

Norman Shepherd
224 Candy Lane Ambler, Pa. 19002

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The Presbytery of Philadelphia
The Orthodox Presbyterian Church

Dear Brethren:

I wish to express my appreciation to the Presbytery for its care and patience in dealing with the charges that have been brought against my views on justification by the Rev. Arthur W. Kuschke. At the risk of being accused of stonewalling Presbytery's legitimate concern with this vital question, 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.

On October 1, 1976, I presented to the Faculty of Westminster Seminary in compliance with its request, a study document entitled, "The Relation of Good Works to Justification in the Westminster Standards." This document and numerous others that flowed from it were intensely discussed by the Faculty for nearly two years. As a result of that discussion I made certain clarifications and modifications of what was thought to be misleading or otherwise objectionable language. On April 28, 1978, the Faculty reported to the Board of the Seminary its conclusion, "that Mr. Shepherd's position does not contradict the system of doctrine taught in Holy Scripture and summarized in the Westminster Standards."

At its meeting on May 23, 1978, the Board defeated a motion to concur with the judgment of the Faculty, and proceeded the next day to pass the following motion: that

1. The Board of Trustees receive the faculty report on justification (April 25, 1978) and express its appreciation for the arduous labor that has been performed by the faculty;
2. The board reaffirm 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;
3. 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 during his proposed leave of absence with the board not later than six months following the end of his leave.

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." 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 Faculty), and another foreshortening the time given to me to report again to the Board from December 31, 1979 to February 8, 1979. I consider both of these actions regrettable, and the former to exceed the legitimate prerogatives of the Board.

I mention these matters only to stress the gravity of the situation at hand and the urgency with which I now come to the Presbytery with my request for help. The situation also reflects adversely upon the nine voting members of the Faculty who have identified themselves with the findings of the Faculty majority, five of whom are members of the Presbytery of Philadelphia.

I can appreciate and honor the gospel instinct that motivates Mr. Kuschke and those who share his outlook. Although I do not agree with his views at significant points, I am not questioning his right to hold these views within the sphere of our common confessional commitment. What I have sought for is a corresponding willingness to recognize important biblical elements which have traditionally had a place in orthodox Calvinism and which belong to the proclamation of the whole counsel of God.

With this letter I am presenting a series of Thirty-Four Theses on Justification in which I have attempted not to evade, but to focus precisely on those points which have been in dispute among us. Other theses are given as needed to round out the context of the disputed points. I am requesting the Presbytery to proceed in accordance with the provision of the Form of Government, XII, 1, deliberately, but with due dispatch, to a 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. I am also requesting that the discussion be conducted on, or adjacent to the campus of Westminster Seminary so that the students whom I have been ordained to teach may have ready access to the discussion. I am further requesting that all of the discussion be conducted by the whole Presbytery with unrestricted public access in accordance with the principle lying behind the provision of the Book of Discipline, IV, 2, that "In every case involving a charge of heresy the judicatory shall be without power to sit with closed doors."

Further, I wish to make clear that the October 1, 1976, Study Paper was precisely that, a study document and not a published work. It was written with the Faculty of Westminster Seminary in mind to serve as a basis for discussion within the Faculty, and it has now served that purpose. The document was produced before the discussion began in earnest. During the discussion it was subjected to searching criticism out of which emerged problems and issues whose significance could not have been anticipated in the document itself. When viewed in terms of these issues, it became clear that the formulations of the Study Paper were at points obscure or misleading and at other points loosely written or ambiguous. When these things were indicated, some revisions were made, and doubtless many others could and should be made. For these reasons, I do not wish to defend the formulations of that Study Paper as an adequate expression of my views, particularly with reference to the disputed points. Therefore I am asking Presbytery to focus its discussion on the appended Thirty-Four Theses as an expression of my views.

May I also request that the Presbytery pause for a period of earnest prayer that our Sovereign Lord who has raised up so glorious a testimony in Westminster Theological Seminary and in the Orthodox Presbyterian Church and has permitted us, unworthy and fallible as we are, to serve him in that cause, will give us relief from the present tensions and enable us to labor together in the unity of the Spirit and the bond of peace.

Sincerely in Christ,

Norman Shepherd
Associate Professor of Systematic Theology
Westminster Theological Seminary
Philadelphia, Pa. 19118

THIRTY-FOUR THESES ON JUSTIFICATION
IN RELATION TO FAITH, REPENTANCE, AND GOOD WORKS

1. All men are sinners by nature and are under the wrath and condemnation of God.
2. There is nothing that any man can do to save himself from condemnation or to contribute to his salvation in any sense or at any point, so that any attempt on the part of man to save himself not only fails but even serves to compound his guilt.
3. Justification is an act of God by which He forgives sinners acquitting them of their guilt, accounts and accepts them as righteous, and bestows upon them the title to eternal life.
4. The term "justification" may be used with reference to the acquittal and acceptance of a believer at his effectual calling into union with Christ, or with reference to the state of forgiveness and acceptance with God into which the believer is ushered by his effectual calling, or with reference to God's open acquittal and acceptance of the believer at the final judgment (Matt. 12:36,37; Rom. 3:22,24; 5:1; 8:1; Gal. 5:5).
5. The ground of justification or the reason or cause why sinners are justified is in no sense to be found in themselves or in what they do, but is to be found wholly and exclusively in Jesus Christ and in his mediatorial accomplishment on their behalf.
6. By faith the sinner receives and rests upon Christ and his righteousness as held forth in the gospel, and in this way is justified.
7. In the order of the application of redemption in the case of an adult, justification is by faith, and the sinner must believe in order to be justified; however, to use the categories of antecedence or priority to describe the relation of faith to justification obscures the truth that the justifying verdict and the gift of faith are received together at the moment the sinner is united to Christ by the Holy Spirit.
8. The order of the application of redemption which places faith before justification, in so far as it takes no account of the experience of redeemed infants, is Baptist.
9. Redeemed infants and others incapable of, or prevented from exercising faith or repentance or yielding obedience to Christ, are justified when they are united to Christ by the Holy Spirit.
10. Although believers are justified by faith alone, they are never justified by a faith that is alone, because faith as a gift of the Holy Spirit is given together with all the other gifts and graces flowing from the cross and resurrection of Christ, and the exercise of faith is co-terminous with the exercise of the other gifts and graces so that when a man begins to believe he also begins to love God and to bring that love to expression through obedience to God (West. Conf. of Faith XI, 2).

11. Justifying faith is obedient faith, that is, "faith working through love" (Gal. 5:6), and therefore faith that yields obedience to the commands of Scripture.

12. Faith which is not obedient faith is dead faith and neither saves nor justifies; living and active faith justifies (James 2:14-26).

13. Faith and repentance are so inextricably intertwined with each other that there cannot exist a true and saving apprehension of the mercy of Christ without a grief for and hatred of sin, a turning unto God, and a purposing and endeavoring to walk with God in all the ways of his commandments (West. Conf. of Faith XV, 2).

14. Repentance, inclusive not only of grief for and hatred of sin but also of turning from sin and endeavoring to walk with God in all the ways of his commandments, although not the ground of forgiveness, is nevertheless so necessary for all sinners, that there is no pardon without it (West. Conf. of Faith XV, 3).

15. The forgiveness of sin for which repentance is an indispensable necessity is the forgiveness of sin included in justification, and therefore there is no justification without repentance.

16. Prior to regeneration in union with Christ, sinners can neither believe, nor repent, nor perform deeds appropriate to repentance because they are dead in their trespasses and sins.

17. Regeneration is such a radical, pervasive, and efficacious transformation that it immediately registers itself in the conscious activity of the person concerned in the exercise of faith and repentance and new obedience.

18. Faith, repentance, and new obedience are not the cause or ground of salvation or justification, but are, as covenantal response to the revelation of God in Jesus Christ, the way (Acts 24:14; II Peter 2:2, 21) in which the Lord of the Covenant brings his people into the full possession of eternal life.

19. Those who believe in the Lord Jesus Christ and are his disciples, who walk in the Spirit and keep covenant with God, are in a state of justification and will be justified on the day of judgment; whereas unbelieving, ungodly, unrighteous, and impenitent sinners who are covenant breakers or strangers to the covenant of grace, are under the wrath and curse of God, and on the day of judgment will be condemned to hell forever, unless they flee from the wrath to come by turning to the Lord in faith and repentance (Psalm 1; John 5:28, 29).

20. The Pauline affirmation in Romans 2:13, "the doers of the Law will be justified," is not to be understood hypothetically in the sense that there are no persons who fall into that class, but in the sense that faithful disciples of the Lord Jesus Christ will be justified (Compare Luke 8:21; James 1:22-25).

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).

24. The "works" (Eph. 2:9), or "works of the Law" (Rom. 3:28; Gal. 2:16), or "righteousness of my own derived from the Law" (Phil. 3:9), or "deeds which we have done in righteousness" (Titus 3:5) which are excluded from justification and salvation, are not "good works" in the Biblical sense of works for which the believer is created in Christ Jesus (Eph. 2:10), or works wrought by the indwelling Holy Spirit (Rom. 8:9; Gal. 5:22-26), or works done from true faith (I Thes. 1:3), according to the law of God, and for his glory, but are works of the flesh (Gal. 3:3) done in unbelief (Gal. 3:12) for the purpose of meriting God's justifying verdict.

25. The Reformed doctrine of justification by faith alone does not mean that faith in isolation or abstraction from good works justifies, but that the way of faith (faith working by love), as opposed to the "works of the law" or any other conceivable method of justification, is the only way of justification. (John Calvin, Institutes, III, 11, 20. "Indeed, we confess with Paul that no other faith justifies 'but faith working through love' [Gal. 5:6]. 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.")

26. 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.

27. The Roman Catholic doctrine that faith merits (congruent merit) the infusion of justifying grace, and that faith formed by love and performing good works merits (condign merit) eternal life contradicts the teaching of Scripture that justification is by grace through faith apart from the works of the law.

28. In a right use of the law, the people of God neither merit nor seek to merit anything by their obedience to God, but out of love and gratitude serve the Lord of the Covenant as sons in the household of the Father and in this way are the beneficiaries of his fatherly goodness (Mal. 3:16-18).

29. The proclamation of the gospel of sovereign grace must include not only a setting forth of the sufficiency and perfection of the Redeemer Jesus Christ as the only name under heaven given among men whereby they must be saved, but must also include an earnest appeal to sinners to come to Christ in faith, to forsake sin and unrighteousness, and to perform deeds appropriate to repentance (Acts 26:19, 20).

30. Jesus Christ cannot be received as Savior without submission to him as Lord in one and the same act of faith, and he cannot be received as Savior and Lord unless he is presented as Savior and Lord in the proclamation of the gospel.

31. Because faith is called for in all gospel proclamation, exhortations to obedience do not cast men upon their own resources to save themselves, but are grounded in the promise of the Spirit to accompany the proclamation of the whole counsel of God with power so that the response of the whole man called for in the gospel is wrought in the sinner.

32. The election of God stands firm so that sinners who are united to Christ, justified, and saved, can never come into condemnation; but within the sphere of covenant life, election does not cancel out the responsibility of the believer to persevere in penitent and obedient faith since only they who endure to the end will be saved (Matt. 24:13; Mark 13:13).

33. Though believers are never without sin in this life, they have no excuse for sinning inasmuch as they have died and are risen with Christ; nevertheless, their sin does not bring them into condemnation only because it is covered by the blood of Jesus to which the believer has continual recourse in prayer.

34. The justification, sanctification, and life of the believer reside wholly and exclusively in Christ Jesus, and therefore the proclamation of the sole-sufficiency and all-sufficiency of Jesus Christ is a source of perpetual assurance, encouragement, and comfort to believers in their warfare against Satan in obedience to the Lordship of Jesus Christ.

Norman Shepherd
Associate Professor of Systematic Theology
Westminster Theological Seminary
Philadelphia, Pa. 19118

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REVISED FORMULATION OF THESES 7, 8, and 9

of the

THIRTY-FOUR THESES ON JUSTIFICATION

7. In the application of redemption in the case of adults, justification is by faith and the sinner must believe in order to be justified; however, the justifying verdict and the gift of faith are received together at the moment the sinner is united to Christ by the Holy Spirit.

8. Elect infants who are saved in infancy and other elect persons, incapable of, or prevented from exercising faith or repentance or yielding obedience to Christ, are justified when they are united to Christ by the Holy Spirit.

9. In the case of redeemed infants, justification precedes faith in time, but the regeneration given together with justification in union with Christ inevitably manifests itself in the exercises of faith, repentance, and obedience to Christ as the child matures.

Norman Shepherd
Associate Professor
of Systematic Theology
Westminster Theological Seminary
Philadelphia, PA 19118