Reason and Specifications Supporting the Action of the Board of Trustees in Removing Professor Shepherd Approved by the Executive Committee of the Board February 26, 1982

The Board of Trustees of Westminster Theological Seminary on November 20, 1981 acted pursuant to Article III, Section 15 of the Constitution of the Seminary to remove the Rev. Norman Shepherd as Associate Professor of Systematic Theology on the ground that the Board in its mature judgment had become convinced that such removal was necessary for the best interests of the Seminary. The action was taken upon the recommendation of a special Visitation Committee.

The Board also elected three Board members to serve with two members chosen by the Faculty on a Committee of Five charged to conduct a full investigation of the findings of the Visitation Committee and to give to Professor Shepherd abundant opportunity to defend his conduct of his office.

The Executive Committee, at the direction of the Board, prepared a brief statement of the reasons for the action. The statement said that: "The Board makes no judgment whether Mr. Shepherd's views as such contradict Westminster Standards." But the statement also alleged that "partly because of deep inherent problems in the structure and the particular formulations of Mr. Shepherd's views, partly because of Mr. Shepherd's manner of criticizing opponents as non-Reformed rather than primarily incorporating their concerns more thoroughly into his own position in response, 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 element in that system of doctrine taught by the Standards."

The Committee of Five has judged that the allegations respecting "deep inherent problems in the structure and the particular formulations of Mr. Shepherd's views" and respecting his manner of responding to critics are not sufficiently specific to enable the Committee to do its work. It has, therefore, asked the Board to determine the procedure to be followed. It has further recommended that clear and explicit charges against Mr. Shepherd be drawn up together with specifications and that the Executive Committee draw up these charges and specifications.

Since the Board did not remove Mr. Shepherd on the ground of demonstrated errors in his teaching, charges of such errors, together with specifications, obviously would not be appropriate. The Executive Committee acknowledges, however, that Mr. Shepherd is entitled to a clear statement of the reason for his dismissal and presents this statement to him and to the Committee of Five as an attempt to clarify further the Board's action.

I. Statement of Reason for Removal

The Board has come to the decision that Prof. Shepherd's removal is necessary for the best interests of the Seminary with great regret, and only after seven years of earnest study and debate, because it has become convinced that 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.

This reason is deemed by the Executive Committee to be "adequate cause" under the Tenure and Removal policy of the Board, and supports the finding that Mr. Shepherd's removal is necessary for the best interests of the Seminary under Article III, Section 15 of the Constitution. Although Mr. Shepherd was removed by the Board pursuant to Article III, Section 15 of the Constitution, the Board appointed the Committee of Five composed of both Faculty and Board members, in order to provide to Mr. Shepherd the procedural safeguards of the Tenure and Removal Policy. The Board has exercised its Constitutional authority to remove in light of these procedural safeguards in the Tenure and Removal Policy.

Westminster Theological Seminary exists primarily to prepare for the gospel ministry men "who shall truly believe, and cordially love, and therefore endeavor to propagate and defend in its genuineness, simplicity, and fullness, that system of religious belief and practice which is set forth in the Westminster Confession of Faith and Catechisms..." (Catalogue, 1981, p. 5 cf. Charter, Art. II). This creedal commitment rests on the conviction that these standards faithfully express the teaching of Scripture. Every Faculty member pledges not to "inculcate, teach or insinuate anything which shall appear to me to contradict or contravene, either directly or impliedly, any element in that system of doctrine..." (Constitution Art. V.3). The Policy Statement on Academic Freedom and Responsibility acknowledges that "Christian freedom exists within the confession of Christian faith" and notes that voting members of the Seminary faculty have voluntarily accepted the Westminster Confession of Faith and Cathechisms. The authority of the Word of God binds the conscience even as it frees it from human tradition. Teachers are free, within their confessional commitment, to propose and discuss both tentative and settled convictions. A teacher must exercise this academic freedom, however, "with the recognition that there may be, in the public mind, a tacit representation of the Seminary in whatever he says or writes, whether as a teacher, as a scholar, or as an individual citizen. He should therefore at all times be accurate, and exercise appropriate restraint."

A professor of systematic theology at Westminster Seminary must be able to communicate with unmistakable clarity the doctrine of justification by sovereign grace alone through faith alone on the grounds of Christ's righteousness alone. Both the Board of the Seminary and its constituency must have full confidence that the Seminary's teaching is orthodox with respect to these truths which lie at the heart of the gospel.

After spending much time and effort in writing and speaking on these areas of theology, Mr. Shepherd has not been able to satisfy the Board and considerable portions of the Seminary constituency that the structure of his views and his distinctive formulations clearly present the affirmations by which our Standards guard the relation and place of faith and works with respect to salvation.

II. Specifications Regarding the History of the Controversy

The long controversy regarding the views and teaching of Mr. Shepherd began in the spring of 1975. 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." At that time Mr. Shepherd in his class lectures outlined his reasoning as follows: Justification Presupposes Faith; Faith is not the Ground of Justification; Faith is the Instrument of Justification. Justification Presupposes Good Works; Good Works are not the Ground of Justificaton; Good Works are the Instrument of Justification.

In an informal meeting of the Faculty on April 14, 1975, Mr. Shepherd questioned making justification by faith alone a touchstone of orthodoxy, since, as he argued, what can be said of faith can also be said of good works; neither can be the ground of justification, both can be instrument.

The teaching of Mr. Shepherd at this time questioned or challenged the statements of the Westminster Standards: "Faith...is the alone instrument of justification..." (WCF XI:2), "...only for the righteousness of Christ imputed to us, and received by faith alone" (SC Q. 33); "...not for any thing wrought in them, or done by them, but only for the perfect obedience and full satisfaction of Christ, by God imputed to them, and received by faith alone" (LC Q. 70); "...imputing his righteousness to them, and requiring nothing of them for their justification but faith, which also is his gift..." (LC Q. 71). (Compare Heidelberg Catechism Q. 60, 61; Second Helvetic Confession XVI:7: "Therefore, although we teach with the apostle that a man is justified by grace through faith in Christ and not through any good works, yet we do not think that good works are of little value and condemn them.")

When Mr. Shepherd was challenged by Faculty members and others concerning his views he presented a paper to the Faculty on October 1, 1976. A Faculty report to the February 10, 1977 meeting of the Board singled out expressions that were found troubling in the October paper, for example: "...faith coupled with obedience to Christ is what is called for in order to salvation and therefore in order to justification." "Thus, faith and new obedience are in order to justification and salvation." The Faculty report called attention to the responsibility of teachers to avoid confusing statements.

A fuller report of the Faculty was made to the Board meeting of May 17, 1977. The report acknowledged clarifications from Mr. Shepherd in an April 15, 1977 statement, but said that "Mr. Shepherd continues to defend views and expressions contained in the October 1976 study paper" and that earlier concerns had not been resolved. The Faculty 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 the Westminster Standards." Mr. Shepherd was no longer using the word "instrument" in reference to works but had suggested that "instrument" was not altogether a good term to describe faith either. Mr. Shepherd objected to making faith prior to justification in an "ordo salutis" as Charles Hodge (and John Murray) had done. He suggested that if such an "ordo salutis" were to be constructed, good works should be inserted with faith and repentance before justification. (Cf. "The Relation of Good Works to Justification in the Westminster Standards," p. 22.) The Faculty report specified four areas where modifications of the language and formulations of Mr. Shepherd were to be desired. These concerned his broad use of the term justification, his language of requirement for good works in relation to justification (as against LC Q. 71), his reluctance to make faith prior to justification even in a logical sense; and his strategy of explaining the "alone" function of faith as separating it from meritorious works rather than from other graces.

Six members of the Faculty believed that these criticisms were not severe enough; they held Mr. Shepherd's views to be erroneous and sent their evaluation to the Board.

There followed many months of intensive study and discussion in a divided Faculty and Board. Mr. Shepherd was urged to "exercise great caution and restraint in his presentation of the doctrines of justification and good works in his teaching" (Board Minutes, May 24, 1977 p.4). He was asked to modify certain statements and did so, but appealed for a better understanding of his statements in the light of his effort "to understand the application of redemption in terms of the dynamic of the covenant of grace" (Response to a Special Report of the Faculty ...Jan. 3, 1978, p.8). The Faculty, reading Mr. Shepherd's formulations in the light of his commendable concerns, concluded that his position did not contradict the system of doctrine taught in Scripture and summarized in the Standards. But the Faculty also concluded that the problem was not due solely to others' misunderstandings of his views. "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." (April 25, 1978 Faculty report, p. 4).

The Board on May 23, 1978 defeated a motion to concur with the judgment of the report of the Faculty "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" (Minutes, p. 2). Instead, the Board, after hearing Mr. Shepherd, urged him to continue his study in the area and to report after a leave of absence granted to him.

At the November 14, 1978 Board meeting a motion that the formulation of Mr. Shepherd on the doctrine of justification be found not acceptable to the Board was defeated by one vote. This action followed another substantial Board interview with Mr. Shepherd, who had been invited to the last three Board meetings for discussions. He had been given a study leave for one year and was now urged to present to the Board before the February meeting a revised statement of his position.

On November 18, 1978 Mr. Shepherd presented "Thirty-four Theses on Justification in Relation to Faith, Repentance and Good Works" to the Presbytery of Philadelphia of the Orthodox Presbyterian Church. In a covering letter he said that a resolution of the problem no longer seemed possible in the limited context of the Seminary and that he was appealing to the church. These theses and his paper presented to the February, 1979 Board meeting ("The Grace of Justification") became the statements of his views by which he wished to be judged.

The Presbytery gave exhaustive consideration to the theses over many months, devoting ten full-day meetings to discussion and debate. Three of the theses were set aside as involving historical rather than theological judgments. The Presbytery as a Committee of the Whole found the other theses to be in harmony with the teaching of Scripture and the Reformed Standards, sometimes by a close vote. (In one case the vote of the Moderator broke a tie.) One thesis was declared to be permissable although the motion to find it in harmony failed. When the findings of the Committee of the Whole were reported to the Presbytery a motion to adopt the report failed on a tie vote.

On February 8, 1979 the Board received Mr. Shepherd's paper "The Grace of Justification" and discussed it, along with the "Thirty-four Theses" presented to the Presbytery. After long discussion the Board determined by a vote of 11-8 that it found no sufficient cause to pursue further its inquiries into Mr. Shepherd's teaching regarding justification by faith. His views, as presented to the Board did not "call into question his adherence to the Westminster Confession of Faith."

At the same time the Board urged 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" (Minutes pp. 3, 17).

The Board also urged Faculty discussion and interchange on the issues.

Continuing division produced more communications from Board and Faculty to the May 29, 1979 meeting of the Board. Ten Board members signed a statement that the Board had acted prematurely in February. A Committee of Five was erected, representing the two sides from Board and Faculty. The Committee was charged with preparing a study paper and statement on the doctrine of justification by faith. The Committee was directed to seek the counsel of Board, Faculty, and other theological scholars in discharging its task.

The Committee prepared the "Westminster Statement on Justification" which was approved by the Faculty on May 14, 1980 with some recommendations for improvement. The Board also in its meeting of May 27, 1980 approved the Statement with the recommendations included. Mr. Shepherd voted in the Faculty to approve the statement and has indicated his agreement with it, most recently 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 was not resolved. Questions remain because of points at which the affirmations and denials of the statement seemed to run counter to Mr. Shepherd's writings. For example:

(1.) One of the primary points emphasized in the Sandy Cove lectures (July, 1981) is that the obedience required of Adam in the "Creation Covenant," had he rendered it, would not have been meritorious. Adam was a son, not a laborer. The concept of wages earned, reward merited, is not appropriate to the father-son relationship. This is not a point made somewhat incidentally by Mr. Shepherd along the way, but a point that is evidently fundamental in his theology of the covenant. And yet the "Westminster Statement on Justification" states: "That covenant has been called the covenant of works...Although God's gracious goodness can be seen in the disproportion between the limited requirement and the eternal reward, the covenant required the obedience of faith as its condition. By that obedience the promised reward could be claimed as <u>merited</u>." (p. 9, underline added); and Mr. Shepherd says that he is in full agreement.

The Statement goes on to say: "Only Christ, the second Adam, could atone for sin by the sacrifice of himself and <u>merit</u> the covenant reward." Mr. Shepherd's understanding of the nature of covenant relationship, father-son relationship, insists that the idea of meriting a reward is not appropriate to such a relationship, and yet he has affirmed full agreement with the Westminster Statement.

(2.) The Westminster Statement affirms "the necessary <u>causal priority</u> of God's justification of the sinner to the existence in him of any new obedience that is acceptable to God." (p. 15). In Thesis 23 of the "Thirty-four Theses on Justification," Mr. Shepherd has argued that "good works...being the new obedience wrought by the Holy Spirit

in the life of the believer united to Christ" are "necessary...for justification." This Thesis seems to many readers to affirm the causal priority of new obedience to justification, which is to reverse the order affirmed in the Seminary statement.

(3.) The Westminster Statement denies "that justifying faith can be defined properly so that it virtually includes in its essence the new obedience which faith inevitably produces" (p. 15). Thus it goes on to "affirm that in that aspect of the gospel's call which is specifically for justification the sinner must be called to believe in Christ; this call may be expressed in a summons to follow Christ, but only when that following is presented as the evidence and fruit of faith; and we deny that the summons to believe specifically for justification and the summons to follow Christ in faith, repentance and new obedience are ultimately the same thing" (p. 17). The thrust of this affirmation and this denial appears to be clearly at odds with the thrust of Prof. Shepherd's argument in "The Covenant Context of Evangelism": "It is both striking and significant that the Great Commission is not given in either Matthew or Luke in terms of calling upon men to believe. Faith is not mentioned specifically, but only by implication. What is explicitly asserted is the call to repentance and good works. When the call to faith is isolated from the call to obedience, as it frequently is, the effect is to make good works the supplement to salvation or simply the evidence of salvation" (The New Testament Student and Theology, Presbyterian and Reformed: 1976, p. 74).

In the course of the work of the committee drafting the Statement two members solicited the opinion of various scholars regarding Mr. Shepherd's written views. Some evaluations were positive on the whole, but most expressed concern or alarm. These included William Hendriksen, Roger Nicole, Morton Smith, Iain H. Murray, Gregg Singer, R.C. Sproul, and Martyn Lloyd-Jones as well as scholars having some relation to the Seminary including Meredith Kline, Philip E. Hughes, and W. Stanford Reid.

The Board in its May 27, 1980 meeting determined "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

at b. documenation 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 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 by the commission at a special meeting of 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;

and that the commission be composed of three board members chosen by the board and three faculty members chosen by the faculty, together with the chairman of the board as a voting member;

and that Mr. Shepherd be required to meet with the commission at its request on dates mutually satisfactory, and that Mr. Shepherd be entitled to counsel of his choosing when hearings are held by the commission;

and that the commission be authorized to seek such other information or testimony as it shall judge to be necessary for its task."

A special meeting of the Board was held December 10-11, 1980 to receive and act upon the report of this Commission. Four members of the Commission reported that the Commission had formulated allegations to present to Mr. Shepherd, had heard him, with his counsel, present his answers to the allegations for about nine hours in two days and recommended that Mr. Shepherd be exonerated. Three other members of the Commission presented a lengthy report supporting the actions of dismissal or request for resignation. The issue was discussed at length by the Board with Mr. Shepherd and his counsel present. A motion to exonerate was lost on a tie vote, 11-11. The following motion was then passed:

"That on the bases 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."

The Board also recommended that a theological colloquium be organized by the Deans of the campuses.

Before the May 26, 1981 meeting of the Board the issue of Mr. Shepherd's views was again brought to the fore by the mailing of a letter to a wide list of church sessions and individuals. The letter was signed by 45 theologians and ministers and included a copy of

another letter addressed to the Board before its meeting of December 10, 1980. The President deplored the mailing of this letter to the general public rather than to the Board and Faculty. He reported that concern about the soundness of the Seminary was spreading among the constituents of the Seminary, producing a critical situation.

The Board, on recommendation of the President, erected a committee of three trustees as a Visitation Committee to interview as necessary members of the Seminary community and to prepare recommendations "with a view to resolving the differences that have arisen among us and to restoring the good name of the Seminary." It was suggested that the Committee might organize a colloquium that might give some of the theologians who signed the letter the opportunity to discuss these issues with members of the Faculty.

The Visitation Committee reported to the November 20-21, 1981 meeting of the Board that it had solicited opinions and suggestions from board members, faculty, and staff of all three campuses, had conducted phone interviews, and had met with 17 faculty and staff members, gathering information and seeking reconciliation. Meetings were held with representative students as well. An attempt was made to hold a colloquium that would include Professor Gaffin, J. I. Packer, R.C. Sproul, R. Nicole, Morton Smith, Carl W. Bogue and others. Professor Shepherd first agreed to participate, then refused on the ground that the inclusion of those who had opposed his views would have the effect of putting him on trial. Since reconciliation with some who had criticized his views was necessary to reverse the divisions that had been created and to restore the good name of the Seminary, the Committee would not agree to a colloquium without the participation of some of these critics. (No critics were proposed whose viewpoint was regarded as so fixed in opposition as to impede reasonable discussion or conciliation.)

In spite of Mr. Shepherd's refusal to participate in the colloquium, the Visitation Committee was encouraged by its meeting with him on August 21, 1981. It appeared to members of the Committee that Mr. Shepherd was willing to withdraw statements that had created confusion and to make corrections and amends as recommended in some of the letters that had been received.

The statement presented by Mr. Shepherd to the Committee on October 9 was a disappointment to the Committee. Mr. Shepherd stated that his views had been misinterpreted, misrepresented, and misunderstood. While he did not claim to work without fault, he apologized only "to the extent that my statements have caused misunderstanding."

The Committee also requested an evaluation from President Clowney as to the current status of the theological problem. Mr. Clowney reported on controversial elements in Mr. Shepherd's views.

The Committee summarized its findings regarding division over Mr. Shepherd's views in the Faculty and Board, among outside theologians, pastors and constituents. It noted certain ecclessiastical repercussions. The Committee then recommended the removal of Professor Shepherd.

The Faculty communicated to the Board a series of motions with respect to the report of the Visitation Committee. With Mr. Shepherd participating, it voted 7-4 with 3 abstentions to ask the Board not to remove Mr. Shepherd. A motion to "affirm that Mr. Shepherd's distinctive emphases and teaching are in accordance with the system of doctrine taught in Scripture and subscribed to in the subordinate standards of the Seminary" was amended to "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." This amended motion was carried with one negative vote.

At a meeting of the Board on November 20-21, 1981 the recommendation of the Visitation Committee that Mr. Shepherd be removed from his office for the good of the Seminary as provided for in the Constitution was discussed at length with Mr. Shepherd present. He was again heard by the Board. A letter in which he defended himself was also presented to the Board. The Board then acted to remove Mr. Shepherd, to erect a committee to investigate the findings of the Visitation Committee "giving Professor Shepherd abundant opportunity to defend his conduct of his office" and to suspend Mr. Shepherd until the investigation should be completed and his removal became effective. The action was passed by a majority of the entire membership of the Board. (13 yes, 8 no, 1 abstention).

The Board then directed the Executive Committee to prepare a statement giving the terms of reference for the Committee of Five. (This statement is appended). Mr. Shepherd's present remuneration was continued through June, 1983, or until he has had other full-time employment for six months, whichever is sooner.

The long history of the controversy reveals how deeply disturbed members of the Faculty, Board, and constituency became with respect to Mr. Shepherd's views. It also shows the abundant opportunities that were afforded Mr. Shepherd to clarify his views and to remove misunderstandings. Mr. Shepherd was able to reassure a majority of the Faculty, and of the Board that his views were not in error, but the repeated admonitions for caution and clarity show that his expressions fell short of assuring these groups that his teaching was in full accord with the doctrinal standards of the Seminary.

Mr. Shepherd has modified and refined some statements of his views. He no longer teaches that works are co-instrumental with faith for justification (Letter to the Board, October 8, 1981; class lectures, "The Doctrine of the Holy Spirit," Tape 34). He conceded that there may be some form of logical priority for faith in relation to justification ("Response..." Jan. 3, 1978, p. 8). He has reworded the sentences in the October 1977 paper to which exception was taken and

wishes to distance himself from that paper ("A Further Response..." March 1, 1978). Nevertheless, he has continued to defend his earlier statements in their context, as he did for example in the hearing before the commission that reported to the December 10-11, 1980 meeting of the Board ("Report to the Board...from Three Members of the Commission," Nov. 19, 1980 p.2). Further, he has continued to assert and develop his distinctive views in various lectures and articles, for example in "The Covenant Context for Evangelism" Beaver Falls, 1975; "Reprobation in Covenant Perspective" Grand Rapids, June, 1978; "The Biblical Doctrine of Reprobation" The Banner, March 21, 1980; "Life in Covenant with God" Sandy Cove, Md., July, 1981.

III. Problematics in Mr. Shepherd's Views

In spite of modifications that Mr. Shepherd has made in his expressions, the Board finds that the problems in his teaching are not resolved, and that they are inherent in his view of the "covenant dynamic." Although Mr. Shepherd appeals to the history of Reformed covenantal theology to support his position, the Board finds that Mr. Shepherd's construction is distinctive. It is in the distinctive elements and emphases of his theology of the covenant that the problem appears.

1. In his "covenant dynamic" Mr. Shepherd develops a formula that permits him to join good works to faith as the characteristic and qualifying response to grace. Obedience is the proper, full, and comprehensive term for all covenantal response, and specifically for our response in the covenant of grace. "A single word that commends itself from the history of redemption as a summary of covenantal response is the word 'obedience'." "Covenant obedience passes over into the New Testament as the qualifying response to the gospel of grace" (Doctrine of the Holy Spirit, Tape 31 "Faith as covenant response"). "We must be faithful to our promise to God. That's our faithfulness, or simply our faith." Mr. Shepherd urges that Paul in citing Habakkuk 2:4, is declaring that "the righteous shall live by his faithfulness," that is, in the covenantal loyalty and obedience that has faith as its leading and qualifying feature or element (Ibid).

Faith in the narrow sense is then a focus in the unified covenantal response of faithfulness; faith is itself a work (Doctrine of Holy Spirit, Tape 22), an act of obedience within the total response of obedience. As obedience characterizes and qualifies the covenant response of Christ, so does it qualify our covenant obedience, for he is our pattern and example. He is the covenant Head, and "we are involved with him in the same covenant." "As the Sin-Bearer, bearing the sins of the world, he cast himself upon the mercy of the faithful Judge. That is exactly what we are enabled to do in him" (Doctrine of Holy Spirit, Tape 31). "The covenant keeper par excellence is Jesus Christ, himself, the seed of Abraham, obedient unto death, even the death of the cross (Philippians 2:8). It is just in the way of covenant-keeping, after the pattern of Jesus Christ that the promises of the covenant are to be realized" ("The Covenant Context for Evangelism," The N.T. Student and Theology, 1976, pp. 55f.).

The works to be distinguished from faith in the Pauline passages are not good works, but works of the flesh, works that are done to provide a meritorious ground of justification (Doctrine of Holy Spirit, Tape 37 "Paul's positive estimate of good works," cf. Tape 20). Faith must not be abstracted from good works. Since faith, repentance, and good works are intertwined as covenantal response, and since good works are necessary to justification, the "ordo salutis" would better be: regeneration, faith/repentance/ new obedience, justification ("The Relation of Good Works to Justification, p. 22.) But it is better still, as Mr. Shepherd sees it, to set aside the puzzle of an individual ordo salutis and affirm the corporate and covenantal concept of our total response to grace (Doctrine of the Holy Spirit, Tape 3 "Covenant and the Application of Redemption--Concept of the ordo salutis, oriented to the model of adult conversion," cf. Tape 4.)

Mr. Shepherd clearly affirms that neither our works nor our faith can ever be the ground of our justification. Indeed, he argues that faith cannot be the ground precisely because it is a work, something that we do (Doctrine of Holy Spirit, Tape 22). But his development of the "covenantal dynamic" so unites faith with good works that while he is willing to affirm that good works are the fruit of faith, he prefers the language of accompaniment or of a "working faith." Both faith and good works are alike fruits of the Spirit, and are not to be thought of in sequence (Doctrine of Holy Spirit, Tapes 24, 34).

The difficulty is that while he acknowledges that faith has a function distinct from that of the other graces (love, for example), this distinction is not important for the covenantal dynamic that he emphasizes. In lecturing on faith he treats first the " covenantal perspective" in which faith must be seen (Doctrine of Holy Spirit, Tape 31). In that "covenantal perspective" obedience receives the covenantal blessing and faith functions as a focus of that obedience. The confessional emphasis on faith as the alone instrument of justification is muted in the "covenant dynamic" accent. The Westminster Standards emphasize faith alone, not merely in contrast to self-righteous works but in contrast to all that we might do. Justification rests on Christ's righteousness alone and faith looks away from one's self to Christ.

2. The "covenant dynamic" of Mr. Shepherd makes the function of our obedience in the covenant to be the same as the function of the obedience of Adam in the covenant before the fall (Life in Covenant, Tapes 1, 2). Mr. Shepherd finds one covenantal pattern in all of Scripture. The pattern joins God's free grace and our response in faithful obedience. God addresses to us the promise of the covenant; accompanying the promise there is always a command. This relationship is as fundamental as divine sovereignty and human responsibility. The "dynamic" of that relationship, namely that God's sovereignty does not contradict but establishes our responsibility, is the fundamental dynamic of the

covenant in Mr. Shepherd's view. In this "dynamic" God's grace is sovereign but not irrespective of our obedience; on the other hand grace is not conditioned on obedience "in an absolute sense." "What we have by grace is ours in the way of covenant loyalty and fidelity. That is to say, God does not by-pass the covenant in the application of redemption" (Doctrine of Holy Spirit, Tape 34). He therefore stresses that every covenant has two sides, in this case, God's covenant faithfulness to us and our covenant faithfulness to God. Because God's faithfulness comes first and provides for ours, no faithfulness or obedience on our part can be meritorious. Adam's covenantal obedience in the garden did not merit any reward; neither does our covenantal obedience ("Life in Covenant with God," Tape 1). But both are required by the covenant command. The threat for disobedience is eternal death. This threat is as real for us as it was for Adam in the garden (Life in Covenant, Tape 2). The warnings of the New Testament (such as those cited by Mr. Shepherd in his letter to the Board of October 8, 1981) must not be blunted or made hypothetical in any way. God's threat to Adam or to Israel was not idle, and the same sanction of the covenant is directed against us in the New Covenant.

The difficulty here does not lie with Mr. Shepherd's assumptions regarding Divine sovereignty and human responsibility, common to the Reformed tradition and emphasized at Westminster Seminary. Neither does it lie with the use of covenantal language to describe the fundamental religious relation between the Creator-Father and Adam, the son of God, made in his image. The difficulty lies in failing to do justice to the history of redemption, to the distinctiveness of God's administration with Adam and to the distinctiveness of the New Covenant in Jesus Christ.

God's command to Adam and Eve regarding the tree of the knowledge of good and evil and their later expulsion from the tree of life in the garden have been understood in Reformed theology as constituting a period of probation for Adam as the first Head of the human race. If Adam had obeyed he would have been justified, confirmed in righteousness and made heir to eternal life. Parallel to the doctrine of the imputation of Adam's sin runs the assumption of the imputation of Adam's righteousness to his descendants had he obediently fulfilled his probation (WCF VII:2). The term "merit" may be used in many senses. To affirm merit in the sense of a divinely recognized and imputable righteousness is not to deny man's dependence upon God nor to make man an autonomous bargainer with God. Had Adam obeyed, he would have been justified on the ground of his own inherent righteousness, not on the ground of the righteousness of another, as Mr. Shepherd recognizes.

Theological constructions respecting the probation of Adam may have uncertainties, but the analogy by which they are developed is the clear doctrine of the New Testament regarding Jesus Christ, the Second Adam. As the Westminster Standards teach, the covenant of grace is made with Christ and with the elect in him. He is the only Mediator of the New Covenant. He has borne the judgment, the wrath due to us, not simply as sinners, but as covenant-breakers.

Further, Christ's active obedience has fulfilled all righteousness for us. In Christ we have sustained our probationary period: it was for us that he was tempted in the wilderness, took the cup in the garden of Gethsemane, remained on the cross, suffered and died.

To describe our covenantal situation in analogy to Adam in the garden is dangerously misleading unless the radical difference that has taken place through the work of Christ our covenant-keeper is made clear. Yet in his Sandy Cove lectures on "Life in Covenant with God" Mr. Shepherd does the former without doing the latter. He describes the requirement of our covenant-keeping obedience in terms drawn from his description of Adam's covenant-keeping. We have resources that Adam did not have, Mr. Shepherd shows. We have forgiveness of sins in the blood of Christ; we have the Spirit to move us to obey; but we also have the same covenant condition to meet, and the same threat for disobedience. On the other hand, in these five lectures on the covenant Mr. Shepherd does not present the significance of Christ's keeping of the covenant for us.

Indeed, he mentions Christ's keeping of the law for us only incidentally in a context where he raises a question:

"Sometimes we say that there are really two ways of salvation. On the one hand, if you keep the law absolutely perfectly without making any mistakes, then you will be saved. But most of us recognize that we can't do that and so we look to Jesus Christ to keep the law for us. Now, I appreciate the gospel thrust of that, and it is right in a certain way, but think again my brothers and sisters. Let the Israelite observe the Mosaic law perfectly, to the letter, without making a single mistake. Will he be saved? No. Because the law is powerless to save" (Tape 3).

The omission of any clear treatment of Christ as the covenant Head, of his active obedience, of the imputation of his righteousness in the fulfillment of the covenant command, of his probation in our place (this in a treatment of the covenant that professes to be distinctively Reformed, after years of discussion) evidences a lack of clarity that cannot but cause concern.

Mr. Shepherd has met such criticism in a way that adds to the confusion. He assumes that those who criticize his view are falling away into antinomianism; that to emphasize that Christ has fulfilled the covenant for us is to take us "off the hook." Yet this is precisely the issue that the Westminster Standards so carefully define. They do it by showing how the law, revealing God's will and righteousness, remains the norm for our obedience even though believers are delivered from it as a covenant of works "so as thereby they are neither justified nor condemned" (LC Q. 97).

The WCF teaches that the threatenings of the law are of use to the regenerate "to show what even their sins deserve, and what afflictions in this life they may expect for them, although freed from the

curse thereof threatened in the law" (WCF XIX:6). Mr. Shepherd insists that the threat of the curse is a necessary part of the covenant structure for Adam, for Israel, and for us. It promises blessing for the faithful and curse for the unfaithful. He has described the reservation that the threat of eternal death does not apply to believers as a "moral influence" theory of the warnings of Scripture (Faculty conference, October 26, 1981). He urged before the Board that just as Adam's posterity would not be "off the hook" if Adam had obeyed, but would be bound to fulfill the condition of obedience, so the posterity of Christ are not "off the hook."

The Larger Catechism states that the special use of the moral law for the regenerate that believe in Christ is "to show them how much they are bound to Christ for his fulfilling it, and enduring the curse thereof in their stead, and for their good; and thereby to provoke them to more thankfulness and to express the same in their greater care to conform themselves thereunto as the rule of their obedience" (LC Q. 97).

According to the Westminster Standards, the Bible teaches that Christ has fulfilled the covenant command for us and that we are therefore "off the hook" of the covenant of works (WCF XIX:6; LC Q. 97). Our obedience to Christ springs from gratitude for his salvation.

Mr. Shepherd rejects not only the term "covenant of works" but the possibility of any merit or reward attaching to the obedience of Adam in the creation covenant. He holds that faithful obedience is the condition of all covenants in contrast to the distinction made in the Westminster Confession. The Westminster Confession states in Chapter ~~XIX~~ VII that the first covenant "was a covenant of works wherein life was promised to Adam, and in him to his posterity, upon condition of perfect and personal obedience." In contrast, in the second covenant, the covenant of grace, the Lord "freely offereth unto sinners life and salvation by Jesus Christ, requiring of them faith in him, that they may be saved." The covenant of works was conditioned upon perfect, personal obedience. The covenant of grace provides the obedience of Jesus Christ and therefore does not have our obedience as its condition but requires only faith in Christ to meet the demand of God's righteousness.

By rejecting the distinction between the covenant of works and the covenant of grace as defined in the Westminster Standards, and by failing to take account in the structure of the "covenantal dynamic" of Christ's fulfillment of the covenant by his active obedience as well as by his satisfaction of its curse, Mr. Shepherd develops a uniform concept of covenantal faithfulness for Adam, for Israel, and for the New Covenant people. The danger is that both the distinctiveness of the covenant of grace and of the new covenant fullness of the covenant of grace will be lost from view and that obedience as the way of salvation will swallow up the distinct and primary function of faith. Obedience is nurtured by faith in Christ and flourishes precisely as we trust wholly in him.

3. Mr. Shepherd's covenantal dynamic recasts the Confessional doctrine of assurance.

Mr. Shepherd applies the "covenantal dynamic" to the issues of election and assurance of salvation. He stresses that the covenant offers promise, not presumption. We do not have information about election. We cannot see our names in the Lamb's book of life. That would be information outside the sphere of faith (Doctrine of the Holy Spirit, Tape 22). Assurance is assurance of the faithfulness of God's promise. "Faithlessness always sacrifices the promises" (Doctrine of Holy Spirit, Tape 22).

We can know our election only in the perspective of the covenant, that is, as promise, but promise that will be sacrificed if we are faithless. Mr. Shepherd affirms that God's decretive election cannot fail, but since we cannot know God's decrees, the election that we know may be lost and may become reprobation through covenant-breaking. "God's election from the point of view of his decree--that stands firm. But that is (of) the secret things which belong to God. Our knowledge of election is through the covenant" ("Reprobation in Covenant Perspective" p.10).

Election and reprobation from within the context of the covenant are not incontrovertible. We need to learn "covenant consciousness" of election from Israel. Israel knew that God is faithful to the faithful, to those who keep covenant, and that election is the foundation for covenant command and warning. Israel knew that God destroyed a generation in the wilderness for faithlessness to his covenant (Life in Covenant, Tape 2). From this same covenantal perspective, according to Mr. Shepherd, justification can be lost. If one does not persevere in covenantal obedience, he will not continue in a state of justification (Theses 21, 23). Those whom God elects and justifies cannot lose their election or fall from a state of justification (Doctrine of Holy Spirit, Tape 24). But we do not have information about God's decrees. We know our election only in the context of covenant. Our situation differs from Israel's not in that the threat of losing the promised inheritance is not real, but in that we can walk in the Spirit while Israel could walk only in the flesh (Doctrine of Holy Spirit, Tape 30).

Mr. Shepherd conceives of his view as strengthening assurance. He contrasts it with speculating about one's election or becoming disturbed by self-examination in an effort to gain assurance through observing the fruits of election and regeneration. Instead he would point to "observable covenant reality." The elect are those who have been baptized, the members of the covenant community who are walking in the way. Some of the elect in this covenantal sense become reprobate, like Judas. Unbelievers are reprobate, but "when the reprobate turn in repentance and faith, they are no longer looked upon as reprobate but as elect..." (The Banner, March 28, 1980, p. 19).

Mr. Shepherd emphasizes that God's promise cannot fail but that passages like John 10:28 cannot be heard as information but as promise. Further, to reason that the warnings of the New Testament about perishing are hypothetical for the elect, is to make the exhortations to perseverance meaningless. This is "logicism and deductivism and a failure to appreciate the dynamic, the genius of the covenant" (Holy Spirit lectures, tape 38). Mr. Shepherd warns that we never move to a storm-free area. The promises of assurance do not mean that we are out of danger, that we cannot fall. They mean that Jesus will never lose a single one for whom he died. These are the elect known to God. We embrace that assurance, not as information, but as promise in faith.

Mr. Shepherd's interpretation of the covenant dynamic contrasts with the use of the covenant in this connection in the Westminster Standards. In the Westminster Standards God's decree and covenant are joined as expressing the immutability and certainty of God's giving the grace of perseverance to his elect: "This perseverance of the saints depends not upon their own free will, but upon the immutability of the decree of election, flowing from the free and unchangeable love of God the Father; upon the efficacy of the merit and intercession of Jesus Christ; the abiding of the Spirit, and of the seed of God within them; and the nature of the covenant of grace: from all which ariseth also the certainty and infallibility thereof" (WCF XVII:2). Mr. Shepherd, seeking to avoid "deductivism" declares that WCF XVII:2 does not describe a state of affairs but is a confession of faith. The "we" language of confession is not used, he recognizes, but is present by implication. He points to the term covenant of grace in WCF XVII:2 and assumes that it makes reference to our response. But it is the sovereignty of God's covenantal mercy that the Confession has in view. God makes an everlasting covenant with true believers. The Larger Catechism makes this sense clear: "True Believers by reason of the unchangeable love of God, and his decree and covenant to give them perseverance, their inseparable union with Christ, his continual intercession for them, and the Spirit and the seed of God abiding in them, can neither totally nor finally fall away from the state of grace, but are kept by the power of God through faith unto salvation" (LC Q. 79).

Mr. Shepherd properly emphasizes the need of perseverance. God's decree of election assures that perseverance. The difficulty lies in the way in which the "covenantal dynamic" undercuts the infallible assurance of which the Confession speaks. Mr. Shepherd rightly declares that assurance is based on the word of God's promise, but in his desire to give full force to the threats of Scripture as applicable to believers, he fails to take account of the "informational" aspect of assurance through the witness of the Holy Spirit, in and with the Word, that we are children of God (Rom. 8:16; WCF XVIII; LC Q. 80). The Westminster Standards describe the infallible assurance that may be gained

"without extraordinary revelation" (WCF XVIII:3; LC Q. 80). This clearly indicates on the one hand, that special revelation apart from the Word is not given to be the ground of assurance, but that on the other hand the knowledge and assurance that is gained is of the kind that could be produced by special revelation. Faith in God's promise is essential, of course, but faith and knowledge are not opposed in Scripture.

When the promise of God is put in the covenantal context as Mr. Shepherd presents it, the promise is accompanied by the threat, and the "dynamic" insists that the threat cannot be removed by a sure knowledge of salvation.

Mr. Shepherd has developed his distinctive system of "covenant dynamic" to achieve many commendable purposes. He desires to give full weight to the warnings of Scripture, to overcome an "easy-believism" in gospel preaching that would suppress the claims of the Lordship of Christ, to correct morbid introspection that would ground assurance in the quality of a past act of faith or in a meticulous evaluation of attainments in holiness. He would have the church rejoice in the piety of the Psalter and display a quiet confidence in a life of covenant-keeping.

All these purposes are recognized and cherished in the Reformed theological tradition. But to achieve these purposes, Mr. Shepherd would make obedience the central and embracing category for our response to God and thereby question the restrictions that the Reformed standards have put on the place and function of our good works. He urges that this can be done without danger since this obedience is not meritorious and therefore cannot become the ground of our salvation. But the very simplicity of this solution creates its danger. There is a vast and crucial difference between fleeing to Christ for salvation and serving God acceptably in new obedience. Close as the relation must be between faith and works, the distinction is central to the gospel. Mr. Shepherd does affirm a distinct function for faith, but his concept of the "dynamic" of covenantal relation effectively subordinates faith to obedience and shifts the balance in a sensitive area of great theological importance.

This distinctive aspect of his thought has been the troubling factor in these seven years of controversy. While the Board has not judged that his views are in error, the Board has come to the conviction that his views are not clearly in accord with the standards of the Seminary; for this reason it has acted within its authority to remove him from his office for the best interests of the Seminary.

STATEMENT OF THE BOARD OF TRUSTEES OF WESTMINSTER THEOLOGICAL SEMINARY
REGARDING THE DISMISSAL OF NORMAN SHEPHERD

Mr. Shepherd is removed from his teaching position at Westminster Theological Seminary on the ground that "the Board in its mature judgment has become convinced that such removal is necessary for the best interests of the Seminary." 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. Rather, the Board judges that, partly through its own indiscretions, partly through the indiscretions and at times one-sided allegations of others, partly because of deep inherent problems in the structure and the particular formulations of Mr. Shepherd's views, partly because of Mr. Shepherd's manner of criticizing opponents as non-Reformed rather than primarily incorporating their concerns more thoroughly into his own position in response, 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. The Board judges that the controversy over Mr. Shepherd has reached such dimensions and such tangled complexity that it appears unresolvable.

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.

Adopted by the Executive Committee at the instruction of the Board.
21 November 1981.

EDITORIAL

The Dismissal Of Norman Shepherd

After teaching at Westminster Theological Seminary for eighteen years, Dr. Norman Shepherd was recently dismissed by the Board of Trustees. This action was taken by a 13–8 vote, not because the associate professor of systematic theology was deemed to be heretical, but because his dismissal was thought to serve "the best interests of the Seminary."

For more than six years, faculty and board had been discussing Shepherd's views, first of justification, then of the covenant.

It began with Shepherd's assertion that saving faith is never without the works of obedience. This should sound familiar to our readers. We confess the same thing in the Heidelberg Catechism. Although faith is a gift and our good works cannot be even a part of the righteousness we have before God (Q. 62, 86), we deny that those who "continue in wicked and ungrateful lives" can be saved (Q. 87). It is always very difficult, however, to do justice to the scriptural teaching that, on the one hand, we are saved by faith without works because only the work of Christ is sufficient; while, on the other hand, faith without works just is not faith.

Shepherd tried to resolve the tension by saying that the Christian life is lived within a "dynamic covenant" relationship. But those who hold to the Westminster Confession (Ch. VII) have a restricted covenant theology. They distinguish a covenant of works, made with Adam, and a covenant of grace, made with Christ. The unity of the old (Mosaic) and the new (Christian) dispensation is always stressed, but the contrast receives little discussion. When describing the present situation of the people of God, they prefer to speak of "the testament" rather than of "the covenant." Has not Christ fulfilled all the requirements of the covenant, isn't he the Testator, and are we not the recipients of an inheritance rather than partners in a covenant? Shepherd's view of our living in a dynamic covenant with God, in which "new obedience" and "repentance unto life" are important ingredients, did not go over very well; although he could appeal to the Westminster Confession (Ch. XV).

Dr. Joel Nederhood was one of the board members who opposed the dismissal of Mr. Shepherd. He considers Shepherd an "outstanding theologian," well-versed in the writings of Reformed theologians of both traditions, the Presbyterian from the British Isles and the continentally Reformed. Nederhood is inclined to think that the board shifted positions, not so much theologically, but with reference to the constituency. This seems to agree with the remarks made by the editor of the *Presbyterian Journal*, G. Aiken Taylor, who wrote (Dec. 9, 1981) that the board had to be conscious of the implications its decision would have on the constituencies Westminster Seminary serves. He claims that the board is now dominated by members of the Presbyterian Church in America (PCA) and reminds his readers that one of the chief reasons why the PCA refused the OPC into its fellowship was that the OPC had not resolved the Shepherd controversy.

Joel Nederhood has resigned as a member of the board of Westminster Theological Seminary, "not as a matter of protest, but as a matter of course."

Dr. Davis Young, a professor at Calvin College and also a member of Westminster's board, was "upset" because the board had dismissed Shepherd without deciding whether or not Shepherd's teachings should be considered heretical. To dismiss a professor simply by majority vote raises questions of academic freedom within the charter of the Seminary. And it poses difficulties if Westminster is to attract scholars in the future.

But the Rev. Charles Krahe, an RCA minister in Grand Rapids, is one of the board members who favored the decision of November 21. He esteems Norman Shepherd as a man whose loyalty to God's Word is unimpeachable and whose desire to conform to the Westminster Standards is sincere. But Krahe fears that the evangelical message of justification by faith has become clouded in the teachings of Shepherd. Krahe thinks that the insistence on works and obedience seems to compromise our assurance of forgiveness by the sovereign grace of God.

Both Young and Krahe report that, technically at least, the board must still hear the reply of Shepherd in February before the decision is final. Shepherd could retract statements or alter formulations. And undoubtedly the board will have to consider a few protests.

The Christian Reformed observers (and supporters) of Westminster are saddened by the course of events. No doubt the board and faculty behaved honorably. And the statement announcing Shepherd's dismissal was unusually frank.

We have had, and we are having, our own battles for orthodoxy. We know from experience how tiresome and ultimately fruitless such debates can be.

The action of the board does appear to be a narrowing of the circle within our common Reformed tradition. Shepherd's constant appeal to John Murray, and C. Van Til's plea to keep Shepherd, make us wonder if Westminster is not eliminating insights that are highly prized within our continentally Reformed tradition.—

Dr. Norman Shepherd

SHEPHERD'S DISMISSAL FROM WESTMINSTER SEMINARY

At its meeting on May 25, 1982, the Board of Trustees of Westminster Theological Seminary, Philadelphia, Pa., ratified its action of Nov. 20, 1981, dismissing the Rev. Norman Shepherd from his office as Associate Professor of Systematic Theology after 19 years of service at the institution. In taking this action the Board did not allege theological error or a violation of the Seminary's doctrinal standard, but expressed its desire to distance the Seminary from a controversy which it had come to view as unresolvable. Previously, both Faculty and Board had exonerated Shepherd from allegations of holding views contrary to Scripture and Confession.

The Board's Nov. 20 action was widely recognized to have been taken on the basis of expediency. The dismissal provoked an avalanche of protest from students, alumni, and supporters of the Seminary. Seven members of the Faculty including Cornelius Van Til communicated to the May 25 meeting their view that an adequate case had not been made for Shepherd's dismissal and requested his reinstatement.

A major turning point in the controversy came after Edmund P. Clowney, retiring President of the Seminary, returned from the 1981 General Assembly of the Presbyterian Church in America where a number of documents condemning Shepherd's views had been circulated creating a firestorm of criticism. Though Clowney had supported Shepherd's continuance at Westminster to this point, he now perceived two of his goals as seriously undermined: the development of a constituency for the Seminary in the PCA, and the promotion of a union between the PCA and the Orthodox Presbyterian Church. He made known to Shepherd that his resignation would be appropriate and welcome, but stopped short of requesting it.

Clowney proposed a theological colloquy to include both Shepherd and vocal opponents of his position from the PCA. The result would be either pacification of PCA opposition or the development of substantial grounds for his dismissal. Shepherd objected to the trial-like procedure in view of the Board's previous exoneration. He proposed as an alternative a colloquy of systematic theology professors from Westminster and sister institutions, none of whom had committed themselves publicly in the controversy, with a view to formulating a consensus statement. This proposal was rejected summarily by the President since major PCA participation with the attendant public relations value was deemed essential. In effect, PCA representatives would be asked to resolve the controversy on behalf of the Seminary. Plans for a colloquy were subsequently dropped.

President Clowney then undertook a fresh investigation of Shepher's views including his public lectures on the covenant and course lectures given at Westminster. He now came to the conclusion that Shepherd's views, while within the bounds of the Seminary's confessional position, were nevertheless sufficiently "controversial" to warrant his dismissal. Without discussing this revised assessment with Shepherd, the President wrote a lengthy report conveying his new views to a special Board committee set up ostensibly to work toward reconciliation in the Seminary community. Within 24 hours of receiving this report the Executive Committee, with the concurrence of Clowney, acted on the recommendation of the special committee to prevent Shepherd from teaching in the winter term and spring semester of 1982. Further, without seeking Shepherd's response to the President's report, the special committee later recommended his permanent removal from the Faculty to the Nov. 20 Board meeting.

A position paper written to justify Shepherd's removal was prepared by the Board's Executive Committee at the request of a Board-Faculty committee set up to give Shepherd a hearing following his dismissal. The position paper was withdrawn for

purposes of revision and the hearing scheduled for March 24 postponed after the Faculty judged the paper to be inadequate for its stated purpose.

Shepherd's request that the hearing proceed as scheduled on March 24 was denied. His subsequent request for a hearing before the full Board at its regular meeting on March 25 was also denied. Although Shepherd had prepared a lengthy refutation of the position paper, he withdrew his request for a hearing in order to protest the Board's handling of the controversy. He had come to the conclusion that a hearing would not materially affect the determination of the President and the Board to remove him. One Board member who had consistently opposed Shepherd's continuance at the Seminary assured him that in his view the hearing was only a formality.

The Executive Committee's position paper embodies Clowney's critique of Shepherd's views. It makes clear that Shepherd was not dismissed on the ground of demonstrated errors in his teaching, but nevertheless seeks to show that his position is "not clearly in accord with" the Westminster Standards at three points. No attempt is made to deal with Shepherd's position on the basis of Scripture.

In the first point, Shepherd is alleged to obscure the emphasis on faith alone as the instrument of justification by virtue of his stress on justification by a living, active, and obedient faith. Shepherd holds that the position taken in the Executive Committee's paper distances itself, in fact, from the precise emphasis of the Westminster Confession that although faith is the alone instrument of justification, 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" (Chap. XI, Sect. 2). The paper fails to take account of this confessional statement and also fails to take account of Shepherd's appeal to the Westminster definition of repentance as inclusive of turning from sin and a "purposing and endeavouring to walk with Him in all the ways of His commandments." The Confession states that such repentance is necessary for pardon without being the cause or ground of pardon (Chap. XV, Sect. 2, 3).

In the second point, Shepherd's insistence on covenantal loyalty and obedience as the second part of the new covenant is alleged to obscure the fulfillment of covenant demand in the obedience of Jesus Christ on behalf of his people. Shepherd, however, has held throughout the controversy that the obedience of Christ, active and passive, secures the justifying verdict of God, and that Christ's work for his people lays the foundation for a life of covenantal obedience. This obedience is the holiness without which no man will see the Lord (Heb. 12:14).

In Shepherd's view, the negative reaction to the necessity for covenantal obedience as expressed in the position paper arises from a mistaken conception of good works as intrinsically meritorious. While designed to guard the meritoriousness of Christ's obedience, such a conception subverts the Reformed doctrine of the normative use of the law by putting the obedience of the believer essentially into competition with the obedience of Christ as the exclusive ground of justification. It also deprives Reformed theology of any basis in principle for a thoroughgoing and radical rejection of the Roman Catholic doctrine of the meritoriousness of good works. Both the Belgic Confession (Art. XXIV) and the Heidelberg Catechism (L.D. 24) deny that the good works of the believer are meritorious.

In keeping with its mistaken conception, the position paper objects explicitly to the historic Reformed doctrine that every covenant, including the new covenant, contains two parts: promise and demand. It also objects to speaking of the new covenant as embracing conditions although Reformed theologians have often done so, including R.B. Kuiper and John Murray, both of whom have taught systematic theology

at Westminster. The conditions were not construed as meritorious in a Roman Catholic or Arminian sense; but as Calvin taught, "Those whom in mercy he has destined for the inheritance of eternal life, he, in his ordinary administration, introduces to the possession of it by means of good works" (INSTITUTES III, 14, 21).

Shepherd believes that a consistent application of the criteria set forth in Clowney's view of the covenant as stated in the position paper would make Kuiper and Murray unacceptable at Westminster. The paper marks a significant shift in the theological position of the Seminary. It also calls into question the Seminary's willingness to tolerate serious discussion of theological differences within the bounds of its confessional standards.

The position paper views the warnings of the New Testament against the consequences of disobedience as only hypothetical with respect to the elect, thus depriving them of their force and urgency in the church's proclamation. In a third point, it is alleged that taking these threatenings seriously as Shepherd does undermines assurance understood as knowledge or information about one's election "of the kind that could be produced by special revelation."

Shepherd argues that this construction differs from the Westminster Confession's appeal to the promises of the gospel received by faith and borne home by the testimony of the Holy Spirit as the foundation for assurance. A view which subordinates faith in the promises of the revealed Scriptures to a subjective experience of searching for insight into the secret decree ultimately undermines the biblically grounded infallible assurance of which the Confession speaks.

Shepherd maintains that the allegation of "deep inherent problems in the structure and particular formulations of Mr. Shepherd's views" in the brief Nov. 21 Board Statement explaining his suspension arises from an insistence that the application of redemption be approached from the point of view of election with rational deductions concerning what may or may not be true in the lives of particular persons. The position paper's evaluation of his views is conducted from this perspective. This essentially rationalistic and deductivistic approach often brings the theologian into conflict with the language and intent of Scripture creating serious problems of its own.

Shepherd finds the distinctiveness of the Reformed doctrine of salvation to lie in its grasp of the biblical teaching on covenant including promise as well as demand and warning. On the ground of the covenant keeping of the representative head, Jesus Christ, and by way of the covenant, God's unchangeable sovereign electing purpose is realized in history. The covenant is not to be defined in terms of election, but election is to be understood from the perspective of the covenant. As Calvin and other Reformed theologians have pointed out, it is wrong for the creature to seek to mount up directly into the blinding light of God's decree.

After withdrawing his request for a hearing, Shepherd immediately took steps to transfer his ecclesiastical membership from the Orthodox Presbyterian Church to the Christian Reformed Church. Although Westminster Seminary and the OPC are independent of one another, historically they are part of the same reformational movement in American Presbyterianism. His removal from the Seminary made a transfer out of the OPC appropriate. On May 18, 1982, Classis Hackensack declared him eligible for a call in the CRC after an extensive interview concerning his doctrinal position.