Prelapsarian Federalism and the Shape of Reformed Theology: A Response to James B. Torrance and Holmes Rolston III

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Acquaintance with [the covenant of works] is of the greatest importance, for whoever errs here or denies the existence of the covenant of works, will not understand the covenant of grace, and will readily err concerning the mediatorship of the Lord Jesus. Such a person will readily deny that Christ by His active obedience has merited a right to eternal life for the elect …

Whoever denies the covenant of works, must rightly be suspected to be in error concerning the covenant of grace as well.

Wilhelmus à Brakel
The Christian’s Reasonable Service
(Dordrecht, 1700)
John Calvin, in his *Institutes of the Christian Religion*, utilises the biblical word ‘covenant’ to describe the unity of the salvific economy: both Old and New Testaments form part of one covenantal relationship between God and humanity administered in two different forms. Many scholars have argued that while Calvin uses the covenant concept to structure his exposition of redemptive-history, he does not use it to structure his theological project as a whole.\(^1\) *The Westminster Confession of Faith*, written some eighty years after Calvin, uses the covenant concept to teach a ‘covenant of works’ and a ‘covenant of grace’. The former phrase is explained by the *Confession* as God’s first covenant with man ‘wherein life was promised to Adam; and in him to his posterity, upon condition of perfect and personal obedience’.\(^2\) But with Adam’s fall, mankind rendered itself ‘incapable of life’ and as such ‘the Lord was pleased to make a second, commonly called the covenant of grace; wherein he freely offereth unto sinners life and salvation by Jesus Christ; requiring of them faith in Him that they may be saved’.\(^3\) This bifurcation of covenantal terminology is a representative expression of ‘federal’ theology (from *foedus*, the Latin word for ‘covenant’), and scholars have argued that *The Westminster Confession* is one of many documents of developed Reformed theology to be structured along federal lines.\(^4\)

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\(^2\) *The Westminster Confession of Faith*, 7.2.

\(^3\) Ibid., 7.3.

This poses a fundamental historical and theological question: how, between the death of John Calvin and the formulation of *The Westminster Confession*, did Reformed theology come to develop this bi-focal content to its theology of the covenant? Of particular importance, given the fact that the phrase ‘covenant of grace’ appears in Calvin, is the emergence of the prelapsarian ‘covenant of works’. Where did this theological concept come from and why? Asking these questions plunges us into a maze of historical and theological considerations and, we will argue, also involves us in examining both the foundations and edifice of Reformed theology as a whole.

Critically, the questions enmesh us in what has become known as the ‘Calvin against the Calvinists’ debate. This terminology (although arguably not the concept) was first suggested in Basil Hall’s essay:5 the issue at stake is whether the later Calvinists returned to Aristotelian scholasticism as the driving force of their theological method, replacing Calvin’s exegetically driven Christo-centrism with logical syllogisms and deductive analysis such that the content and shape of Calvin’s theology was distorted. Since Hall’s essay, a voluminous literature has engaged the debate.6 The important point for our purposes is that the literature exposes various historical and theological contact points which have driven the controversy over whether Calvin was truly a Calvinist. Stephen Holmes argues that if later Calvinism differed so markedly from Calvin that the two may be set ‘against’ each other then there must be one identifiable move, or perhaps a cluster of related moves, that illustrate a decisive shift. He suggests as possible candidates: ‘federal theology; the linked questions of the extent of the atonement, the nature of faith,

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and assurance; and a perceived shift in the doctrine of Scripture.’7 The purpose of this paper is to examine the credentials of federal theology as one of the candidates for a Calvinist distortion of Calvin’s theology. In modern theology there have been two main advocates of this position: James B. Torrance, who wrote against federal theology extensively throughout his lifetime,8 and Holmes Rolston III.9

Torrance’s contributions to the debate have been marked by particular attention to the political and theological context of Scottish federalism although, as we will argue, this often spills over into more general criticisms of federal theology. His initial paper argued that seventeenth century Scottish federal theology ‘constituted a movement away from the older Scottish tradition of Knox, the Scots Confession, the pre-Westminster confessions as well as from the theology of Calvin himself’.10 The main concern is to show that federalism is based on a disastrous confusion between ‘covenant’ and ‘contract’, and as such is a legalistic departure from the grace-saturated Calvin. In his last paper on the subject before his death, Torrance continues his political analysis but majors on the over-riding question of Calvin’s relationship to federal theology. Although

10 Torrance, ‘Covenant or Contract?’ 52.
he concedes that the seeds of federalism may be found in Calvin, Torrance argues that Calvin ‘never taught the concept of a foedus naturale or a covenant of works (foedus operum) … this came later in the sixteenth century with Ursinus, Cartwright, and Fenner. Nor, do I believe, would Calvin have taught it!’

Rolston likewise holds that the federalism of seventeenth century Reformed Confessions is an unfortunate legalism which must be resisted at every turn. While Torrance’s work engages wider issues than merely John Calvin’s theology, Rolston focuses exclusively on federalism’s departure from Calvin. His concern is to show that by neglecting Calvin’s theology of the order of grace (especially in creation), covenant theology seriously misconstrues both what it means to be in responsible relationship to God and the nature of sin.

We will argue that Torrance and Rolston’s depiction of federal theology is fundamentally flawed. We aim to demonstrate this on two levels: first, certain bald statements by Torrance and Rolston are simply demonstrably false and second, their overall conceptual interpretations of both federalism and Calvin, in key places, fall into simplistic reductionisms, historical inaccuracies and theological misrepresentations of some central tenets. The bulk of their work is a reaction against the notion of a ‘covenant of works’ and we aim to show that this concept does not represent the alien intrusion to Reformed theology claimed by Torrance and Rolston.

Torrance and Rolston’s treatment of federalism will be analysed under two main headings - federalism as a foundational principle and federalism as a co-ordinating principle. The latter term is explicitly suggested by Torrance and is used by him to show what happens to all other areas of theology (and politics) if one operates from a federal

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12 In terms of the wider ‘Calvin against the Calvinists’ debate, it is important to see that federalism is just as connected to the question of the atonement’s extent, faith, and assurance as these three issues are to each other. For instance, on the issue of whether faith is essentially active or passive (and hence whether assurance is of the essence of saving faith or the fruit of saving faith), scholars such as Bell argue that Scottish theology held to a primarily active definition (Calvin and Scottish Theology, 8). Whether this is correct or not historically, assurance in federal theology is theologically connected to the vexed question of the conditionality or otherwise of the covenant, which in turn involves discussion of faith as active or passive.
starting point. The phrases suggest that it is possible to ask what it means to begin the theological project from a federal basis (foundational principle) and, having got off on this foot, what the rest of the theological project will look like when built on federally-shaped foundations (co-ordinating principle). For Torrance, foundational issues in federalism include: the confusion between covenant and contract; the aberrant relationship between nature and grace; and the relationship between covenant and law. Most of Rolston’s work also falls into this foundational section: grace in creation, the nature of sin, duty and responsibility in the Adamic administration. All of these issues are foundational in the sense that they are primarily concerned with Reformed theology’s understanding of covenant and creation in Genesis 1-3 and its interaction (or lack of) with Calvin’s understanding of these topics in both his commentaries and the *Institutes*. But from here, Torrance in particular holds that by using a bifocal understanding of the covenant as the key means of co-ordinating the theological enterprise, the entire shape of Reformed theology becomes problematic - the doctrine of God, the extent of the atonement, the *ordo salutis* and the doctrine of predestination are all distorted. We will examine Torrance and Rolston’s claims about prelapsarian federalism and seek to show that it is neither a totally legal concept which is alien to Calvin’s thought, nor a distorting influence on the doctrines of God and the atonement.

Some reflections on matters of method and definition are in order. An amount of confusion in scholarly debate on our topic has arguably come about through a lack of consistent definition of what federal theology actually is. David Weir provides helpful distinctions which our study adopts: he distinguishes between the covenant idea, which is rooted in the biblical data and the Judaeo-Christian tradition; covenant theology, in which the covenant forms the basic framework and acts as the controlling idea in the theological system; and federal theology, which is a specific type of covenant theology, in that the covenant holds together the entire theological system and is characterised by a prelapsarian first Adam and postlapsarian second Adam covenantal schema. This is a

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14 Weir, *Origins*, 3. As Weir shows, the confusion over terminology more directly affects historical investigation and has led some scholars to posit the origins of federalism to earlier periods than can be warranted.
useful orientation as it sharpens the focus of our investigation. Calvin clearly held to a postlapsarian covenant, and thus was a covenant theologian, but did he also hold to a prelapsarian covenant so as to be properly termed a federal theologian?

In terms of method, it is important to be clear that in answering Torrance and Rolston we are not searching Calvin’s writings for the exact phrase ‘covenant of works’. As Rolston himself shows, the foedus operum was largely interchangeable with terms such as the ‘covenant of nature’ or even ‘covenant of life’;\textsuperscript{15} this is an important indicator that it is the theological concept which is really at stake. On his own admission that Calvin’s thought contained the seeds of federal theology, we will contest Torrance’s belief that the concept was foreign to Calvin. Further, it is important to note that our study aims to be an exercise in historical and dogmatic theology. Both Torrance and Rolston have been rightly criticised for often confusing historical analysis with loaded theological rhetoric,\textsuperscript{16} but this simply means that it is necessary to respond to them on both historical grounds (to show that the data does not support their interpretations) and theological grounds (to show that their theological outlook does not reflect the theological outlook of Calvin).

\textsuperscript{15} Rolston, ‘Responsible Man in Reformed Theology’, 134-35.

1. A Legal Theology?

Prelapsarian Federalism as a Foundational Principle

In his *Church Dogmatics* Karl Barth argued that federalism, by expounding a covenant of works as the first covenant, ensured the covenant of grace could only be titled as such in antithesis to the covenant of works. To make the covenant of grace simply the ‘fulfilment and confirmation’ of the first covenant was a radical departure from a Reformation understanding of the primacy of grace and its governing role in creation. This particular reading of post-Reformation Reformed theology strongly characterises the work of Torrance and Rolston. In this section we will examine two of their main claims: federalism lays wrong foundations for theology by firstly confusing ‘covenant’ with ‘contract’, and secondly by misconstruing the relationship between both nature and grace, and law and grace. In examining the first of these claims we will consider some detailed work by David A. Weir on the lexicography of covenant in the sixteenth century, as well as referring briefly to some examples of seventeenth century exegesis. In considering the second claim, we will examine an early expression of the covenant of works in Zacharias Ursinus and also Calvin’s writings to ascertain if he held to a covenantal understanding of creation that might be aligned with a covenant of works conceptuality in any form.

Prelapsarian covenant or contract?

With his particular attention to seventeenth century Scottish federalism, James Torrance argues repeatedly that federalism is foundationally flawed in its confusing the theological concept of ‘covenant’ with the largely socio-political concept of ‘contract.’ Documents such as the 1645 Westminster *Directory for the Public Worship of God* must be understood not only theologically ‘but also in terms of the social and political revolution of which it

was a kind of liturgical manifesto’.\textsuperscript{18} In using the word ‘covenant’, Reformed confessions were using a word that was highly significant in Scottish and English socio-political thought: ‘With the break-up of feudalism, and the struggles for liberty, men made ‘bands’ and ‘pacts’ and ‘contracts’ and ‘covenants’ to defend their freedom and to preserve the rights of a people’.\textsuperscript{19} The emerging political theory of ‘social contract’, ‘contract of government’, ‘the rights of man’ and ‘natural law’ (illuminated by the ‘light of reason’ and given sanction by ‘revelation’) provided the back-drop for a host of seventeenth and eighteenth century theological controversies.\textsuperscript{20} Critically, Torrance asserts that this birth of modern democracy ‘provided a conceptual framework within which Reformed theology was to be recast (federal theology), but also provided a language of communication … which could be readily grasped by the man in the street’.\textsuperscript{21}

This background of contractual concepts is important for Torrance’s definition of covenant. He argues that theologically speaking ‘a covenant is a promise binding two people or two parties to love one another unconditionally’ and gives the example of marriage according to the English service book of 1549.\textsuperscript{22} This is to be contrasted with a contract which is ‘a legal relationship in which two parties bind themselves together on mutual conditions to effect some future result’.\textsuperscript{23} Torrance further elaborates bilateral covenants (covenants between equals) and unilateral covenants (covenants made for a lesser party by a greater party). It is precisely this unilateral understanding of covenant (diatheke) which Torrance holds to be necessarily at the heart of the theological project: ‘It is not conditioned by anything in man but is founded solely on the love of God. God has made a Covenant for us in Christ (kaine diatheke) – nineteen hundred years before we were born’.\textsuperscript{24} It is important to note that Torrance holds that this covenant of grace nevertheless demands a response from men of faith and gratitude and love: a bilateral

\textsuperscript{18} Torrance, ‘Covenant or Contract?’, 51.
\textsuperscript{19} Ibid., 52.
\textsuperscript{20} Ibid., 53.
\textsuperscript{21} Ibid.
\textsuperscript{22} Ibid., 54 (emphasis his).
\textsuperscript{23} Ibid. (emphasis his).
\textsuperscript{24} Ibid., 55 (emphasis his).
covenant is dependent on mutual response for there to even be a covenant; by contrast the unilateral covenant has been made for us in Christ but still demands a response from us. The crucial move in Torrance’s argument is to assert that the sin of Judaism, of the human heart, and of federalism, has been to turn the covenant into a contract and to make God’s grace conditional on man’s obedience: ‘In the Bible, the form of covenant … is such that the indicatives of grace are always prior to the imperatives of law and human obligation’.25 It is clear that Torrance is completely opposed to any notion of conditionality in the interpretation of covenant:

To introduce conditions would be to break a promise. Love always brings its obligations. But the obligations of love are not the conditions of love … The God of the Bible is a Covenant-God not a contract-god, and the worship appropriate to a Covenant God is radically different from the worship appropriate to a contract-god. The one is a worship of joy and gratitude, the other can be a worship of fear and anxiety – ‘a yoke grievous to be borne’.26

This leads Torrance to trace the rise of a misconstrued relation between forgiveness and repentance and a doctrine of conditional grace which reaped devastating effects of legalism and lack of assurance in seventeenth-century Scotland. The blame for this development is laid squarely at the federal door.27

We suggest that this construal of the defining concepts in federal theology is deeply unsatisfactory, for a number of reasons. First, although Torrance refers to the biblical text for examples of covenants he does not use the biblical text for definitions of covenant, and merely asserts that a covenant is an unconditional bond simply with reference to the marriage service. As we will see, it is virtually impossible to find either a biblical or historical understanding of covenant that casts it solely in unconditional terms even

25 Ibid., 56 (emphasis his).
26 Ibid., 56-57 (emphasis his).
27 Ibid., 60-61. This line of argument is extensively repeated in most of Torrance’s later articles. See especially, ‘The Covenant Concept in Scottish Theology’.
though most definitions do stress the fact of it being unconditional! Torrance’s definition is far too simplistic. Second, in his clear aversion to any notion of conditionality in a covenant, it is not altogether clear how Torrance can distance his notion of ‘obligation’ from ‘condition’, especially when there is some semantic overlap in English and also some overlap theologically. For instance, in the case of biblical covenants if we state that there are only obligations (and not conditions) owed by the human covenant members, and if these obligations are *imposed* by the Divine covenant member (as they often are), in what sense are they merely obligations and not necessary requirements? From here the contact points with the biblical concept of law are not very far away at all, for do imposed obligations in some sense not constitute a ‘law’ – or is the human covenant member entirely at liberty to ignore obligations with no possibility of incurring loss in any form?

The exegetical and theological relationship between covenant, law and condition is arguably more complex than Torrance allows. This is supported by David Weir’s analysis of *berith* (covenant) in sixteenth-century lexicography. Weir considers a range of lexicons to suggest a definition of *berith* as ‘an agreement between two parties, usually God and man … the bond is imposed on the inferior party, which is man …God commands and establishes the covenant totally of his gracious and free will’. Of particular interest is the fact that virtually all of the lexicons use Jeremiah 31-34 as a key text in their (often) brief definitions. This points to the eschatological covenant ‘which involves the restoration of the perfect Edenic state and more. It is achieved through Christ, the second Adam, who kept the law for his people and writes it on their hearts’. However, most importantly, Weir highlights that the unconditional sense of *berith* and *diatheke* (the latter is the LXX translation of the Hebrew former) is not the only way in which the Bible uses covenant terminology. Although the LXX rarely uses the word *suntheke* (a bilateral covenant or treaty in which the parties are equal), the concept is pervasive. As Weir asks: ‘how does one explain the passages of the Bible in which God’s covenant

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29 Ibid., 56.
seems to be based upon conditions rather than grace, on *suntheke* rather than *diatheke* or *berith*? This tendency is most clearly illustrated by the Book of Deuteronomy.\(^{30}\)

This has a number of implications for Torrance’s thesis. The regular references to Jeremiah 31-34 in the definitions of covenant show both exegetically and historically that there is a closer relationship between covenant and law than Torrance allows – it simply is not the case that covenant contains no connections to legal concepts. This close correlation provides part of the context in which the early federal theologians were able to use a covenant/law model for the prelapsarian covenant.\(^{31}\) Most critical, however, is Weir’s assertion that while Torrance correctly notes in federalism a greater emphasis on the conditionality of the covenant than on the graciousness of the covenant,

he does not expose the roots of this tendency. The federal theology arose precisely because of the conflict (not the confusion) between *diatheke* and *suntheke*. It was an attempt to explain why God seemed to show two faces: one of predestinating grace through his sovereign decrees and another of conditional love. The Calvinist wanted an orthodox answer as to why God could show both appearances at the same time.\(^{32}\)

It is extremely hard to substantiate the claim that the whole of federal theology is based on an exegetical confusion. Torrance asserts the socio-political background of contract but is not able to provide any incontrovertible evidence that this played a decisive factor in the translation and interpretation of covenant.\(^{33}\) Given that the notion of a prelapsarian covenant did not originate in England or Scotland, it is hard to maintain the thesis that any form of legal or conditional elements in federalism were only introduced

\(^{30}\) Ibid., 57.

\(^{31}\) Ibid., 56.

\(^{32}\) Ibid., 57.

\(^{33}\) A. T. B. McGowan, ‘Federal Theology as a Theology of Grace’, *SBET* 2 (1984), 44, shows that the thesis endorsed by Torrance (and before him by W. A. Brown), that the origins of the covenant idea in Scotland are connected to the National Covenant of 1638 and the Solemn League and Covenant of 1643, is simply false.
on contracting British soil – although there may well have been socio-political influences on English and Scottish expressions of federal theology, there was also a wealth of exegetical, historical and theological influences which contributed to both legal and conditional understandings of covenant. This is supported, for instance, by Richard A. Muller’s article on the exegetical work of Herman Witsius and Wilhelmus à Brakel, two late seventeenth-century proponents of the covenant of works. In a detailed outline, Muller asserts that the exegesis of Witsius and à Brakel is sophisticated, nuanced, and thoroughly cognisant of the older Christian exegetical and theological tradition:

Witsius and à Brakel (like the covenant tradition as a whole) find implications of promise, oath, pledge and command embedded in the etymology and biblical usage of *berith* and *diatheke* – but they also find, contrary to the exegetical and theological assumptions of Torrance … the concept of a mutual pact and agreement in which elements of promise and law are combined.34

With further evidence, Torrance’s arguments might be fair in relation to one or more particular examples of federal theology.35 But his assessment of federalism, in essence and in general as ‘contractual’, is a pejorative rendering of a complex account of covenant that attempted to take seriously the biblical stress on both the unconditional and conditional elements in covenant.36

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35 See the observations in this regard by A. T. B. McGowan, ‘Federal Theology’, 41-50.
36 Although it is beyond our scope here, a strong case can be made that the whole debate over federalism is marked by both theologically *a priori* and largely simplistic approaches to aspects of exegesis, most notably word studies. For instance, even Weir’s point that *berith* means ‘unconditional covenant’ but very often in the biblical text is actually accompanied with a meaning more associated with *suntheke*, simply shows that to say *berith* means ‘unconditional covenant’ is only one correct expression of its semantic range within a certain field of discourse. The concept of *suntheke* may be present even when the word is not, and this means that context is a decisive factor in rendering meaning. Similarly, for Torrance to define *berith* as an ‘unconditional covenant’ with no semantic elasticity whatsoever means he faces exegetical difficulty when the word is used in conditional contexts and thus must resort to theological *a prioris.*
Prelapsarian covenant, natural law and grace

Questions of definition lead into a nexus of issues concerned with how the prelapsarian covenant was actually expounded within federalism. This brings us to the heart of Torrance and Rolston’s objections to federalism and introduces Calvin as a key dialogue partner in our study.

Torrance builds on his contractual understanding of federalism to argue that it also ‘made a radical dichotomy between the sphere of Nature and the sphere of Grace, of natural law and the Gospel, so that the Mediatorial Work of Christ is limited to the covenant of grace and the Church, the sphere marked out by the covenant of grace’. 37 This makes God a ‘contracting Sovereign’ and makes all men related to him only as Judge, under natural law and exposed to the sanctions of law: ‘This separation between Nature and Grace amounts to a reversion to the pre-Reformation medieval view that grace presupposes nature and grace perfects nature – a departure from the great emphasis of the Reformation that nothing is prior to grace’. 38 The important issue at stake for Torrance is that federalism’s concept of ‘a foedus naturale embraces the twin concepts of natural law and of covenant (contract)’ and is a Western nature-grace model which distorts Reformation theology: ‘We do not find this in Calvin’. 39 Further, this introduction of natural law in the covenant of works and its distinction from the covenant of grace: ‘is based on the distinction between the law (Decalogue) and the gospel, contrasting them sharply and clearly giving primacy to law over grace. Is it appropriate to interpret creation in terms of (natural) law and restrict grace to redemption?’ 40 The charge to federalism is clear. Its covenantal understanding of creation elevated law, denigrated grace, and destroyed the dynamic of the correct God-man relationship: ‘we have to ask the question whether the God of the Bible is a covenant God (as in Calvin) or a “contract God” who needs to be (or wills to be) conditioned into being gracious by human obedience’. 41

37 Torrance, ‘Covenant or Contract?’, 67 (emphasis his).
38 Ibid. (emphasis his). This position is repeated in his ‘Calvin and Puritanism in England and Scotland’, 273, and also throughout ‘Interpreting the Word by the Light of Christ or the Light of Nature?’
39 ‘The Concept of Federal Theology’, 22-23 (emphasis his).
40 Ibid., 23.
41 Ibid.
These charges about federalism’s aberrant understanding of the relationship between the prelapsarian covenant, law and grace are given sharpest expression by Holmes Rolston III. He is both more careful and more stringent in his assessment of federalism. He accepts that the covenant of works is set with the framework of a ‘condescension on God’s part’ in Reformed documents such as *The Westminster Confession* and does refer to other aspects of grace in prelapsarian thought. However, his main argument is that ‘federal theology could not take these influences seriously. The overall emphasis was that God did not come to primal man in a relationship of grace, for man did not yet need that grace, but stood by his works’.  

The focus of his criticism is a comparison of federalism with Calvin. After an outline of the covenant of works in federal theology, Rolston asserts: ‘Of all this, Calvin knew nothing’. Contrary to federalism, Calvin held to a fundamental concept of a gracious creation *order* and this concept of an original divine order subsequently inverted by sin is to be set in contrast to federal prelapsarianism: ‘Parallel to the two ‘orders’ or covenants – works and grace – in covenant theology, there is for Calvin but one order, order inverted and order re-established’. The important point here in Rolston’s exposition of the order of grace is that ‘from the start Calvin transcends the concept of order as primarily moral and legal and places this under the higher order of grace. What is paramount is that God is gracious and requires acknowledgment of his grace’. Although covenant theology theoretically retained room for a doctrine of a gracious God, it always returned by way of a ‘nevertheless’ to operate with the legal demands of a ‘half-gracious’ God of the first covenant: ‘Very soon the principle of it is no longer grace but law’. For Rolston this complexion entirely alters the nature of man’s response: ‘In Calvin what man is to do is reflexive of grace, but soon in Calvinism what man is to do becomes reflexive of law’. Although according to Rolston Calvin did speak of Adam as

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43 Ibid., 137.
44 Ibid., 141.
45 Ibid., 139. Also *John Calvin*, 34.
46 Ibid., 142.
having been given a law by God, Adam’s obedience to the law was not of the law – it is an obedience of faith and is in no sense a meritorious obedience: ‘The commandment to partake of the tree of life does not mean that life is achieved through its proper use’. Rolston holds that Calvin differs markedly from Reformed theology’s later ascription of some form of merit to Adam in the prelapsarian state if he remained obedient. He argues that this represents a two-fold shift from Calvin: first, it represents a contractual duty of works with duty now defined in terms of law and not obligations in the light of God’s goodness; second, duty shifts to focus on man’s initiative. Rolston further charges federalism with a seriously misleading definition of sin, one that moves away from Calvin’s understanding of sin as a fall from grace into purely legal definitions (sin is lawless-ness): ‘covenant theology does not, for indeed it cannot, describe sin in what is for Calvin the most basic way of all: man’s faithless rejection of the goodness of God in favour of his own self-willed efforts to seek his own happiness elsewhere’. Rolston’s position is that ‘Calvin and covenant theology are not just different; they are as opposed as grace and law’.

How may we respond to this? Methodologically, there are at least two avenues which we may explore. First, early Reformed expositions of the prelapsarian covenant can be examined to see if they exhibit the nature-grace and law-grace dichotomies suggested by Torrance and Rolston; we will consider some aspects of prelapsarian federalism in Zacharias Ursinus. Second, this issue is intimately connected to the question of Calvin’s relationship with federalism and so will concurrently lead us to ask if any signs of a covenant of works or federal understandings of nature, law and grace can be discerned in Calvin.

47 Ibid., 143-44.
48 Ibid., 145-46.
49 Ibid., 150.
50 Ibid., 142.
Numerous writers cite Ursinus as one of the first Reformed theologians to use the term ‘covenant of nature’ or ‘covenant of creation’. Although he is thus often held to be one of the originators of the phrase ‘covenant of works’ the phrase as such never appears in his writings, but it is his association of covenant and law and the inter-relationship of law and grace that ties him closely to the origins of prelapsarian federalism. The critical question for our purposes is whether the appearance of *foedus natural in creatione* in Ursinus’ 1562 *Summa theologiae* is to be attributed to Melanchthonian or Calvinian influences. Peter A. Lillback presents a line of scholarship, including Heppe and Barth, which has long associated Ursinus’ doctrine of the natural covenant with Melanchthon and very definitely not with Calvin on three main grounds: first, Melanchthon’s teaching on natural law; second, his view of the law-gospel dichotomy; and third, the sacrament of baptism. The first two of these are directly relevant to our study and take us immediately into the heart of our response to Torrance and Rolston.

Contra Heppe and Barth et al, Lillback argues that in terms of both natural law and the law-gospel relationship, Ursinus’ views have direct parallels in Calvin and not simply Melanchthon. In terms of natural law, Calvin is explicit that there is such a thing:

*If the Gentiles by nature have law righteousness engraved upon their minds we surely cannot say they are utterly blind as to the conduct of life. There is nothing more common than for a man to be sufficiently instructed in a right standard of conduct by natural law … This would not be a bad definition:*

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51 Among others, Heppe, Weir, Muller, Torrance and Rolston all cite the significance of Ursinus (alongside Wolfgang Musculus) in the introduction of such terms.


natural law is that apprehension of the conscience which distinguishes between the just and the unjust.\textsuperscript{55}

Calvin gives further content to his definition by stating that the natural law was the same thing as the Decalogue itself and could be found written on all men’s consciences. He states that: ‘the very things contained in the two tablets (of the law) are in a way dictated to us by that internal law … written and stamped on every heart … the Lord has provided us with a written law to give us a clearer witness of what was too obscure in the natural law’.\textsuperscript{56}

Such clear statements about natural law in Calvin are initial indicators that we should treat with suspicion comments by Torrance which aim to denigrate the concept and its place in Reformed theology. He states that although Calvin occasionally refers to ‘natural law’ discerned by conscience, ‘Calvin has no systematic discussion of the subject, and it is not integral to his theology nor ever wedded to the notion of foedus’.\textsuperscript{57} Although the concept is not structurally defining for Calvin it is hard to know how it may not count as ‘integral to his theology’ given that the term surfaces in different contexts and within different theological loci in Calvin. Torrance’s claim here is based on the assumption that Calvin did not hold to any form of a creation covenant and we will question this below. But as an initial pointer, we should note how Calvin’s tying of the Decalogue to natural law immediately causes problems for Torrance’s assertion that ‘it is surely false, in the light of Paul’s argument in Galatians 3, to see the covenant at Sinai as the republication of the covenant of works – that God was imposing obedience to the law as a “condition” of grace’.\textsuperscript{58} This argument rests firstly on the assumption that the prelapsarian covenant made grace conditional on obedience, and secondly ignores the fact that, for Calvin, the Mosaic law was a written republication of the internal moral and natural law given at creation. This in itself does not prove that Calvin held to a covenant

\textsuperscript{56} Ibid., II.viii.1. This point is stressed by Lillback, ‘Ursinus’ Development’, 260-61, and by Paul Helm, ‘Calvin and Natural Law’, \textit{SBET} 2 (1984), 5-6.
\textsuperscript{57} Torrance, ‘The Concept of Federal Theology’, 31.
\textsuperscript{58} Ibid., 32. Torrance explicitly looks to Calvin for support with this assertion.
of works but he did hold to a legal understanding of the Adamic administration, something which Torrance completely ignores and which Rolston claims federalism overplayed.\textsuperscript{59}

In terms of the law/gospel dichotomy and how this was used by Ursinus, the standard line of argument is that Melanchthon’s sharp law/gospel distinction lent itself to Ursinus’ development of the covenant of creation whereas Calvin’s identification of the Old Testament as strongly ‘evangelical’ inherently prevented any kind of legal covenantal development. Torrance and Rolston both stress this understanding of Calvin.\textsuperscript{60} However, this view is mistaken not in what it affirms but in what it denies in each direction. First, with respect to Calvin, while he certainly has a strongly evangelical understanding of the Old Testament, this view is held alongside an understanding of the difference between law and gospel: ‘The promises of the Gospel, however, are found only here and there in the writings of Moses, and these are somewhat obscure, while the precepts and rewards, appointed for those who observe the law, frequently occur’.\textsuperscript{61} Second, with reference to Melanchthon’s \textit{Loci}, Lillback again shows clearly that the parallel error here is in construing Melanchthon’s understanding of the legal covenant as not evangelical when in fact it was just as evangelical as Calvin’s. Melanchthon refers to both the law and the gospel as ‘sprinkled’ throughout both Testaments and urges that history must not be divided up into some periods of law only and other periods of gospel only.\textsuperscript{62} Therefore,

\begin{quote}
if Calvin’s conception of the law/gospel distinction prohibited a development of the covenant of works, then Melanchthon’s expression could not have been contributory either. If Melanchthon’s view was a positive
\end{quote}

\begin{footnotes}
59 In this regard, see especially Susan E. Schreiner, \textit{The Theater of His Glory: Nature and the Natural Order in the Thought of John Calvin} (Durham: The Labyrinth Press, 1991), 87-90.
60 Torrance in particular argues that although Calvin’s 1536 \textit{Institutes} followed Luther’s pattern of law then gospel, in the 1559 edition he followed Galatians 3 more closely in arguing for the priority of grace over law. ‘The Concept of Federal Theology’, 31.
61 Calvin, \textit{Commentary on Romans} (Grand Rapids: Wm B. Eerdmans, 1995), 223.
\end{footnotes}
stimulus for Ursinus, then Calvin’s presentation could have equally served as a prime mover.⁶³

The critical issue here, then, is that it is hard to substantiate the claim that prelapsarian federalism, in its originating forms, was due to a departure from a gracious understanding of covenant and an imposition of legal concepts into the doctrine of creation. Ursinus’ federal theology can be seen to have as much Calvinian as Melanchthonian influences, and correspondingly it can be argued that neither Torrance nor Rolston work with an understanding of the relationship between law and gospel that is as carefully nuanced as that expounded by Calvin. If they miss his subtleties, it is not surprising that they do not see his influence on some early expressions of federalism.

We can continue to sharpen the focus on covenant, law and grace if we ask whether there is actually any positive evidence in Calvin for a covenant of works. Contrary to the assumptions of Torrance and Rolston, Calvin does clearly hold to a covenantal understanding of the Edenic state. This can be clearly seen in at least two instances (and in the first we note the reference to the presence of law from the point of creation):

Now we can clearly see from what has been said that all men adopted by God into the company of his people since the beginning of the world were covenanted to him by the same law and by the same bond of the same doctrine as obtains among us.⁶⁴

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⁶³ Ibid.

⁶⁴ Calvin, Institutes, II.x.1. This construction does not deny a covenant of works/covenant of grace division. In context, Calvin is referring to the old and new covenants as ‘the same law’, such that there is a fundamental unity to the covenantal administration. With a concept of law in place, there is likewise a unity to the covenant of works/covenant of grace so that whether we talk of old and new, works and grace, it is still correct to see one overall unified covenant: all that differs in each case is the mode of administration. In terms of the pre- and postlapsarian covenants, law and grace are present in both covenants and God’s requirements of his covenant partner remain the same. The fall changes the nature of mankind’s response to God’s demands - perfect obedience is no longer possible - but it does not change the demands themselves. The point here is that if Calvin holds to a prelapsarian covenant he sees it as united in substance with all subsequent covenantal administrations such that, for instance, the covenant of works and the new covenant could also be rightly termed ‘the same law’.
Even more explicit is the connection in Calvin between sacrament and covenant, the former necessarily implying the latter in his thought. Stating that Adam and Noah regarded the tree of life and the rainbow as sacraments respectively, he argues:

> Not that the tree provided them with an immortality which it could not give to itself; nor that the rainbow (which is but a reflection of the sun’s rays upon the clouds opposite) could be effective in holding back the waters; but because they had a mark engraved upon them by God’s Word, *so that they were proofs and seals of his covenants*.\(^{65}\)

This is a substantial point missed by Torrance and Rolston. But is Calvin’s covenantal understanding of creation in any way compatible with a covenant of works conceptuality? We suggest that certain statements by Calvin point to a far more complex covenantal relationship between grace and law than Torrance and Rolston’s simple insistence on a radical prioritising of grace over law and that, as Lillback asserts, such statements by Calvin create a theological problem ‘for which a covenant of works is a perfect solution’.\(^{66}\) As we have seen, Rolston argues that Calvin’s treatment of the created order has a thoroughgoing stress on grace which is incompatible with the federalism’s confirmation in righteousness on the basis of works. This misses the subtle role given to Adam’s works in Calvin’s understanding of the pre-fall situation. In his comments on Genesis 1:26 and 2:7, Calvin clearly regards Adam as in a temporary period of innocence: ‘the image of God was only shadowed forth in man until he should arrive at his perfection’ and ‘the state of man was not perfected in Adam’.\(^{67}\) Further, in commenting on Gen. 2:9 he states:

> We now understand what is meant by abstaining from the tree of the knowledge of good and evil; namely, that Adam might not, in attempting one

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\(^{65}\) Ibid., IV.xiv.18 (emphasis added).

\(^{66}\) Lillback, ‘Ursinus’ Development’, 281.

thing or another, rely upon his own prudence; but that, cleaving to God alone, he might become wise only by his obedience.68

Here we see a tight connection with the prelapsarian understanding of the natural law and its republication in the Mosaic law. In expounding Leviticus 18:5, Calvin is adamant that the man who fulfills the law will attain perfect righteousness and the correlation we observed above in Calvin between the Decalogue and natural law means that Calvin is simply being theologically consistent to see Adam’s obedience to God’s law as the means of his attaining righteousness. As Lillback states, ‘If Calvin thus sees a legal relationship before and after the fall in which obedience is rewarded with life and disobedience with death … it becomes very difficult to deny that Calvin has a functioning covenant of works’.69

It should be clear that this assessment of Calvin challenges the Torrance/Rolston thesis of the primacy of grace over law in Calvin. The same can be said of the reverse proposition – federalism’s primacy of law over grace. Lyle D. Bierma shows how Ursinus, just like Calvin, presents the primal God-human relationship as at once both legal and gracious – any keeping of the law by Adam was made possible only by grace and indeed, when Adam and Eve fell ‘they robbed themselves and all their descendants of that grace of God’.70 Bierma’s argument is supported with extensive references to Ursinus’ Summa Theologiae (Catchesis maior) of 1562: meeting the requirement of obedience was only possible because God had graciously created humanity in a state that reflected his own being; he had graciously equipped them with the ability to keep the law; humanity’s knowledge of God, their ability to be obedient and their desire to worship

68 Ibid., 118.
69 Ibid., 283. In his The Binding of God: Calvin’s Role in the Development of Covenant Theology (Grand Rapids: Baker & Carlisle: Paternoster, 2001), 292-304, Lillback provides a detailed analysis of the issue of merit in Calvin’s understanding of the prelapsarian state. He agrees with Rolston’s assertion that Calvin actually allows no merit in the pre-fall context, but more satisfactorily shows how Calvin also holds this alongside his views on law, obedience and conditional life – the key is Calvin’s idea of greater and lesser grace.
him were ‘gifts’ from God’s hand. Similarly, Donald Macleod takes up Rolston’s assertion that in the covenant of works the overall emphasis is that man did not need God’s grace but stood by his works and shows that this is based on a confusion as to the meaning of grace. There is a sense in which Adam did not need grace if we include mercy as an element of grace but on the other hand, if we define grace as something other than mercy – as kindness, condescension and assistance – then documents such as The Westminster Confession of Faith show Adam to be a deeply dependent creature. This is further supported by David B. McWilliams’ almost point by point refutation of Rolston in showing how in The Westminster Confession man cannot fulfil his end of enjoying and glorifying God apart from his enabling grace and that in the Confession it is grace which renders Adam & Eve ‘happy in their communion with God’. Fundamentally, then, we assert that federalism happily lays claim to be a legal theology in line with Calvin, but has a complex account of the law-grace relationship so that it simultaneously claims to be a gracious theology. If it is legal, it is not in essence legalistic.

71 Ibid.
2. A Distorted Theology?

Prelapsarian Federalism as a Co-ordinating Principle

If one starts the theological project off on the federal foot, what do the systematic formulations of the doctrine of God, atonement, and the Christian life look like? Do they become distorted? We have tried to show that in its foundational concepts of law and grace in the natural covenant, early Reformed expressions of federalism cannot easily be shown to mark a radical break from the theology of John Calvin. These foundational federal principles challenge the assertions of Torrance that the rest of the dogmatic enterprise is disastrously knocked off course by the introduction of a prelapsarian covenant. In this section we will examine the particular ways in which Torrance claims Reformed theology as a whole is disfigured by federalism, and seek to apply the above findings about its foundational principles to key theological loci in the Reformed tradition: the doctrine of God and the doctrine of limited atonement. First, we must outline Torrance’s views on these closely connected topics.

Torrance’s conception of these doctrines must be understood in relation to his interpretation of a seminal event in Scottish church history. He holds that seventeenth-century Scottish preaching, based on federalism’s legal theology, was both feeding and feeding off a subtle form of legalism which blurred the correct relationship between forgiveness and repentance. In essence it was a departure from a Reformation understanding of evangelical repentance – ‘Christ has done this for you, therefore repent!’ – and a return to legal repentance – ‘If you repent, you will be forgiven’.74 This expressed itself in preaching by way of a lengthy exposition of the law to produce a conviction of sin and fear of judgment: the sinner was called upon ‘to repent and renounce his sin so that he might receive the word of forgiveness and hear the comforts of the Gospel’.75 This was the introduction of a doctrine of conditional grace which was

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74 Torrance, ‘Covenant or Contract?’, 57.
75 Ibid., 58.
foreign to the gospel of grace. Such views were explicitly challenged by the circulation among Scottish ministers of a book entitled *The Marrow of Modern Divinity*, written in England by Edward Fisher in 1645. As Torrance says, ‘The central theme of the book was the distinction between legal repentance and evangelical repentance, arguing as Calvin had done, that forgiveness leads to true repentance’. Although the book was condemned as heretical by the General Assembly of 1720, the central issues in the Marrow Controversy of whether repentance, faith, holiness are in any sense conditions of grace were taken up John McLeod Campbell in the nineteenth century. Supportive of Marrow teaching, McLeod Campbell was deposed from the ministry of the Church of Scotland on heresy charges for teaching the doctrine of universal atonement and that assurance is of the essence of faith. Crucially, Torrance writes in wholehearted support of McLeod Campbell; he both explicitly adopts McLeod Campbell’s views on the doctrine of God and the nature of atonement and uses these views to develop his own overall position. How may this position be described?

First, following McLeod Campbell, Torrance holds that ‘the federal scheme thrust up the doctrine of a limited atonement … a doctrine or conclusion unknown to Calvin’. This doctrine necessarily distorts Christology:

The emphasis of doctrine is no longer on the Incarnation, on Christ’s solidarity with all men, but almost exclusively on His Work on behalf of the elect, His passive obedience on the Cross for the sins of believers, with whom He stands related, not in terms of incarnational oneness but of *foedus*, of contract.

Just as with Christology, the doctrine of God also goes awry with limited atonement. Torrance follows McLeod Campbell in his criticisms of Jonathan Edwards and John

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76 Ibid., 59.
78 Torrance, ‘Covenant or Contract?’, 68.
79 Ibid.
Owen to argue that in the federal scheme ‘the justice of God is the essential attribute and the love of God (or mercy of God) is an arbitrary attribute’.\(^80\) All men stand related to God as Judge and face the penalty for sin; the demands of his justice must be satisfied before God can be merciful. His justice is satisfied by Jesus, but only on behalf of the elect, ‘in virtue of which there is forgiveness and salvation for these in whose stead Christ died’\(^81\). The crux of the problem here is that this represents a radical departure from a conception of God as Agape (pure love). Limited atonement makes God loving towards some men but not towards others and if this is the case then ‘there is an arbitrariness in God and we have no warrant for believing that God is love in \textit{himself}\(^82\). This arbitrary doctrine of God may be the logical corollary of federal Calvinism but it is not true to the New Testament, and it is not Calvin. God is love in his innermost being, the Father of our Lord Jesus Christ, the Father after whom every family in heaven and earth is named. Love and justice are one in God, and they are one in \textit{all} his dealings with his creatures, in creation, providence and redemption. God’s sovereignty is his grace, his freedom in love. We must interpret Genesis 1-3 in the light of the New Testament, not in terms of Stoic anthropology or Western jurisprudence.\(^83\)

For Torrance, limited atonement is one of the sharpest expressions of the attempt to expound the doctrine of God in terms of Aristotelian logic and in a way which by-passes the pivotal role the incarnation must play in naming the Christian God. He goes so far as to suggest that denying that Christ vicariously took to himself for all mankind both his own divine judgments and the rejection of men is, in a way parallel to the sin against the Holy Spirit, ‘a sin against the incarnate love of God’.\(^84\) He stresses that his view of the


\(^81\) Ibid.

\(^82\) Ibid., 304, (emphasis his).

\(^83\) Torrance, ‘The Incarnation’, 92, (emphasis his).

\(^84\) Ibid., 85.
incarnation and atonement ‘is not “universalism” but it is universal love’. His concern is to show that federalism works with an unfounded dichotomy between seeing all under the sovereignty of God, but only the elect under the mediatorial headship of Christ as man – this is strongly connected to federalism’s misguided conception of natural law and is wrongly severed from a Christological understanding of creation. This sees Christ as related to the work of redemption only, and for Torrance, such a view of creation simply results in a contractual God who has to be conditioned into being gracious by human obedience precisely because there is now no Christo-centric conception of grace. As we saw above, Torrance is opposed to any notion of condition as a legitimate theological concept in relation to covenant and it is now clear that his doctrine of God drives this opposition.

Another feature of Torrance’s viewpoint here is that he sees the federal division between God as related to all men under the covenant of works and to the elect under the covenant of grace, as a direct consequence of making election prior to grace and beginning with the doctrine of a double decree as a major premise in the theological system. Beginning in this way means that the doctrines of grace, incarnation and atonement are formulated by federal Calvinists simply as ‘God’s way of executing the eternal decrees – thereby “logically” teaching that Christ died only for the elect, to secure infallibly the salvation of the elect’. He charges that Calvinists and Arminians (who conversely make grace prior to election) both err in discussing election apart from Christ in a way that ‘is to go behind the back of Christ to some inscrutable impassible God’. Federal theology’s sin here for Torrance is that it departs from Calvin’s methodologically significant placing of the doctrine of election at the end of Book III of the Institutes and only after Calvin has said everything he has to say about the love of the Father, the incarnation and atoning work of the Son and the instrumental work of the Spirit. This

85 Ibid.
87 Torrance, ‘The Incarnation’, 92.
88 Ibid., 87.
89 Ibid.
90 Ibid.
viewpoint builds on McLeod Campbell’s argument that federalism’s understanding of the incarnation wrongly gave priority to the judicial over the filial – we must not think of the incarnation simply as the necessary means towards executing the decree of atonement for the elect (as in the federal scheme), ‘but rather think of the Atonement as securing the ends of the Incarnation – the Father’s filial purposes for men’.91

There are two main avenues open to us by way of response to these views. First, we will note in passing some alternatives to Torrance’s historical reconstructions of the Marrow Controversy, the origins of the doctrine of limited atonement and the priority given to election in the Reformed theological system. Second, and more significantly, we will attempt to engage theologically with Torrance’s and McLeod Campbell’s understanding of the doctrine of God and limited atonement in federalism.

Torrance holds that the Marrow Controversy in Scotland represented a fundamental recovery of the gospel of free grace that was at the same time a break from the legalistic tendencies inherent in the federal Calvinism of Reformed documents such as The Westminster Confession of Faith. The General Assembly of 1720, in condemning the Marrow men, were acting in line with the Confession and their actions were simply the consistent result of its theology. McLeod Campbell stands in the tradition of the Marrow men and was similarly condemned unjustifiably. However, this outline of the events is by no means accepted by all Reformed theologians and historians, not least in Scotland. Sinclair Ferguson, a robust advocate of the Confession, argues that ‘the precious truths of the gospel’ were ‘wounded by the condemnatory act of 1720’ and is strongly in favour of its epithet, ‘the Black Act’.92 Similarly, Donald Macleod vigorously defends the confessional orthodoxy of the Marrowmen claiming The Marrow as ‘quintessential Federal Theology’ and regards it as ‘quite absurd to suggest that it represented a radical departure from historic Calvinism; and endlessly irritating to be told that it belongs to the school of

91 Torrance, ‘The Contribution of McLeod Campbell to Scottish Theology’, 305.
McLeod Campbell rather than to the school of Westminster’.\textsuperscript{93} The important point for our purposes is that Torrance’s position rests on his assumption that the Westminster theology is \textit{inherently} based on mistaken legal concepts – the fact that other theologians are able to claim \textit{The Marrow} as a consistent expression of federal doctrine is another indicator that Torrance’s fundamental assumptions may be mistaken.

Two other areas that are more complex historically than Torrance allows relate to his assertions that Calvin did not teach limited atonement and also conceived of election rather differently from his federal successors. Although Torrance’s position on limited atonement in Calvin is paralleled by R. T. Kendall and M. Charles Bell, the position is strongly contested by Roger Nicole and Paul Helm, among others.\textsuperscript{94} The debate is more slippery than Torrance suggests. Andrew McGowan shows that here Torrance parts company with the influence of Barth, who argued that the ‘grim doctrine of limited atonement’ follows logically from Calvin’s doctrine of double-predestination.\textsuperscript{95} Further, although the doctrine of election was placed in a subordinate position in the first draft of Calvin’s catechism (1537) and later drafts of the \textit{Institutes}, Barth again shows that in the final 1542 form of the Catechism Calvin returned to Luther’s original pattern of treating election in the second chapter. McGowan states that ‘to argue that Calvin’s move from putting election at the beginning to putting it at the end of Book 3 involves a significant theological move, is simply not borne out by the historical evidence’.\textsuperscript{96} This brief historical detour is important because Torrance’s doctrines of God and atonement are

\textsuperscript{93} D. Macleod, ‘Faith as Assurance’, \textit{Free Church Monthly Record}, May 1988, 99. The most comprehensive response to Torrance’s historical reconstruction is provided by Andrew McGowan, who shows that contrary to Torrance’s view of Boston as torn between supporting \textit{The Marrow} and his own federal theology, Boston was a leading advocate of Marrow theology \textit{precisely because} of his federalism. ‘Federal Theology as a Theology of Grace’, 46-49; idem, \textit{The Federal Theology of Thomas Boston} (Carlisle: Paternoster, 1997). See also, W. J U. Philip, ‘The Marrow and the Dry Bones: Ossified Orthodoxy and the Battle for the Gospel in Eighteenth-Century Scottish Calvinism’, \textit{SBET} 15.1 (Spring 1997), 27-37.


\textsuperscript{95} McGowan, ‘Federal Theology’, 49.

\textsuperscript{96} Ibid., 50.
very deliberately based on his particular understanding of historical theology as attempts to be faithful to Calvin. It can be argued that in places his own theological dogmas infiltrate his historical analysis such that his dogmatic formulations come to rest on questionable assumptions.

How may we respond theologically? We have seen that the essence of Torrance’s doctrine of God and his objection to federalism’s version is his strong conception of God as love (Agape) in himself. This being of God as love is necessarily manifested to all his creatures in all his activities and limited atonement is therefore untenable because it places some of humanity beyond God’s love. He explicitly equates love and mercy – in the federal scheme ‘the love of God (or mercy of God) is an arbitrary attribute’.\(^97\) We suggest that here Torrance confuses love and mercy, making them interchangeable terms when in reality there are important theological distinctions between them: the relationship between limited atonement and God’s love is not necessarily the same as the relationship between limited atonement and God’s mercy. This can be seen from D. A. Carson’s exegetical and theological treatment of God’s love.\(^98\) Carson makes two assertions fundamental for our case.

First, he challenges the common notion that the *agape* word group is invested with significant theological weight in Scripture as the most appropriate way to describe divine love. Based on the classic work of Anders Nygren, many today try to tie the love of God to this particular word group – the argument runs that *erôs* refers to sexual or erotic love; *phileô* refers to emotional love, the love of friendship and feeling, and *agape* refers to an act of willed sacrificial love for the good of another and as such became the perfect word to capture the glory of divine love.\(^99\) However, this approach to defining love in the Bible is methodologically flawed. Carson points out, for instance, that *agape* can neither always be tied to the highest form of love (in 2 Samuel 13 Amnon rapes his half-sister Tamar and in the LXX we are told that he ‘loves’ her, *agape*), nor does it always describe divine love.

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\(^97\) Torrance, *The Contribution of McLeod Campbell*, 303.


\(^99\) Ibid., 30.
love (in John’s Gospel we are told in 3:35 and 5:20 that the Father loves the Son, the first time *agapaō*, the second *phileō*, and it is impossible to detect any contextual difference in meaning between the two).\(^{100}\) The traditional understanding of *agapaō* was arguably developed to reflect a willed love of God independent of emotion or susceptibility to impression from outside himself and we do not suggest that Torrance uses the word to support such inferences. But, although he only refers to it in passing and does not engage in exegesis per se, it is significant that Torrance does regard agape to refer to ‘pure love’\(^{101}\) and *in itself to be a Greek word which necessarily expresses God’s sacrificial and universal love*. This is not the case. The word may be used in certain contexts to support such an understanding, but the word itself proves absolutely nothing against a doctrine of limited atonement.\(^{102}\)

Second, and much more significantly, Carson suggests that the Bible actually speaks harmoniously in at least five different ways when describing God’s love. These he outlines as: (i) the peculiar love of the Father for the Son, and of the Son for the Father (John 3:35; 5:20; 14:31); (ii) God’s providential love over all that he has made (Matthew 6:26; 10:29 – if this providence is not a loving providence then Jesus’ moral lessons in these passages becomes redundant); (iii) God’s salvific stance towards his fallen world (Ezekiel 33:11; John 3:16; 1 John 2:2); (iv) God’s particular, effective, selecting love toward his elect (Deuteronomy 7:7-8; Malachi 1:2-3; Ephesians 5:2); (v) God’s love directed towards his own people in a ‘provisional’ or ‘conditional’ way – conditional, that is, on obedience (Exodus 20:6; Psalm 103:9-11, 13, 17-18; John 15:9-10; Jude v.21).\(^{103}\) This means that any references in theological discourse to ‘the love of God’ must exercise careful precision in delineating which aspect of God’s love is being described. Carson then provides two reflections on the dangers of either absolutising any one of

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\(^{100}\) Ibid., 31.

\(^{101}\) Torrance, *The Incarnation*, 85.

\(^{102}\) Indeed, it is ironic that Torrance uses the word agape to counter the position of John Owen who assigned God’s love to his will given that, as Carson suggests, the very notion of agape as the definition *par excellence* of God’s love arose precisely to express the belief that God’s love was tied to his will and was thus qualitatively different from human love(s). Torrance’s brief references to agape are another example of the methodologically unsatisfactory approach to lexical semantics.

\(^{103}\) Carson, *Difficult Doctrine*, 17-22.
these five different aspects and making it the controlling grid for the doctrine of God’s love, or of compartmentalising them as separate independent loves of God: ‘God is God and he is one’. If this is accepted as a worthwhile analysis of the biblical data, when this construction is brought into contact with Torrance’s position a number of concerns emerge.

First, it provides a fundamental challenge to Torrance’s assertion that the doctrine of limited atonement means that God is related to all men as Judge, but only to some in grace, or that it makes justice essential and love arbitrary. On Carson’s schema, given that there are different aspects of God’s love, there is truly a sense in which even with a particular atonement it is not correct to say that the reprobate are not beneficiaries of God’s love – they receive it in the sense of God’s providential love over all that he has made, his benevolence in sending rain on both the righteous and the wicked, but are denied it in the sense of God’s effective selecting love towards his elect. It can be argued that Torrance’s position rests on an absolutising of the third way in which the Scriptures describe God’s love, his general salvific stance, to the exclusion of a proper harmonisation with the other senses. Further, the fundamental blurring introduced by Torrance of love and mercy is also here shown to be problematic. He holds that only the elect are related to God by his love and his mercy, as if the two are precisely the same thing, when in reality we might better say that all of mankind is related to God by his love (given the distinctions above) but only the elect by mercy. God may be loving to all, without being merciful to all. But this position in itself simply depends on construing mercy only in salvific terms and we may rightly assert that God’s benevolence towards righteous and wicked is in this instance a merciful expression of his love so that there is even a sense in which God truly is related to all in mercy. What Torrance wishes to hold is that the non-elect are denied God’s love and mercy in a salvific sense but this requires a far more careful formulation than he offers in the general assertions that the federal two-covenant schema denies God’s love to a section of humanity.

Ibid., 23-26.
Precisely this kind of argument is also levelled against McLeod Campbell and Torrance by Paul Helm. He points out that it is a misunderstanding of limited atonement to suppose that according to it God deals with all men in justice but with only some in mercy; in fact, by introducing the element of what sections of humanity actually experience, Helm points out that the elect do not experience God’s justice as it concerns them, for it is satisfied by Christ enduring it in their place. He states:

it is not that some experience both love and justice while some experience justice only. It is rather … that some experience love, some justice, neither both and each one or the other. The inequality is thus symmetrical, and the incidence of divine love and justice does not provide the least reason for supposing that those who hold this view hold that justice is essential to God while love is arbitrary …

Helm further seeks to show that McLeod Campbell and Torrance work with a confused understanding of what mercy actually is in its very nature. If we take mercy to be understood as ‘undeserved love’, Helm points out that what is essential to such love is that it could, ‘consistently with all else that God is, be withheld by him. If God cannot but exercise mercy as he cannot but exercise justice, then its character as mercy vanishes’. In other words, God’s very character is not impugned by withholding mercy from some given what mercy is: ‘A justice that could be unilaterally waived would not be justice, and mercy which could not be unilaterally waived would not be mercy’. Helm also answers Torrance and McLeod Campbell’s claim that assigning God’s love to his will and not his ‘affections’ makes God’s love arbitrary; he shows that the Reformed correlation between God’s love and his will simply asserts that the origin of God’s love is not in time. It is not due to his reaction at human misery but is ‘a determination of his

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105 Helm, ‘The Logic of Limited Atonement’ SBET, Autumn 3 (1985), 49. This argument is compatible with our position outlined above if we understand the love of God in Helm’s point to be referring to God’s effective electing love. When Carson’s distinctions are introduced into the doctrine of God’s love, we may affirm Helm’s point while at the same time affirming that, in a different sense, all do experience God’s love!

106 Ibid., 50, (emphasis his)

107 Ibid. (emphasis his).
will which is wholly in accord with his character’.\(^{108}\) Carson makes a similar point, arguing that God’s love is ‘not so much a function of his will, as something which displays itself in perfect harmony with his will – and with his holiness, his purposes in redemption, his infinitely wise plans, and so forth’.\(^{109}\) These arguments suggest a more careful understanding of the inter-relationship between God’s love, his mercy and his will than is suggested in Torrance’s rejection of limited atonement.

We must also ask at this point whether there are some problems inherent in Torrance’s view of forgiveness and the atonement, given his misunderstanding about the relationship between God’s love and limited atonement. He follows McLeod Campbell who argued that biblical order of the relationship between forgiveness and atonement is that there is forgiveness in God the Father, who loves the world, and because there is forgiveness, he offers a way of atonement in Christ.\(^{110}\) Federalism, however, inverted the order – there can only be forgiveness when atonement is made and, when it is, ‘forgiveness is held out to the elect as the reward for the sufferings of Christ. In other words, the Father has to be conditioned into being gracious by the obedience and the satisfaction of the Son’.\(^{111}\) This view seriously misrepresents limited atonement and, as Donald Macleod argues, it rests on a confusion between love and graciousness on the one hand and forgiveness on the other:

All federal theologians regarded God’s love and graciousness as eternal, unearned and unconditioned. They were adamant that God’s love preceded atonement, and indeed provided it. But they did not confuse love with forgiveness. The loving God proceeded directly not to forgiveness but to atonement …\(^{112}\)

\(^{108}\) Ibid., 52.
\(^{109}\) Carson, *Difficult Doctrine*, 69.
\(^{110}\) Torrance, ‘McLeod Campbell’, 304.
\(^{111}\) Ibid., (emphasis his).
Torrance’s conception of the relationship between forgiveness and atonement does not allow him to escape what he regards as the misleading Aristotelian and scholastic ‘actual’ or ‘possible’ debate – did Christ die to make our salvation actual or possible? Torrance holds that the incarnation is the key to seeing that the question itself is thoroughly mistaken and a recourse to alien ‘logic’ that misinterprets the correct relation between the headship of Christ over all as Mediator and the effectual calling of the Spirit. However, it is not at all clear what sense we are to give to statements such as: Christ dies for mankind that ‘we might be forgiven, and receive his forgiveness by the gift of the Spirit. This is not ‘universalism’ but it is universal love’. If Christ died that we might be forgiven, but not all are saved, then Torrance either has a potential understanding of ‘might’ in the above clause and is concomitantly enmeshed in the very doctrine of conditional grace he eschews (that is, conditional on our human decision), or he has an actual understanding of ‘might’ which surely suggests limited atonement as the only explanation of how not all are saved? Our point here is that it is one thing to reject the actual/potential question, but quite another to continue to explain the atonement in language that is not easily intelligible apart from it. Further, if forgiveness (and not just love) is there in God prior to the atonement, but ultimately not all are saved, what are the factors which cause this universally available forgiveness to not be experienced by all? It is not clear how Torrance would answer this question given that he rejects the two possible answers of either human decision or an effectual limited atonement.

We should notice above that Torrance’s view of the correct relationship between forgiveness and atonement is based on his assertion that the federal inversion of this order conditions the Father into being gracious and loving. It will be obvious that this has been a recurring theme in Torrance’s overall rejection of federalism in both its foundational and co-ordinating principles – a prelapsarian covenant necessitates the conditions of works to ensure and retain God’s favour, and the fundamental problem with this is that it creates the notion of a contractual God. Repeatedly he stresses that

113 Torrance, ‘The Incarnation’, 84.
114 Ibid., 85.
115 He explicitly rejects this view in ‘The Incarnation’, 83.
this is a distortion of Calvin’s theology.\textsuperscript{116} However, this viewpoint needs to be strongly resisted on the basis that Torrance works with both a historically and theologically simplistic understanding of the notion of conditionality. Historically, it simply is not the case that Calvin had no concept of a conditional covenant. In expounding Genesis 17:1 and the Abrahamic covenant, Calvin says:

In making the covenant, God stipulates for obedience, on the part of his servant. Yet he does not in vain prefix the declaration that he is “the Almighty God”, and is furnished with power to help his own people: because it was necessary that Abram should be recalled from all other means of help, that he might entirely devote himself to God alone … For on this condition, he adopts children as his own, that he may, in return, obtain the place and the honour of a Father. And as he himself cannot lie, so he rightly demands mutual fidelity from his own children.\textsuperscript{117}

Two further features of Calvin’s covenantal thought are also significant. First, Calvin goes on to comment that this covenant is not made with the elect only:

\textit{And thy seed after thee} … Now they are deceived who think that his elect alone are here pointed out; and that all the faithful are indiscriminately comprehended, from whatever people, according to the flesh, they are descended. For on the contrary, the Scripture declares that the race of Abraham, by lineal descent, had been peculiarly accepted by God.\textsuperscript{118}

Second, just as we have observed above Calvin’s reference to the mutual fidelity of the covenant, so Calvin has a complex understanding of the covenant as at once unconditional when viewed from God’s perspective yet also conditional when viewed from man’s perspective. Commenting on Psalm 132:12 he writes:

\textsuperscript{116} For instance, Torrance, ‘The Concept of Federal Theology’, 23.
\textsuperscript{117} Calvin, \textit{Commentaries on the Book of Genesis}, 443.
\textsuperscript{118} Ibid., 447.
This may serve to show in what sense the covenant was not conditional; but as there were other things which were accessories to the covenant, a condition was appended, to the effect that God would bless them if they obeyed his commandments.\(^{119}\)

Torrance argues that by giving law priority over grace, grace becomes conditional on obedience to the law and this wrongly works with a prescriptive ‘if’ rather than a descriptive ‘if’.\(^{120}\) But it is clear that Calvin’s doctrine of God is able to accommodate a God who makes stipulations for obedience and mutual fidelity and who speaks with his covenant partners in terms of ‘if … then’.\(^{121}\) This does not make law prior to grace for in Calvin’s comments on Psalm 132 the unconditional aspect of the covenant is squarely rooted in its being ‘perfectly gratuitous’ and the conditional aspects clearly flow from this. In fact, the problem of the doctrine of God and a conditional covenant is even more difficult within federal Calvinism than Torrance suggests simply because federalism seeks to maintain, with Calvin, both a strong doctrine of election and predestination and yet also a strong doctrine of the conditionality of the covenant. In other words, Torrance objects to federal notions of condition, yet he does not engage with the issue of why or how federalism feels happy to affirm this alongside affirmations of election and God’s sovereignty. We should note too how Calvin’s view that the covenant of grace is also made with the non-elect suggests a more nuanced understanding of the covenant scheme than Torrance suggests – it is not necessarily the case that only in the prelapsarian covenant is God related to the non-elect and federalism has within it the resources to maintain God’s involvement with mankind in the covenant of grace more widely than


\(^{120}\) Torrance, ‘The Incarnation’, 90. It is interesting that even here the only ‘if’ Torrance describes is in relation to the consequences which would follow if commands are *transgressed*. But negative clauses are not the only contexts within which ‘if’ clauses appear in the biblical covenants.

\(^{121}\) Peter Lillback, ‘The Continuing Conundrum: Calvin and the Conditionality of the Covenant’, *Calvin Theological Journal* 29 (1994), 58, argues that given what we have seen of Calvin’s correlation of the Mosaic law with the natural law written on man’s conscience in the Edenic state, all the above issues to do with Calvin’s understanding of conditionality apply to the prelapsarian covenant of works. That is, if Calvin’s conditional covenant of grace does not necessarily imply a contract God, then his ‘inchoative’ covenant of works does not imply a contract God either; the same may thus be true of federalism more generally.
Torrance allows. On this analysis, then, we suggest that it is not at all obvious that prelapsarian federalism is inherently distorting when operating as a co-ordinating principle across the inter-related loci of Christian theology. As with its foundational principles, the prelapsarian covenant contributes to a doctrine of God and a doctrine of the atonement that cannot easily be shown to mark a clear break from the theology of John Calvin.
Conclusion

We have endeavoured to show that Reformed theology neither gets off on the wrong foot, nor suffers disastrous overall consequences by containing within it the doctrine of a prelapsarian covenant of works. Our argument has been that the arguments of Torrance and Rolston cannot bear the weight placed on them in a number of key areas. First, although exegesis is largely incidental to their arguments, they operate with inadequate terminology in some critical areas of definition and with a lack of sophistication as to how the words they are using were used historically and in current theological debate. Second, the relationship between prelapsarian covenant, natural law and grace found in federalism is both far more complex than Torrance and Rolston allow and at the same time also representative of a very similar nexus of ideas to be found in Calvin. As Muller states, the argument for strong discontinuity between Calvin and the Calvinists on this point can only be argued by ‘exaggerating Calvin’s views on the prelapsarian graciousness of God and by minimizing his comments on Adam’s duties before God and God’s law – and then by arguing precisely the opposite distortion of … federal thinkers’.122 We have suggested that Torrance and Rolston’s work is one such example of imbalance. Third, we have argued that there is nothing inherent in federalism’s doctrine of God or its doctrine of limited atonement to suggest a corruption of the theology of the Reformation. Prelapsarian federalism neither cuts God off from mankind save the elect, nor makes justice God’s defining attribute with his love merely arbitrary, nor holds that the notion of condition is theologically alien to the biblical covenants.

Far from representing a pernicious entry to Reformed theology we suggest that, in its best expressions, federalism offers Reformed theology a careful, complex, nuanced and deeply fertile seedbed of inter-related biblical and theological ideas. Two examples will suffice and we suggest that Torrance and Rolston’s theological projects are correspondingly the poorer for neglecting these possible insights.

Scott J. Hafemann, (who argues for a prelapsarian covenant which provides the structure for the whole of redemptive-history and the plot-line of the biblical story), provides an excellent analysis of the inter-relationship between law and promise that inheres in prelapsarian federalism. He points to the example of the ‘law’ given to Israel in the wilderness by Moses regarding the gathering of manna (Exodus 16:5, 16-19, 21-23, 26). Israel is told to gather twice as much on the sixth day and is prohibited from gathering on the Sabbath; given that they have been depending on God’s provision all week long, Israel is expected to rest on the seventh day and trust that the manna from the day before would not spoil, just as God had promised. If the Israelites truly believe God’s word, this will show itself in obedient rest on the Sabbath as they trust his promise to provide. Meeting their needs one day at a time, God calls his people to a life of faith. Hafemann draws out the theological implications:

It is apparent in reading this account that faith in God is an active dependence on his word that always expresses itself in action. The reason for this unity of faith and obedience as two aspects of our one response to God is that the promises of God are always organically linked to corresponding commands. Every command of God is built upon a promise from God. Therefore every divine call to action (obedience) is, at the same time, a divine summons to trust in God’s promises (faith). The promises of God are commands in disguise, and vice versa. God commands what he commands because he promises what he promises.

We suggest that this shows a rich relationship between promise and command, present in the best expressions of a prelapsarian covenant of works, but which are not appreciated in Torrance and Rolston’s simple assertions of the priority of grace over law. The formulation of a covenant of works necessarily implies a careful understanding of the exact way in which promises are related to commands and conditions; while for Torrance the presence of conditions in the covenant necessarily means the destruction of

124 Ibid., 86-87, (emphasis his).
the promise, for the federal scheme the presence of conditions becomes the exact means of treasuring the promises. By providing conditions, the God of the covenant explicitly, and graciously, outlines the way to experience the reality of his promises in action.

One other key feature of federal theology can be seen in how the covenant of works/covenant of grace schema provides a coherent way of articulating a central strand of the biblical drama: the relationship between Christ and Adam. It is significant that nowhere in either Torrance or Rolston’s writings is Christ’s work as the Second or Last Adam referred to; indeed, it can be argued that it is not clear what role a concept of Christ’s active obedience could have for Torrance given that for him the incarnation seems to provide, de facto, all the resources necessary for atonement and reconciliation. How, without the pre- and postlapsarian covenantal scheme, is the parallel between Christ and Adam to be understood?

In his work on Witsius and à Brakel, Muller suggests that this covenantal parallelism provides a way of explaining both the relationship between Adam and Christ and the biblical-theological continuity of the prelapsarian themes of law and grace. He states that both theologians:

manifest the central reason for the doctrine of a covenant of works and its fundamental relationship to the doctrines of justification by grace through faith and Christ’s satisfaction for sin: The issue is not to hammer home a legalistic view of life and salvation but precisely the opposite. There can be no salvation by works but only by a means that excludes works – in short, through faith in Christ. Nonetheless, the law is not void. Indeed, the law remains the representation of divine goodness, holiness and righteousness

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125 This is not to imply, of course, that it is impossible to articulate the parallel without holding to a covenant of works. McWilliams shows how there has been a tremendous diversity of opinion on the covenant of works in contemporary Reformed theology and, even where the concept has not been approached with the animosity of Torrance and Rolston, Reformed theologians such as Kline, Murray, Berkouwer, and Macleod nevertheless disagree on the role it should play in discussing Christ’s obedience and issues such as whether ‘merit’ is an appropriate concept here. ‘The Covenant Theology of the Westminster Confession of Faith’, 117-124.
placed in the heart and mind of Adam even as he was created in the image of God.\textsuperscript{126}

This means that Paul’s reference to upholding or establishing the law in Romans is seen not in direct relation to us and our obedience, but fundamentally in relation to Christ who was subject to the same law as Adam but obeyed it perfectly. In this area at least, it is extremely hard to argue that federalism represents an inherent legalism in its doctrine of the Christian life given that the legal requirements are directed towards the Second Adam and not in the first instance towards those united to him. Of course, it is an entirely separate question as to whether the federal scheme (in all its variations) offers the best or correct exegesis of the Christ-Adam texts; our argument here is that federalism has tried to take the Christ-Adam relationship seriously and has found within its prelapsarian conceptuality rich resources for doing so. Ultimately, then, we suggest that when built on prelapsarian federal foundations, the shape of Reformed theology is Calvinistic in the true sense of the word. It is also coherent, integrated and more than equal to the challenges laid at its door by Torrance and Rolston.

\textsuperscript{126} Muller, ‘The Covenant of Works’, 95.
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