

Theonomy, the Westminster Confession and Antinomianism: The Fallacies of Matthew Winzer.

By Vindiciæ Legis

Critique of an argument on page 84 of Matthew Winzer's article: The Westminster Assembly & the Judicial Law: A Chronological Compilation and Analysis. Part Two: Analysis, appearing in *The Confessional Presbyterian*, volume 5 (2009).

Winzer appears to have at least two main objectives in this part of his article. The first is to drive a wedge between Greg Bahnsen and Anthony Burgess by showing that their positions are in serious conflict and that Bahnsen has misread Burgess. The second is to demonstrate that Bahnsen and Theonomy share a common premise with antinomianism and are therefore in error and certainly at variance with the Westminster divines.

Winzer quotes Bahnsen as follows and alleges he is here representing "an antinomian fallacy" by linking the binding force of a law with the punishment which follows its violation:

"The binding force and authority of any particular commandment always lies in its penal threat; if no punishment is to follow the violation of the law, then the law is merely a suggestion..." (*TICE*,¹ 435).

Winzer's claim may surprise the reader and it would certainly have surprised the puritan Thomas Manton who wrote:

"A law implies a sanction, or a confirmation by penalties and rewards; for otherwise it is but an arbitrary rule or direction, which we might slight or disregard without any great loss or danger" (*Complete Works*, 2: 179).

"The law that stateth duty doth give us the knowledge of sin, and without a sanction of penalties and rewards all is but an arbitrary direction, which we may observe or neglect at our pleasure, and no harm or good come of it. Now these are horrid and uncouth notions, that stab religion at the very heart" (*Complete Works*, 18: 112).

Similar statements are made throughout Manton's *Complete Works*. More are supplied below. Obviously, Winzer's quarrel is as much with Manton as it is with Bahnsen.

We can note that only two of the Westminster divines are quoted by Winzer in the section we are discussing, namely Anthony Burgess and Scottish commissioner, Samuel Rutherford. However, both were men of high standing in the Assembly and there is no reason to believe that their views at this point were not reasonably representative.

He deals with Anthony Burgess first and then later with Samuel Rutherford. It is helpful to reverse this order and consider his Rutherford quotation first:

“The binding authority in the law laying on the sinner an obligation to doe and act is different from the binding power of the law to suffer punishment, for transgressing of the law. The former agreeth to the Law simply, as it is a Law: the latter agreeth to the Law as it is violated and disobeyed” (*Spirituall Antichrist*, 1: 87).

Notice that Rutherford posits two different binding powers or authorities in the same law. The Bahnsen quote above (from *TICE*, 435) is entirely consistent with the second of these. There is therefore no real conflict between what Bahnsen (or Manton) wrote and what Rutherford wrote.

Winzer’s first quote from Anthony Burgess is:

“fundamentall error of the Antinomian, about a law in generall; for they conceive it impossible but that the damning act of a law must be where the commanding act of a law is” (*Vindiciae*,² 61).

He could have extended this a little further by adding:

“and this is frequently urged (as I showed the last time:) Therefore observe, that there are only two things goe to *the essence of a law*, (I speak not of externall causes) and that is first, *Direction*, secondly, *Obligation*...”

The extension makes it clear that Burgess is writing about the *essence* of the law (that which makes the law to be law). This essence is *direction* and *obligation* and corresponds to Rutherford’s first “binding authority in the law laying on the sinner an *obligation*.”

Burgess then goes on to speak of “two Consequents of the Law which are *ad bene esse* that the law may be better obeyed.” These two consequents are the “sanction of the law by way of a promise” and the “consequent act of the law, to curse, and punish.” *Ad bene esse* is a Thomistic phrase (literally: *for the well being*) meaning *necessary for the utility* (usefulness) of the law. Think of it this way: Adam would still have been a man if God had created him without eyes. However, eyes were necessary for Adam’s well being as a man. His utility would have been impeded without them.

This agrees with Rutherford’s second “binding power of the law to suffer punishment” and neither Burgess nor Rutherford conflict with Bahnsen (or Manton) as quoted above. No evidence has been presented that Bahnsen commits what Burgess describes as a “fundamentall error of the Antinomian.”

A paragraph or so later, Winzer quotes Burgess again from *Vindiciae Legis*, p. 61:

“as for the other consequent act of the law, to curse, and punish, this is but an accidentall act, and not necessary to a law; for it cometh in upon supposition of

transgression ... a law is a compleat law oblieging, though it do not actually curse.”

Attached to this quotation from Burgess, Winzer has the following footnote:

“Remarkably Greg Bahnsen quoted this passage from Anthony Burgess (*TICE*, 551) but failed to see how it contradicted his own view that punishment is essential to law” (Winzer, 84).

What Bahnsen actually wrote was: “Thomas Manton noted that ‘A law implies a sanction,’ and Burgess commented that such a sanction is imposed ‘that the law may be the better obeyed’” (*TICE*, 551).

Two things are strange here. First, although the phrase “that the law may be better obeyed” is indeed taken from *Vindiciae Legis*, p. 61, it is not part of Winzer’s quotation as the reader might reasonably expect. It is not even hidden in the ellipsis. Perhaps he does not want to alert his readers to the fact that Burgess, like Bahnsen, is linking sanctions to the law. Secondly, Winzer ignores Bahnsen’s Manton quotation. But one can see why he would ignore it, because it would seriously undermine his case if he took on Manton as well.

Notice how Burgess says that the “act of the law, to curse and punish, this but an accidentall act.” In the context which Burgess uses it, the meaning of “accidental”³ is “contingent.” It is a contingency of the law that in the event of a transgression, a punishment will follow. In the language of Burgess, a punishment is one of the “Consequents of the Law.”

Notice also that the punishment in question is said by Burgess to be an “act of the law.” It is not an act of something other than the law.

A law without such a contingent or “consequent” would be worthless, which is the point that both Bahnsen and Manton are making. It’s hard to believe that Burgess would have disagreed.⁴ Such a law would not reflect the righteousness of a Holy God, and as Bahnsen says, would be no better than “merely a suggestion.”

Anyone doubting this should pause here to ask himself about a law without any sanctions, which might be broken willy-nilly without any consequences whatsoever, in this life or the next. Did the Almighty ever issue such a law? A law without utility? Of course not. As Manton says, it would “stab religion at the very heart.”

In the above quotations Burgess is writing against antinomians. He is not writing against theonomists either ancient or modern. But Winzer attempts to capitalize on Burgess’s point that antinomians believe that the condemnation, “damning act”, of a law is included in its primary *essence*. He, in effect, alleges that the first quote from Bahnsen (above) demonstrates that theonomists and antinomians both share a common premise. Let’s for the moment suppose they do.

Here it looks suspiciously like Winzer is attempting to smear theonomists in general and Bahnsen in particular by associating them with antinomians. Winzer does this in the full knowledge that they would use the premise to reach very different and incompatible conclusions.

But what does such a common premise prove? Nothing at all! Don't Christians share a common premise with wicked men and devils? The premise is "that there is one God." This premise "the devils also believe, and tremble" (James 2:19). Winzer's logic seems to be:

Antinomians are heretics.

Bahnsen shares a common premise with antinomians.

Therefore Bahnsen is a heretic.

Obviously, this is a logical fallacy of the most elementary kind. I doubt if Winzer would wish to use the same "logic" against Manton.

Winzer even alleges that Bahnsen's "theonomic-antinomian assumption" is in conflict with the *WCF* (19. 6). Why? Because Winzer says the *WCF* maintains "that the law continues to exercise the binding nature of law upon believers even when it has no power to condemn them." However, he should consider that the only way sins of believers are forgiven is by the shed blood of the Lord Jesus Christ who, *as their surety⁵ and substitute*, satisfied every sanction (penalty) against their sins to the utmost farthing. The law "has no power to condemn them" because the Lord was condemned in their place and on their behalf. The condemnation was real and the penalty was real, very real. He should also consider that only an outright antinomian would reckon that the sins of believers are completely without consequence to themselves.

Is it possible that Winzer is just being consistent with his denial of the absolute necessity of the atonement for man to be saved?⁶ For Winzer, salvation through Christ's atoning work is only necessary because God has (arbitrarily?) decreed it so. Assuming consistency on Winzer's part, he will not, therefore, believe in (a) the necessity for a Holy God to punish sin, and (b) the corresponding necessity for Divine Law to contain penalties. He should be completely content to separate the law of God from the justice of God. This also seems to be demonstrated by the negative view of Reformed ethics throughout his entire article.

Sadly, Samuel Rutherford also held the same error on the absolute necessity of the atonement.⁷ However, it appears to have had little, if any, effect on his views of law and ethics.

In conclusion we can say that Winzer has failed to meet his apparent objectives for this part of his article. Bahnsen, Burgess and Rutherford all agree that God's law, *when violated*, requires full punishment for disobedience. There may be small differences

between Bahnsen and Burgess but nothing like as major as Winzer pretends. On the other hand there may be complete agreement. The quotations supplied by Winzer do nothing to prove otherwise.

¹ Greg L. Bahnsen, *Theonomy in Christian Ethics* (Nutley, New Jersey: The Craig Press 1979).

² Anthony Burgess, *Vindiciae Legis: or, A Vindication of the Morall Law and the Covenants, From the Errours of Papists, Arminians, Socinians and more especially Antinomians. In XXX Lectures, preached at Laurence-Jury, London. The second Edition corrected and augmented* (London: James Young, for Thomas Underhill, 1647).

³ Burgess also uses “accidentall” in connection with “God’s *positive law*” of the tree of the knowledge of good and evil, “that which is accidentall to it, *viz* death infallibly upon the eating of it” (*Vindiciae*, 104).

⁴ Burgess writes, “It’s true, if we take cursing or condemning potentially, so a law is always condemning: but for actual cursing, that is not necessary, no not for a transgressour of the Law, that hath a surety in his roome” (*Vindiciae*, 6).

⁵ *Ibid.* In view of Winzer’s denial of the absolute necessity of the atonement (mentioned later), it seems likely that he will take issue with Burgess here on the transgressor’s need for “a surety in his roome.”

⁶ Start here on the Puritan Board and follow Winzer’s engagements with Daniel Ritchie: <http://www.puritanboard.com/f30/rutherford-gift-prophecy-wcf-27106/#post330017>. Accessed: September 22, 2010. Later on in the interaction, in a post on page 2 dated December 5, 2007, Winzer says, “It is ‘absolutely’ possible that God could have forgiven sin by a mere declaration, but then it raises a series of questions respecting what else might have been differently decreed.” (Thanks are due to Daniel Ritchie for drawing our attention to this.)

⁷ “I love not to dispute here, but God, if we speak of God’s absolute Power without Respect to his free Decree, he could have pardoned Sin without a Ransom, and gifted all *Mankind* and fallen *Angels* with Heaven without any Satisfaction of either the Sinner or his Surety; for he neither punisheth Sin, nor tenders Heaven to Men or Angels, by Necessity of Nature, as the Fire casteth out Heat, and the Sun Light; but freely.” Samuel Rutherford, *Christ Dying, and Drawing Sinners to Himself* (Edinburgh: Printed for James Weir, Merchant in Cerford, 1727), 8. [Publishing details and date may contain errors because of unclear copy.] A similar quotation is given in the *Prefatory Note* to John Owen, “A Dissertation on Divine Justice,” vol. 10 of *The Works of John Owen* (London: The Banner of Truth Trust, 1967), 482. Owen masterfully refutes the errors of Samuel Rutherford and others on this issue.

More Manton quotations:

“The law can never be satisfied, as for fallen man, but by an active and passive obedience—that is, by suffering what is imposed, or by doing what is commanded by the law; for in the law there were two things, the precept and the sanction, the duty and the penalty” (*Complete Works*, 14: 10).

(Note how Manton relates his point to the active and passive obedience of Christ.)

“In the precept there is the rule of man's duty, in the sanction the rule of God's judgment or judiciary proceedings with him. And *wherever this law is set up*, there God is said to ‘judge the people righteously, and govern the nations upon earth,’ Ps. lxxvii. 4 ; that is, to set up holy and righteous decrees, fitted for the benefit of mankind” (*Complete Works*, 20: 217).

“It is a disbelief of the promises and threatenings wherewith the law is enforced; for in the law, besides the precept, there is a sanction by penalties and rewards. In the two former considerations, we considered sin as it transgresseth the precept of the law; now we come to consider the sanction of the law, as it offereth death or life to the transgressors and observers of it: Deut. xxx. 15, ‘I have set before thee life and death, good and evil’” (*Complete Works*, 20: 507).

Note: Manton appears to differ from the more Scholastic/Thomistic definition of law used by Burgess. For Burgess the *essence* of the law, the primary and indispensable components, is both *direction* and *obligation*. For Manton the indispensable components are *precept (direction)* and *sanction* (rewards/penalties). They were of course dealing with different audiences: Burgess was delivering a series of learned lectures and Manton was preaching for the general hearer. Arguably, their differences are semantic but, if not, then the question to be resolved is, which is the more Biblical definition?