

The following series of posts do not intend to form an exhaustive treatment of the threefold division of the law and the perpetuity of the Ten Commandments. They are simply an interaction with Thomas Schreiner's position on these subjects as articulated in chapter/question 14 of his book, *40 Questions About Christians and Biblical Law*.^[1]

By way of introduction, these posts will address some objections—mainly misconceptions—about the perpetuity of the moral law in light of the abrogation of the Old Covenant. In doing so, I am interacting with only one chapter of Schreiner's book, and this in isolation from what he may have written on the subject elsewhere.^[2] I do not believe having the content of the preceding chapters would impact my understanding of the basic premise asserted by Schreiner and others' similar rejection of the threefold division. He presents a view in this chapter which in its general presentation has been promoted by theologians of diverse persuasions in recent years.^[3] In light of this, and in light of the historic position of the church with regard to the Decalogue as stated generally by Philip Ross^[4], coupled with special attention to the Second London Baptist Confession of Faith (2LCF)^[5], I hope to offer some clarifications on the nature and purpose of the threefold division.

Let me state clearly at the onset that I hope this to be edifying for the body, encouraging for those who have a desire to dig deeper on this subject, and glorifying to our immutable God. Dr. Schreiner is a scholar and a brother in Christ, and when it comes to the importance of the doctrine of abrogation, as far as I can ascertain, we are in complete agreement. It is vitally important to emphasize, as Schreiner does, that the Old Covenant has been fully abrogated and to seek to bring believers under a yoke of bondage is antithetical to the gospel. It must also be emphasized that in arguing for the permanence, transcendence and perpetuity of the Ten Commandments, the fundamental doctrine of justification by faith alone is not undermined in the slightest. To argue for law-keeping as a means by which to obtain justification before God is to promote heresy; to argue for the perpetuity of the moral law is nothing new in the history of Christian doctrine. ^[6]

Though I make occasional reference to New Covenant Theology (NCT) and/or Progressive Covenantalism (PC) where necessary, I only do so as they relate to the question of the threefold division and the perpetuity of the moral law. Some of whom I reference have published detailed analyses of NCT and its distinguishing features. Since theology is an intricately woven fabric, related doctrines must be mentioned but will not be addressed at length. I also realize that NCT and PC are not monolithic systems and I have no desire to misrepresent Dr. Schreiner or pigeonhole him into one of these evolving camps.

The scope of the question and the scope of Scripture

When approaching Schreiner's chapter on this subject, the first thing to note is the way in which he frames the question. The chapter is titled, "Does Paul distinguish between the moral, ceremonial, and civil law?" Since one would think that debates surrounding the legitimacy of the threefold division would be especially relevant in a book devoted to biblical law, I found it a bit strange that it was relegated to a section titled, "The Law in Paul". Since what his readers likely want to know is whether or not the tripartite division can be justified from the Scriptures, placing the question under this heading appears to limit the biblical data to only what Paul has written. But whether or not Paul makes such a clear cut division does not ultimately answer the question as to whether or not such a concept is biblical.

What if one were studying a book on God's attributes and upon searching the table of contents for a section on immutability he were to only find one chapter addressing the subject, and its title was, "Is the doctrine of immutability to be found in Luke?" It would be squarely obvious that whether or not the doctrine is to be found in Luke's writings would accomplish very little in terms of substantiating the biblical basis for it. Immutability, like any other doctrine, is not ascertained from one portion of the canon but from the analogy of faith and the "scope of the whole" of Scripture (2LCF 1.5).

Furthermore, none of the Scriptural authors use the term "three-fold division of the Law" and to expect to find the term in Paul's writings or anywhere else in Scripture would be to fall prey to the word-concept fallacy.[7] The "threefold division of the law", like "the Trinity", is regarded as doctrinal shorthand for a formulation derived from the analogy of faith (a key principle in hermeneutics). The doctrine was developed by way of a systematic study of the whole text of Scripture, not the perspective of one human author only. Even so, we will see that Paul does in fact make distinctions in how he uses the word 'law'.

It is worth noting that Schreiner admits that the threefold division "has been quite common in Christian theology" (p. 89), and adds a footnote stating that "[Richard N.] Longnecker traces the distinction back to Tertullian (A.D. 160—after 222)". Schreiner offers no resistance to Longnecker's assertion. Ross likewise traces the threefold division to the patristics,[8] and I appreciate Schreiner's disinclination to brand the division something new or novel in the history of Christian doctrine.

Particular Baptist distinctives

Schreiner opens by reciting a statement from chapter 19 of the Westminster Confession which sets forth the threefold division. Even though, as Ross has shown, “the threefold division predates Reformed confessions,”^[9] for the sake of clarity and simplicity, I want to depend specifically on the 2LCF with its careful nuances. I think this will demonstrate that at least some of what Schreiner finds problematic with the threefold division (as he describes it) is not characteristic of 1689 federalism.

At the risk of introducing something rather technical up front, I think it would be helpful to point out some Baptist distinctives elaborated on by Brandon Adams and Sam Renihan. Unfortunately, Schreiner begins his quotation of the WCF beginning in paragraph three, just after the section which has a minor but significant difference with the 2LCF. The WCF, Savoy Declaration, and 2LCF are very closely related documents, but it is important to note that because the Presbyterians viewed the Mosaic Covenant as an administration of the Covenant of Grace (a view strongly rejected by the Baptists), they held that the moral law “after [Adam’s] fall, continued to be a perfect rule of righteousness; and, *as such*, was delivered by God upon Mount Sinai, in ten commandments, and written in two tables...” (WCF 19.2)

As Adams and Renihan have explained in detail [here](#) and [here](#) respectively, the 2LCF follows the WCF in this except for the careful deletion of the words “as such”. The Baptists did not regard the moral law as being merely a guide for holy living in the context of the Mosaic Covenant because the Baptists viewed the Mosaic Covenant not as an administration of the Covenant of Grace but as a Covenant of Works, the conditions of which must be met to continue in the land of Canaan.

*“Notice what is missing from both [Savoy and 2LCF]: “as such”. Neither Savoy nor [2LCF] necessarily teach that the 10 Commandments were given to Israel as a perfect rule of righteousness, in contrast to as a covenant of works. Thus Savoy and [2LCF] leave open the possibility that the 10 commandments delivered as part of the Mosaic Covenant operated on a works-inheritance principle for the nation of Israel (i.e. republication), while WCF does not.”**[10]***

The WCF does not leave open the possibility that the Ten Commandments “delivered as part

of the Mosaic Covenant operated on a works-inheritance principle for the nation of Israel” because the Presbyterians viewed the Mosaic Covenant as an administration of the Covenant of Grace. So, the Decalogue acted (allegedly) as a rule of life for the Israelites, not as part of a conditional covenant critical to their persistence in the land.

I will not dwell on this point here, but it is worth noting that had Schreiner recognized the difference in these Confessions perhaps he would be able to more accurately critique the position of reformed Baptists and their arguments for the threefold division. In a very helpful article, Brandon Adams explains how confessional Baptists would agree with certain criticisms that had been leveled by Stephen Wellum against the threefold division if the division were expressed as an arbitrary carving up of Mosaic law:

“What is important to understand is that the law, including the moral law, was abrogated ‘so far as it was compacted with the other into one body of precepts for the same end.’ That is, the law as a unit is abrogated as a covenant of works for life in the land of Canaan (operating upon the maxim of Lev 18:5/Rom 10:5).

Adams then quotes Wellum and points out his error:

‘First, Scripture views the old covenant as a unit or package and it does not appeal to the tripartite distinction as the means by which the continuity and discontinuity of moral law is established for Christians today.’

*That’s a false dichotomy. We agree with [Progressive Covenantalism], in contrast to Westminster Federalism, that the old covenant is a unit, and it expires as a unit. But that does not mean there is not overlap between a transcendent moral law that predated the Mosaic law and the Mosaic law itself. One can affirm that the old covenant is a unit, and expires as a unit, and at the same time affirm that Scripture teaches a tripartite distinction as a means of determining the continuity and discontinuity of the moral law. To clarify even further, the tripartite distinction can sometimes be distracting. What we really recognize in Scripture is a two-fold distinction between moral law (unchanging) and positive law (changing).”**[11]***

Since, admittedly, it is at some points difficult to strictly classify each precept into the

categories of moral, civil and ceremonial (seeing as moral principles are often embedded in various laws, referred to in the confessions as “general equity”), it is helpful to first recognize a more fundamental distinction with regard to God’s law, that is, the readily discernible categories of *natural/moral law* and *positive law*, as articulated by Adams above.

A.W. Pink, for example, articulated a threefold division even with regard to the law given to Adam, a view which does not precisely correspond to the classical threefold division but speaks specifically to Adam’s initial prelapsarian constitution. Nevertheless, Pink emphasizes the primary distinction between natural/moral law and positive law:

“By the ‘moral’ law which was given to Adam by God, we mean that he was placed under the requirements of the Ten Commandments, the summary of which is ‘Thou shalt love the Lord thy God with all thy heart, with all thy mind, and with all thy strength, and thy neighbor as thyself.’ ...By ‘positive’ law we mean that God also placed certain restrictions upon Adam which had never occurred to him from either the light of nature or from any moral considerations.... The term ‘positive law’ is employed by theologians not as antithetical to ‘negative,’ but in contrast to those laws which are addressed to our moral nature: prayer is a ‘moral’ duty; baptism is a ‘positive’ ordinance.” [12]

For a fine introduction to this division, I highly recommend the lecture by Samuel Renihan titled “Natural and Positive Law”. Note also that since the term “natural law” has historically been defined in various ways, I contend with C. Jay Engel that “Natural Law...must be synonymous with God’s Moral Law as revealed in the Bible.” Following is Richard Muller’s definition of natural law:

*“**Lex naturalis**: natural law; also **lex naturae**; law of nature; the universal moral law either impressed by God upon the mind of all people or immediately discerned by the reason in its encounter with the order of nature. The natural law was therefore available even to those pagans who did not have the advantage of the Sinaitic revelation and the *lex Mosaica* [i.e., Mosaic law, which includes the natural law, though in a different form] with the result that they were left without excuse in their sins... The scholastics argue the identity of the *lex naturalis* with the *lex Mosaica* . . . according to substance, and distinguish them . . . according to form. The *lex naturalis* is inward, written on the heart and therefore obscure [due to sin], whereas the *lex Mosaica* is revealed externally and written on tablets and thus of*

greater clarity.” [13]

Returning to chapter 19 of the Confessions: This clarification—the recognition of this fundamental difference between Westminster and 1689 Federalism and our agreement with Progressive Covenantalism on this point—is a valuable contribution by Adams and one in which should foster further discussion of the subject. With that in mind, let’s continue with Schreiner:

“As stated earlier, Paul argues that the entirety of the law has been set aside now that Christ has come. To say that the ‘moral’ elements of the law continue to be authoritative blunts the truth that the entire Mosaic covenant is no longer in force for believers. Indeed, it is quite difficult to distinguish between what is ‘moral’ and ‘ceremonial’ in the law” (p. 90)

I make no accusation that Schreiner is putting forth a strawman because I do not believe he is deliberately misrepresenting anyone. However, in light of the previous clarification, it is simply incorrect to assume that a defense of the threefold division entails a *partial* abrogation or residual continuity of the Mosaic Covenant. Schreiner is absolutely correct that “the entirety of the law has been set aside now that Christ has come”, if by ‘law’ he is referring to the Old Covenant. Indeed, that is often how the word ‘law’ is used in the NT, but it is not the *only* way it is used in the NT.

The law written on the human conscience which was sufficient to convict and condemn pagans (Romans 1:18-21; 2:14-15)[14] obviously did not constitute the temporal positive laws of the Roman kingdom nor was it a list of dietary regulations as recorded in Leviticus. Clearly the law in this instance is a reference to a moral standard which did not wait to be revealed at Mount Sinai 2500 years after Creation. The law written on the human heart was not extracted from the Mosaic covenant but predated, preceded and transcended it. As Waldron explains:

“The phrase ‘the law’ in Romans 2 clearly designates the law of God delivered to Israel on Mount Sinai, specifically the Ten Commandments (vv. 13, 17-29). In fact throughout Romans the term ‘law’ has specific reference to the Ten Commandments (Romans 7:7-13; 13:8-10). Thus, by asserting that Gentiles are in possession of the

law, Paul teaches that a substantial identity exists between the Ten Commandments and the law of God written by creation in the heart of Adam and all his descendants.”[15]

Elsewhere in the NT, ‘law’ very clearly refers to the Mosaic Covenant:

“...We must distinguish between the perspective of Hebrews where the law is equated with the book of the covenant and the perspective of Romans where the law is primarily the Ten Commandments. Equate the law with the book of the covenant and it is proper to speak of its passing away as Hebrews does. Equate the law with the Ten Commandments and the emphasis must be on its abiding validity as it is in Romans. The law in general and as an economy has passed away. The law specifically in the Ten Commandments cannot pass away.”[16]

Agreements and clarifications

There is much that Schreiner says with which I am in full accord. His emphasis on the abrogation of the Mosaic Law is a vital point. Schreiner would find “hearty agreement” in confessional Baptist Richard Barcellos on this teaching, and they are in good company:

“Hearty agreement must be given when New Covenant theologians argue for the abolition of the Old Covenant. This is clearly the teaching of the Old and New Testaments (see Jeremiah 31:31-12; Second Corinthians 3; Galatians 3, 4; Ephesians 2:14-15; Hebrews 8-10). The whole law of Moses, as it functioned under the Old Covenant, has been abolished, including the Ten Commandments. Not one jot or tittle of the law of Moses functions as Old Covenant law anymore and to act as if it does constitutes redemptive-historical retreat and neo-Judaizing.”[17]

This point, however, in no way delegitimizes the ‘transcovenantal utility of the Decalogue’.[18]

[T]his view of abrogation neither necessarily demands the elimination of the Decalogue as a unit in all senses under the New Covenant, nor is it contradicted by

*the inclusion of the Decalogue as a unit under the New Covenant. Though with his own nuances and emphases, [John] Owen's view is substantially that of others in his day. It was Calvin's, Ursinus', Turretin's, Protestant Scholasticism's, as well as that of the WCF, the Savoy, and the 2nd LCF."***[19]**

Schreiner's apparent oversight in treating the confessional view of abrogation as somehow partial, incomplete or "fuzzy" (p. 92) would indicate that perhaps not enough has been done to demonstrate that *we are not borrowing piecemeal from the dead letter of the law in hopes of establishing a Christian ethic.*

This confusion may also stem from another problem. Many Christians in our day appear to be under the impression that we must choose between Dispensationalism and paedobaptist covenant theology. It must not be assumed that the seventeenth-century Particular Baptists taught a slightly modified paedobaptist covenant theology so as to simply allow for believer's baptism. These reformed Baptists had a robust covenant theology of their own and therefore cannot be accused of the same errors that Westminster federalism is guilty of. Some New Covenant folk appear to take issue with the very same things 1689 federalism asserts is unwarranted in paedobaptist theology. Wellum and Gentry apparently miss this distinctiveness of 1689 federalism as well:

*"[Gentry and Wellum in Kingdom Through Covenant] propose their system as a via media between covenant theology and dispensationalism. From all appearances, covenant theology equals paedobaptism.... Forasmuch as the authors are weary of the rehearsal of the same arguments from covenant theologians, they would find many an ally among the federal theologians of the seventeenth-century Particular Baptists.... It is a false dilemma to see no party besides paedobaptist federal theologians and dispensationalists."***[20]**

In part 2, the natural vs. positive law distinction is further developed.

[1] Schreiner, T.R., *40 Questions About Christians and Biblical Law*, Kregel Publications, Grand Rapids, MI, 2010.

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[2] Such as in, *The Law and its Fulfillment: A Pauline Theology of Law*.

[3] Attacks on the threefold division have come not only from proponents of New Covenant theology and Progressive Covenantalism but from theonomy and dispensationalism as well.

[4] "For [the confessionists], the view that the Ten Commandments were distinctive and always binding rests partly on the conviction that they were the sum of natural law (p. 54). ...The psalmist [in Psalm 119, for example] speaks of the law coming from God's mouth (13, 72, 88), which could recall the Pentateuch's description of God proclaiming the Decalogue and adding 'nothing more' (Deut. 5:22). Further to that, the description of the law as settled in heaven (89—91) conveys the idea of fixidity [*sic*], if not 'a kind of revealed natural law', adding further weight to a connection with the Decalogue, in contrast to the other laws which were binding 'in the land'" (pp. 142—43). Ross, P.S., *From the Finger of God: The Biblical and Theological Basis for the Threefold Division of the Law*, Mentor Imprint by Christian Focus Publications Ltd, Ross-shire, Scotland, 2010.

[5] While most (if not all) of the great Presbyterian theologians have also held to the threefold division and perpetuity of the moral law, I have quoted primarily from Baptists lest any fear arise that a defense of the Decalogue depend somehow upon a paedobaptist hermeneutic. It is incorrect to view NCT or (PC) as the solution to an alleged dichotomy between Dispensationalism and paedobaptist covenant theology. 1689 federalism is the position I am advocating.

[6] Incidentally, Rome's distorted view of biblical law lends itself nicely to its false and accursed gospel. "Roman Catholicism defines the gospel and the 'grace of the Holy Spirit given to the faithful through faith in Christ' as the 'New Law' (*Catechism of the Catholic Church*, paras. 1965, 1966). This New Law refines, surpasses, fulfils, and brings to perfection the old Mosaic law. This view of law and grace lays the foundation for Rome's emphasis on the place and merit of works in justification. The *Catechism of the Catholic Church* [1994] seems to make the bizarre claim that though the initial grace of justification has no reference to any works on our part, the actual attainment of eternal life depends on

our obedience to the New Law (including the precepts of the Roman magisterium, para. 2037). It declares: *'No one can merit the initial grace of forgiveness and justification, at the beginning of conversion. Moved by the Holy Spirit and by charity, we can then merit, for ourselves and for others the graces needed for our sanctification, for the increase of grace and charity, and for the attainment of eternal life'* (para. 2010; emphasis added). It is difficult to interpret this as saying anything other than that eternal life depends on personal obedience to the New Law. Thus Rome still converts even grace and faith into a system of works, reflecting the position laid down by the Council of Trent [see Canon 32]". Excerpted from, *The law of God*.

[7] Regarding the demand of some that only words found in the Scriptures be used to describe doctrines, Barcellos puts much of the blame on an undo Biblicism. "The writers of Scripture did not fall prey to this [word-concept] fallacy and in fact, sometimes referred to concepts in earlier texts using words not found in the earlier passage. For example, in Acts 2:31, Peter says David "...looked ahead and spoke of the resurrection of the Christ..." in Psalm 16. The psalm, however, has neither the word *resurrection* nor the word *Christ* in it. Peter is describing *concepts* from Psalm 16 in *words* not used by Psalm 16. Later texts can, and do, describe earlier *concepts* with different *words*." Barcellos, R.C., *Getting the Garden Right: Adam's Work and God's Rest in Light of Christ*, Founders Press, Cape Coral, FL, 2017, p. 36.

[8] For a detailed examination of the historical formulations of divisions in the law and assessment of the claim that it is of Thomistic origin, See Ross, ref. 4, chapter one.

[9] Ross, ref. 4, p. 20.

[10] Adams, B., WCF/SDF/LBC 19.1,2 and Republication, Sept. 5, 2010.

[11] Adams, B., 1689 Federalism Response to Wellum's "Progressive Covenantalism and the Doing of Ethics" July 24, 2015.

[12] Pink, A.W., *Divine Covenants*, Pathways to the Past (reprint), p. 36.

[13] Richard A. Muller, *Dictionary of Latin and Greek Theological Terms Drawn Principally from Protestant Scholastic Theology*, Baker Book House, Grand Rapids, MI, 1985, pp. 174–75. It seemed wise to follow Adams in his abbreviation of this quote as well as his

bracketed clarifications.

[14] “Were the prophets the progenitors of the theology of Romans, they would not have considered the nations as unaware of moral truth, but of suppressing it (Rom. 1:18).” Ross, ref. 4, p. 136.

[15] Waldron, S.E., *A Modern Exposition of the 1689 Baptist Confession of Faith*, EP Books, Welwyn Garden City, UK, 2016, p. 281.

[16] Waldron, ref. 15, p. 283, fn. 5.

[17] Barcellos, R.C., *In Defense of the Decalogue: A Critique of New Covenant Theology*, as cited in Miller, R.D. et. al. (eds.) *Covenant Theology: From Adam to Christ*, Reformed Baptist Academic Press, Palmdale, CA, 2005, p. 327, fn. 44.

[18] Barcellos, ref. 17, p. 325.

[19] Barcellos, ref. 17, p. 330.

[20] Renihan, S., ‘Kingdom Through Covenant: A Biblical Theological Understanding of the Covenants’, A Review Article, *Journal of the Institute of Reformed Baptist Studies*, 2014, p. 163.

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