The Justification Controversy at Westminster Theological Seminary

The Years 1974-1982

A thesis presented for the degree of Doctor of Philosophy at the University of Aberdeen

Ian Alastair Hewitson
Master of Arts in Religion
(Westminster Theological Seminary)
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I, Ian Alastair Hewitson, confirm that I have composed the thesis, that it has not been accepted in any previous application for a degree, that the work is my own, and that all quotations have been distinguished by quotation marks and the sources of information specifically acknowledged.

Ian A. Hewitson

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ABSTRACT

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Ian Alastair Hewitson

This work examines the historical details and the theological implications of a controversy that took place at Westminster Theological Seminary, Philadelphia, Pennsylvania. The controversy began when Associate Professor Norman Shepherd’s teaching on James 2:14-21, came under intense scrutiny. He was dismissed from his teaching post despite repeated exonerations by the seminary’s board, faculty and by his own presbytery. He taught that the formula *justification by faith alone* does not appear in Scripture or in the Westminster Standards and that Luther’s insertion of the particle *alone* in the formula *justification by faith alone* is exegetically indefensible. The view of Calvin, and not that of Luther, has been given confessional standing in the Westminster Confession of Faith. Calvin’s independence from Luther, a point often obscured in Reformed theology, is essential for understanding this controversy.

Part One explicates the administrative and procedural history of the controversy, and it identifies the major points of disagreement. It details the processes and approaches that were used, neglected, or abused: interpersonal communications, group discussions, committee meetings, etc. These data, which are presented chronologically, are evidence that the board did not have “adequate grounds” to dismiss Shepherd.

Part Two examines the theology and the integrity of a document titled “The Commission on Allegations Regarding Professor Shepherd: Summary of Allegations.” This document is examined for three reasons: It represents the mature theological expression of Shepherd’s opponents; the commission’s hearing is the last forum in which Shepherd was examined by the seminary; and the judgment of the commission is a matter of record.

Shepherd’s repeated exonerations by the seminary and by his presbytery affirm that his understanding of justification by faith, his exegesis of James 2, his teaching on baptism, and his understanding of the “covenant dynamic” do not represent departures from historic Reformed theology; his formulations are orthodox.

KEY WORDS: justification; justification by faith alone; justification controversy; covenant methodology; Calvin; Luther; Norman Shepherd; covenant dynamic; Westminster Theological Seminary, Philadelphia; Westminster Confession of Faith; Westminster Standards; Reformation; merit; meritorious; grace; May 4 letter; O. Palmer Robertson; *ordo salutis; sola scriptura, tota scriptura.*
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INTRODUCTION

The Reverend Norman Shepherd was Associate Professor of Systematic Theology at Westminster Theological Seminary in Philadelphia, Pennsylvania, from 1963 to 1982.\(^1\) He was the handpicked successor of the highly-esteemed Professor John Murray who, along with such men as J. Gresham Machen and Cornelius Van Til, was part of the original founding faculty of Westminster Theological Seminary. During 1974, Shepherd’s teaching on the doctrine of justification by faith became the object of intense scrutiny by the faculty; the board of trustees; the Presbytery of the Orthodox Presbyterian Church in Philadelphia (his own presbytery); and, in time, national and international scholars. The fact that Shepherd’s mentor was Professor Murray only added to the gravity of the situation, at least for the Reformed community. Shepherd, having undergone seven years of intense quasi-judicial investigation into his views on justification, was repeatedly exonerated by the faculty and the board. The Presbytery of Philadelphia stated that none of the material submitted by Shepherd for their examination was out of harmony with the Scripture or the Westminster Standards. But on November 21, 1982, he was removed from his teaching office at the seminary. The details and the events of this incredible story provide the subject matter for this dissertation.

The thesis of this dissertation is that Westminster Theological Seminary did not have the necessary grounds on which to remove Professor Shepherd from his teaching post. In order to establish the thesis and to promote clarity and understanding regarding what took place during the seven years of controversy, the subsequent material is divided into two parts. The first part takes up historical considerations and traces events chronologically through an examination and analysis of the board and faculty minutes, as well as through reports that were submitted to the faculty and to the board by the various committees erected to examine Shepherd. Building on the first part, the second part of the dissertation approaches the theological issues involved in the

\(^1\) WTS hereafter.
controversy from the perspective that Shepherd is an orthodox Reformed theologian who subscribed to the doctrinal standards of the seminary and his denomination, of which he was an ordained minister of the Word of God.

**Historical Background**

Prior to the Reformation, the Roman Catholic Church did not have a well-articulated doctrine of justification. The Reformation forced the Roman church to define its position on this doctrine, and it did so in the Sixth Session of the Council of Trent (1547). The key to the Roman Catholic view lay in the meritoriousness of good works as the ground of pardon and acceptance with God\(^2\) and as the warrant for the title to eternal life. This view did not exclude the grace of Jesus Christ; it even regarded this grace as necessary to justification. Nevertheless, what Christ did for man had to be supplemented by what man could do for himself. Therefore, justification was grounded partly in the divine merit of Christ and partly in the human merit of the believer. Although the merit of the believer was wrought with the help of divine grace, the merit remained human merit.

The Reformation was a religious movement that began as a reaction to what was happening in the day-to-day life of the Roman church. Its perspective on justification was well established by the time the Council of Trent convened, and it was not materially altered by the deliverances of that council. The Reformation definitively rejected the Roman Catholic doctrine of human merit as contributing in any way to the justification of a sinner. In the formulations of Protestant doctrine, the teaching of the Apostle Paul, especially in Romans and Galatians, figured prominently because Paul’s opposition to “the works of the law” was seen to be pointedly relevant to the basic error of the Roman Church. Rome was recognized to be holding a doctrine of justification by works that was contrary to the teaching of the Apostle Paul. Over

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against this, the doctrine of the Reformation sought to articulate a doctrine of justification by faith. The merit of works belonged to Christ alone, and His merit was laid hold of by faith. To make the Reformation doctrine unambiguously clear, Martin Luther insisted on justification by faith 
\textit{alone} as the very heart of Protestant theology and as the article by which the church stands or falls. It is common knowledge that Luther inserted the word \textit{alone} into his translation of Romans 3:28, even though there was no basis for this insertion in the Greek text or in the Latin text of the New Testament. Luther provided a detailed defense of his translation and noted that, had there been a Latin original, it would not have been the adjective \textit{sola}, but an adverb, \textit{solum} or \textit{tantum}. The accent would then have fallen on faith as the \textit{only} method of justification: The only way in which sinners are justified is by faith \textit{alone}. Nevertheless, Luther defends the adjectival sense of \textit{alone} as though the original could have been \textit{sola}. The consequence of the adjectival use of \textit{sola} is that the accent falls on the solitariness of faith. It is faith \textit{alone} in its solitariness that justifies—faith prior to and, therefore, faith without any works, without any laws. The faith that justifies is faith \textit{alone} in the absence of all else.

The exclusive particle can be found in theological literature prior to the Reformation and even in some translations of the Bible into the common languages. But it did not begin to live in the church until the time of Luther, and for all practical purposes, the Protestant church is indebted to him for its introduction. Roman Catholic objection was vigorous; but in spite of the criticism, the formula maintained itself to the point of entering into the confessional language of the church, and it has been consistently defended by Protestant theologians and exegetes. Luther’s insistence on justification by faith \textit{alone} has been determinative for the subsequent history of the doctrine of justification in Protestant theology in all of its varied manifestations.

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4 Hans Kung, \textit{Justification: The Doctrine of Karl Barth And A Catholic Reflection}, Thomas Collins trans. (New York: Thomas Nelson, 1964), 249-250. In the chapter titled \textit{Sola Fide}, Kung writes, “This much is certain—the “alone” in the translation [Romans 3. 28] is not Luther’s invention. Even \textit{before} the Reformation there were already such translations.” 249. Emphasis original.
The exclusive particle introduced by Luther has undoubtedly performed valuable service in signaling the distinction between the Protestant and Roman Catholic doctrines of justification and in preventing the intrusion of merit on the part of man as a criterion of acceptability before God. The long and cherished tradition that lies behind “justification by faith alone” as a theological formula would make it appear to be an act of ingratitude, if not impiety, to raise the question of its adequacy as a summary of the thrust of the biblical doctrine of justification. Nevertheless, for the Reverend Professor Norman Shepherd, there were reasons that made it necessary to raise precisely this question.

For Shepherd, there is the fact that neither the Apostle Paul nor any other biblical author uses the expression “justification by faith alone”. It is true, of course, that Paul does use the expression “justification without the works of the law”, and it is in these words that the theological warrant is traditionally found for “justification by faith alone”. However, the theology and the confessions of the church are not bound to the precise wording of Scripture, and the formula “justification by faith alone” appears to be a reasonable rendering of the sense of “justification without the works of the law”. Traditionally, the matter has rested at this point with this explanation and could remain here were it not for the fact that the text of the Bible expressly rejects justification by faith alone. James writes (2:24), “You see that a man is justified by works and not by faith alone.”

It is to James 2:24 that Professor Shepherd turned his attention. The result of his enquiry into the book of James was a controversy that lasted seven years and still rages today. During the controversy, Shepherd pointed out that Paul says “justification is by faith” and James says

5 Arthur W. Kuschke and C. John Miller, “Resolution for an Inquiry into Shepherd’s Teaching” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 21, 1976). Kuschke and Miller write: “We believe that Professor Shepherd is not sufficiently aware how even tentative inquiries can be damaging when they directly concern central gospel truths.”

6 Scripture quotations, unless otherwise noted, are from the Holy BIBLE, NEW INTERNATIONAL VERSION. NIV. Copyright 1973, 1978, 1984 by International Bible Society. Used by permission of Zondervan Publishing House. All rights reserved.
that “justification is not by faith alone”. Nevertheless, the formulation that has become established in Protestant theology, and that appears to be finding an increasingly cordial reception even within Roman Catholic theology,\(^7\) maintains that justification is by faith alone.

In light of the ambiguities associated with the formula *sola fide*, Shepherd was compelled to study further the question of why the Protestant church was not content with the Pauline language of “justification by faith”, or even with the Pauline expression justification “without the works of the law”. Why was it necessary to say “justification by faith alone”? What more is said, or what is better said, with this form of expression than is said by the Pauline formula? Specifically, the question may be asked, why did the language of James not become (in time, at least) as popular in the church as did the language of Paul? Or why, at Westminster Theological Seminary in Philadelphia, was there an abiding sense of discomfort and awkwardness with the language of James, as evidenced by the energy devoted to the interpretation of the doctrine of justification in James and the reconciliation of this epistle with the epistles of Paul?

The fact that the problem of reconciling James and Paul continues to be discussed indicates that no generally satisfactory solution to the question of harmony has been found. Shepherd set himself to the task of formulating the doctrine of justification in a way that would accommodate the language of James so that the church’s presentation of the gospel could just as easily begin with James as with Paul.\(^8\) If such a formulation could be accomplished, it would

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\(^7\) Kung, *Justification: The Doctrine of Karl Barth*, 249 ff.

\(^8\) The language of James is not the only biblical language that creates problems for the exclusive particle. In Matthew 7:21, Jesus says, “Not every one who says to Me, ‘Lord, Lord’ will enter the kingdom of heaven; but he who does the will of My Father, who is in heaven.” In this passage, as well as in Matthew 25:31-46, eternal consequences of weal or woe are unambiguously suspended, not simply on faith, but on actually doing the will of the heavenly Father. Nor is the Apostle Paul himself free from language that would appear to counter the thrust of the doctrine of justification by faith alone. The Epistle to the Galatians, in which Paul dwells at length on the doctrine of justification without the works of the law, contains the solemn warning, “Do not be deceived, God is not mocked; for whatever a man sows, this he will also reap. For the one who sows to his own flesh shall from the flesh reap corruption, but the one who sows to the Spirit shall from the Spirit reap eternal life” (Galatians 6:7-8). The problem arises because neither the words of Christ nor of Paul are provided simply by way of information, but they constitute exhortations to be active in obedience to the will of God in order to enter into eternal life. These few references to the teaching of Christ and the Apostles do not exhaust the large number of passages in the New Testament that become problematic in the light of the formulation “justification by faith alone,” but they do provide
have the practical benefit of enabling the church to summarize a central doctrine of soteriology without appearing to undermine the Reformation or to contradict the express teaching of its source (sola scriptura) and standard of doctrine (tota scriptura).

From a cursory reading, and in light of James 2, the formula “justification by faith alone” would also appear to be problematic because justification by faith has tended to be set over against all works. The very terms works and good works often carry negative connotations that are reinforced by appeals to Isaiah 64:6: “All our righteous deeds are like a filthy garment.” The conclusion is often drawn from this passage that there are, in fact, no good works; so to insist that good works should be cultivated in the life of the child of God poses a threat to the priority and purity of the doctrine of justification by faith alone. Historically, and in the Protestant church of today, there is an unmistakable tension between faith and good works that is not present in the Bible itself.

A brief comparison of Luther and Calvin on their understandings of the formulation “faith alone” will reveal the contours of the issues that were debated in the justification controversy at Westminster Seminary. These issues have a longstanding pedigree in the churches of the Reformation, and, contrary to both scholarly and popular opinion, all the problems associated with the article sola fide have not been put to rest. 9

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9 The Reformed tradition includes other ways of conceiving the relationship between faith and justification. Bavinck is illustrative on this point. See Bavinck, *Reformed Dogmatics: Holy Spirit, Church and New Creation, Volume Four*. Ed. John Bolt trans. John Vriend. (Grand Rapids, Michigan: Baker Book House Company, 2008), 201. “Yet, although Calvin proved his independence also in the doctrine of justification, he did not solve all the problems that present themselves in the study of this article of faith. This applies especially to the relationship of justification to election and satisfaction, on the one hand, and to sanctification and glorification, on the other. If justification has a place somewhere between the two, there is always a reason to connect it more with the preceding group or more with the following group of benefits, depending on the choice made, and justification itself acquires a different meaning. If one’s purpose is to maintain the objective forensic character of justification, it is natural to tie it closely with election and satisfaction. It then becomes the imputation of the righteousness of Christ, which took place, long before, in the gospel, in the resurrection of Christ, or even from eternity, and is then appropriated much later by the subject in faith. Then that faith is no more than a vessel or instrument, a merely passive thing, so that it becomes hard to derive from it the new life of sanctification. On the other hand, if a person is focused more on a practical than on speculative interests, one naturally tries to forge a close connection between justification and faith. In that case, justification coincides with the benefit of the forgiveness of sins, which is received and enjoyed...
Roman Catholic theology sought from the beginning of the Reformation to capitalize on this tension. A major thrust of its counterattack against the Reformation pointed to the danger of moral decadence as the inevitable result of a doctrine of justification by faith alone. The Reformers were extremely sensitive to this criticism and responded by providing for a place to be given to good works in the life of the believer.

Luther’s view was that the sinner became conscious of his sin by the preaching of the law and was terrified by the thought of God’s judgment. The preaching of the gospel kindles faith in the sinner. By faith, the sinner who despairs of any righteousness in himself apprehends the righteousness of Christ as the meritorious ground of his justification. Thus, the sinner who is and remains a sinner is nevertheless justified by faith alone. He is *simul justus et peccator*.

Faith *alone* means not only that faith is the only way by which a sinner can be justified; it also means that it exists all by itself when the sinner is justified. Only after faith has justified can it be said that faith becomes active and that it becomes fruitful in obedience. It must become active; it does not sleep. And if it does not bring with it good works, the faith is not genuine and the sinner was not justified. Obedience is the necessary evidence of justification; and in that sense, Luther can even say that works are necessary to salvation. At the same time, the obedience of the believer is not to be construed as a response to God’s righteous law, for the law serves only to condemn. In this negative way, the law leads to justification by driving the

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10 Martin Luther, *Lectures on Galatians* 1535, Jaroslav Pelikan, trans., *Luther’s Works* (Saint Louis, Missouri: Concordia Publishing House, 1963), 312. According to Luther, prior to conversion, the law serves to show us our sin, to terrify and humble us. It prepares for justification in that it drives men to Christ, ”so when the Law is being used correctly, it does nothing but reveal sin, work wrath, accuse, terrify, and reduce the minds of men to the point of despair. And that is as far as the Law goes.”

11 Luther, *LW*, 26, 29. “If faith without works justifies, then let us not do any works; but let us merely believe and do whatever we please!” “Not so, you wicked men,” says Paul. “It is true that faith alone justifies, without works; but I am speaking about genuine faith, which, after it has justified, will not go to sleep but is active through love.”

sinner to Christ for relief. The obedience of the believer is the spontaneous fruit of faith and justification.

The discussion of the application of redemption begins with the legal category. In Lutheran theology, the radical distinction between gospel and law must be maintained—between faith and works, between believing and doing, between justification and sanctification. To confuse these is to destroy the gospel. The “proper distinction” between law and gospel is foundational for Lutheran soteriology. The law may serve to convince the sinner of his sin, but it cannot serve to regulate the life and conduct of the believer:

It is a marvelous thing and unknown to the world to teach Christians to ignore the Law and to live before God as though there were no Law whatever. For if you do not ignore the Law and thus direct your thoughts to grace as though there were no Law but as though there were nothing but grace, you cannot be saved. “For through the Law comes knowledge of sin” (Romans 3:20).13

The soteriological thrust of Calvin and Calvinism is different.14 Calvin’s soteriology does not take its starting point in an antithesis between law and gospel,15 or between believing and doing, but with the category of subjective transformation: regeneration (broadly speaking demand. The requirement to love in response to the command would imply that faith has gone to sleep and needs something added to it for completion. True faith knows no demands, for the works of faith come of themselves.

13 Luther, LW 26, 6.

14 Lutheran dogmatics generally evidence a greater awareness of this than do the Calvinists because they are sensitized to the need for making “the proper distinction” between faith and works, law and gospel. Luther himself did not trust the Reformed to make these “proper distinctions” and, as a result, “They [the Reformed] remain exactly what they were under the pope.” Luther, LW 26, 9. See also: Peter Lillback, The Binding of God, Texts & Studies in Reformation and Post Reformation Thought (Grand Rapids Michigan: Baker Academic Press, 2001), 177. Lillback believes four points can be deduced from Luther’s quote in identifying those whom Luther calls “fanatical spirits and sectarians....” He writes, “In seeking to identify the persons Luther had in mind, some hints should be noted. First, he states that they are his contemporaries—‘today.’” Second, Luther believes them to be those who are in some sense followers of his own writings. “‘They have taken the words out of our mouths and out of our writings....’” Third, they are seen to be those who place a great deal of importance on obedience to the law. “‘Therefore they are and remain disciplinarians of work nor can they rise beyond the active righteousness.’” Fourth, they are among those who have left the Roman Church. Lillback then asks, “Could Luther have the Reformed in view?” For Lillback, the Calvinists allow for the normative use of the law in addition to an elenctic use. The stress in Calvinism on the normative use of the law tends to obscure if not destroy the Lutheran doctrine of justification by faith alone.

Calvin’s soteriology takes its starting point in Christ and in the believer’s union with Him. The gospel comprehends the whole Scripture, both the Old and the New Testaments. The whole counsel of God is gospel; and this gospel both convicts of sin and reveals the impending judgment of God. At the same time, the gospel points us to Christ as the only Saviour. The Holy Spirit makes the gospel effective to salvation by uniting us to Christ. The indwelling Spirit joins us to the Redeemer. In Jesus Christ our sins are forgiven and we are accepted by God. This is justification. In Jesus Christ we are transformed and conformed to His image. This is regeneration and sanctification. The transformation expresses itself immediately in faith, repentance, and obedience to Christ.

16 John Calvin, *Institutes of the Christian Religion*, III, ed. John Thomas McNeil, trans. Ford Lewis Battles (Philadelphia: The Westminster Press, 1993). After a brief treatment of union with Christ in chapter 1, Calvin speaks of regeneration. Under the rubric of regeneration, Calvin was taking up the topic of sanctification. (At that point on theological development, regeneration had the broad significance of what we now understand by sanctification). Calvin, having completed that topic, then takes up the topic of justification. The polemic involved for Calvin was to demonstrate that the Protestant conception of justification did not militate against the moral integrity of the believer as Roman Catholic theology believed would inevitably be the case if a doctrine of justification was grounded in imputed righteousness. Calvin refutes such an understanding by taking up sanctification first, without calling into question the doctrine of justification as a forensic category grounded in the imputation of the righteousness of Jesus Christ. Although the Westminster Confession of Faith (in chapter XIII) sees regeneration as the beginning of sanctification, I am not aware of any modern Reformed theologian who takes up the topic of sanctification before the topic of justification according to the same pattern as the Confession. Reformed theologians do take up the topic of regeneration, and regeneration is a category of transformation. In the course of theological development, the conception of regeneration was narrowed down to initial transformation that is wrought at the inception of the process of sanctification. In this way, regeneration is thought of as a transforming “act” of God that accounts for the emergence of faith in the believer. Attention is then turned to other “acts” of God that precede the “process” of sanctification. The movement is from regeneration to justification. Regeneration gives rise to the faith that justifies and precedes sanctification. Such a pattern is within the bounds of Reformed theology and not contrary to Calvin’s approach, but it remains the case that it is not the pattern found in Book III of the Institutes.

17 Calvin, *Institutes of the Christian Religion*, III. 1. 1. “How do we receive those benefits which the Father bestowed on his only-begotten Son...? First, we must understand that as long as Christ remains outside of us, and we are separated from him, all that he has suffered and done for the salvation of the human race remains useless and of no value for us.”

18 Louis Berkhof, *Systematic Theology* (London: The Banner of Truth Trust, 1939), 451. “By this union believers are changed into the image of Christ according to His human nature.” Cf. Berkhof’s fuller discussion, in this book, of “The Mystical Union” (447-453) as it relates to application of redemption, where he writes, “All the blessings of the covenant of grace flow from Him who is the Mediator of the covenant” (447).

Justification by faith alone means, therefore, that the only way of salvation is by Jesus Christ and by His work on our behalf. Those who trust in Him alone with a living and active faith will be saved. Those who trust in themselves and their own accomplishments will be lost. The word *alone* in this case is to be understood as an adverb, not as an adjective. A man is justified only by faith, not by a solitary faith. Thus, the Reformed at the time of the Reformation, and later at the Westminster Assembly, were not distressed by the teaching of James, as was Luther. Dead faith does not justify; only living and active faith justifies, a faith that is productive of obedience. Faith does not justify because of what it is or because of the obedience that inevitably accompanies it; faith justifies because of Christ, in whom it rests with utter confidence and assurance.

The difference between Luther and Calvin is nowhere made more evident than in a comparison of their respective understandings of Galatians 5:6, where Paul says, “For in Christ Jesus neither circumcision nor uncircumcision has any value. The only thing that counts is faith expressing itself through love.” For Luther, this verse had nothing to do with justification. He says, “Therefore no one with any sense can take this passage to refer to the business of justification in the sight of God.”

What Luther said no one with any sense would do is precisely what Calvin did. That is, Calvin understood Paul to be talking about justification and to be saying that the faith that justifies is a faith that works by love, although he takes from love the power to justify. Faith

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20 The Westminster Confession understands James and Paul, in Galatians 5:6, to be speaking about soteric justification. James 2:17, 22, and 26, along with Galatians 5:6, are texts usually found to be part-and-parcel of the arsenal of the Roman Church against the Protestant understanding of justification, but they are here included in chapter XI entitled “On Justification.” That the Reformed have interpreted these texts as not referring to soteric justification cannot be disputed, but why the divines included them in the chapter on justification is not so well attested to by the Reformed.

21 Martin Luther, *Preface to the Epistle of St. Paul to the Romans*, Vol. 35, Jaroslav Pelikan, trans., Luther’s Works (Saint Louis, Missouri: Concordia Publishing House, 1955), 395. “However, to state my own opinion about it, though without prejudice to anyone, I do not regard it as the writing of an apostle; and my reasons follow. In the first place it is flatly against St. Paul and all the rest of Scripture in ascribing justification to works [2:24].”

does not justify because it works by love; it justifies only as it rests in Christ. But the only faith that rests on Christ is a true and genuine, living, and active, penitent and obedient faith. Dead faith does not rest on Christ. In Galatians 5:6, Paul is moving in the same sphere as is James in chapter 2, verses 14 through 26. Luther says that Galatians 5:6 means that faith after it has justified is active by love; Calvin says that justifying faith is not alone but is ever joined to good works.

The view of Calvin in distinction from that of Luther has been given confessional standing in the *Westminster Confession of Faith*. In the light of the difference between Luther and Calvin on the significance of the exclusive particle, it should be clear that the formula “justification by faith alone” is ambiguous and is, therefore, less than suitable for use in a confessional document. What the WCF does is to spell out the Reformed, or Calvinistic, understanding of “justification by faith alone”.

Faith, thus receiving and resting on Christ and His righteousness, is the alone instrument of justification: yet is it not alone in the person justified, but is ever accompanied with all other saving graces, and is no dead faith, but worketh by love.

The Confession incorporates the language of James 2:17, 22 and, 26 and Galatians 5:6, and the assembly of divines responsible for writing the Confession offered these two passages as proof texts for their formulation. The WCF accents the sole instrumentality of faith, and this accent is also found in *The Larger Catechism*, where it is stated that “the perfect obedience and full satisfaction of Christ” is “received by faith alone” and that no other gift or grace functions in this way. At the same time, the Confession is concerned to deny the solitariness of faith,

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24 Ibid.

25 Ibid., Chap. 10, Sec. 2.

26 Ibid.

27 Ibid., Qu. 70.

28 Ibid.
certainly not because of any polemic advantage in the conflict with Rome, but only because of fidelity to the written Word of God. “Faith ... is not alone in the person justified, but is ever accompanied with all other saving graces, and is no dead faith but worketh by love.”

Faith is never alone, even with reference to justification. The formulation of the *Westminster Confession* is one which Lutheran theology cannot find congenial because it intrudes works into the article on justification and therefore does not maintain the proper distinction between justification and sanctification.

In his preface to Romans, Luther speaks of justifying faith as something living and active. “It is impossible for it not to be doing good works incessantly.”

Calvin took the bold step—virtually unique in the light of the later development of Reformed theology—of treating justification before the doctrine of sanctification. Calvin explains his arrangement:

> Of regeneration, indeed, the second of these gifts, I have said what seemed sufficient. The theme of justification was therefore more lightly touched upon because it was more to the point to understand first how little devoid of good works is the faith, through which alone we obtain free righteousness by the mercy of God; and what is the nature of the good works of the saints, with which part of this question is concerned.

With Luther, Calvin adhered to the doctrine of justification by faith alone, but it was not the intention of either Luther or Calvin to exclude works from the broader sphere of salvation. The faith alone by which men are justified was not conceived of as alone in the experience of the believer. But it became commonplace for Protestant theology to define the relationship between faith and works by asserting that good works are the fruit of faith and justification. These works grow from faith and appear where there is true faith, for in true faith the Holy Spirit is present and active in the process of sanctification. Therefore, good works could serve as evidence that justification had taken place on the basis of faith alone.

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29 Ibid., Chap. II, Sec. 2.


Shepherd recognized this order of salvation as a traditional and prevailing position, the position held by those who opposed him. He, like his opponents, understood that, by viewing works as the consequence of faith, the churches of the Reformation were able to maintain the fundamental principle of justification by faith alone and, at the same time, give a significant place to the necessity for good works in the sphere of soteriology. Thus, space was created for the development of a doctrine of sanctification following upon the doctrine of justification. This sequence has been characteristic of both Lutheran and Reformed dogmatics.

At the same time, the tension between faith and works is particularly evident in Lutheran dogmatics, which identifies even more closely than Calvinism does with the formula “justification by faith alone”. Lutheran dogmatics has, for example, insisted strongly upon the need for a distinction between justification and sanctification.32 Reformed theology has also distinguished between justification as a forensic category and sanctification as a category of moral transformation, but Lutheran theology has stressed the distinction more emphatically and in a different way. Shepherd maintained that his opponents did not give adequate attention to this point. Lutheran dogmatics insists that the two doctrines must be kept “pure.”33 A fundamental characteristic of Lutheran dogmatics is the insistence upon the “proper distinction”34 between law and gospel.35

32 Wilhelm Dantine, Justification of the Ungodly, trans. Eric W. Grisch and Ruth C. Gritch (St. Louis: Concordia Publishing House, 1968), 35. “No satisfactory solution has been found for the hotly debated topic of faith and works in the framework of Lutheran theology... Every bit of energy was consumed by the effort to keep justification with its grace-centered characteristic clean and pure. But almost none of its dynamic power can be felt.”

33 John Theodore Mueller, Christian Dogmatics: A Handbook of Doctrinal Theology for Pastors, Teachers, and Laymen (St. Louis, Missouri: Concordia Publishing House, 1955), 402. “In conclusion, we wish to remind the reader once more of the important fact that the article of sanctification can be kept pure only in case the article of justification is taught in its Scriptural purity. Those who err with respect to justification must err also with regard to sanctification.” The reverse must also be affirmed.

34 Robert Kolb and Timothy J. Wengert, The Book of Concord (Minneapolis: Augsburg Fortress Press, 2000), 402. The themes present in Dantine remain for the modern Lutheran Dogmatics. See n. 32. “We believe, teach, and confess that although the contrition that precedes justification and the good works that follow it do not belong in the article on justification before God... Instead, after a person has been justified by faith, there exists a true, living ‘faith working through love’ (Gal. 5[6])... that means that good works always follow justifying faith and are certainly found with it, when it is a true and living faith” (FC. 2, III, 6). Emphasis added.
The clarity of the biblical terminology compelled both Lutherans and Calvinists to give place to the doctrine of sanctification. A radical negation of works could not maintain itself permanently in the face of the vast amount of biblical commendation of good works. Paul himself testifies that the purpose of the mediatorial accomplishment of Christ was to secure a people for God’s own possession, a people “zealous for good deeds” (Titus 2:14). Nevertheless, in spite of the biblical testimony found in James, along with the need to resist the counteroffensive of Rome, there has always been more than a residual conviction that good works are fundamentally opposed to faith, and a corresponding fear that the cultivation of good works militates against the purity of the gospel of justification by faith alone. This was the mature position of Shepherd’s opponents during the final stages of the controversy.  

Shepherd’s opponents attempted to find a resolution of the question of the relationship between faith and works by striving for a proper definition of the order of salvation (ordo salutis), a definition that requires a specific ordering of the elements in the ordo salutis by which the proper relation between divine grace and human responsibility are maintained. The concern is to make the “proper distinction” between justification and sanctification. However,
the solutions offered have not proved to be satisfactory\textsuperscript{39} because they sought, in effect, to accommodate the tension between faith and works in the sphere of the ordo salutis instead of within the sphere of the application of redemption. When the solution to the tension between faith and works is sought in the sphere of the ordo salutis—there is a tacit acknowledgment of the legitimacy of the dilemma between sovereign grace and the necessity for human action—the answer tends to gravitate toward one or the other horn of the dilemma.\textsuperscript{40}

There is in Protestant theology the presence of a tension between faith and works; it is associated with the basic Reformation principle of sola fide. The tension at Westminster Theological Seminary was such that Shepherd’s vigorous cultivation and call for obedience and good works on the part of the believer posed a threat not only to the seminary but to the gospel, and it would undercut the Reformation principle of justification by faith alone. The fear in Shepherd’s opponents and within the larger Reformed constituency was palpable. On the one side, his opponents believed wholeheartedly that Shepherd taught that something more was required on the part of man for redemption—something beyond the full satisfaction and obedience of Jesus Christ. This being the case, Shepherd would be undermining everything that the Reformation had sought to gain and all that the seminary founders had stood for—never mind the attack on the gospel. On the other side, Shepherd believed that a certain understanding of the proclamation of the Reformation principle sola fide would render superfluous the necessity for obedience, or at least the necessity to insist on or command obedience as an essential element in the call of the gospel. Shepherd characterized this understanding of sola fide

\textsuperscript{39} Dantine, Justification of the Ungodly, 25. Dantine’s assessment of the ordo salutis: “The Spirit, in Himself free and Sovereign, was transformed into a front-rank man at attention, as it were, and the only consolation about this iron chain of interlinked divine operations was now that almost every dogmatician had a different order of march the living God should follow. At least a little freedom was left for the Holy Spirit, albeit only through the disunity of dogmaticians!”

\textsuperscript{40} Dantine, Justification of the Ungodly, 35-36.
as Lutheran, a designation that he was known to ascribe to his opponents, a designation that his opponents welcomed and ascribed to Calvin himself. The difficulty is the tension between the sole sufficiency of divine grace and the necessity for meaningful human action, or between nomianism and antinomianism. Ultimately, it is the classic problem of the relation of the divine will and the human will. Protestant theology found the correlation that was embodied in the Roman Catholic conception of justification, which combined the necessity for divine grace, Christ’s merit, with the necessity for human merit, unacceptable. The Reformation occurred with the realization that justification was all of divine grace, but Protestant theology was left to account for the place of works in relation to the doctrine of justification by faith alone.

Throughout the controversy, Shepherd maintained that a proper understanding of the relationships of divine sovereignty and human action to justification is to be found not in a further refinement of the *ordo salutis* but in an appreciation of the structural significance of the covenant relation between God and man as that unfolds in the course of the history of redemption for an understanding of the application of redemption. For Shepherd, it is the biblical concept of covenant that breaks through, and breaks down, the tension between faith and works in the doctrine of justification and that exhibits the proper relation between sovereign grace and human responsibility in terms of the functioning of the “covenant dynamic”.

The contours of Shepherd’s suggested covenant structure of the doctrine of justification permit an alternative formulation to the traditional and sacrosanct “justification by faith alone”: to “justification by grace through faith”. Contrary to the assertions of his opponents, Shepherd insisted that the purpose of this revised formula was not to compromise or to abandon the

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41 W. Stanford Reid, “Justification by Faith According to John Calvin,” *Westminster Theological Journal* 42, no. 2 (Spring 1980), 290. “And this attitude has continued in some circles even in our own day, when some Reformed theologians could term the doctrine of justification by faith “easy believism” and insist that such a doctrine is Lutheran rather than Reformed.” Reid’s reference to “some theologians” may be understood as a reference to Shepherd.

42 W. Stanford Reid, “Justification by Faith According to John Calvin,” 296. “Therefore, if justification by faith alone is a specifically Lutheran doctrine, we must put Calvin in the Lutheran camp.”
attainments of the Protestant Reformation. Its purpose, in fidelity to the principle of sovereign grace, the *sola gratia* of the Reformation, was to account for the biblical teaching that calls for obedience to Christ and suspends eternal consequences upon the presence or absence of such a penitent faith.

In short, the theological problem that provoked seven years of controversy was how to speak of conditions in the application of redemption and yet maintain the priority of grace in the use of the word “faith”. How could one speak of grace while maintaining the significance of exhortations to action and the necessity of perseverance? According to Shepherd’s opponents, these questions had long been settled: But for Shepherd, these questions were the unfinished task of Reformed theology. This was the task to which Shepherd was fully committed, and it would engage him and eventually result in his dismissal.

These are issues of crucial importance that have far-reaching ramifications not only for Westminster Seminary but also for the Reformed Faith nationally and internationally.

Like many disputes, the justification controversy is complex because many issues are involved and many people have become embroiled in it. Understanding and profiting from the misunderstandings and mistakes that have occurred can be difficult because communications between the parties have sometimes been indirect, convoluted, or absent. But a substantial record has been generated, and much more can be known with greater certainty than some observers might suppose.

Part One of this study explicates the history of the controversy from 1974 to 1982—the year after the seminary removed Professor Shepherd from his post. It is important to identify the

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43 O. Palmer Robertson, “The Current Justification Controversy” (copy of original manuscript), W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, 1983), 1. “By the five-hundredth anniversary of Martin Luther’s birth [1483-1983], it might have been expected that the question of the way of a man’s justification before God would have been settled, at least in Reformed and evangelical circles. But history demonstrates that such an expectation fails to take account of the resilience inherent in man’s natural inclinations to find some role for his own performance in determining his position before God. For the controversy over the relation of works to justification continues to challenge the church. The recurrence of this issue attests to the correctness of Luther’s judgment that justification by faith alone is the doctrine of the standing or falling church. For why else would this single doctrine become the point of dispute throughout the generations?”
processes and approaches—interpersonal communications, group discussions, committee minutes, etc., that were used, neglected, or abused—identifying the major points of disagreement so that they can be understood and addressed in a straightforward manner. Distilling the essential matters requires an examination of the historical record to discover what the parties held to be important and how effectively they communicated their thoughts and beliefs to others. These data will be presented chronologically and provide the context for a fuller understanding of the theological issues involved in the second part of the study.

Part Two examines the document, “The Commission on Allegations Regarding Professor Shepherd: Summary of Allegations.” This document compares, contrasts, and clarifies allegations against Shepherd’s public statements, his class lectures, and his written materials, and it will serve as the basis for the theological part of this study. The choice of this document over all others is threefold: first, Summary represents the mature theological expression of Shepherd’s opponents on the subjects of justification by faith, covenant, election, and baptism; second, the “The Commission on Allegations Regarding Professor Shepherd” hearing provides the last forum where Shepherd was present to answer his critics; and third, the judgment of the Commission on Allegation is a matter of record, and it was accepted by the board of trustees.

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44 Commission on Allegations, “The Commission on Allegations Regarding Professor Shepherd: Summary of Allegations,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, October 9, 1980). The complete text of this document can be found in Appendix A. This document is “Summary of Allegations” or Summary hereafter.

45 Commission on Allegations, “Summary of Allegations,” 1. After six years of intense theological debate the commission wrote, “The allegations of error specified in this report have been raised, in one form or another, against the teaching of Mr. Shepherd. In the judgment of the commission any one of these allegations, if substantiated, might justify the removal of a tenured faculty member at Westminster.”

46 Executive Committee of the Board of Trustees, “Reason.” This document was compiled and made available to the public in May 1982 after Shepherd had been dismissed from his teaching position on November 20-21, 1981.
Part One

God Is in the Details

May 1974

The justification controversy did not occur in a vacuum, nor was Professor Shepherd the only professor to undergo an examination of his beliefs and his teaching at WTS. A brief description of another conflict that began just before the justification controversy will help to set the stage.

On May 15, 1974, the faculty of WTS received a petition signed by “fifteen members of the senior class” expressing “corporate concern for what [they thought] may be a compromise of the truths defended by Westminster Theological Seminary.” Five of the fifteen students who signed the petition that had been circulated among the student body commented: “We do not necessarily agree with everything put forth in the course taught by Mr. Knudsen, but neither do we feel that the action of the students circulating the petition is warranted.” The minutes of the seminary’s board of trustees indicate that:

The faculty analysis and evaluation of Mr. David Cummings’ letter was presented to the Executive Committee on December 9, 1975, and the Executive Committee determined to recommend that the board erect a committee to study the philosophical views of Professor Knudsen to determine whether they are in accord with the doctrinal standards of the Seminary.

A report to the board, “In Support of the Recommendation of the Executive Committee,” was submitted by Calvin Cummings, a member of the board and the father of one of the students (David Cummings) who had petitioned the faculty. His report gave a detailed

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49 Ibid.

50 Ibid., 19.

51 Ibid., 27.
account, eight points in all, of the historical background, including the actions of the faculty and the Dean of Students; it also discussed responses to taped class lectures given by Knudsen and a lecture he had given at Bethel Christian Reformed Church in New Jersey.\textsuperscript{52}

Calvin Cummings wrote, “The faculty apprised Knudsen of the petition communicated to it and afforded him the opportunity to respond if he so desired.”\textsuperscript{53} But this was not the case for the students, as can be seen from C. Cummings’s remarks: “The faculty as faculty did not afford the petitioners, Mr. Peter Chow, or Mr. David Cummings, the same opportunity afforded Dr. Knudsen; namely, an opportunity to defend their statements.”\textsuperscript{54}

The faculty sent an analysis to the board that validated C. Cummings’s concern that, “The faculty discussed Mr. [D.] Cummings’ allegations” while he was not present; and they did so “at length with Dr. Knudsen, and they asked [Knudsen] to respond to the letter and to describe his views on the relation of the Bible to science.”\textsuperscript{55}

As a result of this disparate treatment, C. Cummings believed that there remained two unresolved questions, even though “the faculty has concluded that there … is no evidence that Dr. Knudsen’s philosophical methodology has caused him to deviate from the Scripture or the Confessional Standards of the Seminary in his teaching.”\textsuperscript{56} These questions were:

a. Is Dr. Knudsen’s teaching that man needs to transcend the finite in order to know that he is finite Biblical? Is it Biblical to say that we must stand outside of ourselves to understand ourselves?

b. Does Dr. Knudsen’s adherence to the naive-theoretical distinction have Scriptural warrant or is it contrary to Scripture?\textsuperscript{57}

\textsuperscript{52} Ibid.
\textsuperscript{53} Ibid.
\textsuperscript{54} Ibid., 28.
\textsuperscript{55} Ibid., 25.
\textsuperscript{56} Ibid.
\textsuperscript{57} Ibid., 28.
At issue for the Executive Committee, and echoed by C. Cummings in his support of their report, was the need for the faculty and the board to “ascertain what is being taught by Dr. Knudsen and to determine whether this teaching is in accord with the doctrinal standards of the Seminary.”58

Whether or not the seminary determined that Professor Knudsen held to “essentially the philosophy of Herman Dooyeweerd”59 or was found to deviate from the Scripture or the seminary’s doctrinal standards is not of concern.60 However, the Knudsen incident can serve to introduce certain individuals to us, and it might even indicate, at least in hindsight, the presence of a “judicial atmosphere” at Westminster Seminary that would contribute to the removal of a seminary professor.61

While the Knudsen controversy was ongoing, the controversy over the doctrine of justification had just begun at WTS. During the autumn of 1974,62 in a systematic theology course titled “The Doctrine of the Holy Spirit” (under the class Syllabus heading, “The Application of Redemption”), Shepherd specifically took up the exegesis of James 2:14-26 and sought to examine current thinking on the relationship of James to Paul on the matter of justification. John Murray, Shepherd’s predecessor and mentor, did not deal with the relation of James to Paul regarding justification while he taught systematic theology at Westminster Seminary.

58 Ibid., 19.

59 Ibid., 27.

60 Ibid., 3. “The recommendation of the Executive Committee was not adopted.” Therefore, no committee to study the philosophical views of Knudsen was erected.

61 John Frame, “Van Til: The Theologian,” http://www.reformed.org/search/index.html?mainframe=/searchpro/advanced_search.php&c=0 (accessed August 14, 2009). “Van Til has had the advantage of teaching at an institution where there has been a remarkable unity of mind among the faculty. Unlike some theologians, Van Til has felt that he could trust his colleagues in the exegetical disciplines and build upon their exegetical work. Van Til’s trust in his colleagues has given him the freedom to concentrate his work in areas most suited to his own gifts, which are more philosophical than philological.”

62 W. Robert Godfrey, “Letter to the Editor,” The Banner 117.5 (February 8, 1982), 4. “The discussion with Mr. Shepherd began because in 1975 he taught in class that works along with faith were the instrument of justification.” [Shepherd began teaching this in class in 1974.]
Faculty member Vern Poythress, while writing his dissertation in Cambridge, England, received a letter from a student of Shepherd, in which the student “include[d] a six-page exposition ... of Prof. Shepherd’s view of the instrument of justification and the relation of justification to faith and works.” Poythress thought “the issue ... so important that [he could not] let it rest even until [the] next fall.” In Poythress’ estimation, the issue was important because:

Along with a rather full exposition, the letter contain[ed] some crucial statements such as “when we speak of [the] instrument of justification we must speak of both faith and works ...” (p. 5). “... I Corinthians 6:11 places sanctification before justification (cf. II Thess. 2:18 [sic]). The good works of sanctification are an instrument by which we receive the righteousness of Christ as the ground of our salvation” (p. 6). Prof. Shepherd is also described as objecting to the phrase ‘faith alone’ in describing the instrument of justification.64

Poythress identified several concerns that arose in his mind after reading the student’s letter; his concluding remark was:

So I am in the position of wondering whether [the student’s] report is correct. I am concerned because (1) [the student’s] report contains a very plausible argument for the instrumental role of faith-and-works in justification, an argument powerful enough to catch the unwary. It convinced [the student] himself for a time. (2) If [the student] can come away from his courses and discussion with Prof. Shepherd with this impression of what Prof. Shepherd teaches, something is deeply wrong. (3) If [the student’s] report as a whole or the two quotations above that I have taken from the report are an accurate representation of what Prof. Shepherd says, Prof. Shepherd is wittingly or unwittingly leading to the propagation of false doctrine.65

Poythress was concerned that the descriptions and applications of Shepherd’s formulations that had been suggested to him by the letter certainly ran the risk of being misunderstood and could easily be interpreted as falling outside of Scripture and the Westminster Standards—an interpretation unacceptable to a confessional institution like Westminster Theological Seminary.

63 The [sic] is Poythress’ own. The student may have intended to refer to II Thessalonians 2:13; chapter 2 contains only 17 verses.


65 Ibid.
In an almost prophetic utterance, Poythress wrote, "Anyone who suggests that good works are essential to justification will be interpreted in an unbiblical way."\textsuperscript{66} Indeed, the question that continues to consume the seminary and the Reformed community at large is: Are Shepherd’s formulations on the necessary role of good works in justification unbiblical or have his opponents interpreted his teachings “in an unbiblical way”?\textsuperscript{67} Poythress believed that unbiblical interpretations will prevail whenever such language is used no matter “how much the speaker may try to add qualifications or redefinitions.” Poythress continued, “Whatever [Shepherd’s] intended meaning, the effect will be deadly. In my opinion, the whole gospel is at stake here.”\textsuperscript{68}

The controversy that followed may be characterized, narrowly conceived, as a struggle for the purity of the gospel. In time, the seminary would declare repeatedly that Shepherd’s teaching was scriptural but subsequently dismiss him. The theological issues involved in the controversy (as they were delineated by the seminary—primarily justification, baptism, covenant, and election) will be discussed further in Part Two, the theological section of this work. For now, it is enough to begin to understand the concerns and the personalities that were involved and something of the circumstances present on the campus of Westminster Theological Seminary in Philadelphia and how Shepherd’s teaching first came to the notice of the faculty, the board and the public.

\textbf{April 14, 1975}

The event that placed Shepherd’s teaching before the faculty was the refusal of the Orthodox Presbyterian Church (OPC) to license David Cummings after he presented an understanding of justification that he believed he had been taught by Shepherd at Westminster

\textsuperscript{66} Ibid.

\textsuperscript{67} Ibid.

\textsuperscript{68} Ibid.
February 1976

A year later, in the spring of 1976, at the personal request of Arthur Kuschke (the seminary’s longtime librarian from 1945 until 1979), two further discussions between Shepherd and the faculty (making three in all) were to follow. The intended purpose of these discussions had been to clarify Shepherd’s teaching on James 2:14-26. The question to be discussed was: How does Shepherd explain statements made “in the course of faculty discussion” such as “… obedience has the same relation to justification as faith has relation to ...

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69 Executive Committee of the Board of Trustees, “Reason,” 3. This document is “Reason” or Reason hereafter. “The Presbytery of Ohio of the Orthodox Presbyterian Church delayed the licensure of Mr. David Cummings because of his unsatisfactory answers regarding the relation of good works to justification. Mr. Cummings believed that he was presenting the doctrine he had been taught in Mr. Shepherd’s class in the fall of 1974. He alleges that Mr. Shepherd taught that ‘If justification presupposes repentance, it presupposes good works…. Justification is related to good works as justification is related to faith.’”


71 Arthur W. Kuschke, “Resolution to the Faculty” (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 10, 1976). The faculty’s first discussion had been held April 14, 1975. The following year, Kuschke submitted this resolution: “Whereas in the last year … Westminster students, when examined … have set forth a position on justification by faith and justification by works … these facts present the need for a clarification…. Therefore be it … resolved, that together with Mr. Shepherd the faculty take … steps to provide clarification.” Mr. Kuschke, as the librarian, was a non-voting member of the faculty.

72 Arthur W. Kuschke and C. John Miller, “Letter to be Read at the Faculty Meeting,” Personal Collection (Bloomington, Minnesota, May 21, 1976). “There have been three faculty discussions concerning justification. The first discussion was occasioned by the fact that one of our students, in his examination for licensure by a presbytery, had stated that justification is by faith and works. The second faculty discussion was occasioned by the fact that another Westminster student, when examined in another presbytery, had stated that justification is by faith and works.”

73 Arthur W. Kuschke and C. John Miller, “The Relationship of Justification and Good Works,” Personal Collection (Bloomington, Minnesota, March 16, 1976), 1. Kuschke’s understanding of the relation of justification to works is: “While our works are not the ground of justification, neither are they in any sense the instrument of justification. Nor is justification, as God’s forensic and gracious act, in any sense ‘by’ our works. Justification is by faith (ἐκ πιστεύω, Rom. 3:30, Gal. 2:16; 3:8) and by works (ἐξ ἐργῶν, Rom. 3:20, Gal. 2:16): that is to say, it is by the identical grammatical form that justification by faith is asserted and justification by works is excluded. And justification is by faith (πιστεύω, Rom. 3:28) without the deeds of the law (ὑπὸ ἑργῶν νομοῦ).”
justification?”

Indeed, according to Kuschke and to Miller, Professor of Practical Theology, Shepherd’s position is that “… works are of the essence of justification.” Discussions were to be limited to a consideration of the Westminster Standards, with the caveat “… that any line of teaching which seems to imply a justification by works should not be continued.”

As a result of these discussions, the faculty acted on May 4, 1976, to request that Shepherd “prepare and distribute to the faculty a written statement of his own view of the meaning of the statement that ‘faith … is the alone instrument of justification (Confession 11, 2)’ as well as Questions 70 and 73 of the Larger Catechism as the basis for a faculty discussion in September.” Shepherd asked that he be allowed to pursue the exegetical questions for discussion along with the confessional questions, but eventually, he was willing to comply with the specific request in order to deal with the expressed concerns of the authors of the [Kuschke] resolution.

Following the discussions in the spring of 1976, Kuschke and C. John Miller introduced to the faculty a tentative draft of a letter, together with a proposal that it be forwarded by the

74 Kuschke, “Resolution for an Inquiry into Shepherd’s Teaching.” Although Kuschke and Miller “request that the Board set up a committee of inquiry,” it is not clear from the content of their letter that they saw a need for any discussion: “We believe that Professor Shepherd is not sufficiently aware how even tentative inquiries can be damaging when they directly concern central gospel truths.” The letter initiated a sequence of events that contributed to the atmosphere in which future discussions would be held, and these events eventually would lead to the removal of Shepherd from the faculty.

75 Ibid. Godfrey’s position reflected Kuschke and Miller’s concern with Shepherd’s position. See Godfrey, W. Robert, The Banner, February 8, 1982. “The discussion with Mr. Shepherd began because in 1975 he taught in class that works along with faith were the instrument of justification.”

76 Kuschke, “Resolution for an Inquiry into Shepherd’s Teaching.”

77 Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 25, 1976), 17.

78 Norman Shepherd, “Letter to the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, September 30, 1976). “In the course of this work [“The Relation of Good Works to Justification in the Westminster Standards”] the faculty has asked me to give attention to certain confessional formulations. Although I would have preferred to go on with the exegetical work first, I was willing to respond to the request even though the time allowed for the project has meant a somewhat hastily prepared paper.” In the next paragraph, Shepherd remarks, “In the nature of the case, because the focus is on the confessional documents, the paper lacks detailed attention to exegetical matters and from that point of view may be thought of as defective.” Shepherd repeated his insistence that, “I would like to reiterate that the paper is not offered as a definitive statement, but as a basis for discussion. It is not to be regarded as a published work.”
faculty to the board of trustees.\textsuperscript{79} This proposed letter introduced into the discussion the seminary’s “policy statement on tenure and removal, adopted 2/71.”\textsuperscript{80} It also pointed out that, “when there is believed to be adequate cause, a committee may be set up to provide a hearing.” Kuschke and Miller endorsed doing so, and they believed that the “committee should … have authority to recommend to the board that any line of teaching that seems to imply a justification by works should not continue.”\textsuperscript{81} The faculty considered the proposed letter on May 21, 1976, and failed to adopt the recommendation by a vote of nine to one.\textsuperscript{82}

Because of the faculty’s decision, Kuschke and Miller, over their own signatures, sent a letter to the board that was virtually identical to the proposed letter.\textsuperscript{83} Their letter to the board differed from the draft they had presented to the faculty only in that the revised version did not refer to “Policy Statements, Tenure and Removal.”\textsuperscript{84} The request to establish a committee of inquiry remained in both letters.\textsuperscript{85}

The May 25, 1976, response of the board to the letter from Kuschke and Miller spoke to four things:

1) That the attention of the Faculty, and of Messrs. Kuschke, Miller, and Shepherd in particular, be directed to the statement on Academic Freedom and Responsibility adopted by the Board in its Statement of Academic Policy;
2) That the Faculty be encouraged to pursue their discussion with Mr. Shepherd on faith and justification as planned for the fall of 1976;


\textsuperscript{80} Ibid. Composed for delivery to the May 10, 1976, meeting of the faculty.

\textsuperscript{81} Ibid.

\textsuperscript{82} Board of Trustees, “Minutes” (May 25, 1976), 1. The minutes reference that, “A communication from Arthur Kuschke and John Miller was read, together with a covering letter from Mr. Kuschke.”

\textsuperscript{83} Kuschke and Miller, “Resolution for an Inquiry in to Shepherd’s Teaching.”


\textsuperscript{85} Kuschke and Miller, “Letter to be Read at the Faculty Meeting” (May 21, 1976). Kuschke and Miller’s request for a “committee of inquiry” with the authority to “recommend to the Board that any line of teaching which seems to imply justification by works should not be continued,” put the discussion onto a quasi-judicial footing and fostered an adversarial relationship between the parties involved.
3) That the Faculty be requested to report in writing to the February, 1977 meeting of the Board their progress and conclusions, if any, in the pursuit of this discussion;
4) That the Faculty be requested to send a copy of the Faculty’s report to members of the Board.\(^86\)

This statement from the board, along with the faculty’s request that Shepherd “prepare and distribute to the Faculty a written statement,”\(^87\) provided the impetus for Shepherd to produce a paper entitled, “The Relation of Good Works to Justification in The Westminster Standards.”\(^88\) Shepherd noted on the cover page: “This is not a published work. It may not be used for any purpose other than to serve as a basis for discussion within the faculty of Westminster Theological Seminary on October 1 and 2, 1976.”\(^89\) The cover letter to the faculty read: “I would beg the indulgence of my colleagues and ask you for this reason, among others, not to regard this paper as a definitive statement or as a finished product. Hopefully, however, it can serve as a basis for discussion as requested.”\(^90\) The next paragraph began:

Secondly, I would ask you to bear in mind that what you have asked for is something to serve as a basis for discussion. I have therefore taken the opportunity to present some lines of thought which are doubtless debatable and which need to be tested in an academic marketplace. I am offering them in the spirit of the statement on Academic Freedom and Responsibility to which the Board of the Seminary in a recent action has drawn the attention of all of us.\(^91\)

In closing, Shepherd expressed what he understood the board of trustees to mean in their reference to academic freedom: “We are given the freedom to propose and discuss conclusions which are only tentative as well as conclusions which are settled.”\(^92\) Shepherd’s concern was to ensure that the paper would serve only as the basis for discussion among the faculty so that both

\(^86\) Board of Trustees, “Minutes” (May 25, 1976), 3.
\(^87\) Ibid., 17.
\(^89\) Ibid.
\(^90\) Norman Shepherd, “Cover Letter to the Faculty” (Westminster Theological Seminary, Philadelphia, Pennsylvania, September 27, 1976).
\(^91\) Ibid.
\(^92\) Ibid.
he and the faculty could fulfill the mandate given to them and report to the board any progress that had been made.\textsuperscript{93} The paper would, in time, come to serve as a lightning rod, not only because of its theological content but also because of the way it was used by the board of trustees.\textsuperscript{94}

In response to the board’s direction, the faculty discussed Shepherd’s paper:

This paper was discussed at a faculty meeting on Friday evening, October 1 and Saturday, October 2, 1976. A full-day meeting of the faculty for further discussion was also held on December 4, 1976. In these meetings papers and informal responses were given by other faculty members. The questions were also discussed in a number of regular faculty meetings.\textsuperscript{95}

A personal communication that Shepherd sent to the board for its February 10, 1977, meeting reflected an attitude of optimism that the matters that arose within the faculty as a result of his paper could be resolved through further discussion.\textsuperscript{96} However, the faculty noted in their report to the board that they were not united in their understanding concerning Shepherd’s thinking on justification:

In view of the importance of the questions at issue and the fact that some members of the faculty believe that these questions have not been resolved [Shepherd’s understanding of (W. C., ch. 11, sec. 2) as well as questions 70 and 73 of the Larger Catechism] while other members believe that progress has been made in reaching a better understanding the faculty wishes to continue discussion and to bring a further report to a later meeting of the board. The faculty, therefore, recommends that it report further to the board on this question in the meeting of May, 1977.\textsuperscript{97}

\textsuperscript{93} Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary Philadelphia, Pennsylvania, February 10, 1977), 24-29. At this point the faculty could not report to the board that progress had been made.

\textsuperscript{94} Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary Philadelphia, Pennsylvania, November 14, 1978), 4. “It was moved and carried that members of the Board be permitted to share outside of the Board discussion papers on the subject of justification.” This included Shepherd’s October 1976 paper, “The Relation of Good Works to Justification in the Westminster Standards.”

\textsuperscript{95} Board of Trustees, “Minutes” (February 10, 1977), 24.


\textsuperscript{97} Board of Trustees, “Minutes” (February 10, 1977), 29.
The board received the February 10 faculty report but was not satisfied and "... voted that the faculty report further to the board on the ‘Discussion on Faith and Justification’ at the May 1977 meeting of the board...." In a separate motion, the board voted that “the faculty be requested to have an evaluative report for the board at least two weeks before the May meeting of the board." The faculty met again on March 1, 1977. On April 15, Shepherd sent the document, “A Statement on the Doctrine of Justification,” to the faculty. In the cover letter, he made reference to his October 1976 paper:

The faculty discussions of recent weeks on the doctrine of justification have not as yet served to dissolve concerns on the part of some members of the faculty concerning certain statements in the study paper on “The Relation of Good Works to Justification in the Westminster Standards” which I submitted to the faculty as a basis for discussion in response to a specific request.

After referencing the February faculty report to the board, Shepherd said: “It has not become clear in the course of the discussion whether the concerns are with the doctrine stated or with the way the doctrine is stated.” In order to bring some clarity, he offered for faculty “consideration the accompanying re-statement of the doctrine of justification with special reference to expressed concerns.” At the May board meeting, the faculty presented an evaluative report called, “Special Report of the Faculty to the Board on the Discussion on Faith and Justification.” They reported:

Mr. Shepherd has expressed his views in writing in two documents given to the faculty: “The Relation of Good Works to Justification in the Westminster Standards” dated October 1976, which was also sent to members of the board; and “A Statement on the Doctrine of Justification,” dated April 15, 1977, which accompanies this report. He continues to defend his views and expressions contained in the two written documents.

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98 Ibid., 4.

99 Robert B. Strimple, “Faculty Memo” Personal Collection (Bloomington, Minnesota, March 1, 1977). “A discussion of the relationship between faith and justification based upon the report submitted by the faculty to the board at its meeting on February 10 has been placed on the agenda for the faculty meeting next Tuesday.

100 Norman Shepherd, “Letter to the Faculty,” Personal Collection (Bloomington, Minnesota, April 15, 1977).

101 Ibid.

102 Ibid.
And the concerns previously expressed to the board, in the faculty’s report to the February 1977 meeting of the board have not been resolved.103

The faculty had not reached agreement on the issues. W. Robert Godfrey, Associate Professor of Church History, had suggested that the faculty adopt his proposal as the faculty report:

On the basis of all available information the faculty has concluded that Mr. Shepherd’s statements on the subject of justification obscure the teaching of the Scripture and are an unacceptable interpretation of the Westminster Standards. We believe that these statements undermine the unique role of faith in justification and fail to make the proper distinction between justification and sanctification.104

The motion failed. A comparison between the preceding paragraph from the report adopted by the faculty and the paragraph in Godfrey’s proposed report serves to illustrate the differences between Godfrey and the faculty.

After more than two years of involvement in the discussion, the faculty’s summary statement, in contrast to Godfrey’s, was: “On the basis of all available information the faculty has concluded that certain of Mr. Shepherd’s statements on the subject of justification require further consideration and modification to avoid obscuring the teaching of Scripture and of the Westminster Standards.”105

On May 18, 1977, on the basis of “all available information” regarding Shepherd’s paper (“The Relation of Good Works to Justification in the Westminster Standards”), in a communication that was sent to the board a few days before its regularly scheduled meeting on May 24-25, 1977, W. Robert Godfrey, Philip E. Hughes, Arthur W. Kuschke, Robert D. Knudsen, C. John Miller, and O. Palmer Robertson clearly stated their opposition to Shepherd’s

103 Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 24-25, 1977), 33.


105 Board of Trustees, “Minutes” (May 24-25, 1977), 33.
formulations, even though “some” of them simultaneously were signers of the faculty report. This communication was reviewed by the board on the same day they received the faculty’s evaluative report on the status of their discussions regarding the question of justification by faith. This communication by Godfrey and his coauthors stated: “[We] have concluded that Mr. Shepherd’s statements on the subject of justification obscure the teaching of Scripture and are an unacceptable interpretation of the Westminster Standards.”

Godfrey was careful to point out, “We have not reached this conclusion lightly or easily. In the course of faculty discussions Mr. Shepherd has made many positive formulations about justification, which can be taken in an orthodox sense.”

Nevertheless, Shepherd’s “many positive formulations” were not sufficient to put the authors of the communication at ease. The authors went on to say, “But he has also made other statements and formulations which, as they stand in their immediate context, and also as they stand in the full context of his views on justification, appear to us to be erroneous and irreconcilable with the Word of God and the Westminster standards.” According to Godfrey and the others, Shepherd’s teaching not only lacked clarity, but his formulations were far worse than misleading.

Opposition to Shepherd was rising not only in the faculty but also on the board. One board member who opposed him was W. Stanford Reid. While Reid was a visiting teacher at

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106 W. Robert Godfrey et al., “Accompanying Letter to the Faculty Report on Justification” (Westminster Theological Seminary Philadelphia, May 18, 1977). The cover letter reads, “Gentlemen: As faculty members who have signed the accompanying communication to the Board, we wish to explain that yesterday the faculty approved a special report to the Board on Faith and Justification, which you will receive in due course. Some of us voted for that report, but we consider it not entirely adequate to the situation. We are therefore sending you the accompanying letter as a further evaluation. Respectfully submitted, W. Robert Godfrey, Philip E. Hughes, Robert D. Knudsen, Arthur W. Kuschke, C. John Miller and O. Palmer Robertson.”

107 Ibid.

108 Ibid.

109 Ibid.

Westminster Seminary for the spring semester, he made a presentation to the faculty, “Faith and Justification,” in which he openly disapproved of Shepherd’s position. He restated his opposition to Shepherd in a letter to President Clowney: “[Shepherd] seems to link works so closely to faith, not just as the result of faith but as part of faith itself, that he tends to obscure, if not destroy the biblical and Reformed doctrine of faith.” Reid’s stinging critique of Shepherd went on to say: “[By] doing so [linking works so closely to faith], I believe that he blunts and turns what might be called the cutting edge of the gospel ... for justification is now said to not depend [sic] entirely on Christ, but also on the works a man does.” In his statement to the faculty ("Faith and Justification"), Reid had stated categorically that Shepherd “should not be permitted to present these views to the students whom he will only confuse....”

“Furthermore,” said Reid, “I am also of the opinion that this matter must be dealt with quickly.

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111 W. Stanford Reid, “Letter to Clowney,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 1, 1977). “I am very disturbed about the way Norman Shepherd has gone ... I feel that he is actually destroying the ‘cutting edge’ of the gospel.... True he talks about justification by faith ‘alone’ but always qualifies it with so many ‘buts’ that to me he really destroys the gospel.”


113 Ibid.

114 Reid, “Faith and Justification.” This time, Reid’s statement was aimed not at Poythress but at Shepherd. See footnote 70.
and effectively … [because] if it is not it can only lead to the undermining … [of] the theological position of Westminster.”

And if the board did not have enough work on their hands examining the materials on justification they had gathered over the past years, on May 23, 1977, they received another communication. This communication was from some of Shepherd’s supporters. It was sent over the signatures of Raymond B. Dillard, John M. Frame, Richard B. Gaffin, Jr., Cornelius Van Til, and Paul Woolley. It outlined “briefly what in our judgment is a more accurate assessment of Mr. Shepherd’s position.” The belief the writers expressed was that Shepherd’s views “taken as a whole and in terms of their central thrust are within the system of doctrine, which is contained in the Scriptures and summarized in the Westminster standards.”

The findings of the May faculty report galvanized Shepherd’s opponents on the faculty who now believed they must take action to preserve the doctrine of justification by faith alone and to protect the good name of the seminary. Movement of a more organized nature was taking place, and strategies were being formed. Those who were opposed to Shepherd thought that if his 1976 paper could be used as evidence, it would provide a basis for lodging charges against him. With this in mind, Kuschke penned a letter to Reid:

The letter I had in mind, and which I said I might ask you to write, was a letter to the presbytery as a witness to “the wider use and continuing relevance” of Norman Shepherd’s study paper of Oct. 1, 1976. Both you and Bob Godfrey are listed in the charges, along with Jack Miller and me as “witnesses” in this respect.

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115 Ibid. Brackets added.


Kuschke recounted for Reid the events that had occurred up to that point. “On May 28, having notified Norman, I placed in the hands of the moderator of the Presbytery of Philadelphia, OPC (John Mitchell), a document in which Jack Miller and I brought charges against Norman.”

Kuschke wrote that the placing of a document into the hands of the moderator of presbytery, “according to our Book of Discipline constitutes the filing of charges.” Kuschke filed three “charges”. The first of these related to Shepherd’s statement that, “Baptism, rather than regeneration, is the point of transition from lostness in death to salvation in life.” The second and third charges Kuschke filed related to justification: “as they stand they [Shepherd’s formulations] are out of accord with the Scripture … [therefore] we believe [Shepherd] has an obligation to reject them.”

118 Ibid.
119 Although Kuschke filed charges, the Presbytery later determined that these charges were inadmissible. Kuschke appealed to the General Assembly of the Orthodox Presbyterian Church, and the General Assembly affirmed the Presbytery’s decision not to admit the charges Kuschke had filed against Shepherd.
120 Gaffin writes: “I hesitate to comment on an affair which, I fear, as matters now stand, has long since forfeited any potential it may once have had for edifying the church. But I am bound to respond briefly—although much more might be said—to the statement of Mr. Kuschke in the April issue (p. 2). “Mr. Kuschke writes, ‘The doctrinal issues were privately discussed at length and then properly brought to Presbytery through formal charges. The Presbytery refused to consider the particular evidence on which these charges were based….’ As his own words enable us to see, charges were not in fact properly brought to Presbytery. For formal charges to be proper, they must be supported by proper specifications—that is, admissible evidence. Presbytery judged that such evidence was lacking and so refused to consider the charges as presented. This judgment was subsequently upheld against Mr. Kuschke’s appeal, by the 1979 General Assembly.
   “In fact, proper formal charges have never been brought against Mr. Shepherd. Instead, the May 4, 1981 letter, which Mr. Kuschke goes on in his statement to defend, has been chosen by some—including members of the same presbytery as Mr. Shepherd—as a means of making public charges against Mr. Shepherd and advancing their opposition to what they believe are his serious doctrinal errors. I will not comment on the propriety of that procedure here. “In his closing paragraph, Mr. Kuschke calls us to a doctrinal resolution that will honor God and edify the church. That should be the desire we all have. But it will only be realized when, among other things, we all are ‘like-minded’ (Phil. 2:3) on how to deal properly with one another, even when we think doctrinal error is present.” Richard B. Gaffin Jr., “No Proper Charges,” New Horizons in the Orthodox Presbyterian Church, 3 (Committee on Christian Education: Philadelphia, Pennsylvania, June-July1982), 2.
122 Ibid. If Kuschke understands there to be a direct relationship between Shepherd’s position on justification and his position on baptism he does not make it clear. However, Ferguson’s repudiation of Shepherd’s position on baptism (see next paragraph) would not serve to endear Shepherd to his opponents. For Ferguson’s critique see, Sinclair B. Ferguson, “A Review of Norman Shepherd’s ‘The Covenant Context for Evangelism’,” The Banner of Truth (July-August 1977), 60-63.
In his letter to Reid, Kuschke emphasized that Shepherd “does make many good
statements about regeneration, faith and repentance, the testimony of the believer, and baptism
as the sign and the seal—But he will neither withdraw nor disavow the original statement in
question.” 123 Shepherd’s formulation on baptism on this occasion was of great interest to
Kuschke because it broadened the scope of the “problem” and provided even more momentum
for the filing of charges against Shepherd. Kuschke wrote:

Also a very significant review by Sinclair B. Ferguson has appeared in the current (July-
August) issue of The Banner of Truth: of Norman’s lecture The Covenant Context for
Evangelism which is reprinted in The N. T. Student and Theology (ed. John Skilton,
P.&R., 1976) and Ferguson spends 7 columns on Norman’s lecture, saying among other
things that the sentence quoted above, that baptism constitutes the point of transition
(etc.) “is to confuse the sign and the thing signified, and to be guilty of an offense against
Reformed teaching.” 124

After mentioning that Ferguson “identifies” Shepherd “as John Murray’s successor at
Westminster Seminary,” Kuschke indicates that he “feels that it marks a further significant step
in the public awareness of our problem, and an added reason for bringing charges to presbytery
now, and have told Norman so.” 125

In his closing remarks to Reid, Kuschke explained that the serious situation in which the
seminary found itself was the result of Shepherd’s “tendency to make strong assertions in certain
directions without being able to perceive that they contradict plainly revealed truths of Scripture
and … are out of line with the system of doctrine.” The firmness of Kuschke’s conviction about
Shepherd cannot be doubted. “Basically he lacks an essential qualification for a teacher of
systematic theology: doctrinal insight.” 126

123 Ibid.
124 Ibid.
125 Ibid.
126 Ibid. In Reid’s reply to Kuschke’s July 22, 1977, letter dated August 15, 1977, Reid states: “I agree with
you that Norman lacks theological insight. It seems to me, however, that he has a strong tendency towards a
legalism which also affected John Murray, but he [Murray] had knowledge enough not to let it get control.”
Kuschke now became increasingly involved in the gathering of witnesses and data to support his allegation (that Shepherd was out of accord with Scripture and confession) before the Presbytery of Philadelphia of the Orthodox Presbyterian Church:

As I see the point now, the question relates to Norman’s paper of Oct. 1 and 2, 1976: The Relation of Good Works to Justification in the Westminster Standards—is that paper admissible before presbytery as evidence on the grounds that it represents positions by which he continues to stand after he sent it to the Board, and which have become widely known—positions for which he should be responsible before presbytery.  

Although Kuschke filed charges against Shepherd on “May 28, the charges would not become public until the next regular meeting of presbytery, Sept. 30-Oct. 1.” However, there was to be no respite that summer for those who were involved in the controversy. The admission of the October 1976 paper into the presbytery’s inquiry as evidence was essential for Kuschke, Miller, Godfrey, Reid, and others who believed Shepherd to be heterodox. The mentioning of Godfrey and Reid by Kuschke as “witnesses” in the filed charges would lend significant weight to his endeavors in the Presbytery of Philadelphia: “Your letter was read and was influential to a number of presbyters who gave weight to it in their speeches.”

Shepherd’s supporters were as busy as his opponents during the summer of 1977. One such supporter was the president of the seminary, Edmund P. Clowney—a senior colleague of Shepherd. He opposed the attempt by Kuschke to use Shepherd’s October 1976 paper as evidence in a trial. In a letter to the moderator of the presbytery, Clowney wrote, “If my

127 Ibid.


129 Arthur W. Kuschke, “Letter to Stanford Reid,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, December 6, 1977). “The presbytery will hear your name mentioned as a witness ‘to the wider and continued use and relevance of this document.’” The language is carefully constructed by Kuschke: “The ‘wider’ use means that Shepherd sent the paper also to the trustees, and that the paper has been quoted by faculty in faculty reports to the Board.” For Kuschke, “The ‘continued’ use means that Shepherd defended his paper not only on Oct. 1, 2, 1976, but has persevered in defending it ever since.”

130 Ibid.
information is correct, I must protest the use of this [October 1976 paper] in an ecclesiastical trial.”

His concern about the use of this document was similar to the seminary board’s prior concern (communicated to Kuschke, Miller, Shepherd, and the faculty) about the use of the seminary’s statement on Academic Freedom. He wrote, “In my judgment such use violates the rights of the Seminary as well as the rights of Professor Shepherd.”

The faculty also appealed to the Presbytery of Philadelphia not to admit Shepherd’s paper as evidence, but their appeal took a different approach. Faculty member Godfrey recounted for Reid: “Clowney argues the paper is confidential faculty material and the positions expressed are only tentative,” whereas, “[t]he Faculty based its argument only on confidentiality.”

Godfrey did not elaborate on why the faculty differed from Clowney, but the reason for this difference can be found in a September 19, 1977, letter from Kuschke to Reid. Kuschke wished “to provide background” and details of what had been taking place in the Shepherd controversy, especially on the presbytery front, while Reid had been on vacation. Kuschke detailed “three aspects of the matter”. In summary, they were:

1) Shepherd, Gaffin, Miller and I will have another conference ... if Shepherd does not retract his statements ... then Miller and I will let our charges be read in presbytery....
2) At the presbytery the charges will be read ... without entering into a debate of the issues ... [presbytery] will elect a committee to consider the charges ... and [they] will report ... to the presbytery at a later meeting.
3) Although the issues will not be debated at the Oct.1 meeting there will of course be a statement of the issues in the charges and the quotations of Shepherd’s statements, as they are read.

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132 Board of Trustees, “Minutes” (May 24-25, 1977), 3.
133 Clowney, “Letter to the Moderator of the Presbytery of Philadelphia.”
136 Ibid.
Kuschke’s assessment of the reading of Shepherd’s statements on the presbytery floor was that, “I expect that they will shock and surprise some of those present.”

A motion made at the September 13 meeting of the faculty provided the reason (according to Kuschke’s understanding) why the faculty’s position differed from Clowney. Kuschke explained:

Davis as chairman of the faculty had copies of Clowney’s letter sent to all the faculty members and also docketed the letter for consideration by the faculty at its meeting on Tuesday, Sept. 13. At that meeting the faculty adopted a motion by Davis (to send to Mitchell as Moderator) which is as follows: “If charges are brought before the Pres. of Phila. against the Rev. Norman Shepherd, the Faculty requests that its judgment be communicated to Presbytery, that since it is improper for documents received and discussed in confidence in private meetings of the W.T. Seminary Faculty to be circulated in public, the Faculty urges Presbytery that it not permit such documents to be used for its consideration.”

The above motion, in Kuschke’s estimation:

... differs in an important respect from Clowney’s letter and it [Davis’ motion] was earlier substituted 5 to 4 for a faculty endorsement of Clowney’s letter because of this difference: Davis and four others felt that Clowney’s letter affirmed that Shepherd’s position taken in his October 1976 paper is tentative; Davis is not willing to say that Shepherd’s position is tentative but he did not wish to say whether it was either tentative or fixed. Davis emphasizes confidentiality and deplores a breach of security.

Kuschke did not believe that Shepherd’s position was tentative. He states his position succinctly in a September 19, 1977, correspondence to Reid: “We will tell presbytery that we believe Shepherd’s position has been taken in his Oct. 1976 paper, and consistently defended ever since.” This is the hub of the matter. Kuschke wrote against the faculty’s position: “And as for the argument that to publicize Shepherd’s views would be a breach of Seminary confidentiality, we shall say that these views were known publicly outside the Seminary before

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137 Ibid.

138 Ibid. Kuschke gives us some of the workings that were involved in the faculty meeting: “This motion was adopted 8 to 1 (Godfrey dissenting and some voting members were absent from the meeting).”

139 Ibid.

140 Ibid.
the faculty began to consider them.”141 Reid responded to a request from Kuschke that he write a letter to presbytery. The positions Reid and Kuschke held in common at this point would essentially remain their positions throughout the whole of the controversy.

Kuschke, Reid, and others who shared their concerns had deep convictions about the biblical doctrine of sola fide; they also loved the seminary, as can be seen in the following quote: “I think not only of my work in building up the library—for what future?—but especially of what we owe to Machen and to the great faculty of the past. And then this, our testimony to the truth.”142 They were convinced that the gospel would be undermined if the seminary adopted Shepherd’s position, and they were concerned that all the gains of the Reformation would be lost. Such fervent convictions can, in large measure (if not completely), account for just why the controversy took on the proportions that it did.

The Faculty Report of April 1978

By April 25, 1978, the faculty had been involved in a protracted and intense period of discussion that had begun in the autumn of 1976 at the encouragement of the board. The trajectories that had been laid down by Shepherd’s supporters and opponents (via papers, communications, and discussions among the faculty and staff) were now coming into bold relief, and there was a growing uneasiness on the board.

This division within the faculty can be seen in the faculty’s adoption of a report that was delivered to the board for its May meeting.143 Eleven members of the faculty voted on the report; three members—Godfrey, Knudsen, and Robertson—registered their negative votes.144 The

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141 Ibid.


144 Ibid., 45.
report recognized that, “To be sure, substantial differences still exist within the faculty concerning the exegesis of certain key passages of Scripture, and concerning the way of expressing the relationship between justification and good works that is the clearest and most faithful to Scripture.”\footnote{145}

Having recognized the division within the faculty, the report went further and called for “advances in understanding and communication ... [that] should be sought in the recognition of the fundamental areas of agreement among all faculty members.”\footnote{146} The faculty’s report represented years of discussion, debate, and study; and it led to this detailed argument:

In sum, Mr. Shepherd is to be understood in terms of his concern for (1) the organic connection of faith with good works in the Christian life; and (2) a polemic against a “faith-alone” viewpoint which in theory or in practice says that faith can exist, at least for the first moment of the Christian life, without accompanying good works or other Christian graces; and (3) Mr. Shepherd’s broader use of “justification” to designate “escaping God’s wrath and enjoying His favor.”

The faculty is convinced that Mr. Shepherd’s position, properly understood, does not undermine the unique role of faith in justification nor obscure the proper distinction between justification and sanctification, and is within the bounds of the Westminster Standards.

The sharpest objections to Mr. Shepherd’s position appear to arise from a failure to understand what he has said in the light of the concerns summarized above.\footnote{147}

The faculty’s report commended “Mr. Shepherd for these concerns and encourage[d] him in his effort to develop a statement on the doctrine of justification that does justice to all the biblical teaching.”\footnote{148} The report, however, did not minimize or fail to draw attention to the fact that: “It must be recognized, however, that the questions and criticisms of Mr. Shepherd’s position in the faculty [could not] all be traced to such misunderstanding.”\footnote{149} In the faculty’s estimation, the “objections to Shepherd’s position” were due, in part, to his way of speaking and

\begin{footnotes}
\item[145] Ibid.
\item[146] Ibid.
\item[147] Ibid., 48.
\item[148] Ibid.
\item[149] Ibid.
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to a means of argumentation that was “bound to create misunderstanding”, thus failing to do full justice to his concerns.

The significance of the matters with which the faculty had been struggling became even more obvious when fourteen members of the faculty, including non-voting members and administrative staff who had been invited to participate in the discussions, testified to their support of the faculty’s report by sending a letter to the board. Among the signers of this letter were Shepherd’s senior colleagues, Clowney, Van Til, and Woolley. The faculty members who initially had opposed Shepherd—Hughes, Godfrey, Robertson, Knudsen.

150 Board of Trustees, “Minutes,” (May 23-24), 48.
151 D. Clair Davis, “Memo to the Faculty,” Personal Collection (Bloomington, Minnesota, March 30, 1977). Davis was Professor of Church history. “May I continue to encourage the non-voting members of the Faculty to attend and aid us with their counsel.”


153 Phillip E. Hughes, “Letter of Dissent,” Personal Collection (Bloomington, Minnesota, undated, 1978). “Having begun with faith, let us not end with works! I have written this dissent with a sense of my own deficiencies of expression and understanding as I have sought to contribute to the discussion of this great and central truth of justification as sinners before Almighty God, and for these deficiencies I ask forgiveness.” In reply to Hughes, Gaffin pointed out to the faculty and board that, “Among the dissents from the Faculty Report addressed to the May meeting of the Board, the communication of Dr. Hughes is significant because it does not mention Prof. Shepherd by name nor refer specifically to his views.”

The result, says Gaffin, is that, “Instead he deals with the Faculty Report in itself, and seeks to show that it takes a position which seriously confuses the gospel (p. 10).” Gaffin’s conclusion is: “The majority of the Faculty, not just one member, he [Hughes] alleges, is in fundamental error.” Richard B. Gaffin Jr., “Memo to the Faculty,” Personal Collection (Bloomington, Minnesota, November 4, 1978).

154 W. Robert Godfrey, “Letter to the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, May 15, 1978). “I urge the Board to reject the Faculty Report and to adopt a statement which, like that of Dr. Hughes, conforms to the Scripture and the Westminster Standards.”

155 O. Palmer Robertson, “Cover Letter to the Board of Trustees Accompanying Minority Report,” Personal Collection (Bloomington, Minnesota, May 15, 1978). “The attached paper intends to show that the error of Mr. Shepherd’s position cannot be limited to certain phrasings, but belongs to the substance of the whole.”

156 Robert D. Knudsen, “Letter to the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, May 15, 1978). “My own analysis of the twin ideas of ‘obedient faith’ and the ‘necessity’ of believers’ works show[s], however, that he has packaged faith and works and introduced an idea of non-meritorious works in such a way as to obscure the truth that we are able to appeal, as to our justification, only to the fact that we have put on Christ.”
Miller,\(^{157}\) and nonvoting member Kuschke—remained steadfast in their opposition to the April 25, 1978, faculty report.\(^{158}\)

**The Board Decision of May 23-24, 1978**

The faculty had exonerated Shepherd, but the board was not ready to concur with the faculty’s conclusion.\(^{159}\) The board had received communications from the faculty members who had written to express their opposition to Shepherd.\(^{160}\) The board passed a motion indicating that it “receiv[ed] the faculty report on justification (April 25, 1978) and express[ed] its appreciation for the arduous labor that has been performed by the faculty.”\(^{161}\) The motion also declared: “The board reaffirm[s] its wholehearted commitment to the doctrine of justification by faith as taught in the Scripture and as presented in the Westminster Confession of Faith and Catechisms.”\(^{162}\)

The motion stated:

The board thanks Mr. Shepherd for his research and desire to harmonize the teaching of Scripture on justification and living faith and that he be urged to continue his study in this area for the purpose of clarification and understanding and that Mr. Shepherd share the results of his studies generated in his proposed leave of absence with the board not later than six months following the end of his leave.\(^{163}\)

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\(^{157}\) C. John Miller, “Letter to the Board of Trustees of Westminster Theological Seminary.” Personal Collection (Bloomington, Minnesota, May 22, 1978). “But what I wish to convey is my conviction that we are faced at present with a very serious issue indeed and that I do not believe that the majority report faces those issues very squarely.”

\(^{158}\) Arthur W. Kuschke, “Letter to Board of Trustees,” Personal Collection (Bloomington, Minnesota, May 22, 1978). “This letter is a statement of my reasons for dissenting from the report of Faith and Justification which was adopted by the faculty on April 25, 1978 and which has been mailed to the Board…. In this issue the Seminary will stand or fall.”

\(^{159}\) Board of Trustees, “Minutes” (May 23-24, 1978), 2. “An amended motion that the board receive the Report of the Faculty to the Board on Faith and Justification (April 25, 1978) and concur ‘that Mr. Shepherd’s position, properly understood, does not undermine the unique role of faith in justification nor obscure the proper distinction between justification and sanctification, and is within the bounds of the Westminster Standards’ became the main motion.” The question was put forth. “The motion was lost.” The growing division that was developing in the board can be seen in the fact that some of those who voted “requested that their affirmative votes be recorded.” They were: “Messrs. Atwell, Bradford, Haney, Memmelaar, Wilson and Young....”

\(^{160}\) Godfrey et al., “Accompanying Letter to the Faculty Report on Justification.”


\(^{162}\) Ibid.

\(^{163}\) Ibid.
Proposed Study Leave: July 1, 1978, to June 30, 1979

Shepherd had requested a leave of absence to research a different topic. He had asked that this leave be “from July 1, 1978, through June 30, 1979, for the purpose of writing a doctoral dissertation for the Free University of Amsterdam.” The board asked him to share further study “on justification and living faith” with the board within six months of his return—by December of 1979. Although the board granted Shepherd’s request for a leave of absence, this leave was later to be cut short: “It was moved and seconded to urge Mr. Shepherd to present to the Board before the February [1979] meeting a revised statement on his position on justification by faith.”

The November 14, 1978, Board Meeting

While Shepherd was on leave of absence, the board, at its November 14 meeting, received correspondence from Gaffin, Godfrey, and Shepherd. At that meeting, a motion was introduced and carried to amend the docket “in view of the communications addressed to the Board....” Shepherd was invited to meet with the board for discussion. Later, “it was

164 Ibid., 23.
165 Ibid., 4.
166 This revised statement would be entitled “The Grace of Justification.” Referred to as In this mimeograph, Shepherd set forth his view regarding the consonance between Paul and James on faith and justification. Norman Shepherd, The Grace of Justification: The Teaching of James and His Consonance with the Teaching of Paul, Mimeograph (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 9, 1979). This paper may be purchased from the WTS Bookstore or viewed at WTS library.
167 Board of Trustees, “Minutes” (November 14, 1978), 4.
168 Gaffin, Jr., “Memo to the Faculty.”
171 Board of Trustees, “Minutes” (November 14, 1978), 2. “It was moved and seconded that the docket be amended to include a discussion of the subject of justification prior to the Report of the President in view of
moved and seconded that the formulation of Mr. Shepherd on the doctrine of justification as received to this point is not acceptable to the Board.” The motion on the floor was “lost”.

Shepherd had written to the board for its November meeting to “keep the board informed of my situation and activities especially in view of the fact that my plans have not worked out as anticipated when the board last met.” Shepherd was referring to the fact that:

Toward the latter part of October, it became increasingly apparent that the decision of the faculty (April 25, 1978) stating that my position “does not contradict the system of doctrine taught in Holy Scripture and summarized in the Westminster Standards” has not served to relieve the tensions that have arisen over the relation of faith, repentance, and new obedience to justification. On the contrary, it would appear that steps are being taken that have the effect, whether intended or not, of intensifying and escalating the problem in the Seminary community.

Caucus

In Shepherd’s assessment, one of the things that contributed to the escalation of the problem was, “Mr. Godfrey’s recent announced intention to offer a course during the second semester on the relation between covenant and justification...” Shepherd also referred to “a caucus of board members known to be opposed to the faculty majority report to be convened in conjunction with the … [November] board meeting.”

communications addressed to the Board from Messrs. Gaffin, Godfrey and Shepherd…. Messrs. Bean, Cummings, Gyger, Graham, Krahe, Reid and Settle recorded their affirmative vote[s].”

172 Ibid., 2.
173 Ibid.
174 Ibid.
175 Shepherd, “Letter to the Board of Trustees” (November 13, 1978).
176 Ibid.
177 Ibid.
178 Arthur W. Kuschke, “Letter to Stanford Reid,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, November 3, 1978). The “caucus” that Shepherd refers to is spoken of in a letter from Kuschke to Reid. The letter reads in full: “Dear Stan: Here is information as to the place and hour of the meeting, on Monday evening the 13th of November, which was called at the request of certain members of the Board and Faculty by Stanford Reid’s letter of October 9. At Dr. Reid’s request I am now sending out further notice of the meeting. Place: 3263 Afton Road, Dresher, Pa. (a short distance from the Seminary—see enclosed map). Time: 8:00
Mr. Kuschke has indicated his intention to bring to the Presbytery a series of propositions on the doctrine of justification, in accordance with a provision of the new Form of Government adopted by the Orthodox Presbyterian Church allowing for the resolution of doctrinal questions outside of a specifically judicial context.  

Shepherd wrote, “It is difficult, however, to avoid a judicial atmosphere since the purpose Mr. Kuschke hopes to have served by this action would seem to be the demonstration of the unacceptability of my views in the Orthodox Presbyterian Church.”

After the November board meeting, Shepherd wrote a letter to Philadelphia Presbytery of the OPC to explain why his leave of absence was foreshortened: “At its most recent meeting on November 14, 1978, the board again took up the subject of justification and defeated by one vote a motion declaring ‘that the formulation of Mr. Shepherd on the doctrine of justification as received to this point is not acceptable to the board.’” Shepherd went on to say:

> At a later point in the meeting, after several Board members who had voted with the majority had left for the day, the matter of my views was re-opened, and the Board passed two motions, one allowing members of the Board to share with persons outside the Board, discussion papers on the subject of justification (including my October 1, 1976, Study Paper, whose use I had deliberately and expressly restricted to the

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179 Shepherd, “Letter to the Board of Trustees” (November 13, 1978).

180 Ibid.

181 Ibid.

Faculty), and another foreshortening the time given to me to report again to the Board from December 31, 1979 to February 8, 1979.

The accuracy of Shepherd’s recounting of these events is verified by the board’s records:

“It was moved and carried that members of the Board be permitted to share outside the Board discussion papers on the subject of justification.” A second motion also carried: “to urge Mr. Shepherd to present to the Board before the February meeting a revised statement on his position on justification by faith.”

Shepherd had given his October 1976 paper to the board as a courtesy. The board had not requested the paper, and they had not required him to produce it. The board’s action to release

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183 D. Clair Davis, “Memo to the Faculty,” Personal Collection (Bloomington, Minnesota, November 28, 1978). “At the request of the Rev. George Haney, secretary of the Board of Trustees [he had voted against the November 14 board motion to distribute Shepherd’s paper], I have authorized him, on behalf of the faculty, to send to the board the motion passed by the faculty at its last meeting concerning the faculty’s response to the board’s action authorizing the release of the October, 1976 study paper. It is my understanding that the faculty intended this action to be communicated to the board in the faculty’s report to the February meeting; it seems to me that communicating this earlier is within the spirit of the faculty’s intention. This is to accompany Mr. Haney’s mailing to the board of the call of the Presbytery of Philadelphia, Orthodox Presbyterian Church, of the special Presbytery meeting on Saturday, December 16.”


185 Board of Trustees, “Minutes” (November 14, 1978), 4.

186 Ibid. “Messrs. Anema, Atwell, Haney and Memmelaar recorded their negative votes.” If Shepherd is correct that the motion was defeated by one vote, then out of a total of nineteen possible voting members, nine remained until the end of the board meeting. One of those remaining and voting for the two motions was board member, Paul G. Settle. The motions were the last items to be acted upon in the meeting: “On motion it was determined to put the question; the motion carried. On motion the Board adjourned at 4:43 pm with prayer by Mr. Settle.” Donald A. MacLeod, W. Stanford Reid: An Evangelical Calvinist in the Academy (Montreal & Kingston, London, and Ithaca: McGill-Queen’s University Press, 2005), 266. MacLeod’s 2005 chronology of these events contains inconsistencies, both internally and when compared with the board’s records. “Owing to the length of session, several members of the board who voted with the minority then left to make travel connections.” The previous paragraph in MacLeod’s account describes the voting down of Reid’s motion: “As the trustees met, Reid moved: ‘That the formulation of Mr. Shepherd on the doctrine of justification as received to this point, is not acceptable to the Board.’ His motion was defeated by a single vote.” This much is accurate; the minutes record that Reid’s motion had lost earlier in the meeting. It was later in the session—after some members of the majority (not the minority) had left—that the motions allowing for the distribution of Shepherd’s paper and the foreshortening of his study leave passed.

187 Norman Shepherd, “Letter to the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, September 30, 1976). “I am taking the initiative of sending copies of my paper to all the members of the board with the hope that you will be able thereby to gain some insight into the work I have been trying to do.”
Shepherd’s paper moved the boundaries of the controversy from within the faculty and board to outside of the seminary community.\textsuperscript{188} The board’s second motion foreshortened the time given to Shepherd to report back to the board by almost one year, from December 31, 1979, to February 8, 1979—the next scheduled meeting of the board after its November 1978 meeting.

\textbf{Philadelphia Presbytery: December 1978 to December 1979}

The controversy was now in the public arena. By this time, Shepherd had become so concerned about the whole situation that he requested help from Philadelphia Presbytery:

I have sought privately and within the context of the Westminster Seminary Faculty and Board of Trustees to achieve a resolution of the problem. However, a resolution within that limited context no longer appears possible. Therefore, I come now to you, my brethren in Presbytery, to seek your assistance in working toward a solution.\textsuperscript{189}

Shepherd sought the wisdom and help of the presbytery by submitting a paper he entitled “Thirty-Four Theses on Justification in Relation to Faith, Repentance, and Good Works.”\textsuperscript{190} He sent this document with a request that:

Presbytery proceed in accordance with the provision in the Form of Government, XII, 1, deliberately, but with due dispatch, to public discussion of these theses by the total membership of Presbytery to determine: a.) whether the views expressed are in harmony with the teaching of Scripture and the Westminster Standards, and b.) whether holding the views expressed in the theses is consistent with the ordination vows of a minister of the Orthodox Presbyterian Church.\textsuperscript{191}

Shepherd asked that the discussion be conducted at Westminster Seminary so that students could attend. He also requested: “That all of the discussion be conducted by the whole Presbytery with unrestricted public access in accordance with the principle lying behind the

\textsuperscript{188} Shepherd’s courtesy in giving the board the October 1976 paper, along with the explicit instruction on the front of the study paper, raises the question of whether the board overstepped its legitimate prerogatives.

\textsuperscript{189} Shepherd, “Letter to the Presbytery” (November 18, 1978). The Presbytery of Philadelphia had ordained Shepherd to the gospel ministry on the basis of a call from Westminster Theological Seminary in 1963.


\textsuperscript{191} Shepherd, “Letter to the Presbytery” (November 18, 1978).
The presbytery devoted ten full days to discussions of these thirty-four theses over a period of one year. The theses were considered *seriatim*, with the presbytery sitting as a Committee of the Whole. Thirty of the theses were found to be in harmony with the teaching of Scripture and the Westminster Standards. A motion to find one of the four remaining theses out of harmony with Scripture and the Westminster Confession of Faith failed because the presbytery did not want to bind the church to a particular exegesis of Scripture; holding the view expressed in the thesis was found to be “consistent” with the ordination vows. No action was taken on the remaining three theses, all three of which expressed opinions about issues regarding historical interpretations. When the presbytery came out of meeting as a Committee of the Whole and sat as a court, a motion to concur with the determinations that it had previously made failed by one vote; the moderator cast the deciding vote. No charges were filed in the Presbytery of Philadelphia of the Orthodox Presbyterian Church against Shepherd.
The Board Meeting of February 8, 1979

When the board convened on February 8, 1979:

It was moved and seconded to ask Mr. Shepherd to identify the document(s) that represent(s) a current statement of his views.... Shepherd responded to the question and identified the paper “The Grace of Justification” and the “Thirty-Four Theses ....” as the documents that represent a current statement of his views.

A protest from the faculty against the board’s previous action in releasing Shepherd’s October 1976 study paper for distribution was also on the table. The board merely “received the protest as information.”

President Clowney proposed a resolution regarding “Professor Shepherd’s Teaching on Justification.” The substance of the resolution was to end the inquiry into Shepherd’s teaching on justification by faith; according to the substitute:

The board finds no sufficient cause to pursue further its inquiries into the teaching of Professor Norman Shepherd regarding the doctrine of justification by faith. Mr. Shepherd’s views as they have been presented to the board do not call into question his adherence to the Westminster Confession of Faith as a voting member of the faculty.

After discussion, “On motion it was determined to put the question; the motion carried.”

to Presbytery on September 15, 1980 (p. 3., first full paragraph), a satisfactory resolution of the questions of doctrine proposed by him, and so concluded Presbytery’s responsibility toward these questions of doctrine.”

Shepherd, The Grace of Justification.

Board of Trustees, “Minutes” (February 8, 1979), 2.

Ibid., 29. “The faculty has determined to protest the action of the board in releasing Mr. Shepherd’s October study paper for distribution without regard to the restrictions placed upon it by its author or the circumstances of its origin within the context of faculty discussion and that the faculty urge the action of the board authorizing unrestricted circulation of that paper be rescinded (Mr. Godfrey requested that his negative vote be recorded).”

Ibid., 4.

Ibid., 16.

Ibid. Compare Donald A. MacLeod, W. Stanford Reid, 266, 268. In his book, MacLeod mistakenly records two dates for this action that was taken by the board. Clowney’s motion, “The board finds no sufficient cause to pursue further its inquiries into the teaching of Professor Norman Shepherd regarding the doctrine of justification by faith,” was not adopted at the November 13, 1978, meeting of the board as MacLeod has described it on page 266 of his book. On page 268, MacLeod correctly identifies Clowney’s motion (to find “no sufficient cause to pursue further its inquiries into the teaching of Professor Norman Shepherd”) as taking place at the February 8, 1979, board meeting.

Board of Trustees, “Minutes” (February 8, 1979), 2. “Putting the question” ends all discussion and requires a vote on the motion under discussion. Clowney’s resolution reads in full: “I wish to present the following
For those who opposed Shepherd and had hoped to influence the February board decision through faculty reports, discussions, and letters to the board, and closed caucus meetings, a worse outcome than the exoneration of Shepherd could not have been imagined. The need for action burdened them. Kuschke composed, but did not sign, a letter in response to the board’s action. After this letter had received the signatures of trustees Reid and Thompson, it awaited the additional signatures of "certain Trustees". A cover letter for the proposed communication stated: "It is our impression that you may be interested in the use of the enclosed communication. It is being sent to certain trustees, with the request that they consider signing it for distribution."

The salutation of the enclosed document read: “To the Trustees, Faculty, and Student Body of Westminster Theological Seminary.” The intent of the letter was to inform the student body that the board saw “no sufficient cause for further inquiry by the Board into resolution as a proposed action of the board with respect to Mr. Shepherd’s views. I do so out of a sense of my own responsibility as president to seek to serve the board and the cause of Westminster Seminary. I do not think I should extend this report by including a summary statement in support of the proposed action, but I would be glad to offer such a statement if the board should desire it.” The substance of the resolution follows: “The board finds no sufficient cause to pursue further its inquiries into the teaching of Professor Norman Shepherd regarding the doctrine of justification by faith. Mr. Shepherd’s views as they have been presented to the board do not call into question his adherence to the Westminster Confession of Faith as a voting member of the faculty. The board notes with gratitude to God that we have learned much in the course of these discussions. The board appreciates the love of the Lord and of the Scriptures that has been evident in Mr. Shepherd’s expositions as well as in the papers of those who have questioned some of his views. Progress has certainly been made as the result of this lengthy process of discussion. Certainly Mr. Shepherd’s concerns have become better understood; he does not question or challenge the Reformed doctrine of justification by faith alone. Rather, he wishes to assert, in full harmony with that doctrine, the Biblical emphasis on the good works that must always accompany true and saving faith. Certainly, too, Mr. Shepherd has clarified and improved his statements, and has recognized that some of his earlier formulations were obscure, misleading or ambiguous. The board wishes to encourage continuing and exegetical and theological study of these questions on the part of the faculty and particularly to encourage open interchange and discussion between members of the faculty. The board also urges Mr. Shepherd to continue to give attention not only to precision in expressing biblical doctrine but also to wisdom in communicating it. No doubt the substantial misunderstanding that has arisen offers sufficient warning to Mr. Shepherd of the importance of this counsel.” See pages 16-17.

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207 W. Stanford Reid and Murray Forst Thompson were Trustees of Westminster Theological Seminary.


209 Kuschke, “Letter to the Trustees, Faculty, and Student Body of Westminster Theological Seminary.”
Professor Norman Shepherd’s teaching on justification.”210 The document pointed out that, although the board had exonerated Shepherd, “Yet both in the courts of the church and throughout the church at large the teaching of Mr. Shepherd continues to be evaluated.”211 The document asserted that there remained “questions of a serious nature,” especially concerning his “Thirty-four Theses on Justification, which were before the Board in its consideration of the resolution....”212 The letter found the fact that the thirty-four theses had never been “before the Faculty” particularly disturbing.213 The ten signers of the communication stated:214 “It has not been demonstrated that his formulations on justification are in conformity with the Scripture and the standards of the Seminary. We urge that every effort be made to clarify the Seminary’s present testimony to the Scriptural doctrine of justification by faith.”215

The correspondence from the trustees was placed in the post office boxes of the student body. This action prompted a response from President Clowney who, in a memo to the student body on May 23, wrote: “In view of the communication addressed to the students by a number of trustees of the Seminary expressing dissatisfaction with the action of the board on February 8, 1979, I believe that it would be helpful for students to have access to the motion that the board passed.”216

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210 Ibid.
211 Ibid.
212 Ibid.
213 Ibid.
214 Arthur W. Kuschke et al., “Letter to the Trustees, Faculty, and Student Body of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, undated). This was the signed final version. The signatures are: Everett H. Bean, Calvin K. Cummings, Donald C. Graham, Terry L. Gyger, Norman C. Hoeflinger, Charles W. Krahe, Jr., W. Stanford Reid, Kenneth L. Ryskamp, Paul G. Settle, and Murray Forst Thompson.
215 Ibid.
The group of ten trustees had provoked a response on the part of the seminary. The following few months proved—at least on the surface—to be quieter than the preceding months. But the silence was in anticipation of the May 29, 1979 meeting of the board.

**The May 29, 1979, Board Meeting**

The communication from the ten trustees had been sent to the faculty and students prior to the board’s May meeting.\(^{217}\) This communication asserted that the board’s termination of its inquiry had been premature; the writers asked that the inquiry into the teaching of Professor Shepherd regarding the doctrine of justification by faith be reopened. This public communication put pressure on President Clowney to make some further recommendations in the interest of reconciling the parties involved. In the president’s report to the board, Clowney wrote: “I see no more significant issue in our present ministry than the way we respond to the need for reconciliation, mutual understanding, and mutual instruction to overcome the division we have experienced in our discussion of the doctrine of justification.”\(^{218}\) On one side, Clowney was faced with the communication from the ten trustees; on the other side, he had to take into account the February 1979 action of the board that had exonerated Shepherd:

> In fairness to Professor Shepherd, the board cannot reopen its examination of his views unless a formal charge is introduced claiming to show for adequate cause his teaching violates the doctrinal standards of the Seminary. (See Policy Statements, “Tenure and Removal” approved February, 1971.) Yet quite apart from any charge against Professor Shepherd, the appeal for a clarification of the Seminary’s position can be heard and heeded.\(^ {219}\)

Clowney believed that further clarification would help the reconciliation process, so he proposed the erection of a committee. This committee was to be “charged with the preparation

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\(^{218}\) Ibid., 5.

\(^{219}\) Ibid., 6.
of a study paper and statement on the doctrine of justification by faith.”

This recommendation was adopted, and a committee of board and faculty members was elected; both sides of the debate were represented.

The original charge to the “Board-Faculty Committee on Justification,” as this committee was known, was to prepare a “study paper and a statement on the doctrine of justification by faith.” However, the resolution was amended. The board gave the committee authorization (this was not Clowney’s suggestion) “to consult with theological scholars in discharging its task.” Thus, the final form of the resolution was not in keeping with Clowney’s original intention. The added clause would, in time, prove to be a hindrance—not a help—to reconciliation.

After Shepherd had been exonerated by the faculty, by the board, and by his presbytery, his opponents sought to “broaden” the issue by soliciting opinions from other scholars. One of Shepherd’s most outspoken opponents, faculty member and Professor of Old Testament, O. Palmer Robertson, made favourable mention of this amendment when he later pointed out: “While the President’s original motion clearly did not envision such a broadening of the issue, the force of the amendment to include ‘outside theologians’ by the very nature of the case intended to do precisely what the President did not desire at this point.”

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220 Ibid., 2.

221 Board of Trustees, “Minutes” (May 29, 1979), 2-4. Membership on the Committee from the board was Ryskamp, the convener; Settle and VandenHeuvel were elected; and President Clowney was ex officio. From faculty: Gaffin and Robertson.

222 Board of Trustees, “Minutes” (May 29, 1979) 6. The original recommendation by the president was identical to the motion that the board adopted except that it did not contain the words “and of other theological scholars.”

223 Ibid., 2.

224 Ibid., 6.

225 Robertson, “The Current Justification Controversy” (1983), 29. As Robertson recollects the events, he mentions that he had been invited to attend a conference in Downington in the fall of 1978. But, “Upon being invited, Mr. Robertson indicated that he would be happy to participate, but felt that progress could be made only through fresh insights offered by the inclusion of individuals from the broader church community. He requested that noteworthy theologians from his denomination be invited to participate in the conference.” But, says Robertson,
In discharging the mandate given to the committee to prepare a study paper and a statement on the doctrine of justification by faith, two members of the committee—Robertson and Settle—solicited opinions from various scholars regarding Shepherd’s written views. This effectively moved the discussion’s center of gravity outside the bounds of Westminster Seminary. Robertson and Settle acted independently from the committee. At the point

“President Clowney denied this request.” Subsequently, we are told, Robertson declined the invitation. See Robertson, “The Current Justification Controversy” (1983), 23-24. The amendment to Clowney’s resolution by the board is in keeping with Robertson’s earlier concern that outside theologians needed to be part of the evaluative process in assessing Shepherd’s teaching. Robertson was elected as a representative of the faculty, along with Gaffin, to the committee. See O. Palmer Robertson, *The Current Justification Controversy* (Unicoi, TN: The Trinity Foundation, 2003), 31.

226 Donald A. MacLeod, *W. Stanford Reid*, 268. MacLeod leaves no room for other possibilities regarding how the committee itself understood its mandate. “The committee interpreted its mission to be reopening the Shepherd case as it is called for outsiders to provide viewpoints of Shepherd’s theology based on their experience, knowledge, and distance.” MacLeod realizes: “That interpretation was quite different from Clowney’s when he originally made his proposal.”

But it was by no means a settled issue in the committee. Ryskamp, convener of the committee, writes in a memo: “I do feel that the Committee may be exceeding its charge from the Board inasmuch as I see some tendencies to act in a judicial manner. I feel very strongly that our purpose is not to try Norman Shepherd’s views. The Board did not delegate to us the responsibility to try Norman Shepherd.” Ryskamp, Kenneth L., “Memorandum to Members of the Committee on the Study of the Justification Issue,” Personal Collection (Bloomington, Minnesota, September 25, 1979).

Richard B. Gaffin, Jr., in a similar vein, is concerned about the lack of clarity within the committee in understanding its mandate: “I cannot for a moment believe that we ought, in effect, to surrender ourselves to this outside wisdom, as if it were of another, higher magnitude than our own.” Gaffin’s suggestion for the direction of the committee was: “We ought to view any outside experts, not as if we were putting ourselves into their hands, but as to be used by us and working with us, in exercising our own competence.” Richard B. Gaffin Jr., “To Those Concerned for the Ministry of Westminster Theological Seminary,” Raymond B. Dillard (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 19, 1981).

There are no suggestions in Gaffin’s comments or in Ryskamp’s comments that the committee “understood its mission to be reopening the Shepherd case,” as MacLeod states. It would become clear through the actions of Settle and Robertson that the two of them understood the committee’s mandate quite differently. In their May 13, 1980, “Minority Report” to the May 27, 1980, board, Robertson and Settle make clear that their report “is in response to your direction that in consultation with the board, faculty and outside theologians the committee prepare a statement and study paper on the doctrine of justification.” Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary: Part II” (Westminster Theological Seminary Philadelphia, Pennsylvania, May 27, 1980), 57.

227 Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary: Part I” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 27, 1980), 33. “It [the committee] has consulted with a number of Faculty members, has received communications from other members of the Faculty and Board, and two members of the committee have solicited theological opinions from other scholars.”

228 The committee, as committee, never made use of its authority to consult outside theological scholars.

229 Donald C. Graham, “Letter to Dr. Martin Lloyd-Jones,” D. M. Lloyd Jones (National Library of Wales, November 30, 1979). Board member Donald Graham took it upon himself at the suggestion of Iain Murray to contact D. M. Lloyd Jones. “After being deeply embroiled with this issue now for several years, we are at the point where by a bare majority at the May meeting Shepherd was accepted but the trustees appointed a committee to investigate the matter yet further with two from the trustees and two from the faculty and these two in each instance to include representatives of the two viewpoints. This committee was, I thought, to secure opinions from scholars.
the two members of the committee solicited outside opinions, the committee had not yet agreed on the list of scholars to be contacted.\textsuperscript{231} The solicitations of scholarly opinions effectively hamstrung any further work of the committee in contacting any outside scholar.\textsuperscript{232} The issues and difficulties the Joint Board-Faculty Committee now faced regarding contacting outside scholars—matters that had to be considered in light of (and that had become complicated because of) the actions the minority had taken, may be summarized as follows. The committee needed to:

- Decide which scholars should be contacted.
- Determine the nature of the questions to be asked.

who would review the papers in part or whole, and this was to contribute to a final recommendation to the Board from this committee. I have the impression that the committee as a whole seemed to withdraw from too wide a canvas of the matter but those critical of Shepherd have secured on their own opinions from a number of significant men. For example, William Hendriksen whose commentaries you may know has written very positively condemning Norman’s views. How mixed the situation is may be seen in fact that Clowney chooses to defend Shepherd while Philip Hughes and Stanford Reid are strongly opposed to his teaching. With your Romans writing fresh in mind, I mentioned to Prof. Palmer Robertson, opposed to Shepherd and one of the four on the present committee, that you should surely be questioned in the matter. He has just written today: “It would be very good for you to send a set of the materials to Dr. Lloyd-Jones. I will try to get a set of the major documents to you. Please let me know if you hear from him.” Italics added.

\textsuperscript{230} O. Palmer Robertson, “Letter to the Board of Trustees,” Personal Collection (Bloomington, Minnesota, December 17, 1979). “Some [scholars] interpreted our correspondence as seeking their advice on behalf of the committee as a whole, rather than on behalf of ourselves as individuals on the committee.” MacLeod’s assertion that, “Palmer Robertson received permission to solicit outside opinion,” appears not to be a sustainable conclusion. See Graham’s comments to Lloyd-Jones (in the previous footnote).

MacLeod understood the committee’s mandate to be identical to the understanding that Robertson and Settle had of it: “The committee interpreted its mission to be reopening the Shepherd case as it called for outsiders to provide viewpoints of Shepherd’s theology based on their experience, knowledge, and distance,” Donald A. MacLeod, \textit{W. Stanford Reid: An Evangelical Calvinist in the Academy}, 268.

\textsuperscript{231} Kenneth L. Ryskamp, “Memorandum to All Board Members, All Faculty Members,” Personal Collection (Bloomington, Minnesota, June 25, 1979). This communication was written by Ryskamp on behalf of the “Committee to Prepare [a] Statement on [the] Justification Issue.” It should be noted that it was Ryskamp acting as the convener who was soliciting help from the board and the faculty, asking them to: “Please provide the Committee with names of ‘outside’ scholars who might be helpful in working out an appropriate statement.” The deadline for suggestions was to be “no later than August 1, 1979.” Replies were to be sent to “the Convener at the Seminary” and not to individual members of the committee.

\textsuperscript{232} Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 14, 1980), 29. “That in this committee’s opinion our preliminary review of materials on the subject of justification, together with counsel provided by theological scholars (solicited by individual members of the committee and not by the committee as a whole), leads us to the preliminary judgment that we regard the decision of the board in February of 1979 (i.e., that no further examination of Norman Shepherd’s views is necessary) as premature.” Note that, in the communication, the committee drew attention to the independent actions of Settle and Robertson.
• Decide which documents to submit to the scholars for review.

• Consider the scope, the completeness, the cohesiveness, and the uniformity of the document sets that were to be sent—and of those that had already been sent by the minority—for review.\(^{233}\)

• Decide how to use any responses they received.

No final determination on the part of the committee was made as to the documents that were to be sent—and to whom. In the end, the committee did not solicit or use opinions from any outside scholars.\(^{234}\)

The Board Meeting of May 27, 1980

The situation in the seminary had been tense before Robertson and Settle, independent of the committee, contacted the outside scholars. Robertson and Settle compiled and submitted their own report condemning Shepherd’s views [which they initially entitled “Supplementary Report”].\(^{235}\) The two authors offered the report to the Board-Faculty Committee on Justification


\(^{234}\) Board of Trustees, “Minutes: Part I” (May 27, 1980), 33-56.

\(^{235}\) Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary: Part II” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 27, 1980), 58-86.

In a concluding paragraph (found on page 71), Robertson and Settle state: “The judgments of these outside scholars make it plain that Mr. Shepherd is not communicating the classic Reformed understanding of justification by faith alone. He is stating that works have a role in justification not generally recognized in the reformed tradition.” The “Supplemental Report,” with the addition of two sections (Section III, “Affirmations, Denials, and Comparisons of the Doctrine of Justification,” and section IV, “Conclusions”), was renamed, signed, and submitted to the board as the “Minority Report of the Committee on Justification.” The committee and board refused to adopt the position of Mssrs. Robertson and Settle as its own.
for consideration, but there is no evidence that the committee ever adopted it as its own.\footnote{236} On May 27, 1980, Robertson subsequently submitted the same materials to the faculty with the hope that they would be endorsed as representing their own position.\footnote{237} The faculty did not approve the report.\footnote{238} Finally, at the board meeting that was held on May 27, 1980, Robertson and Settle placed what had been known up to that time as the “Supplementary Report”—now the “Minority Report”—before the board as a whole. When Clowney referenced the document in his report to the May 27, 1980, board meeting he wrote: “A minority of the membership of the committee [Joint Board-Faculty Committee on Justification], subsequent to its final meeting, have proposed another report described to the faculty at its meeting.”\footnote{239} The board, however, followed Clowney’s recommendation\footnote{240}—“that this [Joint Board-Faculty Committee on Justification] report be approved....”\footnote{241} They passed over the Robertson-Settle report.\footnote{242} At the

\footnote{236} Norman Shepherd, “Letter to the Presbytery of Philadelphia of the Orthodox Presbyterian Church,” Personal Collection (Bloomington, Minnesota, September 15, 1980), 3. “All the materials included in the Minority Report and the full text of all the letters from theological scholars outside the Seminary community privately solicited by Messrs. Robertson and Settle were laid before the joint committee. The committee, however, refused to adopt the position of Messrs. Robertson and Settle as its own.”

\footnote{237} Board of Trustees, “Minutes: Part II” (May 27, 1980), 93. “The faculty has determined to approve the Report of the Committee to Study the Doctrine of Justification by Faith of May 8, 1980....”

\footnote{238} Shepherd, “Letter to the Presbytery” (September 15, 1980), 3. “Having failed to secure his purpose in the committee, Dr. Robertson subsequently submitted the same materials to the faculty of the Seminary and sought its endorsement of his position. Once again the effort failed.”

\footnote{239} Board of Trustees, “Minutes: Part I” (May 27, 1980), 18. There is no evidence to suggest that the “Robertson-Settle Supplementary Report” was recognized by the Joint Board-Faculty Committee on Justification, the faculty, or the Board of Trustees. When Clowney referenced the document in his report to the May 27, 1980 board meeting, he wrote: “A minority of the membership of the committee [Joint Board-Faculty Committee on Justification], subsequent to its final meeting, have proposed another report described to the faculty at its meeting.”

\footnote{240} Shepherd, “Letter to the Presbytery” (September 15, 1980), 3. “Finally, at the meeting of the board on May 27, 1980, Messrs. Robertson and Settle sought to have the board as a whole adopt their Minority Report. The board refused to do this. At the same meeting, Dr. Robertson tendered his resignation from the faculty of Westminster Seminary.” The Presbytery of Philadelphia, according to Shepherd, needed to be made “aware of the fact that in spite of repeated efforts, the Minority Report has not been adopted either by the board or the faculty of Westminster Seminary. It is not being distributed by the board, nor with its knowledge, approval, authorization, or encouragement.”

\footnote{241} Board of Trustees, “Minutes: Part I” (May 27, 1980), 18.

\footnote{242} Ibid., 2.
same meeting, the board received a letter of resignation from Robertson “in order [for him] to accept a teaching position at Covenant Theological Seminary.”

The Board-Faculty Committee on Justification that had been erected by the May 1979 board “present[ed] its report to the Faculty and to the Board.” The report consisted of a “Westminster Statement on Justification” followed by a series of affirmations and denials. This statement was approved by the faculty May 13-14, 1980 and by the board on May 27, 1980. It was later released to the public. “Mr. Shepherd voted in the Faculty to approve the statement and … indicated his agreement with it in his October 8, 1981, letter to the Board: ‘I voted for its adoption and continue to affirm my full agreement with this statement.’”

In spite of this agreement, the controversy did not end. Shepherd’s opponents believed he had stated things in public that flatly contradicted his agreement with “The Westminster Statement of Justification”. As Kuschke et al. would later write (May, 1981), “It is the continuing presence of a large mass of unrepudiated statements, which we consider to be erroneous in the light of the Reformed system of doctrine, which calls forth our judgment that the basic doctrinal problems remain unresolved.”

The board faced an enormous amount of pressure from people on both sides of the controversy: It had before it the “Minority Report” from Robertson and Settle that condemned

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243 Ibid.

244 Ibid., 34-56.

245 Board of Trustees, “Minutes: Part II” (May 27, 1980), 93-94. The fact that “three members of the faculty voted against this statement … [implies their] … disagreement with the report or with our standards …” is, according to Clowney, a conclusion that ought not to be drawn: “… I [Clowney] believe that it can rightly be said to have the approval of the faculty, and indeed, with respect to its actual content, of the entire faculty.” See Board of Trustees, “Minutes: Part I” (May 27, 1980), 18.

246 Ibid., 2.

247 Executive Committee of the Board of Trustees, “Reason,” 6.

248 Ibid.

Shepherd’s views and urged that the matter be concluded as “rapidly as possible”. At the same time, the board understood that Robertson and Settle’s own committee had not adopted their “minority report”; neither had the faculty and the board would not do so at its meeting on May 13. The board also knew that the faculty had been deeply involved in the controversy from its inception and had not rescinded or reversed their decision of April 28, 1978.

Clowney recommended the adoption of “The Westminster Statement on Justification”; but having made such a recommendation, he understood that the adoption of the Statement would not (at least not by itself) serve to bring about the desired reconciliation. Clowney’s report explained why:

[T]hree members of the faculty voted against this statement.... Their professed reason for refusing to approve the statement was their fear that the statement ... was not specific enough to exclude all unsatisfactory views of this doctrine ... their objection lay in how they feared the document might be used rather than in what it said.

Some of Shepherd’s critics had not signed “The Westminster Statement of Justification” because it did not add “citations from the writing of Professor Shepherd to indicate where his expressions [were] held to be contradictory.” Beyond that, there was the “seriousness with which

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250 Board of Trustees, “Minutes: Part II” (May 27, 1980), 86.

251 Board of Trustees, “Minutes” (May 23-24, 1978), 3-4. The board also was faced with forty-five communications which included: A petition from students that bore one hundred twenty-six names; A petition forwarded by the Korean students that bore sixteen names; Two petitions from elder and minister commissioners to the Forty-seventh General Assembly of the Orthodox Presbyterian Church—these two petitions bore a total of twenty-seven names. Some forty letters from past and present students; two from sessions of Orthodox Presbyterian Churches (one was Calvary OPC, Shepherd’s own church), as well as Shepherd’s former colleague Cornelius Van Til. Another petition, signed by thirty students, urged the board to “come to a definite resolution of the issue.” The board, “... received these communications for information.” All of these communications testified to Shepherd’s competence and orthodoxy and urged his continuance in the seminary. Another petition, signed by thirty students, urged the board to “come to a definite resolution of the issue.” The board, “... received these communications for information.”

252 Board of Trustees, “Minutes: Part I” (May 27, 1980), 18. “When the committee to prepare a statement was formed, it was hoped that their study would clarify the issue. If Professor Shepherd accepted the statement, a statement framed with the participation of those who were critical of his views, it was hoped that his agreement would remove objections and open the way to better understanding.”

253 Ibid., 18.

254 Ibid.
Robertson and others [took] what they regard[ed] as a denial or blurring of the heart of the gospel in Professor Shepherd’s expressed views.”

Clowney, extremely desirous of ending the controversy, recommended: “The board must, in my judgment, initiate some form of decisive action at this [May 27, 1980, board] meeting.” He suggested that, under the circumstances, decisive action could take several courses, the first two of which are summaries of the proposed options for courses of action:

- The board could reaffirm its previous action terminating further investigation of Mr. Shepherd’s views and affirming its ratification that the doctrinal standards continue to be well understood and subscribed to on the part of the faculty.
- The board could notify Mr. Shepherd that it had found adequate cause for his dismissal and then arrange for a hearing in accord with the policy of the seminary.

Clowney himself recommended a third option which is recorded in the President’s Report.

The board could:

3. Determine that in view of:
   a. continuing allegations by members of the faculty and board that Professor Shepherd’s teaching is misleading and tends to confuse the doctrines of justification by faith alone and other doctrines central to the doctrinal basis of the seminary; and
   b. documentation presented to this board meeting purporting to support such charges; and
   c. the broader scope of doctrinal issues raised, including the question of our understanding of the covenants and the covenantal perspective in Biblical teaching; and
   d. the seriousness with which Professor Shepherd’s alleged misrepresentations and confusing structures of thought are viewed by those who are concerned; the board erect a commission to determine whether the charges made against Professor Shepherd’s

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255 Ibid., 19.
256 Ibid.
257 Ibid.
258 Note that the word allegations, is replaced with the word charges between points a. and b.
views are substantial and true, and to determine whether his published views and classroom lectures do confuse in a serious fashion the system of doctrine to which the seminary is committed, and to discover his present opinion on the issues that have been controverted, all with a view to determining a recommendation to be made to the board in November, 1980; such a recommendation should either propose that Mr. Shepherd be dismissed or that he be exonerated and the controversy ended in the faculty and board.\(^\text{259}\)

The board adopted this third option.\(^\text{260}\)

A Board-Faculty Commission Erected to Consider AllegationsConcerning Professor Shepherd’s teaching was appointed (Commission on Allegations).\(^\text{261}\) A few months later, in a September 9, 1980, communication to the Executive Committee of the board, Shepherd wrote about his reservations that led to his initial unwillingness to cooperate with the commission.\(^\text{262}\)

He changed his mind, however, and informed the Executive Committee that he would appear before the commission as requested, but “under protest”.\(^\text{263}\) In his September 1980 communication to the board, he pointed out: “[T]he board took action on February 8, 1979, terminating its investigation into my views.”\(^\text{264}\) He also noted: “This action was not rescinded prior to setting up the commission, nor was it rescinded subsequently.”\(^\text{265}\) He reminded the board that on May 29, 1979, Clowney had said: “In fairness to Professor Shepherd, the board cannot reopen its examination of his views unless a formal charge is introduced claiming to

\(^{259}\) Board of Trustees, “Minutes: Part I” (May 27, 1980). This action is not isolated from the February 8, 1979, action of the board that terminated its investigation into Shepherd’s views and had never rescinded its action. No charge was ever introduced. At this point in the controversy a consideration could have been that those members of the board and faculty who could not submit to the board’s decision to exonerate Shepherd would be compelled to resign their positions at the seminary.

\(^{260}\) Ibid., 4.

\(^{261}\) Ibid., 4.

\(^{262}\) Norman Shepherd, “Letter to the Executive Committee of the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, September 9, 1980).

\(^{263}\) Ibid.

\(^{264}\) Board of Trustees, “Minutes” (February 8, 1979), 16. Clowney’s resolution had been: “The board finds no sufficient cause to pursue further its inquiries into the teaching of Professor Norman Shepherd regarding the doctrine of justification by faith. Shepherd’s views as they have been presented to the board do not call into question his adherence to the Westminster Confession of Faith as a voting member of the faculty.”

\(^{265}\) Shepherd, “Letter to the Executive Committee” (September 9, 1980).
show for adequate cause that his teaching violates the doctrinal standards of the Seminary.”

His position was that the mandate given to the commission would be meaningless “in that it asks the commission ‘to determine whether the charges made against Professor Shepherd’s views are substantial and true.’” Shepherd was concerned about how the commission might proceed because no charges had ever been brought against him.

Thus, in May of 1980, President Clowney recommended (and the board adopted) the course of action that he—only one year earlier—had said would be “unfair to Mr. Shepherd”. Shepherd’s protest was “discussed at some length with concern” by the Executive Committee, and the letter of protest was then forwarded to the board for further consideration. “The Executive Committee ‘received’ your letter, referring it to the full Board for any further consideration.” He was persuaded to cooperate with the Commission on Allegations because

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266 Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 29, 1979), 6.


268 Ibid. Mr. Shepherd’s protest was based on the several reasons that are listed in this letter. Omitting the introductory remarks, the letter reads in full: “First, in his report to the board, May 29, 1979, the President said: ‘In fairness to Professor Shepherd, the board cannot reopen its examination of his views unless a formal charge is introduced claiming to show adequate cause that his teaching violates the doctrinal standards of the Seminary.’ No formal charge has ever been introduced. On May 27, 1980, the President recommended, and the board adopted, a course of action which the President said would be unfair to Mr. Shepherd. Second, the board took action on February 8, 1979, terminating its investigation into my views. This action was not rescinded prior to setting up the commission, nor was it rescinded subsequently. In terms of the rules governing the business of the board, the action setting up the commission is out of order. Third, there is no provision in the constitution or policy statements of the Seminary for the kind of commission now being erected. Fourth, the mandate given to the commission is superfluous in that it asks the commission ‘to determine whether the charges made against Professor Shepherd’s views are substantial and true.’ There were no charges extant when the motion establishing the commission was erected [sic], nor was the commission given a mandate to formulate charges. Fifth, the action of the board in establishing the commission was precipitate. The board at the same meeting adopted a statement on the doctrine of justification that had been drawn up with a view to reconciling the differences within the faculty and board. The board acted to erect the present commission without giving the statement any opportunity to have a therapeutic effect in our Seminary community. Sixth, the policy statements of the Seminary make provision for a hearing with written charges to be presented in full in the event that a professor is removed from office by action of the board. The erection of the present commission tends to reduce this constitutional provision to a mere formality. In the course of the board discussion and in the voting it became apparent that the recommendation finally adopted was not the course of action preferred in the first place by most of the members of the board. The President indicated that he was not enthusiastic for the recommendation. I sincerely regret that the board did not pause to consider whether there were more fruitful ways of coming to grips with the present impasse. My prayer is that the Lord will yet open to us such ways.” Shepherd sent a copy of his letter to Clowney. Mr. Shepherd did receive a response from Fuller to his letter. See the following footnote.

of assurances given at every hand that this was to be the end of the matter. Clowney had called for “decisive action”.

While the Commission on Allegations was being organized, three members of the board—Reid, Cummings, and Bean, with the assistance of Kuschke and Knudsen—distributed copies of the so-called Robertson-Settle “Minority Report” to members of the Presbytery of Philadelphia of the Orthodox Presbyterian Church on June 9, 1980. The distributed materials listed an anonymous post office box as the return address. Interested respondents were encouraged to take advantage of a further offer to “supply, upon request, other documents bearing on the controversy.”

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270 Board of Trustees, “Minutes: Part I” (May 27, 1980), 19.

271 John J. Mitchell, “Letter to Clowney,” Personal Collection (Bloomington, Minnesota, November 6, 1980). “The reference to the actions of the Presbytery of Philadelphia is extremely one-sided and quite misleading. This approach was also used in that “Minority Report” circulated by Messrs. Bean, Cummings, and Reid. Actually, the presbytery consistently refused at any time to condemn a single one of Norman’s theses.” Mitchell was the moderator of the presbytery at the time.

272 Shepherd, “Letter to the Presbytery” (September 15, 1980), 1-3. “It is common knowledge that Messrs. Kuschke and Knudsen entertain serious differences with the undersigned in their understanding of the doctrine of justification and have labored to have my views condemned by the Presbytery as well as by the board of the Seminary. It is now clear that these two men have chosen a method for advancing their cause which falls far below the dignity of the office they hold in the church and which is unworthy of the great doctrine itself. Mr. Kuschke has indicated privately that other members of the Presbytery may also be involved in servicing the Jenkintown post office box, but he has declined to divulge their names and thereby to implicate them in the operation. There is evidence that the Minority Report and other documents have been circulated by Mr. Kuschke far beyond the bounds of Philadelphia Presbytery.”

273 W. Stanford Reid, Calvin K. Cummings, and Everett H. Bean, “Cover Letter to the Presbytery of Philadelphia,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, June 9, 1980). The cover letter to the presbytery reads: “As trustees of Westminster Theological Seminary we are authorized to share with others documents we have. Hence we are sending the enclosed Minority Report, which sums up much of the discussion from our point of view. If you so request,* arrangements can be made to circulate other basic documents which are now public. Address P. O. Box 2070, Jenkintown, PA 19046.”
The December 10-11, 1980, Board Meeting

The Commission on Allegations began its work and assembled a series of seven allegations that were based on Shepherd’s writings and lectures.274 These will be discussed in Part Two of this study. Having allowed Shepherd’s opponents to participate in the deliberations of the Commission on Allegation, it reported its findings and recommendations to the Board at a special meeting December 10-11, 1980:

1. In agreement with the Westminster Standards, Mr. Shepherd expressed once again to the Commission his belief in the unique office of faith in receiving and resting on Christ.….  
2. Mr. Shepherd made clear the meaning in context of his quoted statements which have been alleged to be inconsistent with the Westminster Standards.….  
3. In the presence of the Commission, Mr. Shepherd explicitly indicated his approval and support of the recently produced Westminster Statement on Justification (May 27, 1980). 
4. Mr. Shepherd affirmed to the Commission his adherence to the Reformed position concerning the unchangeable predestination of God (Westminster Confession of Faith III. 4).….275

The Commission on Allegation recommended that “Mr. Shepherd be exonerated”.276 A separate report signed by three members of the seven-man commission recommended the “dismissal of Mr. Norman Shepherd because key formulations of his position on justification and the covenant have been and will continue to be misleading to the students and the church.”277

274 The Commission of Allegations used a lecture tape that was incomplete. Shepherd gave a series of three lectures during June 1978 to the Christian Reformed Ministerial Institute, Grand Rapids, Michigan. The WTS library has a tape of only two out of the three lectures and a significant portion of one of Shepherd’s lectures is missing.

275 Board of Trustees, “Minutes of the Special Meeting of the Board of Trustees of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, December 10-11, 1980), 4-5. The report of the commission was signed by Joel Nederhood, Theodore J. Pappas, Vern S. Poythress, and Robert B. Strimple. The remainder of the commission submitted a “minority report” under the names Calvin K. Cummings, W. Robert Godfrey, and Norman Hoeflinger. President Clowney was ex officio.

276 Ibid., 4.

The faculty had met on December 8, 1980, two days prior to the board meeting, and voted to concur with the recommendation of the Commission on Allegations (signed by four members) to exonerate Shepherd. On December 11, 1980, the board determined:

… that on the basis of discussions with Mr. Shepherd and on the bases of other corroborating evidence, the board determines that Mr. Shepherd be exonerated from the allegation of holding views which are not in conformity with Scripture and the doctrinal standards of the seminary. All the advice and admonitions that the board has previously made to Mr. Shepherd to be cautious and clear are herewith restated.

In the May 1980 board meeting, Clowney had stressed that the board must initiate “decisive action”. The board itself had resolved that, should Shepherd be exonerated, the controversy would be “ended in the faculty and board”. But this was not to be. Subsequent events demonstrated that a minority of the board and the faculty was not content to accept this “decisive” exonation of Shepherd, even though he again had been exonerated by both the board and the faculty.

Shepherd and the Commission on Allegations had been operating with the understanding that the actions of the board were to be “decisive”. After the board had taken action in response to the Commission’s report, they believed that the seminary’s justification controversy—which had lasted six years—was at an end. But this was not the case, because at the December 10-11 board meeting, the commission also recommended: “It will now be necessary for the Seminary to continue the discussions that have been initiated among us, though outside a context of adversary [sic] relationships.” By making this recommendation, the

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278 Board of Trustees, “Minutes” (December 10-11, 1980), 1.
279 Ibid., 2.
280 Board of Trustees, “Minutes: Part I” (May 27, 1980), 19.
281 Ibid., 20-21.
282 Ibid., 19.
283 Board of Trustees, “Minutes” (December 10-11, 1980), 15.
Commission—wittingly or unwittingly—provided a window of opportunity for the controversy to continue.

The May 4, 1981, Letter

Several weeks before the board’s next scheduled meeting, a letter was written by Shepherd’s opponents and was sent to Reid. It was accompanied by additional correspondence. The letter writers included: “Galbraith, Godfrey, Knudsen, Lachman, and me [Kuschke]”; and explained:

These papers are not for the Board meeting…. If Cal Cummings and you [Reid] approve, these papers might be used in the following way:

1) First send out to selected people the covering note, the covering letter, and the letter of 15 which was sent to Board members, in an effort to rally supporters. The covering note would be signed by a representative group of those seeking to gain others.

2) Second, the covering letter, and the letter of 15, to be sent out widely—and signed by a considerably larger group of representative people.

You will note the continued use of the Jenkintown P. O. Box. Godfrey, Knudsen and I think it best. We also hope for your willingness (and Cal Cummings’ also) to continue to allow your names to be addressed at that P. O. Box. Art.

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284 Donald A. MacLeod, W. Stanford Reid, 273. “Reid appears to have immediately been targeted as the instigator, in spite of the fact that his unmistakable prose style is absent.”


286 The following letter was received by the board at its December meeting: “We write for the record. On December 10th the Board should make a clear break with Mr. Shepherd’s doctrinal position. The break should be unmistakable, so as to hold the Seminary to the historic testimony for which it was founded. (signed) Henry W. Coray, Mariano DiGangi, Clarence W. Duff, David Freeman, Donald C. Graham, L. Edward Kellogg, Meredith G. Kline, Robert D. Knudsen, Arthur W. Kuschke, David C. Lachman, George W. Marston, W. Stanford Reid, Paul G. Settle, Leslie W. Sloat, William Young.” Board of Trustees, “Minutes” (December 10-11, 1980), 1. This letter came to be known as the “Letter of 15.”

Kuschke’s original handwritten letter was typed out and distributed widely over the names of forty-five persons—including theologians, ministers, and elders—for the purpose of charging that Shepherd’s views were in error. This communication and the “Letter of 15” (as it often was called) were read in such circles as the Presbyterian Church in America, the Reformed Presbyterian Church Evangelical Synod, the Orthodox Presbyterian Church, and the Presbyterian Church in Canada.

The method chosen by the senders of the “May 4 letter” was severely criticised and protested by individual members of the faculty, by the faculty as a whole, and by the president of the seminary. In his report to the May 26, 1981, board meeting, Clowney focused attention on the letter. He wrote: “it has done incalculable and irremediable harm to the good name of the Seminary.” Graham, himself a signer of the “May 4 letter” and member of the Board of Trustees, would later make a motion:

That the Board acknowledges that communication dated May 3, 1982, and signed by Lester R. Bachman and the 29 other signators, received in response to our request for the signers of the May 4, 1981 letter. We wish to communicate to these brethren our appreciation of the loyalty they thereby show Westminster Seminary as alumni and friends. We express our gratitude for their patience with us as we have endeavored to resolve the difficult issue, and we ask that they now join us in prayer for the healing of all wounds, the full acknowledgement of God’s revealed truth in every controverted

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290 Gaffin, Jr., “To Those Concerned.”

291 Dillard, “Letter to Everett Bean.” Dillard as faculty secretary wrote, “[T]he faculty ... at its meeting ... determined by a unanimous vote of all present to communicate to the signers of that letter ‘its repudiation of the method chosen by these men to advance their cause as contrary to the letter and spirit of the gospel in that it is designed to polarize rather than reconcile ... as prejudicial to the truth concerning the views of the Seminary, the faculty, and Mr. Shepherd, contrary to the ninth commandment.’”


point, and the further establishment of our seminary in its purpose to glorify the triune God in all its ways.  

The May 26, 1981, Board Meeting

No doubt under extreme pressure, and as a way of dealing with the “May 4 letter,” Clowney proposed the erection of a committee that included three board members to visit the seminary and to interview a variety of persons “with a view to resolving the differences that [had] arisen among [them] and to restoring the good name of the Seminary.” On May 26, 1981, the board considered his recommendation to invite such a committee—a “Visitation Committee”—to visit the seminary to investigate and make recommendations. As part of their work, the Visitation Committee was asked to consider organizing a colloquium. The board adopted this recommendation and—in an amendment that Clowney had not suggested—charged Shepherd “not to teach the course ‘The Doctrine of the Holy Spirit’ in the fall term.” That course in systematic theology was designed for senior students; it was to cover the doctrine of justification within its scope.

The Visitation Committee: A Proposed Colloquium

When Clowney had proposed that a Visitation Committee be erected, he had strongly recommended that this committee form a colloquium that should include Shepherd and a number of other theologians who had publicly opposed Shepherd’s views. The hope was that Shepherd, the theologians, or everyone involved would modify positions so that Shepherd and

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295 Board of Trustees, “Minutes” (May 26, 1981), 17.

296 Ibid., 2.

297 Ibid.

298 Executive Committee of the Board of Trustees, “Reason,” 9.
the seminary would benefit. Shepherd initially was sympathetic to the colloquium, but he later declined the invitation to participate. He wrote to Clowney: “It seemed as though the colloquium as proposed was in the nature of a trial—not a formal one, to be sure, but a trial nevertheless.”

Shepherd understood that Clowney did recognise that there was risk involved for Shepherd and that the colloquium would, in fact, be a trial. In his letter to Clowney, Shepherd expressed another reason for his reluctance to participate in the colloquium: He reminded Clowney of the February 1979 board decision that “… had looked into the matter rather thoroughly and determined to terminate further inquiry.”

A later, retrospective document—“Reason and Specifications Supporting the Action of the Board of Trustees in Removing Professor Shepherd Approved by the Executive Committee of the Board” (Reason)—provides some information about Clowney’s original intentions for the colloquium: “No critics were proposed whose viewpoint was regarded as so fixed in opposition as to impede reasonable discussion or conciliation.” Nevertheless, scholars whose participation Shepherd had requested were not invited to attend the colloquium.

Shepherd, before he withdrew from participation in the colloquium, proposed an alternative to Clowney. He suggested a colloquium in which professors of systematic theology from the Reformed seminaries with which WTS was most closely aligned would participate. No theologian who had gone on record in the public arena—on either side of the controversy—was to be invited. Shepherd made these suggestions about the design of a colloquium to

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300 Ibid.
301 Ibid.
302 Executive Committee of the Board of Trustees, “Reason,” 9.
304 Ibid.
305 Ibid. “The men I have in view are Fred Klooster from Calvin, John de Witt from Reformed, David Jones from Covenant, Wayne Spear from Reformed (Pittsburgh), Jelle Faber from the Canadian Reformed Seminary, and Bob Strimple from Westminster West.”
ensure that it would not have a built-in bias. And, more importantly for Shepherd, neither would this design call into question the validity or the certitude of his previous December 11, 1980, exoneration by the board.\textsuperscript{306}

Clowney, who was searching for ways to reconcile all of the parties, felt compelled to reject Shepherd’s proposal because he believed it was essential to include representatives from the Presbyterian Church in America (PCA) and others whose names had been used publicly in opposition to Shepherd’s views. Clowney thought the Visitation Committee, “could organize a colloquium, for example, that might have some of the theologians who signed the recent [May 4, Letter] an opportunity to discuss these issues with members of our Faculty [. sic] I believe the critical situation that we now face will give weight and urgency to the operation of the committee.”\textsuperscript{307} After Shepherd’s suggestions had been rejected, he withdrew from the colloquium; Clowney then found himself in the position of having to cancel invitations. In a letter to the people he had previously contacted to participate, he wrote:

\begin{verbatim}
<table>
<thead>
<tr>
<th>Name</th>
<th>July 3, 1981</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
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<tr>
<td>City, State, Zip</td>
<td></td>
</tr>
</tbody>
</table>

Dear

I am deeply indebted to you for your willingness to participate in the colloquy on justification…. Professor Shepherd, however, has withdrawn his agreement to participate … and I believe it is best to cancel our plans….

Cordially yours, Edmund P. Clowney

President….\textsuperscript{308}
\end{verbatim}

\textsuperscript{306} Norman Shepherd, “Letter to the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, November 19, 1981) “In my estimation such a trial would lack the necessary safeguards and would effectively circumvent the board’s action of December 11, 1980, exonerating me from holding views contrary to Scripture and the doctrinal standards of the seminary.”

\textsuperscript{307} Board of Trustees, “Minutes” (May 26, 1981), 17.

Shepherd’s Meeting with the Visitation Committee

On August 21, 1981 Shepherd met with the Visitation Committee, and he agreed to the committee’s request that he produce a brief statement for the board clarifying his position on disputed questions that could, in turn, be used for public relations. The Visitation Committee received his written statement on October 8, 1981, one day prior to his second meeting with the committee.

His statement proved not to be helpful in moving toward a resolution of the controversy at the seminary. It is possible that the committee had hoped he would withdraw certain statements he previously had made, but in view of previous exonerations of orthodoxy, to change any statements at this point would increase suspicion. The line of questioning that the Visitation Committee took on October 9 was, according to Shepherd, quite different from what he had expected because it had little to do with the statement he had been asked to prepare. Instead, the questions reflected the input of Clowney, who had met with the Visitation Committee during the previous hour.

Clowney’s Meeting with the Visitation Committee

In July of 1981, Shepherd had given President Clowney five cassette tapes of lectures he had delivered at Sandy Cove, Maryland, at the end of June 1981 titled, “Life in Covenant with

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309 Norman Shepherd, “Letter to the Visitation Committee,” Personal Collection (Bloomington, Minnesota, August 24, 1981). “I was encouraged by the tone of the meeting and feel that genuine progress was made.”


313 Shepherd, “Letter to the Board of Trustees” (November 19, 1981).

314 Ibid.
God.”315 Clowney’s response after listening to them was that they were “unwholesome”.316 Later that summer, Clowney had listened to Shepherd’s course on “The Doctrine of the Holy Spirit,” recorded in the fall of 1980.317 Clowney referred to these tapes in the paper he sent to the Visitation Committee.318

The President had worked diligently to have this paper ready for his meeting with the Visitation Committee on October 9.319 Shepherd did not receive a copy of it until after Clowney had discussed it with the Visitation Committee, and he received it only minutes before his own interview with the same committee.320

The October 10, 1981, Executive Committee Meeting

The timing of Clowney’s paper and the unfortunate events that surrounded its distribution may be seen as being decisive in determining a shift in the direction of the Visitation Committee’s recommendations. The following day, October 10, 1981, the Executive Committee (three of the members of the Visitation Committee—Ryskamp, Ykema, and Williamson—also

315 Ibid. “Although the Sandy Cove lectures had been well received by those who heard them, including a number of ministers and elders in the Orthodox Presbyterian Church…”

316 Ibid.


318 Ibid., 33-34.

319 Ibid., 33. “I deeply regret that Professor Shepherd did not receive a copy of this formulation until the day of that meeting.”

320 Shepherd, “Letter to the Board of Trustees” (November 19, 1981). “In the fall the President promised to provide me with a copy of his written report so I could react to it before the committee received it. I did not receive a copy until after the President had discussed it with the committee and only minutes before I met with the committee on October 9, 1981. The committee did not discuss the report with me because I had not had the opportunity to read it. The committee has not sought my reaction to it subsequently. It should be observed that the form in which the board received the report differs in important ways from the form in which it was first presented to the visitation committee and then later to the faculty.” Cf. Edmund P. Clowney, “Report to the Visitation Committee of the Board of Trustees (Revised Submission),” Revision of Controversial Elements in Professor Shepherd’s Teaching, Personal Collection (Bloomington, Minnesota, 1981). Clowney writes, “You had requested me to report to your meeting at the Seminary on October 9. I was not able to provide a full written report at that time, but I did furnish you with a formulation of ‘Controversial Issues in the Teaching of Professor Shepherd.’ I deeply regret that Professor Shepherd did not receive a copy of this formulation until the day of the meeting. I had promised to give him a copy as soon as it was complete, so that he could react to it before the committee received it. I expected to complete it well before the meeting. I did not formulate it finally, however, until the night of October 7.”
constituted half the members of the Executive Committee) acted to suspend Shepherd. The basis the Executive Committee gave for taking this action was: “It was moved and seconded that the recommendation of the Visitation Committee that Norman Shepherd be granted a leave of absence (with pay) for the period January 1 through June 30, 1982 be adopted.”

Shepherd had not requested the leave of absence that he was “granted,” and it had the consequence of removing him from the classroom for the remainder of that academic year. On October 14, 1981, in a memo to members of the faculty, Shepherd made known what he believed to be the impropriety of the action the Executive Committee had taken: “I would like to point out that the action of the Executive Committee does not have the status of a recommendation to the board....” The Board of Trustees—due to meet next on November 20, 1981—would have had no knowledge on October 10, 1981, of the Executive Committee’s action to suspend Shepherd. Nevertheless, he understood that the committee’s action ‘to impose a leave-of-absence’ on him as being “on behalf of the board and with the full authority of the board.”

The Visitation Committee and Shepherd never met again after their October 9 meeting. Shepherd did not, therefore, ever have an opportunity to respond to Clowney’s critical remarks concerning his understanding of the covenants. On this point, Shepherd wrote to the board to explain, “In the fall the President promised to provide me with a copy of his written report so that I could react to it before the committee [Visitation Committee] received it.” In his


322 Ibid.

323 Ibid.

324 Norman Shepherd, “Memo to Members of the Faculty,” Personal Collection (Bloomington, Minnesota, October 14, 1981).

325 Ibid.


“revised” report to the November 1981 board, Clowney acknowledged this fact, and he apologized to Shepherd for the delay.\textsuperscript{328} Because of the way the events unfolded, there never was an opportunity for any of the parties involved to discuss Clowney’s report further. It was not until a later date that Clowney’s criticism of Shepherd’s position surfaced. It was cited in the 1982 document, \textit{Reason}—a report that was offered retrospectively as support for the board’s decision to remove Shepherd from his teaching post.\textsuperscript{329}

\textbf{The October 19, 1981, Faculty Response to the Action of the Executive Committee}

On October 12, 1981, Clowney submitted to the faculty the paper he had prepared for the Visitation Committee, and the faculty met with him on October 19, 1981 to discuss his paper.\textsuperscript{330} The faculty requested that Clowney “furnish” the faculty with a “fuller” report by October 30, 1981.\textsuperscript{331} The faculty also voted to “urge the Executive Committee to rescind its action imposing a leave of absence on Mr. Shepherd for the second semester of the academic year 1981-1982.”\textsuperscript{332}

In the view of the faculty (and in Shepherd’s view as well), the imposition of a leave of absence amounted to an improper suspension. The faculty stated:

(a) the Visitation Committee is mandated to report to the fall Board meeting for action;
(b) neither the Visitation Committee nor the Executive Committee has provided the rationale for its actions to the faculty or to Mr. Shepherd; (c) the provisions of our policy statement on tenure and removal for a hearing before a faculty committee or a joint committee of the Board and faculty prior to such action have not been observed; and (d)

\textsuperscript{328} Board of Trustees, “Minutes: Part I” (November 20-21, 1981), 33.

\textsuperscript{329} Executive Committee of the Board of Trustees, “Reason,” 11-18. According to the February 26, 1982, minutes of the Executive Committee, the principal author of \textit{Reason} was “Dr. Clowney in consultation with Dr. Strimple and others....” The document was adopted by the Executive Committee on February 26, 1982. Executive Committee, “Minutes of the Meeting of the Executive Committee” (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 26, 1982).


\textsuperscript{331} Faculty, “Minutes of the Meeting of the Faculty” (October 19, 1981), 2.

\textsuperscript{332} Ibid., 2. See also: Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 72.
an enforced leave, one not sought by a faculty member, is in the judgment of the faculty a suspension.”  

The Visitation Committee’s Report and the Board’s Responses

The November 20, 1981 report of the Visitation Committee to the board focused attention on three items: “I. The spiritual problems within the seminary family…. II. The Problems Arising from the Teaching of Norman Shepherd…. III. The May 4, 1981, letter.”

The board handled the points in the committee’s report *seriatim* at its November meeting.

These three points will be dealt with in summary form:

I. The spiritual problems within the seminary family.

This section spoke of the preceding six years and the impasse that had arisen because of a judgmental, un-Christian spirit that had prevailed among the faculty and the board. As a result, the students had observed the manner in which the controversy had been handled, and it had had a negative impact upon their training for the gospel ministry. In short, there had not been sufficient concern for the unity of the body as expressed in John chapters 13 and 17. The committee recommended that:

A. The board and faculty confess their failure to deal with this problem in a manner that is honoring to our Savior and Lord.
B. That we covenant together to heal the wounds that have been created by our insensitivity to our brethren.
C. That we pledge together to create an environment which will be more conducive to the training of those seeking to develop their pastoral gifts.

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335 Ibid., 2.
336 Ibid., 9-10.
337 Ibid., 9.
338 Ibid., 10-11.
The board amended the recommendation slightly and adopted the substance of the recommendation by general consent.\textsuperscript{339}

II. The Problems Arising from the Teaching of Norman Shepherd.\textsuperscript{340}

The report brought up the longstanding complaints against Shepherd; and in a summary form it spoke of confusion among the students, division in the board and faculty, negative assessment by outside theologians, damage to recruitment efforts and financial support, the overall reputation of the seminary, and the probable cause for the failure of the joining and receiving of the PCA and the OPC.\textsuperscript{341} All of this serves to highlight the controversy’s negative effects on the viability of the institution and the pressures under which the president, the board, and the faculty had laboured from 1975 to 1981. The Visitation Committee recommended:

A. That the board act pursuant to Article III, Section 15 of the Constitution of the seminary to remove Professor Shepherd as Associate Professor of Systematic Theology on the ground that the board in its mature judgment has become convinced that such a removal is necessary for the best interests of the seminary.
B. That the board appoint a committee of three board members and two faculty members to conduct a full investigation of these findings, giving to Professor Shepherd abundant opportunity to defend his conduct of his office.
C. That Professor Shepherd be suspended with pay pending such investigation.
D. That the committee appointed by the board report back to the board at the May 1982 meeting.\textsuperscript{342}

The board determined to vote on the four items (A-D) in recommendation II. by ballot:

On item II. A. of the recommendation, the vote was 13 to 8 in favour of removing Professor

\textsuperscript{339} Ibid., 1-2.
\textsuperscript{340} Ibid., 10-12.
\textsuperscript{341} Ibid., 11. There is little doubt that, during the previous seven years, Westminster Seminary and the Orthodox Presbyterian Church had come under severe criticism. Shepherd was a member of the Presbytery of Philadelphia at this time. This criticism was evidenced at the Presbyterian Church in America’s General Assembly when, within the context of a church union proposal between the OPC and the PCA, Robertson spoke during the floor discussion: “This single issue is crucial to the heart of the gospel … how do you get righteous before God? Mr. Shepherd says, ‘It is not only by believing, but also by obeying.’” The author is not named but it is likely that it would have been either G. Aitken Taylor or Joel Belz. The author writes that the “difference between the two voting totals in respect to the RPCES and the OPC was due to what came down to be known as ‘the Shepherd Case.’”

\textsuperscript{342} Ibid.,11-12.
Shepherd. Item II. B. was amended only to change the way committee members were to be selected; it was then adopted. Item II. C. was adopted; item II. D. was amended to state that the committee was to report to the board at its next meeting rather than at the May 1982 meeting.


The report noted that serious damage had been done by the senders of the letter. The committee recommended:

A. The faculty and board members who signed the May 4, 1981 letter should apologize to the board and faculty for the damage done to the seminary. They should take whatever steps are necessary to reconcile themselves to their offended brethren. They should exert their influence to halt further distribution of the letter and have their names removed from the letter.

B. Those who cannot ... should submit their resignation[s].

The board did not adopt this recommendation; it adopted a substitute motion: “that the Board request the signators ... to consider wherein that letter may have misrepresented Norman Shepherd and may have unfairly damaged the reputation of the Seminary, making all possible amends for such.”

The Faculty’s November 1981 Report to the Board

Previous to the board meeting on November 20-21, 1981, the faculty met on November 16, 1981 and held a final discussion of the action the Visitation Committee had

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343 Ibid., 3.

344 This committee came to be known as the Board-Faculty Review Committee (Board Faculty Review Committee).


346 Ibid.

347 Ibid., 12-14.

348 Ibid., 13.

349 Ibid., 4.
recommended.\textsuperscript{350} At its meeting the faculty passed a series of motions rejecting the findings of the Visitation Committee and affirming support for Shepherd.\textsuperscript{351} Among other things, the faculty disagreed with the judgment of the committee that Shepherd’s teaching had caused “confusion” among the students;\textsuperscript{352} also the faculty did not see in his “distinctive formulations” the probable cause of the failure of the attempted union between the Presbyterian Church of America and the Orthodox Presbyterian Church.\textsuperscript{353} The faculty further stated: “Mr. Shepherd’s letter to the Visitation Committee dated October 8, 1981, evinces a commendable spirit of cooperation and is to be regarded as a significant step toward the resolution of the problems that have arisen between us with regard to Mr. Shepherd’s teaching.”\textsuperscript{354}

At the same November 16 meeting, the faculty also determined to recommend to the board that the signators of the “… May 4, 1981 letter … be asked to apologize not only for the damage this letter has done to the Seminary but also for the intrinsic wrongness of the action itself, and that in the absence of such an apology, the board members and faculty members concerned be asked to resign their positions.”\textsuperscript{355}

At its meeting the faculty also passed the following motions to be presented to the board in support of Shepherd’s continuance on the faculty. These included the following:

\[T]\text{he faculty determined [to] … affirm its judgment that the arguments advanced by Mr. Clowney do not constitute sufficient ground for Mr. Shepherd’s dismissal.}…

\[… i t \text{ was determined that the Faculty affirm that Mr. Shepherd’s system of theology is not out of accord with the system of doctrine taught in Scripture and subscribed to in the subordinate standards of the Seminary.}…\]

\textsuperscript{350} Faculty, “Minutes of the Meeting of the Faculty” (October 19, 1981), 1.

\textsuperscript{351} Ibid., 2.

\textsuperscript{352} Ibid., 3. The faculty also met on October 19\textsuperscript{th}, 26\textsuperscript{th}, and again on the 2\textsuperscript{nd}, 6\textsuperscript{th}, and 9\textsuperscript{th} November, 1981.

\textsuperscript{353} Ibid.,” 3. The vote was recorded as: “13 ballots, 10 yes, and 3 blank.”

\textsuperscript{354} Faculty, “Minutes of the Meeting of the Faculty of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, November 16, 1981). The vote was recorded as: “14 ballots, 11 yes, and 3 no.”

\textsuperscript{355} Ibid., 3-4. The vote was recorded as: “14 ballots, 9 yes, 3 no, and 2 blank.”
… the faculty determined to declare its judgment that the removal of Mr. Shepherd would be a most serious loss to the life and ministry of Westminster Seminary.

… the faculty determined to request the Board not to accede to the recommendations of the Visitation Committee to remove Professor Shepherd as Associate Professor of Systematic Theology.  

The Board’s November 20, 1981 Action

On November 20, 1981, the board acted on another recommendation of the Visitation Committee: “Pursuant to Article III, section 15 of the Constitution of the Seminary to remove Professor Shepherd as Associate Professor of Systematic Theology on the ground that the Board in its mature judgment has become convinced that such a removal is necessary for the best interests of the Seminary.” The board took this action despite the fact that it previously had acted “definitively” on February 8, 1979, and again on December 11, 1980, to declare Shepherd’s orthodoxy and the acceptability of his views. The board previously had exonerated Shepherd and had maintained his standing as a tenured member of the faculty. When the board acted on November 20, 1981, it was for the “best interests” of the seminary.

Shepherd was removed by a vote of thirteen to eight. The motion to remove him received exactly the required minimum number of votes to implement the provision in the seminary’s constitution for the removal of a tenured member of the faculty.

The board had now decided that it was more important to end the controversy than it was to make further efforts to resolve it and the theological issues that were at the heart of it. The next day, the board wrote: “[T]he controversy over Shepherd has reached such dimensions and
such tangled complexity that it appears un-resolvable. So began the process that removed Shepherd from this teaching post. The board’s November 20, 1981, action set the following agenda for what then must happen next:

- Shepherd was to be removed from his teaching post.
- A committee was to conduct a full investigation, giving to Professor Shepherd abundant opportunity to defend his conduct of his office.
- Shepherd was to be suspended with pay pending the committee’s investigation, but he was to be paid no longer than through June of 1983.
- The committee appointed by the board was to report back to the board at the next meeting.

Because of confusion regarding the removal of Professor Shepherd, Clowney wrote to the alumni on December 29, 1981:

At the present time … the board has acted to remove Professor Shepherd but the removal will not become effective until an investigating committee has had opportunity to meet with him. In this interval Professor Shepherd has been suspended from his position. The committee [Board Faculty Review Committee] has been asked to report to the board in its meeting on February 11, 1982.

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361 Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 92.


363 Ibid.

364 Ibid.

365 Ibid.

366 Ibid., 11-12.

367 Ibid.
The November 21, 1981, Statement of the Board

At the November 1981 board meeting, Clowney had relayed the recommendation to remove Shepherd with this statement: “This proposal was submitted to the faculty by one of its members and I wish to transmit it to the board without making it my recommendation.”368 The board’s statement regarding the dismissal asserted, “The Board makes no judgment whether Mr. Shepherd’s views as such contradict or contravene any element in the system of doctrine taught by the Westminster Standards.”369 The board considered several factors that then led to the dismissal of Shepherd because—in the board’s opinion—the controversy had become so complex that it was “unresolvable”.370 These factors included:

- The board’s own “indiscretions”.371
- “The indiscretions and at times one-sided and even slanderous allegations of others ….”372
- “The deep inherent problems in the structure and the particular formulations of Mr. Shepherd’s views ….”373
- “Mr. Shepherd’s manner of criticizing opponents as Lutheran or otherwise deviant rather than primarily incorporating their concerns more thoroughly into his own position in response….374

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368 Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 60.
369 Ibid., 92.
370 Ibid.
371 Ibid.
372 Ibid., 61.
373 Ibid., 92.
374 Ibid., 61.
• “Too many people in the Seminary community and constituency and the larger Christian public have come to judge that Mr. Shepherd’s teaching appears to them to contradict or contravene, either directly or impliedly, some elements in that system of doctrine taught by the Standards: such elements are indicated in the letter of May 4, 1981, and in the Report to the Visitation Committee by President Clowney. The Board judges that the controversy over Mr. Shepherd has reached such dimensions and such tangled complexity that it is essentially unresolvable.”

The board concluded:

The Board regrets, therefore, that it must remove Mr. Shepherd in order effectively to distance the Seminary from a controversy which otherwise might go on indefinitely. The Board pledges itself to try to make clear to the larger Reformed community the true grounds for its present action, in order that Mr. Shepherd’s name may not be unjustly damaged beyond what has already happened.

The board did not act to remove Shepherd for the reason that the Executive Committee later would offer as the basis for Shepherd’s removal. In February of 1982, a document (Reason) authored by the Executive Committee asserted: “Mr. Shepherd’s teaching regarding justification, the covenant of works and the covenant of grace, and related themes is not clearly in accord with the teaching of Scripture as it is summarized in the system of doctrine contained in the Westminster Standards.”

The Visitation Committee report had concluded that the “May 4 letter” was an attempt to pressure the board into accepting the minority view that Shepherd should be removed because his teaching was erroneous:

The committee finds:
   A. The letter did considerable damage to the seminary both in pastoral support and financial support.
   B. The sending of the letter was unwise and unfair in that

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375 Ibid.
376 Ibid., 92.
377 Executive Committee of the Board of Trustees, “Reason,” 2.
it spread the controversy to a much broader community. It indicated to that broader community that Westminster was divided and it indicated that Westminster was knowingly harboring teachings which were in error. It also attempted to pressure the board into a minority view rather than working within the framework of the institution. The letter did not present a balanced view of Professor Shepherd’s views.\textsuperscript{378}

Although the board stated that doctrinal errors were not the reason for removing Shepherd, removing him in the name of the “best interests” of the seminary functionally achieved the stated goals of the minority, for the minority had been focused on condemning what they believed to be the erroneous teaching of Professor Shepherd.\textsuperscript{379} Had the faculty at any time opposed Shepherd’s views, he would have had to leave the seminary; such are the rules by which the seminary is governed. Shepherd’s continuance was supported not only by a majority of the faculty but also by two senior members who had been with the institution from its founding and who were familiar with its character and purpose; they were Paul Woolley and Cornelius Van Til.\textsuperscript{380}

The controversy was doctrinal from its inception. The extant version of the document, “Policy Statements, Tenure and Removal,” expressly addressed controversies arising because of doctrinal differences.\textsuperscript{381} It stated: “a tenured member of the faculty may be removed for adequate cause….”\textsuperscript{382} “Violation of the doctrinal standard” is listed in this policy as an “adequate cause.”\textsuperscript{383}

After six years of investigation, the board stated that it had made no judgment about Shepherd’s teaching regarding its agreement with Scripture and confession. The board failed to

\begin{footnotesize}
\begin{enumerate}
\item Ibid., 12.
\item Cornelius Van Til, “Letter to the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, 1980), 1.
\item Board of Trustees, “Policy Statements,” 3.
\item Ibid.
\item Board of Trustees, “Policy Statements,” 3. “Adequate cause shall normally include only incompetence, failure of health, violation of the doctrinal standard, or moral delinquency.”
\end{enumerate}
\end{footnotesize}
establish that Shepherd’s teaching was unscriptural, and it identified no violation of the doctrinal
standards of the seminary. It was not until several months after Shepherd had been dismissed
that the Executive Committee did an about-face and concluded that things were not as the
statement of the board had said they were. Even then, WTS failed to produce any charges
against Shepherd. It only recorded a “reason” for his dismissal. 384

The Board-Faculty Review Committee Meeting of January 15, 1982

On November 20, 1981, the board passed this motion: “That the Board appoint a
committee [Board Faculty Review Committee] of three board members, elected by the Board,
and two faculty members, elected by the Faculty, to conduct a full investigation of these
findings, giving to Professor Shepherd abundant opportunity to defend the conduct of his
office.” 385 The Board Faculty Review Committee was to report back to the board at its next
meeting.

The board passed another motion on November 20, 1981: “… the Executive Committee
of the Board was given responsibility of preparing a statement giving the terms of reference for
the Committee of Five [BRFC] appointed by the Board under recommendation II. B. of the
Visitation Committee’s report.” 386 The motions and actions of the board demonstrate that from
the beginning of the controversy they believed the seminary’s “Charter Constitution and By-
Laws” and “Policy Statements: Tenure and Removal” had jurisdiction, and the board proceeded
on that basis. 387

384 Executive Committee of the Board of Trustees, “Reason,” 1.
386 Ibid.
387 Ibid., 6. “In fairness to Professor Shepherd, the board cannot reopen its examination of his views unless
a formal charge is introduced claiming to show for adequate cause his teaching violates the doctrinal standards of
the Seminary. (See Policy Statements, “Tenure and Removal” approved February, 1971).”
A December 11, 1981 letter written to the chairman of the Board Faculty Review Committee by one of its members asked that the terms of reference be clarified:

In attempting to prepare myself for the meeting of Jan. 15th, I find that there is some disagreement regarding the precise function of our committee. Can you resolve the ambiguity for us? Are we merely to pass judgment on the Executive Committee’s statement or are we expected to give Mr. Shepherd full opportunity to present his case? If the latter, is he expected to have counsel? If the former, is he not expected to appear before the committee? Do you wish for us as members of the committee to prepare ourselves in any way?

Since Mr. Shepherd more than anyone else needs to know what is expected of him, I am sending him a copy of this letter.  

On January 4, 1982, Shepherd wrote to Charles W. Krahe, Jr., Chairman of the Board Faculty Review Committee, to request a hearing: “In accordance with the Seminary’s Policies on Tenure and Removal I would like to request a hearing by the committee appointed for that purpose, and also that the charges against me be presented in full.”

The Board Faculty Review Committee met with Shepherd on January 15, 1982, but no charges were presented. For this reason, the Board Faculty Review Committee deemed it “impossible” for Shepherd to defend the conduct of his office at the meeting. The January 18, 1982, report of the Board Faculty Review Committee states that the committee:

[A]fter considering its commission and the voluminous correspondence received, arrived at the following recommendation:

That the Board not effect the removal of Mr. Shepherd from the seminary faculty until it is prepared to draft clear and explicit charges against Mr. Shepherd together with specifications and thereafter that Mr. Shepherd be granted abundant opportunity to defend the conduct of his office against those charges.

This recommendation was made because we deemed it impossible for Mr. Shepherd to defend the conduct of his office (Article III, Sec. 15 of the Constitution) or to receive a hearing (Policy Statement on Tenure and Removal) without the charges against him being spelled out.

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390 Board-Faculty Review Committee on Justification, “Report of the Joint Board-Faculty Review Committee to the Board of Trustees,” Personal Collection (Bloomington, Minnesota, January 18, 1982).
Mr. Shepherd appeared before the committee and was informed of the above recommendation. We recognized that our meeting with him was not the hearing which he requested and to which he is entitled.

Prof. Shepherd claimed that in his opinion the Board erred in dismissing him without following the procedures of the said Policy Statement. He requested the committee to recommend to the Board to proceed according to the Policy Statement, and, believing that it had not found adequate cause under the Policy Statement for his removal, to reinstate him. We report Prof. Shepherd’s opinions for the Board’s information, and ask that the Board determine the procedure to be followed. We recommend the implementation of the Policy Statement on Tenure and Removal.

We have also recommended to the Executive Committee the drawing up of charges and specifications prior to the Board’s February 11 meeting…. 391

The January 29, 1982, Meeting of the Executive Committee

The Board-Faculty Review Committee communicated its recommendations to the Executive Committee in a meeting that took place on January 29, 1982. The Executive Committee noted: “There was concern by the committee [the Board faculty Review Committee] on how to proceed, [sic] therefore it was considered prudent to refer the matter back to the Executive Committee and the Board for clarification.” 392

In response to the January 19, 1982, Board Faculty Review Committee report—and in response to the concerns and objections expressed in the faculty actions of October 19, 1981, and November 16, 1981—the Executive Committee, on January 29, 1982, “prepared a draft statement for presentation to the Board which statement set forth that Article III, Section 15 and the Policy Statement on Tenure and Removal in no way set aside the Constitution.” 393 They also asserted that the “… Executive Committee report of November 21, 1981 did identify grounds

391 Ibid.

392 Executive Committee of the Board of Trustees, “Minutes of the Meeting of the Executive Committee of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia Pennsylvania, January 29, 1982).

393 Ibid. After some modification, this “draft statement” would later be identified as Reason by the Executive Committee on February 26, 1982. Article III, Section 15, was a part of the constitution; the policy statements were not.
[Board Faculty Review Committee had requested charges] which when taken in conjunction with the Visitation Committee’s report were adequate for the conducting of a full investigation and hearing of Prof. Shepherd."

This led the faculty to reaffirm its previous objections (of October 19, 1981) to the Executive Committee’s interpretations and applications of the seminary’s constitution and “Policy Statement, Tenure and Removal.” At its February 15, 1982, meeting, the faculty recorded:

On motion the faculty determined to respectfully express to the Executive Committee of the Board its judgment (1) that the Policy Statement on Tenure and Removal is most fairly and properly understood as intended to implement Article III, Section 15 of the Constitution, and (2) that Article III, Section 15 does not grant to the Board power of removal parallel or in addition to the provisions of the Policy Statement on Tenure and Removal.

The faculty believed that the board was required to hold a hearing—a hearing to adjudicate “charges” that had been “presented in full”—prior to dismissing a member of the faculty for “adequate cause”.

The Executive Committee was under great pressure to clarify the process and to state the basis—rationale, ground, cause, charge, or otherwise—that it had used for the action it had taken to dismiss Shepherd. No charges had been presented to Shepherd, nor had any charges been adjudicated by the board—or by any other valid governing body—prior to the action the board had taken to dismiss Shepherd. The board had acted to dismiss him on the basis of expediency. The board had not acted under “Policy Statement, Tenure and Removal”.

Clowney’s December 29, 1981 letter of explanation to the alumni of WTS stated:

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394 Executive Committee of the Board of Trustees, “Minutes” (January 29, 1982).

395 Faculty, “Minutes of the Meeting of the Faculty” (October 19, 1981), 21. See also, Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 72.

396 Board of Trustees, “Policy Statements,” 3 ff.

397 Faculty, “Minutes of the Meeting of the Faculty of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 15, 1982).

398 Board of Trustees, “Policy Statements,” 3 ff.
The present action of the board was taken in terms of a statement in the Constitution of the seminary which asserts that “The Board shall have power, by the affirmative vote of a majority of its total membership, to remove any professor when, according to its mature judgment, it has become convinced that such removal is necessary for the best interests of the Seminary.” The Section also asserts that “Before such removal is effected, however, the person in question shall have the right to receive a full investigation, and shall be granted abundant opportunity to defend his conduct of his office. Preliminary to and pending such investigation, he may be suspended temporarily.”

The February 3, 1982, Meeting of the Executive Committee

The Executive Committee next met via telephone conference on February 3, 1982, and composed a letter to the board. It stated:

In light of the recommendations of the Committee of Five [Board faculty Review Committee], the Executive Committee wishes to specify more particularly the reasons for the Board’s action with respect to Mr. Shepherd. The Executive Committee will meet, D.V., on Friday, February 26 to complete the formulation of these specifications for presentation to Mr. Shepherd and the members of the Board. The Board will then meet on March 25 at 9:30 a.m.

Also on February 3, 1982:

The Executive Committee elected Sinclair Ferguson to the position of Assistant Professor of Systematic Theology, for three years, 1982-1985.

The Executive Committee was to meet next on February 26, 1982.

The February 26, 1982, Meeting of the Executive Committee

Several issues were on the table as the Executive Committee began to write Reason.

Among them were these factors:

- Shepherd:
  - had requested a hearing;

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400 Executive Committee of the Board of Trustees, “Minutes of the Meeting of the Executive Committee of Westminster Theological Seminary” (Westminster Theological Seminary, Philadelphia, Pennsylvania, February 3, 1982).

401 Ibid.
b. wanted—and needed—to know of any charges against him;\textsuperscript{403} and
c. had asked to be reinstated because no “adequate cause” had been found to
remove him.\textsuperscript{404}

- The faculty:
  a. had called attention to the fact that the “rationale” behind Shepherd’s
  suspension had not yet been disclosed;\textsuperscript{405}
  b. had sought implementation of “Policy Statements, Tenure and Removal”;\textsuperscript{406}
  and
  c. had asserted that “sufficient ground for Mr. Shepherd’s dismissal” was
  absent.\textsuperscript{407}

- After the Board Faculty Review Committee had reviewed the positions of Shepherd
  and the faculty, it recommended:
  a. “implementation of the Policy Statement on Tenure and Removal;\textsuperscript{408}
  b. that Shepherd not be removed until “clear and explicit charges” had been
drawn up;\textsuperscript{409}
  c. that Shepherd not be removed until he had been “granted abundant
  opportunity to defend” himself against any such charges;\textsuperscript{410} and
  d. that charges be drawn up by February 11, 1982.\textsuperscript{411}

\textsuperscript{402} Shepherd, “Letter to Krahe” (January 4, 1982).
\textsuperscript{403} Moises Silva, “Letter to Krahe” (December 11, 1981).
\textsuperscript{404} See Board-Faculty Review Committee on Justification, “Report.”
\textsuperscript{405} Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 72.
\textsuperscript{406} Ibid.
\textsuperscript{407} Ibid., 75-79.
\textsuperscript{408} Board-Faculty Review Committee on Justification, “Report.”
\textsuperscript{409} Ibid.
\textsuperscript{410} Ibid.
By February 26, 1982, the executive committee had already “elected” Shepherd’s successor.\(^{412}\) Westminster Theological Seminary was embroiled in a “fire-storm” of criticism and controversy,\(^{413}\) and it may have seemed that the entire Reformed world had been put on notice and was now holding its breath. Clowney had written:

The Faculty has condemned the manner in which this [May 4 letter] was done and I have joined in that censure. Yet, through this and other means a kind of fire-storm of criticism against Professor Shepherd and Westminster Seminary has swept across the churches and groups from which Westminster Seminary draws its students and support.\(^{414}\)

*Reason* was written in the context of these factors and conditions. The following excerpts are from the minutes of the February 26, 1982, meeting of the Executive Committee:

Dr. Clowney began presentation of a draft of a document prepared in consultation with Dr. Strimple and others, stating the “Reason and Specifications Supporting the Action of the Board of Trustees in Removing Professor Shepherd” [*Reason*]

The meeting recessed [for a short time]. Dr. Strimple began his attendance at this point….

Discussion and detailed study of the document, “Reason and Specifications …” [*Reason*] continued, with modifications adopted by general consent. On motion, the document was adopted in its modified form, subject to minor editorial revision and polishing. On motion, the Chairman of the Board was instructed to transmit the official final form of this document to Mr. Norman Shepherd as soon as possible….

It was moved and carried to recommend that the Hearing Committee [Board Faculty Review] plan to meet with Mr. Shepherd on Wednesday, 24 March 1982.\(^{415}\)

The document (*Reason*) that the Executive Committee produced included this notable statement: “…after seven years … [we have] become convinced that Mr. Shepherd’s teaching regarding justification … is not clearly in accord with the teaching of Scripture as it is summarized in the system of doctrine contained in the Westminster Standards.” At no time prior to Professor Shepherd’s dismissal—nor prior to the first appearance of this statement in

\(^{411}\) Ibid.

\(^{412}\) Executive Committee of the Board of Trustees, “Minutes” (February 3, 1982).


\(^{414}\) Ibid., 37-38.

\(^{415}\) Executive Committee of the Board of Trustees, “Minutes” (January 29, 1982).
Reason—had the board or its Executive Committee charged that his teaching was “not clearly in accord with” the Westminster Standards; the seminary had never asserted that Shepherd’s teaching “… contradicts or contravenes … the Standards.”  

The Board faculty Review Committee recognized that no charges were extant and yet called for the board to draw up charges. Instead, the Executive Committee now—on February 26, 1982—drew up a “reason” (not a charge) for the action it had taken on November 20, 1981, to remove Shepherd. The faculty objected to this document (Reason) and called for its revision.  

Reason never was revised, and its contents were never approved by an action of the full board. Despite the judicial appearance of its contents, the assertions contained in Reason never led to charges or to an adjudication of any of its claims. Nonetheless, the Executive Committee later made Reason public.

The Scheduled Meeting of the Board Faculty Review Committee, March 24, 1982

Charges were to be presented to Shepherd on March 24, 1982—the date he was to meet again with the Board Faculty Review Committee. However, Clowney wrote to Shepherd on March 17, 1982, to inform him that the faculty had asked for a postponement of this meeting. At its March 15 meeting the faculty concluded:

…that the document “Reason and Specifications [Reason]… approved by the Executive Committee of the Board on February 26, 1982,” does not fully reflect the statement issued in the name of the Board of Trustees on November 21, 1981; and that the Faculty plead with the Executive Committee of the Board that until such reasons and

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416 Executive Committee of the Board of Trustees, “Reason,” 1.

417 Faculty, “Minutes of the Meeting of the Faculty of Westminster Theological Seminary,” (Westminster Theological Seminary, Philadelphia, Pennsylvania, March 15, 1982).

418 Executive Committee of the Board of Trustees, “Minutes of the Meeting of the Executive Committee of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, May 7, 1982).

419 Ibid.

420 Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary,” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 25, 1982), 12. The factors listed in this paragraph make Reason an unsuitable document to serve as the basis for a study of the procedural and/or theological aspects of the controversy.
specifications are drawn up in a way suitable for the purposes of a hearing, the Board not conduct the hearing called for in Article III, Section 15 of the Constitution and the policy statement on Tenure and Removal.\textsuperscript{421}

Clowney’s letter informed Shepherd that the Board Faculty Review Committee chairman would be notifying him of the postponement of this hearing.\textsuperscript{422}

Shepherd did not wish to have this meeting postponed. He had received his copy of \textit{Reason} March 5, 1982, and he had been working since that date to prepare for the March 24 meeting:

Because the Committee of Five [Board Faculty Review Committee], with the advice of the Executive Committee, committed itself to hold the hearing on March 24, and because I have labored since March 5 with that understanding, I believe we are obligated to proceed with the hearing as planned originally, I do not favor the postponement.\textsuperscript{423}

The Board Faculty Review Committee postponed the March 24 meeting, and this led Shepherd to pen a letter to the Board of Trustees on March 20, 1982:

At its meeting on November 20, 1981, and pursuant to its decision to remove me from my office as Associate Professor of Systematic Theology, the Board appointed a Committee of Five [Board Faculty Review Committee] to give me a hearing and to report to the next meeting of the Board. Acceding to a request of the Executive Committee, the Chairman of the Committee of Five [Board Faculty Review Committee], The Rev. Charles W. Krahe, Jr., determined not to give me the hearing as it was arranged for by the Board. I am therefore now requesting that the Board grant me a hearing before the full Board during its scheduled meeting on March 25, 1982.\textsuperscript{424}

Such a hearing before the full board was not to be.

The request of Professor Norman Shepherd (March 20, 1982) for a hearing before the full Board at its meeting of March 25, 1982, was read. The following recommendation of the Executive Committee of the Board (March 24, 1982) was presented: “that the Board accede to the faculty request of their meeting of 15 March 1982, reaffirmed at the faculty meeting of 19 March, that the hearing of Professor Shepherd be postponed to a later date,

\textsuperscript{421} Edmund P. Clowney, “Letter to Shepherd,” Personal Collection (Bloomington, Minnesota, March 17, 1982).

\textsuperscript{422} Ibid.

\textsuperscript{423} Norman Shepherd, “Letter to Clowney,” Personal Collection (Bloomington, Minnesota, March 17, 1982).

\textsuperscript{424} Norman Shepherd, “Letter to the Board of Trustees of Westminster Theological Seminary,” Personal Collection (Bloomington, Minnesota, March 20, 1982).
in order to provide opportunity for further consideration of the reason and specifications.”

Shepherd wrote to the board again on April 2, 1982: “My request that the hearing mandated by the Board be conducted as scheduled was rejected. The Board also rejected my subsequent request that it hear me at its meeting on March 25.”

Shepherd had been dismissed on November 20, 1981. By March 25, over twelve weeks had passed without a hearing. Shepherd’s confidence in the appeal process had been eroded so extensively that he finally wrote a letter to Krahe to state: “I wish to inform you that I am hereby withdrawing my request for a hearing on the matter of my removal from office as provided for in the Constitution and Policy Statement on Tenure and Removal of the Seminary.”

To make certain that the board and the Board Faculty Review Committee understood that his withdrawal of his request for a hearing was not his resignation, Shepherd wrote to the board on that same day to state: “I wish to make clear, therefore, that I am not resigning my office as Associate Professor of Systematic Theology. The Board has acted to remove me from my office and must bear the full responsibility for this action.”

The Board’s only response to Shepherd can be found in the minutes of the May 25, 1982, meeting of the Board:

It would appear that with this withdrawal the Board’s action of removal on November 20, 1981 becomes effective since the hearing process is terminated. The Board should act to take note of Mr. Shepherd’s withdrawal on April 2, 1982 of his request for a hearing, and recognize that his removal from office is now effective.

The Executive Committee, meeting on May 7, 1982, determined that it now contemplate no revision of the “Reason and Specifications …” [Reason] document that it had adopted as a statement of the Board’s position and as furnishing specifications for a hearing. The Committee had been willing to receive proposals from the Faculty for

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425 Board of Trustees, “Minutes” (March 25, 1982), 3.


modifications of this document, and had, at a Faculty request, arranged the postponement of the hearing for this purpose. In view of Mr. Shepherd’s withdrawal of his request for a hearing, Faculty members had discontinued the preparation of proposed modifications.

The Executive Committee also requested the Administration to draw up a news release on this matter, to be used with the media but also to accompany responses to people who have written expressing concern over the dismissal of Mr. Shepherd. The Committee further determined to offer the “Reason and Specifications …” [Reason] document by letter to those who had expressed such concern. A longer and shorter public statement have been prepared and have been made available to the Board with this report.¹²²⁹

To date, Shepherd has not received a formal letter from the board of trustees of Westminster Theological Seminary informing him of his dismissal.¹³³₀

¹²²⁹ Board of Trustees, “Minutes” (May 25, 1982), 12.

¹³³₀ Personal conversation between the author and Shepherd (August 2009).
Part Two

The Bed of Procrustes

INTRODUCTION

Although the theological issue upon which the controversy broke was the doctrine of justification by faith, swirling around this subject were other serious doctrinal concerns that were of considerable interest to WTS, including Shepherd’s understanding of covenant, election, and baptism. Although these topics are directly related to the discussion on justification, they remain distinct questions.

A document that the Commission on Allegations produced, “The Commission on Allegations Regarding Professor Shepherd: Summary of Allegations” (Summary), will serve as the basis for the theological section of this study (Part Two). Summary represents the mature theological formulations of Shepherd’s opponents forged in the midst of six years of controversy. The concern expressed by the Commission was this: “Mr. Shepherd’s methodology seeks to improve Reformed theology by making it more biblical and especially more covenantal. He believes he can accomplish this by making the ‘covenant dynamic’ central in his theological work.”

During the meeting of the Commission, Shepherd asked to be allowed to begin his presentation by addressing Allegation 5. He believed this allegation was central to a correct

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431 Dantine, *Justification of the Ungodly*, 50. n. 1. “A robber in ancient Attica who tied his prisoners to a bed, stretching the limbs of those shorter than the bed and mutilating those who were longer than the bed.”

432 Commission on Allegations, “Summary of Allegations.”

433 Commission on Allegations, “Summary of Allegations,” 4. “Mr. Shepherd has used this covenant methodology in several areas of theology. He used it with reference to evangelism and baptism in ‘The Covenant Context of Evangelism’ and in ‘More on Covenant Evangelism.’” These two articles will be discussed at a later point in this study.

understanding of the other six allegations. He also requested that his presentation follow a specific order for answering the remaining allegations. Although this request would virtually reverse the original order adopted by the Commission, they agreed, and he addressed the allegations in the following order: 5, 6, 7, 2, 3, 4, 1. This order is followed in Part Two of this study under the following headings, as listed in *Summary*:

III. Doctrine of Justification, Allegations 5, 6, 7

II. Covenant Methodology, Allegations 2, 3, 4

I. Communication of Doctrine, Allegation 1

The efforts to “determine whether the charges made against Professor Shepherd’s views are substantial and true” would have been better served if *Summary* had provided a format for each of the allegations that included not only a negative statement of what it believed Shepherd’s various position were but also a positive statement of what it believed orthodoxy teaches over against Shepherd’s various affirmations. *Summary* lacks any orthodox statement, any series of affirmations, or any comparative statements to support what they believe the Westminster Standards definitively teach regarding each of the allegations. This is noteworthy

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435 Commission on Allegations, “Summary of Allegations,” 1. “While the allegations are interconnected and overlap, for convenience, these seven specific allegations together with their supporting evidence will be grouped in three broad categories: Communication of Doctrine, Covenant Methodology, and Doctrine of Justification.”

436 Commission on Allegations, “Summary of Allegations,” 1. Although *Summary* makes references to “charges” against Shepherd, in fact, there have never been any charges against Shepherd, and there are none in existence at this point.

437 Faculty, “Minutes of the Meeting of the Faculty of Westminster Theological Seminary,” (Westminster Theological Seminary, Philadelphia, Pennsylvania, September 8, 1980). At the time of the meeting of the Commission, Shepherd’s opponents had previously submitted a “Supplemental Report to the Board by Some Members of the Special Board-Faculty Committee on Justification.” This report, with the addition of two sections (Section III, “Affirmations, Denials, and Comparisons of the Doctrine of Justification,” and section IV, “Conclusions”), was renamed, signed by Settle and Robertson, and submitted to the board as the “Report to the Board of Trustees of Westminster Theological Seminary by the Special Board-Faculty Committee on Justification. Minority Report May 13, 1980.”

The report was then submitted to the faculty two months before the Commission on Allegations met, at which time it was “examined” by the faculty and found to be “deficient in the following respects: (a) It fails to take
for two reasons: 1) The *Westminster Statement on Justification* (adopted by the board and the faculty in May of 1980) was accessible to the Commission on Allegation and provided precisely what is absent from *Summary*, namely, a series of affirmations and denials and a positive statement of orthodoxy concerning the doctrine of justification by faith; 2) more importantly, the absence of a definitive interpretation of the standards is noteworthy because it is evidence that the members of the Commission did not agree with one another on matters relating to the allegations addressed in *Summary*, thus explaining why *Summary* cannot offer a coherent interpretation of the standards to serve as the measuring rod for assessing Shepherd’s various positions. While it is tempting to assume (in light of the faculty oath) that the members of the account of the overall context of individual statements in Mr. Shepherd’s writings. (b) The section, ‘Affirmations, Denials, and Comparisons of Formulations,’ does not report the ‘Affirmations and Denials’ in the form in which they were adopted by the Special Board/Faculty Committee; the differences largely represent formulations considered but not adopted by the Committee. As examples note the following: #1, #4 of the Board Report is omitted; the section on “Election, the Covenant, Assurance, and Perseverance” was not in the Statement adopted by the Board. (c) The ‘Comparisons’ column does not quote Mr. Shepherd, but provides its own paraphrases, paraphrases which often misrepresent Mr. Shepherd’s views, e.g., #5, #6. Where Mr. Shepherd’s views are accurately represented, the ‘Comparisons’ do not establish, as alleged, a conflict with the affirmations and denials, e.g., #2, #4, #8. (d) It takes insufficient account of Mr. Shepherd’s distancing himself from the controverted formulations of the October, 1976 study paper, ‘The Relation of Good Works to Justification in the Westminster Standards.’

As previously noted, the faculty stated that the “section on ‘Election, the Covenant, Assurance, and Perseverance’” in Robertson and Settle’s report “was not in the Statement adopted by the Board.” The topics of election, covenant, assurance, and perseverance did reappear in the Commission on Allegation under Allegation #2 (points 5-10) in spite of the fact that the topics had been previously been rejected by the Board Faculty Review Committee, the board of trustees, and the faculty. However, the topics did not reappear in Commission in the form in which they had been rejected by the board or faculty. The source used for the reintroduction of “Election, the Covenant, Assurance, and Perseverance” into Commission on Allegation, Allegation #2, is from: O. Palmer Robertson, “Norman Shepherd’s Covenant Perspective,” An Analysis of his Public Statements, Personal Collection (Bloomington, Minnesota, May 6, 1980).

The Commission may not have used “The Westminster Statement on Justification” as its standard of orthodoxy because its use by the commission would have acknowledged Shepherd’s orthodoxy and rendered the commission’s mandate “to determine whether the charges against Professor Shepherd’s views are substantial and true…” useless. *Commission on Allegations,* “Summary of Allegations,” 1.

Board of Trustees, “Minutes” (December 10-11, 1980), 4. The report of the Commission on Allegations to exonerate Shepherd was signed by Joel Nederhood, Theodore J. Pappas, Vern S. Poythress, and Robert B. Strimple. The remainder of the commission submitted a “minority report” under the names Calvin K. Cummings, W. Robert Godfrey, and Norman Hoeftinger

Board of Trustees, “Charter and Constitution” (Westminster Theological Seminary, Philadelphia, Pennsylvania, 1966), 11. The Faculty Oath reads: “In the presence of God, and of the Trustees and Faculty of this Seminary, I do solemnly answer and ex animo adopt, receive, and subscribe to the Westminster Confession of Faith and Catechisms in the form in which they were adopted by this Seminary in the year of our Lord 1936, as the confession of my faith, or as a summary and just exhibition of that system of doctrine and religious belief, which is contained in the Holy Scripture, and therein revealed unto man for his salvation; and I do solemnly swear ex animo, profess to receive the fundamental principles of the Presbyterian form of Church government, as agreeable to the
Commission agreed with one another on precisely how the doctrine of justification by faith ought to be interpreted, this cannot be assumed because “three members of the faculty voted against” The Westminster Statement on Justification, and at least one of the three sat on the Commission on Allegations.  

The Commission knew that the board and faculty had previously judged Shepherd to be orthodox and that he had signed “The Westminster Statement on Justification”. These circumstances prevented those on the Commission who opposed Shepherd from drafting a new statement (a statement that would have been different from “The Westminster Statement on Justification”) on the doctrine of justification. In short, Shepherd’s opponents realized that the existence of such a statement would have effectively overturned the previous actions by the faculty and board that exonerated Shepherd, brought the Commission under suspicion, and undermined the board and faculty adoptions of “The Westminster Statement on Justification. These factors provide the historical and theological contexts in which Summary should be read.

441 Board of Trustees, “Minutes: Part I” (May 27, 1980), 18. “I [Clowney] would also report to the board that three members of the faculty voted against this statement.” Of the three faculty members elected to the commission, two faculty members, Poythress and Strimple, voted to exonerate Shepherd. The remaining faculty member on the commission was W. Robert Godfrey.

442 A legitimate question may be raised in connection with the Reformed orthodoxy of one or more of the faculty members on the commission. This task exceeds the boundaries of this study.

443 Board of Trustees, “Minutes” (December 10-11, 1980), 4.

444 Samuel Logan, “Advice,” Personal Collection (Bloomington, Minnesota, September, 23, 1981). “I would like to say this: I have emphasized again and again to John Ykema that I strongly oppose asking [Shepherd] to do all the ‘paper-writing.’ I believe that it is absolutely essential for Bob Knudsen and Bob Godfrey and the others to write papers admitting their specific errors.... If I had the authority to do so, I would insist upon such papers from those individuals and I certainly hope this is being done.” Emphasis original.

445 If the members of the faculty on the Commission all signed “The Westminster Statement on Justification”, as did Shepherd, then the purpose of Commission would be superfluous. But if one or more of the “three faculty members that voted against the statement” are members of the committee, then any attempt to arrive at an agreed position of orthodoxy is destined for failure. In short, Summary could not produce any sources or evidence from the Presbytery of Philadelphia, the board, or faculty in defense of their opposition to Shepherd.
The format of the analysis that follows reflects the pattern of negative assertions adopted by *Summary*. This study does not provide an orthodox and definitive statement of the Commission position on each of the various allegations because *Summary* itself does not contain one. If this study were to provide such statements, this would undermine the historicity of the original document. Indeed, it would compromise the theological integrity of that document by seeking to speak on matters that Shepherd’s opponents on the Commission on Allegations did not address collectively.

Given these historical and theological constraints, this study examines whether or not the use made by *Summary* of the evidence and the sources *Summary* selected and cited from Shepherd’s material substantiates its thesis. These points must be kept firmly in mind, for they are fundamental to understanding the analysis that follows and for assessing the contribution *Summary* made to the controversy. An understanding of these issues helps to explain the protracted nature of the controversy and the reason why there has been such confusion surrounding Shepherd’s views. At the same time, a proper understanding of these issues provides a historic and theologically accurate context within which *Summary* should be approached and Shepherd’s teaching ought to be considered.

**The Commission on Allegations**

By November of 1980, the seminary had been involved in the controversy for six years. The arguments of those who supported Shepherd, and of those who opposed him, were now well defined. The allegations set forth in the document, “The Commission on Allegations Regarding Professor Shepherd: Summary of Allegations” (*Summary*), reflect the mature thought of

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446 Commission on Allegations, “Summary of Allegations,” 1. “At the May, 1980 meeting of the Board of Trustees of Westminster Theological Seminary a commission was erected ‘to determine whether the charges made against Professor Shepherd’s views are substantial and true, and to determine whether his published views and classroom lectures do confuse in a serious fashion the system of doctrine to which the seminary is committed and to discover his present opinion on these issues that have been controverted...’.”
Shepherd’s opponents. This document also records what Shepherd’s opponents believed to be a faithful representation of what Mr. Shepherd taught and “seems to continue to teach”.  

All of the Shepherd materials referenced in Summary had been scrutinized by the faculty and the board during the processes and examinations that had resulted in Shepherd’s prior exonerations. Several of the source materials Summary relied upon to represent Shepherd’s views were modified. Summary quoted these materials even though it was clear that later versions contained clarifications and revisions.

“On Monday November 3, 1980, at 2:30 p.m.,” Shepherd met with Commission on Allegations in Machen Hall “in the President’s office at the seminary”. In his opening presentation, Shepherd:

… protested the use of statements in his October, 1976, Study Paper [“The Relation of Good Works to Justification in the Westminster Standards”] in the commission’s Summary of Allegations [Summary], noting that his study paper was never submitted as a basis of being judged, and requested that his protest be recorded in the minutes. Mr. Shepherd made clear, however, that he would speak to the specifications from the study paper in his presentation.

Summary explains its approach: “While the allegations are interconnected and overlap, for convenience these seven specific allegations together with the supporting evidence will be grouped in three broad categories: [I.] Communication of Doctrine, [II.] Covenant Methodology, and [III.] Doctrine of Justification.” Shepherd requested “that the specifications be considered in this order: 5, 6, 7, 2, 3, 4, 1. The Commission agreed to this and proceeded to a discussion of the allegations.” This order will be observed in this study because Allegation 5 addressed the

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448 Board of Trustees, “Minutes” (February 8, 1979), 16. See also Board of Trustees, “Minutes” (December 10-11, 1980), 2.

449 Commission on Allegations, “Minutes.”

450 Ibid. “The Relation of Good Works to Justification in the Westminster Standards” beyond the faculty and board remains in force. The Commission was composed entirely of faculty members and board members.


452 Commission on Allegations, “Minutes.”
doctrine that was central to the controversy: justification by faith. The other allegations grew out of this.

The Commission on Allegations was erected “to determine whether the charges made against him [were] substantial and true, and to determine whether his published views and classroom lectures [confused] in a serious fashion the system of doctrine to which the seminary [was] committed….” The Commission used several of Shepherd’s published and unpublished writings to prepare *Summary*; these included:

- “The Relation of Good Works to Justification in the Westminster Standards” October 1976
- “The Covenant Context for Evangelism” 1976
- “Thirty-Four Theses on Justification in Relation to Faith, Repentance, and Good Works” 1978
- “The Grace of Justification” 1979

The Commission on Allegations also used tapes of several of his classroom and other lectures; these included:

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454 Shepherd, “Relation of Good Works.” This work is unpublished; this statement is on the title page: “This is not a published work. It may not be used for any purpose other than to serve as a basis for discussion within the faculty of Westminster Theological Seminary on October 1 and 2, 1976.” Shepherd’s prohibition against its use has not been lifted. The omitted (italicized) portions (these are only the portions of text that lie between the quoted segments of text) are used with Shepherd’s permission.


456 Shepherd, “Thirty-Four Theses.”

457 Shepherd, *The Grace of Justification*. 
DOCTRINE OF JUSTIFICATION

According to Summary:

III. Doctrine of Justification

Some have claimed that Mr. Shepherd’s covenant methodology has led him into specific doctrinal errors on justification. Because of the nature of his covenant methodology Mr. Shepherd is able to affirm both traditional theology and his distinctive formulations. His critics insist therefore that their concerns cannot be answered until he repudiates certain erroneous ideas and statements.

A. The Instrument of Justification

Allegation 5: It is alleged that the exclusive instrumentality of faith is not fully and clearly maintained by Mr. Shepherd.\(^{461}\)

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The Commission’s Approach

Summary first cites The Larger Catechism (LC), questions 73, 75, and 76, in support of Allegation 5:

One of the central elements of the Reformed doctrine of justification is the conviction that faith is the only instrument of justification.\(^{462}\) LC 73 specified that faith is the instrument only as by it the believer “receiveth and applieth Christ and his righteousness.” This question specifies that the other graces “which do always accompany” justifying faith do not share faith’s instrumental role. Repentance unto life in (LC 76) is specified as a saving grace and is therefore, with all other elements of sanctification (see LC 75) precluded from having an instrumental role in justification.\(^{463}\)

Summary uses LC 73 to establish and defend “the exclusive instrumentality of faith.”\(^{464}\)

Citing LC 73, Summary asserts that “faith is the only instrument of justification.”\(^{465}\) (Note the use of the word only). As will be discussed below, LC 73 does not teach “the exclusive instrumentality of faith”.\(^{466}\) Rather, LC 73 addresses the question: “How doth faith justify a sinner in the sight of God”?\(^{467}\)

Summary relies on a questionable approach to LC 73 in support of Allegation 5.

Summary does not quote LC 73 in full; the complete text is:

\[\text{LC 73: “But if the righteousness on the basis of which we are justified exists completely outside of us in Christ Jesus, it can naturally be appropriated by us only because we accept it in childlike faith. ‘The forgiveness of sins is the thing promised for Christ’s sake. Therefore it can be accepted only by faith, since a promise can be accepted only on faith.’ Faith, therefore, is not the material or formal cause of justification; it is not even a condition or instrument (instrumental cause) of justification, for it does not relate to justification as, for example, the eye to seeing or the ear to hearing. Faith is not a condition on which, and not an instrument or organ by which, we receive this benefit, but the very act of accepting Christ and all his benefits as he by his Word and Spirit offers himself to us, and faith therefore includes the consciousness that he is my Lord and that I am his possession. Faith therefore is not an instrument in the true sense, one that serves as the means by which a person accepts Christ, but is a sure knowledge and firm confidence that the Holy Spirit works in one’s heart and by which he [the Spirit] persuades and assures people that, despite all their sins, they share in Christ and all his benefits. But if this is saving faith, it cannot be a ‘knowledge of history’ or a ‘bare assent’ to certain truths; then it is by its very nature a living and active faith, and it is not in every respect antithetical to all work.’ Emphasis added.}\]

\[\text{LC 73: “But if the righteousness on the basis of which we are justified exists completely outside of us in Christ Jesus, it can naturally be appropriated by us only because we accept it in childlike faith. ‘The forgiveness of sins is the thing promised for Christ’s sake. Therefore it can be accepted only by faith, since a promise can be accepted only on faith.’ Faith, therefore, is not the material or formal cause of justification; it is not even a condition or instrument (instrumental cause) of justification, for it does not relate to justification as, for example, the eye to seeing or the ear to hearing. Faith is not a condition on which, and not an instrument or organ by which, we receive this benefit, but the very act of accepting Christ and all his benefits as he by his Word and Spirit offers himself to us, and faith therefore includes the consciousness that he is my Lord and that I am his possession. Faith therefore is not an instrument in the true sense, one that serves as the means by which a person accepts Christ, but is a sure knowledge and firm confidence that the Holy Spirit works in one’s heart and by which he [the Spirit] persuades and assures people that, despite all their sins, they share in Christ and all his benefits. But if this is saving faith, it cannot be a ‘knowledge of history’ or a ‘bare assent’ to certain truths; then it is by its very nature a living and active faith, and it is not in every respect antithetical to all work.’ Emphasis added.}\]

\[\text{Summary: “Exclusive instrumentality of faith,” the term used in Summary, is not found in the Westminster Standards.}\]

\[\text{Summary: “Exclusive instrumentality of faith,” the term used in Summary, is not found in the Westminster Standards.}\]

\[\text{Summary: “Exclusive instrumentality of faith,” the term used in Summary, is not found in the Westminster Standards.}\]

\[\text{Summary: “Exclusive instrumentality of faith,” the term used in Summary, is not found in the Westminster Standards.}\]
Q. How doth faith justify a sinner in the sight of God?

A. Faith justifies a sinner in the sight of God, not because of those other graces which do always accompany it, or of good works that are the fruit of it, nor as if the grace of faith, or any act thereof, were imputed to him for his justification; but only as it is an instrument by which he receiveth and applieth Christ and His righteousness (LC 73). According to Summary, “This question [LC 73] specifies that other graces ‘which do always accompany’ justifying faith do not share faith’s instrumental role.”

Next, Summary cites LC 75 and LC 76 in support its assertion that LC 73 establishes the “exclusive instrumentality of faith”: Summary states that, “Repentance unto life (in LC 76) is specified as a saving grace and is therefore with all elements of sanctification (See LC 75) precluded from having an instrumental role in justification.” This quotation asserts that repentance is “precluded from having an instrumental role in justification” because it is a “saving grace”.

The assertion provides the context for Summary to cite numerous quotations from Shepherd’s “October 1976 Study Paper” (The Relation of Good Works to Faith in Justification) as evidence that Shepherd did not maintain the “exclusive instrumentality of faith”:

In response to faculty criticism, Mr. Shepherd changed his language in the October 1976 Study Paper [The Relation of Good Works to Faith in Justification]. There he spoke of “faith coupled with obedience” (p. 19) and “faith and new obedience” (p. 22) and “faith and repentance” (p. 15) as being unto or necessary for justification. These were not isolated sentences but rather clear examples of the position taken throughout the paper. Again in response to faculty criticism Mr. Shepherd changed his language. In his January 3, 1978 paper he expressed his preference for the expression “obedient faith” as the specification of what is necessary for justification (p. 3). He also insists that “penitent faith” (p. 4) is necessary for justification. He goes further and insists that the notion that obedience accompanies faith is not a fully adequate way to do justice to the concept of obedient faith (p. 4). (In this criticism he is rejecting the formulation of WCF XI, 2, and LC 73). These same basic points about the role of obedient faith and repentance are repeated in his “Thirty-Four Theses on Justification” submitted to the Presbytery of Philadelphia on November 18, 1978, see theses 11, 12, 14, 15, 18, 20, and 23.

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468 Westminster Assembly, Westminster Confession of Faith, 165-166.

469 Commission on Allegations, “Summary of Allegations,” 11. The word specifies indicates that Summary believed LC 73 was addressing this issue of “the exclusive instrumentality of faith” directly.


In the preceding quote, *Summary* alleges that Shepherd rejected the formulation of WCF 11/2, which reads:

> Faith, thus receiving and resting on Christ and His righteousness, is the alone instrument of justification; yet it is not alone in the person justified, but is ever accompanied with all other saving graces, and is no dead faith, but worketh by love (WCF 11/2).  

Shepherd was not insisting that the faculty’s formulation—“obedience to Christ accompanies justifying faith”—was wrong; he affirmed it was true. He only was asking if the faculty’s formulation could be better stated. Shepherd was not rejecting WCF 11/2, as *Summary* alleges.

*Summary* records that Shepherd stated he did not reject WCF 11/2 and that he “declared that faith is the alone instrument.” But his opponents remained unconvinced because, according to *Summary*, “he seems to continue to teach an instrumental role for repentance and obedience.” *Summary*, it will be suggested below, supports the assertion that, “Repentance unto life (in LC 76) is specified as a saving grace and is therefore with all elements of sanctification (See LC 75) precluded from having an instrumental role in justification” using a questionable argument.

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474 Ibid.

475 *Summary* does not use WCF 11/2 to support this allegation; *Summary* alleges that Shepherd rejects the formulation of WCF 11/2; *Summary* acknowledges that Shepherd denied that he had rejected WCF 11/2. See Commission on Allegations, “Summary of Allegations,” 13.


477 Ibid.

The Commission’s Argument

*Summary* uses LC 73 as evidence to support the allegation that Shepherd does not clearly maintain “the exclusive instrumentality of faith.” The question that LC 73 asks is: “How doth faith justify a sinner?” Stated negatively, the answer to this question is not: Faith justifies because of the graces that always accompany it. It cannot be said that faith justifies because of the fruits that always accompany it. Nor is faith the ground of justification. Stated positively, “Faith justifies a sinner … only as it is an instrument by which he receiveth and applieth Christ and his righteousness.” This question (LC 73) does not address—it does not speak to—“the exclusive instrumentality of faith.” That is, although LC 73 affirms that faith is an instrument, it does not answer the question of whether or not there could be any other instruments.

*Summary* states, “This question [LC 73] specifies that the other graces ‘which do always accompany’ justifying faith do not share faith’s instrumental role.” The line of argumentation in *Summary* is this: “Repentance unto life (LC 76) is specified as a saving grace and is therefore, with all elements of sanctification precluded from having an instrumental role.” If this argument is correct, then faith cannot have an “instrumental role in justification” because justifying faith, like repentance, also is a “saving grace”.

That faith and repentance are to be understood as saving graces arises out of a comparison between LC 72 and LC 76, where the same structure—the same language—is used for both questions, and the same answer is given to both questions:

Q. 72. What is justifying faith?

A. Justifying faith is a saving grace, wrought in heart of a sinner by the Spirit and Word of God.….  

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Q. 76. What is repentance unto life?

A. Repentance unto life is a saving grace, wrought in the heart of a sinner by the Spirit and Word of God….\(^{483}\)

It does not follow that because repentance is a “saving grace” it is “therefore, precluded … from having an instrumental role!”\(^{484}\) Questions 72, 73, 75, and 76 do not address the subject of exclusive instrumentality and for this reason any approach to the argument of the sole instrumentality of faith that begins with LC 73 is invalid.

In “A Statement on the Doctrine of Justification,” Shepherd wrote about the unique office of faith:

Justification is by faith. Faith does not function as the reason or the cause why sinners are justified nor is it the ground of their justification in any sense. The office of faith is to abandon all self-righteousness and to rest upon or apprehend the righteousness of Jesus Christ as the exclusive ground of forgiveness and acceptance by God. No other virtue shares this office with faith and without faith there is no justification of the sinner; therefore justification is by faith alone. There is no way by which a sinner can be justified except by faith.\(^{485}\)

At a later date (in “The Grace of Justification”); Shepherd again explained his position on faith:

Faith alone justifies—that is Paul’s doctrine. Faith looks neither to itself nor to its own working for justification. Faith lays hold of Jesus Christ and his righteousness and the righteousness of Jesus Christ is imputed to the one who believes. This is the distinctive function of faith in justification which it shares with no other grace or virtue.\(^{486}\)

Shepherd’s Teaching: \(\text{ex}\ \text{ergwv} \rightarrow \text{ek}\ \text{pi\textasciitilde{stewj}}\)

The supporting evidence in *Summary* is written from within the context of a well-established tradition in Reformed theology that teaches (regarding justification) that faith is in antithesis to all works. This tradition understands “faith alone” from within that context and insists that faith is opposed to every kind of activity: “The Westminster Standards emphasize

\(^{483}\) Ibid., 167-168.


faith alone, not merely in contrast to self righteous works, but in contrast to all that we might do.\textsuperscript{487}

Summary asserts that any other way of understanding “faith alone” would undermine one of “the central elements of the Reformed doctrine of justification.” This “central element” is: “Faith is the only instrument of justification.”\textsuperscript{488}

Although Summary references Shepherd’s lectures, it provides no quotations from Shepherd’s 1975 class lectures, but lists some of the titles of these lectures to support the following assertion:\textsuperscript{489}

Contrary to the position of the doctrinal standards of the seminary in class in 1975 Mr. Shepherd taught that good works as well as faith have an instrumental relationship to justification.\textsuperscript{490}

The tapes of the class lectures by Professor Shepherd on “The Doctrine of the Holy Spirit” given in the fall of 1975 dealing with the doctrine of justification were labeled as follows:

- Justification as a Declarative Act
- The Ground of Justification
- The Relation of Faith to Justification
- Justification by Good Works
- Justification and Forgiveness

In the lectures under the heading “The Relation of Faith to Justification,” faith is dealt with as follows:

1. Justification Presupposes Faith
2. Faith is not the Ground of Justification
3. Faith is the Instrument of Justification

The same structure is then used with regard to good works:

1. Justification Presupposes Good Works
2. Good Works are not the Ground of Justification
3. Good Works are the Instrument of Justification

\textsuperscript{487} Executive Committee of the Board of Trustees, “Reason,” 12.

\textsuperscript{488} Commission on Allegations, “Summary of Allegations,” 11.

\textsuperscript{489} These citations were old material that subsequently were revised by Shepherd and approved by the board and faculty prior to his first exoneration.

\textsuperscript{490} Commission on Allegations, “Summary of Allegations,” 11.
James 2:24 in particular is used as the data for #3 (Good Works are the Instrument of Justification) where appeal is made to what is called an “identical construction” (ἐξ ἐργῶν—ἐκ πίστεως) so that “Faith and works are in the same relationship to justification.”

This list contains the titles of Shepherd’s lectures as titled in 1975. When he lectured on “The Doctrine of the Holy Spirit” in 1980 (in the months prior to his meeting with the Commission), the following titles he listed in the class syllabus were:

1. Justification as a Forensic Act
2. The Imputation of Righteousness
3. The Righteousness Imputed—the Ground of Justification
4. The Instrumentality of Faith
5. The State of Justification

The titles of the lectures under the heading, “The Instrumentality of Faith,” were:

a. The Man Who Believes is Justified
b. Faith is Not the Ground of Justification
c. Faith is the Instrument of Justification

Whereas the titles Shepherd used in the 1980 syllabus reflected the changes he made after he accepted the faculty’s criticism of his teaching, Summary lists as supporting evidence the 1975 titles that he had replaced. It is noteworthy that Shepherd no longer used the outline after 1975. Although Summary does not include quotations from Shepherd’s lectures, it does make clear that he taught on James 2:24: “You see that a person is justified by works and not by faith alone.”

In 1979, Shepherd quoted Machen to support his position that Paul and James both addressed the same sense of justification and did not contradict each other:

The proper method for reconciling the apostolic authors is the one advocated by J. Gresham Machen when he addressed himself specifically to this question. Machen did not distinguish between two different senses of “justify,” assigning one to James and the other to Paul. Rather, he writes: “The solution of the whole problem is provided by Paul himself in a single phrase. In Gal. 5:6, he says, ‘For in Christ Jesus neither circumcision

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491 Ibid., 12.

492 See Appendix B. The syllabus states that “1. Justification is a Forensic Act. 2. The Imputation of Righteousness. 3. The Righteousness Imputed—The Ground of Justification ... cannot be an inherent righteousness.”
availeth anything, nor uncircumcision; but faith working through love.’ ‘Faith working through love’ is the key to an understanding both of Paul and James.” 493

All parties were agreed that James cannot be contradicting Paul, but Shepherd’s opponents correlated the teachings of James and Paul in a way that Shepherd did not. 494 They held that Paul speaks of justification in a declarative sense; James speaks of justification in a demonstrative sense. 495 They contrasted their approach to Shepherd’s:

Since 1975 two views on the relation of works to justification have been expressed at Westminster Theological Seminary. This situation continues to the present.

A1. The first view states that justification is by faith alone, although affirming that all other saving graces always accompany or flow from justification, and that good works inevitably arise as the fruit and evidence of the genuineness of the faith that justifies. In this view, faith alone is seen as the only instrument of justification, and good works are regarded as a consequence of faith and justification, but never as the way to, the instrument for, or the means of justification.

B1. The second view, advanced by Mr. Norman Shepherd … holds that justification is by faith together with its works rather than by faith considered judicially apart from its works. 1 This position vigorously denies that works function as the ground of justification. But it also insists that works serve as the “way to” justification. It is the “working of faith” that saves, involving in this “salvation” the concept of justification. The precise role of works in relation to justification is not made absolutely clear in this position, but works are described as the “way to” justification, rather than simply as the “fruit and evidence” of the faith that justifies.

[footnote text] 1 This position is made plain by Mr. Shepherd’s consistent exegesis of James. According to Mr. Shepherd, the “justification” of James is the justification of Paul, and this justification is “by works.” He says of the justification of James: “Justify’ is used in a forensic sense as in Paul. James is saying that a man is saved or justified by works and not by faith alone” (The Grace of Justification, p. 2. Cf. also his October, 1976 paper, p. 2).

… [I]t must be noted that Mr. Shepherd vigorously and specifically repudiates the “demonstrative” understanding of James’ use of “to justify.” 496

Shepherd’s opponents correctly recognize that he believes both Paul and James are speaking of justification in the declarative sense. 497 However, he insisted that a proper reading of


495 Ibid.

496 Ibid. Emphasis original.

497 Shepherd, The Grace of Justification, 1-5.
James should not imply that works are the ground of justification any more than a proper reading of Paul should imply that faith is the ground of justification. When James writes, “A man is justified by works”, he uses the Greek structure \( \text{ἐξ ἐργῶν} \) (\( \text{ek + the genitive form of the noun} \)): “A man is justified \( \text{ἐξ ἐργῶν} \)” (James 2:24). When Paul writes, “He will justify the circumcised by faith”, he uses the Greek structure \( \text{ἐκ πίστεως} \) (\( \text{ek + the genitive form of the noun} \)): “He will justify the circumcised \( \text{ἐκ πίστεως} \) (Romans 3:30). In 1975, Shepherd considered this grammatical construction a reason to discuss the possibility that faith and works might stand in parallel relationships to justification.

According to Shepherd, when James writes, “You see that a person is justified by works,” he uses the structure \( \text{ἐξ ἐργῶν} \) (\( \text{ek + the genitive form of the noun} \)): “You see that a person is justified \( \text{ἐξ ἐργῶν} \)” (James 2:24). When Paul writes, “For by works of the law no human being will be justified in his sight,” he uses the identical grammatical structure \( \text{ἐξ ἐργῶν} \) (\( \text{ek + the genitive form of the noun} \)): “For \( \text{ἐξ ἐργῶν} \) of the law no human being will be justified in his sight” (Romans 3:20). The rules of Greek syntax that are applicable to Romans 3 can—and should—be applied to James 2:

If \( \text{ἐξ ἐργῶν} \) (\( \text{ek + the genitive form of the noun} \)) communicates ground in James (James 2:24),

Then \( \text{ἐξ ἐργῶν} \) (\( \text{ek + the genitive form of the noun} \)) communicates ground in Paul (Romans 3:20).

If \( \text{ἐκ πίστεως} \) (\( \text{ek + the genitive form of the noun} \)) communicates means in James (James 2:24),

Then \( \text{ἐκ πίστεως} \) (\( \text{ek + the genitive form of the noun} \)) communicates means in Paul (Romans 3:30).
If ἐξ ἑργῶν (ἐκ + the genitive form of the noun) communicates means in James (James 2:24),

Then ἐξ ἑργῶν (ἐκ + the genitive form of the noun) communicates means in Paul (Romans 3:20).

Shepherd’s line of argumentation leads him to conclude that if neither faith nor works is the ground of justification, then the only ground of justification is the imputed righteousness of Jesus Christ.

Instrument

Summary states that Shepherd spoke of a “liability” related to the term instrument:

“There is some discussion about the liability of the term ‘instrument’ for both faith and works in relation to justification, and the expression ‘the way’ is suggested instead, and we find ‘the way of faith and the way of obedience’ used instead of ‘instrument.’”

In a 1980 class lecture, Shepherd noted:

… the classic Protestant position ... is to the effect that faith does not function in a causal way with respect to our justification, but faith is simply the instrument whereby justification is appropriated. It is the instrument whereby the righteousness of Jesus Christ is received—it is trust in Jesus Christ—and so faith does not contribute to justification, but receives justification. Although that is the focus and the meaning and the emphasis of the use of this term instrument, still, it is difficult, I think, to avoid saying that even this term instrument (although it is employed in order to avoid [the implication] that there is a contributing factor on our part) … has what Prof. Murray used to call a “certain liability attached to it.” It is not a biblical word; it is a word used to serve a certain purpose. But it has a liability attached to it in that it carries with it at least some suggestion that faith is a contributing cause of our justification, even as a receptive organ.

The phrase “the way” is an expression that The Larger Catechism employs in question 32:

Q. 32. How is the grace of God manifested in the second covenant?

A. The grace of God is manifested in the second covenant, in that he freely provideth and offereth to sinners a Mediator, and life and salvation by him; and requiring faith as the

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condition to interest them in him, promiseth and giveth his Holy Spirit to all his elect, to
work in them that faith, with all other saving graces; and to enable them unto all holy
obedience, as the evidence of the truth of their faith and thankfulness to God, and as *the way* which he hath appointed them to salvation.\(^{500}\)

**Shepherd on Faith as the Alone Instrument**

*Summary* alleges that, if James is addressing forensic justification in James 2, then faith
cannot be the *alone* instrument of justification; this is because James states that justification is
by works. In 1979, Shepherd made his mimeographed paper, “The Grace of Justification”
available to the public.\(^{501}\) In this paper, he explained how the teachings of Paul and James
should be reconciled. His position carefully maintained that faith is “the alone instrument of
justification”:

Faith alone justifies—that is Paul’s doctrine. Faith looks neither to itself nor to its own
working for justification. Faith lays hold of Jesus Christ and his righteousness and the
righteousness of Jesus Christ is imputed to the one who believes. This is the distinctive
function of faith in justification which it shares with no other grace or virtue.\(^{502}\)

Within the context of his discussion of Galatians 5:6 and WCF 11/2, Shepherd quotes
John Murray: “‘Faith alone justifies but a justified person with faith alone would be a
monstrosity which never exists in the kingdom of grace.’”\(^{503}\) Shepherd says, “Noteworthy is the
fact that Murray relates both James 2 and Gal. 5:6 to the doctrine of forensic justification.”\(^{504}\)
Shepherd believes Murray teaches that James 2 is about forensic justification; he also believes
that he affirms what Murray affirms about faith: It is “the alone instrument of justification.”
Shepherd writes:

It is precisely this doctrine that finds expression in the Westminster Confession of Faith,
Chap. XI, Sect. 2. Faith receiving and resting on Christ and his righteousness is the alone


\(^{501}\) Shepherd, *The Grace of Justification*.


instrument of justification. It is faith alone that receives and rests upon Christ. The
Confession is rightly concerned to accent the distinctive office of faith as the Larger
Catechism also does in Qu. 70, 71, and 73. But the Confession goes on to say that this
faith is never alone. It is ever accompanied with all other saving graces. Specifically it is
not a dead faith but works by love. Proof texts offered by the Westminster Assembly of
Divines [for WCF 11/2] are James 2:17, 22, 26, and Gal. 5:6.\textsuperscript{505}

The use of Galatians 5:6 and James 2: 17, 22, and 26 by WCF 11/2 is evidence that the divines
believed these passages teach about forensic justification. For the divines, the understanding that
James 2 and Galatians 5 address the topic of forensic justification is consonant with the
understanding that faith is the alone instrument of justification.

The Concluding Paragraphs of Evidence

In the remaining paragraphs of evidence, \textit{Summary} refers to Shepherd’s 1975 classroom
lectures (“The Doctrine of the Holy Spirit”), his 1976 Study Paper (The Relation of Good Works
to Faith in Justification), and his January 3, 1978, communication to the board (“Response to a
Special Report”).\textsuperscript{506} These paragraphs also include quotes from “The Grace of Justification”
(1979).

By 1978, Shepherd had revised his original language, but it is his old language that is
quoted in \textit{Summary}. He had written in 1978 about his willingness to make the changes the
faculty had requested: “I can understand, appreciate and profit from this criticism, and am
prepared to amend the language accordingly.”\textsuperscript{507} Earlier, Shepherd had written, “I would like to
make clear that I do not regard the particular wording of these statements as sacrosanct, and I am
ready to grant that the wording may be misleading or objectionable.” The faculty discussed
Shepherd’s modifications and responded to his “reformulations” positively: “The faculty is
convinced that Mr. Shepherd’s position, properly understood, does not undermine the unique

\begin{footnotes}
\footnotetext[505]{Ibid.}
\footnotetext[506]{Shepherd, “Response to Special Report.”}
\footnotetext[507]{Norman Shepherd, “A Further Response to Special Report of the Faculty to the Board on the
Discussion on Faith and Justification,” Personal Collection (Bloomington, Minnesota, March 1, 1978), 1.}
\end{footnotes}
role of faith in justification nor obscure the proper distinction between justification and sanctification, and is within the bounds of the Westminster Standards.”

Despite this, Summary quotes Shepherd’s older, unmodified language.

**Faith Working through Love**

*Summary* was written in 1980; it acknowledges that Shepherd had changed his original language and that he had “declared that faith is the alone instrument.”

But *Summary* asserts that “he seems to continue to teach an instrumental role for repentance and obedience.”

*Summary* recognizes that, “In response to faculty criticism, Mr. Shepherd has changed his language…. But *Summary* then asserts, “The changes in his position since 1975 are only verbal changes and involve no significant or substantial change from his early conviction that good works share with faith an instrumental relationship to justification.”

For his part, Shepherd was persuaded that, “Some of the participants in the discussion are unable to conceive that the faith which justifies can be obedient faith, without making the obedience implied in obedient faith a ground or cause in us of our justification.”

In 1978, Shepherd was aware of the difficulty his position generated, but he emphasized that his position was Reformed:

> It is of the utmost importance to begin by noting the faculty acknowledgement of, and concurrence in, what I have sought to stress again and again in the course of our discussions, namely, that the righteousness of Jesus Christ alone is the exclusive ground of justification, forgiveness, and acceptance with God. This is the heart and core of the

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508 Faculty, “Report of the Faculty to the Board on Faith and Justification,” Personal Collection (Bloomington, Minnesota, April 25, 1978), 4.


510 Ibid.

511 Ibid., 12.

512 Ibid., 13.

Reformed doctrine of justification, and in this the Reformed doctrine differs radically from the doctrine of Rome.\textsuperscript{514}

*Summary* then cites another passage in “The Grace of Justification” as evidence that Shepherd had not changed his position,\textsuperscript{515} and to state that he taught “good works share with faith an instrumental relationship”.\textsuperscript{516}

In his February 8, 1979 paper, “The Grace of Justification,” Mr. Shepherd seems to use the phrase obedient faith much less, but there remain parallel expressions. In answering the question about what avails for justification he says, “… the working of faith wrought by the sanctifying activity of the Spirit which is the fulfillment of the law through love (Gal. 5:14).”\textsuperscript{517}

The full paragraph from “The Grace of Justification” reads:

> In Gal. 5:6 Paul is talking about justification. Circumcision or uncircumcision do not avail for justification. That is to say, the works of the law are of no avail. What does avail? Faith avails, namely, faith working by love. Gal. 5:6 introduces a fundamental distinction which runs through the Pauline letters and, indeed, throughout the whole Bible between “works of the law,” an external and formal adherence to selected legal prescriptions apart from faith, and the working of faith wrought by the sanctifying activity of the Spirit which is the fulfillment of the law through love (Gal. 5:14).\textsuperscript{518}

When the omitted portion of the passage is included, it is evident that the full quotation from “The Grace of Justification” does not state—neither does it imply—that “good works share with faith an instrumental relationship.”\textsuperscript{519} Rather, it established that *Summary* uses only part of what Shepherd writes, and this use implies that Shepherd agrees with the Roman Catholic position on Galatians 5:6, which holds that it is the working of faith that avails for justification. Shepherd explicitly denies that “what avails for justification … [is] the working of faith.” Indeed, he rejects that love or works are the ground of justification:

\textsuperscript{514} Ibid.

\textsuperscript{515} This is but one example of the selective use of Shepherd’s materials in *Summary*.


\textsuperscript{517} Ibid., 12-13.

\textsuperscript{518} Shepherd, *The Grace of Justification*, 3. Italics added; the italicized words are those that are missing from *Summary*.

… does [Paul] mean that faith derives its power to justify from love so that it is after all love or works that justify and not faith? Not at all! This is the Roman Catholic interpretation of Gal. 5:6 which transforms the working of faith into “works of the law.” This interpretation affirms precisely what Paul denies in the very same verse as well as in the Epistle as a whole. Faith alone justifies—that is Paul’s doctrine. Faith does not look either to itself or to its own working for justification. Faith lays hold of Jesus Christ and his righteousness and the righteousness of Jesus Christ is imputed to the one who believes. This is the distinctive function of faith in justification which it shares with no other grace or virtue. The righteousness of Jesus Christ is imputed to the sinner the moment he believes. He believes and is justified….

Shepherd believes that his position is represented within the Reformed tradition, and he quotes Calvin on Galatians and James because he believes Calvin agrees with him regarding the relationships between faith and works and justification:

520 Shepherd, The Grace of Justification, 3.

521 The following quotes are taken from Shepherd, “Response to Special Report of the Faculty to the Board on the Discussion on Faith and Justification.” Shepherd writes, “To appeal to the resources of the Reformed faith in its distinctive genius appears to me to be the proper way for a Reformed theologian to proceed” (p. 1). In supporting his positions, Shepherd quotes at length from Reformed theologians:

Calvin, Institutes III. 16. 1. “Thus it appears how true it is that we are justified not without, and yet not by works, since in the participation of Christ, by which we are justified, is contained not less sanctification than justification” (p. 11). Calvin, Commentary on Galatians 5:6. “It is not our doctrine that the faith which justifies is alone. We maintain that it is always joined with good works. But we contend that faith avails by itself for justification. The Papists themselves, like murderers, tear faith into pieces, sometimes making it informis and empty of love, and sometimes formata. But we deny that true faith can be separated from the Spirit of regeneration. When we debate justification, however, we exclude all works” (p. 11).

Walaeus, as cited by Heppe, Reformed Dogmatics, 561. “When we say that we are justified per solam fideum, by that we do not mean empty faith:—but we are dealing with living faith effectual through love, although it does not borrow from love the power to justify” (p. 11).

Turrettin, Institutes, Loc. XVI, Qu. 8 (“Does Faith Alone Justify?”) VI. 3. The question is not, whether solitary faith, that is separated from the other virtues, justifies, which we grant could not easily be the case, since it is not even true and living faith, but whether it alone concurs to the act of justification, which we assert: as the eye alone sees, but not when torn out of the body. Thus the article alone does not determine the subject, but predicate, that is faith only does not justify, but faith justifies alone: the coexistence of love in him who is justified is not denied, but its coefficiency or cooperation in justification. 4. The question is not, whether the faith which justifies works by love, because otherwise it would not be living but dead; but whether by which it justifies, or in the act itself of justification it is to be considered under such a relation which we deny.

XVI. Although the whole force of justifying on the part of man is faith, as to the act of apprehension, so that other virtues contribute nothing to it with faith; it does not follow that faith can justify when they are absent as well as when they are present, yea, even when the opposite vices are present; because it is one thing to justify without virtues, that is separated from them which we deny; another for it to justify alone, but not separated from them. As it does not follow, the hand alone writes, the eye alone sees; therefore, as such when torn from the head and the other members as in the body; the sole force of respiration is in the lungs; the lungs can respire torn out from the liver and other viscera, equally as well as when connected with them, which everyone sees to be absurd. There are hundreds of things of this kind, which have a certain proper efficacy and effect, which still, when separated from their adjuncts, lose all their power. Natural potencies are connected as to existence, but disjoined as to operation. Light and heat in the sun are most closely connected together, but still the light alone illuminates, the heat alone warms. Although, therefore, the other virtues do not justify with faith, still faith cannot justify in their absence, much less the opposite vices being present; because faith cannot be true, unless in connection with the virtues, which if they do not contribute as to justification, still contribute to the existence and life of faith, which the presence of vices would destroy (p. 11-12).

Murray, Redemption—Accomplished and Applied (1955), pp. 160f. “Justification is by faith alone, but not by a faith that is alone.” [sic] … Faith alone justifies but a justified person with faith alone would be a monstrosity
Calvin says of Gal. 5:6, “Indeed, we confess with Paul that no other faith justifies ‘but faith working through love.’ But it does not take its power to justify from that working of love. Indeed, it justifies in no other way but in that it leads us into fellowship with the righteousness of Christ” (Institutes III, 11, 20).

Calvin then distinguishes his position from Roman Catholicism as he had done in commenting on Gal. 5:6:

James, according to his manner of speaking, declares that Rahab was justified by works; and the Sophists hence conclude that we obtain righteousness by the merits of works. But we deny that the dispute here is concerning the mode of obtaining righteousness. We, indeed, allow that good works are required for righteousness: we only take away from them the power of conferring righteousness, because they cannot stand before the tribunal of God.\(^{522}\)

Shepherd agrees with Calvin: Rahab was justified by works; and good works are required for justification—they are not only the inevitable result of justification—but good works are not the ground for justification. Shepherd distills Calvin’s statement about James this way: “Here Calvin expressly asserts that good works are necessary for righteousness. There is no justification without them. But they do not confer righteousness. They are not the ground of acceptance as Romanism insisted because they cannot withstand the severity of God’s judgment.”\(^{523}\)

Shepherd quotes Machen on Galatians and James because he believes Machen agrees with his understanding of the relationships between faith and works and justification. It is likely that Shepherd quotes Machen to demonstrate he is using the resources of the Reformed tradition—especially the WTS tradition embodied in Machen—and to reassure his supporters and persuade his critics. Machen’s approach to reconciling the teachings of Paul and James is:

The faith of which Paul speaks is, as Paul himself says, a faith that works through love [Galatians 5:6]; and love is the fulfilling of the whole law. Paul would have agreed fully with James that the faith of which James speaks in our passage [James 2:14-19, 24] is

which never exists in the kingdom of grace. Faith works itself out through love (cf. Gal. 5:6). And faith without works is dead (cf. James 2:17-20). It is living faith that justifies and living faith unites to Christ both in the virtue of his death and in the power of his resurrection” (p. 12). Emphasis original.

\(^{522}\) Shepherd, The Grace of Justification, 3-4.

\(^{523}\) Ibid., 3.
quite insufficient for salvation. The faith that Paul means when he speaks of justification by faith alone is a faith that works.  

Machen asserts that Paul agrees with James: The faith that justifies is a faith that works—faith alone (devoid of works) is insufficient for justification.

In his discussion of the nature of saving faith, Shepherd quotes Turretin to support a significant grammatical point that is foundational for his understanding of faith alone:

In answer to the question whether faith alone justifies, Turretin observes: “The question is not whether solitary faith … that is, separated from the other virtues, justifies, which we grant could not easily be the case since it is not even true and living faith; but whether it alone concurs to the act of justification, which we assert…. Thus the particle alone does not modify the subject but the predicate, that is, faith alone does not justify, but only faith justifies; the coexistence of love with faith in him who is justified is not denied, but its coefficient or co-operation in justification….”

Turretin is saying that “alone” must not be understood as an adjective modifying “faith” so that justifying faith would have to be viewed as “solitary,” or in isolation from its working or from its manifestation in obedience to Christ. Rather, “alone” is to be understood adverbially as pointing to the distinctive role played by faith in relation to the other gifts and graces with which it is invariably associated. Only faith justifies. Only faith lays hold upon Christ and his righteousness. This is its distinctive office, to receive, accept, and rest upon Christ for justification and salvation from eternal condemnation. This is what Turretin means when he says that faith alone concurs to the act of justification.

Conclusion

Thus, it is clear that Shepherd conceives of faith alone in a manner that is compatible with leading representatives of the Reformed tradition. Shepherd affirms WCF 11/2. The Commission on Allegations exonerated Shepherd on Allegation 5.

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B. Justification and Sanctification

*Allegation 6*: It is alleged that inevitably connected with Mr. Shepherd’s error on the instrument of justification is a confusion of justification and sanctification.

**Roman Catholic Backdrop**

Protestantism charges Roman Catholic theology with confusing justification and sanctification. From the perspective of Protestantism, one way in which Roman Catholic theology errs is by defining justification as a process of becoming just or justified. According to Roman Catholic teaching, the first step in the process of becoming justified is baptism; the infusion of Christ’s righteousness takes place at this time. The second step is the cooperation of the free will with grace to produce meritorious good works. Protestants charge that this theology confuses justification and sanctification.\(^{526}\)

Protestant theologians, on the other hand, distinguish justification from sanctification in several ways (LC 77). Specifically, they distinguish these two benefits by defining justification as a judgment from outside us rendered by God with respect to us; it is not a process of subjective transformation. Sanctification is a transformation within us; it is a process. Allegation 6 proceeds with the Roman Catholic understanding in view.

**Distinguishable but Inseparable**

Shepherd and his opponents agreed that justification is not a process and that sanctification is a process. They agreed that, in justification, sin is pardoned; in sanctification, sin is subdued. All parties agreed that justification is a judgment of God with respect to us, and sanctification is a work of God in us. All agreed that justification and sanctification are

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distinguished on these two bases: One is not a process, the other one is; one is to us, the other one is in us.

According to LC 77, justification and sanctification must be distinguished; but LC 77 also teaches that justification and sanctification are inseparable.\footnote{Westminster Assembly, \textit{Westminster Confession of Faith}, 169.} All parties subscribed to the language of \textit{The Larger Catechism}:

\textbf{Q. 77. Wherein do justification and sanctification differ?}

\textbf{A.} Although sanctification be inseparably joined with justification, yet they differ, in that God in justification imputeth the righteousness of Christ; in sanctification his Spirit infuseth grace, and enableth to the exercise thereof; in the former, sin is pardoned; in the other, it is subdued: the one doth equally free all believers from the revenging wrath of God, and that perfectly in this life, that they never fall into condemnation; the other is neither equal in all, nor in this life perfect in any, but growing up to perfection.\footnote{Ibid.}

\textbf{Shepherd on Distinguishable But Inseparable}

In a class lecture, Shepherd distinguishes justification from sanctification:

In Protestantism, justification is not defined as an act in which one becomes just; but it is a declarative, forensic judgment on the part of God. And sanctification is distinguished as God’s transforming of us. It is essential to understand the above. Sometimes the distinction is made in such a way that … justification and sanctification are entirely unrelated.\footnote{Shepherd, “Lectures on the Doctrine of the Holy Spirit,” cassette 28.}

Shepherd emphasizes that the distinctions between justification and sanctification do not make these two benefits separable:

The distinction is not made in order to deny that true and living faith which justifies is obedient faith, but to avoid saying that justification was a process of sanctification. If we say justification and sanctification have nothing to do with one another absolutely, it would be impossible to say that justification is by faith.\footnote{Ibid.}

According to Shepherd, sinners are justified on the basis of the imputed righteousness of Christ and not on the basis of anything in them. But, according to Shepherd, neither are sinners
justified irrespective of anything in them. In a lecture titled, “The Instrumentality of Faith,” Shepherd teaches:

The man who believes is justified. Now, up to this point, we have seen that everything connected with justification is objective to ourselves. We have noted that justification is an act of God. It is God who justifies, and the righteousness on the ground of which we are justified is not our own. It is not a work-righteousness which is worked out by us. It is not an out-wrought righteousness, which would be self-righteousness as opposed to God-righteousness; and it is not a righteousness generated in us, or an in-wrought righteousness; but it is the righteousness of Jesus Christ imputed to us in that justification is wholly an act of God for our benefit.

In this formulation, Shepherd preserves the sovereignty of God in justification in this way:

“Jesus Christ and his righteousness is the exclusive ground of our justification.” “But,” Shepherd emphasizes, “it is not correct to conclude that justification takes place irrespective of any activity on our part.”

Perhaps Shepherd is aware that this statement could be confusing, for he explains, “That [conclusion] might seem to be necessitated in order to guard the purity of the concept of justification as wholly God’s act on the basis of righteousness outside of ourselves.” Shepherd explains further, “or put in another way, not all saving activity on our part is consequent to justification.” Because justification is by faith, faith cannot be subsequent to justification. “Scripture teaches,” says Shepherd, “that God justifies the ungodly; but the Scripture also says, in effect, that God justifies the ungodly who believe in Jesus.”

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531 Ibid., cassette 22.
532 Ibid.
533 Ibid.
534 Ibid.
535 Ibid.
536 Ibid.
Summary on Distinguishable but Inseparable

Summary distinguishes justification from sanctification without addressing how these two benefits are inseparable. (Summary does not mention the “inseparability” of justification and sanctification anywhere in the document.) This is in contrast to LC 77, which teaches that these two benefits—the pardoning of sin (justification) and the subduing of sin (sanctification)—differ but are “inseparably joined”: 537

Q. 77. Wherein do justification and sanctification differ?

A. Although sanctification be inseparably joined with justification, yet they differ, in that God in justification imputeth the righteousness of Christ; in sanctification his Spirit infuseth grace, and enableth to the exercise thereof; in the former, sin is pardoned; in the other, it is subdued: the one doth equally free all believers from the revenging wrath of God, and that perfectly in this life, that they never fall into condemnation; the other is neither equal in all, nor in this life perfect in any, but growing up to perfection. 538

All parties agree that justification is a judgment that God makes with respect to us; this judgment is not because of anything in us. Shepherd and Summary agree that LC 77 teaches justification and sanctification are different. But The Larger Catechism begins the answer of LC 77 by emphasizing that “sanctification [is] inseparably joined with justification.” How can the inseparability of these two benefits (justification and sanctification) be understood without confusing them and without failing to speak correctly about how they differ?

In Allegation 6, Summary asserts that Shepherd confuses justification and sanctification, and that his confusion about these two benefits is “inevitably connected” to his error “on the instrument of justification.” That error is alleged to be: “… the exclusive instrumentality of faith is not fully and clearly maintained” (Allegation 5). Summary does not delineate a position, but it reflects Robertson’s view of how justification and sanctification are related: Justification and sanctification are inseparable because sanctification is chronologically subsequent to—and the

538 Ibid.
inevitable result of—justification;\textsuperscript{539} justification and sanctification differ because justification is an act and sanctification is a process:

\begin{quote}
\ldots justification is by faith alone, although affirming that all other saving graces always accompany or flow from justification, and that good works [sanctification] inevitably arise as the fruit and evidence of the genuineness of the faith that justifies. In this view, faith alone is seen as the only instrument of justification, and good works [sanctification] are regarded as a consequence of faith and justification, but never as the way to, the instrument for, or the means of justification.\textsuperscript{540}
\end{quote}

Robertson’s view implies that justification and sanctification are distinguished, in part, because they are separated in time. Relating justification to sanctification in this way has the effect of separating them completely.

\textit{Summary} affirms that sin is pardoned in justification and that sin is subdued in sanctification. According to \textit{Summary}, this is one way in which these two benefits differ. But when justification and sanctification are understood to differ in a way that effectively separates them chronologically, the question arises: Must the “dominion … of sin be destroyed” in sinners for them to be justified?\textsuperscript{541} Shepherd addresses this question in a class lecture: “\ldots justification does not take place wholly irrespective of any activity on our part; or put in another way, not all saving activity on our part is consequent to justification.”\textsuperscript{542} Because justification is by faith, the “saving activity” of faith cannot be chronologically subsequent to justification.

It is because of this teaching that \textit{Summary} alleges Shepherd confuses justification and sanctification. \textit{Summary} holds that any response or activity that is required of sinners for justification must contribute to justification; and if works contribute, then Christ cannot be the exclusive ground of justification: “\ldots faith alone is seen as the only instrument of justification,

\begin{footnotesize}
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\item \textsuperscript{539} O. Palmer Robertson and Paul G. Settle, “Supplemental Report to the Board by Some Members of the Special Board-Faculty Committee of Justification,” 2-5.
\item \textsuperscript{540} Robertson and Settle, “Supplemental Report to the Board.”
\item \textsuperscript{541} Westminster Assembly, \textit{Westminster Confession of Faith}, 63.
\item \textsuperscript{542} Shepherd, “Lectures on the Doctrine of the Holy Spirit,” cassette 22.
\end{itemize}
\end{footnotesize}
and good works are regarded as a consequence of faith and justification, but never as the way to, the instrument for, or the means of justification."  

If justification and sanctification are distinct because they are separate, and if faith and works are distinct because they are separate, how do sinners receive pardon while the dominion of sin remains unbroken in them? Can sinners lay hold of the righteousness of Christ before they are regenerate? The Westminster Confession of Faith addresses regeneration and the destroying of sin under the title, “Of Sanctification”:

They who are effectually called and regenerated, having a new heart and a new spirit created in them, are further sanctified, really and personally, through the virtue of Christ’s death and resurrection, by His Word and Spirit dwelling in them: the dominion of the whole body of sin is destroyed, and the several lusts thereof are more and more weakened and mortified; and they more and more quickened and strengthened in all saving graces, to the practice of true holiness, without which no man shall see the Lord (WCF 13/1).

Regeneration is a work of God within the sinner; it is a sanctifying work of the Holy Spirit.

Because “justifying faith” is a “saving grace” that is “wrought in the heart of a sinner by the Spirit and word of God” (LC 72), and because “repentance unto life” is a “saving grace” that is “wrought in the heart of a sinner by the Spirit and word of God” (LC 76), and because “justifying faith” and “repentance unto life” arise out of the regenerating work of the Holy Spirit, it can be said that regeneration gives rise to faith and to repentance. Faith is wrought in the hearts of sinners by the Spirit of God, and faith is necessary for justification. Shepherd teaches that faith is the fruit of regeneration; faith is the product of the sanctifying work of the Holy Spirit in us; regeneration transforms unbelief into belief. Repentance is wrought in the hearts of sinners by the Spirit of God, and repentance is necessary for justification. “Justifying faith” and “repentance unto life” are not contributions to justification because both are wrought

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546 Ibid., cassette 22.
in the hearts of sinners by the Spirit and word of God; there is no contribution on the part of the sinner to undermine the righteousness of Christ as the exclusive ground of our justification.\textsuperscript{547}

The Evidence: Confusion of Justification and Sanctification

\textit{Summary} begins the supporting evidence for Allegation 6 by stating:

LC 77 carefully distinguishes justification from sanctification noting, among other differences, that in the former sin is pardoned and in the latter sin is subdued. But Mr. Shepherd regularly presents his understanding of justification in terms of the subduing of sin.\textsuperscript{548}

Shepherd, however, clearly expresses disagreement with Roman Catholic theology:

“Roman Catholicism and the Reformation differed on justification and sanctification. For Rome, justification and sanctification are the work of Christ and the work of man."\textsuperscript{549} Despite Shepherd’s teaching against the Roman Catholic position, \textit{Summary} uses partial quotes from Shepherd’s writings (and quotes from writings he had since revised) to support the allegation that he confuses justification and sanctification in the same way that Roman Catholic theology confuses these two benefits.

\textit{Summary} offers a quote from The Relation of Good Works to Faith in Justification as evidence that Shepherd “presents his understanding of justification in terms of the subduing of sin”:\textsuperscript{550}

“When we realize that communion with Christ is at the heart of our salvation and is the foundation of the imputation of Christ’s righteousness for justification, it becomes abundantly clear that the Westminster Standards hold ungodly persons unfit to be justified apart from the transformation wrought in effectual calling ...

To say that there is no communion with Christ without godliness is simply to say there is no salvation without good works.” (Oct.1976 Study Paper, p. 23).\textsuperscript{551}

\textsuperscript{547} Ibid.


The full quote from The Relation of Good works to Faith in Justification is as follows:552

When we realize that communion with Christ is at the heart of our salvation and is the foundation of the imputation of Christ’s righteousness for justification, it becomes abundantly clear that the Westminster Standards hold ungodly persons unfit to be justified apart from the transformation wrought in effectual calling. *The sacrament is designed to strengthen and increase godliness: “A sacrament is an holy ordinance instituted by Christ in his church ...to strengthen and increase their faith, and all other graces; to oblige them to obedience...” (LC 162).* To say that there is no communion with Christ without godliness is simply to say there is no salvation without good works.553

When Shepherd writes, “… the Westminster Standards hold ungodly persons unfit to be justified apart from the transformation wrought in effectual calling,”554 he is affirming that faith is unto justification. This is because faith, like repentance unto life, is a saving grace that comes to expression only as it is wrought in the heart of a sinner by the sanctifying and transforming work of the Holy Spirit. For that reason, there is never a point in time when the sinner possesses these two saving graces (faith and repentance) in the absence of regeneration. Justification does not occur when the dominion of sin is not destroyed (the destroying of the dominion of sin is sanctification). “To say that there is no salvation without good works” is not to say that good works cooperate with Christ in the work of salvation; but it is to say that justification and sanctification always coexist, that sanctification is not chronologically subsequent to justification. But it is not correct to say that justification and sanctification are coefficient in salvation merely on the grounds that they coexist. These two benefits are distinct, but they are not separable.

552 The section of the quote that *Summary* has replaced with an ellipsis is italicized.


554 Ibid.
Summary quotes a second paragraph from The Relation of Good Works to Faith in Justification as evidence that Shepherd “presents his understanding of justification in terms of the subduing of sin”.

“The diametrical opposition of God-righteousness and self-righteousness obtains not simply or only if we say that God justifies the ungodly. It also holds when we say as we must that God justifies the ungodly man who is transformed by the regenerating work of the Holy Spirit. It holds when we say that God justifies the ungodly man who believes, who repents of his sin turning from it, and who begins to walk in the ways of righteousness and godliness in this present age. (Titus 2:12).” (Oct. 1976 Study Paper, p. 35).

The righteousness of faith is necessary for justification, but it is not the ground of justification. Shepherd writes, “God justifies the ungodly man who is transformed by the regenerating work of the Holy Spirit.” The standards teach that faith is one of the duties required of us (SC 3; LC 99). Shepherd taught that faith does not contribute anything to our acceptance before God—nor is it the ground of our acceptance before God. A comparison of LC 72 and LC 76 demonstrates this: “Justifying faith is a saving grace” that must be present in the sinner for him to be justified (LC 72). “Repentance unto life is a saving grace” that must be present in the sinner for him to be justified (LC 76). The crucial point for Shepherd is that LC 72 and LC 76 both teach that these two saving graces are “wrought in the heart of the sinner by the Spirit and word of God”.

Faith is not the ground of acceptance before God, because it is wrought in the heart of sinner and is the fruit of regeneration. For the same reason, repentance is not the ground of our acceptance before God; it also is wrought in the heart of the sinner and is the fruit of regeneration. According to Shepherd’s understanding, justifying faith coexists with (it is inseparable from) repentance. But repentance is not coefficient; it does not accomplish what


556 Commission on Allegations, “Summary of Allegations,” 13-14. Commas were omitted around the phrase as we must in this quote.

faith accomplishes (they remain distinct). Justification and sanctification differ, but they are inseparable.

Shepherd delineates his understanding of the distinction between justification and sanctification. According to a class lecture:

Justification has to do with guilt and the condemnation of sin, with our acceptability before God. Sanctification has to do with the pollution of sin; it cleanses from the pollution of sin and has to do with progressive overcoming of that pollution. Justification is a judicial act; the sinner is declared righteous. Sanctification is a work of God; a change is wrought in the affections and behavior. Justification is the same for all believers (Romans 8:1). Sanctification differs in that the level of sanctification varies from one to another and has different degrees of advancement. Justification has to do with legal status. Sanctification has to do with our moral condition. Justification gives us the title to eternal life and blessedness. Sanctification prepares us to enjoy eternal blessedness.

Shepherd’s teaching about the differences between, and the inseparability of, justification and sanctification places human activity within the realm of justification. Summary understood this to be a “confusion of justification and sanctification.” This is because Summary preserves an accepted (and prevailing) understanding of the distinction between justification and sanctification: These two benefits are to be separated chronologically. Summary takes this approach to distinguishing justification and sanctification because of the belief that God justifies sinners “irrespective of any saving activity on their part.” Summary is zealous—as is Shepherd—to preserve the sovereignty of God in the work of salvation: There can be no possibility of the sinner contributing to his salvation. The sinner is justified on the basis of the imputed righteousness of Christ and not on the basis of anything in him. Shepherd affirms this.

Summary next quotes a paragraph from “The Grace of Justification” as evidence that Shepherd “presents his understanding of justification in terms of the subduing of sin”:

“When they repent they cease being evildoers—mere hearers of the law—and they become doers of the will of God. They begin to fulfill the law through love (Gal. 5:13, 14). They become faithful disciples of the Lord Jesus Christ. Much sin still clings to them from the old, pre-conversion life, but a radical change has been wrought so that

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559 Commission on Allegations, “Summary of Allegations,” 13
they are no longer classified among the godless and the sinner[s], but among the righteous (I Peter 4:18).... By the way of repentance men become doers of the law who will be justified and enter into eternal life (Rom. 2:7). \(^{560}\)

Shepherd’s full statement in “The Grace of Justification” demonstrates that he is speaking about the day when God’s righteous judgment will be revealed. The parts of the paragraph that \textit{Summary} omits are in italics:

\textit{In Rom. 2:13, Paul gives no comfort to those who do the works of the law. Rather, he calls all men, both Jew and Gentile to repentance (Acts 17:30). In vs. 4 he says that the kindness, forbearance, and patience of God in holding back a justly deserved judgment are designed to lead you to repentance. Though it is perfectly true that no men are repentant by nature and none are doers of the law by nature, there are those who through the gospel do receive the gift of repentance. There are those who do repent. When they repent they cease being evildoers—mere hearers of the law—and they become doers of the will of God. They begin to fulfill the law through love (Gal. 5:13, 14). They become faithful disciples of the Lord Jesus Christ. Much sin still clings to them from the old, pre-conversion life, but a radical change has been wrought so that they are no longer classified among the godless and the sinners, but among the righteous (I Peter 4:18). It is just a manifestation of their righteousness to have daily recourse to Christ in prayer pleading for the forgiveness of sin which remains in them marring their Christian testimony. As they are instructed in the way of truth and righteousness (II Peter 2:2, 21), they are numbered among “those who by perseverance in doing good seek for glory and honor and immortality” (Rom. 2:7, 10). The language of Paul here is similar to that found in Heb. 10:36, 38, which speaks of perseverance in doing the will of God and obtaining the promised life. By way of repentance men become doers of the law who will be justified and enter into eternal life (Rom. 2:7).} \(^{561}\)

By omitting portions of this paragraph, \textit{Summary} implies that Shepherd teaches sinners will be justified by means of their repentance. \textit{Summary} implies that he confuses justification and sanctification in the same way that Roman Catholic theology does: The sinner cooperates in his justification by means of his obedience. Shepherd denies that any activity of a sinner cooperates in his justification. But he also denies that including obedience in the discussion of justification confuses justification and sanctification. He affirms that repentance is coexistent—in people and in time—with faith unto the pardon of sin; justifying faith is inseparable from repentance. Justification and sanctification are distinct but inseparable.

\(^{560}\) Ibid., 14.

\(^{561}\) Shepherd, \textit{The Grace of Justification}, 9-10.
Summary conflates (without an ellipsis) the next paragraph in “The Grace of Justification” (on pages 9-10) with part of a paragraph from page 20 of “The Grace of Justification” to form the next section of evidence in support of the assertion that Shepherd “presents his understanding of justification in terms of the subduing of sin”:

“Doers of the law” is a category to which no one belongs by nature for all have sinned and are under condemnation; but that sinners can become “doers of the law” in the sense of Rom. 2:13 by grace is made abundantly evident in the Scriptures. (“The Grace of Justification,” pp 9-10) Neither faith nor repentance nor the works which flow from and are the manifestation of faith and repentance, become the meritorious ground upon which the sinner is justified and given the title to eternal life. They are descriptive of the way in which God sovereignly and efficaciously brings his children into the possession of all that Jesus has wrought for them” (“The Grace of Justification,” p. 20).

A fuller reading of “The Grace of Justification” demonstrates that Shepherd quotes Calvin.

“Doers of the law” is a category to which no one belongs by nature for all have sinned and are under condemnation; but that sinners can become “doers of the law” in the sense of Rom. 2:13 by grace is made abundantly evident in the Scriptures….

Further, the demand for repentance is grounded not in the presumption that the sinner can, of himself, turn from his sins unto God, but is grounded in the promise of God to give to men by the power of the Spirit what the gospel requires of them. A gospel which comes in word only either evokes no response or at most may provoke some “works of the law,” but the gospel which comes with the power of the Spirit bears the fruit of the Spirit in faith, repentance, and new obedience. Neither faith nor repentance, nor the works which flow from and are the manifestation of faith and repentance, become the meritorious ground upon which the sinner is justified and given the title to eternal life. They are descriptive of the way in which God sovereignly and efficaciously brings his children into the possession of all that Jesus has wrought for them. As Calvin describes it, “Those whom the Lord has destined by his mercy for the inheritance of eternal life he leads into possession of it, according to his ordinary dispensation, by means of good works” (Institutes III, 14, 21).

By omitting portions of these paragraphs, Summary implies that Shepherd teaches that the ground of acceptance is found within the sinner. Shepherd teaches that “the demand for

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563 Ibid., 14.
564 The parts of the paragraphs that Summary omits are in italics.
566 Ibid., 19, 20.
repentance … is grounded in the promise of God to give to men by the power of the Spirit what the gospel requires.”

*Summary* states that “Shepherd regularly presents his understanding of justification in terms of the subduing of sin,” but it provides no comment or assessment of the quotes it lists as supporting evidence for Allegation 6. What is noteworthy is that other Reformed writers present their understandings of justification “in terms of the subduing of sin.” Some examples will be cited below.

**Shepherd on Murray**

Shepherd clarifies the relationship between repentance and justification by insisting that justifying faith is penitent faith. Shepherd, who claims the support of John Murray in this regard, writes:

God does not forgive unrepentant sinners. He does not forgive sinners irrespective of repentance. God forgives repentant sinners, not because of their repentance, but because of the substitutionary atonement of Christ whose benefit becomes theirs in the way of penitent faith. In this, I am fully agreed with, and am simply reproducing the teaching of John Murray.

Murray writes:

And, again, the faith that justifies is faith conjoined with repentance…. The faith that does not work is not the faith that justifies.

Paul is speaking here [Romans 8:1] to believers and to them he says, “if ye live after the flesh, ye shall die”. The death referred to must be understood in its broadest scope and does not stop short of death in its ultimate manifestation, eternal separation from God. The doctrine of the security of the believer does not obviate this sequence. The only way of avoiding the issue of death is to be delivered and desist from the life of the flesh. “But if by the Spirit ye put to death the deeds of the body, ye shall live”…. “Put to death” refers to activity on our part…. This activity is not apart from the Holy Spirit—it is “by the Spirit”. The believer is not endowed with a reservoir of strength from which he

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567 Ibid., 19.

568 Shepherd, “Response to Special Report,” 4. Professor Murray’s discussion is reproduced in Appendix B of his paper.

draws. It is always “by the Spirit” that each sanctified and sanctifying activity is exercised.\(^{570}\)

[In Romans 8:1] … the apostle is not dealing with justification and the expiatory aspects of Christ’s work but with sanctification and with what God has done in Christ to deliver us from the power of sin.\(^{571}\)

There is no need to suppose that [Romans 8:1-3] … means departure from the strictly forensic import of condemnation.\(^{572}\)

Reformed Writers

Shepherd also cites examples of Reformed writers who present their understandings of justification “in terms of the subduing of sin.” These writers include the following:

Murray

Chapter XV. Of Repentance Unto Life

The very title here is significant. It is repentance unto life and therefore to be distinguished from the sorrow of the world that is unto death, because it does not spring from true hatred of sin and forsaking of it but rather from an apprehension of the penal consequences of sin. It does not lead to life because it does not apprehend the mercy of God in Christ.

1. The Necessity of Repentance.

   a. Necessary to Salvation. Sec.3. It is not the ground of pardon nor is it the cause of pardon. When the Confession says that it is not to be rested in as any satisfaction for sin or any cause of pardon thereof, that statement is directed against the Roman Catholic doctrine of penance, according to which satisfaction must be made for temporal ill-desert for all post-baptismal sin.

   In opposition to that position the Confession says that pardon is the act of God’s free grace and by implication that the ground is the satisfaction of Christ. Nevertheless, the burden of this section is to the effect that repentance is a condition of pardon. The Confession is careful to refrain from calling repentance the instrument of pardon or even the means of pardon, because, as you will remember, in Chapter XI the Confession has insisted that faith is the alone instrument of justification. That chapter made clear that pardon of sin is included in justification.

   Faith is the one instrument of justification which includes the remission of judicial condemnation of all sin—past, present, and future. But that faith is not the only

\(^{570}\) Murray, *The Epistle to the Romans*, 293-294.

\(^{571}\) Ibid., 275.

\(^{572}\) Ibid., 282.
condition of salvation. It is to be noted in this chapter that the accent falls upon the pardon of sin as that which accrues from repentance. In that respect the Confession reproduces the emphasis of Scripture itself, for repentance is represented in Scripture as unto the remission of sins; and it is particularly the grace of remission that is attached to repentance, the remission that is included in justification and the remission which is continually administered to the believer as he humbles himself, confesses his sin, begs pardon, and renews his faith and repentance.

b. Necessary that it be preached. Sec.1. Apparently at the time of the Assembly there was a need for emphasis on that truth just as there is our situation today. It needs to be underlined because of the tendency to make faith and faith alone the one condition of salvation. It is according to the gospel to set forth faith as the alone instrument of salvation, but it impoverishes the gospel to forget that it is not the sole condition of salvation.\footnote{Calvin}
The question is not whether solitary faith (i.e., is separated from the other virtues) justifies (which we grant could not easily be the case, since it is not even true and living faith)….\(^{578}\)

The Reformed therefore also said that, indeed, “it is faith alone that justifies; nevertheless the faith that justifies is not alone,” and spoke, in addition to “the justification of the sinner,” also of a “justification of the righteous.” In this sense Paul and James are also in agreement. Granted, it is not correct to say that Paul speaks only of the “justification of the sinner” whereas James speaks of the “justification of the righteous.” But both deny that the ground of our justification consists in the works of the law, and both acknowledge that faith, that is, living faith, the faith that includes and produces good works, is the means by which the Holy Spirit assures us of our righteousness in Christ.\(^{579}\)

Consequently, orthodox theologians have always acknowledged that while faith alone justifies, a faith which is alone, or unassociated with other graces and fruitless in good works, will not justify.\(^{580}\)

The faith that Paul means when he speaks of justification by faith alone is a faith that works.\(^{581}\)

The Westminster divines also speak of justification “in terms of the subduing of sin”:


The Westminster Confession

Faith, thus receiving and resting on Christ and His righteousness, is the alone instrument of justification; yet it is not alone in the person justified, but is ever accompanied with all other saving graces, and is no dead faith, but worketh by love (11/2).582

The Larger Catechism

Q. 153. What doth God require of us, that we may escape his wrath and curse due to us by reason of the transgression of the law?

A. That we may escape the wrath and curse of God due to us by reason of the transgression of the law, he requireth of us repentance toward God, and faith toward our Lord Jesus Christ, and the diligent use of the outward means whereby Christ communicates to us the benefits of his mediation (LC 153).583

Conclusion

The evidence Summary cites in Allegation 6 does not support the assertion that Shepherd “confuses justification and sanctification” when he “presents his understanding of justification in terms of the subduing of sin.”584 The Commission on Allegations exonerated Shepherd on Allegation 6.

C. Imputation

Allegation 7: It is alleged that Mr. Shepherd does not unequivocally maintain that justification is by the imputation of Christ’s righteousness, but seems to teach either the need for the addition of the believer’s righteousness, as well, for justification, or the need for an infusion of Christ's righteousness as well, for justification.585

582 Westminster Assembly, Westminster Confession of Faith, 58.
583 Ibid., 246.
585 Ibid.
What the Allegation Does and Does Not Attempt to Establish

Summary does not deny that Shepherd holds to the imputed righteousness of Jesus Christ, and none of the evidence cited in support of Allegation 7 suggests that he does not. However, Summary cites quotations from Shepherd’s teaching to suggest he believes there must be an additional ground of justification. In addition to the imputed righteousness of Christ, some other righteousness is required in order to be in a right standing before God. The allegation points out that Shepherd “seems to teach either the need for the addition of the believer’s righteousness, as well, for justification, or the need for an infusion of Christ's righteousness as well, for justification.”

The allegation does not specify whether the additional righteousness is inwrought or out-wrought. Regardless of this, Summary asserts that Shepherd teaches there is a “need” for a righteousness that is in addition to—that is supplementary to—the imputed righteousness of Christ for the sinner to be justified. In essence, although Shepherd emphasizes that the imputed righteousness of Christ is the only ground of justification, Summary alleges that he implies there must be other grounds or additional grounds. Summary makes this allegation because of an implication of Allegation 6: Because Shepherd teaches that penitent faith is necessary for justification, Summary asserts that “necessary” repentance (sanctification) must be viewed as an additional ground of justification—an addition to the imputed righteousness of Christ.

Roman Catholic Theology

Shepherd explicitly denies that “an infusion of Christ’s righteousness” is needed for justification:

Shepherd explicitly denies that “an infusion of Christ’s righteousness” is needed for justification.

The Roman Catholic doctrine that justification is a process in which the unjust man is transformed into a just man by the infusion of sacramental grace confuses justification with sanctification, and contradicts the teaching of Scripture that justification is a forensic verdict of God by which the ungodly are received and accepted as righteous on the ground of the imputed righteousness of Jesus Christ.586

In a class lecture, Shepherd explains, “The ground of justification cannot be an infused righteousness because such an infused righteousness would not measure up to what is involved in justification.” The insufficiency of an infused righteousness is found in its inability to deal with sins that are past and future. Shepherd also eliminates any possibility of an out-wrought righteousness being a ground of justification:

The ground of justification cannot be a righteousness that is wrought out by us, and the chief reason for that is that, in the first place, we do not ever work out such a righteousness, and secondly, salvation is so exclusively bound up with Jesus Christ and his righteousness that it is utterly inconceivable that righteousness could come in any other way. If it could, then Jesus would not have died—but it cannot come in any other way. 588

Shepherd on the Only Ground

Shepherd affirms that the imputed righteousness of Jesus Christ is the ground of justification:

The ground and cause of justification is Jesus Christ and his righteousness. To be justified one must abandon all personal resources and lean wholly upon Christ. This is what is done in faith. Faith is wholehearted trust in Christ and by this faith the believer receives, accepts, and rests upon the imputed righteousness of Jesus Christ alone for justification. 589

He teaches that the imputation of Christ’s righteousness is a gift that God gives to the sinner, and he emphasizes that the imputed righteousness of Christ is the exclusive and sufficient ground of justification:

But positively, the gift is a gift in the sense of imputation. It is the only kind of gift that meets all the requirements of our needs; and so the righteousness, on the basis of which we are declared righteous, is one which is not constituted by anything in us. It does not take its origin in us. The ground of our righteousness is outside of us in Jesus Christ. His righteousness is imputed to us—an alien righteousness reckoned to our account—and so

588 Ibid.
the fact that the ground of our justification is outside of ourselves leads us again to look away from ourselves and to cling to Jesus Christ alone.\textsuperscript{590}

Neither faith, nor repentance, nor anything else is a ground of justification; and the imputation of Christ’s righteousness is sufficient to atone for all sins (past, present, and future) and to justify the sinner. In 1978, Shepherd affirmed that the righteousness of Christ is the exclusive ground of justification: “… it should be noted that when we are justified by faith, faith itself is not the ground or cause of justification. By the same token, obedient faith is not the ground or cause of justification, nor is the obedience implied in obedient faith.”\textsuperscript{591}

The \textit{Westminster Confession of Faith} teaches that repentance is necessary for the pardon included in justification. Sinners must turn from sin, “purposing and endeavoring to walk with Him in all the ways of His commandments.”\textsuperscript{592} But repentance is not a ground of justification in WCF:

\begin{quote}
Although repentance be not to be rested in, as any satisfaction for sin, or any cause of the pardon thereof, which is the act of God’s free grace in Christ; yet is it of such necessity to all sinners, that none may expect pardon without it (WCF 15/3).\textsuperscript{593}
\end{quote}

\textbf{“Necessary” Equivocation}

All parties agree that the imputed righteousness of Jesus Christ is the ground of justification. Shepherd teaches that faith and repentance are necessary for justification. \textit{Summary} correctly understands that Shepherd teaches “penitent faith” is necessary for justification. \textit{Summary} holds that faith is necessary for the justification of the sinner. \textit{Summary} alleges that, because he teaches that penitent faith is necessary for justification, Shepherd is teaching that penitent faith is the ground of justification; he is teaching that something in addition to, or that

\textsuperscript{591} Shepherd, “Response to Special Report of the Faculty to the Board on the Discussion on Faith and Justification,” 3.
\textsuperscript{593} Ibid., 66.
something other than, the imputed righteousness of Christ is the ground of justification.

Summary believes that it distinguishes itself from Shepherd by holding that faith is not the ground of justification even though it is necessary for justification.

**Necessary Is Not More**

It does not follow that whatever is necessary for justification must be the ground of justification. All parties agree that faith is required for justification, but this does not imply that faith is an additional ground of justification. Shepherd clearly recognizes that faith is not an additional ground of justification.

All parties agree that regeneration is also necessary for justification because regeneration gives rise to faith. Regeneration produces and bears fruit in faith and repentance. According to *The Larger Catechism*, faith “is a saving grace wrought in the heart of the sinner by the Spirit and word of God” (LC 72), and repentance “is a saving grace wrought in the heart of sinner by the Spirit and word of God” (LC 76). “Saving graces” do not contribute to the righteousness of Jesus Christ that is imputed to the sinner, and they are not the ground of justification. Both faith and repentance are necessary for justification, but neither one is an additional ground of justification.

**Necessary Is Not Meritorious**

It does not follow that whatever is necessary must be meritorious. All parties agree that faith is required for justification, but this does not imply that faith is meritorious. Faith is necessary, but it is not meritorious. Faith is a gift from God.

Shepherd taught that the same can be said of repentance. He states, “Repentance is necessary, but not a meritorious ground.”\(^{594}\) If repentance were meritorious—if anything were

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meritorious—there would be another ground. “In popular piety,” says Shepherd, “that is often the connection; God will forgive us because we have repented of our sin. And so the repentance itself becomes the ground of our forgiveness.”\(^{595}\) Shepherd notes that both repentance and forgiveness are the gifts of God:\(^{596}\)

But even when we have noted [in the first place] that both repentance and forgiveness are the gift[s] of God [see Acts 5:31] that does not make it entirely clear that the one is not the meritorious cause of the other. And so we have to say in the second place, that the non-meritorious character of repentance becomes clear when we realize that repentance toward God is owed to God without reference to pardon. Sinners ought to turn from sin simply because sin is against God.

The fact that God is pleased to forgive sinners who repent is pure grace. Pure grace! It is perfectly true that God does not forgive impenitent sinners; he forgives penitent sinners. That he forgives penitent sinners is a matter of pure grace. For you see, the ground of that pardon is not in us or in our repentance, but it is in Christ. No amount of repentance can atone for sin that is past, it is only the blood of Jesus Christ that bears the penalty of sin and washes that sin from us.

Pardon is the annulment of the sentence of judicial condemnation, and that annulment is not forthcoming because we repent; but that annulment is forthcoming because Jesus has borne the condemnation and, therefore, we receive pardon.\(^{597}\)

**What Is Necessary: The Westminster Standards**

The Westminster Confession teaches that repentance is necessary for pardon—the very pardon that is included in justification:

Although repentance be not to be rested in, as any satisfaction for sin, or any cause of the pardon thereof, which is the act of God’s free grace in Christ; yet is it of such necessity to all sinners, that none may expect pardon without it (WCF 15/3).\(^{598}\)

\(^{595}\) Ibid.

\(^{596}\) “God exalted him at his right hand as Leader and Savior, to give repentance to Israel and forgiveness of sins” (Acts 5:31). “When they heard these things they fell silent. And they glorified God, saying, ‘Then to the Gentiles also God has granted repentance that leads to life’” (Acts 11:18).


No one may expect pardon without repentance because repentance is unto the forgiveness of sin. But repentance is not the ground on which sin is forgiven. According to Shepherd, “The ground of pardon is not in us or in our repentance, but it is in Christ. It is his death on the cross. Pardon is given because Jesus has borne the condemnation.” The same section in WCF (15/3) teaches that repentance is necessary for pardon, and repentance is not to be rested in as the ground of pardon.

Contrary to what Summary alleges, Shepherd affirms that the imputed righteousness of Jesus Christ is the ground (and the only ground) of justification. Shepherd asserts that this truth is not undermined because repentance is necessary for justification. He also preserves the emphasis of WCF 15/3: Even though Jesus has borne the condemnation of sin, and even though God imputes the righteousness of Christ to those who believe, repentance is necessary. God forgives the penitent sinner.

Calvin writes, “We, indeed, allow that good works are required for righteousness; we only take away from them the power of conferring righteousness, because they cannot stand before the tribunal of God.” Calvin’s language is the language of necessity—good works are necessary for, but not the ground of, justification. Calvin’s language in this quotation is not unclear, and he is not suggesting that justification is grounded on anything other than the righteousness of Christ.

The Evidence: Imputation

The evidence that Summary provides in support of Allegation 7 does not substantiate the assertion that Shepherd’s language is unclear or that he implies that what is “necessary” is additional, meritorious, or grounds.


600 Calvin, Commentary on the Epistle of James, 39.
The First Citation: Forensic Righteousness vs. Personal Godliness

The first evidence that Summary cites in support of Allegation 7 suggests that personal righteousness contributes to justification. This citation omits a relevant paragraph and other important portions of Shepherd’s original document. Shepherd explicitly denies that personal righteousness contributes to justification; he also implicitly denies this in the citation.

Summary quotes Shepherd as follows:

“In every aspect of its ministry, whether by word, or by sacrament, or by discipline, the church inculcates the truth that faith alone [sic] does not save; it will not justify. As the Lord of the church testifies, it is the righteous who will shine forth as the sun in the kingdom of their Father (Matthew 13:43)… “It might appear that what the Confession and catechisms say of the glorious destiny of the righteous it says of those who are forensically righteous, or righteous by virtue of the imputation of the righteousness of Christ, whereas the wicked are truly and properly, that is, intrinsically wicked. This interpretation is true as far as it goes; but the proof texts offered by the Westminster Divines show that by just men they had in view not simply those who are imputatively just, but godly men … They are not simply forensically just, but are covenantally [sic] loyal and obedient servants of Jesus Christ.” (Oct. 1976 Study Paper, pp. 24-25).

The original paragraphs from Shepherd’s 1976 document follow:

In every aspect of its ministry, whether by word, or by sacrament, or by discipline, the church inculcates the truth that faith-alone does not save; it will not justify. As the Lord of the church testifies, it is the righteous who will shine forth as the sun in the kingdom of their Father (Matthew 13:43).

This witness, too, has found an indelible place in the Confession and catechisms of the church. The Confession affirms that at death “the souls of the righteous, being then made perfect in holiness are received into the highest heavens, where they behold the face of God, in light and glory, waiting for the full redemption of their bodies” (CF XXXII/1). On the Day of Judgment, “the righteous go into everlasting life” (CF XXXIII/2). The wicked have nothing before them but hell, eternal torments and everlasting destruction. To the same effect is the teaching of the Larger Catechism, 85 and 90. The Shorter Catechism, 37 and 38, speaks more simply to the benefits which believers receive at death and the resurrection.

It might appear that what the Confession and catechisms say of the glorious destiny of the righteous it says of those who are forensically righteous, or righteous by

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602 A dash is not present between the words “faith” and “alone.” The dash clarifies Shepherd’s adverbial understanding of the phrase faith-alone over against an adjectival understanding of the phrase.
604 The omitted portions are in italics.
virtue of the imputation of the righteousness of Christ, whereas the wicked are truly and properly, that is, intrinsically wicked. This interpretation is true as far as it goes; but the proof texts offered by the Westminster Divines show that by just men they had in view not simply those who are imputatively just, but godly men. A text used at a number of points, but also in connection with CF XXXIII/2, is Matthew 25:31-46, where the righteous are those who have served Christ in loyal self-abandonment. Even more significant is John 5:28, 29, where it is said that at the general resurrection they that have done good will come forth unto the resurrection of life whereas they that have done evil will come forth unto the resurrection of damnation. This text is used to support the Confession’s teaching that “the bodies of the unjust shall, by the power of Christ, be raised to dishonor: the bodies of the just, by His Spirit, unto honour; and be made conformable to His own glorious body” (CF XXXII/3). The “just” of the Confession are referred to in the proof text as “those who have done good.” They are not simply forensically just, but are covenantally loyal and obedient servants of Jesus Christ.605

Summary omits Shepherd’s references to WCF. The proof texts used by the Westminster Divines for 33/2 are: Matthew 25:31-46; Romans 2:16; Romans 9:22-23; Matthew 25:21; Acts 3:19; 2 Thessalonians 1:7-10. Summary also omits two Scripture proof texts that are integral to Shepherd’s point: Matthew 25:31-46 and John 5:28, 29. John speaks about “they that have done good.” While Summary’s omission of references to WCF and to the proof texts has the effect of suggesting that Shepherd teaches “the believer’s righteousness” contributes “for justification,” in fact, in each case, the “righteous” persons Shepherd identifies are persons who are “not simply forensically just, but are covenantally loyal and obedient servants of Jesus Christ.”606 Only such persons will be acquitted on the Day of Judgment. But they will be acquitted only on the ground of the imputed righteousness of Jesus Christ. Even though Jesus has borne the condemnation of sin, and even though God imparts the righteousness of Christ to those who believe, godliness is necessary. God justifies the righteous, but not on the ground of their righteousness.

The Second Citation: Living by Faith

Summary cites the following partial paragraph to support the assertion that Shepherd teaches “the believer’s righteousness” contributes “for justification”:


“How does this righteous man live? This question is tantamount to asking, how is this righteous man justified, for justification is unto life (Rom. 5:17, 18, 21). He lives, not by the merit of his works, not by self-righteousness, not by a righteousness which no longer needs the imputed righteousness of Christ. He does not live out of himself but out of Christ upon whom he rests by faith. Faith lays hold of Christ and his righteousness, but the faith which does this is not a dead faith. It is a faith which lays hold of Christ and in doing so turns away from sin in order to follow Christ (Cf. Zech. 8:23). Anything less than this is dead faith and does not justify or save. That is why Paul can say that the doers of the law will be justified.” (“The Grace of Justification,” p. 10).

In this quote, Shepherd affirms the imputation of the righteousness of Christ as the only ground of justification, and he explicitly denies that there can be any other ground: “He lives, not by the merit of his works, not by self-righteousness, not by a righteousness which no longer needs the imputed righteousness of Christ. He does not live out of himself but out of Christ upon whom he rests by faith.” Shepherd does not teach that “the believer’s righteousness” contributes “for justification”, but he does emphasize that justifying faith is not a “dead faith”. In so doing, Shepherd is attentive to the broader testimony of Scripture: “For it is not the hearers of the law who are righteous before God, but the doers of the law who will be justified” (Romans 2:13); “You see that a person is justified by works and not by faith alone” (James 2:24).

**The Third Citation: Obedience Does Not Contribute, and It Is Not Ground**

*Summary* uses a third citation to suggest that Shepherd teaches personal righteousness contributes to justification. Again, this citation omits a relevant portion of Shepherd’s original document. *Summary* quotes Shepherd as follows:

“But in his mercy, God grants not only faith but also repentance (Acts 5:31). The two are inseparable. Therefore those who believe and repent of sin are received and accepted as righteous on the ground of the imputed righteousness of Jesus Christ. God justifies the ungodly, but he does not leave the ungodly in their ungodliness. He makes them disciples of Jesus Christ, and they abide in Jesus by keeping his commandments (John 15:10). This constitutes no abandonment of the way of faith but is a manifestation of the way of faith.” (“The Grace of Justification,” p. 11).  

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607 Ibid.
608 Ibid.
Summary cites this partial paragraph to support the assertion that Shepherd teaches “the believer’s righteousness” contributes “for justification”. However, the lines that follow this quote clarify what Shepherd is teaching.\textsuperscript{609}

But in his mercy, God grants not only faith but also repentance (Acts 5:31). The two are inseparable. Therefore those who believe and repent of sin are received and accepted as righteous on the ground of the imputed righteousness of Jesus Christ. God justifies the ungodly, but he does not leave the ungodly in their ungodliness. He makes them disciples of Jesus Christ, and they abide in Jesus by keeping his commandments (John 15:10). This constitutes no abandonment of the way of faith but is a manifestation of the way of faith. \textit{“This is His commandment, that we believe in the name of His Son Jesus Christ, and love one another, just as He commanded us. And the one who keeps His commandments abides in Him, and He in Him” (I John 3:23, 24). Those that are in Christ are not under condemnation (Rom. 8:1).}\textsuperscript{610}

Shepherd teaches that it is necessary for the believer to keep the commands of Christ to abide in Him: “[T]he one who keeps His commands abides in Him.” Summary’s failure to include these lines obscures biblical teaching and implies that Shepherd emphasizes the necessity of obedience in a way that undermines the only ground of justification: the imputed righteousness of Christ.

\textbf{The Fourth Citation: Necessary, Necessary, Necessary}

Summary next refers to theses 21, 22, and 23 in support of the assertion that Shepherd teaches “the believer’s righteousness” contributes for justification: “Compare Theses 21, 22, and 23 of the ‘Thirty-Four Theses.’”\textsuperscript{611}

In 1978, Shepherd offered to presented his “Thirty-Four Theses” to the Presbytery of Philadelphia (OPC) to ascertain that his teaching was “in harmony with the teaching of Scripture and the Westminster Standards, and … whether holding the views expressed in the theses is

\textsuperscript{609} These lines are italicized in the following text.

\textsuperscript{610} Shepherd, \textit{The Grace of Justification}, 11.

\textsuperscript{611} Commission on Allegations, “Summary of Allegations,” 15.
consistent with the ordination vows of a minister of the Orthodox Presbyterian Church.”

The Presbytery’s action recognized that its determination, both while sitting as a Committee of the Whole and in regular session, finding none of the Thirty-Four Theses out of harmony with the teaching of Scripture and the Westminster standards was, according to the letter of Mr. Shepherd to Presbytery on September 15, 1980 (p. 3., first full paragraph), a satisfactory resolution of the questions of doctrine proposed by him, and so concluded Presbytery’s responsibility toward these questions of doctrine.”

In theses 21-23, Shepherd denies that the believer’s righteousness serves as a supplementary ground of justification. The three theses (found in Appendix A of Summary) are reproduced below:

21. The exclusive ground of the justification of the believer in the state of justification is the righteousness of Jesus Christ, but his obedience, which is simply the perseverance of the saints in the way of truth and righteousness, is necessary to his continuing in a state of justification (Heb. 3:6, 14).

22. The righteousness of Jesus Christ ever remains the exclusive ground of the believer’s justification, but the personal godliness of the believer is also necessary for his justification in the judgment of the last day (Matt. 7:21-23; 25:31-46; Heb. 12:14).

23. Because faith which is not obedient faith is dead faith, and because repentance is necessary for the pardon of sin included in justification, and because abiding in Christ by keeping his commandments (John 15:5, 10; I John 3:13, 24) are all necessary for continuing in the state of justification, good works, works done from true faith, according to the law of God, and for his glory, being the new obedience wrought by the Holy Spirit in the life of the believer united to Christ, though not the ground of his justification, are nevertheless necessary for salvation from eternal condemnation and therefore for justification (Rom. 6:16, 22; Gal. 6:7-9).

In these theses, Shepherd affirms that the righteousness of Jesus Christ is “the exclusive ground of the believer’s justification, but the personal godliness of the believer is also necessary for his justification….” Shepherd does not refer to imputation directly in theses 21, 22, and 23, but he does explain his position on imputation in the other evidence cited by Summary in

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612 Shepherd, “Letter to the Presbytery of Philadelphia of the Orthodox Presbyterian Church.”

613 Presbytery of Philadelphia of the Orthodox Presbyterian Church, “Minutes of the Presbytery.”

support of Allegation 7. In these theses, Shepherd affirms what must be said about the imputed righteousness of Christ, and he lists the Scripture passages that must be considered as part of this discussion.

**Reformed Writers**

**Calvin**

For when this topic is rightly understood it will better appear how man is justified by faith alone, and simple pardon; nevertheless actual holiness of life, so to speak, is not separated from free imputation of righteousness.\(^{615}\)

**Murray**

Paul is speaking here [Romans 8:1] to believers and to them he says, “if ye live after the flesh, ye shall die”…. “But if by the Spirit ye put to death the deeds of the body, ye shall live”…. “Put to death” refers to activity on our part…. This activity is not apart from the Holy Spirit—it is “by the Spirit”. The believer is not endowed with a reservoir of strength from which he draws. It is always “by the Spirit” that each sanctified and sanctifying activity is exercised.\(^{616}\)

**Conclusion**

In 1978, Shepherd affirmed that the righteousness of Christ is the exclusive ground of justification: “…when we are justified by faith, faith itself is not the ground or cause of justification. By the same token, obedient faith is not the ground or cause of justification, nor is the obedience implied in obedient faith.”\(^{617}\) The evidence *Summary* cites in Allegation 7 does not support the assertion that “Shepherd does not unequivocally maintain that justification is by

\(^{615}\) Calvin, *Institutes of the Christian Religion*, III, 111. 1.

\(^{616}\) Murray, *The Epistle to the Romans*, 293-294.

\(^{617}\) Shepherd, “Response to Special Report of the Faculty to the Board on the Discussion on Faith and Justification.”
The imputation of Christ’s righteousness...” The Commission on Allegations exonerated Shepherd on Allegation 7.

COVENANT METHODOLOGY

According to Summary:

II. Covenant Methodology

Introduction:
Mr. Shepherd’s methodology seeks to improve Reformed theology by making it more biblical and especially more covenantal. He believes he can accomplish this by making the “covenant dynamic” central in his theological work. “Covenant language does two things: First, it ascribes to God alone and to his grace, anything which man is or has. It affirms the absolute sovereignty of God. Second, it views man as a fully responsible vicegerent of God who can live and enjoy life only in loving submission to God who in love made man to be what he is. All of Biblical language is covenant language ...” (“More on Covenant Evangelism,” The Banner of Truth, Nov. 1977, p. 22).

Mr. Shepherd has used this covenant methodology in several areas of theology. He used it with reference to evangelism and baptism in “The Covenant Context for Evangelism” and in “More on Covenant Evangelism.” On the doctrine of justification he has spoken of his desire for the “development of a covenantal perspective on justification ...” (Oct. 1976 Study Paper, p. 6. See also “The Grace of Justification,” pp. 13-14). He has used his covenant approach in relation to election and reprobation in his second lecture, “Reprobation in Covenant Perspective: The Biblical Doctrine,” at the Christian Reformed Ministerial Institute, June, 1978, and in his articles in The Banner, March 21 and 28, 1980. He is developing his covenant approach into a distinctive, systematic reformulation of Reformed theology.

Mr. Shepherd does not believe that his approach is contrary to traditional Reformed theology. Indeed he insists his allegiance to the traditional formulations. But he believes that he has found alternative and superior ways of expressing that theology, especially in stressing the organic wholeness of the Divine act of redemption and of the human response.

In reality, however, this covenant methodology rests upon an erroneous understanding of the covenant. Mr. Shepherd’s covenant dynamic uses the Creator/creature distinction (See “More on Covenant Evangelism,” p. 23). But his application of that distinction is unique. By it he lays emphasis on the things revealed, that is revealed in the covenant, rather than upon the secret things of God. Thus he tends to restrict the believer’s knowledge of God’s work in and for him to the visible realities of covenant life (e.g., church, sacraments, faithfulness). He also restricts the traditional theological confession of God’s sovereign acts in election, regeneration justification, etc. to the realm of God’s perspective. The believer can know that God is a God of sovereign

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grace, but knows God’s unfailing grace for himself only as conditioned by his own obedient response. For his life as a Christian the believer must focus on the visible reality of the covenant and not seek to pry into the secret things of God.

Mr. Shepherd’s distinctive covenant approach denies the vital Reformed distinction between the visible and invisible church (WCF XXV). By denying this distinction and replacing it with his separation of God’s perspective from man’s perspective, he destroys the Reformed correlation of the visible and invisible which insists that our experience of God’s work in us rests certainly and knowably upon God’s sovereign work for us. (See the diagram of Mr. Shepherd’s system in Appendix A.) This has serious consequences for the life of the believer.619

Shepherd’s theological method gives considerable attention to the doctrine of the covenant. Within the Reformed Church, this in itself is not uncommon; but for Shepherd, the doctrine of the covenant is not only one doctrine among many (for example, election and predestination); it holds a distinctive place within the Reformed system.620 Shepherd states that there has been “a massive forgetfulness of the covenant and of the dynamic of the covenant, and that dynamic is constitutive for the heart of the Reformed Faith.”621 No other evangelical theology has developed the doctrine of the covenant in the way that the Reformed Church has.622 Shepherd states:

Calvinists do not offer the world a contradiction: God’s sovereignty; human responsibility. We do not offer the world a contradiction. We offer the world the covenant—the covenant—and it is in terms of the covenant that we can understand the situation into which we enter as preachers of the gospel. It is the reality of the covenant established between God and man that gives urgency to our work as evangelists.623

Shepherd does not seek to undermine, reduce, or evade the teachings of election and predestination—doctrines that have so long been characteristic of Calvinistic teaching. Shepherd

619 Ibid., 4-5.

620 There were various views of the covenant present at WTS during Shepherd’s tenure, as represented by such men as Meredith Kline, Robert Strimple, O. Palmer Robertson, and John Murray. None of these views was considered normative at that time.

621 Norman Shepherd, “Reprobation in Covenant Perspective: The Biblical Doctrine,” cassette tape recording 1-3 (Grand Rapids, Michigan: Calvin College, 1978), A2989. This is the lecture previously identified as RCP. It is the second lecture in a series.


gives the assurance that, in emphasizing the covenant, he does not replace the covenant with election. But “at the same time” the covenant defines the reality of the relationship between God and man, “that covenant is rooted and grounded in the sovereign decree and purpose of God.” That decree and purpose are inclusive of both the decree of reprobation and the decree of election.

Shepherd teaches that redemptive revelation is structured covenantally, and it begins with the Adamic Covenant, which was broken by Adam. There is a progressive unfolding of the covenant of grace that takes place through a series of historical covenants, all of which culminate in the New Covenant in the blood of Jesus Christ. Shepherd teaches:

The relation between God and his people has been, throughout history, defined in terms of covenant; and so after Pentecost, covenant continues to describe this relation. But because of the decisiveness of the work of Jesus Christ and the advent of the Spirit, the covenant is now a New Covenant in the blood of Jesus and the manifestation of the power of the Spirit.

The emphasis of Shepherd’s theological method is not only the mechanism of the covenant, but also the organism of the covenant in redemptive history.

Shepherd teaches that the discontinuity between the Old Covenant and the New Covenant does not reside in a “move away from the concern with community—with Israel as a people, as a nation—to a concern with individuals. Rather, we continue at all points to talk of

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625 Shepherd, “Life in Covenant with God,” cassette 2. Shepherd engages in an extended discussion of the relationship of election to the covenant. This discussion includes these topics: 1) The creation of covenant life—God’s election of Israel: A. God chooses a people for his own treasured possession, B. The foundation of that election is God’s love, C. The foundation of that election is God’s faithfulness; 2) God’s election of Israel—the foundation for covenant living: A. God’s election grounds the covenant command, B. God’s election guarantees covenant promise.

626 Shepherd, “Reprobation in Covenant Perspective,” A2989.


628 Ibid., cassette 2, 3.

For Shepherd, “The newness of the Pentecostal Church does not reside in the abandonment of the covenant structure of the people of God.” To be overly concerned with the individual is to neglect the significance of an essential understanding of the application of redemption under the New Covenant. Shepherd teaches that the believer is to think first of his participation in the church for which Christ died; it is in this way that the believer is to keep “the covenant community … in the foreground in the Age of the Spirit.”

In Shepherd’s view, the covenant presupposes the Creator-creature distinction. This concept plays a major role in Shepherd’s method and thinking, and it is reflected in his reliance upon his senior colleagues, Murray and Van Til, for his understanding of Deuteronomy 29:29. Concerning the warrant of fallible men, Murray writes: “The church cannot make a census of the elect nor of the regenerate.” Shepherd follows Murray in teaching that the church should not pry into the secret things of God but must be concerned with what God has revealed. Murray writes: “The church is therefore circumscribed by the facts of regeneration and faith, facts which in themselves are spiritual and invisible. For this reason no man or organization of men is able infallibly to determine who are regenerate and who are not, who are true believers and who are not.”

Shepherd is in agreement with Murray concerning the nomenclature of the visible and the invisible church. Murray writes, “The distinction between the church visible and the church invisible is not well-grounded in terms of Scripture, and the abuses to which the distinction has been subjected require correction.” The visible and the invisible are aspects of the church;

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630 Ibid.

631 Ibid.

632 John Murray, Collected Writings of John Murray: The Claims of Truth (Edinburgh: The Banner of Truth Trust, 1976), 232. See also 236.


634 Murray, Collected Writings of John Murray: The Claims of Truth, 232. See also 236.
for Shepherd, they are not two churches. This “correction” was central to Shepherd’s labors in the field of systematic theology.

The Creator-creature distinction both describes and regulates the relationship between God and man—a relationship in which man has nothing except what has been revealed and what he has received from the hand of his Father in heaven, all of which is according to the good pleasure of God.\(^ {636} \)

Consequently, Shepherd teaches that “the covenant with Adam is not to be understood as though it were a labor contract between an employer and an employee.”\(^ {637} \) All that Adam had—the revelation of God Himself, the covenant gifts, the benefits given by the Father to the Son—could only be received and responded to in faith, love, and hope as a covenantally loyal son of the Father.\(^ {638} \) In the context of such a covenant, says Shepherd, “there is no meritorious achievement, no wages earned. Promise excludes merit (Romans 4:14-16).”\(^ {639} \)

In Shepherd’s estimation, systematic theology cannot ignore the structural significance of redemptive revelation. An appreciation for the structural significance will enable the theologian to deal adequately with not only \textit{sola fide} but also with \textit{tota scriptura}. This was an emphasis of Gaffin’s teaching, and Shepherd agreed with Gaffin in this:

\begin{quote}
Biblical theology focuses on revelation as a historical activity and so challenges systematic theology to do justice to the historical character of revealed truth.
\end{quote}

\(^{635}\) Murray, \textit{Christian Baptism}, 35. “The terms visible and invisible are aspects from which the church may be viewed.”

\(^{636}\) It is not that the church does not have knowledge about the secret things (election, regeneration, justification), but that the church has a knowledge only that is appropriate for a creature.


\(^{638}\) Shepherd, “Life in Covenant with God,” cassette 1. Shepherd describes the nature of the covenant between God and man as:

1. A relation of union and communion. Lev. 26:11, 12; Jer. 31:33; II Cor. 6:16; Rev. 21:3;
2. Similar relations: a. Husband and wife. Jer. 3:14; 31:32; Is. 54:5; cf. Hos. 1:2; 3:1; Jer. 3:1, 6-10; Eph. 5:22, 23. b. Father and son. Luke 3:38; Hos. 11:1; Deut. 1:31; 8:5; Is. 1:2; Rom. 9:4; Ez. 16:1-14; II Cor. 6:18; I John 3:1.
3. Mutually binding ties: a. Love. I John 4:8, 16; Deut. 7:8, 9; Mal. 1:2; Rom. 5:8; John 3:16; I John 4:19; Deut. 6:5; Matt. 22:37. b. Faithfulness. I John 4:16; Psalm 37:3, 4; Deut. 7:9; Rom. 3:3; Psalm 100:5.

This is an elemental consideration but one which is often overlooked or not appreciated. The “tendency to abstraction” of which Murray speaks as an ever-present danger for systematics can be described more pointedly as a tendency to de-historicize, the tendency to arrive at “timeless” formulations in the sense of topically oriented statements which do not adequately reflect the fact that God’s self-revelation (verbal communication) is an integral part of the totality of his concrete activity in history as sovereign creator and redeemer, and which therefore obscure the historical, covenantal dynamic apart from which his relations to men and the world lack integrity and so lose their vitality and meaning.\(^{640}\)

**Allegation 2:** It is alleged that on Mr. Shepherd’s approach the believer is restricted to knowing only a losable election (and a losable justification). This approach is contrary to the assurance to which Christians are entitled. LC 80 insists that Christians can “be infallibly assured that they are in the estate of grace, and shall persevere therein unto salvation.”\(^{641}\)

**The Evidence: Voice**

*Summary* begins the presentation of evidence in support of Allegation 2 with a statement that notes the central role O. Palmer Robertson had in producing the evidence:

Leading aspects of Mr. Shepherd’s Distinctive “Covenant Perspective” as it bears on election and assurance. This allegation is substantiated by the following analysis taken largely from O. Palmer Robertson, “Norman Shepherd’s ‘Covenant Perspective’: An Analysis of His Public Statements,” May 6, 1980).\(^{642}\)

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The evidence that is included in Allegation 2 is reproduced from large sections of Robertson’s paper and is in his voice. *Summary* omits four of Robertson’s points as he has listed them in his original document (the omitted numbers are: 7, 9, 12, and 15). *Summary* does not comment further on Robertson’s material.

**The Larger Catechism, Question 80**

*Summary* uses LC 80 to support its assertion that the believer’s assurance of salvation is grounded in knowing God’s eternal decree regarding election in the same way God knows His eternal decree. *Summary* states that, according to LC 80, the believer is “entitled” to such knowledge. LC 80 reads:

Q. 80. *Can true believers be infallibly assured that they are in the estate of grace, and that they shall persevere therein unto salvation?*

A. Such as truly believe in Christ, and endeavor to walk in all good conscience before him, may, without extraordinary revelation, by faith grounded upon the truth of God’s promises, and by the Spirit enabling them to discern in themselves those graces to which the promises of life are made, and bearing witness with their spirits that they are the children of God, be infallibly assured that they are in the estate of grace, and shall persevere therein to salvation.  

Shepherd addresses this topic in a class lecture. He begins his discussion of assurance by reading SC 36:

Q. 36. *What are the benefits which in this life do accompany or flow from justification, adoption, and sanctification?*

A. The benefits which in this life do accompany or flow from justification, adoption, and sanctification, are, assurance of God’s love, peace of conscience, joy in the Holy Ghost, increase of grace, and perseverance therein to the end.

Shepherd begins his teaching on LC 80 with this statement: “The assurance in view is the assurance that the believer has that he is in a state of grace and salvation.”  

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644 Ibid.
quotes LC 80 and comments, “That is what we mean by assurance of grace and salvation.”

Shepherd is confessional; he agrees with LC 80.

A number of matters should be noted about Shepherd’s understanding of LC 80—what his understanding of LC 80 does and does not say. According to Shepherd, assurance belongs only to those who truly believe: “Such as truly believe in Christ, and endeavor to walk in all good conscience before him [are assured].”  

Assurance does not come by extraordinary revelation—revelation which would give us insight into the secret will of God: “It is the assurance that the believer has and not an assurance concerning faith which is attained outside of faith by knowledge of the decree.”

Assurance is by faith: “Thus we know our election inside faith, not outside faith.”

Assurance is not by infallible knowledge of the secret will of God. This point is crucial for Shepherd. Assurance may not be sought outside of faith and trust: “If you conceive of predestination outside of the context of the covenant, then assurance has to be grounded in information you have about God’s predestinating purpose.” Faith rests upon the promises of God that are revealed in Scripture, and they are the ground of assurance: “Faith is in Jesus Christ and in his word, and his word is a word of promise. And God can be relied on (that is faith) to keep his promise.”

Shepherd affirms the teaching of LC 80 that the Spirit enables believers “to discern in themselves those graces to which the promises of life are made.” Believers can have infallible assurance:

645 Ibid.
646 Ibid.
647 Ibid., cassette 40.
648 Ibid., cassette 26.
649 Ibid., cassette 40.
650 Ibid.
Assurance that grows as we grow in the grace and knowledge of Jesus Christ. When we think of the testimony of the Spirit, we do not do so in order to find a more sure foundation beyond the word, a kind of second blessing. But it is precisely in the use of the means, clinging to the promises of God in the Scriptures and in the sacraments.  

According to Shepherd, true believers have the testimony of the Spirit. But “[t]he … testimony of the Spirit does not convey to us truth content beyond that in Scripture. The truth borne home to the heart is the truth contained in the Scripture itself.”  

Shepherd emphasizes that LC 80 affirms true believers can and do have infallible assurance: “The love of God does not bestow on us everything except the assurance, but God in his grace bestows all of it.” The answer in LC 80 does not say that this infallible assurance is grounded in an infallible knowledge of election; LC 80 does not even mention election: “Who can give us such a list of the elect? None!”  

Shepherd teaches that infallible assurance belongs to true believers who put their trust in the promises of God: “Assurance is grounded not simply in what Christ would do, his promises yet to be realized, but also in what he has already done. This was laid hold of in faith. God’s justifying of Jesus Christ, and of me in Jesus Christ, is made known to me in the gospel.” These promises are, in turn, grounded in God’s electing purpose, and they are therefore anchored in eternity (cf. LC 79).  

Shepherd on the Ground of Assurance  

Shepherd teaches that God has not revealed His secret will; God does not reveal who the elect are as God knows them to be. But Shepherd does not mean that the believer has no knowledge of his own election. He says, “We can know our election in Christ through faith in  

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651 Ibid., cassette 41.
652 Ibid., cassette 12.
653 Ibid., cassette 40.
654 Ibid.
655 Ibid., cassette 49.
Jesus Christ in whom we are elect.” For Shepherd, “Assurance is therefore the assurance of faith, not the assurance of information or the assurance of insight. Election and assurance are conjoined in Scripture. It is not a threat but a foundation.”

Because Shepherd denies that assurance can be grounded in the kind of knowledge of election that God alone possesses, one might expect him to disregard election in the discussion of assurance of salvation. This is not the case, for he remarks:

The context in which the doctrine of assurance flourishes is the context of election, definite atonement, and perseverance. It flourishes in the context of particularism, of sovereign grace. It flourishes in the context of election, which generates the certainty that, by the grace of God, a believer is the child of God in accordance with God’s eternal counsel of salvation. It flourishes in the context of perseverance, the certainty that the child of God is kept by the power of God unto the full eschatological redemption.

Shepherd emphasizes that “election does not militate against assurance. Election is the very context in which assurance flourishes.” Shepherd summarizes the reason this is so by first making the point that “election does not mean that we can live by sight. Election does not mean that we have insight into the decree of God so that we can relax.” He then states the point positively: “Rather, election calls upon us—election summons us—to live by faith in Christ, to walk in the Spirit, to be in fact the people of the covenant. Election establishes covenant; that’s the point. The gifts are all ours by grace, and they are enjoyed in the way of faith (2 Peter 1:3, 5).”

Shepherd, speaking pastorally, teaches that, even though LC 80 does not mention the doctrine of election in the obtaining of infallible assurance, “[M]any good Christians get detoured onto a side road—a dead end.” This happens when they seek assurance through

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656 Ibid., cassette 40.
657 Ibid.
658 Ibid., cassette 39.
659 Ibid., cassette 40.
660 Shepherd, “Reprobation in Covenant Perspective,” A2989.
insight and knowledge of God’s eternal decree that they are, in fact, eternally elect. The result is that they look within themselves for signs of election and “begin to wonder whether they have the requisite faith, the works. They begin to analyze themselves to see whether their faith is genuine.” 662 This degree of introspection can be harmful for the believer. Shepherd asks, “What serious inquirer is going to attain assurance from his level of attainment? Who can examine his life without finding sin? And the wages of sin is death.” 663 The inevitable result is that introspection “leads to doubt, sorrow, and despair.” 664 In Shepherd’s opinion, the problem is this man is looking in the wrong place for his assurance. The point is that faith does not look to itself to judge its own authenticity…. Faith rests on the achievement of Jesus for salvation. Faith receives forgiveness as a gift from him who bore the sins of his people. Faith rests on the righteousness of Jesus Christ for complete vindication from every satanic charge brought against us. Faith rests in God’s promises, and God’s promises assure me of eternal life. 665

This is an important juncture. Shepherd’s position of the ground of assurance comes into view when the believer asks, “How do I know I will be vindicated in the day of judgment?” 666 Shepherd’s answer is, God has made a promise—there is no condemnation for those who are in Christ Jesus. None at all! (Romans 8:1). Jesus said: “Do not let your hearts be troubled. Trust in God; trust also in me.” (John 14:1). I trust in Jesus—in his word. I don’t ask whether my trust is genuine, I just trust. It is in the word of the gospel that I hear God’s verdict of acquittal. That is why the gospel is good news—good news to be believed. 667

Shepherd’s point is, “The assurance of salvation is not the assurance of self-analysis resting in personal achievement. The assurance of salvation is the assurance of faith—faith

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662 Ibid.
663 Ibid.
663 Ibid.
664 Ibid.
665 Ibid.
666 Ibid.
667 Ibid.
resting in Jesus and in his promise to give all that is needed.\textsuperscript{668} The assurance of salvation rests on the promises of God: “‘Jesus loves me—this I know.’ How? Because I have had a marvelous personal experience with the Lord? Because I am doing a wonderful job of serving the Lord?”\textsuperscript{669} Shepherd answers, “Jesus loves me, this I know for the Bible tells me so.”\textsuperscript{670}

\textbf{Life and Assurance}

Shepherd discusses assurance in the Reformed tradition in a class lecture.\textsuperscript{671}

The question of assurance is closely tied to the question of the genuineness of faith. The reluctance to cultivate assurance \textsuperscript{[in the Reformed tradition]} is tied to the fact that faith may be hypocritical and not true faith—or we don’t know whether the faith professed is really the result of God’s election and regeneration—and therefore, it must be tested and tried. And so you come to assurance as you know yourself predestinated in the eternal decree; and having this knowledge, you may have assurance.\textsuperscript{672}

Indeed, hypocrites can profess faith; WCF 18 teaches that “hypocrites and other unregenerate men may vainly deceive themselves with false hopes, and carnal presumption of being in the favour of God, and estate of salvation, which hope of theirs will perish….”\textsuperscript{673}

God has not given a list of the elect to the church; such knowledge belongs to the secret will of God. Because of this, the believer’s knowledge of God’s decree of election is not the ground of assurance. It is also not required for faith and practice; God has revealed the only rule for faith and practice in Holy Scripture. Shepherd teaches this:

\begin{quote}
We live, come to life, by what Jesus says, not by what he doesn’t say. We live by every word which proceeds from his mouth. He has not told us whether we are elect. What he has told us is that he will cleanse and forgive us if we come to him for these. Since this is
\end{quote}

\begin{itemize}
\item \textsuperscript{668} Ibid.
\item \textsuperscript{669} Ibid.
\item \textsuperscript{670} Ibid.
\item \textsuperscript{671} Shepherd, “Lectures on the Doctrine of the Holy Spirit,” cassette 40.
\item \textsuperscript{672} Ibid.
\item \textsuperscript{673} Westminster Assembly, \textit{Westminster Confession of Faith}, 75-76.
\end{itemize}
rooted in his eternal purpose, we can depend on it. This is living by faith. Insight into the decree means no longer needing to live by faith because you have information.  

If knowledge of God’s eternal decree was necessary for assurance, possessing assurance would be impossible for the believer—or at best it would be reduced to “a degree of probability.” But according to LC 80, assurance is “by faith grounded upon the truth of God’s promise”, and the believer can have “infallible assurance”. Christ is the sure foundation.

**Another Reformed Tradition**

According to Shepherd one way of approaching assurance says, “If we only knew our election, then we could have assurance.” Shepherd holds that there is a necessary implication that arises from believing that a human can possess knowledge of the secret things of God. The possession of such knowledge would remove the distinction between the creature and the Creator. Consequently, it would nullify the need for the believer to place his faith in the revealed promises of God. Shepherd points out that no infallible assurance can or will be found by seeking it through insight into the secret will of God:

> The knowledge of election is never direct insight into the decree which bypasses, or enables us to bypass, faith or the promises of God. Assurance is not information concerning a state of affairs, but it is assurance of faith. Faith lays hold of the promises and the Spirit. The Spirit generates confidence. Thus we know our election inside faith, not outside faith.

The distinction between the knowledge a creature has and the knowledge the Creator has—knowledge that He alone possesses—is a distinction that Professor Murray teaches. Murray writes, “Only God knows completely and infallibly those who are his, those predestined

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675 Ibid.


678 Ibid., cassette 26.
to salvation and ultimately conformed to the image of his Son.” Murray then reasons, “The church cannot make a census of the elect nor of the regenerate.”

Because such knowledge is not given to the creature—because the church cannot know who is regenerate and who is unregenerate, who is elect and who is reprobate—Murray makes an assertion regarding the responsibility of the elders. When they meet with a believer for membership in the local church, the elders must examine the believer to ascertain that he has a credible profession of faith. But Murray cautions that “this examination … is not conducted on the premise that to the officers of the church or to the church as a communion is given the prerogative to determine who are regenerate and who are not.” Murray makes it absolutely clear: “It is not by any means the prerogative of those who administer the government and discipline of the church to determine whether the profession made is a true and sincere profession of such faith. A judgment of this kind would exceed the warrant of men.”

The church allows membership on the basis of observable fruit: a profession of faith and a life consonant with that profession. The church accepts such a person as a brother and as a member. At a later time, the church may be required to institute discipline against a brother because he is unrepentant; the church is required to treat an excommunicated person as “a Gentile and a tax collector”. Similarly, the church is to treat as a brother any excommunicated person who repents and is reconciled.

Murray explains why any attempts by “officers of the church” or by “the church as a communion” to determine if a profession of faith is “true and sincere” exceed “the warrant of men”. It is because of “the action of God by which men are made members of the body of Christ

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680 Ibid.
681 Murray, *Christian Baptism*, 42.
682 Ibid., 41.
are of such a character that they are imperceptible to men. The fruits are perceptible, but the actions are in the realm of the heart and spirit of man."\textsuperscript{683}

The church receives people into membership only on the basis of observable data, not on the basis of anything that is invisible or secret. For Murray and for Shepherd, this view affirms the necessity for penitent faith in Jesus Christ.

\textit{Ursinus: Jesus Is Elect}

Shepherd teaches that a consistent understanding of election does not leave room for an understanding of assurance that is outside of penitent faith:

You see, election does not destroy the need for faith. It is not as though, well, if you’re elect you’re going to be saved: It doesn’t make any difference whether you believe or don’t believe. No, election does not destroy the need for faith, but election calls us to faith. Because, really, to call upon men to believe in Jesus Christ—and there we are talking about evangelism—to call upon men to believe in Jesus Christ is really to call upon men to believe in their own election.\textsuperscript{684}

Shepherd teaches that penitent faith in Christ (not insight or information regarding God’s decree) is the foundation for infallible assurance. He makes it clear that this teaching is not his own invention:

That idea is not mine. That comes straight out of Ursinus in his commentary on the Heidelberg Catechism. This is Ursinus: “And as everyone ought to have this faith and repentance (that is, the universal call of the gospel), so each one ought certainly to believe that he is of the number of the elect or else he will charge upon God a lie.”\textsuperscript{685}

The gospel calls sinners to believe in Christ. Those who put their trust in Him and are found “in Christ” are acceptable to God as surely as Jesus is.

\begin{footnotes}
\item[684] Shepherd, “Reprobation in Covenant Perspective,” A2989.
\item[685] Ibid.
\end{footnotes}
Bavinck: Does God Have Secrets?

Shepherd affirms that the Scriptures teach God’s eternal decree stands firm. But it is one thing for a creature to know that God has a secret decree; it is quite another matter for a creature to assert that he can know God’s secret decree. Creatures cannot know in the way that God knows. God has revealed that His decree is irrevocable, but creatures cannot know or live by what is secret. Creatures can only live by what God has revealed: “God’s election from the point of view of his decree—that stands firm. But that is the secret thing which belongs to God. Our knowledge of election is through the covenant; and in terms of the covenant, those who do not keep covenant with God will be punished, and so we have the phenomenon of excommunication.”

According to Bavinck, misinterpreting the counsel of God—specifically, misinterpreting what He has said about reprobation—can lead to despair, because misrepresenting God’s decree of reprobation can render the call to faith and repentance meaningless:

Accordingly, those who misrepresent God’s counsel in general, and the decree of reprobation in particular, as if it were merely the divine purpose respecting a person’s eternal destiny, are guilty of serious error. No one has the right to interpret the decree of reprobation as an iron decree, determining only the final destiny of those lost, who are then viewed as inexorably shut up in this eternal state of perdition no matter what penitent efforts may be put forth.

That is, the decree is not an “iron decree”. Those who are the elect in Christ Jesus must not understand the designation elect “as merely the divine purpose respecting a person’s destiny” in the absence of continued faith and repentance in Jesus. For the same reason, those who are under the wrath and curse of God must not conclude that their present status removes from them the obligation to believe in Jesus and to be numbered among the elect in Him.

According to Bavinck, although “election and reprobation do culminate in a final and total separation, here on earth they repeatedly crisscross.” Bavinck teaches that a correct

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686 Ibid.
understanding of God’s decree “points to the fact that in and by itself neither of them [election or reprobation] constitutes a final goal, and that in the mind of God they were never a ‘final cause.’” Bavinck teaches that election and reprobation “crisscross” repeatedly “here on earth.” This crisscrossing of an individual in time and space is in relation to the body of Christ, the church. Shepherd explains it this way:

It is a basic truth of the doctrine of election that election cannot be undone. Romans 8:30 sets forth the so-called golden chain of predestination, calling, justification, and glorification. God accomplishes what he purposes to do. But it is also true that we as creatures cannot see election as God sees it. We are not God, we are not the Creator; and the secret things belong unto God (Deuteronomy 29:29). We cannot know election from the perspective of the Creator. We can know election only from the perspective of the creature. Specifically, we can know election only from the perspective of the covenant, which election establishes between God and his people.

Shepherd’s teaching echoes Ursinus and Bavinck: God’s eternal decree stands firm; humans cannot know in the way that God knows; God’s decree does not render faith and repentance as meaningless acts of history; faith and repentance are necessary; in time and space, on earth, individuals crisscross between election and reprobation; at the end of history, there will be a final separation of the elect and the reprobate.

The Analysis in Summary

Allegation 2 rests on the assumption that infallible assurance of salvation is possible only if the believer possesses the kind of knowledge about election that God possesses: The believer possesses infallible assurance only when he possesses such insight. Because Shepherd teaches that this kind of knowledge is impossible, Summary asserts that his teaching undermines infallible assurance.

In this regard, Shepherd is in good company, for his position is essentially that of his predecessor, Professor Murray. Murray writes concerning the infallible knowledge that God

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688 Shepherd, “Reprobation in Covenant Perspective,” A2989.

689 Ibid.,
alone possesses regarding who are the elect: “Only God knows completely and infallibly those who are his, those who are predestined to salvation and ultimately conformed to the image of his Son.”

**General Discussion of the Analysis Points**

Allegation 2 is based on Robertson’s critique of Shepherd, and the analysis points that are in the evidence are in the voice of Robertson. For each of the eleven analysis points that are listed, Robertson first explains what he understands to be a teaching of Shepherd; he then lists citations from Shepherd.

Robertson’s analysis begins from the vantage point of God’s eternal decree of election. It is because of this that Robertson does not allow for Shepherd’s teaching about election and reprobation to be about the two sides of the covenant of grace: promise and command (privilege and responsibility). Instead, he implies that Shepherd is teaching two themes that are contradictory and mutually exclusive. The first theme is conditioned grace; the second theme is sovereign grace.

*Summary* addresses the first theme (conditioned grace) in the first seven analysis points. It is the position of *Summary* that any condition fulfilled by man (e.g., penitent faith) that is necessary for justification is a condition that is a meritorious ground. Taken as a whole, the first seven analysis points allege that Shepherd teaches election can become reprobation (and vice-versa) because election and reprobation are conditioned upon something in man.

*Summary* addresses the second theme (sovereign grace) in the eighth analysis point: “Although the election of Ephesians 1 and the justification of Romans 3-6 are covenantal and

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690 Ibid.

therefore may be controverted, there exists nonetheless an election and justification in the
decrees of God which are incontrovertible.”

In analysis points nine through eleven, *Summary* addresses the implications that arise out
of the eighth analysis point.

**Language**

*Summary* states that Shepherd teaches, “All in the covenant community are elected and
saved.” The position of *Summary* is that the covenant is made with those who are eternally
elect. Shepherd teaches that Scripture speaks of those who are in covenant with God as the elect.
*Summary* defines the covenant in terms of God’s decree of election; therefore, all with whom
God enters into covenant are eternally elect and will enter into eternal life. When election
controls the concept of the covenant, that is, when all those in the covenant are eternally elect, a
tension arises when Paul writes about the destiny of the elect nation of Israel: “Nevertheless,
with most of them God was not pleased, for they were overthrown in the wilderness. … and
were ‘destroyed by the Destroyer’” (1 Corinthians 10:5, 10).

At this point, it becomes theologically necessary for *Summary* to posit two elections and
two covenants to accommodate the scriptural language while maintaining the position that
covenant is defined in terms of the decree of election. One “election” is an election to a
privileged status, nationhood, but it is not an election unto eternal life; these are people who
have membership in the “external covenant”. The other “election” is unto eternal life; these
people are regenerate and have membership in the “internal covenant”. Those who belong only
to the external covenant are non-elect (they are not “eternally elect”); they are merely visible.
Those who also belong to the internal covenant are the (eternally) elect and the invisible.

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693 Ibid., 5.
“invisible covenant” members also are members of the external, “visible covenant.” These distinctions underlie Summary’s assertion—in the second analysis point—that Shepherd teaches: “It is improper to distinguish in the covenant between an externally organized covenant community that includes non-elected and unsaved people and an internal group of people that are elected and saved. All in the covenant community are elected and saved.”

The other analysis points and the diagram in Appendix A of Summary likewise demonstrate that Summary holds the position that there are two elections: There is a “hidden election” and there is a “revealed election”; these two elections correlate with the “invisible church” and the “visible church”; the members of the invisible church can know God’s secret decree that makes them members of this invisible church—they can have infallible assurance because they know that they are “eternally elect”. It is from the vantage point of this position that Summary critiques Shepherd’s teaching.

Immediately under each analysis point heading that follows, the numbered analysis point(s) and the evidence listed under the point(s) will be reproduced from Summary. Analysis Points 4-6 are similar, and they will be grouped together under one heading.

Analysis Point 1: “Viewed” vs. “Are”

1. Deuteronomy 7 presents a clear biblical example of “covenant” election. According to this chapter, Israel is the elect nation of God, in distinction from all other nations of the world. In this instance, it is not merely that Israel is to be viewed as though they were the elect. It is that they are the elect of God. Furthermore, it is not simply a human perspective on God’s election that is coming to expression. As God’s covenant people Israel is the elect of God.

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694 Shepherd, The New Testament Student and Theology, 65. “The words ‘inward’ and ‘outward’ are often used in Reformed theology to describe the two sides of the covenant from the perspective of election. Indeed, the seeming indispensability of this formula is just indicative of the fact that the covenant is prevailingly viewed from the perspective of election, rather than election from the perspective of the covenant. The formula is necessary to account for the fact that the covenant community appears to embrace both elect and non-elect. The non-elect are then said to be ‘outwardly’ ‘in’ the covenant.”


696 Ibid., 5-10, 16.
("Now that was true under the old covenant as well. In Deut. 7, verses 6 through 8 Israel is assured in no uncertain terms of her election as the people of God. It’s not because you’re more in number than other people, but because the Lord loved you and because he remembered the covenant, the oath which he swore to Abraham, therefore the Lord has chosen you.")
("Reprobation in Covenant Perspective: The Biblical Doctrine," p. 8.)

("To begin with, Israel was the elect nation. God did not choose the other nations. The Bible says that specifically and expressly and if that isn’t a passing by, I don’t know how more plainly the Bible could say it. Israel is chosen.")
("Reprobation in Covenant Perspective: The Biblical Doctrine," p. 12.)
Cf. The Banner, March 21, 1980, p. 16.

Shepherd states, “Israel is chosen” that is, not one person in Israel could say that God had not revealed to him that He loved him. Summary’s critique begins from the vantage point of God’s eternal decree of election: Summary can speak of Israel being “viewed” as elect; but Israel is not, in fact, the elect of God. According to Summary, if Israel were elect, then all would be eternally saved. But this reasoning struggles with the very language of Scripture: “For you are a people holy to the LORD your God. The LORD your God has chosen you to be a people for his treasured possession, out of all the peoples who are on the face of the earth” (Deuteronomy 7:6).

Indeed, Israel can be viewed as elect in Deuteronomy because Israel is elect. It is presumptuous to state that Scripture teaches Israel should be viewed as elect—not that they are elect. Summary treats all who are in covenant with God as “eternally elect” and regenerate until they prove otherwise—at which point it is said that they only belonged to the “external covenant” and never belonged to the “internal covenant”; they never were elect. Murray rejects this way of dealing with the “anomaly” of people who receive the sign and seal of the covenant of grace but do not partake of its reality. Murray states:

The resolution of the anomaly, that there are some who, from the standpoint of administration rightly receive the sign and seal of that which in reality they do not possess, is not to be sought along the line of the distinction between an external covenant relationship and the internal spiritual relationship but rather in the consideration that there is a discrepancy between the secret operations and purposes of God in his saving grace, on the one hand, and the divinely instituted method of administering the covenant in the world, on the other.698

697 Ibid., 5.
698 Murray, Christian Baptism, 55.
Summary contradicts what Murray states explicitly:

In other words, the administration of the rite that is the sign and seal of the covenant has to be conducted not in accordance with God’s secret operations and infallible purposes of grace but in accordance with certain requirements which fallible men may execute and apply. 699

The covenant is a promise, not a presumption. It is a promise to be received by faith, the only way a promise can be received: only by faith and by faith alone. Shepherd states, “We do not live by assumptions or presumptions, but by the words that proceed from the mouth of the Lord.” 700

Analysis Point 2: Abiding

2. It is improper to distinguish in the covenant between an externally organized covenant community that includes non-elected and unsaved people and an internal group of people that are elected and saved. All in the covenant community are elected and saved. The idea that some of the branches of John 15 are “not really in Christ in a saving way” must be rejected. It is not that some are in him only “outwardly,” and their fruit is not genuine. Instead, all the branches, including those which ultimately are cut off, are branches abiding in him in a saving way.

(“A second passage illustrative of covenant perspective on election is John 15:1-8. What Jesus is obviously saying in this passage is that his hearers are branches abiding in him as the vine. He exhorts them all to continue abiding in him by way of faith and obedience, that is, by bearing fruit. If they do, the Father will see to it that they bear even more fruit. They are at no point cast upon their own resources, because as branches they have their vitality at every point from the vine. If, on the other hand, the branches do not abide in Christ, but deny him and become disobedient, the Father will cut these branches off and destroy them. The passage is a grand exhortation to covenant faithfulness enveloped in the overflowing grace of Christ.

“Frequently, however, the passage has created nothing but problems. Often the first question, and sometimes the only question asked, is how the passage is to be squared with the doctrines of election and the perseverance of the saints. The answer will begin with an explanation of what the passage cannot mean in the light of these doctrines. The question is then resolved in terms of a distinction between two kinds of branches. Some branches are not really in Christ in a saving way. They are in him only “outwardly,” and whatever fruit there is, is not genuine. These branches are eventually cut off and destroyed. Other branches truly are branches. They are in Christ “inwardly” or savingly.

699 Ibid.
They bear more and more fruit as they are pruned and cultivated by the Father.’”) (“The Covenant Context for Evangelism,” pp. 64f.)

Shepherd is explaining John 15:1-8 in the first paragraph of evidence that *Summary* uses to support Analysis Point 2. *Summary* sees in Shepherd’s teaching on John 15 an example of conditioned grace (the first theme). Branches that do not bear fruit are cut off; branches must obey God’s command to bear fruit. Shepherd does not see necessary obedience as meritorious obedience or as the ground of abiding. He does not believe that the obedience commanded in John 15:1-8 is to be understood as only the inevitable result of being in Christ. The command to bear fruit is given to “every branch”; it is the condition for abiding. The command must be received and obeyed. *Summary* does not say so explicitly, but it implies that Shepherd teaches the branches abide in the vine on the ground of their obedience.

Because *Summary* approaches John 15:1-8 from the perspective of God’s decree of election, it understands Shepherd to be teaching conditioned grace: abiding in the vine is grounded in something in man. But in the first paragraph of evidence, Shepherd is quoted as teaching that “the branches have their vitality at every point from the vine.” The source of the obedience that is rendered to Jesus’ command to abide and bear fruit is found in the Vine. Shepherd’s emphasis on the necessity of obedience is not the language of conditioned grace. Shepherd understands John 15:1-8 “as a grand exhortation to covenant faithfulness enveloped in the overflowing grace of Christ.”

For Shepherd, the two sides of the covenant come to expression in verses 3 and 4. The grace of the covenant is unfolded in verse 3: Jesus tells his audience, “Already you are clean because of the word I have spoken to you.” This grace lays the foundation for the required

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702 Ibid., p6.

703 Bavinck, *The Doctrine of God*, 399. “No one has the right to interpret the decree of reprobation as an iron decree, determining only the final destiny of those lost, who are then viewed as inexorably shut up in this eternal state of perdition no matter what penitent efforts may be put forth.”

response of faith and obedience on the part of man to the command in verse 4: “Abide in me, and I in you.” That which is required in the second part of the covenant is provided for in the first part of the covenant.

The terms internal and external properly can be used as theological categories in systematic theology. But these terms should not guide and inform exegesis. When John 15:1-8 is considered from the vantage point of election, it is impossible to account for the presence of “the elect” and “the non-elect” in the covenant without making a distinction between “the internal” and “the external”. Consequently, the very language of John 15:1-8 must mean something different for Summary than it does for Shepherd. Shepherd teaches that all of the branches are in Christ; the branches that are cut off are no longer in Christ. All of the branches are commanded to bear fruit, and the branches that bear no fruit will be cut off. The warning is not hypothetical. Election-based approaches lead to a belief that all New Testament warnings are not hypothetical:

The problem that is raised by the redefinition of our response in the New Covenant as essentially obedience is obvious. Coupled with Prof. Shepherd’s emphasis on the non-hypothetical nature of N. T. warnings and the two-sided character of the covenant, the conditional emphasis of the covenant dynamic is loud and clear.

Analysis Point 3: Israel Crisscrossed

3. The Israel of Deuteronomy 7 moved from being an elected and saved community to being reprobated by God and lost. Their exile is for them “the great rejection,” their “reprobation.” Although they were the elected by God, they become reprobated by God. If the exodus is the great election, then the exile is the great rejection or reprobation. (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 9, 12, 13.)

705 Murray, Christian Baptism, 55. “It is not being contended that the distinction between the external covenant relationship and the internal covenant relationship is necessarily improper. This indeed may be a proper and even necessary distinction. Neither is it improper to say that there have been and that there are many who have enjoyed the privileges of the external covenant relationship rather than of the covenant itself in its richest and deepest blessing.”

706 Board of Trustees, “Board of Trustees,” 52. This position is Clowney’s position.
("Now, you see, if the exodus is the great election, then the exile is the great rejection. It is surpassed only by Israel’s election in the restoration and her rejection in 70 A.D. because she turned her back upon her Messiah.") ("Reprobation in Covenant Perspective: The Biblical Doctrine," p. 9)

("Now we have seen that in terms of the concrete language of Scripture those with whom God has established covenant and who are therefore the elect of God, they, again from the point of view of the covenant, may stumble and fall. But that does not mean that God’s election has fallen to the ground. God accomplishes His purposes.") ("Reprobation in Covenant Perspective: The Biblical Doctrine," p. 12.)

("Now in [sic] a similar phenomenon is seen within the history of Israel itself. If the Exodus is the great election of Israel, as we say [sic: should be “saw”], the exile [is] the great rejection or reprobation of Israel (II Kings 17, verse 20.") ("Reprobation in Covenant Perspective: The Biblical Doctrine," p. 13.)

Shepherd emphasizes the need to use the language of the Bible: “We have to take account of this language of the Bible in terms of the covenant, which is the genius of our Reformed understanding.” He is convinced that adherence to the “concrete language” of the Bible does not destroy the historic Reformed doctrines of election and reprobation.

Shepherd is obviously aware of the possibility that his position could be misunderstood within Reformed circles at large (as it is by Summary), so he makes it clear that he is speaking of election and reprobation from the standpoint of the covenant and not from the standpoint of the eternal decree:

And please note carefully the way in which I’m stating this point because it could be very easily misunderstood. I want to block out the possibility of misunderstanding more specifically at a later point, but even here I want to warn you not to misunderstand what I am saying. Reprobation from within the context of the covenant—please underline with about four lines that expression—reprobation from within the context of the covenant, that is to say, reprobation from the point of view of the covenant, is not incontrovertible. Now, we have seen that, in terms of the concrete language of Scripture, those with whom God has established covenant and who are therefore the elect of God, they—again from

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707 This bracket is in Summary.


709 Shepherd, “Reprobation in Covenant Perspective,” A2989. The passages Shepherd uses in “Reprobation in Covenant Perspective” are: Deuteronomy 7:1-11 (God’s election of Israel); 2 Kings 17:20 and 2 Chronicles 36:16 (God’s rejection of Israel); Isaiah 14:1 and Zechariah 2:11-12 (God’s election of Israel again); Amos 3:2 and Psalm 89:3, 20, 34, 39 (God’s election and rejection of Israel); Hosea 11 (God’s rejection of Israel); and Romans 11: 2, 15, 27 (election in the New Covenant).
the point of view of the covenant—may stumble and fall. But that does not mean that
God’s election has fallen to the ground. God accomplishes his purposes.\textsuperscript{710}

Shepherd is firmly convinced that speaking about reprobation from within the context of the
covenant does not suggest “that God’s election has fallen to the ground. God accomplishes his
purposes.”\textsuperscript{711}

Bavinck proves helpful at this point. He does not speak about God’s decree of
reprobation from the perspective of eternal election; Bavinck speaks from the perspective of the
covenant:

Accordingly, those who misrepresent God’s counsel in general, and the decree of
reprobation in particular, as if it were merely the divine purpose respecting a person’s
eternal destiny, are guilty of serious error. No one has the right to interpret the decree of
reprobation as an iron decree, determining only the final destiny of those lost, who are
then viewed as inexorably shut up in this eternal state of perdition no matter what
penitent efforts may be put forth.\textsuperscript{712} God’s decree remains inviolable; but from the perspective of the covenant, election and
reprobation crisscross: Although “election and reprobation culminate in a final and total
separation, here on earth they repeatedly crisscross.”\textsuperscript{713} \textit{Summary} does not mention Shepherd’s
use of Bavinck to explain election and reprobation from the perspective of the covenant. An
understanding of election and reprobation that does not proceed from the perspective of the
covenant but instead begins from the perspective of God’s decree, as in \textit{Summary}, must account
for the “crisscrossing” that occurs “here on earth”.

\textit{Summary} also does not mention Shepherd’s use of Wiskerke. All people were, at one
point in time, reprobate in Adam. Wiskerke writes: “The shadow of the coming full judgment
lies over all who are in the course of history cast off and rejected. Into that full judgment come
precisely those who beforehand were not elected in the decree but reprobated.”\textsuperscript{714} Shepherd

\begin{itemize}
\item \textsuperscript{710} Shepherd, “Reprobation in Covenant Perspective,” A2989.
\item \textsuperscript{711} Ibid.
\item \textsuperscript{712} Bavinck, \textit{The Doctrine of God}, 399.
\item \textsuperscript{713} Ibid., 400.
\item \textsuperscript{714} Shepherd, “Reprobation in Covenant Perspective,” A2989.
\end{itemize}
affirms that God’s decree of election and reprobation is sovereign, but he agrees with Wiskerke that this should not lead to a fatalistic view of God’s decree. Shepherd teaches:

Nevertheless, the Bible does not present these truths as fatalistic or deterministic, and the reason for that is that they are presented from within the context of the dynamic of the covenant life which is established by God. Both reprobation and election are presented as covenant truth. The way in which God realizes election is in the way of faith. Election does not annul the need for faith but calls forth faith. Because man is by nature unbelieving, he must receive faith as a gift. The way in which reprobation is realized is the way of unbelief. Unbelief is ours by nature. We do not need it as a gift from God. We are responsible for it. But reprobation does not annul the need for unbelief any more than election annuls the need for faith.⁷¹⁵

Summary implies that the believer can have assurance based on the decree of God. That sphere—the sphere in which the decrees are operative—is where God alone lives, and He alone knows who are His. It has been given to man to live in history, in the sphere of the covenant; that is where we live and where Jesus lived. People who seek comfort and assurance in the sphere of the decree seek comfort in an abstraction; this is not of faith. Faith is only in the promises of God, which are “yes and amen in Jesus.” In the words of Murray,

To divorce faith and assurance of faith from fidelity to our covenant engagements is to be guilty of an abstraction which does not exist in God’s arrangements. And faith exercised in such abstraction is not the faith of God’s elect but the presumption that will at the end receive the rebuke of disillusionment, “I know you not whence ye are; depart from me, all ye workers of iniquity” (Luke 13:27).⁷¹⁶

Analysis Points 4, 5, and 6: Covenant and Election, Not Covenant vs. Election

4. This movement from being elected and saved which Israel experienced nationally is applicable directly to the individual under the new covenant. Examples of elected and saved people under the new covenant who subsequently become reprobated by God include Judas; the brother in I Cor. 5; Simon of Samaria (Acts 8); and those who escape the defilements of the world and then become entangled therein (II Pet. 2:20).

(“Now, what is true of the nation is also true of the person. Judas is introduced into the community, the covenant community of the elect, but he is rejected as a son of perdition because of his apostasy (John 17:12). We have the brother in I Cor. 5, verses 1 through 5, addressed as one of the saints in Corinth but he is to be delivered to Satan because of his immorality. We have Simon of Samaria who believed (Acts 8, verse 13), but becomes

⁷¹⁵ Ibid.

⁷¹⁶ Murray, Christian Baptism, 91.
entangled in the bond of iniquity (vs. 23). Those who have escaped the defilements of the world through the knowledge of the Lord and then become entangled therein again are worse off than they were before their enlightenment (II Peter 2, verse 20). Here we have elect persons who are excommunicated.*”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 9.)

*The term “excommunicated” here serves as the equivalent of “reprobated.”


5. The election of Ephesians 1 is “covenant election.” Because of the pointed language of this chapter which refers to election “before the foundation of the world,” it would appear that the concept of election in the eternal decrees of God here controls the concept of covenant election. But as a matter of fact, the concept of covenant election exercises control over the concept of decreetive election in Ephesians 1. This passage of Scripture functions as canon only within the context of the covenant.

(“The first passage is Ephesians 1:1-14. The passage is suffused with covenantal language. The Ephesians are a congregation of the Lord Jesus Christ, enjoying the spiritual blessings of sanctity of life, adoption to sonship, the forgiveness of sins, and the seal of the Holy Spirit. At the same time, all of these blessings are traced back to the predestinating love of God. This accent comes through so strongly and so repeatedly at the very beginning of the epistle, that one is initially inclined to say that Paul is writing from the perspective of election and his letter must be understood from that perspective. That would mean that the covenant reality ought to be understood in the light of election.

“Careful attention to the language of these verses makes clear, however, that precisely the reverse is the case. The election [sic] of God is reflected upon from the perspective of covenant and for that reason [it] is not a theological puzzle but a cause for gratitude.” (“Covenant Context for Evangelism,” pp. 62f.)

(“Any attempt to understand Paul’s statement, ‘He chose us,’ as though Paul had direct insight into the eternal decree of God is bound to be both artificial and unique. No minister could use that language today.

“Paul speaks from the perspective of observable covenant reality and concludes from the visible faith and sanctity of the Ephesians that they are the elect of God. He addresses them as such and encourages them to think of themselves as such.”) (“Covenant Context for Evangelism,” p. 53.)

(“Ephesians 1:1-14, John 15:1-8, and similar passages function as canon only within the context of the covenant.”) (“Covenant Context for Evangelism,” p. 65.)

6. Since the election of Ephesians 1 is “covenant election,” and since “covenant election” may become reprobation, the election of Ephesians 1 may become reprobation. In this case, it is not simply that it must be concluded that these people never were elect, for according to observable covenant reality, which is the perspective of Scripture, they are indeed elect.

(“It is true, some [of the ‘elect’ of Ephesians 1.] may fall away, and Paul warns against that possibility. Were some to fall away, he would no longer speak of them as the elect of God. However, he would not confess that ‘unfortunately’ his initial judgment had been wrong. There is nothing ‘unfortunate’ about the fact that we do not have an insight into
the eternal decree and therefore cannot make infallible judgments.”) (“Covenant Context for Evangelism,” p. 64.)

(“Now it is not then that the man who is elect does not need to run the race because he’s elect, but it’s precisely the man who is elect upon whom it is incumbent to run, that he may obtain, and the knowledge of election inspires the running. Those who fail to run, who forsake the faith through disobedience, these do not obtain the prize.”)

(“Reprobation in Covenant Perspective; The Biblical Doctrine,” p. 9.)

(“There are, of course, hypocrites among the elect.”) (The Banner, March 28, 1980, p.19.)

Some of the assertions that are implicit in Analysis Points 1-3 become explicit in Analysis Points 4-6 of Allegation 2, and they have been discussed previously. Beginning in Point 5, Summary explicitly states that Shepherd teaches there are two elections: 1) “covenant election” and 2) “decretal election’. Summary ascribes both of these terms to Shepherd without documenting that he uses them. In so doing, Summary ascribes to Shepherd language that he does not use, and it also attributes to him the concepts that are communicated by these two terms. Shepherd does not use the terms covenant election and decretal election. Summary coins these terms and discusses a relationship between them as though it were Shepherd who had created the terms and who describes how they relate: “… the concept of covenant election exercises control over the concept of decretive election…” Summary then rejects the relationship it has defined. None of this is from Shepherd, nor is the diagram in Appendix A of Summary from Shepherd.

Shepherd teaches that there is one election, and he teaches that God is sovereign in this election. Creatures do not know as God knows, and the perspective of creatures is different from the perspective of Creator God:

It is a basic truth of the doctrine of election that election cannot be undone. Romans 8:30 sets forth the so-called golden chain of predestination, calling, justification, and glorification. God accomplishes what he purports to do. But it is also true that we as


718 Ibid., 7.

719 Ibid., 16.
creatures cannot see election as God sees it. We are not God, we are not the Creator; and the secret things belong unto God (Deuteronomy 29:29). We cannot know election from the perspective of the Creator. We can know election only from the perspective of the creature. Specifically, we can know election only from the perspective of the covenant, which election establishes between God and his people.\textsuperscript{720}

The covenant is rooted in the eternal decree of God. God’s eternal purposes are worked out here on earth; creatures live, work out, and observe God’s eternal purposes in history. A creature does not know what the Creator knows; creatures can know only what is revealed. There are two perspectives from which election is viewed: the perspective of God and the perspective of humans; creatures can view election and the covenant only from the creature’s perspective.

There are some people in the church who have been received into the community of the elect and who have received the sign and seal of the covenant of grace but who do not partake of the grace that is signed and sealed.\textsuperscript{721} There are hypocrites who believe that they are in the “estate of grace” (LC 80). For Shepherd, this does not mean that there are some who are elect and non-elect at the same time. The church receives people as members by virtue of their credible professions of faith. The church judges all of her members to be elect, and she rightly administers the sacraments to each one despite the fact that her judgment is fallible—despite the fact that there may be hypocrites in her midst.

Shepherd cites numerous examples of people who, in time, proved themselves to be hypocrites. At one time they were elect; at another time, they were excommunicated:

Now, what is true of the nation is also true of the person. Judas is introduced into the community, the covenant community of the elect, but he is rejected as a son of perdition because of his apostasy (John 17:12). We have the brother in 1 Corinthians 5, verses 1 through 5, addressed as one of the saints in Corinth, but he is to be delivered to Satan because of his immorality. We have Simon of Samaria who believed (Acts 8, verse 13), but becomes entangled in the bond of iniquity (verse 23). Those who have escaped the defilements of the world through the knowledge of the Lord and then become entangled therein again are worse off than they were before their enlightenment (2 Peter 2, verse 20). Here we have elect persons who are excommunicated.\textsuperscript{722}

\textsuperscript{720} Shepherd, “Reprobation in Covenant Perspective,” A2989.

\textsuperscript{721} Murray, \textit{Christian Baptism}, 55.

\textsuperscript{722} Shepherd, “Reprobation in Covenant Perspective,” A2989.
The fact that some of the people who belong to the company of the elect (the church for whom Christ died) are later known to be reprobate leads to a question: “Does that mean that God’s election has failed?”\textsuperscript{723} That question, says Shepherd is “precisely the question to which Paul addresses himself in Romans 9 and Romans 11.”\textsuperscript{724} The answer that Shepherd gives is, “No, by no means. God’s election has not fallen to the ground. That election stands fast. It cannot be shaken.”\textsuperscript{725} Reprobation is not “an iron decree, determining only the final destiny of those lost, who are then viewed as inexorably shut up in this eternal state of perdition no matter what penitent efforts may be put forth.”\textsuperscript{726}

The purpose of excommunication from the company of the elect is to make plain to the disobedient person that the wages of sin is death; it is to make clear to him that he must repent because life is found only in Jesus. In this way, reprobation serves the gospel. Shepherd stresses the point, “Again, what does that teach us? Not that God’s election has failed, but it teaches us that there is no redemption outside of Jesus Christ. That is why God reprobated the nation.”\textsuperscript{727}

Through the reprobation of Israel, the purposes of grace were served and the gospel came to the nations. But even though the nation of Israel was reprobate, the Bible speaks about those who belonged to Israel and who were elect (Elizabeth and Zachariah; Anna). The history of Israel as God’s elect nation bore witness to the fact that there were reprobate people in her midst (1 Corinthians 10:1-11). Concerning the working out of the decree of election here on earth and within the covenant, Shepherd teaches:

Both reprobation and election are presented as covenant truth. The way in which God realizes election is the way of faith. Election does not annul the need for faith but calls forth faith. Because man is by nature unbelieving, he must receive faith as a gift. The way in which reprobation is realized is the way of unbelief; unbelief is ours by nature.

\textsuperscript{723} Ibid.
\textsuperscript{724} Ibid.
\textsuperscript{725} Ibid.
\textsuperscript{726} Bavinck, \textit{The Doctrine of God}, 399.
\textsuperscript{727} Shepherd, “Reprobation in Covenant Perspective,” A2989.
We do not need it as a gift from God; we are responsible for it. But reprobation does not annul the need for unbelief any more than election annuls the need for faith.\textsuperscript{728}

It is in the way of unbelief and in the way of faith that the decree of God is worked out; it finally culminates in the separation of a fixed number of the elect and the reprobate. Until the Day of Judgment, the church is given the authority to judge (albeit fallibly) who are the elect of God and who are to be excluded as reprobate.

**Analysis Point 7: Death to Life**

7. Because of the covenantal reality of the transition from death to life involved in baptism, it is not simply a condescending “judgment of charity” which regards all baptized persons as brothers. For baptism marks the point of transition from death to life.

(“If the brother persists in sin, then he must be excommunicated, not by subtle innuendo from the pulpit, but by physical ejection from the congregation. Until discipline has been carried to that point the brother must continue to be regarded and treated as a brother in Christ. This is not some condescending “judgment of charity,” but a right the brother has on the ground of his baptism.”) (“Covenant Context for Evangelism,” pp. 74f.)\textsuperscript{729}

The preceding paragraph omits the concluding material. This material is relevant because it establishes that, “The good news is that Christ heals the stumbling cripples and makes the helplessly blind to see. Covenant evangelism guarantees that the gospel is and continues to be genuinely good news.” The topic of baptism will be discussed under Allegation 3.

**Analysis Point 8: Controversion**

8. Although the election of Ephesians 1 and the justification of Romans 3-6 are covenantal and therefore may be controverted, there exists nonetheless an election and a justification in the decrees of God which are incontrovertible.

(“Now then you see the question is, does that mean that God’s election has fallen to the ground? Does that mean that God’s election has failed? Well, that’s precisely the question to which Paul addresses himself in Romans 9 and Romans 11 and you know his answer. No, by no means—God’s election has not fallen to the ground. That election stands fast. It cannot be shaken...The rejection of the elect does not mean then that God’s

\textsuperscript{728} Ibid.

election has fallen to the ground.”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” pp. 9F.)

(“Reprobation from within the context of the covenant (please underline with about four lines that expression); reprobation from within the context of the covenant, that is to say, reprobation from the point of view of the covenant is not incontrovertible.”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 12).\(^\text{730}\)

This first paragraph of evidence under Analysis Point 8 omits the Scripture references to which Shepherd refers. Shepherd’s words follow; the omitted portion is in italics:

Now then, you see the question is, does that mean that God’s election has fallen to the ground? Does that mean that God’s election has failed? Well, that’s precisely the question to which Paul addresses himself in Romans 9 and Romans 11, and you know his answer, ‘No, by no means.’ God’s election has not fallen to the ground. That election stands fast. It cannot be shaken. *Psalm 89 tells us God casts off and rejects his anointed, but God does not break his covenant. Hosea 11 tells of God’s rejection of his people but also of the steadfastness of his electing love for them.* The rejection of the elect does not mean then that God’s election has fallen to the ground.\(^\text{731}\)

*Summary* uses these citations to assert that Shepherd believes the “justification” of Romans 3-6 is “covenantal and therefore may be controverted.” This cannot be substantiated from anything that Shepherd has said or written. *Summary* makes it clear that its concern about justification is related to its concern about election. Shepherd uses covenantal language to call those who are in the church “the elect” and “the justified”. Is this valid in light of the fact that Scripture teaches some elect people rebelled and were rejected (John 17:12; 1 Corinthians 5:1-5; Acts 8:13; 2 Peter 2:20)? *Summary*’s position on election leads to its conclusion that Shepherd teaches a “losable election” and a “losable justification”.

However, Shepherd clearly teaches that God’s eternal decree is incontrovertible:

Now, we have seen that, in terms of the concrete language of Scripture, those with whom God has established covenant and who are therefore the elect of God, they—again from the point of view of the covenant—may stumble and fall. But that does not mean that God’s election has fallen to the ground. God accomplishes his purposes.\(^\text{732}\)

\(^{730}\) Ibid., 9.

\(^{731}\) Shepherd, “Reprobation in Covenant Perspective,” A2989.

\(^{732}\) Ibid.
The fact that the covenant people “may stumble and fall” does not mean that God’s decree does not stand. Shepherd puts it this way: “But that does not mean that there is no incontrovertible decree of election and reprobation. From the point of view of the decree of God, reprobation is incontrovertible.”

**Analysis Point 9: Faith vs. Sight**

9. However, this decree of election and justification cannot be known by us as God knows it. For this reason, it does not function as a controlling factor in the context of the covenant. We must function on the level of a covenant election and justification which may be controverted.

(“God’s election from the point of view of His decree—that stands firm. But that is the secret thing which belongs to God. Our knowledge of election is through the covenant. And in terms of the covenant those who do not keep covenant with God will be punished and so we have the phenomenon of excommunication. Again—what does that teach us? Not that God’s election has failed, but it teaches us that there is no redemption outside of Jesus Christ. That is why God reprobated the nation.”) (Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 10.)

(“My article did not ask us to look at covenant instead of election. It asked us precisely and explicitly to look at election, but to do so in the only way legitimate for creatures, namely, out of the covenant relation in which God has placed us.”) ([sic] More on Covenant Evangelism,” p. 24.)

What cannot be known cannot be a controlling factor. It has been noted that Shepherd agrees with Murray that the officers of the church have limited and fallible knowledge. Murray writes, “Only God knows completely and infallibly those who are his, those who are predestined to salvation and ultimately conformed to the image of his Son.” Shepherd teaches that “those with whom God has established covenant and who are, therefore, the elect of God, they—again from the point of view of the covenant—may stumble and fall….” But that does not mean the believer has no knowledge of election and no assurance. The believer knows his election by faith

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733 Ibid.


735 Murray, Collected Writings of John Murray: The Claims of Truth, 231.
in Jesus Christ. God’s Word is the rule for faith and godliness; God’s decree is not. Shepherd teaches:

Salvation has its foundation in the predestinating will of God. Confidence and assurance are generated by the Spirit in relation to God’s electing purpose. Election is not an abyss of uncertainty for us. Election is the fountainhead of life to which the Spirit of life brings us with joy and thanksgiving. The knowledge of election is never direct insight into the decree which bypasses, or enables us to bypass, faith or the promises of God. Assurance is not information concerning a state of affairs, but it is assurance of faith. Faith lays hold of the promises and the Spirit. The Spirit generates confidence. Thus we know our election inside faith, not outside faith.  

Analysis Point 10: Assurance

10. Assurance also must be oriented to the covenant context, since self-examination seems to yield more reason for doubt than for assurance.

(“And how is one to come into the assurance of being in a state of grace and glory without a direct knowledge of one’s election? The fruits of election and regeneration are indeed visible, but it is necessary to be reminded of the danger of self-deception and misunderstanding. Honest and searching self-examination seems to yield more reason for doubt than for assurance.” (“Covenant Context for Evangelism,” p. 52.)

Summary is critical of Shepherd for distancing himself from the practice of self-examination to gain assurance. But Shepherd insists that nothing in us can serve as the ground of assurance. If direct knowledge of the decree of God were, in fact, the ground of assurance, then evidence of election must be discernible within: The believer must seek for evidence or marks of his election within himself. In a class lecture on assurance, Shepherd reflects the concerns of Hodge regarding the practice of self-examination.

“Many sincere believers are too introspective. They look too exclusively within so that their hope is graduated by the degree of evidence of regeneration they find in their own experience. This, excepting rare cases, can never lead to the assurance of hope. We may examine our hearts with all the microscopic care of President Edwards, prescribed in the Religious Affections, and never be satisfied that we have eliminated every ground of misgiving and doubt. The grounds of assurance are not so much within us as without us.”


Summary


Shepherd warns that the believer can be “more concerned with the experience of the message than with the objective message.” He teaches that there is a proper way to seek the assurance of hope, and it is not to be sought in experience or to be found within the believer:

We are not concerned to ascertain a state of affairs; but our goal is the assurance of hope, and assurance is enjoyed only as you are on the way to the Holy City. When you are on your way to the Holy City, you are looking ahead. You consider Jesus. But if you stop and look at yourself, you are no longer on the way and so you lose assurance. A list of marks compels us to seek a foundation in ourselves. Assurance comes as we are on the way.

The believer cannot determine through self-examination whether he is in a state of grace or not. The believer cannot bypass faith in the promises God has revealed in His Word and seek assurance elsewhere.

Those who abide in Christ will produce fruit, and this fruit serves to confirm what the believer knows by faith—faith in the promises of God: Christ is faithful, and He will keep His promises. The believer can be assured he is in a state of grace: “… such as truly believe in the Lord Jesus and love Him in sincerity and endeavor to walk in all good conscience before Him, may, in this life, be certainly assured that they are in the state of grace” (WCF 18/1). Shepherd teaches, “The ground of assurance is in the promise of God and is confirmed in the way of obedience. But those gifts do not of themselves function as the ground so as faith turns in upon itself.”

**Analysis Point 11: Cutting and Grafting**

11. But assurance in a covenant context is an assurance of an election and justification that may be lost. The branches of John 15 which are “cut off” are at first “savingly” grafted into Christ, and subsequently are “cut off” because of a failure to continue abiding in him by way of faith and obedience.

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740 Ibid.

741 Ibid.
(“What Jesus is obviously saying in this passage is that his hearers are branches abiding in him as the vine. He exhorts them all to continue abiding in him by way of faith and obedience, that is, by bearing fruit, [sic]”)

The evidence quoted in Analysis Point 11 is taken from the middle of a paragraph. The whole of Shepherd’s paragraph better illustrates his position. The complete paragraph follows; the extended portions are in italics:

A second passage illustrative of covenant perspective on election is John 15:1-8. What Jesus is obviously saying in this passage is that his hearers are branches abiding in him as the vine. He exhorts them all to continue abiding in him by way of faith and obedience—that is, by bearing fruit. If they do, the Father will see to it that they bear even more fruit. They are at no point cast upon their own resources because, as branches, they have their vitality at every point from the vine. If, on the other hand, the branches do not abide in Christ, but deny him and become disobedient, the Father will cut these branches off and destroy them. The passage is a grand exhortation to covenant faithfulness enveloped in the overflowing grace of Christ.  

Shepherd emphasizes the indispensability of the second part of the covenant—the demand or obligation side of the covenant. Summary asserts that he thereby makes the benefits of the covenant conditional. According to Summary, because Shepherd teaches that the believer must fulfill the requirements of the second part of the covenant, assurance of salvation must be conditional or losable.

Summary holds that any saving activity on the part of man must be meritorious. From that perspective, Summary can only interpret the conditions of the second part of the covenant (the conditions Shepherd discusses: faith and repentance) as being meritorious. All parties agree that there can be no meritorious ground for salvation: All is of grace. Two quotes clearly demonstrate that Shepherd teaches there are conditions of the covenant and that he teaches these conditions are not meritorious:

Those who believe in Jesus Christ are justified in him. Faith does not become the meritorious ground. Faith is necessary and is an inwrought grace, but it is not the ground.

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742 The reference for this quote is missing in Summary. The reference is Shepherd, *The New Testament Student and Theology*, 64.

Therefore, by parity of reasoning, repentance is necessary but not a meritorious ground. In faith, the focus is on abandonment to Christ.⁷⁴⁴

Although the promises [of God] are to be received in faith, if we turn away from them in unbelief we will be condemned. Those conditions are not meritorious conditions. They are the way in which God brings us into participation of the benefits of Christ.”⁷⁴⁵

Summary views the covenant from the perspective of the decree. Justification is a gift that the sinner receives only passively. There is no “saving activity” on the part of the sinner; there are no conditions in the covenant. The warnings in the New Testament are hypothetical. Assurance is rooted in knowledge of election. Summary is concerned because Shepherd teaches that those who are in Christ can be cut off; the command (in John 15) to bear fruit is a condition.

Shepherd approaches John 15 from the perspective of the covenant: “What Jesus is obviously saying in this passage is that his hearers are branches abiding in him as the vine.” The “branches” are members of the “Vine”. The text says nothing about the status of the branches from the perspective of God’s decree of election. Shepherd emphasizes that God gives us no “information about an eternal election so we can predict the future without assuming covenant responsibility.”⁷⁴⁶ But neither does Scripture teach the need for a responsibility that arises from outside of the context of grace. Shepherd teaches about the people to whom Jesus is speaking in John 15:1-5: “They are at no point cast upon their own resources because, as branches, they have their vitality at every point from the vine. If, on the other hand, the branches do not abide in Christ, but deny him and become disobedient, the Father will cut these branches off and destroy them.” Shepherd teaches that Jesus (in John 15:1-5) is speaking from the perspective of the covenant.

A problem arises when this passage is viewed from the perspective of God’s eternal decree: Jesus cannot be warning the regenerate that they are in danger of destruction. Therefore

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⁷⁴⁵ Ibid., cassette 43.

⁷⁴⁶ Ibid., cassette 42.
(according to that perspective), He must be speaking to people who are in the “external covenant”; the warnings He gives would be meaningless to the regenerate. This is the position of

**Summary.**

Shepherd contends for grace sovereignly bestowed (the first part of the covenant) and for the necessity of faith and repentance (the second part of the covenant):

Election does not mean that we can live by sight. Election does not mean that we have insight into the decree of God so that we can relax. Rather, election calls upon us—election summons us—to live by faith in Christ, to walk in the Spirit, to be in fact the people of the covenant. Election establishes covenant; that’s the point. The gifts are all ours by grace, and they are enjoyed in the way of faith (2 Peter 1:3, 5).  

Shepherd’s position reflects that of his teacher and predecessor, John Murray, who stated it this way:

> What needs to be stressed in this connection is that we may never divorce the faith of God’s covenant grace from the discharge of those obligations which inhere in the covenant relation. Covenant privilege always entails covenant responsibility….The fear of the Lord, the keeping of his covenant, and obedience to his commandments are the means through which and the conditions upon which those who have received the pledge of God’s faithfulness may entertain the assurance and comfort of His faithfulness.”

**Conclusion**

Contrary to the assertion of Allegation 2, Shepherd affirms the inviolability of the decree of election. He affirms that the covenant is all of God’s grace. Shepherd defines the covenant as “a sovereignly established and formally structured relation of union and communion between God and his people in the bonds of mutual love and faithfulness.” For these reasons, Shepherd points people to faith in Christ:

You see, election does not destroy the need for faith. It is not as though, well, if you’re elect you’re going to be saved: It doesn’t make any difference whether you believe or don’t believe. No, election does not destroy the need for faith, but election calls us to faith. Because, really, to call upon men to believe in Jesus Christ—and there we are

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747 Shepherd, “Reprobation in Covenant Perspective,” A2989.


talking about evangelism—to call upon men to believe in Jesus Christ is really to call upon men to believe in their own election.\textsuperscript{750}

The Commission on Allegations exonerated Shepherd on Allegation 2.

\textit{Allegation 3:} Further, it is alleged that Mr. Shepherd’s covenant approach attributes to baptism a meaning that is appropriate only to regeneration.

\textbf{The Allegation}

The allegation is unclear: \textit{Summary} asserts that Shepherd “attributes to baptism a meaning that is appropriate only to regeneration”, but it does not specify what it interprets that “meaning” to be. All parties deny the doctrine of baptismal regeneration. Shepherd states, “The position here advocated should not be confused with the sacramentalist doctrine of baptismal regeneration.”\textsuperscript{751} But \textit{Summary} implies that Shepherd affirms this doctrine. \textit{Summary} offers two citations from Shepherd’s 1976 chapter, “The Covenant Context for Evangelism,” as evidence that this is so:

“\text{In contrast to regeneration-evangelism, a methodology oriented to the covenant structure of Scripture and to the Great Commission presents baptism as the point of transition from death to life. The specific terms of the Great Commission describe discipling in terms of baptism and instruction in the commands of Christ. This means that evangelism does not end with regeneration but continues as soon as a man lives. Baptism marks the entrance into the kingdom of God and the beginning of life-long training as kingdom subjects. Conversion without baptism is an anomaly. A sinner is not ‘really converted’ until he is baptized.}

“\text{The orientation of evangelism to regeneration tends to discount the significance of baptism as the point of transition. Either it comes too early, as in the case of infant baptism, so that one cannot say for sure whether the child is regenerate; or it comes too late, as a kind of appendix to the crisis experience of conversion.” (\text{Covenant Context for Evangelism},” p. 71.)

\textsuperscript{750} Shepherd, “Reprobation in Covenant Perspective,” A2989.

\textsuperscript{751} Shepherd, \textit{The New Testament Student and Theology}, 66, footnote.
“When Paul wishes to exhort the Romans to obedience he does not remind them that they were regenerated, or suggest that they might not be regenerate; he points to their baptism and calls them to live out of that experience (Rom. 6:1-11).” (‘Covenant Context for Evangelism,” pp. 71f.)

Summary substitutes the word soon for the word long in the first citation. The corrected sentence reads: “This means that evangelism does not end with regeneration but continues as long as a man lives.” The second citation is punctuated incorrectly. Summary omits the five sentences that connect these two citations. The original quote is as follows; the extended portion and the correction are in italics:

In contrast to regeneration-evangelism, a methodology oriented to the covenant structure of Scripture and to the Great Commission presents baptism as the point of transition from death to life. The specific terms of the Great Commission describe discipling in terms of baptism and instruction in the commands of Christ. This means that evangelism does not end with regeneration but continues as long as a man lives. Baptism marks the entrance into the kingdom of God and the beginning of life-long training as kingdom subjects. Conversion without baptism is an anomaly. A sinner is not “really converted” until he is baptized.

The orientation of evangelism to regeneration tends to discount the significance of baptism as the point of transition. Either it comes too early, as in the case of infant baptism, so that one cannot say for sure whether the child is regenerate; or it comes too late, as a kind of appendix to the crisis experience of conversion. Even in Reformed circles it is common to speak of the number of persons who are “really converted” or “truly Christian,” though the Bible itself avoids this language and talks in terms of the number baptized. The three thousand souls added to the church on the day of Pentecost are described as having been baptized (Acts 2:41). The Philippian jailer and the members of his household are not said to have been regenerated or converted, but baptized (Acts 16:33). Paul’s Damascus road experience is usually thought of as the time of his conversion. The Bible does not say when he was regenerated, but it does say when he was baptized (Acts 9:18) and indicates that this was when his sins were washed away (Acts 22:16). When Paul wishes to exhort the Romans to obedience, he does not remind them that they were regenerated, or suggest that they might not be regenerate; he points to their baptism and calls them to live out of that experience (Rom. 6:1-11).

Summary is concerned that Shepherd teaches that “the Great Commission presents baptism as the point of transition from death to life” and “marks the entrance into the kingdom of God.” Summary cites these phrases, which Shepherd uses in “The Covenant Context for Evangelism” (1976), as evidence that he teaches baptismal regeneration.

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Sinclair Ferguson reviewed “The Covenant Context for Evangelism” in 1977. In response to Ferguson’s criticism, Shepherd acknowledged that his original formulation (“The Third Thesis”) was misleading. In “More on Covenant Evangelism, a Reply from Norman Shepherd,” Shepherd wrote:

I now sincerely regret that the antithetical way in which I stated my third thesis [Baptism rather than regeneration is the point of transition from lostness in death to salvation in life] gave reasonable grounds for the criticism that on the one hand baptism was isolated from faith and conversion, and on the other the sign and the thing signified were confused with each other.

Shepherd then restates his formulation: “The thesis would be better stated as follows: baptism marks the point of transition from death to life.” He goes on to explain the rationale behind his formulation:

We must also say, of course, that the passage from death to life occurs at conversion, or regeneration, or union with Christ. But as creatures we cannot know precisely the moment when this takes place. It may take place before, or after or in conjunction with baptism; it may never take place at all. When, then, as far as the church is concerned, does a man become a Christian? Do we not have to say, when he is baptized? The only judgment the church is capable of making is a judgment as to a man’s standing relative to the covenant, and the church is obligated to remind us of the “much neglected duty of improving our baptism” [Westminster Larger Catechism, 167, italics added].

Transition from Death to Life

Shepherd explains that the formulation point of transition is not a designation that can be applied only to baptism, but neither can it be restricted only to regeneration. The church rightly uses the terms conversion, regeneration, or union with Christ to speak of the “point of transition.” Conversion is not the same as regeneration, which is not the same as union with Christ; but, according to Shepherd, all of these terms can be used to speak about the point of transition from death to life.

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756 Ibid., 25.
The fact that a point of transition cannot be known infallibly does not mean that the
transition from death to life does not take place at baptism. At baptism, the church makes “a
judgment as to a man’s standing relative to the covenant.” Shepher quotes Hodge in support of his position:

“And, therefore, to baptism may be properly attributed all that in the Scripture is
attributable to faith. Baptism washes away sin [Acts xxii: 16]; it unites to Christ and
makes us the sons of God [Galatians iii, 16]; we are therein buried with Christ [Rom. vi.
3]; it is [according to one interpretation of Titus iii. 5] the washing of regeneration. But
all this is said on the assumption that it is what it purports to be, an act of faith.” [Vol.
III, p. 589].

The time of regeneration is known only to God. The time of baptism is known to the church.
According to Shepherd, the church can properly identify a Christian because baptism “marks the
entrance into the kingdom of God”; the church can teach that “the Great Commission presents
baptism as the point of transition from death to life.”

The Five Omitted Sentences

The five sentences omitted between the two citations that Summary uses are important to understanding Shepherd’s meaning, as are the Scriptures he uses to support his position. These sentences, together with the texts of the Scriptures (in brackets and italicized), not only the references that Shepherd gives, follow:

Even in Reformed circles it is common to speak of the number of persons who are
“really converted” or “truly Christian,” though the Bible itself avoids this language and talks in terms of the number baptized. The three thousand souls added to the church on the day of Pentecost are described as having been baptized (Acts 2:41). [“Those who
accepted his message were baptized, and about three thousand were added to their
number that day.”] The Philippian jailer and the members of his household are not said to have been regenerated or converted, but baptized (Acts 16:33). [“At that hour of the
night the jailer took them and washed their wounds; then immediately he and all his
family were baptized.”] Paul’s Damascus road experience is usually thought of as the
time of his conversion. The Bible does not say when he was regenerated, but it does say when he was baptized (Acts 9:18) [“Immediately, something like scales fell from Saul’s
eyes, and he could see again. He got up and was baptized.”] and indicates that this was

757 Ibid.
when his sins were washed away (Acts 22:16) [“And now what are you waiting for? Get up, be baptized and wash your sins away, calling on his name.”].

Shepherd further develops his teaching that “baptism marks the point of transition from death to life”:

When regeneration is understood from the perspective of the covenant, it becomes both clear and natural that the sign of the covenant, baptism, should mark the passage from death to life. It did in the experience of the Head of the covenant as well. Jesus’ death and resurrection, his baptism (Mark 10: 38; Luke 12: 50), meant the old things had passed away and all things had become new, at least in principle, as in the case of the new believer.”

The text of Mark 10:38 is: “‘You don’t know what you are asking,’ Jesus said. ‘Can you drink the cup I drink or be baptized with the baptism I am baptized with?’” Luke 12:50 reads: “‘But I have a baptism to undergo, and how distressed I am until it is completed!’”

The Exhortation to Obedience

Shepherd points out that Paul speaks of baptism—not regeneration—when he exhorts believers to obedience: “When Paul wishes to exhort the Romans to obedience, he does not remind them that they were regenerated, or suggest that they might not be regenerated; he points to their baptism and calls them to live out of that experience (Rom. 6:1-11).” Romans 6:1-11 reads:

What shall we say then? Are we to continue in sin that grace may abound? By no means! How can we who died to sin still live in it? Do you not know that all of us who have been baptized into Christ Jesus were baptized into his death? We were buried therefore with him by baptism into death, in order that, just as Christ was raised from the dead by the glory of the Father, we too might walk in newness of life. For if we have been united with him in a death like his, we shall certainly be united with him in a resurrection like his. We know that our old self was crucified with him in order that the body of sin might be brought to nothing, so that we would no longer be enslaved to sin. For one who has died has been set free from sin. Now if we have died with Christ, we believe that we will also live with him. We know that Christ being raised from the dead will never die again; death no longer has dominion over him. For the death he died he died to sin, once for all,

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760 Ibid., 72.

761 Ibid.
but the life he lives he lives to God. So you also must consider yourselves dead to sin and
alive to God in Christ Jesus.

The Westminster Standards on Transition

Shepherd subscribes to The Westminster Standards. According to WCF 28/1, the
sacrament of baptism is “ordained for the admission of the party baptized” into the church of
Jesus Christ,⁷⁶² which “is the kingdom of the Lord Jesus Christ” (WCF 25/2).⁷⁶³

Baptism is a sacrament of the New Testament ordained by Jesus Christ, not only for the
solemn admission of the party baptized into the visible Church; but also, to be unto him a
sign and seal of the covenant of grace, of his ingrafting into Christ, of regeneration, of
remission of sins, and of his giving up unto God through Jesus Christ, to walk in
newness of life. Which sacrament is, by Christ’s own appointment, to be continued in
His Church until the end of the world (WCF 28/1).⁷⁶⁴

Baptism marks the entrance into the Kingdom of God and is a sign and seal “of his ingrafting
into Christ, of regeneration, of remission of sins.”⁷⁶⁵

The Westminster Confession of Faith 28/6 teaches that the “grace promised is not only
offered, but really exhibited and conferred”:

The efficacy of baptism is not tied to that moment of time wherein it is administered; yet
notwithstanding, by the right use of this ordinance, the grace promised is not only
offered, but really exhibited and conferred, by the Holy Ghost, to such (whether of age or
infants) as that grace belongeth unto, according to the counsel of God’s own will, in His
appointed time (WCF 28/6).⁷⁶⁶

Shepherd believes that his teaching reflects the emphasis of the Scripture and the
standards when he writes: “The baptism of the believer marks his identification with Christ in
His death and resurrection, and therefore his own passage from death to life.”⁷⁶⁷ Shepherdd

⁷⁶³ Ibid., 107.
⁷⁶⁴ Ibid., 112-113.
⁷⁶⁵ Ibid., 113.
asserts that this formulation does not deny or discount the importance of regeneration. Although he acknowledges that he should have stated his position more clearly in his original article, “The Covenant Context for Evangelism,” even in that document he teaches: “The covenantal focus on baptism does not mean that regeneration is discounted.”

Reformed Theologians on Transition

Shepherd quotes two Reformed theologians, C. Hodge and Murray, to support his position:

1. Unless the recipient of this sacrament be insincere, baptism is an act of faith, it is an act in which and by which he receives and appropriates the offered benefits of the redemption of Christ. And, therefore, to baptism may be attributed all that in the Scripture is attributed to faith. Baptism washes away sin (Gal. 3:26, 27); we are therein buried with Christ (Rom. 6:3); it is (according to one interpretation of Titus 3:5) the working of regeneration.

2. Baptism is not an addendum to discipleship but that by which discipleship is consummated…. Since discipleship is not consummated without baptism we must regard baptism as an indispensable mark of the church. The person who refuses baptism and declines the reproach of Christ, which it entails, cannot be received as a member of Christ’s body.

In the light of what Hodge and Murray write, it becomes increasingly difficult to insist that baptism is not the point of transition from death to life.

Baptism and Regeneration

Does teaching that baptism is the point of transition imply baptismal regeneration? Shepherd writes, “The position here advocated should not be confused with the sacramentalist

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768 Ibid.

769 Charles Hodge, Systematic Theology, 589. Emphasis added

770 Murray, Christian Baptism, 45. Emphasis added.
To say that baptism is, or marks, the point of transition from death to life is not to say that baptism effects the transition or that it effects regeneration. Shepherd teaches:

Baptism is not to be construed here as the instrumental cause of our union with Christ, as in the Roman Catholic sense of ex opere operato. Union with Christ is accomplished not by virtue of baptism but by virtue of the power of the Spirit. Shepherd maintains that the Spirit is sovereign over the means of grace:

[B]ecause the Spirit is sovereign with respect to the means [of grace], we are also compelled to say that the operation of the Spirit, which is signed and sealed in baptism, is not necessarily tied to the moment of administration. A discrepancy between the moment of administration and the working of the Spirit in us is usually unavoidable. This is because the means instituted by Christ are administered by men.

The church cannot dispense with the means of grace that are used by the Spirit of God. The church is required to administer the sacrament because it is an ordinance and “necessary by the precept of Christ.” The Holy Spirit regenerates immediately, not mediately; and He does so where, when, and how He pleases.

Does teaching that baptism is the point of transition imply that baptism and regeneration occur together? The answer is: Baptism and regeneration can occur together, but they do not do so invariably. According to WCF, baptism “is a sign and seal of his ingrafting into Christ, of regeneration” (WCF 28/1); the efficacy of baptism “is not tied to the moment of time wherein it is administered” (WCF 28/6). The grace that is signed and sealed is conferred by the administration of baptism, but it becomes efficacious in God’s “appointed time” (WCF 28/6).

Murray teaches that not everyone who bears the sign and seal of the covenant is an actual partaker of the grace that is signed and sealed. He explains that this is an “anomaly” in the life

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773 Ibid.
774 Ibid.
775 Murray, Christian Baptism, 56.
of the church, but he does not seek to resolve the tension this creates by saying that baptism is only a sign and seal of external privileges. He forcefully rejects this way of thinking:

What is being contended for is that baptism may never properly be said to be the sign and seal of the external relationship rather than of the covenant itself in its richest and deepest blessing. There is not the slightest warrant from Scripture for the notion that baptism or, for that matter, circumcision is simply the sign and seal of external privilege.

Murray understands that the church administers the sign and seal of the covenant in this world; the secret operations and purposes of God are in the counsel of eternity. There is an anomaly: Not everyone who bears the sign and seal of the covenant is an actual partaker of the grace that is signed and sealed.

**Conclusion**

Shepherd stresses the fact that men do not have knowledge of who is regenerate and who is not. But the church does know who are baptised:

When, then, as far as the church is concerned, does man become a Christian? Do we not have to say, when he is baptized? The only judgment a church is capable of making is a judgment about man’s standing relative to the covenant, and the church is obligated to remind us of the “much neglected duty of improving our baptism” [Westminster Larger Catechism, 167, italics added].

Murray says that a person who is not baptised “cannot be received as a member of Christ’s body,” at least under normal circumstances. But on the other hand, “Those making the requisite confession of faith and therefore baptized are to be received as believers, as those in union and communion with Christ, and they are to be treated accordingly. The baptized are to be received as the children of God and treated accordingly.”

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776 Ibid., 55.
Shepherd rejects “judgments of charity” concerning the salvation of a person, judgments based upon the secret counsel of God. He agrees with Murray that people who make a confession of faith and are baptised “are to be received as believers”. If one were to speak about baptism from the vantage point of God’s eternal decree (which creatures cannot), then it follows: “None can say who is or who is not elect. Thus, if I can’t know [who is elect], then I can’t say to anyone that Jesus died for them, that they are brothers and sisters of mine; [this] leads only to a judgment of charity, which is condescending.” A “judgment of charity” is a baseless presumption. The Commission on Allegations exonerated Shepherd on Allegation 3.

**Allegation 4:** Further it is alleged that Mr. Shepherd’s covenant approach encourages the preacher to speak as if Christ’s atonement was universal in its extent and in Christ’s intent.

The Allegation

*Summary* provides one citation as evidence to support Allegation 4. This citation is from “The Covenant Context for Evangelism” (1976):


Shepherd teaches that the gospel must be preached from within the context of the covenant, not from the perspective of election: “If the proclamation, ‘Christ died for you,’ be construed from the perspective of election it is at best only probably true, and may well be

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783 Ibid.
false.” Shepherd maintains that the church does not have infallible knowledge of who are and are not the elect: “Who can give us such a list of the elect? None!” The command to repent is given to everyone. Jesus came to save sinners (1 Timothy 1:15), and the scriptural testimony is that “all have sinned” (Romans 3:23). The evangelist is to preach the gospel against the background of sin: Jesus saves sinners. That which grounds reprobation and condemns a sinner and separates him from God is not reprobation; it is sin. Likewise, that which saves a sinner and reconciles him to God is not election, but Jesus. According to Shepherd, John does not address the extent of the atonement in John 3:16; John speaks about the purpose of the atonement: God gave His Son to save sinners from their sins—sinners from every nation.

Within the Reformed tradition, the atonement of Christ is not universal; it is particular or definite. Summary asserts that Shepherd teaches universal atonement. But he does not. On the same page that the citation in Summary is taken from, Shepherd affirms definite atonement:

> God has wrought a finished and complete redemption in terms of which salvation, and not merely the possibility of salvation, is offered sincerely and without equivocation to all. “For God so loved the world, that he gave his only begotten Son, that whosoever believeth on him should not perish, but have eternal life” (John 3:16). With respect to this verse of Scripture, the essence of gospel, the Arminian finds it necessary to hedge on the absolute sufficiency of the atonement, and the Calvinist frequently hedges on the extent of the world because both look at the words in terms of the doctrine of election. From the perspective of the covenant all of the words mean exactly what they say. The Reformed evangelist can and must say on the basis of John 3:16, Christ died to save you.

Summary understands Shepherd’s phrase, “Christ died to save you,” in the light of the doctrine of the extent of the atonement.

“For whom did Christ die?” need not be a question about the extent of the atonement. According to Shepherd, when the question is considered from the point of view of election, “Christ did, indeed, die only for the elect and not for the reprobate.” However, the question can be asked regarding the purpose of Christ’s mediatorial work in the history of redemption. Under

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the Old Covenant, only Israel had the sacrificial system; but in the New Covenant, Christ made atonement not only for Israel but also for the Gentiles. Approaching the question from this perspective “does not challenge the doctrines of election or definite atonement. It is pointing out the relevance of the one way of salvation for all nations.”

Conclusion

Shepherd affirms the doctrine of definite atonement. He teaches that the Reformed evangelists “can and must say on the basis of John 3:16, Christ died to save you.” This teaching “does not challenge” the doctrine of election or the doctrine of definite atonement.

The Commission on Allegations exonerated Shepherd on Allegation 4.

COMMUNICATION OF DOCTRINE

According to Summary:

I. Communication of Doctrine

Allegation 1: It is alleged that Mr. Shepherd’s presentation of the doctrine of justification is so confusing that it will inevitably be misunderstood and will appear to many to be a position incompatible with Reformed orthodoxy. His presentation will lead students into confusion and will undermine the credibility of the seminary as an orthodox institution. A teacher of systematic theology in a confessionally Reformed seminary who cannot clearly and effectively communicate the doctrine of justification without causing confusion is incompetent.


The Evidence: Organization

The evidence listed in *Summary* under Allegation 1 is divided into points A, B, and C. Point A states that there are faculty, board members, and outside theologians who have declared that they believe Shepherd’s views are wrong; Point B speaks about the role of presbytery in the controversy; Point C discusses the actions and statements of his supporters. Point C is subdivided under these headings: “The Board of Trustees” and “The Faculty.” Each segment of evidence will be listed and discussed in order.

**Point A: Opponents**

A. Mr. Shepherd’s views on justification have been labeled erroneous by several members of the faculty (Messrs. Godfrey, Sloat, Knudsen, Hughes, Miller, Robertson, Kuschke) and by several members of the Board of Trustees (e.g., at its meeting of November 14, 1978 “it was moved and seconded that the formulation of Mr. Shepherd on the doctrine of justification as received to this point is not acceptable to the Board.” This motion was defeated but Messrs. Bean, Cummings, Gyger, Graham, Krahe, Reid and Settle recorded affirmative votes, (Minutes p. 2). Several outside theologians consulted by two members of a committee on justification concluded that Mr. Shepherd’s views were wrong (Messrs. William Hendriksen, Roger Nicole, Morton Smith, Edward Kellogg, C. Gregg Singer, Meredith G. Kline, R. C. Sproul, Iain Murray, Charles Dunahoo, and D. Martyn Lloyd-Jones.)

*Summary* lists three groups of people who declared that Shepherd’s views are wrong. The individuals listed as being in the first group are members of the faculty; the second group is comprised of board members; the third list identifies “outside theologians”. None of these three groups assert that Shepherd’s teaching is confused; they state that his teaching is “erroneous,” “not acceptable,” or “wrong”. Hughes is listed as a faculty member who labels Shepherd’s “views on justification” erroneous. Hughes wrote to the board in 1978 to criticize the faculty’s April 15, 1978, report to the board. In his letter, Hughes does not mention Shepherd by name;

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790 Ibid., 1-2.
instead, he makes the point that the whole faculty is in error and is confused. By citing Hughes, Summary impugns the whole of the faculty.\textsuperscript{791}

Summary lists outside theologians who “concluded” that “Mr. Shepherd’s views were wrong.” The Special Board-Faculty Committee on Justification did not agree on which questions were asked of these theologians; the questions were sent without the committee’s knowledge or approval under the signatures of Robertson and Settle. The questions were prejudicial and were designed to elicit a negative response.\textsuperscript{792} Although papers were included in the packages that were sent to the outside theologians, one of Shepherd’s most important papers was not included in the package: It was sixteen pages long, and it included long citations of Reformed authors.\textsuperscript{793} Shepherd was provided no opportunity to explain or defend any of his positions; neither was he permitted to inquire whether the outside theologians subscribed to the Westminster Standards.

Summary cites the outside theologians selectively: Not all of the responses were negative. Some theologians who received information gave a positive assessment of Shepherd;

\textsuperscript{791} Hughes, “Letter of Dissent.” Hughes writes, “Having begun with faith, let us not end with works! I have written this dissent with a sense of my own deficiencies of expression and understanding as I have sought to contribute to the discussion of this great and central truth of justification as sinners before Almighty God, and for these deficiencies I ask forgiveness.” In reply to Hughes, Gaffin pointed out to the faculty and board that, “Among the dissents from the Faculty Report addressed to the May meeting of the Board, the communication of Dr. Hughes is significant because it does not mention Prof. Shepherd by name nor refer specifically to his views.” The result, writes Gaffin, is that, “Instead he deals with the Faculty Report in itself, and seeks to show that it takes a position which seriously confuses the gospel.” Gaffin Jr., “Memo to the Faculty,” 10.

\textsuperscript{792} O. Palmer Robertson and Paul G. Settle, “Letter to Outside Theologians,” Personal Collection (Bloomington, Minnesota, October 9, 1979). The letter reads in part:

“We need your help. Because of the significance of this question, and out of a strong desire to see Westminster continue to realize its fullest usefulness in the Kingdom, we are asking you to study the enclosed documents and offer your advice and opinions. In particular, we would ask:

“(1) Whether significant doctrinal error may be involved in Mr. Shepherd’s formulations.
“(2) Whether his formulations on justification could seriously mislead the church.
“(3) Suggestions you might offer as to show how a resolution of the problem might be achieved.”

Although the recipients are told that they “will find documents from a variety of authors enclosed,” none of the documents or authors, other than Shepherd’s paper on the “relation of justification to works,” are mentioned. Shepherd’s 1976 paper, “relation of justification to works,” is not accurately titled. The correct title is, “The Relation of Good Works to Justification in The Westminster Standards.” Shepherd noted on the cover page: “This is not a published work. It may not be used for any purpose other than to serve as a basis for discussion within the faculty of Westminster Theological Seminary on October 1 and 2, 1976.” This prohibition remains in force. Concerning Shepherd’s prohibition, Settle and Robertson state: “It [the paper] is being shared with you by authorization of the Board of the Seminary.”

\textsuperscript{793} Shepherd, “Response to Special Report.”
these include such men as: Gerstner,\textsuperscript{794} Stewart,\textsuperscript{795} Faber, Wells, Edgar, Jones, Courthial,\textsuperscript{796} Klooster,\textsuperscript{797} G. I. Williamson,\textsuperscript{798} and Macleod.\textsuperscript{799} Some theologians chose not give an opinion. It

\textsuperscript{794} John Gerstner, “Support for Shepherd,” Personal Collection (Bloomington, Minnesota, May 2, 1979). “This paper ["The Grace of Justification"] is very clear evidence of his sola fideism to which only an antinomian could take exception.”

\textsuperscript{795} C. Bruce Stewart, “Letter,” Personal Collection (Bloomington, Minnesota, April 2, 1979). “Thank you for sending the paper the Grace of Justification. It is an excellent statement. A true understanding of it is also an incentive to evangelism and the joy of living in Christ as Lord. It fits in well with what John Murray wrote in his Principles of Conduct. I guess I have real difficulty in seeing what the major problem was for those who opposed you.”

\textsuperscript{796} Pierre Courthial, “Letter,” Correspondence (French), Personal Collection (Bloomington, Minnesota, October 26, 1979). “What I can tell you and must tell you is that the professors [Wells and Edgar] of our Seminary who have read and studied the grace of justification by Norman Shepherd (Feb. 8, 1979) far from finding a significant doctrinal error in this text rather approve it without any difficulty and that they think this text contains, on the contrary, ‘happy’ formulations which are faithful to the Scripture principle.”

Robertson’s use of Courthial’s correspondence leaves the reader with the impression that Courthial, after reading “The Grace of Justification”, “… found no difficulty in approving the doctrine in this text.” The emphasis is Courthial’s, but the statement is taken out of context. For Robertson’s use of Courthial’s correspondence, see Robertson, “The Current Justification Controversy” (1983), 35.

\textsuperscript{797} On November 25, 1981 at the Student Press Conference Clowney indicated that Fred Klooster had been invited to participate in the colloquium. In response to Clowney’s comment at the conference Shepherd wrote to Clowney noting that “his [Klooster] name was not on the list of those of whom you had told me…you had contacted.” Shepherd went to inform Clowney that, “In private conversation Fred told me that he had not been contacted and that he not given his consent to participate.” Norman Shepherd, Letter to Clowney, Personal Collection (Bloomington, Minnesota, February 1, 1982).

\textsuperscript{798} G. I. Williamson, “Letter,” Personal Collection (Bloomington, Minnesota, December 7, 1978). “First of all let me say that with most of your theses—and more importantly, with what I gather to be the thrust of all of them—I think I am in hearty accord…. Second, some of your theses illuminate this subject for me in a helpful way. I think that you are probably right (Thesis 20) in your understanding of Romans 2:13. In connection with thesis 4 ‘with reference to God’s open acquittal and acceptance of the believer at the final judgment’ it seems to me that you prove the point that good works are necessary to this. I feel that I have not taken this into account as I ought to have in my own teaching…. There are many other excellent things in your thesis. I hope to give further attention to them. As I have studied them thus far I do not really get any anxiety at all about your emphasis on good works…. One other comment: your letter to the Presbytery was superb: just the right tone.”

See also G. I. Williamson, “Letter to Robertson and Settle,” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, December 12, 1979). “Let me say that I am unable to see anything in these theses that I find unrefomed as to the relation between justification and good works. Since it is my understanding that this is the point at issue, I just want to emphasize that I do not find any heresy on this point in the theses…. I would also say that I cannot see that his view is un-reformed. I do not find, for instance, that he ever says—or even comes near to saying—that man is the source in any way, shape, or form of any part of his own salvation. I also believe that his stress on the obedience, the obedience of faith, is wholly salutary…. I write these things only because I am convinced that Professor Shepherd is an able and faithful teacher of Reformed Theology.”

And again: Williamson, “Letter to Robertson and Settle.” W. Stanford Reid (Westminster Theological Seminary, Philadelphia, Pennsylvania, December 23, 1980). “After careful reading of this material, particularly the two papers by professor Shepherd ["The Relation of Good Works to Justification in the Westminster Standards"] and "The Grace of Justification"], I find myself in firm agreement with the report of the Faculty to the Board (under April 25th, 1978)…. I must reiterate that on the whole I do not think that Mr. Shepherd is undermining the doctrine of justification by faith. To the contrary, I come away from what he has written with the opposite impression.” The substance of Williamson’s remarks were expressed in a conversation with me at a Siouxland’s Presbytery Meeting in Germantown, South Dakota in 1994.

\textsuperscript{799} Donald MacLeod, “Why Did Shepherd Have to Go?,” Free Church Monthly Record, 23, (January 23, 1982), 36-37. “It is profoundly disturbing that a theologian whom the church found no grounds for disciplining
is impossible to know how many outside theologians were contacted (and how each of them responded) because Robertson and Settle never disclosed the list to members of the Special Board-Faculty Committee on Justification or to the board.

**Point B: Presbytery**

B. Mr. Shepherd’s own presbytery has been divided down the middle on the question of the orthodoxy of his views on justification. In spite of the fact that the presbytery was only considering his carefully refined formulations as presented in the “Thirty-Four Theses on Justification” and spent many months discussing the matter in a Committee of the Whole, which was supportive of Mr. Shepherd, the Presbytery on January 22, 1980 refused to approve Mr. Shepherd’s Theses as being in accord with the Bible and the doctrinal standards of the Orthodox Presbyterian Church. The presbytery stood by this action in response to a complaint on March 15, 1980.800

*Summary* distorts what happened in the Presbytery of Philadelphia. John Mitchell served as the clerk of Philadelphia Presbytery of the Orthodox Presbyterian Church during the ten days the presbytery spent (over the course of one year) discussing Shepherd’s “Thirty-Four Theses.” He wrote to Clowney to indict “the seminary’s overall handling of its concerns about Norman Shepherd.” He wrote at length about the process:

This document of “allegations” [*Summary*] assumes the worst in every instance and frequently distorts Norman’s ideas. It alleges that confusion exists; ergo, Norman must be incompetent. Why the possibility of incompetence on the part of his critics is not allowed for escapes me. It says his view of the covenant is wrong, but it does not hint at the “correct” view—Kline’s, Murray’s, or whatever. The allegations are replete with “seems” and “appears,” all of which seem to reside in the mind of the authors, not in anything of Norman’s that is cited. And they are tendentiously stated.

(For example: The reference to the actions of the Presbytery of Philadelphia is extremely one-sided and quite misleading. This approach was also used in that “Minority Report” circulated by Messrs. Bean, Cummings, and Reid. Actually, the presbytery consistently refused at any time to condemn a single one of Norman’s theses. The tie vote that failed should be dismissed from a teaching post by a non-ecclesiastical Board of Trustees. So far as we can judge, the church’s decision was absolutely right…. In view of all this, Shepherd’s dismissal can be seen as regrettable. Some men—many of them outside of the Orthodox Presbyterian Church—refused to let the issues die and the Seminary appears to have been forced to sacrifice Dr. Shepherd in order to appease public support…. There is one other intriguing coincidence. It is well known that Professor Shepherd enjoyed the complete confidence of his predecessor, the late John Murray. In the Fall of 1980, the Westminster Theological Journal published an article highly critical of Professor Murray’s views on the covenant and suggesting that only his loyalty to the Westminster Confession kept him from radically reinterpreting the Reformed doctrines of the atonement and justification. Is there a revolt afoot not only against the theology of Shepherd but against the theology of Murray?”

to approve them at the end included the largest number voting against Norman that had ever been mustered, including all those who had ever voted against him at any time except Jack Miller. A number of those who had sided with Norman were absent that day. The authors of the “Minority Report” and these “allegations” [Summary] are certainly aware of these facts.)

… To add the charge of incompetency at this date is scarcely worthy of note, except that it could be the copout for the Board to escape a bad situation.  

He concludes his letter to Clowney by stating, “I have no wish to defend Norman in all his views, nor in the manner in which he has expressed them at times.”  

Summary does not document that the presbytery determined Shepherd’s views were confusing and misleading. Shepherd’s original opponents, Kuschke and Miller, were members of the presbytery. These men were present from the beginning of the controversy and had ample opportunity to have their testimony heard and to make their case against Shepherd. Despite their efforts, “the presbytery consistently refused at any time to condemn a single one of Norman’s theses.”

Point C: The Board of Trustees

C. The majority of the Board of Trustees and of the faculty that have supported Mr. Shepherd have found it necessary repeatedly to urge or warn Mr. Shepherd of the confusion to which his position can lead.

The Board of Trustees:

The Board in its meeting of May 24-25, 1977, among other things, requested “That Professor Shepherd be requested meanwhile to exercise great caution and restraint in his presentation of the doctrines of justification and good works in his teaching.” (Minutes, p. 4).

The Board in its meeting of February 9-10, 1978 acted “that Mr. Shepherd be requested to present to the faculty and the board, by March 1, 1978 an amended formulation which eliminates the “objectionable elements” and “misleading” statements in accordance with his comments in paragraph two, lines four and five, page eight of his

802 Ibid.
803 Ibid.
Response of January 3, 1978; and that the faculty be requested to respond to the paper of January 3 and this amended formulation by May 1.” (Minutes, p. 3).

The Board in its meeting of May 23-24, 1978 received the Faculty Report with thanks, and “The board reaffirmed its wholehearted commitment to the doctrine of justification by faith as taught in Scripture and as presented in the Westminster Confession of Faith and Catechisms:” and “The board thanks Mr. Shepherd for his research and desire to harmonize the teaching of Scripture on justification and living faith and that he be urged to continue his study in this area for the purpose of clarification and understanding ...” and that he report to the board after his leave. (Minutes, p. 4).

At its meeting of February 8, 1979 the Board adopted a motion (Minutes, pp. 16, 17) ending further inquiry at that time into Mr. Shepherd’s views, but with these further words: “The board also urges Mr. Shepherd to continue to give attention not only to precision in expressing biblical doctrine but also to wisdom in communicating it. No doubt the substantial [sic] misunderstanding that has arisen offers sufficient warning to Mr. Shepherd of the importance of this counsel.”

Summary provides no evidence to support the assertion that the board found Shepherd held erroneous positions. The board does request Shepherd to “exercise great caution and restraint” and to give attention to “wisdom” and “precision”. Such virtues are applicable to all scholarly work, and the board’s requests need not be understood pejoratively. Summary fails to make it clear that the board does not charge Shepherd with the opposite vices. Summary cites no evidence to suggest that the board was confused by Shepherd’s teaching in a way that would warrant dismissal of a tenured professor. On the contrary, the board voted to terminate its investigation of Shepherd because it found his views to be orthodox; the board has never repealed this action.

**Point C: The Faculty**

C. The majority of the Board of Trustees and of the faculty that have supported Mr. Shepherd have found it necessary repeatedly to urge or warn Mr. Shepherd of the confusion to which his position can lead.

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805 Board of Trustees, “Minutes,” (February 8, 1979), 3.
The Faculty:

In a “Report of the Faculty to the Board (Meeting February 10, 1977) on the Progress of Discussion on Faith and Justification,” the following concerns were expressed:

“It is necessary to recognize not only that good works are not the meritorious ground of justification, but also that good works are not included with faith as the instrument of justification. Mr. Shepherd’s view makes the first point clear but obscures the second by coupling faith to good works in order to justification.” (p. 4).

“Faculty discussion has called attention to the responsibility of teachers to avoid confusing statements in their teachings. While it is certainly difficult to be clear while exploring problem areas of theological inquiry, it is nevertheless important not to mislead students. Some faculty members have profited from Mr. Shepherd’s explanation of his views but feel nevertheless that some of his earlier formulations seemed misleading until explanations were made. Others feel that the problem has not been relieved by his explanations.” (p. 6).

In the “Special Report of the Faculty to the Board on the Discussion on Faith and Justification” dated May 17, 1977, among other things the Faculty concluded, “On the basis of all available information the faculty has concluded that certain of Mr. Shepherd’s statements on the subject of justification require further consideration and modification to avoid obscuring the teaching of Scripture and of the Westminster Standards.” (p. 1). Further specific criticisms of Mr. Shepherd were expressed on pp. 6, 7, 8.

In the “Report of the Faculty to the Board on Faith and Justification,” dated April 25, 1978, the faculty majority concluded that Shepherd’s views did not contradict the confessional stance of the seminary. Even there however warnings were sounded: “The sharpest objections to Mr. Shepherd’s position appear to arise from failure to understand what he has said in the light of the concerns summarized above. It must be recognized, however, that the questions and criticisms of Mr. Shepherd’s position in the faculty cannot all be traced to such misunderstanding. Mr. Shepherd has exaggerated the basic position he is presenting by a method of polarization that attacks differing views so radically that his own views are caricatured. Further, his structure of argumentation seems bound to create misunderstanding. The faculty urges Mr. Shepherd, for the cause of the kingdom, to seek less provocative language and different means of argument, less open to misunderstanding, to develop and explain his legitimate concerns.” (p. 4).

Summary cites as evidence documents that were produced during the course of the discussion. Shepherd had since made clarifications and reformulations: Clowney states that “Mr. Shepherd has clarified and improved his statements, and has recognized that some of his earlier

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formulations were obscure, misleading or ambiguous.\textsuperscript{807} As a result, the board had terminated inquiry into Shepherd’s views. Despite this, \textit{Summary} cites documents the board found acceptable as though the issues remained unresolved.

A citation that \textit{Summary} provides indicates that the difficulties surrounding the controversy were not one-sided: “The sharpest objections to Mr. Shepherd’s position appear to arise from failure to understand what he has said in the light of [his context].” The failure to resolve the controversy was not Shepherd’s fault. \textit{Summary} cites no evidence that the faculty ever suggested Shepherd should be dismissed from WTS because of incompetence. \textit{Summary} cites preliminary faculty assessments—assessments that the faculty had made in the midst of the discussion and had reported to the board—to support its assertion that Shepherd is incompetent; in so doing, \textit{Summary} perverts the evidence.

The Final Paragraph

The final paragraph of \textit{Summary} states:

Despite these warnings serious confusion persists as can be seen from the continuing reaction to Mr. Shepherd’s most recent writings in the faculty, the board and the church.

The final paragraph on page 3 of \textit{Summary} is gratuitous. On September 8, 1980, the faculty had discussed and passed an action denying a motion that Robertson had introduced at the May 14, 1980, faculty meeting. The text of his motion follows:

That in response to the reports of the justification committee [i.e., both the report and the minority report], the faculty concludes that Mr. Shepherd’s structure of argumentation as well as many of his distinctive formulations on the doctrine of justification almost certainly will mislead the church particularly in the context of his distinctive “covenant perspective.” The faculty concluded that this evaluation applies to many of Mr. Shepherd’s doctrinal statements both before and after the April 23, 1978, urging of the faculty that he be careful to seek language less open to misunderstanding.\textsuperscript{808}

\textsuperscript{807} Board of Trustees, “Minutes,” (February 8, 1979), 17.

\textsuperscript{808} Faculty, “Minutes of the Meeting of the Faculty of Westminster Theological Seminary,” (Westminster Theological Seminary, Philadelphia, Pennsylvania, May 14, 1980). The discussion of Robertson’s motion was postponed until the faculty meeting of September 9, 1981, at which time it was rejected. The faculty reported their decision to the board. See also, Board of Trustees, “Minutes of the Meeting of the Board of Trustees of Westminster Theological Seminary,” February 12, 1981), 51. “The faculty discussed the issues surrounding the views of Mr.
Robertson’s motion is identical in substance to Allegation 1. Had the faculty accepted his motion, this would have been grounds for Shepherd’s removal. The faculty discussed and defeated Robertson’s motion two months before Shepherd met with the Commission. This demonstrates the faculty’s final disposition towards Shepherd’s views. The faculty’s defeat of Robertson’s motion demonstrates that *Summary* cannot admit earlier faculty discussions and decisions as evidence against Shepherd.

**Positive Evidence**

Shepherd presented material on his view of the covenant before some of the presbyteries of the Orthodox Presbyterian Church. In the spring of 1979, he spoke on the West Coast for a week and received no negative feedback. In the fall of that year, Shepherd spoke to the Presbytery of the Dakotas. The presbytery wrote to the board in support of Shepherd’s teaching:

> The Presbytery of the Dakotas of the Orthodox Presbyterian Church has held in high appreciation the blend of Reformed and Presbyterian perspectives influencing the men trained at Westminster Theological Seminary. In our judgment, one crucial factor in the advancement of these perspectives has been the teaching of Rev. Norman Shepherd. As one Reformed writer recently noted “Professor Shepherd is a typical representative of Westminster Theological Seminary. As a student of John Murray and Cornelius Van Til he combines in his person and theological interests and concerns the Presbyterian and the Reformed streams that came together in Philadelphia.” (J. Faber, Editorial, *The Clarion*, “Shepherd’s Concept of the Covenant,” pp. 26-27, Vol. 1, 31, No. 4, Feb. 26, 1982).

This letter from the Presbytery of the Dakotas characterizes Shepherd’s teaching not as incompetent but as “one crucial factor in the advancement of” the Reformed and Presbyterian perspectives.

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809 Orthodox Presbyterian Church, “Presbytery of the Dakotas,” Personal Collection (Bloomington, Minnesota, March 21, 1982).
The seminary conducted an “Alumni Poll” in 1979. Among other questions, the poll asked, “Which two authors or lecturers have most influenced your ideas?” Van Til, Murray, Adams, and Schaeffer topped the list; next was Gaffin, then Shepherd. Van Til, Murray, and Adams were no longer teaching at WTS at the time, and Schaeffer never had taught at the seminary. Gaffin and Shepherd were teaching. Another question the poll asked was, “From the standpoint of your career, what do you recall from your seminary classes as having been most beneficial?” Systematic theology was named in first place. The element that the alumni identified as being least beneficial was Practical Theology. In answer to this same question, the person the alumni identified as having been most beneficial was Norman Shepherd. The results of the “Alumni Poll” are evidence that he was a competent teacher.

After the issue of Shepherd’s competence became public in the spring of 1981, the board received five petitions (with a total of one hundred and ninety-nine signers) that testified to Shepherd’s competency as a teacher. Among the five petitions, one was from the Korean students and another was from the teaching elders and ruling elders in the Orthodox Presbyterian Church. The board also received as many as forty pieces of correspondence.

**Conclusion**

The Commission on Allegations exonerated Shepherd on Allegation 1.

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810 Westminster Theological Seminary Philadelphia, “Alumni Poll,” Personal Collection (Bloomington, Minnesota, 1981). Systematic theology received 46; Apologetics 37; Practical Theology 36. As to the least useful, Practical Theology topped the list with 71; Systematic Theology came in last with 2.


812 Ibid., 3-4.
SUMMARY AND CONCLUSION

The historical section of this study of *The Justification Controversy at Westminster Theological Seminary* has identified the events that took place between 1974 and 1982 chronologically. Because the story is complex and multifaceted, the outcome cannot be ascribed to one factor.

Procedural considerations and constraints slowed the process; rulings and established guidelines often were observed, but at other times they were ignored or were circumvented. Questions about jurisdiction arose; and on several occasions, quasi-judicial proceedings were conducted—despite the fact that charges never were filed against Shepherd.

There were political interests and concerns: The board reported to the churches and to the WTS constituency; faculty members were interested in keeping their employment contracts, their collegial relations, and the place that academic freedom played in the discussion of doctrinal and academic matters. The students were concerned about many of these same things, and they also were concerned about the quality of the training they were receiving. Everyone involved was concerned about how the church community would respond, could benefit, or might be harmed by the findings of the investigation because it had been stated openly that the gospel and the gains of the Reformation were at stake.

Inquiries were held in various forms and settings. Some of the documents that were produced called for the parties to attend to the need for love, respect, honesty, openness, and trust. These virtues were often lacking: Involved individuals and/or groups at times were secretive, refused to accept the decisions of governing bodies, and/or worked to undermine (perhaps to subvert) majority rulings.

However, the procedural complexities and the multiple interests listed above should not disguise the central and abiding issue: At its heart, this struggle was over theology. With this in mind, it might fairly be said that all of the parties shared a common interest: They were passionately interested in maintaining the purity of the gospel.
Shepherd maintained that the Reformed church was not settled in its understanding of several of these doctrines. He believed that the church can and should continue to learn from the Bible and that the church must always be examining her teachings in the light of Scripture, with Scripture alone (*sola scriptura*) being the final authority. He believed that the Reformed church’s teachings regarding faith, works, and justification were not settled, but that the church had within her pale the resources to answer the questions that he raised during the controversy. Further, he was firmly convinced that the church could (at a minimum) better express herself in a manner that conformed to the pattern of the total scriptural (*tota scriptura*) witness.

Shepherd’s opponents believed differently: They were convicted that these matters had been settled at the time of the Reformation. Many of them felt that tentative inquiries into these central doctrines could only threaten the gospel. But both sides shared, and were impassioned by, a common interest: the purity of the gospel.

The spark that ignited the powder keg in this controversy was Shepherd’s exegesis of James 2:14-26. The James passage is one that has had difficulty, for various reasons, in finding a non-contested home in the Reformed tradition, and it has long been in dispute in the broader Protestant tradition. How James properly relates to the doctrine of justification is a topic that continues to be discussed in the theological literature. Professor Murray, who taught systematic theology before Shepherd took over his teaching responsibilities, did not deal with the James passage. Those who knew Murray well defended his omission (not relating James 2:14-26 to

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813 Robertson, “The Current Justification Controversy” (1983). Robertson writes:

“By the five-hundredth anniversary of Martin Luther’s birth, it might have been expected that the question of the way of a man’s justification before God would have been settled, at least in reformed and evangelical circles. But history demonstrates that such an expectation fails to take account of the resilience inherent in man’s natural inclinations to find some role for his own performance in determining his position before God. For the controversy over the relation of works to justification continues to challenge the church.

“The recurrence of this issue attests to the correctness of Luther’s judgment that justification by faith alone is the doctrine of the standing or falling church. For why else would this single doctrine become the point of dispute in every generation?”

814 Kuschke and Miller, “Resolution for an Inquiry in to Shepherd’s Teaching.”
Paul’s writings) by saying that Murray was very careful in his teaching not to say anything in the classroom until he was completely settled on any given point.

From 1974 until 1981 (when he was finally dismissed as Associate Professor of Systematic Theology at WTS in Philadelphia), Shepherd’s teaching had been the focus of attention not only for the seminary faculty and board but also for many prominent theologians of national and international renown. Opinions had been expressed freely about the way the seminary had managed the controversy. A substantial number of donors began to withhold monetary support, and many alumni, on both sides of the issue, could no longer recommend WTS to prospective students. Shepherd’s life, and the life of the seminary, came to be dominated by the controversy. Pressure was growing within and without the seminary community. It became especially intense after opinions from conservative Reformed theologians and churches, in America and around the world, were solicited.

In May of 1980, Clowney faced an administrative nightmare. After having supported Shepherd for six years during the controversy, he struggled to find a way to resolve it. At the May meeting of the board, two options were under consideration: 1) Reaffirm Shepherd’s previous exonerations, or 2) dismiss Shepherd from his teaching post for adequate cause. He recommended a third option; he encouraged the board to erect a commission.815

The commission was formed, though no charges were extant. This commission came to be known as “The Commission on Allegations.” Shepherd’s opponents were presented with an opportunity to examine him in a quasi-judicial setting. If any one of the seven allegations had been substantiated, this would have provided grounds for the filing of charges and would have

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815 Board of Trustees, “Minutes: Part I” (May 27, 1980), 20-21. Clowney opined that the board should “erect a commission to determine whether the charges made against Professor Shepherd’s views are substantial and true, and to determine whether his published views and classroom lectures do confuse in a serious fashion the system of doctrine to which the seminary is committed, and to discover his present opinion on the issues that have been controverted, all with a view to determining a recommendation to be made to the board … in November, 1980; such a recommendation should either propose that Mr. Shepherd be dismissed or that he be exonerated and the controversy ended in the faculty and board;”
resulted in his removal from his teaching position at WTS.\textsuperscript{816} Although Shepherd submitted to the decision of the board under protest,\textsuperscript{817} he participated with the understanding that allegations were not to be conceived of as “charges”. His reservations were not recognized, and the use of the word \textit{charges} appeared in the Commission document.\textsuperscript{818}

The controversy had become a tangled complexity by the time the Commission was erected. But this was not due to Shepherd’s formulations of his views. He had previously been exonerated formally by the board—this after the faculty also had affirmed his orthodoxy and his competence. His teachings had been examined carefully and publicly by the presbytery of the Orthodox Presbyterian Church; they had affirmed his orthodoxy as well. But he had opponents who were not willing to accept these rulings and who followed the dictates of their consciences.

The Commission on Allegation began its work amid administrative confusion. In the end, the Commission exonerated Shepherd; the board accepted the Commission’s verdict and (even though no charges were extant) “exonerated” him again. This was in December of 1980. Less than one year later, in November of 1981, the board removed Shepherd from his post “for the best interests of the Seminary.”\textsuperscript{819} The Executive Committee of the Board issued a statement that not only dishonoured Shepherd but also the original commitment of the founders of the

\textsuperscript{816} Commission on Allegations, “Summary of Allegations,” 1. “The allegations of error specified in this report have been raised, in one form or another, against the teaching of Mr. Shepherd. In the judgment of the commission any one of these allegations, if substantiated, might justify the removal of a tenured faculty member at Westminster.”

\textsuperscript{817} Shepherd, “Letter to the Executive Committee,” (September 9, 1980). The following is a summary of Shepherd’s points. “No formal charge has ever been introduced…. The board took action on February 8, 1979, terminating its investigation into Shepherd’s views…. There is no provision in the constitution or policy statements of the Seminary for erection of a COA.” The Commission was mandated “to determine whether the charges made against Professor Shepherd’s views are substantial and true” and not to formulate charges. There were no charges extant…… At the same meeting the commission as [sic] erected the board adopted the WSOJ. A document Shepherd signed…. The policy statements on tenure make provision for a hearing with written charges to be presented in full. The erection of the Commission on Allegation reduces this constitutional provision to a mere formality.”


\textsuperscript{819} Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 92.
seminary. This commitment was succinctly stated by Shepherd’s mentor, the Reverend Professor John Murray:

Expediency is not the policy that regulates the witness or behavior of the Seminary. It would sometimes be to our apparent advantage to suppress certain aspects of the truth, to soft pedal on matters that evoke dissent or even provoke the ire of many people. Many of the positions maintained are unpopular and we lose support. Sometimes we are tempted to stand for the things which the counsel of God does not warrant. But we may not succumb. The whole counsel of God and nothing more! The whole counsel of God and nothing less! We must not pretend to tone down this counsel and do better than God. We must not tone it down and prove unfaithful to our calling.  

The board acted on the basis of expedience, not because of doctrinal errors, or any other errors, on Shepherd’s part. Clowney, at the Student Press Conference in November of 1981, noted that Shepherd had throughout the controversy acted in a manner that was above reproach. Nevertheless, well before this time, many outside observers had become concerned and/or confused. Some of them now believed that Shepherd had been removed for adequate cause. If he had not been guilty of doctrinal error, how could so many of his opponents have been wrong for so many years, especially in light of this outcome? More observers began to think in this way after the Executive Committee of the Board, having dismissed Shepherd, wrote and released to the public a document, Reason, on May 7 of 1982. Yet it is an indisputable fact that Shepherd had never been charged with doctrinal error and had been exonerated of all allegations of doctrinal error more than once by the board, the faculty and his presbytery. These findings have been demonstrated by this study.

The board’s attempts to resolve the controversy had not proved successful. As a result, Shepherd lost confidence that the board could bring the controversy to a satisfactory resolution, so he withdrew from the hearing process.

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820 Murray, Collected Writings of John Murray: The Claims of Truth, 111-112.


822 Executive Committee of the Board of Trustees, “Minutes,” May 7, 1982.
From its beginning, the controversy had been about theology. There were observers who believed that there never had been a constructive discussion of these topics throughout the years of the controversy. The doctrinal issues at the heart of the conflict—contrary to popular opinion—regard the doctrines stated, not the way the doctrines were stated by Shepherd.

The theology of justification and related doctrines—covenant, election, and baptism—have been, and remain, matters for discussion within the church at large. These doctrines have been discussed since the time of the Reformation and will continue to be discussed whether or not Shepherd and/or WTS are involved. There is no consensus within the Reformed tradition regarding all aspects of the doctrines of justification, election, and baptism, but this present lack of unity should not prevent teachers and ministers of the gospel from striving for greater consensus in the future. But, like Shepherd, will their strivings include a loss of livelihood?

Shepherd’s opponents at WTS had been fearful about addressing these topics. Kuschke and Miller stated it poignantly: “We believe that Professor Shepherd is not sufficiently aware of how even tentative inquiries can be damaging when they directly concern central gospel truths.” To be sure, Kuschke and Miller were striving to keep the gospel simple, as expressed in the formulation *justification by faith alone*—a formulation that does not appear in Scripture or in the Westminster Standards. They were willing to stand against even “tentative inquiries” because they believed these could only do damage to the gospel and to everything the Reformation had accomplished. Their intentions, like Luther’s efforts to preserve the exclusive particle “alone” in the formulation *justification by faith alone* (without textual warrant), certainly were admirable; but to preserve simplicity of doctrine by relying on theological heritage—without serious consideration of elements in Scripture and confession that might

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824 Kuschke and Miller, “Resolution for an Inquiry in to Shepherd’s Teaching.”
appear to conflict with this simplicity—is precisely the position that Murray, whose legacy they abandoned, cautioned against:

When any generation is content to rely upon its theological heritage and refuses to explore for itself the riches of divine revelation, then declension is already underway and heterodoxy will be the lot of the succeeding generation…. It is light that dispels darkness and in this sphere light consists in the enrichment which each generation contributes to the stores of theological knowledge.\(^{826}\)

In the midst of “indiscretions” and “one-sided allegations”\(^{827}\) on the part of Shepherd’s opponents, the board imposed upon him, an orthodox theologian, its severest penalty: He was dismissed. Yet it was precisely Murray’s legacy that Shepherd maintained—a legacy that his opponents sought to deny but were constrained to recognise: “Mr. Shepherd’s methodology seeks to improve Reformed theology by making it more biblical and especially more covenantal. He believes he can accomplish this by making the ‘covenant dynamic’ central in his theological work.”\(^{828}\)

Conclusion

This thesis has sought to demonstrate that Westminster Seminary perpetrated an injustice against the Reverend Professor Norman Shepherd by inflicting upon him the severest of penalties: They removed him from his teaching position at the seminary. Part One demonstrates, through a detailed examination of the record—a record produced by the seminary itself—that Westminster Seminary did not have adequate grounds to remove Shepherd. The persistence of a

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\(^{827}\) Board of Trustees, “Minutes: Part II” (November 20-21, 1981), 92. For a summary of Shepherd’s understanding of these “indiscretions,” see Norman Shepherd, “Dear Friends,” (Orlando, Florida, n.d., 1982). The “indiscretions” mentioned by Shepherd include: “The distribution of a document that was provisional and that was to be used only for discussion among faculty and board; the attacking of his views in the seminar’s chapel services and the criticism of his views in the classroom without the opportunity to respond; the determining of charges, the selection of jurors and of evidence, and the arriving of a guilty verdict (by some who did not hold to the Westminster Standards) without Shepherd’s knowledge or consent; the failure to supply both a list of the persons and the documents to whom the dossiers were sent; board members attacked his views on the floor of the Presbyterian Church in America General Assembly in Shepherd’s absence and without opportunity for rebuttal; the continuing attack after he had been exonerated from holding views contrary to Scripture and confession; the distribution of the May 4, 1981, letter.”

minority within the seminary community and their consistent refusal to accept the determination of the faculty, board of trustees, and Shepherd’s own presbytery that Shepherd was indeed orthodox, along with certain pressures that came to bear on the seminary both financially and politically, finally culminated in the capitulation of the board in their decision to censure him. Having evaluated the materials and having found that Shepherd was exonerated on numerous occasions—exonerations that never were rescinded, and having found no evidence to the contrary, Part One allows for no other determination than that Shepherd was an orthodox Reformed theologian and that the seminary had no grounds administratively to remove him from his teaching post.

Part Two of this dissertation demonstrates that Westminster Seminary also had no grounds theologically to remove him from his teaching post. Professor Shepherd’s theological formulations concerning justification, baptism, election, and covenant were in harmony with Scripture and confession. Shepherd’s repeated exonerations (an unfortunate word in the absence of any charges) over six years provides unambiguous evidence that his understanding of justification by faith, his exegesis of James 2, his teaching on baptism, and his understanding of the “covenant dynamic” did not represent a departure from historic Reformed theology; rather, Shepherd’s efforts improved Reformed theology by making it more “biblical and especially more covenantal.”

Shepherd must be held in high esteem for his solid commitment to Scripture and for his insistence that every generation must continually revise dogmatic formulations in light of the Word of God. The full significance of his work on the doctrine of the covenant, especially as it relates to the doctrine of justification, is yet to be realized in the Reformed community. The church and the academy need not be suspicious of the contribution made by Reverend Professor Norman Shepherd.

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Shepherd’s credentials—his moral integrity, personal courage and humility, impeccable scholarship, and commitment to the authority of Scripture—have given to the church and to the academy the pattern for Christian piety and scholarship. His commitment to, and passion for, “exploring the richness of divine revelation” coupled with his recognition that systematic theology is never a finished science, will provide a sure defense against “heterodoxy” for succeeding generations. This study seeks, in some measure, to remove suspicion from Shepherd and to restore to him that which is more precious to him than silver or gold—his good name, a name besmirched not by enemies of the gospel but by brothers.
Appendix A

The Commission on Allegations Regarding Professor Shepherd

Summary of Allegations

At the May, 1980 meeting of the Board of Trustees of Westminster Theological Seminary a commission was erected “to determine whether the charges made against Professor Shepherd’s views are substantial and true, and to determine whether his published views and classroom lectures do confuse in a serious fashion the system of doctrine to which the seminary is committed and to discover his present opinion on these issues that have been controverted…” (Minutes, p. 20).

In an endeavor to make these determinations, the commission presents this report of the summary of allegations to Mr. Shepherd with the request that he respond in person to these allegations of error at a meeting of the commission on Monday, November 3, 1980 at 2:30 p.m. through November 4, 1980 in the President’s office at the seminary.

These specifications of error are made with the earnest desire that Mr. Shepherd might disavow views out of accord with Scripture and the doctrinal system to which the seminary is committed and give clear, unambiguous witness to the doctrines of Scripture under consideration. These specifications are made entirely apart from any question of Mr. Shepherd’s personal commitment to Christ. This report does not discuss the good statements made by Mr. Shepherd, but concentrates on those matters in which he is alleged to have erred.

The allegations of error specified in this report have been raised, in one form or another, against the teaching of Mr. Shepherd. In the judgment of the commission any one of these allegations, if substantiated, might justify the removal of a tenured faculty member at Westminster. While the allegations are interconnected and overlap, for convenience these seven specific allegations together with the supporting evidence will be grouped in three broad categories: Communication of Doctrine, Covenant Methodology, and Doctrine of Justification.

I. Communication of Doctrine

Allegation 1: It is alleged that Mr. Shepherd’s presentation of the doctrine of justification is so confusing that it will inevitably be misunderstood and will appear to many to be a position incompatible with Reformed orthodoxy. His presentation will lead students into confusion and will undermine the credibility of the seminary as an orthodox institution. A teacher of systematic theology in a confessionally Reformed seminary who cannot clearly and effectively communicate the doctrine of justification without causing confusion is incompetent.

A. Mr. Shepherd’s views on justification have been labeled erroneous by several members of the faculty (Messrs. Godfrey, Sloat, Knudsen, Hughes, Miller, Robertson, Kuschke) and by several members of the Board of Trustees (e.g., at its meeting of November 14, 1978 “It was moved and seconded that the formulation of Mr. Shepherd on the doctrine of justification as received to this point is not acceptable to the Board.” This motion was defeated but Messrs. Bean, Cummings, Gyger, Graham, Krahe, Reid and Settle recorded affirmative votes, (Minutes
Several outside theologians consulted by two members of a committee on justification concluded that Mr. Shepherd’s views were wrong (Messrs. William Hendriksen, Roger Nicole, Morton Smith, Edward Kellogg, C. Gregg Singer, Meredith G. Kline, R. C. Sproul, Iain Murray, Charles Dunahoo, and D. Martyn Lloyd-Jones.)

B. Mr. Shepherd’s own presbytery has been divided down the middle on the question of the orthodoxy of his views on justification. In spite of the fact that the presbytery was only considering his carefully refined formulations as presented in the “Thirty-Four Theses on Justification” and spent many months discussing the matter in a Committee of the Whole, which was supportive of Mr. Shepherd, the Presbytery on January 22, 1980 refused to approve Mr. Shepherd’s Theses as being in accord with the Bible and the doctrinal standards of the Orthodox Presbyterian Church. The presbytery stood by this action in response to a complaint on March 15, 1980.

C. The majority of the Board of Trustees and of the faculty, that have supported Mr. Shepherd have found it necessary repeatedly to urge or warn Mr. Shepherd of the confusion to which his position can lead.

The Board of Trustees:

The Board in its meeting of the May 24-25, 1977, among other things, requested “That Professor Shepherd be requested meanwhile to exercise great caution and restraint in his presentation of the doctrines of justification and good works in his teaching.” (Minutes, p. 4).

The Board in its meeting of February 9-10, 1978 acted “that Mr. Shepherd be requested to present to the faculty and the board, by March 1, 1978, an amended formulation which eliminates the “objectionable elements” and “misleading” statements in accordance with his comments in paragraph two, lines four and five, page eight of his Response of January 3, 1978; and that the faculty be requested to respond to the paper of January 3 and this amended formulation by May 1.” (Minutes, p. 3).

The Board in its meeting of May 23-24, 1978 received the Faculty Report with thanks, and “The board reaffirmed its wholehearted commitment to the doctrine of justification by faith as taught in Scripture and as presented in the Westminster Confession of Faith and Catechisms;” and “The board thanks Mr. Shepherd for his research and desire to harmonize the teaching of Scripture on justification the purpose of clarification and understanding…” and that he report to the board after his leave. (Minutes, p. 4).

At its meeting of February 9, 1979 the Board adopted a motion (Minutes, pp. 16, 17) ending further inquiry at that time into Mr. Shepherd’s views, but with these further words: “The board also urges Mr. Shepherd to continue to give attention not only to precision in expressing biblical doctrine but also to wisdom in communicating it. No doubt the substantial [sic] misunderstanding that has arisen offers sufficient warning to Mr. Shepherd of the importance of this counsel.”

The Faculty:

In a “Report of the Faculty to the Board (Meeting February 10, 1977) on the Progress of Discussion on Faith and Justification,” the following concerns were expressed:
“It is necessary to recognize not only that good works are not the meritorious ground of justification, but also that good works are not included with faith as the instrument of justification. Mr. Shepherd’s view makes the first point clear but obscures the second by coupling faith to good works in order to justification.” (p. 4).

“Faculty discussion has called attention to the responsibility of teachers to avoid confusing statements in their teachings. While it is certainly difficult to be clear while exploring problem areas of theological inquiry, it is nevertheless important not to mislead students. Some faculty members have profited from Mr. Shepherd’s explanation of his views but feel nevertheless that some of his earlier formulations seemed misleading until explanations were made. Others feel that the problem has not been relieved by his explanations.” (p. 6).

In the “Special Report of the Faculty to the Board on the Discussion on Faith and Justification” dated May 17, 1977, among other things the Faculty concluded, “On the basis of all available information the faculty has concluded that certain of Mr. Shepherd’s statements on the subject of justification require further consideration and modification to avoid obscuring the teaching of Scripture and of the Westminster Standards.” (p. 1). Further specific criticisms of Mr. Shepherd were expressed on pp. 6, 7, 8.

In the “Report of the Faculty to the Board on Faith and Justification,” dated April 25, 1978, the faculty majority concluded that Shepherd’s views did not contradict the confessional stance of the seminary. Even there however warnings were sounded: “The sharpest objections to Mr. Shepherd’s position appear to arise from failure to understand what he has said in the light of the concerns summarized above. It must be recognized, however, that the questions and criticisms of Mr. Shepherd’s position in the faculty cannot all be traced to such misunderstanding. Mr. Shepherd has exaggerated the basic position he is presenting by a method of polarization that attacks differing views so radically that his own views are caricatured. Further, his structure of argumentation seems bound to create misunderstanding. The faculty urges Mr. Shepherd, for the cause of the kingdom, to seek less provocative language and different means of argument, less open to misunderstanding, to develop and explain his legitimate concerns.” (p. 4).

Despite these warnings serious confusion persists as can be seen from the continuing reaction to Mr. Shepherd’s most recent writings in the faculty, the board and the church.

II. Covenant Methodology

Introduction:

Mr. Shepherd’s methodology seeks to improve Reformed theology by making it more biblical and especially more covenantal. He believes he can accomplish this by making the “covenant dynamic” central in his theological work. “Covenant language does two things: First, it ascribes to God alone and to his grace, anything which man is or has. It affirms the absolute sovereignty of God. Second, it views man as a fully responsible vicegerent of God who can live and enjoy life only in loving submission to God who in love made man to be what he is. All of Biblical language is covenant language ...” (“More on Covenant Evangelism,” The Banner of Truth, Nov. 1977, p. 22).

Mr. Shepherd has used this covenant methodology in several areas of theology. He used it with reference to evangelism and baptism in “The Covenant Context for Evangelism” and in “More on Covenant Evangelism.” On the doctrine of justification he has spoken of his desire for the “development of a covenantal perspective on justification ...” (Oct. 1976 Study Paper, p. 6.

Mr. Shepherd does not believe that his approach is contrary to traditional Reformed theology. Indeed he insists his allegiance to the traditional formulations. But he believes that he has found alternative and superior ways of expressing that theology, especially in stressing the organic wholeness of the Divine act of redemption and of the human response.

In reality, however, this covenant methodology rests upon an erroneous understanding of the covenant. Mr. Shepherd’s covenant dynamic uses the Creator/creature distinction (See “More on Covenant Evangelism,” p. 23). But his application of that distinction is unique. By it he lays emphasis on the things revealed, that is revealed in the covenant, rather than upon the secret things of God. Thus he tends to restrict the believer’s knowledge of God’s work in and for him to the visible realities of covenant life (e.g., church, sacraments, faithfulness). He also restricts the traditional theological confession of God’s sovereign acts in election, regeneration, justification, etc. to the realm of God’s perspective. The believer can know that God is a God of sovereign grace, but knows God’s unfailing grace for himself only as conditioned by his own obedient response. For his life as a Christian the believer must focus on the visible reality of the covenant and not seek to pry into the secret things of God.

Mr. Shepherd’s distinctive covenant approach denies the vital Reformed distinction between the visible and invisible church (WCF XXV). By denying this distinction and replacing it with his separation of God’s perspective from man’s perspective, he destroys the Reformed correlation of the visible and invisible which insists that our experience of God’s work in us rests certainly and knowably upon God’s sovereign work for us. (See the diagram of Mr. Shepherd’s system in Appendix A.) This has serious consequences for the life of the believer.

Allegation 2: It is alleged that on Mr. Shepherd’s approach the believer is restricted to knowing only a losable election (and a losable justification). This approach is contrary to the assurance to which Christians are entitled. LC 80 insists that Christians can “be infallibly assured that they are in the estate of grace, and shall persevere therein unto salvation.”

Leading aspects of Mr. Shepherd’s Distinctive “Covenant Perspective” as it bears on election and assurance. This allegation is substantiated by the following analysis taken largely from O. Palmer Robertson, “Norman Shepherd’s ‘Covenant Perspective’: An Analysis of His Public Statements,” May 6, 1980).

1. Deuteronomy 7 presents a clear biblical example of “covenant” election. According to this chapter, Israel is the elect nation of God, in distinction from all other nations of the world. In this instance, it is not merely that Israel is to be viewed as though they were the elect. It is that they are the elect of God. Furthermore, it is not simply a human perspective on God’s election that is coming to expression. As God’s covenant people Israel is the elect of God.

(“Now that was true under the old covenant as well. In Deut. 7, verses 6 through 8 Israel is assured in no uncertain terms of her election as the people of God. It’s not because you’re more in number than other people, but because the Lord loved you and because he
remembered the covenant, the oath which he swore to Abraham, therefore the Lord has
chosen you.”)
(“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 8.)

(“To begin with, Israel was the elect nation. God did not choose the other nations. The
Bible says that specifically and expressly and if that isn’t a passing by, I don’t know how
more plainly the Bible could say it. Israel is chosen.”)
(“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 12.)


2. It is improper to distinguish in the covenant between an externally organized covenant
community that includes non-elected and unsaved people and an internal group of people that
are elected and saved. All in the covenant community are elected and saved. The idea that some
of the branches of John 15 are “not really in Christ in a saving way” must be rejected. It is not
that some are in him only “outwardly,” and their fruit is not genuine. Instead, all the branches,
including those which ultimately are cut off, are branches abiding in him in a saving way.

(“A second passage illustrative of covenant perspective on election is John 15:1-8. What
Jesus is obviously saying in this passage is that his hearers are branches abiding in him
as the vine. He exhorts them all to continue abiding in him by way of faith and
obedience, that is, by bearing fruit. If they do, the Father will see to it that they bear even
more fruit. They are at no point cast upon their own resources, because as branches they
have their vitality at every point from the vine. If, on the other hand, the branches do not
abide in Christ, but deny him and become disobedient, the Father will cut these branches
off and destroy them. The passage is a grand exhortation to covenant faithfulness
enveloped in the overflowing grace of Christ.

“Frequently, however, the passage has created nothing but problems. Often the first
question, and sometimes the only question asked, is how the passage is to be squared
with the doctrines of election and the perseverance of the saints. The answer will begin
with an explanation of what the passage cannot mean in the light of these doctrines. The
question is then resolved in terms of a distinction between two kinds of branches. Some
branches are not really in Christ in a saving way. They are in him only “outwardly,” and
whatever fruit there is, is not genuine. These branches are eventually cut off and
destroyed. Other branches truly are branches. They are in Christ “inwardly” or savingly.
They bear more and more fruit as they are pruned and cultivated by the Father.”) (“The
Covenant Context for Evangelism,” pp. 64f.)

3. The Israel of Deuteronomy 7 moved from being an elected and saved community to
being reprobated by God and lost. Their exile is for them “the great rejection,” their
“reprobation.” Although they were the elected by God, they become reprobated by God. If the
exodus is the great election, then the exile is the great rejection or reprobation. (“Reprobation in
Covenant Perspective: The Biblical Doctrine,” p. 9, 12, 13.)

(“Now, you see, if the exodus is the great election, then the exile is the great rejection. It
is surpassed only by Israel’s election in the restoration and her rejection in 70 A.D.
because she turned her back upon her Messiah.”) (“Reprobation in Covenant
Perspective: The Biblical Doctrine,” p. 9)
Now we have seen that in terms of the concrete language of Scripture those with whom God has established covenant and who are therefore the elect of God, they, again from the point of view of the covenant, may stumble and fall. But that does not mean that God’s election has fallen to the ground. God accomplishes His purposes.

(“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 12.)

Now in a similar phenomenon is seen within the history of Israel itself. If the Exodus is the great election of Israel, as we say should be saw, the exile is the great rejection or reprobation of Israel (II Kings 17, verse 20.) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 13.)

4. This movement from being elected and saved which Israel experienced nationally is applicable directly to the individual under the new covenant. Examples of elected and saved people under the new covenant who subsequently become reprobated by God include Judas; the brother in I Cor. 5; Simon of Samaria (Acts 8); and those who escape the defilements of the world and then become entangled therein (II Pet. 2:20).

(“Now, what is true of the nation is also true of the person. Judas is introduced into the community, the covenant community of the elect, but he is rejected as a son of perdition because of his apostasy (John 17:12). We have the brother in I Cor. 5, verses 1 through 5, addressed as one of the saints in Corinth but he is to be delivered to Satan because of his immorality. We have Simon of Samaria who believed (Acts 8, verse 13), but becomes entangled in the bond of iniquity (vs. 23). Those who have escaped the defilements of the world through the knowledge of the Lord and then become entangled therein again are worse off than they were before their enlightenment (II Peter 2, verse 20). Here we have elect persons who are excommunicated.”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 9.)

*The term “excommunicated” here serves as the equivalent of “reprobated.”

5. The election of Ephesians 1 is “covenant election.” Because of the pointed language of this chapter which refers to election “before the foundation of the world,” it would appear that the concept of election in the eternal decrees of God here controls the concept of covenant election. But as a matter of fact, the concept of covenant election exercises control over the concept of decretive election in Ephesians 1. This passage of Scripture functions as canon only within the context of the covenant.

(“The first passage is Ephesians 1:1-14. The passage is suffused with covenantal language. The Ephesians are a congregation of the Lord Jesus Christ, enjoying the spiritual blessings of sanctity of life, adoption to sonship, the forgiveness of sins, and the seal of the Holy Spirit. At the same time, all of these blessings are traced back to the predestinating love of God. This accent comes through so strongly and so repeatedly at the very beginning of the epistle, that one is initially inclined to say that Paul is writing from the perspective of election and his letter must be understood from that perspective. That would mean that the covenant reality ought to be understood in the light of election.

830 This bracket is in Summary.
“Careful attention to the language of these verses makes clear, however, that precisely the reverse is the case. The election [sic] of God is reflected upon from the perspective of covenant and for that reason is not a theological puzzle but a cause for gratitude.” (“Covenant Context for Evangelism,” pp. 62f.)

(“Any attempt to understand Paul’s statement, ‘He chose us,’ as though Paul had direct insight into the eternal decree of God is bound to be both artificial and unique. No minister could use that language today.

“Paul speaks from the perspective of observable covenant reality and concludes from the visible faith and sanctity of the Ephesians that they are the elect of God. He addresses them as such and encourages them to think of themselves as such.”) (“Covenant Context for Evangelism,” p. 53.)

(“Ephesians 1:1-14, John 15:1-8, and similar passages function as canon only within the context of the covenant.”) (“Covenant Context for Evangelism,” p. 65.)

6. Since the election of Ephesians 1 is “covenant election,” and since “covenant election” may become reprobation, the election of Ephesians 1 may become reprobation. In this case, it is not simply that it must be concluded that these people never were elect, for according to observable covenant reality, which is the perspective of Scripture, they are indeed elect.

(“It is true, some [of the ‘elect’ of Ephesians 1.] may fall away, and Paul warns against that possibility. Were some to fall away, he would no longer speak of them as the elect of God. However, he would not confess that ‘unfortunately’ his initial judgment had been wrong. There is nothing ‘unfortunate’ about the fact that we do not have an insight into the eternal decree and therefore cannot make infallible judgments.”) (“Covenant Context for Evangelism,” p. 64.)

(“Now it is not then that the man who is elect does not need to run the race because he’s elect, but it’s precisely the man who is elect upon whom it is incumbent to run, that he may obtain, and the knowledge of election inspires the running. Those who fail to run, who forsake the faith through disobedience, these do not obtain the prize.”) (“Reprobation in Covenant Perspective; The Biblical Doctrine,” p. 9.)

(“There are, of course, hypocrites among the elect.”) (The Banner, March 28, 1980, p.19.)

7. Because of the covenantal reality of the transition from death to life involved in baptism, it is not simply a condescending “judgment of charity” which regards all baptized persons as brothers. For baptism marks the point of transition from death to life.

(“If the brother persists in sin, then he must be excommunicated, not by subtle innuendo from the pulpit, but by physical ejection from the congregation. Until discipline has been carried to that point the brother must continue to be regarded and treated as a brother in Christ. This is not some condescending “judgment of charity,” but a right the brother has on the ground of his baptism.”) (“Covenant Context for Evangelism,” pp. 74f.)

8. Although the election of Ephesians 1 and the justification of Romans 3-6 are covenantal and therefore may be controverted, there exists nonetheless an election and a justification in the decrees of God which are incontrovertible.
Now then you see the question is, does that mean that God’s election has fallen to the ground? Does that mean that God’s election has failed? Well, that’s precisely the question to which Paul addresses himself in Romans 9 and Romans 11 and you know his answer. No, by no means—God’s election has not fallen to the ground. That election stands fast. It cannot be shaken...The rejection of the elect does not mean then that God’s election has fallen to the ground.” (“Reprobation in Covenant Perspective: The Biblical Doctrine,” pp. 9F.)

(“Reprobation from within the context of the covenant (please underline with about four lines that expression); reprobation from within the context of the covenant, that is to say, reprobation from the point of view of the covenant is not incontrovertible.”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 12).

9. However, this decree of election and justification cannot be known by us as God knows it. For this reason, it does not function as a controlling factor in the context of the covenant. We must function on the level of a covenant election and justification which may be controverted.

(“God’s election from the point of view of His decree—that stands firm. But that is the secret thing which belongs to God. Our knowledge of election is through the covenant. And in terms of the covenant those who do not keep covenant with God will be punished and so we have the phenomenon of excommunication. Again—what does that teach us? Not that God’s election has failed, but it teaches us that there is no redemption outside of Jesus Christ. That is why God reprobated the nation.”) (“Reprobation in Covenant Perspective: The Biblical Doctrine,” p. 10.)

(“My article did not ask us to look at covenant instead of election. It asked us precisely and explicitly to look at election, but to do so in the only way legitimate for creatures, namely, out of the covenant relation in which God has placed us.”) ([sic] More on Covenant Evangelism,” p. 24.)

10. Assurance also must be oriented to the covenant context, since self-examination seems to yield more reason for doubt than for assurance.

(“And how is one to come into the assurance of being in a state of grace and glory without a direct knowledge of one’s election? The fruits of election and regeneration are indeed visible, but it is necessary to be reminded of the danger of self-deception and misunderstanding. Honest and searching self-examination seems to yield more reason for doubt than for assurance.” (“Covenant Context for Evangelism,” p. 52.)

11. But assurance in a covenant context is an assurance of an election and justification that may be lost. The branches of John 15 which are “cut off” are at first “savingly” grafted into Christ, and subsequently are “cut off” because of a failure to continue abiding in him by way of faith and obedience.

(“What Jesus is obviously saying in this passage is that his hearers are branches abiding in him as the vine. He exhorts them all to continue abiding in him by way of faith and obedience, that is, by bearing fruit, [sic]”)

Allegation 3: Further, it is alleged that Mr. Shepherd’s covenant approach attributes to baptism a meaning that is appropriate only to regeneration.
In contrast to regeneration-evangelism, a methodology oriented to the covenant structure of Scripture and to the Great Commission presents baptism as the point of transition from death to life. The specific terms of the Great Commission describe discipling in terms of baptism and instruction in the commands of Christ. This means that evangelism does not end with regeneration but continues as soon as a man lives. Baptism marks the entrance into the kingdom of God and the beginning of life-long training as kingdom subjects. Conversion without baptism is an anomaly. A sinner is not ‘really converted’ until he is baptized.

“The orientation of evangelism to regeneration tends to discount the significance of baptism as the point of transition. Either it comes too early, as in the case of infant baptism, so that one cannot say for sure whether the child is regenerate; or it comes too late, as a kind of appendix to the crisis experience of conversion.” (“Covenant Context for Evangelism,” p. 71.)

“When Paul wishes to exhort the Romans to obedience he does not remind them that they were regenerated, or suggest that they might, not be regenerate; he points to their baptism and calls them to live out of that experience (Rom. 6:1-11).” (“Covenant Context for Evangelism,” pp. 71f.)

Allegation 4: Further it is alleged that Mr. Shepherd’s covenant approach encourages the preacher to speak as if Christ’s atonement was universal in its extent and in Christ’s intent.


III. Doctrine of Justification

Some have claimed that Mr. Shepherd’s covenant methodology has led him into specific doctrinal errors on justification. Because of the nature of his covenant methodology Mr. Shepherd is able to affirm both traditional theology and his distinctive formulations. His critics insist therefore that their concerns cannot be answered until he repudiates certain erroneous ideas and statements.

A. The Instrument of Justification

Allegation 5: It is alleged that the exclusive instrumentality of faith is not fully and clearly maintained by Mr. Shepherd.

One of the central elements of the Reformed doctrine of justification is the conviction that faith is the only instrument of justification. LC 73 specified that faith is the instrument only as by it the believer “receiveth and applieth Christ and his righteousness.” This question specifies that the other graces “which do always accompany” justifying faith do not share faith’s instrumental role. Repentance unto life in (LC 76) is specified as a saving grace and is therefore, with all other elements of sanctification (see LC 75) precluded from having an instrumental role in justification.

Contrary to the position of the doctrinal standards of the seminary in class in 1975 Mr. Shepherd taught that good works as well as faith have an instrumental relationship to justification.
The tapes of the class lectures by Professor Shepherd on “The Doctrine of the Holy Spirit” given in the fall of 1975 dealing with the doctrine of justification were labeled as follows:

- Justification as a Declarative Act
- The Ground of Justification
- The Relation of Faith to Justification
- Justification by Good Works
- Justification and Forgiveness

In the lectures under the heading “The Relation of Faith to Justification,” faith is dealt with as follows:

1. Justification Presupposes Faith
2. Faith is not the Ground of Justification
3. Faith is the Instrument of Justification

The same structure is then used with regard to good works:

1. Justification Presupposes Good Works
2. Good Works are not the Ground of Justification
3. Good Works are the Instrument of Justification

James 2:24 in particular is used as the data for #3 (Good Works are the Instrument of Justification) where appeal is made to what is called an “identical construction” (ἐργὼν — ἐκ πίστεως) so that “Faith and works are in the same relationship to justification.”

“There is some discussion about the liability of the term ‘instrument’ for both faith and works in relation to justification, and the expression ‘the way’ is suggested instead, and we find ‘the way of faith and the way of obedience’ used instead of ‘instrument.’”

In response to faculty criticism, Mr. Shepherd changed his language in the October 1976 Study Paper [The Relation of Good Works to Faith in Justification]. There he spoke of “faith coupled with obedience” (p. 19) and “faith and new obedience” (p. 22) and “faith and repentance” (p. 15) as being unto or necessary for justification. These were not isolated sentences but rather clear examples of the position taken throughout the paper. Again in response to faculty criticism Mr. Shepherd changed his language. In his January 3, 1978 paper he expressed his preference for the expression “obedient faith” as the specification of what is necessary for justification (p. 3). He also insists that “penitent faith” (p. 4) is necessary for justification. He goes further and insists that the notion that obedience accompanies faith is not a fully adequate way to do justice to the concept of obedient faith (p. 4). (In this criticism he is rejecting the formulation of WCF XI, 2, and LC 73). These same basic points about the role of obedient faith and repentance are repeated in his “Thirty-Four Theses on Justification” submitted to the Presbytery of Philadelphia on November 18, 1978, see theses 11, 12, 14, 15, 18, 20, and 23.

In his February 8, 1979 paper, “The Grace of Justification,” Mr. Shepherd seems to use the phrase obedient faith much less, but there remain parallel expressions. In answering the question about what avails for justification he says, “… the working of faith wrought by the sanctifying activity of the Spirit which is the fulfillment of the law through love
(Gal. 5:14).” (p. 3). Also “By way of repentance men become doers of the law who will be justified and enter into eternal life (Rom. 2:7).” (p. 10). Also “The faith to which sinners are called and by which alone they are justified entails total surrender to Christ and the abandonment of sin—including the works of the law which are dead works (Heb. 6:1; 9:14) - as a way of life.” (p. 13). Also “Jesus alone is the righteousness of his people, and his people rest in his righteousness with a true and living faith that forsakes sin and ungodliness.” (p. 17). Also “…God is merciful to sinners who is [sic] obedient faith and humble reliance expect their redemption from God alone.” (p. 21). In these statements Mr. Shepherd seems to continue to teach that repentance and obedience have along with faith an instrumental role in justification. He has denied this and declared that faith is the alone instrument, but he seems to continue to teach an instrumental role for repentance and obedience. The changes in his position since 1975 are only verbal changes and involve no significant or substantial change from his early conviction that good works share with faith an instrumental relationship to justification.

B. Justification and Sanctification

Allegation 6: It is alleged that inevitably connected with Mr. Shepherd’s error on the instrument of justification is a confusion of justification and sanctification.

LC 77 carefully distinguishes justification from sanctification noting, among other differences, that in the former sin is pardoned and in the latter sin is subdued. But Mr. Shepherd regularly presents his understanding of justification in terms of the subduing of sin:

“When we realize that communion with Christ is at the heart of our salvation and is the foundation of the imputation of Christ’s righteousness for justification, it becomes abundantly clear that the Westminster Standards hold ungodly persons unfit to be justified apart from the transformation wrought in effectual calling ... To say that there is no communion with Christ without godliness is simply to say there is no salvation without good works.” (Oct. 1976 Study Paper, p. 23).

“The diametrical opposition of God-righteousness and self-righteousness obtains not simply or only if we say that God justifies the ungodly. It also holds when we say as we must that God justifies the ungodly man who is transformed by the regenerating work of the Holy Spirit. It holds when we say that God justifies the ungodly man who believes, who repents of his sin turning from it, and who begins to walk in the ways of righteousness and godliness in this present age. (Titus 2:12).” (Oct. 1976 Study Paper, p. 35).

“When they repent they cease being evildoers—mere hearers of the law—and they become doers of the will of God. They begin to fulfill the law through love (Gal. 5:13, 14). They become faithful disciples of the Lord Jesus Christ. Much sin still clings to them from the old, pre-conversion life, but a radical change has been wrought so that they are no longer classified among the godless and the sinner[s], but among the righteous (I Peter 4:18) ... By the way of repentance men become doers of the law who will be justified and enter into eternal life (Rom. 2:7).”

“‘Doers of the law’ is a category to which no one belongs by nature for all have sinned and are under condemnation; but that sinners can become “doers of the law” in the sense of Rom. 2:13 by grace is made abundantly evident in the Scriptures. (“The Grace of Justification,” pp 9-10) Neither faith nor repentance nor the works which flow from and
are the manifestation of faith and repentance, become the meritorious ground upon which
the sinner is justified and given the title to eternal life. They are descriptive of the way in
which God sovereignly and efficaciously brings his children into the possession of all
that Jesus has wrought for them” (“The Grace of Justification,” p. 20).

C. Imputation

Allegation 7: It is alleged that Mr. Shepherd does not unequivocally maintain that justification is
by the imputation of Christ’s righteousness, but seems to teach either the need
for the addition of the believer’s righteousness, as well, for justification, or
the need for an infusion of Christ’s righteousness as well, for justification.

“In every aspect of its ministry, whether by word, or by sacrament, or by discipline, the
church inculcates the truth that faith alone [sic] does not save;\textsuperscript{831} it will not justify. As the
Lord of the church testifies, it is the righteous who will shine forth as the sun in the
kingdom of their Father (Matthew 13:43)… “It might appear that what the Confession
and catechisms say of the glorious destiny of the righteous it says of those who are
forensically righteous, or righteous by virtue of the imputation of the righteousness of
Christ, whereas the wicked are truly and properly, that is, intrinsically wicked. This
interpretation is true as far as it goes; but the proof texts offered by the Westminster
Divines show that by just men they had in view not simply those who are imputatively
just, but godly men … They are not simply forensically just, but are convenantally [sic]

“How does this righteous man live? This question is tantamount to asking, how is this
righteous man justified, for justification is unto life (Rom. 5:17, 18, 21). He lives, not by
the merit of his works, not by self-righteousness, not by a righteousness which no longer
needs the imputed righteousness of Christ. He does not live out of himself but out of
Christ upon whom he rests by faith. Faith lays hold of Christ and his righteousness, but
the faith which does this is not a dead faith. It is a faith which lays hold of Christ and in
doing so turns away from sin in order to follow Christ (Cf. Zech. 8:23). Anything less
than this is dead faith and does not justify or save. That is why Paul can say that the
doers of the law will be justified.” (“The Grace of Justification,” p. 10).

“But in his mercy, God grants not only faith but also repentance (Acts 5:31). The two are
inseparable. Therefore those who believe and repent of sin are received and accepted as
righteous on the ground of the imputed righteousness of Jesus Christ. God justifies the
ungodly, but he does not leave the ungodly in their ungodliness. He makes them
disciples of Jesus Christ, and they abide in Jesus by keeping his commandments (John
15:10). This constitutes no abandonment of the way of faith but is a manifestation of the

Compare Theses 21, 22, and 23 of the ‘Thirty-Four Theses.”

\textsuperscript{831} A dash is not present between the words faith and alone. The dash clarifies Shepherd’s adverbial
understanding of the phrase faith alone over against an adjectival understanding of the phrase.
Appendix A: Diagram of Norman Shepherd’s Covenant Methodology

<table>
<thead>
<tr>
<th>God’s perspective:</th>
<th>Election¹</th>
<th>Regeneration²</th>
<th>Justification³ by grace</th>
<th>Faith⁴ alone</th>
<th>Imputation⁵ alone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Man’s perspective:</td>
<td>Membership in church (election)</td>
<td>Baptism (death to life [sic])</td>
<td>Justification (in the way of obedience)</td>
<td>Obedient faith (faith alone)</td>
<td>Imputation and obedience (Christ alone)</td>
</tr>
</tbody>
</table>

On the level of God’s perspective all of the traditional Reformed theology is true, accurate, biblical and so can be fully affirmed.

The horizontal line represents a strict separation of perspective. Man is not able to live in the truths above the line. The covenant community must not seek to pry into or live according to the realities above the line. Man is limited to the realities below the line for his Christian life.

The vertical lines point to some correlation and correspondence between the elements in the two perspectives, but there is no assured or knowable correspondence.

The language in parentheses is “covenant language” or Mr. Shepherd’s distinctive usage of terms that traditionally have had a very different meaning.

1. (“The first passage is Ephesians 1:1-14. The passage is suffused with covenantal language. The Ephesians are a congregation of the Lord Jesus Christ, enjoying the spiritual blessings of sanctity of life, adoption to sonship, the forgiveness of sins, and the seal of the Holy Spirit. At the same time, all of these blessings are traced back to the predestinating love of God. This accent comes through so strongly and so repeatedly at the very beginning of the epistle, that one is initially inclined to say that Paul is writing from the perspective of election and his letter must be understood from that perspective. That would mean that the covenant reality ought to be understood in the light of election. [sic] “Careful attention to the language of these verses makes clear, however, that precisely the reverse is the case. The election [sic] of God is reflected upon from the perspective of covenant and for that reason is not a theological puzzle but a cause for gratitude.” (“Covenant Context for Evangelism,” pp. 62f.)

    (“Any attempt to understand Paul’s statement, ‘He chose us,’ as though Paul had direct insight into the eternal decree of God is bound to be both artificial and unique. No minister could use that language today.
    “Paul speaks from the perspective of observable covenant reality and concludes from the visible faith and sanctity of the Ephesians that they are the elect of God. He addresses them as such and encourages them to think of themselves as such.”)
    (“Covenant Context for Evangelism,” p. 53.)

    (“Ephesians 1:1-14, John 15:1-8, and similar passages function as canon only within the context of the covenant.”) (“Covenant Context for Evangelism,” p. 65.)
(“It is true, some [of the ‘elect’ of Ephesians 1] may fall away, and Paul warns against that possibility. Were some to fall away, he would no longer speak of them as the elect of God. However, he would not confess that ‘unfortunately’ his initial judgment had been wrong. There is nothing ‘unfortunate’ about the fact that we do not have an insight into the eternal decree and therefore cannot make infallible judgments.”) ("Covenant Context for Evangelism,” p. 64.)

(“Now it is not then that the man who is elect does not need to run the race because he’s elect, but it’s precisely the man who is elect upon whom it is incumbent to run, that he may obtain, and the knowledge of election inspires the running. Those who fail to run, who forsake the faith through disobedience, these do not obtain the prize.”) ("Reprobation in Covenant Perspective; The Biblical Doctrine,” p. 9.)

("There are, of course, hypocrites among the elect.”) (The Banner, March 28, 1980, p.19.)

2. “In contrast to regeneration-evangelism, a methodology oriented to the covenant structure of Scripture and to the Great Commission presents baptism as the point of transition from death to life. The specific terms of the Great Commission describe discipling in terms of baptism and instruction in the commands of Christ. This means that evangelism does not end with regeneration but continues as soon as a man lives. Baptism marks the entrance into the kingdom of God and the beginning of life-long training as kingdom subjects. Conversion without baptism is an anomaly. A sinner is not ‘really converted’ until he is baptized.

“The orientation of evangelism to regeneration tends to discount the significance of baptism as the point of transition. Either it comes too early, as in the case of infant baptism, so that one cannot say for sure whether the child is regenerate; or it comes too late, as a kind of appendix to the crisis experience of conversion.” ("Covenant Context for Evangelism,” p. 71.)

“When Paul wishes to exhort the Romans to obedience he does not remind them that they were regenerated, or suggest that they might, not be regenerate; he points to their baptism and calls them to live out of that experience (Rom. 6:1-11).” ("Covenant Context for Evangelism,” pp. 71f.)

3. Section 4 of “The Grace of Justification” (beginning p. 15) insists that the exhortation and warning of Jesus in Matthew 7:21-23 is related to the doctrine of justification. Mr. Shepherd develops the argument in several ways, including the statement, “As Paul says, not the hearers of the law are just before God, but the doers of the law will be justified. The fundamental truth that Jesus is the foundation and the Holy Spirit is the source of all sanctifying activity in the believer does not relieve the believer of trembling.” (p. 16). This statement clearly makes the sanctifying work of the Spirit unto justification. This confusion of justification and sanctification occurs throughout the paper where verses relating to the subduing of sin in the believer. (a [sic] central element in the LC 77 definition of sanctification) are presented as showing what is necessary for justification.

("The exclusive ground of the justification of the believer in the state of justification is the righteousness of Jesus Christ, but his obedience, which is simply the perseverance of the saints in the way of truth and righteousness, is necessary to his continuing in a state of justification (Heb. 3:6, 14).
“The righteousness of Jesus Christ ever remains the exclusive ground of the believer’s justification, but the personal godliness of the believer is also necessary for his justification in the judgment of the last day (Matt. 7:21-23; 25:31-46; Heb. 12:14).

“Because faith which is not obedient faith is dead faith, and because repentance is necessary for the pardon of sin included in justification, and because abiding in Christ by keeping his commandments (John 15:5, 10; I John 3:13, 24) are all necessary for continuing in the state of justification, good works, works done from true faith, according to the law of God, and for his glory, being the new obedience wrought by the Holy Spirit in the life of the believer united to Christ, though not the ground of his justification, are nevertheless necessary for salvation from eternal condemnation and therefore for justification (Rom. 6:16, 22; Gal. 6:7-9).

4. (“But there is no justification without sanctification as there is no sanctification without justification. These graces are given together in Jesus who is both the imputed righteousness and the inwrought holiness of his people (I Cor. 1: 30). Not a dead faith, but a living and active faith is the fruit of regeneration and sanctifying work of the Holy Spirit, and through faith, the believer’s receiving, accepting, and resting upon Christ alone, the elect of God are justified.”) (“The Grace of Justification.” pp. 14-15).

5. See the quotations in section III, C of this report.
E. Justification

1. Justification as a Forensic Act

   a. The concerns of the doctrine of Justification. (The category derives its meaning in view of the consummation judgment to come. It is therefore a judicial, forensic category.)

   b. Biblical evidence for the forensic category of Justification

      i. “Justify” is used with reference to judgments where the operative sense of “make just” could not apply.
      ii. “Justify” is used in contrast with “condemn.”
      iii. Correlative expressions imply an act of judgment.
      iv. The synonymous expression, “to impute righteousness” means “to justify.”

   c. “Justify” in the sense of "make righteous." (This does not appear in the New Testament, with the possible exception of I Cor. 6:11.)

   d. The forensic sense of “Justify” is not affected by the ground on which Justification takes place.

   e. The controversy with Rome turns on the ground of Justification, not on the forensic nature of justification.

2. The Imputation of Righteousness

   a. Soteric justification requires a constitutive act.

   b. Romans 5:19 establishes the fact of a constitutive act.

   c. The constitutive act is the imputation of righteousness.

   d. Justification includes (rather than presupposes) the constitutive act.

3. The Righteousness Imputed—The Ground of Justification

   a. The ground of justification cannot be an inherent righteousness.

      i. Cannot be an infused (inwrought) righteousness
      ii. Cannot be works (wrought out) righteousness

   b. The ground of justification must be an alien righteousness.
i. Justification is by grace.
ii. Justification is in Christ.
iii. The righteousness of God is imputed.
iv. The righteousness of Jesus Christ is imputed.
v. Believers become the righteousness of God in Christ.

c. Appendix: The Roman Catholic Doctrine of Justification

   i. Preparation for Justification
   ii. First Justification
   iii. Second Justification

4. The Instrumentality of Faith

   a. The man who believes is justified.
   b. Faith is not the ground of justification.
   c. Faith is the instrument of justification.

5. The State of Justification

   a. The time of justification. (Justification from eternity. Justification at the cross and resurrection. Justification at conversion. Active and Passive Justification.)
   c. Justification and Forgiveness. The Lord's Prayer as a proof text for WCF X1, 5: “God doth continue to forgive the sins of those that are justified.”
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