

**Redefining Merit:
An Examination of Medieval Presuppositions
in Covenant Theology¹**

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“Merit” is an important but often unexamined concept that continually recurs in the current discussion and debate regarding the Reformed doctrine of the covenant of works.

Traditional Reformed theology, as dogmatically enshrined in the Westminster Confession, has posited the existence of a prelapsarian covenant of works “wherein life was promised to Adam; and in him to his posterity, upon condition of perfect and personal obedience” (WCF VII.2). By contrast, when man fell into sin by his primal apostasy, God entered into a second covenant with his people. “Man, by his fall, having made himself uncapable of life by that [first] covenant, the Lord was pleased to make a second, commonly called the covenant of grace” (WCF VII.3). Covenant theology, thus classically conceived, sees an antithetical contrast between these two covenants, whose very names indicate that the distinction is fundamentally that of *works* versus *grace*.

However, this dual structure of covenant theology has been subject to significant evaluation and reformulation in recent years. Some have suggested that the terminology “covenant of works” and “covenant of grace” should be replaced by language that does not obscure the presence of grace in the covenant of works.² Closely related to this is the

¹ This essay was originally published in *Creator, Redeemer, Consummator: A Festschrift for Meredith G. Kline*, eds. Howard Griffith and John R. Muether (Greenville, SC: Reformed Academic Press/Reformed Theological Seminary, 2000), pp. 253-69.

² “The idea of calling this arrangement a covenant of works does not do justice to the elements of grace that entered into this ‘Adamic administration.’ For, though it is true that Adam and Eve were to receive the blessing of continued life in fellowship with God along the path of ‘works’ (that is, by perfect obedience to God’s commands), it by no means follows that they would by such obedience earn or merit this continued fellowship, understood by many to

further question, whether the obedience which God demanded of Adam in the covenant of works may in any sense be regarded as the *meritorious* ground of the offered reward. The current trend in Reformed theological discourse is to reject the notion that Adam's obedience would have been meritorious in any strict sense, since the reward promised far exceeded the work that Adam was called upon to perform.³

Others take this reasoning a step further and reject the possibility of human merit from the very outset. On this premise it is always wrong to speak of the covenant in terms of an employer-employee relation in which a reward is gained for work done. Even prior to the fall Adam could not perform a meritorious deed that would put God in his debt but could only proffer an obedient faith in response to the divine goodness and grace.⁴ It is

include everlasting life. God was indeed entitled to perfect obedience from his human creatures; he was not obligated, however, to give them a reward for such obedience. That he promised (by implication) to give man such a reward must be understood as a gift of God's grace." Anthony Hoekema, *Created in God's Image* (Grand Rapids: Eerdmans, 1986), p. 119. John Murray writes, "the term [covenant of works] is not felicitous, for the reason that the elements of grace entering into the administration are not properly provided for by the terms 'works.'" *Collected Writings of John Murray*, vol. 2 (Carlisle, PA: The Banner of Truth Trust, 1977), p. 49. It is imperative to point out at the outset that although Murray's recasting of covenant theology contains seeds destructive of the doctrine of the imputation of Christ's active and passive obedience, Murray himself, in contrast with others to be mentioned below (see footnotes 5-6) zealously promoted the glorious gospel of justification by faith alone on the basis of Christ's righteousness alone. Although he denies that the first Adam could have merited anything before God in the strict sense, he (inconsistently) maintains that the Last Adam did in fact earn our salvation on the basis of works not grace. Cf. Murray, *The Imputation of Adam's Sin* (Grand Rapids: Eerdmans, 1959).

³ "From the promise of the Adamic administration we must dissociate all notions of *meritorious reward*. The promise of confirmed integrity and blessedness was one annexed to an obedience that Adam owed and, therefore, was a *promise of grace*." Murray, p. 56 (emphasis mine). Herman Bavinck wrote: "This was not a reward in the sense of a reward for work performed, for what equality does there exist between the very easy and in itself obligated keeping of the Lord's commandment and the unobligated gift of eternal, blessed life in communion with God?" *The Sacrifice of Praise* (Grand Rapids: Kregel, 1922), p. 110.

⁴ Daniel Fuller, *Gospel and Law: Contrast or Continuum?* (Grand Rapids: Eerdmans, 1980), pp. 105-20. "All obedience to God is an 'obedience that comes from faith,' and never an obedience of works, for 'God is not served by human hands, as if he needed anything.'" Fuller, *The Unity of the Bible* (Grand Rapids: Eerdmans, 1992), pp. 180-82. Norman Shepherd's reasoning runs in the same direction, "But we must not think of this reward as earned. . . . In the

argued that the concept of a covenant of works obscures the intrinsic graciousness of God in all dispensations, whether pre-redemptive or otherwise.

In his article “Covenant Theology Under Attack,” a critical evaluation of these trends, Professor Meredith G. Kline has raised a clarion call to all sons of the Reformation to rise up and repudiate such developments.⁵ In this article Kline argues that if justification by faith alone is the article by which the church stands or falls, then the covenant of works is the article by which justification stands or falls. For if the covenant of works is inherently contrary to the graciousness of a God who allegedly never operates on a principle of merit then any notion of the imputation of an alien righteousness becomes unintelligible. For that righteousness, as traditionally conceived, is nothing less than the active and passive obedience of Christ secured by virtue of his meritorious fulfillment of the covenant of works on our behalf. To argue therefore that God’s grace was operative in the covenant of works with the first Adam necessitates the conclusion that it was operative too in that of the Last. As Kline points out, “The parallel which Scripture tells us exists between the two Adams would require the conclusion that if the first Adam could not earn

kingdom of God we don’t work for rewards in this sense. God does not relate to us as an employer to an employee. He relates to us [as] a father relates to his son” (*The Outlook* 42.3 [March 1992] 21). Cf. also Shepherd’s “Thirty-Four Theses on Justification in Relation to Faith, Repentance, and Good Works,” submitted to the Presbytery of Philadelphia of the Orthodox Presbyterian Church (Nov. 18, 1978). Joseph P. Braswell follows Shepherd closely: “The covenant concept . . . eschews all idea of human merit. This is why the idea of a covenant of works is so pernicious and has led to much of the confusion about a supposed law/grace contrast. There is no works-principle in God’s covenants with man” (“Lord of Life: The Confession of Lordship and Saving Faith,” *Journal of Christian Reconstruction* 13.1 [1990-91] 103).

⁵ This article was originally published in the February, 1994 issue of *New Horizons*, the denominational magazine of the Orthodox Presbyterian Church, where Professor Kline retains his ministerial credentials. Several remarks were edited out contrary to Kline’s intentions. The unexpurgated version has been published privately.

anything, neither could the second. But, if the obedience of Jesus has no meritorious value, the foundation of the gospel is gone.”⁶

But not only is the merit of Christ’s active obedience eclipsed by an a priori denial of the very notion of human merit, the central gain of the Reformation is also compromised: justification is no longer *sola fide*. If the notion of a pre-redemptive covenant of works must be overhauled beyond recognition by adding an element of grace and faith where it does not belong, the law-gospel contrast championed by Paul, Luther and Calvin is reduced to a Tridentine mush of salvation by faith-works, or by “the obedience of faith” (to use Paul’s term in a non-Pauline sense).⁷ The Pauline antithesis between the law and the gospel is the ground of the federal scheme which is based on the two covenants

⁶ Kline’s concerns here may not be brushed aside as apocalyptic. While theologians such as Murray have remained orthodox with respect to the active obedience of Christ in spite of their doubts concerning the covenant of works, others following in Murray’s steps have taken these doubts to their logical, gospel-eclipsing conclusion. For example, Braswell writes: “It is Christ alone who has the unconditional promise of blessing (*and what does this do to the mistaken notion that he was under a covenant of works in our place in order to merit the blessing for us?*).” “Covenant Salvation: Covenant Religion Versus Legalism,” *Journal of Christian Reconstruction* 13.2 [1994] 207 n9 (italics added). The case of Braswell indicates that the covenant of works is a necessary supporting structure of the Reformed soteriological system -- without it the active obedience of Christ becomes both impossible and unintelligible.

⁷ Fuller, Shepherd, and Braswell use Paul’s phrase “the obedience of faith” to define the condition of justification. For them, “this is a faith-relationship . . . which relates us to Him as servant-subject to Lord, the fullness of concrete faith which includes radical repentance, faithfulness, obedience, commitment, etc. It is covenant faith as obedient response -- total response of the whole man to the all-consuming, comprehensive demand of the covenant” (*Journal of Christian Reconstruction* 13.1 [1990-91] 106). This medieval integration of faith and works into a “gracious” condition of the covenant of grace is also evident in a recent layman’s introduction to Reformed theology: “Abraham was obligated to obey the Lord faithfully ‘by doing righteousness and justice,’ thus meeting the gracious conditions of God’s covenant” (Douglas M. Jones III, “Back to the Covenant,” in *Back to Basics: Rediscovering the Richness of the Reformed Faith*, ed. David G. Hagopian (Phillipsburg, NJ: Presbyterian and Reformed, 1996), p. 84). Roman Catholic theology, as formally defined at the Council of Trent (1547), makes a similar attempt to integrate faith and works by its concept of formed faith. Formed faith is belief that has hope and charity added to it, and which then “works by charity.” Only formed faith justifies. (*The Council of Trent*, “Decree Concerning Justification,” chs. VII, X, XVI). Kline provides a succinct critique of such attempts to integrate faith and works in his “Of Grace and Works,” *Presbyterion* 9 (1983) 85-92.

with two opposed principles of inheritance (Rom. 4:13-16; 10:4-11; 2 Cor. 3:6-18; Gal. 3:10-12, 18; 4:21-31). Therefore, to inject grace into the covenant of works is to soften the law-gospel contrast and replace it with a continuum. Once this is done, one can no longer make a clear-cut distinction between faith and works with respect to the justification of sinners. To posit “the perfect complementation and co-ordination ... of goodness and oughtness, of faith and obedience to law ... in man’s original state,” opens the door for positing the perfect complementation and co-ordination of faith and works in justification.⁸ How can we go down that road without denying that justification is *sola fide*? All qualifications and denials of the covenant of works, while apparently laudable in their concern to safeguard “grace,” have turned out on the contrary to be the proverbial grass concealing the poisonous viper of the old medieval synthesis of faith and works.

These things should be clear to all who love the gospel. However, in the dialectical give-and-take involved in this debate several ancillary questions have emerged that must be answered if covenant theology is to remain intact as a bulwark preserving the gospel of justification by faith alone. Those questions involve the entire range of issues surrounding the notion of merit and meritoriousness. Is human merit before God possible? If so, on what basis? What is the relationship between merit and covenant? What is the relationship between merit and divine justice? In order to attempt to shed some light on this bundle of interrelated questions, it will be useful to get our historical bearings to see how theologians in the past have attempted to unravel these issues.

⁸ John Murray, *Principles of Conduct* (Grand Rapids: Eerdmans, 1957), p. 263. Murray himself avoided the perfect complementation and coordination of faith and works in *justification*.

The Medieval Debate *de Meritum*

A few medieval theologians rejected altogether the possibility of human merit, arguing that such a notion was inherently inconsistent with the principle that God is debtor to no one. Their opinion was that “only Christ may be said to merit anything in the strict sense.”⁹ But by and large the majority of medieval schoolmen insisted on the concept of human merit. Of course, this insistence is directly related to the medieval perversion of the Augustinian gospel of grace, since this merit was conceived of as an integral element in the sacerdotal scheme of salvation. In spite of this consensus, however, the medieval schoolmen divided into two camps on the question, “On what basis does God reward human merit?” or, to use the technical language of scholasticism, “What is the *ratio meriti*?” These two camps may be labeled “intellectualist” and “voluntarist,” and are roughly associated with the Thomistic and the Franciscan schools respectively.

(1) The intellectualists regarded the intrinsic moral value of the deed to be the basis of its merit. Aquinas, for example, held to a theory of moral value that located the value of a moral act (or habit) in its intrinsic worth. God merely contemplated, observed, and registered the value that inherently resided in the act. Hence the name “intellectualist” Merit was an objective reality resident within the moral agent -- an ontological participation in the divine nature. The relationship between merit and its accompanying reward is one of proportionality and comparability. The rewarded moral quality or deed is worthy of and proportionate to the reward. It is this supposed ontological equality of the

⁹ Alister McGrath, *Iustitia Dei: A History of the Christian Doctrine of Justification: The Beginnings to the Reformation* (Cambridge University Press, 1986), p. 110.

value of the merit and the value of the reward that preserves the justice of God in rewarding meritorious acts.

This intellectualist view of merit is precisely the root of the Thomistic error regarding justification by infused habits of grace. If God's granting the reward of eternal life to a sinner is to be in accordance with his justice, the sinner must actually be righteous. This is accomplished by a supernatural, monergistic infusion of a created, supernatural habit of righteousness. God sovereignly creates righteousness in the soul (the Aquinas of the *Summa* was a thorough-going Augustinian predestinarian). God then takes note of this new-found righteousness, registers it in his heavenly court, and accepts it as meritorious because it is in fact worthy of such acceptance. On the basis of his intellectualist view of merit, Aquinas logically concludes that this habit of grace created in the soul by God is necessary. God could not have arranged a different method of justification without doing violence to his justice.

Such, in brief is the intellectualist position on the basis of merit. We turn then to the other major option in the medieval context.

(2) The voluntarist school argued that the basis of merit was God's voluntary acceptance of a virtuous act or habit as meritorious. If the *doctor angelicus* is the chief representative of the intellectualist position, the *doctor subtilis*, Dons Scotus, becomes the chief standard-bearer for the voluntarists. Scotus taught that "every created offering is worth exactly what God accepts it for, and nothing more."¹⁰ Rather than the *ratio meriti* lying in an intrinsic quality or feature of the moral act or habit, it lies in something totally extrinsic -- in the free divine decision to accept it as meritorious. Whether any given act is

meritorious or non-meritorious depends on God's free acceptance. One must be careful here, for the voluntarists did not deny that some acts have intrinsic moral value. They simply created a gulf between the morality of an act and its merit. William of Ockham recognized that a person's moral acts may "have a considerable moral value, while simultaneously establishing that the moral value of an act is irrelevant in determining its meritorious value, by locating the *ratio meriti* in the extrinsic denomination of the *acceptatio divina*."¹¹ This extrinsic denomination occurs by means of a *pactum* or covenant, in which God freely and graciously condescends to accept certain human acts as meritorious.

The voluntarist position logically led many in the high middle ages to assert some rather strange doctrines. If merit is totally severed from any objective standard of justice but finds its definition solely in the arbitrary will of God, a number of startling conclusions follow. Some voluntarists, such as Ockham, taught in all candor that God could have assumed the nature of a stone or a donkey (or even a beetle or a cucumber!) and this act of obedience could have been accepted as sufficiently meritorious for the salvation of mankind.

Medieval debate concerning the *ratio meriti* was not concerned with the pre-redemptive order but with the redemptive. This is not surprising, since the notion of a pre-fall covenant of works or nature is not even on the scene until the Reformed theologians of the Palatinate discuss such issues in the latter decades of the sixteenth century.¹² Hence the

¹⁰ Ibid., p. 115.

¹¹ Ibid., pp. 116-17.

¹² Modern scholarship has not reached a consensus on the origin and development of the doctrine of the prelapsarian covenant of works. The most extensive treatment of the issue is a recent, award-winning monograph by

medieval theological discussion about merit occurs within the context of the elaboration of soteriology, specifically the locus of justification. In that discussion, a two-fold distinction between condign and congruous merit begins to emerge, especially in the predominantly voluntarist Franciscan school. Condign merit is defined as “full merit,” that is, “a moral act performed in a state of grace, and worthy of divine acceptance on that account.” It is regarded as merit that met the standard of God’s justice. Congruous merit, on the other hand, is a kind of “half-merit,” “a moral act performed outside a state of grace which, although not meritorious in the strict sense of the term, is considered an ‘appropriate’ ground for the infusion of justifying grace.”¹³ If condign merit meets the standard of God’s justice, congruous merit meets the standard of God’s generosity. Although these terms were used as early as the twelfth century, it was really in the thirteenth century that they became the stock and trade of theological discourse.

It is not difficult to see why this distinction was able to flourish in the voluntaristic camp. For once merit is defined solely on the ground of God’s arbitrary will (his fiat decision to accept a particular act as meritorious regardless of its intrinsic qualities), a

David A. Weir, *The Origins of the Federal Theology in Sixteenth-Century Reformation Thought* (Oxford: Clarendon, 1990). Weir argues that the Adamic covenant of works originated in the German Palatinate between 1560 and 1590. Although the date seems to be generally accepted, Weir’s specific thesis regarding the theological origin of the doctrine has not been received. Cf. the reviews of his thesis by Lyle D. Bierma (*Calvin Theological Journal* 26.2 (1991) 483-85); Richard A. Muller (*Journal of Religion* 72 (1992) 587-98), and Mark Karlberg (*Westminster Theological Journal* 54 (1992) 135-52). In addition, the following are important contributions to the ongoing historical investigation: Mark Karlberg, “The Original State of Adam: Tensions Within Reformed Theology,” *Evangelical Quarterly* 87.4 (1987) 291-309; Robert Letham, “The Foedus Operum: Some Factors Accounting For Its Development,” *Sixteenth Century Journal* 14.4 (1983) 457-67; Peter A. Lillback, “Ursinus’ Development of the Covenant of Creation: A Debt to Melanchthon or Calvin?” *Westminster Theological Journal* 43.2 (1981) 247-88; Michael McGiffert, “From Moses to Adam: The Making of the Covenant of Works,” *Sixteenth Century Journal* 19.2 (1988) 131-55; Derk Visser, “The Covenant in Zacharias Ursinus,” *Sixteenth Century Journal* 18.4 (1987) 531-44.

¹³ McGrath, *Iustitia Dei*, p. 189.

notion like congruous merit becomes possible. If judged according to the strict standard of God's justice, congruous merit would not be meritorious. But by virtue of the gracious *pactum* God has established with sinners, he freely binds himself to accept their unregenerate acts (fear of God's wrath, beginning to love God, hatred and detestation of sin, repentance, and finally resolve to receive baptism) and to reward these feeble efforts with justifying grace -- the infusion of righteousness in the baptismal act and its consequent remission of sins.

Not unlike Puritan preparationism, this notion of congruous merit was motivated by sincere pastoral concerns.¹⁴ Although in Puritan thought God's freedom to bestow saving grace on whom he wills was emphasized in accordance with unconditional election, its medieval counterpart was not as strictly Augustinian. Yet even the medieval preparationists were Augustinian enough to insist on the utter freedom of divine grace and condescension in allowing sinners to offer their sinful works to God. McGrath explains:

The pastoral intention of the concept [of congruous merit] cannot be overlooked. Although man has no claim to justification on the basis of divine justice, he may look towards the divine generosity and kindness for some recognition of his attempts to amend his life in accordance with the demands of the gospel.... Those theologians who taught that man could prepare himself for justification in a manner which was meritorious *de congruo* invariably insisted that this be understood as a consequence of divine grace. Man's justification must be seen as a divine gift, rather than a divine reward.... The theologians of the period explicitly taught that man required the assistance of actual grace before he is capable of disposing himself ... toward justification.¹⁵

Although the language of congruously meriting justification jars our Protestant ears, it is crucial that we see the fundamentally gracious notion of merit being espoused.

¹⁴ The Decrees of Trent Concerning Justification contain an entire chapter devoted to "The Necessity of Preparation for Justification in Adults" (ch. V).

¹⁵ McGrath, *Iustitia Dei*, pp. 111-12.

Augustine's dictum would have been appealed to as apropos: "If your good merits are God's gifts, God does not crown your merits as your merits, but as his own gifts."¹⁶

Reformed Dependence on Medieval Covenant Theology

What, then, are the implications of this medieval context for our present inquiry regarding merit in the prelapsarian covenant of works? Medieval discussion concerning congruous and condign merit was carried on within the context of the salvific provisions of God's post-lapsarian dealings with sinful men and had little or nothing to do with the question of how man in the state of integrity could offer meritorious works to an infinite God. Yet the voluntarist school of thought had a significant impact on Reformed formulations of covenant theology. Scholars suggest that Zwingli, Bullinger, Calvin and others in the first generation of Reformed theologians to develop the rudiments of what we now know as covenant theology derived much of their impetus and inspiration for covenantal thinking from the voluntarist wing of medieval theology.

We may be grateful for the nominalist-voluntarist tradition insofar as the covenant concept was bequeathed to Reformed theologians as the raw material out of which they would construct a more fully biblical covenant system. Duns Scotus, William of Ockham, and others in the nominalist tradition brought about a significant change in the way man's relationship was viewed. "The later medieval period saw the rise of the opinion particularly associated with the *via moderna* according to which the relationship between God and man

¹⁶ Augustine, *On Grace and Free Will*, ch. 15.

was to be understood covenantally rather than ontologically.”¹⁷ For this we are thankful. Yet, even the nominalists did not fully extricate themselves from the old ontological formulations of soteriology. For all their innovative suggestions, they were conservative enough to maintain the traditional view that justification consisted in an ontological change of nature.

It was left to the Reformation to take the fundamental covenantal insights put forward by the *via moderna* and develop them several steps further. Justification was now by the imputation of the righteousness of another -- a purely covenantal act with no ontological aspects. Original sin inherited from Adam was further developed and refined to become an immediate imputation of the guilt of Adam’s covenant breach instead of an Augustinian realist participation of the human race in Adam’s sin. The ontological elements in the medieval view of the sacraments were removed, so that they became signs and seals of the covenant rather than rites which *ex opere operato* infused the divine nature into the soul. All of these developments flow from the nominalistic development of the notion of *pactum*. And, therefore, to a certain extent we in the Reformed camp today are all the theological heirs of the *via moderna*.

But have we carried the covenantal revolution to its logical conclusion? or does our system still perpetuate remnants of an ontologically-based notion of merit and justice? Unfortunately, the answer is all too clear. While unequivocally rejecting the notion of congruous merit in the operations of God’s gracious restoration of fallen man, covenant

¹⁷ McGrath, *Iustitia Dei*, p. 49. For more on the *via moderna* as a definable theological school in the late middle ages, cf., Heiko Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Grand Rapids: Eerdmans, 1967), and McGrath, *The Intellectual Origins of the European Reformation* (Oxford: Blackwell, 1987).

theologians did not scruple to smuggle this concept right back into their system, but this time in the pre-fall situation.¹⁸ Note the fundamentally voluntarist reasoning of the Westminster Confession's opening statement on the covenants:

The distance between God and the creature is so great, that although reasonable creatures do owe obedience unto him as their Creator, yet they could never have any fruition of him as their blessedness and reward, but by some voluntary condescension on God's part, which he hath been pleased to express by way of covenant (WCF VII.1).

This statement is representative of the mainstream of seventeenth century Reformed thought.¹⁹ All the basic elements in this statement are derived directly from the Franciscan notion of covenantal or congruous merit:

¹⁸ Francis Turretin, for example: "If therefore upright man in that state had obtained merit, it must not be understood properly and rigorously. Since man has all things from and owes all to God, he can seek from him nothing as his own by right, nor can God be a debtor to him -- not by condignity of work from its intrinsic value (because whatever that may be, it can bear no proportion to the infinite reward of life), but from the pact and liberal promise of God." Turretin, *Institutes of Elenctic Theology*, vol. 1, transl. by George Musgrave Giger, ed. by James T. Dennison, Jr. (Phillipsburg, NJ: Presbyterian and Reformed, 1992), p. 578. John Owen likewise: "The promises wherewith man was encouraged unto obedience, which was that of eternal life with God, did in strict justice exceed the worth of the obedience required, and so was a superadded effect of goodness and grace" (*The Works of John Owen*, ed. William H. Good, vol. 18 (Edinburgh: The Banner of Truth Trust, 1991), p. 337). The position of Johannes Cocceius is described as follows: "Cocceius most emphatically insists that God's *debitum* here is not to be connected with a *dignitas operum* in man. God could never become man's debtor: (1) Man as a creature is essentially the 'slave of God' and himself owes everything to God; (2) he has nothing which he has not received from God. A *debitum* on God's part only exists *ex pacto*, 'and that by the single agreement by which works are exacted as the condition of Righteousness'" (Heinrich Heppe, *Reformed Dogmatics* (Grand Rapids: Baker, 1978), p. 288). And Wyttenbach: "By perfect obedience Adam could not have merited anything Adam could not have asked eternal life of God save in virtue of the pact" (cited by Heppe, p. 296).

¹⁹ There were exceptions. Reformed scholastic Johannes Heidegger is an example: "The further question now arises as to the source from which flows the promise mentioned of eternal and heavenly life for man, if he fulfills the law. Is it of the sheer *eudokia* and judgment (*arbitrium*) of the divine will, or of *theoprepeia* of the virtues proper to God's nature, such as principally His goodness and holiness? Those who affirm the former rely on the principle that God is free either to present the innocent creature with life or to annihilate, punish, torture it eternally. This is the hypothesis of most Scholastics. Our view then must clearly be that it becomes God to return the love of the creature who loves Him, and that since a loving God cannot not wish and do well to one beloved, He must give and impart Himself entire to be enjoyed.

(1) “The distance between God and the creature is so great....” Do we not see the covenant being appealed to as a way of allowing the finite creature to obtain a reward from an infinite Creator? Is there not a hidden premise that human works, if viewed according to the strict standard of an ontologically-defined justice, are intrinsically disproportionate to the prospect of enjoying God in eternal blessedness? It seems that the covenant is being introduced to overcome the awesome metaphysical chasm between God and the creature in order to make possible that which would otherwise be impossible -- man putting an infinite, *a se* God in debt by a finite obedience. It presupposes an ontological scheme of moral valuation which places God and the creature on opposite ends of the scale of being. This supposed ontological disproportion is what accounts for the inherent inability of the creature to do anything meritorious apart from a covenantal “condescension” on God’s part. But once the covenant is superimposed upon the created order, then the creature can produce obedience and expect a reward in return. But this obedience is necessarily congruous merit, merit that has been freely and graciously accepted by God by virtue of his self-commitment to the terms of the covenant.

(2) God’s condescension to overcome this metaphysical chasm is therefore viewed as being “voluntary” and free. Nothing in his nature obligated him to condescend to man and ordain a covenant relation making it possible to obtain a reward in response to his obedience. God could have simply created a reasonable creature, required him to obey, and left him with no opportunity for ascending to the “fruition” of God in a stable and confirmed relationship. Thus his voluntary act of entering into a covenant with man is

Love is an affect of conjunction; as proceeding from Himself, God cannot fail to approve it as good or to desert it as bad” (cited by Heppe, p. 296).

viewed as being gracious, a product of undeserved favor. True, the Confession avoids the precise term “grace” in this connection, but it was not avoided by others in the Puritan tradition.²⁰

The logic of the Confession’s opening statement on the covenants contains more than a faint echo of the medieval *via moderna* and its concern to safeguard the absolute transcendence and power of God. In his effort to determine the scholastic roots and precursors of the Reformed covenant theology Stephen Strehle confirms this connection. He concludes that the Reformed were deeply influenced by Franciscan voluntarism and its attendant *pactum* theology:

The Calvinists ... transpose other doctrines, especially the doctrine of covenant, through Nominalistic words and concepts. The covenant is now said to involve an act of divine condescension, in which God capitulates to reward certain prearranged conditions, outside of any inherent moment or reference in them. The words, the phrases, the line of argumentation, the voluntaristic justification, and the federal conclusion are found to be almost an exact reproduction of Franciscan teachings on the self-same subject.²¹

²⁰ “Nearly all the Puritans concurred in the view that whatever good Adam would have received by his obedience was of grace ... There was no real merit involved in Adam’s relation to God.” Ernest F. Kevan, *The Grace of Law: A Study in Puritan Theology* (Ligonier, PA: Soli Deo Gloria, 1993), p. 112. Kevan cites such Puritan heavyweights as Thomas Goodwin, Anthony Burgess, and John Ball to support his claim. Sinclair Ferguson interprets John Owen as positing grace in the covenant of works (*John Owen on the Christian Life* (Edinburgh: The Banner of Truth Trust, 1987), pp. 22-24). Cf. Thomas Boston, *Human Nature in its Fourfold State* (Edinburgh: The Banner of Truth Trust, 1964), pp. 48-49. One recent scholar interprets WCF VII. I in the same manner: “The confession clearly represents the prelapsarian covenant as gracious. Anytime God condescends to fellowship with man, whether considered upright or fallen, it is an act of sheer, unadulterated, sovereign, free grace!” (David B. McWilliams, “The Covenant Theology of the Westminster Confession of Faith and Recent Criticism,” *Westminster Theological Journal* 53 [1991] 114).

²¹ Stephen Strehle, *Calvinism, Federalism, and Scholasticism: A Study of the Reformed Doctrine of Covenant* (Bern: Peter Lang, 1988), p. 314. This dissertation should be consulted with caution, since Strehle’s own position regarding the nature of justification is at polar opposites of the covenantal, forensic view maintained here. His views may be classified as being akin to those propounded by Osiander in the sixteenth century (for Calvin’s critique, cf. *Institutes* III.xi.5-12). Adrio König offers further insightful criticisms of Strehle in his review in *Calvin Theological Journal* 24 (1989) 366-371.

Although we are grateful to our Reformed forefathers for the overall covenant scheme they have bequeathed to us, we must ask ourselves whether some of the details of that scheme may have come from a polluted source. Have we gone far enough in our covenantal thinking? Or do we still harbor ontological presuppositions regarding justice and merit? Is the distinction between condign and congruous merit helpful? Is it legitimate to take a distinction, which in its original formulation was part and parcel of the Semi-Pelagian drift of the late medieval church, and apply it to pre-fall covenantal arrangements?

It is imperative that we reexamine these and related questions. No longer will it be possible to appeal simply to the Reformed tradition on these points as if the die has already been cast. As usually happens in historical dogmatics, the errors of succeeding generations of theologians provide a new opportunity for us to hone our formulations more sharply. Arguments which before seemed innocuous and traditional are now seen, in light of their gospel-undermining tendencies, to be seriously flawed and in need of a critical evaluation and systematic overhaul.

Condign vs. Congruous Merit: A Dangerous Distinction

If we grant the fundamental correctness and validity of Kline's concerns, what would such a systematic overhaul of the concepts of merit and justice look like in broad outline? First of all, it is clear that Kline is neither an intellectualist nor a voluntarist in his understanding of merit. On the one hand, he rejects the intellectualist view when he states that "the presence or absence of justice is not determined by quantitative comparison of the value of the act of obedience and the consequent reward." The intellectualist position is

wrong to look for some basis of merit apart from the covenant relationship. It presupposes a quid-pro-quo concept of merit and reward -- as if *true* merit can exist only when the stipulated deed and its promised reward have an equality or proportionality of intrinsic value.

On the other hand, Kline clearly rejects the voluntarist position that all merit is based upon God's *free* and *gracious* condescension to make himself a debtor to man's finite works. Interestingly, the voluntarist position feeds parasitically upon the intellectualist position. Recall that the voluntarist definition of merit presupposes that "a distinction is to be made between the inherent value of a moral act and its ascribed value under the terms of the covenant."²² The covenant becomes a way, therefore, of circumventing strict justice, making possible the arbitrary acceptance as meritorious of that which is not actually meritorious. So the voluntarist is laboring within an intellectualist moral universe. Casting about for some way of bridging the awesome metaphysical gap between God and the creature, the voluntarist (who is really an intellectualist at heart) seizes on the notion of a voluntary condescension expressed by way of covenant. Precisely because of this tacit capitulation to the intellectualist definition of merit as true merit, the voluntarist definition of merit, by contrast, must be qualified as a lesser merit that cannot even exist apart from God's gracious acceptance.

Declaring a pox on both houses, Kline searches for an entirely new definition of merit: "God's justice must be defined and judged in terms of what he stipulates in his covenants." The covenant is the revelation of God's justice. It follows, therefore, that Kline must reject the distinction between condign and congruous merit. The problem with

this distinction is that congruous *ex pacto* merit becomes gracious when it is placed by way of contrast beneath condign merit as something less than full and real merit. Thus, grace inevitably enters the definition of congruous merit. Again, the voluntarist notion of congruous merit can only get off the ground if the intellectualist notion of condign merit is allowed to stand in the background by way of contrast. The two feed upon one another parasitically.

We need to be airlifted out of the medieval battlefield, leaving the embattled medieval schools to the fate of their own mutually-assured destruction. Our desired deliverance is to be found in Kline's redefinition of the very notion of merit. At times one may think that he agrees with the voluntarist position that all merit is defined by the covenant. But his understanding of that covenant is different. It is not a voluntary condescension of divine grace but a revelation of divine justice. Upon hearing this, one may then jump to the conclusion that Kline is an intellectualist, looking for an abstract definition of justice not based on God's will as revealed in covenant. But this too turns out to be a false lead, for Kline rejects any ontological definition of merit that looks for a proportionality of intrinsic value between the deed and the reward. Again, merit is defined by God's covenantal revelation. Divine justice cannot be deduced by ontological or metaphysical valuations, but can only be discerned through the spectacles of the covenant. Condign merit by definition does not, indeed, cannot exist. It is an abstraction.²³

²² McGrath, *Iustitia Dei*, p. 87.

²³ In fact, the very term reflects its intellectualist heritage, since the prefix *con* in *condign* (from the Latin *cum* (with) and *dignus* (worthy)) is an intentional reference to the idea that merit and its reward are proportionally related.

The Absolute Power of God

Scotus is therefore correct when he says that a human work is worth exactly what God decides to accept it for and no more. In this sense, congruous merit has more going for it than the idea of condign merit. The problem with congruous merit is not with the idea that merit is *ex pacto*, but with the false notion of *pactum* that it presupposes. For in the nominalistic conception, all covenantal arrangements are voluntary acts by which God freely binds himself to the creature, even though the creature can lay no claim to be so treated. In other words, the nominalistic concept of the *pactum* cannot be separated from its broader nominalistic context in which God is conceived to be radically transcendent and free, under no obligations to the creature.

Central to the nominalist metaphysic is the concept of a totally transcendent and free God who has absolute power (*potentia absoluta*). The God of the *via moderna* was a God who could literally do anything, subject only to the constraints of the law of contradiction (i.e., he could not bring about his own nonexistence, or make a square circle). Traditional attributes of God such as aseity, sovereignty, and omnipotence were expanded and removed of all limitation except that of formal logic. Thus anything that was logically possible was available to the divine power for actualization. If there was no logical impossibility in God's sending an innocent and sinless creature to eternal torment in hell, then there was nothing preventing God from doing such -- unless, of course, he freely chose not to do so. And in that case, his decision *not* to send an innocent creature to hell would be a self-imposed restriction upon his own liberty and would therefore become an utterly gracious act. If this state of affairs seems unjust, that is because we as finite creatures have not fully grasped the absolute freedom and power of God who is debtor to

no one. Questions of divine justice were regarded as inappropriate limitations on God's freedom.

This conception of the divine freedom gave rise to an urgent pastoral concern. If God is totally free, not bound by any creature or any factor external to himself to act in a certain way, why should sinners seek salvation? Why should sinners attempt to reform their lives, cultivate repentance, and submit to the sacramental ministry of the church in order to be saved, if in fact God is free to elect or to reprobate whom he wills whether or not they have done these things? The medieval sinner needed assurance that if he fulfilled certain prescribed duties, God would be faithful and provide salvation to the earnest seeker. The solution to this pastoral problem was thought to reside in the concept of the *pactum*. God freely bound himself to man through a covenant which offered the assurance that "to those who do their best God will not withhold grace."²⁴ It was not that the man who did his best placed God under an obligation to save him. Rather, God had freely bound himself to man, thus providing a framework for assurance within the context of the medieval penitential system, as well as safeguarding the divine freedom and grace. In fact, all divine covenant-making was conceived of as an inherently gracious and undeserved condescension of a transcendent God to his finite creature. Covenant theology, we now know, was originally conceived and brought to birth as a way of providing assurance within the context of a terrifyingly free God whose will had no bounds -- not even the bounds of his own justice and goodness.

²⁴ *Facientibus quod in se est Deus non denegat gratiam*. The slogan became a fixed theological axiom by the twelfth century.

Here then is the matrix out of which covenant theology was born. As the Reformed theologians of the late sixteenth century developed and refined covenant theology, they took this nominalistic notion of *pactum* and transferred it to the prelapsarian order. Along the way, of course, the semi-Pelagian elements originally inherent in the *pactum* theology were removed and a return was made to Augustinian monergism, combined with a recovery of the biblical notion of justification as a forensic imputation of righteousness. Yet certain nominalistic aspects of the covenant idea were never completely removed -- particularly the notion of covenant as a voluntary condescension in which God places self-imposed limits upon his own freedom in order to make a stable relationship with his finite creatures possible.

We are now in a position to understand the nominalist's mistaken notion of covenant. In his thinking the divine *pactum* is a totally free and voluntary self-binding of God to his creatures in which he promises to reward certain stipulated actions as meritorious, though, if considered apart from the covenant they would be anything but. Once we understand this conceptual background of the medieval covenant theology, it becomes clear that congruous, *ex pacto* merit is simply merit that God freely and graciously condescends to accept as such by a sheer act of sovereign stipulation and acception. And as such it is totally severed from other divine attributes such as justice, righteousness, goodness, and wisdom. Nothing in the nature of God requires that he make this covenant. Nothing in the nature of God requires that any particular act be regarded as meritorious as over against any other act. If there is nothing inherently contradictory about God voluntarily accepting the obedience of a donkey for the salvation of man, then God can make that obedience meritorious by a sheer act of covenant stipulation.

It is precisely at this point that we must begin our reformulation of the covenant of works by questioning the doctrine of the absolute power of God as it was formulated by the nominalists. God's freedom must be maintained, but not at the expense of the divine perfections (i.e., wisdom, goodness, justice, holiness, truth, and rationality). God does not act arbitrarily, for all his actions are expressive of and delimited by his attributes. The law of contradiction is not the only limitation upon God's power. If it were, then God could justly send an innocent creature to hell, as some of the more nominalist Reformed theologians taught.²⁵ Our intuitive abhorrence of the proposition that the only reason God does not send innocent creatures to hell is his own free and voluntary agreement not to, is in fact informed by an objective consideration of the divine justice. The order that God has established with the created realm cannot be regarded as so utterly contingent that it could have been arranged in a manner radically discontinuous with its present disposition. Calvin denied that we are competent judges to pronounce what God could have done if he had chosen otherwise. The notion of God's absolute power seemed to him to posit an unpredictable freedom in a God unfettered even by his own justice. "We do not advocate the fiction of 'absolute might' [*potentia absoluta*]; because this is profane, it ought rightly to be hateful to us. We fancy no lawless god who is a law unto himself."²⁶ Reformed covenant theology has grown increasingly confused precisely because it has forgotten Calvin's sage warning.

²⁵ Such shocking doctrines were maintained by the Prolocutor of the Westminster Assembly, William Twisse. Herman Witsius strongly censures Twisse in *Economy of the Covenants Between God and Man* (Escondido, CA: The Den Dulk Christian Foundation, 1990, originally 1677), pp. 76-82.

²⁶ Calvin, *Institutes* III.xxiii.2.

The Covenantal Nature of Creation

Nominalism was correct to insist that merit be defined by the covenant relation. But as a result of its aberrant conception of the divine freedom, the *via moderna* conceived of the covenant as a voluntary product of God's will. We have already seen the dangers resident in the nominalist *potentia absoluta*. It paints a picture of a God who is so radically transcendent and free that even his justice and goodness are made contingent upon his sovereign good pleasure.

Having rejected this terrifying image of God, we must search for a different footing for the covenant concept than it has in its original nominalistic context. Therefore, rather than making the covenant of works an expression of voluntary condescension toward unfallen man, it must be regarded as the expression of God's justice and goodness toward rational beings created in his image and created for eternal, Sabbatical enjoyment of God. The covenant of works will of necessity now be viewed not as an additional structure superimposed upon the created order, a created order that could very well have existed apart from a covenant relationship with the Creator, but as an essential part of God's creating man after his own image. The very act of endowing a rational creature with the divine image and thus placing within the very constitution of his being a God-created desire for eternal fellowship and communion with God is an act laden with covenantal overtones.

Kline appeals to the Genesis narrative in order to demonstrate the covenantal nature of creation:

Special interest attaches to the appearance of the Glory-Spirit in a witness role in historical episodes or visionary scenes of re-creation that are repetitive of the original creation as described in Genesis 1:2. For besides confirming our

identification of the Glory-Presence in Genesis 1:2, such evidence of the presence of God as a divine witness in Genesis 1:2 is an index of the covenantal cast of the whole creation narrative ... In the exodus re-creation, the Glory-cloud, described by Moses by means of the imagery of Genesis 1:2 [“hovering,” Deut. 32:11] ... stood as pillar witness to the covenant that defined the legal nature of this redemptive action of God. At the beginning of the new creation, at the baptism of Jesus, the Spirit descending over the waters in avian form, as in Genesis 1:2, was a divine testimony to the Son, the Son who was given as God’s covenant to the people. At the consummation of the new covenant with its new exodus-creation, the Glory-figure, apocalyptically revealed in Revelation 10:1ff., is seen clothed with a cloud, rainbow haloed, with face like the sun and feet like pillars of fire, standing astride creation with his hand raised in oath to heaven, swearing by him who on the seventh day finished his creating of the heaven, the earth, the sea, and all their hosts that in the days of the seventh trumpet the mystery of God will be finished. *In the interpretive light of such redemptive reproductions of the Genesis 1:2 scene, we see that the Spirit at the beginning overarched creation as a divine witness to the Covenant of Creation, as a sign that creation existed under the aegis of his covenant lordship.*²⁷

Kline’s insight is not altogether new. For although the Westminster Confession’s opening statement on the covenant employs the language of the *via moderna*, we believe that the Confession’s overall system of doctrine supports the covenantal nature of creation. The Confession speaks of the eternal moral law, which reflects “the holy nature and will of God,” as a covenant of works (WCF XIX.1-3; WLC # 93, 95). Furthermore, the Confession, when dealing with the *imago Dei*, states that Adam and Eve had “the law of God written in their hearts” (WCF IV.2), thus strongly suggesting that man was constituted in a covenantal relationship with God *as he was created*. This is further supported by the fact that the opening question of both the Larger and Shorter Catechism states that man was

²⁷ Meredith G. Kline, *Images of the Spirit* (privately published by the author, 1986), p. 19, emphasis mine. Some recent Reformed theologians appear to be supportive of Kline’s concerns, at least with respect to the relationship between covenant and creation. “The covenant is rooted in God’s work of creation. God covenanted his world into existence. Covenantal relationships are given in, with, and for all created reality. From the beginning creation is unthinkable apart from its covenantal relationship of dependence and responsiveness *coram Deo*.” Gordon J. Spykman, *Reformational Theology: A New Paradigm for Doing Dogmatics* (Grand Rapids: Eerdmans, 1992), p. 260.

created *to enjoy God*. These statements stand in apparent tension with the nominalistic notion that man “could never have any fruition,” that is, enjoyment of God, apart from his “voluntary condescension” to enter into a covenant of works. If man’s constitution in the *imago Dei* means (1) that his teleological end is to glorify and enjoy God eternally and (2) that the law was written on his heart as a covenant of works that held out the way of attaining that eternal enjoyment of God, then the covenant of works cannot be viewed as a superadded, voluntary condescension *in addition to creation*, but must be inherent in the very fact that man was made in the divine image. When WCF VII.1 is read in this broader context, it begins to appear more and more like a vestigial organ whose surgical removal would not jeopardize the continued vitality of the larger organism.²⁸

Once the covenant of works is grounded in the very act of creation, then we are able to recognize the validity of the Confession’s concern to safeguard the freedom of God. It is the act of creation itself which is voluntary. But once God freely determined to create a rational being endowed with the divine image in terms of his God-like ethical consciousness and dominion over the creation, then he was no longer free not to enter into a covenant with this creature. For by making man in his own image he constituted him a covenant being whose very nature longed to attain to the higher status of an eternal and nonforfeitable enjoyment of God. And how could a good and just God implant such a desire within man without also making available the means by which man could achieve that higher status? In the words of one theologian who went against the tide of seventeenth century Reformed opinion, “It becomes God to return the love of the creature who loves

²⁸ “According to the Westminster Confession of Faith, Scripture thinks of man as a covenant being.” Cornelius Van Til, *Christian Apologetics* (Phillipsburg, NJ: Presbyterian and Reformed, n.d.), p. 27.

Him, and ... since a loving God cannot not wish and do well to one beloved, He must give and impart Himself entire to be enjoyed.”²⁹

It is therefore incorrect to speak of God voluntarily condescending to the creature to make a covenant. For the very fact of creation itself has already constituted man in a covenant relationship with his Creator. This formulation of the mutual reciprocity of creation and covenant shows more clearly than ever that the covenant of works is not a matter of grace but simple justice toward the creature made in God’s image.

A Proposed Definition of Merit

Voluntarists had a perfectly good definition of merit (i.e., in terms of God’s covenanted reward) but it was unable to develop to full maturity since it was formulated within an intellectualist paradigm. If the notion that real merit is defined in terms of ontological equations or hypothetical speculations is allowed to exist for one moment in the conceptual backdrop, the covenant revelation of what God defines as meritorious becomes infected with notions of divine generosity, grace, and liberality. By his absolute power he could have required a higher standard, but he condescends in his ordained power to accept something less in its place. But if we eliminate all ontological and modal considerations from the outset of our discussion of justice and merit, and define remunerative justice as being *revealed* only through the covenant and *qualified* by the limitations placed upon it by all the divine attributes, then we will have avoided the specter of grace in the covenant of works.

²⁹ Johannes Heidegger, cited by Heppe, p. 296.

In light of the above considerations, then, how should merit properly be defined? It would appear that we must insist on two propositions, both of which are essential for formulating a biblical and covenantal conception of merit not infected with medieval ontological speculations:

- (1) Rather than an ontological state intellectually registered in the divine mind, merit is *constituted* only by fulfillment of the stipulations of a divinely-sanctioned covenant.
- (2) The *measure* of merit is defined by the terms of the covenant, which itself is the only possible revelation and definition of divine justice.

There is no such thing as non-covenantal, condign merit because merit is *by definition* constituted by fulfilling what is stipulated in the covenant. And there is no such thing as congruous merit which, since it is covenantal, is supposedly not based on strict justice, because the covenant is *by definition* the revelation of God's justice. Neither merit nor justice exists apart from covenant.

Once we have a proper definition of merit, it becomes clear that the arguments raised against the doctrine that Adam could have earned the reward of the covenant of works through a meritorious obedience are seen to be deprived of their force. No longer is it possible to argue that the reward offered was out of all proportion to the work rendered, and that therefore Adam's work would have been accepted according to grace rather than the strict merit of works. It will be clear that this argument presupposes a scholastic distinction between condign and congruous merit -- a distinction whose dubious origins should raise sufficient doubt as to its validity.

Contrary to such notions, the covenant of works is just that, a covenant of meritorious works. When the Father revealed to Adam that he might obtain confirmation in righteousness and its concomitant reward of eternal life if he fulfilled the stipulated obedience (to abstain from the tree of the knowledge of good and evil, and to destroy the works of the Devil by resisting his temptations), he was not condescending in the freedom of his grace but covenanting in the revelation of his justice. And though the first probationer fell from his integrity and failed to achieve the promised reward, thus plunging his seed into misery and eternal condemnation, a second Probationer has undertaken on behalf of the elect to fulfill the broken covenant of works by his meritorious obedience, thus raising us to joy and eternal life with God.

This parallelism between the two Adams demands that we see divine justice as the ground of both. For if the first Adam could not earn eternal life on the condition of meritorious obedience, then neither could the Last. In the words of Charles Hodge:

In this sense [as the meritorious consideration on the ground of which certain benefits are bestowed] perfect obedience was the condition of the covenant originally made with Adam. Had he retained his integrity he would have merited the promised blessing. For to him that worketh the reward is not of grace but of debt. *In the same sense* the work of Christ is the condition of the covenant of redemption. It was the meritorious ground, laying a foundation in justice for the fulfillment of the promises made to Him by the Father.³⁰

Conclusion

Reformed covenant theology was correct to posit a prelapsarian covenant of works. In so doing it provided the fundamental warrant for the wonderful truth that Christ as the

³⁰ Charles Hodge, *Systematic Theology*, vol. 2 (Grand Rapids: Eerdmans, 1993, originally 1872-73), pp. 364-65.

Last Adam has secured a state of confirmation in righteousness for his people by his merit – a merit constituted by his fulfillment of the covenant of works broken in Adam.

Unfortunately, the medieval distinction between condign and congruous merit was naively appropriated by Reformed covenant theologians in their formulation of the Adamic covenant. The Reformation's recovery of justification by faith alone on account of Christ's obedience alone can be maintained only if those elements are thoroughly rooted out by reformulating our conception of merit in covenantal terms from the outset. Otherwise, the article by which the doctrine of justification stands or falls will itself fall.

It was Professor Kline who set me on this theological investigation by asking a first-year seminary student what he thought of the distinction between condign and congruous merit. (I hope the lack of merit in my first response has long been forgotten!) I am honored to present this paper to one whose academic ministry has been dedicated to upholding the testimony of Jesus, whose perfect *merit* has placed those who trust in him “beyond probation.”