

## **GA Debate re. the Irons Appeal (Monday, June 30, 2003)**

These notes were prepared by Lee Irons.

The 70<sup>th</sup> General Assembly of the OPC, at Dordt College in Souix Center, Iowa.

The Irons appeal was placed before the Assembly early Monday morning at approximately 9:00 a.m. Deliberation and final disposition of the appeal took up the entire day. The case was completed at approximately 10:00 p.m. that night.

The Moderator, Mr. Robert Coie, recused himself from the chair, since he is from the presbytery that originally conducted the trial (the Presbytery of Southern California). The previous moderator (Doug Clawson) took his place for the duration of the Irons appeal.

### Report of standing Committee on Appeals and Complaints – John Mallin

The report included a summary of the case, a chronology, a listing of documents, observations, and a recommendation.

Observations: The case is doctrinal in its essence. The specifications of appeal directly challenge the findings of Presbytery and raise no procedural concerns. The Assembly may wish to consider whether appeal specification # 1 simply rebuts the charge specification of error # 1, or whether it also uses the standards as an affirmative defense. BD IV.A.1.c specifies that no person shall be deprived from using the "provisions of the Word of God or of the subordinate standards" in their defense.

Recommendation: That the appeal be found in order and properly before the Assembly.

### Report of AC-10A – John Feskso, Chairman of the Advisory Committee

The advisory committee met with the Rev. C. Lee Irons (appellant), Mr. Archibald Laurie (appellant's defense counsel), the Rev. Dr. T. David Gordon (appellant's expert witness), Mr. Roger Wagner (representative of the Judicial Committee for the Presbytery of Southern California), Messrs. Mallin and Jerrell (representatives of the Standing Committee on Appeals and Complaints), and with the Rev. Dr. Richard Gaffin.

The advisory committee is silent with respect to the recommendations of the Committee on Appeals and Complaints.

The advisory committee believes that Mr. Irons' teaching, having biblical weight and representing one stream of the Reformed tradition, is within the bounds of confessional orthodoxy. However, we are concerned that Mr. Irons proceeded to make public comments critical of the secondary standards without sufficiently bringing these matters to the attention of his fellow elders (FG XIV.5). We are equally concerned that the Presbytery of Southern California proceeded to judicial process prior to adequate discussion with Mr. Irons on these matters.

### **I. PROCEDURAL RECOMMENDATIONS**

1. Presentation of the Report of the Committee on Appeals and Complaints pertaining to the appeal (for up to 10 minutes)
2. Presentation of the report of the advisory committee pertaining to the appeal (for up to 10 minutes)
3. Debate and action on the recommendation of the standing committee on Appeals and Complaints that the appeal be found in order and properly before the assembly.
4. Presentation by the appellant (for up to 30 minutes) followed by presentation by the presbytery from whose judgment the appeal is taken (for up to 30 minutes)

5. Questions of clarification concerning the presentations of the appellant and of the presbytery, and concerning the recommendations of the advisory committee (for up to 30 minutes – later extended by an addition 30 minutes)
6. Final remarks by the presbytery (for up to 15 minutes) followed by final remarks by the appellant (for up to 15 minutes).
7. Debate and action on the recommendations of the advisory committee regarding consideration and disposition of each specification of error and of the appeal itself.

## II. RECOMMENDATIONS:

1. That specification of error 1 be sustained.

*Specification of error 1: "The Presbytery of Southern California erred in finding that Mr. Irons has called into question the teaching of the Westminster Standards regarding the moral law."*

Ground: While Mr. Irons has scruples about the particular words used to describe the moral law (p. 51, Ground C; p. 57, Ground F), he affirms the substance of the Standards' teaching that both believers and unbelievers are obligated to obey the moral law.

2. That specification of error 2 be sustained.

*Specification of error 2: "The Presbytery of Southern California erred in judging the teaching of Mr. Irons (viz., "that the Decalogue is no longer binding on believers as the standard of holy living") to be "a violation of the system of doctrine contained in the Holy Scriptures as that system of doctrine is set forth in our Confession of Faith and Catechisms" (BD III:7.b paragraph 2).*

Ground: Mr. Irons affirms that in Christ the moral content of the Decalogue is binding on new covenant believers, though he does not use typical language to express this teaching.

3. That if either specification of error is sustained, the assembly determine that the lower judicatory erred in its judgment and its error is of such importance as to require a reversal or modification of the judgment (BD 7.6).

Ground: Specifications of error 1 and 2 are so interrelated that to sustain one entails sustaining the other.

4. That if the error is judged to be of such importance to require a reversal or modification of the judgment, that the assembly reverse the judgment (BD 7.6).

### The appellant's presentation (30 minutes) – Mac Laurie and Lee Irons

Mr. Laurie introduced the appeal – 5 minutes

Mr. Irons gave main presentation of his appeal – remainder of time

Here is the text of Mr. Irons' presentation:

When people ask me what my case is about I say that it is a debate concerning the third use of the law, that is, the use of the moral law for believers as the rule of our obedience. Let me state right at the outset that I warmly embrace that doctrine. Although believers are free from the moral law as a covenant of works, they are not free from it as a rule of obedience. Antinomianism is clearly unscriptural. Paul asked, "Shall we sin because we are not under the law but under grace?" And his resounding answer was, "God forbid!" (Rom. 6:15). As Paul said elsewhere, "Christ gave himself for us to redeem us from every lawless deed and to purify for himself a people for his own possession, zealous for good deeds." (Titus 2:14).

The problem arises when we get into the finer points of doctrinal formulation. The debate between myself and the presbytery is not over the doctrine itself, but over the manner of stating the doctrine. The prosecution defended one particular formulation of the third use of the law by appealing to Calvin, Ridderbos, and Murray, in addition to a strict interpretation of XIX:2 of our Confession.

I state the doctrine of the moral law in a form that used to be common among the Puritans but which has sadly sunk into obscurity in recent times. That formulation is known as "the law of Christ" position. This is the position enshrined in Larger Catechism Question # 97, and articulated by Westminster divines such as Samuel Bolton, and those Puritans influenced by *The Marrow of Modern Divinity*.

I'll get to Bolton and the Marrow later. At this point, let me quote Larger Catechism # 97:

What special use is there of the moral law to the regenerate? A. Although they that are regenerate, and believe in Christ, be delivered from the moral law as a covenant of works, so as thereby they are neither justified nor condemned; yet, besides the general uses thereof common to them with all men, it is of special use, 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.

This is a glorious Christ-centered formulation, and is to my mind the best statement in the Standards regarding the third use of the law. Having established the truth that we are "delivered from the law as a covenant of works," the divines go on to state that we are now "bound to Christ for his fulfilling it, and enduring the curse thereof in [our] stead." Note: we are "bound to Christ," not to the Mosaic Law. Our continuing obligation to obedience to the moral will of God is now mediated to us through Christ. This Christocentric qualification is placed before the concluding statement: "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." By means of the logical placement of "bound to Christ" prior to this statement concerning the moral law "as the rule of their obedience," the Larger Catechism teaches, or at least permits, the view I hold that new covenant believers are bound to "the law of Christ." This is the heart of my teaching on the Law.

#### *What I want the GA to do*

Before looking at my appeal, I'd like to make some comments about why I've written my appeal as I have. To give some background: Last year a controversy that was widely publicized via the Internet – of which most of you may already be aware – became the occasion upon which the presbytery originally adopted three charges against me. From the beginning the prosecution explicitly stated that they viewed all three charges as a package. The first charge was dropped last October in view of a paper I wrote that satisfied the concerns of the majority. The second and third charges, concerning my view of the law and of civil government respectively, went forward. After the second charge was fully adjudicated, the third charge concerning my view of civil government was dropped as well, leaving only the one charge on my view of the law. And so although the charges more directly related to the original controversy were ultimately dealt with, the cumulative effect is that the presbytery's charge concerning my view of the law is all that remains of this process. And that is where we are today.

In view of that background, I feel I should explain why my appeal makes no mention of any procedural errors on the part of the presbytery, though, admittedly, I had at one point considered including such grievances in the appeal. The reason I ultimately decided to exclude issues of procedure has to do with my purpose in bringing my appeal before this body. The theological question of whether this view of the law is allowable within the OPC's commitment to the Westminster Standards, is a pressing question not only for myself but for a significant number of OP ministers who hold to a similar view of the law. I believe it would be of great service to the church if the General Assembly would rule on the theological issue alone, unencumbered by any concerns with the way my trial was conducted. To put it more plainly, I've excluded issues of procedure from this appeal so as not to run the risk of getting cleared on a technicality. If this Assembly sustains my appeal, I would like it to be because the highest court of this church has determined that this view of the law is legitimate and has a right to exist and be taught in the OPC. This is not simply for my own sake, but for those OP ministers who share similar views of the law, that they might have greater clarity on where their church stands with regard to this important issue. Again, I believe we have

before us an opportunity to serve the church in this way, and it is my earnest desire to contribute my part in that process.

Now let's look at the appeal itself, found on page 51 of your docket. I'm not going to read the whole thing, but I want to take you through it so you can get a bird's eye perspective.

*Specification of Error # 1 (p. 51)*

Let's look at the first specification of error. In my first specification of error I allege that "the Presbytery of Southern California erred in finding that I have called into question the teaching of the Westminster Standards regarding the moral law."

Notice that the phrase, "the moral law" is underlined. I've underlined that phrase in order to draw your attention to the fact that the presbytery has accused me of denying the moral law. Now right at the outset this raises one of the key areas of debate in this case. The essence of the debate between myself and my presbytery centers on the fact that we have different understandings of the relationship between the moral law and the Decalogue. The presbytery views the moral law and the Decalogue as equivalent. I view the Decalogue as containing the moral law, but not equivalent to it. Thus, because the presbytery equates the moral law and the Decalogue, when I say that the Mosaic law or the Decalogue is no longer binding, the presbytery hears me as saying that *the moral law* is no longer binding. The fact is, I strongly affirm the teaching of the Word of God and our secondary standards, to the effect that believers are not free to live as they please but are obligated to live holy and godly lives in accordance with God's eternal moral law.

I admit that I have scruples with some specific statements in chapter XIX of the Confession. In particular, I communicated to the presbytery a year and half before charges were ever brought against me, that I had scruples with XIX:2, where the Confession seems to equate the moral law and the Decalogue. I admit that I have also called into question the utility of the three-fold division of the Law as a means of determining what is still binding and what is not. While I admit making such criticisms of our Standards, I have *never* called into question the substantive theological affirmation of the Standards concerning the doctrine of the moral law. I have always been jealous to guard that doctrine against antinomianism.

In support of my first specification of error, I have gathered together quotes from the evidence that was entered into the trial, in order to show that it is simply not true that I have called into question the teaching of the Standards regarding *the moral law*.

The standing Committee on Appeals and Complaints raises the question in its report of whether this first specification of error is quarreling over a question of fact, or whether I am availing myself of the right to plead the provisions of the Word of God and our secondary standards. I think it should be clear that I am doing both.

*Specification of Error # 2 (p. 54)*

The second specification of error reads as follows: "The Presbytery of Southern California erred in judging the teaching of Mr. Irons (namely, 'that the Decalogue is no longer binding on believers as the standard of holy living') to be 'a violation of the system of doctrine contained in the Holy Scriptures as that system of doctrine is set forth in our Confession of Faith and Catechisms.'"

In the second specification, I am trying to take the argument a step further. My view is not only opposed to antinomianism, but "the law of Christ" view has always been recognized as a legitimate view within the Reformed tradition. In my appeal, I set forth three grounds in support of this second specification of error. They are not to be interpreted as three separate grounds, but must be taken together in light of the definition of an offense serious enough to warrant a trial. The Book of Discipline's definition is as follows: "An offense which is serious enough to warrant a trial is ... an offense in the area of doctrine for the ordained officer which would constitute a violation of the system of doctrine contained in the Holy Scriptures as that system of doctrine is set forth in our Confession and Catechisms."

Ground I: The teaching of Scripture (page 54)

I'm not going to go review everything here. Turn over a page to the top of page 56, second paragraph. Paul states unequivocally that he is not *hupo nomon* (under the Mosaic Law), nor is he *anomos theo* (without law in relation to God), but *ennomos Christo* (subject to law in relation to Christ). New Testament believers are not under the law as promulgated by Moses but as renewed and handed to us by Christ. We are under the law of Christ.

Ground II: The teaching of the standards (pages 56 and 57)

I'm going to read paragraphs A, B, and C.

Paragraph A: Nowhere do the Confession of Faith and Catechisms teach that the Decalogue per se is binding on New Testament believers as the standard of holy living.

Paragraph B: Rather than teaching that the Decalogue is the standard of holy living for believers, the Larger Catechism teaches that our duty is defined in relation to the whole revealed will of God, with special reference to "the moral law." Larger Catechism Question # 3 puts it this way: "The Holy Scriptures of the Old and New Testaments are the word of God, the only rule of faith and practice."

Moving on to paragraph C: While there is a close relationship between the Decalogue and the unchanging moral law, our Catechisms carefully define that relationship by affirming that "the moral law is *summarily comprehended* in the ten commandments." This formulation, which I affirm, makes allowance for aspects of the Decalogue that are unique to Israel (e.g., the historical prologue; the sanctions attached to the second and third commandments; the seventh-day Sabbath; the promise of long life in the land, etc.). Thus, the Catechisms do not affirm that the Decalogue is pure moral law, unmixed with positive elements pertaining to Israel's specific circumstances under the old covenant in the land of Canaan.

Page 57, half-way down, paragraph G.

Many notable Reformed theologians have historically recognized that the Decalogue and the moral law are not equivalent. For example, Patrick Fairbairn argued that the near equation of the moral law and the Decalogue at WCF XIX:2 is "quite intelligible and proper, though certainly capable of being misapplied (if too literally taken)."

Ground III: The historical context. If you would, please turn now to the top of page 58.

According to Samuel Bolton (who was a commissioner to the Westminster Assembly), there were at least four views among Reformed divines at the time of the Westminster Assembly over the nature of the Mosaic covenant. Only two were considered to be orthodox. The first, held by the majority of orthodox divines, was that the Mosaic covenant was a covenant of grace administered in the form of a covenant of works. The second was that the Mosaic covenant was a subservient covenant of works pertaining to the temporal blessings and curses in the land of Canaan.

Given the testimony of Bolton, published right at the time of the Assembly, it would appear that the divines refrained from deciding between these two views and determined to allow room for both. This was accomplished in the Westminster Standards by means of the ambiguous phrase "the law, as a covenant of works" which occurs four times in the Standards – I've printed these four occurrences for you in the appeal.

The Mosaic Law was thus understood to be in some sense a covenant of works that included blessings and curses. It is from this aspect of the Law that the new covenant believer has been delivered by virtue of Christ's "fulfilling the Law, and enduring the curse thereof in our stead" (WLC # 97).

Those divines who held the "subservient covenant" view went on to argue, as an extension of that view, that the moral law is not given to the new covenant people of God as promulgated by Moses, but as renewed and handed to us by Christ. This view influenced the formulation of the third use of the Law given at WLC # 97 which I quoted earlier. There the divines affirm that believers have been "delivered from the moral law as a covenant of works" and are now "bound to Christ."

Westminster divine Samuel Bolton advocated this view in *The True Bounds of Christian Freedom* in 1645. He wrote:

We are freed from the law, as given by Moses, and are only tied to the obedience of it, as it is given in Christ: and though ... we are subject to those commands and that law which Moses gave, yet not as he gave it, but as Christ renews it, and as it comes out of His hand and from His authority: "A new commandment I give you, that ye love one another" (John 13:34).

That same year *The Marrow of Modern Divinity* exhorted the new convert as follows:

[S]eeing that you are now in Christ, beware that you receive not the ten commandments at the hand of God out of Christ, nor yet at the hands of Moses, but only at the hands of Christ; and so shall you be sure to receive them as the law of Christ.

Without knowledge of this historical background, it would be easy to miss the way in which the Marrow tradition on the Law is not only permitted by the Confession, but in some areas has even left its mark upon the Confession's language. Although the Marrow tradition was never confessionally enshrined as the *only* orthodox view, it is consistent with the Confession's system of doctrine. Bolton's contemporary testimony concerning the various views held by orthodox divines in his day, sheds light on the Confession's character as a consensus document embracing more than one strand of Reformed orthodoxy.

Why was the presbytery not convinced of this historical data that the defense presented during the trial? I cannot read men's hearts, but I believe that one significant factor is John Murray's recasting of covenant theology. Murray's views have cast a fairly large shadow over the confession so that the confession is read as permitting only one view of the law.

In his 1953 booklet, *The Covenant of Grace*, John Murray argued that covenant theology "needs recasting" to make it more faithful to what Murray perceived to be the teaching of Scripture. In particular, Murray attempted to recast classic covenant theology by redefining covenant as a sovereign administration of grace and promise. This redefinition of the covenant concept led Murray to revise traditional covenant theology at two key points.

First, he questioned the Confessional description of the pre-fall Adamic administration as a "covenant of works." A second and closely related aspect of Murray's "recasting" of covenant theology was his rejection of the view that the Mosaic covenant was a typological republication of the Adamic covenant of works.

That Murray's recast covenant theology is now part of the Reformed tradition is beyond doubt. It is a widely held view today, and appears to be the majority view in my presbytery and probably in the OPC as a whole. And, let me add, I can live with the majority view. I have no desire to drive it out of the church. However, I believe the presbytery erred in assuming that Murray's view is the *only* Reformed view, the touchstone of orthodoxy against which all other views must be judged.

Classical Reformed covenant theology existed for 350 years prior to Murray's recasting. Prior to Murray, there was *universal* agreement that the Adamic administration should be called "the covenant of works," and that the Mosaic covenant republished the works principle in some fashion. I'm willing to tolerate Murray's position. All I'm asking the GA to do, is to recognize that Murray's position is not the only position allowed by our confession.

*Final appeal*

Let me draw this to a close by making this final appeal. The Advisory Committee, without dissent, has reported to you that my views are orthodox, while noting that my views are expressed in terminology that is not typical today. Here I think the AC is touching on a widely held concern. The concern has to do with the fact that in my teaching I make strong statements of discontinuity regarding the contrast between the old and new covenants, between the law of Moses and the law of Christ. And so some of you may be wondering, "Why does Mr. Irons feel the need to make such statements in the first place? Why doesn't he just stick to the terminology that we're used to hearing?" And so perhaps you question the wisdom of my approach.

The reason I talk this way is that I am attempting to be faithful to Pauline theology, by employing the language that Paul uses in his epistles. I have tried to conform my language to Paul's when he says things like, "the law is not of faith," Galatians 3:12; that the Abrahamic and the Mosaic covenants are "two [contrasting] covenants," Galatians 4:24; that "the letter kills but the Spirit gives life," Second Corinthians 3:6; and "we're not under law but under grace," Romans 6:14. It is this kind of language, and this kind of emphasis, that is the heartbeat of my preaching and my pastoral ministry.

Paul's language of discontinuity cannot be ignored by those who call themselves Reformed, for it has had a tremendous impact on Reformed views of the law. Let me quote Sinclair Ferguson, from a lecture he delivered at the 2001 Westminster Conference on the subject of the teaching and preaching of the Reformers and Puritans on the law of God. Ferguson said this:

The language of the Confession of Faith in the mid-1640s might give the impression that the Puritan understanding of the law was univocal in every detail. That was hardly the case. For while many, perhaps the majority, regarded Sinai as essentially an expression of the covenant of grace, not a few held that *the critical, almost pejorative* language about Sinai and the law used in the New Testament required a different interpretation. Some regarded it essentially as a republication of the covenant of works.

The Reformed tradition has always taken seriously "the critical, almost pejorative" language of Paul concerning the law. That is because it is a tradition which rightfully prides itself in being the most faithful expression of Pauline theology. While I recognize that there are a variety of views within the Reformed tradition concerning the law, I hope you can see that my approach is solidly within the history of our tradition.

Fathers and brothers, I do not claim to have a perfect system worked out. But whatever fine tuning may yet need to be done, you ought to sustain my appeal, since, as I have shown, the law of Christ view is consistent with the historic system of doctrine contained in our secondary standards, but most importantly because it is in full accord with our ultimate standard, the Word of God.

#### The presbytery's presentation (30 minutes) – Roger Wagner

Mr. Wagner read portions of "Presentation of Charge #2 Against the Rev. C. Lee Irons" (dated December 13-14, 2002; same document presented in the presbytery trial).

"Oh, how I love your law." There ought to be a comfortable easiness, even delight, in asserting the believer's relation to the law.

The appellant would not remove all references to the law but would add an asterisk, "No longer directly binding." This is the application of radical discontinuity between old and new covenants, a theological model of discontinuity even though there is continuity at the level of God's moral will. Distinction between "moral will of God" and "the moral law."

Mr. Wagner defends the thesis that the Mosaic covenant is an administration of the covenant of grace. The blessings we enjoy in Christ were also enjoyed by Old Testament believers. WCF XX:1: "... all which were common also to believers under the law."

By contrast, the appellant teaches a fundamental antithesis between works and faith principles, along the lines of classic dispensationalism. The potential profound ethical consequences of identifying the Mosaic covenant as a covenant of works – essentially the same, in principle, as dispensationalism. According to the appellant, "Jesus Christ is the only lawgiver of the NT church – the two great commandments." Thus, Jesus does not reaffirm the moral law of the OT but gives a new law, radically new.

#### Question and Answer period (1 hour)

Bill Shishko: Question for the Advisory Committee. Is there a non-moral content of the Decalogue?

John Fesko: Yes, the positive aspect of the fourth commandment (the change of day). Distinction between moral and positive. A positive command is neither morally right nor wrong. We no longer observe the 7<sup>th</sup> day, but the first day.

Shishko: Any other non-moral content?

Fesko: I would defer to the appellant, but there are typological aspects of the Decalogue, e.g., "long life within the land."

Shishko: Question for the appellant. Do you have a problem with reading the 10 commandments in worship?

Irons: No. All Scripture is appropriate to be read in worship.

Victor Atallah: For the appellant. Can you give an example where Paul uses pejorative language in reference to the law?

Irons: Yes. In 2 Corinthians 3, Paul says that the law is ministry of death and condemnation. Also, turn to Romans 7:5, "the sinful passions which were aroused by the law." The problem is not the law. The problem is when the law as a covenant of works is placed on sinful men, it has the effect of stirring up sin.

Stu Jones: For the appellant. Both sides agree with the language of the Larger and Shorter Catechisms that the moral law is "summarily comprehended" in the Decalogue. Is the moral law binding on unbelievers?

Irons: I'm comfortable with "summarily comprehended," because "summarily" means "not exhaustively." Yes, the moral law is binding on all men, both believers and unbelievers.

Jones: There are certain creation ordinances, such as marriage and labor, which bind all men after the fall. Is the Sabbath a creation ordinance, and as such does it continue to bind all men after the fall?

Irons: I agree with Murray's teaching that there are creation ordinances of marriage, labor, and the Sabbath. Clearly, the creation ordinances of marriage and labor continue after the fall. But the creation ordinance of the Sabbath is more complicated, because it is a sign of the covenant. Certain aspects of the Sabbath are not binding on unbelievers. As a sign of the covenant, holding forth a foretaste of the eschatological Sabbath-rest, it is not binding on unbelievers. Promise establishes duty. Since the promise of entering into the eschatological Sabbath-rest is held out only to believers, the duty of keeping the sign of that promise only applies to believers. Nevertheless, there is an aspect that is binding on unbelievers. I agree with the Confession's statement that the light of nature requires all men to set aside a due proportion of their time for the worship of God (WCF XXI:7). But setting aside time for worship is not the same thing as observing the Sabbath-sign per se.

Mark Mueller: For the prosecution. The prosecution claims that "the moral law" and "the moral will" are not the same in the appellant's view. You said that, early on there was doubt about this, but as the trial progressed, it became clearer. But he seems to say that they are absolutely synonymous.

Roger Wagner: I think that's more the case now than early on. A lot of ambiguity back then. I think the appellant equates them now.

Howard Currie: For the appellant. How would the disciples have interpreted Jesus' statement, "If you love me, keep my commandments" (John 14:15)?

Irons: The context is the preceding chapter, John 13:34, "A new commandment I give to you, that you love one another, even as I have loved you." So in the immediate context, when Jesus says, "keep my commandments," the disciples would have understood that to be referring primarily to the new commandment of love. But the most important question is what "my commandments" means in the context of the canon as a whole. Since Jesus reaffirmed much of the content of the Old Testament in the Sermon on the Mount, we can understand that all of that as included in "my commandments."

Brian Nolder: For the Advisory Committee. What do you mean by "mainstream theology" and "acknowledged authorities" supporting the appellant's view of the Mosaic covenant?

John Fesko: Representing "one stream" within the tradition. They authorities who support the appellant are not a small number, e.g., Samuel Bolton. The Reformation wasn't a total break with the prior church. The Reformation carried over much of the medieval tradition on the law. Aquinas says the new law is in the old as the corn is in the ear. He uses the Aristotelian distinction between "form" and "substance." The substance of the law carries over, even though the Old Testament form does not. Ramism. According to the Ramists, everything is divided into two – e.g., two kinds of revelation: natural revelation and special revelation. Ramist influence can be seen in the Confession with its covenant of works and covenant of grace. With regard to the Mosaic covenant, there was a divergence of views. Some said, the substance is the covenant of grace, but the form is the covenant of works. But not all were comfortable with Ramism; so they said that the Mosaic covenant is a subservient covenant of works, a typological covenant of works. Vos asks, "Why was Israel ejected from the land? When they failed to typify the works that are required to retain the blessings." Shaw's commentary on WCF repeats views of Bolton, uses the same language with regard to the Mosaic covenant – "subservient covenant," "repetition of the covenant of works," etc. Murray, vol. IV, considers this "common view" to be in grave error.

Brian Nolder: For the appellant. In your paper, "Married to Another," you say that the third use of the law can drift toward legalism. Do you believe the other side today are guilty of teaching sanctification by law?

Irons: Not all who hold to the traditional view of the law are guilty of that, but some are or could be interpreted that way. For example, some Christian Reconstructionist writers teach sanctification by the law. It does concern me. But I don't believe that this is a necessary implication of Murray's view.

Bryan Estelle: For the appellant. Are you Dispensationalist?

Irons: No. Dispensationalists deny the unity of the covenant of grace. I affirm that there is only one way of salvation from Genesis 3:15 on, by faith alone in Christ alone. The *ordo salutis* is the same before and after Pentecost. Also, dispensationalists say that whatever is not repeated in the NT is no longer binding. I say that anything in the OT that's part of the moral law is repeated in the NT. And if you're having trouble finding it in the NT, just keep looking, because it's there.

Richard Gaffin: For the appellant. WLC #97 asks, "What special use is there of moral law to the regenerate?" It then answers that "they that are regenerate, and believe in Christ, be delivered from the moral law as a covenant of works." Does the Larger Catechism's answer apply to the regenerate under the Old Covenant, the period from Moses to Christ?

Irons: Yes.

Dan Knox: For both the appellant and the prosecution. Go to Advisory Committee Report, p. 97A-1, where it says, "We are concerned that Mr. Irons proceeded to make public comments critical of the secondary standards without sufficiently bringing these matters to the attention of his fellow elders. We are equally concerned that the Presbytery of Southern California proceeded to judicial process prior to adequate discussion with Mr. Irons on these matters." Are these things true?

Irons: There's some truth in it, but we didn't explain all this to Advisory Committee. I requested to meet with the Ministerial Oversight Committee a year and a half before the charges were filed to explain my

scruples with WCF XIX:2. I could have been more wise in my public comments critical of the Standards.

Roger Wagner: We didn't go into historical context of the charges. Some historical issues are inflammatory so we didn't want to blend them. The session talked to Irons prior to charges. The presbytery didn't originate these charges. We were asked to recast them and to determine if they should be brought. Urgency on one hand had to be balanced by need for more discussion. Once brought, we didn't want to prolong the time for trial. More discussion before charges were brought would have been helpful. Would it have changed things? I don't know. Was it an irresponsible rush to judgment? Certainly not.

Tony Monaghan: For the appellant. Were the OT saints delivered from the moral law as a covenant of works?

Irons: They were not under the moral law as an actual covenant of works. They could not have inherited eternal life by keeping the Mosaic covenant. The most that they could do was to generally keep it and retain the blessings in the land. The works principle in the Mosaic covenant operated only at the typological level of the land and the temporal blessings and curses.

Alan Pontier: For the Advisory Committee. Did the Advisory Committee have before you all the documents cited by presbytery? "The Reformed Theocrats"? "A Note from Lee Irons on Misty's Article"? Etc.

John Fesko: We consulted all the documents in the GA packet. I don't know how much each person on the Advisory Committee read. I read and studied it all. Not every single document was discussed in the committee.

Tom Foh: All documents referenced but not sent to all in the Assembly were given to Advisory Committee. They were all available to us.

Don Poundstone: For the appellant. On p. 4109, specification 2 of the charge, section f, you are quoted as saying: "Having denied that the Law has been abolished in that sense, Jesus and Paul then clarify the sense in which the Law remains in force. It remains in force, not as Law, not as commandment, but rather it remains in force in terms of the redemptive historical reality that has dawned in the coming of the kingdom of Jesus Christ." My question is this: Are Christians under the binding authority of the moral law as a divine commandment?

Irons: If you'll turn to my defense paper, "Response to Charge Two," p. 47, you'll see that I explain the meaning of these statements in the context of my sermon:

"To summarize. First, the New Testament teaches that believers have been set free from the Law by means of their union with Christ in his death. We are not under the Law. Paul uses that phrase ten times in his writings. This means that we are free from the condemnation of the Law, and we are freed from the commanding authority of the Law *as the old covenant*."

Note those last four words – they are an important qualification. Keep reading:

"Secondly, this freedom from the Law does not mean that believers have been set free from all ethical standards. For not only have they been crucified with Christ and made dead to the Law, but they have also been raised with Christ, and are thus under a new commanding authority - the commanding authority of Christ himself. They are under the Law of Christ.

"Third, although the Law of Christ is not identical with the Law of Moses, it does reach back to the Law of Moses in order to bring over much of its teaching. But it brings over the teaching of the Mosaic Law into the new covenant indirectly. Any aspect of the Law of Moses that is brought over into the Law of Christ must first pass through the prism of the death, burial, and resurrection of Jesus Christ, so that every law and every commandment that Jesus gives to us, comes to us in view of our union with Christ."

So even though I say we that the Law "remains in force, not as Law, not as commandment," notice that I go in the very next section to say that we "are under a new commanding authority - the commanding authority of Christ himself." I flesh this out when I refer to "every law and every commandment that Jesus gives us" in the next paragraph. So yes, Christians are under the binding authority of the Law of Christ.

Peter Wallace: For the appellant. What's your definition of "summarily comprehended"? Is the Law of Christ summarily comprehended in the two commandments of Christ?

Irons: "Summarily comprehended" means that the moral law is "summarily perceived or understood" in the 10 Commandments. I like the terminology, "The moral law is summarily comprehended in the two great commandments."

John Jambura: For the appellant. Why would you read 10 commandments in worship?

Irons: Because, as Paul says in 2 Timothy 3:16, all of the Old Testament is profitable for instruction. I've preached through the 10 commandments using the Shorter Catechism's exposition as a guide.

George Bancroft: For the appellant. In one answer you said, "The moral will and the moral law of God are the same." But commenting on John 14:15, you said "The moral will of God and the Decalogue are not equivalent" and that "much is carried over from Moses to Christ, but not all." You hope GA will allow this teaching. I need a specific answer on the fourth commandment – the Larger Catechism's exposition of the duties to perform and the sins forbidden, in relation to the believer and the unbeliever, obligation to church attendance and to rest from six days of labor, and what we can and cannot do as stated in the Larger Catechism.

Irons: An analogy as to how the Sabbath relates to unbelievers is seen in the sacraments. Baptism is something all men ought to receive since all should confess Christ. But we don't apply it to all of them until they confess. In a sense all are obligated, but it doesn't apply until they're in Christ. With regard to believers: I'm not going to go through every statement here in the Larger Catechism, but I agree generally with its teaching concerning how the Sabbath is to be observed. The Lord's Day is the new covenant Sabbath, a day set aside for works of mercy, rest, and worship. When parishioners ask me, "Can I do x, y, or z on the Sabbath?," I give them two principles: Does it hinder or promote your obligation to attend worship? Does it hinder or promote the purpose of the day, which is to enjoy your spiritual rest in Christ?

Patrick Ramsey: For the appellant. What was the rule of life for OT believers?

Irons: The OT saints were under a typological covenant of works. It was a great privilege for them to foreshadow the active obedience of Christ. By faith they could lay hold of that and live it out in their lives. Their rule of life then was to obey all in the Torah, not as terms to enter heaven, but as terms to retain the land and the temporal blessings in the land.

Wayne Forkner: For both the prosecution and the appellant. With regard to the application of the moral law to the believer, it seems that you come to the same place in the end. You just have different ways of getting there. Question for the presbytery: Where in the application of the moral law does the appellant differ from the presbytery?

Roger Wagner: We didn't catalogue all the points where Mr. Irons and us might disagree.

Irons: I don't think there is any bottom line difference. Both of us agree with the Larger Catechism's application of the moral law.

Mark Muller: For the appellant. Define your terminology, "the moral will," versus the traditional terminology of "the moral law."

Irons: "The moral will" means the same thing as "the moral law." At the beginning I used "the moral will" exclusively and avoided using "the moral law," because the Presbytery equated "the moral law" with "the Decalogue," and I wanted to make clear that I wasn't referring to the Decalogue per se.

John Galbraith: For the appellant. It seems that you have a problem with the Decalogue because it is insufficient or inadequate as a moral law.

Irons: There is a sense in which the revelation of the moral law at Sinai is inadequate because the fullness of revelation requires the continuation of redemptive history. A good example is Philippians 2:5, "Let this mind be in you which was also in Christ Jesus," where Paul describes the humility and self-sacrificial love of Christ as an example for us to follow. That wasn't as clearly taught in the Decalogue as it is in the cross. We understand the full implications of the moral law more clearly after Christ. It was all there in the Decalogue, but not seen as clearly until you come to the cross.

Tom Trouwburst: For the Advisory Committee. We all believe that the ceremonial law is not binding. With respect to the Decalogue, have you found other Reformed theologians who have said, "The Decalogue is no longer binding"?

John Fesko: Don't have any information off the top of my head.

Jack Bradley: For the appellant. Can the New Testament believer be afflicted with the temporal curses of the law as WCF XVII.3 states?

Irons: Yes, Hebrews 12 speaks of God's fatherly discipline. But I'd qualify your statement. God's fatherly discipline is not the same thing as the temporal curses "of the law." Those were temporary, from Sinai until Christ.

Brad Kelly: For the appellant. You qualify much of the Confession's language to go with your position. Your position is such a minority that the Confession can't support it. Would you say the Confession does not convey your views without significant change in terminology? Should it be rewritten to give an unforced reading of your views?

Irons: I don't understand the question or address it in my presentation.

Kelly: An unforced reading of the Standards does not convey this position. Is the document sufficient?

Irons: I interpret the Standards, not simply by looking at words on a page, but in light of their historical context. That's all I'm trying to do. I set forth that context and show that I'm consistent with the system of doctrine in the Standards.

Roger Wagner: Presbytery's concern is that the Confession does not clearly reflect his teaching. His teaching can't fit in there someplace.

Willard (?): For the appellant. What is the works principle that we're free from in Christ? You seem to disagree with WLC #133 where there is an express promise of long life and prosperity to all such as keep this commandment.

Irons: I didn't deal with WLC # 133 anywhere in my defense.

Moderator ruled the question out of order.

Eric Watkins: For both the appellant and the prosecution. Is the Decalogue not applicable to believers at all, or not applicable apart from Christ? Can the Decalogue be applied to believers apart from Christ?

Irons: The Decalogue is applicable as all Scripture is applicable, of course, always in Christ.

Roger Wagner: We never suggested that redemptive historical considerations don't enter in but the standards of morality don't change.

Jason Wallace: Do you have any evidence that your view of the Law was intentionally included by the Westminster divines in the Confession? Were there other streams represented at the Assembly but that were excluded from the Confession?

Irons: The evidence is the text of confession itself. On four occasions, the divines refer to "the law as a covenant of works." Plus the fact that they quote Paul's statements about the Mosaic Law, e.g., "Cursed is anyone who does not do all the work of the law," in support of the Adamic covenant of works.

#### Closing Arguments (15 minutes each – presbytery, appellant)

In his closing remarks, Mr. Wagner confessed sins of suspiciousness against Mr. Irons. In response, Mr. Irons confessed the same sin and granted his forgiveness. They both recognized in one another love for Christ and a desire to be fair. This was a very moving moment in the proceedings.

Mr. Laurie made the closing remarks for the appellant, quoting from the testimony of Mr. Frank Blaney (a member of Redeemer Chapel under Mr. Irons' ministry) in the trial. Mr. Blaney summarized his understanding of the law of Christ by quoting various NT texts arranged under the heading of each of the ten commandments.

The appeal was now placed before the Assembly for debate

Shall specification of error # 1 be sustained?

*The Presbytery of Southern California erred in finding that Mr. Irons has called into question the teaching of the Westminster Standards regarding the moral law.*

G. I. Williamson (against): Continental form of subscription: "heartly persuasion that three forms of unity are fully in agreement with the word of God." Also, promise to not publicly say or write anything contrary. In New Zealand, a man requested Synod to revise WCF on Sabbath. But he did not teach such things to his congregation until after it was amended. Appellant says, "WCF ought to be revised." Burden of proof remains on the minister who is registering his objections.

Peter Wallace (for): We in the OPC have different vows than in continental church.

Stu Jones (against): Creation ordinance of labor and rest. Appellant affirms that labor continues, but hedged on rest. We should preach the law to convict of sin. Same moral law but different application in light of redemptive-historical circumstances. Appellant says Decalogue is 90% moral.

Steven Miller (against): WLC # 97 says, "... the moral law as the rule of our obedience." Then # 98 says, "Where is the moral law summarily comprehended?" "Comprehended" does not mean understood (as appellant argues) but fully contained or grasped. It's all there in those 10 words. The moral law to which we are bound as the rule of our obedience *is* the 10 commandments. The Larger Catechism then goes on to show how all these things can fit under the 10 words, and gives us rules to prove it. See WLC # 99, paragraphs 1, 2, etc. This is an attack on covenant theology: first, a covenant of works, which was broken, followed by one covenant of grace under two administrations. Paul quotes the fifth commandment.

Mark Mueller (for): Turned to p. 4037 of the presbytery's paper, and quoted the statement by Bolton where he affirms the abiding moral law or will of God using the phrases "the substance of the law" ... "for the substance of it." "We grant that the circumstances were temporary and changeable," etc. Example: the seventh day Sabbath.

Jack Bradley (for): I speak in favor, even though this is very difficult given my sympathies. AC-10A was originally divided but ultimately came back with a unified report without dissent. Quoted Poythress, *Shadow of Christ in the Law of Moses*, p. 266 (quoting D. A. Carson). Quoted O. Palmer Robertson, *The Christ of the Covenants*, p. 72 (on the redemptive-historical change of Sabbath within creation/new-creation pattern).

Don Buchanan (against): Read from "Response to Charge Two" by the appellant, where the appellant states, "It is true that I teach that 'the Decalogue is no longer binding on believers as the standard of holy living'" (p. 2).

Wayne Forkner (for): Read from the Appeal, p. 51, paragraphs B and D, where the appellant affirms the doctrine of the moral law binding on believers and unbelievers.

Jason Wallace (against): The appellant does not hold to our system of doctrine. He has over-reacted against legalism. James White's ministry has blessed us in many ways, but he would not be able to

subscribe to the WCF since he is a Reformed Baptist. "Response to Charge Two," p. 19 (five point argument re. the fourth commandment). The Westminster divines understood the fourth commandment as only teaching one day in seven. If we allow this system of Reformed thought, we are opening Pandora's box. I can commend the appellant's ministry in many ways, but his view on this point is not consistent with our secondary standards.

Willard (?) (against): Read from the Appeal, p. 51, II.A: "Nowhere do the Confession of Faith and Catechisms teach that the Decalogue per se is binding on New Testament believers as the standard of holy living." Contrast this with WCF XIX:2-3, "this law ... as such ... commonly called moral." The phrase "as such" means "per se," the very thing the appellant denies. What renders the Mosaic covenant a covenant of works in the appellant's view? In his words, "The temporal blessings and curses conditioned upon obedience." But compare WLC # 133 on the fifth commandment, "an express promise of long life and prosperity." There are blessings and curses in the new covenant conditional on our obedience though they have nothing to do with justification.

Brian Nolder (for): I disagree strongly with the appellant's views, but he has a place at the table – as evidenced by the history of Reformed thinking, his biblical arguments, and his affirmations of the obedience required in the moral law. I'm not hoping to live long in the land of Palestine! There's a shift in covenant administration. E.g., David's many wives (never condemned in the old covenant); permission for unjust divorce, etc. The newness of the new covenant. Scripture says it is a *better covenant*, not just a better administration of the same covenant. Let's sit down and talk face to face so we can figure out how to live together.

George Bancroft (against): Started to go down the path of discussing "homosexuality" and "websites."

Mac Laurie rose to a point of order. Moderator supported his point and warned speaker to stay on topic.

Bancroft continued: If the appeal is sustained, it will affect our very unity as a church.

John Fesko (for): Note the narrowness of the specification of error. Is the historical prologue ("I am the LORD your God," etc.) part of the eternal moral law? According to WCF XXI:7, the fourth commandment is both moral and positive. It is therefore not exclusively moral but has an aspect that changes. The fifth commandment: Is the eternal moral law bound to the land of Canaan? I would hope that not one of us would argue that the moral law is exactly the same as the text of Exodus 20:1-17 syllable for syllable. WLC # 133 makes no mention of the land. Also, the divines quoted Eph. 6:2. The divines do not make direct appeal to the Decalogue alone. Does the appellant deny that the moral is binding on all men at all times? Is the appellant an antinomian? No – read Appeal, p. 51, par. C: "What chapter XIX intends to affirm is that *the moral law* (not the Decalogue per se) continues to have binding authority over the new covenant believer. *If you strip away the details and the imperfect formulations of chapter XIX, what the Confession is really getting at – the primary burden and thrust of that chapter taken as a whole – is to affirm the doctrine that there is an unchanging moral standard governing human behavior that is binding on all men, both believers and unbelievers. And that is a doctrinal affirmation that I am in wholehearted agreement with.*"

Dan Knox (against): I have concerns with respect to the appellant's "calling into question the teaching of the Westminster standards regarding the moral law." AC-10A notes this concern: "Irons proceeded to make public comments critical of the secondary standards without sufficiently bringing these matters to the attention of his fellow elders." The appellant acknowledged the truth of this.

Afternoon break

Knox continued: I want the appeal as a whole to be sustained, but not this first specification of error which deals with the impropriety in the way the appellant handled his scruples. I'm not arguing it is grievous, but there were such critical comments, as AC-10A and the appellant admit. There should be a modification of the degree of the censure.

Dan Dillard (against): The 10 commandments are modified by the new covenant. So I agree with the appellant here. But did the presbytery err? No. They followed the approach of the secondary standards, which begin by affirming the law, and then proceed to make modifications and qualifications. The appellant reverses the order. He starts off by saying that the Decalogue not binding, then he proceeds to add moral content back in.

Jason Wallace (against): Response to Fesko. Lutherans do not hold our view of the law, but they are not antinomians. The issue isn't whether the appellant is an antinomian.

Eric Watkins: Procedural recommendation, that we take up consideration of both specifications of error together.

Watkins' procedural motion failed.

Stephen Migotsky (for): He went through "Response to Charge Two," pp. 21-27 and pointed out 10 or 11 statements by the appellant where he affirms his agreement with the teaching of the WCF re. the moral law.

Dan Knox (against): To paraphrase James, if I agree with the WCF 99% but disagree in 1%, I am guilty of all. The issue is respect for the brethren in how one expresses scruples. The duty of the moral law is to do so in love, not in suspicion, but in subjection to my brethren, in the proper context.

Stan Sutton (for): You have to see specification of error # 1 in context. The context is that the calling into question of the WCF led presbytery to find appellant guilty and to propose the censure of indefinite suspension. Has he called into question *in such a way* as to be chargeable? No.

Peter Wallace (for): One and half years before charges were filed, the appellant went to his presbytery and revealed his scruples. Has M. G. Kline ever been charged? John Murray expressed concerns over "the covenant of works" but did he go to his presbytery first?

Wayne Forkner (for): In order to find that the appellant has called into question the WCF re. the moral law, you have to equate the moral law with the Decalogue.

Alan Pontier (against): Read from Chronology, pp. 802f, where two families in the congregation express concerns about appellant's teaching. Read from the charge and specifications, examples of appellant's calling into question the teaching of WCF – not just the form, there's also substance.

Jack Bradley (for): Quoted from J. G. Vos's commentary on the Larger Catechism: "The 10 commandments are not a detailed and exhaustive exposition of the moral law but only a summary."

John Fesko (for): Held up copy of trial document, "Lee Irons: Exceptions to the Westminster Standards" (1995). Read appellant's exceptions to catechisms' exposition of fourth commandment. In 1995 the appellant said to his presbytery: "I think a candid reading of the text shows that the fourth commandment explicitly requires the sanctification of the seventh day – not merely the ratio of one day out of seven. Of course, I believe that after the resurrection of Christ the Sabbath is to be kept on the first day of week. However, I do not hold (as the Westminster divines apparently did) that the ten commandments contain no positive or historically-conditioned elements." In addition, the appellant took exception to the catechisms' exposition of the promise of long life attached to the fifth commandment: "I question the Confession's wooden interpretation of the promise of long life. My hunch is that Israel understood it sacramentally or typologically as a promise of eternal life (at least Paul did, Eph. 6:2-3)." Where in the secondary standards or in Scripture, does it state that a minister may not question a fallible document?

Brad Kelly (for): We have a wide divergence in views among us. None of us are strict constructionists re. WCF. We all have to interpret the standards. We cannot speak with one voice on this.

Ted Hard (for): Semper reformanda. Every one of us is committed to questioning our standards, always looking to correct them. We did it in 1788 re. civil magistrate.

John Mahaffy: Point of order re. limitations on speeches

Moderator ruled that there are no limitations

Jason Wallace (against): If we haven't figured out the word of God after 500 years, then we never will. I came from the PCA where WCF has been turned into something else. We must all have one understanding, so that we can have confidence in sending people to other OP churches knowing that they will receive the same teaching.

Leonard Chanoux (against): I have yet to hear anyone say that the statements of the appellant quoted in the charge are anything but calling into question the teaching of the WCF re. the moral law.

Don Buchanan (against): Repeated previous speaker's point.

Jack Bradley (for): Responded to Buchanan.

Moderator ruled that speakers may not read sections from books not cited in the trial record.

Sid Dyer (against): Quoted from the charge where appellant is quoted as saying, "In my opinion the threefold division of the law is fundamentally flawed and needs major revision."

Brian Nolder (for): Specification of error # 2 of the appeal is wholly bound up with the charge. All specification of error # 1 does is establish that the appellant has taught something. Presbytery did not charge him with sinning by calling WCF into question.

Roger Wagner (against): The difference between a doctrinal and a behavioral charge. The appellant was not charged with publicly calling into question teaching of WCF re. the moral law.

Ken Campbell (against): An unfinished view in a state of flux cannot be considered to be within the bounds of the WCF since we don't know the final form of his views. So far it appears to be a novel and radical divergence. It does not belong in the pulpit.

Chris Wisdom: Asked moderator to hold speakers' feet to the fire in speaking only to specification of error # 1.

Ken Fields (for): "Response to Charge Two," pp. 39-44. This is the appellant's explanation of his critical comments re. WCF.

Dan Dillard (against): Personally, I think the appellant's views are within tolerable bounds of WCF. But the presbytery disagreed because they were taking the WCF as it is. The WCF is broad but not made out of spandex. We have to side with the presbytery to avoid elasticizing the WCF. If the appeal is denied, the appellant may go back to his presbytery to reformulate his views.

Bill Shishko: Requested moderator to rule on what we are voting on.

Moderator: Exactly what you have there before you on p. 51, specification of error # 1.

Dinner break

Bill Shishko: Procedural recommendation, to postpone consideration of specification of error # 1 until after a decision on specification of error # 2.

Procedural recommendation carried

Shall specification of error # 2 be sustained?

*The Presbytery of Southern California erred in judging the teaching of Mr. Irons (viz., "that the Decalogue is no longer binding on believers as the standard of holy living") to be "a violation of the system of doctrine contained in the Holy Scriptures as that system of doctrine is set forth in our Confession of Faith and Catechisms" (BD III:7.b paragraph 2).*

Moderator imposed speech limits: two 5-minute speeches per person.

Bill Shishko (against): I rise to speak against sustaining specification of error # 2, for three reasons:

First, the appellant's view is not the view of the standards, WCF XIX:1-2.

Second, if his view is accepted, it would inevitably lead to significant change in ethical conclusions. Shishko then quoted numerous statements by the appellant:

The appellant says: "Having denied that the Law has been abolished in that sense, Jesus and Paul then clarify the sense in which the Law remains in force. It remains in force, *not as Law, not as commandment*, but rather it remains in force in terms of the redemptive historical reality that has dawned in the coming of the kingdom of Jesus Christ" (Appeal, p. 52, par. H). Shishko emphasized "not as Law, not as commandment."

The appellant says: "Therefore, the Confession of Faith and Catechisms do not teach that the Decalogue, *as delivered by the voice of God upon Mount Sinai and recorded in the 20<sup>th</sup> chapter of Exodus*, is binding on believers as the standard of holy living" (Appeal, p. 57, par. H.5).

The appellant says: "This formulation, which Mr. Irons affirms, makes allowance for aspects of the Decalogue that are unique to Israel (e.g., the historical prologue; the sanctions attached to the second and third commandments; the seventh-day Sabbath; the promise of long life in the land, etc.)" (Appeal, p. 56, par. C). Shishko pointed out that, according to the appellant, the sanctions of second and third commandments are "unique to Israel," whereas the Larger Catechism teaches that they apply to the church today (WLC # 110 & 114).

The appellant says: "I'm going to attempt to show you how each commandment has to be filtered through the prism of Christological fulfillment, and only then can we apply it to ourselves today. This is the Law of Christ" (Appeal, p. 52, par. F). Shishko commented: If the appellant had said, "and then we can apply it to ourselves today," it would have been okay, but he said, "and *only* then," etc.

Third, if his view is accepted, it would call for wholesale revision of the church's understanding of the moral law. In WLC # 99, pars. 1-3, there is no mention here of seeing the Decalogue through a Christological prism. If his view is to be accepted, the way to accomplish this is through constitutional amendment.

Patrick Ramsey (against): Bolton and the Marrowmen do not support the appellant's view. The Westminster Assembly rejected Bolton's subservient covenant view, because it is "different in substance" (contra WCF VII:6). Bolton followed John Cameron and held to three covenants, whereas the WCF holds to only two. Edward Fisher and Thomas Boston – their view is radically different from that of Bolton, because they held only to two covenants. The first giving of the law was actually the

Adamic covenant of works, but when Moses broke the tablets, the second giving of the law was the covenant of grace. WCF XIX:6 and WLC # 97 both refer to "true believers" and "the regenerate" within the old covenant. It is an *ordo salutis* change, not a redemptive-historical one.

Steven Miller (against): Notice the size of WLC on the 10 commandments. Importance of the law of God in the system that we hold. It affects many other chapters in WCF: marriage, sanctification, justification, Christian liberty, etc. Any doctrine that touches the sinews is a vital doctrine.

The question was put: Shall specification of error # 2 of the appeal be sustained?

Yea: 46

Nay: 72

Numerous men requested that their positive vote be recorded.

Larry Wilson offered prayer for Mr. Irons and the presbytery.

Shall specification of error # 1 be sustained?

*The Presbytery of Southern California erred in finding that Mr. Irons has called into question the teaching of the Westminster Standards regarding the moral law.*

Leonard Chanoux (against): Distorted ministry because riding a hobby horse. Could easily be driven by pride.

John Van Meerbeke: Point of order – inflammatory language.

Chanoux: Apologized, continued.

Brian Nolder (for): This is a specification, not a charge. It does not say "He called into question the teaching of the standards," but "He called into question *the teaching* of the standards re. the moral law." He called into question certain formulations but not *the teaching* of WCF XIX:5.

Craig Troxel (for): The issue here is the moral law. In the presbytery's paper they say, "The moral law was revealed *definitively* through Moses." But WLC says, "summarily comprehended." Plus John 1:17 and Sermon on Mount, "But I say unto you." Douma, "Christ's fingerprints are on the 10 commandments." Jesus is the last and final prophet of the church, and he gave us two great commandments.

Mac Laurie (for): Ordination vow before a holy God – "system of doctrine." I (not necessarily Irons) call into question WLC # 117 & 119 re. how the Sabbath is to be sanctified. I've worked with OP ministers who are uneasy with this. Re. the alleged impropriety of appellant not going to presbytery with his scruples, etc., there's a little revisionism going on here. I was on the Ministerial Oversight Committee that met with him and delivered it to the presbytery, but the presbytery did nothing, even with an invitation to do so. He had families in his congregation that were challenging him. He was trying to be honest. You can have all the study committees you want, but unless we have confidence in our brethren, there's no point. What would Machen say to us today? Would he say, "We should not have formed a church at all?" You won't study your way out of this. No. No. If you are undecided, you should vote to sustain, and let the various views remain in the church.

John Fesko (for): Appellant affirms the moral law. That's without question in his writings. I cannot find anything in our standards or in Scripture which says it's a sin to question the standards. I find it highly problematic that a presbytery licensed him after he declared his exceptions, and then turns right around and brings him up on charges for those very issues! These things were made known at his licensure back in 1995.

- Bill Shishko (against): We are debating a very narrow and focused question. Read from the charge, specification 1, paragraphs a, b, c, d, f, j – where appellant makes remarks critical of WCF.
- John Fesko (for): Read from appellant's "Exceptions" (1995), where same concerns are expressed as those quoted by the previous speaker. In 1995 they (the presbytery) say Yes. In 2002 they say No. Is this fair? This is presbyterial schizophrenia.
- Peter Wallace (for): The presbytery should charge those who challenge the usefulness of the threefold division of the law, e.g., Bahnsen. The examples given under specification 1 of the charge do not refer to the moral law but only to questioning threefold division, etc. "Response to Charge Two," pp. 40-41.
- George Bancroft (against): Listing exceptions at licensure/ordination does not preclude charges later.
- Richard Gaffin (for): Read BD III:1: "The offense alleged should be serious enough to warrant a trial." Is criticism of WCF serious enough? The appellant has done so out of a framework with which I have reservations, but he affirms the substantive teaching of WCF re. the moral law.
- Roger Wagner (against): The appellant was not charged with calling into question the teaching of the standards re. the moral law. That was a specification. Specification 1 of the charge was simply on the order of factual background material. The presbytery didn't charge him with specification 1. In response to a previous speaker's charge of presbyterial schizophrenia, the appellant didn't raise this in his appeal. Don't drag that in. If it is to be redressed, it has to be done some other way.
- Graham Harbman (for): By licensing and ordaining this man, the presbytery doesn't have the right to now say, These things are unacceptable.
- Alan Strange (against): I rise reluctantly to speak for the denial of this specification. In response to the previous speaker, that's foreign to our whole approach as presbyterians. We're always accountable for what we teach. Also, there is not necessarily identity between what the appellant said back in 1995 and what he says now.
- Kenneth Campbell (against): Granting an exception does not grant the right to teach that exception.
- Brian Nolder (for): Reminded the brothers what the specification of error is. The appellant underlined "the moral law." If you read his Appeal, pp. 51-53, you'll see that he does affirm the teaching of WCF re. the moral law. E.g., p. 51, par. C. If he is affirming the substance, the doctrine, in spite of his scruples with language, then sustain this specification. E.g., those of you who don't like to refer to the Lord's Day as "the Sabbath," but you prefer to call it "the Christian Sabbath." The appellant is simply trying to conform his language to the NT.
- Steven Miller (against): Distinction between heresy and errors that strike at the vitals. Heresy is "industriously spread." That's certainly the case here. I don't care if you mess up your church, but don't come and mess up mine.
- Bryan Estelle (for): I erred today by sitting too long. We moved so fast. The differences between Exodus 20 and Deuteronomy 5: there is development and historical situatedness. Re. Bolton, there were four views at the Westminster Assembly on the nature of the Mosaic covenant: (1) mixed covenant, (2) covenant of works made with Jews, (3) subservient covenant, (4) administration of the covenant of grace. Bolton signed the WCF in 1647 in good conscience. Vos, *Biblical Theology*, p. 127 – principle of works in Mosaic economy. Charles Hodge, *Systematic Theology*, p. 375, and *Commentary on Second Corinthians*. Turretin, Witsius, etc. These are not alien influences. The divines made room for the views expressed by the appellant. I was hoping that this matter would be sent back to the presbytery for more discussion in context of "a hermeneutics of charity." I have serious doubts that the presbytery seriously engaged the appellant's exegesis and historical arguments.

Don Buchanan (against): Defended presbytery against charge of hastiness. The charge that did not come to GA was denied and deemed to be unworthy of a trial. This shows that the presbytery took great care. It shows the diligence, love, and concern of the presbytery for the appellant.

Alan Pontier (against): The appellant underlined "the moral law" in specification 1 of the appeal. But in the actual text of specification 1 of the charge, there is no underlining.

Dan Knox (against): I cannot in good conscience vote to sustain specification of error # 1. But I must apologize that when specification of error # 2 was on the floor, I was napping, not literally but spiritually. This should be sent back to the presbytery for discussion. FG XXIII:6 – when one fourth of the presbyters present are not satisfied with a candidate's examination. The presbytery found the appellant guilty by one vote. Analogous situation here. I would urge the appellant to refrain from publicly calling WCF into question. I would urge brothers who can defend the appellant's view, that they file a protest. Also, consider reconsidering the denial of specification of error # 2. I'm pleading that the appellant not go away from the OPC but make his case humbly to his presbytery.

Brian De Jong (against): The fact that the appellant said things *for* the standards doesn't take away from the things he said *against* the standards. Noting the context of the appellant's statements helps me understand them better, but the statements still stand.

John Galbraith (against): When we send OPC members to other churches, we assume that they are going to receive the same teaching that they are receiving at our church. The appellant ought not to be thinking in terms of leaving the OPC or encouraging his people to. The presbytery must get to work and help him – counseling him. The presbyterian church is ONE church, not a federation of churches. When one of us errs, we are all involved in it. That's the way it was in 1936. Corporate responsibility. When these erroneous views contrary to what we've all agreed to are circulated on the Internet, you have been besmirched, every one of you. That is an egregious error and well deserved a trial. If we do not stop this error, it will destroy the church for sure. I hope the presbytery will see its responsibility to this godly man.

Brent Ferry (for): How can the appellant affirm the moral law and have all these quibbles about the Sabbath, the threefold division, etc.? Answer: Because he doesn't believe the moral law stands or falls with these things. He is using basic Reformed hermeneutics that I believe in: he's only saying, "I read my Bible backwards. I don't want to read the law apart from Christ." It troubles me that he is in trouble because he says that. Furthermore, his view is a strong affirmation of the Mediatorship of Christ.

Sid Dyer (against): In math, the work that one does to arrive at the answer is just as important as getting the right answer. The appellant's ethical conclusions may be orthodox, but the paradigm he uses to get there is radically different.

John Van Meerbeke (for): The discussion today has been less than noble. We should be ashamed of the extent of our ad hominem and emotive arguments, slippery slope reasoning, etc. I'm not in any danger of being besmirched. I don't think you brethren believe it when someone says, "I don't care if you mess up your own church." Calvin quote about covering faults.

Bill Shishko: Procedural recommendation, that the order of the day be extended until the completion of the immediately pending motion.

Passed with two thirds majority.

Howard Currie (against): Parable of the Good Samaritan. The appellant has not been mugged but he has stumbled and fallen into a pit. Hopefully the next action we take will be to help him and love him. He's a brother in the Lord. He's very gifted and God has used him. Any one of us could fall into a pit. Such help will hopefully lead to our brother's full restoration.

Mac Laurie (for): I feel that I have not adequately defended the appellant. (He was granted a third five minute speech.) Something troubles me very greatly – these criticisms about speaking for and against WCF, and making parallel with saying something wrong about Scripture. There are ministers who are deliberately not revealing their views because they're afraid. How do I teach WCF? As an infallible document? What about chapter on civil magistrate and the fact that it was revised in 1788? Am I to avoid telling my congregation that the original divines erred? Someone said, "After 500 years, no more need for semper reformanda." That really frightens me. The Spirit is still working in the church.

Eric Watkins (for): "Fundamental continuity and radical change." Murray said that. He also said, "If you agree with every single statement in WCF, then you clearly haven't read it." Quoted WLC # 97, "bound to Christ for his fulfilling it." We can't have the 10 commandments apart from Christ and have a Christian ethic. Appeal, p. 53 – triangle diagram. The appellant affirms the moral law (fundamental continuity) and the three enshrinements (radical change). BCO, p. 191, "Recommended curriculum," refers to organic unity and historical diversity. Change does not equal dispensationalism. The only issue is that the appellant says the Sabbath is not binding on unbelievers, but he explained that using the example of the sacraments.

Steven Miller (against): Apologized for previous remark. Our standards explicitly connect the moral law and the Decalogue. There is no mis-identification because the moral law is contained in its fullness in the 10 commandments. See WLC # 97, 98, 99 in sequence.

Dave Klein (for): The appellant teaches that there is a standard from creation on, and that it is binding on all men. The issue is his distinction between the Decalogue and the moral law. Thus it is not really the moral law that the appellant is calling into question but the Decalogue. Edwards quote to the effect that many orthodox divines differ on these questions.

Jason Wallace (against): Please avoid caricatures of those who disagree with the appellant. No one has caricatured his views as dispensational.

Mark Mueller (for): The appellant has affirmed that the moral law is binding on believers and unbelievers. There have been disparaging comments about fears, Pandora's box, slippery slope, etc. We must believe the appellant, exercising the judgment of charity. It violates 1 Corinthians 13 ("love believes all things") to say you don't believe him.

Knox (against): The appellant will have to bear this cross and this discipline, and then be restored to his ministry.

Kingsley Elder (question): Asked for help on how to understand the result of our action if the motion passes.

Moderator attempted to answer Mr. Elder's question.

Dan Dillard (against): There is no need to question the integrity and sincerity of anyone in this room. Also, there's no need to think apocalyptically on this. Our response to this appeal is not going to settle the issue. But what we decide tonight is not insignificant. It's clear that we're not united on this issue. The discussion will continue.

Douglas Watson (against): Pleaded with brothers on the other side to show him why appellant's statements quoted by the presbytery under specification 1 of the charge do not show the truth of the presbytery's finding, that the appellant publicly called into question, etc.

Tim Shatzer (for): I'm really confused at this point. I'm a Sunday School teacher who teaches little children. They need to be told that they have to keep the 10 commandments. Yet I teach that they're bound by the law of Christ, not the law of judgment.

Roger Gibbons (for): I see the appellant struggling with various issues here, but I don't see him denying the teaching of the standards on the moral law.

Charlie Perkins (for): In response to a previous speaker [Douglas Watson], he read from "Response to Charge Two," p. 39, first paragraph: "Notice that this specification is stated in unqualified terms. It alleges that I have publicly called into question 'the teaching of the Westminster Standards regarding the moral law.' The implication is that I reject the *entire* teaching of the Standards regarding the moral law. But as I have shown above, I agree with the substantive teaching of the Standards concerning God's moral will for mankind, binding on both believers and unbelievers. I acknowledge that I have called into question some of the Confession's formulations, its manner of stating certain aspects of the doctrine of the moral law, and some of the exegesis used in support of that doctrine. But I have not called into question *everything* the Confession and Catechisms teach concerning the moral law."

Ted Hard (for): In response to a previous speaker [Howard Currie], he made some interpretive comments on the parable of the Good Samaritan.

The question was put: Shall specification of error # 1 of the appeal be sustained?

Yea: 55

Nay: 66

Numerous men requested that their positive vote be recorded.

The Moderator ruled that the judgment of the lower judicatory has been affirmed.

#### Protest

The next day, the following protest was presented to the Assembly and entered into the minutes. It was signed by 25 commissioners (below).

We the undersigned protest the actions taken by the 70<sup>th</sup> General Assembly of the Orthodox Presbyterian Church with respect to the appeal of the Rev. C. Lee Irons. The Assembly failed to recognize the difference between his substantive agreement with our Standards, which contain the system of doctrine taught in Scripture, and his manner of expressing his views with regard to the unchanging and binding nature of the moral law. Not only has the assembly made an erroneous judgment in this matter but by this determination has also called into question the teaching of a significant and vital stream of Reformed, Presbyterian, and confessional thought.

John V. Fesko, Babcock, Bond, Browne, Deliyannides, Duff, Ellis, Ferry, Fernandez, Gibbons, Harbman, Hodgson, Klein, Laurie, Mason, Meeker, Migotsky, Mueller, Nolder, Perkins, K. A. Smith, Troxel, Van Meerbeke, P. J. Wallace, Wisdom.