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Recovering the Mosaic Covenant as Law and Gospel: J. Mark Beach, John H. Sailhamer, and Jason C. Meyer as representative expositors

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Contemporary evangelical theology has taken a fresh look at the biblical teaching on the Mosaic covenant as an administration of law and gospel, wherein two *antithetical* principles of inheritance are operative side by side. This is not a new insight, but one which has engaged the attention of expositors for centuries. It was a special preoccupation of Reformed theologians since the beginning of the Protestant Reformation. In more recent times, it has been juxtaposed to the teaching of dispensationalism, only to be reignited by dialogue among the modern-day *progressive* dispensationalists and other challengers (notably, those who advocate the New Perspective on Paul and the law). Explanations of the operation of two opposing principles within the Mosaic economy, works and faith (law and grace), have been exceedingly difficult. Because of the complexity of the subject and the lack of clarity in past formulation, biblical interpreters continue to wrestle with numerous perplexing issues crucial to theology in all its related disciplines (exegetical, systematic, biblical-theological, and historical). Basic is the contention that the works-principle of inheritance enunciated in Leviticus 18:5 ('this do and live') is the *merit*-principle. It is the principle that informs the federal headship of the two Adams. Reward, i.e., divine blessing by way of covenant and probationary testing, is contingent upon obedience to the law of God.

What unites all evangelical interpreters is unreserved agreement (consensus) on the classic Protestant law/gospel contrast. The modern-day Barthian reading of Scripture denies this contrast altogether. In its place, neoorthodoxy insists on the compatibility of law and grace – as two sides of the same coin. They say that man was never in a position to earn or merit God's reward, reward based upon covenantal obedience and fidelity to God's truth and law. This conviction has resulted in the *radical* reformulation of the system of doctrine (most notably with respect to the doctrine of the covenants, justification and atonement, and election). In terms of the history of doctrinal development, Reformed scholasticism in the period of High Orthodoxy exacerbated the dilemma posed by the medi-

eval, speculative dichotomy between nature and grace as applied to the order of creation and the order of redemption. This being the case, we begin our study with the work of Mark Beach on Francis Turretin (1623-1687), one of the leading exponents of scholastic Reformed federalism. In Beach's judgment, Turretin has given expression to the mature ('pinnacle') form of Reformed covenant theology.[1] True though this is, scholastic federalism is not without its problems and weaknesses. The need of the hour is to learn from its mistakes/misformulations, not repeat them. This will take renewed attention to the exegesis of Scripture. For this our attention focuses upon the recent works of John Sailhamer (OT) and Jason Meyer (NT). Resolution of the current Reformed debate over the nature/covenant dichotomy is requisite for proper interpretation of the relationship between the old and new covenants, between Moses and Christ, as understood within evangelical Protestantism. What follows below accents the very curious and fascinating intersection between divergent Protestant evangelical traditions in recent years.

J. Mark Beach on Reformed scholasticism

Christ and the Covenant: Francis Turretin's Federal Theology as a Defense of the Doctrine of Grace began as a dissertation under Richard Muller at Calvin Theological Seminary. In his defense of Reformed Orthodoxy, Beach offers a critical reading of Mark Karlberg (among others), accused of imposing a false theological construct on Calvinism. (He falsely aligns John Murray and Karlberg with those who have attempted to drive a wedge between Calvin and the later Calvinists. The differences between Murray and Karlberg on covenant theology aside, nothing could be further from the truth.) The dispute that receives focal attention throughout Beach's study on Turretin comes down to this: Beach, as a modern-day exponent of scholastic Reformed federalism, upholds the nature/covenant dichotomy. This dualism, rooted in medieval theology, notably in the theology of Thomas Aquinas, rends asunder two inseparable aspects of God's creative work, the fashioning of Adam in the image of God and God's *covenantal* engagement with humankind in the prelapsarian epoch. New insights from the discipline of biblical theology, which traces the historical unfolding of divine revelation in Scripture (pre-redemptive and redemptive) provide additional evidence against the error of the scholastic construct under review. Agreeably, this theological construct is deeply embedded within Reformed federalism from the period of High Orthodoxy down to the present day.

Repeatedly, Beach argues against the notion of 'merit' with respect to the creature's obtainment of divine blessing and reward. But on this critical issue Beach equivocates time and again throughout his discussion. Theologians on both sides of the contemporary debate agree that the Creator is sovereign and

1 J. Mark Beach, *Christ and the Covenant: Francis Turretin's Federal Theology as a Defense of the Doctrine of Grace* (Göttingen: Vandenhoeck & Ruprecht, 2007), 16.

free over all creation. The creature has no inherent rights over the Creator, rights which place the Creator in the creature's debt. Creation is a free act of God, not a necessity. The decrees of God are acts of his own sovereign, free determination. And what God decrees is consistent with his holiness, wisdom, love and justice (to name only some of the divine attributes). Beach contends that the idea of reward (i.e., earning God's blessing) 'introduces a false doctrine of merit into the divine-human relationship…. In short, the doctrine of grace is eclipsed by a false notion of a legal relationship imposed upon man in his original, unfallen state – as if Adam had to earn God's favor through obedience and so by his works merit blessing from God.'[2] Turretin, the Reformed apologist, upholds merit *ex pacto*, the granting of reward by way of God's *gracious* condescension, having entered into a covenant relationship with man the creature and having promised to bless him with eternal life on grounds of perfect obedience.[3] What more precisely does merit *ex pacto* mean? There are several issues to consider here.

In his polemic against the notion of human merit, Beach rejects the medieval distinction between condign merit ('merit' in the strict sense of the word) and congruent merit (whereby God chooses to bestow a reward that exceeds the worth of the meager condition required in the covenant arrangement, the prohibition not to eat of the tree of knowledge). The legal requirement is humanity's natural duty to God. Contrary to Beach's assertion, however, the scholastic doctrine of merit *ex pacto* is identical to the medieval notion of congruent merit. According to this teaching, God is pleased to accept the meager condition for bestowal of reward that excels the payment of duty exacted. None of those holding this view (neither Beach nor the orthodox Reformed federalists) have extricated themselves from the unscriptural, speculative dichotomy between nature and covenant. The distinction is drawn between the creature's duty to render full and perfect obedience to God in the original *state of nature* as a perpetual obligation and the privileged enjoyment of greater blessing on condition of that same perfect obedience as a manifestation of God's unearned grace. Under the former arrangement, humanity ever remains susceptible of transgressing; under the latter there is the unmerited reward of confirmation in righteousness. In terms of the original order of creation God is absolutely free to bring his creation to naught, even if Adam remained faithful and obedient. The opportunity

2 Ibid., 15. Compare the similar position taken by Stephen J. Casselli in 'Anthony Burgess' *Vindiciae Legis* and the "Fable of Unprofitable Scholasticism:" A Case Study in the Reappraisal of Seventeenth Century Reformed Scholasticism' (Ph.D. dissertation, Westminster Theological Seminary, 2007); and Michael D. Williams in 'Adam and Merit,' *Presbyterion* 35 (2009), 87-94. Williams' formulation undermines orthodox Reformed doctrine concerning the Covenant of Works and probation. Historian Carl R. Trueman in *John Owen: Reformed Catholic, Renaissance Man.* (Great Theologians Series; Hampshire, UK/Burlington, VT: Ashgate, 2007) likewise adopts the scholastic federalist dichotomy on nature and grace (nature and covenant), resulting in ambiguity and doctrinal confusion.

3 Beach, *Christ and the Covenant*, 87.

of gaining higher blessing on condition of that same perfect obedience comes by way of the *gracious* covenant of works, what is superimposed on the natural order as a supernatural gift of God's grace. *It is application of the term 'grace' to the pre-redemptive epoch that lies at the root of the scholastic error. And here it must be insisted: theological vocabulary must conform to biblical teaching – in substance, if not in terminology (compare, e.g., the term 'trinity,' which does not appear in the Bible).*

The theological term 'grace' (gospel-grace) applies *exclusively* to God's saving work, accomplished by the atoning death of Christ and applied by the Holy Spirit to the elect of God over the course of history, from the Fall to the Consummation. To be sure, God's goodness and beneficence are evident in his creative work. Grace, however, is God's remedy for the transgression of the First Adam, the federal head of humanity. Grace contemplates human *demerit*; it is God's undeserved favor extended to sinners. And it is fallen humanity's demerit that necessitates the vicarious death of the Second Adam, God's only Son, as satisfaction for sin. By means of his active and passive obedience Christ merits the salvation of the elect. Beach concedes that the pivotal text is found in the fifth chapter of Romans, dealing with the imputation of Christ's righteousness. The parallel drawn between the First and Second Adams requires the idea of meritorious reward in the original Covenant of Works. Requisite also is the notion of probation as that pertains to Adam in the garden of Eden and to Christ in his earthly mission fulfilling the will of his Father. (Typologically speaking, Israel under Moses is likewise placed on probation in the land of Canaan. Obedience to the law of Moses is the meritorious basis for blessing and prosperity in the promised land, even though there is modification of the legal requirement for Israel, representative of fallen humanity.) *Here lies the biblical foundation for the traditional Protestant law/gospel antithesis.*

Beach upholds the Augustinian distinction between the original state of humanity susceptible to falling and the eternal state of humanity confirmed in righteousness (in Augustine's terms, the distinction between *posse non peccare* and *non posse peccare*). Confirmation in righteousness is the reward of the covenant. 'In this covenant arrangement, according to Turretin, humans are not subjected to an eternal test of obedience or subjugated to a persistent state of fallibility for eternity.'[4] *Crucial to our doctrine of creation is the component of proto-eschatology; there is a goal and purpose to God's creative work, specifically, the consummation of his original handiwork (including the glorification of humanity in the image of God).* Creation is not a divine whim, but a divine commitment to fulfill the Creator's eternal purposes as decreed. Creation gives expression to the integrity and faithfulness of God's sovereign good purpose. Beach summarizes Turretin's (*mis*)formulation of the covenantal structure underlying the history of the world. 'Scripture sets forth a 'double covenant' (*Foedus geminum*) scheme: "of nature" and "of grace." These are not two covenants, but God's covenant with a twofold character. In short-hand form Turretin describes the

4 Ibid., 75

double character of the covenant as that of "works" and "faith"; the former is "legal," the latter is "evangelical."'[5] Surely, Beach does not want to espouse the neoorthodox doctrine of monocovenantalism, which dissolves the law/gospel contrast and undercuts the radical antithesis between the Covenant of Works and the Covenant of Grace with respect to opposing principles of inheritance, works and faith (= saving faith in Christ). Yet, Turretin's statement here obscures this pivotal contrast, and is symptomatic of an underlying misunderstanding and misconception of the meritorious ground of blessing in the first covenant.

As a counter-charge against critics of Reformed federalism on this specific point of doctrine, Beach accuses Stephen Spencer for treating 'law here in abstraction, not as the specific law given to Adam by God in paradise as part of the probationary arrangement.'[6] The point is this: The probationary command encompasses the entire law of God, even while focusing on the single command not to eat of the tree of the knowledge of good and evil. If anyone is guilty of abstraction here, it is the Reformed scholastics. Probation is an integral part of the original Covenant of Works. As image-bearers, our first parents are obliged to render full and perfect obedience to the Creator, after the pattern of the angelic host.[7] Mistaken also are those like Beach who view the tree of life in Eden as representative of Christ and his saving work. Rather, this tree symbolizes the eschatological goal of creation, the consummation of heaven and earth. Of course, after Adam's breaking of the original covenant the goal of creation is attained only by means of the redemptive work of Christ. At the consummation, humankind beholds God in his heavenly Glory, what in scholastic definition is called the 'beatific vision of God.'[8] Beach rightly notes: 'The covenant of grace is thus wholly centered upon Christ and fulfilled in him. This is why it is *of grace*; and it is not to be thought that humans, as one of the parties of this covenant, offer a contribution or fulfill a prescription or meet a condition apart form Christ and all that he does for them, bestowing every benefit and blessing of the gospel covenant.'[9]

Our thoughts are directed once again to the crucial law/gospel antithesis, which pertains to opposing principles functioning in the Covenant of Works and the Covenant of Grace. It is entirely wrong to suggest that the legal requirement tied to the Covenant of Works could not be fulfilled by the creature in his 'natural strength.' Nor is the law of God given to Adam in creation 'impotent to supply for Adam what was needed to secure his conformity to it.'[10] Neither is the covenant of nature (i.e., the law of God) characterized by a 'relative weakness,' which is the

5 Ibid., 90.
6 Ibid., 99.
7 See my essay 'The Glory of God: Archetypal and Ectypal – Part Two: The Image of God,' *The Outlook* (July-August 2010), 9-12; Part One is 'The Theophanic Glory' (May-June 2010), 24-27.
8 Beach, *Christ and the Covenant*, 134.
9 Ibid., 172.
10 Ibid., 127.

case under the Mosaic Covenant (given the realities of the fallen human condition). This point of view reintroduces the erroneous medieval scholastic dualism between natural and supernatural ability, wherein it is said that the creature is dependent upon God's *supernatural grace* in order to fulfill the legal requirement of the original covenant. Better is Beach's statement made in these words: 'The first covenant into which God entered with humans was a legal covenant. This covenant of works dealt with man as innocent and unfallen; the promise of eternal life offered therein pending on the perfect fulfillment of the law ("do this and live") and the threat of death prescribed for failure to do so ("cursed is he who continueth not").'[11] In his innocency and creation in perfect righteousness and holiness Adam was able not to sin (note again the Augustinian teaching which Beach himself seeks to uphold).[12]

Once we have established the meritorious legal grounds for the obtainment of divine reward, viz., eternal life (symbolized in the tree of life), we are *then* in a position to understand the compatibility of the two antithetical principles of inheritance functioning within the Mosaic Covenant, the contrary principles of law and grace. The Reformed theological tradition has been correct in insisting that Scripture teaches only one way of salvation, faith in Jesus Christ. This is true for the saints who lived prior to Christ's death and resurrection. Abraham is called the father of all the faithful. He was justified by faith in Jesus Christ who was yet to come. The benefit of justifying and sanctifying grace is shared by all believers from the time of the fall to the consummation (those regenerated by the Spirit of God). So then, the law which was *added* to the promise given to Abraham refers to a unique administration of the Mosaic covenant regulative of the theocratic life of Israel in the land of Canaan. If the works-inheritance principle is not to undercut the promise (the principle of faith-inheritance, i.e., justification by grace through faith), then the operation of the former must be restricted in its field of operation. In spite of all the difficulty elucidating this biblical teaching Reformed interpreters have, by and large, succeeded in recognizing the operation of contrasting principles of inheritance within the Mo-

11 Ibid., 160.

12 Beach (confusingly) concedes: 'The language of merit only applies to sinners from divine grace and God's kindly condescension, entering into a gratuitous covenant with human beings, whereby he grants a reward to their works far beyond what those works deserve. In this sense, federal theologians affirmed *ex pacto* merit' (ibid., 213). Better is the earlier statement by the author : 'whether we are speaking of due reward or the divine gift, we are talking about *ex pacto* blessings of God, for there are no gifts or rewards bestowed to humans that are not rooted in God's goodness or in his salvific grace' (206). The critical question remains: In the Covenant of Works is the reward of God's blessing (viz., confirmation in righteousness) a matter of inheritance by works or inheritance by (unearned) grace? Which is it? There is no middle ground, no place for duplicity or ambiguity. On this point, Beach equivocates. But he would agree, at the same time, that the Protestant law/gospel antithesis is a theological nonnegotiable.

saic economy. Some have done so by restricting the legal principle to life in the earthly, typological kingdom. Turretin, as representative of High Orthodoxy, teaches that temporal blessings in the land are based on Israel's own obedience, not the substitutionary obedience of Another. Law-inheritance has relevance to life on the typological level of the Mosaic economy.[13] It did not pertain to the antitypical, spiritual level (life in the heavenly, eternal kingdom secured by the merits of Christ alone).

Despite this explanation given by Turretin, he mistakenly identifies the Mosaic law as falling 'under the evangelical covenant.'[14] Here Turretin and many other Reformed expositors fail to distinguish adequately between law as inheritance-principle (Lev. 18:5) and law as covenant. The apostle Paul plainly states that 'the law is not of faith.' The law *was added* to the Abrahamic promise. In the fullness of time Christ was born under the law to redeem those under the law, held in bondage to sin and death (Gal. 3 and 4). Within the Mosaic administration, regulative of the old economy of redemption as a whole, there is both law and covenant. Specifically, the works-inheritance principle regulates life in the temporal land of Canaan. Faith-inheritance pertains to the heavenly session of the saints who (now, post-Pentecost) live and reign with Christ.[15] The Mosaic economy of redemption, wherein the Mosaic covenant is an administration of the single Covenant of Grace spanning the history of redemption, anticipates the accomplishment of atonement and reconciliation achieved by Christ and the full outpouring of the Spirit.[16]

Another crucial point to grasp is this: The works-obedience required in probationary testing is not 'legalism,' the quest for *salvation* by human works. One of the several false assumptions and misreadings of the Reformed literature is Beach's equation of legalism with the doctrine of meritorious reward under the Covenant of Works. The two are not the same. Obedience to the covenant made with Adam as federal head is no more 'legalistic' than the obedience required of the Second Adam. The righteousness of Christ is the exclusive meritorious ground of blessing in the Covenant of Redemption (the eternal covenant established between Christ and elect, and them alone). Over the course of redemptive history, the Covenant of Grace includes both elect and nonelect with the 'household of faith,' the confessing body of saints who acknowledge the true God to be Lord and Savior. It is the elect of God alone who enjoy the eternal, saving

13 Beach, *Christ and the Covenant*, 253.

14 Ibid., 216 n2; compare also 249 and 252.

15 See Heb. 11:40. The 'something better' is union with the *resurrected* Christ.

16 'Strictly considered, the Old Testament "denotes the covenant of works or the moral law given by Moses – the unbearable burden (*abastakto*) of legal ceremonies being added, absolutely and part form the promise of grace."' (Beach, *Christ and the Covenant*, 263, quoting Turretin). The nature/covenant dualism undercuts the biblical teaching on primal eschatology; the Tree of Life points to the life-giving Spirit (before and after the Fall), not immediately to the redemptive work of Christ who became life-giving Spirit in the work of recreation (1 Cor. 15:45-49; cf. 2 Cor.3:17-18).

benefits of Christ's atonement. Even so, those who are nonelect in the covenant community experience some of the blessings of participation in the life of the (visible) body of Christ. Common grace, extended to the godly and the ungodly (and limited in its effect), is yet another benefit of Christ's atoning work on the cross. Common-grace benefits are only temporary blessings which in no way convey God's redemptive grace applied by the regenerating, sanctifying work of the Spirit of Christ.

John H. Sailhamer's study of the Old Testament

John Sailhamer has devoted a lifetime of study to the Pentateuch. In his latest work, entitled *The Meaning of the Pentateuch: Revelation, Composition and Interpretation*,[17] the author gives focal attention to the Mosaic law in the covenant God made with Israel at Sinai. The chief message of the Pentateuch, further advanced in the remainder of the OT, is the announcement of the new covenant to come in the messianic age of the Spirit. The essence of the new covenant is the fulfillment of God's promise to Abraham regarding the salvation of sinners – justification by faith through grace, on the basis of Christ's future reconciling death. In what follows, I will provide a theological commentary and analysis

17 Downers Grove, IVP Academic, 2009. The author opens with these words: 'This book is a study of the theology of the Pentateuch' (11), adding that '[t]o the extent that theology can rightly grasp God's revelation and accurately translate it into a particular setting, theology can lay claim to some amount of normativity' (61). Although church doctrine is not inspired, yet it is authoritative to the degree it faithfully restates the teaching of Scripture. In the words of Sailhamer: 'The task of biblical theology is to represent the meaning of the biblical text and to represent it as a word from God' (105). See further Mark W. Karlberg, 'Doctrinal Development in Scripture and Tradition: A Reformed Assessment of the Church's Theological Task,' *CTJ* 30 (1995), 401-418. Cornelius Van Til understood the system of doctrine to be reformed and always reforming *according to the Word of God* (the Scripture principle), ever more consistently by way of biblical exegesis and theological systematizing. Van Til defended as integral elements within the Reformed system such doctrines as divine incomprehensibility, the Creator/creature distinction, the distinction between archetypal and ectypal knowledge (what is the difference between knowledge in the mind of God and knowledge in the mind of the creature), and the doctrine of the Covenant of Works. The introduction of Framian multiperspectivalism has signaled the rejection of Van Til's methodology and that of the Princeton-(Old) Westminster school in favor of new explorations in theological debate and discourse. On Van Til's legacy, see further John R. Muether, *Cornelius Van Til: Reformed Apologist and Churchman*. (Phillipsburg: P & R, 2008), and my book review in *TrinJ* 30 (2009), 305-308. Compare also Mark W. Karlberg, 'On the Theological Correlation of Divine and Human Language: A Review Article,' *JETS* 32 (1989), 99-105, and 'John Frame and the Recasting of Van Tilian Apologetics: A Review Article,' *Mid-America Journal of Theology* 9 (1993), 279-296. For a defense of Frame's work, see his *festschrist*, entitled *Speaking the Truth in Love: The Theology of John Frame* (ed. J. J. Hughes; Phillipsburg: P&R, 2009).

of Sailhamer's theology of the Pentateuch. The author is to be commended for grappling with complex issues; his argument and interpretation move us in the right direction. Yet, as will be pointed out below, there is need for rethinking and reformulation on several different, yet related fronts.

Toward the conclusion of his book, Sailhamer remarks: 'The nagging problem confronting most evangelical biblical theologies is their lack of success in identifying the central message of the Pentateuch, and the OT as a whole. What remains constant within the historical movement and development of revelation? What is the central theme that draws all the other themes together and links the whole of the OT to the whole of the NT? There has been little agreement on what this center point might be.'[18] Here the author has in mind specifically dispensational and covenant theologies. Without taking up the issue of the grand theme of an Old or New Testament biblical theology (or one that encompasses the entire Bible), our interest here is the interpretation of the Mosaic covenant, specifically, Sailhamer's understanding of the relationship between the old and the new covenants. Another way to view this issue is to consider the eschatological design of God's work beginning at creation and continuing on through the program of redemption. Paramount in the work of creation and recreation is the realization of the kingdom of God on earth, to be consummated at the close of human history with the arrival of the new heavens and new earth. It is by means of the divine covenants that God's kingdom is administered and regulated. Prior to the Fall, the kingdom of God was a pure theocracy, the direct rule of God over humanity in covenant with God. Humanity, represented in the person of Adam, the federal head (with Eve as his companion), was made perfect in knowledge, holiness, and righteousness. As image-bearer of God, humanity was holy and righteous. The duty of humankind was to reflect the glory of God. Made a little lower than the angels, humanity would be elevated to a higher status in glory by way of covenant obedience. (Both the human and angelic kingdoms would obtain the initial reward of confirmation in righteousness by means of successful completion of probationary testing. The consummate blessing would await the end of human history.)

'I propose that the big idea of the Pentateuch is "the importance of living by faith,"' so writes Sailhamer.[19] Another way of stating this thesis is to say that the proper purpose of redemptive covenant, to which the Mosaic economy also gives expression, is salvation by grace through faith in Christ. (It is to be recognized that the administration of redemptive covenant is broader than individual election to salvation; that is to say, over the course of its historical outworking redemptive covenant includes some non-elect within its sphere of administration.) What distinguishes redemptive covenant from pre-redemptive covenant, in terms of its *proper purpose*, is the manifestation and realization of God's *gracious* gift of eternal life (the reward first offered to Adam as federal head in the original Covenant of Works), unearned and undeserved. At this critical point,

18 Sailhamer, *The Meaning of the Pentateuch*, 550.
19 Ibid., 22.

Sailhamer is ambivalent in his understanding. Though wanting to uphold the traditional Protestant law/gospel antithesis, he at times undermines this crucial distinction which is descriptive of the two kinds of covenants unfolding in biblical history. The place of God's covenant at Sinai within the broader scope of redemptive revelation is the exact case in point.

On the one hand, Sailhamer repeatedly (and correctly) asserts, 'The Sinai covenant was a broken covenant. The NT contrasted the failure of the Sinai covenant with the new covenant, which succeeded in Christ…. In the Pentateuch we are confronted with a call to a new covenant, not to the old.'[20] On the other hand, argues Sailhamer, the Sinai covenant *as first established by God* conveyed the faith-principle of inheritance. Accordingly, 'Abraham fulfilled the Sinai law [even before it was given] by living a life of faith.'[21] One page later we are told: 'The Pentateuch lays out two fundamentally dissimilar ways of 'walking with God' (Deut. 29:1): one is to be like Moses under the Sinai law, and is called the "Sinai covenant"; the other, like that of Abraham (Gen. 15:6), is by faith and apart from the law, and is called the "new covenant."'[22] It is the author's contention that the redemptive (gracious) covenant between God and Moses on Sinai degenerated into a covenant of works when Israel sinned in worshipping the golden calf. From this point onward, the history of the OT narrates the waywardness and the obstinacy of Israel according to the flesh. In the grand view of things, there is life before, under, and after Sinai. 'To be situated chronologically "before Sinai" is, theologically, to be removed from accountability to the law (Gen. 15:6; 26:5). To live "at Sinai" means to be accountable to the law (Lev. 18:5). To live "after Sinai" so to view its covenant in terms of new (spiritual) realities (Deut. 10:12-19; 30:1-11).'[23]

The author misapplies the theological concept of grace to the order of creation. (As previously noted, the theological term 'grace' pertains only to redemptive provision in the context of human sin and its consequences. Grace is God's remedy for human demerit and transgression.) Sailhamer contends: 'From the point of view of the structure of the Pentateuch, the giving of the law, the promises to Abraham, and nature itself are grounded in God's gracious gift of creaturehood. The Pentateuch ultimately is about creation and grace (creation/grace).'[24] He adds: 'The future of humanity is tied to God's gracious election to create humankind.'[25] Sailhamer's theology of grace and election are in need of rethinking and reformulation. Curiously, Sailhamer expresses his special indebtedness to two Reformed interpreters, John Calvin and Johannus Cocceius, the latter being another of the leading exponents of orthodox federalism, alongside Turretin (federalism is the dominant school in later Calvinism). Sailhamer registers am-

20 Ibid., 27.
21 Ibid., 13.
22 Ibid., 14.
23 Ibid., 285.
24 Ibid., 32.
25 Ibid.

bivalence on issues that lie at the heart of Reformed biblical theology. He takes Calvin to task for some features and elements of his covenant theology, at places where no substantive issue or dispute exists between Calvin and Cocceius. The objections raised by Louis Berkhof against the views of Cocceius simply reflect the complexity and diversity of thinking within Reformed dogmatics since the period of High Orthodoxy. It is my contention that resolution of these differences, where they are of genuine theological consequence, requires clarification and modification of the Reformed doctrine of the covenants, notably, the Mosaic covenant. Commendably, Sailhamer is helping Reformed evangelicals move in that direction – with some additional rethinking on his part.[26]

'John Calvin's *Institutes of the Christian Religion*,' writes Sailhamer, 'is a classic statement of the orthodox view of the OT. Calvin saw little difference between the religion of the OT and the Christian faith. He believed that, like the NT, the faith of the OT was grounded in the notion of covenant. The single covenant (Luke 1:72) through all ages was ultimately sealed by Christ's blood on the cross.'[27] To avoid misunderstanding, it must be recognized that Calvin and the theological tradition which followed in his wake taught that this single covenant, termed the 'Covenant of Grace,' spanned the period of *redemptive* history, from the fall to the consummation. (Calvin laid the seeds for the later Reformed doctrine of the 'Covenant of Works' established at creation.) The law given by God through Moses as mediator of the old covenant is contrary to the promise given to Abraham. 'Ultimately, I believe, these two themes of law and faith will find their place alongside each other as a juxtaposition of law and gospel. The gospel, that is, justification by faith, is God's means for our fulfilling the law.'[28] In distinction from Lutheranism, Calvinism from the outset developed more adequately and more faithfully the teachings of Scripture, including the doctrine of Christian obedience (under the rubric of the 'third use of the law'). Setting aside the important subject of the Christian's duty to obey the moral law under the Covenant of Grace (in all ages of redemptive history), our attention focuses upon the foundational law/gospel – or law/grace – contrast. Christian obedience under the Covenant of Grace is the fruit of the regenerating, sanctifying work of the Spirit of Christ at work in the life of the believer. The inheritance-principle of redemptive covenant is grace (grace *in Christ*); the inheritance-principle of the original covenant at creation is *works* (the merit-principle as that pertains to the First and Second Adams, the federal heads of humanity in creation and

26 'The aim of these narratives and their overall structure is to provide an explanation of the purpose and role of the Mosaic law in the Sinai covenant' (ibid., 366). 'Ultimately, the divine guidance that the author has in mind will be resolved through the work of God's Spirit indwelling his people, like wisdom, leading them in the right path. That will come in what the Pentateuch sees a s a different kind of covenant, unlike the one made at Sinai (cf. Deut. 29:1)' (368). While commending typology as a *textual* approach, Sailhamer's view is unclear and undeveloped.

27 Ibid., 136.

28 Ibid., 156.

recreation). Those who enjoy the saving benefits of Christ's atonement are the elect of God. Redemptive covenant and predestination are vital components in Reformed soteriology.

Assessing the relationship of OT to NT, Sailhamer objects to Reformed interpretations which view this relationship in terms of promise and fulfillment. The root of the difficulty, in my estimate, is the author's affinity for elements found in dispensational theology, notably its reading concerning Israel and the church in the history of redemption. Contrary to Reformed teaching on the subject, Sailhamer wants to set the OT on the same playing field as the NT. The OT and the NT, argues Sailhamer, are of *equal weight*.[29] This understanding competes with the pre-Reformation Augustinian view that the NT is concealed in the OT, while the OT is revealed in the NT. Teaching on promise and fulfillment as embodying the essential difference between the two Testaments likewise predates the Protestant Reformation.[30]

Of greater theological weight is Sailhamer's failure to elucidate clearly and unambiguously the essential role of the Spirit of Christ in regenerating and empowering OT believers, those numbered among God's elect. Reference to the Mosaic law as 'letter,' in distinction from the NT as 'Spirit,' pertains exclusively to the legal requirement of the old covenant as the meritorious basis of life in the land of Canaan (the reward of temporal, typological blessing). Israel was unable to retain life and prosperity in this holy, theocratic site and thus was punished with exile to foreign lands. In the time of dispersion regenerate OT believers continued to enjoy life and fellowship with God in the anti-typical sphere of heavenly life secured by the Messiah who was yet to come. Cocceius' doctrine of the gradual abrogation of the covenant of works (to which Sailhamer gravitates) and his doctrine of the forgiveness of sins (partial versus complete remission under the old and new covenants respectively) require rethinking and reformulation.

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29 Although the Bible, Old and New Testaments, comprises the church's Scripture, it is the NT which is the canon for the church (post-Pentecost). It is the NT which is regulative of the new covenant community.

30 Had Walter Kaiser paid closer attention to this interpretive reading of the Bible – and to the concerns of Reformed biblical theology – he might have been prevented from misreading the nature and significance of the law at Sinai, a point on which Kaiser and Sailhamer differ substantially. Sailhamer's own misreading of the promise/fulfillment paradigm likewise prevents him from articulating a genuine *typological* (and *christological*) interpretation of the OT. On the subject of biblical typology Sailhamer equivocates; the author's tribute to Calvin and Cocceius has not fully paid off in his theologizing. In this connection, Sailhamer's distinction between the 'biblical Jesus' and the 'messianic Christ' is artificial and confusing. The underlying problem is the author's inadequate grasp of typology, based on a failure to understand the relation between OT and NT as promise and fulfillment. Sailhamer also leaves undeveloped the notion of theocracy with respect to Israel's constitution as a chosen people and with respect to her temporal life in the land of Canaan. Compare the assessment by Willem J. van Asselt in *The Federal Theology of Johannes Cocceius (1603-1669)* (trans. by Raymond A. Blacketer; Studies in the History of Christian Thought, vol. 100; Leiden: Brill, 2001), which I have reviewed in *JETS* 45 (2002), 734-738.

Restricting the works-inheritance principle to the typological level of life in Canaan best explains the operation of conflicting principles of inheritance, law and grace, in the covenant made with Israel at Sinai.

Jason C. Meyer's study of the New Testament

Jason C. Meyer's study in Pauline theology, *The End of the Law: Mosaic Covenant in Pauline Theology*,[31] marks something of a milestone in contemporary evangelicalism, notably among interpreters standing outside the Reformed covenantal tradition. There are, Meyer observes, five approaches to the subject on Paul and the law (utilizing the taxonomy of Walter Kaiser). Situating his own work in terms of this classification, Meyer comments: 'I am not a conscious adherent to any theological system within Kaiser's taxonomy.' He reasons that 'one must not assume that Paul operated with the theological categories that the exegete brings to the text.'[32] The success of Meyer's own hermeneutical methodology, described as 'thoroughly exegetical,' is dubious.

After introducing his subject, Meyer opens with a 'transhistorical' overview of the covenant(s) of God in history (ignoring the Reformed doctrine of the original covenant of works at creation). The law of Moses is described as a non-soteriological covenant, in that 'it did not provide eschatological salvation.'[33] The period from Moses to Christ, Meyer implies, serves as a parenthesis in redemptive history; the law was added to the Abrahamic promise in a manner that did not nullify the promise of eschatological blessing to be experienced by the saints in the new heavens and earth. The stage is set for an extended exposition of the antithetical covenants, the old and the new. The principal texts are 2 Corinthians 3-4, Galatians 3-4, and Romans 9-11. Many facets of Pauline theology are addressed clearly and succinctly by the author. The question is whether or not his analysis is at all points exegetically grounded and convincing in its theological conclusions.[34]

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31 NAC Studies in Bible and Theology, ed. E. Ray Clendenen. Nashville: B&H, 2009.

32 Meyer, *The End of the Law*, 14.

33 Ibid., 32.

34 Concentrated effort to explain the Mosaic covenant has its dividends, as this book proves. Meyer's argument conveys many, if not all, of the necessary ingredients to expound meaningfully and accurately the nature and content of the Mosaic covenant. At the end of the day, Meyer's interpretation comes close to that of *mainstream* Reformed federalism, insisting on the antithesis between law and (gospel-)grace in the old and new covenants. Indeed, the strength of the book lies in upholding the traditional Protestant law/gospel contrast, while viewing the Mosaic law as a covenantal arrangement, not a ('bare') principle abstracted from its context. It is the Mosaic covenant which gives distinctive character to the Old Testament, wherein the focus of attention is placed upon the Mosaic economy and institution(s), despite the fact that the promise to Abraham is of greater weight and importance in the overall plan of God in redemption. In the course of exposition, Meyer's analysis relies heavily on the exegetico-theological tradition advanced in the works of Thomas Schreiner, his doctoral supervisor, and Douglas Moo (with some modification).

Meyer regards the old covenant 'as fundamentally non-eschatological,' adding 'it is not a "soteriological covenant."'[35] Summarily stated, 'God acted in the old covenant by inscribing on stone tablets. He performs a spiritual work in the new covenant by inscribing on the heart through the Spirit'[36] He further explicates: 'The contrasting phrases ["stone tablets"/ "flesh"-heart tablets – reflective of the letter/Spirit contrast] highlight the *different ways* God acts under both covenants by focusing on the *different objects* of God's inscribing action.'[37] Having said this he yet concedes: 'We must remember an important nuance in the language of external versus internal. Interpreters should not read the Sinai covenant as an external covenant in all respects.'[38] Equally unclear and contradictory is Meyer's position on membership in the old covenant, which we are told comprises both the remnant of grace and the rest who were hardened.[39] On the preceding page, Meyer asserted: 'Membership in the old covenant made one a son of Israel, but not a son of the living God.'[40] Which is it? There is the lingering problem for Meyer how to relate covenant to election.

Key to obtaining the promised blessing covenanted to Abraham and his spiritual seed, Meyer admits, is electing grace. Meyer acknowledges repeatedly the operation of saving grace in the Mosaic economy.[41] His position stands as a challenge to dispensational interpretation. But even here, Meyer is not entirely consistent. He distinguishes between two different degrees of grace, before and after Pentecost. At the same time he denies the dispensational teaching on ethnic Israel (physical) and the church (true, spiritual Israel), specifically in regards to their placement in the eternal kingdom. Meyer explains: 'The old age lacks the dynamic power of the new age because it lacks the distinguishing feature of the new age: the life-giving presence of the Spirit.'[42] Better to say that the old covenant bears the trait of the old age (in terms of the legal principle of inheritance-by-works, which cannot secure eternal life). However, the old covenant is not entirely captive to the old age (in that it accommodates the remnant of saving grace within its field of administration). Just one more indication that the Mosaic legal covenant, in all its peculiarity, is an administration of the single 'Covenant of Grace' spanning the entire history of redemption. (In an excursus Meyer erroneously faults Scott Hafemann for recognizing the regenerating role for the Spirit of God in the old age/old economy. It is Meyer himself who cannot have it both ways.)

In acknowledging 'the Sinai covenant as one covenant in the historical pro-

35 Meyer, *The End of the Law*, 32.
36 Ibid., 66.
37 Ibid., 70, italics his.
38 Ibid., 70 n30.
39 Ibid., 199.
40 Ibid., 198.
41 Ibid., 6 n19, 113, 195 and 199 (among numerous other mentions throughout the book).
42 Ibid., 82.

gression of covenants that carry along God's promise of messianic salvation,'[43] Meyer essentially gives away the distinctive thesis of his book. This statement, along with other similar affirmations scattered throughout the work, places his theology of the Mosaic covenant in the Reformed federalist camp, a place he does not intend to find himself. Following this school of interpretation, Meyer states: 'The two-Adam structure of reality explains why we can come to share in the benefits of Christ's work: He is the representative head of the new creation, just as Adam was the representative head of the old creation.'[44] With respect to Paul's explanation of justification by faith apart from the works of the law, Meyer's reading of Leviticus 18:5 is refreshingly clear and sound. Reference here is made to the ground of temporal life in the typological kingdom, viz., on the basis of the works of the law.[45] Here lie the seeds for typology, an essential component in biblical theology. Meyer rightly views Moses as a preacher of the Gospel as well as the Law.Neither Moses' preaching of the Gospel, nor Paul's, guarantees faith in the hearers. The fruit of true faith and repentance is God's work alone. On this score there is no difference whatsoever in the old and new economies of redemption. Contrasting the numerical growth of the Christian church with Israel's hardness of heart, Meyer confusingly and mistakenly asserts: 'This difference in scope is derived from a difference in grace. God deals with the same sinful people in a remarkably different way in the new covenant, based on the atoning death of Christ and the transforming power of the Holy Spirit.'[46] If this were the case, then the grace of the old covenant would indeed be wholly different from the grace of the new. But that runs counter to the witness of Scripture, specifically the teaching that justification by faith in Christ alone is the exclusive way of salvation in all ages of redemptive history.

In drawing this summary critique to a close, we commend Meyer for his work in advancing the debate and in addressing critical issues. Like Sailhamer's, Meyer's argument moves in the right direction, but has a way to go in clarifying further matters that have been disputed among Bible scholars for centuries (since the time of the Protestant Reformation in the sixteenth century, and stretching as far back as the early church). Needless to say, the subject of the meaning and historical unfolding of the divine covenants occupies the attention of the canonical writers themselves, a subject that is unavoidable in the Bible. As the means of bringing resolution to the modern-day debate, the author's attempt at being "thoroughly exegetical" – and only secondarily analytic and synthetic – is flawed and unsuccessful. Clearly, the author's own commitment lies with the Baptist tradition, when, for example, it comes to explaining the new covenant (including the Abrahamic promise) and the covenant signs of circumcision and

43 Ibid., 29.

44 Ibid., 57. Compare here Brian Vicker's *Jesus' Blood and Righteousness: Paul's Theology of Imputation* (Wheaton: Crossway, 2006), which I have reviewed in *JETS* 50 (2007), 419-423.

45 Meyer, *The End of the Law*, 218-19.

46 Ibid., 278.

baptism. From the perspective of Reformed systematics, it bears repeating that Baptist theology mistakenly reduces covenant membership in the church to individual election to salvation. (Church overseers cannot presume regeneration in the administration of the keys of the kingdom. Spiritual regeneration among church members lies hidden from human view, only to be revealed on the Last Day. To be sure, the individual believer can be certain of his/her salvation by the indwelling of the Spirit.) The subject addressed by this book is exceedingly complex and the positions advanced by various interpreters with whom Meyer interacts have shown significant change over time. It is not always easy, therefore, to discern all the various lines of argument and 'nuances' that have crept into the discussion and debate. Meyer errs, for example, in his reading of Moisés Silva[47] on the law as a covenant (standing in contrast to the new covenant). A great deal of ambiguity and imprecision remain. Some are convinced that the biblical teaching itself is unclear and imprecise on the subject. Thankfully, Meyer does not agree with this viewpoint.

A couple of other weaknesses mar this otherwise helpful and, in many places, insightful study. Meyer is wrong in arguing that the Mosaic law-covenant is "impotent." Rather, we must say that the law effectively advances and enforces the will of God in its execution in the pre-messianic, semi-eschatological economy of redemption. Inheritance by works could not secure temporal blessing in the land of Canaan. Hence, in consigning Israel to sin and exile, the law points to Christ, the end of the law. It is he who fulfills all righteousness, meriting the eternal salvation of God's elect (obtaining life in the eschatological kingdom, which earthly Canaan typified). Perhaps the greatest oversight in this book is its failure to relate the Mosaic covenant (as a legal arrangement) to the order of creation, what is likewise a covenant arrangement requiring perfect obedience from Adam, our federal Head, as the way to confirmation in righteousness and eternal life. Specifically, there is no mention of original probation, what is crucial in explaining the covenantal panorama of biblical history and redemption,

47 E.g., see Silva's *Explorations in Exegetical Method: Galatians as a Text Case* (Grand Rapids: Baker, 1996). Beach, Silva, and Gaffin, three representative modern-day voices, locate themselves within the Murray-Kevan (i.e., Puritan) stream regarding interpretation of the Mosaic Covenant as a pure Covenant of Grace, with no element or principle of works-inheritance. In the case of Silva and Gaffin, the traditional law/gospel antithesis crucial in Reformed theology has been jettisoned altogether. The leading spokesperson for the (New) Westminster School is Norman Shepherd. See his *The Call of Grace: How the Covenant Illuminates Salvation and Evangelism* (Phillipsburg: Presbyterian and Reformed, 2000), and *The Way of Righteousness: Justification Beginning with James* (La Grange, CA: Kerygma, 2009). For extensive analysis see my trilogy: *Covenant Theology in Reformed Perspective: Collected Essays and Book Reviews in Historical, Biblical, and Systematic Theology* (Eugene, OR: Wipf and Stock,2000); *Gospel Grace: The Modern-day Controversy* (Eugene, OR: Wipf and Stock, 2003); and *Federalism and the Westminster Tradition: Reformed Orthodoxy at the Crossroads* (Eugene, OR: Wipf and Stock, 2006).

most notably the work of Christ as Second Adam. That said, we owe Meyer a great debt for his courage to forge new ground within his interpretative tradition.[48] There is genuine hope that expositors faithful to Scripture may yet come together in setting forth a clear, consistent statement of evangelical-Reformed covenant theology.

Conclusion

The recent collection of essays in *The Law is not of Faith: Essays on Works and Grace in the Mosaic Covenant* advances the interpretation of the Mosaic covenant as a republication of the original Covenant of Works at creation (though in modified form after the Fall). It has generated much heated discussion and debate within Reformed circles.[49] Doubtless, this dispute can profit from the work being done in other quarters of the theological world.[50] Reformed covenant theology must fully disentangle itself from seventeenth-century formulations that adopt speculative dichotomizing. There is the urgent need to retrieve teaching that is faithful to Scripture, much of which lies in the pages of Turretin and other

48 Other important aspects of Paul's covenant theology include the future for ethnic Israel (here Meyer adopts an essentially amillennial understanding of Israel and the church), the role of the sacrificial system of atonement in the old covenant (which begs further elucidation than what is found in Meyer's study), and the nature and content of Christian ethics as laid out in the NT canon.

49 *The Law is not of Faith* (edited by B. D. Estelle, J. V. Fesko, and D. VanDrunen; Phillipsburg: P & R, 2009). My evaluation of this book is found in *JETS* 53 (2009), 407-411. In this connection see also my review of Richard C. Gamble, *The Whole Counsel of God. Vol. 1, God's Mighty Acts in the Old Testament* (Phillipsburg: P & R, 2009) in *TrinJ* 31 (2010), 141-143. Criticisms of what has (erroneously) been dubbed the 'Escondido hermeneutic' is found in J. T. Dennison, S. F. Sanborn, and B. W. Swinburnson, 'Merit or "Entitlement" in Reformed Covenant Theology: A Review,' *The Journal of Northwest Theological Seminary* 24/3 (2009), 3-152, and in Cornelis P. Venema, 'The Mosaic Covenant: A "Republication" of the Covenant of Works? A Review Article,' *Mid-America Journal of Theology* 21 (2010), 35-101. Neither of these critiques does justice to the teaching of Scripture or to tradition (i.e., the history of Reformed doctrine in all its complexity). The idea that the Mosaic Covenant is 'in some sense' a covenant of works first appeared in my doctoral dissertation ('The Mosaic Covenant and the Concept of Works in Reformed Hermeneutics,' Westminster Theological Seminary, 1980). An earlier critique of my exposition is found in Thomas R. Schreiner, *The Law and its Fulfillment: A Pauline Theology of Law* (Grand Rapids: Baker, 1993), 'Appendix: Mark Karlberg's View of the Mosaic Law,' 247-51.

50 And here we commend especially the efforts of Sailhamer and Meyer. Scott W. Hahn in *Covenant and Communion: The Biblical Theology Pope Benedict XVI* (Grand Rapids: Brazos, 2009) summarizes the views of the current head of the Roman Catholic communion paralleling recent developments in Protestant interpretation, most notably, among advocates of the New Perspective on Paul and the law. The old alignment of Karl Barth and Hans Küng on covenant and justification continues to rear its head.

stalwart theological expositors, past and present. On the part of Beach there is the need to tap into recent exegetical, biblical-theological studies on the subject. Here I especially commend the work of Meredith G. Kline. Interaction with the teachings of the Federal Vision school, the New Perspective on Paul, and the Shepherd-Gaffin theology would also help bring clarity and relevancy to the ongoing disputes. The doctrine of the Mosaic covenant remains an element within the system of evangelical Protestant teaching requiring further refinement and rethinking. Genuine headway has been made in recent years, and for that we are most grateful.

Abstract

The author engages contemporary evangelical-Reformed interpretation of the Mosaic covenant, with specific attention to its utilization of the traditional Protestant law/gospel antithesis, i.e., the contrast between the principles of inheritance by works and inheritance by grace through faith as taught in the Scriptures. Consensus is growing among biblical interpreters that the Mosaic covenant is *in some sense* a republication of the original Covenant of Works established in Eden, now modified in the postlapsarian era. Prominent in this discussion is the biblical doctrine of justification by faith alone. Modern-day debate addresses several crucial aspects of theological formulation that have deep roots in scholastic Reformed federalism. Notable is the coalescence of Reformed theology with the broader evangelical tradition, as evidenced in current scholarship. Featured in this essay are the writings of Mark Beach, Paul Sailhamer, and Jason Meyer. Equally notable is the coalescence between two distinct, yet mutually informing, hermeneutical methodologies, the biblical-theological and the systematic.