

Chapter 4 Critical Examination

We have carried out a study on McGowan's and Fesko's thoughts in: (1) the Covenant and the Law, (2) the Law and Grace in the covenant, and (3) Headship Theology and federal headship in the previous chapters. In chapter 4, we would like to compare McGowan's and Fesko's arguments to examine the coherency of their argument via a systematic approach to the Scripture before applying Fesko's view in carrying out the critical examination.⁵⁷³

4.1 The Covenant and the Law

4.1.1 *Views on The Covenant and the Law*

a. Similar Views

McGowan and Fesko share some similar views on the covenant and the law. First, both see that the law and the covenant are inseparable. McGowan says that the law is given in the context of the Abrahamic covenant, that is, the context of promise and grace.⁵⁷⁴ Similarly, Fesko states, 'there is no biblical narrative where God administers His law apart from an explicitly stated covenant.'⁵⁷⁵

Second, both see the covenant as sovereignly established by God. McGowan emphasizes the unilateral nature of the covenant, where God sovereignly establishes His covenant with His people.⁵⁷⁶ McGowan regards the covenant of works, especially as per Kline's understanding, as bilateral, which violates the unilateral notion of the

⁵⁷³ Though we will refer to 1st and 2nd source for exegetical support, our argument will be limited to logical coherency, not biblical exegesis. Scripture is the absolute authority in any development of theology. Just as Scripture is coherent, correct theology will have the coherency and align with the Scripture. See: John M. Frame, *Salvation Belongs to the Lord: An Introduction to Systematic Theology* (Phillipsburg, NJ: P&R Publishing, 2006), 79.

⁵⁷⁴ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 75.

⁵⁷⁵ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 285.

⁵⁷⁶ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 123.

covenant.⁵⁷⁷ He rejects any bilateral notions of the covenant that see the covenant as conditional or contractual, as if grace can be obtained if conditions are met.⁵⁷⁸ McGowan's comment against the covenant of works as bilateral is misleading. Although WCF VII.ii says: 'life was promised to Adam; and in him to his posterity, upon the condition of perfect and personal obedience,' the covenant of works is by no means in a mutual contractual form; it is still sovereignly established by God. The condition of perfect obedience is not the condition for the covenant to be established but a condition for the promised life in the established covenant.

The difference in McGowan and Fesko's statement on the nature of divine covenant (unilateral/bilateral) is due to their different definition of unilateral and bilateral. While McGowan understands bilateral as seeing the covenant as contractual and conditional, it is understood by Fesko as a response required in a covenant. Both agree that response is needed in the Mosaic covenant but not the Noahic covenant. However, Fesko claims that the Mosaic covenant is bilateral since there is a greater emphasis on the bilateral element, namely covenant fidelity.⁵⁷⁹ In contrast, McGowan argues that the Mosaic covenant is unilateral since God sovereignly established it.

Hence, although McGowan and Fesko make different statements on the nature of divine covenant (i.e., unilateral or bilateral), they understand the covenant as sovereignly established. The understanding of the covenant as sovereignly established by God means: (1) both of them reject the notion of human contract, (2) both of them agree that human response is sometimes required as a response to the established covenant.

⁵⁷⁷ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 66.

⁵⁷⁸ *Ibid.*, 46, 66.

⁵⁷⁹ J. V. Fesko, *Last Things First* (Great Britain: Mentor, 2007), 80-81.

b. Different Views

McGowan emphasizes the unilateral and graciousness of the covenant. In contrast, besides emphasizing God's sovereignty in establishing the covenant (unilateral according to McGowan's definition), Fesko emphasizes the covenantal bond (life-death liability) on the people. In the covenant, blessings or curses will be imposed on the people upon whether they remain obedient in keeping the covenant via keeping the law. Fesko does not mean that human can exchange their obedience for the reward promised since even the reward promised is sovereignly bestowed upon human's loyal obedience.

McGowan claims that the Noahic covenant is the first covenant and argues that one should not refer to the relationship of God with Adam as a covenant since the Scripture does not mention it.⁵⁸⁰ Through McGowan's exposition of the Noahic covenant to the Davidic covenant, the continuity, graciousness, and unilateral nature of each covenant are demonstrated by McGowan. McGowan's arguments on these covenantal natures are biblically strong, as he even relates the continuity of the Mosaic-Abrahamic covenant to the relationship of law-grace and faith-works. As the Mosaic covenant was established after the Abrahamic covenant that emphasized the promise of God, grace comes before law, and works are based on faith that holds on to the promise of God. McGowan does not mean that the people of God are not obliged to keep the covenant by keeping the law, but he is firmly against attaining merit via law-keeping. He affirms with Murray that the obligation in law-keeping is gratitude to God's redemption, is a whole-souled commitment, not a means to attain grace from God:

We are far away from the idea of a bond as sealed on the acceptance of certain prescribed stipulations and the promise of fulfilment of these stipulations on the condition that other parties to the contract fulfil the conditions imposed upon them. The thought is rather that of unreserved, whole-souled commitment.⁵⁸¹

⁵⁸⁰ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 120.

⁵⁸¹ *Ibid.*, 54 quotes from John Murray, *The Covenant of Grace* (Phillipsburg, N.J.: Presbyterian and Reformed, 1992), 11.

Since God's people are already in the covenant, they are to keep it.⁵⁸²

Both McGowan and Fesko agree that law-keeping is not the condition for establishing the covenant; God sovereignly establishes the covenant. What sets them apart is whether law-keeping is a condition to attain the blessing promised. According to McGowan, the attainment of blessing via law-keeping would violate the essence of the covenant since blessing as part of grace is the undeserved favor of God. On the other hand, Fesko sees the blessings and curses conjoin with the stipulation that keeps the people under the covenantal bond.⁵⁸³

Fesko refers to passages on biblical covenants and other passages that deal with the covenant, the Hittite-treaty historical context, and Jewish interpretation of the Adamic covenant in his exposition of God's covenant with humanity, particularly with Adam. The narrative of the Adamic covenant (the covenant of works) was about God (the Suzerain) establishing an eternal covenant with humanity via Adam (the vice-regent of God and the representative of humanity in this eternal covenant). Adam, as His vice-regent, is bound to keep the law as a loyalty to the covenantal Lord. God will sovereignly bless Adam and his posterity upon Adam's obedience and curse upon Adam's disobedience.

As McGowan's emphasis on the unilateral graciousness of the covenant and the law as a rule for the covenantal people are biblical, the bond/liability of the covenant is vague. Although McGowan does explain the judgment upon transgression, he does not

⁵⁸² *Ibid.*, 156, 181.

⁵⁸³ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 191, 347., similar to Kline's thought see: Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Eugene, OR: Wipf & Stock Publishers, 2006), 81.

see it as the liability of the covenant. According to McGowan, those warnings serves to instill fear in the people's hearts to keep the law.⁵⁸⁴

The binding nature of the covenant (esp. the divine covenant) that McGowan overlooks is an essential element of a covenant, O Palmer Robertson defines concisely and profoundly:

A covenant is a *bond in blood sovereignly administered*. When God enters into a covenantal relationship with men, he sovereignly institutes a life-and-death bond. A covenant is a bond in blood, or a bond of life and death, sovereignly administered.⁵⁸⁵

Vos said that the one-sided promise ordinance or law becomes a *berith* is by reason of the religious sanction.⁵⁸⁶ The religious sanction strengthens the notion of bond and liability where Adam is bound to keep the law in the eternal covenant; transgression of the law means transgression of the covenant and will result in the death penalty. Hence the covenant has an eternal effect; though it can be transgressed, its effect and liability will never be abrogated.⁵⁸⁷

Having concluded McGowan and Fesko's similar views and different emphases on the covenant and the law, we will see how these emphases are applied in interpreting: (1) Adam and the law, (2) passages on the blessing sanction, and the transgression of the covenant. These aspects are raised in the evaluation in Chapters 2 and chapter 3. Hence, through these assessments, we will examine whether McGowan's or Fesko's approach is more biblical and systematically coherent.

⁵⁸⁴ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 132.

⁵⁸⁵ O. Palmer Robertson, *The Christ of the Covenants* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1980), 4.

⁵⁸⁶ Geerhardus Vos, *Biblical Theology: Old and New Testaments* (Eugene, OR: Wipf & Stock Publishers, 2003), 23.

⁵⁸⁷ *Ibid.*, 23.

4.1.2 *Adam and the Law*

As far as McGowan wants to maintain the consistency of his argument that: (1) God's dealing with Adam is not covenantal, (2) all covenants are unilateral and gracious, (3) the law comes in the context of grace, he goes too far by arguing that what Adam possessed was not the law, but the knowledge of God and the will of God.⁵⁸⁸ He avoids referring to the sin of Adam as a transgression of the law but further says that Adam's sin was disobedience to God's will, hence separating his will from His law in the pre-fall period.⁵⁸⁹ McGowan argues that the 'law written in the hearts' in Romans 2:15 does not refer to Adam's heart in the pre-fall period as the Scriptures do not mention the inscription of the law in Adam's heart but in the Gentiles' heart.⁵⁹⁰ McGowan tries to separate the will and the law in the pre-fall epoch and argues that Adam in the pre-fall period did not possess by nature the law of God, so his thesis that grace is prior to the law stand.

While McGowan attempts to separate God's law and will, the Scripture says otherwise, 'I delight to do your will, O my God; your law is within my heart.' (Ps. 40:8).⁵⁹¹ Following McGowan's argument, he might refute that Psalm 40:8 applies only in the post-fall epoch. Nevertheless, from Fesko's works, it can be perceived that the positive (mandate) and negative (prohibition) commands from the Lord, even in the pre-fall epoch, serve as the law, the *true* knowledge of good and evil.⁵⁹² While some theologians argue that the tree of the knowledge of good and evil refers to all knowledge

⁵⁸⁸ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 158.

⁵⁸⁹ See section 2.1.1 part c.

⁵⁹⁰ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 156.

⁵⁹¹ See 2nd last paragraph of section 2.1.1 Adam and the Law.

⁵⁹² J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 163, 187. Knowledge of good refers to the positive command, and knowledge of evil refers to negative command.

(i.e., Adam's desire to be like God having all knowledge),⁵⁹³ it could also be the autonomy claims to decide good and evil. God regulates His law according to His nature, and it is by His command that a person knows good and evil.⁵⁹⁴ Hence, taking the forbidden fruit means that Adam wanted to decide for himself what is good and evil; he became the arbiter of truth. Man no longer listens to God's law for the knowledge of good and evil, but he decides for himself what is good and evil. Herman Bavinck puts it this way:

The point of the 'fall' narrative in Genesis is to point to the human desire for autonomy from God. To 'know good and evil' is to become the determiner of good and evil; it is to decide for oneself what is right and wrong and not submit to any external law. In short, to seek the knowledge of good and evil is to desire emancipation from God; it is to want to be 'like God'.⁵⁹⁵

Although McGowan also claims that Adam's sin was his desire to be autonomous, to have the knowledge of good and evil without the reference of God, he does not regard the law as the *true* knowledge of good and evil. In fact, few passages indicate the law as the *true* knowledge of good and evil. Isaiah 7:15 'when he knows how to refuse the evil and choose the good' refers to the age of accountability of the law; it is by the law of God that one knows good and evil.⁵⁹⁶ Fesko notices the parallel between Psalm 19:7-8 and Genesis 3:6 and contrasts the desire of Adam to keep the law to Adam's desire for autonomous decision over good and evil:

What God's Word was to his ears, the tree was to Adam's eyes. In fact, the parallels between the description of God's law and the tree of knowledge suggest this connection. The law of God makes the simple wise and enlightens the eyes (Ps. 19:7-8). These are the very characteristics that drew Eve to eat from the forbidden fruit: 'So when the

⁵⁹³ R. C. Sproul, ed., *The Reformation Study Bible: English Standard Version (2015 Edition)* (Orlando, FL: Reformation Trust, 2015), 15 (notes on Gen. 2:9)

Richard Pratt Jr, ed., *Spirit of the Reformation Study Bible: New International Version* (Grand Rapids, MI: Zondervan, 2003), notes on Gen. 2:9

⁵⁹⁴ Geerhardus Vos, *Biblical Theology: Old and New Testaments* (Eugene, OR: Wipf & Stock Publishers, 2003), 32.

⁵⁹⁵ Herman Bavinck, John Bolt, and John Vriend, *Reformed Dogmatics: Sin Salvation in Christ* (Grand Rapids, MI: Baker Academic, 2006), 25.

⁵⁹⁶ John N. Oswalt, *The Book of Isaiah, Chapters 1–39*, The New International Commentary on the Old Testament (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1986), 214.

See also: Geerhardus Vos, *The Eschatology of the Old Testament*, ed. James T. Dennison Jr. (Phillipsburg, NJ: P&R Publishing, 2001), 148.

woman saw that the tree was good for food, and that it was a *delight to the eyes*, and that the tree was to be desired *to make one wise*, she took of its fruit and ate' (Gen. 3:6; Fesko's emphasis).⁵⁹⁷

In other words, what God required from Adam was the delight of His law (knowledge of good and evil from God), but Adam desired to be the arbiter of truth.

The Suzerain-vassal relationship between God and Adam portrayed in Fesko's discussion of the law and the covenant (section 3.1) also demonstrates that Adam, as the vassal-king, is to delight and to do the will of God by living out His law to reflect His glory. The functional role of Adam, being the bearer of the image and the likeness of God, is to reflect His glory by governing the world with His righteousness. To do so, Adam must know the will of God by listening to God's commandment (the law of God).

In short, McGowan's understanding of the law and the covenant focuses on the unilateral, gracious nature of the covenant. He asserts that grace is prior to the law to the extent of arguing that Adam does not possess, by nature, the law. According to McGowan, the 'inscription of the law' in Romans 2:15 means the knowledge of God and His will in Adam's heart is reduced to conscience (knowledge of good and evil without the reference of God). Fesko, on the other hand, focuses on the Suzerain-vassal relationship. God created Adam *in covenant*, and *for covenant*, the law is given to Adam by the inscription on the heart and verbal/formal. Adam, as the vassal-king, is to do the will of God by keeping the law as a demonstration of loyal-commitment divine covenant and to the Suzerain (the Lord).

Based on the arguments above, it is clear that Adam, in the pre-fall period, received the law of God (the knowledge of good and evil from God). Adam's fall means

⁵⁹⁷ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 188. (see also 334). In pg 255, Fesko notices that Francis Landy refers to Hos. 6:6 and Gen. 3:6 and suggests that 'God's desire for Israel to possess His knowledge, a possible allusion to Adam's efforts to acquire knowledge.' See Francis Landy, *Hosea* (Sheffield: Sheffield Academic Press, 1995), 84-84.

that humanity though they still have a conscience (inscription of the law in the heart), starts to decide for themselves what is good and evil.

4.1.3 *Approaches to 'Do This and Live' and 'Transgression'*

Leviticus 18:5. 'do this and live' is one of the texts that appealed in support of the covenant of works,⁵⁹⁸ but McGowan does not refer to it in his argument against the law-grace dichotomy in the covenant of works. Nevertheless, he does deal with Deuteronomy 28 (blessing-sanction passages), which Fesko sets parallel to Leviticus 18:5 (principle of 'do this and live').⁵⁹⁹ McGowan says that Deuteronomy 28, which contains 'the blessings and curses', demands obedience from the covenantal people.⁶⁰⁰ He notices that in Exodus 20:18-20, the thunder and lightning came after the ten commandments were given, causing the people to tremble.⁶⁰¹ Regarding this phenomenon, Moses, in the following verse, explained: 'do not fear, for God has come to test you, that the fear of him may be before you, that you may not sin.' (Ex. 20:20) Hence, McGowan quotes Exodus 20:18-20 and claims fear is key to maintaining this covenantal obedience.⁶⁰² It can be seen that, while McGowan asserts that the reason for keeping the covenant is an obligation with gratitude since God delivered His people

⁵⁹⁸ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 13, 199. The Westminster Confession of Faith (1647) cites Gal. 3:12 which quotes Lev. 18:5 and Rom. 10:5 'the man which doeth them shall live in them' (KJV) as the first and second of three in support of the covenant of works.

⁵⁹⁹ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 132.

Esp. Deut. 28:1-2 'And if you faithfully obey the voice of the LORD your God, being careful to do all his commandments that I command you today, the LORD your God will set you high above all the nations of the earth. And all these blessings shall come upon you and overtake you, if you obey the voice of the LORD your God.'

and Deut. 28:15 'But if you will not obey the voice of the LORD your God or be careful to do all his commandments and his statutes that I command you today, then all these curses shall come upon you and overtake you.'

J. V. Fesko, *Word, Water, and Spirit* (Reformation Heritage Books, 2013), 292.

⁶⁰⁰ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 131-132.

⁶⁰¹ *Ibid.*, 132.

⁶⁰² *Ibid.*

before giving them the ten commandments, he also believes that God uses warning to keep His people in obedience.

McGowan asserts that the covenant described God's relationship with His people, not people who are eventually saved.⁶⁰³ In other words, God chose Israel as a nation (and today, the church) to be His covenantal people to live out His rules in this world, but only those who have faith and are spiritually united with Christ will be saved.⁶⁰⁴ He also states that one can be part of the covenantal people via baptism yet commits apostasy by rejecting Christ later.⁶⁰⁵ Therefore, those warnings are to be preached, and the true-elected among the covenantal people will come to repentance.⁶⁰⁶ McGowan does not mean that God uses these warnings to force His people to remain in covenantal obedience, but rather it is a method of grace to bring God's people to repentance and faith.⁶⁰⁷ There are two things to note in McGowan's discussion of the instillment of fear in the hearts of God's people. First, the warning of these curses is given in the covenantal context, in the Mosaic covenant. Second, McGowan relates the continuity of the Mosaic-Abrahamic covenant to the relationship between faith and works. McGowan also quotes Hebrews 11:6, 'without faith, it is impossible to please God', as proof that good and acceptable works come from true faith.⁶⁰⁸ Therefore, while God uses warning to instill fear in people's hearts so they remain faithful, fear is coupled

⁶⁰³ *Ibid.*, 180.

⁶⁰⁴ *Ibid.*

⁶⁰⁵ *Ibid.*

⁶⁰⁶ Section 2.2.1

⁶⁰⁷ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 123-133, 154 McGowan does not explain explicitly how the warning in the Scripture instills fear and keep God's people in covenantal obedience. We draw the conclusion that McGowan does not mean that God uses warning to force His people from his overall arguments on law, faith, and works. For the method of grace, see

A. T. B. McGowan, *The federal theology of Thomas Boston*. (Edinburgh, Scotland: Paternoster Pub., 1997), 38-39

Thomas Boston, Samuel M'Millan, ed., *The Complete Works of Thomas Boston* Lafayette, (IN: Sovereign Grace Pub.), 2001, vol. 1, part 1, 354.

Ibid., vol. 3, part 3, 138.

⁶⁰⁸ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 132-134, 161.

with faith; true believers will heed these warnings and keep the covenant by faith. In explaining the relationship of faith and works, McGowan, besides referring to the continuation of the Mosaic-Abrahamic covenant, Romans, and James, also refers to Galatians, especially Galatians 3:17-18.⁶⁰⁹ The Galatians, who had learned the grace of God and had begun to live the Christian life, went back to Jewish ways with the belief that obedience to the law was a condition of salvation.⁶¹⁰ Paul wrote the letter to the Galatians to deal with this problem of the relationship between faith and law.⁶¹¹ According to McGowan, the key verses of Galatians 3 lies in Galatians 3:17-18 which clearly shows the inseparable relationship between law and faith:⁶¹²

¹⁷ This is what I mean: the law, which came 430 years afterward, does not annul a covenant previously ratified by God, so as to make the promise void. ¹⁸ For if the inheritance comes by the law, it no longer comes by promise; but God gave it to Abraham by a promise.

McGowan says, Galatians 3:17-18, in other words, means: 'the law given through Moses did not cancel the covenant made with Abraham; rather it was a continuation of it, a spelling out of the relationship between God and His people and of the obligations that came with this relationship.'⁶¹³ It means God relates with His people graciously through the covenant, and the people are obliged to keep the law in this covenantal relationship.

While McGowan's arguments seem valid, there are two issues observed.

First, the warning of curses in Deuteronomy 28 not only instills fear in the hearts of God's people; some suggest that the length of the curses part is relatively longer, indicating the future disobedience of Israel and the subsequent curses laid upon

⁶⁰⁹ *Ibid.*, 134.

⁶¹⁰ *Ibid.*, 133.

⁶¹¹ *Ibid.*

⁶¹² *Ibid.*

⁶¹³ *Ibid.*, 134.

Israel.⁶¹⁴ Although, it can be argued that the longer length of the curses part stresses the solemnity of failure to keep the covenant.⁶¹⁵ The greater length of curses is more likely suggestive of Israel's failure since God indeed declares the failure of His people in keeping with His commands in Deuteronomy 31:16–17 and 32:20–21.⁶¹⁶

Second, in McGowan's exposition on Galatians 3, he does not discuss Galatians 3:12, which quotes Leviticus 18:5 'But the law is not of faith, rather "The one who does them shall live by them."' ⁶¹⁷ In fact, WCF refer to Leviticus 18:5 in support of the covenant of works.⁶¹⁸ Here the law is put in contrast to the faith instead the obligation out of faith.⁶¹⁹

Another possible way of understanding the blessing-sanction in Deuteronomy 28 is to refer to the covenant of works which emphasizes the life-death liability.

While McGowan claims that the curses section in Deuteronomy 28 instills fear in the hearts of God's people, Fesko regards it as a repetition of the blessing-sanction principle——'obedience and life versus disobedience and death' in Genesis 1-3.⁶²⁰

Fesko cites Postell and claims that:

Genesis 1–3 should not be read in isolation from the rest of the Pentateuch but rather these three chapters form the first part of an *inclusio* that finds its counterpart in Deuteronomy 28–34. Adam's ejection from paradise anticipates Israel's expulsion from the promised land – the two sections mutually inform one another. ⁶²¹

⁶¹⁴ R. C. Sproul, ed., *The Reformation Study Bible: English Standard Version (2015 Edition)* (Orlando, FL: Reformation Trust, 2015), 290.

Paul Barker, study note on Deut. 28:1-68, in *ESV Study Bible* (Wheaton, IL: Crossway, 2008), 370.

⁶¹⁵ J. Gordon McConville, "Deuteronomy," in *New Bible Commentary: 21st Century Edition*, ed. D. A. Carson et al., 4th ed. (Leicester, England; Downers Grove, IL: Inter-Varsity Press, 1994), 225.

⁶¹⁶ R. C. Sproul, ed., *The Reformation Study Bible: English Standard Version (2015 Edition)* (Orlando, FL: Reformation Trust, 2015), 290.

⁶¹⁷ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 133.

⁶¹⁸ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 13, 199

The Westminster Confession of Faith (1647) cites Gal. 3:12 which quotes Lev. 18:5 and Rom. 10:5 'the man which doeth them shall live in them' (KJV) as the first and second of three in support of the covenant of works

⁶¹⁹ R. C. Sproul, ed., *The Reformation Study Bible: English Standard Version (2015 Edition)* (Orlando, FL: Reformation Trust, 2015), 2078.

⁶²⁰ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 321.

⁶²¹ *Ibid.*, 192-193

Cites from Seth D. Postell, *Adam as Israel: Genesis 1–3 as the Introduction to the Torah and Tanakh* (Cambridge: James Clarke and Co., 2012), 3-4, 130.

Fesko notes that both Genesis 1-11 and Deuteronomy 29-34 'present a theologically pessimistic outlook on human beings.'⁶²² Although Adam, being placed in a favorable environment, fell into sin; likewise, Israel, though being brought into the promised land, was going to break God's covenant.⁶²³ Deuteronomy 31:19-21 shows that Israel, even though they received the covenant and the law of God, was inclined to break the covenant:

¹⁹Now therefore write this song and teach it to the people of Israel. Put it in their mouths, that this song may be a witness for me against the people of Israel. ²⁰For when I have brought them into the land flowing with milk and honey, which I swore to give to their fathers, and they have eaten and are full and grown fat, they will turn to other gods and serve them, and despise me and break my covenant. ²¹And when many evils and troubles have come upon them, this song shall confront them as a witness (for it will live unforgotten in the mouths of their offspring). For I know what they are inclined to do even today, before I have brought them into the land that I swore to give.

Therefore it is more reasonable to interpret Deuteronomy 28 as a blessing-sanction of the covenantal liability. Israel's transgression of the covenant and the sanction laid upon them shows how seriously God treats a covenantal relationship, a bond of life-death commitment. Fesko refers to several passages to demonstrate that the liability of the covenant of works (i.e., the principle of 'do this and live') is still in effect, but all humanity break the covenant.

Fesko says at the beginning of his exposition on Leviticus 18:5:

The Scriptures set forth two paths to being declared righteous before the divine bar, doing versus believing, or obeying the law perfectly versus believing in the gospel and trusting in the all-sufficient work of Christ.⁶²⁴

The statement above might seem odd since it is written that the righteous shall live by faith (Habakkuk 2:4). Nevertheless, as seen in the argument above, Galatians 3:12 quotes Leviticus 18:5 to contrast the function of law and faith. Here in Galatians, the law is added because of trespass, and Paul in Romans 5:20 said: 'the law come in to

⁶²² *Ibid.*, 195.

⁶²³ *Ibid.*

⁶²⁴ *Ibid.*, 199.

increase the trespass'. Schreiner says that the perspective of 'the law increase the trespass' fits with the history of Israel, for life under the law did not lead to a law-abiding society; instead, sin reigned in Israel.⁶²⁵ It is worth noting that, similar to Deuteronomy 28, the curses part in Leviticus 18 is more prolonged than the blessing part, hints at the future failure of Israel. It does not mean that God did not save Israel in the Old Testament epoch, but rather the law is given primarily to show the liability of the covenant and Israel's inability to keep the law; it intends to point Israel to the faith in Christ.

The principle of 'do this and live' binds not only the Jews but to the Gentiles.

Fesko also quotes Leviticus 18:26 as support:

But you shall keep my statutes and my rules and do none of these abominations, either the native or the stranger who sojourns among you.

Fesko also quotes Luke 10:25-28 and Matthew 19:17 and claims that even Jesus affirms the principle of 'do this and live'.⁶²⁶ Based on this argument and Leviticus 18:5 (quoted in Galatians 3:12), there are two paths of life: (1) live by the law, (2) live by faith. In this post-fall epoch, we can only live by faith since we are all sinners, and impossible for us to keep the whole law perfectly.

After demonstrating that the liability of the covenant of works is still in effect, Fesko then refers to several passages (particularly Isa. 24:5 and Hos. 6:7) to show that both Adam and Israel (as a whole) have transgressed the law and the covenant. McGowan does know that Hosea 6:7 has been used to argue the validity of the covenant of works. However, still, he does not provide an alternative explanation for Hosea 6:7.

⁶²⁵ Thomas R. Schreiner, *Galatians*, Zondervan Exegetical Commentary on the New Testament (Grand Rapids, MI: Zondervan, 2010), 240.

⁶²⁶ For the details of Fesko's arguments see section 3.1.4 Luk. 10:28b: 'do this and you will live', Mat 19:17b: 'There is only one who is good. If you would enter life, keep the commandment.'.

McGowan in *the federal theology of Thomas Boston* quotes Boston's explanation for Hosea 6:7:

Boston, the Hebraist, begins this part of his work by quoting from Hosea 6:7. He quotes it in Authorized Version which reads 'like men' in the statement about breaking the covenant. He then asserts that it should read 'like Adam'. He quotes seven different translations to support his position and then defends that view from the Hebrew. This is important. If the passage should read 'like Adam they have broken the covenant' then the question naturally arises, 'what covenant did Adam break?' with the answer being given by Boston, 'covenant of works'⁶²⁷

Besides the above explanation, McGowan does not refer to other relevant passages (Job 31:33 and Psalm 82:7) related to Hosea 6:7 explained by Boston. On the other hand, Fesko agrees with Boston that Job 31:33, 'if I have concealed my transgression *as others* (like others) do by hiding my iniquity in my heart,' is reminiscent of Adams's effort to cover his shame.⁶²⁸ The contexts of Isaiah 24:5 and Hosea 6:7 echo the cursed ground due to the transgression of the law, showing that Israel, like Adam, had transgressed the covenant.⁶²⁹

Both Adam and Israel received the law of God in a covenantal context, wherein both, as God's vice-regents, are to remain loyal to the Suzerain-Lord via keeping the law, yet both transgressed the law and the covenant. Israel's transgression of the law shows that it is inadequate to hold to the interpretation that the law in the Mosaic covenant is given to the covenantal people as a guide for God's centered life (though this interpretation is correct biblically). The law in the Mosaic covenant also serves as a republication of the covenant of works to show that the liability of the covenant is still in effect and none can fulfill the liability; it intends to point the people to Christ.

⁶²⁷ A. T. B. McGowan, *The federal theology of Thomas Boston*. (Edinburgh, Scotland: Paternoster Pub., 1997), 13. McGowan's footnote:

The Complete Works of the Late Rev. Thomas Boston Edited by Samuel McMillan in 12 vols.. Originally published in 1853 by William Tegg & Co. of London. We are using the 1980 reprint by Richard Owen Roberts, Wheaton, Illinois, 220ff.

⁶²⁸ See section 3.1.4 part b, *The other occurrence of לַאֲדָם (like Adam) lexeme*

⁶²⁹ See section 3.1.4 part b. For various interpretations of *like Adam*.

Through the organic interpretation from inter-canonical passages, direct reading from Isaiah 24:5 and Hosea 6:7 foster the evidence of the covenant of works rather than what McGowan contends, 'the complex structure [of the covenant] is created which does not arise naturally from the text.'⁶³⁰

4.2 The Law and Grace in the Covenant

4.2.1 Overview

McGowan's concept of grace prior to law is drawn mainly from the Mosaic-Abrahamic covenant continuity. McGowan relates it with Christians living today by referring to the book of James, that faith is always accompanied by good works.

McGowan's main criticism is that if we hold on to the covenant of works, we can hardly see grace prior to the law. Our attempt in this thesis is to demonstrate that through a proper understanding of the relationship of the law, covenant, and federalism, we can answer McGowan's criticism of the law-grace dichotomy in the covenant of works. Fesko, through intra-canonical passages, has demonstrated that the law, covenant, and federalism have an inseparable relationship that portrays a suzerain-vassal relationship between God and humanity through Adam. Hence, we attempt to answer the critics against the law-grace dichotomy in the covenant of works by applying the suzerain-vassal relationship.

From McGowan's study, though some proponents of the covenant of works emphasize grace in the covenant of works, the term 'work' leads to debate about the law-grace dichotomy, and some even put a stark contrast between law and grace.⁶³¹ The covenant of works is often critiqued for being contaminated with the principle of

⁶³⁰ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 117

⁶³¹ See section 2.2.2 part a "'Works', a Term that Confuses the Notion of Grace in the Covenant.", part b 'Stark Contrast between Law and Grace'

Pelagianism that one can claim merit upon success in law-keeping. A differentiation between benevolence and grace and recognizing the Lord as a benevolent Suzerain can resolve the law-grace dichotomy in the covenant of works. The covenant of works is not an assertion of law being prior to grace but a covenant out of Suzerain's benevolence. The law that serves as a covenantal obligation was bestowed under the benevolence of God.

4.2.2 *Answer to McGowan's Critiques*

McGowan's usage of grace applies to God's general goodness and the context of redemption.⁶³² He emphasizes the covenant as unilateral and gracious. On the other hand, Fesko differentiates benevolence and grace and emphasizes the covenant as a treaty from the Suzerain Lord with His vassal. This Suzerain-vassal covenant is neither a relationship between tyrant and slave nor a bilateral contract. It is a treaty that the benevolent Suzerain-Lord sovereignly establishes. With this understanding, the covenant of works will not be regarded as a doctrine that confuses the notion of grace. Though Adam had to work to keep the law in the covenant, it was not Adam's endeavor apart from the Lord since the benevolent God gave Adam the nature to keep the law. Moreover, the reward promised to Adam was way higher than the intrinsic value of Adam's obedience. Though reward would be given to Adam upon his faithful obedience, Adam, as God's vassal-servant, had no right to exchange his obedience for the reward.

The legal strain of the covenant theology that separates law and grace develops to the extent of putting a stark contrast between law and grace, bringing a more significant concern to McGowan.⁶³³ Kline regards the law as the opposite of grace;

⁶³² McGowan applies the term 'grace' to God's people, people in general (common grace) even to the fallen angels that they fell from grace of God, see: A. T. B. McGowan, *Cdhp: Person and Work of Christ* (Crownhill, Milton Keynes: Paternoster, 2012), section 11.

⁶³³ Section 2.2.2 part b.

McGowan, on the other hand, sees the law keeping as a response to the grace of God.⁶³⁴ We have seen in section 2.2.3 that although Kline put a stark contrast on the law and grace, he viewed the love and benevolence of God as not limited to creation but also applied to the covenant. Although Kline claimed that successful probation is meritorious,⁶³⁵ it does not mean Adam would earn God's benevolence. Earning the reward by obedience does not mean earning God's benevolence since the reward is given sovereignly and received by 'a matter of pure and simple justice'.⁶³⁶ Instead of arguing whether the law is prior to grace or grace prior to the law, based on Fesko's works, we would rather say the law is inseparable from God's benevolence. The Suzerain God showed His benevolence to Adam by creating Adam in His image and likeness so that Adam could be His vassal to reflect the glory of God. The Lord also bestowed His benevolence to Adam by giving His law (inscription of the law in the heart and verbal commandment), giving Adam the nature and privilege to keep the law, and promising Adam a reward with the value that infinitely exceeded the value of Adam's required obedience.

As God's vassal and vice-regent, Adam was obliged to keep the law as his covenantal loyalty to the Suzerain King, who is not a tyrant king but a sovereign, benevolent King. Despite experiencing God's benevolence, Adam failed to keep the law, sinned, and transgressed the covenant. Hence, the curse was laid upon him and his posterity. Adam, who was once unmerited, now he and his posterity fell into a demerited state. Nevertheless, the loving God shows His grace (deeper sense than benevolence) to His people. God showed His grace to His people by redeeming them and giving them new hearts to keep the law. God made a covenant of grace with the

⁶³⁴ Ibid.

⁶³⁵ Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Eugene, OR: Wipf & Stock Publishers, 2006), 107.

⁶³⁶ Ibid.

elect, in which Christ is the head of the covenant. God's people can no longer keep the law to gain the promised reward but to come to Christ by faith, for He has secured the reward for His people by fulfilling the covenant of works and died at the cross to pay the penalty of sins.

Part of McGowan's rejection of the covenant of works is also due to the republication doctrine. According to McGowan, Kline sees the Mosaic covenant as a republication of the covenant of works that disrupts the continuity of the Mosaic covenant from the Abrahamic covenant. McGowan also comments that this doctrine puts law before grace and might lead to legalism. However, according to Fesko's formulation, the Mosaic covenant is not a republication of the covenant of works, but the covenant of works reappears in the Mosaic covenant. This reappearance is to show the liability of the covenant of works, Israel's inability to keep the covenant, and finally, to lead Israel to Christ. Furthermore, Fesko does not only see the discontinuity of the Mosaic covenant from the Abrahamic covenant; he does acknowledge the continuity. In his book on the exposition of the Ten Commandments, *the rule of love*, he makes a similar statement to McGowan:

The law was not revealed so that Israel could earn redemption. Rather, Israel was to continuously remember her redeemed state in her reflection upon the law.⁶³⁷

Fesko even states that just as Israel was called to remember their redemptive context (the deliverance from the land of slavery), we are to remember that we have been delivered from sin and death.⁶³⁸ The major difference is that Fesko uses the prohibition-sanction in the Decalogue to draw a parallel to Genesis 2. This parallel leads to the conclusion that God always administers His law in a covenantal context; Adam, like Israel, was in a covenant with God. The Decalogue shows how we are to live as

⁶³⁷ J. V. Fesko, *The Rule of Love: Broken, Fulfilled, and Applied* (Grand Rapids, MI: Reformation Heritage Books, 2009), 9.

⁶³⁸ *Ibid.*, 12.

covenantal people of God and that we cannot live up to the standard; only Christ can keep the law perfectly. Fesko states that 'if we are to reflect the image of Christ, the Law will assist us by showing us what we are supposed to look like.'⁶³⁹

Hence, understanding the covenant and the law with the Suzerein-vassal relationship will not lead us to see the law-grace as detached but to appreciate God's law and grace even more.

4.3 Headship and Federal headship

We have compared and contrasted McGowan and Fesko's understanding of the covenant and the law. McGowan emphasizes the unilateral, gracious, and continuity nature of the covenants with law-keeping as a response to God's grace in the covenant. On the other hand, Fesko emphasizes the covenantal bond of the Suzerein (the Lord) and His vassal-king (Adam as the representative of humanity). In McGowan and Fesko's approaches to the Scripture passages, we have seen how McGowan ignores the key passages used in developing the covenant of works. On the other hand, Fesko demonstrated by referring to intra-canonical passages that humanity is under the liability of the covenant of works, and all transgressed the covenant. Fesko's understanding of the covenant, law, and federalism portrays a suzerain-vassal relationship between God and humanity through Adam.

With this suzerain-vassal relationship, we have demonstrated that the issue of the law-grace dichotomy can be resolved without having to reject the covenant of works and apply McGowan's headship theology that separates headship and covenant.

In this section, we attempt to show that headship and covenant are inseparable. Federal headship remains an essential element in the covenant of works, where Christ,

⁶³⁹ *Ibid.*, 17.

as the second Adam, fulfilled the 'do this and live' principle of the covenant of works and secured eternal life for those in Christ.

4.3.1 McGowan and Fesko's Exegesis on Romans 5 and 1 Corinthians 15.⁶⁴⁰

Both McGowan and Fesko agree that Romans 5 and 1 Corinthians 15 are vital to developing federal headship in covenant theology due to the parallel comparison of Adam and Christ in these passages. We will look at the similarities of their exegesis before turning to the differences.

a. Similarities

Both McGowan and Fesko reject the view that Romans 5:18 and 1 Corinthians 15:22 suggest universal salvation. McGowan paraphrases 1 Corinthians 15:22 into: 'all those in Adam will die, all those in Christ will be made alive', not 'all will be made alive'.⁶⁴¹ This verse implies that a person is either in Adam or in Christ. Fesko mentions in his Romans commentary that while Adam's one act results in all being guilty of sin, Christ's act of righteousness does not automatically impute righteousness to all people.⁶⁴²

Both McGowan and Fesko see that Christ did not just undo what Adam had done; what Christ did was far more significant than Adam's obligation. McGowan refers to 'the first Adam became a living being' and 'the last Adam, a life-giving spirit' and comments that Christ being spiritual is more powerful than the natural Adam. The powerful Christ came to bring inestimable benefits to those in him.⁶⁴³ Although Fesko does hold similar opinions to McGowan that Christ is superior to Adam, both the person

⁶⁴⁰ See section 2.3 and section 3.3.

⁶⁴¹ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 107.

⁶⁴² J. V. Fesko, *Romans*, ed. Joel R. Beeke and Jon D. Payne, *The Lectio Continua Expository Commentary on the New Testament* (Grand Rapids, MI: Reformation Heritage Books, 2018), 146.

⁶⁴³ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 110.

and the works, he emphasizes more on Christ's fulfillment of the covenant of works which Adam failed to keep. According to Fesko, Adam as God's vice-regent is to keep the covenantal binding law to achieve the eschatological goal, namely eternal life.⁶⁴⁴ Upon Adam's success, blessings will be bestowed on him and his posterity.

b. Difference: Whether Imputation Requires Covenantal Underpinning

What sets McGowan and Fesko apart in their exegesis on Romans 5 and 1 Corinthians 15 is their approach to the covenant.

McGowan affirms the headship of Adam and Christ, and the doctrine of imputation but rejects any notion of covenant since the term covenant does not appear in those passages. He agrees with Murray on the importance of the representative head that the doctrine of imputation and justification cannot be understood outside this 'solidaristic relationship'. According to McGowan, these passages emphasize headship, not covenant. Although the covenant structure (covenant of works and covenant of grace) explains why human beings are 'in Adam' and 'in Christ', McGowan comments that this covenantal structure is complex and cannot be deduced naturally from the Scripture.⁶⁴⁵

On the other hand, Fesko attempts to show (1) the Adam-Israel comparison and proves that Adam was in covenant, (2) the imputation of each federal head is covenantal.⁶⁴⁶

The key to Fesko's covenantal claim for imputation lies in Romans 5:14: 'Yet death reigned from Adam to Moses, even over those whose sinning was not like the transgression of Adam, who was a type of the one who was to come'.⁶⁴⁷

⁶⁴⁴ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 373.

⁶⁴⁵ A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 117.

⁶⁴⁶ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 282.

⁶⁴⁷ *Ibid.*, 282-283.

First, Fesko refers to 'death reigned from Adam to Moses' and argues that Paul was contrasting two redemptive periods—Adam to Moses and after Moses.⁶⁴⁸ According to Fesko, this statement reveals that both Adam and Israel were under *nomos*-governed states in a covenantal context.⁶⁴⁹ Nevertheless, the previous verse, Romans 5:13, states, 'for sin indeed was in the world before the law was given, but sin is not counted where there is no law'. Hence, one can argue from McGowan's understanding that 'death reign from Adam to Moses' means death reign before God gives His law in Sinai. This supports McGowan's claim that Adam does not have, by nature, the law. However, Adam does receive the commandment from the Lord. This is why Moo states that both Adam and Israel were confronted with the direct law.⁶⁵⁰ In other words, both Adam and Israel received the law directly from God and transgressed, yet death reigned over all sinners who did not receive the law.

Second, Fesko notices Paul's shift in terminology: sin (ἁμαρτία) and transgression (παράβασις). Sin (ἁμαρτία) denotes a failing of divine standards, whereas transgression (παράβασις) specifically denotes overstepping of an established boundary.⁶⁵¹ Fesko argues that transgression (παράβασις) specifically denotes a covenantal violation.⁶⁵² Fesko lists all occurrences of 'transgression' in NT and OT as proof that transgression of the law is indeed the transgression of the covenant.⁶⁵³ This second observation strengthens the claim in the first observation: both Adam and Israel are in a covenantal context.

⁶⁴⁸ *Ibid.*, 283.

⁶⁴⁹ *Ibid.*

⁶⁵⁰ Douglas J. Moo, *The Epistle to the Romans*, The New International Commentary on the New Testament (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1996), 333.

⁶⁵¹ William Arndt et al., *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago: University of Chicago Press, 2000), 50, 758

⁶⁵² *Ibid.*, 285.

⁶⁵³ *Ibid.*, 286-291.

These two observations lead to the covenantal reading of Romans 5:12-21 and the conclusion that the imputation of each federal head is covenantal. Fesko's arguments contradict what Murray and McGowan contend: imputation can take place apart from the covenant.

4.3.2 *Union with Christ and the New Covenant with Christ*

McGowan and Fesko affirm the *union with Christ* with *ordo salutis*. They both believe that this understanding of *union with Christ* answers the issue of antinomian and neonomian. We cannot attain salvation by human merit but only come to Christ by faith and be justified in Christ. Not only are we justified in Christ, but we are sanctified in Christ. Hence we are exhorted to be in Christ to live a sanctified life.

The main difference is that McGowan's understanding of the *union with Christ* is without a covenantal underpinning; on the other hand, Fesko's *union with Christ* is related to the covenant.

Both McGowan and Fesko are well aware of the relationship between Romans 5 and 6. McGowan comments that Romans 5 shows that we are either *in Adam* or *in Christ*, and justification is in the context of *in Christ*. Whereas Romans 6 demonstrates the spiritual implication (i.e., the sanctified life) of being *in Christ*. McGowan's explanation for Romans 6 mainly focuses on the spiritual life of being *in Christ*. Although McGowan comments that dying to sin and living in the newness of life is symbolized in baptism, he does not relate it with the covenant.⁶⁵⁴

We have seen how McGowan asserts that law comes after the gracious covenant; the law means for the covenantal people to keep as Christians rules and grateful response to the Lord. McGowan refers to the prologues of the Ten Commandments,

⁶⁵⁴ A. T. B. McGowan, *Cdhp: Person and Work of Christ* (Crownhill, Milton Keynes: Paternoster, 2012).

where God reminded the people of His covenantal name and redemption before giving them the Law. It is worth noting that the LORD redeemed Israel from the land of slavery through the Red Sea, and 1 Corinthians 10:1 identify the people passing the Red Sea as being baptized into Moses. Hence baptism is not only the symbolism of union, but it is also covenantal.

On the other hand, Fesko understands spiritual baptism as union with Christ in the new covenant. Fesko believes that Paul applies the baptism of the Red Sea to the eschatological new covenant church.⁶⁵⁵ Being baptized into Christ is to participate in Christ, the *surety* of the covenant. Justification and sanctification are only in effect if we are baptized into Christ and into the new covenant.

While McGowan attempts to separate *union with Christ* from the covenant, his statements on how to be *in Christ* and the description of the new covenant with Christ show that to be *in Christ* is to be in the new covenant.⁶⁵⁶ Both mean to be spiritually united with Christ. Hence *union with Christ* means to be in the new covenant of Christ. McGowan correctly interprets Jeremiah 31 by referring to the context of exile and the coming of Christ to inaugurate the new covenant. Nevertheless, Fesko's understanding of the covenant of works is more compatible with this interpretation of Jeremiah 31. This is because Israel as a whole, just like Adam, failed to keep the covenant, and it was God who proactively made the new covenant and brought back Israel to the land. The Law at Sinai was not only a covenantal obligation for Israel to keep as a gratitude response to the redemption as McGowan asserts; it was also to reveal Israel's inability to keep the covenant by observing the law. Finally, Yahweh Himself brings about the new covenant in Christ and the internalization of the Law.⁶⁵⁷ Some theologians like

⁶⁵⁵ J. V. Fesko, *Word, Water, and Spirit* (Reformation Heritage Books, 2013), 371.

⁶⁵⁶ See section 2.3.4.

⁶⁵⁷ J. A. Thompson, *The Book of Jeremiah*, The New International Commentary on the Old Testament (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1980), 580–581.

Boston and Calvin see justification and sanctification in the new covenant of Jeremiah 31 where Yahweh forgives His people while they are in rebellion and gives them a new heart.⁶⁵⁸ Similarly, in Romans 5 and 6, justification and sanctification are under the rubric of *union with Christ* (or baptism into Christ). Hence *union with Christ* means to be in the new covenant of Christ.

4.3.3 *The Implication of the Headship Theology and Federal Headship*

Due to the unsettled debates on the law-grace dichotomy in the covenant of works, as argued by McGowan, he proposes headship theology that separates the covenant from the head. We will apply our study so far to demonstrate (a) the inseparability of the federal headship and the covenant, (b) a better appreciation of grace with Fesko's understanding of the federal headship.

a. The Inseparability of the Federal headship and the Covenant

From McGowan's headship theology, humans are either *in Adam* or *in Christ*. Those *in Adam* remain in sin and will face damnation, whereas those in Christ are forgiven and receive eternal life. Headship theology does not need a covenantal underpinning since covenant is God's dealing with His people, not a description of who is saved. From the section above, we have demonstrated that to be united with Christ is to be in the new covenant. Similarly, as Christ is the surety of the covenant, headship and covenant is inseparable.

Isaiah 42:6b, 'I will give you as a covenant for the people, a light for the nations' shows the inseparability of headship and covenant. The focus of Isaiah 42 is The

⁶⁵⁸ Peter A. Lillback, *The Binding of God: Calvin's Role in the Development of Covenant Theology*, ed. Richard A. Muller, Texts and Studies in Reformation and Post-Reformation Thought (Grand Rapids, MI: Paternoster; Baker Academic, 2001), 181.
Thomas Boston, *The Complete Works of Thomas Boston Vol 1-12* (Lafayette, IN: Sovereign Grace Pub, 2001), vol 6, 391.

LORD's chosen Servant; here the chosen Servant serves and represents God's people.⁶⁶⁰

Thomas Boston puts it this way:

No wonder he should be called the covenant itself, Isaiah 42:6, since he is the head of the covenant, unto whom the elect are joined unto God in covenant, the condition of the covenant was performed by him, and the Father has put the promises of the covenant in his hand. This is good news to men, that the promised life is in the hands of the Mediator, who is of our flesh and bone.⁶⁶¹

While McGowan avoids referring to Christ as the 'head of the new covenant' but the new covenant as through Christ, in order not to undermine his headship theology, it is undeniable that Christ is the head of the covenant. Fesko mentions several key OT passages 'the Son's work in terms of God making a covenant with Him, such as Psalm 89:3 (cf. 2 Sam. 7:12-14) and Isaiah 42:6).'⁶⁶² Not only covenant and headship are inseparable, the works of the federal head and the covenant are inseparable. God makes a covenant with the federal headship, with the law stipulated as covenantal binding for the federal head to keep and work. The reward is promised to the federal head and to whom he represents upon the condition of perfect and personal obedience.⁶⁶³ On the contrary, should the federal head fail to keep the covenant, the sanction will be laid on him and those in him. The federal head and his works have a impact on the people whom he represent.

McGowan's headship theology is not consistent in his formulation. While he tries to separate headship from the covenant, he statements seem to contradict with his proposal. On the other hand, Fesko's explanation of the covenant of works have been consistent.⁶⁶⁴ The federal headship and covenant is inseparable. To be *in Adam* means

⁶⁶⁰ John D. Barry et al., *Faithlife Study Bible* (Bellingham, WA: Lexham Press, 2012, 2016), Is 42:6. Raymond Ortlund, study note on Is 42:6, in *ESV Study Bible* (Wheaton, IL: Crossway, 2008), 1315.

⁶⁶¹ Thomas Boston, *The Complete Works of Thomas Boston Vol 1* (Lafayette, IN: Sovereign Grace Pub, 2001), part 1, 321.

⁶⁶² J. V. Fesko, *The Trinity and the Covenant of Redemption* (Great Britain: Mentor, 2016).

⁶⁶³ WCF VII.2

⁶⁶⁴ Not only does McGowan's statement regarding the new covenant with Christ contradicts with his answer to how to be *in Christ* see. A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 119, 141.

to be in the covenant of works. We are under the liability of the covenant of works (the principle of do this and live), but unable to live it out due to our fallen nature. On the other hand, to be *in Christ* means to be in the covenant of grace. Christ has fulfilled the covenantal-abiding law and redeemed us through vicarious death on the cross.

b. A Better Appreciation of Grace with Fesko's Understanding of the Federal Headship

We have seen how Fesko sees the Adam-Israel parallel as important to understand the Adam-Christ parallel. This type-antitype relationship serves as indisputable proof for the republication of the covenant of works. The covenant works republished or reappeared, not reestablished in the Mosaic covenant. The reappearance of the covenant of works was not for Israel to earn their merit and retain/attain the land inheritance. On the contrary, it reminds Israel of her liability for the broken covenant, her incapability for perfect obedience, and prophetically points to the antitype, Christ, who will fulfill the broken covenant of works. Fesko asserts that the 'type-antitype relationship between Adam, Israel, and Christ highlights the faithlessness of God's sons (Adam and Israel) and the faithfulness of God's only begotten Son, Jesus.'⁶⁶⁵ Fesko says:

In addition to foreshadowing the last Adam, God's faithful son (Rom. 5:14), Genesis 1–3 anticipates Israel's failure to keep the Mosaic covenant and their future exile from the promised land. Both Adam and Israel point to Jesus, the last Adam – the only one in a post-fall world who completed Adam's failed work.⁶⁶⁶

McGowan changes his position on the covenant of works, from 'Adam as a representation without a covenant of works, on what basis Adam's sin passed on to mankind?' to 'it is perfectly possible to maintain this representative headship without the need for a covenantal underpinning to make it work.' See A. T. B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Apollos, imprint of Inter-Varsity Press, 2016), 104

A. T. B. McGowan, 'In Defence of Headship Theology' in Alistair I. Wilson and Jamie A. Grant, *The God of Covenant: Biblical, Theological and Contemporary Perspectives* Leicester: Apollos, 2005, 190
A. T. B. McGowan, *The federal theology of Thomas Boston*. (Edinburgh, Scotland: Paternoster Pub., 1997), 10.

On the other hand, Fesko has been consistent in his explanation on the covenant of works and federal headship. See J. V. Fesko, *The Trinity and the Covenant of Redemption* (Great Britain: Mentor, 2016).

⁶⁶⁵ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 342.

⁶⁶⁶ *Ibid.*

We do not know why God uses Israel as a type of Christ. Nevertheless, Adam and Israel as a type of Christ give us a vivid picture of their faithlessness, God's grace, and the faithfulness of Christ, the antitype. DeRouchie puts it this way:

The Mosaic covenant, therefore, in many ways mirrored God's covenant with creation through Adam (Isa 24:4–6; Hos 6:7), with Yahweh's relationship with Israel supplying a microcosmic picture of the larger relationship he has over all humanity. Indeed, the noun phrase "the man" (אָדָם) in Leviticus 18:5 may be an allusion to the first man (אָדָם) in the garden, who himself foreshadowed Israel's existence. God created the first man in the wilderness (Gen 2:7), moved him into paradise (2:8, 15), and gave him commands (2:16–17), the keeping of which would have resulted in his lasting life (2:17; cf. 3:24). Then, upon the man's disobedience (3:6), God justly exiled him from paradise, resulting in his ultimate death (3:23–24; cf. 3:19). This too becomes Israel's story: God birthed them in Egypt and the wilderness, gave them commands to keep in order to enjoy life, moved them into the promised land where they continued to rebel, and then exiled them from the land under the curse of death.⁶⁶⁷

DeRouchie does not mean that every Israelite was under the covenant of works and perished, but rather Israel (as a whole) echoes the failure of Adam.

The reappearance of the covenant of works helps to portray God's hearts for His people. It shows how Israel, like Adam, the son of God, failed, and God finally reestablished a new covenant in Christ. The long story of Israel demonstrates vividly: (1) Our liability as the vice-regent to uphold the law, (2) our transgression and consequences. (3) God's unfailing love in redeeming Israel and the church.

Reading the story of Israel with this Adam-Israel-Christ typological parallel will help us appreciate God's grace even more.

4.3.4 *The Westminster Confession of Faith on the Covenant*

a. *McGowan's Headship Theology and Covenants in the Westminster Confession of Faith*

McGowan comments that covenantal theology is the heart of the WCF and that the WCF teaches that the Bible revolves around the covenant of works and the covenant

⁶⁶⁷ Jason S. DeRouchie, "The Use of Leviticus 18:5 in Galatians 3:12: A Redemptive-Historical Reassessment," *Themelios* 45, no. 2 (2020): 249.

of grace. The topic of the covenant is not only in chapter 7 of WCF but also referred in chapter 14 (faith) and chapter 19 (the Law of God). McGowan's headship theology rejects the use of the covenant of works and the covenant of grace. To accept McGowan's headship theology means having to rewrite most of the content of the WCF, which is not our position as to how we have demonstrated the validity of the covenant of works.

Nevertheless, there are some insights from McGowan's works for the further amendment of the development of the WCF. First, the connections of various covenants might have to be considered in amending the WCF. There are only two covenants in the WCF, the covenant of works and the covenant of grace. These two covenants are developed systematically and are not as explicit as the biblical covenants in the Bible. The absence of the biblical covenant might cause some people who hold firmly to the authority of the Bible not to subscribe to the WCF. The reasons for not subscribing to the WCF might be similar to McGowan's assertion. McGowan argues that since the term covenant is used in the Scripture, we should not use it outside the context of the Scripture.⁶⁶⁸ However, as we have seen, the covenantal system in the WCF does not contradict the biblical covenants; they are constructed based on the covenantal element. Still, it would be better if the biblical covenants and their connections were referred to in the WCF. Apparently, the connection is only made for the OT and the NT in the WCF;⁶⁶⁹ we propose incorporating McGowan's explanation of the connection of the biblical covenant into the WCF.

Secondly, incorporating the *union with Christ* as the umbrella of various spiritual blessings into the WCF helps to resolve the law-grace dichotomy. We do not

⁶⁶⁸ Section 2.2.2 part c.

⁶⁶⁹ WCF 7.5

mean that WCF dichotomizes the law and grace. Instead, emphasizing the *union with Christ* enables us to appreciate the organic relationship of various doctrines and to have a more balanced view on justification and sanctification. Though McGowan does not develop his *union with Christ*, his assertion of the *union with Christ* with the *ordo salutis* and other WTS theologians is worth noting. The WLC 65-90 did consider the entire *ordo salutis* under the umbrella of the union, but *union with Christ* does not seem to fit easily for the *ordo salutis* expressed in WCF 10-18.⁶⁷⁰

b. *Fesko's Understanding of the Covenant of Works as Compared to the Westminster Confession of Faith*

McGowan attempts to develop a new theology, whereas Fesko attempts to promote classical covenant theology with a more comprehensive and appreciative understanding. Fesko does not develop his version of the covenant of works but articulates the classical Reformed covenant theology comprehensively in engaging with contemporary critics by applying a historical, biblical, and systematic approach.⁶⁷¹ WCF is one of the most referred confessions in Fesko's works. Fesko's articulation of the covenant of works is not different from the WCF's. However, it might be able to flower the WCF's statement.

First, the notion of imputation can be more apparent with the mention of the federal head. WCF VII.ii-iii could be amended to: 'God made the first covenant, the covenant of works with man, through Adam, the federal head of humanity....Adam, by his fall, caused himself and his posterity incapable of life by that covenant.' Although WCF XIX.i does mention the promise and the judgment of the covenantal law; it would

⁶⁷⁰ Robert Letham, *Systematic Theology* (Wheaton, IL: Crossway, 2019), 614–615.

⁶⁷¹ J. V. Fesko, Email, January 15, 2023

be more balance to include both the blessings and the curses of the covenant of works in WCF VII.II as well.

Second, adding biblical references in the WCF would be more convincing, mainly to show the connection between the law and the covenant of works. Fesko has done an outstanding effort to apply intra-canonical passages to show the validity of the covenant of works and that Hosea 6:7 is part of this exegetical web. Although Hosea 6:7 is not the sole evidence of the covenant of works, as the oppositions argue, this verse is the most apparent verse that shows God's dealing with Adam as covenantal. Surprisingly, Hosea 6:7 is not referred to in the WCF. We humbly suggest adding Hosea 6:7 and the other references of Adam's transgression in WCF VII.ii.⁶⁷²

4.4 Suggestions for Minor Revision and Development

4.4.1 *Republication of the Covenant of the Works*

In our study of Fesko's works, we are convinced that with the proper understanding of the covenant of works, we will not fall into a law-grace dichotomy in our Christian living. Instead, we will better appreciate Christ and His works and live out the law by His grace. We, however, humbly suggest a few minor revisions to Fesko's approach to the Mosaic Covenant.

First, there is a need to engage with the gracious redemption context in Exodus 20. In Fesko's exposition of the covenant of works, Fesko does not deal with the gracious redemption context in Exodus 20, but only uses it to draw a parallel with the command against eating the fruit of the tree of knowledge.⁶⁷³ Nevertheless, it does not mean that Fesko is totally against McGowan's and Murray's interpretation of Exodus

⁶⁷² See section 4.1.3. Hos. 6:7, Job. 31:11, Ps. 82:7

⁶⁷³ J. V. Fesko, *Adam and the Covenant of Works* (Great Britain: Mentor, 2021), 183-198.

20 as God's gracious covenantal dealing with His people Israel. Fesko, in *the rule of love*, does acknowledge the continuity of the Mosaic covenant from the Abrahamic.

Since the use of the law in Exodus 20 is widely seen as normative. We humbly suggest that it would be better if the gracious redemptive context is included in Fesko's exposition of the Mosaic covenant, just like how he does in the *rule of love*.

Second, there is a need to consider the immediate context of Ezekiel 20 before using it to support the republication of the covenant of works. The passage emphasizes Israel's continuing rebellion and God's patience and loving kindness more than the covenant of works. The immediate context shows that Israel's continuing rebellion caused her to be cast into exile. Nevertheless, since the principle of 'do this and live' (Lev. 18:5) resurfaces in Ezekiel 20, it is reasonable to use Ezekiel as proof for the republication of the covenant of works. We can incorporate the republication of the covenant of works into Ezekiel 20.

Under the principle of the covenant of works, God has no obligation to preserve Israel, the transgressor of the covenant, but to cast her into exile once she commits a single sin. Nevertheless, God shows His grace and unfailing love by preserving Israel, even bringing her back from exile into the promised land.⁶⁷⁴ It is not by works that Israel can inherit the land but by grace through faith. While the covenant works reappear in the Mosaic covenant, God has also been preserving Israel until the consummation of the covenant of grace.

4.4.2 *Reinterpretation of the Covenant of the Works at the Sermon of the Mount*⁶⁷⁵

This section extends Fesko's articulation of the covenant of works, particularly on republication. Fesko draws the parallel between Adam and Israel, the context of

⁶⁷⁴ John N. Oswalt, *The Book of Isaiah, Chapters 40–66*, The New International Commentary on the Old Testament (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1998), 420.

⁶⁷⁵ The idea in this section is originated and revised from my assignment on the Pentateuch with the title: The Use of the Pentateuch in the Book of Matthew, 29 May, 2021.

Genesis 1-3 and the context of Sinai to explain the republication of the covenant of works. We attempt to draw the parallel between the promulgation of the law at Sinai and Jesus's interpretation of the Law on the Mount, Deuteronomy and Matthew.⁶⁷⁶ Reinterpretation here does not mean the covenant of works or the obligation of Law is to be interpreted differently in the OT and NT. It simply means correcting our misinterpretations of the obligation of the law and the covenant.⁶⁷⁷

a. The Promulgation of Law at Sinai and Jesus's Interpretation of the Law at the Mount.

In the Sermon on the Mount, Matthew alludes to Moses receiving and giving the Law on Mount Sinai.⁶⁷⁸ On Mount Sinai, Moses gave the law, and in the Sermon on the Mount, Jesus explains the law and clarifies that He came to fulfill it.⁶⁷⁹ Regarding 'You have heard that it was said to those of old', Jesus did not change the content of the Law, but corrected the misinterpretation of the Law by the contemporary Israelites.⁶⁸⁰ Not only are we obliged to keep the whole law, but we are obliged to keep them from the bottom of our hearts. This obligation is from the very beginning, and there are plenty of the OT passages that show the demands of sincere keeping of the law out of love and condemnations against the outward hypocrisy.⁶⁸¹ Jesus covers various aspects in interpreting the Law in the Sermon on the Mount. However, near the end of the book of Matthew, He says that the first and the second commandment is to love God and

⁶⁷⁶ Martin H. Manser, *Dictionary of Bible Themes: The Accessible and Comprehensive Tool for Topical Studies* (London: Martin Manser, 2009). Deuteronomy is known as the Book of the Covenant. See 2 Ki 23:2-3, 2 Ki 23:21.

⁶⁷⁷ As seen in section 3.1.1, part b, the law is the binding stipulation of the covenant. Adam and Israel must keep the whole law in the covenant.

⁶⁷⁸ Viljoen, Francois. "The superior authority of Jesus in Matthew to interpret the *Torah*" *In die Skriflig/In Luce Verbi* [Online], Volume 50 Number 2 (28 June 2016)

⁶⁷⁹ Mat. 5:17

⁶⁸⁰ *ESV: Study Bible*, esv text ed. (Wheaton, Ill.: Crossway Bibles, 2007), 1829.

⁶⁸¹ Section 3.2.2 Is 29:13, Eze. 33:31 etc.

man. It is evident that while Jesus gave an extensive practical interpretation of the Law and was also the greatest "Reductionist".

In Septuagint, the Sermon on the Mount is similar to the words used by Moses in giving the law (καταβάντος δὲ αὐτοῦ ἀπὸ τοῦ ὄρους, Mt 8:1; καταβαίνοντος δὲ αὐτοῦ ἀπὸ τοῦ ὄρους, Ex 34:29).⁶⁸² After the sermon on the mount, Jesus came down to fulfill the Law He taught in ministry. Just as Moses came down to lead the Israelites who had been sinning, Jesus immediately demonstrated His power by performing miracles. The subsequent account of Matthew records Jesus' rebuke of the hypocritical Pharisees and teachers of the law in His ministry.

The parallel of the blessings and the warnings can be observed as well. Francois states:

Whilst the sermon begins with a series of blessings (Mt 5:1-12), it ends with a series of warnings (Mt 7:1, 15, 21, 26-27). This pattern is similar to the Book of the Law (Dt), which suggests a parallel between Jesus and Moses, both as mediators of the commandments of God.⁶⁸³

The blessings and curses in the OT show that God demands perfect obedience from His people. Likewise, Matthew 5:48 says, 'You therefore must be perfect, as your heavenly Father is perfect.'

The Law promulgated at Sinai and interpreted by Jesus requires perfect obedience from the bottom of our hearts.

b. The Law as the Rules for the Sons of the Kingdom of God

The Sermon on the Mount is commonly known as teaching how the sons of the kingdom should live.⁶⁸⁴ Nevertheless, the standard is so high that none can ever

⁶⁸² Viljoen, Francois. "The superior authority of Jesus in Matthew to interpret the *Torah*" *In die Skriflig/In Luce Verbi* [Online], Volume 50 Number 2 (28 June 2016)

⁶⁸³ Ibid.

⁶⁸⁴ John D. Barry et al., *Faithlife Study Bible* (Bellingham, WA: Lexham Press, 2012, 2016), Mt 5:1–12. *ESV: Study Bible*, esv text ed. (Wheaton, Ill.: Crossway Bibles, 2007), 1827.

achieve.⁶⁸⁵ So its purpose is to draw us to Christ, as Christ is the one who fulfills the law, as the Law and the Prophets point to Him.⁶⁸⁶ It is in Christ that we possess that desire to live as members of the kingdom, being sanctified each day to be closer to the standard of the sermon on the mount.

The Gospel of Matthew quotes the Book of Deuteronomy more than any other Gospel in the Pentateuch. And much of Deuteronomy is a restatement of the commandments and an ongoing call to Israel to keep them.⁶⁸⁷ We cannot earn salvation by law-keeping. Even Deuteronomy emphasizes 'on 'the continuation of the covenant made at Sinai with the previous generation', and keeping the law shows that they are the people of the covenant.⁶⁸⁸ The LORD knew they could not keep the law, so he established the sacrificial system.

Matthew is the only gospel that records 'for this is my blood of the covenant, which is poured out for *many* for the forgiveness of sins'⁶⁸⁹ Although Mark and Luke also mention the 'blood of the covenant' in the Last Supper, but Matthew emphasizes many. The forgiveness of sins is not only our personal relation with God but a relationship of the whole chosen community to God. Likewise the sermon of the mount is a teaching to the crowd. The 'blood of the covenant' highlights the picture of sacrifice. Through the blood of Christ, we are being forgiven and given a forgiving heart. This is how we can keep the law with the love of Christ in us. Gorman states:

This *forgiven* and *forgiving* new-covenant community embodies, indeed fulfills, the two tables of the law.⁶⁹⁰

⁶⁸⁵ Leon Morris, *The Gospel according to Matthew*, The Pillar New Testament Commentary (Grand Rapids, MI; Leicester, England: W.B. Eerdmans; Inter-Varsity Press, 1992), 91–92.

⁶⁸⁶ D. A. Carson, "Matthew," in *The Expositor's Bible Commentary: Matthew, Mark, Luke*, ed. Frank E. Gaebelin, vol. 8 (Grand Rapids, MI: Zondervan Publishing House, 1984), 143.

⁶⁸⁷ *ESV: Study Bible*, esv text ed. (Wheaton, Ill.: Crossway Bibles, 2007), 326.

⁶⁸⁸ *Ibid.*

⁶⁸⁹ Michael J. Gorman, *The Death of the Messiah and the Birth of the New Covenant: A (Not So) New Model of the Atonement* (Eugene, OR: Cascade Books, 2014), 36., Mat. 26:28

⁶⁹⁰ Michael J. Gorman, *The Death of the Messiah and the Birth of the New Covenant: A (Not So) New Model of the Atonement* (Eugene, OR: Cascade Books, 2014), 37.

Not only do the sons of the covenantal kingdom need to keep the law as the rule of life, but they must also go to war. The entire Pentateuch was written to the people of Israel who were going to enter the land of Canaan, especially the book of Deuteronomy. When we get to Joshua, the Lord says at the beginning:

Just as I was with Moses, so I will be with you. I will not leave you or forsake you. Be strong and courageous, for you shall cause this people to inherit the land that I swore to their fathers to give them. Only be strong and very courageous, being careful to do according to all the law that Moses my servant commanded you. (Jos. 1:5-7)

In the Great Commission at the end of Matthew's gospel, Jesus promised His presence as they preach the gospel, make disciples of the nations, baptize them (the covenant people), and teach them to obey the Lord's commands (what the covenant people should do). In this regard, Michael J. Gorman states:

Matthew famously concludes with the Great Commission text (28:16–20). This too needs to be understood in connection with the covenant inaugurated by Jesus' death. Disciples, members of the new-covenant community, are sent out to make more disciples who similarly fulfill the Law by obeying Jesus. This missional activity, and implicitly the life of double-commandment discipleship as a whole, is not done alone but by means of the power of the always-present Jesus (28:20), the one who is the covenant-God-with-us (1:23).⁶⁹¹

We are to meditate on the sermon on the mount just like the Israelites meditate on the Ten Commandments. We are to see that we can never measure up to the rigorous demands of the Law, then look to the only one who could fulfill the requirements of the Law—Jesus Christ.⁶⁹² It is by the power of the Holy Spirit, we can strive to reflect His perfect righteousness and love.⁶⁹³ Still, it is not our own obedience accepted, but we are justified by faith that rests on Christ and His works. Our obedience is accepted because we are accepted as the sons of the kingdom of heaven inaugurated in the new covenant of Christ.

⁶⁹¹ Ibid.

⁶⁹² J. V. Fesko, *The Rule of Love: Broken, Fulfilled, and Applied* (Grand Rapids, MI: Reformation Heritage Books, 2009), 14.

⁶⁹³ Ibid., 120.