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**CONCURRING OPINION**  
**PRESBYTERIAN CHURCH IN AMERICA**  
**STANDING JUDICIAL COMMISSION**  
**CASE 2012-05**  
**RE GERALD HEDMAN**  
**V.**  
**PACIFIC NORTHWEST PRESBYTERY**

I concur with the Decision of the Standing Judicial Commission, but with great reservation. Both the trial and the hearing failed to find TE Leithart’s views out of accord with the Standards. This was due largely to TE Leithart’s multiple qualifications, as well as his affirming allegiance to specific statements in the Westminster Standards. While I hold that the case was not well prosecuted or presented in the hearing, the large volume of the ROC served to complicate the case. Therefore, while concurring, I wish to list for the Court my concerns stemming from the ROC.

One cannot help but be troubled by some of TE Leithart’s core views. The heart of his sacramental theology may be described in this way. The ‘rite’ of baptism efficaciously (*ex opere operato*) makes one a member of the visible church, which is the body of Christ, the temple of the Spirit; and because the baptized are then ‘united’ to Christ, they share all that is attributed to Him – new life, justification, sanctification, adoption, the ‘*arrabon*’ of the Spirit – all, that is, except perseverance. These benefits are real gifts, received in varying degrees, through the rite of baptism. However, these benefits are qualified by TE Leithart in two fundamental ways. First, they are ‘temporary’ benefits – ‘temporal’ faith, ‘temporal’ forgiveness, ‘temporal’ regeneration and new life, ‘temporal’ justification and sanctification, ‘temporal’ *arrabon* of the Spirit – benefits they may lose due to their loss of faith; whereas the elect have a ‘faith that perseveres’.<sup>1</sup> These temporal benefits he identifies with “the common operations of the Spirit.” WCF 10.4 His second qualification is that these benefits belong to those who are members of the ‘visible’ church (which he prefers to call the ‘historical’ church).<sup>2</sup>

WCF 3.6 clearly states that these are saving benefits that only the elect enjoy: “...*they who are elected, being fallen in Adam, are redeemed by Christ, are effectually called unto faith in Christ by His Spirit working in due season, are justified, adopted, sanctified, and kept by His power, through faith, unto salvation. Neither are any other redeemed by Christ, effectually called, justified, adopted, sanctified, and saved, but the elect only.*” (bold italics mine)

One is conflicted when one reads some of his more provocative statements such as: baptism effects ‘union with Christ’ and an ‘ontological’ transformation, confers ‘sonship’ and the ‘*arrabon* of the Spirit’, is the water-crossing between membership in Adam and membership in Christ,” grants a share in the life of salvation, confers justification and adoption and sanctification, and makes us “new creations in the deepest possible sense.”<sup>3</sup> The baptized are “transformed from glory to glory,” “die and rise again with Christ,” and enter into the new life of the Spirit; they receive a grant of

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<sup>1</sup> ROC 190-198, 504-7.  
<sup>2</sup> ROC 537-8.  
<sup>3</sup> ROC 286,281-3, 286, 294, 299, 525, 536, 541.

1 divine power, and are cleansed of ‘former sins’.<sup>4</sup> “The baptized is no longer regarded as ‘stranger’  
2 but born again as a ‘son of the house’.”<sup>5</sup>

3  
4 TE Leithart then qualifies many of these more provocative statements: the baptized receive all the  
5 benefits, except perseverance; these are ‘real’ benefits, though temporary and may be lost through  
6 apostasy; they receive the ‘arrabon’ of the Spirit, because they are in the temple of the Spirit, so  
7 they are receiving something of the Spirit; they receive ‘new life’, but redefined as ‘new identity’  
8 or ‘new set of tasks’; they share in all Christ has to give, though in varying ways and degrees;  
9 they enter the family of God, so some kind of adoption is going on; they are united to Christ, but  
10 not necessarily permanently; baptism is a regenerating ordinance’, but not in the sense of the  
11 WCF.<sup>6</sup>

12  
13 My concern is that these terms are precious as understood traditionally and by our Standards.  
14 According to Leithart, ‘new life’ (regeneration) is to be understood as a new identity, a new set of  
15 tasks: “In the same way that Aaron got new life, that’s again the typology I’m working with. Aaron  
16 got new life by being inducted into priesthood...He’s given a new identity and a new set of tasks.  
17 In that sense I talk about baptism as something that gives new life...I’m not talking about  
18 regeneration in the classic sense...”<sup>7</sup> But when Jesus said, “*I have come that you might have life,*  
19 *and have it more abundantly,*” was He speaking “in the same way that Aaron got new life?” When  
20 Jesus said, “*Unless you are born from above,*” was he speaking merely of a ‘new identity’ or a  
21 ‘new set of tasks’? Leithart chooses to use those same terms to describe entry through the rite of  
22 baptism.

23  
24 According to Leithart, ‘union with Christ’ and ‘new life’ (etc.) refer not only to the union the elect  
25 enjoy, but to all those united by baptism into the visible church. The reprobate receive, and then  
26 lose, these saving graces.<sup>8</sup> However the WLC clearly states that members of the ‘invisible’ church  
27 enjoy union with Christ, and that this union is ‘really and inseparably’ joined to Christ ‘in their  
28 effectual calling’: “*The union which the elect have with Christ is the work of God’s grace, whereby*  
29 *they are spiritually and mystically, yet really and inseparably, joined to Christ as their head and*  
30 *husband; which is done in their effectual calling.*” (WLC 65, 66)

31  
32 The question is whether this parlance is a mere ‘semantic’ difference as the Defense believes. I am  
33 not sure to what extent we should view his use of theological terminology as ‘out of accord’. I will  
34 say that this is not merely an ‘infelicitous’ (unhappy or inappropriate) or ‘potentially injudicious’  
35 use of language as the Respondents contend; I view it as an ‘abuse’ of that language and of the  
36 truths traditionally conveyed by that language. Leithart uses classically defined theological terms

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<sup>4</sup> ROC 290, 292, 294, 503-4.

<sup>5</sup> ROC 294.

<sup>6</sup> ROC 199-200, 281, 504-7, 525, 545.

<sup>7</sup> ROC 536; cf. 503-9.

<sup>8</sup> ROC 486-7, 504-7. Leithart explains that his book, *The Baptized Body*, was organized around three propositions: 1) that when the New Testament uses the word baptism, it normally refers to water baptism (hence, Romans 6, 1 Cor. 10 and 1 Peter 3 are all talking about water baptism); 2) that when the NT uses ‘body of Christ’, it is referring to the visible church. “Members of the visible church are members of ‘Christ’ and partakers of the Spirit (1 Corinthians 12:12).”; and 3) that apostasy happens. “Some people enjoy various benefits of the new covenant and then lose those benefits.” (ROC 188)

1 promiscuously, affirming on the one hand their nuances in the WCF, while using them to speak of  
2 the status of those baptized in the visible church. This is ‘double-speak’ and presents questions  
3 that should have been pursued further by the Prosecutor.

4  
5 Finally, TE Leithart’s understanding that the ‘rite’ of baptism accomplishes what it signifies plays  
6 a very prominent role in his sacramental theology. He testifies, “Baptism works *ex opere operato*  
7 with regard to making one a member of the visible church.” “Rites accomplish what they  
8 signify...They place a person in a new status.” “The visible church is marked out by visible signs,”  
9 and if one doesn’t participate in the visible signs, then one is not a member of the visible church.  
10 Thus an unbaptized covenant infant is a member, but not an unbaptized child three years old,  
11 because he has not undergone the rite of baptism.<sup>9</sup>

12  
13 This view of the efficacy of the ‘rite’ of baptism is based largely on Leithart’s typological  
14 interpretation of OT initiatory rites.<sup>10</sup> This is an extraordinarily weak foundation for his insistence  
15 that the ‘rite’ of baptism confers efficaciously all these benefits. Moreover, He conflates the  
16 distinction of the sign and the thing signified (*signum-res*), and challenges openly the concept that  
17 a sacrament is an outward sign of inward grace. “Reformed and evangelical sacramentology must  
18 be revised at a fundamental level...[There must be a] reformation of sacramental theology, which  
19 argues for reconceiving sacraments under the rubric of ritual or rite rather than as means of grace,  
20 signs, symbols, or visible words.”<sup>11</sup> But according to WLC Q. 163. *What are the parts of the*  
21 *sacrament? A. The parts of the sacrament are two; the one an outward and sensible sign, used*  
22 *according to Christ’s own appointment; the other an inward and spiritual grace thereby signified.*  
23 Leithart’s focus is on the external rite whereas the focus of the confession is on the internal work  
24 of the Holy Spirit in the life of the believer.

25  
26 Moreover, we need to keep in mind the very clear summary statement of the WCF 28.6, that speaks  
27 to the timing of the efficacy of baptism: “*The efficacy of Baptism is **not tied to that moment of***  
28 ***time wherein it is administered**; yet, notwithstanding, by the right use of this ordinance, the grace*  
29 *promised is not only offered, but really exhibited, and conferred, by the Holy Ghost, to such*  
30 *(whether of age or infants) as that grace belongeth unto, according to the counsel of God’s own*  
31 *will, **in His appointed time.***” [bold italics mine]

32  
33 The concerns listed above are at the heart of my reservations. The Respondents admitted that TE  
34 Leithart was ‘pushing the envelope’, but they insisted he was not violating the Standards. Are his  
35 views and particular statements an aberration to be tolerated within the Reformed faith, or a system  
36 to be opposed? Are they simply another attempt to be relevant, or are they a diversion that needs  
37 to be challenged? Are his affirmations of the Standards sincere, or simply stated during trial?  
38 Leithart appears to enjoy deliberately challenging established views on baptism, justification,

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<sup>9</sup> ROC 471, 284, 570. Or, “Jesus ordained rite of entry into the visible church. And that happens at baptism...I don’t think that’s delayed. And that implies all sorts of other blessings along with it.” (ROC 577) “Baptism’s efficacy is like the efficacy of an ordination, a circumcision, an inauguration to the Presidency.” (ROC 188, fnt. 6) “The rite does not recognize a status that already exists; it actually installs the person into that status.” (ROC 294)

<sup>10</sup> Leithart’s doctoral dissertation pertained to baptismal efficacy using the model of the ordination rite of priests (Exodus 29; Leviticus 8-9).

<sup>11</sup> ROC 293; cf. 282, 501-2.

1 sanctification, and so forth. He argues that the WCF needs to be improved and that the Reformed  
2 faith is broader than our current interpretation of the Standards. I am not against exploring issues  
3 theologically, but such exploration needs to be grounded in good Reformed principles of  
4 interpretation, and not by 'pushing the envelope'.

5

6 Paul B. Fowler