

## ABSTRACT

Divine Choice and Natural Law: The *Eudokian* Ethics of Francis Turretin

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Francis Turretin (1623–1687) places a threefold scheme of right (*ius*) within the framework of Thomistic natural law to explain the relationship between the divine will and the moral order. He centers his inquiry on a single question: can God ever dispense with a precept of the moral law? That is, can God temporarily suspend the obligation that a person has to a moral law so that an individual action is not immoral, even though it would be otherwise, if it were not for God's command? For Turretin, the answer is unequivocally in the negative: God cannot dispense with any of the precepts of the moral law at any time, for any reason.

Nevertheless, some laws *do* change, and Turretin uses divine, natural, and positive rights to explain why this change is possible. Divine right describes the authority and privilege, as well as the duties and obligations, that God has on account of his own nature. Natural right describes those privileges and obligations that God has due to the nature of the things he has chosen to create, and positive right deals with those additional privileges and obligations that arise from divine choice alone. Those laws, or

parts of laws, that arise from divine and natural right cannot change. Those laws, or parts of laws, that arise from positive right can change, however.

That God cannot change the *moral* law, or even dispense with it, does not undermine his freedom, because God is internally, and not externally, constrained. In his free choosing, from his *eudokia* (good pleasure), God is constrained by divine right, from his own nature; by natural right, from the nature of the things he has made; and, by positive right, from whatever additional laws he has chosen to establish. God's free choice cannot contravene the natural law, yet the natural law is determined by God's free choice, in so far as the natural law is constituted by the nature of the things God has chosen to create.

Divine Choice and Natural Law: The *Eudokian* Ethics of Francis Turretin

by

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A Dissertation

Approved by the Department of Philosophy

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My intellectual pilgrimage at the university level has been a long one, from Dartmouth College, where I pursued a double major in Engineering Sciences and English; to New College, Oxford, where I studied theology; and now to Baylor, where I



have been studying philosophy. At Dartmouth, I remember most fondly Craig Parker and Marc-François Bradley; at Oxford, David Gibb and Garry Williams; and, at Baylor, Thomas Warmath, David Alexander, Sean Riley, and Mike Cantrell—as well as, in Waco, Jeremy Reeves, Greg Fields, and Mark Keaton. I learned of the existence of an English-language edition of Turretin’s *Institutes* over lunch with Jeff Hatton; I am still grateful for this useful piece of knowledge and am even more thankful for his friendship. Special thanks goes to Basim Nasr, whom I have known for twenty years, this year. Basim is a dear friend whose sense of adventure is boundless. I also want to thank publicly the many people who have given generously in support of my various pursuits, educational and otherwise: Malcolm and Becky Morris, Cheryl Thompson-Draper, Beth Moore, and Nat Wei—to name only a few.

My parents, my brother, and my late grandparents all deserve special mention. I was raised by learners, in a house full of books. My parents began buying books for me before I could read, and they purchased a 1734 Latin edition of Turretin’s *Institutes* for me—a gift without which this dissertation would not have been possible. For as far back as I can remember, learning has always been *fun*. May it always be!—and thank you.

When I arrived at Baylor in 2003, I was unmarried and childless. I am now married, and my wife and I have had the wonderful joy of welcoming a daughter into our home. Put another way, early in our marriage, my wife had only one person to nurture. Now she has two. Kathryn has had to bear patiently with my zealous enthusiasm for Turretin for even longer than my dissertation committee. Words cannot express the debt of gratitude I owe her. I dedicate this work to her.

For Kathryn

## CHAPTER ONE

### Introduction

Read by John Locke, taught in Scotland before the Scottish Enlightenment, recommended by Jonathan Edwards, and studied in Latin at Princeton Seminary until after the American Civil War, Francis Turretin's *Institutes of Elenctic Theology* is perhaps unknown to us today only because this Latin work never had a published English translation.<sup>1</sup> Nevertheless, Turretin (1623–1687) was read, appreciated, and studied in Latin, when no English translation was available (or, for some time at least, needed). The work gives a clear, useful, and comprehensive account of philosophy and theology up to

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<sup>1</sup>Turretin's three-volume *Institutio theologiae elencticae* was published from 1679 to 1685 and was reprinted in 1680–1686. A revised edition appeared from 1682 to 1688, and it was itself reprinted in 1688–1690. Thereafter various, additional reprints of both editions were made. See John T. Dennison, Jr., "Editor's Preface," in *Institutes of Elenctic Theology*, vol. 1, by Francis Turretin, trans. George Musgrave Giger, ed. John T. Dennison, Jr. (Phillipsburg, NJ: Presbyterian and Reformed Publishing Company, 1992), xxvii–xxviii. Archibald Alexander taught Turretin's *Institutes* from the founding of Princeton Seminary in 1812 and Charles Hodge did afterwards, until 1872. See John T. Dennison, Jr., "The Life and Career of Francis Turretin," in *Institutes of Elenctic Theology*, vol. 3, by Francis Turretin, trans. George Musgrave Giger, ed. John T. Dennison, Jr. (Phillipsburg, NJ: Presbyterian and Reformed Publishing Company, 1997), 648. Charles Hodge had George Musgrave Giger prepare a translation of the *Institutes* for his students, and this nineteenth-century translation is the one that has just been published. See Dennison, "Editor's Preface," xxvii. John Locke (1632–1704) to Philippus van Limborch, May 10, 1695, letter 1901 in *The Correspondence of John Locke, Volume 5: Letter Nos. 1702–2198*, ed. E. S. de Beer (Oxford: Oxford University Press, 1979), 368–372. Locke's attitude is far from favorable: "I went to Calvin, Turretini, and others, who, I am compelled to admit, have treated the subject in such a way that I can by no means grasp what they say or what they mean . . ." (370–371). Locke had his own copy of Turretin's *Institutes*. See John Harrison and Peter Laslett, eds., *The Library of John Locke*, 2nd ed. (London: Oxford University Press, 1971), 254. On Scotland, see James Moore, "The two systems of Francis Hutcheson: On the origins of the Scottish Enlightenment," in *Studies in the Philosophy of the Scottish Enlightenment*, ed. M. A. Stewart (New York: Oxford University Press, 1991), 43–44. James Wodrow, Professor of Divinity at the University of Glasgow, is specifically mentioned as having taught Turretin. See H. M. B. Reid, *The Divinity Professors in the University of Glasgow: 1640–1903* (Glasgow: Maclehose, Jackson and Company, 1923), 187. Dedication to Reformed scholasticism appeared to be very high in Scotland: Reid writes, "He [Wodrow] bids them master one system of divinity before reading the rest" (190). Jonathan Edwards (1703–1758) exchanged several letters with Joseph Bellamy: first, he recommends Turretin to him; then, he sends him one of his own volumes of the *Institutes*; and, finally, Edwards writes to Bellamy saying that he wants to look at the Turretin volume again himself. See *Letters and Personal Writings*, ed. George S. Claghorn, vol. 16 of *The Works of Jonathan Edwards*, ed. Harry S. Stout (New Haven, CT: Yale University Press, 1998), 217–218, 223, 266, 701.

the seventeenth century, from a Reformed point of view. The word “elenctic” in the title is taken from a Greek word used by Plato to describe Socrates’ dialectical method of refutation.<sup>2</sup> And, indeed, Turretin attempts to refute a fair number of interlocutors in his work.

His attempts were seen as a landmark achievement: Pierre Bayle (1647–1706), in his *Dictionnaire historique et critique*, called Turretin “a man of great merit, eloquent, judicious, hardworking, wise, and zealous for orthodoxy.” Bayle said that “what will especially immortalize him is his three-volume *Institutio theologiae elencticae*,” and two other theological works.<sup>3</sup> Swiss mathematician (and Reformed minister) Jakob Bernoulli (1654–1705) visited Turretin in Geneva, and Bernoulli and Turretin’s *Institutes* deploy the same technical vocabulary when discussing types of necessity.<sup>4</sup>

And Western Europe was not alone in its admiration for the *Institutes*: Daniel Ernst Jablonski (1660–1741), who almost arranged for the “organic union” of the Prussian church and the Church of England in the early eighteenth century, presented Pál Ráday (1677–1733), an aristocratic Hungarian, with a copy of Turretin’s *Institutes* on July 8, 1704.<sup>5</sup>

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<sup>2</sup>See, e.g., Gregory Vlastos, “The Socratic Elenchus,” *The Journal of Philosophy* 79 (November 1982): 711–714. See also Richard Robinson, *Plato’s Earlier Dialectic*, 2nd ed. (Oxford: Oxford University Press, 1953).

<sup>3</sup>My translation. “Ce fut un homme de beaucoup de mérite, éloquent, judicieux, laborieux, savant, & zélé pour l’Orthodoxie.” “Mais ce qui l’immortalisera principalement est son *Institutio Theologiae Elencticae* en 3 Volumes . . .” The other two works Bayle mentions are *De satisfactione Christi* and *De necessariis secessionibus ab ecclesia Romana*. Pierre Bayle, *Dictionnaire historique et critique*, 5th ed., ed. Michel Böhm (Amsterdam: Zacharias Chatelain & Jacobus Wetstein, 1740), 4:407. Available online at <http://colet.uchicago.edu/cgi-bin/BAYLE.sh?PAGEIDENT=4:407>.

<sup>4</sup>Bernoulli, Jakob, *The Art of Conjecturing, together with Letter to a Friend on Sets in Court Tennis*, trans. Edith Dudley Sylla (Baltimore, MD: The Johns Hopkins University Press, 2006), 352–357.

<sup>5</sup>R. Barry Levis, “The Failure of the Anglican-Prussian Ecumenical Effort of 1710–1714,” *Church History* 47 (December 1978), 381. On Jablonski’s gift, see Victor Segesvary, *The History of a Private*

In Scotland, Henry Home (1696–1782), Lord Kames, referenced Turretin’s *Institutes* in an attempt to defend the orthodoxy of own philosophical position. Apparently, aligning oneself with Turretin was seen as sufficient proof of theological legitimacy. According to Kames, Turretin was a “learned” professor “whose authority as an orthodox divine will be allowed to be of the greatest weight.”<sup>6</sup>

Similarly, the prevalence of quotations from Turretin in the writings of Thomas Chalmers (1780–1847) shows Turretin’s continued influence, into the nineteenth century.<sup>7</sup> Turretin’s work even appears to have been abridged to serve as a theological primer.<sup>8</sup>

And, of course, Turretin’s unabridged *Institutes* served as the textbook for doctrine throughout the United States. He was studied, in Latin, at Princeton Seminary, in the North, and Columbia, Union, and Danville seminaries, in the South—and at Southern Seminary, after its founding. No wonder, then, that the nineteenth century saw a new edition of Turretin’s Latin works, prepared for Turretin’s apparently devoted Anglo-American readership. The enthusiasm for Turretin seems to have been quite high.

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*Library in 18th Century Hungary: The Library of Pál and Gedeon Ráday*, trans. E. E. Jókay (The Hague: Mikes International, 2005), 25. Available at [http://www.federatio.org/mi\\_bibl/VictorSegesvary\\_Raday.pdf](http://www.federatio.org/mi_bibl/VictorSegesvary_Raday.pdf). For more information on Jablonski, see Robert F. Young, “Bohemian Scholars and Students at the English Universities from 1347 to 1750,” *The English Historical Review* 38 (January 1923), 84.

<sup>6</sup>Henry Home, Lord Kames, *Essays on the Principles of Morality and Natural Religion, Corrected and Improved, in a Third Edition. Several Essays Added Concerning the Proof of a Deity*, ed. Mary Catherine Moran (Indianapolis, IN: Liberty Fund, 2005), 133. It is doubtful to me that he actually agreed with Turretin; what is interesting is how he thought appealing to Turretin would help his case. On the relationship of Kames to Turretin, see Richard B. Sher, *Church and University in the Scottish Enlightenment: The Moderate Literati of Edinburgh* (Princeton, NJ: Princeton University Press, 1985), 30, 73.

<sup>7</sup>Daniel F. Rice, “An Attempt at Systematic Reconstruction in the Theology of Thomas Chalmers,” *Church History* 48 (June 1979): 174.

<sup>8</sup>George Hill, *Lectures in Divinity*, 3rd ed., vol. 1 (Edinburgh: A. Balfour & Company, 1833), 334. I came to learn of George Hill through Rice, “An Attempt,” 174.

“To praise his writings, wrote one Presbyterian minister on the occasion of a new Latin edition of Turretin’s works, ‘would be as idle as to eulogize the sun.’”<sup>9</sup>

By the end of the nineteenth century—at the latest!—Turretin made his poetical debut:

And Turretin with lordly nod,  
Gave system to the dogmatism  
That analyzed the thought of God  
As light is parted by a prism.<sup>10</sup>

In the early twentieth century Francis Turretin was hailed by the incoming president of Princeton Seminary as “the Thomas Aquinas of Protestantism.”<sup>11</sup>

Nevertheless, when students stopped learning Latin, they stopped reading Turretin’s *Institutio theologiae elencticae* (and, with it, Hobbes’s *De Cive*, Grotius’s *De jure belli ac pacis*, etc.).<sup>12</sup>

The twentieth century saw little study of Turretin. One notable exception is the multivolume *Church Dogmatics*, in which Karl Barth (1886–1968) makes over thirty references to specific passages in Turretin’s *Institutes*.<sup>13</sup>

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<sup>9</sup>E. Brooks Holifield, *The Gentlemen Theologians: American Theology in Southern Culture 1795–1860* (Durham, NC: Duke University Press, 1978), 74–75. Quote from “Francisci Turretini Opera,” *The Southern Presbyterian Review* 2 (1848): 136–137.

<sup>10</sup>Josiah Gilbert Holland, *The Mistress of the Manse* (New York: Scribner, Armstrong & Company, 1877), 81. Mildred, the character in the poem, seems more overwhelmed by the presence of Turretin and his intellectual companions than anything else (82).

<sup>11</sup>Francis L. Patton, “Theological Encyclopædia,” *The Princeton Theological Review* 2 (January 1904): 131. The article is an address that Patton gave at his inauguration to the presidency of what was then known as the Theological Seminary at Princeton. For more on the relationship between Turretin and Princeton Seminary, see Mark A. Noll, introduction to *The Princeton Theology 1812–1921: Scripture, Science, and Theological Method from Archibald Alexander to Benjamin Breckinridge Warfield*, ed. Mark A. Noll (Grand Rapids, MI: Baker Book House Company, 1983), 28–30, 39.

<sup>12</sup>Compare, for example, the reception of Hobbes’s English *Leviathan* versus his Latin *De Cive*. See Richard Tuck and Michael Silverthorne, introduction to *On the Citizen*, by Thomas Hobbes, ed. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998), viii–ix.

Now, however, with the publication of the first English-language edition of Turretin's *Institutes*, over three hundred years after it was first published in Latin, Turretin's thought is more readily accessible.<sup>14</sup>

Though he takes his metaphor for disputation from Plato, Turretin's own style is unabashedly scholastic: he moves through a particular topic by asking and answering a series of questions. For each question, he finds the fulcrum upon which the question turns, presenting all rival positions.<sup>15</sup> He wants to be as fair as possible to his disputants, in order to show how to handle the very best of the opposing arguments. After explaining their positions, he attempts to refute them. Generally speaking, he first appeals to the Bible—and, in doing so, he references every book of the Bible except Obadiah and Nahum and every chapter of the New Testament save one. Then he attempts to show logical difficulties with his opponents' ideas, or how their position

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<sup>13</sup>Karl Barth, *Church Dogmatics*, 14 vols., ed. G. W. Bromiley and T. F. Torrance (Edinburgh: T. & T. Clark, 1936–1977). Specifically, *Church Dogmatics (CD)* I/1, 5 references 1.6.7; I/1, 24 references 1.5.9; I/1, 129 references 2.2.5 and following; I/1, 139 references 2.2.4; I/1, 218–219, references 1.5.4; I/1, 355 references 3.23.23; I/1, 360 references 3.25.7; I/1, 543 references 3.31.3; and I/1, 547 references 3.31.5. *CD* I/2, 25–26 references 13.1; I/2, 34 references 13.4.6; I/2, 55 references 13.10.1; I/2, 189 references 13.11.15; I/2, 193 references 13.11.19; I/2, 195 references 13.11.10; I/2, 477 references 2.9.13; and I/2, 863–866 references 1.14.5. *CD* II/1, 523 references 3.21.1, and II/1, 574 references 3.13.13 and 3.13.23. *CD* II/2, 129–131 references 4.9.22, 4.9.20 and following, 4.9.23, 4.9.9–14, 4.9.15–19, and 4.9.4. *CD* III/3, 31–33 references 6.1.3 and following, including specifically 6.1.5; III/3, 97 references 6.5.1; and III/3, 292 references 6.7.1. *CD* IV/3, 15 references 14.7.5; IV/3, 765 references 18.2.10; and IV/3, 767 references 18.1.3. For the system of references used for the *Institutes*, please see the next note.

<sup>14</sup>Francis Turretin, *Institutes of Elenctic Theology*, 3 vols., trans. George Musgrave Giger, ed. John T. Dennison, Jr. (Phillipsburg, NJ: Presbyterian and Reformed Publishing Company, 1992–1997). References to the *Institutes* in this work are parenthetical and take the following form: *x.y.z/a.b*, in which Arabic numbers indicate *x*, the topic; *y*, the question; and *z*, the paragraph, in any edition of the work, Latin or English. After the forward slash, the volume, *a*, and the page number, *b*, are given, for the English version only. So 18.15.1/3.137 refers to topic 18, question 15, paragraph 1 on page 137 of volume 3 in the English text. Three numbers by themselves refer to a topic, question, and paragraph; a zero in the third position, e.g., 3.1.0/1.169, indicates that the text is part of the question of the section, rather than part of the paragraphs constituting the answer. Two numbers by themselves, e.g., 1.169, generally refer to a volume and a page in the English edition of the *Institutes*.

<sup>15</sup>As Turretin himself remarks, he seeks to “explain the main hinge of the questions according to the opinion of the parties.” Francis Turretin, preface to *Institutes of Elenctic Theology*, vol. 1, trans. George Musgrave Giger, ed. John T. Dennison, Jr. (Phillipsburg, NJ: Presbyterian and Reformed Publishing Company, 1992), xl.

rejects the tradition they purport to uphold. A personal favorite is when Turretin attempts to refute Roman Catholics with none other than Thomas Aquinas (e.g., 14.12.17/2.442). Finally, Turretin often seeks to reduce rival positions to philosophical absurdity. Without question, Turretin’s method is unabashedly scholastic or analytic.

Francis Turretin was born in 1623 in Geneva and received an incomparable education in Geneva, France, and the Netherlands. He died in Geneva in 1687. Throughout his life, and after his death, Turretin’s appeal was based on his careful examination of contentious issues and his reputation for rigorous orthodoxy.<sup>16</sup> Turretin’s stated goal is to provide a sourcebook for Reformed ministers disputing with anyone and everyone.<sup>17</sup> Contemporary philosophers and theologians usually set their targets on one, or two, thinkers or movements. Turretin, by contrast, took on all comers, and his coverage of thinkers and their ideas is encyclopedic. Turretin writes on the Greeks—referencing five different works by Plato and nine different works by Aristotle—and on the Romans—touching on Cicero (fifteen works), Seneca (seven), and Lucretius (*De rerum natura*). He covers Patristic authors—too numerous to mention—and medieval ones as well. He references an astonishing number of Augustinian works (135) as well as Boethius, Bernard, Anselm, Lombard, Aquinas, Scotus, and Ockham. Naturally, Turretin considers Reformation thinkers—Calvin, Zwingli, Luther, et. al.—but he examines Renaissance and humanist thinkers as well. Contemporaries, or near contemporaries, also receive Turretin’s praise or approbation—and almost always a critical eye. Roman Catholic thinkers—Suarez, Pascal, Bellarmine, and Vasquez—and what we now call

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<sup>16</sup>See Dennison, “The Life and Career of Francis Turretin,” 642–648.

<sup>17</sup>Turretin, preface to *Institutes of Elenctic Theology*, vol. 1, xl–xli.



Early Modern philosophers—Grotius, Hobbes, Selden, et. al.—all enter into Turretin’s *elenchus*.

Nor is Turretin unaware of non-European peoples. On the contrary, he comments on Jean de Léry’s travel account to Brazil, engages rabbinic writings critically, and displays an awareness of Islam. Turretin mentions an Indian philosopher by name, and he is aware of Turks, Persians, and others. Turretin’s interests are truly global.<sup>18</sup>

Finally, Turretin is irenic as well as elenctic. Turretin laments “these sad times in which we live” (20.4.9/3.586), a “[m]iserable age (most fruitful in disputations)” (18.1.1/3.1). He especially laments that Christians, in quarreling over sacraments—themselves symbols of unity—have been “torn asunder” by “a mournful divorce” (19.1.1/3.337). Though Turretin himself went to Holland to plead for money to repair Geneva’s walls against the very real possibility of attack, he nevertheless believed that there were Christians in the Roman church (19.18.14/3.409).<sup>19</sup>

#### *From the Later Middle Ages to the Early Modern Period*

The late medieval debate over the relationship between divine choice and natural law did not cease with the advent of modernity. On the contrary, Early Modern philosophy continued to wrestle with natural law and divine choice, wondering how, or even whether, God’s choice determines law and how, or whether, the nature of things constrains divine choice. A key question was whether or not God could dispense with a command, or precept of the Decalogue, the Ten Commandments. A dispensation is

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<sup>18</sup>I gleaned the statistical information in the preceding paragraphs from the indices in *Institutes of Elenctic Theology*, vol. 3, 703–811.

<sup>19</sup>On Turretin’s fundraising mission, see Dennison, “The Life and Career of Francis Turretin,” 645.

God's temporary removal of the obligation to obey a law, for a single person and for one solitary act. The three major figures of late medieval philosophy—Thomas Aquinas, John Duns Scotus, and William of Ockham—maintained the three rival positions: Aquinas held to the indispensability of all the precepts of the Decalogue, Scotus to the indispensability of some and the dispensability of others, and Ockham to the dispensability of all. All three, however, maintained some kind of relationship between God and morality generally, and God's will and law specifically.

The skeptical revival in the Renaissance, the rival theological claims of the Reformation, and the advent of Early Modern philosophy provided the opportunity for a fourth position, itself a rival to all three established positions, to assert (or reassert) itself. This fourth view denies the relationship between divine choice and human law, holding instead that the precepts of law arise from human will, are established by popular consent, and are measured by utility. Surprisingly, given a standard reading of Early Modern philosophy, not every philosopher in the seventeenth century adopted this fourth position. Though obvious controversial figures such as Thomas Hobbes approached the fourth position in *De Cive* and *Leviathan*, most other philosophers in the period, like René Descartes, Gottfried Wilhelm Leibniz, and John Locke, took seriously the relationship between God's will and morality.<sup>20</sup> Indeed, even Hobbes himself perceived the usefulness of grounding the sovereign's law in divine authority, as evidenced by his lengthy discussion of Scripture in *Leviathan*.<sup>21</sup> No prominent philosopher in the

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<sup>20</sup>E.g., John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (New York: Oxford University Press, 1975), 2.28.5–8, 351–352.

<sup>21</sup>Hobbes's frequent reference to Scripture is evidenced by the index of biblical citations in *Leviathan*, by Thomas Hobbes, ed. Edwin Curley (Indianapolis, IN: Hackett Publishing Company, 1994), 575–584. Subsequent references to *Leviathan* are indicated by chapter and paragraph, separated by a period, and a page number, preceded by a comma. So, for example, Hobbes, *Leviathan*, 13.9, 76 refers to

seventeenth century argued for the isolation of law from religion as Jeremy Bentham did in the late eighteenth and early nineteenth centuries.<sup>22</sup> This rival view, though new, became the consensus opinion by the twentieth century.

Recent contemporary philosophy has resisted this comparatively new consensus, and, in doing so, has reclaimed neglected theories and philosophers. The recent revival of both natural law (Jacques Maritain, Ralph McInerny, John Finnis, Mark Murphy, et. al.) and of divine command theory (Philip Quinn, Richard Mouw, Robert Merrihew Adams, C. Stephen Evans, et. al.) accompanied a resurgent interest in the history of philosophy, centered in part on the transition from medieval to modern philosophy (Alasdair MacIntyre, Jerome Schneewind, Knud Haakonssen, and Charles Taylor).<sup>23</sup>

That historical study has accompanied the resurgence of previously unfashionable metaethical theories is unsurprising; philosophers dissatisfied with contemporary philosophy advocate a return, perhaps with modifications, to previous thoughts or

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chapter 13, paragraph 9 on page 76 of Hobbes's *Leviathan*, ed. Edwin Curley, which contains the famous passage that "the life of man" in the state of nature is "solitary, poor, nasty, brutish, and short."

<sup>22</sup>On Bentham, see, e.g., Jeremy Bentham, *Of Laws in General*, ed. H. L. A. Hart (London: The Athlone Press, 1970). See also John Austin, *The Province of Jurisprudence Determined*, ed. W. E. Rumble (Cambridge: Cambridge University Press, 1995).

<sup>23</sup>For more recent natural law theory, see, e.g., Jacques Maritain, *The Person and the Common Good*, trans. John J. Fitzgerald (Notre Dame, IN: University of Notre Dame Press, 2002); Ralph McInerny *Ethica Thomistica* (Washington, DC: The Catholic University of America Press, 1997); John Finnis, *Natural Law and Natural Rights* (New York: Oxford University Press, 1980); and Mark C. Murphy, *An Essay on Divine Authority* (Ithaca, NY: Cornell University Press, 2002). For divine command theory, see Philip Quinn, *Divine Commands and Moral Requirements* (Oxford: Oxford University Press, 1978); Richard Mouw, *The God Who Commands* (Notre Dame, IN: University of Notre Dame Press, 1990); Robert Merrihew Adams, *Finite and Infinite Goods: A Framework for Ethics* (New York: Oxford University Press, 1999); and C. Stephen Evans, *Kierkegaard's Ethic of Love: Divine Commands and Moral Obligations* (New York: Oxford University Press, 2004). For issues in the history of philosophy, see Alasdair MacIntyre, *After Virtue*, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 2003); Jerome Schneewind, *The Invention of Autonomy: A History of Modern Moral Philosophy* (Cambridge: Cambridge University Press, 1998); Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1996); and Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1989).

thinkers who, though now neglected, were nevertheless—according to their advocates—*right*. Alasdair MacIntyre is the most visible representative of this trend, but other examples abound, even outside of ethics, e.g., in epistemology, Alvin Plantinga’s self-conscious revival of Thomas Reid.<sup>24</sup>

The importance of the history of ideas, especially the philosophy and theology of the fourteenth through the seventeenth centuries, becomes all the more apparent when considering the religious affiliations of the advocates for the two rival metaethical positions previously mentioned. Though generalization is always dangerous, especially in philosophy, one may safely say that contemporary natural law theorists are Roman Catholics and divine command theorists are Protestants.<sup>25</sup> Competing explanations for this difference abound. According to Alasdair MacIntyre, Protestants rejected the Aristotelian Thomism that makes natural law possible, whereas, for Richard Mouw, Protestants, especially in the Reformed tradition, regard natural law with suspicion due to its possible overestimation of fallen humanity’s capabilities.<sup>26</sup>

The presence in history of a Reformed scholastic working within a Thomistic moral and metaphysical framework undermines both MacIntyre’s reading of a tendency towards divine command theory within Protestantism and Mouw’s (non-emotivist divine command) defense of it. Turretin is an especially worthy subject of study because his view of law was recognizedly unique and foundational to many who came after him. In Europe, Turretin’s view of the law was known to Gottfried Wilhelm Leibniz, through

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<sup>24</sup>Alvin Plantinga, *Warrant and Proper Function* (New York: Oxford University Press, 1993), x.

<sup>25</sup>E.g., Philip E. Devine titles the concluding chapter of his work on natural law: “Conclusion: Natural Law Versus Calvinism.” Philip E. Devine, *Natural Law Ethics* (Westport, CT: Greenwood Press, 2000), 143–147.

<sup>26</sup>See Mouw, *The God Who Commands*, especially chapter 4.

Pierre Bayle: “M. Bayle, in the same place, quotes a passage from the celebrated M. Turretin which draws a distinction between natural divine laws and positive divine laws. Moral laws are of the first kind and ceremonial of the second.”<sup>27</sup>

Over a hundred years later, on another continent, Turretin’s understanding of the law was still being studied. When Rev. G. Lewis, of the Free Church of Scotland, published his observations on the United States and the American churches, he naturally made his way to Princeton Seminary. There he found students not simply studying Turretin, but studying topic 11 of Turretin’s *Institutes*, the very topic that considers the relationship between divine choice and natural law:

I went to one of the Theological class examinations. The subject was the “Law of God.” The text book they used Turretin. About sixty students were present, and the examination lasted an hour. It presupposed a considerable amount of personal study and preparation on the part of the student. I was pleased also with the fulness and perfect clearness with which the various uses of the law were brought out . . . .<sup>28</sup>

*Turretin’s Approach to the Relationship between Divine Choice and the Natural Law*

For Turretin the key question regarding the relationship between God’s will and the natural law is the issue of dispensability and indispensability. Turretin outlines the three positions mentioned above, held by Aquinas, Scotus, and Ockham respectively

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<sup>27</sup>Gottfried Wilhelm Leibniz, *Theodicy: Essays on the Goodness of God, the Freedom of Man, and the Origin of Evil*, ed. Austin Farrer, trans. E. M. Huggard (La Salle, IL: Open Court, 1996), 240–241. Also available online at <http://www.gutenberg.org/ebooks/17147>.

<sup>28</sup>G. Lewis, *Impressions of America and the American Churches: From Journal of the Rev. G. Lewis, One of the Deputation of the Free Church of Scotland to the United States* (Edinburgh: W. P. Kennedy, 1845), 51. Lewis offers criticism as well as praise. The quote continues: “. . . but though the subject admitted a very easy and natural transition to practical and personal religion, the examination did not in any degree take that direction” (51). He appears to blame the unidentified professor—who “put his questions quietly from his manuscript in a monotone”—more than anything else (51). Lewis writes, “This want of animation—this character of repose and quietness, I afterwards found to be the characteristics of the common school system, as well as of the Academic system of the States—a striking contrast to the energetic rivalry and go-a-head system of the American merchant and politician” (52).

(11.2.9–10/2.9–10), rejecting the fourth position—that there simply is no relationship between God’s will and law—altogether (11.1.5–6/2.2).

Turretin considers the relationship between God and morality in two separate places in his *Institutes*: in topic 3, when discussing God’s will, and in topic 11, his extended discussion of law. Taken together, these two discussions form the foundation of Turretin’s treatment on the issue.

Turretin’s technical vocabulary must be understood before an analysis of his position can begin in earnest. Turretin analyzes God’s relationship to the world using dominion, sovereignty, and right, most carefully considered in topic 3, and law, treated extensively in topic 11. For God to enact legislation as the authority over his creation, he must have the right to do so, and, for this right to be legitimate, God must be creation’s true sovereign. God’s “right and authority of doing what he does” belongs to “his sovereignty,” which “arises from his dominion” (3.22.1/1.250). Turretin unsurprisingly considers God’s dominion before examining his rights as sovereign: God’s dominion rests on the eminence of God’s power *and* his beneficence (3.22.2/1.250), the excellence of his nature *and* creation’s dependence on him (3.22.5/1.251). God’s kindness contributes to his dominion: God not only causes the world to come into existence; he cares for the world that he has made. God’s power *and* his beneficence ground his dominion.

Having dominion over all creation, God is sovereign over it and has particular rights in it. For Turretin, understanding the nature of God’s right is *essential* to understanding the relationship between God’s will and morality, because one cannot make a law if one lacks the right to do so. Rights seem to serve a twofold purpose in

Turretin's discussion: rights both compel God to act and constrain God's action. A right in this regard is both a privilege *and* a duty. So, for example, Turretin describes God's obligation to prescribe to creatures holy and just commands as a "right" (3.22.11/1.252–253).

Turretin distinguishes between God's absolute and his ordinate right (3.22.5/1.251). God's absolute right is beheld in God's "acting from his good pleasure (*eudokia*) alone; not as Judge, but as an autocrat (*autokratōr*) and Lord" (3.22.7/1.252). Though "above and beyond the law," absolute right is nevertheless "not against it" (3.22.8/1.252). Ordinate right, by contrast, is "the order or reason of justice" (3.22.6/1.251). Turretin distinguishes, within ordinate right, between a divine right "founded immediately upon the very nature and holiness of God" and a natural right "founded on the nature of things" (11.2.6/2.8). Whereas the absolute right of God is positive and free, his ordinate right is natural (to God or to the thing) and indispensable. Absolute right depends on "his pleasure and his will," but ordinate right "is founded on the very nature of God" (3.22.11/1.252). Turretin thus provides a threefold formulation of God's right: divine, natural, and positive. These rights correspond to the divine nature, the nature of the creature, and, finally, to the free choice of God from his good pleasure (*eudokia*).

In topic 11, Turretin explains how God's law follows from his choice *within* the threefold framework of his rights (divine, natural, and positive). The divine, natural, and positive rights have corresponding divine, natural, and positive laws. Turretin distinguishes between moral, ceremonial, and civil law (11.24.1/2.145). He also calls the third type of law "forensic" (12.7.32/2.227) or "judicial" (11.24.2/2.146). Turretin follows this threefold distinction in his discussion of the Mosaic law specifically and in

his discussion of law generally. In the Old Testament, the moral law is designated by a Hebrew word meaning precepts, the ceremonial law by a word for statutes, and the judicial (civil) by a word for judgments (11.24.2/2.146). So the moral law addressed the Israelites as men; the ceremonial as the Old Testament church awaiting the Messiah; and the civil as a particular people in the land of Canaan (11.24.2/2.146). Turretin believes that ceremonial laws are from positive right and so are observed only *from command* and *on account of it* (11.13.20/2.84). Precepts of ceremonial law have “no goodness except from the divine appointment” (11.24.5/2.147) but are nevertheless from “the nature and condition of man” (11.24.6/2.147). That is, God makes law that is apart from, but never against, the natural order. Thus some laws that God has instituted, namely ceremonial and civil laws, are founded on positive right, so God may dispense of them without contradiction. The moral law, by contrast, is founded on natural and divine right and so is indispensable. Nevertheless, even within the moral law there is divine choice, founded on *eudokia* and positive right.

Turretin considers the relationship between divine choice and natural law within the context of creation. By creating and providentially governing of the world, God dominion over creation and rights in it. Turretin situates the question concerning the dispensability of the precepts within this context: he asks whether God could create, or could refrain from creating, certain objects in the world. The answer, quite predictably, is *yes*. God is free to create or not create whatever he wants. Nevertheless, Turretin argues that, in choosing to create, God is bound both by his own nature and by the nature of the thing he is creating; he is also bound by any additional, freely chosen precepts he adds to the world that he creates.



Not simply positive right, but all creation, is the consequence of divine choice. God's right by itself cannot explain the relationship between God and morality. "The power of God is not the rule of our faith, but his will. For although all things are possible to God, he does not at once do whatever he is able, but only what he wishes" (19.27.13/3.494). We want to know not simply what God has a *right* to do; we want to know *what* God does and *why*.

God's will is best understood by analyzing it under different aspects. Though God's will is "only one and most simple," we may nevertheless apprehend it as "manifold" (3.14.1/1.220). Turretin distinguishes between the decretive will and the preceptive will, and he roots his discussion of God's will in his theological predecessors, as well as, unsurprisingly, the Bible. The decretive will is God's *eudokia*, his beneplacit, secret will. The preceptive will is God's *euarestia*, his signified, revealed will (3.15.8/1.221; 3.15.15/1.223; 3.15.25/1.225). God's decretive will, his *eudokia*, is truly free, but is nonetheless constrained by "prior reasonables," to use Bradwardine's term that Turretin explicitly evokes (11.2.5/2.8). These prior reasonables are explained in terms of the rights of dominion outlined above. Rights thus explain God's authority over, but also his obligations towards, creation.

So rights alone do not explain God's choices; God's will does. Most crucially, God's decretive will, his *eudokia*, explains why there is anything at all. Yet God's *eudokia* is not wanton but properly regards both himself and the objects of his good pleasure. So God, in creating, is free to create or not create man; in choosing to create him, though, God must impose a law that the rational creature is bound to obey (5.10.9/1.464; 11.2.13/2.11). God could not have done otherwise, regarding the giving of

a law to a rational creature, but he could have done otherwise, regarding the *creation* of a rational creature. To make this point, Turretin relies on a distinction between absolute and hypothetical necessity (cf. 13.3.1/2.299; 13.3.14/2.301; 18.22.3/3.210; 19.13.4/3.387; 19.13.7/3.388; 19.13.12/3.389).

Turretin affirms the Thomistic position on natural law, with some caveats, and he even describes it as the “common opinion” of the Reformed orthodox (11.2.10/2.11). One caveat that Turretin places on Thomistic natural law is the positive right of God to choose particulars within natural right. The fourth commandment shows how a precept can be a matter of natural right, with regards to the activity, but positive right, with regards to the specific day (11.2.21/2.13). The existence of positive right and law, situated within the context of natural law, enables Turretin to explain how Christians celebrate the Sabbath on Sunday, rather than Saturday. A day of rest belongs to the natural law, but the choice of the exact day is up to God. So God can change this day within the world that he creates. What God cannot do, according to Turretin, is refrain from commanding a Sabbath rest for creatures that need it.

Placing God’s choice within the language of right allows Turretin to explain how “the adequate rule of justice is not the law alone, but partly the nature of God and partly his will” (3.22.8/1.252). The division is not in the nature of God nor is it in his will, two possible alternatives abhorrent to Turretin and the tradition he is defending. Instead, justice is found in the relationship between God and his creation, appropriately characterized by a division of right appropriate to God, his creation, and his will, i.e., his divine, natural, and positive right.

Turretin believes that God wills things because they are good and just (3.8.1/1.232). He does so with two important caveats, however. First, he distinguishes between intrinsic and extrinsic regulation (3.18.2/1.233), and, second, he distinguishes between natural and positive law (3.18.2/1.233). The first distinction allows him to say that God's regulation of his will is intrinsic, but ours extrinsic. The second distinction allows him to account for ceremonial laws—which are positive law and good only because God wills them—and natural law, those commands that—here Turretin echoes Grotius (and others before him)—“[i]f (which is impossible) God had not commanded them, they would not cease to be just and therefore to be attended by us” (3.18.3/1.233). Turretin gives several reasons to support his position (3.18.4–3.21.25/1.233–249), concluding that God can do anything he wills and that God cannot will anything against his goodness and justice (3.21.8/1.250).

Turretin makes at least five appeals for his modified natural law. First, humanity has a twofold dependence on God, natural and moral. Second, if all precepts are dispensable and from positive right, then God could command hating God or blaspheming him—a *reductio*. Third, if the natural law is positive law, then there is no distinction between divine law and ceremonial law, between murder or blasphemy and eating pork or touching a corpse. Fourth, as humanity is in the image of God, then the moral law must be as immutable, i.e., indispensable, as its eternal archetype. Fifth, the rational nature does not change, so its law should not either (11.2.12–27/2.10–12; cf. 11.25.11/2.162; 19.27.13/3.494).

Turretin's development of Thomistic natural law does not move him away from Aquinas and towards his Enlightenment contemporaries. On the contrary, Turretin resists

Thomas Hobbes's *De Cive* (11.1.6/2.2), and he refutes Selden's claims (in *De Iure Naturali et Gentium*) that travel narratives from the New World disprove natural law (11.1.19/2.6). Most pointedly, a comparison of John Locke's treatment of Jean de Léry's travel accounts of Brazil with Francis Turretin's shows how the discovery of the New World changed the grounds of natural law debate but how, I believe, Turretin's Thomistic natural law nevertheless interprets the data correctly, contra Locke and Selden.

In his defense of natural law, Turretin explicates the entire Decalogue using a carefully developed interpretive framework (11.6.3–8/2.34–36), and he marshals biblical, classical, and contemporary evidence to defend his claim that the natural law has been always and everywhere known. Turretin recognizes that knowledge of the natural law is integral to God holding everyone accountable to it.

#### *Turretin's Reformed Natural Law*

So Francis Turretin considers the three medieval views about the relationship between divine choice and natural law, as well as the fourth view denying a relationship altogether, and endorses, with a limitation, the view that he recognizes explicitly as Thomas Aquinas's (11.2.10/2.11). The modification that Turretin makes to Thomistic natural law—his “limitation”—enables Turretin to answer elegantly the medieval question about the relationship between divine choice and natural law and to provide a fresh, and thoroughly Protestant, approach to natural law.

Francis Turretin's *eudokian* ethics explains the relationship between divine choice and natural law by appealing to, defending, and developing Thomistic natural law. Creation is a result of God's choice, from his good pleasure, his *eudokia*. The fundamental moral laws contained in God's creation are the result of divine choice, and

Turretin's respect for God's creative freedom is unqualified. God is free to create or not. Nevertheless God, in his *eudokia*, is constrained both by who he is and by what he is creating. God can make a world in which murder is not wrong, but he can do so only by not creating humans or humanlike beings. Yet God is free to add obligations from his *eudokia*, e.g., the Sabbath rest is from natural law, but the command to rest on the seventh day is from positive right rather than natural right. Turretin rejoices in divine freedom, but he exults in human liberty, too: in his dedication to his *Institutes*, he couples liberty with religion as the two most illustrious blessings of God.<sup>29</sup> Liberty and religion are not rivals. Law does not oppose true human freedom but grounds it, because law is not arbitrary but suited to those it binds. Finally, in addition to divine, natural, and positive law, there are things indifferent, *adiaphora*, and about such things indifferent Turretin believes that one has freedom to act or not to act, to praise or to despise, though one is still influenced by moral concerns, e.g., one's exercise of liberty should be considerate of another's moral weakness. True human freedom, like divine freedom, finds its place in, and not apart from, justice.

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<sup>29</sup>“Most magnificent, noble and honored men of the consul and all the Senate of the celebrated Republic of Geneva, health and all happiness is desired for you from Francis Turretin. . . . [A]lthough the blessings are innumerable which God, with a liberal hand, has thus far poured out and this day pours out upon it [the Republic of Geneva]; yet there are two illustrious above the others which commend its dignity: religion, than which nothing is more holy, and liberty, than which nothing is sweeter.” Francis Turretin, dedication to *Institutes of Elenctic Theology*, 1:xxxiii. So Hugh Trevor-Roper was simply wrong to complain that Turretin was part of “a gallery of intolerant bigots, narrow-minded martinets, timid conservative defenders of repellent dogmas, instant assailants of every new or liberal idea, inquisitors and witch-burners!” He believes, quite wrongly, I think, that “the new ideas which interest us spring not from the Calvinists but from the heretics who have contrived to break or elude the control of the Calvinist Church: heretics whom the true Calvinists, if they could, would have burnt.” H. R. Trevor-Roper, “The Religious Origins of the Enlightenment,” in *Religion, the Reformation, and Social Change* (London: Macmillan and Company Limited, 1967), 206.

### *An Outline of this Work*

Francis Turretin frames the question about the relationship between God's will and the moral law in topic 11 of his *Institutes*, long after his consideration of questions about the relationship between justice and the will of God in topic 3. The positions Turretin defends in topic 3 ground his treatment of law in topic 11, and the former topic, *The One and Triune God*, rightly takes precedence before the latter, *The Law of God*. One simply cannot have the law *of God* without God. Nevertheless, our purposes will be served best by reversing Turretin's order and entering his thought through the topic on God's relationship to law, topic 11. After framing the question presented in topic 11, we will turn to investigate God's relationship to justice, in topic 3, before returning again to topic 11, to consider Turretin's answer.

More specifically, the next chapter introduces the technical vocabulary of topic 11 and frames the central question of this work, using that vocabulary. The chapter presents four—three medieval and the one modern—answers to this question, showing Turretin's allegiance to Aquinas's answer. Turretin's Thomistic solution relies on a unique development of carefully defined notions of right, authority, and dominion. These ideas are introduced at the close of chapter 2.

Given that chapter 2 depends on Turretin's use of right (*ius*), chapter 3 explores topic 3, where Turretin outlines his understanding of *ius*. To understand *ius*, we must consider Turretin's explication of the relationship between God's right and his will; how God's will relates to the range of choices available to him; and the relationship between divine choice and divine freedom, natural law, and necessity.

Chapter 4 more carefully explores how the rule of justice is partly from the nature of God and partly his will. This chapter centers on Turretin's discussion of the relationship between the justice of God and his will. In so doing, we examine Turretin's distinction between extrinsic and intrinsic relations and between natural right and positive right. We consider Turretin's understanding of the relationship between divine freedom and obligation, vindicatory justice, and natural justice.

Chapter 5 considers God's power, leading to a discussion of the possible and the impossible, with reference to contrary and contradictory things. The relationship between a thing's limits and God's limits leads to a fuller understanding of the relationship between the power of God and the will of God.

We return to topic 11 in chapter 6. Turretin distinguishes between simple and mixed precepts and between God's dominion and his government. More importantly for our purposes, Turretin distinguishes between natural and positive rights—now within a legal framework—and, within natural rights, between divine natural right and natural natural rights. We will thus arrive at our now familiar threefold conception of right: divine, natural, and positive. Chapter 6 finishes by showing how Turretin's use of the language of right leaves room for divine commands within a natural law framework, using Turretin's treatment of two passages from Scripture, Abraham and Isaac and the plundering of the Egyptians.

In chapter 7, we consider Turretin's five appeals for natural law and two critiques of natural law—critiques Turretin considers and then refutes. The first critique, mostly from Reformed interlocutors, is an objection to natural law on account of human sinfulness. The other objection, from Enlightenment philosophers such as John Locke, is

from travel narratives testifying to the purported existence of previously unknown peoples who lack the natural law that was supposed to be universal.

Turretin's interpretive framework for the law is the subject of chapter 8. Turretin provides seven principles for interpretation which show, in another, final way how close he is to Aquinas: the moral law and the virtues are inseparable, as Turretin's analysis makes clear. The beginning and the end of the law is love—for God and for neighbor.

Chapter 9 concludes the work.

#### *An Explanation of the Sources Used and the Method of Citation*

The English text of Turretin's *Institutes* is from the George Musgrave Giger translation, unless otherwise indicated. The Latin text is from the 1734 edition of the *Institutes*. For topic 11, I also had access to the 1688 edition.<sup>30</sup>

In an ironic twist, the eighteenth and seventeenth century editions of Turretin's *Institutes* use both Hebrew and Greek fonts, whereas the English translation from the late twentieth century does not. I have followed the English translation's transliteration of the Hebrew and Greek, but the reader of this work who does not have access to the Latin editions should be aware that, in the original text of the *Institutes*, Turretin wrestles with the words in Greek and Hebrew, not in transliteration.<sup>31</sup> Given that many people do not have immediate access to Turretin's Latin, I have reproduced as closely as possible the exact text, including italics, capitalization, and ligatures (e.g., *æ* instead of *ae*).

Exceptions to the attempted faithful reproduction include substituting a terminal or short

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<sup>30</sup>Francis Turretin, *Institutio theologiae elencticae*, 3 vols. (Utrecht: J. van Poolsum, 1734); Francis Turretin, *Institutio theologiae elencticae*, vol. 2 (Geneva: S. de Tournes, 1688).

<sup>31</sup>On transliteration, see Turretin, *Institutes of Elenctic Theology*, 1:xxiii–xxiv. For abbreviations of biblical books, see Turretin, *Institutes of Elenctic Theology*, 1:xxv–xxvi. Biblical quotations from the English translation of Turretin's *Institutes* are in the Authorized, or King James, Version. All biblical quotations given by me are in the New Revised Standard Version, unless otherwise indicated.



s in the place of a medial or long  $\int$ , as well as the transliteration of Hebrew and Greek words, as noted above.

When working with Turretin's Latin text, I follow his capitalization and italicization. When using Latin words for my own purposes, apart from direct citation, I follow standard practice, i.e., the words are italicized and capitalized in sentence style. If a larger passage deserves our full attention, I place the English text in a block quotation above the Latin. Occasionally, I want to draw attention to a sentence, or only part of a sentence, in which only a handful of Latin words are important. In those instances, I have simply quoted the English, providing, in square brackets, the exactly rendered Latin (e.g., with method of capitalization and italics Turretin uses, not today's method of quoting Latin).

An example or two should help, I hope. In my own discussion of the Latin word regularly translated "obligation," I write *obligatio*, following standard practice.

However, when quoting from the English text of Turretin and supplying the Latin in square brackets, the Latin supplied does not conform to our standard practice but is, instead, Turretin's own. So, early in chapter 2 of this work, I write the following:

Turretin defines obligation (*obligatio*) as "the right of the law [Jus Legis] over man [in hominem]." *Obligatio* is italicized because I am supplying the technical term myself, following standard practice; the words in square brackets are not italicized, however, indicating to the reader that they are not italicized in Turretin's Latin text.

This approach provides a look into the Latin text that would be impossible to give otherwise. Yet it also makes a greater demand on the reader, who must remain attentive to the method of visual presentation of the source material. And it also means that there

are apparent discrepancies in this work, which are not discrepancies at all, e.g., when I refer to *ius* (right), I follow standard practice, but, when I quote directly from Turretin or supply the Latin in square brackets, the same word is rendered with a *j* instead of an *i*, e.g., “Jus Legis,” as is seen above, in the quote from chapter 2.

## CHAPTER TWO

### The Law

#### *The Technical Vocabulary*

In topic 11, Turretin carefully defines the technical vocabulary that he uses to frame the question concerning the relationship between divine choice and natural law. In order to understand the nature of his argument, we must take great care not only to recognize how he employs these words but also to develop a sensitivity to their medieval provenance. “For the sake of clarity,” Turretin remarks in 11.2.2, “we must premise a distinction of terms often occurring in this argument” (2.7). He continues,

Obligation is the right of the law over man on account of which the man who is under law is bound to obey it. Dispensation is when, in any case in which the law really prevails and obliges, the obligation of the law is taken away from some man in particular, the rest remaining under obligation. A declaration or interpretation of law is when it is declared that the law does not bind in a particular case. Irritation is when a law is abolished before it can perfectly bind; abrogation when that is simply abolished and taken away which has already perfectly bound; derogation when it is partly taken away and partly remains. (11.2.2/2.7–8).

*Obligatio* est Jus Legis in hominem, propter quod homo, qui est sublex, tenetur Legi obsequi. *Dispensatio* est quum in aliquo casu, quo revera viget & obligat Lex, tollitur obligatio Legis ab aliquo homine in particulari, reliquis manentibus obligatis. *Declaratio* seu *interpretatio* Legis est, quando declaratur Legem in aliquo casu non obligare. *Irritatio* est quum Lex aboletur antequam perfectè obliget. *Abrogatio* quum simpliciter aboletur & tollitur, quæ jam perfectè obligabat. *Derogatio*, quum ex parte tollitur, & ex parte manet. (11.2.2)

Obligation is defined first, and rightly so, as the other legal concepts are defined in relation to it. Turretin’s use of *ius* in his definition of obligation (*obligatio*), translated as “right” by Giger, perhaps seems awkward in this sentence; nevertheless, to his medieval

predecessors—but not his Enlightenment contemporaries—*ius* as “rule” was commonplace.<sup>1</sup> That Turretin is using *ius* in a nonmodern sense is clear here given the work it is doing in the sentence. Turretin defines obligation (*obligatio*) as “the right of the law [Jus Legis] over man [in hominem].” Obligation does not give us the right to make claims of others for our own sake; on the contrary, obligation is a rule that governs us. The *ius legis* makes demands of us; we do not rest our appeals on it. Obligation is a rule that has purchase in us (*in hominem*). Because obligation is a rule of law—and not a right upon which we may appeal—Turretin can attest that “the man who is under the law is bound to obey it [tenetur Legi obsequi].” An obligation is the law’s rule over a man, or its ownership in someone. The person under obligation ought to obey the law; in fact, he is bound to obey it.

Dispensation (*dispensatio*) is the removal of the obligation of the law (*obligatio legis*) from a particular person “in any case in which the law really prevails and obliges,” “the rest remaining under obligation.” Dispensation is thus *not* an overthrow of the law’s binding authority over the human race generally or even over a particular person for the total duration of that person’s life. On the contrary, a dispensation refers to a particular situation—“in any case”—in which the law actually “prevails and obliges.” So a person given a dispensation for a particular act is nonetheless obligated by all laws for which he does not have a dispensation, even during the circumstance in question; furthermore, when the situation for which he received the dispensation has passed, his obligation to the particular law for which he received dispensation resumes.

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<sup>1</sup>On the history of the use of *ius*, see Richard Tuck, *Natural Rights Theories: Their Origin and Development* (Cambridge: Cambridge University Press, 1979).

Abrogation (*abrogatio*), by contrast, is the abolishment of a law to which all had been under obligation, i.e., one that “was obligating perfectly already.” In addition to dispensation and abrogation, Turretin defines irritation (*irritatio*), an abolishment of the law “before it can perfectly bind,” and derogation (*derogatio*) a partial removal of the law, with some of the law remaining.

Amongst these modifications of obligation—dispensation, irritation, derogation, and abrogation—Turretin adds declaration (*declaratio*) or interpretation (*interpretatio*), which is not about the nature of obligation at all. Instead, a declaration or interpretation is a view about the salient features of a particular case. A declaration or interpretation does not modify obligation in any way; instead, “it is declared that the law does not bind in a particular case.” Turretin rightly includes declaration/interpretation in his definitions, even though it is not a straightforward modification of obligation like the others. He includes it because declaration/interpretation is one possible *reply* to the challenge that one is not acting in accordance with a law that genuinely obliges. Declaration/interpretation says that my violation of the law is only an *apparent* violation of the law, not an actual one. Dispensation, by contrast, says that my violation of the law is not a violation of the law because the law’s obligation has been removed from me in this particular case. Declaration/interpretation and dispensation are thus two possible replies to the accusation of criminal behavior: declaration/interpretation says that I am not breaking the law, though it may appear that I am; dispensation says that I am not breaking the law because, for this act, the obligation of the law has been removed.

Now these terms are perhaps as unfamiliar to our ears as they were familiar to Turretin’s original audience, so a contemporary example that uses this medieval

vocabulary may help familiarize us with these technical, but nevertheless important, words. Dispensation (*dispensatio*) and declaration/interpretation (*declaratio/interpretatio*) are the two most important possible replies to straightforward obligation (*obligatio*), so our example will focus on them. The posted, school zone speed limit on Tennyson Drive is twenty miles per hour. So, during school zone hours, I am under an obligation to drive at a speed less than or equal to twenty miles per hour. There is a speed limit, and the posted speed limit *applies to me*. The rule of law in me binds me to obey it, and this right or rule is obligation. Now imagine that my pregnant wife goes into labor during school zone hours, and I, good citizen that I am, begin the *slow* journey to the hospital down Tennyson Drive. A sympathetic police officer sees my wife and stops me. He tells me to follow him and to drive in excess of the speed limit, so that my wife can reach the hospital more quickly. The police officer has granted me a dispensation. I am supposed to be driving at most twenty miles per hour, but I am instead, without fault, driving much more than that. Everyone else is under obligation to the law; someone driving down Tennyson Drive moments after me could receive a speeding ticket for driving at a speed much less than my increased speed. He does not have a dispensation to the law that obligates him, even though I do.

By contrast, imagine an Olympic sprinter training for the hundred meter dash near the local elementary school. During his training, he runs along Tennyson Drive at a speed in excess of twenty miles per hour. An overzealous police officer, determined to squash speeding in school zones, gives him a ticket. The runner appears before a judge, demanding that the ticket be dismissed. The judge does so, explaining that the law was written for motor vehicles, not Olympic athletes. The judge issues, in Turretin's terms, a

declaration or an interpretation of the law. The judge is *not* saying that even though the runner was under an obligation to obey the law the judge has decided to let him go; on the contrary, the judge is saying that the police officer was mistaken in believing that the law applied to the runner when in fact it did not. The judge's declaration or interpretation declares that the specific instance does not fall under the law's scope; the judge interprets the law as not applying to the particular case.

### *Using the Distinctions to Frame the Question*

These distinctions are crucial because they help delineate the boundaries of one's position about the relationship between divine choice and natural law. Indeed, Turretin frames the question about the continuity of the moral law within the context of the dispensability or indispensability of its precepts:

The question then returns to this—whether the precepts, not of the ceremonial and forensic law (which are evidently of mutable positive right), but of the moral law (not according to the appendages, but according to substance) are of natural right, whether primary or secondary (not merely positive) and so are necessary (not only hypothetically from the sanction of the divine will, but absolutely on the part of the thing) and incapable of being dispensed with, not only by men but also by God. (11.2.9/2.9)

Quæstio ergo eò redit, An Præcepta, non Legis Cæremonialis & Forensis, quas juris positivi mutabilis esse constat; Sed Legis moralis, non secundùm appendices, sed secundùm substantiam, sint Juris naturalis, sive primarii, sive secundarii, non merè positivi, adeoque necessaria, non tantùm hypotheticè ex voluntatis divinæ sanctione, sed absolutè & à parte rei, & indispensabilia, non tantùm hominibus, sed etiam Deo? (11.2.9)

Notice here how abrogation does not enter Turretin's mind. The question is not whether God overthrows a moral law in its entirety, e.g., he declares that murder is no longer prohibited generally. Instead, Turretin focuses on a very narrow question, the question of a single instance: can God ever say to a person actually under obligation to a particular

law that he is released from obligation for one specific act? That is the question Turretin considers, and we should not miss the significance of how narrowly he defines it.

Turretin is not considering a straw man argument that speaks of an overthrow of the moral universe as we know it. The abrogation of a precept, or all the precepts, of the moral law is outside the bounds of his discussion. From Turretin's mindset, then, the medieval question about the relationship between the divine will and the moral law does not concern the permanent, universal abrogation of a precept but rather its temporary, particular dispensation.

This focus on dispensation, rather than abrogation, makes sense, given the theological concerns of Turretin's predecessors. The question about the relationship between God's will and the moral law arose from the study of Scripture. Both in the Reformation and the Middle Ages, God's particular commands to specific people in certain places and times, recorded in the Scriptures, provided rich ground for philosophical and theological reflection. So rather than fanciful speculation, e.g., asking whether God can abrogate the precept against murder, these Christians wrestled with those biblical passages in which God appeared to command or actually did command the violation of a precept of the moral law, e.g., whether God was commanding murder when he told Abraham to offer his son Isaac as a burnt offering, in Genesis 22:2. (My locution about the problem illustrates the problem: does God only appear to command or did God actually command the murder of Isaac?) Again, the question is not whether God has taken a moral precept and abrogated it forever; the question concerns this one instance only, within the context of Scripture. If the answer to Turretin's question is affirmative, i.e., that the precepts are indispensable "not only by men but also by God," then whatever



God commands cannot entail a dispensation of the moral law. Again, if the answer to the question is affirmative, then God can only *appear* to command an evil act; he cannot actually, by his commanding, make what would be an otherwise evil act a good one. When confronted by a passage in which God seems to command something contrary to the moral law, one must assert that God is not actually commanding something contrary to the moral law. The most readily available way to do so is to appeal to a declaration or an interpretation.

By contrast, if the answer to Turretin's question is negative, then one may freely confess that God does indeed command actions contrary to the moral law; nevertheless, on this account, God's goodness is maintained thoroughly because God, by temporally dispensing with the obligation of the moral law over a person's specific action in a particular situation, removes the right or rule of the law in the person. The person would otherwise be bound by the law but, because of God's dispensation, the person is not. Thus God does not command disobedience to the law; instead, he grants a dispensation for his higher purposes—or so the argument goes.

Finally, between this straightforward affirmative answer and the previously considered negative answer, Turretin recognizes a middle position, which holds that some precepts are dispensable and some are not.

### *Medieval Answers to the Question*

In 11.2.10, Turretin identifies the three rival positions within the context of the medieval debate, even singling out the chief proponents for each position. From the medieval scholastics, Turretin recognizes Ockham, Gerson, and Peter of Ailly as chief advocates for the dispensability of all the precepts of the moral law. They have the

unhappy company of the heretical Socinians, “who insist upon dispensability principally for this reason—that they may prove the imperfection of the Mosaic Law and the necessity of its correction” (11.2.10/2.10). Next, Turretin identifies the middle position of John Duns Scotus and Gabriel Biel. This position holds that some precepts are indispensable while others are dispensable. Turretin adds,

To them some of our men approach, who maintain that certain moral precepts of the decalogue which flow absolutely from the nature of God are absolutely indispensable (such as the first, second, third, seventh and ninth), but the others, depending upon the free will of God (as the fourth partly, and the fifth, sixth, eighth and tenth), although immovable and indispensable as to us, still are dispensable as to God (who can for certain reasons command the contrary yet do nothing repugnant to his own nature). (11.2.10/2.10)

Ad quos accedunt illi ex nostris, qui pertendunt Præcepta quædam Decalogi moralia, quæ absolutè fluunt à natura Dei absolutè esse indispensabilia, qualia sunt 1. 2. 3. 7. 9. sed alia quæ pendent ex libera Dei voluntate, ut quartum ex parte, & quintum, sextum, octavum, & decimum, licet sint immota & indispensabilia quoad nos, esse tamen dispensabilia quoad Deum, qui possit certis de causis præcipere contrarium, & tamen nihil faciat repugnans naturæ suæ. (11.2.10)

Finally, Turretin identifies Thomas Aquinas, Altissiodorensis, Richard of Middleton, and Peter Paludanus with the third position, one that maintains the indispensability of all the precepts of the moral law:

The third is the opinion of those who hold that the moral law as to all its precepts is simply indispensable because it contains the intrinsic reason of justice and duty; not as proceeding from the law, but as founded on the nature of God and arising from the intrinsic constitution of the thing and the proportion between the object and act, compared with right reason or the rational nature). Thomas Aquinas, with his followers (ST, I-II, Q. 100, Art. 8, pp. 1045-46), Altissiodorensis, Richard of Middleton, Peter Paludanus and many others, thinks thus. (11.2.10/2.10)

*Tertia* est eorum, qui volunt Legem moralem quoad omnia præcepta sua esse simpliciter indispensabilem, quia continet intrinsecam rationem justitiæ & debiti, non ut procedit à Lege, sed ut fundatur in natura Dei, & provenit ex intrinseca rei constitutione, & proportione inter objectum & actum comparatum ad rectam

rationem, seu naturam rationalem, quales sunt *Thomas cum suis* 1<sup>a</sup> 2<sup>ae</sup> q. 100. art. 8. *Altissiodorensis, Richardus, Paludanus, & alii* plures. (11.2.10)

Notice how Turretin references Aquinas precisely, not generally, and an examination of the text to which he refers only heightens our awareness of Turretin's indebtedness.

Even some of Turretin's technical vocabulary is in Aquinas: in *Summa Theologiae* Ia IIae, q. 100, a. 8, *sed contra*, for example, Aquinas writes, "Therefore the precepts of the decalogue cannot be changed by dispensation [Ergo praecepta Decalogi mutari per dispensationem non possunt]."<sup>2</sup> *Dispensationem* is the accusative singular of *dispensatio*, the word Turretin uses to describe the removal of an obligation in particular circumstance. So Aquinas, in addition to representing one of the three possible answers to Turretin's question, also appears to supply the technical vocabulary that allows Turretin to frame it.

Having stated the three possible answers to the question about whether the precepts of the moral law are dispensable, Turretin endorses the third and final position, that the precepts are indispensable.

His passing remarks about the other positions are illuminating. Against the first position—that the precepts are dispensable—Turretin engages in vigorous *ad hominem*. His position ultimately does not rest solely on *ad hominem*, of course; he takes up a thoroughgoing defense of his position later. Nevertheless, Turretin's use of *ad hominem* exclusively against this first position is interesting. Turretin suggests that those who hold

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<sup>2</sup>The English text of Aquinas is from Thomas Aquinas, *The Summa Theologica of St. Thomas Aquinas*, 2nd ed., 22 vols., trans. Fathers of the English Dominican Province (London: Burns Oates and Washbourne, 1920). Online edition by Kevin Knight available at <http://www.newadvent.org/summa/index.html>. The Latin text is from Thomas Aquinas, *Summa theologiae*, vols. 4–12 of *Opera omnia*, ed. Leo XIII (Rome: Sacred Congregation for the Propagation of the Faith, 1888–1906). Online edition by Roberto Busa and Enrique Alarcón available at <http://www.corpusthomisticum.org>. Subsequent references are abbreviated *ST*, and the use of the Latin in the body text and in square brackets follows the guidelines established for Turretin at the end of chapter 1. I use the online editions of both the Latin and the English editions.

to the dispensability of all the precepts advance this position because they are afraid of the second precept of the Decalogue or because they want to support their claims for the papacy's authority to dispense with the precepts. Second, according to Turretin, the heretical Socinians "insist upon dispensability principally for this reason—that they may prove the imperfection of the Mosaic Law and the necessity of its correction."

Nevertheless, Turretin does admit that the medieval scholastics and the Socinians "are joined by those of our party who maintain that the moral goodness and wickedness of things flows from no other source than the free will of God; so that things are good and just only because they are commanded, not commanded because they were just antecedently" (11.2.10). So Turretin recognizes an identifiable theological motivation to adopt this first position, even if doing so places oneself in undesirable company.

Against the second position—that of Scotus and others—Turretin does not engage in *ad hominem* attacks, and, as seen above, he recognizes that some of the Reformed orthodox endorse it. The first position, by his tone and approach, appears to be altogether out of bounds for Turretin, whereas the second is at least intellectually viable. Nevertheless, though Turretin recognizes that some Reformed orthodox endorse the rival claims of Scotus and Ockham, he himself endorses neither, choosing instead to follow the third position he outlines, the one held by Thomas Aquinas. He even calls Aquinas's position "the more common opinion of the orthodox."<sup>3</sup> Turretin writes,

This last is the more common opinion of the orthodox. We also follow it with this limitation however—all the precepts are not equally based on the primary right of nature, but some flow absolutely from the nature of God and command such things as God wills most freely indeed but yet necessarily (and so necessarily and immutably that he cannot will the contrary without a contradiction). However,

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<sup>3</sup>And Leibniz agrees: "I think that it is the opinion most widely accepted even among the Reformed. Thomas Aquinas and all the Thomists were of the same opinion, with the bulk of the Schoolmen and the theologians of the Roman Church." Leibniz, *Theodicy*, 241.

other precepts depend upon the constitution of the nature of things (the free will of God coming in between) so they should not be thought to hold an equal degree of necessity and immutability. Although a dispensation properly so called does not have a place in them, still a declaration or interpretation is sometimes given concerning them, the circumstances of the things or persons being changed (as will be seen hereafter). (11.2.11/2.10)

Et hæc communior est Orthodoxorum sententia, quam & nos sequimur, hac tamen cum limitatione, ut quemadmodum præcepta omnia non æqualiter nituntur jure naturæ primario, sed quædam absolutè fluunt à natura Dei, & talia præcipiunt, quæ liberrimè quidem, sed tamen necessariò Deus vult, & ita necessariò & immutabiliter, ut contrarium velle non possit sine contradictione: Alia verò quæ pendent à naturæ rerum constitutione intercedente liberâ Dei voluntate: Ita non debent censi æqualem necessitatis & immutabilitatis gradum obtinere; Et licet dispensatio propriè dicta locum in iis non habeat; declaratio tamen seu interpretatio circa ea nonnunquam datur, mutatis rerum vel personarum circumstantiis, ut postea videbitur. (11.2.11)

#### *Turretin's Relationship to Aquinas*

Turretin follows Aquinas, though not without reservations. Yet the nature of Turretin's disagreement with Aquinas is somewhat obscure. Turretin claims that, unlike Aquinas, he does not require all the precepts to be based on the primary right of nature. I am not sure if his reading of Aquinas is correct at this point, however.

Consider Aquinas's treatment of the Sabbath in *ST Ia IIae*, q. 100. In *ST Ia IIae*, q. 100, a. 3, ad 2, Aquinas responds to an objection against his thesis that, as he says in the *sed contra*, "all the precepts of the Law are so many parts of the precepts of the decalogue." The objection rests on the claim that Sabbath observance is a ceremonial and not a moral precept; if this claim is true, then all moral law cannot resolve to the precepts of the Decalogue because the Decalogue contains within it a ceremonial component. Aquinas responds to this objection by denying the claim being made about the Sabbath. He writes,

The precept of the Sabbath observance is moral in one respect, in so far as it commands man to give some time to the things of God, according to Ps. 45:11: “Be still and see that I am God.” In this respect it is placed among the precepts of the decalogue: but not as to the fixing of the time, in which respect it is a ceremonial precept. (Ia IIae, q. 100, a. 3, ad 2)

Ad secundum dicendum quod praeceptum de observatione sabbati est secundum aliquid morale, inquantum scilicet per hoc praecipitur quod homo aliquo tempore vacet rebus divinis; secundum illud Psalmi XLV, *vacate, et videte quoniam ego sum Deus*. Et secundum hoc, inter praecepta Decalogi computatur. Non autem quantum ad taxationem temporis, quia secundum hoc est caeremoniale. (Ia IIae, q. 100, a. 3, ad 2)

Aquinas answers this objection by an appeal to the distinction between ceremonial and moral. The “fixing of the time,” presumably the particular day for Sabbath observance, is a ceremonial precept; the command for setting aside “some time to the things of God,” however, is moral.

This explanation—or something like it—is necessary for anyone wanting to defend Aquinas’s position, because the “fixing of the time” changed after the Resurrection. Christians keep the Sabbath on Sunday, the first day of the week, even though the seventh day specified in the Decalogue is Saturday (Ex. 20:10; Dt. 5:14). This change in the day seems like a manifest contradiction, but Aquinas’s relegation of the choice of the particular day to ceremonial law, while keeping the precept to “give some time to the things of God” to the moral, allows him to affirm, at the same time, the change of the day (as ceremonial law) and the carryover of the precept (as moral law). This distinction explains how his belief in the indispensability of the precepts coheres with the Bible. What is indispensable is the moral law. What was dispensable—indeed, in Turretin’s terms, what was abrogated—was the accompanying ceremonial law.

Yet Turretin appears to remove Aquinas’s means of answering the Sabbath objection from consideration at the outset. When Turretin frames the question in topic

11, he carefully removes from the question any discussion of ceremonial and forensic law:

The question then returns to this—whether the precepts, not of the ceremonial and forensic law (which are evidently of mutable positive right), but of the moral law (not according to the appendages, but according to substance) are of natural right, whether primary or secondary (not merely positive) and so are necessary (not only hypothetically from the sanction of the divine will, but absolutely on the part of the thing) and incapable of being dispensed with, not only by men but also by God. (11.2.9/2.9)

Quæstio ergo eò redit, An Præcepta, non Legis Cæremonialis & Forensis, quas juris positivi mutabilis esse constat; Sed Legis moralis, non secundùm appendices, sed secundùm substantiam, sint Juris naturalis, sive primarii, sive secundarii, non merè positivi, adeoque necessaria, non tantùm hypotheticè ex voluntatis divinæ sanctione, sed absolutè & à parte rei, & indispensabilia, non tantùm hominibus, sed etiam Deo? (11.2.9)

Turretin's question is about the precepts of the moral law exclusively, not about the entirety of the law. The answer that Aquinas provides—that the specification of the day is a matter of ceremonial law—seems out of bounds here. After all, Turretin has said that the question concerns the precepts “not of the ceremonial and forensic law . . . but of the moral law.” So answering the question over the change in Sabbath day with a Thomistic argument that appeals to ceremonial law appears to contravene the boundaries put in place by Turretin's narrowing of the question. It is as though Turretin has said that we should not talk about ceremonial law but Aquinas has said that we must. This tension between them, however, is nothing but an apparent contradiction, not an actual one. Turretin's bracketing of the moral law apart from the ceremonial and forensic law in framing this question must be understood within his own discussion of the Sabbath. In 11.3.26, Turretin himself makes Aquinas's point, explaining how the Sabbath was abrogated only as to the ceremonial law, but not as to the moral. So Turretin's disagreement with Aquinas cannot be about Aquinas's means of answering the Sabbath

question; Turretin makes the same move. Indeed, arguing that a particular law is ceremonial rather than moral is a way for Aquinas and *for Turretin* to admit dispensability with an easy conscience. As Turretin makes clear, if the law is ceremonial or forensic, then the law is dispensable without question: Turretin writes that “the ceremonial and forensic law . . . are evidently of mutable positive right” (11.2.9/2.9). As we shall see, a law that is so characterized is *eminently* dispensable. So Turretin follows Aquinas in his use of a distinction between ceremonial and moral law to explain how a precept of the Decalogue could have a component that is abrogated.

Another difference could be Turretin’s use of dispensation and declaration/interpretation, but, as we have seen already, Turretin most probably takes this technical vocabulary from Aquinas. Indeed, Turretin, in making a distinction between dispensation and declaration/interpretation, is actually following Aquinas, not disagreeing with him. In *ST Ia IIae*, q. 100, a. 8, ad 4—the article to which Turretin refers his readers in 11.2.10—Aquinas considers an objection to his thesis that the precepts of the Decalogue are indispensable. The objection comes from 1 Maccabees 2:4 and involves the possibility of fighting, rather than resting, on the Sabbath. To this objection, Aquinas replies,

This determination was an interpretation rather than a dispensation. For a man is not taken to break the Sabbath, if he does something necessary for human welfare; as Our Lord proves (Mt. 12:3, seqq.). (*Ia IIae*, q. 100, a. 8, ad 4)

Ad quartum dicendum quod illa excogitatio magis fuit interpretatio praecepti quam dispensatio. Non enim intelligitur violare sabbatum qui facit opus quod est necessarium ad salutem humanam; sicut dominus probat, Matth. XII. (*Ia IIae*, q. 100, a. 8, ad 4)

Again, even with regards to the Sabbath, the source of disagreement between Turretin and Aquinas cannot be the distinction between *interpretatio* and *dispensatio*. Aquinas



himself writes, “This determination [dicendum] was an interpretation [interpretatio] rather than a dispensation [dispensatio].”

What remains is Turretin’s use of the language of right to distinguish precepts which flow from the nature of God; those which depend upon the nature of things; and those which arise from God’s free choice. Turretin expresses disagreement with Aquinas in 11.2.11, saying that “all the precepts are not equally based on the primary right of nature.” Some precepts “flow absolutely from the nature of God,” yet others “depend upon the constitution of the nature of things (the free will of God coming in between).” About the former, “he cannot will the contrary without a contradiction”; about the latter, though, “a dispensation properly so called does not have a place in them, still a declaration or interpretation is sometimes given concerning them, the circumstances of the things or persons being changed” (2.10).

Turretin maintains that there is a distinction between his position and Aquinas’s; it is not clear how significant the disagreement is. (Aquinas himself may not have been unsettled by Turretin’s distinction between rights; he may have even found it useful, e.g., Turretin’s exposition of divine, natural, and positive rights may further illuminate Aquinas’s own discussion, in *Summa contra Gentiles*, book 1, chapter 86, of the relationship between God’s will and the created order.) Either way, Turretin’s agreement with Aquinas about the indispensability of the precepts is so comprehensive that explicating his disagreement with Aquinas proves to be a challenge, perhaps a happily insurmountable one.

*The Modern Challenge: Human Establishment of Justice and Virtue*

Turretin's disagreement, by contrast, could not be more evident in his disapproval of the position held by "libertines" who believe that "justice and virtue depend upon man's will alone and spring from the consent of human society and are to be measured by each one's own utility." They reject that "there is such a natural law of God obtaining among all (as the rule of justice and injustice) antecedently to the positive laws of men" (11.1.5/2.2). Turretin situates this position historically, noting its forbearers as well as its present-day champions. The former include Carneades, Aristippus, the Cyrenaics, and Epicurus. The latter include the libertines against whom Calvin wrote and Thomas Hobbes, who "approaches them on this subject in his *Elementa philosophica de cive*" (11.1.6/2.2). Turretin reproduces Diogenes Laertius's quotation of Aristippus in its original Greek: *mēden einai physei dikaion ē aischron, alla nomō kai ethei* (nothing is just and base by nature, but by law and custom). He continues:

There are not wanting many in our day who, treading in their footsteps, think that no rule of right and wrong is given by nature, but that it depends only upon the free determination of man and is to be measured by each one's own advantage (as man is by nature free from every law and has no other rule of right and good than the preservation of himself and the defense of his life and limbs). (11.1.6/2.2)

Ita non desunt etiam hodie varii, qui vestigiis eorum insistentes, nullam justī & injustī regulam dari à naturâ censent, sed eam demum à libera hominum determinatione pendere, & ex propria cujusque utilitate metiendam esse, ut homo naturâ sit omni solutus lege, nullaque alia ipsi sit recti, bonique norma, quàm sui ipsius conservatio, & defensio vitæ & membrorum. (11.1.6)

Against the libertines, the orthodox maintain that a natural law of God "obtains among all (as the rule of justice and injustice) antecedently to the positive laws of men." The natural law is "taken strictly and properly for the practical rule of moral duties to which men are bound by nature." Speaking of "natural law" as a law "extended to inanimate

also and brutes” is to speak “broadly and improperly.” Such speech signifies “nothing else than the most wise government of the providence of God over creatures and the most efficacious direction to their ends” or simply the “works of creation: by this plants grow, beasts generate and every animal has his own desires (*hormas*) and spontaneous instincts” (11.1.5/2.2).

*Turretin’s Thomistic Solution: A Creative Use of Right (Ius), Authority, and Dominion*

Understanding Turretin’s defense of Thomistic natural law requires a thorough education in the technical vocabulary Turretin uses to explain the relationship between God, the creator and lawgiver, and his creation. Though Turretin’s defense of natural law is found immediately after his answer to the question with which we began this chapter (11.2.12–17), we must wait for it. We must first become familiar with how Turretin understands God’s relationship to the world, a relationship characterized by the Latin word *ius* or *jus*, commonly translated “right.”

For Turretin, God’s right—his *ius*—is intimately connected with his authority because they both belong to God by virtue of his sovereignty. Because God’s “sovereignty [*Potestas*] arises from his dominion [*ex Dominio ejus*],” understanding God’s right and authority can only take place within a discussion of God’s dominion (3.22.1/1.250). The question of God’s dominion—his *dominium*—is centered on the status of God as lord (*dominus*) of all that is, in heaven and on earth. Turretin remarks, in passing, how God’s dominion is evidenced: first, by the not infrequent testimony of Scripture and, second, by “the very nature of God (which is independent, most perfect and the cause of all things)” (3.22.2/1.250). Scripture speaks of God as Lord, and God, being God, is Lord *par excellence*.

As *Dominus*, God has *dominium*, and, Turretin expounds upon its twofold foundation:

Its foundation is considered to be twofold: (1) preeminence (*hyperochē*) and eminence of nature; (2) amplitude and excellence of beneficence. As among men, there are two foundations of lawful dominion. First, eminence of power [*Eminentia virtutis*] above others, for it is in accordance with the nature of things that the superior and more excellent [*superiores & præstantiores*] should have dominion over the inferior and more ignoble (whence Aristotle expressly asserts if anyone could be found far surpassing other mortals in all virtues [*omnibus virtutibus*], he should be constituted king over all the rest). Second is beneficence by which one man acquires a right [*jus*] over another. He is therefore lord because he is kind [*ideo enim Dominus, quia beneficus*]. Since, then, God is established in the highest preeminence (*hyperochē*) and has bestowed (and every day bestows) upon his creatures as his work innumerable blessings, he is most justly called the Lord of all, as the artificer is lord of his own work. (3.22.2/1.250)

God's dominion rests upon his eminence and his beneficence. Accordingly, God's dominion fulfills the recognized requirements for dominion "among men." Eminence of excellence (*virtutis*) establishes one above one's peers, "in accordance with the nature of things." "Excellence" is a better translation than "power," because Turretin's discussion of eminence does not refer exclusively to God's power. Power is an aspect of God's excellence but by no means exhausts it. Turretin has a word for "power," which he uses in the previous paragraph, *potentia* (3.22.1). He does not use it here, nor can he: if God's right to exercise his power comes from his power, rather than from his excellence, then Turretin's argument is at least embarrassingly circular.

More troubling, translating *virtutis* as "of power" makes Turretin sound like Hobbes grounds the sovereign's dominion in his power *and nothing else*. In *Leviathan*, Hobbes claims that "[t]he attaining of the sovereign power is by two ways. One, by natural force . . . . The other is when men agree amongst themselves to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all

others.”<sup>4</sup> Both in commonwealths of institution and of acquisition, as Hobbes calls them, the salient feature of a sovereign is power: power to protect those who have submitted to him as sovereign or power to force people into submission. Yet even here, in discussing eminence, Turretin has a very different notion of what grounds dominion. He speaks of “the superior and more excellent [superiores & præstantiores]” having dominion, not simply the powerful. Furthermore, Turretin accepts Aristotle’s recognition that the one superior “in all virtues [omnibus virtutibus]” ought to be king over everyone else. This modification of Giger’s translation is not mere quibbling over Latin words but an important demonstration of Turretin’s indebtedness to the medieval appropriation of Aristotle. Even a cursory reading of *Nicomachean Ethics* shows that virtue is important, and Turretin thinks Aristotle has at least this requirement correct: rulers ought to be excellent. And God is certainly more excellent than anything else; he is also the preeminent ruler. He is more powerful than anything else, and thus almighty, but here his power is included in his excellence, not set against it.

By locating the question of will and power within the question of excellence, Turretin shows, simply in the way he frames the question, that God’s power cannot be set against his excellence, nor God’s will against his nature. Power and will are not principal questions but subordinate ones. Turretin is thus more medieval than his contemporaries in how he orders the issues. Descartes provides an interesting contrast: Descartes finds the evil demon hypothesis a legitimate worry precisely because he can conceive of an evil demon having dominion over his thoughts, or even the whole world. Descartes follows the medieval worries about whether God is an evil genius—a fear that follows from the

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<sup>4</sup>Hobbes, *Leviathan*, 17.15, 109–110.

possible divorce of will and power from goodness and legitimate authority.<sup>5</sup> For Turretin, by contrast, God’s preeminence—his excellence above all else—grounds his dominion. This use of God’s excellence echoes Aquinas. It also echoes Anselm: God is most excellent; he is “something than which nothing greater can be thought.”<sup>6</sup> He thus, according to Turretin, legitimately has dominion over all.

God is not simply excellent in and of himself. God is also beneficent, and God’s beneficence provides the second foundation for his dominion. *Beneficus* may be translated “kind,” as in the above, “He is therefore lord because he is kind [*beneficus*].” Nevertheless here it is better translated “beneficent,” to correspond with God’s beneficence. Had Turretin wanted to communicate God’s kindness, he could have used *benignus*, a Latin word for “kind” found in, for example, the opening of 1 Corinthians 13:4 (in the Vulgate): “*caritas patiens est benigna est*” (love is patient; love is kind). Rather than kindness, it is God’s *beneficence* that grounds his dominion.

This translation makes better sense of Turretin’s argument for how beneficence gives anyone—and most especially God—a right (*ius*) in the recipient of beneficence. God does not acquire right in others through kind feelings. On the contrary, God is beneficent to his creation by providing “innumerable blessings” to “his creatures as his work.” His beneficence exceeds all others because he alone created all that is. Because

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<sup>5</sup>See, e.g., Mario Dal Pra, “The Intuitive Problem of Non-Existents and the Problem of Late Medieval Skepticism,” *New Scholasticism* 49 (1975): 410–430. I learned of this article in William of Ockham, *Philosophical Writings: A Selection*, rev. ed., trans. Philotheus Boehner, ed. Stephen F. Brown (Indianapolis, IN: Hackett Publishing Company, 1990), lx. See also Steven Nadler, “Descartes’s Demon and the Madness of Don Quixote,” *Journal of the History of Ideas* 58 (January 1997): 41–55. Turretin was not uninterested in Descartes. See Michael Heyd, “Orthodoxy, Non-Conformity and Modern Science,” in *Modernité et Non-Conformisme en France à travers les Âges: Actes du Colloque organisé par l’Institut d’Histoire et de Civilisation Françaises de l’Université de Haïfa*, ed. Myriam Yardeni (Leiden: E. J. Brill, 1983), 104.

<sup>6</sup>Anselm, *Proslogion* 2, in *Basic Writings*, by Anselm, trans. Thomas Williams (Indianapolis, IN: Hackett Publishing Company, 2007), 81.

God “has bestowed (and every day bestows) upon his creatures as his work innumerable blessings,” God has dominion “as the artificer is lord of his own work.” The gift that God has given us is life itself; no one else has a higher claim to dominion than he, because no one can exceed him in beneficence. God alone has given us life, and “as he is the first from whom all things proceed, so he must also be the last to whom they should be referred (Rom. 11:36)” (3.22.5/1.251). It is the “dependence of all creatures upon him, both in being and in operation (Act 17:24)” that grounds God’s dominion (3.22.5/1.251). Turretin’s reference to one man acquiring a right in another through beneficence helps illustrate what kind of gift God gives in his beneficence. We consider ourselves obligated—though in a superficial way—to those who practice acts of kindness of the normal, everyday variety. And we recognize our more serious obligations to a city or country by virtue of its beneficence to us, as Socrates does in *Crito* 50d–51c. God’s *beneficentia* is even more substantial: God gives us a gift most precious to us, our very lives, and he showers us with innumerable blessings. We owe him a debt of gratitude.

So for his beneficence, as well as for his eminence, God is rightly considered the *dominus* of all. As lord and sovereign, he has right (*ius*) in and authority over all that is. God’s relationship to the world not only demands the world’s obedience; it also creates internal obligations in God, as the sovereign, vis-à-vis his creation.

## CHAPTER THREE

### Creation, Choice, and Law

#### *The Relationship between God's Right and His Will*

In order to explicate more carefully God's relationship to creation, Turretin recognizes the "distinction of God's right into absolute and ordinate" (3.22.5/1.251). Absolute right is "the dominion and sovereignty which God holds over all his creatures of determining concerning them at pleasure without injustice" (3.22.5/1.251). "The ordinate right," by contrast, "is the order or reason of justice which God has declared to us by the word of the law and gospel, both as to the duty of man in both covenants (viz., works and faith), and so to the promise and threat annexed to it in life and death, in salvation and condemnation." The foundation of ordinate right "is the covenant entered into with the creature or the will of God manifested to us by the external word of the law and gospel." Ordinate right thus "has place in the ordinary dispensation of God towards men." Absolute right, by contrast, has place "in the extraordinary (which God can indeed exercise without impairing his justice, but which nevertheless he very rarely does exercise" (3.22.5/1.251). Turretin illuminates the distinction between absolute and ordinate right with a biblical example, predestination:

The proof of both occurs in predestination. For in election it belongs to the absolute right that God, according to his most free good pleasure, destines sinful and guilty men to salvation; and although all are equal, yet he elects this one instead of another, as in the case with Esau and Jacob, concerning which the apostle says: "the children being not yet born, neither having done any good or evil, that the purpose of God according to election might stand, not of works, but of him that calleth; it was said the elder shall serve the younger" (Rom. 9:11, 12\*). Hence it is immediately added, "He hath mercy on whom he will, and



whom he will be hardeneth” (Rom. 9:18). But it favors the ordinate, both that he is gracious to sinners and saves them not without the satisfaction of Christ (Rom. 3:25), and that he rewards faith and works graciously according to his promise (2 Thess. 1:5–7). In reprobation, the absolute right is beheld in this—that although all men are equal, yet he passes by this one instead of another, acting from his good pleasure (*eudokia*) alone; not as Judge, but as an autocrat (*autokratōr*) and Lord who has the power to make a vessel unto honor and unto dishonor (Rom. 9:21; Mt. 11:26). But the ordinate is found in this—that he reprobates and condemns no one except on account of sin (Rom. 1:32). (3.22.5/1.252)

Utriusque argumentum occurrit in Prædestinatione. Nam in Electione ad Jus absolutum pertinet, quòd Deus pro liberrimo suo beneplacito homines peccatores & reos destinat ad salutem. Et quòd licèt omnes sint pares, hunc tamen præ illo eligit, ut visum in exemplo Esavi & Jacobi, de quo Apost. ait Rom. 9:11. quòd *nondum natis pueris, cùm nihil fecissent boni vel mali, ut propositum Dei, quod est secundùm electionem, non ex operibus, sed ex vocante firmum maneret, dictum est major serviet minori*; unde statim additur v. 18. *miseretur cuius vult, & quem vult indurat*. Ad ordinatum verò spectat, tum quòd non absque Christi satisfactione peccatoribus gratiam facit, & eos salvat, Rom. 3:25. tum quòd fidem & opera gratiosè ex promisso remuneratur, 2 Thesl. 1:5,6,7. In Reprobatione Jus absolutum cernitur in eo, quòd licèt homines omnes sint pares, tamen hunc præ illo præterit ex sola *eudokia* agens, non ut Judex, sed ut *autokratōr* & Dominus, qui potestatem habet faciendi vas ad decus & ad dedecus, Rom. 9:21. & Matt. 11:25. Ordinatam verò in eo quòd neminem reprobat & damnat nisi propter peccatum; Rom. 1:32. (3.22.5)

Absolute right is seen in predestination first and foremost because God “destines sinful and guilty men to salvation.” God can and does determine that those who do not deserve mercy, indeed those who deserve only punishment, should nevertheless receive what they do not deserve: eternal life. God freely chooses to work the salvation of the damnable, by virtue of his absolute right as sovereign and lord of all. Furthermore, God chooses those who shall be saved; God “elects this one instead of another,” even though “all are equal.” In reprobation, God “passes by this one instead of another,” though “all men are equal.” God does so “from his good pleasure (*eudokia*) alone,” not as a judge, but as an autocrat. In predestination, God does not distinguish between persons because everyone is equally guilty and sinful. He does not elect one rather than another because he judges

prior merit in one, rather than the other. If so, then a judicial act would be appropriate. A judicial act is inappropriate, however, because humanity is entirely equal: equally sinful. Hence predestination rests on God acting as an autocrat, from his absolute right. God does not discern moral righteousness in those he elects, nor does he see evil only in those he does not. On the contrary, the determination of who is elect and who is reprobate belongs to God's absolute right alone. So Turretin finds God's absolute right at work in predestination: from absolute right, God chooses to save the damned and make distinctions between equal members of a group. No other reason can be given for how God exercises this absolute right than God's own *eudokia*, his good pleasure.

Nevertheless, God does not thereby act haphazardly, or against the principles of justice. God acts from ordinate right as well as absolute. Predestination favors the ordinate right because God redeems sinners only because of the satisfaction of Christ and because "he rewards faith and works graciously according to his promise." That is, God achieves the results he desires through the framework he establishes. In wanting to grant salvation to some deserving damnation, he himself provides the means for redemption, the satisfaction of Christ. God rewards faith and works not haphazardly but "according to his promise." Those he passes over are not condemned for no reason; on the contrary, in keeping with his ordinate right, God "reprobates and condemns no one except on account of sin." The example of predestination shows how God does what he wants to do, as befits his absolute right as the lord and sovereign of all, yet he plays by the rules, in keeping with ordinate right. As Turretin writes, "Although the absolute right is not revealed by the law, it must not therefore be held as contrary to the law. It is above and beyond the law, but not against it" (3.22.8/1.252). Turretin defends this distinction by

appealing to the difference between “the rule of ordinary justice” and justice “from a superior order,” specifically, “from an autocratic right, to which justice is not repugnant but subordinated.” Turretin gives the example of a prince who pardons a crime; in doing so, he does not act “from justice as a judge, but from clemency as lord and prince.” “So,” Turretin continues, “God in the exercise of this absolute right, although he can do nothing opposed to his justice, yet does not act from it, but from the most free good pleasure belonging to him as supreme Lord” (3.22.8/1.252).

Divine freedom, God’s good pleasure or *eudokia*, plays a crucial role in predestination in particular, and in God’s action generally. God is free to redeem fallen humanity or not. No obligation drives him to rescue lost souls; his good pleasure alone does. The question is not whether God acts in accordance with his justice—of course he does! The question, instead, is whether God acts in this instance *from* his justice: whether God, in acting, responds to a moral duty. Turretin’s answer is in the negative; God, in choosing to save, is not responding to an obligation that justice imposes upon him. Nevertheless, at the same time, God is not acting against justice, but in accordance with it. In Turretin’s vocabulary, God acts from absolute right in accordance with ordinate right. One is not in conflict with the other, nor ever can be.

Turretin considers “the distinction of the right of God into natural and free” in 3.22.11 (1.252-253). Natural right “is founded on the very nature of God.” Natural right “is eternal and indispensable,” “whose contrary he cannot will without a contradiction.” Free right, by contrast, “depends upon his pleasure and will.” Free right “is positive and dispensable,” “whose opposite he could will without repugnancy.” The distinction between natural right and free right centers on its scope: both legally, in terms of its

indispensability or dispensability, and temporally, in terms of its eternity or temporality. A test for whether one is dealing with a natural right or a free right is the possibility of God willing the opposite of what he does in fact will. If God can will the opposite “without repugnancy,” then the right in question is a free right. If God cannot will the contrary “without a contradiction,” then the right is not free, but natural.

Turretin again provides examples to help distinguish between natural right and free right. According to natural right, “God cannot deny himself and give his glory to another.” Natural right says “that the rational creature should obey and be under the law of God or pay its penalty” and “that God cannot but govern the world as long as it is a world.” Similarly, God must “prescribe to the creature holy and just commands.”

Turretin repeats his refrain about what distinguishes a natural right: “For all these things are such that God cannot will their contraries without repugnancy.” So God, as governor of the world, cannot but govern the world. He cannot will that he be the nongoverning governor of the world. Natural right is distinguished by its narrowing of divine choices. By contrast, the distinguishing characteristic of free right is that “these are of such a nature that God could have willed or nilled them without detriment to his justice.”

Turretin explains how “to the free right belongs the permissions of sin, the bestowal of distinguishing grace,” and “the institution of the symbolical and ceremonial law.” God could have done otherwise: he could have made Adam unable to sin; he could have chosen to let fallen humanity perish altogether; and he could have instituted other symbolical and ceremonial laws than he did, without any offense to his justice whatsoever (3.22.11/1.252–253).

God's choosing thus plays a special role in absolute and free right that it does not play in ordinate and natural right. God freely chooses always, of course, but the possibilities of God's choosing in absolute and free right are wide and various. In ordinate and natural right, by contrast, they are comparatively limited—at times exclusively so. Turretin's own example of predestination illustrates how the discussion of right rests on a prior discussion in will. With regards to the distinction between absolute and ordinate right, Turretin refers to predestination. In predestination, God acts "according to his most free good pleasure"; in reprobation, he passes by one rather than another "from his own good pleasure (*eudokia*) alone" (3.22.5/1.252). In the exercise of the will of "his most free good pleasure," God acts according to absolute right. God wills from ordinate right as well; in doing so, he wills in accordance with proper procedure. He justifies fallen humanity by the satisfaction of Christ, and he wills the reprobation and condemnation of "no one except on account of sin" (3.22.5/1.252). Thus Turretin's account of *ius Dei* is linked inextricably to his account of *voluntas Dei*: to understand God's right requires an awareness of God's will.

Though God's will is "only one and most simple," we may nevertheless "apprehend [it] as manifold" because God's will is "occupied differently about various objects" (3.15.1/1.220). So the division of God's will is "in our manner of conception." God's will is manifold "not in itself and intrinsically on the part of the act of willing, but extrinsically and objectively on the part of the things willed" (3.15.1/1.220). In making distinctions regarding the will of God Turretin is not claiming that a division exists in God's will; on the contrary, God's will is one. We can make distinctions in the will of

God because we see its effects differently. God's will is one, though its effects are manifold.

With the caveat that his distinctions in no way undermine the unity of God's will, Turretin distinguishes between the decretive will and the preceptive will, coordinating these with the various competing terminologies available to his contemporaries. In 3.15.8, Turretin shows how *euarestia* parallels the preceptive and how *eudokia* parallels the decretive will, and, in doing so, gives a succinct definition of the word pairs:

In this sense, *euarestia* indicates the preceptive and approving will by which God declares what is pleasing to himself and what he wills to be done by men; but *eudokia* indicates the decretive will by which God testifies his good pleasure about the things which he has determined to perform. (3.15.8/1.221)

Hoc sensu *euarestia* innuit voluntatem præcipientem & approbantem, quâ Deus quid sibi gratum sit & ab hominibus fieri velit, declarat; *eudokia* verò voluntatem decernentem, quâ Deus beneplacitum suum testatur circa res quas ipse exequi statuit. (3.15.8)

From his *euarestia*, God's preceptive will, God announces what he requires of humanity, whether humanity acts in accordance with God's commands or not. From his *eudokia*, however, from his decretive will, God proclaims what he is doing and what indeed must come to pass.

Turretin also considers a third distinction in the will, the medieval distinction "into the will as *signi* and *beneplaciti*." Turretin relates how "Hugo St. Victor first introduced this distinction; it was then appropriated by Lombard (*Sententiarum* 1, Dist. 45 [PL 192/2.641–44])" and was "frequently used by all the Scholastics, and especially by Thomas Aquinas (ST, I, Q. 19, Art. 11, 12, pp. 111–13)." Turretin recognizes that, "when properly explained," the distinction is "retained by our theologians" (3.15.13/1.223). According to Turretin, the medieval scholastics rest their distinction

between the beneplacit will and the will of sign on whether or not, and when, the divine communication occurs. According to the medieval scholastics, Turretin writes, “the beneplacit will which remains concealed previously in God and is left to his most free power and becomes at length known by some oracle or by the event.” By contrast, “the will of sign is that which by some sign (for instance by a precept or promise) is made known to us and which indicates some effect out of God as the sign of his will.”

Turretin analyzes the medieval enumeration of the kinds of signs to undermine wholesale the distinction between the beneplacit will and will of sign. According to Turretin, “the Scholastics usually reckoned five signs by which the will of God is manifested: precept, prohibition, counsel, permission, operation.” He even quotes the verse, whose rhythm assists one’s memory: “*Praecipit et prohibet, permittit, consulit, implet.*” Precept, prohibition, counsel, permission, and operation—these five—constitute the will of sign, in contrast to the beneplacit will, according to the medieval scholastics.

Turretin dissects these five ways of reckoning to show that what should be a unified and comprehensive account of the will of sign is not. His analysis reveals that the distinction between beneplacit will and the will of sign cannot rest on the manifestation of God’s will. Manifestation alone cannot account for the different effects of God’s will.

Turretin gives four examples to show how the distinction between beneplacit and sign, as the medievals understood it, fails. First, the will of sign is not reducible to precept, prohibition, counsel, permission, and operation alone. Turretin notes that “there are more such signs, for instance promises and threatenings, prophecies and narrations.” The enumeration of the will of sign is thus at least deficient. Second, “operation is not a sign of will,” contra the medieval scholastics; instead, operation is an effect of the will,

specifically an effect of the beneplacit will. This critique demonstrates the category confusion on the part of the medieval scholastics; according to Turretin, they improperly place what belongs in beneplacit will under the will of sign. Turretin's third criticism is along the same lines: "permission does not fall under the signified, but under the beneplacit will." Finally, and what shows most clearly how the distinction between beneplacit and signified cannot do the required work, Turretin notes how "counsel may be either referred to the beneplacit or included in the precept" (3.15.14/1.223). If one species—counsel—can be included in two mutually exclusive genera—beneplacit and signified—according to the proposed distinction between them, then the distinction is a failure. An example may help: if mammals are separated from birds on the distinction that birds can fly but mammals cannot, then the existence of bats poses a real problem, because bats, though mammals, can nevertheless fly. Turretin is basically saying the same thing with regards to counsel: the counsel of the Lord is both of the beneplacit will, according to the medievals, because it can be concealed and then revealed, but also of signified will, because divine counsel can be promulgated through a precept. So we have a distinction that does not adequately separate what is under investigation. By showing that the understanding of beneplacit and signified that the medieval scholastics have does not adequately categorize how God reveals himself, Turretin opens the door for a rival, and he believes better, explanation for the distinction. The answer, according to Turretin, is to take the medieval distinction and to conform it to the decretive and preceptive distinction previously described:

With more propriety, therefore, the beneplacit will is made by us to answer to the decretive (which is nothing else than the decree of the good purpose of God about future external things); the will of sign is made by us to answer to the preceptive



and approving (which prescribes to man his duty and indicates what is acceptable to God). (3.15.15/1.223)

Meliùs ergo *Voluntas Beneplaciti* nobis dicitur ea quæ alibi vocatur *Decernens*, quæ nihil aliud est quàm decretum benplaciti Dei de rebus extra se futuris; *Voluntas* verò *signi*, ea quæ dicitur *præcipiens & approbans*, quæ homini officium suum præscribit, & quid gratum Deo sit exponit. (3.15.15)

Turretin justifies this move by a quick analysis of the words themselves. A signified will cannot simply be a sign indicating the effect of God’s will, because, if that were the case, then a signified will would be a beneplacit will. A signified will, instead, “signifies what God wills to enjoin upon man as pleasing to himself and his bounden duty.” “Hence,” Turretin continues, “that will may well be said to fall under the decree and good pleasure as to the precept of the thing, not as to the thing of the precept because God prescribes nothing in time which he has not decreed from eternity to prescribe” (3.15.16/1.223). A signified will is thus, properly understood, preceptive. Similarly, regarding beneplacit will, Turretin rejects a broad understanding of the word “beneplacit,” which indicates “the simple complacency and approbation of the thing or the decree of its injunction.” If taken broadly, then the signified will could also be called beneplacit “because it is occupied about things approved by God and things which he decrees to enjoin upon the creature.” To remove the possibility of this confusion, the beneplacit must answer to the decretive will, as previously described: “But it is taken strictly to note the *placitum* or decree of God concerning the effecting or permitting of a certain thing, just as the decrees of courts are called *Placita* (‘decisions’)” (3.15.17/1.223). These wills cannot be contrary. The divine will cannot be at odds; the discussion of the division of the divine will is not an ontological separation but is, instead, a helpful way for us to describe the

various manifestations of God's one will. Using the language of "two wills" actually shows how God's will is not at odds with itself.

Turretin makes clear how these distinctions can help resolve questions arising from biblical exegesis, as in, for example, the command to Abraham to sacrifice Isaac, in Genesis 22:

There cannot be contrariety between these two wills because they do not will and nill the same thing in the same manner and respect. The will of purpose is the will of event and execution. The signified will is the will of duty or the obligation to it. Thus God willed the immolation of Isaac by a will of sign as to the perception (i.e., he prescribed it to Abraham as a test of his obedience), but he nilled it by a beneplacit will as to the event itself because he had decreed to prohibit the slaughter. Now although these two acts of the divine will are diverse ("I will to command Abraham to slay his son" and "I do not will that immolation"), yet they are not contrary, for both were true—that God both decreed to enjoin this upon Abraham and equally decreed to hinder the effecting of it. Hence God without contrariety willed Isaac to be offered up and not to be offered up. He willed it as to the precept, but nilled it as to the effect. The whole will of God about this affair was not either only to command Abraham to make that sacrifice or to hinder it, but ought to embrace those two diverse acts (the former of which is affirmative, occupied with the injunction of the thing; and the latter negative, respecting the hindrance of it). Nor does it follow from this that man is ordered to believe what is false. For we are ordered to believe what is revealed just because it is revealed. However the event is not already revealed by a command of this kind, but only the duty and the obligation to it.  
(3.15.18/1.223–224)

Similarly, "[a]lthough God may be said to will the salvation of all by the will of sign and to nill it by the beneplacit will, yet there is no contradiction here" because "the former will relates to the mere approbation of God and the command of duty, while the latter is concerned with its futuration and fulfillment." Turretin continues, "The former denotes what is pleasing to God and what he has determined to enjoin upon man for the obtainment of salvation, but the latter what God himself has decreed to do"  
(3.15.19/1.224).

Finally, Turretin distinguishes between secret and revealed will. The secret will is coordinated with the decretive will, and the preceptive will with the revealed. “Its foundation,” Turretin remarks, “springs from Dt. 29:29: ‘The secret things belong unto the Lord our God; but those things which are revealed belong to us, and to our children, that we may do all the words of this law.’” He continues:

The former is called a profound and unfathomable abyss (Ps. 36:6; Rom. 11:33, 34); the latter is discovered to all, nor is it far from us (Dt. 30:14; Rom. 10:8). The former has for its object all those things which God wills either to effect or permit (and which he wills to do in particular concerning individuals and are therefore absolute and determined to one thing). The latter relates to those things which belong to our duty and are proposed conditionally. The former always take place; the latter is often violated. (3.15.25/1.225)

Illa dicitur profunda abyssus & impervestigabilis Ps. 36:7. & Rom. 11:33,34. Ista omnibus exposita est, neque est procul à nobis, Deut. 30:10. Rom. 10:8. Illa pro objecto habet ea omnia quæ Deus vult aut efficere, aut permittere, & quæ in specie de singulis hominibus vult facere, quæ proinde absoluta sunt, & ad unum determinata. Ista respicit ea quæ nostri sunt officii, & quæ conditionarè proponuntur. Illa semper sit; Ista sæpe violatur. (3.15.25)

Turretin considers four main ways to distinguish the will of God. Ultimately, though, he places three of the distinctions—*eudokia* and *euarestia*, beneplacit and signified, and secret and revealed—within the first, the distinction between decretive and preceptive will. So the decretive will is God’s *eudokia*, his beneplacit, secret will. The preceptive will is God’s *euarestia*, his signified, revealed will (3.15.8/1.221; 3.15.15/1.223; 3.15.25/1.225).

### *The Breadth of God’s Choices in His Choosing*

Knowing what God chooses to do is much more important than knowing what he could do. Accordingly, understanding the relationship between the preceptive and decretive wills is crucial for characterizing God’s relationship with the world. As

Turretin remarks in a different context, “The power of God is not the rule of our faith, but his will. For although all things are possible to God, he does not at once do whatever he is able, but only what he wishes” (19.27.13/3.494). God only does what he wills, though he could in theory do more than what he wills, or even less.

When discussing the will of God, Turretin must consider questions about the breadth of God’s choices in his choosing. Turretin wants to maintain both the claim that God is free in his choosing and that, in his choosing, God cannot select evil as one of his possible actions. God’s will is free but is constrained by “prior reasonables,” to use Bradwardine’s term that Turretin explicitly evokes (11.2.5/2.8). These prior reasonables are “antecedent to the divine will” and are intimately connected to—perhaps even arise from—the divine nature (11.2.5/2.8).

Turretin’s understanding of the relationship between God’s will and prior reasonables is best seen in his doctrine of creation. God, in creating, is free to create or not create man; in choosing to create him, though, God must impose a law that the rational creature is bound to obey (5.9.9/1.464; 11.2.13/2.11). Turretin writes,

God could, indeed, have not created man. But it being posited that he willed to create him, he could not have created him lawless and not imposed a law upon him when created. For as there is always an essential physical dependence of the creature upon the Creator in the genus of being, so there must also be an ethical dependence in the genus of morals. Nay, although God had not subjected him to an external law, conscience and the dictates of right reason would have been a law to him (which the apostle calls “the work of the law,” Rom. 2:15). (5.9.9/1.464)

Deus poterat quidem hominem non creare, sed posito quòd voluerit creare, non poterat illum creare ex legem, & homini creato non ponere Legem, quia ut dependentia physica essentialis Creaturæ à Creatore datur semper in genere entis, ita & ethica dari debet in genere moris; imò quamvis Deus nullam legem externam illi posuisset, conscientia & rectæ rationis dictamen illi esset instar Legis, quod Apostolus vocat *opus Legis*, Rom. 2:15. (5.9.9)

God is entirely free not to create humanity. He could have chosen to do otherwise than he did. He cannot, however, choose to create rational agents without a moral law. On the contrary, precisely because God chooses to create rational agents, he chooses at the same time to impose a law upon them. The moral law cannot be ordered à la carte. The menu is *prix fixe*: there are prior reasonables that necessarily constrain divine choices.

So, for example, humans are as dependent upon the moral law for their existence as they are on food, water, and air, and God must sustain them physically and morally if he wants to create them. Turretin argues by analogy here: no one thinks that God, in willing to create physical objects, does not also, at the same time, will that those same objects be sustained. If he did not, then the physical objects themselves would, as it were, only flare into being and diffuse quickly back into nothingness. For God's creation to *exist*, he must both will it to come into being and will it to continue in its existence. Similarly, for God to create a rational creature, he must both create the rational creature and provide for its existence. In the former case, God must provide "in the genus of being." In the latter, God must provide "in the genus of morals." God, in creating being, creates and sustains it; so too God, in creating humanity, gives law to the rational creature. The ethical dependence of the creature mirrors its physical dependence.

Turretin's final claim in 5.9.9 deserves careful attention. Turretin writes,

imò quamvis Deus nullam legem externam illi posuisset, conscientia & rectæ rationis dictamen illi esset instar Legis, quod Apostolus vocat *opus Legis*, Rom. 2:15.

Giger translates this sentence as follows:

Nay, although God had not subjected him to an external law, conscience and the dictates of right reason would have been a law to him (which the apostle calls "the work of the law," Rom. 2:15). (5.9.9/1.464)

At first glance, Giger's translation may lead one to believe that Turretin thinks that God has in some way failed to impose a law upon the humanity that he has created. The phrase "although God had not subjected him to an external law" suggests this interpretation. Nevertheless, by rendering *esset* as "would have been" Giger avoids this mishap; we know, according to his translation, that we are in the realm of the possible, rather than the actual. God has not created man and left him to his own whims; on the contrary, God has imposed a law on this created rational being. So perhaps a modernized version of Giger's statement is the following:

Even if God had not subjected him to an external law, then conscience and the dictates of right reason would have been a law to him (which the apostle calls "the work of the law," Rom. 2:15). (5.9.9/1.464)

This rewording captures the hypothetical nature of the protasis of the conditional. I think this reworking helps capture what Giger thinks Turretin is saying, and Turretin certainly agrees with the statement Giger thinks Turretin is making. Elsewhere, regarding divine commands, Turretin writes, "If (which is impossible) God had not commanded them, they would not cease to be just and therefore to be attended by us" (3.18.3/1.233). So without question Turretin believes that there is a justice for humans prior to divine command, simply because God has made humans rather than something else. Giger's phrase repeats what Turretin says elsewhere.

The problem, though, is that Giger's translation is incorrect. Giger has allowed the presence of the subjunctive, in *posuisset* and *esset*, to determine the translation, in spite of evidence to the contrary. The subjunctive mood can express deliberations about circumstances that are contrary to fact, especially when coupled with conditionals. Here, however, the presence of *quamvis* changes everything. According to H. D. Wild, in his

“Notes on the Historical Syntax of *Quamvis*,” the subjunctive with *quamvis* does *not* denote a subjunctive supposition.<sup>1</sup> On the contrary, he writes, “The fact is that as a rule the subjunctive in these cases simply denotes that the *degree* of the statement is left to the judgment, while in the indicative the degree is treated as a part of the fact itself.”<sup>2</sup> Wild offers an example. He translates

quamvis enim sint haec misera quae sunt miserrima

as

for let this be as bad as you please, and (whether you please or not) it *is* very bad.<sup>3</sup>

Giger would have translated the sentence as

for although these things are bad, they were the worst.

What is missing from Giger’s translation is the interaction with the reader, either directly, with “as you please,” or indirectly, with an elocution such as “however much.” As H. D. Wild notes, the subjunctive with *quamvis* indicates that the degree to which the protasis is contrary to fact is left up to the reader’s judgment, rather than being determined by the author.

Following this understanding of *quamvis*, then, Turretin is not speaking hypothetically but rhetorically. He himself is not setting the terms of the discussion but is, instead, inviting his reader to participate. Giger has Turretin say,

Nay, although God had not subjected him to an external law, conscience and the dictates of right reason would have been a law to him (which the apostle calls “the work of the law,” Rom. 2:15). (5.9.9/1.464)

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<sup>1</sup>H. D. Wild, “Notes on the Historical Syntax of *Quamvis*,” *The American Journal of Philology* 17 (1896): 347–351.

<sup>2</sup>Wild, “Notes,” 351. Footnote removed. His emphasis.

<sup>3</sup>Wild, “Notes,” 351. His emphasis.

By contrast, here is a literal translation of the passage based on Wild's understanding of *quamvis*:

Nay more [imò], however much [quamvis] God [Deus] had placed [posuisset] no external law [nullam legem externam] for him [illi], conscience and the command of right reason [conscientia & rectæ rationis dictamen] for him [illi] were [esset] the resemblance of the law [instar Legis], which the apostle calls "the work of the law," Rom. 2:15 [quod Apostolus vocat *opus Legis*, Rom. 2:15]. (5.9.9)

A more readable translation is this more conversational one:

Indeed, to whatever extent God had placed no external law on him, conscience and the command of right reason were equivalent to the law for him, which the apostle calls "the work of the law," Rom. 2:15.

Turretin is not considering, contrary to fact, what man would be like had God chosen not to impose a law upon him. Instead, he is inviting his interlocutor to estimate the extent to which God did not supply an external law in the actual world. However little or however much God did or did not supply externally, he supplied internally.

Considering the context of this passage helps clarify what Turretin has in mind. Topic 5 deals with creation, and in question 9, the question in which this paragraph resides, Turretin asks whether man was created *in puris naturalibus* or could have been so created. He attributes the view to Pelagius, as quoted by Augustine, but also to Alensis (Alexander of Hales), among others (5.9.4/1.463). To answer the question about *in puris naturalibus*, Turretin first analyzes the word "natural." He writes,

Natural can be taken in three ways: either for what constituted nature and is its essential or integral part; or for what immediately and necessarily follows the constituted nature (as its property); or for what is born with and agreeable to nature, adorning and perfecting it (such as is the habit born with us). We do not treat here of naturals in the third sense, but in the first and second, i.e., either in the constituted or the consecutive (called "pure" in opposition to accidents or separable qualities). Thus man is said to be in pure naturals (*puris naturalibus*) who consists of his own parts and essential properties without the gift of original righteousness and without any superadded qualities or habits (good or evil). It is called a state of pure nature (*status purae naturae*) by a negative and not a



positive purity (by which namely he had nothing good or evil superadded to his nature). (5.9.2/1.462–463)

So the word “natural” can be taken constitutively, consecutively, or complementarily.

Constituted nature is the thing’s “essential or integral part,” that without which the thing would not be what it is but would be something else instead. Consecutive nature is not

itself an essential or integral part but nevertheless “immediately and necessarily follows

the constituted nature.” Consecutive nature is all that a thing’s constituted nature

immediately and necessarily entails. Turretin does not name the third way to take

“nature,” but I think “complementary nature” adequately describes “what is born with

and agreeable to nature, adorning and perfecting it (such as is the habit born with us)” but

is nevertheless not constituted or consecutive nature. Turretin makes clear that the

discussion is not about complementary nature but about constituted and consecutive

nature. He then frames the question:

The question is not whether we can conceive of man in pure naturals by thinking of his essence and essential properties and by not thinking of his goodness or depravity (which is confessed on both sides). Rather the question is whether man, as he came from the hand of God, was created in such a state (or at least could have been). This is what we deny. (5.9.3/1.463)

We can think about the physical operations of human existence without reference to moral qualities. Aquinas and Aristotle agree that abstractions can be legitimate, as when Aquinas, working from Aristotle, describes mathematics as an abstraction of substance with reference to quantity, without reference to quality.<sup>4</sup> The idea of a physical world without a moral one is not so foreign to us that we cannot imagine it. Turretin confesses, with his opponents, that of course we can *imagine* man being created without reference to good or evil. We simply abstract humans from the world, with reference only to their

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<sup>4</sup>See Aquinas’s commentary on Aristotle’s *Physics*, book 2, chapter 2 and his commentary on Boethius’s *De Trinitate*, questions 5 and 7.

physical operations. But whether we can abstract it is one question; whether it was or could have been the case is another. And Turretin's real concern is whether man was or could have been created in such a state that his constituted and consecutive nature had no reference to good or evil.

Turretin answers the question negatively, and he lists several reasons why the Reformed orthodox "maintain that man was never created in a state of pure nature so called, nor . . . could have been so created." First, "man was made in the image of God (Gen. 1:26) and thus morally good and upright (Ecc. 7:29)." Second, Turretin continues, "He was made to glorify and worship God (Prov. 16:4; Rom. 11:36), duties he could not perform unless endowed with the necessary gifts (viz., wisdom and holiness)" (5.9.4/1.463–464). Having marshaled the biblical evidence in favor of his position, Turretin makes a philosophical case for his position:

Where two things immediately opposed belong to any subject, one or other of the two must necessarily be in it. Now righteousness and sin are predicated of man as their fit (*dektikō*) subject and are directly (*amesōs*) opposed to each other. Therefore one or the other must necessarily be in him; nor can there be a man who is not either righteous or a sinner. To no purpose is the example of infants brought forward, who can neither be called righteous (because they do not act justly), nor sinners (because they cannot sin). For although an infant cannot be called righteous or a sinner by actual righteousness or sin, still he can be habitual and congenital (as he is rightly called rational because he has reason in the first act [*in actu primo*], although not as yet having actually reasoned or being able to reason). (5.9.6/1.464)

Turretin argues that man could not have been created *in puris naturalibus* because created man must be righteous or he must be sinful; he cannot be neither. The man who is neither righteous nor a sinner does not exist. One must be one or the other. Given that no one wants to say that God created man as evil, it is clear that he was made with original righteousness.

Finally, Turretin shows how the state of pure nature cannot fit into the history of redemption. At the start, man was made pure and innocent, not morally neutral; in sin, he is a child of wrath; in the state of grace, he is a child of God, and, finally, man cannot be in a state of pure nature in glory “because then his holiness and happiness will be consummated” (5.9.7/1.464). Man at any stage is either righteous or sinful; he cannot be both, nor can he be neither. “Since the very want of original righteousness is sin,” Turretin writes, “man cannot be conceived as destitute of it without being conceived to be a sinner (especially since that defect would not be a mere negation, but a privation of the rectitude that ought to be in him)” (5.9.10/1.464). Thus God creates humanity with original righteousness. Man’s righteousness at his creation is proper to him, as part of his constituted and consecutive nature; it is not added as a gift but is his by virtue of how God made him (cf. 5.9.8/1.464).

In this context, Turretin considers how God could have chosen otherwise about the creation of man. God could have chosen to create a humanity-free world. However, in choosing to create man, God chooses to create a proper man, that is, a righteous man. The impossibility of creating a morally neutral man goes hand in hand with the necessity of imposing upon man a moral law. God cannot create man *in puris naturalibus*; likewise “he could not have created him lawless and not imposed a law upon him when created” (5.9.9/1.464). God could have chosen not to create man; having chosen to do so, however, he must create a *righteous* man, just as he must impose a law upon him.

Now we can return to our reworking of Giger’s translation of the end of 5.9.9 and see how Turretin’s claim works against a possible criticism of the doctrine of original righteousness, on the one hand, and natural law, on the other. Turretin writes,

Indeed, to whatever extent God had placed no external law on him, conscience and the command of right reason were equivalent to the law for him, which the apostle calls “the work of the law,” Rom. 2:15.

To whatever extent man so created lacked an external law to tell him what to do, to that very extent he had access to an equivalent law from his conscience and the command of right reason. Turretin invites his readers to speculate on the extent to which specific external commands were given, or not given, to humanity before the fall. It is of no consequence, Turretin suggests, because conscience and the command of right reason supplied all that was lacking in external commands. Turretin applies a verse from Romans 2 about the Gentiles to prelapsarian humanity, but the application is justified, given that no one would want to say that humanity before the fall had *less* knowledge of the moral law than humanity after the fall.

Though Turretin employs this discussion of an equivalent law from conscience and the command of right reason in a prelapsarian context in order to defend the doctrine of original righteousness, the analysis helps explain further the intimate connection that Turretin sees between God’s obligations to the thing he has created, on the one hand, and the nature of the thing God is creating, on the other. In creating man, a rational agent, God must impose a law upon him. Furthermore, because a moral agent is either righteous or sinful, and because God is righteous and hates evil, God must create man morally righteous if he is to create man at all. Original righteousness and natural law are thus part of the constituted and consecutive nature of man. In creating man, God creates a good thing. In creating a good thing that is a moral, rational agent, God creates that thing with a law. Original righteousness and natural law are prior reasonables for the creation of humanity.

### *Divine Choice and Divine Freedom*

That God is constrained by prior reasonables in no way undermines divine freedom, however. God is obligated, in his willing, to impose a moral law, but his freedom is not thereby reduced or marred. Nevertheless, this concern is a legitimate one, and Turretin recognizes the objection and labors to refute it. Though God's choices are limited—by his own goodness, for example—this limitation in no way reduces God's freedom. Similarly, and more importantly for the argument at hand, saying that God is limited if he decides to act is very different from saying that God is compelled to act. Turretin writes, in 11.2.13, “Nor is it an objection that God was impelled to the production of the creature by no necessity, but by mere liberty.” Turretin upholds divine liberty in God's act of creating by distinguishing a logical, if not temporal, ordering of necessity. The proposition *if God chooses to create man, then he must impose a law upon him* does not imply that God must create humanity. On the contrary, the proposition only affirms that God, if he chooses to create humanity, also chooses thereby to impose a law upon him. In 11.2.13, Turretin addresses this question exactly, writing, “For although all things out of God are in this sense contingent (i.e., such as he could have abstained from creating); still from the hypothesis, he wills and acts necessarily in and about those things which he wishes to exist, so that he cannot act or will otherwise.” Turretin quotes none other than Tommaso de Vio (1469–1534), known as Cajetan (for the city of his birth):

The words of Cajetan refer to this: “Although the divine will is simply free, outwardly; still on the exercise of one free act he can be necessitated to another; as if he wills to promise absolutely, he is necessitated to fulfill the promise; if he wills to speak and reveal, he is bound to reveal the truth; if he wills to govern, he must govern justly; if he wills to have subjects using reason, he must be their legislator” (1am. 2ae, q. 100, artic. 8+). So on the hypothesis of the existence and

action of the creature, God must necessarily conserve and concur with it, as long as he wills it to be. Thus, the rational creature being made, it was necessary for some law to be established by God, which he is bound to obey. For that the creature should be and not be under God; or be under God and not be governed by him; or be governed without law and a just law, is contradictory. (11.2.13/2.11)

Nec obstat, Quòd nullâ necessitate Deus ad creaturæ productionem impulsus sit, sed merâ libertate. Nam licet omnia quæ sunt extra Deum sint hoc sensu contingentia, id est, talia à quibus creandis potuit abstinere: Tamen ex hypothesi quædem necessariò vult, & agit in iis aut circa ea quæ vult existere, ita ut non possit aliter agere aut velle, quò pertinet ista *Cajetani* in 1<sup>am</sup> 2<sup>ae</sup> q. 100. artic. 8. *Divina voluntas licet sit simpliciter libera ad extra, tamen ex suppositione unius actus liberi potest necessitari ad alium; ut si vult promittere absolutè, necessitatur ad implendum promissum, si vult loqui & revelare, debet revelare verum, si vult gubernare, non potest nisi justè gubernare, si vult habere subditos ratione utentes, non potest non esse legislator eorum.* Ita ex hypothesi, quòd creatura existat & agat, necesse est ut Deus eam conservet, & cum ea concurrat, quamdiu eam esse vult. Sic positâ creaturâ rationali, necesse est poni aliquam legem Dei, cui obsequi teneatur. Eam enim esse, nec Deo subesse, aut Deo subesse, nec ab ipso regi, aut regi sine lege, & lege justa est contradictorium. (11.2.13)

With this appeal to Cajetan, Turretin shows the remarkable breadth of his theological education. Cajetan was not a Reformed author, to say the least. Instead, he was an opponent of the Reformation; indeed, he was an opponent *par excellence*. He examined Martin Luther at Augsburg in October 1518, finding him wanting.<sup>5</sup> Nevertheless, because Cajetan speaks ably on the question of divine freedom, Turretin quotes him. Given Turretin's stated goal, to help Reformed ministers face the many controversies of their day, quoting Cajetan is polemically clever, too: a Roman Catholic interlocutor opposing a Reformed position on divine freedom ought to be taken aback by a Reformed minister expounding the Reformed position with explicit reference to a Roman Catholic theologian!

In the examples Cajetan gives, the alternate possibility does not take place within the moral realm but in the realm of choice alone: God has the freedom to choose or not,

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<sup>5</sup>Diarmaid MacCulloch, *The Reformation: A History* (New York: Viking Penguin, 2004), 122–123.

but, in choosing, he must choose rightly and properly. Put another way, God in choosing must choose what he chose. That sounds tautological, but it is not. Developing one of Cajetan's examples may help illustrate this point. If God chooses to promise absolutely, then he must—it is necessary for him to—fulfill the promise. He cannot do otherwise, with regards to the fulfillment of the promise, because of the kind of promise he made. God did not make a conditional promise but an absolute one; consequently, because of the kind of promise he made—the kind of choice he chose—he has an obligation that he would not have had if he had chosen something else. In choosing to promise absolutely, he must bring to pass what he promised. Divine freedom occurs in choosing whether to promise, or what kind of promise to make; it does not occur after the promise, or against it. God does not violate the order that he has established; he is bound to what he promises absolutely.

Turretin takes Cajetan's general point about divine freedom and applies it specifically to the creation of humanity and a law for humanity. Giger translates the penultimate sentence of 11.2.13 as follows: "Thus, the rational creature being made, it was necessary for some law to be established by God, which he is bound to obey." One straightforward interpretation of this translation would be that God first makes the rational creature and only afterwards establishes the law that he is bound to obey. Neither the Latin nor the context supports such an interpretation, however. First, the examples put forward by Cajetan all show a simultaneous relationship between God's choice and the commitments entailed by that choice. The necessitation is logical, not temporal. In willing to promise absolutely, God, by that act of promising absolutely, also simultaneously binds himself to bring to pass what he has promised. When God wills to

speak and to reveal, he must reveal the truth. He does not will to speak and then decide that he must speak the truth. If that were the case, then no challenge to divine freedom would exist at all: the point Turretin and Cajetan are making is an apparent threat to divine freedom precisely because, in choosing to speak, God is obligated at the same time to speak the truth. Similarly, in willing to govern, God must govern justly. He does not choose to govern and decide later that he must govern justly. On the contrary, in choosing the one, he chooses the other. So in willing the creation of man, he wills *by willing their creation* to be their legislator. So God *in making a rational creature* makes a law thereby.

The Latin gives further evidence that we should not think that Turretin believes that God's decision to give a law is subsequent to, or independent from, his decision to create man. Giger, remember, gives us the following: "Thus, the rational creature being made, it was necessary for some law to be established by God, which he is bound to obey." But Turretin writes, in Latin, "Sic positâ creaturâ rationali, necesse est poni aliquam legem Dei, cui obsequi teneatur." Now Turretin can use *positum* with the meaning of "established" or "settled." In topic 19, for example, Turretin writes, "For although we confess that God can work above the order of nature, still we deny that his omnipotence extends to those things which are contrary to nature [contra naturam] and the order established in it [ordinem in ea positum], because he cannot change the natures of things and overturn the order settled by himself [ordinem à se positum]" (19.27.13/3.494). That he uses *positum* as "established" or "settled," however, does not mean that he wants to convey this idea in every instance. *Positâ*, used in the sentence under consideration, is the perfect passive participle of the verb *pono*; it is in the ablative



case, for the ablative absolute. *Pono* generally means put, place, or set. If Turretin had wanted to refer to the rational creature being *made*, he could have used the standard verb for do, make, and create, *facio*. This verb, of course, is at Turretin's disposal; it is the standard one used when talking about God making things. For example, in topic 11, Turretin quotes from Mark 2:27, "The sabbath was made [*factum est*] for man, and not man for the sabbath" (11.2.21/2.13). In 11.6.7, Turretin writes about the "proximus ad imaginem Dei factus." He is referring to one's neighbor *made* according to the image of God. Turretin does not use *facio* in this instance, however, so translating *positā* as "made" is at best unhelpful and at worst misleading.

Finally, *positum* is weighted with meaning in logic. *Modus ponens* is, after all, the name for a logical form that relies on a conditional and its antecedent as premises. In choosing *positā*, rather than *factā*, Turretin uses the language of logic, rather than the language of time. He speaks logically, rather than temporally, and he chooses a Latin word well established within the universities to do so. The use of the disputational method *de obligationibus* was widespread in the thirteenth and fourteenth centuries, and the best known type of disputation *de obligationibus* is the *positio*.<sup>6</sup> Ignacio Angelelli, in his "The Techniques of Disputation in the History of Logic," considers the work of Paul of Venice (1368–1428).<sup>7</sup> Angelelli proposes for consideration "the medieval *ars obligatoria*, as formulated in the *Logica Magna* and *Logica Parva* of Paulus Venetus."<sup>8</sup> Angelelli summarizes the method in a sentence: "Obligation is the *respondens*"

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<sup>6</sup>Paul Vincent Spade, "Medieval Theories of *Obligationes*," in the *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta. <http://plato.stanford.edu/entries/obligationes/#Positio> (accessed July 13, 2007).

<sup>7</sup>Ignacio Angelelli, "The Techniques of Disputation in the History of Logic," *The Journal of Philosophy* 67 (October 1970): 800–815.

<sup>8</sup>Angelelli, "Techniques," 802–803.

commitment to avoid falling into a contradiction once he has accepted or denied an initial sentence proposed by the *opponens*.”<sup>9</sup> However the method takes the form of a game because the *respondens* is committed to defending his position only for a set time, so he need only select a thesis he believes is defensible, not one that he thinks is true. Winning the game is straightforward: “the *respondens* wins if the *opponens* gives up (*cedat tempus!*) without bringing the *respondens* to a contradiction. The *respondens* loses if he has to assert a contradiction (‘has to’ relative to the rules).” So far this discussion seems enjoyable enough but hardly related at all to the question of what Turretin means by *positā*. Its importance becomes clear when Angelelli details how the game begins:

The game is started by the *opponens* and goes on by alternating moves. The *opponens* has two possible moves: “I propose that you assert  $A_1$ ” (*pono tibi  $A_1$ , positio*) and “I propose that you deny  $A_1$ , *depositio*). The *respondens* has three possible answers: “I accept” (*concedo, admitto*), “I deny” (*nego*), and “I doubt” (*dubito*). It seems that *positio* alone would be enough, since the result of *depositio* appears to be the same as the denial of a *positio*. In the *Logica Magna*, however, Paul introduces still a third species of obligation: *suppositio* (178c), which does not differ from *positio* except that the *opponens* does not intend to “try” or to “deceive” the *respondens*: everything the *opponens* proposes in a *suppositio* is “true.”<sup>10</sup>

By Turretin’s day, then, as a result of this method of disputation, the language of positing and supposing evokes an entire tradition. The same is true today: one can argue *supposing* that something is true, or *positing* the existence of something, without affirming what is supposed or posited is true. What one cannot do, however, is assume that something is true, show what logically follows from it, and then argue that what follows is not connected directly to what is initially posited. Turretin, by speaking of the positing of a rational creature, thus attempts to evaluate what follows logically. To do so,

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<sup>9</sup>Angelelli, “Techniques,” 803.

<sup>10</sup>Angelelli, “Techniques,” 803.

Turretin uses *positā*. Cajetan, whom Turretin quotes, also employs the language of medieval logic, except that, while Turretin uses *positā*, Cajetan speaks *ex suppositione*. Both uses should alert us to the continuity of the medieval tradition of logic, with its *positio* and its *suppositio*.

Turretin's seventeenth-century contemporaries at Harvard were also familiar with the careful logical language of their Latin predecessors. Harvard students believed—or were taught to believe—the following proposition: “*Posita re necessario ponuntur artes.*”<sup>11</sup> Edward Kenneth Rand, who investigates lists of propositions taught at Harvard in an essay in *The New England Quarterly*, translates this statement as follows: “The assumption of a thing [actuality] involves the assumption of the arts.”<sup>12</sup> Rand indicates “actuality” in brackets because the thing assumed must be an actual thing for a corresponding art to exist; arts are about things really existing, not about things that could exist. For our purposes what is most important is how Rand translates the variations of *pono*; he treats *pono* as a word weighted with logical significance, as he should. He does not translate the sentence as “the thing having been made, the arts are set necessarily.” Instead, he makes the antecedent and the consequent of the conditional contemporaneous; the assumption of a thing *involves* the assumption of an art about that thing. Seventeenth-century Harvard men were not taught to believe that things existed and that a science of the thing came afterwards, when human learning had progressed to a point to describe the thing properly. On the contrary, the science of the thing comes into being with the thing, at least in the mind of God, if nowhere else.

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<sup>11</sup>Edward Kennard Rand, “Liberal Education in Seventeenth-Century Harvard,” *The New England Quarterly* 6 (September 1933), 534n12. His italics.

<sup>12</sup>Rand, “Liberal Education,” 535. His brackets.

So, too, Turretin writes, “Sic positâ creaturâ rationali, necesse est poni aliquam legem Dei, cui obsequi teneatur”: the rational creature thus posited, it is necessary to posit some law of God to which he must obey (11.2.13). Turretin believes that the assumption of a rational creature requires at the same time the assumption of a law of God to which the rational creature is bound. The rational creature is not *made* first and given a law *later*. On the contrary, if we assume the existence of one, we assume the existence of the other. Given the history of the words Turretin employs, his meaning is clear: God makes a certain law by making certain types of things in the world. The creation of the one is the creation of the other.

#### *Divine Choice and Natural Law*

Here is where we see how the analysis of the divine will is so useful. God is entirely free, in his decretive will, his *eudokia*, to create or not to create man. By his preceptive will, his *euarestia*, however, he must, in creating man, create him in a certain way. God must create man with original righteousness, and he must impose a law upon him. So God could *not* have done otherwise, regarding the giving of a law to a rational creature, but he could have done otherwise, regarding the creation of a rational creature. Making a lawless man is as inconceivable as God making an unfulfillable promise. Turretin’s analysis of the will of God thus allows for, and supports, his understanding of natural law.

Turretin’s understanding of the relationship between God’s will and necessity undergirds his approach to natural law. Turretin’s consideration of whether the gospel message must be preached shows his sensitivity to the various types of necessity at play in God’s choosing. Regarding the necessity of human ministry, Turretin writes that

“[t]he question does not concern an absolute and simple necessity.” He continues, “For we do not deny that God could, if he wished, have converted and saved men immediately by himself without the ministry of men” (18.22.3/3.210). Precisely because God could have chosen to redeem humanity without using the ministers as his instruments we know that this question is *not* a question of absolute and simple necessity. God does not violate absolute and simple necessity—whatever absolute and simple necessity is. The absence of absolute and simple necessity allows for the possibility of God choosing to have done otherwise than he did. Turretin makes this clear in the next sentence of 18.23.3:

Rather the question concerns a hypothetical necessity relative to the good pleasure (*eudokian*) and decree of God himself, which we assert against the modern Enthusiasts and Swenkfeldians and other similar Fanatics who boast of a divine afflatus and enthusiasm (*euthousiasmous*) alone. (18.22.3/3.210)

Sed de *necessitate hypothetica* relatè ad ipsam Dei *eudokian* & Decretum, quam afferimus contra hodiernos Enthousiastas, & Swencfeldianos, aliosque id genus Fanaticos, qui solos afflatus divinos, & *euthousiasmous* jactant. (18.22.3)

The “modern Enthusiasts and Swenkfeldians and other similar Fanatics” do not recognize the “hypothetical necessity” that characterizes the requirement to preach the gospel from the Scriptures. Instead, they rely on private, purported revelations, or, as Turretin says, they “boast of a divine afflatus and enthusiasm.” The conflict is over the nature of necessity from the perspective of divine choice. Divine choice can make something that is not simply and absolutely necessary nevertheless necessary for humanity, or for God himself. Yet the enthusiasts and others are incorrect to suppose that, because God could in theory choose to reveal himself apart from the preached word, he has chosen to do so. On the contrary, God’s *eudokia*, his decretive will, chooses that humanity cannot know salvation apart from the preached gospel: God’s decision—his decree—is, by itself, sufficient to make something entirely and altogether necessary, when it would not have

been otherwise. Considering what is hypothetically possible apart from divine choice is not a good theological method: we must, Turretin tells us, endeavor to know precisely what God chooses. There are some things that are possible absolutely and simply considered; these things may not, however, be at all possible, and, in fact, their opposites may be necessary, simply because of divine choice. So God could have chosen to reveal himself immediately to each human heart without using any intermediary whatsoever. He has chosen not to do so, however, and, in point of fact, he has chosen to do precisely the opposite. Simply because of God's decree, from his *eudokia*, humanity must hear and receive the gospel for salvation. That which is not absolutely and simply necessary is nevertheless, because of God's choosing, necessary. Turretin calls the necessity that results from divine choice "hypothetical necessity," to distinguish it from absolute necessity. The hypothetical aspect of the necessity is not that, having been established, it could be repealed. On the contrary, it would not be necessary if that were the case. Instead, it is called "hypothetical" because it is related to something that could have been otherwise, specifically, God's particular choice about the matter.

#### *Necessity and Divine Choice*

The relationship between hypothetical necessity and divine choice could not be more intimate. In some things, e.g., the preaching of the gospel, the necessity of the practice is not grounded in the nature of the thing itself absolutely but instead results from God's choice. God's choice, of course, does not violate the nature of the thing involved, rational creatures or otherwise. Nevertheless, Turretin does countenance the real possibility that God could have chosen an alternate method to save fallen humanity, at least as far as the preaching of the gospel is concerned.

The distinction between absolute and hypothetical necessity is most carefully developed with regards to the incarnation of Christ and the mode of satisfaction. With regards to whether or not the incarnation was necessary if man had not sinned, Turretin answers resoundingly in the negative, against, according to Turretin, “the old Scholastics, who rashly and without Scripture authority asserted it (as Alexander of Hales, Occam, Bonaventure and others). Osiander, a Lutheran, in a former century interpolated their error” (13.3.3/2.299). Turretin reserves his harshest rebuke for his contemporaries, the Socinians: “In recent times, the Socinians renew the same for no other object than to seek from it some support for their most pestilent heresy concerning the metaphorical redemption of Christ and the improper satisfaction” (13.3.3/2.300). For Turretin, by contrast, it was in no way necessary for Christ to become incarnate if man had not sinned. The absolutely and simply necessary is incontrovertibly true; the hypothetically necessary is necessary only on the basis of the divine decree. In the absence of a clear deliverance of Scripture on the subject, the hypothetically possible ought not to be called hypothetically necessary. Just because something could be the case does not mean that it is the case at all, much less so necessarily.

Turretin considers a second proposition, also regarding the incarnation of Christ, that further clarifies his language of necessity. He writes,

Second proposition: It was not only suitable, but necessary (sin and the decree of God concerning the redemption of men being supposed) that the Son of God should become incarnate in order to accomplish this work. (1) The question does not concern a simple and absolute necessity on the part of God for God could (if he had wished) leave man no less than the Devil in his destruction. Rather the question concerns a hypothetical—whether the will to save men being posited, the incarnation was necessary; or whether it could have been brought about by some other means. (2) Again, the question does not concern the necessity of the decree for no one denies that on the supposition of God’s having decreed this, it ought necessarily to have been done. Rather the question concerns the necessity of

nature—whether (the decree being set aside and antecedently to it) it was necessary for the Son of God to become incarnate in order to redeem us. (3) The question does not concern the necessity of fitness because all confess this was in the highest degree fitting to the divine majesty—that his precepts might not be said to have been violated with impunity. Rather the question concerns the necessity of justice—that in no other way could the justice of God have been satisfied and our deliverance brought about (which we assert). (13.3.14/2.301)

*Secunda Propositio, Non modò conveniens, sed necessarium suit supposito peccato & decreto Dei de Redemptione hominum, Filium Dei incarnari ad hoc opus persiciendum. Non quæritur de necessitate simplici & absoluta à parte Dei; Nam potuisset Deus si voluisset hominem non minùs ac Diabolum in exitio suo relinquere, Sed de hypothetica; An positâ voluntate redimendi homines necessaria fuerit Incarnatio, An verò alio medio potuerit hoc fieri? Rursus non quæritur de Necessitate Decreti; Nemo enim negat posito, quòd Deus hoc ita decrevisset, necessariò debuisset ita fieri. Sed de necessitate naturæ. An seposito decreto & antedecenter ad illud necesse fuerit Filium Dei incarnari ad Redemptionem nostram? 3. Non quæritur de necessitate congruentiæ, quia fatentur omnes hoc maximè congruum fuisse Majestati divinæ, ne impunè violari dicerentur ejus præcepta. Sed de necessitate Justitiæ, ut non aliter justitiæ Dei satisfieri & liberatio nostra fieri potuerit, quod asserimus. (13.3.14)*

In the above passage, Turretin mentions a panoply of necessities: simple and absolute necessity, hypothetical necessity, necessity of the decree, necessity of nature, necessity of fitness, and necessity of justice. Notice first and foremost how every necessity considered in the paragraph follows from a specific circumstance. The necessity considered here is already removed from a speculative necessity. Turretin is considering what follows necessarily from what we know about this actual world. So he grants the supposition of sin and the decree of God concerning the redemption of men. Previously, he rejected the necessity of the incarnation if man had not sinned; now he is considering whether or not the incarnation was necessary, given humanity's sin and God's plan of redemption. God's choice determining whether the necessity is operative makes it hypothetical rather than absolute. God could have chosen otherwise regarding the redemption of humanity: "God could (if he had wished) leave man no less than the Devil



in his destruction.” So, in one respect, the incarnation is hypothetically necessary, because it, unlike something absolutely and simply necessary, depends on the desire of God—his *eudokia*—to redeem fallen humanity. Turretin makes it clear that his investigation is about “whether it [redemption] could have been brought about by some other means [than the incarnation].” He informs us that the question does not turn on the necessity of decree, because whatever God ordains comes to pass necessarily. It is not as though God ordained the redemption of humanity and discovered, to his embarrassment, that he did not have the wisdom or power to achieve it. Similarly, the question of the necessity of the incarnation is not a question about fitness, because “all confess this was in the highest degree fitting to the divine majesty—that his precepts might not be said to have been violated with impunity.” Fitness is not at issue because, for Turretin, Christ’s incarnation lays the groundwork for his work of satisfaction. It is fitting for someone to pay the punishment for the violation of the law. The necessity involved in the question of whether it was necessary for Christ to become incarnate is, instead, the necessity of nature and the necessity of justice. By “necessity of nature” Turretin means whether there is any alternate method to achieve redemption apart from Christ’s incarnation. By “necessity of justice” Turretin considers whether the justice of God could have been satisfied, and redemption achieved, through any other means.

Now hypothetical necessity relates to the fact that God has indeed chosen to redeem humanity. Necessity of nature relates to things as they are, without reference to God’s desire to redeem humanity or not. So the question here is whether there is another way within the world that God has created such that the redemption of humanity could have been achieved. For example, one could speculate as to whether or not a sufficient

number of sacrifices could have done the required work, or if Christ could have appeared and perhaps suffered, but not as man. The question then does not concern God himself but instead the creation that he has made.

With regards to the necessity of justice, however, Turretin does think upon God alone and whether any action other than the incarnation and satisfaction of Christ could have achieved the redemption that God had desired to achieve, by satisfying the requirements of God's justice. The necessity of justice thus requires that one have a very careful understanding of God's relationship to his own justice. Turretin clearly treats justice as a prior reasonable that informs God's choices. One could argue, by contrast, that justice depends on God's choices. So whatever God chooses is just. There would be no necessity of justice for God because, after all, whatever God chooses would be just, because he happened to choose to do it—thereby making it just. Turretin rejects this approach, because, for him, justice is an internal constraint upon divine choices. Another way of phrasing the question is to ask whether God's justice could have been satisfied without the incarnation of Christ. Turretin answers in the negative: "Rather the question concerns the necessity of justice—that in no other way could the justice of God have been satisfied and our deliverance brought about (which we assert)" (13.3.14/2.301).

Turretin carefully distinguishes between absolute necessity and hypothetical necessity in his discussion of whether or not the sacraments are necessary. In 19.13.4, he outlines more explicitly his distinction between the two. There is an "absolute and simple" necessity, which is "from the nature of the thing." Absolute necessity relates to the nature of the thing itself. It must be related intimately to what is under discussion; it cannot be considered apart from the thing itself. In a related way, absolute and simple

necessity "is said to be of means, without which the end cannot be secured" (3.387). Something cannot be called absolutely and simply necessary for an object if it is not intimately connected to the object's end. Turretin believes that this connection between the necessity and the end must be internal, if the necessity is going to be called absolute and simple. He writes, "Again, some means are internal, having of themselves a necessary connection with the end so that the end cannot be obtained without them" (19.13.4/3.387). Absolute and simple necessity can be distinguished from hypothetical necessity by reference to the end of the object in question; if the end cannot be obtained without the necessary thing, then the thing is absolutely and simply necessary.

Turretin gives an example of absolute and simple necessity in which the end cannot be obtained without the necessary elements: salvation requires absolutely and simply "faith, repentance, justification and regeneration" (19.13.4/3.387). One cannot have salvation—the end—without the presence of these four elements. Hence faith, repentance, justification, and regeneration are absolutely and simply necessary for salvation. The end simply and absolutely cannot be achieved without these necessary means. Notice, again, that this example underscores how Turretin, in speaking of necessity, is not seeking necessity as it is perhaps most commonly understood today. There is an absolute and simple necessity that is nevertheless, to use the language of contemporary logic, contingent. Turretin even recognizes his absolute necessity's contingency, given that he grants—indeed wants to underscore—that God could have chosen to leave humanity with no hope of redemption. The key requirement of absolute and simple necessity, then, is whether or not redemption could have happened in any other way than by the sacrifice of Christ—Turretin's answer is *no*. On the contrary,

Turretin could countenance that God could have chosen not to offer redemption to fallen humanity.

What is more interesting to Turretin, for the purposes of necessity, is not the relationship between this actual world and other so-called “possible” worlds. Instead, what Turretin is interested in is the necessity which relates a means to an end. The difference between absolute, simple necessity and hypothetical necessity is not found in the language of some possible or all possible worlds but in the language of means to an end without exception or means to an end with exceptions. Considering what Turretin says about hypothetical necessity in 19.13.4 will help illustrate this point.

In contrast to absolute and simple necessity, Turretin writes of “the other relative,” hypothetical necessity, which is “from the ordination of God.” Hypothetical necessity “is said to be of precept because it is founded entirely on the command of God and not on the thing itself.” Some things are necessary for us because of the way things are; some things are necessary for us because God chose that things should be that way, apart from—but not against—the way things are. Instead of internal means, hypothetical necessity deals with “external means, not by themselves connected with the end.” Not by their own intimate connection with the end, “but subserving it only from the ordination of God,” means of hypothetical necessity are “still not of so great necessity as that the end cannot sometimes be secured without them” (19.13.4/3.387). So in contrast to means of absolute and simple necessity, means of hypothetical necessity may be omitted and the end still secured. With absolute, simple necessity the means cannot be omitted if the end is to be secured. Turretin gives faith, repentance, justification, and regeneration as an example; without them, one cannot receive salvation. They are absolutely and simply

necessary because the end cannot be secured without them. Turretin gives the sacraments as an example of means that are not absolutely necessary, thus answering his question about the sacraments: they are hypothetically necessary but not absolutely so. He writes, “Such are the sacraments, which therefore are rightly said to be not absolutely necessary (as having the necessity of internal means and strictly so called), but only relatively from the force of the divine command and his institution” (19.13.4/3/387).

Two of Turretin’s arguments against the absolute necessity of one of the sacraments, baptism, show an interesting concern to defend God’s freedom as an agent, on the one hand, and to understand necessity’s relationship to human accountability, on the other. In 19.13.7, Turretin writes that “if the absolute necessity of baptism were granted, the grace of God would be tied to the sacraments and God would not be a perfectly free agent” (3.388). He continues, “The falsehood of this both the nature of God teaches and the Scriptures often testify, and we have already proved” (19.13.7/3.388). Understanding how Turretin employs absolute necessity is crucial for understanding the position he wants to defend. Absolute necessity fixes without exception the means to the end. So believing that baptism is absolutely necessary is tantamount to believing that one cannot achieve the end for which baptism is conceived without it. God would thus be tied to particular means without which the end could not be achieved. Turretin’s concern for divine freedom at this point is curious, because Turretin *does* want to countenance the possibility that God’s actions can be constrained by prior reasonables but are nevertheless free. Perhaps Turretin’s point is that God’s grace can be understood only in the context of divine freedom, because grace is a gift, not the fulfillment of an obligation, so that there are special circumstances surrounding the

operation of grace such that, without the component of freedom, what is being described is no longer grace. Regardless, Turretin's point is that God is a perfectly free agent and that both the Scriptures and God's nature prove it. Consequently, any theory that undermines God being a free agent is patently false.

Second, with regards to baptism, Turretin coordinates the kind of necessity and the type of precept involved. Here he is consistent with the tying of absolute and simple necessity to the nature of the thing and hypothetical necessity to God's command. He explains how "the entire necessity of the sacrament of baptism arises from a positive, not a natural divine precept" (19.13.12/3.389). Again, Turretin is being entirely consistent with his previous explication of the difference between absolute and hypothetical necessity. One is from the nature of the thing; the other is not. Now he explains the relationship between accountability of the one versus the other. Unlike absolute necessity, the hypothetical necessity of baptism means that "being destitute of it is not deadly, except to those who transgress that precept" (19.13.12/3.389). Turretin considers one possible objection to a class of those who transgress the precept: children. He writes, "Now children, to whom the divine institution is not made known and who by their natures are not capable of obedience or actual transgression (since this requires the use of reason and of free will), cannot be said to transgress a positive precept" (19.13.12/3.389). Thus unbaptized children are not accountable for not being baptized, because they are not capable of actual transgression.

So Turretin coordinates hypothetical necessity with that which is apart from, but not against, nature, and he relates it to responsibility in the following way: if you know and are capable of doing what is hypothetically necessary, you are required to do it and

are held accountable for not doing so. If, however, you do not know or are not capable of doing what is hypothetically necessary, then you are not required to do it and are not held accountable for not doing so. Necessity thus speaks of the relationship between means and ends, and, in so doing, it gives us insight into the nature of freedom and the nature of accountability.

We shall see in the next chapter how God's freedom to create is not constrained by, but is rather informed by, the nature of things he creates. This necessity is not absolute—God could have chosen to create nothing at all. Yet the necessity constraining God's choices—hypothetical necessity—is necessity nonetheless.

## CHAPTER FOUR

### Partly the Nature of God and Partly His Will

Describing God’s choice using the language of right allows Turretin to explain how “the adequate rule of justice is not the law alone, but partly the nature of God and partly his will” (3.22.8/1.252). Turretin believes that God wills things because they are good and just (3.18.1/1.232), but he does so with two important caveats. First, he distinguishes between intrinsic and extrinsic regulation (3.18.2/1.233), and, second, he distinguishes between natural and positive law (3.18.2/1.233). The first distinction allows him to say that God’s regulation of his will is intrinsic, but ours extrinsic; the second distinction allows him to account for ceremonial laws—which are positive law and good only because God wills them—and natural law, those commands that “[i]f (which is impossible) God had not commanded them, they would not cease to be just and therefore to be attended by us” (3.18.3/1.233). Turretin gives several reasons to support his position (3.18.4–3.21.27/1.233–1.250), concluding that God can do anything he wills but that God cannot will anything against his goodness and justice (3.21.28/1.250).

#### *The One and Triune God*

Turretin considers the relationship between God’s will and his justice in the third topic of the *Institutes*, *The One and Triune God*. Looking at the context in which Turretin frames the question helps show what he prioritizes and what he does not, so we will survey briefly the topic’s contents to better appreciate Turretin’s approach, before considering it in detail.



Showing an appreciation for the skepticism prevalent in his day (and ours), Turretin's first two questions deal not with the one and triune God but with atheists. First he considers whether "*the existence of God can be irrefutably demonstrated against atheists*" (3.1.0/1.169). He argues for the affirmative, proposing four principal foundations: "(1) the voice of universal nature; (2) the contemplation of man himself; (3) the testimony of conscience; (4) the consent of all mankind" (3.1.5/1.169). In what follows, he references Augustine, Aristotle, Cicero, Damascene, Iamblicus, Juvenal, Ovid, Prosper, and, of course, the Bible (3.1.1–28/1.169–177). Turretin's second question concerns whether "*there [are] any atheists properly so called*" (3.2.0/1.177). About this thesis Turretin remarks, "*We deny*" (3.2.0/1.177). In the third question, Turretin asks whether God is one, a thesis he "*affirm[s] against the heathen and Tritheists*" (3.3.0/1.181). The fourth question regards the communicability or incommunicability of the divine name (3.4.0/1.183). The fifth question concerns the relationship between divine attributes and the divine essence. Turretin denies, contra the Socinians, that the former can be really distinguished from the latter (3.5.0/1.187). The sixth question regards "*the distinction of attributes into communicable and incommunicable.*" Turretin affirms that the distinction is "*a good one*" (3.6.0/1.189).

The next set of questions follows a standard medieval list of divine attributes, e.g., eternity, followed by more contemporary questions regarding God's knowledge, e.g., his knowledge of the future. Then Turretin turns to questions regarding the will of God. Note, again, how Turretin subordinates the question of God's will to the question of his goodness, simply by how he frames the discussion: questions 7 through 11 focus on the divine attributes; questions 14 through 17 focus on the will of God. The questions on

who God is frame the debate on, and are prior to any discussion of, what God chooses. More specifically, the seventh question concerns divine simplicity; the eighth, infinity; the ninth, immensity; the tenth, eternity; and the eleventh, immutability. Then Turretin turns to a consideration of God's knowledge. The twelfth question concerns the knowledge of God more generally and the thirteenth question, the specific issue of middle knowledge. After considering God's knowledge, Turretin moves to the will of God in the fourteenth through seventeenth questions.

### *God's Justice and His Will*

Within the context of discussing God's attributes, his knowledge, and his will, Turretin asks a question about the relationship between God's will and his justice. He gives an interesting answer. Turretin, in the eighteenth question, asks the following: "*Is the will of God the primary rule of justice?*" His reply is uncharacteristic. Instead of *yes* or *no*, Turretin remarks, "*We distinguish*" (3.18.0/1.232). And in this question, and in the questions that follow, Turretin carefully analyzes the relationship between God's will and justice. He begins his answer in the exact same way as his answer to the question of natural law. He places the question in its historical setting. He writes,

This question not only was agitated among the Scholastics (who differed about it), but is also mooted among the orthodox themselves. Some hold the affirmative—that all moral good and evil depend upon the free will of God and nothing is good and just unless God wills it. Others contend for the negative and recognize some essential goodness and justice in moral acts antecedently to the will of God, so that the things are not good and just because God wills them, but God wills them because they are good and just. (3.18.1/1.232)

Quæstio ista non modò mota fuit à Scholasticis, qui hîc in partes abierunt; sed etiam inter ipsos Orthodoxos agitatur: quorum alii stant pro affirmativa, statuentes omnem bonitatem & malitiam moralem à libera Dei voluntate pendere, & nihil esse bonum & justum, nisi quia Deus vult. Alii contra stant pro negativa, & bonitatem aliquam & justitiam in actionibus moralibus essentialem agnoscunt

antecedenter ad Dei voluntatem, ita ut res illæ non sint bonæ & justæ, quia Deus vult; sed Deus eas velit, quia bonæ sunt & justæ. (3.18.1)

Turretin recognizes that the question is both historically conditioned—the medieval schoolmen quarreled over it—and contemporaneously relevant—some Reformed orthodox do the same. The question concerns the relationship between the will of God, on the one hand, and moral excellences, on the other. Turretin begins with the two positions most easily discernible; they are also the most extreme. Some hold what he designates as the affirmative position: “nothing is good and just unless God wills it.” “Others,” Turretin writes, “contend for the negative and recognize some essential goodness and justice in moral acts antecedently to the will of God . . . .” So whereas advocates for the affirmative position affirm the proposition that things are good and just due to the will of God, proponents of the negative position negate the proposition that things are good and just because God wills them. They believe that “things are not good and just because God wills them, but God wills them because they are good and just.” Turretin’s words resonate with those of Socrates in *Euthyphro* 10a, though Socrates frames the question with reference to the love of the gods and piety rather than the will of God and being just or good.

#### *God’s Justice for God and for us*

With affirmative and negative positions before him, Turretin chooses the latter, negative position, “with these distinctions” (3.18.2/1.233). First, he writes, “The will can be called the primary rule of justice either intrinsically or extrinsically (i.e., either with respect to God or with respect to all things out of him)” (3.18.2). So the relationship between God’s will and justice can be considered either with reference to God or with

reference to everything else. Turretin calls the former relationship intrinsic and the latter extrinsic. The reason for these designations is obvious and important for Turretin's argument. He wants to deny that things are good or just because God so wills, but he wants to recognize, at the same time, that "some essential goodness and justice in moral acts antecedently to the will of God" (3.18.1/1.232). Turretin distinguishes between the relationship between God's will and justice *for God* and the relationship between God's will and justice *for us*. With this distinction, Turretin proposes the following:

In the former sense, his will is regulated by his justice; in the latter sense, the justice in us is regulated by nothing else than his will. (3.18.2/1.232)

priori sensu, ut à Justitia Dei reguletur ejus voluntas; posteriori, ut justitia in nobis non aliunde reguletur quàm ab ipsius voluntate. (3.18.2)

So God's will is regulated by his justice. That God cannot do evil does not follow from his making anything good just by choosing to do it. On the contrary, God cannot do evil because his justice is logically prior to his will. Justice *in us*, however, is regulated by his will.

#### *Natural and Positive Right*

Turretin makes a second distinction in 3.18.2. Whereas the first question distinguishes between the person or persons involved, the second distinction centers on the *ius*, or right, of God. In 3.18.2, Turretin says that God's right is "either natural and indispensable (founded on his nature and holiness) or free and positive (depending only upon his will)" (1.233). As a result, "the goodness or the badness of things can be referred either to the natural or to the positive law" (3.18.2/1.233). Giger translates Turretin's "jus" as "law" in 3.18.2, but here we must take exception. The question before Turretin is what is antecedent to the will of God before God acts. Turretin wants to

defend that there is “some essential goodness and justice in moral acts antecedently to the will of God.” He gives a conclusion to one of his arguments about this issue in 3.18.5. There he writes that “since there is such a right in God [tale jus sit in Deo] antecedently to his will [voluntatem], there must be some rule of justice [regula aliqua justitiæ] independent of his will” (1.233). Here Giger translates “jus” correctly—as “right” instead of “law.” One wishes he had done so in 3.18.2. For, in 3.18.2, Turretin makes an important distinction that proves extremely useful later, specifically in topic 11. There Turretin relates the *ius* of God to the *lex* of God, and one cannot say that we can better understand the law of God through the law of God. One can, however, make claims about how understanding the right of God illuminates one’s understanding of the law of God. So the question is whether God, in choosing, has a *rule* of justice and goodness prior to any particular volition, and the word Turretin chooses, *ius*, can mean precisely that. *Ius* here is not “law” but “right,” as in its now obscure meaning of a standard or an obligation.<sup>1</sup> So that is how we should take *ius* in 3.18.2 also, even though Giger has “law.”

So God’s right is “either natural and indispensable (founded on his nature and holiness) or free and positive (depending only upon his will)” (3.18.2/1.233). Of the two rights, the first is natural and indispensable. In this specific case, the nature specified by “natural” is God’s own, “his nature.” This natural right is also indispensable. Turretin gives a careful definition of dispensability with regards to humanity in 11.2.2:

“Dispensation is when, in any case in which the law [Lex] really prevails and obliges, the obligation of the law [obligatio Legis] is taken away from some man in particular, the rest

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<sup>1</sup>*Oxford English Dictionary*, 2nd ed., 20 vols. (Oxford: Oxford University Press, 1989), s.v. “Right.” Also available online at <http://dictionary.oed.com/>.

remaining under obligation” (2.7). By calling the natural right indispensable, Turretin rejects the view that God could ever remove an obligation arising from his own nature and holiness. If the right of God being considered is natural, then that right is indispensable. Positive right, by contrast, depends “only upon his will.” It is a “free and positive” obligation that God undertakes of his own accord. It is not a requirement flowing from who he is; it is a right arising from God’s own will.

### *Turretin’s Epistemology of Goodness*

With these two pairs of distinctions—intrinsic and extrinsic, natural and positive—Turretin continues to analyze the question of whether the will of God is the primary rule of justice.

He employs the distinction between intrinsic and extrinsic in 3.18.3. He writes, “This being posited, I say that the will can be called and in reality is the first rule of justice extrinsically and in reference to us, but not intrinsically and in reference to God” (1.233). God’s will is the rule of justice “with respect to us because the fount of justice ought to be sought nowhere else than in the will of God [in voluntate Dei] which, as it is most perfectly just in itself, so it is the rule of all rectitude and justice.” For support of this conclusion Turretin appeals to the principle that “the first in every genus is the rule of all the rest” (3.18.3/1.233).

A contemporary example may help explain Turretin’s reference to distinctions between genera. The genus *Diaemus* has an interesting property: it is populated by members of only one species, *Diaemus youngi*, the white-winged vampire bat.<sup>2</sup> So whatever white-winged vampire bats do, the members of the genus *Diaemus* do—by

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<sup>2</sup>Arthur M. Greenhall and William A. Schutt, Jr., “*Diaemus youngi*,” *Mammalian Species* 533 (December 27, 1996): 1–7.

definition. Nothing that a *Diaemus youngi* does, e.g., flying or sucking blood, can get it expelled from the genus *Diaemus*. On the contrary, we learn from observing *Diaemus youngi* precisely what members of the genus *Diaemus* do. If you happen upon a previously unidentified vampire bat (far more desirable than having it happen upon you), then it will or will not be in *Diaemus* (rather than *Desmodus*, *Diphylla*, or its own, new genus) by virtue of its similarities or dissimilarities with *Diaemus youngi*. The first member of the genus becomes the rule for all the rest; that is, it determines the qualifications for membership.<sup>3</sup>

So, too, all possible wills are classified as good or not by comparing them with the first member of the genus, God's own will. If God wills a thing, then willing that thing is good—by definition. God, in his just willing, establishes the genus of just wills, to which anyone who wills justly must belong; the determination of whether one's willing belongs to the genus of good and just wills depends on one's conformity (or lack thereof) to God's will, which is perfectly just in itself. According to Turretin, it is “[i]n this sense” that “theologians say that the will of God is the supreme rule of justice, and consequently whatever God wills is therefore just and good because he wills it” (3.18.3/1.233).

Given his aside concerning distinctions amongst genera, Turretin's approach appears more epistemological than ontological or metaphysical. If God wills something, then of course we know that whatever he has willed is good; we can know this precisely because God only wills good things. God's actions necessarily fit in the genus of good and just actions; they belong nowhere else. If God wills it, then we know it is good.

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<sup>3</sup>My thanks to Ken Wilkins for confirming the bat biology of this example.

### *God's Holiness Constrains His Will*

In order to understand the ontological or metaphysical relationship to God's will and what is just—rather than its epistemological aspects—we must turn to the internal regulation of God's will by his own holiness, set forth by Turretin in terms of natural and positive right:

But with respect to God, the will cannot always be called the first rule of justice. It is a rule in those things which have only a free and positive goodness, but not in those which have essential goodness (i.e., in ceremonial, not in moral). For in the latter, God's will is regulated, nor indeed extrinsically but intrinsically (viz., by his most holy nature). Hence it has been well said that certain things are good because God wills them (such as the observance of ceremonies and all positive commands), but that God wills others because they are just and good per se and in their own nature (such as the love of God and our neighbor). If (which is impossible) God had not commanded them, they would not cease to be just and therefore to be attended by us. (3.18.3/1.233)

*Sed respectu Dei non semper voluntas potest dici prima regula iustitiæ, regula est in iis quæ bonitatem tantum liberam & positivam habent, sed non in illis quæ habent bonitatem essentialem, id est, in cæremonialibus, non in moralibus: in istis enim regulatur voluntas Dei, non quidem extrinseco, sed ab intrinseco, nimirum à natura sua sanctissima; unde bene dictum est; res quasdam esse bonas, quia Deus vult, qualis est observatio cæremoniarum, & mandata omnia positiva; alias verò Deum velle, quia justæ sunt & bonæ, qualis est amor Dei & proximi, quia tales sunt per se & naturâ suâ; & si per impossibile Deu eas non præciperet, non definerent esse justæ, adeoque à nobis præstandæ. (3.18.3)*

So God's will is intrinsically constrained by his own holiness. Yet his holiness does not so constrain his choices that God is not free to make certain things good, e.g., “the observance of ceremonies,” simply by willing them to be so. God wills other things, however, “because they are just and good per se and in their own nature.” For the former, the goodness is dependent upon God's will alone; with the latter, the nature of the thing in question determines what is just and good. For this reason, the goodness of certain things, e.g., “the love of God and our neighbor,” are not good because God wills them; in fact, if God did not will them, they would nevertheless still be good things—and



we would still be required to do them. Hence Turretin's statement at the start of this question: in order to ascertain the relationship between God's will and justice, we must inquire as to what is being required. If the demands of justice flow from natural right, then God, in commanding what is good and just, endorses and declares what is good and just antecedent to the divine will. By contrast, if the demands of justice flow from positive right, then God, in commanding what is good and just, establishes what is good and just as a consequence of divine willing. Everything that God commands is good and just. Why it is good and just—whether its goodness and justice depends on God's will or the nature of the thing—depends upon the particulars in question. Turretin thus, by making this distinction, guarantees *both* that God has tremendous freedom to establish whatever kind of rules he so desires *and* that God cannot will something contrary to what is good and just, due to the nature of the thing in question (be it the nature of God himself, his own holiness, or the nature of the things created).

#### *Turretin's Defense of His Position*

In 3.18.4, Turretin moves from explaining his distinctions and their consequences to justifying his position. The first reason he gives is the natural justice and holiness in God himself. He writes, "As there is granted in God natural justice and holiness antecedently to his free will, so the moral goodness and justice founded upon the justice and holiness of God and bearing his image, must be natural" (1.233). In order to avoid Turretin's consequence—namely, that there is a justice that is natural—one must deny the premise from which he works, namely, the natural justice and holiness in God. Turretin's argument places an objector to Turretin's distinction in a perilous position: if there is no holiness antecedent to the divine will (and so not natural to God), then

morality is astonishingly arbitrary. Indeed, if God's will is prior to *everything*, then God could deny himself or hate himself, if he so chooses. Turretin thinks this position is manifestly absurd, whereas its contrary is axiomatic. Turretin continues, "And as God cannot deny himself or hate his own holiness, so he cannot but love his image and prescribe it to the creature as the most perfect rule of justice and holiness" (3.18.4/1.233). Turretin's argument is the following: God naturally loves himself and his holiness, independently of or antecedently to any divine willing, and God cannot do otherwise. In prescribing love of God and acting in accordance with divine holiness, God does not establish what was not good as something newly good but, instead, prescribes to rational creatures what naturally is good prior to any divine willing. Any appeal to antecedent holiness is thus an appeal to natural right: saying that God does something because he is holy means that there is, prior to his willing, a natural right of justice.

Second, the natural right evident in God's own love of himself and inability to deny himself demands love for God from the rational creature. Turretin remarks in 3.18.5, "There is in God an eternal and indispensable right (antecedent to every free act of will) by which as Creator he has dominion over the creature" (1.233). The natural right antecedent to every free act of will applies to God's creation, over which he has dominion, as much as it does to God himself. "Thus," Turretin continues, "the creature ought to depend upon God not only in relation to being as to conservation, but in relation to morals as to worship and obedience" (3.18.5/1.233). The dependence of the rational creature upon God in the realm of morals—and thus its dependence upon God's holiness as specified in his natural right—is no less certain than the dependence upon God for its very existence. Turretin believes that "that obligation is such and so close that its

contrary is absurd (*asystaton*) and cannot be maintained without repugnance” (3.18.5/1.233).

Turretin relates God’s right in himself to God’s right in the creature: Turretin writes, “God can no more be conceived to absolve the creature from this duty than to deny himself.” God’s rule of justice for himself is a rule for justice for everything else, because all else depends upon God for morals as much as for existence. Turretin concludes, “Therefore since there is such a right in God antecedently to his will, there must be some rule of justice independent of his will” (3.18.5/1.233). God cannot absolve us from the obligations he himself has, and whatever is a rule of justice for God antecedent to his will is, and must be, a rule of justice for everyone else.

The first two arguments in favor of Turretin’s position proceed from the distinctions he himself makes. The first argument concerns God’s relationship to his own holiness: antecedent to any willing, God cannot deny himself. There is a right in God antecedent to his willing, and Turretin calls this right natural. His second argument concerns the rational creatures God has made. If there is in God a natural right, then there is in us, rational creatures he has made, the same obligation. The first argument says that God’s inability to deny himself shows that there is a rule of justice antecedent to the divine will; the second argument says that God’s unavoidable obligation to command us to love and honor him shows that, with regards to us as well, there is a rule of justice antecedent to the divine will. So with regards to God himself, and with regards to us, there is a rule of justice antecedent to the divine will.

Turretin turns away from building his case positively to show next, in 3.18.6, how gross absurdities follow if his insight into the relationship between justice and the divine

will is denied. Turretin writes, “If the will of God was the first rule of justice even intrinsically so that nothing would be good and just unless God wills it,” God could command morally reprehensible beliefs such as “atheism, magic, Epicureanism, hatred and blasphemy of God and other crimes of like kind which he cannot command” (1.233). Equally disturbing, God’s command would make holding these beliefs not simply morally acceptable but actually morally good. Turretin elaborates by noting how “[w]hatever can fall under the precept of God can also be made honest and just.” “Thus,” he continues, “God could dispense with all the precepts of the decalogue and command the creature to believe that he is not good and holy, ought not to be adored, but rather ought to be regarded with hatred; yea, that he even does not exist—at which the mind revolts” (1.233). If there is no justice antecedent to the will of God, then God could command the creature to believe that God does not exist. Even more absurdly, God could self-stultifyingly command that his commands not be obeyed: “Thus God, if he willed, might be the author and approver of man’s disobedience for he might command him not to obey his precepts or prohibitions; for there is supposed to be no obligation in man or right of obligation in God antecedently to the will of God” (1.233–234). If there is no *ius* in God prior to divine willing, then God could be the author of man’s disobedience. Even more bizarrely, God could will against his will. His argument thus takes the form of a *reductio ad absurdum*. Assume for the purposes of argument that there is no *ius* in God prior to the divine will; if so, then the fundamentals of morality could be vastly different than they are now, and, indeed, they could be counterintuitive and contradictory, e.g., God could command that his commands be disobeyed. If God

commanding that his commands be disobeyed is self-contradictory, then the opposite of what is assumed is true, namely, there is a *ius* in God antecedent to the divine will.

Finally, still in 3.18.6, Turretin makes a theological appeal to his philosophical opponents within Reformed orthodoxy: if they abandon an essential justice in God antecedent to the divine will, then they do themselves a theological disservice by providing room for opponents of penal substitution. Turretin writes, “Thus there would be no essential vindicative justice in God or any necessity of satisfaction to be pressed against Socinus (which nevertheless they do who embrace this opinion)” (1.234). Turretin’s point is thoughtful and clever: he is saying that, at least in this one instance, how one handles apparently arcane philosophical ideas shapes and informs one’s theological positions. Those that want to deny natural right in God share a philosophical position with a theological opponent, namely, someone who denies “essential vindicative justice in God [justitia vindicatrix essentialis in Deo]” and, with it, “any necessity of satisfaction.” In topic 14, question 10, he maintains, against the Socinians, that it was necessary for Christ to make satisfaction to divine justice on our behalf. In 14.10.4, Turretin calls the belief that “God not only has not willed to remit our sins without a satisfaction, but could not do so on account of his justice” the “common opinion” of the Reformed orthodox (2.418). Denying essential justice in God antecedent to the divine will undermines this common opinion, because, without this prior justice (of natural right), God could simply remit sin without satisfaction—the view that Socinus and his followers hold. About them, Turretin writes, “The first of those simply denying it [the necessity of satisfaction] (as the Socinians, who not only deny that Christ satisfied for us, but also affirm that it was not at all necessary, since God both could and would

gratuitously remit sin without any satisfaction . . . )” (2.418). In contrast to Socinus, the Reformed orthodox hold that the satisfaction of Christ is necessary, if God wants to redeem fallen humanity. The connection between a justice antecedent to the divine will and the satisfaction of Christ is evident in Turretin’s first argument for the necessity of it. He writes,

Many arguments evince that there is such a necessity for the satisfaction of Christ. First, the vindicatory justice of God; for since this attribute is natural and essential to God (as has been proved, Volume I, Topic III, Question 19), upon which the natural and eternal right of God, the Judge, is founded (with which he can no more dispense than deny himself), its exercise must be necessary on the supposition of sin, although it becomes free by an intervention of the will. This is especially true since it does not consist in an act merely gratuitous and not due, like mercy (by which, whether it is exercised or not, injustice is done to no one), but in the due act of giving to each what is his own, from which God cannot abstain without detriment to his justice. But since this justice is nothing else than the constant will of punishing sinners, which in God cannot be inefficient (to whom belongs supreme majesty and infinite power), it necessarily demands the infliction of punishment either on the sinner himself or on the surety substituted in his place. Nor to this right can be objected either the relation of God’s liberty (which is exercised only in matters of positive right, not in such as are natural right) or the relation of mercy because, while it may release the sinner from punishment, it does not demand that sin itself shall remain unavenged. (14.10.17/2.422–423)

Turretin refers his readers to topic 3, question 19, and rightly so, for there Turretin defends a natural, vindicatory justice in God. In topic 3, question 18, we see how he establishes the framework for the answer in question 19. Question 19, regarding vindicatory justice, requires an affirmative answer to the question of whether there is any justice in God antecedent to the divine will. For there to be *vindicatory* justice in God naturally, there must be justice in God naturally. Unsurprisingly, then, when Turretin defends the doctrine of satisfaction in 14.10.17, he uses an argument that he employed previously in 3.18.4 to defend natural right. In 14.10.17, Turretin remarks that God “can no more dispense” with “natural and eternal right” than he can “deny himself” (2.422).

This remark echoes Turretin's treatment of natural right in 3.18.4, and we should not be surprised. Turretin sees an intimate connection between maintaining natural right and satisfaction. With no natural right, there can be no vindicatory justice; without vindicatory justice, the satisfaction of Christ is not necessary. That is, if God can disbelieve in his own existence or command disbelief in his existence, then God can allow sins to go unpunished. If God cannot allow sins to go unpunished, then there is an obligation in God that is inviolable. There are requirements with which God cannot dispense. Turretin calls this divine, internal obligation God's natural right. Opponents of Christ's satisfaction ought to find Turretin's discussion of natural right disagreeable. Turretin appeals not to them but to the Reformed orthodox: disbelieving in natural right, he says, gives comfort to our theological enemies because, without it, they can say that God does not forgive us because of the satisfaction of Christ but simply because God wills to forgive us (without satisfaction). God could do so, if there were no rule of justice antecedent to the divine will: God cannot do so, however, and he must exact satisfaction for sin from Jesus, precisely because there is a natural right of justice antecedent to the divine will.

Turretin thus establishes his position by arguing for it directly and by showing how negative consequences, both philosophical and theological, flow from its denial. He next considers possible objections to his affirmation of an inward, natural right of justice antecedent to the divine will.

#### *Response to Possible Objections to Natural Right*

The first objection is a criticism of Turretin's position from the perspective of the divine majesty, that it is unseemly to suggest that God is a moral debtor to anyone.

Turretin replies by employing his distinction between internal and external. He writes, “God is not under any moral duty outwardly [*ad extra*] because he is a debtor to no one, and there is no cause out of him which can place him under obligation.” “Yet,” Turretin continues, “he can be under obligation inwardly [*ad intra*] because he is a debtor to himself and cannot deny himself” (3.18.7/1.234). An external obligation for God is unpalatable to Christian ears, but an internal one is not so. The Trinity supplies Turretin with an example of internal obligation that is not an affront to the divine majesty: “As the Son, in divine things, is obliged to work by the Father, and the Father is obliged to love the Son, so in external acts (supposing the creature to be produced), God cannot but command him and give just and holy precepts” (3.18.7/1.234). As the Son’s fulfillment of obligation to the Father is cause for praise, so too God’s fulfillment of his obligations in external acts in no way diminishes the divine majesty.

Another objection to natural right antecedent to the will of God is that it undermines a traditional understanding of the law. Turretin must explain why “[t]he law [Lex] is called the rule [norma] of all good and bad actions” if it is not the law, but a right prior to the law, that explains why some things are good and others bad. Turretin answers this objection by explaining how the law is called a rule “as to us and our knowledge [*quoad nos & cognitionem nostram*] because the relation of good and evil becomes known to us from no other source than the law” (3.18.8/1.234). We call the law a rule not because the law makes something good or evil but because the law instructs us on what good and evil is. Nevertheless, Turretin continues, “with respect to God [*quoad Deum*] and his right of obliging or commanding, it exists antecedently to the will of God because founded on this very majesty and holiness” (3.18.8/1.234).



To those that object that God's reliance on himself is absurd, Turretin offers a brief rebuttal: "It is absurd to say that God depends upon something out of himself, but not that he depends upon himself (provided this is understood in a manner becoming to God [*theoprepōs*], i.e., that he wills nothing unless according to his own holiness and justice) (3.18.9/1.234). To those that suggest that the relationship that God has to human law explains the relationship that God has with all law, Turretin replies

God is not bound to the law which he imposes on man (viz., formally, by taking the law as a law), but he is not free and absolved from all the matter of the law, so that he can either command or himself do the opposite of it (for example, believe that he is not God and command others to believe so—which sounds horrible to pious ears). (3.18.10/1.234)

There are some things, e.g., commanding atheism, which God cannot do, even though God is nevertheless perfectly free.

#### *Divine Freedom and Obligation*

Similarly, divine freedom does not prevent God from obligating himself. Here Turretin employs the distinction between internal and external obligation. He writes, "Although the divine will is simply free outwardly, yet from the supposition of one free act it can be necessitated to another." Turretin follows Cajetan's argument exactly. He writes that "if he wills to promise absolutely, he must fulfill the promise; if he wills to speak or reveal himself, he must necessarily make a true revelation; if he wills to govern, he is bound to govern justly" (3.18.11/1.234). Any constraint on God's actions is self-imposed, from within him. God can be obligated in his freedom because, when he promises to fulfill something absolutely, he also wills, at the same time, the outcome of what he has promised. So God cannot be forced to will that something should or should

not exist, but God can and indeed is constrained when willing a certain state of affairs, based on what he has promised and on the things involved. Turretin writes,

So the divine will cannot be determined from itself to willing that something should be or not be, but can well be determined with respect to complexities to the rectitude of those things which are or which he wills to be. (3.18.11/1.234)

Ita voluntas divina non potest determinari ex se ad volendum, ut aliquid sit aut non sit, sed bene determinari potest respectu complexorum ad rectitudinem eorum quæ sunt, aut quæ vult esse. (3.18.11)

So nothing outside of God makes God will that a particular thing should or should not be.

God is free to create or not create, promise or not promise, and to redeem or not.

Nevertheless, God's will can be bounded or marked out with respect to the things embraced according to the uprightness of the things that he wills to be or not to be. So God, in willing a particular thing to exist, must will that thing to be in accordance with what that thing is. For example, God cannot, in willing the existence of a dog, create a cat instead. His will is bound by the nature of the things involved. God's freedom is clear and evident; it is in no way undermined. God can choose to do whatever he wants to do. Nevertheless, God's freedom is bound internally by God's own goodness and, presumably, by God's knowledge of how things are supposed to be. To continue with our example, God is the one who best knows what a cat is, so he will not, in creating a cat, create a dog.<sup>4</sup>

### *Divine Freedom and Vindictive Justice*

Sin is thus not simply a violation of whatever laws God decides to enact and to reveal; sin can also be a violation of the law that has always existed, prior to man's existence. Sin is also an affront against God's own person, because the law that God

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<sup>4</sup>This analysis assumes that God has ideas of what things are and are not, antecedent to his will. Turretin defends this view in 3.21.23, which we will consider in the next chapter.

imposes flows from who God is—from both his character and his holiness. Turretin writes, “Man sins immediately against the revealed law of God, but also mediately and consequently against God, the author of the law, and the supreme Lord who imposed it. Thus sin remains always as transgression (*anomia*) as much with respect to the revealed external law as to the eternal (which is based on the holiness of God)” (3.18.12/1.234). Turretin, in affirming the eternal law of God antecedent to any revealed law, shows further similarity to Thomas Aquinas, who describes how the eternal law is the basis for the natural law in *ST Ia IIae*, q. 91.

The relationship between God’s freedom and his being bound to a particular activity, e.g., fulfilling a promise, reaches a climax in the *Institutes* in topic 3, question 19, when Turretin discusses the necessity of vindictive justice, which he wants to affirm. God must of necessity punish sin, according to Turretin; he cannot do otherwise. Turretin writes, “Hence arises a twofold right with regard to the infliction of punishment: one necessary and indispensable with respect to sin itself; the other free and positive with respect to the sinner” (3.19.4/1.236). Vindictive justice is necessary for all sin but not for every sinner. In the same paragraph Turretin remarks, “The Scholastics expressed this properly when they said that impersonally punishment is necessarily inflicted upon every sin, but not personally upon every sinner” (3.19.4/1.236). The apparent constraint on divine freedom that vindictive justice appears to bring is not an actual constraint, because divine freedom does not require indifference. Turretin writes,

Now although we hold the egress of justice to be necessary, yet we do not deny that God exercises it freely. This necessity is not exclusive of concomitant liberty, but only of antecedent indifference according to which we say that on the hypothesis of the sinful creature God is inclined to inflict punishment freely indeed (i.e., spontaneously and without coercion), but not indifferently (as if he might or might not punish at pleasure). (3.19.5/1.236)

Licèt autem justitiæ egressum necessarium constituamus, non negamus tamen Deum liberè eam exercere: Necessitas quippe ista non est exclusiva *libertatis concomitantis*, sed tantùm *indifferentiæ antecedentis*, secundùm quam dicimus positâ creaturâ peccatrice Deum liberè quidem, id est sponte & sine coactione inclinari ad pœnam infligendam, sed non indifferenter, quasi posset pro libitu plectere vel non plectere. (3.19.5)

God exercises his justice freely because he does so “spontaneously and without coaction.” Positing human sinfulness, “God is inclined to inflict punishment freely indeed.” What Turretin calls “concomitant liberty” can accompany the necessity of “the egress of justice.” What cannot accompany the necessity of vindicatory justice is indifference: “God is inclined to inflict punishment freely indeed . . . but not indifferently (as if he might or might not punish at pleasure).” God’s character is so set against sin that he cannot but punish it. His inability to do otherwise is not a mark of limited freedom but is, instead, a mark of his holiness. Socinus, according to Turretin, believes that God’s punishment of sin is “the perfectly free effect of his will from which he might abstain” (3.19.8/1.236). “On the other hand,” Turretin replies, “the orthodox maintain that this justice is an essential property of God and not merely the effect of his free will.” Turretin then adds that there is “some diversity of opinion” about the matter, whether the requirement of satisfaction is “only hypothetical (viz., from the hypothesis of the divine will and decree)” or “absolute, not only depending on the decree, but also taking its rise from the divine justice” (1.19.9/1.237). Both opinions affirm the necessity of satisfaction; the former holds to a necessity arising from God’s will, while the latter maintains that God’s will and God’s justice both require satisfaction for the remission of sins (3.19.9/1.237).

Turretin wants to say that “the vindictive justice of God is so natural to him that he cannot but exercise it (the sinning creature being granted)” and that “to leave sin

unpunished would be repugnant” to God’s natural justice. This proposition, which he affirms, requires the denial of the belief that justice “is so free in God that its exercise depends upon his will and good pleasure alone” (3.19.10/1.237). In 3.19.11, Turretin writes, “That vindictive justice is essential to God, these four arguments especially prove: (1) the voice of Scripture; (2) the dictates of conscience and the consent of nations; (3) the sanction of the law with the whole Levitical priesthood; (4) our redemption through the death of Christ” (3.19.11/1.237). He then establishes his position from Scripture, in paragraphs 11–12; from conscience and the consent of nations, in 13; from the Levitical law, in 14; and from the death of Christ, in paragraph 15. Turretin then remarks

It is not always lawful to dispense with one’s right. It is lawful indeed as to positive and free right, but not as to natural. . . . Now the penal right of which we speak is not a positive but a natural right, founded on the holiness and justice of God. It springs from the essential dependence of the creature (subjecting it to its Creator) both as to obedience by reason of precepts and as to punishment by reason of their sanction. (1.19.16/1.239)

Having given four independent reasons to believe that vindicatory justice is essential to God, Turretin turns to an explanation of how this vindicatory justice should be categorized, given the technical vocabulary he has been employing in previous questions: God can dispense with his right if and only if the right is positive; he can never do so if the right is natural. Vindicative justice is natural, and not positive; therefore, God cannot dispense with vindicatory justice. Since vindicatory justice requires the punishment of every sin (but not every sinner for every sin), satisfaction must be given for all sins (even if not from every sinner for every sin). An obvious objection to this point of view is the claim that God, in forgiving without satisfaction, would do harm to no one, and that, therefore, God should forgive freely, without satisfaction. Turretin replies to this objection in the next paragraph. He writes, “Now although by not punishing sin God

would do injury to no one out of himself, he would do it to his own justice, which ought not to be offended with impunity.” Furthermore, he would do injury to his laws and “to the public good whose guard and administrator he is” (3.19.17/1.239). God, by not exercising his justice, would do injury to it, to the laws, and to the public good. In 3.19.16, Turretin evokes the image of “a magistrate” who “would err, if by a too great indulgence he would dispense with the right of punishment as this would give impunity to crimes” (3.19.16/1.239). God, cannot, as magistrate of all creation, abandon his duty to punish crimes committed. “He cannot,” Turretin writes, “deny himself or divest himself of the natural dominion which he exercises over creatures (which however if he would do, he would injure no one)” (3.19.17/1.239). God cannot but be God. God in creating cannot but be a creator. God in being the judge and ruler of the world cannot but judge and rule the world. “It is not the private right of a creditor” that demands satisfaction, as though God were acting with regards to a private interest. “Rather it is the public right of a ruler because God does not punish as the offended part, but as Judge and the supreme ruler of the world” (3.19.16/1.239).

### *Divine Freedom and Natural Justice*

Confusion about the necessity of justice increases when this justice is called “natural,” because “natural” carries with it connotations of physical necessity that undermine Turretin’s claim to “concomitant liberty” in the exercise of God’s justice. So Turretin takes pains to clarify what he means by the word “natural.” The nature to which he refers is not the created order of things but is instead God’s own nature. Turretin writes, “Hence it is evident in what sense this justice can be called natural; not as if it drew with it physical necessity, but because it is founded on the very nature of God and

even identified with it” (3.19.6/1.236). Again, natural justice is not an external constraint on God, depriving him of his free will, but is instead the outflowing of God’s own character. Turretin explains how this natural justice “cannot exert itself outwardly, unless by means of an act of the intellect and will, in the same way in which the other attributes, as goodness, wisdom, etc., although natural, are not exercised except by means of the free will” (3.19.6/1.236). We see God’s natural justice in the exercise of God’s free will, not in opposition to it. Turretin explains,

Although the effects of justice depend upon the free will of God, it does not follow that justice itself (as it is conceived in the first act) is equally a free act of will. Rather it is an essential property requiring in its exercise and egress the intervention of free will, to determine the mode, the time, the degree and the persons upon whom it wills to inflict punishment. (3.19.18/1.240)

*Licèt effecta justitiæ pendeant à voluntate Dei libera, non sequitur ipsam Justitiam, prout concipitur in actu primo, esse pariter actum liberum voluntatis sed tantùm esse proprietatem essentialem, quæ in exercitio & egressu suo requirit interventum liberæ voluntatis, quæ determinat de modo, de tempore, de gradu, & de personis quibus vult infligere pœnam. (3.19.18)*

Justice itself is not an act of the will; on the contrary, justice is an essential property of God. God’s free will comes in the exercise of his justice; it does not establish God’s justice. Furthermore, justice requires the exercise of God’s free will: God’s justice requires him to punish the ungodly, “to determine the mode, the time, the degree and the persons.” Justice thus goes before God’s will, as a requirement, and follows along with God’s will, as God determines from justice whom he should punish, for what and when, and in what way. The effects of justice depend upon the will of God: God, and God alone, determines what happens to sinners. Nevertheless, God determines from his justice what to do with sinners; he does not determine from a consideration of sinners what to do with justice. Justice is an essential property of God; God would not be God if

he did not have this property. By contrast, God would still be God if he chose a different kind of punishment for sinners, or provided no means of rescue for them. God's own justice requires that he make these kinds of decisions, but God's decisions do not determine what his justice is. God makes judgments freely from the requirements of his justice, but his judgments about the particulars do not establish his justice. On the contrary, his judgments flow from his justice.

The exercise of God's justice is free because, Turretin tells us in 3.19.9, "It is one thing to punish sins from a physical necessity (such as exists in fire to burn); another to do so from moral and rational necessity" (1.240). Turretin grants that, if God punished sin according to physical necessity, "he would always act in the same manner, would punish equally and as much as he could" (3.19.19/1.240). This conclusion, of course, is highly undesirable for the Christian, because it leaves God no room for grace. Turretin believes that this undesirable consequence does not follow from the necessity of vindictory justice. Physical necessity is unlike "moral necessity because the exercise of this attribute depends on the most wise will of God [*sapientissima Dei voluntate*] (which in the infliction of punishment can, according to moderation [*epieikeian*], use various modifications without detriment)" (3.19.19/1.240). The most wise will of God makes modifications to justice without detriment to justice. Turretin gives an example of the freedom that God has in the exercise of his justice. It is something that is crucial to the atoning work of Christ. He writes, "This is true of justice which indeed necessarily demands that every sin should be punished, but not that every sinner should be punished immediately (or in this or that degree)" (3.19.19/1.240). So God's freedom in judgment, far from being a cause for concern, is a cause for rejoicing: that God's justice requires



the punishment of every sin, but not the immediate punishment of every sinner, allows God to refrain from immediately damning every sinner and to place the sins of his people on Christ. God cannot allow sins to go unpunished; nevertheless, he can, with Christ as the substitute, let sinners go free. The requirements of God's justice provide God with an internal obligation to act against transgressors. Because God's internal obligation is a moral necessity, arising from an essential property, and not a physical necessity, from which no modification is possible, God can display his most wise will. God's exercise of forbearance regarding the degree of punishment does not allow God to forego punishment entirely, without satisfaction, because "justice has a certain latitude of degrees beyond which, if it should go, it would not be justice; but although such a degree cannot be defined by us, yet God has it in the best manner defined and perfect" (3.19.23/1.240). God's wisdom extends to judgments beyond our abilities, but the boundaries of what is just and unjust are obvious. God cannot, for example, "inflict upon an innocent person infernal and everlasting torment," though he could from his "absolute right" of "supreme dominion" annihilate creatures (3.19.25/1.240).<sup>5</sup> Damning the innocent is impossible because it "necessarily involves a relation (*schesis*) to justice" (3.19.25/1.240).

### *The Consolation of Necessary Justice*

What may be morally troubling—that God cannot simply forgive, without demanding satisfaction—ought to be, instead, a source of great comfort. A God that can

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<sup>5</sup>Turretin may be speaking too quickly: if God can annihilate *good* creatures (*not* those made in the impossible *puris naturalibus*) from an absolute right of supreme dominion, then it is hard to understand how God has a natural right in creatures to care for them and give them a law—a contradiction of his clearly stated view (as I understand him). So perhaps he does not mean, strictly speaking, what he says here.

forgive the guilty without satisfaction can damn the innocent as well. That God acts in relation to his justice, and must do so necessarily, requires that he treat us justly, which, for sinners, means requiring satisfaction. “If there were no sinful or miserable creature,” Turretin remarks, “there would be no justice or mercy as to relative being and in the exercised act.” Nevertheless, he continues, “Still there would always be justice as to absolute being and in the signified act (just as omnipotence was in God from eternity, although he had created nothing)” (3.19.22/1.240). That is, God’s justice would not bear down on sin if no sinner existed. Still, God’s justice does not require the existence of a sinner. However, the existence of sin demands a response from the vindicatory justice of God.

## CHAPTER FIVE

### God's Power and His Law

#### *The Power of God*

The power of God receives its own question. Turretin asks in topic 3, question 21, whether the omnipotence of God extends to those things that imply contradictions. He denies that it does, because “[t]he object of God’s power is nothing other than the possible, i.e., whatever is not repugnant to be done (as the object of his omniscience is the knowable).” Turretin continues, “But the impossible falls not under the omnipotence of God, not from a defect in his power, but from a defect in the possibility of the thing because it involves in its conception contradictory predicates” (13.21.6/1.245). The power of God is constrained by his character, e.g., his holiness; the power of God is also constrained by the nature of things. God can do what is impossible to us, but he cannot do what is impossible to him. Turretin supplies a marvelous example from the senses: “as vision, although it might be infinite, could be extended only to visibles, not to audibles” (3.21.6/1.245). No one speaks of hearing a vision or seeing a sound, except in a metaphorical sense. A conception that contains contradictory predicates is nothing at all. Speaking of “a square circle” or “a male woman” makes no sense. God cannot make a square circle because what one can say does not correspond necessarily to what is possible: one cannot form concepts of the possible simply by stringing together predicates of the actual. One must respect the nature of the things involved, and some things are simply impossible for anyone because, even though the words are sounded, the

thing stated has contradictory predicates in its conception. Thus in order to understand the reach of God's power we must understand as well the extent to which things are possible or impossible.

### *The Possible and the Impossible*

Turretin outlines the ways in which impossible and possible may be used in 3.21.7. He writes, "Impossible and possible are used in three ways: (1) supernaturally [*supernaturaliter*]; (2) naturally [*naturaliter*]; (3) morally [*moraliter*]" (3.21.7/1.245). So one may speak of supernatural possibility or impossibility, natural possibility or impossibility, or moral possibility or impossibility. Turretin wants to specify precisely what is and is not impossible to God, so these distinctions are important to show how God cannot do certain things, e.g., lying, while he nevertheless remains omnipotent.

### *Supernatural and Divine Possibility and Impossibility*

Turretin begins discussing possibility, in this paragraph, by elaborating on what is supernaturally *impossible*. "The impossible supernaturally," he writes, "is what cannot be made even by the divine power (as a sensitive stone, an irrational man)" (3.21.7/1.245). Supernatural impossibility occurs when contradictory predicates are combined, e.g., irrational man (a rational animal). Though God can "do things which are impossible to men," he cannot do things "repugnant to reason." This analysis assumes that our reason has insight into what can and cannot be. "Indeed it is true that the divine surpasses our logical and ratiocinative intellect, but it cannot be thence inferred that God can do those things which in our logic imply a contradiction." Turretin continues, "For

although our right reason may fail in an equalizing (*adaequatione*) of divine truth (so as not to take in the whole), yet it contains nothing contrary to the truth” (3.21.14/1.247).

Next Turretin considers supernatural possibility. He writes, “The possible supernaturally is what can take place at least divinely (as the resurrection of the dead)” (3.21.7/1.245). The example Turretin gives is instructive: that God has raised people from the dead is a clear indication that he can raise people from the dead. Clearly, if God has done something, he can do something. This willingness on Turretin’s part to allow what God has done to inform Turretin’s understanding of what God can do mirrors exactly his willingness to allow what God commands to inform what morality is. We most especially know that God can do something or that something is moral when God does or God commands it.

#### *Natural Possibility and Impossibility*

Turretin next considers the naturally possible and impossible, beginning with the naturally impossible. He writes, “The naturally impossible is what cannot be done by the powers of nature and second causes, but yet can be done by supernatural power (as the creation of a world, the conception of a virgin, etc.)” (3.21.7/1.245–246). The naturally possible does not circumscribe all that is possible. God can do what his creation cannot; indeed, the creation of the world *requires* divine, supernatural agency. We could not discuss what is naturally possible if we could not discuss what is supernaturally possible; the creation of the world follows from an already existing divine agent. Turretin moves from a general, all-encompassing event to a particular example, Mary’s conception. Natural possibility does not negate, but rather depends upon, divine possibility, either in

the most general case—the creation of the world—or the most particular—a virgin’s conception.

Natural possibility, however, is its own category of possibility, and “the naturally possible is that which does not exceed the powers of finite nature” (3.21.7/1.246). Turretin defines natural possibility in a perhaps counterintuitively negative fashion: the naturally possible is what is *not* above the powers of *finite* nature. One generally does not think about possibility in this way. The possible describes the multiplicity of future events, actions, or agents, one of which will be realized. The impossible is seen as a threshold to be overcome, a threshold above which is the possible. Turretin considers the alternative: the possible is what is not impossible. The impossible is a boundary, or upper limit, to the natural world. It is a boundary that *cannot be overcome*. The progress of the natural world in general—or of humanity in particular—is not infinite but is instead circumscribed by marked, hitherto unknown, boundaries. Beyond the naturally impossible is not the impossible but, instead, the supernaturally possible.

#### *Moral Possibility and Impossibility*

Finally, after supernatural and natural possibility and impossibility, Turretin considers moral possibility and impossibility. Turretin writes, “The morally impossible is what cannot be done according to the laws of holiness; but the morally possible is what is agreeable to the laws of virtue” (3.21.7/1.246). The morally impossible and possible are related to laws, first of holiness, then of virtue. Even here, in his discussion of the power of God, Turretin relates what is moral to *the law*—and not just to any law, but, presumably, to God’s own law, because the holiness and virtue to which Turretin refers is God’s own. Here Turretin’s use of possibility seems slightly bizarre. After all, a human

person can do the morally impossible, i.e., acts that go against the law of God. Turretin *appears* to be speaking about the nature of possibility here in the following way: humans regularly act in a manner contrary to the law of God, so, in one sense, Turretin must recognize that, according to his definition of the morally impossible, humans not only can do the (morally) impossible, they actually routinely do it—hence their problem vis-à-vis a holy God. Here possible and impossible may stand in for permissible and impermissible. After all, evil is certainly possible, and characterizing it as impossible would deny what we know about human behavior. Turretin is certainly aware of human sinfulness. Even still he characterizes morality in terms of the possible and impossible.

The answer, of course, is that Turretin is *not* characterizing morality in these terms for just anyone—indeed, he is not even doing so for a select few. He is only discussing moral possibility and impossibility for God *alone*, the one who is absolute holiness and complete virtue. Turretin writes, “The morally impossible is what cannot be done according to the laws of holiness; but the morally possible is what is agreeable to the laws of virtue” (3.21.7/1.246). Only a perfectly holy and virtuous being relates to morality in terms of possibility and impossibility. The rest of us have a far less perfect relationship to the moral law.

### *God’s Holiness and His Virtue*

Notice how Turretin coordinates *both* the morally impossible and the morally possible to the law. He also makes an important distinction. God’s power is circumscribed by his holiness, with regards to what he cannot do, and is guided by his virtue, with regards to what he can do. In referencing what God cannot do—what is morally impossible for God—we must think on God’s own holiness. In considering what

God can do—what is morally possible for God—we must contemplate his virtue. God in his freedom never acts haphazardly or lawlessly. God’s holiness makes conceptually possible moral choices actually impossible. Even as God cannot make an irrational man, so too he cannot exercise his truthfulness in lying. Some things are morally impossible for God, and he cannot do them. All that God does is morally possible. When God does what is morally possible, however, there is by no means a divine free for all. God’s choosing takes place within the framework of divine virtues. Thus God governs justly, rules wisely, and chooses prudently—doing so freely. God chooses the morally possible with virtue, so God cannot choose what is vicious, because he is holy. When he chooses, he chooses virtuously. Thus “it may with propriety be said that God can do anything if he wills.” Nevertheless, “this cannot be said with the same truth in relation to those things which he cannot will through his goodness and justice because such things are not only impossible from hypothesis with respect to the decree, but absolutely and in themselves on account of the repugnance which they bespeak to the nature of God” (3.21.28/1.250).

#### *What God Can and Cannot Do*

Having worked his way through the three types of possibility related to the exercise of God’s power, Turretin concludes, “God can indeed do the naturally impossible, but not what is said to be such either morally or supernaturally” (3.21.7/1.246). So the outmost reaches of the possibilities of finite nature do not exhaust the extent of God’s power. God can do what no one else can. God can, for example, create a world, even though no one else can. Nevertheless, God cannot do what God



cannot do, supernaturally or morally. The supernaturally impossible is defined by contradictory predicates—the nature of the things considered—and the morally impossible is defined by God’s holiness and virtue.

*An Analysis of Contradictory Predicates*

We should expect Turretin to explain more carefully what he means by contradictory predicates, given its importance in delineating what is impossible even for God. He does so in 3.21.11. He writes, “Hence we gather what must be judged concerning contradictories; for that is said to be contradictory which is logically impossible, i.e., which has a repugnancy and includes contradictory predicates (for example, a corporeal God, an irrational man [Deus corporeus, homo irrationalis])” (3.21.11/1.246). A logical impossibility has “a repugnancy” which arises from “contradictory predicates.” Turretin continues, describing two types of repugnance. First, “a repugnance may be immediate and explicit when the terms are explicitly contradictory (for example, a deed undone, a man not man).” An immediate and explicit repugnance requires no further deduction; the predicates are literally fighting back or opposing each other (*repugno*). The mistake is obvious, like “a deed undone, a man not man [factum infectum, homo non homo].” Turretin’s *factum infectum* example is especially clear in Latin because the prefix *in* itself signifies the contradiction. Perhaps in English a better example is a male female, or an atheistic theist.

Because not every repugnance is so obvious, Turretin has a second, less immediate type. This second kind “may be mediate and implicit when the repugnant terms only virtually and implicitly include a contradiction.” So, “for example, when inseparable properties are denied or contrary predicates are affirmed of the subject—as

God corporeal and mortal, man not risible, the body not extended, accident not inherent” (3.21.11/1.246). Whatever type of repugnance is involved, we naturally fight back and oppose it. “For,” Turretin reminds us, “such things involve contradictory predicates which strike against this first principle of indubitable truth (i.e., ‘it is impossible for the same thing to be and not to be at the same time’)” (3.21.11/1.246). Both immediate, explicit repugnancies and mediate, implicit repugnancies demand rejection.

### *God's Power and the Impossible*

Turretin continues, “That such things do not fall under God’s power is evident,” and he presents four arguments to support this claim (3.21.12/1.247). First, Turretin notes that “impossibilities cannot be done by him and contradictories are impossible because they are impossible” (3.21.12/1.247). God cannot do the impossible, by definition: if something is impossible for God, then he cannot do it. The question then is whether repugnancies are impossibilities. Turretin answers this question in the affirmative. He does so because a repugnancy, as we have seen, contains contradictory predicates, which God cannot actualize. Contradictory predicates are impossible, because they are impossible, that is, the (contradictory) predicates cannot both exist at the same time. They absolutely cannot exist at the same time “for,” as Turretin continues, “a contradiction is of eternal disjunction and to affirm and to deny, to be and not to be are eternally opposed” (3.21.12/1.247). So making something is not the same as not making something, and this truth is not accidental nor is it relative to the world we inhabit. On the contrary, these fundamental truths have always been true, even before the beginning of time. By gaining insight into contradictories, e.g., a deed undone, we gain insight into fundamental features of the world, indeed, of God himself.

Second, Turretin demonstrates how repugnancies do not fall under God's power through a consideration of the ontological status of the object in question. He remarks that "the power of God is concerned with being [Ens] (i.e., what can be); but a contradiction is a non-entity [non ens]" (3.21.12/1.247). A typical question about the power of God is whether God can make a stone so big that he cannot lift it. Turretin's reply is to consider whether the stone being discussed is compossible or impossible, that is, whether the predicates "so large God cannot lift it" and "stone" can exist simultaneously with reference to the same thing. Turretin answers in the negative, because, though we sound the words as though we are making sense, we are not actually doing so. A thing "so large God cannot lift it" is an infinite thing. A stone is a finite thing. So the question is actually whether God can make an infinite finite. Phrasing the question in terms of an infinite finite shows its repugnance. It is supernaturally impossible to make an infinite finite, just as it is supernaturally impossible to make a deed undone or a corporeal God. The problem is not with God but with the thing purportedly described. God's omnipotence does not blush because God cannot make the impossible. The problem is with the thing in question—which does not and can never exist—and not with God.

Third, Turretin remarks, "if he could perform contradictories, he could make the same thing to be and not be at the same time so that two contradictory propositions might be true at the same time" (3.21.12/1.247). If God were to have the power to perform contradictories, then a fundamental law of logic would be compromised. Indeed, logic itself would be compromised, as Turretin makes clear in the following fourth argument, which follows immediately from the third: "then evidently nothing would be impossible

any more because there would be nothing greater than that which contradicts” (3.21.12/1.247). If repugnance is possible for God, then the language of possibility and impossibility dissolves.

Turretin’s main point in this discussion is perhaps the following: there comes a point at which respect for God’s power ceases to be pious and is, instead, its opposite. A sincere Christian wants to affirm God’s power, both with reference to the created order and without reference to it at all. Nevertheless, Turretin warns, we cannot allow due reverence for God’s power to cast doubts on who he is, how things are, or the relationship between the two. Pushed to its limits, a contemplation of divine power can foster impiety. Generally these questions are posed within the realm of the metaphysics of the created order, e.g., the large rock, or ethics, e.g., the requirements of divine truthfulness. A consideration from divine metaphysics may more immediately show how uncritically affirming God’s ability to do everything leads to horribly unorthodox conclusions. Imagine a certain Mr. Jones. Now consider the following question: can God add Mr. Jones to the Trinity, as a member in good standing? Every Christian ought to answer in the negative, for the sake of piety, if nothing else. Mr. Jones cannot be added to the Trinity! Perhaps someone will object that adding Mr. Jones (or Mrs. Jones) to the Trinity is always a live option for God, though one that he will never exercise. This rejoinder is nonsensical: either the option is a live one, and so one that God may take, or it is not, so it is one that is not possible for him, i.e., impossible for him. One cannot have it both ways. Either one must affirm the possibility that the Trinity *could* have four persons—Father, Son, Holy Spirit, and Mr. Jones—or lampoon such talk as incomprehensible nonsense. Turretin takes the latter route: God cannot do what is supernaturally

impossible, because the supernaturally impossible contains contradictory predicates. In our example of Mr. Jones, the contradictory predicates are manifold, but the following two are certainly crucial: first, Mr. Jones is a created being, and the Trinity is not; second, Mr. Jones is temporal, whereas the Trinity is timeless. The same is true for moral impossibility: the truth cannot lie, nor can the just do injustice.

*Divine Freedom Reconsidered with Reference to Contrary and Contradictory Things*

These tight controls on God's power—the exclusion of his activity to what is not supernaturally impossible and what is not morally impossible—may cause us to think that Turretin's framework places excessively tight shackles on God's freedom, in spite of what we have said about God's freedom already. Turretin uses this technical vocabulary to explain how God is free. He writes, "If God had constituted the nature of things differently and had implanted in us other ideas of things, he might indeed do things diverse and contrary, but not contradictory" (3.21.7/1.247).

The question of contraries and repugnancies in creation is essential to understanding Turretin's answer to whether the precepts of the moral law are dispensable. Remember, in framing the Scotist answer to the question, Turretin remarks,

To them some of our men approach, who maintain that certain moral precepts of the decalogue which flow absolutely from the nature of God are absolutely indispensable (such as the first, second, third, seventh and ninth), but the others, depending upon the free will of God (as the fourth partly, and the fifth, sixth, eighth and tenth), although immovable and indispensable as to us, still are dispensable as to God (who can for certain reasons command the contrary yet do nothing repugnant to his own nature). (11.2.10/2.10)

Ad quos accedunt illi ex nostris, qui pertendunt Præcepta quædam Decalogi moralia, quæ absolutè fluunt à natura Dei absolutè esse indispensabilia, qualia sunt 1. 2. 3. 7. 9. sed alia quæ pendent ex libera Dei voluntate, ut quartum ex parte, & quintum, sextum, octavum, & decimum, licet sint immota & indispensabilia quoad nos, esse tamen dispensabilia quoad Deum, qui possit certis

de causis præcipere contrarium, & tamen nihil faciat repugnans naturæ suæ.  
(11.2.10)

A Reformed alternative to the Thomistic natural law Turretin wants to defend uses contraries and repugnancies to define precisely how some precepts are dispensable. Turretin's admission that God might have done what is "diverse and contrary" but not "contradictory," i.e., repugnant, employs the technical vocabulary of a position he wants to reject. Understanding how Turretin employs these words, especially the distinction between "contrary" and "contradictory," is crucial to our understanding of his point in 3.21.17 and, by extension, his answer to the question of the dispensability of the precepts in topic 11.

In speaking about the possibility of God doing otherwise than he has indeed done, Turretin relies on a distinction between contrary things and contradictory things, as he makes clear. "To do contraries is one thing; to do contradictories another. God can do the former, but not the latter" (3.21.17/1.247). He relies explicitly on the distinction between contrary and contradictory in his consideration of this issue. Logic excludes simultaneous contradictories, as well as simultaneous contraries. Nevertheless what is "diverse and contrary" is not contradictory, and it is *contradictory* action that God must avoid, not *contrary* action. Saying that God could have acted contrarily (but not contradictorily) is not a violation of the first principle of logic, as Turretin makes clear: "Nor would that first principle be false, for it is impossible for the same thing to be and not to be at the same time (which is the true foundation of contradiction)" (3.21.17/1.247).

So God could have "constituted the nature of things differently," and in so doing he would have also "implanted in us other ideas of things" (3.21.17/1.247). When

Turretin speaks of God constituting things differently, he is recognizing that God could have done otherwise with regards to creation. Precisely what Turretin means by God doing things in a “diverse and contrary” manner is, of course, the crucial issue (3.21.17/1.247). Turretin has shown already how God cannot do what is supernaturally and morally impossible. Here Turretin is considering the leeway God has in creation, even within the bounds of what is possible for God to do. One cannot follow Turretin’s discussion of this issue without understanding the distinction between contraries and contradictories. Two contrary categorical propositions cannot both be true, but they can both be false; by contrast, with two contradictory propositions, the affirmation of one of the propositions *requires* the negation of its contradictory. So recognizing that God could have done otherwise in creating does not require extending the reach of what God could have done to contradictories.

Now by “contradictory” Turretin may be thinking of what is contradictory *within* the nature of the world God has created *or* he may be thinking of what is contradictory *to* the nature of what he chooses to create. The key difference is whether what is contradictory relates to God’s choices or to the nature of the thing. The distinction between the two is important, but Turretin does not give us any help in this paragraph to know which of the two options he prefers. If it is the former, then Turretin is referring to God not disturbing the settled order of his creation, i.e., God must respect, in his divine choosing, his logically prior (but not, of course, temporally prior) choices. If it is the latter, then Turretin is referring to God not creating things with contradictory predicates, i.e., not creating repugnancies.

*The Relationship of a Thing's Limits to God's*

Quite possibly, Turretin means both; he certainly believes both, and the following paragraph emphasizes how closely possibility and impossibility relate to the thing *and* to God:

Although the impossibility of a thing arises more on the part of the thing (on account of repugnancy of terms) than on the part of God (in which not any impotence, but rather the highest power and perfection is indicated), yet nothing is impossible on the part of the thing which is not also so on the part of God (as whatever is said to be possible is not so called simply on the part of the thing, as if it had an intrinsic entity in itself from eternity [according to the erroneous opinion of some], but on the part of God and with respect to the power of the agent, inasmuch as that is said to be possible which the first agent can produce). (3.21.23/1.248)

Licet rei impossibilitas se magis teneat à parte rei propter repugnantiam terminorum, quàm à parte Dei, in qua nulla impotentia, sed summa virtus & perfectio propterea notatur, tamen nihil est impossibile à parte rei, quod non sit etiam tale à parte Dei, ut quicquid possibile dicitur, non ita vocatur à parte rei simpliciter, quasi intrinsecam habeat entitatem in se ab æterno, quod quidam malè voluerunt; sed à parte Dei, & respectu potentiæ agentis, quatenus possibile illud dicitur, quod agens primum potest producere. (3.21.23)

Turretin here coordinates what is impossible for a thing and what is impossible for God.

This coordination is necessary when speaking of creation because the thing does not have “an intrinsic entity in itself from eternity,” so if something is not possible for a thing, then it is not possible for the thing in relation to the thing and in relation to the thing’s creator, God. Turretin emphasizes the connection between the thing’s limitations and God’s limitations because he does not want us thinking of anything existing from eternity except for God. The thing’s limits limit the thing and God, too. An example may help: God cannot make an infinitely tall oak tree. One may ask why. The answer is not—“the erroneous opinion of some” would have us believe—because the “intrinsic entity” of the oak tree constrains God from eternity, as though God always hopes for the



opportunity to make an infinite oak but the oak itself somehow eternally constrains him. On the contrary, not simply on the part of the thing, but also on the part of God, oaks are not infinite. Far from making God subordinate to his creation, this careful treatment of the relationship of the thing's limits to God's limits makes sure that God is the one who recognizes what is and is not repugnant to the nature of the thing, not the thing itself.

The most important limitations on a thing are the limitations on what the first agent, the *primum agens*, can produce. *Primum agens* is a metaphysically charged phrase since at least Aquinas, and translating it as “first agent” misleadingly suggests that Turretin may be speaking of the first agent in its kind, i.e., the first donkey ever created. This translation confuses *primum agens* with *primum res*, that is, the first agent with the first thing of its kind.<sup>1</sup> Thomas Aquinas, in *ST Ia*, q. 19, a. 4, obj. 2., considers an objection based on the commonly held belief that “Deus est primum agens.” In the question relating specifically to divine power—indeed, whether there is power in God—Aquinas again considers an objection arising from the belief that God is *primum agens* (*ST Ia*, q. 25, a. 1, obj. 1). The *primum agens* is the *primum movens*: the first agent is the first mover, God himself. So when Turretin says the limitations of the *primum agens* determine the limitations of the created thing, he is saying that God's own limitations, even God's own limitations in what he can create based on the nature of the thing itself, delimit the boundaries of what is possible for God to create. In so doing, Turretin maintains the priority of God's agency in creation: even when God is respecting the nature of what he is making, it is not as though the thing exists outside of God, forcing him to create or not create in a certain way. On the contrary, God is the one who knows

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<sup>1</sup>I first saw the possibility of this misunderstanding by seeing that Spencer Pearce uses “First Being” as a translation of the phrase. Spencer Pearce, “Nature and Supernature in the Dialogues of Girolamo Fracastoro” *Sixteenth Century Journal*, 27 (Spring 1996), 129, 129n68.

what the nature of the thing is, and, if he chooses to create it, he creates the thing in accordance with what he knows the thing is.

Thus Turretin's discussion of God's creation mirrors exactly his discussion of God's justice. In each instance, Turretin met a concern that something outside of God places boundaries over and above God by locating the limitation on divine activity *inside* of God. With divine justice, Turretin made clear that God's justice *internally* determines his behavior. So too here, with God respecting the nature of the thing, we may say, following Turretin's discussion of justice, that God in creating is internally constrained by his own understanding of what is and is not repugnant to the thing in question. As God does not, in ruling the world, determine what justice is, but knows it already, so too God, in creating, does not determine what the nature of a thing is—he knows it already.

#### *The Power of God and the Will of God*

Finally, we must consider briefly the way in which Turretin relates the power of God to the will of God. The two are intimately connected. "God cannot," Turretin writes, "do that which he cannot will; for he cannot do anything without his will, since the will deduces power into act and whatever God can do, that he can also will to be done" (3.21.15/1.249). Thus what God wills indicates what he can do; however, what God does not will by no means delineates what God could do if he so willed. Though God's will gives us a clear indication of God's power, God's will by no means fully exhausts his omnipotence. Nevertheless, Turretin wants to be careful to say, for reasons that will become obvious, that even though God could conceptually do more than he does will—that is, his power exceeds his will—even still God's power is fully actualized in his will. Turretin writes,

Although the power of God extends itself to more things than his will in the exercised act (because he can do many more things than those which he actually wills are future); yet it is not more widely extended than the will in the signified act (i.e., God cannot do more than he can will since both his power and will form the law to himself from his nature). (3.21.26/1.249–250)

Quamvis potentia Dei ad plura se extendat quàm ejus voluntas *in actu exercito*, quia multò plura potest facere quàm ea quæ de facto vult, quæ sunt futura; non tamen latiùs patet voluntate *in actu signato*, id est, non potest plura facere Deus quàm potest velle, cùm utraque & potentia & voluntas ex ejus natura sibi formet legem. (3.21.26)

God can do many more things than he actually does: the power of God extends to more things than his will. Nevertheless, the power of God is not wasted, or kept in reserve for future use. So “God cannot do more than he can will,” i.e., God wills with the totality of his power, “since both his power and will form the law to himself from his nature.”

These distinctions are important because Turretin wants to affirm divine simplicity, i.e., the divine nature is “incapable of composition and division” (3.7.3/1.191), and divine activity, “because God is a most pure act having no passive admixture” (3.7.4/1.191).

Distinguishing between *actu exercito* and *actu signato* allows him to explain how God’s omnipotence, his perfect freedom, and his will relate. Turretin thus continues along a Thomistic trajectory as he relates God’s will to God’s power by affirming divine simplicity.

## CHAPTER SIX

### The Law of God

Having focused our attention on topic 3, we may consider, at long last, topic 11, returning thereby to Turretin's answer to the question of the relationship between divine choice and natural law. In 11.2, Turretin makes two further distinctions, in addition to the first one, already considered (i.e., distinguishing between the terms obligation, dispensation, declaration or interpretation, irritation, abrogation, and derogation).

#### *Simple and Mixed Precepts*

The second distinction in 11.2 is between "simple precepts (i.e., merely moral) belonging to natural right and mixed precepts (moral and ceremonial, partly of natural and partly of positive right . . .)" (11.2.3/2.8). Simple precepts belong only to natural right; they are moral laws. Other precepts—and remember Turretin here is explicating the ten precepts of the Decalogue—are not only moral, belonging only to natural right. Instead, they are moral and ceremonial, of natural and of positive right. Whereas Turretin calls the precepts that lack a positive right component "simple," he calls precepts with a natural and positive component "mixed." Turretin gives two mixed precepts: the first one is "the fourth commandment concerning the Sabbath, which is moral as to the genus of public worship, but ceremonial as to the circumstance of the defined time" (11.2.3/2.8). His second example is "the fifth, which is moral as to the prescribed duty and the promise of longevity, but ceremonial as to the appended promise of the land of Canaan" (11.2.3/2.8).

This distinction, though seemingly innocuous, is crucial to Turretin's defense of Thomistic natural law. Here Turretin smuggles the framework of right from topic 3 into his discussion of the dispensability or indispensability of the precepts in topic 11. A mixed precept has, according to Turretin, a different foundation than a simple precept. Mixed precepts have a positive right component that simple precepts do not. In order to understand the dispensability of a precept, one must understand the extent to which—or even whether—the precept rests on dispensable, positive right. Turretin thus shifts the question about the dispensability of the precepts away from the precepts themselves to the underlying right or rights that constitute them.

#### *God's Dominion, God's Government*

Having explained his second distinction of precepts with a reference to rights, Turretin understandably turns his attention to rights, which are the focus of his third distinction. Before Turretin describes natural and positive rights directly, he first characteristically locates the rights within the framework of God's relationship to his creation. He remarks,

We must observe that the right of God (as far as regards creatures) is either of dominion (which includes the right of possessing, disposing and using creatures, as a lord or proprietor, who is able to use and enjoy his own property at pleasure); or of government (which properly refers to rational creatures whom he governs as ruler and legislator; to whom belong legislation, judgment and execution, so as to have the power of enacting laws, of judging in accordance with them and of carrying out the sentence pronounced). (11.2.4/2.8)

Observandum *Jus Dei* quatenus respicit creaturas, vel esse *Dominii*, quod includit *Jus possidendi, disponendi, et utendi* creaturis, ut dominus seu proprietarius, qui potest uti et frui rebus suis pro suo arbitrio: Vel *Regiminis*, quod spectat proprie creaturas racionales, quas gubernat ut Rector et Legislator, ad quod pertient *Legislatio, Judicium et Executio*, ut potestatem habeat legem ferendi, ex ea judicandi, et sententiam latam exequendi. (11.2.4)

The right of God with reference to his creation generally, is of dominion. God has a right in the creation: it is his, and he is “able to use and enjoy his own property at pleasure.” Obviously, as Turretin made clear in topic 3, God cannot act in an unholy or unjust way toward anything. Nevertheless, God’s freedom may be properly characterized as unbounded, because in fixing the arrangement of the universe with regards to nonrational creatures God does not need to take into consideration any other rational agency apart from his own—indeed, there is none.

With rational creatures, however, the right of God is not of dominion but of government. When Turretin speaks of God’s relationship to nonrational creation, he speaks of God “possessing, disposing and using creatures.” God creatively arranges the ordering of nonrational creation. God as heavenly craftsman or gardener is perhaps an appropriate image here: God can place a mountain or rock formation here, and he can place a field of daffodils there; if he prefers, he can plan for slow and gradual development of creatures, or he can cause instantaneous, rapid change. God does so without reference to the creatures’ preferences because, properly understood, they have none. On the contrary, since they are nonrational, the only contact they have with rational agency is when a rational agent—God or a rational agent he has created—decides to possess, dispose, or use them.

God’s right of dominion appears to extend only, or at least chiefly, to nonrational beings, whereas his right in rational agents is the right of government. With dominion, God is a “lord or proprietor, who is able to use and enjoy his own property at pleasure.” By contrast, with the right of government, God is a “ruler and legislator.” God does not possess, dispose, and use rational creatures the way that he does nonrational ones. With

rational creatures, God “governs as ruler and legislator.” Rational agents create a special, obligating right in God that the rest of creation, generally considered, does not. I say “obligating right” because the right of government does not simply confer upon God certain privileges with regards to these rational beings. It also places constraints upon God’s behavior and—even more strikingly—compels God to act. God in governing rational creatures has obligations that he would not have otherwise, if he had created only nonrational creatures.

### *Natural and Positive Rights*

In order to understand more clearly Turretin’s division of God’s right of government, we should focus our attention on his division of the right of government into natural and positive. He writes, in 11.2.4,

This right is commonly distinguished into natural and positive: the former, according to which he must prescribe to rational creatures their duties (the opposites of which imply a contradiction because they are not founded simply on the divine will, but on the perfection, eminence, holiness and rectitude of the divine nature); the latter, however, according to which he freely and from his mere good-pleasure prescribes such duties as he either was able not to prescribe, or the opposites of which antecedently to the open intimation of the divine will, he might have willed and enjoined without any prejudice to his perfection and holiness, and without embarrassing contradiction.” (11.2.4/2.8)

Jus hoc communiter distinguitur in *naturale et positivum*; Illud, secundum quod non potest non præscribere creaturis rationalibus officia, quorum opposita implicarent contradictionem, eo quod non fundentur simpliciter in divina voluntate, sed in divinæ naturæ perfectione, eminentia, sanctitate et rectitudine: Hoc autem, secundum quod libere et ex mero suo beneplacito talia præscripsit officia, quæ vel potuisset non præscribere, vel quorum opposita antecederent in signo rationis ad divinam voluntatem potuisset velle et injungere citra ullum perfectionis et sanctitatis suæ præjudicium, et absque ulla contradictionis implicatione. (11.2.4)

Notice first and foremost Turretin’s language of obligation: God “must prescribe to rational creatures their duties.” A literal translation of the Latin states Turretin’s position

more forcefully: according to which he cannot not prescribe duties to rational creatures. As in topic 3, Turretin appeals to God's perfection and holiness, on the one hand, as well as the avoidance of contradictories, on the other. God "must," "according to" a natural right, "prescribe to rational creatures their duties perfection and holiness." God cannot do otherwise with regards to prescribing their duties; "the opposites" of these duties "imply a contradiction because they are not founded simply on the divine will, but on the perfection, eminence, holiness and rectitude of the divine nature." If God's natural right requires him to command a precept, then he cannot do otherwise than command it. To do so is to act contrary to God's own nature—an extraordinary contradiction.

Positive right, by contrast, does not require God to make one command rather than its contrary. Instead, God can choose to do one or the other, without contradiction. The will of God thus plays an additional role in choosing between positive right, because God is not obligated to command one thing over another on account of his holiness. He can choose freely between contraries, "from his mere good-pleasure." Just as the discussion of contradictories in the context of natural right is reminiscent of Turretin's discussion of contradictories in topic 3, here Turretin's discussion of God's good pleasure refers immediately to the carefully developed framework of God's will similarly developed in topic 3. Turretin considers the medieval distinction between the will of sign and the beneplacit will in 3.15, tracing its origins in Hugh of St. Victor, to Lombard and then to others, most notably Thomas Aquinas. As we saw in our discussion of topic 3, Turretin coordinates the medieval distinction between the will of sign and the beneplacit will with the decretive will and preceptive will, respectively. Turretin writes, "With more propriety, therefore, the beneplacit will is made by us to answer to the decretive (which is



nothing else than the decree of the good purpose of God about future external things); the will of sign is made by us to answer to the preceptive and approving (which prescribes to man his duty and indicates what is acceptable to God)” (3.15.15/1.223). A natural right obligates God to prescribe a duty to a creature prior to any act of his will. A positive right, by contrast, does not generate in God a corresponding obligation. Instead, with a positive right, God acts from his beneplacit or decretive will, or, to employ another term with which Turretin is familiar, from his *eudokia*. A natural right is prior to the divine will and constrains or even obligates it; a positive right, by contrast, has no constraining or obligating force. Concerning duties arising from positive right Turretin remarks that God “either was able not to prescribe, or the opposites of which antecedently to the open intimation of the divine will, he might have willed and enjoined without any prejudice to his perfection and holiness, and without embarrassing contradiction” (11.2.4/2.8). That is, with positive right, God could have chosen not to prescribe a duty (at all) or, alternatively, he could have chosen the opposite duty to prescribe.

#### *The Sabbath as an Example*

The Sabbath is, for Turretin, a prime example of a precept that contains a positive right, as well as a natural one. God could have chosen otherwise than he did about the specific day of the Sabbath; nevertheless, the precept is not thereby dispensable. Humanity, by its nature, requires rest, and God, by his nature, requires worship, and the Sabbath provides time for both. The Sabbath precept is mixed, and part of the precept arising from positive right may be dispensed, indeed, abrogated entirely. Indeed, Christians worship on Sunday, rather than Saturday, yet still keep the Sabbath. They

uphold the moral precept founded on natural right, not the original ceremonial precept requiring rest on Saturday, a precept which was founded on positive right.

*Distinguishing between Natural Right and Positive Right*

In 11.2.5, Turretin further illuminates his distinction between natural and positive right. He explains that “whatever things have so close a connection with the nature, perfection, eminence and holiness of God (that he cannot command their opposites without prejudice to his nature and which involve a contradiction as commanded) belong to that natural right” (11.2.5/2.8). Turretin supplies several examples

It is certain that God cannot deny himself, or do or command anything contrary to his own holiness and perfection. So God cannot command the hatred of himself, blasphemy and lying; or relieve man from the dependence and obedience due to him because this would be to say that God is not God (i.e., the first cause and absolute Lord). (11.2.5/2.8)

Natural right is antecedent to the divine will: God *cannot* deny himself. The constraining power of natural right extends to God’s relationship to his creation: God *cannot* command the hatred of himself, for example. Similarly, God *must* demand certain things from the creature. God cannot “relieve man from the dependence and obedience due to him.” Thus natural right requires that God cannot obey certain things *but also* that he *must* command certain things, on the assumption of, e.g., a rational creature. Thus natural right obligates God to do things as well as to refrain from doing things, depending on the kind of creation God makes.

As in topic 3, Turretin shows sensitivity to previous considerations of this issue by his theological and philosophical predecessors. Turretin’s theory of natural right has medieval antecedents, and Turretin specifically refers to Bradwardine’s concept of “prior reasonables” as one such predecessor. Turretin writes,

These are what Bradwardine calls “prior reasonables” (*De Causa Dei Contra Pelagium* 1.18 [1618], pp. 220–24), which are such naturally antecedent to the divine will. (11.2.5/2.8)

Hæc sunt quæ *Bradwardinus* de Causa Dei. lib. 1. c. 18. vocat *rationabilia priora*, quæ sunt talia naturaliter antecedenter ad voluntatem divinam. (11.2.5)

Given that these prior reasonables are antecedent to the divine will, their source cannot be the divine will but is instead God’s own “perfection, eminence and holiness” (11.2.5/2.8).

Turretin returns to a consideration of positive right, commenting on how we ascertain whether something is a positive right rather than a natural one. He gives three instances wherein we may say that God’s commanding flows from positive right. First, “all those things of which it cannot be said that God was not by necessity of nature bound to the other part of the contradiction” belong to positive right. If God is not obligated to demand from the creature a particular duty, then he is free to prescribe that duty or not, in accordance with, of course, his holiness and virtue, as we saw previously. Second, those instances “in which we know that God can make . . . some change in the obligation” belong to positive right, as do, third, those instances in which God “has actually made some change in the obligation” (11.2.5/2.8).

Turretin introduces the second and third instances of positive right together, but considering them separately will prove beneficial. The final instance—when God does indeed make a change in the obligation—clearly belongs to positive right, for, in natural right, God is bound to the other part of the contradiction and cannot do otherwise. If God changes the requirements, then those requirements clearly are not demanded specifically and inviolably from his character or the nature of the thing. The Sabbath day regulation, as a mixed precept, has both a positive and a natural right component. Natural right obligates God to command finite creatures to rest; within positive right, however, God

has leeway with regards to the specific day—so he can change the day from Saturday to Sunday. If the specification of the day fell under natural rather than positive right, then God would be obligated to prescribe Sabbath observance on a particular day, and that day, if arising from natural right, would be inviolable. Turretin gives additional examples of positive right, remarking, “Such were the symbolical law given to Adam and the ceremonial laws of the Old Testament (which depended on the free will of God). Here also the permission of sin is usually referred” (11.2.5/2.8). What unites these three—the symbolical law given to Adam, the ceremonial laws of the Old Testament, and the permission of sin—all under one genus is their common dependence on the free will of God. They are not governed by prior reasonables, as those actions are that occur under the heading of natural right.

Whereas in 11.2.4 Turretin relates God’s rights to contradictions or repugnancies, as well as the will almost parenthetically, here in 11.2.5 he relates them to God’s will far more explicitly: prior reasonables “are such naturally antecedent to the divine will” (2.8). The internal constraint upon God’s will, arising from God’s own holiness, also constrains God’s governing of his creation. Here we see the importance of understanding precisely what Turretin means by a right: God, in having a right with regards to his creation, has an obligation, not just a privilege.

*Kinds of Natural Right: Divine Natural Right and Natural Natural Right*

In 11.2.6 Turretin makes a distinction *within* natural right, between a divine right “founded immediately upon the very nature and holiness of God” and a natural right “founded on the nature of things” (11.2.6/2.8). The terminology demands careful attention: there are *divine* natural rights, dependent upon the nature of God, and there are

*natural* natural rights, dependent upon the nature of created things. Both divine natural rights and natural natural rights are natural rights, just as *Panthera tigris altaica* and *Panthera tigris tigris* are tigers of the species *Panthera tigris*.<sup>1</sup> Turretin refers to divine natural right as “divine right” and as “natural right,” but he always refers to natural natural right as “natural right.” Context determines whether Turretin’s use of “natural right” refers to divine natural right or natural natural right: if the nature discussed is God’s own, then Turretin means divine natural right; if, by contrast, the nature discussed is a creature’s, then Turretin means natural natural right.

#### *Distinguishing between Divine Right and Natural Right*

Turretin distinguishes natural rights by their foundation, their varying degree of necessity, and the degree to which “God can relax it”—which sounds alarming, given Turretin’s natural law position, but is not so, as we shall see. Turretin writes,

Besides the uncreated natural divine right (called primary) founded immediately upon the very nature and holiness of God (the contrary of which he could not will nor command without denying himself), another is granted (created and secondary), founded on the nature of things (according to the constitution established by God and the mutual suitability or fitness of things to each other). (11.2.6/2.8)

Præter *Jus divinum naturale increatum*, quod *primarium* dicitur, qui fundatur immediatè in natura ipsa & sanctitate Dei, & cujus contrarium velle aut præcipere non posset, quin seipsum abnegaret: Aliud datur *creatum & secundarium*, quod fundatur in natura rerum, juxta constitutionem à Deo factam, & decentiam seu convenientiam rerum inter se invicem. (11.2.6)

So a divine right is founded on “the very nature and holiness of God,” but a natural right is “founded on the nature of things.” The natural right is created and secondary, because there would be no natural right for a thing if the thing did not exist, e.g., God does not have a natural right in unicorns because he did not make unicorns. Nevertheless, the

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<sup>1</sup>Vratislav Mazák, “Panthera tigris,” *Mammalian Species* 152 (May 8, 1981), 1.

nature of things is not simply “according to the constitution established by God.” The nature of things is also understood with reference to “the mutual suitableness or fitness of things to each other.” So a divine right’s foundation is God’s nature and holiness exclusively. A natural right, by contrast, depends on the nature of the thing as well as the order established by God (e.g., whether or not God decided to create the thing). About natural right, Turretin writes,

On the hypothesis of the order instituted by God (according to which he willed such to be the nature of things), it is necessary. Still it cannot be regarded as of the same necessity with the first, nor do the duties flowing from it have an equal degree of obligation. For the former is immutably absolute; nor is there any case in which God can relax it because thus he would appear to deny his own nature, on which it is based. Hence he never could command or approve hatred of himself, idolatry, perjury and falsehood. (11.2.6/2.8)

quod licet ex hypothesi ordinis à Deo instituti, secundùm quem talem rerum naturam esse voluit, sit necessarium; non tamen ejusdem necessitatis potest censi cum primo, nec officia quæ ex illo fluunt æqualem habent obligationis gradum. Illud enim est absolutè immutabile, nec ullus datur casus, in quo de eo relaxare Deus possit, quia sic naturam suam in qua fundatur videretur abnegare. Unde nunquam præcipere vel approbare potuit sui odium, idolatriam, perjurium & mendacium. (11.2.6)

Natural right is not as necessary as divine right, because divine right rests on God’s own nature. So to answer the question of the right’s foundation Turretin considers the further feature of each right’s necessity, arising from their different foundations. He concludes that “the duties flowing from” natural right do not “have an equal degree of obligation” as the duties from divine right (11.2.6/2.9).

### *Natural Right and Divine Command*

Turretin remarks, still discussing natural right,

But the latter (although containing the natural rule of rectitude, because it supposes a certain state of things) could in certain cases (the circumstances of

things and persons being altered) be changed, but only by his authority who established it. (11.2.6/2.8)

Sed istud, licet regulam rectitudinis naturalem contineat, quia tamen supponit certum rerum statum, potuit in certis casibus, mutatis rerum personarumque circumstantiis immutari, sed illius tantum autoritate à quo institutum est. (11.2.6)

So natural right admits to alteration not when God dispenses with a precept but when he, the authority who established the circumstances, changes the things and persons involved. Turretin is not saying that God grants a dispensation contrary to his law; instead, God so alters the fundamental features of a situation to guarantee that the action, which would have been wrong before his action, is not so, because of God's action.

Turretin helpfully gives examples to illustrate this point:

For example, murder and stealing (forbidden in the sixth and eighth commandments) could become lawful, some circumstance being changed—for instance, a divine command or public authority being given. In this respect, it can be referred to positive right; not indeed absolutely and simply such and merely free (which has no foundation except in the will of God alone), but relatively, inasmuch as (although based upon the order of things and created nature), it can still admit of a change in accordance with the wisdom of the legislator, who established that order. (11.2.6/2.8)

v. g. occisio hominis, & contrectatio rei alienæ, quæ mandato sexto & octavo prohibentur, possunt fieri licitæ, mutata aliqua circumstantiâ; accedente puta mandato divino, vel publicâ autoritate. Atque hoc respectu potest referri ad Jus positivum, non quidem absolutè & simpliciter tale, & merè liberum, quod nullum habet fundamentum nisi in voluntate sola Dei, sed secundum quid, quatenus, licet fundetur in ordine rerum, & naturâ creatâ, potest tamen mutationem aliquam admittere pro sapientia Legislatoris, qui ordinem illum instituit. (11.2.6)

The suggestion that God could change the “circumstances” and thereby make “murder and stealing . . . lawful” by a “divine command or public authority being given” seems to undermine Turretin’s claim to follow Aquinas’s natural law position. This misunderstanding is unfortunate. Defenders of natural law today are perhaps unduly allergic to the phrase “divine command.” Turretin is not attempting to modify, much less

subvert, his natural law position. Instead, he is seeking to explain how, despite arguments to the contrary, God does not dispense with a precept, that is, he does not remove the bindingness of the law when it actually obligates. Instead, Turretin says, God acts on and in the circumstances to change whether the law really and truly obligates.

Furthermore, and more importantly, Turretin does not actually say that God could make murder and stealing lawful. He says nothing of the sort. Giger's translation of *occisio hominis* and *contrectatio rei alienae* as "murder" and "theft" are understandable, given Turretin's reference to the sixth and eighth commandments that do indeed prohibit theft and murder. Nevertheless, *occisio hominis* is better understood as "a killing of a man." This locution captures the ambiguity of the Latin, but the word "murder" does not. If Turretin had wanted to convey "murder" he could have used *homicidium* instead.

Raymond of Pennaforte (1175–1275), a Dominican celebrated for his treatment of ecclesiastical law, defined *homicidium* as follows: "Homicidium est hominis occisio ab homine facta" (murder is the killing of a man accomplished by a man).<sup>2</sup> Not just any kind of killing is murder. God, in changing the circumstances, can change whether or not the killing is a murder. God cannot, however, make what would be a murder something other than a murder simply by dispensing with the law against murder. For Turretin, the circumstances must change; the law cannot.

What is true of murder is also true of "theft." *Contrectatio rei alienae* is "a handling of another's thing," i.e., taking someone else's property. Again, "theft" is a legal description of a morally culpable appropriation of someone else's property; here

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<sup>2</sup>Dudley R. Johnson, "'Homicide' in the Parson's Tale," *PMLA* 57 (March 1942), 53. For biographical information on Raymond of Pennaforte, see John Rupert Martin, "Ludovico Carracci's 'St. Raymond of Pennafotre,'" *Record of the Art Museum, Princeton University* 19 (1960), 50.



Turretin speaks more generally of the acquisition of what belongs to others, some cases of which are not theft at all, e.g., borrowing.

That Turretin by no means wants to suggest that God can dispense with the law becomes clearer when we consider his treatment of two events in Scripture, namely, Abraham and Isaac, on the one hand, and the plundering of the Egyptians, on the other. Abraham's near sacrifice of his son Isaac raises the question of whether God commanded murder; the plundering of the Egyptians raises the question of whether God commanded theft. In both instances, as we shall see, Turretin wants to be very clear: in the case of Abraham and Isaac, God did not command murder, and, in the case of the Israelites plundering the Egyptians, God did not sanction theft.

#### *Abraham and Isaac*

First let us consider Turretin's treatment of God's command to Abraham with regards to his son Isaac. In 11.2.23, Turretin says straightforwardly that by his command God does not dispense with the precept against murder. He writes,

The sixth commandment, about homicide, was not dispensed with when Abraham was ordered to kill his own. The command was only exploratory, not absolute. Neither if he had killed him by God's command would he have violated the law concerning homicide because he would have done it empowered by a public authority (to wit, the command of God). However, the law does not condemn homicide of every kind. For the magistrate is bound to punish the guilty, and every private person has the right to kill an unjust aggressor and robber for the sake of preserving life (a moderate use being made of the lawful right of protection); only homicide committed by a private person unjustly and without authority is condemned. (11.2.23/2.14)

God does not dispense with the precept about murder in the case of Abraham and Isaac because God did not *actually* command Abraham to sacrifice Isaac, since Abraham is commended even though he does not follow through with the command. Instead, the

command is, in Turretin's words, "exploratory, not absolute." Even if God had commanded him absolutely to sacrifice his son God would still not have been dispensing with the precept, however. Instead, he would have been changing a particular feature of the situation: instead of acting as a private individual against another private individual, he would have been acting from public authority, as a magistrate.

Turretin develops this distinction in greater detail in 11.17. There Turretin explains how "private manslaughter is prohibited when committed by private authority and wicked treachery, or from hatred and studied vengeance or from any other evil motive" (11.17.20/2.116). Turretin continues, "Hence Abraham would not have sinned against this law if, in accordance with the command of God, he had slain his own son. He would have done it by the supreme authority of him who has the right of life and death over all" (11.17.20/2.116). That is, God could have appointed Abraham to a public office to execute his son, making his son's death not murder but just punishment.<sup>3</sup> What is given is thus *not* a dispensation but a change of the agent's status: Abraham would not have been a private person acting privately—and thus committing murder—but would have been, instead, a public authority meting out divine punishment. The divine command does not make right what would otherwise have been a wrong; instead, the divine command changes the agent's status and thereby the description under which his act should be understood. If Abraham had caused Isaac's death as a private person, that act would have been murder; if Abraham had caused Isaac's death acting as God's public agent, then Abraham would have been playing the role of a public executioner of divine justice. The relationship between public and private is crucial to Turretin's defense of

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<sup>3</sup>This double office of father and magistrate is seen most sharply, not in Abraham's almost sacrifice of Isaac, but at the cross, in the atoning death of the Son.

capital punishment—but not private vengeance. Turretin believes that “judicial homicide is not prohibited, committed by the public magistrate against private persons whom he punishes with the sword or the gallows or in any other way” (11.17.2/2.112). “This public right,” Turretin argues, “is not opposed either by the command of God, which respects private persons (not magistrates and ministers of God clothed with public authority), or by Christian charity, which can love the persons and punish the crimes” (11.17.4/2.112). On the contrary, Turretin continues, “It would be a violation of the law of charity to leave the desperately wicked unpunished as pernicious to the republic and injurious to the good” (11.17.4/2.112). The difference between an act being murder—prohibited by the sixth commandment—or not rests on who the agent is and on his motives for acting. A magistrate executing someone guilty of a capital crime does not sin, if he acts from his public duty for the common good; indeed, if he does not execute the “desperately wicked,” guilty of capital crimes, then he breaks “the law of charity.” The distinction between public duty and private duty explains how the execution of a criminal differs from private vengeance. Turretin writes,

The private duty of believers is one thing, the public duty of the magistrate another. Believers ought to be prepared to pour out their own blood rather than that of others because to them the right of the sword and of war is not granted. But it is different with the office of the magistrate, since God has armed him for the avenging of wickedness and the defense of the state and the church. He has granted to him also the right of waging necessary wars. (11.17.12/2.114)

The magistrate, acting from public duty, ought to execute someone guilty of a capital crime, and, according to Turretin, capital punishment provides for “the avenging of wickedness and the defense of the state and the church.” If a magistrate acts from his own private interest and thereby causes someone’s death, he violates the sixth commandment. His office is not a *carte blanche*. On the contrary, he must fulfill the

*public* duties of his office—punishing the guilty, releasing the innocent—or he himself falls under the law’s sanction.

So if God commanded Abraham to kill Isaac then Isaac’s death would not only be morally permissible—it would be obligated. God would have appointed Abraham to a public office, a requirement of which would be executing Isaac. Turretin is thus not saying that God can dispense with the sixth commandment; instead, Turretin recognizes a possible change in Abraham’s status that would make the killing of Isaac morally obligated. Turretin makes this possibility explicit when discussing the change of the circumstances: “For example, murder and stealing (forbidden in the sixth and eighth commandments) could become lawful, some circumstance being changed—for instance, a divine command or public authority being given” (11.2.6/2.8). In the case of Abraham and Isaac, God could give a divine command and public authority to Abraham that would make what would have been a murder an execution instead. Turretin’s explanation does not depend upon the power of God’s commands to dispense with the moral order flowing from divine and natural right; instead, Turretin’s explanation depends upon a distinction between private and public duty, on the one hand, and on the belief that a magistrate acting from public duty has the obligation to execute the recalcitrant sinners guilty of capital crimes. Finally, Turretin requires us to believe that Isaac is sufficiently guilty on his own so that, at any time, God could require his life from him; otherwise, the execution would not be justified. Turretin’s answer may be unpalatable to some, because he believes that capital punishment is justified and because he upholds the doctrine of original sin. What I have endeavored to show in the preceding pages is *not* that Turretin’s defense of capital punishment or position on human sinfulness is morally or

theologically correct, however. Instead, I have shown how, when Turretin says that God could alter the law by changing the circumstances, he is not thereby undermining his commitment to the indispensability of the precepts.

### *Plundering the Egyptians*

Similarly, by recognizing that stealing, prohibited by the eighth commandment, “could become lawful, some circumstance being changed,” Turretin does not leave room for a dispensation of the precept. As with murder, an act that would otherwise be considered theft is not so “in accordance with the wisdom of the legislator, who established that order” (11.2.6/2.8). Turretin cannot be more explicit about the biblical data not countenancing the possibility that God could dispense with a precept, as the following treatment of the plunder of the Egyptians illustrates:

A dispensation was not made of the law of theft by the Israelites bearing away the vessels of the Egyptians: (1) because the Egyptians willingly granted those vessels, “for the Lord gave the people favor in the sight of the Egyptians, so that they lent unto them such things as they required. And they spoiled the Egyptians” (Ex. 12:36\*). Nor did they demand them from them as they departed; nay, they drove them out with their vessels “while they were urgent upon the people, that they might send them out of the land in haste” (Ex. 12:33). So the Israelites cannot be said absolutely to have taken the property of others without their consent. (2) God, as supreme Lord (yea, as a just judge), justly transferred the goods of the Egyptians to the Israelites as the wages of their former services and of that severe bondage with which the Egyptians oppressed them (free by nature); even as a judge permits a creditor to take pledges in the house of the debtor or puts him into the possession of his property. Now that cannot be called theft which is done by authority of a judge. (3) Nor assuredly can the Egyptians themselves be considered the lawful owners in the court of heaven with God, but only usurpers (as also other wicked men, although in the forum of earth and with men they are esteemed such). Now although the Israelites did not return what they had borrowed, they cannot on that account be called thieves because they might have had the intention to restore the property, if God had commanded them (11.2.32/2.17–18).

The Israelites plunder the Egyptians, but they do not break the eighth commandment to do so. Turretin offers three possible reasons for the plausibility of this explanation. First, the Egyptians gave them their goods willingly and forced them to leave hastily. One cannot say then that the Israelites took from the Egyptians without consent, a necessary component of the general definition of theft, as Turretin makes clear in 11.19.3. “Theft . . . is commonly defined as the illegal appropriation of what belongs to another; or the unlawful use (the owner being unwilling) of what belongs to another, whether by treachery or violence” (11.19.3/2.123). The Egyptians permitted the Israelites to borrow their goods, so the goods were not appropriated illegally. The Israelites did not take the goods by violence, either. The question hinges on the attitude of the Egyptians after the death of their firstborn children, on whether or not treachery was used in the plunder of the Egyptians. In Exodus chapter 12, after the Lord strikes the firstborn children in homes without the blood of a lamb on the doorpost (v. 29), Pharaoh summons Moses and Aaron at night, commanding them to leave (v. 31), explicitly directing them to take their flocks and herds (v. 32). Pharaoh is not the only Egyptian terrified of the Israelites: all the Egyptians are frightened; their firstborn sons have died, and they fear that everyone else will die as well (v. 33). In this context we learn that the Israelites had asked for, and received, gold and silver jewelry, as well as clothes (vv. 35–36). If the Israelites had happened to borrow goods from their neighbors and did not return them in their hasty departure demanded by those same neighbors, then no one would fault them. Here, however, the text reminds us that asking for the Egyptians’ possessions was part of God’s plan to plunder the Egyptians. So we cannot say that the Israelites had no idea that they were not going to return what they were given. After all, in Exodus 3:21–22, the Lord

tells Moses that the people of Israel will not leave Egypt empty handed, because they will plunder the Egyptians. So we must ask whether God, in getting the Israelites to ask for what they would never return, is promoting treachery. Now the simplest solution is that the Israelites were not asking to borrow Egyptian property but were, instead, asking for it as a gift. Perhaps there is a further, unmentioned miracle of Egyptian generosity towards the Israelites. Israelite Simeon wanders over to Egyptian Necho's house and asks him for his gold and silver jewelry, and some of his finer silks, too. Necho shrugs his shoulders and gives Simeon all that he requests. In this scenario, Simeon need not be troubled by the knowledge that he will leave in haste at a future date, because Necho has given to him freely, and without reference to the future. Furthermore, since Simeon is receiving from Necho's riches, and not taking from him what is necessary to sustain him, Simeon does Necho no harm.

Turretin does not pursue this possibility. Instead, Turretin emphasizes that they were forced to leave and that the Egyptians did not ask for their goods as the Israelites departed. He dismisses the possibility that the Egyptians gave the Israelites their goods as gifts, believing instead that "the Israelites did not return what they had borrowed" (11.2.32/2.18). One wonders, though, whether in this scenario they should not have left borrowed goods behind. If goods are *borrowed*, we have a higher burden to return them to their owners than simply asking whether the goods were requested upon departure. We have all been given the privilege of using someone else's property and have nurtured the secret hope that the other person will decide that he did not need the object after all. Regardless of our hopes, we cannot say that the lender bears full responsibility for the

return of goods; surely the borrower has duties, too, beyond being willing to return borrowed goods if commanded to do so by God!

Turretin offers a second explanation of how the Israelites do not, in taking the Egyptians' possessions, steal at God's direction. Turretin says, "God, as supreme Lord (yea, as a just judge), justly transferred the goods of the Egyptians to the Israelites as the wages of their former services and of that severe bondage with which the Egyptians oppressed them (free by nature)" (11.2.32/2.17–18). God, in transferring the Egyptians' goods over to the Israelites, rectifies an unjust situation through judicial action. Just as a judge can rule against a debtor and demand that his possessions be seized to pay his creditors, so too God exacts from the Egyptians the wages that they withheld from the Israelites. So the Israelites do not receive their plunder from theft but from divine reparations. This explanation is similar to Turretin's explanation of how God would not have been commanding Abraham to murder Isaac if God had commanded him to kill him. In both cases what appears to be private individuals—Abraham or the Hebrews—are, by virtue of God's command, considered not as private individuals but as public functionaries. Abraham would have executed his son as a sinner before a holy God, from a public duty and not a private interest; the Israelites plundered the Egyptians not from a private interest but from the public judgment of the divine judge, God himself.

Finally, Turretin offers a third explanation, one that deals not with the particulars of the relationship between the Egyptians and the Israelites but between the Egyptians and God himself. Turretin believes that "the Egyptians themselves" cannot "be considered the lawful owners in the court of heaven with God, but only usurpers,"



because they are “wicked men” (11.2.32/2.18). As Turretin’s discussion of Abraham and Isaac requires a thoroughgoing doctrine of human sinfulness, so too does his defense of the plunder of the Egyptians.

### *Natural Law and Divine Choice*

The above discussion shows that Turretin’s suggestion that God’s natural right with reference to creatures has an aspect of positive right is not an abandonment of the natural law view of the relationship between God’s will and human morality which he seeks to defend. Yet his sensitivity to the possibility of our status as agents changing as the result of a divine command shows his concern to vindicate God’s justice and safeguard divine freedom.

Turretin, in 11.2.7, summarizes the relationship between the right of God and the precepts:

From the distinction of the divine right flows the distinction of the precepts (to be held here). For those things have so close a connection with the nature of God that (the rational and governable creature being posited) he cannot but be bound to do them (such as that he should subject himself to and reverence God; should have him for his one only God; and the like), without controversy belong to natural right. But those which flow from the free good will of God and which he was perfectly free to establish or not establish, ought to be referred to positive right. With regard to this, almost all are agreed. But concerning the particular distinction and enumeration of these and those, all do not equally agree. Some refer those to natural right which others think belong to positive right. (11.2.7/2.9)

Ex hac vero Juris divini distinctione, fluit Præceptorum distinctio, quæ hic est tenenda. Quæ enim tam arctam habent cum natura Dei connexionem, ut posita creatura rationali et regibili, non possit ad ea præstanda non obstricta esse, qualia sunt, ut Deo se subjiciat et morem gerat, et eum pro Deo suo unice habeat, et sim., illa sine controversia sunt Juris naturalis. Sed quæ a libero Dei beneplacito fluunt, et quæ liberum et integrum Deo fuit ponere vel non ponere, censeri debent juris positivi. Et de hoc inter omnes fere convenit. Sed de particulari horum et illorum distinctione, et enumeratione, non pariter omnes consentiunt: Sunt enim qui ad Jus naturale ea referunt, quæ alii ad positivum potius pertinere judicant. (11.2.7)

So God rules nonrational creation by dominion but rational creatures by government. His rule of rational creatures is itself framed by natural right, referring to God's nature (divine right) or the creature's (natural right), or, conversely, by positive right. The natural right (of God or of creature) functions as a prior reasonable to the divine will. Morality thus has its own necessary constraints, like logic or mathematics. Natural right also obligates God to demand particular behavior from rational creatures, e.g., they must worship him as creator. Positive right, by contrast, does not demand the particular avoidance of, or the necessary prescription of, particular precepts; instead, God can, within positive right, do whatever he chooses. Turretin situates the disagreement over the precepts into disagreements over whether or not particular precepts follow from natural or positive right.

#### *Immutability and Indispensability*

Turretin makes a fourth and final distinction, between immutability and indispensability with regards to God and with regards to us. He writes, "Immutability and indispensability can be understood in two ways: either absolutely and simply with respect to God as well as to us; or comparatively and relatively with respect to us and not to God" (11.2.8/2.9). He continues, "Some are absolutely indispensable by God as well as by us; others, however, relatively with respect to us because, since we are not lords or judges, but subjects and accused (*hypodikoi*), we cannot add to or take anything away from the law" (11.2.8/2.9). "Yet this is not the case with respect to God, who, as supreme Lord and lawgiver, could in certain cases dispense with some law given by himself without sin" (11.2.8/2.9).

## CHAPTER SEVEN

### The Case for Natural Law

#### *Five Appeals for Natural Law*

Turretin makes at least five appeals for his modified natural law. First, humanity has a twofold dependence on God, natural and moral. Second, if all precepts are dispensable and from positive right, then God could command hating God or blaspheming him—a *reductio*. Third, if the natural law is positive law, then there is no distinction between divine law and ceremonial law, between murder or blasphemy and eating pork or touching a corpse. Fourth, as humanity is in the image of God, then the moral law must be as immutable, i.e., indispensable, as its eternal archetype. Fifth, the rational nature does not change, so its law should not either (11.2.12–17/2.10–12; cf. 11.25.11/2.162; 19.27.13/3.494).

To understand Turretin's defense of natural law, we must remind ourselves of the parameters of the debate, as he sees it. The question of the foundation of morals centers on the dispensability or indispensability of the precepts of the Decalogue (11.2.2). So Turretin's defense provides reasons to believe that the precepts of the Decalogue are indispensable. Turretin sets out to deny dispensation, which occurs "when, in any case in which the law really prevails and obliges, the obligation of the law is taken away from some man in particular, the rest remaining under obligation" (11.2.2/2.7). Turretin wants to deny that God can remove the obligation of the law from an individual. The Decalogue binds everyone, always and everywhere.

*(1) Humanity's Dependence on God*

To persuade his readers of the indispensability of the precepts of the Decalogue, Turretin begins with humanity's dependence upon God, comparing our dependence on God for morals with our dependence on him for life. He writes that "the moral dependence of the rational creature upon God (as the first truth and perfect holiness) is no less necessary and immutable than the natural dependence of each creature" (11.2.12/2.11). God's removal of moral obligation from a rational creature is as unthinkable as his removal of sustenance. Turretin explains how "there is a necessary and indispensable dependence of the rational creature as such in the genus of morals and in order to right reason" (11.2.12/2.10). Note the twofold placement of the dependence of the rational creature: first, "in the genus of morals," and, second, "in order to right reason." The ultimate source of a created thing's moral center is its creator; the source of everything is God, including the morals of the beings he creates. Similarly, the rational creature has a necessary and indispensable dependence on God in relation to right reason; humanity does not find its rationality apart from God, nor can it. On the contrary, right reason is from God. Note, again, the emphasis on indispensability: the removal of obligation, in morality, or rationality, in reason, is as unthinkable as the temporary abrogation of God's sustaining activity. No created thing can continue in existence if God chooses to withhold sustenance from it. So, too, God cannot withhold, even for a moment, the moral law from a moral being, or reason from the rational. Each is as unthinkable an act as all the others.

This dependence upon God undergirds every creature's obligation to him. "[I]n virtue of [this dependence]," Turretin writes, "he cannot but be bound to obey God and

be in subjection to him (for otherwise he would not be a creature, which is absurd)” (11.2.12/2.10). The absurdity of a nonserving creature is more readily apparent when we understand that *creatura* can mean, in Turretin’s late Latin, “servant” as well as “creature.” A nonserving servant is problematic, to be sure.

Yet I think that something more is going on here, something that is not at readily apparent to us because we do not grasp the extent to which dependence is a category of thought for Turretin. We see its importance in the role it plays in coordinating creatures to their creator; we see dependence differently when we consider things from God’s perspective. Turretin writes, “Now that such a right belongs to him is evident both from the independence, preeminence, perfection and supreme dominion of God, and the similar attributes which build up such a right” (11.2.12/2.11). That is, God’s independence (among other attributes) secures a right (*ius*), even as our dependence grounds obligation and subjection to him.

A creature having necessary dependence on its creator simply by virtue of its being created is not as counterintuitive a notion as one may think. Imagine a tool that one has not previously seen. When one asks what it does, one expects an answer that explains its purpose. The purpose does not come from the tool itself but from the tool’s inventor. God, as humanity’s maker, either must—that is, he is obligated to—make humanity with some view in mind, both in regards to humanity’s existence and to humanity’s morals. “Therefore, there is in God,” Turretin writes, “naturally and antecedently to his free will, the right of subjecting the rational creature to himself and of binding him to obedience (which he cannot deny, nor can he decree the opposite without a contradiction)” (11.2.12/2.10–11). God cannot make a rational creature and then

decide, willy-nilly, whether or not to demand obedience from it. In shaping who the creature is, God necessarily shapes a moral creature. This discussion in topic 11 recapitulates a theme from topic 5, wherein Turretin considers, in question 9, whether man was created *in puris naturalibus* and whether he could have been so created.

Turretin answers both questions negatively. Turretin writes,

God could, indeed, have not created man. But it being posited that he willed to create him, he could not have created him lawless and not imposed a law upon him when created. For as there is always an essential physical dependence of the creature upon the Creator in the genus of being, so there must also be an ethical dependence in the genus of morals. Nay, although God had not subjected him to an external law, conscience and the dictates of right reason would have been a law to him (which the apostle calls “the work of the law,” Rom. 2:15). (5.9.9/1.464)

This passage shows Turretin’s consistency, and it helps underscore the importance of his discussion of *puris naturalibus* in topic 5: “Since the very want of original righteousness is sin, man cannot be conceived as destitute of it without being conceived to be a sinner (especially since that defect would not be a mere negation, but a privation of the rectitude that ought to be in him)” (5.9.10/1.464). The presence or absence of morals in a man is not like the presence or absence of color in the world, making life more pleasant, or desirable, but not in itself necessary to the enterprise. On the contrary, conceiving of a lawless man is, for Turretin, to conceive of him as a sinner. Lawlessness is a *defect*; not having law is itself a problem for the moral person who is supposed to choose the good from reason. God making a rational creature without morals is like a builder making a house without material—it just cannot be done. No wonder, then, that Turretin emphasizes God’s freedom at the point of choosing whether or not to create man, as opposed to locating it in what kind of man God could possibly create. Morality is an essential part of who we are as humans, and God as our creator has an internal obligation

to demand moral perfection from us—even though, sadly, we do not have it. Though we would like to say that God could dispense with our moral obligations, he does not—nor can he. God has an obligation to his creation, an obligation that he fulfills.

Turretin also believes that “there is a necessary and essential natural dependence of the creature upon God in the genus of being and of the second cause” (11.2.12/2.11). In order to understand this argument, we must understand what he means by a second cause, *causa secunda*. Turretin writes, “The first cause is the prime mover in every action so that the second cause cannot move unless it is moved, nor act unless acted upon by the first. Otherwise it would be the principle of its own motion and so would no longer be the second cause, but the first” (6.5.7/1.507). Humanity’s “dependence . . . upon God in the genus . . . of the second cause” comes from humanity not being the principle of its own motion. Accordingly, “the creature cannot exist and operate without God, nor can God cast off the care of him and leave him to himself” (11.2.12/2.11). Turretin makes clear that God does not, in his providential governance, undermine the freedom of creatures. He writes,

Predetermination does not destroy, but conserves the liberty of the will. By it, God does not compel rational creatures or make them act by a physical or brute necessity. Rather he only effects this—that they act both consistently with themselves and in accordance with their own nature, i.e., from preference (*ek proaireseōs*) and spontaneously (to wit, they are so determined by God that they also determine themselves). (6.5.11/1.508)

Their “own nature” from which they act comes from God, who made them, and, in making them, God cannot give them a moral law that operates intermittently. The creature depends upon God to give him the knowledge of the moral law and right reason that makes free choosing possible, and God answers this dependence by making the precepts of the Decalogue indispensable.

As always, Turretin is also at pains to defend God's freedom. He writes, "Nor is it an objection that God was impelled to the production of the creature by no necessity, but by mere liberty" (11.2.13/2.11). To this objection, he replies,

For although all things out of God are in this sense contingent (i.e., such as he could have abstained from creating); still from the hypothesis, he wills and acts necessarily in and about those things which he wishes to exist, so that he cannot act or will otherwise. (11.2.13/2.11)

Nam licet omnia quæ sunt extra Deum sint hoc sensu contingentia, id est, talia à quibus creandis potuit abstinere: Tamen ex hypothesi quædem necessariò vult, & agit in iis aut circa ea quæ vult existere, ita ut non possit aliter agere aut velle. (11.2.13)

God could have chosen not to create humanity. God's freedom of choice is thus secure; nevertheless, having decided to create, God must create what he chooses to create. This sentence seems so straightforward that it may appear to be banal, or trivially true, but in Turretin's hands, it is not. A fundamental feature of humanity is its moral standing; for humanity to be without morals is an immoral humanity, not an amoral one—hence Turretin's arguments in topic 5 against the possibility of man being created in a morally neutral state. God can no more create humanity without morals than he could create a body without matter. This requirement is not a restriction but a recognition of the task that God is undertaking in creation; he is not, as it were, manufacturing something and then outfitting it with special features. A human person stripped of any extras is still a *moral* person, not an amoral one.

Turretin quotes a previously relied upon passage from Cajetan—that if God wills to promise absolutely, then he must fulfill the promise, etc.—and continues with the following:

So on the hypothesis of the existence and action of the creature, God must necessarily conserve and concur with it, as long as he wills it to be. Thus, the



rational creature being made, it was necessary for some law to be established by God, which he is bound to obey. For that the creature should be and not be under God; or be under God and not be governed by him; or be governed without law and a just law, is contradictory. (11.2.13/2.11)

Ita ex hypothesi, quòd creatura existat & agat, necesse est ut Deus eam conservet, & cum ea concurrat, quamdiu eam esse vult. Sic positâ creaturâ rationali, necesse est poni aliquam legem Dei, cui obsequi teneatur. Eam enim esse, nec Deo subesse, aut Deo subesse, nec ab ipso regi, aut regi sine lege, & lege justa est contradictorium. (11.2.13)

This passage has been analyzed extensively, above, in the context of our understanding of God's dominion. The main point here is that an indispensable moral law follows directly from God creating rational creatures.

### (2) *An Argument from Absurdity*

In 11.2.14, Turretin gives a second argument against the dispensability of the precepts. Whereas in the first instance he speaks of the necessary consequence of God choosing to create rational creatures (that there be an indispensable moral law), in this second argument Turretin turns to the absurdities that would follow if the dispensability of the precepts were granted. He writes, "Second, if all the precepts of the law are dispensable and founded only upon positive right, God was perfectly free to make or not to make them; yea, he could even command the contrary without any repugnancy" (11.2.14/2.11). Here Turretin's analysis of right provides the framework for his second argument against the dispensability of the precepts. If God can in theory remove the obligation of the law from someone in particular, then he can do so at all times; if he can do so at all times, then the right involved is not natural but positive. If the right is a positive right, then he is free to make or not make the law, and, even more importantly for Turretin's *reductio ad absurdum*, God is free to command the contrary: "In those

things which are by nature indifferent (*adiaphora*), he who has the right to command has also the right to forbid and so command the opposite” (11.2.14/2.11). Taking the position that all law is from positive right leads to problems, to say the least. Turretin writes, “Thus God on this hypothesis could not only give no law to the rational creature about loving and worshipping him, but could also lay down the contrary concerning hating and blaspheming him; not believing any god; or not believing him to be just, good, omnipotent and the like; not obeying him; worshipping strange gods, yea, even the Devil himself” (11.2.14/2.11).

This one argument contains two important criticisms of the view that (all) the precepts are dispensable. First, on this view, God could simply choose not to give the moral law to rational creatures. The impossibility of this claim has already been considered, in topic 5. The ability to make mankind lawless is an impossibility, because a lawless man is not a morally neutral one, but a wicked one. The argument contains a second criticism, which focuses on the potential for evil legislating on the part of God. If all law is of positive right, then God could command atheism, blasphemy, and even the worship of the Devil. Even more—to further the *reductio*—such commands would result in praise for those who obey them, as obedient servants of God:

Thus the most horrible sins (hatred of God, atheism, blasphemy and the like) would become praiseworthy for the very reason that they would fall under the precept, their character would be changed and they would no longer be sins. (11.2.14/2.11)

Sic laudabilia fierent teterrima peccata, odium Dei, Atheismus, blasphemia, & similia, quia eo ipso quo caderent sub præceptum, honestarentur, nec amplius essent peccata. (11.2.14)

Turretin remarks, “The proposition of such monstrous absurdities is their own sufficient refutation” (11.2.14/2.11). The contradiction is straightforward because “God cannot do

such things without denying himself and doing violence to his own nature.” “For as he is true and holy,” Turretin continues, “it is repugnant to his nature to command what is false and base” (11.2.14/2.11). Turretin concludes, “Now if he would command the hatred of himself (atheism and idolatry), he would command dreadful and most base falsehoods against his own truth and holiness” (11.2.14/2.11).

Turretin considers a reply to his second criticism of the dispensability of the precepts. Those that appeal to the belief “that the will of God is the supreme rule of justice and cannot be ruled by anything else” fail to understand the requirements of God’s holiness (11.2.14/2.11). Turretin writes, “It is one thing for it to be such extrinsically (which we grant), another intrinsically (which we deny, as has been proved in Topic III, Question 18)” (11.2.14/2.11–12). Turretin’s consideration of God’s holiness governing his actions in 3.18 has been discussed previously, so we need not dwell on his arguments at this point. But we should see how carefully Turretin’s analysis of God’s actions considered independently of his legislating any moral law for creation—the work of part of topic 3—now informs Turretin’s analysis of God’s actions considered within the context of his legislative activity towards rational creatures. The point: God cannot act without a moral compass in his own actions considered independently of anyone else, nor can he do so when legislating for others. Those who think that God can remove the moral order from rational creatures even for a moment misunderstand the relationship that God himself has towards the moral law: God cannot do wrong, nor can he tolerate wrongdoing by his creation—so much less could he ever possibly command it.

### *(3) Some Things are Worse than Others*

The second criticism of the dispensability of the precepts focuses on the absurdities that would follow were it true; the third criticism takes a more technical approach. Whereas the second criticism is an appeal to a kind of commonsense logic, the appeal here is to one's aesthetic sensibilities. The threefold division of right—divine, natural, and positive—undergirds Turretin's explication of the law. Making positive right the only foundation for law confuses the distinctions between the types of law: "Third, if all the precepts of the moral law are dispensable, there would be no difference between it and the ceremonial law; nor any greater obligation to obedience or greater sin of transgression in reference to the one than to the other" (11.2.15/2.12). At the outset, this argument seems fairly weak: so a division between the moral and ceremonial laws would be gone. So what? Well, Turretin continues, "So he will contract no lesser guilt before God who has eaten swine's flesh or who has touched a corpse, than he who has blasphemed God or committed murder" (11.2.15/2.12). Making all law dependent upon positive right upsets our moral arithmetic. Making the moral law dispensable undermines judgments about the severity of crimes: there ought to be an explanation about why murder is worse than eating pork products. Turretin provides an explanation for the difference: murder is worse than eating swine's flesh because of the things involved, not simply because of God's commands about the matter. But, Turretin argues, if the only thing that makes anything wrong is the commandment of God about the matter, then there is no difference between various wrong acts—the wrongness of the act rests in the violation of the commandment alone, not in the nature of things. Turretin labors to show

us that this inability to distinguish between lesser wrongs and greater wrongs is a powerful incentive to reject the possibility of dispensability. He writes,

But that this is by far the most absurd, both the nature and [*sic*] the thing evinces and Scripture itself clearly teaches, when (a comparison being instituted between the sacrifices of the law and the works of piety and mercy, the ceremonial and moral worship) it so often testifies that with God the one is of no value in comparison with the other. (11.2.15/2.12)

Sed hoc longè esse absurdissimum, & rei natura evincit, & Scriptura ipsa luculenter docet: quum institutâ comparatione inter Sacrificia Legalia, & opera pietatis & misericordiæ, cultum cæremonialem & moralem, alterum alterius respectu apud Deum nullo pretio esse toties testatur. (11.2.15)

Turretin's appeal is to the nature *of* the thing (not “and,” as the English translation reads) and to Scripture. According to Turretin, when we consider the nature of things and Scripture, we see that God values one thing—say, his own glory or the preservation of human life—far more than he does another—whether or not one eats pork.

Someone may respond at this point that God values humanity more than pork because people are humans and not pork. Yet this argument is precisely the one that Turretin is making. God values humans as humans, as the rational creatures that they are, made in his image. God is bound by an obligation—a natural right, in Turretin's vocabulary—to respect the nature of the thing that he is creating. Indeed, God is always bound to do so, which is precisely why Turretin believes that the precepts of the Decalogue are indispensable. God must always respect the nature of the created order that he has made, both in his treatment of it directly and in his valuing of one thing in comparison to another, e.g., in his respect for human versus porcine life. Turretin notes how the distinction that he has enumerated—between divine, natural, and positive right—helps illuminate the commonsensical distinctions we make regarding the severity of divine judgment, or even criminal law. The more intimately connected with the nature of

things—murder, theft, etc.—the more we bristle at the crimes. The less intimately connected with the nature of things—ceremonial laws about swine, for example—the less so. Without an appeal to the nature of things, rooted, as Turretin sees it, in the varying kinds of right associated (divine, natural, and positive), then an explanation for the relative importance of one law over another is hard to find. If all law arises from positive right, then the precept against murder and the precepts against certain kinds of food equally violate same the right upon which the law is based.

This inability to distinguish between precepts in terms of their underlying right also complicates the issue of explaining how certain precepts established upon positive right—e.g., prohibitions against foods—are abrogated (that is, done away with altogether), whereas other precepts, purportedly established upon positive right, are nonetheless never (according to Aquinas) or very rarely (according to everyone else) recipients of divine dispensation. Even proponents of the dispensability of the precepts would refuse to accept the abrogation of all the precepts God has established, including murder, blasphemy, and the like. But why is this? Why do certain precepts get a pass, whereas others are removed from human history altogether? Has God simply decided that he likes the eating of pig flesh much less than he likes the murder of humans, or is there, rather, something in the nature of things that makes God more attentive to the needs of humans rather than the needs of pigs? In our current age of animal rights activism, some may doubt the quality of God's judgment on this very issue. The point raised here is not animal rights, however, in the modern sense of the word, but, instead, the question of whether or not—and how—a rival conception of the relationship between divine choosing and the moral law could even begin to explain why God changes the law

about eating pigs but not about killing humans. Those who reject Turretin's analysis of right do not have an explanation for God keeping the law about humans but jettisoning the prohibition against pork. Turretin has one: murder is wrong, and always wrong, because the prohibition against it is founded on natural right; the prohibition against pork, by contrast, is founded on positive right, and God can lift the prohibition, or command its opposite—as is the case with all commands founded on positive right.

#### *(4) Man as the Image of God*

Turretin's fourth argument is from the nature of the moral law in its entirety. He writes, "Fourth, the moral law (which is the pattern of God's image in man) ought to correspond with the eternal and archetypal law in God" (11.2.16/2.12). Though he does not reference him, Turretin here evokes Thomas Aquinas's *ST Ia IIae*, q. 91, a. 2, ad 1, in which Aquinas explains that the natural law participates in the eternal law. The moral law does not stand against the eternal and archetypal law; on the contrary, Turretin writes, the moral law "is its copy and shadow (*apostimation*), in which he has manifested his justice and holiness" (11.2.16/2.12). This fourth argument against dispensability is not aesthetic; Turretin does not simply want everything to match up neatly. On the contrary, the issue is one of God's own internal consistency. If the moral law in man corresponds to the eternal law in God, then proposing the possibility for change in the former—which is precisely what those that accept the dispensability of the precepts countenance—proposes the possibility for change in the latter. If God's law for man can change, then God's law for himself, upon which man's law is based, can change as well.

Someone may object that this connection between moral law in man and eternal law in God is contrived. Denying this connection would undermine the basis for

Turretin's argument: if there is no direct connection between the law God gives for humanity and the law God has for himself (or, indeed, if there is no law for God himself), then God can change the law that he has given humanity, in joyous haphazardry, without undermining his own standards by doing so.

Given that this maneuver is the best prospect to neutralize Turretin's fourth argument, we should not be surprised to find that he answers this charge directly, with a practical appeal to how we are supposed to live. Turretin continues,

Hence we cannot conform ourselves to the image of God (to the imitation of which Scripture so often exhorts us) except by regulating our lives in accordance with the precepts of the law. So when its observation is enjoined, the voice is frequently heard, "Be ye holy, for I am holy." Now this law is immutable and perpetual. Therefore the moral law (its ectype) must necessarily also be immutable. (11.2.16/2.12)

Unde non possumus ad exemplum Dei nos componere, ad cuius imitationem toties Scriptura nos hortatur, nisi secundum Legis istius præcepta vitam instituendo. Ideo quum ejus observatio inculcatur, toties auditur ista vox, *Sanctiestote, quia sanctus sum*. At Lex illa immutabilis est & perpetua; Ergo immutabilem esse necesse est Legem moralem, quæ est ejus Ectypum. (11.2.16)

Turretin's appeal is straightforward: God calls us to be, to act, and to live as he is, acts, and lives. We ought to conform ourselves to his image; we can do so only if the image to which we are called to emulate resembles God—and not in a haphazard way, for a moment here and there, but in a necessarily constant way, always and everywhere. God calls us to be holy, as he is holy. The precepts by which we ought to regulate our lives so that we are holy as he is holy must be as unchanging and immutable as he is.

The underlying assumption is that the necessity of analogous relationships with regards to immutability and perpetuity are transitive, that is, if they are necessary for God, then they are necessary for us due to their analogous relation, expressed by Turretin in the language of archetype and ectype. Turretin does not defend this position, and



perhaps some would quarrel with it. Yet I think proposing a successful counterexample to this assumption is a difficult, if not impossible, task. If we are called to act out the image of God, then the archetypal image—God himself—cannot be a changing, inconstant thing but must be a standard that we can follow. If the standard is constant, then we ought to be constant as well, otherwise the holiness to which God is calling us would be impossibly hard to track, and the analogy would break down.

This analogy is based on the more basic assumption that there is some kind of relation between God's assigning moral rules to us and the moral rules he himself has. God does not require us to do things that are against what he requires or expects of himself, Turretin believes, and Turretin supports his claim by referring to commands in Scripture requiring us to be as God is.

Taken together, these two assumptions give credence to Turretin's fourth argument. There is some relation between the law that we have from God and the law that he himself keeps. God's law is eternal and unchanging; therefore, the law that he gives us—or, to be more precise, the law that he gives us in accordance with the law he himself observes—must be inconstant and unchanging. This unchanging law depends not upon God's choice, or humanity's, but on the nature of who God is, or the nature of the thing or things he has made. This law is founded upon divine or natural right, according to Turretin, and not upon positive right—which is what one would have to believe if one believed that all law was changeable. So Turretin's distinction between divine, natural, and positive rights explains how God can call us to be like him in his holiness but nonetheless give different laws at different times. His holiness is what follows from his divine right and, with regards to us, natural right; the laws that he gives

to a certain people for a certain time, but not always, rest upon mutable, positive right. His holiness, by contrast, does not. So Turretin's argument against dispensability reminds us of the strengths of his threefold framework of right. This framework explains both how God calls us to be like himself and how, in doing so, he can decide that different people—e.g., the Old Testament and New Testament churches—should do very different, contrary things—e.g., to abstain from pork and to eat pork.

#### *(5) Man's Rational Nature*

Turretin's fourth argument compares humanity with God; his fifth argument compares men with each other. In the fourth argument, the precepts are taken to be indispensable because the law to which humanity is accountable corresponds to the eternal law in God. Here, in the fifth argument, the immutable moral law of humanity is founded upon the rational nature of mankind which is "always the same and like itself." "Hence," Turretin continues, "what is founded upon it must also be such." To support this claim, Turretin notes that "the moral law is the same as to substance with the natural" (11.2.17/2.12.) The natural, according to Turretin, "is immutable and founded upon the rational nature." He thinks that "the sum of the law (which is exhausted by the love of God and of our neighbor) is impressed upon man by nature [*naturâ est homini impressa*]" and that "all its precepts are derived from the light of nature [*ex lumine naturæ*]." Now "nothing is found in [the precepts of the moral law] which is not taught by sound reason [*ratione sanâ*]." So the moral law does not go against sound reason. Second, "nothing [is found in them] which does not pertain to all nations in every age" (11.2.17/2.12). The moral law does not contain anything that is true for one person but not true for another, or true for one time but not true for another. If this claim is true, then the moral law is either

indispensable or nonexistent. If there simply is nothing that does not pertain to all nations at all times, then there is no moral law as Turretin understands the term. If, however, there is some body of law that extends across time and ethnic boundaries, then this law is the moral law, and, given that it is always and everywhere the same, it is indispensable—Turretin’s claim. Turretin thus frames the question about the dispensability of the precepts within the broadest possible setting, that is, all people for all time.

And “nothing [is found in the precepts of the moral law] which is not necessary for human nature to follow in order to attain its end.” (11.2.17/2.12). Turretin employs, here in the late seventeenth century, the teleological language abandoned by some of his contemporaries. The moral law is intimately and necessarily connected to humanity’s end. This coordination of the moral law with humanity’s *telos* underscores the need for the moral law’s constancy. The moral law is not simply clever rules for adapting to a particular environment, or even wise counsel; on the contrary, the moral law is fundamental to who God has made us to be, and, without it, we cannot become who we are. If the moral law is changeable, then the precepts—to which we are supposed to adhere if we are to become who we are made to be—are not reliable guides. If the precepts can be abrogated for everyone or dispensed with for a particular person, then the question about what one should do cannot ultimately be answered by the moral law at all; for every situation, there is *always* the open question of whether or not the precept is truly and really binding in this one instance. A moral law with dispensable precepts would be an uncertain guide to achieving humanity’s end; the instruction the law is supposed to provide is undermined by the potential dispensability of all (or some) of the precepts.

Turretin believes that the law “ought to be of perpetual right because the rational nature is always the same and like itself. Hence what is founded upon it must also be such [quod eâ nititur non potest non esse tale]” (11.2.17/2.12). The Latin actually says that “what depends on it cannot not be such”—so it is thus understandable that Giger polished it. Nevertheless, the double negation is important: Turretin’s argument is not based on analogy; instead, it rests on the impossibility of dissonance. He is not saying that the precepts are perpetual or lasting because the rational nature is perpetual or lasting—though I think he believes this argument as well. Here he is saying that the law depends upon the rational nature. The law for the creature rests upon the creature’s rationality. We have certain obligations simply by being rational that we would not have otherwise, e.g., rational creatures have an obligation to worship God rationally. Creatures without reason do not have this obligation. So the perpetuity of the law depends on the constancy of humanity’s rationality; we suppose that humans will have future obligations required of rational beings precisely because we believe that our present rationality will continue indefinitely, in perpetuity.

Now we can better understand the double negation: with the background belief that precepts depending upon rationality continue as long as the rationality does, Turretin denies that the rational changes or expires: “the rational nature is always the same and like itself” (11.2.17/2.12). Since the rational nature does not change, the law for the rational creature cannot be anything but constant. The connection is not so much established by analogy but is assumed, in this paragraph at least. Having assumed the connection between the perpetuity of the law and the constancy of human reason, Turretin denies that human reason changes. Since human reason does not change, then

neither does the moral law that is founded on it. Put another way, there is nothing else that could change the law for the thing apart from a change in the nature of the thing; the nature of the thing does not change; therefore, there is nothing else for the law to do but to remain as it is—it cannot not be anything but constant, given that its foundation is constant.

### *The Challenge of Human Sinfulness*

In the context of establishing the indispensability of the precepts from man's rationality and his end, Turretin considers one possible objection, an objection that arises out of the Reformed emphasis on human sinfulness. The objection concerns the relationship between human sinfulness and the moral law within man; specifically, someone may ask—an opponent, or, more probably, a friendly Reformed interlocutor—whether human sinfulness obliterates the moral law within man. Turretin gives voice to this potential objection by situating human sinfulness in sinful humanity particularly, not human nature generally. He writes, “If by the sin of man the rational nature was changed in the concrete and subjectively, the law was not forthwith altered in the abstract and objectively” (11.2.17/2.12). This objection is a serious one, for it comes from within Turretin's theological system, not outside it. The trouble is not simply epistemic, though an emphasis on the noetic effects of sin surely creates difficulties for Turretin as well. The claim here is more basic than that, however: Turretin says that the indispensability of the precepts is based on the constancy of human reason; this claim is false, due to the radical change of human nature worked by sin; therefore, Turretin's claim that the precepts are indispensable is false. The argument works out quite neatly as a *modus tollens*: if the precepts are unchanging, then the human nature is unchanging; human

nature is not unchanging (as demonstrated by the fall); therefore, the precepts of the law are not unchanging, i.e., they do indeed change.

Turretin's response is to deny a change in human nature as a result of the fall. This denial sounds positively unpalatable to Reformed ears—what, human nature did not change at all?—but Turretin is not denying human sinfulness. On the contrary, he is explaining it: one can only say that humans are broken, after all, if there is something that they should be, that they are not. If human *nature* is broken, then those humans are best who are most sinful, because they best conform to sinful human nature. If, however, human *nature* was not corrupted by sin, even though all humanity was, then humans are sinful precisely because they do not conform to the nature they have. The nature is good; men are evil. This argument is positively crucial for the Christian doctrine of the incarnation, because Turretin does not want to say that the Son assumed fallen human nature (13.5.0/2.306), nor does he want to say that he assumed a nature other than the one we have (13.5.10/2.309). Christ and sinful humanity have the same nature; we depart from our nature in our sinfulness, but Christ upholds our nature in his perfection.

So the rational nature of man was changed “in the concrete and subjectively,” but the law was not changed “in the abstract and objectively” (11.2.17/2.17). In spite of human sinfulness, “the sum of the law (which is exhausted by the love of God and of our neighbor)” is nevertheless still “impressed upon man by nature [*naturâ est homini impressa*],” so that “all its precepts are derived from the light of nature [*ex lumine naturæ*]” (11.2.17/2.12).

*The Challenge of New World Discoveries*

Travel narratives from the New World pose another challenge to Turretin's natural law, a challenge—unlike human sinfulness—perhaps less acutely felt by Turretin's theological predecessors. During the sixteenth and seventeenth centuries, travel narratives told tales of adventure and discovery in the New World with vigor and excitement. Crucially, not simply new lands but also new peoples were discovered, and these people, according to many accounts, simply did not follow the laws and customs of European and Christian people. So in addition to the question of change across time, with human sinfulness, Turretin must confront change across peoples. The diversity of laws suggests, threateningly, that there is not one human nature, upon which an indispensable natural law rests. Nevertheless, these travel narratives do not persuade Turretin to abandon his claim that human nature is fundamentally, and unchangeably, rational. Turretin resists Thomas Hobbes's *De Cive* (11.1.6/2.2), and he refutes Selden's claims (in *De Iure Naturali et Gentium*) that travel narratives from the New World disprove natural law (11.1.19/2.6). Turretin writes,

If various wicked laws obtained among the heathen, repugnant to the natural law (such as those sanctioning idolatry, human sacrifices [*anthrōpothysian*], permitting theft, rapine, homicide, incest), they do not prove that no light of reason was granted to men by nature, as Selden improperly infers (*De Iure Naturali et Gentium* 6, 7 [1640], pp. 75–94). Rather they prove only that men with leisure ill employed have wickedly abused the conceded light and, by struggling against and striving with all their might to extinguish it, were given over to a reprobate mind. (11.1.19/2.6)

Si variæ Leges impiæ inter Gentes obtinuerunt Legi naturali repugnantes, quales fuerunt, quæ sanxerunt idololatriam *anthrōpothysian*, quæ furta, rapinas, homicidia, incestus, & c. permiserunt, non evincunt nullum fuisse lumen rationis hominibus à natura concessum, ut malè colligit *Seldensus* lib. 1 de Jure naturali & gent. Hebræ. c. 6, 7. sed tantùm homines malè feriatos lumine concessio nefariè abusos esse, & luctando contra illud, & quantum in se est illud extinguere conantes in reprobum sensum datos esse. (11.1.19)

“Heathen” is too strong and disagreeable a word for *gens* and almost cedes too much to Turretin’s opponents. Turretin is arguing against the idea that there can be a truly inhuman population, and his expression does not refer to the kind of *people* under consideration but, instead, to the type of *law*. *Inter Gentes* can mean “among the heathen,” but this translation obscures the history of the word *gens* as applied to laws. When Selden and others, like Grotius and Pufendorf, write of the *lex* or *legēs Gentium*, they are speaking not of the law of heathens but the laws, or law, between nations. In fact, speaking of a law *inter Gentes* (*between* nations) rather than a *lex Gentium* (*law of* nations) shows Turretin’s similarity with—and, I imagine, indebtedness to—Grotius’s formulation of the law that exists between nations.<sup>1</sup> Turretin, in referring to the wicked laws *inter Gentes*, is not speaking as an anthropologist but as a legal theorist. Wicked laws between nations, themselves “repugnant to the natural law,” “do not prove that no light of reason was granted to men by nature” (11.1.19/2.6). What the laws show, instead, is how “men with leisure ill employed have wickedly abused the conceded light and, by struggling against and striving with all their might to extinguish it, were given over to a reprobate mind” (11.1.19/2.6). That entire societies may allow wickedness, e.g., “permitting theft,” does not undermine the natural law; instead, it shows the actual (but perhaps not theoretical) limits to human sinfulness: people are so bad that they can even legislate against the natural law so clearly given; the existence of these cultures shows how wicked humans are. What wicked laws between nations most emphatically do not show is any inadequacy in the “light of reason” that “was granted to men by nature” (11.1.19/2.6). On the contrary, they demonstrate the extent of human sinfulness.

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<sup>1</sup>See Gordon E. Sherman, “Jus Gentium and International Law,” *The American Journal of International Law* 12 (January 1918), 56–57.



Human sinfulness makes the light of reason less adequate. but Turretin does not here give us the details of the extent to which human reason makes us unable to know the moral law, nor does he attempt to describe human choices in the light of what we confess we know, as Aristotle does in *Nicomachean Ethics*, book 7.

Turretin's word choice echoes the key biblical text for consideration of this issue. Though Turretin does not reference Romans 1 directly, he does so obliquely by the language of Romans 1:28: Paul writes, in the Vulgate, "et sicut non probaverunt Deum habere in notitia tradidit eos Deus in reprobum sensum ut faciant quae non conveniunt" (And since they did not see fit to acknowledge God, God gave them up to a debased mind and to things that should not be done). Wicked nations "were given over to a reprobate mind [reprobum sensum]," according to Turretin; according to Paul, "God gave them up to a debased mind [reprobum sensum]."

In both the theological and biblical analysis, the overriding theme is human sinfulness: God has given light to the Gentiles; they have turned from that light in their sinfulness. They have labored to oppress and ignore, even to extinguish, the light of reason given them by nature. Turretin shows, by his analysis, his allegiance to the standard response to wicked laws *inter Gentes*, e.g., Thomas Aquinas's treatment of wicked laws in *ST Ia IIae*. Turretin seems unimpressed by the travel narratives of his age; unlike Selden, wicked laws in strange lands are more of the same, not something new that demands that we change our view of the promulgation of the natural law. It is as though Turretin wants to say that Aquinas knew about nations that had wicked laws hundreds of years ago, and the Apostle Paul well before that, so we should not be surprised that there are nations with wicked laws, given that we also know the extent to

which humans are sinful. Indeed, human sinfulness may be a special Christian contribution to natural law discussion: Cicero presumably knew about wicked laws in barbarian lands; whether or not he had an explanation for them I do not know. Regardless, Turretin most assuredly does: men are wicked, so it is no surprise that they can even labor against the light given them and turn all the more to darkness. We see this not simply in the permission of theft, and other second table precepts, but also in the first table precepts regarding the worship of the one true God.

Indeed, as the natural law includes precepts concerning the worship of the creator, Turretin's defense of natural theology in the face of New World travel narrative is also germane to this discussion. Here John Locke provides an interesting contrast to Turretin's position. Non-European peoples whose behavior contradicts the Decalogue show, Locke believes, that God has not given everyone an internal knowledge of the moral law (or of God himself). Locke writes, "But it is impossible to conceive, that a *whole Nation* of Men should all *publicly reject* and renounce, what every one of them, certainly and infallibly, knew to be a Law: For so they must, who have it naturally implanted on their Minds."<sup>2</sup>

Again, Locke writes, "But I cannot see how any *Men*, should ever *transgress* those *Moral Rules, with Confidence, and Serenity*, were they innate, and stamped upon their Minds."<sup>3</sup> Concerning one travel narrative in particular, Locke writes, "They have not so much as a Name for God, *Lery, pag. 216*. No Acknowledgement of any God, no

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<sup>2</sup>John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (New York: Oxford University Press, 1975), 1.3.11, 72. His emphasis.

<sup>3</sup>Locke, *Essay*, 1.3.9, 70. His emphasis.

Religion, no Worship, pag. 231.”<sup>4</sup> Interestingly enough, Turretin references the same explorer but comes to a very different conclusion; Turretin’s reading allows for an internally given, universally bestowed natural law. Turretin writes,

Although Jean de Lery (of Burgundy) observes that no gods are acknowledged among them, yet he not obscurely intimates that there are traces of the deity in them, when he informs us that they have their caribs or priests whom they have believe to be able to impart warlike bravery and to produce all fruits from the earth; by their supposed intercourse with spirits; and by their holding that the souls of the virtuous (after flying over lofty mountains) would lead a joyful life with perpetual delights in the most pleasant gardens, while, on the contrary, those of the wicked would be snatched way to Stigna [Aygnan] (their name for the Devil) and live with him in eternal torments (*History of a Voyage to the Land of Brazil* 16 [ed. J. Whately, 1990], p. 136). The same author in *Historia Navigationis in Brasiliam* 6+ (1594) narrates that the supreme being of the Mexicans is Hoizili Pochtli. (1.3.9/1.8)

Locke and Turretin quote the same traveler but come to different conclusions. Locke references de Léry’s comments to his own advantage, in an attempt to justify his denial of innate ideas; Turretin analyzes what de Léry says in order to deconstruct him. In his analysis, Turretin echoes Calvin’s concern about the universality of the knowledge of God (and so accountability to him). Turretin writes, “Although there may be some nations so savage as to appear to have no sense of deity, yet they are not destitute of all knowledge of him” (1.3.9/1.8). Locke, by contrast, uses the New World travel accounts to defend his epistemology. He does so because he rejects the internally given, universally bestowed natural law of the Christian tradition.

So whether the wicked laws *inter Gentes* support theft, against a second table precept, or idolatry, contrary to a first table precept, Turretin’s answer is the same, and, I think, consistent with the tradition of reflection about natural law. Notice how Turretin’s commitment to natural law actually demands that he have a higher view of non-Western

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<sup>4</sup>Locke, *Essay*, 1.3.9, 71. His emphasis.

peoples than an Enlightenment philosopher like John Locke. Turretin refuses to accept that *humans* could possibly be left alone, without any notion of God whatsoever. Though he accepts that “there may be some nations so savage as to appear to have no sense of deity,” he refuses to accept that they have no knowledge of God whatsoever; on the contrary, he writes, “they are not destitute of all knowledge of him” (1.3.9/1.8). This view contrasts sharply with Locke’s claim that the people that de Léry describe have “not so much as a Name for God” and no “Acknowledgement of any God, no Religion, no Worship.”<sup>5</sup> The difference between the two is all the more interesting, given Locke’s heavy involvement in the slave trade. Though Jeremy Waldron believes “[t]here is nothing in Locke’s theory that lends an iota of legitimacy to the contemporary institution of slavery in the Americas,” I am not so sure.<sup>6</sup> Waldron believes that, for Locke, the capacity to reason to God’s existence is a sufficient condition for equality: “if both of them have the capacity to reason to an understanding of the existence of God, then they are one another’s equals so far as any relations of authority are concerned.” Furthermore, the capacity to reason to God’s existence is a necessary condition for equality. “Basic equality,” he writes, “is predicated on this very lowly intellectual capacity . . . .”<sup>7</sup> Thus reasoning to God’s existence is both necessary and sufficient for Lockean equality.

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<sup>5</sup>Locke, *Essay*, 1.3.9, 71.

<sup>6</sup>Jeremy Waldron, *God, Locke, and Equality: Christian Foundations in Locke’s Political Thought* (Cambridge: Cambridge University Press, 2002), 242. For those unfamiliar with Locke’s involvement in the slave trade, I recommend James Farr’s 1986 *Political Theory* article. About Locke’s involvement, Farr writes that “when Locke died in 1704, precious few Englishmen could have boasted of equaling his intimate knowledge of colonial life, foreign peoples, or slavery and the slave trade.” James Farr, “‘So Vile and Miserable an Estate’: The Problem of Slavery in Locke’s Political Thought,” *Political Theory* 14 (May 1986), 269. Waldron is not unfamiliar with Farr’s article, mentioning it several times in *God, Locke, and Equality*, e.g., page 206.

<sup>7</sup>Waldron, *God, Locke*, 84.

The danger in Waldron's formulation is that by Locke's own admission—as seen above—there are some people who have no acknowledgement of God, religion, or worship.<sup>8</sup> If Waldron's analysis is correct—and there are some who think it is not—then Locke's defense for equality for most is also, simultaneously, an argument for slavery for some.<sup>9</sup> No wonder then that Locke was popular amongst Southern Christians. Indeed, as one historian notes, “In the 1850s southern evangelicals still routinely appealed to the authority of ‘the immortal Locke.’”<sup>10</sup> Abolitionists such as John Wesley and William Wilberforce, by contrast, trusted in the law of nature given universally to everyone; no threshold could be established against what God had given freely to everyone.<sup>11</sup> Such abolitionist rhetoric is consistent with the medieval Christian natural law tradition that Locke rejects—but Turretin, his contemporary, upholds.

The above excursus has shown, I hope, how Turretin's treatment of non-Western, non-Christian peoples, though emphasizing their human sinfulness, by no means degrades or demeans them. Indeed, it shows how Turretin's treatment of non-Western, non-Christian peoples provides room for real respect. Whereas some travel narratives enthusiastically described the inhumanity of other people, and whereas some philosophers, such as Locke, embraced such accounts wholeheartedly, other consumers of travel narratives, such as Turretin, looked askance at such accounts, taking a more

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<sup>8</sup>Locke, *Essay* 1.3.9, 71.

<sup>9</sup>For a discussion of Waldron's interpretation of Locke, see *Review of Politics* 67 (2005), which is devoted to *God, Locke, and Equality*.

<sup>10</sup>John Patrick Daly, *When Slavery Was Called Freedom: Evangelicalism, Proslavery, and the Causes of the Civil War* (Lexington: The University Press of Kentucky, 2002), 23. Daly's point is about the infusion of Locke's political thought in the southern United States generally, as opposed to any teaching on slavery specifically. But I think the more specific application given here is not inappropriate.

<sup>11</sup>See Kenneth Cracknell and Susan J. White, *An Introduction to World Methodism* (Cambridge: Cambridge University Press, 2005), 223.

skeptical view. This more skeptical view followed from a theological commitment to God's obligation to provide for all humanity, everywhere, a law for living, individually and communally. Locke's enthusiastic embrace of the accounts of purportedly ignorant peoples follows from an epistemological commitment to the rejection of innate ideas. The problem with this rejection, from Turretin's point of view, is its comment on the justice of God's governance; if one accepts that non-Western, non-Christian peoples were never even given a moral law, as Locke wants to do, then one impugns not simply those people but God himself. God is not a good creator if he has simply left some portion of the world alone, without any law whatsoever. He has failed in his obligations, his *iura*. The possible byproduct of Locke's view—that some people are without the ability to care for themselves, so must be cared for by others, perhaps even in slavery—is a historical event with connections that are difficult to establish, e.g., not every slave ship had a copy of Locke's *Essay* on board.

The important point for Turretin's consideration is God's goodness, his justice, and his faithfulness to his obligations. God has not created a world and left it lawless; on the contrary, in creating the world, he creates thereby its laws. He cannot do anything else, so any evidence to the contrary—e.g., a nation with a law permitting theft—must be understood as evidence of human sinfulness. Impugning sinful humanity, however, ironically treats humans with greater dignity than Locke affords them. Wicked men are still men, accountable for their actions and worthy of respect as moral agents, even if flawed ones; Locke's blank slates are not men, at worst, or, at best, must prove themselves to be so.

Turretin's view of non-Western, non-Christian peoples thus results, perhaps counterintuitively, in a higher view of humanity than Locke's. Indeed, in a very moving passage about those without the light of the gospel, Turretin mentions the New World—showing that he views New World inhabitants not as specimens for anthropological study but as *rational humans* needing the message of the gospel (12.6.14/2.210). Thus Turretin can write that some “Turkish Mohammedans” are not yet Christians but “members by destination” (18.3.28/3.22). That is, though now ignorant of the gospel, they will believe it when it is preached to them—and it will be preached to them.

In this chapter, we have seen how Turretin develops a case for natural law and how, along the way, he considers possible objections to natural law. In the immediately preceding paragraphs, we have seen how Turretin defends natural law even in the presence of wicked laws amongst the nations, including peoples in the New World, by appealing to human sinfulness. This appeal to human sinfulness does not denigrate the people, though; instead, by believing them to be fully accountable to God, Turretin treats them as responsible human agents. He also hopes for their salvation at the preaching of the gospel.

## CHAPTER EIGHT

### Towards a More Rigorous Methodology

#### *Interpretive Framework for Natural Law*

In his defense of natural law, Turretin explicates the entire Decalogue using a carefully developed interpretive framework, he marshals biblical, classical, and contemporary evidence to defend his claim that the natural law has been always and everywhere known (11.6.1–8/2.34–36). This concern with the precepts of the Decalogue shows that Turretin is concerned to understand the world from the perspective of the Scriptures, and not the other way around. Furthermore, as we have seen (and will see all the more in our consideration of specific precepts), Turretin recognizes that knowledge of the natural law is integral to God holding everyone accountable to it.

In explicating rules for interpretation, Turretin tells us that “the rules of explanation of the decalogue” are necessary so that “the genuine sense of the precepts may be held against the perverse judgments of men who interpret them preposterously” and so that “we may know what the law demands of us” (11.6.1/2.34). Turretin’s concern is thus defensively theoretical—to know what the precepts say, over and against preposterous interpretations of them—and eminently practical—to know what the precepts say so that we may do what is right. This twofold concern—about theory and about practice—echoes his general treatment of theology as a discipline in topic 1. In topic 1, Turretin writes, “Theology is so far theoretical-practical that it cannot merely be



called practical, but also theoretical, as the knowledge of mysteries is an essential part of it” (1.7.14/1.23). “Nevertheless,” he continues,

that theology is more practical than speculative is evident from the ultimate end, which is practice. For although all mysteries are not regulative of operation, they are impulsive to operation. For there is none so theoretical (*theōrēton*) and removed from practice that it does not incite to the love and worship of God. Nor is any theory saving which does not lead to practice (Jn. 13:17; 1 Cor. 13:2; Tit. 1:1; 1 Jn. 2:3, 4; Tit. 2:12). (1.7.15/1.23)

Just as theology is both theoretical and practical—calling us to behold God and to love him—so too the study of the law is both theoretical and practical—calling us to interpret the law rightly and to live in accordance with it. Getting the law right is thus not simply a matter for academic debate; it is intensely personal. If we get the law wrong, we live wrongly. So getting the law right is crucial.

Turretin sets out seven rules for interpretation. They are:

First, “the law is spiritual, respecting not only the external acts of the body, but the internal motions of the mind [*Lex spiritualis est, quæ non tantum externos corporis actus, sed internos animi motus respicit*].” (11.6.2/2.34)

Second, “in affirmative precepts, negative, and in negative, affirmative are contained [*In Præceptis affirmativis negativa, & In negativis affirmativa continentur*].” (11.6.3/2.34)

Third, “in all the precepts synecdoche is to be acknowledged [*In omnibus præceptis Synecdoche est agnoscenda*]” by which in one proposed species all under the same genus are understood, and by one prohibited vice others of the same kind analogous to it (and whatever bear upon or lead to it) are prohibited. (11.6.4/2.35)

Fourth (belonging to the same), “in the effect, the cause, in the genus, the species, in the related, the correlative is included [*In effecta causa, In genere species, In relato correlatum includitur*].” (11.6.5/2.35)

Fifth, “the precepts of the first table take the preference of those of the second [*Præcepta primæ Tabulæ derogant secundæ*]” as to necessary internal and external acts, when they both cannot have place at the same time. (11.6.6/2.35)

Sixth, “some precepts are affirmative [*Præcepta alia sunt affirmativa*]” (ordering things to be done, sins of omission); “others negative [*Alia negativa*]” (prohibiting things to be avoided, sins of commission). “The former bind always, but not to always, the latter bind always to always [*Illa obligant semper, sed non ad semper, Ista obligant semper, & ad semper*].” (11.6.7/2.36)

Seventh, “the beginning and end of all the precepts is love [*Omnium præceptorum principium & finis est Amor*].” (11.6.8/2.36)

The first four of these rules recognize that a precept has a broader category than its bare words express. The first rule suggests that the precepts do not simply govern our outward behavior but our hearts as well; the second, that affirmative precepts include the negative, and vice versa; the third, that the precept is a species of which the genus is either prohibited or commended; and, the fourth, closely related to the third, that a precept comes with unstated, but crucial, corollary precepts. The fifth rule considers the ordering of the precepts; the sixth deals with whether or not precepts always apply to everyone. Finally, the seventh—that “the beginning and end of all precepts is love”—speaks of the source of the precepts and their ultimate aim, as well as, perhaps, an overarching interpretive category: love.

### *(1) The Law is Spiritual*

Having given a general overview of these seven rules, we may now consider each in its turn, as Turretin presents them to us. “First,” he writes, “‘the law is spiritual, respecting not only the external acts of the body, but the internal motions of the mind’” (11.6.2/2.34). Turretin appeals to Scripture and to his theological consideration of the nature of God. He writes, “It is evident both from Paul (who in Rom. 7:14 testifies that ‘the law is spiritual’) and from the nature of the lawgiver himself” (11.6.2/2.34). The Apostle Paul testifies that the law is spiritual. The context for Paul’s declaration that the

law is spiritual furthers Turretin's methodological point. Romans 7:7–10 considers the precept against coveting, which is without question concerned about matters of the heart. Later in chapter 7, after verse 14, Paul speaks more generally about being unable to do the law, because of an internal struggle. The law, then, speaks not simply to external behavior but also to the heart.

Turretin also reminds readers of who God is, a subject upon which he has dwelt at length both in topic 3 and in topic 11:

He is not a human and earthly lawgiver who, since he has fleshly eyes, attends only to the external deeds striking the senses, nor does he take notice of counsels and intentions (except insofar as they manifest themselves outwardly); hence his interdicts are violated only by flagitious actions. Rather he is a divine and heavenly lawgiver whose eye nothing escapes and who regards not so much the external appearance as the purity of heart. Thus he speaks to the soul no less than to the body and demands an internal no less than an external obedience. (11.6.2/2.34)

God's legislation extends as far as he can see, so God legislates for the heart because he sees the heart. Turretin immediately supports this view with Scripture. He writes, "Christ plainly teaches this when he extends homicide to hatred of a brother and adultery to lust and looks (Mt. 5:22, 28)" (11.6.2/2.34). The Sermon on the Mount emphasizes the internal aspect of the moral law; God does not simply demand outward obedience; he requires inward righteousness as well.

*(2) Negative in Affirmative, Affirmative in Negative*

Turretin continues, "Second, 'in affirmative precepts, negative, and in negative, affirmative are contained'" (11.6.3/2.34). For justification of this rule, he appeals to the analogous rule for biblical interpretation. He writes, "As in Scripture there are more things than words, so in the precepts and interdicts there is always more than is expressed

in words” (11.6.3/2.34). The principle for biblical interpretation to which he appeals is set out early in his *Institutes*. Indeed, under the first question of the first topic of the whole work Turretin distinguishes between being “in so many words in-written (*engraphos autolexei*)” and being “not altogether un-written (*agraphos*)” (1.1.2/1.1). He writes, “Therefore it is one thing to be in Scripture as to sound and syllables (or formally and in the abstract); another to be in it as to sense and the thing signified (or materially in the concrete)” (1.1.2/1.1). The word “theology” does not occur in Scripture “as to sound and syllables,” Turretin believes, yet it *does* occur “as to sense and the thing signified” (1.1.2/1.1). Similarly, an affirmative precept contains negative precepts, and a negative precept contains affirmative ones. “Not,” Turretin continues, “that the law is to be considered as a Lesbian rule (to be made to mean anything), but that we may search more deeply into the meaning of the lawgiver and embrace those things which are mutually connected or depend upon each other” (11.6.3/2.34). So “a good precept cannot be performed by the law without its opposite evil being avoided,” and “a prohibited evil [cannot] be shunned without its opposite good being performed” (11.6.3/2.34). Again, “those which are expressly negative are impliedly affirmative and vice versa” (11.6.3/2.34–35). Turretin happily speaks in the language not simply of precepts but virtues, too. He writes, “And so virtues are commended when vices are forbidden” (11.6.3/2.35). Virtues are not to be found solely in keeping us from sinful habits, either: “Not that virtue is to be placed in the abstinence from vice alone (as is commonly said), for we must proceed farther (*viz.*, to the contrary duties and deeds)” (11.6.3/2.35). Any and every affirmative precept has negative prohibitions attached to it; every negative

precept similarly contains positive commands as well. Turretin supplies helpful examples to demonstrate how this rule works in practice:

Thus in the precept “thou shalt not kill” reason sees nothing else than that we must abstain from every evil deed, but it is certain that in addition love is recommended that we should cherish our neighbor’s life in every way we can. Reason demands this because God forbids us to assail or injure a brother by injustice because he wishes his life to be dear and precious to us. Thus we should exert all our efforts to preserve it. So when theft is prohibited, beneficence is enjoined. If God commands us to honor our parents and promises a reward to those reverencing them, it forbids us by that very thing to injure them and intimates that he will not go unpunished who acts differently. (11.6.3/2.35)

Turretin takes two negative precepts and shows the positive precepts attached to them; he then takes a positive precept and shows its corresponding negative precepts. Murder is prohibited, and simply abstaining from murder is not sufficient. On the contrary, we must “cherish our neighbor’s life,” and God “wishes his life to be dear and precious to us.” Similarly, theft is prohibited, but we are faithful to this commandment not simply when we withhold from the action of purloining what does not belong to us. We must show beneficence towards our neighbor as well. So negative precepts—such as those against murder and theft—contain positive precepts. Turretin considers a positive precept, to honor one’s parents, to show that the opposite is true: positive precepts contain negative precepts as well. Turretin explains how a command to honor—a positive precept—contains a negative command against injury. One cannot honor one’s parents by doing them harm. So affirmative precepts contain negative precepts, and negative precepts contain affirmative ones. Negation in mathematics or logic is the idea being used here: negating a positive precept yields a negative one; negating a negative precept yields a positive one.

### (3) *Synecdoche*

“Third,” Turretin continues, “in all the precepts synecdoche is to be acknowledged’ by which in one proposed species all under the same genus are understood, and by one prohibited vice others of the same kind analogous to it (and whatever bear upon or lead to it) are prohibited” (11.6.4/2.35). Since the statement of this rule is somewhat technical, Turretin immediately launches into examples, to aid in our understanding. He writes, “Thus in the precept ‘thou shalt not commit adultery’ is prohibited every affection for another’s wife; to lust after her (Mt. 5:28) and all illicit desires are forbidden. Under homicide, all angry feelings are included [Sub homicidio omnes iræ motus includuntur]” (11.6.4/2.35). A precept does not simply forbid what it explicitly forbids; it forbids, in addition to those things it explicitly forbids, all corollary sins. The precept against adultery contains in it a prohibition against lust, and the precept against homicide includes a prohibition against “omnes iræ motus”—presumably by this expression Turretin means sinful wrath (*ira*) and not righteous indignation (*indignatio*).

Under this third rule Turretin explains why lesser sins are included in greater ones. He writes, “What are most base and capital in each species of sin are forbidden, under which all the others are included, either because they flow thence or because they lead at length to it; or because what appear the smallest to men are in the most accurate judgment of God rated more severely” (11.6.4/2.35). So hatred is included under murder and lust under adultery either because the lesser sins lead to the greater or because what appear to be trivial sins—matters of the heart, kept private from public view—are actually judged more harshly by God. Either way, “[t]his is not done . . . to excuse or exclude lesser sins” (11.6.4/2.35). On the contrary, the result should be “that a greater

detestation of sin may be impressed upon our minds” (11.6.4/2.35). We all too easily disregard the foulness of our sin, Turretin believes, and the inclusion of our purportedly petty sins under the heading of a horrendous one underscores how awful our sins really are. “For,” Turretin writes, “the flesh endeavors to dilute the foulness of sin and to cover it under specious pretexts” (11.6.4/2.35). So, “for example, anger and hatred are supposed to be so execrable when these terms are used, but when they are prohibited under the name of homicide, we understand better in how great abomination they are held by God” (11.6.4/2.35). If we see every lustful glance as adultery, and every wrathful thought as murder, then we better understand, Turretin believes, God’s perspective of the attitudes of our hearts and the thoughts of our minds. Containing the lesser sin under the greater precept emphasizes how detestable all sins are to God. One can further establish Turretin’s point by considering the reverse: if murder were classified as anger and rape as lust, then we would minimize the outrage that we ought to feel against such horrendous crimes. Collecting our purportedly petty offenses under those precepts considered by all as justly deserving condemnation further serves to chasten and to convict us.

#### *(4) Attendant Requirements of the Law*

The fourth rule for interpretation of laws resembles the third—a point Turretin himself recognizes. He writes, “Fourth (belonging to the same), ‘in the effect, the cause, in the genus, the species, in the related, the correlative is included [*In effecta causa, In genere species, In relato correlatum includitur*]” (11.6.5/2.35). Initially the fourth rule appears to be nothing more than a recapitulation of the third. The following discussion of the fourth rule closely follows the third, especially the example of adultery: “He who

wishes or prohibits anything, also wishes or prohibits that without which it cannot be or is not usually done. So in the prohibition of adultery are prohibited all illicit desires and their springs—intemperance and all incitements of them” (11.6.5/2.35). Turretin is not merely repeating himself, however, as the additional examples make clear. He writes, “Thus while the law enjoins chastity, it requires also its nurse—temperance and moderation in eating” (11.6.5/2.35). The precept against adultery enjoins chastity—the second rule (in the negative, the positive)—and prohibits lust—the third rule (and, apparently, the fourth, too). Chastity requiring temperance in eating does not follow from the third rule, and, taken with what Turretin does with the precept against adultery (under the fourth rule), we see a pattern emerge—a pattern that distinguishes the fourth rule from the third. In his discussion of adultery under the fourth rule, Turretin considers those “illicit desires and their springs.” The “springs” of action are not Hobbesian mechanical; the picture is not that of a coiled spring poised for release. A *scaturigo*—the word Turretin uses—is a bubbling spring, that is, a body of water. Intemperance (*intemperantia*) is the bubbling brook with which Turretin is concerned. Put positively, temperance (*temperantia*) and moderation (*modum*) in eating are called chastity’s nurse. The precept against adultery, by the fourth rule, thus forbids intemperance and encourages temperance and moderation—and not just in one’s sexual life, but in eating as well. (The third rule, by contrast, finds in the precept against adultery a further prohibition against lust.) Another way of describing Turretin’s rule is to place it within the Thomistic-Aristotelian framework of the virtues: any precept brings with it the concomitant virtues for that precept. So the precept against adultery not only prohibits lust; it also demands an extirpation of those vices supporting a violation of the precept



and the inculcation of virtues tantamount to a removal of those same vices. The goal, presumably, is to have habits that promote a life lived in accordance with God's law. The good life is not simply avoiding evil and doing good; there are certain kind of virtues built into the commandments. Turretin thus rejects a divide between law and virtues, a common, perhaps dominant theme of contemporary theorizing—and, in so doing, follows Aquinas.<sup>1</sup>

Virtues aside, this fourth rule of interpretation also understands the precept to include reciprocal obligations and homologous relations. Turretin uses the precept to honor one's parents as an example of this kind of extension. The precept about honoring one's parents includes, Turretin believes, a simultaneous obligation of parents to children. Additionally, precepts include the implied reciprocal obligations. Turretin writes, "When children are commanded to honor their parents, parents are in turn commanded to cherish their children paternally and to bring them up in the nurture of the Lord" (11.6.5/2.35). Additionally, a precept may use a type in place of a whole class of people. Turretin writes, "Under the word 'parents' are understood all superiors—magistrates, masters, teachers, pastors—to whom in turn the duties are prescribed which they are bound to perform towards inferiors" (11.6.5/2.35).

So the fourth rule of interpretation is robust. According to it, a precept demands attendant virtues; forbids particular vices; requires reciprocal obligations; and uses words to evoke categories of people to whom the precept applies (e.g., parents for all superiors). The third rule—using synecdoche—says the precept speaks of the most heinous sins, e.g., murder, but also includes lesser ones, e.g., hatred. The precept is interpreted as being

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<sup>1</sup>See Thomas S. Hibbs, *Virtue's Splendor: Wisdom, Prudence, and the Human Good* (New York: Fordham University Press, 2001).

about many more things than the words themselves suggest. The third rule increases the number of prohibitions: not just murder, but hatred; not just adultery, but lust, etc. The third rule is about division: the precept against the most heinous crime may be subdivided into any number of additional precepts. The fourth rule, by contrast, is about multiplication: the precept contains many, many more obligations—to virtue, against vice, and human obligations to each other—than we may have believed at first glance. If the word Turretin uses for the third rule is “synecdoche,” then perhaps he should have used “analogy” to describe his fourth rule. If the precept against adultery encourages temperance in eating, it does so by analogy; similarly, a magistrate or teacher is considered a parent by analogy.

#### *(5) Hierarchy of Precepts*

The first four interpretive rules all deal with individual precepts, each taken in its turn. The fifth rule of interpretation, by contrast, considers the possibility of two precepts being in apparent conflict, or, in Turretin’s words, “when they both cannot have place at the same time” (11.6.6/2.35). In such cases, Turretin writes, “the precepts of the first table take the preference of those of the second’ as to necessary internal and external acts, when they both cannot have place at the same time” (11.6.6./2.35). Turretin illustrates this rule to further explain it: “Thus the love of our neighbor ought to be subjected to the love of God” (11.6.6/2.35). Even more specifically, he continues, “We are bound to hate father and mother for Christ’s sake (Lk. 14:26), when the love of parents is incompatible (*asystatos*) with the love of Christ” (11.6.6/2.35). More generally, he writes, “Human commands are to be neglected when opposed to the commands of God (Mt. 10:37; Acts 4:19)” (11.6.6/2.35). So precepts concerning God always take precedence over precepts

concerning man: God first, over neighbor; God first, over parents, and God's commands first, over human commands.

“But,” Turretin continues, “in turn ‘the ceremonial of the first table yields to the moral of the second because God desires mercy and not sacrifice’ (Hos. 6:6), i.e., moral worship principally and primarily as better and of itself necessary; the ceremonial, however only secondarily on account of the moral” (11.6.6/2.35–36). Turretin concludes, “Hence we ought not to be so anxious about the former as about the latter” (11.6.6/2.36). Here Turretin intermingles the ceremonial law with the moral law in an interesting way. We cannot think that first table precepts of the ceremonial law take precedence over second table precepts of the moral law. On the contrary, God, in desiring mercy, not sacrifice, demands that we fulfill our obligations under the moral law—even obligations to our neighbor—*before* we fulfill obligations under the ceremonial law—even our obligations *to him*. The fifth rule is the only rule to have two components, and these are separately elucidated. These cannot be taken separately, however, because the hierarchy of interaction between the moral and ceremonial is an important aspect of interpreting precepts well. The fifth rule states that “‘the precepts of the first table take the preference of those of the second’ . . . . But in turn ‘the ceremonial of the first table yields to the moral of the second because God desires mercy and not sacrifice’” (11.6.6/2.35–36). The fourth rule brings about the following ordering of the precepts:

First table precepts of the moral law

Second table precepts of the moral law

First table precepts of the ceremonial law

Second table precepts of the ceremonial law

Interestingly, the civil law is not here mentioned by Turretin, perhaps because its first table component is minimal, especially compared with the moral law and the ceremonial law. Turretin's ordering of the law, and the way he explains the rule, prevents two possible misuses of the law. One misuse of the law occurs when one prefers family and neighbors to God, e.g., to obey one's parents rather than God or to be more devoted to the care of one's family than the glory of Christ. Another misuse occurs when one so esteems one's ceremonial obligations that one ignores one's moral obligations. We cannot neglect God to care for others we love, but, contrariwise, we cannot, in our service to God, overthrow the moral order he has constituted. The ceremonies demanded by God, to give him reverence and honor, can never take precedence over the people whom God has made. As the prophet Hosea says—whom Turretin quotes—God desires mercy, not sacrifice.

*(6) Binding Always to Always (Negative) versus not to Always (Affirmative)*

The sixth rule explains more carefully what affirmative precepts and negative precepts are, before discussing the time, place, and state of the virtues and duties enjoined by them—which is what the sixth rule is about. Turretin writes, “some precepts are affirmative,” that is, they, in “ordering things to be done,” are commands against “sins of omission” (11.6.7/2.36). By contrast, “others [are] negative,” because they, in “prohibiting things to be avoided,” speak against “sins of commission” (11.6.7/2.36). “The former,” that is, the affirmative precepts, “bind always, but not to always,” yet “the latter,” that is, negative precepts, “bind always to always” (11.6.7/2.36). In other words, affirmative precepts always bind, whenever the time, place, and state of the persons

involved require, but they do not bind absolutely. The negative precepts, by contrast, admit of no exception—ever. Turretin explains,

The virtues and duties [virtutes & officia] commanded by the affirmative precepts cannot be exercised every moment together at once, and suppose certain conditions (which being absent, there is no place for them); for example, parents are not always alive or near us, so that we can render them their due respect. But the vices and crimes prohibited can be committed lawfully in no article of time. (11.6.7/2.36)

Affirmative precepts require certain situations for them to be in effect; additionally, they cannot be exercised all at once. Turretin gives the example of giving respect to one's parents, who, due to death or departure, are not around for us to give them respect.

Changed circumstances create changed obligations. Turretin's claim is not that the precept is dispensed; on the contrary, even those whose parents are dead are obligated to respect their superiors, according to the same precept (as indicated, above, in our discussion of the fourth rule). Yet one may say that the force of obligation is conditional upon the circumstances; ready to be activated at any time, the precept nevertheless feels comparatively dormant, especially if the circumstances warrant the application of another affirmative precept, e.g., one's parents and superiors are absent, but one is resting on the Sabbath.

Negative precepts, by contrast, admit of no exceptions. Time, place, and status do not affect the obligation one has from precepts that prohibit action—that forbid sins of commission. I am reminded of Aristotle's quip in book 2, chapter 6, of *Nicomachean Ethics* that committing adultery at the right time, in the right place, with the right woman, does not make adultery right—that such crimes are always heinous. Turretin here sounds a similar note: negative precepts bind always, in every circumstance.

Turretin makes one exception to the general rule. Loving God is an affirmative precept; nevertheless, he does not want to say that loving God is based on one's circumstances. He writes,

Here however, we must make an exception of the general affirmative command to love God (which obliges always and to always) because there is no time or place or state in which man can be exempted from the duty of loving God. (11.6.7/2.36)

Hic verò excipiendum videtur mandatum generale affirmativum de Deo amando, quod obligat semper & ad semper, quia nullum est tempus, vel locus, vel status, in quo homo eximi possit ab officio amandi Deum. (11.6.7)

Though he does not say so here, the unceasing obligation we have to love God comes from his power and his love—he has created us, cared for us, and has not abandon us to our own ways. Unlike our parents, God does not die, nor does he take a vacation—and if he did, so much the worse for us. Every time and place and status in which we can be is always before God. Our obligation to love him is thus unceasing and unchanging.

#### *(7) Beginning and End is Love*

This caveat to the sixth rule of interpretation becomes the major theme of the seventh and final rule. Turretin writes, “Seventh, ‘the beginning and end of all the precepts is love.’ Hence love is called the “end” and “fulfilling” (*plērōma*) of the law (1 Tim. 1:5; Rom. 13:10)” (11.6.8/2.36). Love explains not simply creaturely action but divine action as well: “Love discharges all the claims of God’s beneficence and of man’s obedience. As all God’s blessings flow from love and are contained in it, so all man’s duties are included in love” (11.6.8/2.36). God’s blessings flow from love; love includes all man’s duties. Love explains not simply the law but the gospel as well: “The love of God is the fullness of the gospel; the love of man is the fullness of the law” (11.6.8/2.36).

God's interaction with humanity, from creation and the establishment of the law, to redemption and the proclamation of the gospel, depends on, and follows from, his love. This great truth should not surprise us—though it should delight us—because, Turretin reminds us, “God is love and the mark of the sons of God is none other than love (Jn. 13:35)” (11.6.8/2.36). Yet purported love for God alone is not sufficient. Turretin writes, “However as the object of love is twofold (God and our neighbor), so a twofold love is commanded: of God in the first table of the law; of our neighbor in the second. That is called ‘the first and great commandment’; this ‘the second like to it’” (11.6.8/2.36). We must love neighbor as well as God.

Turretin considers the love of God first. “The love of God,” he writes, “is rightly called the ‘first’ commandment because as there is nothing before God, so his worship ought first to be attended to by us in order that all things may begin from and end in it” (11.6.8/2.36). A rational agent created in the image of God has a duty to love his creator before anyone or anything else. The command to love God is not only called the first commandment; it is also called great. “It is called ‘great,’” Turretin tells us,

(a) with regard to the object because conversant with the greatest and infinite object (viz., God); (b) with regard to the subject because it demands all the powers and faculties of man, that we love God with all our mind and heart and strength; (c) with regard to amplitude and extension, because it shuts up all things in its embrace and flows into all the actions of man, for nothing can be pleasing to God except it be done for his sake. (11.6.8/2.36)

The command to love God is great, because God is great; the command to love God is great, due to the immensity of the duty commanded—to love God as he deserves!—and, finally, the command to love God is great, because in all we do, we must love him.

The second command, to love one's neighbor as oneself, is said to be the command to love God. This similarity solicits extended commentary from Turretin—

commentary which begins with a caveat. “The second is said to be ‘like’ unto it,”

Turretin continues, “not with regard to importance, but

(1) with regard to quality because both in the love of God and of our neighbor sincerity and purity of heart are required; (2) with regard to authority because each is commanded by God and tends to his glory; (3) with regard to punishment because the violation of either table exposes to eternal death; (4) with regard to connection and dependence because they are so strictly connected with each other that neither can be fulfilled without the other (for as God cannot be loved without a love for our neighbor made after his image, so neither can our neighbor be loved without the love of God, who created him). “If a man say, I love God, and hateth his brother, he is a liar; for he that loveth not his brother whom he hath seen, how can he love God whom he hath not seen” (1 Jn. 4:20)? (11.6.8/2.36)

Make no mistake, Turretin exclaims, the command to love one’s neighbor is most

assuredly not as important as the command to love God. Nevertheless, they are similar,

in quality, authority, punishment, and connection and dependence. First, “sincerity and purity of heart are required” in the love of God and one’s neighbor (11.6.8/2.36).

Second, both commands are commanded by God and tend to his glory—loving one’s

neighbor is not simply an act of charity to that person but also an act of obedience by

which God is honored. Third, failure to love God or one’s neighbor deserves eternal

death. The punishment is the same for both. Note, then, that Turretin does not, by

emphasizing love, find any problem with simultaneously emphasizing punishment.

Indeed, in the face of God’s loving provision for us, our disregard for, and downright

disobedience of, him is all the more damning—literally. Fourth, and finally, loving God

and neighbor are inextricably intertwined. In loving God, we must love those made in his

image; we cannot truly love our neighbor unless we love the God who made him.

Hence love is both the beginning and the end of all the precepts, both the love of

God and of neighbor. This seventh, and final rule, provides an important interpretive

constraint: any interpretation of a precept which diminishes love for God and neighbor,



or encourages hatred of either, is manifestly false—and incontrovertibly so.

Additionally, locating love at the center of the law emphasizes the reason for his creation and the promulgation of laws to his creation: he loves us. God's power does not explain his creation, but his will does; so, too, God's ability to exact punishment does not explain his law, but his love does. Any interpretation of the law that ignores the importance of love misses this crucial key to understanding—and even nicely summarizing—God's law.

## CHAPTER NINE

### Conclusion

Francis Turretin, in his *Institutes of Elenctic Theology*, shows how to affirm both that the moral order of things has come about because of divine choice and that certain things are required or forbidden because God has required or forbidden it.

Divine choice explains the moral order of things first and foremost because God has chosen what does and does not exist. God's choices have profound implications for what kind of morals exist in the world—or whether, apart from God, any morals could be said to exist at all. God could have chosen, for example, not to create humanity or any other rational creature. He was free to create or not to create this world, or individual entities within this world. He was free to create, from his *eudokia*, much more or much less than he did create. Indeed, he was free to create absolutely nothing at all, thereby remaining the only existent moral being.

Yet—wonderfully!—God did not choose not to create. Instead, he chose to create, through ways known and unknown to us, the world in which we live. And, of course, he chose to create us, too. In creating, as we have seen, God had both privileges and authority over the world he made. These privileges and authority arose from his power and his beneficence, and they arose simultaneously with certain duties and obligations. This complex relation of God to creature is encapsulated by a single Latin word, *ius* (right).

Turretin uses the language of right to characterize the relationship between divine choice and natural law. God, in choosing, is free to create and not to create, but, when deciding to create, he is constrained by right—that is, his dutiful privileges or privileged obligations. Turretin identifies three types of rights: divine, natural, and positive.

Divine rights center on the privileged obligations that God owes to himself. God cannot, for example, make a world in which rational creatures are not obligated to worship him as creator. He is obligated to create a world in which rational creatures ought to worship him—but only, of course, if he chooses to create a world in which there are rational creatures, as God was free not to create rational creatures in the first place.

Similarly, God has certain privileged obligations to the nature of those things that he has chosen to create, under the heading of natural right. Yet even here, God is free in his choosing. He can choose whether or not to create something. What God cannot do, however, is shirk the responsibility for what he has made. He must respect the nature of the thing he is making. So God cannot make a murderable man or a rapeable woman; that is, he is obligated by the nature of thing—he has a natural right—to forbid murder and rape. He was free not to have such an obligation, of course: he could have chosen not to create humanity. However, in choosing to create humanity, he created in accordance with a threefold formulation of dutiful privileges or privileged obligations (*iura*).

The rational creatures God has made are made to worship their creator—from divine right—and they are made not to murder or rape each other—from natural right. God, in creating humanity, made good humans, not bad ones. He did not make morally neutral humans and then add to their humanity certain moral properties, e.g., being

unmurderable. On the contrary, morally neutral humans do not exist, nor can they. God, in making men, must make them morally good, and unmurderable—or he does not make them at all.

With divine right and natural right, God displays his *eudokia* in the wonderful mystery of his deciding to create or not to create. Of the endless variety of things he could have chosen to bring into existence, he chose us humans, as well as bears, fish, and eagles—among other things. He did not, however, choose—to the best of my knowledge—unicorns, Martians, or hippogriffs. God’s choices explain why anything exists at all and why the universe has the variety and beauty it does indeed have.

With regards to the divine law and natural law that corresponds to divine right and natural right, however, God’s *eudokia* does *not* explain why certain laws are the way they are and not something else. God did not decide after creating humanity that humans should not kill each other, or that women should not be raped—or that he should not be worshipped as the creator of the world. On the contrary, if Turretin is correct, these laws arise from the nature of the things themselves—the nature of humanity and God’s own nature.

This order is very important, and Turretin’s use of the language of right illustrates its importance. The question centers on God’s own obligations in creating, when he creates from his *eudokia*. The following example illustrates this point: God, in creating women, has *his own obligation*—his own natural right—to forbid rape. He did not create humanity and decide subsequently, from his *eudokia*, that rape should be immoral. God’s *eudokia* about rape is *not* a question of whether God wants to impose a law on a thing he has made *but is instead* a question about whether or not he wants to create that thing at

all. For, if God creates humanity, he is obligated by the nature of the thing he has created to forbid what is contrary to the nature he has made. His obligation is internal, but it does not arise because he has commanded himself to be concerned about protecting people from rape. On the contrary, it arises because he has made a particular, non-rapeable thing—a human—and so has a natural right as a consequence. Again, and this is an important point so worthy of repetition, God was and is free. More specifically, God could have made a world where rape was not forbidden—but it would *not* have been a world that had any humans! God’s internal obligation does not arise from his own command to himself but from his relationship to the creation that he has made.

So divine right and natural right inform God’s *eudokia*. God’s creativity is circumscribed, but not shackled, by his knowledge of, and love for, what he makes. God is faithful to his own obligations, from his own nature, and he fulfills the obligations that he has to those things that he chooses to create. Another right—positive right—is not so circumscribed, though it is not haphazard or confused in its freedom.

The specific laws of the Old Testament, for example, were not ridiculous or silly; on the contrary, they had particular and beneficial uses, e.g., the laws that served to alleviate the suffering of the poor and aliens (e.g., Ex. 23:10–12 ) or those that served as a foreshadowing of the Messiah who was to come (e.g., Dt. 16:1–2; cf. 1 Cor. 5:7). Turretin’s framework helps him explain how certain laws that were once obligated—the avoidance or transgression of which was horrendously sinful—can now be neglected altogether, in a different political or religious age, after they have served their practical or prophetic purpose (e.g., Col. 2:16–17).

The threefold formulation of divine, natural, and positive right explains how God can abrogate certain civil and ceremonial laws but can never abrogate, or even dispense with, moral ones. Moral laws, as we have seen, arise from divine right and natural right. They do not admit of dispensation, much less abrogation. Civil and ceremonial laws, by contrast, can change—but, even then, only those features of the laws that arise from positive right can change, e.g., the Sabbath’s precept about rest is unchanging, arising as it does from natural right, but the actual day—the last day of the week or the first day of the week—can indeed change, arising as it does from positive right.

Whereas divine right and natural right appear with the advent of the thing, e.g., murder is wrong for humanity at humanity’s outset (not sometime afterwards), positive law, arising from positive right, can have its own history that changes even though the nature of the thing or things involved does not change in any way. Christians, for example, are not required to sacrifice lambs or bulls, even though nothing has changed about the lambs or bulls. They are the same: what has changed is the requirement that God has placed on the people that he has called to himself. He can change *these* obligations because they arise from his will, within positive right, as opposed to the nature of God or the things involved, i.e., divine right or natural right. No wonder then that Turretin writes, as we have seen, that “the adequate rule of justice is not the law alone, but partly the nature of God and partly his will” (3.22.8/1.252). If we are talking about whether or not God ought to be worshipped, we are talking about God’s nature, not his will; if, however, we are talking about whether God ought to be worshipped through a faithful sacrifice of a lamb or a sacrifice of praise (Heb. 13:15), we are talking about God’s will.

This distinction between divine right and natural right, on the one hand, and positive right, on the other, helps explain how moral laws never change, even though, in God's providential governance of the world, other laws have changed. The distinction also serves to show how God's *eudokia* is exercised: God's *eudokia* is informed by divine right and natural right as he exercises his resplendent creative powers; his *eudokia*, by positive right, determines precisely what is and what is not in the moral order of things, in addition to divine and natural law.

So divine choice and natural law: God's choosing respects the natural order of things, and God is wonderfully free. He keeps his obligations, even as he shapes the world in which we live—including the moral world—to our benefit and his glory. He exercises his authority according to the riches of his own wisdom, grace, and, as we have seen, his *eudokia*. In so doing, he keeps his obligations to himself, to the world he has made, and to us.

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