

Evidence in the Trial of Elder John O. Kinnaird in the Charge of
Arlyn A. Wilkening and Wanda J. Wilkening
Presented : November 23, 2002 at Bethany OPC - Oxford, PA

Dear members of the court,

I want to thank you for this opportunity to appear before you as you sit in the capacity of a court of this church. It is my sincere belief that this trial is absolutely necessary to bring peace and unity to Bethany Orthodox Presbyterian Church. I thank the interim session for its willingness to take up such a sobering and difficult matter.

Before I begin with specification one directly, I would like to draw the attention of the court to two important comments Elder Kinnaird made to the Bethany session as they considered whether to admit our charge. (The document from which these statements come from was submitted with our complaint and is in the record of the court already. Here is a copy.) The first statement Elder Kinnaird makes is: “The charge” (that is, justification by faith and works), ... has nothing to do neither with declaring what is God’s Plan for the Ages, nor with events on the Day of Judgement. The charge has do to do with how one becomes justified before God.”¹

The nucleus of our problem with Elder Kinnaird’s teaching is described in these few sentences. We contend that our charge *speaks* to the heart of God’s plan for the ages *and* the day of judgment *and* it all has to do with how one becomes justified, declared righteous, before God. Elder Kinnaird writes a person is justified “on day one of the Christian pilgrimage,” “by grace through faith in the atoning work of Jesus Christ.”² and he wants the court to look at his statements under the section titled, “Justification.”³ His point is true, but deflects from the real issue. We are not charging that Elder Kinnaird denies *faith* is necessary to justification. We are contending that he *additionally joins works to faith*. For instance, when he uses such language as in the first specification, “It is those who obey the law who will be declared righteous on that Day of Judgement.”⁴

¹ Kinnaird, J. “Do these specifications, which are true, support the charge? See BOD III.7.b.(5), p. 2. Part of the Bethany Session’s record, April 29, 2002. Submitted as evidence in our complaint, June 17, 2002.

² *Ibid.*

³ *Ibid.*, p. 3.

⁴ Kinnaird, J. “A Proposal for the Session,” p. 6 (Specification 1b); “The Personal Declaration and Theological Statements of Elder John O. Kinnaird (revised), p. 10. We will from here on

We maintain that “how one becomes justified before God” is the same equally on the very first day of a Christian’s new life as it is on the Day of Judgment. Justification is the same regardless of what day it is of the Christian’s pilgrimage. All our days are “before God.” If the reason we are justified on the “first day” is different than the “Great Day,” then God’s judgment would not be just, or the first day’s justification would only be preliminary, or conditional. Therefore, it would not be true in accordance with the facts, as Elder Kinnaird so clearly expresses it.

However, we contend there is only one justification and that last judgment is the public acknowledgment of it. Indeed each covenant child begins to understand this truth when they start to memorize their first Bible verse: “*For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have eternal life. For God did not send his Son into the world to condemn the world, but to save the world through him. Whoever **believes in him is not condemned**, but whoever does not believe **stands condemned already** because he has not believed in the name of God’s one and only Son.*” (John 3:16-18)

Furthermore, this justification by faith alone, is clearly God’s plan for the ages. In 2 Timothy 1:9 it reads God, “*saved us and called us with a holy calling, **not according to our works, but according to His own purpose and grace which was given to us in Christ Jesus before time began.***” The Westminster Confession of Faith uses this verse to frame God’s plan and its relationship to justification by faith alone. Chapter three, section 5, reads: “*Those of mankind that are predestined unto life, God, before the foundation of the world was laid, according to His eternal and immutable purpose, and the secret counsel and good pleasure of His will, **hath chosen**, in Christ, unto everlasting glory, out of His mere free grace and love, without any foresight of faith, **or good works, or perseverance in either of them, or any other thing in the creature, as conditions, or causes moving Him there-unto: and all to the praise of His glorious grace.***” For this reason, we most strenuously disagree with Elder Kinnaird when he says that the doctrine of justification does not relate to God’s plan for the ages, nor with events on the day of judgment.

Elder Kinnaird’s second comment to the Bethany session concerns what is the meaning of justification by faith and works. He writes: “Wilkening’s charge says I teach a doctrine of justification by faith and works. The operative word in the charge is the word “by.” It reaches to the concepts of ‘how’ or ‘the means of’ or ‘because of’ or ‘on the grounds of.’⁵ We would agree with

refer to this document simply as, “Theological Statements (revised).

⁵ Kinnaird, J. “Do these specifications, which are true, support the charge?,” p. 3.

Elder Kinnaird's evaluation, with this further clarification. The American Heritage Dictionary, fourth edition also lists one of the definitions of the preposition, by, as: "*according to*."⁶ We would understand the words "according to" to the same as "by".

Specification One

⁶ The American Heritage Dictionary of the English Language, fourth edition. Available on-line: <http://education.yahoo.com/reference/dictionary/index.html> "According to" is listed in all the other dictionaries we consulted as a definition of the preposition, "by;" however, we did not want to burden the court with a long recitation of dictionary references.

John Calvin wrote in his Institutes, “*We simply explain justification to be an **acceptance** by which God receives us into His favor and esteems us **righteous persons**; and we say that it consists **in the remission of sins and the imputation of the righteousness of Christ.**” And further, “Justification, therefore, is **no other** than an acquittal from guilt of him who was accused, as though his innocence has been proved. Since God, therefore, justifies us through the mediation of Christ, He acquits us, not by an admission of our personal innocence, but by an imputation of righteousness; so that we, who are unrighteous in ourselves, are considered as righteous in Christ.”⁷*

Justification is defined in similar terms in The Westminster Shorter Catechism, Q. 33, as “*an act of God’s free grace, wherein he pardoneth all our sins, and **accepteth us as righteous in his sight, only** for the righteousness of Christ imputed to us, and received by faith alone.*” The Westminster Confession of Faith and the Larger Catechism clarify the **ground** of God’s acceptance by adding that nothing wrought in us, or done by us, or any other evangelical obedience, is accounted or accepted as our righteousness except Christ’s obedience and satisfaction imputed to us and received by faith alone (XI.1 and WLC Q. 70), While sanctification and good works are always the fruit of genuine faith (WCF XI.2), they are not accounted or accepted as our righteousness before God (WLC, Q. 73). “*Faith justifies a sinner **in the sight of God**, not because of those other graces which do always accompany it, or of good works that are fruits of it, nor as if the grace of faith, or any act thereof, were imputed to him for his justification; but only as it is an instrument by which he receiveth and applieth Christ and his righteousness.*”

In contrast, Elder Kinnaird writes: [GOD’S PURPOSE AND PLAN]

“It is not possible that any could be a brother to Jesus Christ and enjoy with Christ in the Kingdom of Heaven, the presence of God the Father except that one be fully conformed to the image of Christ in *true and personal righteousness* and holiness. Neither *the imputation of the righteousness of Christ*, which all Christians receive at justification, nor *the infusion of the righteousness of Christ* (a false and non-existent concept taught by the Roman Catholic Church) - can suffice for that purpose. Christ does not have an imputed righteousness; His righteousness is real and personal. If we are to be

⁷ Calvin, John. Institutes, Book 3, Chapter 11, Section 2.

conformed to his image, we too must have a real and personal righteousness.”⁸

Here he states that while all Christians receive the imputation of Christ’s righteousness at their justification (their conversion), imputation is **not sufficient as the righteousness** with which a person is to find final acceptance with God the Father in the Kingdom of Heaven at the last judgment. A true and personal righteousness is also a required condition. This true and personal righteousness, Elder Kinnaird described in similar terms on the Presbyterian OPC list as, “our very own, not just that of another credited to us, but our very personal own.”⁹ In this specification he defines the righteousness required in addition to imputation as a righteousness like that of Christ’s. The Westminster Confession of Faith, explains Christ’s righteousness in his humanity, as the Mediator (8.4), “he was made under the law, and did perfectly fulfill it.” Elder Kinnaird verifies that obedience to the law is exactly what he means by a true and personal righteousness in the second statement of our specification. He writes:

“God has appointed a day when he will judge the world in righteousness. All persons who have lived upon the earth shall appear before the tribunal of Christ to give account of their thoughts, words, and deeds; and to receive according to what they have done in the body, whether good or bad. On That Great Day, the Day of Judgement, God’s righteous judgement will be revealed. God will then *give to each person according to what he has done. To those who by persistence in doing good (we Presbyterians call this perseverance) seek glory, honor, and immortality, he will give eternal life. For those who are self-seeking and who reject the truth and follow evil, there will be eternal wrath and anger* [Romans 2:6-8] and destruction from before the face of the Lord. **It is those who obey the law who will be declared righteous on that Day of Judgement.** [Romans 2:13 b] WCF XXXIII.1 and II, Romans 2:1-16.”¹⁰

At this point, while writing his theological statements Elder Kinnaird seems

⁸ Kinnaird, J. “A Proposal for the Session, p. 4; “Theological Statements (revised), p. 7. Emphasis added

⁹ Kinnaird, John. “Justification,” Presbyterian-OPC Yahoo! List, #7846, 12/24/01, p. 2 (Found in the supplementary evidence for Specification Three.)

¹⁰ Kinnaird, J. “A Proposal for the Session,” p. 6; “Theological Statements (revised), p. 10. Emphasis added.

aware that some may take what he means as being a judgment for rewards, so he clarifies in the next paragraph:

“Those who teach that the purpose of the Day of Judgement is not to reveal God’s righteousness in His judgements (judgements that will be unto eternal life or death in accord with what men have done on this earth), but rather only to determine types and degrees of rewards to be given to Christians, are in error.”

“When Scripture says that the judgement will be “in accord with” what they have done, it is saying that the judgement will be consistent with what they have done. The Scriptures ascribe no merit to the works of a Christian, nor do I. The Scriptures do not lie when they declare that God’s righteous judgements will be revealed.”¹¹

The citation, “It is those who obey the law who will be declared righteous on the Day of Judgement,” is a quotation of the later half of Romans 2:13, “it is those who obey the law who will be declared righteous,” coupled with Elder Kinnaird’s further comment, “on that Day of Judgement.” By his denial of rewards, he is teaching that obedience to the law is the true and personal holiness required by Christians in order to be declared righteous at the Last Judgment. He states this clearly when he adds the comment “judgements that will be unto eternal life or death in accord with what men have done on this earth.” He writes in a similar vein on Romans 2, on the Presbyterian - OPC list on January 6, 2002, (This is the document for specification three.) “And now we return to the question, who are these people who thus benefit, who stand on the Day of Judgement? Paul says, vs. 14 and 15, these are those who by nature, a new nature, do the things required by the law. They show that the requirements of the law are written on their hearts in fulfillment of Jeremiah 31 and Ezekiel 36.”¹²

In a post to the Presbyterian-OPC list on December 24th, 2001, he reaffirms his belief that imputation is not sufficient for the last judgment when he writes: “And I lamented that here I was, a poor forgiven sinner, adopted into the household of God, but not yet able to enter into God’s presence because I am still sinful.” He then expounds on God sending the Holy Spirit

¹¹ *Ibid.*

¹² Kinnaird, “Justification, Presbyterian-OPC Yahoo! List, #8014, 1-06-2002, p. 4. (Document for Specification Three).

to sanctify us and then he says, “Whereas in Justification we receive the credit for the righteousness of Christ, here we receive, through the work of the Holy Spirit, a righteousness that is really and personally our very own not just that of another credited to us, but our very personal own.”¹³

These quotes by Elder Kinnaird explain how a person will be able to obey the law in a true and personal righteousness. He is referring to the work of the Holy Spirit in sanctification. While we would like to acknowledge that in Elder Kinnaird’s revision of his original theological statements, he has added, “nothing of saving virtue can be added by man,” three times.¹⁴ Yet these additions only serve to highlight the incongruity he has already created by denying the sufficiency of Christ’s imputed righteousness. It appears that because he regards the work of the Holy Spirit as not being added by man, but by God, that he believes he avoids the charge of adding works to faith for justification.

However, we have shown that the Standards already anticipated such a possible interpretation and ruled it out. The Westminster Confession of Faith, Chapter XI, section 1, says that God “freely justifies” by “accounting and accepting their persons as righteousness” for “Christ’s sake alone” and not for “anything wrought in them, or done by them,” “or any other evangelical obedience.” The sanctification of a believer is what the Confession means by “anything wrought in them;” as it is wrought by the Holy Spirit. Our being enabled to obey the law is what the Confession terms our evangelical obedience, and what is “done by them” are our good works. By insisting that a true and personal righteousness is additionally required for the Last Judgment, Elder Kinnaird teaches in contradiction to the Standards and causes works to be added to faith.

Titus 3:5, proclaims, “... not by works of righteousness which we have done, but according to His **mercy** He saved us.” This mercy is expressly what the Last Judgment is about. For what reason did Jesus obey the law, if it was not for the benefit of the elect? Christ did not have to be obedient to make Himself righteous, but rather it was to enable Him to be the Mediator. Q. 39 of the WLC states, “*Why was it requisite that the Mediator should be man? It was requisite that the Mediator should be man, that He might advance our nature, perform obedience to the law, suffer and make intercession for us in*

¹³ Kinnaird, “Justification,” Presbyterian-OPC Yahoo! List, #7846, 12-24-01, pg. 2.

¹⁴ Kinnaird, “Theological Statements (revised),” pg. 3 (two times) & 9.

our nature, have a fellow infirmities, that we might receive adoption of sons, and have comfort and access with boldness unto the throne of grace.”

We must also look carefully at how Elder Kinnaird uses the word ‘merit’ and ‘non-meritorious’ when he talks about obedience and good works. Elder Kinnaird states in his paper , “When Scripture says that the judgement will be “in accord with” what they have done, it is saying that the judgement will be consistent with what they have done. The Scriptures ascribe no merit to the works of Christian, nor do I. The Scriptures do not lie when they declare that God’s righteous judgements will be revealed.”¹⁵ In this statement Elder Kinnaird definitely does rule out a virtue, or merit, which strictly earns pardon. However, this is not the only form of merit. There is also a type, called *congruent merit*, which is not a direct reward, but a gracious one. When he teaches that the final judgment will be “in accord with what we have done,” he teaches that in judgment God will put some sort of “fitting” or “appropriate” esteem to a quality within man that will allow God to justly and fairly declare someone righteous, thereby acquitting them. So even with the denial of a direct earning, there still is in Elder Kinnaird’s teaching this congruent merit.

We agree that the Scriptures do not lie when they declare that God’s righteous judgments will be revealed at the Last Day. Romans 2:2, says “*Now we know that God’s judgment ... is based on truth.*” However, the only way in which both God’s acquittal of the elect and his condemnation of the wicked can be righteous and based on truth is due to the Mediation of Christ. For the elect, Christ in his deity bore the infinite wrath of a holy God and in his humanity he advanced our nature to perform the obedience to the law (WLC Q. 38 & 39). Hebrews 7:25 declares, “*Therefore He is also able to save to the uttermost those who come to God through Him, since He always lives to make intercession for them.*” In contrast, the wicked, who know not God, and obey not the gospel of Jesus Christ, shall be cast into eternal torments (WCF 33.2). This is righteous and based on the truth of clear evidence and the full conviction of their own consciences (WLC Q 89).

We ask the court if the imputation of Christ’s righteousness, which has satisfied God’s justice, is not sufficient as the **true and personal righteousness** whereby we are acquitted at the Last Day, how is possible that the addition of our sanctification will prove of any further value? In all our good works there is the remnant of sin which remains until our death,

¹⁵ Kinnaird. J.. “A Proposal for the Session,” p. 6; “Theological Statements” (revised), p. 10.

making them in themselves still defiled. (WLC #78) Again, if Christ's imputed righteousness is not sufficient, will the addition of our own suffice? Through this very own reasoning we maintain that Elder Kinnaird's teaching is hoist on its own petard.

Therefore, by teaching that the imputation of Christ's righteous is not sufficient in itself for acquittal at the Last Judgment and enjoyment with Christ, the presence of God in the Kingdom of Heaven; and by additionally teaching that "It is those who obey the law who will be declared righteous on that Day of Judgement" we are substantiating the charge, that Elder Kinnaird does thereby teach a justification by faith and works.

Specification Two

Specification two comes from a sermon, "Though the Waters Roar and the Mountains Quake," based on a text from Revelation 22 and preached at Bethany on Sunday, September 22, 2000. Elder Kinnaird preaches:

"So then, who is inside the city? Verse 14 [Chapter 22:] puts it succinctly. *Blessed are those who wash their robes, that they have the right to the tree of life, and may go through the gates into the city.* The question may be what does '*they who have washed their robes*' mean? Well, in chapter 7, verse 14, there is a similar phrase. '*They have washed their robes and made them white in the blood of the Lamb.*' And in chapter 19, verses 7 and 8, we learn that the robes, which are variously described as 'white' or as 'fine linen' are the righteous deeds of the saints. It is written, *Let us rejoice and be glad and give him glory! For the wedding of the Lamb has come and his bride has made herself ready. Fine linen, bright and clean, was given her to wear.* (Fine linen stands for the righteous acts of the saints.) **Thus we rightly conclude that those inside the city are those who have kept the law of God and those only. So, a pretty simple answer to our last two questions. Inside the city are those who do righteousness and outside are those who do evil.**"¹⁶

Using Revelation 22 verse fourteen, "Blessed are those who wash their robes, that they might have the right to the tree of life, and may go through the gates into the city," Elder Kinnaird poses the question to the Bethany congregation of the meaning of the washing of the robes to explain how one

¹⁶ Kinnaird, J. "Though the Waters Roar and the Mountains Quake," a sermon preached 9-22-00, transcript, p. 5. Emphasis added

has the right to enter the eternal city. This is clearly a sermon on the way of salvation.

We will readily admit that the symbolic imagery in the book of Revelation has been a source of much debate in theology. However, the three passages Elder Kinnaird quotes regarding white robes (7:14, 22:14 and 19:7-8) form a picturesque illustration of the full redemption provided for by Christ. Believers are washed in the blood of the Lamb, clothed with the righteousness of Christ; and adorned with good deeds demonstrating the fruit of true faith.

However, what answer does Elder Kinnaird draw regarding the robes and the right to enter the city? **“Thus we rightly conclude that those inside the city are those who have kept the law of God and those only. So, a pretty simple answer to our last two questions. Inside the city are those who do righteousness and outside are those who do evil”**.¹⁷ Even though he had just read the verse referring to the washing of the robes in the blood of Christ, he makes no reference to its significance in regard to entering the city. Instead he focuses on the righteous deeds as the reason for entry which he explains to be obedience to the law. How the law comes to be equated with the righteous acts of the saints in this passage, he does not yet explain. However, it is clear that one’s own doing of righteousness is posited as the basis for entering.

Elder Kinnaird continues “When that day is at hand when Christ returns it will no longer be called ‘today.’ At that point in time a great determination will be made, a judgement that will forever determine your destiny. And he sayeth unto me, seal not the sayings of the prophesy of this book for the time is at hand. That is verse 10 and 11. He that is unjust, let him be unjust still. He that is filthy let him be filthy still. And he that is righteous let him be righteous still. And he that is holy, let him be holy still. Those who were acting righteously and with holiness before the return of Christ will continue to do so. **Romans 2 puts it this way. God will give to each person according to what he has done. To those who by persistence in doing good seek glory, honor and immortality, he will give eternal life. But for those who are self seeking and who reject the truth and follow evil there will be wrath and anger. Now by this we know the decision, the judgement as to who enters the city and who stays outside for eternity will be made on that great day of judgement in accordance with what**

¹⁷ *Ibid.* Emphasis added

you have done in this life. In fact our scripture lesson says the very same thing at verse 12. Behold I am coming soon! My reward is with me, and I will give to everyone according to what he has done.”¹⁸

At this point in the sermon, the congregation has been led to wonder how is it possible that God can declare a person righteous on the basis of what they have done. Elder Kinnaird correctly continues his sermon with a call for individuals to come to Christ;¹⁹ yet in his call, while he refers to the atoning death of Christ, he answers the question of the required righteousness to enter the city as being provided not by the Meditorial work of Christ, but through the gift of the Holy Spirit which enables a person to live a truly righteous life. He preaches:

“On the day of Pentecost many people were, like you, convicted of their sin. They had heard of the crucifixion of Christ, of his atoning death of his resurrection. They had witnessed the giving of the Holy Spirit to the church. Convicted, they cried out, “what must we do to be saved?” Their question, and Peter’s answers are found in Acts 2. “When the people heard this,” the Scripture says, “they were cut to the heart and they said to Peter and the other apostles, brothers, what shall we do?” Peter replied, “Repent and be baptized every one of you in the name of Jesus Christ for the forgiveness of your sins and you will receive the gift of the Holy Spirit. The promise is for you and your children and for all who are far off, for all whom the Lord our God will call.

This account in Acts speaks of the promised gift of the Holy Spirit. That gift is the key to understanding. And that gift is the secret to righteous living and entry into the city of God. Two passages in particular come to my mind.”²⁰ He then reads Jeremiah 31:33-34 and Ezekiel 36:25-27.

Here Elder Kinnaird answers how he can interpret the reference to the righteous acts of the saints as obedience to the law for justification. He explains, “These passages [Jeremiah and Ezekiel] speak of God’s law being written in your heart now, in this day. And they speak of the resulting walk before the Lord in righteousness. The righteousness of God’s people. All those who inherit the eternal city. Even as Peter told his audience that they

¹⁸ *Ibid.*, p. 6. Emphasis added

¹⁹ *Ibid.*, p. 7.

²⁰ *Ibid.* Emphasis added

could receive the promise right then and there on the day of Pentecost so I tell you, you can partake of the promised righteousness right here, now.” Please note that the promised righteousness, the requirement for entrance into the city is not found in Christ, but in the believer’s resulting walk before the Lord. When Elder Kinnaird quotes Romans 2, he is not using it as a declaration of the Law that all have broken and are therefore in need of a Savior. No, this passage is the promise of a “righteousness to live by and be judged by” as he states in his justification lecture from the Bethany Bible Institute.²¹

He continues in his preaching, “How do we know that what I have just taught you is true and final and unchangeable? Suppose someone were to come with a different message saying he had received a new message from God. Would you not be uncertain as to whether what we had taught you is worthy of your relying on for your eternal salvation? Suppose it were possible for God to send another messenger or prophet with a different message. Would this not shake your confidence? Fortunately it is not possible that there could be such a messenger with yet another message.”²²

We earnestly entreat the court not to overlook the grievous nature of Elder Kinnaird’s assurance to the Bethany congregation. It is grievous, not only because of its falsity (Is it not by the blood of Christ we enter the city?) but also because it has been so unashamedly proclaimed as truth by an officer of the church. **“Thus we rightly conclude that those inside the city are those who have kept the law of God and those only,”** is Elder Kinnaird’s answer to the question of who enters the city. In contrast, Romans 3:20 very clearly refutes this *“Therefore by the deeds of the law there shall be no flesh justified in his sight; for by the law is knowledge of sin.”* Likewise, The Westminster Confession of Faith, chapter 11, section 1, answers: *“Those whom God effectually calleth, he also freely justifieth; not by infusing righteousness into them, but by pardoning their sins, and by accounting and accepting their persons as righteous; **not for anything wrought in them, or done by them, but for Christ’s sake alone; nor by imputing faith itself, the act of believing, or any other evangelical obedience to them, as their righteousness; but by imputing the obedience and satisfaction of Christ unto them, they receiving and resting***

²¹ Kinnaird, “Justification.” The Holy Spirit in the Life of a Christian, p. 5.

²² Kinnaird, J. “Though the Waters Roar and the Mountains Quake,” a sermon preached, 9-22-00, transcript, p. 8.

on him and his righteousness, by faith; which faith they have not of themselves, it is the gift of God.”

The Gospel is clear. Entrance to the eternal city, that is, how we are accepted by God, is only for the sake of Christ, the forgiveness of sins through his blood and the imputation of His righteousness received by grace through faith alone. Quoting WCF chapter 7, section 5: *“The Lord Jesus, by his perfect obedience, and sacrifice of himself, which he, through the eternal Spirit, once offered up unto God, hath fully satisfied the justice of his Father; and purchased, not only reconciliation, but an everlasting inheritance in the kingdom of heaven, for all those whom the Father hath given unto him.”*

In contrast to the Scriptures and the Standards, in his sermon Elder Kinnaird told the congregation at Bethany that through the gift of the Holy Spirit they would receive “the secret to righteous living and entry into the city of God.”²³ In doing so he made a direct correlation between our works and God’s acceptance. Repeatedly, Elder Kinnaird stressed that what you have done **in this life** will be the determining factor in your eternal destiny and he points to the obedience to the law, not to faith in Christ, as what you have done. The fact that he ascribes the secret of the power to keep the law as the gift of the Holy Spirit does not relieve the error. The Westminster Confession is clear that nothing wrought in us, or done by us, or any other evangelical obedience, is accounted or accepted as our righteousness in God’s sight [WCF 11.1 & WSC Q. 33]. Furthermore, it is not credible that such language reflects just teaching about sanctification as the fruit or evidence of a true and lively faith. He does not use the word faith in his whole sermon. However, he does call on people to believe on Christ, only after he has assured them that the required righteousness to enter the city will be met through the Holy Spirit writing the law in their heart.

I ask the members of the court to contrast the content of this sermon, particularly the use of the law to this segment of an essay written by Dr. Machen.²⁴ It is a dialogue between the Law of God and a Christian.

“Man,” says the law of God, “have you obeyed my commands?”

²³ *Ibid.*, p. 7.

²⁴ Machen, J. Gresham. “The Atonement of Christ: The Active Obedience of Christ.” Found at this web site - http://www.the-highway.com/atone2_Machen.html

“No,” says the sinner saved by grace. “I have disobeyed them, not only in the person of my representative Adam in his first sin, but also in that I myself have sinned in thought, word and deed.”

“Well, then, sinner,” says the law of God, “have you paid the penalty which I pronounced upon disobedience?”

“No,” says the sinner, “I have not paid the penalty myself; but Christ has paid it for me. He was my representative when He died there on the cross. Hence, so far as the penalty is concerned, I am clear.”

“Well, then, sinner,” says the law of God, “how about the conditions which God has pronounced for the attainment of assured blessedness? Have you stood the test? Have you merited eternal life by perfect obedience during the period of probation?”

“No,” says the sinner, “I have not merited eternal life by my own perfect obedience. God knows and my own conscience knows that even after I became a Christian I have sinned in thought, word and deed. But although I have not merited eternal life by any obedience of my own, Christ has merited it for me by His perfect obedience. He was not for Himself subject to the law. No obedience was required of Him for Himself, since He was Lord of all. That obedience, then, which He rendered to the law when He was on earth was rendered by Him as my representative. I have no righteousness of my own, but in Christ’s perfect righteousness, imputed to me and received by faith alone, I can glory in the fact that so far as I am concerned the probation has been kept and as God is true there awaits me the glorious reward which Christ thus earned for me.”

It is obvious from this quotation that Dr. Machen would conclude; that as to Justification, Luther got it right.

The sermon, “Though the Waters Roar and the Mountains Quake,” teaches that we will be righteous enough to enter the eternal city because of what we have done **in obedience to the law in this life**. Faith, as the sole instrument of justification is noticeably absent. The congregation is taught to look inward to a righteousness wrought within them rather than to the alien righteousness of Christ imputed to them.

Therefore, we maintain that this substantiates the charge that Elder Kinnaird teaches a justification by faith and works.

Specification Three

I have chosen to begin the presentation of this specification by addressing the general interpretation of Romans chapter 2. As you undoubtedly have noted, it has been a part of the first two specifications and will be in this one as well. Due to the time format the court adopted I have chosen to address this here. I would ask the court to take these same points into consideration when adjudging the first two specifications as well.

Romans Chapter 2

Elder Kinnaird's interpretation of Romans 2:13b, that on the Day of Judgment, "those who obey the law who will be declared righteous," quoted in specification 1 and 3 does not fit the context of this section of Romans. Verse 12 reads : *"All who sin apart from the law will also perish apart from the law, and all who sin under the law will be judged by the law."* Paul defines the two categories of people who will be at the Judgment: those "who sin apart from the law" and those "who sin under the law." First of all, please notice both groups are **sinners**. There will be no individuals who are law-keepers at the Last Judgement. Secondly, the statement "it is those who obey the law who will be declared righteous" refers in context to the group Paul defines as "those under the law." Paul is addressing those Jews who depend on Israel's covenant relationship to God and their knowledge of the law as their assurance of acquittal at the Last Day. Paul warns them that just "hearing the law" will not suffice. In order to be found righteous by the Law, they must personally obey it. Jesus used this very same type of argument on the rich young ruler in Matthew 19:16-19. By calling the man's attention to the requirement to obey God's commands, Christ was exposing the young man's lack of conformity to them.

In the next chapter of Romans Paul confirms himself that this is precisely what he has been doing. He says in Romans 3:9b (NKJV), *"For we have previously charged both Jews and Greeks that they are all under sin."* He continues in verse 19b through verse 26 , *"that **every mouth may be stopped, and all the world may become guilty before God.** Therefore by the deeds of the law no flesh will be justified in His sight, for by the law is the knowledge of sin. But now the righteousness of God apart from the law is revealed, being witnessed by the Law and the Prophets, even the righteousness of God which is through faith in Jesus Christ to all and on all who believe. For there is no difference; for all have sinned and fall short of*

the glory of God, being justified freely by His grace through the redemption that is in Christ Jesus, whom God set forth to be a propitiation by His blood, through faith, to demonstrate His righteousness, because in His forbearance God had passed over the sins that were previously committed, to demonstrate at the present time His righteousness, that He might be just and the justifier of the one who has faith in Jesus.” (see also Gal. 2:16; 3:11)

In contrast to this, Elder Kinnaird maintains that Romans 2:13b is a categorical statement of how **Christians** will be justified (acquitted) at the Last Day.²⁵ In his “Theological Statements” he additionally cites the Westminster Confession of Faith, chapter 33 sections 1 and 2 as references, but these sections do not support his contention concerning obedience to the law as the method of acquittal for believers. The main issue is not one’s personal righteousness in relationship to the law keeping, **but to Jesus Christ**, who perfectly kept the law for us. In WCF chapter 33 section 2 it declares that the reprobate are those who know not God and **obey not the gospel of Jesus Christ**.

Presentation of Specification Three

On December 6th 2001 a member of the Presbyterian-OPC list posted a comment referring to the Arminian requirement of evangelical obedience for final justification. A pastor from the Federation of Reformed Churches responded with a very negative critique of the reformed doctrine of *sola fide*. A lively debate on the doctrine of justification ensued for a period of about three months. Elder Kinnaird and my wife, Wanda, were among the active participants.

A week into this discussion, Elder Kinnaird sent a series of messages, all of which were under the topic, justification. These posts were addressed to those who discussed the doctrine of *sola fide*. In these messages Elder Kinnaird did not refute the criticism of *sola fide*, but rather argued that *sola fide* was actually **not** an accurate reflection of the position of the Westminster Standards and true reformed doctrine.²⁶ Our third specification comes from the last of Elder Kinnaird’s posts in this series discussing what he believes is the relationship between our sanctification and good works to justification and the Last Judgment. The reason why we should carefully

²⁵Kinnaird, John. “Vindication Accomplished - A Study in Paul’s Thought on Romans 2”

²⁶ Kinnaird, “justification.” Presbyterian-OPC Yahoo! List, 1-6-02, #8014, p. 2

consider what Elder Kinnaird is saying is due to the crucial nature of the doctrine of *sola fide*. It is the doctrine which refers to the instrumentality of justification. When Elder Kinnaird declares that the Westminster Confession of Faith is not a “faith alone” system²⁷, we suggest he is making a serious statement regarding the nature of justification and the consequences of this are seen in this specification.

Due to the nature of internet discussions, and realizing it is very easy to misunderstand another person in this context, the specification used was not in response to a question, but the post was sent to initiate discussion on Elder Kinnaird’s part. We would ask the court to note that while this list is not an official body of the Orthodox Presbyterian Church, church officers are recognized as such when they post. We believe that such posts must be in conformity with the standards of the church, especially in such a crucial doctrinal area as justification.

Elder Kinnaird wrote:

“God has provided not only justification from the guilt of sin, he has also, for those begotten from above by the seed of God, provided that holiness without which no one will see the Lord. Hebrews 12:14. **These good works are a required condition if we would stand in the Day of Judgement and they are supplied by God to all His people.**

Every description of the Judgement events speak of these good works. Without them, no one will see God. Our God is not unjust. His judgements are always righteous and in accordance with the facts of the case. On the past two Lord’s Days I shared over 25 texts and passages of Scripture with my Sunday School class on just these two concepts. They were about evenly divided between the concept that our God’s judgements are always righteous and in accord with the facts of the case and the concept that the final judgement will be in accord with what we have done in this life.”²⁸

²⁷ *Ibid.* - “Further, it seems to be alleged in certain circles that the Westminster creedal system is a faith-alone system. I judge it to be the very opposite. Our system is based around the concept that Faith is God’s only instrument used by Him to apply to us the salvation accomplished by Christ. Further it is based on the concept that the faith which God provides is never alone but is always accompanied by all other required soteric graces.”

²⁸ Kinnaird, “Justification.” Presbyterian-OPC Yahoo! List, #8014, 1-06-02, p. 2-3. Emphasis added

And again: **“Who are these people who thus benefit - who stand on the Day of Judgement? They are those who obey the law who will be declared righteous.** [Romans 2:] V. 13. When God declares them righteous that is a forensic declaration of righteousness. In fact it is hard to find a significant translation of Scripture, other than the NIV, that doesn't here translate, shall be justified. This is a judicial scene, the Day of Judgement. It is an act of God sitting as Judge. It is justification - a forensic act of God whereby he declares a person righteous. God is able to make this declaration on That Day because it is a truth. Something has happened to change those who were once sinful. What is it? Our confession, which so many of my readers profess, says that we who are in Christ Jesus, are sanctified really and personally by the Spirit and Word of Christ to the practice, in this life, of true holiness without which no man shall see the Lord. WCF XIII.1.”²⁹

In the first specification Elder Kinnaird was noted as speaking of “the imputation of the righteousness of Christ, which all Christians receive at justification.”³⁰ During the Bethany session's investigative committee meeting concerning this charge, he explained this statement as referring to the point of conversion.³¹ Here in the third specification he also refers to the Day of Judgment for the elect as a justification, and he describes it as a declaration of righteousness. Furthermore, he describes the required condition for such a declaration, as the holiness whereby will we see the Lord, equating this with good works. He further ties what we have done in this life to our obedience to the law. Elder Kinnaird also emphatically says that God is able to make this forensic declaration of righteousness using the word, “because” and gives the reason as “something has happened to change those who were once sinful.” The person is now “sanctified really and personally by the Spirit and the Word of Christ.” which will allow God to judge “in accord with the facts of the case.”

First of all, when Elder Kinnaird makes a statement concerning the basis on which God is able to make a judgment of righteousness, what he is referring to is justification's legal ground. Such language is what Elder Kinnaird himself said we should see if there is a teaching of justification by faith and

²⁹ *Ibid.*, p. 3. Emphasis added

³⁰ Kinnaird, “A Proposal for the Session,” p. 4; “Theological Statements (revised),” p. 6-7.

³¹ April 11, 2002; In addition, Kinnaird, J. “Do These Specification, Which are True, Support the Charge? See BOD, III.7.b.(5), p. 2.

works. He writes that on the Day of Judgment it is those who obey the law who will be declared righteous. Therefore, if we follow his logic, what we see him teaching is that we need both the imputation of Christ's righteousness and our own personal righteousness, which comes from our good works, in order to hear God declare us righteous.

However, in contrast to Elder Kinnaird's position, the Scriptures absolutely deny that this is the case.

Romans 3:20, "*Therefore by the deeds of the law there shall no flesh be justified **in his sight**;*"

Romans 3:28, "*Therefore we conclude that a man is justified by faith without the deeds of the law;*"

Galatians 2:16, "*Knowing that a man is not justified by the works of the law;*"

Galatians 3:11, "*But that no one is justified by the law **in the sight of God** is evident, for the just shall live by faith.*" In fact, Galatians 5:4 is very

severe towards any who attempt to be declared righteous in this manner:

"You have become estranged from Christ, you who attempt to be justified by law; you have fallen from grace."

The Westminster Standards also deny that our obedience to the law will be a legal basis of our being declared righteous (justified) at the Last Judgment. The Confession in chapter 19, section 6, reads, "*Although believers be not under the law as a covenant of works, to be thereby **justified** or condemned ...*" and in the Larger Catechism, Q. 97 "*What special use is there of the moral law to the regenerate? A. Although they that are regenerate, and believe in Christ, **be delivered from the moral law as a covenant of works, so as thereby they are neither justified nor condemned**; yet besides the general uses thereof common to them with all men, it is of special use, to show them how much they are bound to Christ for his fulfilling it, and enduring the curse thereof in their stead, and for their good; and thereby to provoke them to more thankfulness, and to express the same in their greater care to conform themselves thereunto as the rule of their obedience.*" Elder Kinnaird's use of obedience is not in keeping with the Standards' description of the third use of the law. He is clearly using the law as a means whereby a person is declared righteous, or justified.

To be judged righteous by obedience to the law, the obedience must be perfect. This is actually the import of Romans 2:13b which he quotes so frequently. However, see also Lev. 18:5; Deut. 27:26; Romans 5:10; Gal. 3:10; James 2:10. No man is perfect by what he has done in this life in accordance with the law, even though the regenerative work of the Holy

Spirit does enable a person to practice true holiness. “For whoever shall keep the whole law, and yet stumble in one point, he is guilty of all.” The Westminster Confession of Faith in chapter 16, section 5, says of our good works that “*as they are good, they proceed from his Spirit; and as they are wrought by us, they are defiled, and mixed with so much weakness and imperfection, **that they cannot endure the severity of God’s judgments.***” Q. 78 of the Larger Catechism asks, “*Whence ariseth the imperfection of sanctification in believers?*” “*The imperfection of sanctification in believers ariseth from the remnants of sin abiding in every part of them, and the perpetual lustings of the flesh against the spirit; whereby they are often foiled with temptations, and fall into many sins, are hindered in all their spiritual services, and their best works are imperfect and defiled in the sight of God.*” Yet repeatedly Elder Kinnaird declares that God’s judgment must be true and “in accordance with the facts of the case.” The truth and the facts of the case is that our good works and obedience do not meet the standard of perfection. This is the whole reason why Christ is our Mediator. He was “born under the law to redeem us who were under the law that we might receive the adoption as sons (Galatians 4:4-5).”

Furthermore, not only are the good works of every Christian imperfect, each Christian is at a different level of sanctification (Gal 6:1; Romans 14:1; I Cor. 3:2, 4:5; Heb. 5:13; I Peter 2:2; I John 2:13, 14). Good works are also greater and lesser throughout their life time (Romans 7:13-25; Gal 6:1; Heb 12:3-11; I John 1:8, 9 and WLC Q. 77) If these good works are the required condition, this begs the question of **how many and of what quality is required?** Elder Kinnaird never answers this question.

Rather than good works, the only condition that the Scriptures and the Standards state is required for justification is faith in Christ alone. WLC Q. 32 “*How is the grace of God manifested in the second covenant?*” “*The grace of God is manifested in the second covenant, in that he freely provideth and offereth to sinners a Mediator, and life and salvation by him, **and requiring faith as the condition** to interest in him, promiseth and giveth his Holy Spirit to all his elect, to work in them that faith, with all other saving graces; and to enable them unto all holy obedience, as the evidence of the truth of their faith and thankfulness to God, and as the way which he hath appointed them to salvation.*” Faith is the alone instrument for justification because it only receives and rests on what Christ has done, therefore making salvation “*not of works, lest any man boast.* (Eph 2:9)” In his OPC post, Elder Kinnaird separates the pardon from the guilt of sin received in justification at conversion, from the righteousness required if we

would stand in judgment. The holiness required is not Christ's perfect righteousness received through imputation, but through sanctification. He writes, "God has provided not only justification from the guilt of sin, he has also, for those begotten from above by the seed of God, provided that holiness without which no one will see the Lord. Hebrews 12:14. **These good works are a required condition if we would stand in the Day of Judgement and they are supplied by God to all His people.**"³²

A further proof of our charge is the following answer Elder Kinnaird gave to an individual who raised these very same questions with him on the OPC list. Elder Kinnaird writes, "On the Day of Judgement I will hear God declare me to be righteous. As to the reason for that, it is not because of the works, even though it will be in accord with the works. The reason will be:, first, **because** it will be true **because** God will have changed me so that I am really and personally righteous. After all, we will be crowned with righteousness. This is the result of the work of the Holy Spirit **in my sanctification in this life.**"³³ This statement is self-incriminating. Here Elder Kinnaird states he will hear God declare him righteous because he is sanctified, not because he was purchased by the blood of Christ. Yes, he tries to avoid making works the instrument of his justification by speaking of God's judgment in terms of "in accord with." This is a distinction without a difference. In the very next sentence he uses the word, "because" twice, thereby negating any differentiation he tried to make. In Elder Kinnaird's own written statement to the Bethany session prior to their vote to deny our charge, he said, "*Wilkening's charge says I teach a doctrine of justification by faith and works. The operative word in the charge is the word, "by." It reaches to the concept of "how" or "the means of" or "because of" or "on the grounds of.*"³⁴ We believe all three specifications are sufficient evidence to prove that Elder Kinnaird does indeed teach about judgment according to works in a way that establishes our charge.

By teaching in such a manner, believers are instructed to look to themselves and their righteousness and good works, in addition to, rather than **solely** to Christ and his perfect, imputed righteousness for their justification before

³² Kinnaird, J. "Justification," Presbyterian-OPC Yahoo! List, 1-06-02, #8014, p. 2-3. Emphasis added

³³ Presbyterian-OPC posting number 8036 dated 1-8-2002 - Page 2-3

³⁴ Kinnaird, J. Do These Specifications, Which are True, Support the Charge? See, BOD III, 7.b.(5), p. 3. Emphasis added

God. The legal grounds have thereby changed to also include works. Therefore, we maintain that this substantiates the charge that Elder John O. Kinnaird teaches a justification by faith and works.