfilled – whether it is a prophecy, or righteousness, or the sinful character of the fathers, or a fishing net, or the commandments of the Law (e.g., Matthew 1:22; 3:15; 5:17-18; 13:48; 23:32). The playful imagination of the interpreter has no *a priori* justification to run all those senses together – as though every key Greek word becomes for Matthew something of a theological "code" for saying a multitude of different things at once.[34]

Poythress wants to say that "fulfill" in Matthew 5:17 should be assimilated to the other uses of "fulfill" in Matthew where it applies to prophecies of the Old Testament. But the specific context of the Sermon on the Mount simply does not deal with Old Testament prophecies (even though they are surely found elsewhere in Matthew's gospel). We get into real trouble when we overlook the obvious. Poythress (and others) who try to import prophetic, typological "nuances" into the word "fulfill" in Matthew 5:17 are doing just that – importing preconceived ideas *into* the text (and context), rather than reading them out of the text. Even when one's theological conclusions are orthodox, this is not exegesis. The violence done to the context of Matthew 5:17 by

34. Why would Matthew commit the silly *faux pas* of using his "code" word for fishing nets?? If this is really a code word for Matthew, why does he not use it more frequently? in obvious places where it might be expected? (e.g., where other Synoptic authors use the word) Other significant Greek words are used by Matthew even more than *plaroo*; should they too be turned into theological code words which carry every accumulated linguistic sense and theological association within themselves?

importing prophetic and typological objects of "fulfillment" is astounding, obvious to any simple reader. Jesus there deals with ethical directives and lifestyle among His followers. We must go *elsewhere* in Matthew's writing to find the typological and prophetic emphasis upon which Poythress chooses to focus.

What "more" does Poythress want to add to interpreting "fulfill" in Matthew 5:17 as meaning confirming the law in full measure? Here his discussion degenerates into nearly complete fuzziness, ambiguity and poetic connotation – sidestepping any helpful clarity and analysis. He insists that Jesus "fulfills" the law not simply by "static continuation," "static maintenance," mere "reiteration," "flat, prosaic, purely unimaginative and strictly straightforward reading," treating the law as an "abstracted word" and "dusty legal specification," or hastily reading immediate moral applications "off of the surface of its text" (pp. 265, 266, 281). We don't want any of that "static, abstract, flat or dusty" stuff! Poythress has more glowing, emotive words for what "fulfilling" the law means. It involves something "dramatic and spectacular," "dynamic advance,"[35] "realization," "accomplishment," "a step forward," something "new and climactic" which "bursts the bounds," something involving "depths and richness" – indeed, "radical" and "profound transformation" (pp. 265, 267, 272, 282).[36] All gushiness aside, the word "fulfill" does not ordinarily mean to "change" something (radically transform it). And the word simply cannot in Matthew 5:17 have the practical effect of annul-

35. The examples offered by Poythress (pp. 258-262) for Jesus "intensifying" or "going beyond" the law of Moses are quite problematic. He claims Matthew 5:22 intensifies the Old Testament punishments, but this overlooks the fact that the threat of hell was already taught in the Old Testament. He claims Jesus taught that divorce is morally evil – which atrociously implies that God practices evil (Jer. 3:8). Poythress says that Jesus abolishes oaths altogether, even though they are used by God and men in the New Testament. He portrays the "golden rule" as a new notion which transforms the *lex talionis* – even though that rule is not unique to Jesus or the New Testament. He sees Jesus advancing upon the Old Testament by teaching the importance of heart intentions in religious practices, even though that message can already be found in Moses and the prophets at many places.

36. Elsewhere he says "we must expect radical transformation of the texture of the law and radical reinterpretation in the light of the accomplishments of Christ" (p. 336). Of the "texture" of the law?

ling the law (as Poythress claims on p. 266) – for that would make Jesus out to contradict Himself in the same breath.

Having said this, it is nevertheless a theological truth that the coming of Christ certainly represents change and advance over Old Testament religion, altering some observances of the law, and showing the preliminary and insufficient character of Old Testament institutions and acts of salvation (as Poythress says, pp. 267, 283). For all of his lengthy discussion, the "Christocentric" interpretation of the Old Testament recommended by Poythress comes down to holding that there is both continuity and discontinuity between the Old Testament and now (p. 279), that to hold only to one side of that polarity is too simple (p. 281), and that "the purposes and will of God as revealed in the whole Bible come to focus in the person of Christ and in His triumphant accomplishment of salvation in the Crucifixion and Resurrection" (p. 284). But if that is the theological distillate of Poythress' rhetoric, then theonomists have no difficulty with it whatsoever. We have been saying the same thing for years.[37]

Poythress agrees with theonomists that "all the commandments of the law are binding on Christians," and he then adds that "the way" in which they are binding is determined by Christ's authority and "the fulfillment that takes place in His work"; "the way in which each law is fulfilled in Christ determines the way

37. Poythress quotes me on p. 272, suggesting that his difference with me is that I take a "purely static continuation" view of the way Jesus confirms the Old Testament law. But he immediately adds in the footnote that "to be fair" to my view, one must take notice of "complex qualifications" which I introduce to the abiding validity of the law in exhaustive detail (p. 395). Is there "tension" or "undeniable contradiction" between such qualifications and an absolutistic interpretation of Matthew 5:17 (pp. 267, 395)? Only the tension which the Biblical text itself offers. Jesus is the one who spoke about categorical and exhaustive support for the law – down to the least commandment. It is also the word of Jesus elsewhere which gives us our theological justification for saying parts of the law have been laid aside or altered. There is nothing illegitimate or unique about our Lord teaching by means of sweeping declarations which are given particular qualifications later. Poythress needs to come to grips with the fact that the concept of *transformation* of the law's demands is taken from other portions of Scripture, not specifically Matthew 5:17-19 (see footnote 13 on pp. 394-395). Note especially the practical application of v. 17 which we find in v. 19 – and that teachers especially are warned about subtracting from the law's requirements.

in which it is to be observed now" (pp. 268, 269). He writes that "Christ's work defines the true nature of continuity and discontinuity between Old and New Testament situations" (p. 286). These are true enough, as formal statements. The question now becomes *how* this "fulfillment" is to be *defined* by the faithful student of Scripture – by the text of Scripture interpreting redemption for us, or by the theologian's creative and abstract notions of what the age of redemption means?

The dispute between Poythress and theonomy, it seems to me, is over the way in which the discontinuities with the Old Testament law are to be identified in the Bible. We would have to say that Poythress' general hermeneutical style is not adequately controlled by the text of Scripture. As we saw above, he gives too much room to playful imagination and loose, ambiguous, thematic connections for there to be any confidence in his conclusions. His reasoning has little protection from unreliability and arbitrariness. You can prove just about anything by means of it. Thus it is theologically unacceptable. To use Poythress' own words: "If we do not pay careful, detailed attention to explicit texts, we may be filling ourselves merely with our own ideas" (p. 350).

It is much safer and Biblically sound[38] to *presume* continuity with Old Testament moral demands (Deut. 4:2; Matt. 5:17-19) – as properly understood through exegesis of their own original text and context – and then allow specific, relevant texts in the rest of Scripture to amplify or transform or even put aside those requirements, given the inauguration of the radically new age of salvation brought by Christ (e.g., the paradigm of Acts 10). This does not exclude the use of typological interpretation, nor does it prevent reasoning by analogy (regarding classes of laws). It simply demands that the premises of such arguments be justifiable on the basis of textual exegesis.

38. This is not the only hermeneutical principle of theonomic ethics, of course. But Poythress complains that it is unhelpful (pp. 323, 341). In fact, it is very practical and useful in giving controlled guidance to our Biblical interpretation, without at all encouraging one to ignore full context and all relevant Biblical data. And since it has the authority of our Lord's own pronouncement behind it (Matt. 5:17-19), one should be careful about dismissing it as worthless.

SCRIPTURE INDEX (Selected)
Old Testament

New Testament

GENERAL INDEX

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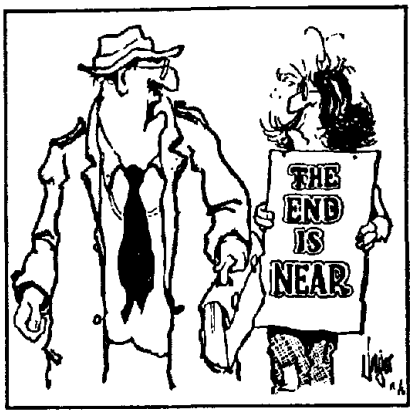

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A CHRISTIAN CITIZEN knows the answer: Jesus Christ. But if this really is the true answer, grounded firmly on the Bible, then why is it that so few Christians are willing to proclaim this fact publicly, and why is it that no Christian political candidate dares mention it?

There is a reason: *the theology of political pluralism*, the dominant public theology in our day.

Political pluralism is not simply a political philosophy; it is a theology. It is America's civil religion. This theology teaches that there must never be a nation that identifies itself with any religion. Well, not quite. The nation of Israel is grudgingly allowed to do so, as are the Islamic nations. But no nation is ever supposed to identify itself as Christian. "A Christian nation is self-contradictory!"

So we are told. But who tells us? Secular humanists who are dedicated to wiping out all political opposition. Also, Christian teachers who teach in tax-supported schools. Also, professors in Christian colleges who attended either state universities or secular humanist private universities, which are the only accredited universities in the United States that grant the Ph.D. degree.

Also, the U.S. Constitution.

This is the problem. God-fearing Christian Americans have been told that the Constitution teaches the absolute separation of Church and State. They have been told correctly. But what they have not been told is precisely where it says this. It does *not* say this in the First Amendment. The First Amendment says only that *Congress* shall make no law regarding religion or the free exercise thereof. So, where does the Constitution prohibit a Christian America? In a section that has been ignored by scholars for so long that it is virtually never discussed – the key provision that transformed America into a secular humanist nation. But it took 173 years to do this: from 1788 until 1961.

Political Polytheism discusses this crucial provision in detail – the first Christian book to do so in over two centuries.

But if Christ is Lord over the United States, yet the citizens of the United States either publicly deny this or are afraid to affirm it publicly, and if the elected politicians and appointed officers of the nation are legally prohibited from pursuing the implications of this fact, then what does this mean for the nation? It means that God intends to bring America under judgment. Why? Because this nation was originally founded as a Christian nation, covenanted with God, and then it broke the covenant. The results are predictable:

> And it shall be, if thou do at all forget the LORD thy God, and walk after other gods, and serve them, and worship them, I testify against you this day that ye shall surely perish. As the nations which the LORD destroyeth before your face, so shall ye perish; because ye would not be obedient unto the voice of the LORD your God (Deuteronomy 8:19-20).

This book presents a new vision of politics and a new vision of America, a vision self-consciously tied to the Bible. It challenges the political myth of humanism: ***many laws, many gods.***

POLITICAL POLYTHEISM by Gary North
Hardback, 791pages, $22.50
Institute for Christian Economics ISBN 0-930464-32-X

Is God's Church A Loser In History?

EVERY CHRISTIAN BELIEVES that at the return of Christ in judgment, Christ will visibly overcome the forces of Satan (Rev. 20:9). But what about the Church? What victory can members of the Bride of Christ expect to see? What meaning in history does the work of each Christian possess?

To put it bluntly, are Christians joining the losing side in history when they join the Church? A lot of Christians think so. A lot of pastors have preached so. But why? Does the Bible teach that the Church will lose in history?

What legacy should each generation of Christians leave to the next? The Book of Proverbs says: "A good man leaveth an inheritance to his children's children: and the wealth of the sinner is laid up [stored up] for the just" (Pr. 13:22). This certainly sounds like an *earthly* inheritance, not simply a heavenly one. After all, our grandchildren are supposed to inherit. Inherit what? Increasing defeat? Bankruptcy? A world controlled increasingly by sinners? Or a progressive increase of dominion, prosperity, and righteous rule by Christians in every are of life?

Dominion and Common Grace answers these and many other tough questions in detail. It deals especially with the hard question of the weakness of the Church in history, and the power of the God-haters in history. How is it that those who hate Christ seem to prosper, while Christians seem to be powerless? Should we expect more of the same?

What should Christians expect in the future? Dominion or defeat? Prosperity or bankruptcy? The Garden or the Gulag? What does it mean to be "more than conquerors through him that loved us" (Romans 8:37)? Does "more than conquerors" really mean less than earthly conquerors?

Dominion and Common Grace provides the biblical answers. These answers are intended to reshape your life. When enough Christians learn the truth, they will begin to use biblical principles to reshape the world.

Christians should not be surprised to learn that humanists don't want the world reshaped by the Bible. Sadly, millions of Christians don't think it's even possible. They have told other Christians to avoid trying. In fact, ***there has been an implicit alliance between the humanists and these pessimistic, defeat-preaching Christians.*** So, when dominion-minded Christians begin to put the Bible into practice in every are of life, a lot of humanists will be outraged, and a lot of Christians will be surprised to find that the Bible really works.

Be prepared.

Dominion And Common Grace by Gary North
Paperback, 303 pages, $8.95
Institute for Christian Economics ISBN 0-930464-09-5