

# LEGALISM: THE REAL THING<sup>1</sup>

ZANE C. HODGES

*Legalism* is not a very nice word. No one wants to be accused of it, anymore than one would want to be accused of despising motherhood or apple pie. In ecclesiastical circles, to call someone a *legalist* is to hurl an insult of the first magnitude. If someone says, “You’re a legalist,” the instinctive reply would be, “Them’s fighting words!”

But legalism is more than just a nasty religious word. It is also a widely misused word. In the ordinary jargon of evangelicalism, legalism has come to mean an undue emphasis on rules—particularly rules of a negative kind. But on this basis the Apostle Paul, whose epistles contain a plethora of negative commands, would himself be called a legalist! This is an absurd designation for the great Apostle of Grace.

## I. WHAT LEGALISM IS NOT

When I did my undergraduate work at Wheaton College, like all other Wheaton students, I signed the famous Wheaton pledge. The pledge, of course, bound me to abstain from things like drinking, smoking, dancing, card playing, and going to movies. To many people today, that kind of restrictive policy smacks of a very bad case of legalism. Yet I am happy to report that I never had a problem with the Wheaton pledge at all. Not only did I abstain from all these things while a student there, but I was actually glad the pledge existed.

In my humble opinion, the Wheaton pledge was a good idea for a Christian school and was in no small degree responsible for creating a good atmosphere on campus. Many students, like myself, were away from home for the first time in their lives. There is no telling what we might have experimented with had it not been for the pledge. Of course, as we all knew, some students broke

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the pledge on the q.t., but most of us were not brave enough to do that. So I concentrated on getting a good education, for which Wheaton had earned a well-deserved reputation. My hat is off to my old alma mater and to the pledge it so wisely enforced.

Naturally there were some people, even in those days, who thought the Wheaton pledge was a par excellence example of rigid fundamentalism with its so-called legalistic mentality. This accusation, however, was false. First of all, if you didn't like the idea of a pledge you could go to another school. Anyone who enrolled at Wheaton knew perfectly well what the rules of the game were. It was a fault much worse than the pledge, to enroll and sign it, and then go out and break it in the name of Christian liberty. Those who did so only revealed their lack of Christian integrity and character.

But in the second place, the Wheaton pledge was *not* an expression of legalism properly perceived from a *biblical* point of view. If anything, the Wheaton pledge impinged on the NT teaching about doubtful things. Paul had a good bit to say on that subject and if I read his words correctly he was highly sympathetic to the idea of giving up doubtful things if they caused offense to his Christian brothers. I am impressed by his words in 1 Cor 8:13 where he writes: "Therefore, if food makes my brother stumble, I will never eat meat, lest I make my brother stumble." I am not at all sure I could pull that off!

My experience in Evangelicalism suggests that not very many Christians today share Paul's sentiments. For the most part, Evangelicals are not very eager to surrender practices they regard as their right to engage in, in the interest of a brother who may be spiritually hurt by their activity. It is not uncommon to hear scruples against so-called doubtful things labeled as "legalism." This kind of characterization then offers an excuse for ignoring other people's scruples, in the alleged interest of maintaining Christian freedom against unbiblical legalism.

To all of this I say, "Stuff and nonsense!" People's conscientious scruples against activities not explicitly condemned in Scripture is *not*—I repeat, *not*—legalism. Of course, when a word is used widely in a certain way, it comes to have that meaning. But I am not talking about the semantic history of the word *legalism*. I am talking about the NT concept of legalism.

From a NT vantage point, a preoccupation with a lot of negative rules which are not explicit in the Bible is not legalism at all. It may, in fact, reflect the weak conscience Paul talks about. But Paul never condemns a “weak conscience” as some sort of perverse adherence to the law, but rather as a sign of spiritual immaturity. And Paul was nothing if he wasn’t solicitous for the well-being of the spiritually immature. He believed firmly in the principle that, “We...who are strong ought to bear with the scruples of the weak, and not to please ourselves” (Rom 15:1). And for Paul that meant giving up his own rights if need be.

We need more of that in the Christian world today. Instead of hurling thunderbolts about “legalism” at our more scrupulous brothers, let’s try making a few personal sacrifices here and there. After all, as Paul points out in the passage just quoted above, we ought to do this “For even Christ did not please Himself; but as it is written, ‘The reproaches of those who reproached You fell on Me’” (Rom 15:3).

So that’s what legalism is *not*.

## II. WHAT LEGALISM IS

But if so, what *is* legalism? Is there such a thing? And the answer must be straightforward: *There sure is!* In fact, I would suggest that there is more real legalism in the Church today than there was back when I took the pledge at Wheaton College.

In his widely known and widely used *Systematic Theology*, Louis Berkhof<sup>2</sup> listed the so-called three uses of the law. The first use of the law has to do with the *restraining* function of God’s law in the world. The second use of the law has to do with the *convicting* and *educating* use of the law. I am not concerned here with either of these two uses since I think a good biblical case can be made for them. It’s the so-called third use of the law that I am particularly interested in for the purposes of this discussion.

Let me quote Berkhof directly on this point. He designates this use by the Latin words, *usus didacticus* or *normativus*, and then he writes as follows:

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<sup>2</sup> Louis Berkhof, *Systematic Theology* (Grand Rapids: Wm. B. Eerdmans, 1957).

This is the so-called *tertius usus legis*, the third use of the law. The law is a rule of life for believers, reminding them of their duties and leading them in the way of life and salvation. This third use of the law is denied by the Antinomians.<sup>3</sup>

### A. The Antinomian Rabbit Trail

Uh, oh! Here's another of those nasty theological words—*antinomianism*!

According to Berkhof, the denial of the third use of the law is a mark of the antinomians. But if the word *legalism* is wrapped in obscurity these days, the term *antinomianism* is enveloped in Stygian darkness!

For instance, my copy of *The American Heritage Dictionary of the English Language* has only one definition for this word, which it designates as its meaning in theology. Listen to this: “antinomian n. Theology. A member of a Christian sect holding that faith alone is necessary for salvation.”<sup>4</sup> Well, how about that! If that's all we're talking about under the term *antinomian*, I cheerfully confess to being one. And so, I imagine, would every member of GES, since that's the doctrine articulated in our doctrinal confession. But I take great comfort in the fact that under the *American Heritage* definition, the Apostle Paul himself should be classified as an unreconstructed antinomian!

I wish it were all as simple as that. But of course it isn't. I said before we were talking about a muddy, muddy word here, and we certainly are. You see the term *antinomian* has a complicated theological history.

Martin Luther is thought to have been the first to utilize the term, in his controversy with Johann Agricola. Agricola is said to have denied the relevance of the moral law in bringing a sinner to repentance. On the other hand, some who have accepted this second, or pedagogic, use of the law, have still been called antinomians. For example, Hugh Blair writes that they (the antinomians) “insist that the moral law has no place in the life of the believer, who is not under law but under grace, and so

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<sup>3</sup> *Ibid.*, 615.

<sup>4</sup> *The American Heritage Dictionary of the English Language* (Boston: Houghton Mifflin Company, 1976), 57.

not bound by the law as a rule of life for Christian living.”<sup>5</sup> As you can see, this articulation of things is close to Berkhof’s third use of the law. The main difference is that Blair specifies “the moral law” and Berkhof mentions simply “the law.” Obviously we have opened a can of worms.

A reading of all the documents in the second edition of David D. Hall’s, *The Antinomian Controversy, 1636-1638: A Documentary History*<sup>6</sup> reveals that the nature of the Antinomian controversy in the Massachusetts Bay Colony has been repeatedly misrepresented both in the theological classroom and in theological literature. The controversy was not at all about the need for holy living—all sides agreed to this. Thus Anne Hutchinson, the famous villainess of the controversy, “was not a ‘libertine’ who advocated sexual license.”<sup>7</sup> In fact, the controversy was not about sanctification per se, but about assurance of salvation. So Hall writes: “I argued in 1968, and would argue again, that assurance of salvation was the central issue in the controversy.”<sup>8</sup>

I would like to suggest that today the term *antinomian* is largely what you make it. That’s unfortunate, but I’m afraid it’s true. But of course the root derivation of the word simply means “opposed to law.” Not necessarily to the law of Moses per se, but simply to law as such. It would be nice if all parties in the current debate over the gospel could agree to confine the term to those who are opposed to all forms of law in the Christian life. That is to say, an antinomian would then be one who held that there are no laws governing Christian behavior so that the Christian is entirely free from commandments and binding obligations. That kind of definition would clarify things a lot.

For one thing, under that definition, Paul was certainly *not* an antinomian. After all, it was Paul who said (1 Cor 9:21) that in seeking to win to Christ those who were “without law,” he became “as without law”—but he hastens to add, “not being without law toward God, but under law toward Christ.” In another place he

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<sup>5</sup> Hugh Blair, s. v. “Antinomianism” in *The New International Dictionary of the Christian Church*, revised edition, edited by: J. D. Douglas, Earle E. Cairns, and James E. Ruark (Grand Rapids: Zondervan Publishing House, 1978), 48.

<sup>6</sup> David D. Hall, *The Antinomian Controversy, 1636-1638: A Documentary History* (Durham and London: Duke University Press, 1990).

<sup>7</sup> *Ibid.*, xiii.

<sup>8</sup> *Ibid.*, xiv.

can say, “Bear one another’s burdens, and so fulfill the law of Christ” (Gal 6:2). Regardless of the precise meaning of this text, it certainly shows that Paul could think in terms of Christian law. In addition, the NT everywhere asserts that our Lord left commandments that are binding on His followers today.

So you see what I mean. If we could confine the designation *antinomian* to those who will not acknowledge any such thing as a Christian law, we would clarify the situation greatly. But don’t hold your breath waiting for this to happen. *Antinomian* is too good a Christian “cuss-word” to retreat easily to the fringes of theological debate in the way I am suggesting. It just happens to be a very convenient cudgel with which to bludgeon theological opponents whose attributes and theology offend us. I regret to say that Christian polemicists do not readily retire their most useful brickbats, anymore than the nuclear powers easily discard their nuclear arsenals. It’s nice to have something with which to blow your opponents off the face of the map, and antinomianism serves very well for that purpose in some theological circles.

So how about my own nuclear arsenal? What theological word is *my* big bomb? All right. I’m going to admit it. My own nuclear riposte is wrapped up in one word: *legalism*.

## **B. On the Trail of Real Legalism**

Like all theological debaters, I have an excuse for not giving this weapon away. I happen to think that the term *legalism* can be used in a legitimate and biblical sense. It is a charge that will truly stick in specific cases.

So, for that matter, is *antinomianism*, if I may return to that word for a brief moment. You see, Paul apparently knew some real, live antinomians in his day. Or at least, there were those who thought *he* was antinomian, because Paul writes (in Rom 3:8), “And why not say, ‘Let us do evil that good may come’?—as we are slanderously reported and as some affirm that we say.” To which he adds, “Their condemnation is just.” Such a view is beneath contempt for Paul and he will not even debate it. But unless I miss my guess, Paul has in mind some who were using his legitimate teaching as a perverted excuse for licentious living. If *antinomian* were used in that sense it would have a biblical counterpart.

But I would equally insist that Paul confronted various forms of thought that can legitimately be described as legalism. In fact, if I read my NT correctly, Paul had a lot more trouble with legalists than he did with antinomians.

For a long time I have felt that Acts 15 is a highly instructive text in terms of the nature and content of the legalistic thought which Paul vigorously opposed. For example, in Acts 15:1 we are told this: “And certain men came down from Judea and taught the brethren, ‘Unless you are circumcised according to the custom of Moses, you cannot be saved.’” Naturally, it is unlikely that this means that these Judean teachers asked for circumcision and nothing more. The subsequent debate at Jerusalem suggests that the larger issue was the keeping of the Mosaic law, in the keeping of which circumcision was simply the first step.

But clearly these Judean teachers mixed their commands into the conditions for final salvation from hell. We should not leap to the conclusion, however, that they denied the necessity of faith in Christ. In all likelihood they affirmed it, since they got a good hearing at Antioch—so much so that the congregation there dispatched Paul and Barnabas to Jerusalem to settle this issue once and for all. But, of course, everyone at Antioch knew that the Jerusalem church proclaimed faith in Christ, so that it is unlikely that the Judeans denied this. Nevertheless, the Judeans *did* deny the necessity of faith in Christ *alone* for salvation, since they held that salvation was impossible apart from observance of the law.

I don’t need to tell you, do I, that this view of things is widely held today? In the case of many who adopt the so-called third use of the law, this use has inevitable soteriological consequences. To use Berkhof’s words again, “The law is a rule of life for believers...leading them in a way of life and salvation.” It is only a short distance from this concept to the conclusion that if one does not follow this rule of life there is no salvation. But such a view is a transparent return to the position of the Judaizers of Acts 15:1.

I say it is “transparent,” but obviously it is not always transparent to those who espouse it. Indeed, there has arisen in contemporary discussion a fairly vigorous debate about what exactly Paul meant when he condemned *works of the law* as a basis for justification. The answer given by some is that Paul was mainly referring to things like circumcision and food laws.

Ironically, others maintain that by *works of the law* Paul was referring to legalism(!)—by which they mean the attempt to establish one’s own righteousness through completion of the law. By defining *works of the law* to mean only the legalistic attempt to achieve righteousness before God, the door is opened to the *right kind* of obedience to the law! Indeed, on this view, such an obedience actually springs from *faith*! Thus some today hold that obedience to the law, on the principle of faith, is a necessity for final salvation.

Perhaps one of the more extreme expressions of this view is the one found in Daniel P. Fuller’s book, *Gospel and Law: Contrast or Continuum?*<sup>9</sup> As one might guess from the title, Fuller believes gospel and law comprise a continuum. Let me quote a revealing passage from Fuller:

I realized that if the law is, indeed, a law of faith, enjoining only the obedience of faith and the works that proceed therefrom..., then there could no longer be any antithesis in biblical theology between the law and the gospel. I then had to accept the very drastic conclusion that the gospel established by Luther, Calvin, and the covenant theologians could no longer stand up under the scrutiny of biblical theology.<sup>10</sup>

Well, I can at least agree with Fuller about one thing. I can agree that his conclusion is “drastic”! With it, Fuller bids farewell to the Protestant Reformation and is smugly embarked on a pilgrimage back to Rome. As we all know, the synergism between faith and works is a truly Roman Catholic conception.

But Fuller is not wrong because he veers away from Reformation thought. He is wrong because he misreads the Bible and misreads the Apostle Paul in particular. Let me recommend to you that you read the excellent study by Douglas J. Moo in the *Westminster Theological Journal* entitled, “Law, ‘Works of the Law,’ and Legalism in Paul.”<sup>11</sup> Interacting with the literature on this subject, Moo makes an effective case that by *works of the law* Paul simply meant “actions performed in obedience to the

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<sup>9</sup> Daniel P. Fuller, *Gospel and Law: Contrast or Continuum?* (Grand Rapids: Wm. B. Eerdmans, 1980).

<sup>10</sup> *Ibid.*, ix.

<sup>11</sup> Douglas J. Moo, “Law, ‘Works of the Law,’ and Legalism in Paul,” *Westminster Theological Journal* 45 (1983): 73-100.



law, works which are commanded by the law.”<sup>12</sup> To put it plainly, the notion that by *works of the law* Paul meant wrongly motivated works—or something similar—is a theological fiction. It simply will not wash with the biblical texts.

But my point is this. The very fact that contemporary theologians have found ways to say, “Unless you observe the law of Moses, at least the moral law of Moses, you can’t be saved,” is positive proof that the Jerusalem Council in Acts 15 did not rid the Church once and for all of legalistic soteriology.

No indeed! Legalistic soteriology is alive and well and living in today’s church!

But let me return again to Acts 15. The issue raised by the Judean legalists at Antioch was soteriological. But by the time the council convened, I think the soteriological issue had dropped into the background. The reason I say this is because of Acts 15:5, where we read: “But some of the sect of the Pharisees who believed rose up,<sup>13</sup> saying, ‘It is necessary to circumcise them, and to command them to keep the law of Moses.’” It should be carefully observed that these converted Pharisees do not really repeat the contention of the Judeans who had come to Antioch (cf. Acts 15:1). There is nothing in their words that suggests that salvation was impossible apart from the Mosaic law. In a church which had long been under the direct teaching of the original apostles, it is not very likely that there was a faction that believed the law to be necessary for eternal salvation. I feel confident that the apostles had made themselves quite clear on *that* point!

But the apostles had evidently not disturbed converted Jews<sup>14</sup> who wished to pursue their ancestral lifestyle under the Mosaic system. They were free to do so if they desired, and—as we learn from Acts 21:15-25—there were many of them who so desired. In fact, according to Acts 21:21, what really offended these converted Jews was that they heard that Paul was teaching his Jewish converts to give up their observance of the law. But Paul was not teaching that at all. On the contrary, he taught that the law

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<sup>12</sup> Ibid., 92.

<sup>13</sup> Editor’s note: In his class on Acts, Zane emphasized that the Jews mentioned in Acts 15:5 are said by Luke to have *believed* (in Christ). Luke tellingly, however, did not say that about the Judeans of Acts 15:1. Zane concluded that the Jews of 15:1 were unregenerate, whereas those of 15:5 were clearly regenerate.

<sup>14</sup> See previous note.

should not be imposed on *Gentile* converts. But for the believing Jews in Jerusalem, who were free to go on in the Mosaic ways to which they were accustomed, this issue must have been clouded around the edges with obscurity.

In fact, it is not a very hard step to take to conclude that what I do freely out of devotion to God really *ought* to be done by others if they want the best possible spiritual experience. How many people are there, for example, who rise early in the morning to have their quiet time, and who think that every Christian ought to do the same? And if they had a chance to legislate it for the whole church, they would be severely tempted to do so!

So when the believing Pharisees of Acts 15:5 said, “It is necessary to circumcise them, and to command them to keep the law of Moses,” that does *not* mean that they thought of this as a soteriological necessity. More likely they thought that this was the only lifestyle fully acceptable to God. Hence, they would naturally feel that even Gentile Christians definitely needed the law as their rule of life.

Now let me suggest this: These converted Pharisees would have concurred with Berkhof’s third use of the law, *minus any soteriological overtones*. In short, using Berkhof’s words again, they probably held that “the law is a rule of life for believers... leading them in the way of life and salvation.” Mind you, not leading them in the way *to* salvation, but leading them in the way *of* salvation.<sup>15</sup> This too is a biblical form of *legalism* and, along with its soteriological cousin, it is rejected by the Jerusalem Council.

### C. The New Covenant Relationship

One of the significant points raised by Douglas Moo, in the article referred to earlier, is that the Pauline usage of the term law does not really yield itself to a neat distinction between the moral and ceremonial *law*. In fact, Moo writes as follows:

As has been often pointed out, the threefold distinction of moral, ceremonial, and civil law as separate categories with varying degrees of applicability is simply unknown in the Judaism of the first century,

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<sup>15</sup> Editor’s note: Presumably what Zane meant here is that these believing Jews argued that in order to please God, saved Gentiles had to keep the Law of Moses. For them the issue was one of sanctification, whereas for the Jews of Acts 15:1 it was an issue concerning justification.

and there is little evidence that Jesus or Paul introduced such a distinction.<sup>16</sup>

Later on, in discussing the Pauline assertion that the believer is not under the law but under grace, Moo writes as follows:

If...*nomos* in Rom. 6:14, 15 is a reference to the *Mosaic economy* (contrasted with the Christian economy, referred to by one of its chief characteristics, grace), then believers could very well be freed from obligation to *nomos* while being required to observe the “commandments” (now mediated through Christ and the apostles).<sup>17</sup>

I like that. Unless I miss my guess, this is the position of most of the members of GES. We hold that the law—by which we mean the Mosaic economy as a whole—is no longer in force for Christians. Not only does it have no soteriological role to play for us, but it most certainly is *not* our rule of life. To put it another way, we are not under the Old Covenant, we are under the New Covenant.

Moreover, we are introduced into this New Covenant relationship with God by an act of grace. The new heart of which Hebrews 8 speaks is imparted to us by a supernatural work of regeneration, and our standing in this covenant is thus permanent and unconditional. Nevertheless, God’s gracious act, by which we come under the New Covenant, carries with it many obligations and responsibilities. The failure to perform these does not nullify the covenantal relationship itself, but—as the author of Hebrews makes clear—this failure can expose us to severe divine sanctions.

To put this matter in another way, born-again Christians today are responsible to keep the commandments left to us by our Lord Jesus Christ and by His apostles. This new array of commands is quite distinct from the Mosaic economy and should never be confused with it. Though we are not under the law of Moses in any sense, we can still say with Paul that we are “under law toward Christ” (1 Cor 9:21). But under the New Covenant this law is inscribed on our hearts (Heb 8:10) and every act of obedience is the natural outworking of what we are inwardly. That is why James can call it “the law of liberty” (Jas 1:25; 2:12),

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<sup>16</sup> Douglas J. Moo, “‘Law,’ ‘Works of the Law,’ and Legalism in Paul,” 85.

<sup>17</sup> *Ibid.*

because it is the free expression of what we are by nature as God's children. The redeemed self (= our "new man") "was created according to God, in true righteousness and holiness" (Eph 4:24). Were it not for the "counter-programing" of sin that dwells in our flesh, obedience would be spontaneous for all of God's children (Rom 7:21-25).

Please don't misunderstand. Obviously I'm *not* saying that obedience to the New Covenant law is *inevitable*. But I *am* saying that it is *natural*. Of course, there is a significant difference between something that is inevitable and something that is natural. Neither am I saying that obedience to the New Covenant law of liberty is always *easy*. It is not. Romans 7 shows that!

On the other hand, through the personal ministry and help of the Holy Spirit the Christian life can be so lived that we can realize the truth of our Lord's words, "My yoke is easy and My burden is light" (Matt 11:30). Our victory can be such that we can keep God's commandments out of love for Him, so that John states: "For this is the love of God, that we keep His commandments. And His commandments are not burdensome" (1 John 5:3). If the Christian life is perceived by an individual as an enormous burden, that person has yet to understand the real nature of life under the New Covenant. His personal freedom from the Old Covenant law is not yet a reality in his experience. For as Peter so succinctly put it at the Jerusalem Council, the Mosaic law was a "yoke...which neither our fathers nor we were able to bear" (Acts 15:10).

Of course, the statements I have just made deserve an article entirely devoted to the issues they raise. But that is not my purpose here. That must wait for another time, if the Lord wills it.

### III. CONCLUSION

My purpose in this article has been mainly this: to point out that the so-called third use of the law is what we really ought to refer to when we talk about *legalism* in the Church today. The Mosaic law perceived as a rule of life for believers—whether or not that has soteriological overtones—is *true legalism*! That, in my view, is the real thing.

But I hope you have also concluded from this discussion that for a believer to reject the third use of the law is not to become,

ipso facto, an antinomian. That charge is an ungracious and inconsiderate canard. I am tempted to say that it is a violation of the royal law of Scripture, “You shall love your neighbor as yourself” (Jas 2:8)—a law, by the way, repeated under the New Covenant and applicable to all believers. I say I was tempted to say that—but I guess I already have. But I have to agree with Moo again, who writes”

And, as one implication, the fallacy of castigating someone as “antinomian” because he argues that believers are not under the Mosaic law should at least be obvious. Such a charge would “stick” only if it were demonstrated that the Mosaic law contains the *complete* and *sole* revelation of God’s will for man.<sup>18</sup>

That’s a good statement, I think. The Mosaic economy was indeed a revelation from God and, because it was, we can still learn immensely profitable truths from it. But the touchstone for our lifestyle today, is not the *old* revelation—marvelous as it was—but the *new*, more marvelous one, which has been made in and through Jesus Christ our Lord. And we who live in these last days should be able to appreciate the profoundness of the opening words of Hebrews:

God, who at various times and in various ways spoke in time past to the fathers by the prophets, has in these last days spoken to us by His Son...

And it is to that revelation that we are profoundly responsible—all the more so since it has fully superseded the Mosaic revelation. We are thus Christians who live on this side of the Cross and we are under a new law—the law of the New Covenant, that is, the law of liberty. If I were to deny the authority of *this* law over my life, I would then be truly an antinomian. But if I thought the *Mosaic law* had authority over me—even though Paul tells me plainly I am not under it—in that case I would be a legalist. And my legalism would be *the real thing!*

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<sup>18</sup> Ibid., 90.