EXEGETICAL PERSPECTIVES OF PAULINE CONTEXTUALISATION OF THEOLOGICAL CONCEPTS WITH SELECTED JURIDICAL IMAGERY IN ROMANS AND ITS CONTEXTUAL APPLICATION

By

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ABSTRACT

This investigation is based on a hypothesis in consequent of the following questions: How did the biblical narrators, evangelists, as well as correspondents, such as Paul, communicate or explain theological concepts or the ε αγγέλιον to their urban, highly politicised, culturally diversified and Roman Law orientated audiences, readers or addressees? How may the word of God be explained to modern communities, urban societies who themselves too are highly politicised, live in a culturally diversified country and whose daily life is controlled by the laws of the country in which they live?

In seeking to provide answers to these problematic questions, biblical scholars, past and present, have developed various theories and methodologies. Most of these theories and methodologies, though based on exegetical framework, have to this day not provided an adequate or satisfactory answer. There is in addition no consensus among past and present biblical scholars concerning this problem. Each of these theories or methods is limited. None of them is universal or a panacea (Keegan 1985:7).

Since the 1970s new theories and methods in the form of rhetorical analysis following in the footsteps of Graeco-Roman rhetorical criticism have emerged and flourished (Du Toit 1992:465,468,469). These were subsequently followed by further developments, also based on the rethorical criticism approach, though with a different emphasis. Within the past 20 years or so, a new way of analysing the text of the Scripture (primarily the New Testament) has been developed. Recently Vorster (1990:107) stated that an analysis of the New Testament letters can no longer stop at a structural analysis, but has to take cognizance of aspects of conversational analysis and rhetoric; that an interactional model rather than a structural approach should be adopted in the analysis of letters.

Theoretically, this is a bibliological research problem because to this day no study has produced a theory or an approach that addresses this problem. This fact also endorses the novelty of this research, because there is no study to date that provides an adequate response or solution to the problem

concerning Paul's contextualisation of juridical imagery with theological concepts in order to explain such concepts to his addressees. The number of different theories and approaches are indicative of the fact that the solution to the problem is not in sight as yet. This problem, though valid, cannot be easily solved. However, as investigations in this field proceed researchers will come closer to a solution.

The hypothesis, which is under discussion in this thesis is: that Paul contextualised theological concepts with juridical imagery, which were well – known to his addressees by using rhetorical and logical techniques in order to explain these concepts to them. That this approached may be adopted and applied in contemporary exegesis and homiletics.

This research brings into prominence Pauline contextualisation of theological concepts with juridical imagery in Romans. Like most of the other approaches, this new approach has also been developed from methods first used in secular studies (Keegan 1985:2). However, it differs from its predecessors in the sense that it investigates how Paul contextualised theological concepts in Romans by utilizing juridical imagery with which his addressees were knowledgable, in order to connect with his addressees' frame of reference and explain such theological concepts to them.

This approach may, hopefully, not only pave the way for a new approach to New Testament exegesis and contemporary homiletics, but it may also perhaps provide a meaningful contribution to the ongoing biblical scholarly dialogue in the quest for answers to existing problematic questions concerning the approach to the interpretation of the New Testament, especially Paul's letter to the Romans.

A reflective process will be followed in the course of the research within the framework of the letter to the Romans, which was written during the Principate. The Pincipate was a period during which Roman law and Roman culture, political life and Hellenistic culture had reached its zenith with immeasurable influence on all levels of the communities, from the lowest to the highest ranks. This was the beginning

of an era of unprecedented development in Roman constitutional, legal, political and cultural history (Cary 1954:474-490,666-698; Van Zyl 1977:425). This development may be compared to modern developments in these fields.

The proposed research will be applied in all its consequences by using the letter to the Romans as study object. The study will touch upon Paul's interaction with law, as a social and theological issue, with emphasis on juridical imagery as contextualised with theological concepts.

The novelty of this research may also be seen against the background of Winger's statement in his work entitled *By What Law* (1992). In the preface to this work Winger says, "the major question about the relationship of law, tradition and scripture and about how these are to be understood in the light of the *euangélion*", still lie ahead of him. He says that he nevertheless believes that in his dissertation he "cleared some ground for excavation of those topics, much of which excavation will have to take place in Paul's letters". An attempt is made in this thesis to do just that, to traverse a new field with the letter to the Romans as the object of study.

In conclusion, it is one thing to say that Paul used a certain technique by referring to the technique *verbo tenus*, but it is completely another thing to indicate the application of such a technique by Paul in Romans.

The subject of this research is covered in the space of three chapters ending with a fourth chapter, which summarizes the findings. Chapter one deals with the orientation, introductory matters, problem and hypothesis, and explains concepts drawn from the title. Topics such as problem and hypothesis, purpose and aim, the date, genré and typical style of the Pauline letter to the Romans as well as the field of study are discussed. A short reference is also made to traditional and recent methods of biblical interpretation and the method adopted in this thesis. This chapter ends with a summary.

Chapter two starts with an introductory discussion followed by a general discussion of classical Graeco-Roman techniques such as rhetoric, logic and legal-hermeneutical techniques. These techniques, as used by Paul, are referred to, and at the end of the chapter the findings are summarised.

Chapter three deals with an identification and exegetical evaluation of Pauline techniques for contextualising theological concepts in the letter to the Romans. This chapter forms the bulk of the subject matter of the thesis, which is an exegetical perspective of Pauline contextualisation of selected juridical imagery with theological concepts in Romans. The emphasis is on Paul's technique for contextualising theological concepts in Romans with special reference to juridical imagery. This chapter ends with a concluding paragraph.

Paul's connection with juridical imagery in the letter to the Romans is brought into prominence in this research. The following are a few examples of instances in Romans where Paul contextualises theological concepts with juridical imagery: the relationship between servant and master (Rm 1:1) and the juridical concept of μάρτυς (witness) (Rm 1:9). He uses juridical imagery relating to the law of contract and commercial law, for example the concept of φειλέτης (bound) (Rm 1:14). He uses legal concepts such as δικαιοσύνη (righteousness) (Rm 1:17); ναπολογήτους (without excuse) (Rm 1:20); ντιμισθίαν (acquittal) (Rm 1:27); δικί (unrighteousness) (Rm 1:29); δικαιοκρισίας (of a righteous judgment) (Rm 2:5); δικαιωθήσεται (justification) (Rm 3:20). The concepts used in Romans 4:4 are λογίζεται (credited), φείλημα (obligation). The word φείλημα (obligation) means to be under obligation to make a payment as a result of having previously received something of value (*quid pro quo*) or to owe, to be in debt. Paul uses a concept from the law of succession, κληρονόμοι (heirs, in Romans 4:14. Paul refers to the principle of '*legality*' (Rm 5:12-18); the legal relationship between husband and wife as in Romans 7:1-6. He uses juridical imagery relating to private law of adoption and succession (Rm 8:14-17). In Romans 13:7 Paul uses the juridical imagery "Give everyone what you *owe (* φειλάς*)* him: if you *owe taxes*, pay *taxes*; if you *owe revenue*, then *revenue*". In Romans 14:10-

13 Paul refers to the judgment seat of God. Paul uses many concepts that convey juridical imagery as the above examples illustrate.

Pauline contextualisation of a specific text in Romans may be understood within the context of juridical imagery of his time. As Deist & Vorster (1986:103-199) state, a specific text may be understood from a specific perspective, one of which may be a legal perspective. The perspective from which texts in Romans are approached in this thesis, however, is not only from a juridical point of view, but also from a rhetorical, logical, legal-hermeneutical and theological point of view. This will be referred to frequently in the following *capita* selected texts from the letter to the Romans.

The point of departure in this thesis is an identification and exposition of selected juridical imagery in Romans associated with theological concepts that Paul wished to explain to his addressees.

While adhering to the golden principles of biblical interpretation, namely, the infallibility, the self-explanatory character of the Bible throughout this research, a question about the true and full sense of any concept in the letter to the Romans is also researched in the light of other texts in the Bible that elucidates it more clearly.

The intention with this thesis is therefore to abide by this approach in a process of seeking to understand Pauline contextualisation of theological concepts with juridical imagery in Romans. An interactive multi-technique contextual discourse analysis is applied.

The aim of this research flows from the hypothesis namely: that Paul contextualised theological concepts with contemporary well-known juridical imagery of his time; that this contextualisation is identifiable through a process of exegesis; that Paul's intention in contextualising theological concepts or principles with juridical imagery was to explain these theological concepts to his urbanised Roman law orientated, culturally diversified and politicised addressees. Based on this hypothesis, the aim is to

create an awareness of how this method may be effectively applied to contemporary exegesis evangelism, urban ministries and homiletics, so that the gospel truths may be explained to modern people who live in a multi-cultural, highly politicized and law-orientated society.

Though a sincere attempt is made in this thesis not to lose focus on the issue at hand, it is, however, conceded that losing focus is a well-known aspect of human imperfection and the author humbly apologizes in advance, should this be the case in this thesis.

ABBREVIATIONS

Ac   Acts of the Apostles

CLD	Cassels Latin Dictionary
COD	Concise Oxford Dictionary
Col	Colossians
1Cor	1 Corinthians
2Cor	2 Corinthians
Dig or D	Digesta
Dn	Daniel
DOP	Dictionary of Philosophy
Eph	Ephesians
Ezr	Ezra
G	Gaius
Gl	Galatians
Hab	Habakkuk
Heb	Hebrews
HTS	Hervormde Teologiese Studies
Is	Isaiah
JBL	Journal of Biblical Literature
Jn	John
Jr	Jeremia
1Ki	Kings
Lk	Luke
Mk	Mark
Mt	Matthew
NBD	New Bible Dictionary
NIV	International Version
Phlp	Philippians

Rm   Romans

Rv   Revelations

2Sm   2 Samuel

Sv   Sub verba

Th   Thessalonians

Tm   Timothy

CONTENTS

CHAPTER 1

ORIENTATION

1.1   INTRODUCTION

At the head of most informative studies, research, treatises and essays there appears a title or topic, which is a concise statement or synopsis of what follows. Sometimes such a concise statement or synopsis itself needs some explanation in order to ensure that the reader understands the perspective taken in the paper. The following few pages, therefore, contain information relating to certain words and concepts, which serve such purpose.

However, while it is conceded that each of the following terms may on its own form a lengthy independent discussion, only a short discussion of each important term will be dealt with.

1.2   Problem and Hypothesis

A problem may be experienced in any situation, for which there is no adequate, automatic or habitual response and which therefore calls for a reflective process. A problem may also be any question proposed for a solution (Runes 1962:255).

The first-mentioned meaning of the word "problem" is applicable in this research because the research deals with a problematic situation, contextual as well as theological, for which there is no adequate, automatic or habitual response, and which therefore calls for a reflective process. However, the second-mentioned meaning also comes into play because the research also deals with a question proposed for a solution, namely, how did Paul contextualise theological concepts with juridical imagery as connecting point? This question, though valid, cannot be readily or promptly answered. However, as strange and surprising as this statement might sound, researchers' experience has nevertheless revealed that in some studies (if not in all), the basic problematic question with which one would like to begin the research

and find a ready and prompt answer is usually answered as the research progresses. Therefore, it should not be surprising or strange if the problem at issue in this research is not readily or promptly answered, but is answered gradually as the research progresses.

The central problem statement in this research therefore deals with a contextual and theological question, which calls for a reflective process, namely, how did Paul contextualize theological concepts in his letter to the Romans in order to explain these concepts to his addressees? This question implies a quest for a method or approach possibly used by Paul to contextualize theological concepts in Romans. On the other hand, this statement hypothesises that Paul explained theological concepts or the ε αγγέλιον by contextualising these concepts with juridical imagery, which were familiar to his addressees; that in this process of contextualisation Paul used interactively the same types of techniques used by Graeco-Roman orators, jurists or public speakers of his time. These are techniques derived from logic, semantics, syntactic, and legal hermeneutics of the Graeco-Roman era (or the Principate), during which Paul lived and wrote the letters to the Romans when the jurists of the time and works of orators such as Aristotle, Cicero and Quintilian, played an important role in all types of public speech (Du Toit 1992:465). Paul's letters, especially his letter to the Romans, were written against this Graeco-Roman background. Therefore, it stands to reason that Paul would have had a working knowledge of this discourse, oratory, public speech, narration, letter writing and legal hermeneutical techniques of his time. As the research will show, Paul made use of these techniques in his correspondence, especially in the letter to the Romans.

Theoretically, this is a bibliological research problem, because to this day no study has produced a theory or an approach which addresses this problem or which provides an adequate response or solution to the problem concerning Paul's contextualisation of juridical imagery with theological concepts in order to explain such concepts to his addressees. The various theories and approaches are indicative of the fact that the solution to the problem is not in sight as yet. This problem, though valid, cannot be

readily or promptly solved. It may, however, be solved as investigations in this field uncover more information.

A hypothesis is a supposition or postulation made as a basis for reasoning without an assumption of its truth, a groundless assumption or as a starting point for investigations (Fowler & Fowler 1964). The research embarked upon is based on the hypothesis that Paul contextualised theological concepts with juridical imagery, which were well-known to his addressees by using rhetorical, and logical techniques in order to explain these concepts to them.

1.3   The Term "Theological Concepts"

The term "theological concepts" in the title has to do with theology. According to Dunn (1998), the term "theology" has had its fair share of definitions. Unpacking the term "theology" is a challenge, he says. Many definitions have been offered and several layers of refinement are possible. Dunn (1998:6) comes up with a working definition, however, that "theology" is a talk (λόγος) about God (θεός) and all that is involved in and follows directly from such talk, particularly the coherent articulation of the religious faith and practice thereby expressed (1998). However, to be etymologically correct, the word "theology" is composed of the word θεός which means "God" and the word λόγος which means "to count"; "to reckon"; "to calculate"; "to compute" and comprises both "word" and "reason". This term may therefore mean "the word" by which the inward thought or reckoning about God is expressed but also "the inward thought or reason itself" (Liddel & Scott 1968). Simply stated, theology is a form of reasoning about God's word and His relationship to mankind.

Theology, in the widest sense of the term, is a branch of philosophy. It is in fact a special field of philosophical enquiry having to do with God (Runes 1962:317). The term "theology" is a concept in a special field of philosophy known as metaphysics, which has to do with things which lie beyond (μετ) the physical (ψυχικός) world and λόγος, meaning "the act of speaking or reasoning" (Louw & Nida

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1989). Therefore, talk (λόγος) about God (θεός) may be approached as one would approach language, that is, from a rhetorical, logical, semantical, syntactical and legal-hermeneutical point of view.

1.4   The Concept of "Exegetical Perspectives"

The word exegesis is from a Greek word, which means "to unfold"; "to narrate"; "to declare". (Lk 24:13; Ac 10:8; 15:12, 14; Jn 1:18) or "to tell fully"; "to make known"; or "to provide detailed information in a systematic manner" (Louw & Nida 1989). Exegesis has to do with the exposition or interpretation of any literary production, but more particularly the interpretation or exposition of Scripture, also the principles of the art of sacred interpretation. Exegesis is closely connected to Hermeneutics. These two methods of interpretation are like two sides of the same coin.

Exegesis may therefore be defined as an analysis of the Bible or biblical concepts in a process of applying a hermeneutical method.

Hermeneutics is the science and exegesis is the art of interpretation. Hermeneutics, as a science, is theoretical and Exegesis as an art is practical. Both Hermeneutics and Exegesis may therefore be applied to all writings in all spectra of human society including contextualisation of theological concepts with legal concepts in human society.

A distinction is usually made between *general* and *special hermeneutics*. The former then applies to the interprtation of all kinds of writings, while the latter is applied to the interpretation of specific kinds of literary productions such as laws, history and poetry. A further distinction may however, be made between interpretation of secular literary productions and interpretation of the Bible, known as *Hermeneutica Sacra. Hermeneutica Sacra* may be defined as the science of interpreting sacred scriptures (Berkhof 1966:11) and Exegesis as the art of interpreting text in the Bible. Both are equally important for biblical interpretation.

The proper conception of the Bible as inspired Word of God and as the object as *Hermeneutica Sacra* is considered to be of the utmost importance in this thesis. The *locus classsicus* for the inspiration of the Bible is 2 Tm 3:16. Still amother passage of importance in this connection is

2 Pt 1: 19-21.

Traditionally, Hermeneutics is concerned with the detailed principles of interpretation. Hermeneutics, as applied in this thesis, has to do with the so-called neutral, objective and scientific approach to interpretation of Scripture. Deist and Burden (1980:4) display a departure from the traditional approach and describe an exegetical, hermeneutical method for interpretation, namely "a scientific frame of reference in terms of which the interpreter gives reasons for a specific interpretation of the text". Another departure from the traditional approach is found in the approach of the so-called New Hermeneutic (Turnbull, 1967:139-149), which prefers the singular concept *hermeneutic* as against the plural *hermeneutics,* because it is closer to the Greek singular concept. The New Hermeneutic is new in the sence that it departs from traditional hermeneutics, which emphasises detailed principles of interpretation and neutral scientific objectivity. Such application is considered by the New Hermeneutic as but merely a special problem within much wider activity of interpretation. The interpretation of words is emphasised by the New Hermeneutics as essentially existential communication. Because language consists of words, language is also essentially existential communication and is itself interpretation. Thus, when a person speaks he is not only communicating but he is also interpreting. Biblical, or Sacred interpretation is no longer, according to the New Hemeneutic, fundamentally the stating of principles whereby ancient texts are to be understood, but it is a profound investigation of the hermeneutical function of the spoken word as such. The New Hermeneutic therefore emphasises "content criticism".

Although sharp criticism has been levelled against the New Hermeneutic, one should prevent throwing

the baby out with the bath water and give due credit to its content criticism, its view with regard to the function of Hermeneutics and its kerygmatic interpretation.

Exegesis has a lot to do with frame of reference. However, in this study exegesis goes further than the frame of reference of the interpreter and involves the frame of reference of the text. Each concept in a text refers to a specific background, which may be the background of the author, the receptor (reader) or the addressee. The task of the analyser of a biblical text is to interpret each concept in a text with a view to discovering the frame of reference referred to by the author in the use of a specific concept. This frame of reference may be that of the author, the receptor (reader) or the addressee. When applying the art and science of exegesis, the analyser of the biblical text may use various methods of interpretation to assist him in discovering the frame of reference and in this process he may arrive at the meaning of the concept.

The concept of "perspective" as used in the title is of Latin origin: *perspicio* which means "to see through"; "to look through", also more generally "to look at attentively"; "to survey"; "to examine" (Simpson 1984:443). An "exegetical perspective" would therefore mean "to unfold"; "narrate" or "make known" by looking attentively to a theological concept used by Paul in Romans with the view to studying how he contextualises such a concept with juridical imagery well-known to his addressees.

1.5   Traditional Methodologies of Biblical Interpretation

There are various methods of biblical interpretation (Deist & Burden 1980:118). A comprehensive description of each methodology may be found in the work of McKenzie and Haynes (1999). All these methods, past and present, have invariably been developed from methods first used in secular studies of literature. Indicating the uniqueness, incompleteness and limited scope of each method, Keegan says that no method originated from biblical studies; no method is a panacea and no method is universal (1983:2,7). However, their existence and use is an indication of the fact that the Bible, as well as the

letter to the Romans, besides being Scripture, contains material written by human authors. These writings are a collection of written literary works, written in human languages by men who may have been affected by material from ancient Israel, the Pagan world and early Christianity (Carson, Moo and Morris 1992:220-223). Men who wrote then were organically inspired by the Holy Spirit, without abridging their freedom nor destroying their individuality, but not allowing their sinful nature to express itself (Berkhof 1950:47).

The interpretor of a Biblical text may therefore, not ignore these techniques used in these past and new methodologies (Loader 1978:1).

The following two paragraphs contain a cursory reference to recent developments in the field of methodologies for biblical interpretation. The aim of this reference is however not to provide a full discussion of each method, but rather to position the proposed approach to be followed in this thesis against the backdrop of these developments and to take a standpoint *vis-à-vis* these well-known methods, without venturing beyond the object and scope of this thesis.

1.6   Recent Methodologies of Biblical Analysis

Since the 1970s new methods in the form of rhetorical analysis, following in the footsteps of Graeco-Roman rhetorical criticism, have emerged and flourished (Du Toit 1992:465,468). These new methodologies were subsequently followed by further developments, also based on the rhetorical criticism approach, though with a different emphasis. Such new developments are the classical Graeco-Roman rhetorical criticism and the new rhetoric (Wendland 1994:195,200). Recently, over the last 20 years or so, a new way of analyzing the text of the Scripture (primarily the New Testament) has been developed under the influence of the socio-cultural situation (Wendland 1994:218). This movement, commonly known as social-scientific criticism or SCC, (an overview is provided by Elliot 1993), has as its particular focus "the systematic application of the research concepts and theory of the social sciences to biblical exegesis" (Elliot 1993:17 quoted by Wendland 1994:219).

Most of the works referred to above are about various forms of rhetoric criticism. In these forms of rhetoric criticism as well as in the recently developed offshoots such as the new rhetoric and the socio-rhetoric criticism, emphasis is on Graeco-Roman and rhetorical principles in some letters of Paul with very little reference to other possible techniques of this era. In two instances, however, there is evidence of an interactional model (Vorster 1990) and an interactional discourse analysis (Wendland 1992). In both these instances the model or analysis, however, lacks the interactive multi-technique elements to which reference will be made in this thesis, for example, interactive elements from rhetoric, logic, semantic, syntactics and legal hermeneutics.

1.7   The Terms "Contextualisation" and "Contextual Application"

The term "contextualisation" in the title may be understood in two different ways. Firstly, "contextualisation" may have the meaning of "context" as in linguistics or philology where it refers to the literary position of a word(s), phrase or statement in relation to or in connection with other words, phrases or statements in conveying a specific meaning in that relationship. In other words, "context" denotes what comes before and after a word, phrase or statement helping to fix the meaning of the preceding or following word, phrase or statement. Secondly, the term "contextualisation" may stretch much further than the linguistic or philological field by means of extrapolating the meaning of "contextualisation" from the linguistic or philological field to the theological field in which case one speaks of contextualisation within the theological sphere as one would speak of contextualisation within the linguistic or philological sphere. In this sense "contextualisation" does not have the same meaning as in linguistics or philology where it refers to the literal position of a word in relation to or in connection with other words, but rather in the sense of conveying or connecting the meaning of a concept, used in the theological sphere, to the juridical sphere of a community by applying techniques used by logicians, orators, rhetoreticians and linguists in order to explain such concepts. Examples of Paul's method of contextualising concepts may be found in chapter 3 (*infra*).

The concept of "contextual application" simply means that theological concepts, as revealed in Romans, have to be contextually applied so that they are of current interest or application and understood by the modern urbanised, culturally diversified, highly politicized and law-orientated mind of modern people.

1.8   The Term "Juridical Imagery"

The word "juridical" is an adjective describing concepts that have to do with law. The word "imagery" has to do with figurative illustration. Hence "juridical imagery" refers to figurative illustrations by means of concepts that have to do with law. The word "imagery" is used to refer to concepts which exist in law outside the theological realm and which Paul uses to explain theological concepts.

1.9   Approaches to the Study of Paul's Letter to the Romans

The following approaches are used in this thesis, namely rhetorical, logical, and legal-hermeneutical. These techniques, possibly employed by Paul in his letter to the Romans, are researched with emphasis on Paul's use of syllogisms. This approach may be called a multi-technique contextual discourse analysis.

1.10   The Purpose and Aim

The purpose of the research emerges from the hypothesis, which is to show, by means of an exegetical process, that Paul contextualised theological concepts with juridical imagery using rhetorical, logical, semantic and syntactical techniques in order to explain these concepts to his addressees. The aim overlaps with the purpose and is directed at showing the following:

(i)   How Paul contextualized theological concepts with juridical imagery in the letter to the Romans in order to explain the εὐαγγέλιον truths to his addressees.

(ii)   How the Pauline method of contextualisation may be effectively implemented in contemporary

evangelism in a culturally diversified, highly politicized and law-orientated society.

The aim of the research flows from the above hypothesis and it is to show by means of an exegetical process how Paul went about the process of contextualising theological concepts with juridical imagery with which his addressees were familiar. Secondly, this research aims to show how this Pauline method of contextualisation may be effectively implemented in contemporary evangelism, homiletics, apologetics and exegesis.

1.11   Field of Study and Delimitation

The field of study is Pauline contextualisation of theological concepts with juridical imagery in Romans and its application. The present study is limited to a research of Pauline contextualisation of theological concepts with juridical concepts, which confronted his Roman addressees according to his letter to the Romans.

1.12   Summary

Chapter one deals with introductory matters and explains the title, problem and hypothesis, purpose and aim, the field of study, methodology for biblical interpretation, a survey of recently developed methodologies, recent approaches to the Pauline corpus and the approach adopted in the present study.

The central problem statement in this research thus deals with a contextual and theoretical question, which calls for a reflective process, namely how Paul contextualised theological concepts in his letter to the Romans in order to explain these concepts to his addressees. This question implies a quest for a method or approach possibly used by Paul to contextualize theological concepts in Romans.

Theologically, this is a bibliological research problem because to this day no study has produced a theory or an approach that addresses this problem. Also, there is no study to date that provides an adequate response or solution to the problem concerning Paul's contextualisation of juridical imagery

with theological concepts in order to explain such concepts to his addressees. The number of different theories and approaches are indicative of the fact that the solution to the problem is not in sight as yet. This problem, though valid, cannot be easily solved. However, as investigations in this field proceed researchers will come closer to a solution.

There are various methods for biblical interpretation (Deist & Burden 1980:118). A comprehensive description of each methodology may be found in the work of McKenzie and Haynes (1999). All these methods, past and present, have been developed from methods first used in secular studies of literature. Indicating the uniqueness, incompleteness and limited scope of each method, Keegan believes that no method originated from biblical studies, no method is a panacea and no method is universal (1983:2,7).

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The concept "contextual application" simply means that theological concepts, as revealed in Romans, have to be contextually applied so that they are of current interest or application and understood by the modern urbanized, culturally diversified, highly politicizsed and law-orientated minds of modern people.

The word "juridical" is an adjective describing concepts that have to do with law. The word "imagery" has to do with figurative illustration. Hence "juridical imagery" refers to figurative illustrations by means of concepts that have to do with law. The word "imagery" is used to refer to concepts which exist in law outside the theological realm and which Paul uses to explain theological concepts.

CHAPTER 2

PERSPECTIVES OF PAULINE USE OF VARIOUS TECHNIQUES FOR CONTEXTUALISING IN ROMANS

2.1   Introduction

The main intention of this chapter is not to provide a comprehensive discussion of all the various techniques used by Paul, but rather to highlight certain elements of some techniques with a view to proving that Paul made use of such techniques. Paul's letter to the Romans contains a number of different sorts of techniques such as rhetorical, syntactical and semantical techniques and may therefore be studied from all these perspectives. In this chapter only the following techniques will be attended to: rhetorical, logical and legal- hermeneutical techniques.

This investigation concurs with Christopher Stanley (1992:357) that Paul must have engaged in deliberate manipulation of the text in the form of a characteristic general culture and literary ethos of the Graeco-Roman era of which interpretative elements were incorporated in the wording of a text. This method was, according to Dunn (1998:171-172), considered to be a normal and acceptable means of advancing his argument.

2.2   Techniques of Contextualisation in Romans

The remarks, which follow, are not intended to provide a comprehensive discussion of classical or republican rhetoric. These remarks are aimed at solely indicating possible usage of republican rhetoric in the letter of Paul to the Romans.

2.2.1   Pauline Use of Techniques from Rhetoric in Romans

Unfortunately, the term "rhetoric" is one of those commonly used technical terms that suffer from over-definition (Wendland 1992:59). It has had its fair share of definitions with the result that a further attempt may add to more confusion and less comprehension of what "rhetoric" really means. Nevertheless, some background of the term will be given here to ensure that the reader has the same

understanding as the author. The concept of rhetoric stems from the Greek word ήτωρ, which means lawyer, attorney (Ac. 24:1) or public speaker. The Pauline era lawyers, attorneys and public speakers were renowned for their skill in articulate speech, in using legal-hermeneutical principles to give legal advice (*responsa)*, writing speeches and documents (*scribendi)* acting on behalf of clients (*agere)* and lecturing (*docere)* (Van Zyl, 1977:33,34).

In all these functions the rhetor, whether lawyer, attorney or public speaker, had to comply with Graeco-Roman principles of rhetoric or oratory, namely θος, πάθος *and* λόγος (Lambrecht 1989:240 quoted by Du Toit 1992:470). The characteristics of Graeco-Romans rhetoric, namely *forensic* (relating to the legal language of the Roman court, especially legal parlance in legal rhetoric), *deliberative* (relating to deliberation or consideration in rhetoric) and *demonstrative* or *epideictic* (The correct spelling of this word is not "epidiactic", as spelled by some scholars, but rather "epideictic" according to Meine (1947:253), relating to the showing or proving a case by means of a strong exhibition of feelings), were expected to be incorporated and displayed in their prepared speech. Such a speech had to comply with the prescribed procedure in accordance with the following steps: (i) the *inventio* which means "to find out why"; "to come upon facts" (the stage during which material and information were gathered; (ii) the *dispositio* (the stage during which the information or material for the speech or written document was arranged); (iii) the *elocutio* which means "speaking out", (the stage during which the speech or written document was formally, stylistically and grammatically prepared. This is the art by which in delivering a discourse before an audience the speaker is enabled to render it effectively and impressively accompanied by means of gesticulations. This was a well-known orational delivery.); (iv) the *memorial* (the memorising of the speech *in toto*); and (v) the *pronuntiatio* (the presentation). In logic the *pronuntiatio* was a "proposition" which the speaker wanted to make. In rhetoric it was a "delivery" of the main idea, which the speaker wanted to bring to bear. The *pronuntiatio* was usually at the end of the speech, concluding the speech. During the *presentation* the orator or writer made use of many other rhetorical figures such as *enthymeme* (which in rhetoric referred to an argument consisting

of only two premises or propositions, a third proposition required to complete the syllogism being suppressed or kept in the mind. Example: "if we have been united with Him in His death we will certainly also be united with Him in His resurrection". The proposition omitted is therefore "all believers are united with Christ in His death and resurrection: (Rm 6:5), *correctio,* (in rhetoric, this is a figure of speech in which an expression already used is replaced by a strong one. Example: Rm 2:10, 11,12), *litotes, hyperbole*, climax, *interpretatio* and many others (Du Toit 1992). The main aim of the lawyer, attorney, public speaker or writer was to persuade.

A discourse during Roman times had different parts in terms of which a *rhetor* had to comply. Du Toit (*op cit*) mentions the following: (i) *exordium*: the introduction; (ii) the *narratio*: the narration of the speech; (iii) the *probatio* or *conformatio*: confirming, verifying or adducing of proof; (iv) the *refutatio*: disproving the allegations of the opposition's statements; (v) *peroratio* or *epilogus*: conclusion, epilogue, winding up of the speech. This is the concluding part of an oration, in which the speaker recapitulates the principle points of his discourse or argument, and urges them with greater earnestness.

To summarise it may be stated that a discourse during Roman times commenced with the *exordium* (Rm 1: 1-17), followed by the *narratio,* which consisted of an interaction of the *probatio* and the *refutatio* (Rm 1: 18-15:13). The discourse was then concluded by the *peroratio* (Rm 15: 11-16:27). Within this framework a *rhetor*, such as Paul, had leeway to contextualise his speech logically with blocks of *syllogisms, metaphors,* rherotical and logical techniques as well as rhetorical questions. All these were connected to each other by connecting words such as various logical combining forms of which the most frequently used were γάρ (and); διότι (because); δι (wherefore); δι το το (therefore); ε δ (but if); ν (if); ν ο ν (if therefore); ν δ (but if); τί ο ν (what therefore?); νυν δ (but now).

2.2.1.1 The Syllogism

A characteristic of Graeco-Roman or classical rhetoric was the prominent role and use of a logic

species, namely, syllogism. The syllogism as a figure of speech in rhetoric was used for the purposes of persuading and convincing the audience or addressees.

A syllogism is therefore a figure of speech whereby a conclusion is reached from two propositions, that is, a form of speech in which something is affimed or denied of a subject (Meine, 1947:575). For example: "all men must die; I am a man, therefore I must die" The syllogism, as a figure of speech in rhetoric, usually consisted of probable premises and was used for the purposes of persuading and convincing the audience or addressees.

Thus, a syllogism consists of two propositions from which a third statement or conclusion is reached. Paul made frequent use of this type of reasoning in his letter to the Romans as can be seen in Rm 5:12 which contains a typical example of a syllogism:

1. (Y) Sin entered the world through (one) man (Z).

2. (X) Death entered the world through sin (Y).

3. (Therefore) in this way death (X) came to all man (Z).

This type of syllogism is well known by logicians under the proper name *Barbara* and is usually presented as follows (Stebbing 1948:51):

1. Every Y is Z.

2. Every X is Y.

3. Every X is Z.

Paul's statement according to Romans 5:12 may serve as an illustration and explanation of a syllogism and the form of reasoning underlying it:

Therefore just as sin (Y) entered the world through one man (Z), and death (X)

(entered the world) through sin (*Y*), and in this way (therefore) death (*X*) came to all

men (*Z*) because all sinned.

The six propositions making up the argument, are clearly represented by the following: (*Y*), (*Z*), (*X*),

(*Y*), (*X*), (*Z*). Each of the three different terms, "sin" (*Y*), "man" (*Z*) and "death" (*X*), occurs twice.

In terms of principles of logic these propositions may be catagorised as follows: *major* term, *middle*

term, *minor* term. The *middle* term is the term, which appears in both premises. The *middle* term does

not appear in the conclusion since each term is used twice and only twice. In the foregoing example

(Rm 5:12) the word "sin" (*Y*) is the *middle* term since it occurs in both premises.

The predicate of the conclusion is usually called the *major* term: The *major* term is the term, which

occurs as the predicate of the conclusion, i.e. "man" (*Z*). The major term is also found in the first

premise of Romans 5:12, i.e. "man" (*Z*). The *minor* term refers to the subject of the conclusion. The

minor term also occurs once in the premise, as well as being the subject of the conclusion. In

Romans 5:12 the term "death" (*X*) is the *minor* term. The *major* term is the term, which occurs in

the *major* premise while the *minor* term is the term, which occurs in the *minor* premise. Each premise,

of course, contains the *middle* term (Popkin 1956:237).

The principle, in accordance with which this reasoning proceeds, may be formulated as follows:

whatever can be asserted of every member of a class can in like manner be asserted of every sub-class

contained in that class. Thus the principle has been named the *Dictum de omni et nullo.* It yields the

following form:

> If every *Y* is *Z* (or not),
> and every (or some) *X* is *Y,*
> then every (or some) *X* is *Z* (or not).

This argument in Romans 5:12 may be illustrated graphically as follows:
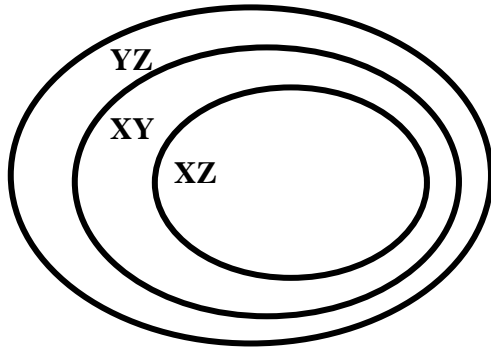
Every *Y* is *Z*.

Every *X* is *Y*.

Therefore every *X* is *Z*.

This syllogism is well known to logicians under the proper name *Barbara* (Stebbing 1948:51).

Underlying this argument is the principle that a *universal* conclusion must be established. A *universal* conclusion is one, which is similar to a *universal* proposition. A *universal* proposition, in logic, is one in which the subject is taken in its widest extent and the predicate applies to everything which the subject denotes. In order to establish a *universal* conclusion, both premises must be *universal* affirmatives, and the terms must be arranged as in the above schema. If the first premise is negative, the conclusion must also be negative. The second premise, being the statement that a certain sub-class is contained in the wider class, is affirmative and if this premise were to make such an assertion about some members of this sub-class, then the conclusion would be particular (Stebbing 1948:52)

2.2.1.2   The Metaphor

Rhetoricians, such as Paul, also made use of a figure of speech known as the *metaphor* A *metaphor* may be defined as a 'foreign' or 'strange' use of words (Goodrich 1987:105), usually used from a certain context to explaining an object which is in a different context in terms of the latter. A *metaphor,* therefore, consists in giving an object a name that belongs to another object, the transfer being either from genus to species or from species to genus or from species to species or on the grounds of analogy.

A *metaphor* therefore, is a transfer to one word the sense of another. This figure of speech is founded on resemblances, by which a word describing an object in another sphere is used to describe an object which belongs to another sphere in such a manner that a comparison is implied though not formally expressed (Meine 1947: 455). The *metaphor* must be distinguished from the *simile.*

A *simile* in rhetoric is the likening together of two things; though different in other respects, have some strong point or points of resemblance. A *simile* states that something or a person **is like** something else. For example in Romans 1: 23 Paul states: "… and exchanged the glory of the immortal God for images made to look like mortal man and birds and animals and reptiles". A *metaphor,* on the other hand states that something or a person **is** something or a person which it / he or she is not. For example in Romans 1: 29, 30 Paul states "… They are gossips, slanderers, God haters, …" and in Romans 3: 13 Paul states "Their throats are open graves, …"; Romans 3: 14 "Their mouths are full of cursing"; Romans 3: 15 "Their feet are swift …" Romans 3: 24, the word "justification" as a *metaphor* from the law courts and the word "redemption" as a *metaphor* from the freedom granted to a slave; Romans 3: 25, the word "propitiation" (a sacrifice of atonement) as a *metaphor* from the sacrificial practice of the temple service.

2.2.1.3 Rhetorical Questions

A rhetorical question is a question asked for the sake of effect, to impress people, no answer being needed or expected. Examples from Romans are Rm 2: 4, 21, 22, 23, 26; 3:5, 6, 7, 8, 9.

2.2.2 Pauline Use of Techniques from Logic in Romans

In view of the above discussions of Pauline use of techniques from rhetoric, it should be clear that rhetoric and logic are inseparably connected to each other. Rhetoricians also made abundantly use of principles from logic. Therefore it should be expected of Paul to have availed himself of these principles in Romans.

A brief account of Paul's use of logic in Romans will now be discussed. One of the most important principles of logic is *inferential argument*. This is a process of reasoning whereby starting from one or more propositions being accepted as true, the mind passes to another proposition or propositions whose

truth is believed to be involved in the truth of the former (Runes 1962:146). This is one common type of reasoning found in Paul's letter to the Romans.

The letter to the Romans contains many different types of inferences. Besides syllogistic inferences, deductive and inductive reasoning may also be found in the letters to the Romans. Inductive reasoning is a process in terms of which any particular case, which is true, is also true in the next case in a series (Fowler & Fowler 1964). The argument starts with one or more statements which is/are true and ends up with another statement which is also true on the basis of the first one, so that the reasons adduced as evidence for the truth of the conclusion of an argument are conclusive. Deductive reasoning in logic is an inference in which a conclusion follows necessarily from one or more given premises (Runes 1962:74). This type of reflective process merely makes the conclusion more probable. The syllogism is one type of deductive inference.

2.2.2.1 Standard Propositions

Paul also makes use of standard logical propositions in Romans. There are various types of propositions in the Pauline letter to the Romans. The following four propositions may serve as examples:

(a) Declarative or indicative sentences (assertions or exclamations), examples Rm 3:4, 6:15, 7:24, 25

(b) Interrogative sentences (questions), examples Rm 2: 3, 4, 21, 22, 26; 3: 27; 7: 24

(c) Imperative sentences (commands), examples Rm 7: 7, Rm 13: 8- 14,

(d) Optative sentences (wishes), examples Rm 9: 3.

As logic deals only with declarative propositions, i.e with these types of sentences, which are used for the purpose of making assertions (Popkin, 1956: 229), only such propositions will be concentrated on. These are therefore propositions which constitute, syllogisms, inferences, deductive and indicative reasoning.

Declarative propositons may be classified as either negative or affirmative. Sometimes it is difficult to determine whether a proposition is affirmative or negative. What determines a proposition to be affirmative or negative is whether the word 'not' or 'no' modifies the predicate or whether they modify the copula. If the word 'not' or 'no' modifies the predicate then the proposition is affirmative. Rm 2: 28 " a man is not a Jew if he is only one outwardly…" is an example of an affirmative proposition, because it asserts that a man who is only a Jew outwardly is not a Jew. Such a man belongs to the class of non-Jews because a real Jew is one who is a Jew inwardly. Rm 1: 10, 11, 12 "There is no- one righteous, not even one (10), there is no- one who understands, no- one who seeks God (11), there is no- one who does (12), are examples of negative propositions, because they deny that anybody belongs to the class of the righteous.

Logicians refer to such types of affirmative and negative propositions, as propositions of 'quality', namely those that are "universal", or "particular" or "singular". Whether a proposition is universal, particular or singular depends upon whether it refers to *all* of the entities referred to by the subject term, whether it refers to *some* of them only, or whether it refers to a *single* individual. When Paul says, "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. (Rm 2: 12), he is uttering a sentence of which the subject term refers to each and every person. This is why this sentence may be said to be universal in scope. On the other hand if Paul qualified his statement (which is not the case) by saying, "some who sin apart from the law will also perish apart from the law and some who sin under the law will be judged by the law", he would not be referring to each and every person, but he would be referring to a certain set or group of persons. This is why such a proposition would be termed as "particular". On the other hand, when Paul says "…it is God who justifies" (Rm 8: 33), he is referring to the one and only God and therefore this statement is said to be "singular". Singular propositions are always interpreted as 'universal' propositions, in the syllogistic theory, for the following reasons (Popkin 1956: 332).

First in such a singular proposition as, "…it is God who justifies (Rm 8: 33) reference is made to *all* of God (the tri God), not merely a part of God (it is not possible for one part of God, namely, the Father, the Son and the Holy Spirit to act alone). Secondly, singular propositions are regarded as universal propositions for another reason. Syllogistic logic deals with the relations between classes of things (Popkin 1956: *idem*). When Paul says, "…let God be true, and every man a liar…"(Rm 3: 4), the terms 'man' and 'liar' refer to classes of entities, namely the class of men and the class of liars. Paul is therefore asserting that the class of man is included in the class of liars. He is thus specifying a relationship between the two classes, namely the relationship of 'being included within' (Popkin 1956: *idem*).

When the subject class has no quantifier as in "…men who suppress the truth…"(Rm 1: 18) there may be uncertainty as to whether the proposition is to be interpreted as being universal or particular. The rule in such cases is that "all" is intended unless "some" is clearly indicated. Hence "…men who suppress the truth…" is to be interpreted as "…(all) men who suppress the truth…" as in Romans 1: 18. On the other hand, such a proposition as "…although they knew God, they neither glorified him as God…" (Rm 1: 21) and "although they claimed to be wise…" (Rm 1: 22) is to be interpreted to mean "although some men knew God…" and "although some men claimed to be wise…" rather than "although all men knew God" and "although all men claimed to be wise…"

From the above discussion it may be deduced that Paul, in Romans, recognizes four standard propositions, namely (i) *universal* and *affirmative*, (ii) *universal* and *negative,* (iii) *particular* and *affirmative* and (iv) *particular* and *negative*. The standardization and differentiation of the abovementioned propositions is helpful for the determination of distribution terms. A term is said to be distributed when it refers to all the members of the class denoted by the term (Popkin 1969: 234), for example, when Paul says in Rm 3: 23 "(for) all (people) have sinned and fall short of the glory of God"

the term *all* is distributed since Paul refers to 'all people' and not to 'some people'. If, however, Paul had said, "(some) people have sinned and fall short of the glory of God", the term 'some people' would not be distributed since he would be referring to only a part of the class of people. Examples of standard propositions in Paul's letter to the Romans may be Rm 2: 12 "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 is uttering sentences of which their subject term "all" refers to each and every man and not to some men. These propositions are universal and affirmative propositions (Rm 10: 12; "Everyone who calls on the name of the Lord will be saved" and many more). Some sentences in Romans are universal and negative, for example, according to Rm 2: 10, 11, with reference to the Scripture, Paul states: "There is no one righteous, not even one; there is no one who understands, no one who seeks God". Here reference is made to each and every man but in the negative.

Therefore, this constitutes a universal and negative statement. Particular and affirmative sentences may be detected in Romans, for example, Paul's statements in Rm 7: 14- 24 are but some of many particular and affirmative propositions in Romans. Particular and negative propositions may also be detected in Rm 2: 28, 29; "a man is not a Jew if he is only ine outwardly, nor is circumcision merely outward and physical. No, a man is a Jew if he is one inwardly…" Because these four types of standard syllogistic propositions are the only types of propositions dealt with by logic, this research will concerntrate mostly on their use by Paul in his letter to the Romans.

i) Valid and invalid syllogistic propositions in Romans

Some syllogistic propositions in Romans may be valid or invalid.

There are, however, certain rules that will have to be adhered to in order to determine whether a valid or invalid syllogism is being dealt with in Romans. These rules are referred to as *rules of distribution*. The following rules are the *rules of distribution* for determining validity and invalidity, and apply only to syllogistic arguments:

a) The middle term must be distributed at least once.

b) If a term is not distributed in the premises, it must not be distributed in the conclusion.

These two rules are known as the *rules of quantity* (Popkin 1956:238-241). The rules of determining validity and invalidity must be understood against the background of affirmative and negative propositions.

In addition to the above rules concerning *quantity* propositions, the following rules, known as rules of *quality* are applied in logic Popkin (*op cit*):

Rule 1. The middle term must be distributed at least once.

Rule 2. If a term is not distributed in the premises, it must be distributed in the conclusion.

Rule 3. No conclusion can follow from two negative premises.

Rule 4. If either premise is negative, the conclusion must be negative.

Rule 5. A negative conclusion cannot follow two affirmative premises.

As the above rules only apply to syllogistic arguments, they may be detected in Paul's letter to the Romans. These rules are important for determining validity or invalidity of propositions.

Affirmative and negative propositions as well as the meaning of distribution have already been discussed with reference to examples of each from Paul's letter to the Romans. What follows is within the context of the discussion concerning what is understood by syllogism as discussed under 2.21.1.

A syllogism has been defined as an argument containing two premises and a conclusion (Popkin 1956:236). It may be regarded as essentially consisting in the application of a generalization (or a

general rule) to a specified case in order to deduce a result (Stebbing 1948:47). Since a syllogism contains two premises and a conclusion, it is composed of three propositions of subject-predicate form. It thus contains six terms, i.e. three subject terms and three predicate terms (Popkin 1956:236).

As stated above, the principle in accordance with which the reasoning in Romans 5:12 proceeds may also be formulated with regard to negative premises: "whatever can be asserted (affirmatively or negatively) of any member of a given class can be likewise asserted of any specified member" (Stebbing 1948**:**48 –), for example, Romans 2:12. This is called the *applicative principle*, since it permits us to apply to a specified case whatever is asserted of *every* case in general. This principle is also called the *principle of substitution*, because it is a principle in accordance with which *values* can be substituted for variables. This principle yields the following form:

> If anything which is a member of *X* has *F* (or not),
>
> and *A* is a member of *X,*
>
> then *A* has *F* (or not).

Here (and subsequently) *X* stands for any class, *F* for any property and *A* for any *specified* individual. The bracketed "or not" shows that the form is valid whether the property be affirmative or denied of the members of *X*, but that it must be *in like manner* affirmed or denied of *A*.

An allied principle which may be called *the principle of excluding an individual from a class* may be formulated as follows: if a given individual lacks (or possesses) a property which any member of a certain class possesses (or lacks), then that individual is not a member of that class. This yields the following form:

> If anything which is a member of *X* has *F* (or not),
>
> and *A* has not *F* (or has);
>
> then *A* is not a member of *X* (Stebbing 1948:49).

This type of argument is contained in Romans 2: 28, 29. The above principles are closely related to the so-called rules of quality in terms of which (i) no conclusion can follow from two negative premises, (ii) if either premises is negative, the conclusion must be negative, and (iii) a negative conclusion cannot follow from two negative premises. The above rules apply only to syllogistic arguments (Popkin 1956:238-241).

ii) Identifying syllogistic propositions in Romans

Apart from the above rules with regard to syllogistic arguments, the following rules also apply with regard to the indentification of syllogistic sentences in Pauline statements in Romans.

Before applying the rules to a particular argument in Romans, it is of the utmost importance to ascertain whether the argument is of the syllogistic form or can be expressed in syllogistic form. In other words, the argument must have two premises and a conclusion, three and only three terms, each of which is employed twice in the argument, and finally, the middle term must appear in both premises. If a Pauline argument satisfies the above conditions, then the following five rules can be applied in order to determine whether or not such Pauline reasoning is a syllogism:

Rule 1.   The middle term must be distributed at least once.

Rule 2.   If a term is not distributed in the premises, it must be distributed in the conclusion.

Rule 3.   No conclusion can follow from two negative premises.

Rule 4.   If either premise is negative, the conclusion must be negative.

Rule 5.   A negative conclusion cannot follow two affirmative premises.

iii) Converting ordinary statements into logical statements in Roman

A Pauline statement may at first sight appear to be an ordinary statement. In most instances such a statement does not consist of propositions, having neat logical forms of the sort, which have been

discussed above. Such an ordinary statement can, however, be translated into or converted to a logical statement. Precautionary measures will, however, have to be taken in order to prevent constructing artificial propositions of logic and thereby straying from Paul's actual message. Romans 2:25 may serve as an example: "Circumcision has value if you observe the law, but if you break the law, you have become as though you had not been circumcised."

In this verse Paul is stating a rule, a case and the result. Logically this verse may be reconstructed or converted to have logical propositions as follows:

> (Rule)   Circumcision has value if you obey the law,
>
> (Case)   but, (if) you break the law, circumcision has no value.
>
> (Result)   therefore, you have become as though you had not been circumcised.

The following may be some rules for translating irregular proposition as they appear in the Roman's letter according to logical propositions. No *numerus clausus* exists for these rules:

a) Identify the subject and predicate. Example Romans 2:12 reads, "All who sin apart form the law will also perish apart from the law." This verse may be rendered so that the subject and predicate are clearly identifiable. For example, "All **persons** who sin apart from the law will also be **persons** who will perish apart from the law." This is also known as a *class statement*, which is represented by "all *X*s are *Y*s".

b) Supply the missing quantifier. When no quantifier is present, the missing quantifier may be supplied. Unless it is clear from the context that "some" is intended, the rule "all" is meant. Thus, Romans 3:9 reads, "Jews and Gentiles alike are all under sin"; by adding the word "all" to "Jews" and "Gentiles", the proposition may be brought to the standard form, "All Jews and all Gentiles alike are all under sin."

c) Add the missing compliment. The terms of logic designate classes; therefore, it is sometimes necessary to add what is called a *compliment* an *adjective* or a *describing*

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phrase to show that they refer to classes. For example, Romans 1:30 reads, "They are gossips, slanderers, God haters…". This verse may be interpreted as follows, "They are people who gossip, people who slander, people who hate God…"

d) Supply the missing copula. Romans 3:9 compared with Romans 1:16 may provide clarity. Romans 3:9 reads "Jews and Gentiles alike **are** all under sin". In some instances, however, the copula "are" or "is" may have to be supplied if it is required. For example, Romans 1:16 reads, "I am not ashamed of the εὐαγγέλιον, because it is the power of God for the salvation of everyone who believes **first for the Jew, then for the Gentile"**. The bold type phrases may be restated as follows, **"first it is** (the power of God for the salvation of) the Jew and then (for the salvation of) the Gentile".

e) In the case of *exclusive propositions*, that is, proposition which begin with words such as "only" or "none but" the words "only or "none but" must be dropped and replaced by "all" if such changes will not effect Paul's *ipsissima verba* (the identical or very words of Paul, the *verbo tenus* (the literal text of Paul's), *telum intendere* (aim of intention). The subject and predicate term may also be interchanged. An example of this rule may be found in Romans 2:13. This verse reads, "For not the hearers of the law shall be justified". This verse may be translated as follows, "Not only the 'hearers' of the law are just before God, but the 'doers' of the law shall (also) be justified". This verse may be interpreted by using its equivalent "all hearers and doers by the law shall be just and justified before God".

f) In the case of negative proposition, the rule is that negative words such as "nothing", "none", or "no-one" may be replaced by the quantifier "no". For example, Romans 3:10, 11 reads, "There is none righteous, no, not one: There is none that understand, there is none that seeks God." This verse may be interpreted as follows, "There is **no person** who is righteous…There is **no person** who seeks God."

g) In the case of proposition that contain the word "except", the interpretation should be as

follows. For example, Romans 13:1 reads, "Everyone must submit himself to the governing authorities, for there is no authority **except** that which God has established." Here only two of the four standard types of propositions may be used. In other words, for the purpose of translating exceptive proposition only the universal-affirmative, that is, propositions asserting something universally may be used; or the universal-negative proposition, that is, propositions denying something universally. Such a sentence may be interpreted to mean "all" (universal-affirmative) or "none" (universal-negative).

Thus in accordance with this rule Romans 13:1 may be interpreted as follows, "Everyone must submit to the governing authorities for there is no authority which has **not been** established by God" (universal-negative).

Or

"Everyone must submit to the governing authorities, for **all** authorities have been established by God" (universal affirmative).

h) Propositions containing "anyone", "anything", whoever", "everyone" and "whatever" may be translated or interpreted as universal-affirmative propositions, that is, propositions asserting something universally. The following are examples: "For **whoever** must submit himself to the governing authorities…" (Rm 13:1); "**Everyone** has heard about your obedience…" (Rm 16:19); "So **whatever** you believe about these things keep between yourself and God" (Rm 14:22); "For **everything** that is written in the past…" (Rm 15:4).

Each of the words "whoever", "everyone", "anyone", "whatever" and "everything" may be converted to "all".

i) Propositions containing "someone", something", there is" or "there are" may be translated into or interpreted as particular-negative, that is, propositions denying something in particular, for example, "someone might argue…" (Rm 3:7). Here Paul is not speaking

about **all** people who might argue, nor about all sinners, but he is speaking **only about some persons in a certain class of sinners**.

In conclusion it may be stated that there is no *numerus clausus* of these rules; that the exegete who renders an exposition of Paul's discourse in his letter to the Romans will frequently have to use his ingenuity in order to transform Pauline statements into the standard propositions of logic.

2.2.2.2 "If…then" Propositions

Paul makes extensive use of the "if…then" proposition. This proposition appears in the following forms "if…then", "for if…(then)", "and if…then", "but if…then", "now if…then". Examples can

be found in Rom. 2:25, 26; 3:6; 4:2; 6:5, 8; 7:3; 8:9, 11, 13, 25; 11:15, 16, 17, 21, 23; 13:7; 14:8, 14. In most in these texts, the "if…" is mentioned but the "then" is implied. Paul's approach may be described as follows: he formulates a hypothetical proposition, that is, an idea or suggestion concerning a theological concept put forward as a starting point for reasoning, or explanation. The hypothetical proposition with which Paul starts his argument therefore has certain consequences. In each case the hypothesis is a true or valid proposition based on a theological concept with true consequences which Paul elaborates on by using either rhetorical, semantical, syntactical, logical or legal-hermeneutical techniques and eventually arrives at his conclusion. Paul's line of reasoning is at all times in conformity with the principle that "whatever is entailed by a true proposition is true" (Stebbing 1948: 27).

Paul's line of reasoning by using the "if…then" proposition, in whatever form in conformity with this principle, may be illustrated by using the letter "*H*" for the hypothetical proposition in a Pauline argument and the letter "*C*" for the consequence or conclusion of that argument. In Romans 11:16, for example, Paul makes the following statement, "If the part of the dough offered as first fruits is holy "H", then the whole batch is holy "C"; if the root is holy "H" so are the branches" "C". In Romans 13:7 Paul states "If you owe taxes, (then) pay taxes; if revenue, then revenue; if respect, then respect; if

honour, then honour." The schema is in most cases "If *H* then *C*". In some instances, the schema is "if *H* then *C* therefore *H*", for example, "but if by the Spirit (*H*) you put to death the misdeeds of the body, (then) you will live (*C*), because (therefore) those who are led by the Spirit (*H*) of God are souls of God" (Rm 8:13, 14).

This line of argument conforms to the *principle of deduction.* In terms of the principles of deduction, a given proposition cannot be accepted if another proposition entailed by it is rejected (Stebbing 1948:28). By virtue of this principle, Paul's addressees cannot accept the hypothesis and reject the consequences. Both hypothesis and consequence must be accepted because formally the argument is valid and true. The hypothetical proposition which asserts a certain condition is called the *antecedent* and the consequent is called the *consequent,* and when both are present the argument is valid and true and must therefore be accepted *in toto.* The hypothetical proposition always asserts that a certain condition has a certain consequence (Stebbing 1948:56), for example, "If…Abraham was justified by works (then) he had something to boast about" (Rm 4: 2). The hypothetical proposition "If …Abraham was justified by works" is the antecedent and asserts a certain condition and the consequent proposition "(then) he had something to boast about" is the consequent.

All reasoning has a formal aspect and the formal aspect of any reasoning is important for the validity of reasoning. Therefore, if any reason is offered as a valid reason it must be a valid reason in form, that is, there must be a connection between the hypothesis and the consequent (Stebbing 1948:30,31).

There are other possible Pauline techniques of logic that may be detected in Paul's letter to the Romans. Some of the most important techniques will be discussed in the following paragraphs.

2.2.2.3   Unequivalent and Equivalent Propositions

Reference has been made to the technique of interpreting ordinary sentences as logical sentences

(2.2.2.1 *supra*). The techniques by which unequivalent propositions may be interpreted as equivalent propositions are called *obversion, conversion* and *contraposition* (Popkin 1956:246-247).

i) Obversion

A proposition in Romans may be obverted in the following manner:

> (a) By changing the **quality** (but not the quantity) of the proposition. That is, if it is negative, it is made affirmative, and if it is affirmative, it is made negative.

> (b) The predicate is then negated. For example, the proposition in Romans 3:10, may be obverted as follows: First the quality is changed. Thus the position "No one is righteous" becomes "No men are righteous". Then the predicate is negated, "All men are not righteous". The proposition "All men are not righteous" is equal to "No one is righteous". Logicians ordinarily employ the prefix "non" to negate the predicate (Popkin 1956:246).

ii) Conversion

Conversion simply means interchanging subject and predicate. Thus the proposition "there is no one righteous" (Rm 3:10) is equivalent to the proposition "all (men) are unrighteous" but also in conversion "all unrighteous (people) are men". Not every standard proposition may be converted.

iii) Contraposition

To obtain the contraposition of a proposition, three operations must be performed: first obversion, then conversion, then obversion once again. Contraposition is a mode of conversion in which a proposition, having the contrary of the original predicate for its subject, is inferred. This may be illustrated with reference to a proposition from Romans 3:9 "Jews and Gentiles alike are under sin" (therefore no Jews and Gentiles alike are not under sin*).* Alternatively this proposition may be contra-positioned as follows:

> Step 1: Obvert: No Jews and Gentiles alike are not under sin
>
> Step 2: Convert: Not under sin are no Jews and Gentiles alike

Step 3: Obvert: No Jews and Gentiles alike are not under sin

Therefore Jews and Gentiles alike are under sin.

Contraposition, like conversion, cannot be applied to all four standard propositions of logic. Universal-affirmative and the particular-negative propositions may be contrapositioned. The particular-affirmative propositions may not be contrapositioned. The universal-negative propositions may be partially contrapositioned. Therefore not all propositions in Paul's letter to the Romans may be contrapositioned.

The above discussion completes the section about logical techniques. Given the above techniques as well as the formal theory of syllogism, it should now be possible to apply the technique and theory to Paul's letter to the Romans.

2.2.2.4 Compound Propositions

Reference must be made to another frequently used technique in Romans. This technique is *compound proposition*. A *compound proposition* is a combination of two or more simple propositions, each of which is separately assertable.

A simple proposition is one, which is not compound (Stebbing 1948:56). Paul uses various logical combining forms of which the most frequently used are γάρ (and); διότι (because); δι (wherefore); δι το το (therefore); ε δ (but if); ν (if); ν ο ν (if therefore); ν δ (but if); τί ο ν (what therefore?); νυν δ (but now).

These combining forms play an important functional role in Paul's usage of various techniques in contextualising theological concepts especially with juridical imagery in the letter to the Romans.

2.2.2.5 Graphical Displays of Typical Pauline Propositions Embedded in Pauline Argumentations

i)   Example: Romans 3:9, 10 "We have already made the charge that Jews and Gentiles alike are all under sin. As it is written: "There is no one righteous, not even one". Paul's conclusion in verse

10 may be reconstructed by applying the tree diagram used by philologists (Leech [*sa*] 12 and Chomsky, 1957) as follows (cf Du Plessis 1982):

```
                          Proposition (sentence)
                 /                                    \
             Subject                               Predicate
           /         \                            /           \
    Determinor      Noun                       Verb        Compliment
        |             |                          |         /    |    \
        |             |                          |   Determinor adjective noun
        |             |                          |        |       |      |
       No            Man                        is        a   righteous  man
```
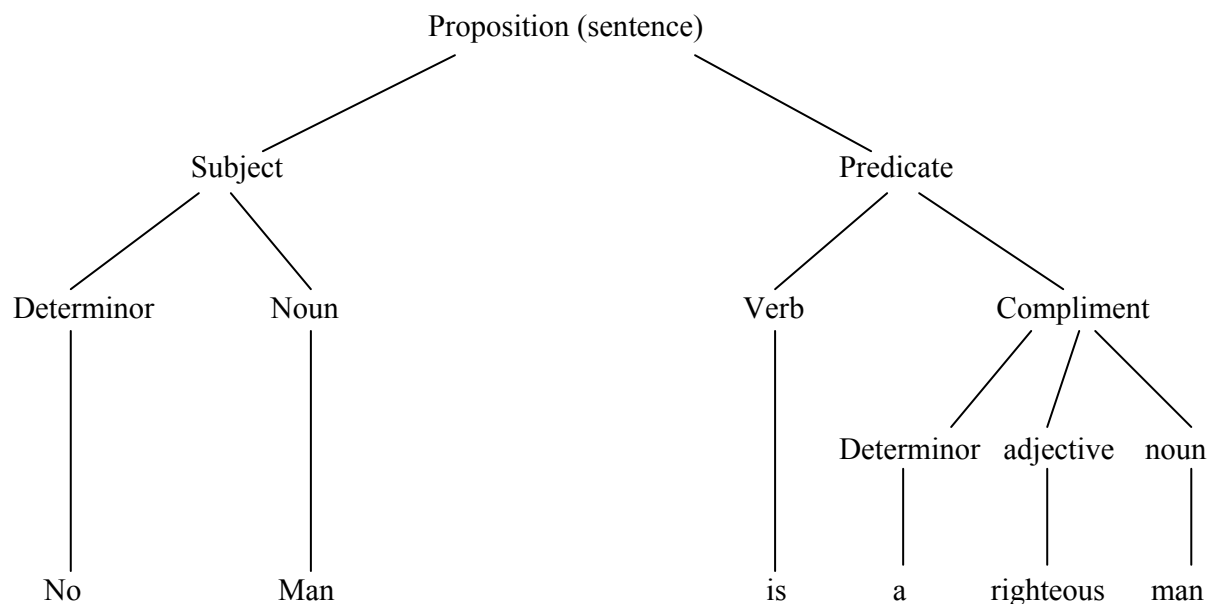
According to Leech ([*sa*] 11), the display in a tree diagram such as the above may be based on "the principle by which larger linguistic units are built up out of smaller units; or (looking at it from the opposite point of view) by which we are able to analyse a sentence syntactically into its constituent parts, moving from its *immediate constituent* through a hierarchy of sub-division to its *ultimate constituents* or smaller syntactic elements".

The above tree diagram serves as an example of a proposition, which may form part of a syllogism embedded with other compound propositons in a pericope.

Lastly, the tree diagram shows that a proposition consists of a subject and a predicate (in logical terms), just as in grammatical terms "subject", "verb" or "object", "verb".

 ii) Example

```
                    Proposition (sentence)
                   /                      \
                  /                        \
          Subject                           Predicate
             |                                 |
             |                                 |
        (No) man                          is righteous.
```
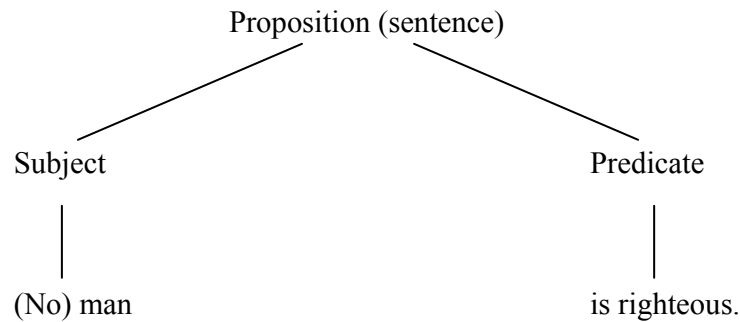
This is the simplest analytical structure of a proposition, which may be deemed to be the smallest part of a syllogistic argument.

Paul frequently uses various logical connecting forms, of which the following introduce propositions belonging to the simplest analytical structures. Forms frequently used by Paul are γάρ (and); διότι (because); δι (wherefore); δι το το (therefore); ε δ (but if); ν (if); ν ο ν (if therefore); ν δ (but if); τί ο ν (what therefore?); νυν δ (but now).

These forms introduce propositions, adverbial phrases of reason (because, therefore, wherefore), adverbial phrases of condition or indicating an unfulfilled condition (if, but if) or clauses indicating that something is possible (if then). These forms as well as propostitional phrases (introduced by *in, on, upon, from, out of, by, near at, beside* often placed before a noun or pronoun to indicate place, direction, source, method, etc.) are a group of words introducing a proposition.

The above connecting forms may be the starting point of a syntactic structure. These may also be what Leech ([*sa*] 140) calls *null arguments*. The initial subject-predicate structure, or predication, may be followed by subordinate or embedded prepositional phrases or propositions introduced by connecting words (or forms). Consequently there may be a repetoir of predications forming a cluster. According to Leech ([*sa*] 147), "The relation of this predication to the main predication of which it is a part, is like that between a subordinate clause and a main clause."

Logical arguments in Paul's letter to the Romans operate with propositions; downgraded propositions qualifying a premise; a premise or a proposition embedded in a premise to form a syllogistic argument, propositions commencing a premise; conjunctions commencing a proposition and linking it with other propositions in a premise, propositions in a deductive argument depending on the previous proposition; a premise or a proposition containing a noun and a predicate. Sometimes three and more propositions or premises depending on one another form a syllogistic argument. The first two statements of such a syllogistic argument are called the premises and the third is called the conclusion. Sometimes two or more propositions depend on one another and make equally important and dependent statements and combine by means of conjunctions "and",

"or", "for", "but", "now", etc. linking two or three premises as their syllogistic argument. As an example of such a Pauline argument reference is made to Romans 3:19:

(Premise) "Now we know whatever the Law says, it says to those who are under the Law."

(Premise) "So that every mouth may be silenced and the whole world held accountable."

(Concluding premise) "Therefore, no one would be declared righteous in His sight by observing the Law; rather through the Law we become conscious of sin."

iii) Example: Romans 7:9b "…(but when) the commandment came sin revived." With reference to the embedded predications, Romans 7:9b may be sited and illustrated as follows:

Argumentation (prop 1)

```
        Sub 1a              Pred 1a              Emb Prop2
          |                    |                  /        \
          |                    |                 /          \
          |                    |            Sub 2a          Pred 2b
          |                    |               |               |
          |                    |               |               |
(but when) the commandment   came            sin            revived
```
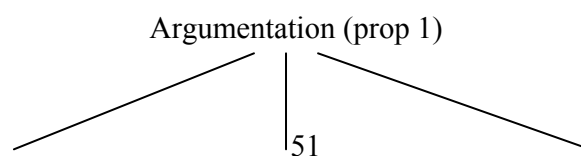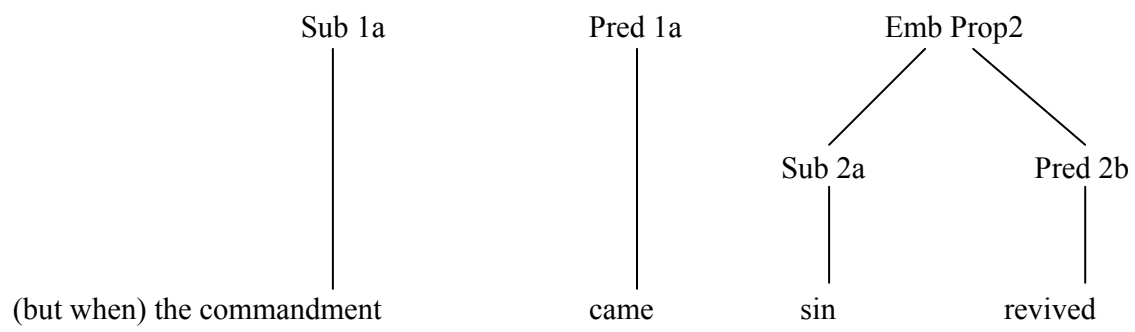
iv Example: Romans 7:7 "For I would have known lust exept the law had not said: Thou shalt not covet."

A more complex structure than the above may be illustrated as follows, with reference to Romans 7:7:

```
                              Argumentation
         ┌──────────┬──────────────────┬────────────────────┐
    Emb prop 1a              Emb prop 1b            Emb prop 1c
   ┌────┬─────┬────┐        ┌────┬─────┐          ┌──────┬──────┐
(Nul) sub 1aa Pred 1aa Obj 1aa (null) sub 1bb Pred 1bb  Sub 1cc  Pred 1cc
   │    │     │      │      │      │      │         │         │
  For   I  had not  lust  except the law had not  Thou   shalt not covet
            known                         said
```
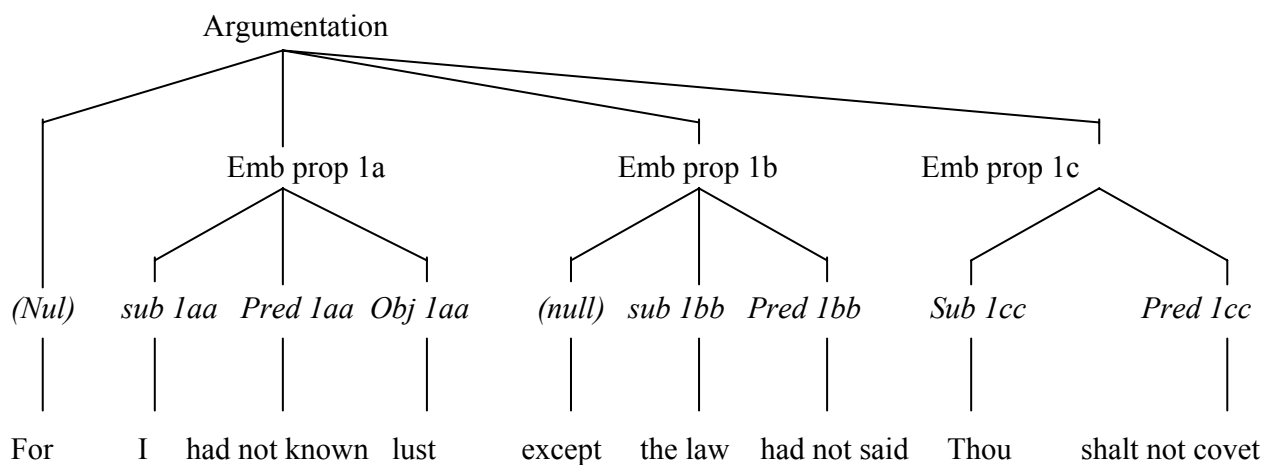
This is an indication of how complex arguments may be syntactically analysed into smaller and simpler constituents through the technique of embedding. The embedded propositions 1a, 1b and 1c have varied syntactic realizations. There may be further embeddings depending on the complexity of the argument.

Logicians have devised many intricate and complex structures, which, for the purposes of this syllogistic approach to structural analysis of Romans, are not considered to be applicable. The syntactical structural analysis followed in this thesis will therefore be according to the above illustration with emphasis on embedding.

2.2.3 Pauline Use of Legal-Hermeneutical Techniques

A few examples of Paul's application of legal hermeneutics as a technique in his writing may be detected in Romans 2:14; 2:27; 3:20 and 7:1, 7. The rule, which may have been used by Paul in these texts is the rule from Cesus 1. 13. 17, namely: "to know the laws is not to know the words but it is also to know the meaning and their authoritative nature". In Romans 3:31 the rule that may have been applied by Paul is from Julia: Dig 34. 5. 12. 13; Dig 45. 1. 8 0, namely: "the words of a legal text are to be construed in such a way that the subject matter may rather be of force then come to naught. Paul's

analysis of scripture by which he gives legal words their usual grammatical meaning for example: Romans 1:17; 3:4-5; 4:4-11. Lastly the principle *noscuntur a socius*, which means that the meaning of a word is inferred from that of its companions, for example: the word "saved" in association with the word "righteousness" in Romans 1:17 is influenced by the word righteousness and finds legality in the latter word.

It is thus possible that Paul could have made use of legal-hermeneutical techniques. This is substantiated by the fact that he was thoroughly trained under Gamaliel. Gamaliel was the son of Simon and grandson of Hillel, who as a member of the Sanhedrin was well versed in the use of legal-hermeneutical principles. He represented the liberal wing of the Pharasees. The school of Hillel was opposed to that of Shamai. Hillel could have had knowledge of Graeco-Roman legal- hermeneutical techniques which he undoubtedly also could have applied. He (Hillel) intervened with a logically and rhetorically persuasive speech at the trial of the apostles (Acts 5:33–40). Paul acknowledges him as his teacher (Acts 22:3) (Douglas 1962:451). According to Acts 5:33- 40, it is clear that Hillel had a casuistic and supple approach, which could have included Graeco-Roman rhetorical principles, legal-hermeneutical principles, principles of logic, semantics and syntactics.

This type of approach was a characteristic of one of the two schools of thought among Jewish scholars, namely the school of Rabbi Hillel. The other school was the school of Rabbi Shamai, which had a much stricter approach (Deist & Burden 1980). Therefore it is conceivable that the Romans epistle could display elements of legal-hermeneutics techniques used by orators, rhetoricians, logicians and linguists of his time.

2.2.3.1 Definition of Legal Hermeneutics

Legal hermeneutics may be defined as the art and science of interpreting especially authoritative writings, mainly decreed laws.

Authoritative writings or decreed laws may be found in various writings in all spheres of society. Therefore the same accepted rules for interpretation of authoritative writings or decrees may be applied for the interpretation of authoritative writings or decrees in all spheres of human society.

Legal hermeneutics thus deals with the interpretation of statutes and has as main object the establishment of the intention of the legislature and secondly the determination or establishment of the legal thought-content of a legal concept used in a specific text. Legal hermeneutics is necessary because juridical imagery *per se* cannot convey the legal thought-content contained in it as well as the intention of the user for using juridical imagery in a particular context.

Many rules for legal hermeneutics have been handed down from Roman times to succeeding generations. These rules have been recognised, developed, refined and applied in the legal field for interpretation of legal concepts in statutes. They have been extensively applied to a wide range of legal subjects. Rules for legal hermeneutics are therefore not particularly limited to any specific legal subject. They may be applied to any legal text in any field of the legal spectrum or to any writing, which contains legal principles and concepts. If the Pauline corpus contains legal concepts, the most suitable rules for interpreting the legal concepts in such writings are therefore the recognised rules of legal hermeneutics.

Rules for legal hermeneutics may be gleaned from the contextual writings of jurists during the golden age of the Roman Empire, which was the so-called Classical Period or the Principate. The most important commentaries and compilations from this period are the *Codex, Novellae, Digesta* and the *Institutiones*. These four form the *Corpus Iuris Civilis*, which was completed in AD 536 within a period of seven years.

Primary rules for legal hermeneutics found in these sources are the following: *Scire leges non est verba eorum tenere sed vim ac protestatem* (Celsus: Digesta. 1.3.17 quoted by Hiemstra & Gonin 1981:264) which means "to be acquainted with the laws is not to know their words but their meaning and authoritative nature". The rule *expresio unius est exclusio alterius* or *inclusio unius est exclusio alterius* (Dig. 5.1.12 quoted by Hiemstra & Gonin 1981:186, 203), which means "the specific exclusion of the one is the inclusion of the other one or the specific inclusion of the one is the (implies) exclusion of the other"; another important rule is *verba ita sunt intellegenda ut res magis valeat quam pereat* which means "the words of a legal text are to be construed in such a way that the subject matter may rather be of force than come to nought" (quoted by Hiemstra & Gonin 1981:281). This rule was applied in legal actions or exceptions where there was ambiguous formulation in the text.

The extent and limitations of the rules for legal hermeneutics and the question whether there is a *numerus clausus* is a matter open for further discussion. However, there have been further developments in this field and some of the most important principles which will be of use in this research are the following: Firstly, the golden rule that the literal rule must be applied, which is that legal words must be given their usual grammatical meaning. Secondly, that there may be a deviation from the golden rule if the literal grammatical interpretation would lead to absurdity, repugnancy or inconsistency with the legal thought content of the legal concept or text. Thirdly, that generally stated words must be generally understood. This principle states nothing more than the rule that legal words must be interpreted according to their normal meaning. Fourthly, that a meaning must be attached to every legal concept. This principle is also related to the literal rule. Lastly, the principle *noscuntur a sociis,* which means: that the meaning of a word is inferred (known) from that of its companions (the accompanying words).

The *eiusdem generis* rule rests on this principle of *noscuntur a sociis*. This is a form of limited interpretation in terms of which earlier words in a sentence may limit later words irrespective of the

position of the words in a text and conversely later words may limit preceding words. An example of limited interpretation occurs where a word with a general meaning appears in the same text as a word with a specific meaning. If all the words with specific meaning in the text have a common meaning, then the associated word with a general meaning is interpreted according to the meaning of the specific words. An example of this type of interpretation may be found in Ulpinianus' interpretation of Paulus' statement in D.27.10.15. In this statement Paulus states that a spendthrift (*homo prodigus*) (a specific word) and all other persons (*omnus omnino*) (general words) may receive a preferential right from the assets of the curator. However, notwithstanding the words *omnus omnino*, Ulpinianus (D 42.5.22) is of the opinion that a preferential right is not available to all persons against the assets of the curator. Ulpinianus' interpretation is based on the *iusdem generis* rule, which rests on the principle *noscuntur a sociis*. As stated above, this is a form of limited interpretation in terms of which later words in a sentence may be limited by earlier or preceding words and *vice versa.* On this point, Overanius (quoted by Steyn 1974: 31) agrees with Ulpinianus that the words *omnus omnino* undoubtedly only include those persons specifically mentioned, for example, such as curators appointed for persons and not curators appointed for property. This is also an example of restrictive interpretation used by the jurists of the Principate.

A further ramification of legal hermeunetics found in modern interpretation of statutes is for example the rule that two legal concepts or legal principles in a text must be interpreted *in pari materia,* which means that the object of the previous legal text and the latter text must be identical in content (Burns & Wiechers 1976: 55).

In conclusion, however, legal words used in a text may, if they are construed according to their normal meaning, not convey the intended true thought-content, which may be more than what the legal word conveys. This may call for an extended interpretation of the word (Steyn 1974:43)

2.2.3.2 Application of the Rules of Legal Hermeneutics in the Letter to the Romans

With regard to a possible question whether rules for legal hermeneutics may be applied as a possible method for researching legal connotative words in the letter to the Romans, the answer may be in the affirmative with reference to Keegan (1985:2). Keegan states that the emergence of new methodologies such as structuralism, reader-response criticism, canonical criticism and many others have been developed from methods first used in secular studies. According to Keegan (1985:7), no method is universal and no method is a panacea. All the different kinds of criticism are simply different methods that can be used, each of which has its possibilities, each can do something.

The practitioners of all these methods unanimously concede that their methods do not exhaust the meaning of the text. By making this admission they therefore agree that there is always ample leeway for a new method (Keegan 1985:12) to be applied, which may also be derived from secular methods, in the case of this research, for the purposes of interpreting legal parlance and principles of legal hermeneutics.

According to Deist & Vorster (1986:16-199) biblical texts have different perspectives and may be approached according to a specific perspective, which the texts project. A text may have a poetic perspective, narrative perspective, wisdom perspective, apocalyptic perspective or a legal perspective.

2.4 Summary

This chapter deals with perspectives of various techniques for contextualising in Romans. The chapter starts with an introductory discussion followed by a general discussion of classical Graeco-Roman techniques such as rhetoric, logic and legal-hermeneutical techniques. Some of the techniques used by Paul are fully discussed.

The main intention of this chapter is not to provide a comprehensive discussion of all the various techniques used by Paul, but rather to highlight certain elements of some techniques with the view to

proving that Paul made use of such techniques. Paul's letter to the Romans contains a number of different sorts of techniques for example rhetorical, syntactical and semantical techniques and may therefore be studied from all these perspectives. In this chapter, however, only perspectives of Pauline use of rhetorical, logical and legal hermeneutical techniques have been investigated.

The concept of rhetoric is from the Greek word   ήτωρ, which means "lawyer", "attorney"(Heb 24:1) or "public speaker". The Pauline era lawyers, attorneys and public speakers were renowned for their skill in articulate speech, in using legal-hermeneutical principles to give legal advice (*responsa*), writing speeches and documents (*scribendi*) acting on behalf of clients (*agere)* and lecturing (*docere*). (Van Zyl, 1977:33,34).

In all these functions the rhetor, whether lawyer, attorney or public speaker, had to comply with Graeco-Roman principles of rhetoric or oratory, namely   θος, πάθος *and* λόγος (Lambrecht 1989:240 quoted by Du Toit 1992:470). The characteristics of Graeco-Romans rhetoric, namely *forensic* (relating to the legal language of the Roman court, especially legal parlance in legal rhetoric), *deliberative* (relating to deliberation or consideration in rhetoric) and *demonstrative* or *epideictic* (The correct spelling of this word is not "epidiactic", as spelled by some scholars, but rather "epideictic" according to Meine (1947:253), relating to the showing or proving a case by means of a strong exhibition of fellings), were expected to be incorporated and displayed in their prepared speech. Such a speech had to comply with the prescribed procedure in accordance with the following steps: (i) the *inventio* which means "to find out why"; "to come upon facts" (the stage during which material and information were gathered; (ii) the *dispositio* (the stage during which the information or material for the speech or written document was arranged); (iii) the *elocutio* which means "speaking out", (the stage during which the speech or written document was formally, stylistically and grammatically prepared. This is the art by which in delivering a discourse before an audience the speaker is enabled to render it effectively and impressively accompanied by means of gesticulations. This was a well-known orational delivery.); (iv) the *memorial*

(the memorising of the speech *in toto*); and (v) the *pronuntiatio* (the presentation). In logic the *pronuntiatio* was a "proposition" which the speaker wanted to make. In rhetoric it was a "delivery" of the main idea, which the speaker wanted to bring to bear. The *pronuntiatio* was usually at the end of the speech, concluding the speech. During the *presentation* the orator or writer made use of many other rhetorical figures such as *enthymeme* (which in rhetoric referred to an argument consisting of only two premises or propositions, a third proposition required to complete the syllogism being suppressed or kept in the mind. Example: "if we have been united with Him in His death we will certainly also be united with Him in His resurrection". The proposition omitted is therefore "all believers are united with Christ in His death and resurrection: (Rm 6:5), *correctio,* (in rhetoric, this is a figure of speech in which an expression already used is replaced by a strong one. Example: Rm 2:10, 11,12), *litotes,* hyperbole, climax, *interpretatio* and many others (Du Toit 1992). The main aim of the lawyer, attorney, public speaker or writer was to persuade.

A discourse during Roman times had different parts in terms of which a *rhetor* had to comply. Du Toit (*op cit*) mentions the following: (i) *exordium*: the introduction; (ii) the *narratio*: the narration of the speech; (iii) the *probatio* or *conformatio*: confirming, verifying or adducing of proof; (iv) the *refutatio*: disproving the allegations of the opposition's statements; (v) *peroratio* or *epilogus*: conclusion, epilogue, winding up of the speech. This is the concluding part of an oration, in which the speaker recapitulates the principle points of his discourse or argument, and urges them with greater earnestness.

To summarise it may be stated that a discourse during Roman times commenced with the *exordium* (Rm 1: 1-17), followed by the *narratio,* which consisted of an interaction of the *probatio* and the *refutatio* (Rm 1: 18-15:13). The discourse was then concluded by the *peroratio* (Rm 15: 11-16:27). Within this framework a *rhetor*, such as Paul, had leeway to contextualise his speech logically with blocks of *syllogisms, metaphors,* rherotical and logical techniques as well as rhetorical questions. All these were connected to each other by connecting words such as various logical combining forms of

which the most frequently used were γάρ (and); διότι (because); δι (wherefore); δι το το (therefore); ε δ (but if); ν (if); ν ο ν (if therefore); ν δ (but if); τί ο ν (what therefore?); νυν δ (but now).

Orators, lawyer or jurists, as well as logician and grammarians in semantics and syntactics, during Paul's time applied the above elements invariably. Hence the hypothesis that Paul may have had knowledge of these elements and that he may have used them in an interactive multi-technique contextual discourse method to contextualise theological concepts with the daily issues with which his addressees were daily confronted, according to the letter to the Romans.

This possible Pauline methodology may be identified by means of exegesis during which the various techniques used by Paul are identified.

The analysis followed in this thesis, to prove the above hypothesis, is in accordance with a simple subject-predicate or prediction pattern. In terms of this pattern the Pauline argument consists of a premise containing two or more propositions followed by a conclusive statement thereby forming a syllogism with variably further propositions embedded inside other propositions and thereby forming the Pauline syllogistic argument. Such a Pauline syllogistic argument does for all rhetorical and logical intents and purposes display interactive multi-techniques in the process of Pauline contextualisation.

CHAPTER 3

EXEGETICAL PERSPECTIVES OF PAULINE CONTEXTUALISATION OF THEOLOGICAL CONCEPTS WITH SELECTED JURIDICAL IMAGERY IN ROMANS

3.1 Introduction

This chapter is based on the hypothesis that Paul contextualised theological concepts with selected juridical imagery in Romans with a view to explaining such concepts to his addressees. This chapter forms the bulk of the subject matter of the thesis, which is an exegetical perspective of Pauline contextualisation of theological concepts with selected juridical imagery with in Romans.

The Pauline use of propositions and syllogisms embedded in his argumentations is examined and discussed in this chapter. A proposition is a form of speech in which something is affirmed or denied of a subject (Meine, 1947:575)

The aim throughout this chapter is in accordance with the hypothesis, namely, to show that Paul contextualised theological concepts with juridical imagery. "Juridical imagery" concerns the choice and use of words, legal parlance, concepts or phrases which are characterized by its legal content as having to do with the law or argumentations and judgments in law courts. Juridical imagery may sometimes appear in ordinary speech, used by ordinary citizens not connected to law or law courts (1.8 *supra)*. Paul used many such words, concepts and phrases in his letters to explain theological concepts.

The concept of "juridical imagery" is used, in this thesis, in the above-mentioned sense, but also to refer to concepts or situations that exist outside the theological realm but inside the juridical realm. For example, when Paul writes that he is "a slave of Jesus Christ" (Rm 1:1), he wants the reader to visualise the legal and social situation of a slave in Roman times; in other words, in terms of Roman law and then associates some characteristics, legal implications or relationships between a slave and his master in terms of Roman law during his time and relate these aspects to what Paul means when he says that he is "a slave of Jesus Christ". (cf 3.3.1.4. *infra).*

An investigation will forthwith be undertaken in this chapter to indicate how Paul connects with juridical concepts and contextualises such concepts in order to explain the gospel concepts to his addressees.

Paul was writing to ordinary people in Rome, some with Gentile background, using a common dialect known as κοινή Greek (Nunn, 1965:26.) Most of these people were Roman citizens and, as such, would have been able to have some knowledge or be able to visualize the juridical imagery, conveyed by the Roman law–connotated concepts used by Paul in order to explain the gospel truths. The best manner of communicating with his addresseeand explain the gospel truths, was therefore to refer to their frame of reference within the context of there knowledge of juridical imagery by means of a methodologically, well-planned process of contextualisation.

The above Pauline method of contextualisation provides the answer to the following question:
How did Paul go about contextualising juridical concepts with theological concepts? In order to understand how Paul went about the process of contextualisation, exegesis needs to be done. Such an exegesis entails an investigation of Paul's letter to the Romans along, rhetorical, logical and legal-hermeneutical principles. The exegesis may explain these theological concepts taking cognizance of rhetorical, logical and legal-hermeunitical principles, along a three-step method of investigation which coincides with the syllogisms used by Paul.

- An investigation of the first proposition, wich corresponds roughly to a sentence. Semantically, this unit is called a predicate and syntactically it is called a sentence consisting of a noun and a verb.
- An investigation of the middle semantic features, which are usually found, consisting of further arguments, predications, attributive predications, downgraded predications, downgraded modifying predications and further embedded predications. Syntactically these may be noun

and verb phrases, adjectival phrases, prepositional phrases, conjunctions and nominal clauses.

-        The concluding statement follows which makes up the third level.

In terms of logic there must be proposition which serves as the first premise supported by a second premises followed by a third premises which is the conclusion, proving the truth of the first premises. This is a syllogistic argument and falls into the category of the three-step system, which semantically and syntactically will also function as the conclusion of the initial propostion or predicate. Semantic and syntactic features must be rhetorically moulded into a form fit for a Graeco-Roman presentation of a discourse or speech (cf 2.2.1), which had to contain the elements of   θος, πάθος *and* λόγος (Lambrecht 1989:240 quoted by Du Toit 1992:470).

 The   θος had to do with the positive picture, which the listener (or addressee) had about the writer or orator, his quality and his character. This persuasive mode was usually applied at the beginning of the discourse (or letter) (see Rm 1:1- 4).

The πάθος had to do with the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at the ending of the discourse (or letter) (see Rm 1:6,7).
The λόγος had to do with the logic of the discourse (or letter) and could be interactively woven into the
  θος and the πάθος.

The main object of the λόγος was to persuade the listeners (or readers) inductively and deductively. It is at the λόγος stage that an orator or writer, such as Paul, could have used an interactive, multi-technique contextual discourse method. Throughout Paul's letter to the Romans the λόγος is displayed. The Graeco-Roman letter was characterized by the purpose, on the part of the writer, to convince and persuade the addressees followed by thanksgiving to the gods.

This is exactly what Paul does in Rm 1:1-8. Du Toit (1992:467) mentions three characteristic of the

Graeco-Roman rhetoric, namely *forensic, deliberative, demonstritive* or *epidiacthic,* which were supposed to be incorporated and displayed in a speaker or writer's rhetoric. He states that the speech had to comply with the prescribed procedure in accordance with the following five steps: (i) the *inventio* (the stage during which material and information were gathered for the court case); (ii) the *dispositio* (the arrangement of the information or material); (iii) the *elocutio* (the stage during which the speech was formally, stylistically and grammatically prepared); (iv) the *memorial* (the memorising of the speech *in toto*); (v) the *pronuntiatio* (the presentation). During the *presentatio* stage, the orator made use of many other rhetorical figures such as *enthumeme, correctio, litotes,* hyperbole, climax, *interperatio*, and *laudatio* (*id* 471).

The aim throughout this chapter will be to show that Paul contextualised concepts with juridical imagery in his letter to the Romans, applying an interactive, multi-technique contextual method, as he dictated the contents to Tertius, his amanuensis, that is, the person who writes what is dictated to him (Meine, 1947:23; Rm 16:23).

Paul's letter to the Romans consists of three important characteristics of a typical Graeco-Roman letter: (a) the opening, (b) the central section and (c) the closing (Aune, 1987:185). Pauline letters, however, have an expanded epistolary prescript, with the body consisting of the central section, which often closes with travel plans and exhortations. Doxology, greetings and benediction make up the closing (*ibid*).

Letter writing was already an accepted method of communication prior to the Pauline era. Examples of early letter writing are to be found as early as the Old Testament period (2Sm 11:4; 1 Ki 5:5; 10:1; 2Chr 2:11; 21:12, 30:17; 36:22; Ezr 1:1; 4:6; 4:11, 17–23; 5:6; Jr 29:1; Dn 44:1). Other examples of letter writing from the earliest period (pre-Pauline period) are to be found in the collections of Isocrates and Plato, which date between 368 and 328 BC (Harrop, 1965:383). Many examples of letters written prior to the Pauline period were found among archaeological discoveries in Egypt.

These letters, which were written on papyrus, contained elements similar to Hellenistic letter-writing techniques (Nunn, 1965:26).

A typical Hellenistic letter would contain the following elements: rhetorical elements, plan and layout, personal and business elements. Such a letter would open with greetings, followed by a prayer for the health of the addressee, a thanksgiving to the gods, a main body of the letter and special salutations and personal greetings (Klijn, 1971:84). An example of a typical Hellenistic letter can be found in Ac 15:26-29.

Such a letter may have been expected to be formally and stylistically moulded into a form suitable for a Graeco-Roman presentation of a discourse or speech and had to contain the same elements which was characteristic of Graeco-Roman public speeches and and discourse (cf 2.2.1 *supra*) of θος, πάθος and λόγος (Lambrecht, 1989:240 quoted by Du Toit, 1992:470). Just as in a case of public speech and discourse the θος related to the positive picture, which his listeners (or addressees) had about the orator or writer: his quality, his character and his persuasive mode were usually applied at the beginning of the discourse (or letter). The πάθος included the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at a later stage, especially towards the end of the discourse (or letter). The λόγος related to the logic of the discourse (or letter) and could be interactively woven into the θος and the πάθος (Lambrecht, 1989: *id* quoted by Du Toit, 1992: *id*). The main object of the λόγος was to persuade the listener, addressee or the reader inductively or deductively. It is at this stage that an orator or writer such as Paul could have used an interactive, multi-technique contextual discourse method.

The Graeco-Roman letter was just as in the case all public speech and discourse, characterized by the purpose of the writer to convince and persuade the addressee. This purpose was a peculiar characteristic of all forms of Graeco-Roman public discourse, irrespective of whether the genré of the discourse was *forensic,* that is, having to do with courts of law, *deliberative,* that is, having to do

with political debates aimed at the future or *demonstrative* or *epideictic* that is, having to do with the demonstration of the good or bad behaviour of public figures (Lansberg, 1960:61; Mack, 1990:34-35 quoted by Du Toit, 1992:466).

In the light of all the information concerning Hellenistic letter-writing techniques before and during the Pauline era the conclusion may be drawn that Paul's letter-writing techniques had certain resemblances with the Hellenistic public speech, discourse and letter-writing techniques of the time with regard to form, but that Paul had a unique approach and motive.

In conclusion it may be stated that, though cognizance is taken of various styles of Christian correspondence during Paul's time, Paul's letter to the Romans with its unique characteristic of contextualising theological concepts with juridical imagery and his application of an interactive, multi-technique discourse method, which included techniques from rhetoric, semantic, logic and legal-hermeneutical principles, is an outstanding example of this genré.

This unique characteristic of Paul's letter to the Romans may be discussed with reference to the date, which tells much about the era, the genré, the typical style and the purpose of Romans.

3.2   Characteristics of the Pauline Letter to the Romans

The Pauline letter to the Romans has, with regard to its date, genré, typical style and layout, exceptional characteristics that serve to support the above hypothesis. These characteristics are discussed below.

3.2.1   The Date of the Letter to the Romans

The date of Paul's letter to the Romans may be determined in the light of Ac 18:12–18, which relates to Paul's trial before Gallio, and an inscription found at Delphi in 1905, which refers to the proconsulship of Gallio and to the reign of Claudius (Klijn, 1971:85).

Delphi was located on the lower slopes of Mount Parnassus, across the Gulf of Corinth, near the city of Corinth itself (Kee & Young, 1960:66). The Delphi inscription makes it almost certain that Gallio came to Corinth in the year AD 51 and that his proconsulship was from AD 55 and AD 56 (Wright & Filson, 1956:97).

This is confirmed by the fact that the official term of a proconsul was only one year. The proconsul issued his order, proclamation, decree or edict at the beginning of his official term. The edicts were for this reason called *edicta annua* or *edicta perpetua* thereby indicating that they were perpetual during the course of his whole official term (Van Zyl, 1977:29). Therefore, if as is probable, Paul stayed in Corinth for one year and six months (Ac 18:11) and left Corinth not long after the trial (Ac 18:18). The letter to the Romans must have been written some time between AD 51 and AD 54.

Nevertheless, with the additional help of Luke, the historian's information in Acts and the above historical information, a chronological reconstruction of the events which leads to the dating of the letter to the Romans may be stated as follows: (i) Paul was in Corinth during AD 51– 52. During this period he appeared before Gallio. The proconsulship of Gallio was from AD 51– AD 52 (Wright & Filson, 1956:97). This is confirmed by the fact that the official term of Gallio was only one year (Van Zyl, 1977:29). (ii) During this period Paul had been in Corinth for one year and six months (Ac 18:11). (iii) Paul stayed on in Corinth (Ac 18:18) for some time after his appearance before Gallio (which took place some time during AD 51– 52). (iv) Thereafter Paul set out for Syria and probably in AD 52 he set out for Ephesus (Ac 18:19-21). (v) Paul then landed at Caesaria, went down to greet the church in Jerusalem and then up to Antioch (Ac 18:22-23) where he spent some time (probably during AD 52– AD 53). This was the end of his second journey. (vi) Sometime during AD 53 Paul undertook his third missionary journey. He travelled from Antioch through Galatia and Phrygia (Ac 18:23) and arrived at Ephesus (Ac 19:1); he entered the synagogue and taught for three months (Ac 19:8). When some of the people in Ephesus became obstinate and maligned the Way and refused to believe, Paul left them and continued lecturing in the school of Tyrannus. Tyrannus was probably a teacher in rhetoric and oratory

(Ac 19:8, 9, 10). This went on for two years (according to Ac 19:10). This was probably during AD 53 and 55. (vii) In probably AD 55 or 56 Paul returned to Corinth where he stayed (Ac 20:1-3) in the house of Gaius (Rm 16:23) and dictated the contents to Tertius (his *āmănŭensis)*, who wrote every word down (Rm 16:22).

In conclusion, the rhetorically, logically syntactically and semantically well reasoned character of the letter to the Romans testifies to the fact that the letter was written when Paul was able to stay in a fixed abode, possibly during his stay in Corinth at the end of his third missionary journey before he departed to Jerusalem, probably during AD 55 or 56. It can also be said that the date on which the letter was written was during the Principate, an era during which Roman law history reached its highes peak of its development. Juridical concepts were generally well-known and used during this period. Paul's use of juridical imagery therefore was a well-known practice.

3.2.2   The Genré of the Letter to the Romans

Biblical scholars have written much about the genré of Romans. This study will not enter into any debate in this regard, but will rather adopt the viewpoint of Wuellner. The best way of approaching a piece of argumentation is, according to Wuellner, by asking the question "to what sort of judgment it is ultimately directed" (1976:335).

The author of this thesis is of the opinion that Paul's letter to the Romans is directed to an inquisitorial judgment in which juridical imagery plays an important role. The concept of *inquisitorial* is derived from the Latin verb *inquiro, which* means to search for, to investigate, to look for, especially as a legal term, to search for evidence against someone. Hence *inquisitio* refers to the function of an *inquisitor*, which in Roman law meant "one, who searches for evidence to support an accusation" or "an investigation of a charge against someone" (Simpson, 1984:311).

In Roman law, therefore, the *inquisition* was a public legal investigation, legal inquiry, or a criminal investigation in a court of law.

In addition to what Du Toit (1992:470) says, namely that Paul took the ancient letter-writing pattern as a basis, this research is of the opinion that, by using juridical imagery within the framework of an inquisitorial style incorporating various discourse techniques of his time, including rhetoric, logic, semantics, syntactics and legal hermeneutics, Paul produced a unique genré

Mention may also be made of the distinction between preaching *(kerygma)* and teaching *(didache)*. The former told what Paul had done; it consisted of narrative, and was aimed in the first place at reaching non-Christians, to bring them to faith in Christ. The latter repeated the teachings of Paul and was important only to those who already believed the good news (Manley, 1950:320). Paul's letter to the Romans may, therefore, be classified as not only inquisitorial, but also kerygmatic and didactic.

3.2.3   The Typical Style of the Letter to the Romans

The intention under this section is to broadly outline the typical style of the Pauline letter to the Romans. There is an ongoing debate amongst biblical scholars concerning the style of the letter to the Romans. Wuellner refers to Bultman's *diatribe* (1976:335) and according to Holloway (2003:115), following Stowers, by employing the *diatribe* style Paul "presents himself to the Romans as a teacher" and that in particular "the dialogical style of the *diatribe* is central to self- presentation". There are, however, conflicting definitions of the concept of *diatribe*. One definition of a *diatribe* is "a piece of bitter criticism, invective denunciation (Fowler & Fowler, 1964:338).   This definition is more appropriate for the purposes of this thesis because it falls within the framework of the inquisitorial process of litigation.

The iniquisitorial process of litigation is an investigative procedure, a style in terms of which the judicial officer participates directly in the process of litigation, from beginning to the end of the proceedings, asking questions and leading evidence (cf 3.2.5 *infra*).

Paul's inquisitorial style in which he uses juridical imagery to explain theological concepts to his addressees, asking questions and leading evidence, may be detected throughout the letter to the Romans.

3.2.4 The Purpose of Paul's Letter to the Romans

The purpose of Paul's letter to the Romans has sometimes been understood one-sidedly with emphasis on self-introduction by which "Paul recommends himself to the Roman churches as a teacher worthy of their support for his mission to Spain" or with emphasis on its ambassadorial function stating his travelling plans to Spain and Jerusalem (Holloway, 2003:114). The *diatribe* also comes to the fore as Paul's purpose (*ibid 117*). *Diatribe* supporters describe Paul's purpose as "to proclaim popularity", "to preach publicly", "to teach" or "to present oneself" (Crafton, 1990:326).

However, there is another side to Paul's purpose when writing the letter. Paul's purpose clearly emerges in Rm 1:11-17. His purpose is firstly to "impart to you some spiritual gift to make you strong", which he does by letter prior to his visit, secondly, "to have a harvest amongst you" (Rm 1:13). Paul is "bound both to Greeks and to non-Greeks, both to the wise and to the foolish" (1:14). The concept of φειλέτης means to be indebted to someone, that is, to be "bound" to someone (cf 3.3.2 *infra*). It can also mean, as the Romans may have understood it in Latin, in terms of the concept implied by φειλέτης, which is *obligatio,* in terms of which a debtor may satisfy a debt by means of a performance that is due. Paul is indebted to his addressees not only with regard to the actual visit but also with regard to preaching the ε αγγέλιον to them (Rm 1:15).

Romans 1:16-17 is significant within this context because Paul's letter is all about the ε αγγέλιον, which is a power of God for the salvation of everyone who believes. For in the ε αγγέλιον righteousness from God is revealed that is by faith from first to last. As it is written, "The righteous will live by faith" (Rm 1:17). These are the reasons why Paul is writing to them. Paul's ingenuity and his excellent handling of his craft as an orator should not be underestimated. This explains why Paul,

who had never been to Rome, takes the first and best opportunity at the occasion to proclaim the εὐαγγέλιον to his addressees using the most elaborate and eloquent style that surpasses most of his letters. If Paul wrote to them only to garner help for his mission to Spain, surely he would not have gone to such lengths.

In conclusion it may be stated that the *diatribe,* as defined above within the framework of Paul's inquisitorial style, defines the purpose of Paul's letter to the Romans because Paul bitterly criticises and denounces his addressees (Rm 1:1-3:18). However, the didactic, kerygamtic, dogmatic, paraenatic and inquisitorial purpose is not excluded.

In accordance with the inquisitorial process of litigation, Paul addresses his addressees directly at a number of points in the letter (Rm 2:1-5; 9:19-21; 11:17-24; 14:4,10). Potential objections are mentioned (Rm 6:1,15; 7:7,13; 9:14,19; 11:1, 11, 19). These are answered promptly with a "God forbid!" (Rm 3:4, 6, 31; 7:7, 13; 9:14; 11:1, 11), followed by arguments to the contrary. The characteristic vocative "O man" is used in Rm 2:1, 3 and Rm 9:20. Rhetorical questions are addressed directly by Paul to his imaginary opponents (Rm 2:3-4; 2, 21-22, 26; 3:3, 5-6, 8, 29, etc.).

3.2.5 The Layout of Paul's Letter to the Romans

The layout of Paul's letter to the Romans may be discussed juridically with reference to the elements of a summons and the inquisitorial process, in view of the Pauline use of juridical imagery throughout the letter. A summons is a court order addressed to an accused requesting him to appear in court at a specified place and time. An arraignment takes place by calling the defendant to the court by name, reading the indictment to him and asking him whether he is guilty or not. These characteristics are evident in Rm 1:18-32; 2:1, 12, 16; 5:18; 14:11, 12.

One of the characteristics of inquisitorial procedure is that the official participating is directly involved in the process of litigation, from the commencement of the proceedings until the conclusion of the

hearing. The trial of an inquisitorial process is in the form of a hearing in which the judicial official may participate actively by asking questions and sometimes even leading evidence. There are no pleadings in the inquisitorial process but rather notice to the parties which includes evidence. In certain instances the judicial official is involved in gathering evidence.

The above characteristics of an inquisitorial procedure are evident in the layout of Romans. The defendant/s (Jews and Gentiles) is/are addressed directly in the letter (Rm 2:1-5; 9:19-21; 11:17-25; 14:4, 10). The judicial official (Paul) participates by asking questions (Rm 3:21-24, 25; 3:1-3, 5-9; 7:1, 7, 13; 10:14, 19; 11:1, 7, 11, 15). These questions are answered with interjections such as "I am using a human argument" (Rm 3:5); "Certainly not!" (Rm 3:6); "Their condemnation is deserved" (Rm 3:8); "Not at all!" (Rm 4:10); "…shall we be saved through his life!" (Rm 5:10); "What a wretched man I am!" (Rm 7: 24); and direct address by the judicial official (Paul) to the defendant, "You, therefore, have no excuse, you who pass judgement on someone else…" (Rm 2:1, 21-23)

The above elements and process may be deduced from the letter. The letter which commences from Rm1:1-15 is interrupted by a statement of the point at issue (Rm 1:16, 17) which is followed by the elements of a summons, Paul's charge, the process of arraignment; argumentation against the accused and for God, cross examination of the defendant, condemnation of the guilty party, who seeks justification through obedience to the law and aquittal of the not-guilty party on the grounds for justification by faith (Rm1:18-11:32). In this section there is an interaction of the *Dogmatic*, that which relates to *doctrine* and the *Paraenetic*, that which relates to the necessity and importance of the virtue and duties of the Christial life. The word *paraenetic* is from a Greek word which means "indicating strongly what one should do or plan to do", or "to advise strongly, to urge" (Louw & Nida, 1989:422). This section is followed by a continuation of the letter consisting of exhortations and counselling (Rm 12:1-15:13). This is the *paraenetic* section which is followed by more exhortations and greetings (Rm 15:14-16:24).   This is the *peroratio,* which relates to the concluding part of a discourse which recapitulates the principal points of a discoures or argument and urges the addressees with greater

earnestness (Meine, 1947:532). The last section is the doxology (words at the end of a letter ascribing glory to God), of the letter (Rm 16:25, 26, 27).

To summarise it may be stated that the above elements, are interactively moulded in Paul's letter to the Romans within the framework of the *exordium* (Rm 1: 1-17), followed by the *narratio,* which consisted of an interaction of the *probatio* and the *refutatio* (Rm 1: 18-15:13), concluded by the *peroratio* (Rm 15: 11-16:27). This layout is in accordance with the Classical Greek layout of a discourse or oration. (cf 2.2.1 *supra*).

3.3   Selected Juridical Imagery, Exegetical Perspectives and Theological Contextual Application of Selected Texts in Romans

3.3.1   Romans 1:1-8: Introductory Matters and Petititon

Romans 1:1-8 contains typical elements of a Graeco-Roman letter. All the elements which may be normally be detected in a Roman letter as stated above (3.2.5), Such a letter may have been expected to be formally and stylistically moulded into a form suitable for a Graeco-Roman presentation of a discourse or speech and had to contain the same elements which was characteristic of Graeco-Roman public speeches and and discourse (cf 2.2.1 *supra*; Lambrecht, 1989:240 quoted by Du Toit, 1992:470).

Romans 1:1 is the opening; Romans 1:2-6 is the central section and Romans 1:7-8 is the closing, which contains greetings and travel plans.

A structure of Rm 1:1-8 is provided to enable the reader to have a clear understanding of the exegetical perspectives which follow under 3.3.1.3.

This study necessitates structural analysis of a few pericopes of Romans indicating how Paul embedded his propositions and syllogism within the structures with selected theological concepts, which connotes juridical imagery and connects with the frame of his Roman-law-oriented addressees. These structures

are discussed exegetically, perspectively and theologically. In doing so the hypothesized Pauline *modus operandi* when contextualising theological concept with juridical concepts in order to explain his message is exposed, applied contextually from a theological and homiletical point of view

¹Πα λος

A1 δο λος Χριστο ησο
A1a κλητ ς πόστολος
A1b φωρισμένος ε ς ε αγγέλιον θεο
A1b (i) ² προεπηγγείλατο
A1b (ii) δι τ ν προφητ ν
A1b (iii) α το ν γραφα ς γίαις
B1 ³περ το υ ο α το
B1a το γενομένου
B1a (i) κ σπέρματος Δαυ δ
B1a (ii) κατ σάρκα
B1b το ρισθέντος υ ο θεο
B1b (i) ν δυνάμει
B1b (ii) κατ πνε μα γιωσύνης
B1b (iii) ξ ναστάσεως νεκρ ν
C1 ησο Χριστο το κυρίου μ ν
C1a ⁵δι ο λάβομεν χάριν κα ποστολ ν
C1b ε ς πακο ν πίστεως
C1c ν π σιν το ς θνεσιν
C1d π ρ το νόματος α το
C1e (i) ⁶ ν ο ς στε κα με ς
C1e (ii) κλητο ησο Χριστο
D1 ⁷π σιν το ς ο σιν ν ώμ
D1a γαπητο ς θεο
D1b κλητο ς γίοις
E1 χάρις μ ν κα ε ρήνη
E1a π θεο πατρ ς μ ν κα
E1b (κυρίου ησο Χριστο)
F1 ⁸Πρ τον μ ν ε χαριστ τ θε μου
F1a δι ησο Χριστο
F1b περ πάντων μ ν
F1c τι πίστις μ ν καταγγέλλεται
F1d ν λ τ κόσμ .

The above pericope of Rm 1:1-8, containing Paul's argument, may be divided into *"A"*, *"B"*, *"C"*, *"D"*, *"E"* and *"F"*.

"A" represents the first statement which stretches from "a slave of Jesus Christ" to "in the Holy

Scripture" (verse 1 – 2). The statement consists of a nominal element, the subject (Paul) and verbal elements, the predicates, "called an apostle" and "having been separated to the gospel of God". These verbal elements are followed by embedded prepositional phrases.

"B" represents the following embedded propositions: "**which** He promised beforehand"; "**through** the prophets"; "**in** the Holy Scripture". A further cluster of embedded prepositions follow the previous three prepositional phrases: "**concerning** the son of Him who was born"; "**from** the seed of David"; "**according** to the flesh the designated son of God"; "**in** power"; "**according** to the spirit of holiness"; "**by** a ressurection of dead persons".

"C" represents the second statement which consists of the subject "Jesus Christ", followed by a cluster of embedded prepositional phrases: "**through** whom we received grace and apostleship"; "**for** obedience of faith"; "**among** all nations"; "**on behalf of** the Name of Him". The above prepositional phrases are followed by the prepositional phrase: "**among** whom are also ye" and a verbal phrase: "called of Jesus Christ".

"D" represents a third Pauline statement which commences with a nominal sentence: "to all those being in Rome", followed by two verbal phrases: "beloved of God" and "called Holy".

"E" consists of a nominal phrase: "Grace to you and peace" followed by two prepositional phrases: "**from** the Father of us" and "(**from**) the Lord Jesus Christ".
"F" consists of the fifth Pauline statement in his introduction, which also starts with a nominal phrase: "Firstly I thank the God of me", which is followed by a cluster of prepositional phrases: "**through** Jesus Christ"; "**concerning** all of you"; "**because** the faith of you is being announced"; "**in** all the world".

The propositions may commence with what is known as *null arguments*. This type of argument is

identified by only one feature, which may be a proposition. The only function of such features, beside their function as propositions, is that they have a maximum generality of reference. They also have no syntactical realization. They are thus *syntactic lacunae*. Leech, ([sa] 140) mentions

  "Other syntactic lacunae which mark null arguments are the absence of agent phrases with the passive, and the absence of argument-specefying determiners and prepositional phrases with abstract nouns"

Paul's opening in *A*1 above may be classified as a *syntactic lacuna* because it contains passive statements which have an agent absent: verse 1 " called to be an apostle" that is "…by someone- or - other"; "set apart for the gospel of God" (ie "…by someone – or – other"). Because these propositions contain no feature indicating the agent, they are subordinate to other sets of components. Hence we are able to explain by *the rule of entailment*: "a relation of entailment arises between two assertions whenever (the assertions being otherwise identical) an argument or predicate in one assertion is hyponymous (this relationship exists between two meanings of one componential formula containing all the features present in the other formula) to an argument or predicate in the other" (Leech,[sa] 100, 137).

Applying *the rule of entailment* and principle underlying *hyponomy* to Rm 1:1, it can be said that "…called to be an apostle…" and "…set apart for the gospel of God…" is hyponymous to "a servant of Christ Jesus". Therefore "…called to be an apostle…" and "…set apart for the gospel of God…" entails "…called to be an apostle of/by Christ Jesus…" and "…set apart for the gospel of God by Christ Jesus…".

The hyponymous relationship between A1b and A1c to A1a may be explained in terms of the rules of subordination and entailment as follows:

A1b and *A1c* are subordinate to *A*1. Hence it is possible to interpret the verse (Rm 1:1) by the rule of entailment as follows: "…called to be an apostle" entails "…called (by Christ Jesus) to be an apostle"

and "…set apart for the gospel of God" entails "…set apart (by Christ Jesus) for the gospel of God". Propositions *A*1*b* and *A*1*c* may therefore be considered to be subordinate downgraded or embedded propositions. "Paul" is the subject of *A*1, *A*1*a* and *A*1*b*.

Subordinate, downgraded or embedded propositions can have similar syntactic roles like those of the main statements. Therefore adjectival and nominal clauses, which are embedded, downgraded or subordinate, for example *A*1 with "Paul" as the subject. Noun phrases, *A*1*a* and *A*1*b* are embedded or downgraded adjectival phrases. *A*1 with "Paul" as a subject is therefore a semantic argument, while *A*1*a* and *A*1b are semantically embedded and downgraded attributive predicates. Adjectival phrases *A*1*a* and *A*1*b* syntactically qualify "Paul" in *A*1, and semantically both *A*1*a* and *A*1*b* are attributive to "Paul" in *A*1.

The word φωρισμένος in *A*1*b* is in the present participiun passive from ἀφορίζω: "to mark off by boundaries from", *i.e. "set apart", and may be translated as "having been separated". Paul uses the same concept in Gl: 15: "But when it pleased God who **separated me** from my mother's womb, and **called me** by His grace, to reveal his Son in me that I might preach Him among the heathens…"
By using this concept here, Paul alludes to the Scripture (Is 49:1, 5; Jer 1:5). Paul is using a technique, which in this thesis will be referred to as the *referential technique*. A *referential technique* is a technique in terms of which the speaker or writer refers to Scripture or an incident in the past or present to substantiate in his statement, thereby indicating that his argument is founded on fact. Paul uses this technique in various instances in Romans.

*A*1*b*i commence with a definite article, which is originally a demonstrative pronoun. The definite article in *A*1*b*i retains something of its original demonstrative force. It is used here with reference to the antecedent noun ε αγγέλιον as the subject of the clause. The definite article is used here to denote that the abstract noun, ε αγγέλιον to which it refers, has just been mentioned, or would naturally be thought

of in connection with the subject, which is being spoken about (Nunn, 1965: 55, 56). Yet Paul uses the word εαγγέλιον in the singular form. This use is according to Dunn (*op. cit.*) a *neologism* or at least the adaptation of a term to new users. However, there is reason to believe, as indicated above, that Paul is reverting to the original use of the word as a singular noun in Classical Greek. Paul's use of the word in the singular form is, therefore, not a *neologism* in the true sense of the word. What is a *neologism*, however, in Paul's usage of the word, is related to Paul's methodology, that is, to extrapolate a concept from the one sphere to another and to bring it within the context of a group's (his addressees') frame of reference.

The definite article may therefore be translated as the demonstrative pronoun *which* or *that*. This feature of the definite article belongs, semantically, to *the theory of reference* (Leech, [sa] 167). Its function is to refer to a specimen of the same category, namely *gospel* in *A1b* and establish a link between *A1b* and *A1b*i.

*A1b*i is followed by two prepositional phrases, namely *A1b*ii and *A1b*iii beginning with "through" plus the genetive and "in" plus the dative respectively. The genetive and the dative cases are the governing elements in the expression. The function of the prepositions only serves to make clear the exact meaning, which the phrases "the prophets" and "the Holy Scriptures" are intended to convey semantically.

The preposition "through" (δι) may be followed either by the accusative or by the genetive to denote motion towards. It is significant, however, that Paul syntactically connects the preposition "through" (δι) with the genetive of the phrase "the prophets", instead of the accusative. Paul, thereby, intends to convey, semantically, by using the genitive, the meaning, namely of *motion from*, which denotes that the promise about the gospel made beforehand was (*via*) through (*motion from*) the prophets. Though the genitive would be expected to express its proper meaning of possession, there are two reasons why

the expression "the prophets" is in the genitive. Firstly because τι may be followed by the genitive, secondly, because in that form of the Greek language with which we are acquainted, we find the form, which we call the genetive case, used to express the meaning of the ablative case (*motion from*) as well as its own proper meaning (Nunn, 1965:28).

In the case of the preposition *in* (v) with the expression "Holy Scripture" in the dative, all that Paul intends to convey is semantically the meaning of *place at, rest at* or *place where*. The preposition *in* (v) is always followed by the dative to denote place (or time).

The prepositional phrases *A1b*i, *A1b*ii and *A1b*iii are semantically downgraded predications. *A1b*i is syntactically an adjectival phrase qualifying "the gospel of God" in A1b and semantically also an attributive predication to "the gospel of God" in *A1b.*
The prepositional phrases "through his prophets" (*A1b*iii) and "in the Holy Scriptures" (*A1b*iii) are semantically downgraded, modifying adverbial predications or arguments and syntactically adverbial phrases qualifying "set apart" in *A1b*. These adverbial phrases or arguments are both linked to the downgraded verbal predication *A1b* and the downgraded adjectival predication in *A1b*ii. This is the first premiss of Paul's syllogistic argument.

The prepositional phrase "concerning Son of Him" in *B1* connects with downgraded predications *B1a* with its embedded *B1a*i and *B1a*ii. It further connects with downgraded *B1b* with its embedded *B1b*i, *B1b*ii and *B1b*iii.

The prepositional phrase in *B1* is syntactically connected as the preposition περ followed by the genitive. The preposition περ may be followed by either the accusative or the genitive depending on the meaning (semantically) the writer wants to convey. If the writer wants to convey the idea of place,

time and number, he would use περ followed by the accusative. If he wants περ with a qualifying relative clause, he would use the genetivecase, as in *B*1.

The prepositional phrase in *B*1 is therefore semantically a downgraded qualifying predication within an argument of another predication and in this case *A*1*b* "having been separated to the gospel of God".

The statement in *B*1*a* qualifies the statement "the Son of Him" in *B*1. It is therefore syntactically a participial phrase and semantically it is an attributive predicate. An attributive predicate is characterized by the fact that it can contain features of tense similar to that of the noun it qualifies or attributes. The statement in *B*1*a,* being a participial phrase, therefore follows that υ ο is in the genitive. γενομένου is in the participial passive and agrees with its noun "Son" in "the Son of Him" in number, gender and case. The participial phrase, being at the same time an adjectival phrase, stands attributively to and qualifies the noun phrase "the Son of Him", and as "the Son" is in the genetive under the influence of the preposition περ *concerning*, the adjectival attributive participial phrase is also in the genitive. The word γενομένου is in the possessive genitive singular.

*B*1*a*i "from the seed of David" and *B*1*a*ii "according to the flesh" are syntactically prepositional phrases and semantically downgraded predications. These prepositional phrases begin respectively with the prepositions κ "out of, from" followed by the genetive and κατ "according to" followed by the accusative.

Excerpts from the contents of Rm 1:1-7 have thus been analysed and discussed above not only to illustrate that Paul used an interactive, multi-technique contextual discourse method, but also to show how he used it and how this method can be used.

The above thus illustrates how Paul uses an interactive, multi-technique contextual discourse method for the contextualisation of theological concepts in Romans and how he complies with the requirements of these techniques.

3.3.1.2   Selected Juridical Imagery

Paul introduces himself in Rm 1:1-5 thus by using two juridical concepts which denote a legal relationship between him and Jesus. These concepts are δοῦλος "slave" and κύριος *"kurios"* (Lord, Master).

Paul's prologue is characterised by concepts such as δοῦλος, κλητός, ἀφωρισμένος, κυρίου and ὑπακοήν. Paul deliberately selected all these concepts with a view to portraying and conveying juridical imagery in order to explain theological concepts. Each of these concepts connotes, i.e. suggests, in addition to their ordinary meaning in colloquial language, a juridical as well as a theological meaning. Paul uses these concepts to appeal to the frame of reference of his addressees (Jews as well as non-Jews, the wise as well as the foolish (Rm 1:14)).

Paul uses the concept of δοῦλος (slave) that has juridical implications for a slave in Rome during the time of his addressees deliberately in order to connect with all the inherent implications of the concept and expects them to associate his position as a "slave of Jesus Christ" with such implications.

Paul is aware that every member of the congregation in Rome, as a Roman citizen under Roman law, would be able to relate to the concept from a juridical point of view and picture the relationship of Paul to Jesus Christ with the legal position of a slave in terms of Roman law.

Closely connected to the juridical imagery, which Paul portrays, by the use of the concept of δοῦλος are concepts such as εὐαγγέλιον, ἀφωρισμένος *(*having been separated), ὑπακοήν (obedience), κύριος

(lord) and κλητός (called). Each of these concepts connotes a theological meaning as well as juridical imagery.

Slavery was a well-known concept among the Jews and non-Jews in Rome. Under the influence of Roman law a slave was usually considered to be a male or a female owned by another, without rights and, like any other form of property, to be used and disposed of in whatever way the owner wished (Douglas, 1962:1195; Van Zyl, 1977:75). Paul's Roman law orientated addressees would be in a position to know how slavery came about, for example as a result of captivity, purchase, birth, restitution, default of debts or self-sale (Van Zyl *ibid*).

The Jewish section of the congregation would also have knowledge about slavery and the legal postion of a slave. Slavery had been practised since the times of the Old Testament (Douglas, 1962:1195). Theologically, Paul was a slave of Jesus Christ in the same way that ordinary people legaly became slaves of their masters.

The Greek concept of ε αγγέλιον (good news), which is normally translated by the word "gospel", is a concept of Classical Hebrew origin, meaning "bringer of good tidings" (Is. 40:9; 52:7; 60:6; 61:1; 2 Sm 4:10; 18:31). This concept was later translated as ε αγγέλιον in the *Septugint* (the Greek translation of the Old Testament) and used by the Greeks in connection with the reward given to the bringer (the messenger) of good tidings (Douglas, 1962:484) and possibly by the Romans, for example with regard to good news concerning Caesar's victories over the enemy, and with regard to Caesars honour. The inception of each new phase of a Caesar's reign was considered to be ε αγγέλιον, i.e.good news (Klijn, 1971:20). Paul's usage of the word "gospel", therefore, is a well-thought out, deliberate application of a Pauline method of contextualisation. The word ε αγγέλιον, as used by Paul, would then proclaim that the coming of Christ in the world was a new period. Paul therefore used a word from Hebrew and Hellenistic worlds and applied it ecclesiastically in the new era.

The concept of εὐαγγέλιον (Rm 1:1) would convey both to the Jew and the Greek juridical imagery of the bringer of good news or good tidings about their salvation σωτηρία (Rm. 1:16). The Jews would reminisce about the "good news" or "good tidings" about the salvation proclaimed to ancient Israel after an exile (Is 40:9; 52:7; 60:6; 61:1; 2 Sm 4:10; 18:31). The Greeks, on the other hand, would reminisce about the "good news", "good tidings" concerning Caesar's victories or a new political era when a new Caesar came into power. All these groups including non-Jews and non-Greeks would therefore form juridical images about salvation and relate it to the theological concept of the "good news", "good tidings" concerning their salvation from a sinful life. Lastly, the concept of εὐαγγέλιον, in its juridical connotated meaning, is confrontational and apologetic (cf 3.3.3 *infra*). This concept is confrontational in the sense that it is in opposition to the existing ideas with regard to good news amongst the Greeks and Roman and it is apologetic in the sense that Paul is defending his faith (cf Rm 1:16, 17).

A third juridical imagery is conveyed by the concept of ἀφωρισμένος in Rm 1:1 (present participle passive) which means "having been set apart". Just like a slave was separated from his previous *familia,* status and social life. In the same manner Paul has been separated. Theologically, a believer is separated from his/her previous life and set apart as a slave of Jesus Christ.

The concept of κύριος appears in the genetive (Rm 1:4) and means of the "lord" or "master" and also means having "power" or "authority". This concept conjured juridical imagery in Paul's addressees in the sense that they could imagine in terms of their frame of reference the owner of a slave having absolute power or authority over his slave to sell, to instruct and to have the slave at his beck and call. Theologically Paul was in the same position as a slave of Jesus Christ.

A fifth concept, which conveys juridical imagery in its relation to the concept of δοῦλος, is ὑπακοήν, which means "obedience" (Rm 1:5). A slave was legally expected to be obedient to his master. He was

at the beck and call of his master. Theologically, Paul is at the beck and call of Jesus Christ. He must obey Jesus Christ. So also is every believer expected to obey Jesus Christ and to be at his beck and call.

3.3.1.3 Exegetical Perspectives

The discussion of exegetical perspectives, which follows below, is presented in terms of a grammatical analysis of the constructions.

This approach will not be followed in the discussions following Rm 1:1-8.

As in the case of most of Paul's letters, the letter to the Romans commences with a prologue consisting of a salutation and thanksgiving. Reference is made to personal self-introductions and a prayer.

The opening proposition "slave of Jesus Christ" is constructed by using the accusative of the concept of κλητός to express the direct object followed by the genetive "of Christ Jesus" to express possession. The predicate "called to be an apostle" is in the same case as the direct object that is under the influence of δοῦλος. The expression ἀφωρισμένος is in the strong aorist passive participle form indicating that Paul's separation took place in the past and was completed in the past. The genetive "of God" in the expression "the gospel of God" (Rm 1:1) is the genetive of source denoting that God is the source of the gospel for which Paul was set apart to be an apostle.

The prepositional phrases qualify the expression "the gospel of God" in A1b. A preposition shows the relationship between two objects. It stands before (or governs) a noun, a pronoun, a noun phrase or a noun clause and its work is to show the relationship between the noun, pronoun, etc. and another word in the sentence.

In this connection the concepts of κλητός (Rm 1:1, 6, 7) and ἀπόστολος (Rm 1:1) are significant for the juridical imagery that Paul is conveying. The concept of κλητός means, "called", "invited" and the

concept of ἀπόστολος means "a messenger", "one who is sent on a mission". Paul, " the slave of Jesus Christ" has been "called" and "sent". The juridical imagery of the slave who is called and sent explains the theological concept in terms of which God calls and sends Paul and others (Rm 1:6, 7). The concept of κλητός embraces Rm 1:2 –1:6 forming a *chiasma* and closes the salutation in the first part of the prologue with κλητός in Rm 1:7.

The concept of κλητός is the basic concept from which the concept of ἐκκλησία is derived. The Greek concept, ἐκκλησία, which is normally translated by the word, "church", was previously used in the secular sphere in Classical Greek.

The concept of ἐκκλησία was in common usage for several hundred years before the Pauline era and was used to refer to an assembly of persons constituted by a well-defined membership, while in general Greek usage it was usually a social-political entity based upon citizenship in a city-state. However, this word came to be used by Paul to refer to a congregation of Christians, implying interacting membership (Louw & Nida, 1989:127,127,133; Steen, 1936:31,32). Etymologically this concept consists of the preposition ἐκ, which means "out" and the verb καλέω, which semantically means "to call", "to summon" as law-term, of the judge, *to cite* or *summon* before the court. As Robinson (1966:229) correctly indicates, this concept is a Greek secular or political word used for "a meeting or assembly" of citizens. Its commonest use was for the public assembly of citizens duly summoned (Steen, 1936:31; Ac 19:39). Therefore, when Paul uses the concept of ἐκκλησία, he is extrapolating a concept from the secular sphere, where it had a political or law connotation, to the theological sphere and connecting with it in order to explain the gospel concept of being called to the meeting of God. The believers are duly summoned citizens of the Kingdom of God to a meeting with God.

The expression "slave of Jesus Christ" is constructed by using the accusitive of δοῦλος to express the direct object followed by the genetive "of Christ Jesus" to express possession. The predicate κλητός ἀπόστολος is in the same case as the direct object, which is in the accusative under the influence of δοῦλος. The expession ἀφωρισμένος "having been separated" A1b is in the strong aorist participle

passive, indicating that Paul's separation took place in the past and was completed in the past. This concept is derived from ἀφορίζω "to mark off by boundaries from", i.e. "set apart". Paul uses the same concept in various contexts, for example in Gl 1:15 and 2:12. By using this concept in this context, Paul alludes to a personal experience in the past (Ac 9:15; Gl 1:15).

Paul is using a technique, which will be called the *referential technique*. A referential technique is a technique in terms of which the speaker or writer refers to Scripture or an incident in the past or present to be found in his statement, thereby indicating that his argument is founded on fact. Paul uses this technique in various instances in Romans.

The genetive "of God" in the expression "the gospel of God" is the genetive of source denoting that God is the source of the gospel for which Paul was set apart to be an apostel of.

The definite article may be translated as the demonstrative pronoun *which* or *that*. This feature of the definite article belongs, semantically, to the theory of reference (Leech, [sa] 167). Its function is to refer to a specimen of the same category, namely ε αγγέλιον in *A*1*b* "having been separated" *and* establishes a link between *A*1*b* and *A*1*b*i "He promised beforehand".

The prepositional phrases qualify the expression "the gospel of God" in A1b. A preposition shows the relationship between two objects. It stands before (or governs) a noun, a pronoun, a noun phrase or a noun clause and its work is to show the relation between the noun, pronoun, etc. and another word in the sentence.

*A*1*b*i is followed by two prepositional phrases, namely *A*1*b*ii "through the prophets" and *A*1*b*iii "in the Holy Scriptures" beginning with "through" plus the genitive and "in" plus the dative respectively. The genitive and the dative cases are, respectively, the governing elements in the expression. The function

of the prepositions only serves to make clear the exact meaning, which the phrases "the prophets" and "the Holy Scriptures" are intended to convey semantically.

The preposition "through" may be followed either by the accusative or by the genitive to denote motion towards. It is significant, however, that Paul syntactically connects the preposition "through" with the genetiveof the phrase "the prophets", instead of the accusative.

Paul thereby intends to convey, semantically, by using the genitive, the meaning, namely of *motion from*, which denotes that the promise about the ε αγγέλιον made beforehand was (*via*) through (*motion from*) the prophets. Though the genetivewould be expected to express its proper meaning of possession, there are two reasons why the expression "the prophets" is in the genitive. Firstly, the preposition *because* may be followed by the genitive, secondly, because in that form of the Greek language with which we are acquainted, we find the form, which we call the genitive case, used to express the meaning of the ablative case (*motion from*) as well as its own proper meaning (Nunn, 1965:28).

In the case of the preposition *in* with the expression "Holy Scripture" in the dative, all that Paul intends to convey is semantically the meaning of *place at, rest at* or *place where*. The preposition *in* is always followed by the dative to denote place (or time).

A1bi, A1bii, and A1biii represent verse 2. Verse 3 is represented by B1 (a) (i), B1 (a) (ii). Verse 4 is represented B1 (b), B1 (b) (i), B1 (b) (ii), B1 (b) (iii). Verse 2 consists of the following embedded prepositional phrases: "**which** He promised beforehand"; "**through** the prophets"; "**in** the Holy Scripture". A further cluster of embedded prepositions follows the previous three prepositional phrases: "**concerning** the son of Him who was born"; "**from** the seed of David"; "**according** to the flesh the designated son of God"; "**in** power"; "**according** to the spirit of holiness"; "**by** a ressurection of dead persons".

All these prepositional phrases are therefore related to each other and form a cluster in which all are downgraded from the first statement that ends with "separated for the gospel of God". The nominal sentence "the gospel he promised beforehand" is therefore described by means of a series of prepositional phrases signifying Paul's excited and rapid (*rapidus)* mode of speech.

Verse 2 commences with the definite article, which is originally a demonstrative pronoun. The definite article in *A1b*i retains something of its original demonstrative force. It is used here with reference to the antecedent noun ε αγγέλιον as the subject of the clause. Here it is used to denote that the abstract noun, ε αγγέλιον to which it refers, has just been mentioned, or would naturally be thought of in connection with the subject, which is being spoken about (Nunn, 1965:55,65).

The prepositional phrases *A1b*i, *A1b*ii and *A1biii* are semantically downgraded predications. *A1b*i is syntactically an adjectival phrase qualifying ε ς ε αγγέλιον θεο (*the euangélion of God*) in A1b and semantically also an attributive predication ε ς ε αγγέλιον θεο (*the euangélion of God*) in *A1b*.

The prepositional phrases "through his prophets" (A1bii) and "in the Holy Scriptures" (A1biii) are semantically downgraded modifying adverbial predications or arguments and syntactically adverbial phrases qualifying *having been separated from* in *A1b*. These adverbial phrases or arguments are both linked to the downgraded verbal predication *A1b* and the downgraded adjectival predication in *A1b*ii.
Verse 3 is represented by B1 (a) (i), B1 (a) (ii). The prepositional phrase "concerning Son of Him" in *B*1 (verse 3) connects with downgraded predications B1a "descendant of" with its embedded *B1a*i "the seed of David" and B1aii "according to the flesh". It further connects with downgraded B1b "designated Son of God" with its embedded B1bi "in power", B1bii "according to the Spirit of Holiness" and B1biii "by a resurrection of the dead".

The prepositional phrase in B1 (verse 3: "concerning") is syntactically connected a follows: the preposition peri followed by the genetive "His son" followed by the preposition "from", followed by the genitive"descendant of the seed of David". The preposition concerning may be followed by either the accusative or the genitive depending on the meaning (semantically) the writer wants to convey.

If the writer wants to convey the idea of place, time and number, he would use concerning followed by the accusative. If he wants concerning with a qualifying relative clause, he would use the genitive case, as in B1 (Verse 3).

"C" (verse 4) represents the second statement which consists of the subject "Jesus Christ", followed by a cluster of embedded prepositional phrases in verse 5-6: "**through** whom we received grace and apostleship"; "**for** obedience of faith"; "**among** all nations"; "**on behalf of** the Name of Him". These prepositional phrases are followed by a prepositional phrase "**among** whom are also ye" and a verbal phrase "called of Jesus Christ".

The concept of ησο Χριστο το κυρίου in verse 4 must be understood against the background of the use of the word κυριακός (*Lord*), which a secular word, originally with reference to the Caesar's cult, denoting Caesar's worshippers as "belonging to Caesar". This word came to be used by Paul to denote the "Lord's", that is, the Lord's possession or "belonging to the Lord".

In addition, according to Knopf (1920:35,36), the concept of κυριακός (Lord) was used with regard to Caesar's cult. Upon the question whether the expression "the day of the Lord" was with reference to the Sabbath alone, Knopf (*ibid*) states that this expression was used for the Hellenistic Caesar's cult too. According to him, the Christians developed their version of the expression in opposition to the Caesar's cult so that *κυριακός* (Lord's) was used with reference to Christ instead of Caesar. The word *κυριακός* means "belonging to the Lord" or "Lord's". It is an adjective for which there is no English equivalent. The only occurrences of this word in the New Testament can be found in 1Cor 11:20 when Paul uses it

in connection with the Lord's Supper and in Rev 1:10 where it is used in connection with "the Lord's day".

It is therefore clear that this concept is used in connection with emperor veneration. Worship or deification of the emperor was an accepted practice during Paul's era. Augustus Caesar was the first emperor to be acclaimed by many throughout the empire as a deliverer and a saviour. The worldwide acclaim given Augustus was not without precedent. In the fourth century before Christ, a young Macedonian prince named Alexander had been hailed as divine king in Egypt, in Asia Minor and right through much of western Asia. The people of the empire acclaimed Augustus not only as a human deliverer from conflict and struggle, but also as a divine saviour king. Although Augustus did not publically seek devine honours, as Alexander the Great (335-323 BC) did, he benefited from Alexander's success from the Mediterranean basin to the borders of India as devine king destined to unify the civilized world (Kee & Young, 1960:10). Emperor veneration continued from the time of Augustus throughout the existence of the Roman Empire. Some scholars are of the opinion that a Roman emperor was venerated and worshipped during his lifetime and even thereafter (Du Rand, 1997:241). This concept is therefore contextualised by Paul from the secular political or juridical sphere to the theological sphere.

"D" (verse 7a) represents a third Pauline statement that commences with a nominal sentence: "to all those being in Rome", followed by two verbal phrases, "beloved of God" and "called Holy".

"*E*" (verse 7b) consists of a nominal phrase: "Grace to you and peace", followed by two prepositional phrases, "**from** the Father of us" and "(**from**) the Lord Jesus Christ".

"*F*" (verse 8) consists of the fifth Pauline statement in his introduction, which also starts with a nominal phrase: "Firstly I thank the God of me", which is followed by a cluster of prepositional phrases,

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"**through** Jesus Christ"; "**concerning** all of you"; "**because** the faith of you is being announced"; "**in** all the world".

In the above the contents of Rm 1:1-7 are analysed and discussed not only to show that Paul used an interactive, multi-technique contextual discourse method, but also to show how he used it and how this method can be used.

The above information indicates how Paul uses an interactive, multi-technique contextual discourse method for the contextualisation of theological concepts in Romans and how he complies with the requirements of these techniques.

3.3.1.4 Theological Contextual Application

Paul introduces himself in Rm 1:1 by the name of Paul. This name has various implications. The first implication is contextual. Paul was, according to his own explanation, a Hebrew and Pharisee (Phlp 3:5). He was a zealous Pharisee (Gl 1:14). He refers to Abraham as his father according to the flesh (Rm 9:10). Jewish rites for circumcision were administered to him in terms of the Jewish Law (Phlp 3:5). He calls himself an Israelite, a descendant of Abraham, from the tribe of Benjamin (Rm 11:1) and circumcised on the eighth day, a Hebrew of Hebrews, with regard to the law, a Pharisee, as for zeal persecuting the church, as for legalistic righteous, faultless (Phlp 3:5, 6; 2Cor 11:32). Paul was born in Tarsus of Jewish parents but was brought up in Jerusalem. His name at birth was Saul and he was known by that name which is a Jewish name (Acts 7:58; 8:1, 3; 9:4, 17; 22:7, 13; 26:1).

The second important implication of the name Paul is ecclesiastical and theological, in the sense that this name is an assumed named after his repentance. The change of name from Saul to Paul appears for the first time in Acts 13:9 and thereafter 13:13, 16. There appears to be no legal reason for the change of name from Saul to Paul. Paul's change of name can only have legal implications if Paul was a freed slave.

In terms of Roman law, a slave who was released on the grounds of formal release or freedom (*manumissio*) from a former *familia* where he was under the *patria potestas* of a *paterfamilias* who was his master and whose name he bore, but subsequently bought by another *paterfamilias* and thus entered into his *familias* and under his *patria potestas,* would then assume the name of the new *paterfamilias*. This scenario did not apply in the case of Paul because Paul was not a freed slave from a legal point of view. He was born of freed parents and was himself a Roman citizen by birth (Ac 22:28).

Nevertheless, the only possible basis for Paul's change of name from Saul to Paul may be linked to the above Roman law principle whereby a slave could enter a new *paterfamilias* and adopt a new name associated with the new *paterfamilias*. In Rm, 1:1 for example, Paul refers to himself as "a slave of Christ Jesus".

Paul had not been known as Paul before his conversion (Ac 9). He was known as Saul or Saulus. A change of name therefore actually took place as a result of his conversion. This is, indeed what transpired juridically, figuratively and theologically. In the first place when an erstwhile slave entered his new *familia* he was given a new name and in the second place when an erstwhile slave of sin entered the family of God - he/she was given a new name. Cranfield (1975:483) refutes the suggestion that Saul's name was changed to Paul at the time of his conversion as altogether unlikely, because there is absolutely no support for it in the New Testament. This refutation is substantiated by the above named author as follows: an indication that the author of Acts had no such idea is clear from the fact that while Saul's conversion is related in chapter 9 the name Paul is not introduced until Romans 13:9.

Cranfield argues on the basis of the fact that a Roman citizen customarily possessed three names namely: a *praenomen* or a personal name, a *nomen* or a clan name and a *cognomen* or a family name, it is probable that Paul possessed three names. It is probable that one of the two names given in Acts 13:9 was one of Paul's *tria nomina* and the other a *signum* or *supernomen,* an unofficial, informal name,

additional to the three official names such as was common during this time in the East.

'Saul' in a Latinised form could have been the apostle's *cognomen,* and 'Paulus' his *signum* or other way round 'Paul' being his *cognomen* and 'Saul' in its Semetic form his *signum (*1975:49,50)

The change of name as having been as a result of his conversion however is not far fetched. This is perhaps how the change of name or the "Christian name" practice in the Christian Church may be understood. Many objects of Evangelism, after their conversion to Christianity, adopt Christian names or change their names to Christian names.

Some deduce from this name a reference to Paul's size, which would then be an indication that Paul was short in size. However, there are no grounds for such deduction. The reference made in 2Cor 10:10; 1Cor 15:9 or Eph 3:8 has nothing to do with Paul's size but rather with his line of succession as an apostle. This deduction seems to be more accurate as Paul was indeed the last or smallest apostle, not necessarily in size but in the line of succession as apostle, and Paul acknowledged it with utter humility. However, seen against the background of Paul's conversion, the change of name denotes a new relationship, this time with God.

Prior and during the Principate under Hellenistic influence people had two names: a name in their own language, used by close friends and family members, and a name in the Greek language used by business associates or the wider commercial world. Sometimes the native language name was translated into a Greek name, for example *Cephas* means *rock* in Aramaic and *Peter* means *rock* in Greek; *Thomas* means *twin* in Aramaic and *Didymus* means *twin* in Greek; *Tabitha* means *gazelle* in Aramaic and *Dorcas* means *gazelle* in Greek. The name change among the Pauline era community, however, had a unique significance which may be associated with the element of contextualisation in the Bible, whereby pagan practices such as name changing were used with a new purpose, but in this instance to bring the message of God closer to the people.

The change of name may also be juridically explained with reference to the concept of ψ φος

(*psēphos*) in Ac 26:10 and Rv 2:17. According to Gemser (1959:743), this concept refers to a small smooth stone used during the Pauline era when a decision had to be taken as to whether a criminal should be sentenced to death or not. When a vote had to be cast (cf Rev 26:10), two stones or pebbles were used. The one was black and the other was white. If the black stone was chosen it meant that execution of the death penalty had to take place. If the white stone was chosen it meant that execution did not take place. The prisoner was therefore acquitted and his name was then written on the white stone. The significance of this concept which is derived from Roman Law practice during the Pauline era is, therefore, that the erstwhile sinner who has been acquitted by the grace of God through Jesus Christ is given a new name, thus Rv 2:17 "…To him who overcomes… I will also give him a white stone with a new name written on it, known only to him who receives it". The fact that the prisoner's name was written on the white stone symbolised that the acquittal was absolutely personal and irrevocably certain. The new name was given to the erstwhile criminal or sinner to indicate that as a result of his acquittal his whole being had been renewed and a new dispensation began in his life (Gn 17:5; 32:28; 35:10). The name changing therefore, theologically, has something (if not a lot) to do with God's merciful and graceful intervention to choose (vote) for the acquittal of the sinner and give him a new name, a new family of God, with God as the head of the household and the new life in Jesus Christ.

In view of Cranfield's argument (*op cit*), Paul's change of name may also be viewed with regard to Paul's citizenship. That Paul was a Roman citizen is clear according to Acts 21 and 22. The dialogue between the commander and Paul (Acts 21:37-39; 22:27, 28) reveals that Paul was a Roman citizen by birth. Secondly, that the commander was also a Roman citizen but his citizenship was purchased. He had to pay a high price for it. Citizenship could therefore be acquired by various means, according to Roman law. Paul was therefore a Roman citizen. When the Roman Commander in Jerusalem attempted to treat Paul like a non-citizen, a *peregrinus*, Paul indicated immediately that he was a Jew from Tarsus in Cilicia, a citizen of no ordinary city (Ac 21:39).

The Roman legal principle applicable here was at issue. Roman law distinguishes between *peregrinus,*

which means foreigner, and *incola,* which means a citizen of a particular city or province of the Roman Empire. Different legal principles of procedure or jurisdictional principles applied in each case.

As in the case of most big cities of the Roman Empire, not all the inhabitants of Tarsus could have been Roman citizens by birth. Roman law of persons had a division of status among the inhabitants of each city under Roman rule. Gaius, one of the most famous jurists, put it this way: *Et quidem summa divisio de iure personam haec est, quod omnes nomines aut liberi sunt aut servi.* Freely translated, this means: "the most important division of the law of persons is naturally the following: all people are either free (*liberi*) or slaves (*servi*), according to Gaius" (G.1.9 quoted by Van Zyl, 1977:396).

An exegesis of Paul's line of argument reveals the following possible contextual application.

In Rm 1:1, Paul uses the concept of "*slave*". This is a concept which Paul uses with forensic connotations in various texts (Rm 6:6, 15, 17, 19, 20; Rm 7:6, 25; 12:11; 13:16; 14:18; 16:18; 19:18; Gl 1:10; 3:28; 4:8, 25; 5:13; Eph 6:5, 7; Col 3:22, 24; 4:1; 1 Th 1:9; Tt 1:1; 3:3; 2 Tm 2:24; Phlp 2:22). Paul, therefore, is using a concept, which is well known to his addressees, says he is a "slave of Jesus Christ". He uses this concept to contextualise and to explain the ε αγγέλιον of God and his relationship to Jesus Christ.

According to Brown (2001:729), Paul's contextualisation of the concept of δο λος is indicative of his knowledge of the differences in the legalities of slavery and their possibilities for application. By invoking the legal status "slave" Paul is able to communicate effectively a model by which believers, as educated Romans, who were knowledgable about their legal system and practice, could understand their incorporation into this new community.

According to the Roman law of persons, there were various ways by which a person could become a slave to someone. The most important way by which a person could become a slave was by being imprisoned, by birth or punishment (Van Zyl 1977:75). Paul's enslavement in the theological sense was

not by means of birth or punishment. At best it could have been by means of "captivity" by Jesus Christ in the theologically contextualised sense of the word (Ac 9:3, 4, 5; 22:6, 7, 8; 26:13, 14, 15).

A slave was both a person (*persona*) as well as a thing (*res*) so that his legal position in Roman society meant that as a thing (*res*) of his master (*dominus*) he had no legal capacity and his master could in principle do whatever he wanted to do with him. As a slave, he could not enter into a Roman marriage. He had, in addition, limited capacity to act in the economic sphere to the extent that whatever assets he obtained belonged to his master. He also did not have any capacity to act in the legal sphere. He had no legal standing in court (*locus standi in iudicio*). He had to be assisted by his master. A slave could not bind his master contractually. On the other hand, the master was responsible for the wrongful actions of the slave in terms of the *action noxalis*. Whatever the slave did wrongfully was attributed to his master. An interesting aspect of the slave's capacity to act was the so-called *peculium,* in terms of which a master often gave wealth, assets, power, ability, faculty or potency to his competent or efficient slave (Van Zyl, 1977:75,76).

By using the term "slave" Paul is therefore explaining to his addressees that he is in a servile relationship with Christ. His addressees were well acquainted with this type of relationship and with every aspect of its consequences as stated above. He therefore connects with the concept of slavery with the intention of explaining this relationship.

The concept of "slave of Jesus Christ" must be seen against the background of Paul's "conversion" (Ac 9:3, 4, 5), as well as against the background of the concept of "*called*" and the expression "*having been separated*".

In Romans 1:1 Paul introduces himself by using a concept, which has a forensic or legal connotation. This concept is "*slave*" which Paul uses intentionally. In accordance with the Graeco-Roman rhetorical element of θος, a writer or speaker had to describe himself positively and thereby present a positive

picture of himself to his listeners or readers. When Paul describes himself as a "slave" of Jesus Christ, he is not taking up a negative stance, but rather a positive one.

The lord or owner of a slave had absolute power over the slave. The power of the owner of the slave was similar to the power (*patria potestas*) by a father (*pater familias*) over his household (*famila*). The owner of the slave had the right to life and death (*iuris vitae nescique*) over his slave. He could kill, sell or abandon the slave. Paul sees himself, therefore, as the absolute property of Jesus Christ. For this reason Paul has to be obedient (Rm 1:5).

The object of slavery was to render personal services to a master by means of a slave. The slave was thus at the beck and call of the master to render personal services at the behest of the master. Services to be rendered were at the disposal of the master who could, at his own discretion, decide whether or not he wanted them rendered. So the slave was subordinate to the will of the master and under the absolute control of the master. He was obliged to obey the commands of the master who had the absolute right of supervising and controlling him by prescribing to him what work he had to do as well as the manner in which it had to be done.

A prisoner who became a slave ceased to live for himself as soon as he became a slave. It is for this reason that Paul could say that he no longer lives but Christ lives in him (Gl 2:20). Paul therefore uses a legal metaphor of the relationship between a slave and his master to explain not only his relationship with Jesus Christ, but also the relationship between the Roman believer and Jesus Christ (Rm 1:6).

Paul, therefore, says he is a "slave of Jesus Christ". This word means to *be a slave, to be subjected to, to serve, to be under control by someone.*
Hence, the idea that Jesus Christ is in a state of complete control over Paul.

Consequences of being a slave, which are of importance for the relationship between Christ and the

believer, were that the slave had no legal capacity. He had limited capacity to act. This means that he could not enter into any contracts and thus bind himself to any person. Whatever the slave procured belonged to his master (*dominus*). On the other hand, according to Roman law, the master was responsible for the debts of the slave in terms of an action (*actio noxalis*). Whatever the slave did wrongfully, his delictual and criminal deeds were carried over to his master.

Paul is therefore explaining his relationship with Christ by contextualising it within a familiar relationship normally experienced between a slave and his master. Paul knew that his addressees were well acquainted with this type of relationship and with every aspect of its consequences as stated above. He therefore connects with the forensic connotation of this concept.

As a slave of Jesus Christ, Paul is in a unique position of relationship. He belongs to Jesus Christ. He is Jesus' belonging. Jesus has taken upon Himself every debt, wrongdoing and sin of Paul. Jesus is his master.

True to the presentation of a rhetorical discourse, Paul applies the first principle of Graeco-Roman rhetorical discourse, namely the θος, in terms of which he adopts a persuasion, made by describing himself as a slave of Jesus Christ.

The concept of *"slave",* in Rm 1:1, connects with Rm 1:5 *"obedience"* and *"called"* in Rm 1:6. With these concepts Paul appeals to the emotions of his addressees and thereby applies the πάθος, which is also evident in Rm 1:7.

In between Rm 1:1 and Rm 1:7, Paul persuades his addressees indirectly and inductively, by means of a logical and semantical argumentation using logical propositions and semantical predicates. In this way Paul applies the λόγος principle of Graeco-Roman rhetoric and an interactive, multi-technique contextual discourse method.

Paul's usage of the word εὐαγγέλιον is a well thought out, deliberate application of a Pauline method of contextualising theological concepts with daily issues with which the community was in contact. This word is a singular word with a plural meaning and originates from the Greek interpretation of the Sĕpt´ūagĭnt (the Greek interpretation of the Old Testament). In the Hithpael it means *to receive good tidings* (2 Sm 18:31), *good tidings, news, reward for good tidings* (2 Sm 4:10).

The term εὐαγγέλιον must be construed as having a double meaning: firstly, as the message *per se,* and secondly as a way of life. Both these meanings may be discerned from Paul's usage of the term εὐαγγέλιον in Romans. The origin of the word *"euangélion"* may be traced back to the Old Testament: מְבַשֵּׂ רֶת. The root of this word is בָּשַׂר, which means "proclaiming good tidings", or "the bringer of good news" (Is 40:9; 52:7; 61:1, 2).

 This expression of "bringer of good tidings" was used to comfort Israel during or after a period calamity (Is 40:9; 52:7); or during their time of sorrow brought about their transgressions. Israel's salvation, forgiveness or redemption came as good news under such circumstances. Israel's suffering was in turn a result of their transgression of the Commandments. There is, therefore, a judicial or legal element in the expression "bringer of good tidings".

This expression is comparable to the good tidings brought to a convict about his acquittal or release on the basis of his completed penalty or pardon..Paul's use of the concept of εὐαγγέλιον is used with this connotation in mind (Eph 1:13).

In Classical Greek literature the word εὐαγγέλιον also designated the reward given for good tidings. Etymologically and lexically this same meaning is conveyed in the neuter singular form *to εὐαγγέλιον* (Liddell & Scott, 1968:278). Dunn (1998:167,168) refers to a striking feature of the absence of the singular noun in the Sĕpt´ūagĭnt (the Greek version of the Old Testament and abbreviated as LXX) and

in any Hebrew equivalent. Dunn refers to the unfamiliarity of the singular form in these Greek texts (*ibid*). Seemingly a word, which appeared originally only in the singular, became a plural word.

Paul, as a servant of Christ Jesus, called to be an apostle and set apart for the εὐαγγέλιον of God - the εὐαγγέλιον he promised beforehand through his prophets in the Holy Scriptures regarding his Son - concludes his opening address with "to all in Rome who are loved by God and called to be saints". Here Paul applies the Graeco-Roman techniques of letter writing by humbling himself and praising his addressees. The εὐαγγέλιον of God must therefore be proclaimed in humility.

Paul adopts the demeanour and humility of a slave. As previously mentioned before, according to Roman law a person could be a slave as a result of imprisonment, birth, punishment or having been bought by one *paterfamilias* from another *paterfamilias* to become a member of the latter's household. Paul has been bought through the blood of Christ from a *paterfamilias* of sin to another *paterfamilias* of Christ (Rm 8:14-16; 14:7-9). Every believer is therefore bought and belongs to Christ (1Cor 6:19,20). Slavery could be terminated in one of the following ways: by formal release (*manumissio*) by the master of the slave or by informal release, which was by virtue of an act of the State (Van Zyl, 1977). Acts 22:28 refer to another form of release: by means of paying a high price. Most of the inhabitants of Tarsus, including Paul's parents, could have been released from the position of slavery in one of the above ways and consequently became Roman citizens and enjoyed full capacity which entailed the following: *ius suffragii* (the right to vote in the people's meeting), *ius honorarium* (the right to be elected as a Roman magistrate and the right to occupy a military office), *ius conubii* (the right to enter into a lawful Roman marriage), *locus standi in iudicio* (the right of appearance in a Roman court of law as a party), and *ius commercii* (the right or capacity to take part in commercial transactions).

The first three of the above capacities had to do with public law while the others had to do with private law (Van Zyl, 1977:79). In addition, a person could also be born as a citizen. This could be the case if both parents had the right to enter into a Roman marriage (*ius conubii*). This meant that the parents

either had to be Roman citizens by way of one of the above ways of attaining citizenship or the *ius conubii* must have been granted by the State for meritorious services rendered to the State. In addition, the parents were required to have entered into a lawful marriage (*iustum matrimonium* or *iustae nuptiae*). Such people were free men, could become citizens and their children could inherit citizenship as was the case in all of the above instances (Van Zyl, 1977:78). In principle all free men (*ingenui*) were Roman citizens (*cives*) and had the full capacities mentioned above. Paul enjoyed such capacities (Ac 22:25-29). Therefore, Paul's addressees could relate their release from the slavery of sin in their former *paterfamilias* to the slavery of Christ who is the new *paterfamilias*. The difference is that this time round they are free men in Christ Jesus.

3.3.2   Romans 1: 9-11   Paul's Appeal to the Emotions of his Addressees With Pertition

Prior to Romans 1:9 Paul refers to his addressees as κλητο (Rm 1:6,7) of Jesus Christ. The concept κλητο suggests that Paul's addressees had been called from a certain background. Regarding the background of Paul's addressess, Crafton (1990:320,321), refers to Peter Lampe's massive dissertation.

In this dissertation evidence from archeological, epigraphy, ancient historical records, and New Testament writings, demonstrates the diverse background of the Roman Christian congregations during Paul's time. These congregations consisted of people called from pagan communities, from regions "where the Jews had numerous scattered synagogues, from overpopulated areas of lower socio-economic character". Meeks, in his contribution, concludes that the Pauline congregation generally reflected a fair cross-section of an urban society (1983:63-72). It may therefore safely be stated that Paul's addressees were called from a cross-section of urban, Roman law orientated, pagan, Jewish or Greek communities.

3.3.2.1 Structure

```
        ⌐──── ⁹μάρτυς γάρ μού  στιν  θεός
   A ──┤
      A1└── ²    λατρεύω
      A2 ── ν τ   πνεύματί μου
      A3 ── ν τ ε αγγελί  το υ ο α το
      B1 ── ς  διαλείπτως μνείαν  μ ν ποιο μαι
   B ──┤        ¹⁰πάντοτε  π  τ ν προσευχ ν μου
      B2(ii) B2(i)
              B2a(ii)  δεόμενος
                        ε  πως  δη
                           ποτ  ε οδωθήσομαι
                              ν τ  θελήματι το  θεο
                              λθε ν πρ ς  μ ς
      ⌐── ¹¹ πιποθ  γ ρ δε ν  μ ς
   ──┤        να τι μεταδ
            χάρισμα
               μ ν
               πνευματικ ν ε ς τ  στηριχθ ναι  μ ς
```
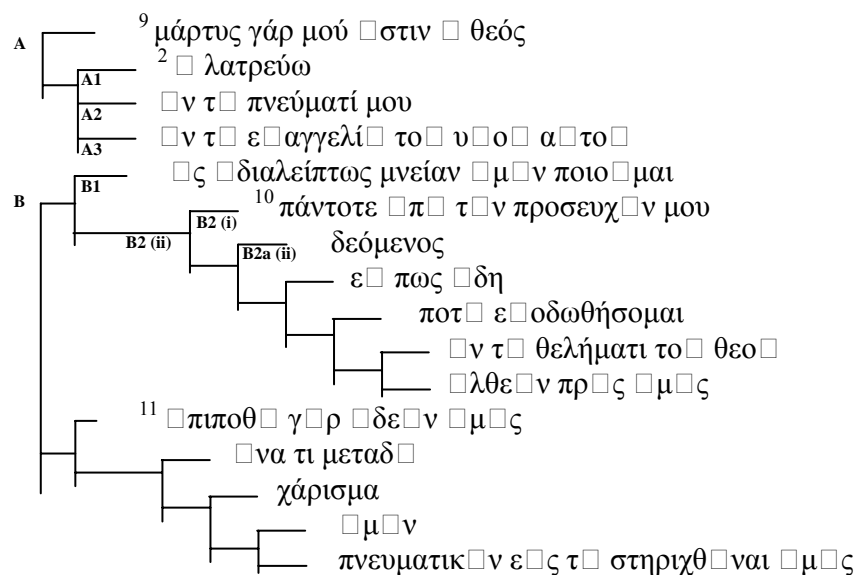
3.3.2.2 Selected Juridical Imagery

Key selected concepts that convey juridical imagery are μάρτυς,   φειλέτης and λατρεύω. The concept of μάρτυς (witness) conveys juridal imagery – a picture of someone witnessing the happening of an event. This was a well-known activity in Roman times and Paul's addressees should have been familiar with it. The concept of λατρεύω has a juridical connotation and conveys a picture of someone who is in a servile position. There is a connection between this concept and the concept of δο λος. This connection portrays a picture of a slave in a servile position serving his master. The concept of   φειλέτης (Rm 1:14) means a debtor or a person under an obligation. This concept has a juridical content and was well known during Paul's time and was often used with reference to a legal duty to perform or a legal consequence (cf 3.2.4 *supra)*.

This concept is sometimes translated, as "ought", meaning to be bound on the grounds of moral or legal requirements (Jn 19:7). Cognate forms are   φείλημα (Rm 4:4), which means to be bound on the ground of duty or commitment (cf 3.3.3 *infra*).

3.3.2.3 Exegetical Perspectives

Paul's opening statements in Rm 1:9-11 are characterized by Paul's further appeal to the emotions of his addressees. This technique of Paul is sometimes misunderstood as a sign of insecurity on the part of Paul (Holloway, 2003). Such an interpretation, however, fails to recognize a very important aspect of rhetorical discourse, which Paul applies effectively in verse 9-11, namely the use of flattering words in order to touch the emotions of the addressees, or simulated condescension.

The structure above highlights Paul's use of semantical, rhetorical techniques, built around juridical imagery conveyed by the concepts of μάρτυς, φειλέτης and λατρεύω.

The main statement is "God is my witness". This statement is interrupted and followed by an adjectival clause qualifying "God" in A followed by an adverbial phrase of manner (A1 and A2) describing how Paul serves God "with my whole heart…" followed by a prepositional phrase (A2) "in preaching the gospel of His Son". The main statement is continued in B1 followed by downgraded phrases B2 (i), B2 (ii), etc. The second statement is verse 11, which also consists of a main statement, followed by downgraded phrases.

The concept of μάρτυς in verse 9 means "witness", "testimony", "evidence", "proof", "to affirm solemnly" (Ac 1:8; 6:12; 7:58; 13:21; 4:32; 7:44; 20:26; 22:15, 18, 20; 26:22; 1 Tm 2:6; 3: 7; 5: 19; Gl 5:2; 1Th 2:5, 12, 19; Phlp 1:8; Tt 1:12; 1 Cor 1:6; 2:1; 2 Cor 1:12, 22; 13:1). The use of this concept by Paul in its entire cognate form conveys juridical imagery which Paul utelises to contextualize theological concepts.

A witness, according to Roman law, was a person who gave evidence about the truth or falsity of some event, occurrence or statement in a court of law. A witness was also a person who observed the signing of a legal document in case it was subsequently necessary to verify the authenticity of such signature, for example, when a will was signed by a testator it was required seven witnesses be present to verify

the testator's signature (G.2.119 quoted by Van Zyl 1977:418 fnt 22). The witness added his own signature to that of the testator as a sign that he was present at the time of the signing of the will. This function of a witness is still recognized in contemporary legal practice (Martin, 2002:538).

The above texts are examples of the forensic contexts within which the concept of μάρτυς (witness) is used by Paul and in Acts. The concept of μάρτυς (witness) itself has a legal content.

A study of the texts in the Romans, where he uses this concept, reveals the manner in which Paul contextualises this concept to explain certain aspects of the εϋαγγέλιον. Sometimes he contextualises this concept, to explain the dynamics of the εϋαγγέλιον by using another contextualised concept.
In Rm 8:16, for example, Paul use the concept of μάρτυς (witness) in the context of explaining another contextualized concept in the preceding text (verse 15), namely "sonship" and explaining "adoption".

The testimony of witnesses was one of the most important requirements for a valid adoption in Roman law. Five adult citizens had to be present during an adoption ceremony (Van Zyl, 1977). By connecting with this Roman forensic practice and using Roman forensic concepts, Paul explains the theological process and consequences of adoption as children of God.

Paul uses and contextualizes the concept of μάρτυς (witness) in various forms and contexts: 1 Tm 2:6; 3:7; 5:19; Tt 1:12; 1 Cor 1:6; 2:1; 2 Cor 1:12, 22; 13:1; 1 Th 2:5, 19; 2 Th 1:10; 2:12; Phl 1:8; Gl 5:2; Rm 1:9.

The concept of μάρτυς (witness) was therefore during the Pauline era used for serious matters with various legal implications. In a Roman court of law, a man could not give in evidence an ungrounded account of events. The evidence had to be based on the witness' personal experience of the event (for example in the case of a will). This is the meaning which Paul conveyed to his addressees concerning

being a witness or testifying (the idea of telling a personal experience about events or about someone).

Paul says that God is his witness, in other words, God is in the position in which a witness according to Roman law would be when he testifies about the truthfulness of an action. He relies on God as a truthful witness because he serves God in his spirit.

The concept of φειλέτης (Rm 1:14) (a debtor), i.e. "a person under an obligation" has a juridical content, and was well known during Paul's time and was often used with reference to a legal duty to perform or a legal consequence (cf 3.2.4). This concept is sometimes translated as "ought", meaning to be bound on the grounds of moral or legal requirements (Jn 19:7). Cognate forms are φείλημα (Rm 4:4), which means to be bound on the grounds of duty or commitment (cf 3.2.3).

The expression "whom I serve in my spirit" is a revelation of the fact that there is a spiritual relationship between God and Paul. This expression is reminiscent of what Jesus Christ said in Jn 4: 24.

The concept of λατρεύω "serve" must be seen against the background of the concept of δο λος (slave) in Rm 1:1 and κυρίος (Lord) in Rm 1: 4. In Rm 1:1 Paul calls himself a "slave of Christ Jesus". By using this concept in this expression, Paul acknowledges that he is a servant of Jesus Christ and that Jesus Christ is his Lord. In Greek, the word κυρίος (Lord) describes someone who is a master; who has authority; who has the undisputed possession of a person or a thing (Abbot-Smith, 1968:261).

This concept, therefore, has a Roman legal connotation with reference to custody or control of a person or an object; it means absolute control by a master or owner. The service rendered by the slave is based on an obligation. The slave has no choice but to obey. In verse 14, 15, Paul describes this obligation as having to do with Greeks, non-Greeks and those who are in Rome (referring to the believers).

Paul says that he serves God in his spirit. A person's service to God must be a service in spirit (Jn 4:24).

A person's spirit is the most intimate part of a person. It is that part of a person which connects him/her with God. God reveals Himself in Scripture as Spirit and that He created man into His image (Gen 1:26; 5:1; 9:6; Col 3:10). As this is the case, there must be a connection between God and man. This connection must be sought in man's spirit. True and genuine service is when a person, through his spirit, attains intimacy with and obedience to God, who is Spirit. Paul, therefore, attains his absolute service to God spiritually.

Here again Paul uses well-known Graeco-Roman rhetorical techniques. Paul, by using the concept of λατρεύω humbles himself and thereby he appeals to the emotions of his addressees and portrays his character positively. He therefore applies the techniques of πάθος and θος.

Paul further says that he serves God in the spirit in the εαγγέλιον of His Son. The preposition *en* (in) with the dative denotes place. Paul therefore serves God **in** the εαγγέλιον of His Son, denoting the εαγγέλιον thereby as a place or location with which he connects or in which he resides. This meaning of the gospel gives expression to the idea of the gospel as a way of life.

The concept of εαγγέλιον means good news or good tidings (Rm 1:16; Gl 2:2; 1Th 2:4). Paul's service to God has as its basis the εαγγέλιον of His Son, which is the good news concerning their salvation. This use of the word εαγγέλιον has an Old Testament connotation (Is 40:9; 52:7; 60:6; 61:1: 2 Sm 4:10; 18:31): The basis of the good news concerns their salvation, forgiveness and redemption. Their suffering was in turn a result of their transgression of the law of God. There is therefore, as in the Old Testament, a judicial or legal element in the expression εαγγέλιον. This is comparable to the good tidings brought to a convict about his acquittal or release on the basis of his completed penalty or pardon.

Verse 10-11 contains the typical technique of appealing to the emotions of the addressees and portrays a

positive picture of Paul's character. These verses are loaded with complimentary words and persuasive phrases. This rhetorical technique was very popular in Paul's time. Some examples can be found in the New Testament, namely Mk 10:17; 12:14; Mt 19:16; 22:16; Lk 20:21; Jn 3:2; Ac 17:23. Paul applies this technique from verse 8b "because your faith is being reported all over the world". Such words and phrases were not used for the purpose of simple flattery, but they were specially chosen with a special intent as a technique by which the addressor appealed to the emotions of the addressee. The aim of using this technique was, on the one hand, to be condescending towards the addressees and, on the other hand, to gain the addressees favour. In both instances the object was to appeal to the emotions.

This rhetorical technique was similar to the πάθος, which was a quality in speech or writing, which aroused a feeling of pity, sympathy or tenderness on the part of the addressee. Usually the πάθος was used at the end of a discourse followed by the main statement, which the speaker wrote or wanted to make. The statement was usually a premiss, intertwined with rhetorical and legal- hermeneutical techniques. This was known as the λόγος, which entailed logical arguments.

Verse 11 and 12 is, according to Holloway (2003:113), with reference to Rm 15:14-16, a self-correction and affected defence on the part of Paul. This is, however, in both quoated sections not the case, because in both instances Paul is once again applying the rhetorical technique of appealing to the emotions of his addressees by means of self-abasement or condescension, that is, lowering himself in the positive sense of the word, while graciously showing his feelings of superiority and on the other hand, playing down his addressees, that is, deliberately talking to or behaving towards his addressees so that they do not feel inferior. Paul is talking to them deliberately in this manner. The main purpose of this manner of speech is to gain the support or favour of his addressees.

3.3.2.4 Theological Contextual Application

Paul's chief statement occurs in verse 9, in which he says, "God, whom I serve in my spirit…". Jesus

made a similar statement to the Samaritan woman "God is Spirit, and His worshippers must worship Him in spirit and truth" (Jn 4:24). Therefore, a person's service to God must be a service in spirit - a constant spiritual relationship with God. This spiritual relationship exists constantly (the concept of λατρεύω is in the present indicative).

The experience of Paul is testified by God Himself as a witness, just as in the case of a witness in a Roman court. In a Roman court of law, a witness would not give in evidence testimony of ungrounded accounts of events. The person testifying had to have had a personal experience of the event, and his testimony had to be based on such experience. Gods' testimony is therefore based on His own personal experience as a witness of the events.

Paul therefore says that God, as his witness, is in a position similar to that of a witness in a Roman court of law. The truthfulness of God's tesimony can therefore not be doubted.

3.3.3   Romans 1:13-15 Paul's Purpose, Mission and Mandate

The structure is provided to facilitate understanding of exegetical perspectives under 3.3.3.3 below

3.3.3.1   Structure


```
            ┌─
            │  ┌── 13ο  θέλω δ     μ  ς  γνοε  ν,   δελφοί,
      ┌── A │        τι πολλάκις προεθέμην   λθε  ν πρ  ς   μ  ς,
      │     │  ┌──  κα     κωλύθην  χρι το   δε  ρο,
      │     │  │  ┌──  να τιν   καρπ  ν σχ
      │     └──┤  │  ┌──  κα     ν   μ  ν
      │        └──┤  │  καθ  ς κα    ν το  ς λοιπο  ς   θνεσιν
   ┌──┤           │  ┌── 14  λλησίν τε κα    βαρβάροις,
   │  │     ┌─────┤  σοφο  ς τε κα    νοήτοις
   │  │  B  └──       φειλέτης ε   μί,
   │  │
   │  │     ┌── 15ο  τως τ  κατ    μ
   └──┤  C  ├──   πρόθυμον κα
      │     └──   μ  ν το  ς  ν   ώμ
      └──
                              110
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— εὐαγγελίσασθαι
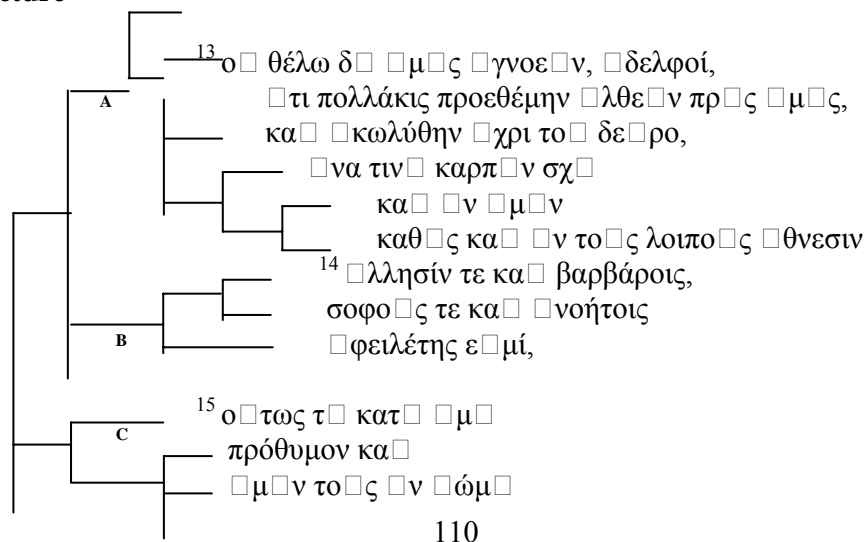
3.3.3.2 Selected Juridical Imagery

The concept   φειλέτης translated as "*a debtor*" in verse 14 is derived from a Greek word, which means, "to be under obligation in terms of a law" (Jn 19:7). Paul uses this concept in Rm 8:12 (in a sense of obligation), 15:27 and Gl 5:3 (in the sense of debtor). In all these instances, however, this concept has the same connotation of being indebted and being obligated to meet a commitment. This concept has a forensic connotation with legal-hermeneutical implications. It is therefore significant that Paul uses it in this verse. The idea behind this concept is the idea of a *quid pro quo*, which refers to a mutual consideration (literally *something for something*), that is, something given as equivalent for something else.

This concept was a well-known legal or forensic term in Paul's time (the word "forensic" means having to do with law courts and is derived from the word "*forum", plural "fora",* which means courts). According to Roman law of contract, an obligation ensued, resulted from contracts (*obligatio est filia contractum*). In the Institutes (3.13 pr) it was stated as follows: *obligatio est iuris vinculum, quo necessitate rei secudum nostrae civitis iura* ("an obligation is a bond or tie of the law by which we are so constrained that we must of necessity render something in accordance with the laws of our state") (Hiemstra & Gonin, 1981: 234).

In the Digesta (44.7.3 pr.) it is stated that *obligationum substantia…in eo obstringat ad dandum aliquid, vel faciendum vel praestandum* ("the nature of the obligations…consists…in that they impose a duty upon another to give, to do or to be responsible for something on our behalf") (Hiemstra & Gonin, 1981: 234).

Paul, knowing that his addressees were familiar with the principles underlying the concept of φειλέτης, used this concept contextually in order to explain his position with regard to the preaching

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of the εαγγέλιον and therefore, contextualising a forensic concept to explain an εαγγέλιον truth.

3.3.3.3 Exegetical Perspectives

Romans 1:13-15 forms part of the beginning of the central section of the letter. The perspectives reflected upon in this section are the logical and legal-hermeneutical perspectives. These perspectives, however, do not exclude the previous perspectives that may be fruitfully applied in this section as well.

Verse 13-15 is a continuation of the πάθος and θος, which stretches from the previous verses. In verse 14 Paul refers to Greeks and Barbarians. By using the concept of "Greeks", Paul refers to the wise, and by using the concept of βαρβάροις "non-Greeks" Paul refers to the foolish. He is not juxtaposing Greeks and Barbarians, he is also not distinguishing or contra-positioning Greeks as against Barbarians, but rather distinguishes or contra-positions the wise against the foolish. He is referring to Greeks not by race and birth, but rather by culture and intellect. Greeks were intellectually and culturally more advanced than the Barbarians. The non-Greeks were described by the use of the term *bar-bar,* in the concept of βαρβάροις which meant ugly, unsophisticated, uncultured or uncivilized. Their use of the Greek language was also *bar-bar* meaning that it was not sophisticated and flexible, compared to the Greeks' use of the language (Barclay, 1975:17) Paul is therefore, indebted, obligated to preach the εαγγέλιον to the educated as well as to the uneducated, to the wise as well as to the foolish.

Paul is expressing this idea by means of a *chiasma.* This technique is derived from the Greek letter X and it refers to a cross-arrangement of clauses or propositions. The arrangement is as follows:

Greek   Non-Greek

The wise   the foolish
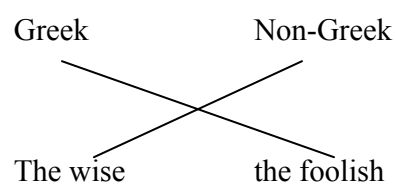
This method, according to Fitzmyer (1993: 91,92), is one of the characteristics of Paul's use of artificial rhetoric due to the influence of some contemporary rhetorical style. Therefore he introduces into his letter a number of literary subforms of which the chiasm is one (cf Rm 2:7-10; 3:19; 10:9-10; 11:22; 14:7-9).

3.3.3.4 Theological Contextual Application

Paul's syllogistic statement which is introduced by a further appeal to emotions is to be found in Rm 1:14-15 and may be reconstructed as follows:

"I am bound both to Greeks and non-Greeks, both to the wise and the foolish

(Therefore) I am so eager to preach the εαγγέλιον also to you who are at Rome."

Paul is thus indebted, obligated to preach the εαγγέλιον indiscriminately to the educated, to the wise as well as to the foolish. The preacher of the εαγγέλιον must not discriminate. He must be eager to preach the εαγγέλιον to all people, irrespective of colour or creed (Mt 28:19).

3.3.4 Romans 1:16, 17: The Point at Issue

Romans 1:16, 17 state the matter in dispute in the court action that unfolds in the following paragraphs. The structure is provided for the purposes of understanding exegetical perspectives in 3.3.4.3 below. Hereafter no structures will be provided. Discussion will commence immediately after reference to the section under discussion.

3.3.4.1 The Structure

A A1 [16]Ο γρ παισχύνομαι τ ε αγγέλιον,
B B1 δύναμις γρ θεο στιν ε ς σωτηρίαν παντ τ πιστεύοντι,
B2 ουδαί τε πρ τον κα λληνι
C C1 [17]δικαιοσύνη γρ θεο ν α τ ποκαλύπτεται
C2 κ πίστεως ε ς πίστιν, καθ ς γέγραπται,
C2 (i) καθ ς κα ν το ς λοιπο ς θνεσιν
C2 (ii) δ δίκαιος κ πίστεως ζήσεται

113
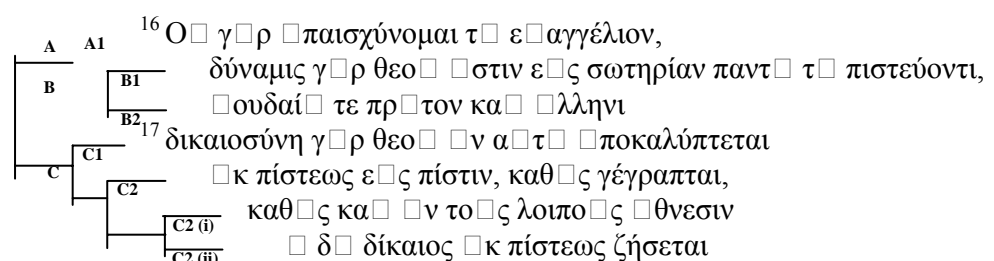
3.3.4.2 Selected Juridical Imagery

The concepts of δύναμις, σωτηρίαν and δικαιοσύνη are concepts used as juridical imagery.
The concept of δύναμις means "authority", "power". These are the three key concepts (triad)
in Rm 1:16, 17.

The gospel is portrayed as a "power" which eminates from God (the word θεο is in the genitive of source) in connection with the preposition "towards" plus the nominative of σωτηρία. The "righteousness" which is the genitive of source also eminates from God. The word ποκαλύπτεται is in the present passive, third person, which conveys the idea of someone (God) who is doing the revalation continuously. This concept does, theologically, not only refer to the actual "uncovering" by God of the righteousness but it also refers to the eschatological (Barclay, 1975:21) "uncovering" of the righteousness, that is an uncovering which is ongoing in history. To prove the eschatological "uncovering", Paul cites Scripture (Hab 2:4). God is therefore the ongoing historical and powerful source of the gospel as well as the ongoing historical powerful source of righteousness. This power eminates from God in a dual direction, firstly as the gospel and secondly as righteousness, and relates well to Paul's addressees' frame of reference with regard to the Caeser's cult and Scripture.

As Roman citizens, Paul's addressees were exposed to various forms of cults, which deified other beings other than God. One such cult was the Caesar's cult, which deified Augustus Caesar. Many acclaimed Augustus Caesar throughout the empire as the deliverer and saviour (Kee & Young, 1960:10). Caesar was the personification of power and justice. Therefore Paul is saying to his addressees God, as Augustus Caesar, is the source of power towards salvation. True righteousness eminates from Him through faith and extends through faith from believer to believer.

The point at issue therefore concerns the gospel, which is the power from God for the salvation of everyone who believes, first for the Jew then for the Gentile. The second point at issue is that the righteousness from God is revealed in the gospel – a gospel that is by faith from first to last. However, Paul's addressees have ignored this gospel. Therefore, God has a case against them. For this reason Paul states that he is not ashamed of the gospel. Paul speaks as a *procurator*, an agent (charged to carry out something for his Principal).

Paul uses the concept δικαιοσύνη for the first time in Romans 1:17. This concept is a very important motive in Paul's letter to the Romans. The juridical content of this concept has been refered to by Ridderbos, with reference to its use in Romans 3:21, as a forensic concept having an eschatological character (1971:174-176). According to Stuhlmacher "justification" and "to be justified" is derived from the Old Testament and early Judaism. In Isaiah 50:7-9 God's servant speaks of the fact that God will stand by him in his lawsuit against all his enemys and procure justice for him. This concept refers according to Stulmacher, to legal acts (1994:62,67).

3.3.4.3 Exegetical Perspectives

At this point, after the θος and πάθος techniques of the first few verses, Paul puts forward his statement. This is the beginning of the technique, known as the λόγος, in terms of which Graeco-Roman presentation of a discourse or speech is formulated. The λόγος had to do with the logic of the discourse.

The logical argument of Paul in these two verses is syllogistic, that is, it reaches a conclusion from two statements. This argument may be restated as follows:

A.   Statement 1: the εαγγέλιον is a power of God

Statement 2: the εαγγέλιον is for the salvation for all who believe

Conclusion: therefore, every Jew and Gentile who believes will be saved by the power of God, which is the εὐαγγέλιον

B.   Statement 1: a righteousness of God is revealed in the εὐαγγέλιον

Statement 2: a righteousness that is by faith from first to last

Conclusion: therefore, the righteous will live by faith

Verse 16B1 and B2 connects with verse 16A and explains the reason why Paul says he is not ashamed of the εὐαγγέλιον. He states why he is not ashamed of the εὐαγγέλιον: firstly, because the εὐαγγέλιον is the power of God for the salvation of everyone who believes including the Jews and the Greeks. Paul is again using the legal-hermeneutical principle: *expresio unius est exclusio alterius* or *inclusio unius est exclusio alterius* (Dig. 5.1.12), and secondly, because, as against Jews, for whom the εὐαγγέλιον is a stumbling block because it clashes with their particularistic, nationalistic and legalistic views, especially their rejection of a crucified Messiah (1 Cor 1:23), and as against the Greeks for whom the εὐαγγέλιον is foolishness (1 Cor 1:18). Paul suggests that many Christians in his time were ashamed of the εὐαγγέλιον, possibly because it was a stumbling block for some if they were Jews, and foolishness if they were Greeks.

In verse 16 Paul states that the εὐαγγέλιον "is the power of God for the salvation of everyone who believes". The εὐαγγέλιον, therefore, is a "power". Paul uses the concept of δύναμις, which means ability, power to perform, to be able to do something, to be capable. Forensically this concept relates to the power or authority of a potentate, ruler, Prince, to rule. The "power of God" may be understood in its function of "power" emanating from God as the Supreme Being possessing and releasing creative energy (cf the Hebrew concept in Gen 1: 1 which means to shake, to tremble, to flutter, to hover, to brood, especially the concept of "brood" which relates to the act of releasing energy during the hatching process).

Jesus used the concept of δύναμις "power" with reference to the Holy Spirit in Acts 1:8, when He spoke to His disciples about witnessing to Him in Jerusalem and in all Judea and in Samaria and to the utter most part of the earth. Paul is alluding to this witnessing to the whole world when he uses the concept of the εὐαγγέλιον being the "power of God".

Closely linked to the εὐαγγέλιον being the "power of God", is the word σωτηρία. This concept means salvation, deliverance, preservation, safety relating to a saviour, deliverer, preserver, who would save them from their previous state to a state of safety. The power of the εὐαγγέλιον may be compared with the same power, which came over Mary so that she conceived and gave birth to Jesus Christ (Luke 1:35).

Paul states in verse 16 that the εὐαγγέλιον is a power of God "for the salvation of everyone who believes: first for the Jew, then for the Gentile". By using this expression, Paul indicates that the power of the εὐαγγέλιον is not discriminatory with regard to salvation.

Paul mentions two chief groups of his time: Jews and Gentiles (which include Romans) - the Jews with their particularistic, nationalistic and legalistic approach, by which they excluded other nations (Hope, 1994:16). The Greeks with their Hellenistic and philosophical approach tried to understand the εὐαγγέλιον, sought wisdom and considered the εὐαγγέλιον to be foolish (1 Cor 1:22-23). The Romans with their power-hungry, class-conscious and idolatrous approach excluded the teachings of the εὐαγγέλιον because they considered it to be against their power and their gods. The εὐαγγέλιον was a stumbling block for the Jews and foolishness for the Greeks (1 Cor 1:23; 18:21; 1 Cor 2:14).

Paul's message of the good tidings εὐαγγέλιον as a "power of God for the salvation of everyone who believes: first, for the Jew and then for the Gentile" (Rm 1:16), must be understood against this background. The power of the gospel would bring about a social and cultural uprooting which would

result in a new culture, one that would be a non-Jewish, non-Greek, non-Roman culture, i.e. a Christian culture (Du Rand, 1989).

The implication of the above statement is that Paul envisaged and preached a fourth culture which was a new way of life propagated and practised by Paul and embodied in what Paul calls "the gospel of Jesus Christ" or "the gospel of God". It is for this reason that Paul could say, "I have been crucified with Christ and I no longer live in the body, I live by faith by the Son of God" (Gl 2:20 and Eph 2:1-22).

In the following pages it will be shown how Paul could manoeuvre his way through the first-mentioned cultures connecting with the legal parlance and explaining theological concepts metaphorically and contextually, and explaining the meaning and significance of the gospel truths - a teacher and lawyer *par excellence*!

It will also be shown how the Pauline argumentations and exhortations, for example, focus so frequently on the situations of Paul's audiences in relation to the prevailing legal parlance and political situation that it becomes impossible to understand these argumentations and exhortations fully without some knowledge of the Roman legal parlance or its implications. In these situations Paul made extensive use of secular legal metaphors and Roman legal parlance concepts in a process of contextualisation.

The εὐαγγέλιον does not discriminate. It is a power of God to the salvation of everyone who believes. It is for this reason that the εὐαγγέλιον must be proclaimed to all people. Paul says that the εὐαγγέλιον is for the salvation of everyone, including people from these groups. Paul's words are reminiscent of the words of Jesus Christ to His disciples in Mt 28:18, 19, "All power is given unto me in heaven and on earth. Go ye, therefore, and teach all the nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit."

In verse 16 Paul refers to "everyone who believes". Paul, with this expression includes everyone, that is, Jews, Gentiles (which includes Greeks). The basis of salvation is faith irrespective of gender, colour or creed. Paul is, therefore, applying a rule: *expressio unius est expressio alterius* or the otherway around *inclusio unius est inclusio alterius*, which is the opposite of Dig 5.1.12 (cf 2.2.4.1 *supra*). Paul emphasises "belief" or "faith" as the criterion for qualifying as a recipient of the power of salvation. "Faith", for Paul, means absolute trust, absolute certainty and total acceptance. It is the same type of faith referred to in Hebrews 11:1, "Now faith is being sure of what we hope for and certain for what we do not see." Faith is, for Paul, the belief in divine truth without proof. And an adage used in Roman law was expressed by the words *uberrima fidei,* that is, absolute and perfect trust (Hiemstra & Gonin, 1981:277).

Paul's view of the "power" of the εὐαγγέλιον may be interpreted as follows. Firstly, he sees the εὐαγγέλιον as a message, which has to be proclaimed. This is the ke*rugmatic* meaning of the εὐαγγέλιον (1 Cor 9:12, 14, 18; 2Cor 2:12). Secondly, he sees the εὐαγγέλιον as a message, which has to be pragmatically experienced as a way of life. This is the *pragmatic* meaning of the εὐαγγέλιον. It is for this reason that Paul could say, "I have been crucified with Christ and I no longer live, but Christ lives in me. The life I live in the body, I live by faith in the Son of God who loved me and gave himself for me" (Gl 2:20; Eph 2:1-21).

The *pragmatic* meaning of the εὐαγγέλιον envisages a way of life, which may be described as "a new culture" which originates from the εὐαγγέλιον, in contast to that of the Greek, Jewish and Roman cultures. When one hears the εὐαγγέλιον and one starts believing, one becomes a new person, with a new life and a new world-view. Paul became a new person, with a new life and a new world-view en route to Damascus (Ac 9:1-19).

In verse 17 Paul articulates the concept of righteousness (δικαιοσύνη). This concept is derived from the root δίκαιος and is used by Paul in a number of places in different contexts (Rm 2:13; 3:4, 5, 8, 10, 20, 21, 24, 26, 28, 30; 4:3, 5, 6, 11, 13, 22; 5:7, 19; 7:12; 8:33; Gl 2:16, 17; 3:8, 11, 24; 5:4; 1 Tm 1:9; 3:16; 2 Tm 4:8; Tt 1:8; 3: 7). A concept associated with δικαιοσύνη is δικαίωσις, which means the act of pronouncing righteousness, justification and acquittal. The first person, singular, of the present indicative, is δικαίω, meaning to do justice to someone, to deem right, to show to be righteous.

Closely linked to this concept are the concepts of δίκαιος, meaning righteousness or justice; δικαίωσις meaning an act of pronouncing righteous, justification, acquittal (Rm 4:25; 5:18); δικαίωμα, meaning a declaration that a thing is δίκαιον, or that a person is δίκαιος (Abbot-Smith, 1968:115-117).

3.3.4.4 Theological Contextual Application

From the above it may be deduced that the concepts δικαιοσύνη can best be understood from a juridical perspective. This concept has a forensic connotation. According to Westerholm (2004:255) the verb "declare righteous" or "justify" is commonly used in judicial contexts, where it means, "find innocent of wrongdoing", "acquit". A judge is said to "justify", not only when he condemns and punishes, but also when he defends the cause of the innocent. It signifies "to declare" or "pronounce" one as "just" or "righteous". It also signifies "to set free" or "to consider as not having done any wrong". Righteousness for Paul frequently means, "what one ought to do". (Westerholm *ibit)*. Paul thus uses this concept with a view to contextualising the theological concept of justification with the forensic concept, which must have been well known to his Roman law orientated addressees.

To be justified or to be righteous means that reasons have to be found to justify a person's actions or to consider them to be righteous (that is according to the law). Such a person is then treated, reckoned or counted not to have done the act, which he is accused of. This means that certain grounds exist for his or her justification. This is legally a technically correct concept in the sense that the offender is guilty, but is considered to be not guilty by God on the grounds of the expiatory and mediation act of Christ. The guilt of the offender is transferred to Jesus and the offender is set free without guilt. This is done

because there are grounds for justification of his actions on the grounds of faith in Jesus Christ. The offender is therefore justified through faith in Jesus Christ.

Paul is at this stage laying the foundation of his main statement, point at issue which is revealed first in Rm 1:17 and then in Rm 9:30. This then forms a connection with chapter 9.

The concept of παισχύνομαι in verse 16 is from αίσχύνη which means " to shame"; "to dishounor"; "to make ashamed". The Passive means, "to put to shame", "be ashamed". Here, Paul is stating an indisputable fact. Since the Roman officials, during Paul's time, looked upon Christianity as a sect of Judaism, and as such a fully regognized religion or *religio licita* (Kee & Young, 1960:327), Paul had, therefore, no reason to be ashamed of the gospel or to be dishounored (juridically) as a result of him preaching the gospel. Barnes' (1984:33) research confirms the above statement by indicating that there is no hint of a *senatusconsultus* that had made Christianity illegal in Paul's time and that the *Acts of the Apostles* (18:14ff) provides information, which substantiates this statement. However, much later then the reign of Gallio, as a result of the correspondence between Pliny and Trajan (AD 98-117) in which Pliny mentioned secret meeting of unapproved societies with reference to the Christians, Christianity lost its status as a sect of Judaism, and hence no longer enjoyed the status of *religio licita*. This was, however, long after Paul's statement in Romans 1:16. Paul's statement in Romans 1:16 is therefore juridically connotated. This phenomenon led Paul to express the statements in Rm 1:16-17.

Set in the context of Graeco-Roman rhetorical speech, Paul's statements may be considered to be syllogistic in the sense that he reaches a conclusion from two statements:

Verse 16

1. I am not ashamed of the gospel.

2. The gospel is the power of God for the salvation for everyone who believes first for the Jew then for the Gentile

2. Therefore, every Jew and Gentile who believes will be saved by the power of God, which is the εὐαγγέλιον.

Verse 17:

1. A righteousness of God is revealed in the εὐαγγέλιον.

2. A righteousness that is by faith from first to last.

3. Therefore, the righteous will live by faith.

3.3.5 Romans 1:18- 32: Paul's Charge

This section, containing Paul's charge, is preceded by Paul's appeal to the emotions of his addressees, which is expressed in verse 8, 9, 10, Paul's pertition, purpose, mission and mandate, which are contained in verse 11 and 15, and the point at issue, which is contained in verse 16 and 17.

What follows in Romans 1:18-32 is not only the charge (Rm 1:21, 22 and 32), but also the verdict (Rm 1:24, 26, 28-31), which contains the sentence or punishment.

3.3.5.1   Selected Juridical Imagery

This is the commencement of Paul's charge sheet or indictment in which he describes the crime.

From Rm1: 18-27, Paul describes the nature of the charge: godlessness, wickedness, suppressing the truth, did not glorify God or give thanks to Him (Rm 1:21), sinfull desires of their hearts, sexual impurity for the degrading of their bodies with one another (Rm 1:24), exchanging the truth of God for a lie and worshipping and serving created things rather than the Creator (Rm 1:25), shameful lust, exchanging natural relations for unnatural ones (Rm 1:26), not thinking it worth while to retain the knowledge of God (Rm1:28), greed and depravity, envy, murder, strife, deceit and malice, gossip, slander, haters of God, insolent, arrogant, boastful, inventing ways of doing evil, disobedience to parents, senselessness, faithlessness, heartlessness, ruthlessness, continuing to do and approve evil practice (Rm 1:29-32). They have no defence according to Paul. They cannot be exculpated from the charge.

To sum up Paul's charge the relevant offence is set forth, stating in accordance with the requirements for a charge sheet the nature of the charge (Rm 1:18), all the elements of the offence (Rm 1:29-31), disclosure of the offence (Rm 1:29-32), sufficient particulars as to the time and place at which the offence was alledged to have been committed (Rm 1:20), and the person and property against whom the offence had been commited (Rm 1:21).

Juridical imagery is conceived by the following concept of ὀργὴ θεοῦ "wrath of God" (Rm1:18) that is revealed from heaven against the sins of the wicked.

The second juridical imagery is ἀναπολογήτους "without excuse" (Rm 1:20); followed by παρέδωκεν "to give" or "deliver up" to prison or judgement (Rm1: 26). The next juridical concepts are ἀντιμισθίαν (requital) (Rm 1:27) and δικαίωμα (ordinance) (Rm1: 32).

3.3.5.2 Exegetical Perspectives

In the charge which Paul states in Rm 1:18-32 and which unfolds throughout the letter, the burden of proof is upon Paul because he advances the allegations.

The concept of ὀργὴ "wrath" means anger. Paul speaks of the "Wrath" of God only three times. He does so in verse 18 and in Ephesians 5:6 and Colossians 3:6, where he speaks of the *wrath* of God coming upon the children of disobedience. However, Paul also speaks of the W*rath*, using capital letters, as an impersonal force. In Rm 1:18 Paul uses this concept in small letters. This use of the concept of "wrath" brings us closer to the other meanings of this concept, namely, "impulse", "propensity", and "disposition". This meaning suggests that the "wrath" of God is not so much anger as a force, which emits from God, triggered by man's transgression of God's law.

The "wrath" of God may therefore be seen as the unstoppable reaction of God against the inequity of man. God, who is Holy, cannot identify with the godlessness and wickedness of man.

Rm 1:18 may be interpreted as a universal construction. This construction is syntactically a universal interpretation, that is, an interpretation referring not only to Paul's addressees, but also to *all* men. The rule, in such cases, is that "*all*" is intended unless "*some*" is clearly indicated, in other words, universal instead of particular. Hence "men who suppress the truth" is to be interpreted as "*(all)* men who suppress the truth". On the other hand, such a proposition as "although they knew God, they neither glorified Him as God" (Rm 1:21) and "although they claimed to be wise" (Rm 1:22) is to be interpreted to mean "although *some* men knew God" and "although *some* men claimed to be wise" rather than "although *all* men knew God" and "although *all* men claimed to be wise".

In Rm 1:20 Paul uses the concept of ναπολογήτους, which means "without excuse". He uses this concept also in Rm 2:1 and in 2:15. Forensically this concept pertains to "not being able to defend oneself or to justify one's actions". The concept of ναπολογήτους is a forensic term and refers to "someone who has no grounds for defence or justification". This concept, therefore, connects very well with the definition of the "wrath" of God mentioned in the above paragraph.

In Rm 1:21 Paul uses the present participle γνόντες thereby denoting that the knowledge of God was a continuous knowledge. This mode of reasoning continues to the next verse.

3.3.5.3 Theoretical Contextual Application

Romans 1:18 forms Paul's point of departure. In verse 18, Paul uses concepts such as "impiety", "unrighteousness" and "suppress the truth" which were familiar to his addressees. These concepts could, in terms of Roman law, come into play in the case of a wrongful act on the part of a wrongdoer. This type of act was known as *iniuria*.

The wrongdoing (*iniuria)* was closely related to the wrongful act, known as "damage to property" and

was actionable by means of the *actio legis aquiliae*. The wrongful act *iniuria* had, as one of its consequences, the wrongful act *contumelia* (insult, defamation). According to Roman law, in terms of the Twelve Tables, *iniuria* included any injury of a person, irrespective of whether it took place by means of words or actions (deeds). The only important requisite of *iniuria* was that there had to be unlawful damage, which indeed amounted to harm to body, honour, or good name. Such injury had no grounds for justification. It was inexcusable. No defence was available (Van Zyl, 1977:345).

The transgressions of Paul's addressees had further implications than just ignoring the revelation of God's qualities, His eternal power and divine nature. A further implication was injurious, namely, unlawful damage which amounted to harm to the honour and good name of God. Paul's accusation in Rm 1:20; 2:1 is therefore that the Jews had no excuse for their injurious actions against God, which amounted to the wrongful action (1:20; 1:25) and that they had no excuse for judging others, which amounted to an injurious action (2:1). The accusation is based on a legal principle in Roman law which Paul's addressees were most probably familiar with.

The "wrath" of God is, according to Paul in Rm 1:18, a wrongful act against God's law. Therefore transgressing the law of God is sanctioned and man is thereby condemned. However, there is justification. Justification is by faith in Jesus Christ. In legal terms, justification means that an offender, who is guilty of the offence, is deemed to be not guilty on the basis of certain grounds for justification. He is deemed as one who did not commit the offence though he has indeed committed it. Paul uses the same legal principle as a metaphor for theological justification. The sinner is deemed on the grounds of his faith in Jesus as if he had not committed the sin. A striking example of justification by faith is to be found in Rm 5:18.

The use of the concept of the "wrath" of God is inappropriate because attitudes, propensities and dispositions such as wrath or anger are negative, and not befitting as attributes of God who reveals Himself as holy, compassionate and gracious, righteous, slow to anger, abounding in love, does not

always accuse or harbour His anger forever, does not treat man as man's sins deserve, or repay man according to his inequities, whose love is as high as the heavens are above the earth, who removes man's transgressions as far as the east is from the west, whose compassion is as a father to his children (Ps 103:3-13). When Paul uses the concept of "wrath", however, he uses it in human terms, using human arguments (Rm 3:5; Gl 3:15), antropomorphically, to contextualize God's nature of dissociating Himself from man's sin and inequity owing to his status of holiness.

When Paul explains God's reaction against man's inequity, he therefore uses a human term, such as "wrath". Yet, strictly speaking, this propensity, attitude or disposition of God is but the unstoppable reaction of God's holiness against man's godlessness and wickedness. The "wrath" of God is therefore the Godly consequence (as apposed to natural consequences) of man's godlessness and inequity. Paul explains that man's godlessness and wickedness shall not escape God's holy reaction against or his dissociation with it. When God dissociates Himself from man, man is lost and loses out on the mercy and compassion of God. This line of thinking continues until verse 32.

In Rm 1:29 Paul uses the concept of δικί "unrighteous", "injustice", "inequity" *(verb* δικέω, which means "to act wickedly or criminally" or "contrary to justice"). Forensically, these concepts mean "acting wickedly", "acting criminally", or "acting wrongfully". The same idea of criminality is conveyed in Ac 24:20 by the concept of δίκημα; in Ac 25:10 by the concept of δίκησα, in verse 11 by the concept of δικ and by δίκων in Ac 24:15. The word δίκων translated as "doing wrong" means "a crime", "a criminal act". Such an act was punishable by death.

Prior to this statement, Paul states in Ac 25:10 that he has done "nothing wrong" (δίκησα), that is, he has committed no crime.

Etymologically, the word δίκω and its variant forms express the letter " " and the word δίκη. The prefix "α" appears to have the following distinct connotation (Abbott-Smith, 1968:1): (i) *a-* indicating the negative "no" or "not", prefixed to a word for example, -δίκω. The connotation conveyed in the

above form is therefore in the negative, which is "no" or "not" right (- δίκη).

The word δίκη means "right", "custom", "a judicial hearing", hence its result: the execution of a sentence (2 Th 1:9); injustice (Ac 28:4).

The concept of δικί (unrighteousness), as used by Paul in verse 29, is an all-inclusive concept, which includes every offence mentioned by Paul in verse 29, and it is the opposite of δικαιοσύνη, which means "justice", "doing what is right" or "according to the law" (Rm 1:16).

As a result of the "unrighteousness" of Paul's addressees, God has "abandoned them" (verse 24, 26 and 28). The concept of παρέδωκεν in these verses means "to hand over", "to deliver" or "to commend". This concept suggests forensically that God handed Paul's addressees over to be judged.

3.3.6   Romans 2: 1-16: Paul's Argumentation on Behalf of God giving Reasons, Grounds for Judgment and Arraignment

This section contains allegations of fact as well as arguments as to the bearings of these facts on the matter indispute. This mode of argumentation will henceforth play a dominant role.

3.3.6.1 Selected Juridical Imagery

Key juridical concepts in Rm 2:1-16 are the following:

- ναπολόγητος (Rm 2:1): "being unable to defend oneself or to justify one's actions"; "to be without excuse; to have no excuse"

- κατακρίνεις (Rm 2:1): "judge someone as definitely guilty and thus subject to punishement"; "to condemn, to render a verdict of guilt, condemnation"

- κρίνων (Rm 2:1, 31): "to decide a question of legal right or wrong, and thus determine the innocence or guilt of the accused and assign appropriate punishment or retribution"; "to decide a legal question or act a a judge, making legal decisions"; "to arrive at a verdict"; "to try a case" (in the passive "to stand trial")

- κρίμα (Rm 2:3): "to judge"; "the authority to judge legal cases or right to judge guilt or

innocence", "the right to judge", "the authority to judge"

- δικί (Rm 2:8): "wrong"; "offence"; "injustice"; "not being right or just"; "unjust"; "unjustly"; "unrighteous"

- νόμως (Rm 2:12): "being without the law"

- δικαιωθήσονται (Rm 2:13) : "will be justified"

- πολογουμένων (Rm 2:15): "to defend"; "to speak against accusations"

- συμμαρτυρούσης (Rm 2:15): "witnessing"

The first key Pauline concept of "wrath" as the unstoppable reaction of God against the inequity of man may in legal language be called the "charge" of God against man.

Paul's argumentation in Rm 2:1-16, fits the requirements for a legal procedure against an accused. According to Van Zyl (1977), Roman law required that such a legal procedure be conducted in three phases:

    (i)   To call the accused to court, that is summons him (*in ius vocare)*

    (ii)   To face the judge (*apud iudicem*) or judgement

    (iii)   Execution (*condemnatio*)

The party who brought a charge against the accused was required to summons the accused formally to court. This may be compared with contemporary summons. As soon as the parties appeared before the *Praetor*, the accuser was required to make a statement about his case and state his evidence he wished to bring before the court. Thereafter the accuser requested the *Praetor* for an appropriate action. The accused could deny the charge and defend his case.

When the case came before the *Praetor*, experienced orators represented the parties. Arguments were limited to the issues in dispute as stated in the charge sheet. The case was argued *viva voce* without following any rules of the law of evidence. After the arguments and pleas of the parties, the judge

normally delivered his verdict. Execution follows as a last step.

Rm 2:1-13 is loaded with forensic concepts. In Rm 2:1 Paul uses the concept of κρίνων (from κρίνω). This concept is in the participle of κρίνω. This concept means "judgment", "the decision passed on the faults of others". In a forensic sense this concept refers to the issue of a judicial process, a matter for judgment, a lawsuit, to bring to trial, to go to law.

Paul uses this concept in Rm 2:2; 5: 16; 11: 33 and 3:8. Further forensic meanings of the concept of κρίνων are the following: "a legal right or wrong and therefore to determine the innocence or guilt of the accused and assign appropriate punishment or retribution", "to decide a legal question", "to act as a judge", "to make a legal decision", "to arrive at a verdict", "to try a case".

From Rm 2:1 Paul builds up his case and concludes from Rm 2:11: "for God does not show favouritism", by indicating that both Jew and Gentile will be judged in terms of the law applicable to them (Rm 2:12-16).

The second key concept is δικαιωθήσονται "will be justified" (Rm 2:13). This juridical concept may, according to Ridderbos, be used as an antithesis of "condemnation". In this sence the Pauline theme concerning the revelation of the righteousness of God mentioned in Romans 1:17 may be clearly seen as having to do with that which man needs to be justified and freed from God's judgment (1977:176).

3.3.6.2 Exegetical Perspectives
Romans 2:3, 4 consist of interrogative sentences. These sentences are in accordance with the rhetorical technique, which Paul seems to be applying. This technique is applied by means of asking rhetorical questions. A rhetorical question is one asked for the sake of effect, to impress the addressee; no answer is needed or expected.

Verse 4 contains a rhetorical question which is clarified by the rhetorical question in Rm 9:22, "God choosing to show his wrath and make his power known bore with great patience the object of his wrath – prepared for destruction".

Both these rhetorical questions may be stated in the affirmative, "you show contempt for the riches of his kindness, tolerance and patience, not realizing that God's kindness leads you towards repentance" (Rm 2:4), "(but) God choosing to show His wrath and make His power known bore with great patience the object of his wrath – prepared for destruction" (Rm 9:22).

The parallelism between Rm 2:4 and Rm 9:22 is significant in the sense that Rm 2:4 can only be fully understood with reference to Rm 9:22. The concept of καταφρονε ς is in the present tense, second person active and denotes a continuous action or an action in progress.

The "wrath" of God is ilicited by man's wrongdoing. Paul contextualizes the "wrath" with judgement for wrongdoing, for failure to obey rules or keep an agreement.

Romans 2:5 and 6 provides a clearer picture of Paul's idea behind the concept of "wrath". The following verses from Rm 2: 1-13 may be used as a template for the Pauline arguments in Rm 2:1-13, indicating Pauline syllogistic arguments and techniques.

The following discussion is intended to venture deeper into this Pauline technique and show how a Pauline syllogistic argument, based on logic, interacts with other techniques.

The Pauline statements in Rm 2:1-13 may be reconstructed syllogistically as follows:

Statement A (Rm 2:1)

(i)   For in what you judge the other, you condemn yourself (Verse 1b).

(ii)   For you practice the same things, you who judge (Verse 1c).

(iii)   Therefore, you are inexcusable, O man, everyone who is judging (Verse 1a).

Statement B (Rm 2: 2-4)

(i)   The one practicing and doing such things will not escape the judgment of God (Verse 3).

(ii)   Or do you despise His riches, kindness, forbearance, long suffering not knowing that the kindness of God leads to repentance? (Verse 4)

(iii)   (Therefore) we know that the judgment of God is according to the truth on the ones practising such things (Verse 2).

Statement C (Rm 2:5-6)

(i)   According to your stubbornness and your unrepentant heart (Verse 5a).

(ii)   You are storing up wrath against yourself for the day of God's wrath when His righteous judgment will be revealed (Verse 5b).

(iii)   God will give to each person according to what he has done (Verse 6).

Verses 7- 9, 10- 11 and 12a, 12b and 13 form different syllogistic statements, which may be classified as statements D, E and F.

Statement D

(i)   To those, who by persistence obey, seek glory and immortality, He will give eternal life (verse 7).

(ii)   But for those who are selfseeking and who reject the truth and follow evil, there will be wrath and anger (verse 8).

(iii)   For God does not show favouritism (verse 11).

Statement E

(i)   There will be trouble and distress for every human being who disobeys: first for the Jew, then for the Greek (verse 9).

(ii)   But (there will be) glory, honour and peace for everyone who obeys: first for the Jew, then for the Greek (Verse 10).

(iii)   For God does not show favouritism (verse 11).

The concluding statements of both arguments D and E are statements Diii and Eiii, which, in both cases, are verse 11, which forms an overarching statement.

Statement F

(i)   All who sin apart from the law will also perish apart from the law (Verse 12a).

(ii)   The law will judge all who sin under the law (Verse 12b).

(iii)   For it is not those who hear the law who are righteous in God's sight, but it is those who obey the law who will be declared righteous (Verse 13).

Paul's argument is that whilst the Jews are too quick to judge, they forget that the same principle, acccording to which the Gentiles are condemned, also applies to the Jews themselves, because they do evil themselves in spite of better knowledge.

Paul uses a forensic concept to explain the conduct of the Jews and the consequences thereof, he contextualises God's prerogative.

Throughout Romans 2:1-13, Paul engages a legal-hermeneutical technique in terms of which he uses legal concepts to explain God's judicial process.

The above syllogistic statements made by Paul are systematically and logically arranged in a chiastic arrangement (Fitzmyer, 1993:303):

    a. God will repay according to his deeds (v6)

        b. eternal life for those who do good (v7)

            c. wrath and fury for those who disobey (v8)

        b. glory, honour, peace for those who do good (v10)

    a. no impartiality in God (v11)

Paul's statement in verse 10 may be compared with the legal-hermeneutical rule: *expesio unius est exclusio alterius* or *inclusio unius est exclusio alterius* (Dig. 5.1.12).

In Romans 2:12 Paul says, "All who sin apart from the law, will also perish apart from the law." This verse may be converted and rendered so that the subject and predicate are clearly **identifiable**. This is an accepted rule in logic. For example, "All **persons** who sin apart from the law will also be **persons** who will perish apart from the law." This is also known as a class statement, which may be represented by "All Xs are Ys".

In Romans 2:12 Paul is using a declarative statement with declarative propositions. Declarative propositions may be affirmative or negative. Logicians usually distinguish in this regard between propositions of "quality" and propositions of "quantity". They also distinguish between "universal", "particular" or "singular" propositions. Whether a proposition is "universal", "particular" or "singular" depends upon whether it refers to **all** of the entities referred to by the subject term or whether it refers to **some** of them only or whether it refers to a **single** individual. Therefore, when Paul says, "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" (Rm 2:12), he is uttering a sentence which has a subject term referring to each and every person. This is why this sentence may be said to be "universal" in scope. On the other hand, if Paul had qualified his statement (which is not the case here) by saying "**some** who sin apart from the law will

also perish apart from the law, and **some** who sin under the law will be judged by the law" he would not be referring to each and every person, but he would be referring to a certain sect or group of persons. Such a statement would be deemed a "particular" statement. This is a standard proposition recognized in logic and may be used here.

The above discussion was intended to show the structure of Pauline syllogistic arguments. In other words, the intention was to show the Pauline use of a Graeco-Roman syllogistic argument. It was shown how all the quoted arguments consisted of two statements, premisses, from which a conclusion is reached.

In Romans 2:13 Paul states, "For it is not those who hear the law who are righteous in God's sight, but it is those who obey the law who will be declared righteous". This statement may be converted and rendered as follows, "Not only the **hearers** of the law are just before God, but the **doers** of the law shall (also) be justified". This verse may also be interpreted by using its equivalent "all the hearers and doers of the law shall be just, and justified before God". This is an accepted rule for identifying syllogistic propositions whereby the subject and predicate term may be interchanged.

In Romans 2:14 Paul soliloquizes and pictures by means of juridical imagary how Gentiles who do not have the law, do by nature, things required by the law. Paul refers to "the requirement of the law…written on their hearts, their conscienses also bearing witness, and their thought now accusing, now even defending them". With these words Paul pictures a trial within a trial in which the Gentiles are under judgement in terms of natural law.

Paul makes several statements with reference to natural law, for example Rm 2:26,27 which implies that the Gentiles who are not circumcised according to the written law are physically circumcised according to an unwritten law, because their circumcision is a circumcision in obedience to a law of the heart. Another statement which implies natural law is Rm 3:9, "Jews and Gentiles alike are all under

sin" implying that Jews are under sin because of their transgression of the written law, whilst the Gentiles are under sin because of their transgression of natural law, that is, the law written on their hearts. Yet another statement which implies natural law is Rm 5:12,13,14, "because all sinned – for before the law was given sin was in the world. But sin is not taken into account when there is no law. Nevertheless, death reigned from the time of Adam to the time of Moses, even over those who did not sin by breaking a command, as did Adam."

Natural law undertones resonate in Rm 2:12-16,25,26; Rm 5:12-14. The suggestive undertones of natural law in Romans may be explained with reference to Winger's views on the Pauline views of the concept of "law" which occurs several times in Romans. According to Winger (1992:65-87), Paul understands and uses the concept of "law" not only with reference to Jewish law, but also to law in general. Lamp (1999:42) in his contribution concludes that whatever one's assessment of Winger's study, the important factor to keep in mind is that the content of νόμος in Paul's use is complex and constant, yet aspects of it comes to light in different contexts. Räisänen (1983:16) had, prior to Winger's and Lamp's views, stated that Paul never defines the content of νόμος and that Paul presupposes that his readers will know what he is talking about.

Therefore it may be safely stated that there is prevalence of natural law undertones in Paul's use of the concept of νόμος in Romans.

Though Fitzmyer (1993:129,306,310), disagrees with the contention of other interpreters with regard to Paul's possible teachings about natural law in Romans 2:14-16, it is concurred in this thesis with scholars who support the possible idea of natural law on the part of Paul in Romans 2:14-16.

Generally it is accepted in jurisprudence that the truths of natural law are not revealed truths, but they are truths that must be discovered by man through reason with which he is endowed by God. This is Paul's main argument from Rm 1:22, 21; Rm 2:1, 12-15, 25-28; Rm 3:9; Rm 5:12 –14.

The expression "natural law" is not to be understood as being the same as the law of nature, in the sense

of laws that govern the natural world. The word "natural law" refers to innate law as God has created it in mankind for man's survival and for man to reach certain ends in creation. Laws that are in accordance with the ultimate purpose of man constitute natural law (Riddall, 1991), and are just and righteous. Laws that impede man from reaching his ultimate purpose as designated by God are unjust and unrighteous.

The basic idea of the natural law theory is that there is an ideal system of law, superior to any written law (Bosman & Hosten, 1979:31), and to which the precepts of positive law (the law as posited by man or written law) should conform so that there will be "natural" and "fundamental" justice. The word "natural" in "natural law" refers not to the law of nature in the sense of laws that govern the physical world, but rather to the body of permanent, eternal truths - truths embodying precepts of universal applicability, part of the immutable order of things unaffected by changing human beliefs or attitudes (Riddall, 1991:51,52).

The basic idea of natural law, therefore, is that there is an ideal system of law superior to any system of written laws and to which the precepts of any written law should conform so that there will be "natural" or "fundemental" justice. There must be a balance between the two. The natural law idea is the fundemental idea of most religions and cultures. The natural law idea recognizes the existence of (and the need for) written laws, but regards them as inferior to natural law, which is unwritten and metaphysical (μετ : Greek for "beyond" the physical world). Further, if written law conflicts with natural law, written law is deemed to lack validity (Riddall, 1991).

Romans 2:1-16 may be interpreted with reference to what is usually called "poetic justice" by ethicists (Barton, 1979), to describe the prophetic words of prophets during Old Testament times about God's judgments over unrepentant Gentiles (Is 5:8-9; Is 44:23). The idea behind poetic justice is that of cause and concequence in terms of which punishment is necessarily the consequence of sin. Poetic justice may be detected in Rm 2:17-28 and 14:10-13, by which Paul juridically portays the idea of poetic justice, which entails retribution in these statements. Retribution presupposes moral guilt. It

presupposes that the offender merely "gets what he deserves" and has as its basis the Old Testament principle of "an eye for an eye and a tooth for a tooth" (the so-called *lex talionis*: Ex 21:24; Dt 19:11, 12, 21; Num 35:31), which is the idea of a proportional relationship between damage and punishment (Snyman 1984:15).

The undertones of Rm 2:1-16 interpreted in the light of Rm 14:10-13 are therefore clearly the idea of retribution based on poetic justice. According to Paul, judgment and retribution are necessarily the consequences of man's evil deeds (Rm 1:18-32; Rm 2:1-16; Rm 3:9-20).

3.3.6.3   Theological Contextual Application

In Rm 2:16 Paul mentions the date when and place where judgment will take place. Paul's statement in Rm 2:16 connects with Rm 14:11-13. Romans 2:1-16 resonates in Rm 14:10, "You then, why do you judge your brother? Or do you look down to your brother? For we will all stand before God's judgment seat".

Paul's syllogistic argument in Rm 14:10-13 may be stated as follows:

(i)   We will all stand before God's judgment seat as it is written: "As surely as I live, says the Lord, every knee will bow before me, every tongue will confess to God" (Rm 14:10-11).

(ii)   Each of us will give an account of himself to God (Rm 14:12).

(iii)   Therefore, let us stop passing judgment on one another. Instead, make up your mind not to put any stumbling block or obstacle in your brother's way (Rm 14:13).

Paul's premiss in his arguments is based on the judgment of God. He uses the keyword *bêmati* from *bêma* meaning "tribunal", "judgment" (2 Cor 5:10; Ac 18:12, 16, 17; 25:10).

Tom Westwood (1956) describes the setting refered to in Rm 2:5 (cf Rm 14:11,12) as follows in the foreword of his book:

"…God is the Righteous Judge sitting upon the bench, maintaining all the austerity of the devine throne, yet disclosing a heart that is bent upon the justification of the criminal. Jew and Gentile are arraigned before the Bar of Justice, and Paul is the brilliant attorney for both prosecution and defence. The Lord Jesus is the one who mediates the cause and pays the penalty of the condemned offender.

Every moral and spiritual issue is scrutinized carefully; illustrious witnesses are presented before the court; due diliberation is given to every vestige of evidence; heaven's inviolate throne is vindicated; all religious racial, national and moral distintions are appraised and eliminated. The court rests its case with the sinner justified and reconciled to God."

In the old days of the Roman republic, the "tribunal" or "judgment" seat βήμα "tribunal" or "judgment seat" played an important role with regard to judgment, therefore Paul contextualises circumstances of the judgment day of God with reference to circumstances during a Roman court of law on the Day of Judgment.

In a Roman court of law, during the Roman republic, the place of judgment was known as the *Forum Romanos.* In the *Forum Romanos,* farthest from the *capitol,* was the βήμα "judgment seat". There sat the *praetor urbanus* (most senior official of the *urbanus*, that is, the city) dispensing justice. However, during the Principate the Roman magistrate occupied the position of the *praetor urbanus* (Ac 18:12, 16, 17; 25:10). At the judgment seat the accused stood before the magistrate (Van Zyl, 1977:16,27,28).
During Paul's time, Roman law required more than one judgment seat. On the days, which were open for litigation (*dies fasti*), the accused stood alone before the magistrate *parastesómetha* (Rm 14:10). This was one situation in which a person was completely alone. Contextually, according to Paul, there is another situation in which a man is completely alone, and that is before the judgment seat of God.

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Paul's addressees could visualise this situation very well. Pauls says this is what is going to happen to every man. Paul's addressees would still remember the situation in the old days of the Roman republic when, in the corner of the *forum romanos*, furtherest from the *capitol*, was the "tribunal" or "judgment" seat and there sat the *praetor urbanus*, dispensing justice. The situation was the same during the Principate, except that the magistrate fulfilled the role previously played by the *praetor urbanus*.

Paul uses the concept of βήμα with the concept of παραστησόμεθα (Rm 14:10), which denotes "the standing before or in front of the judge" or "the arraignment of a prisoner" (Ac 27:24).

Arraignment entails beginning a criminal trial on indictment by calling the defendant to the judgment seat in the *forum*, by name, reading the indictment to him, and asking him whether he is guilty or not. The defendant then pleads to the indictment, and this completes the arraignment. This procedure is follwed in law courts to this day (Martin, 2002:32).

According to Roman forensic practice, there were two stages in the judgment process: the hearing and the execution stage. The case was ended by formal charges (Ac 18:12-17; 23:29; 24:1; 25:2, 5), known as the *libellus conventionis*, prepared by the magistrate and based on the statements of the accusers.

The concept of Z   γώ translated as "as surely as I live" in verse 11, do jurists use a phrase rhetorically for forensic purposes in Paul's time. It is a solemn promise, an affirmation, a word of honour, a vow, an oath, a solemn undertaking that is legally binding and used since Old Testament times (Is 45:23). The legal connotation of this expression flows with the legal style and rhetoric of verse 1-13, where Paul connects with a situation, still well known, to his Roman addressees, and uses concepts belonging to that legal sphere.

The rest of Rm 14:11-12 portrays a well-known picture for the Pauline addressees. According to Roman

law, the procedure in the *forum romanus* before the βήμα was as follows: the defendant had a certain period within which he had to appear (Ac 24:22), state his case (arraignment) and state that he will appear on the day of the hearing *litis contestatio*.

Thereafter, the accused had to provide the magistrate with a plea (or defence), as was the case with Paul (Ac 25:8; 26:1-23). This stage was known as the *libellus contradictionis* or *reponsionis*. Hereafter, the case was ready for trial.

If the defendant acknowledged his liablity on the day of the trial, then execution against him took place immediately (Ac 24:1-27; 25:1-12). If not, the trial proceeded. The defendant could then raise exception or plead with regard to jurisdiction (Ac 24:10-21; 25:8-12; 26:2-32). The defendant could appeal against the decision of a judge (Ac 25:11) to Caesar (Van Zyl, 1977). The prisoner who appeared before the judge was bound in chains (Ac 21:33), not permitted to say anything unless permission was given (Ac 37:40). He could then state his defence (Ac 22:1); he could also be taken into custody (Ac 22: 23); prevented from testifying (Ac 22:17), until permission was granted (Ac 24:10; 26:1). He could be flogged (Ac 22:24), however, it was illegal to flog a Roman citizen (Ac 22:25). It was also illegal to charge, hold in custody or question a Roman citizen (Ac 22:29).

Regarding a serious charge, a Roman citizen had to be brought before court (Ac 23:27-30; 24: 1-27) and the accusers had to present their case (Ac 23:30; 24:1). Charges had to be specified (Ac 25:27). The offence had to be put to the accused. The subject of the infinitive is in the accusative. This construction is for the sake of emphasis.

The principle of legality (*nullum crimen sine lege vel praeter legem:* without a law prescribing the punishment, no charge is possible) was applied. Another relevant principle was *poena non irrogatur nisi quae quaque lege vel alio iure speculater huic delicto imposita est:* a penalty is not imposed unless

it is expressly laid down for that crime by a law or by some other legal measure (Ulp: Dig 50.16.131.1 quoted by Hiemstra & Gonin, 1981: 232, 233, 240).

The accused had to be given an oppurtunity to present his case (Ac 23:30; 24:1; 24:10; 26:1). The Roman law principle of *audi alteram partem* (hear the other party) was applied. Proceedings could be adjourned (Ac 25:16-17; 24:22). The accused was kept under guard pending the magistrate's decision, but could be visited by his friends who were allowed to care for his needs (Ac 24:23). At a later stage the magistrate listened to the accused (Ac 24:25) and could adjourn the case again (Ac 24:26). The magistrate could convene the court again and request the prisoner to appear before him.
All these proceedings, followed by tactics, with a view to a possible bribe (Ac 24:26), or a favour to the other party (Ac 24:27) could have been practised. As a case was not supposed to be delayed, a Roman citizen had the right to appeal to Caesar (Ac 24:11, 12) if it was a matter of life and death, that is, if the sentence carried the death penalty.

The magistrate had to report to Caesar about the proceedings (Ac 25:16-21) with regard to the question whether it complied with Roman forensic practice, whether the *audi alteram partem* rule had been applied, whether there had been a delay of the case, whether the court had been convened as soon as possible and arraignment arranged timeously (Ac 25:16-17). This is possibly the picture that Paul wanted to convey to his addressees.

Another juridical process, which Paul's addressees may have called to mind, is refered to by Guthrie with reference to the Greek god Hermes. According to Guthrie (1962:87-94), Hermes is an ancient name for an ancient god of the countryside adapted by the Greeks and contextualised (Guthrie 1950:37-51) with ρμα, which was a cairn or heap of stones. The Greeks by way of a judicial myth characteristically brought about the association of Hermes, with a heap of stones, which accumulated over a period of time as a result of the gods having had to vote during a process of a judicial hearing. It

started when Hermes killed Argos. He was brought to trial by the gods.

The gods had to vote for his acquittal or punishment by means of voting pebbles (ψηφίς, ψ φος), which were white for acquittal and black for punishment. His name was written on the black pebble signifying that his old name was the name of guilt. If he was voted guilty, he remained with this name and was punished. His old name written on the white pebble signified that if he was voted not guilty, he would be acquitted and his old name would become a new name in the sense that it was free from guilt or the stigma of guilt (cf 3.3.4 *supra*).

An example of this practice is referred to in Ac 26:10 and Rv 2:17. They acquitted him and in doing so each threw his voting pebble (ψ φος) at his feet, which resulted in being a heap of stones.

Thereafter this practice became customary. And the stones so used for the judicial process formed a heap over the years. The heap of stones became a monumental upright heap like a pillar. This represented Hermes and became increasingly antropromorphic in conception.

Since the heap of pillar-like stones was set up along the wayside to serve as a guide to wayfarers, the new function of Hermes, attached to his renewed name, was to act as a guide to wayfarers in addition to his other function as a messenger sent by Zeus to run errands and convey messages to other gods and mankind (*ibid*).

3.3.7   Romans 2: 17-29: Paul's Argument on Behalf of God proceeds

Romans 2:17-20 contains "if …then" statements (cf 2.2.2.2 *supra*). The "if…then" propositions are stated from verse 19-20. It is only in verse 21 that "then" appears. These are rhetorical questions. A rhetorical question is a question asked for the sake of effect, no answer being required or expected, because the person asking the question already has the answer.

Paul therefore uses a technique from logic, whereby a hypothetical proposition is formulated. In other

words, an idea, question or suggestion concerning the addressees' Jewishness is stated with the expectation of no answer (Rm 2:17), because Paul already has the answer. He refers to their reliance on the law, their superiority complex and bragging about their relationship to God (Rm 2:17); their knowledge of the will of God and approval of what is superior, because they are instructed by the law (Rm 2:18); their conviction that they are a guide for the blind, a light for those who are in the dark (Rm 2:19); that they are instructors of the foolish, teachers of infants, because they have in the law the embodiment of knowledge and truth (Rm 2:20). The hypothetical questions are then followed in verse 21 by the "then…" statement, which forms the conclusion.

3.3.7.1   Exegetical Perspectives

Romans 2:21-26 contains rhetorical questions. A rhetorical question is a question asked for the sake of effect, to impress people. No answer is required or expected. These verses may also be deemed interrogative propositions.

The Pauline syllogistic argumentation in this passage may be reconstructed from verse 25 to 29 as follows:

Statement A

(i)   Circumcision has value if you observe the law, but if you break the law, you have become as though you had not been circumcised (Verse 25).

(ii)   If those who are not circumcised keep the law requirements, will they not be regarded as though they were circumcised (Verse 26).

(iii)   (Therefore) the one who is not circumcised physically, and yet obeys the law will condemn you who, even though you have the written code and circumcision, are a lawbreaker (Verse27).

Statement B

(i)   A man is not a Jew if he is only one outwardly (Verse 28a).

(ii)   Nor is circumcision merely outward and physical (Verse 28b).

(iii)   No, a man is a Jew if he is one inwardly and circumcision is circumcision of the heart by the

Spirit, not by the written code (Verse 29).

Statement A and B follow "if…then" statements. Paul makes copious use of the "if…then" statement proposition. This proposition appears in the following forms, "if…then"; "for if…then"; "but if…then" and "now if… then". These propositions appear in Rm 2:17, and in Rm 2:25, 26.

Paul's approach may be described in the following manner: he formulates a hypothetical proposition, that is, an idea or suggestion concerning a theological concept put forward as a starting point for reasoning or explanation. The hypothetical proposition with which Paul starts his argument, therefore, has certain consequences. In each case, the hypothesis is a true or valid proposition based on a theological concept or assumption with true consequences which Paul elaborates on by using any of the following techniques: rhetorical, semantical, syntactical, logical or legal-hermeneutical and eventually arrives at a conclusion.

Paul's line of reasoning is at all times in conformity with the principle "whatever is entailed by a true proposition is true" (Stebbing, 1948:27). Paul's line of reasoning by using the "if…then" proposition, in whatever form in conformity with this principle, may be illustrated by using the letter H for the hypothetical proposition in a Pauline argument, and the letter C for the consequence or conclusion of that argument.

This line of reasoning is in conformity with the *principle of deduction* in terms of which a given proposition cannot be accepted if another proposition entailed by it is rejected (Stebbing, 1948:28). By virtue of this principle Paul's addressees cannot accept the hypothesis and reject the consequences. They have to accept both hypothesis and consequence because formerly the argument is valid and true. The hypothetical proposition, which asserts a certain condition, is called the *antecedent* and the consequence is called the *consequent*. When both are present the argument is valid and true and must, therefore, be accepted *in toto*. The hypothetical proposition always asserts that a certain condition has a certain consequence (Stebbing, 1948:56).

All reasoning has a formal aspect and the formal aspect of any reasoning is important for the validity of

the reasoning. Therefore, if any reason is offered as a valid reason, it must be a valid reason in form, that is, there must be a connection between the hypothesis and the consequent (Stebbing, 1948:30,31).

Romans 2:25 may be converted from an ordinary sentence into a logical sentence. There is a certain procedure to follow when converting an ordinary sentence into a logical sentence, for example: "Circumcision has value if you observe the law, but if you break the law, you have become as though you had not been circumcised". In this verse Paul is stating a rule, a case and the result. Logically, this verse may be reconstructed or converted to comply with logical principles with regard to the formulation of logical propositions as follows:

(i)   (Stipulation of a rule or condition): circumcision has value if you obey the law

(ii)   (Formulation of a case): but (if) you break the law

(iii)   (Formulation of a result): (therefore) you have become as though you had not been circumcised

This verse is also an example of a declarative proposition. Declarative propositions may be classified as either negative or affirmative. Sometimes it is difficult to determine whether a proposition is affirmative or negative. What qualifies a proposition to be affirmative or negative depends on whether the words "not" or "no" modify the predicate or whether they modify the copula. If the words "not" or "no" modify the predicate, then the proposition is affirmative.

The principle in accordance with which Paul's reasoning in Rm 2:25 proceeds may be formulated with regard to negative premisses: *whatever can be asserted (affirmatively or negatively) of any member of a given class can be likewise asserted of any specified member* (Stebbing 1948:48).

In logic this is called the *applicative principle*, since it permits us to apply to a specified case whatever is asserted of *every* case in general. This principle is known in logic the *pinciple of substitution* because it is a principle in accordance with which *values* can be substituted for variables. This principle yields the symbolic form: If anything which is a member of X has F (or not), and A is a member of X; then A has F (or not).

Here (and subsequently) *X* stands for any class, *F* for any property, *A* for any *specified* individual. The bracketed "or not" shows that the form is valid, whether the property is affirmed or denied.

A similar principle in logic, which may be called t*he principle of excluding an individual from a class*, may be formulated as follows: *If a given individual lacks (or possesses) a property which any member of a certain class possesses, or lacks, then that individual is not a member of that class.* This yields the form: if anything, which is a member of *X*, has *F* (or not), and *A* has not *F* (or has); then *A* is not a member of *X* (Stebbing, 1948:49). This type of argument is contained in Rm 2:28, 29.

The above principles are closely related to the so-called rules of quality in terms of which (i) no conclusion can follow from two negative premisses; (ii) if either premisse is negative, the conclusion must be negative; (iii) a negative conclusion cannot follow from two negative premisses. The above rules apply only to syllogistic arguments (Popkin & Stroll, 1956).

3.3.7.2 Theological Contextual Application

Circumcision was an important symbol of God's covenant with Abraham, which had to be kept by Abraham and his descendants for generations to come: "Every male among you shall be circumcised. You are to undergo circumcision and it will be the sign of the covenant between you and I.
For generations to come, every male among you who is eight days old must be circumcised including those born in your household...My covenant in your flesh is to be an everlasting covenant…" (Gen 17:10-12; Ac 7:8; Rm 4:11). Circumcision had to do with the shedding of blood and was as such a symbol of the shedding of blood of Jesus Christ, which brought all who believe into the household of God. Abraham thus became the father of all circumcised and all who believe and walk in the footsteps of Abraham (Rm 4:12).

However, the Jews miscontrued this symbol and emphasised its fleshly significance, ignoring its spiritual significance, which had to do with a way of life in Christ Jesus. Paul had to remind them that

God's promises are not to people who bear a certain mark on their bodies, but to people who have a certain spiritual relationship with God in Jesus Christ (Rm 2:25-29). It is for this reason that Paul says that circumcision has value if you observe the law, but if you break the law, you have become as though you have not been circumcised, because then you are at the same level as those who are not circumcised yet who keep the requirements of the law. Therefore, whether you are circumcised or not, the most important question is whether you keep the requirements of the law or not. Keeping the requirements of the law therefore is more important than obedience to the outward practice of circumcision. The Jews, says Paul, were incorrect in this respect. What is required is a spiritual relationship with God through Christ Jesus and not an outward display of adherence to the practice of circumcision.

3.3.8 Romans 3:9-20: Paul concludes his Argument on Behalf of God

3.3.8.1 Selected Juridical Imagery

Paul forthwith explains God's way by using the metaphor from the law courts, which Paul calls "justification".

The concept of "justification", in terms of the law courts, means that a man who stands on trial and would be found guilty for his misdeed, is set free as if he had not committed the crime for which he was on trial, because there are grounds for "justification". In terms of God's "way" of "justification", the sinner who is guilty is treated as if he is innocent. The grounds for his "justification" are by faith in Jesus Christ.

Paul's statement in verse 19 stipulates the function of law, which for Paul is not only the Torah, which is a body of principles, governing the lives of the Jews, but which is also the law in the sense of common, ordinary customs or legal regulations, formalised rules or a set of rules prescribing what

people in general must do. This is the idea underlying the theory of natural law, as opposed to the Torah.

Therefore, when Paul says, "Whatever the law says, it says to those who are under the law, so that every mouth may be silenced, and the whole world held accountable to God", and "Therefore, no- one will be declared righteous in His sight by observing the law, rather through the law we become conscious of the sin", he is referring to the function of law, not as the Torah, but to law in the sense of natural law. This distinction is made clearer by Paul's argument in Rm 3:21.

3.3.8.2 Exegetical Perspectives

Verse 9 constitutes Paul's first premise of the syllogism. Verse 9 is not a rhetorical question, because a rhetorical question is normally not followed by an answer. Here Paul asks two questions and then answers them himself.

The syllogistic argumenation of Rm 3:9-20 may be reconstructed as follows:

(i)   Jews and Gentiles alike are all under sin as it is written (Verse 9, 10-18).

(ii)   Now we know that whatever the law says, it says to those that are under the law,

         so that every mouth may be silenced and the whole world held accountable to God

         (Verse 19).

(iii)   Therefore, no one will be declared righteous in His sight by observing the law rather, through

         the law we become conscious of sin (Verse 20).

Verses 9 and 19 embrace verses 10-18, and reveal Paul's rabbinic inclinations. Two concepts link verse 9 with verse 19. These concepts are "under sin" in verse 9 and "under judgment" in verse 19, forming an embracement which covers verses 10-18 within which the *charaz* appear. Here Paul uses a method used by Jewish rabbis in terms of which they laced together a collection of Old Testament texts, not quoting directly, but rather from memory. This method was called "the lacing of pearls" or "*the charaz*"

(Barclay, 1975:55). Paul quotes from memory and refers to Psalm 14:1- 3; 53:1- 3; 55:9; 140:3; 10:7; 36:1; Isaiah 59:7, 8; Ecclesiastes 7:20.

Romans 3:10, 11 and 12 are examples of logically declarative sentences. As stated previously, declarative sentences may be classified as either negative or affirmative. What qualifies a proposition to be affirmative or negative is whether the word "not" or "no" modifies the predicate, or whether they modify the copula. If the word "not" or "no" modifies the predicate, then the proposition is affirmative.

In Rm 3:10, 11 and 12 Paul quotes Scripture, "There is no-one righteous, not even one" (10); "there is no one who understands, no one who seeks God" (11); "there is no-one who does" (12). These statements are examples of negative propositions because they deny that anybody belongs to the class of the righteous.
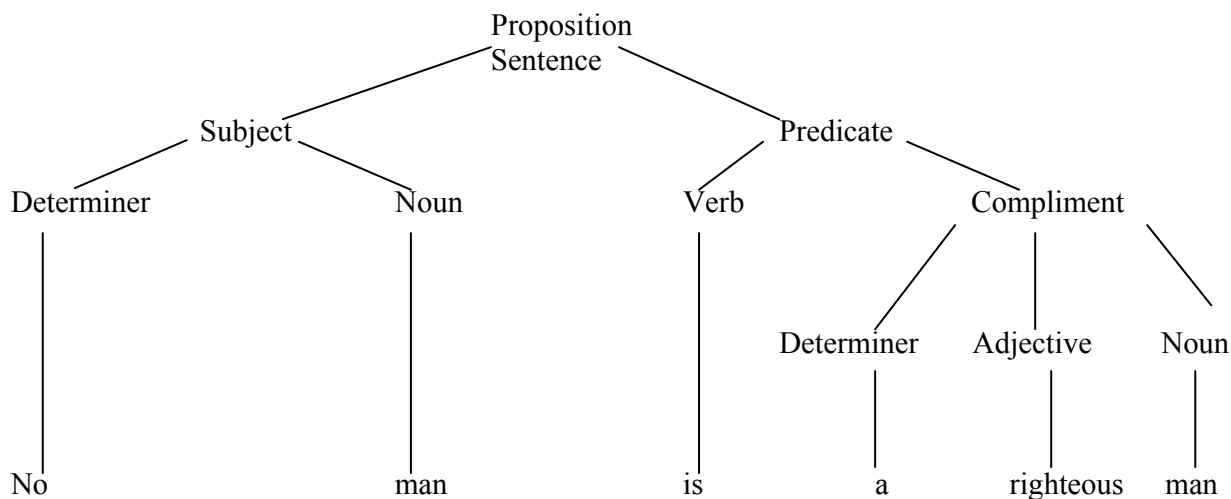
As stated previously, these types of propositions, are referred to by logicians as propositions of "quality". Propositions of quality are usually distinguished from propositions of "quantity", namely those, which are "universal", "particular" or "singular". Whether a proposition is universal, particular, or singular, depends upon whether it refers to *all* of the entities referred to by the subject term, whether it refers to *some* of them only, or whether it refers to a *single* individual. For example, when Paul says in Rm 3:4 "…let God be true, and every man a liar…", the terms "man" and "liar" refer to classes of entities, namely, the class of men and the class of liars. Paul is therefore asserting that the class of man is included in the class of liars. He is thus specifying a relationship between the two classes, namely, the relationship of "being included within" (Popkin & Stroll, 1956:332).

Paul's statement in verse 10 may be explained with reference to the legal-hermeneutical rule of *expresio unius est exclusio alterius* or *inclusio unius est exclusio alterius* (Dig. 5.1.12).

The constituent structure of the composition of Rm 3:10 may be reconstructed as follows from "There is no-one righteous" to "No man is a righteous man" and represented by bracketing as follows:

{[(No)(Man)]} {[(Is)] [(A) (Righteous) (Man)]}

Graphically the structure can be illustrated as follows:

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                         Proposition
                          Sentence
               Subject                       Predicate
      Determiner         Noun        Verb              Compliment

                                              Determiner  Adjective  Noun

      No                 man         is         a        righteous   man
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Verse 9b and the conclusion in verse 20 form the Pauline syllogistic statements. These syllogistic statements may, as reconstructed above, be applied as follows:

(i)   Statement A

"We have already made the charge that Jews and Gentiles alike are all under sin"

(Every X is Z)

(Every Jew and Gentile (X) is under sin (Z))

(ii)   Statement B

"Now we know that whatever the law says, it says it to those who are under the law, so that every mouth may be silenced and the whole world held accountable to God"

(Every X is Y)

(Every Jew and Gentile (X) is under the law (Y))

(iii)   Statement C

"Therefore, no-one will be declared righteous in His sight by observing the law, rather through the law we become conscious of sin"

(Therefore every *X* is *Z*)

(Every Jew and Gentile (*X*) will not be declared righteous by observing the law (*Z*))

Here again Paul reaches a conclusion from two statements, thereby complying with the requirements for a syllogism.

3.3.8.3 Theological Contextual Application

In Romans 3:9-20, Paul stipulates the function of the law by using the chiasm: a-b-b-a (Fitzmyer, 1993:337). The function of the law is according to Paul:

-         That every mouth shall be silenced.

-         That the whole world should be known to be liable to the judgment of God.

-         That everyone should be fully aware of sin in the light of the law.

-         Therefore no one will be declared righteous in his sight by observing the law…

The law lays down the works that everyone should do in order to be right with God, therefore, no- one will ever get into the right relationship with God unless he does what is right with God according to the law.

After stating the above, Paul indicates a way, quite apart from the law, by which man can have the right relationship with God:

-         A way attested by the law and the prophets (Rm 3:22; 5:1)

-         A way through faith in Jesus Christ

-         A way in which there is no distinction between Jew and Gentile, because all have sinned and fall short of the glory of God

-         A way in which Jew and Gentile are put into the right relationship with God, freely, by

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His grace, through the deliverance, which is wrought by Jesus Christ

To have the right relationship with God man will have to be justified – not by works but by faith. This process is a legal process, which Paul elaborates on from Rm 3:1 to Rm 5:11. Which will be discussed below.

3.3.9   Romans 3:21-26: Contextualisation of Justification and Righteousness

3.3.9.1   Selected Juridical Imagery

In Rm 3:21-26 Paul uses four metaphors (Barclay, 1995:57). The first metaphor Paul uses is from the *law courts* (that is, forensic), namely *justification*. This metaphor refers to a man on trial before God. The Greek word, which is translated *to justify,* is δικαιόω. This concept and all its variant forms has the meaning of "to be righteous", "to put right with…", "to be proper", "to show to be right", "to acquit", "a righteous act". The idea behind this concept is the following: If a guilty man appears before a judge, and in order to treat him as innocent and *acquit* him, one of the ways by which he may be aquitted is by means of justification. To treat him as innocent is to *justify* his crime on the basis of certain grounds, known in law as *grounds for justification*. This expression by Paul is a contextualisation of a theological trial process: if a man is utterly guilty before God, and God treats him as innocent, God's action is based on certain grounds for the justification of man's transgressions, based on God's amazing mercy through the expiatory act of Jesus Christ on the cross.

In Romans 3:21, Paul speaks of "the righteousness of God". Paul uses the genetive of source: the righteousness of which God is the source. This righteousness is therefore not a righteousness that comes from man or of which man is the source. It is righteousness from outside man. Barth ([sa] 93) rightly describes this concept as a *justitia forensis*, *justitia aliena;* which entails that the judge ronounces his verdict according to the standard of his righteousness only.

The "righteousness of God" is according to Fitzmyer (1993:105) derived from the Old Testemant. The

meaning of the phrase is, according to him much debated especially with reference to the genetive. The question is whether the concept is a subjective, possessive or objective genetive. Fitzmyer is of the opinion that Paul uses the concept in Romans, (especially in Romans 3:5), as an objective genetive. As stated above the genetive of source seems to be the most appropriate form used by Paul in Romans 3:21.

Therefore, when Paul says, "God justifies the ungodly" he means that God treats the ungodly as if he has been a good man. At this juncture Paul goes against orthodox Hebrew teaching contained in Proverbs 17:15, "He who justifies the wicked is an abomination to the Lord", and Exodus 23:7, "I will not acquit the wicked", and contextualises God's mercy and grace in Jesus Christ.

This concept was, however, known to the orthodox Jew. Ridderbos (1971:77) rightly connects the thematic juridical concept of justification with the historical background of a "joods-synagogale verlossings schema" against the background of the death and resurrection of Christ which is the implication of Romans 3:21-31, in which the eschatological-christological foundation of Paul's gospel clearly comes to the fore (cf Rm 3:24). The grounds for justification is faith with reference to Habukkuk 2:4 (cf Rm 1:17) and not the law (Rm 3:22, 27; 4:13, 16).

In connection with the concept of "justification", Paul uses the concepts of "witness" and "manifest" or "establish", which are in a continuous tense and which means that the actions done by God and the Prophets happened in the past and are continuing to the present. The concept of "witness" is a forensic concept and conveys the idea of someone in a Roman court of law who had to testify about the validity of a certain action. In terms of Pauline contextualisation, this means that the Prophets continuously testify about the validity of the "justification".

The concept of "the Prophets" refers to the Old Testament. The concepts of "manifest" or "establish"

convey the idea of verification, which means that God verifies the act of "justification", which comes through faith in Jesus Christ to all believers (Rm 3:22).

The second metaphor Paul uses is related to the concept of "justification" and "sacrifice". This concept is ἱλαστήριον (Rm 3:25), which means "propitiation". Propitiation means, "to take away the anger of". Reference is here made to God's "anger" or God's "punishment". To take away the anger of God, a sacrifice was normally performed. The same concept is contained in "justification", namely, that the guilt or liability of the offender is removed on the grounds of the propitiatory work of Christ (Rm 3:25). Paul states the reasons why God did it, "He did it to demonstrate His righteousness, because in His forbearance He had left the sins committed beforehand unpunished. He did this to demonstrate His justice at the present time, so as to be just and the one who justifies the man who has faith in Jesus" (Rm 3:25, 26).

The third metaphor relates to God's *long suffering, patience* and *forbearance* and portrays God's inclination to be "patient" and "forbearing" in meting out His justice. This concept too relates to the judicial process in which God justifies and "takes away the anger".

The fourth metaphor Paul uses is from *slavery*. The word πολυτρώσεως (Rm 3:24) is from the word πολύω, which means "to set free", "to release", "to let go" or "to dismiss". In verse 24 this concept πολύτρωσεως is translated as "redemption". Reference is therefore made to the "redemption" of the sinner through Jesus Christ. This concept connotes the release of a prisoner for a ransom. The idea of *quid pro quo*, that is, "something for something", is implied here. Something had to be sacrificed for the release of the sinner. This concept therefore means that man was in the power of sin and that Jesus Christ was sacrificed to release him from bondage. There is a forensic element in this concept to the extent that the release of a slave from captivity is secured by means of the payment of a price.

The four concepts, referred to above, which Paul uses in Rm 3:21-26, all have to do with the concept of "justification". Paul thus says that God did all this because He is just, and accepts as just all who believe

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in Jesus Christ.

Rm 3:27-31 does not consist of rhetorical questions, because each question is followed by an answer. Rhetorical questions on the other hand do not require an answer provided by the speaker. Logicians refer to these types of questions as "interrogative propositions". There are two prominent statements, namely, verse 28 "For we maintain that a man is justified by faith apart from observing the law" and verse 30 "Since there is only one God, who will justify the circumcised by faith and the uncircumcised through that same faith". Paul arranges these questions and answers around these two statements.

3.3.9.2 Exegetical Perspectives

Paul's argumentation on behalf of God continues during arraignment. Rhetorical questions precede Rm 3:21-26 with reference to authority and ends with concluding statements (Rm 3:19,20).

The idea of poetic justice - retribution, cause and consequence - continues from Rm 3:9-20. Grounds for justification are stated by Paul in Rm 3:21-26, followed by further rhetorical questions.

Paul's argumentation in Rm 3:21-26 may be reconstructed syllogistically as follows:

(i)   But now the righteousness from God, apart from law, has been known, to which the Law and the Prophets testify (Verse 21).

(ii)   This righteousness from God comes through faith in Jesus Christ to all who believe, there is no difference (Verse 22, 23).

(iii)   Therefore, all have sinned and fall short of the glory of God, and are justified freely by His grace through the redemption that came by Christ Jesus (Verse 24).

The distinction between "law" in the sense of functioning and governing people in general and the Torah as a body of rules is set out by Paul in Rm 3:21. In this verse the first usage of the concept "law" may refer to the "law" in the sense of functioning and governing people in general. This usage may be seen against the background of natural law theory. (cf comments on 2:14-16 above)

As stated previously (cf 3.3.6.2) the origins of the natural law theory may be traced as far back as Ancient Greece. Plato and Aristotle were possibly familiar with this theory. It stands to reason that Paul would also have been familiar with this theory.

The basic idea of the natural law theory is that there is an ideal system of law, superior to any laid down by human authority (Bosman & Hosten, 1979), and to which the precepts of "positive law" should conform, so that there will be "natural and fundamental justice". The word "natural" in natural law refers not to the law of nature in the sense of laws that govern the physical world, but rather to the body of permanent, eternal truths, truths embodying precepts of universal applicability, part of the immutable order of things, unaffected by changing human beliefs or attitudes (Riddall, 1991). The natural law concerns itself with the law "as it ought to be" and not "as it is" (positivism).

There must be a balance between the natural law theory and the positivist theory. The existence of man-made laws must be recognized, whilst on the other hand, the existence of natural law must not be ignored, "Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God" (Rm 13:1).

The truths of natural law are latent in the universe. They must be discovered by man through the exercise of reason with which he is endowed by nature (by God). Though these truths seem only to be revealed now, they are not completely new revelations but have been extant for ages waiting for the discovery by man. In terms of Paul, this revelation has to do with the righteousness from God, which comes through faith in Jesus Christ to all who believe (Rm 3:22).

The expression "natural law" is not to be understood as being the same as the law of nature, in the sense of laws that govern the physical world. The word "natural" in "natural law" is a metaphysical concept, which is the fundamental idea of the "natural law" theory. This idea is the following: Man is part of nature. Within nature, man is governed by certain rules. It may be for this reason that Paul states, "But

now a righteousness from God, apart from the law has been made known to which the law and the Prophets testify. This righteousness from God comes through faith in Jesus Christ to all who believe" (Rm 3:21, 22).

Akin to the natural law idea is the *ius gentium* idea of the Roman legal system (Van Zyl 1977:21). The Romans maintained this idea of *ius gentium,* namely that there is a legal system common to all people - the law -, which governs all men. The *ius gentium* for the Romans meant a legal system that was the basic idea underlying the custom of the people (*mos maiorum*), legislation (*leges*) and all the legal functions of the jurists. The *ius gentium* may be compared with the *ubuntu* idea in African culture. Similarly, within the South African context, the concept of *ubuntu* underlies all patterns of African moral behaviour in terms of which an individual is expected to act according to the precepts of some supernatural principles that apply to all men.

Paul emphasises this view contained in Romans 3:21-26 throughout his argument, and ends with rhetorical questions, which add even more emphasis, and concludes with the statement that this law is not nullified, but upheld.

The second use of the concept of "law" in capital letters "Law" in Rm 3:21 refers to the Torah as a body of principles functioning and governing the Jews – an exclusivistic and positivistic view, which Paul outrightly rejects.

3.3.9.3 Theological Contextual Application

Romans 3:21-31 contains what is usually known as the element of surprise. Paul's introduction of this element is not out of the blue. Paul has been coming along with this element since he started using the concept of δικαιοσύνη from Rm 1:17, but it was overshadowed by the announcement of God's imminent judgment against the sins of Paul's addressees.

Paul states this element of surprise in the use of the passive expression πεφανέρωται (Rm 3:21)"has

been manifest". According to Käsemann (1980:93). This concept is from the verb φανερόω "belongs to the vocabulary of Revelation and means more than merely becoming visible. The revelation of righteousness has been made public and has been proclaimed by legally binding force".

Paul rejects the Jewish exclusivistic and positivistic approach to law, which is embodied in the Torah. According to Paul, the Jews overemphasise positivism as embodied in the Torah and neglected the natural law view. They emphasise the law "as it is" and neglect the law "as it ought to be". A practical example of this draconian application of the law and its effect on the community or individual can be cited with reference to the South African situation during the Apartheid era. Dugard (1971:181) indicates in a lecture that South African law was greatly influenced by the positivistic legal theory. Positivism, according to Dugard (*ibid*), influenced the approach of the South African courts in the interpretation and application of Apartheid laws. As explained previously, legal positivists do not question whether legal rules are just or unjust; they accept and apply the law as it "is", and not as it "ought to be". The courts were therefore inclined to give full effect to the "intention of the legislature" and were disinclined to interpret the law in such a way that it would take full account of whether such laws were just towards the subjects.

The positivist approach made it morally easier for judges to apply unjust laws. Dugard (*ibid*) observes that, even in those cases where there was doubt about the correct interpretation of a particular law, some judges chose the narrow positivistic approach, which excluded the consideration of basic human rights which in terms of this thesis embraces natural law or rather the application of law as it "ought to be" and not "as it is".

Paul's rejection of positivism, as applied by the Jews with regard to the Torah, brought him into conflict not only with the Jews but also with the Romans because they too upheld positivism. The trial of Jesus Christ before Pontius Pilate (Mk 15:1-20; Lk 23:1- 25; Jn 18:28- 19:16) illustratres this positivist approach well, especially Mt 27:24, which is indicative of the fact that Pontius Pilate had no option but to choose the narrow positivistic approach, however chose against this approach because he had doubts

about the crime of Jesus.

When Jesus appeared before Pontius Pilate (Mt 27:11-26), Pontius Pilate decided against the judicial positivism of his time and released Jesus, "It is your responsibility", he said. Gallio took a similar decision when Paul appeared before him (Ac 18:12-15) on a charge of "persuading the people to worship God in ways contrary to the law". Here too the judicial officer (judge) as in the case of Pontius Pilate took the responsibility upon himself and applied judicial activism. Both these decisions went against judicial positivism. However, Barnes (1984:33) has a different view and refers to the fact that there was no *Senatusconsultum*, which made Christianity illegal, and Christianity was a legal religion (*religio licita)* during the times of Jesus and Paul. Therefore, in the light of this view, it may be argued that the application of judicial positivism was not required. However, the above decisions may serve as sound examples of judicial activism versus judicial positivism.

In the light of the above discussion it is clear that there was a difference between Paul's idea of the application of the law irrespective of whether it was the Thora or secular Roman law and the Jewish application of the law (Thora).

Paul embraced an idea of law, which has been posited by the creator (unwritten law or the law written in the hearts of men), while acknowledging the law (Rm 13:1-6), which exists as a result of the instrumentality of man in the formulation of these laws (secular Roman law). The Jews, on the other hand, embraced an idea of law, which was posited by Moses (written law), as well as secular law (Roman law). This is a clear distinction between natural law and positivism.

3.3.10   Romans 4:1-16: Paul's Explanation of the Grounds for Justification

In verse 1 and 12 Paul's questions are suppositions by which conditional questions are asked but the fulfilment of the condition is only implied but not supplied. No condition is given in verse 1 as to what should be said. No answer is provided. In verse 2 no indication is given as to what Abraham had to boast about. However, the works, which Abraham had to boast about, had no value before God. What

had value is faith, which is credited as righteousness, which Paul mentions in verse 4 and elaborates on in the following verses.

3.3.10.1   Selected Juridical Imagery

The key concept in Rm 4:1-19 is the concept of λογίσθη from λογίζομαι which means, "to charge to one's account", "to impute", "accusation or suggestion of wrong-doing". Paul uses the concept παγγελία (Rm 4:13), which means "a promise", "a summons", together with the concept κληρονόμον, which means "an heir", to contextualise these concepts in the juridical image of inheritance.

The concept of παγγελία is a legal term, which may be used with reference to a will (testamentary disposition) in terms of which a legacy is promised to someone.

The concept of παράβασις means "a going aside", "a deviation", "an overstepping", and metaphorically "a transgression".

As a legal term this concept refers to the transgression of a law. Paul's use of this term may be interpreted in connection with a legal principle, namely the *principle of legality* in law. The *principle of legality* is contained in the adage *nullum crimen sine lege (*vel *praeter legem)*, which means, "without a law (prescribing the punishment) no charge is possible". The implication of what Paul says in verse 15 "and where there is no law there is no transgression" may therefore be interpreted with reference to the *principle of legality*.

The concept of κληρονόμον refers to "an inherited property", "an inheritance". This concept may be interpreted in connection with the concept of παγγελία in verses 13, 14, 16, 20 and 22 and refers to a will (testamentary disposition), just as in the case of παγγελία. The concept of παγγελία "the promise" refers to the concept of κληρονόμον "heir". This is evident in verse 13 when Paul says, "it was not through the law that Abraham and his offspring received the **promise** that he would be **heir** of the world, but through the righteousness that comes by faith".

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The concept of δικαιοσύνη is an important motive in this section. It starts from verse 2 and is used in different juridical connotations, for example in verse 4 it is used in connection with λογίσθη and φείλημα to bring about juridical imagery with regard to a labour contract between employer and employee, "Now when a man works his wages are credited to him as a gift. However to the man who does not work but trusts God but justifies the wicked, his faith is credited a righteousness" (Rm 4:4,5). In the anology used in verses 4 and 5, Paul contrasts λογίζεται "imputation" κατ χάριν "based on grace" and "imputation" as an obligation or φείλημα "debt". Imputations as an obligation applies to a payment for services rendered, that is, work done for a μισθ ς "reward".

The employer has an obligation to pay, *quid pro quo,* to reward him according to the work done. Imputation as a gift applies to a man who does not work for services rendered, but whose reward is based on πιστεύοντι "trust". Paul, by using this anology distinguishes between justification based on works and justification based on faith.

3.3.10.2   Exegetical Perspectives

In verse 13 Paul contrapositions law and righteousness. This may be explained as follows: Where there is law (a will, testamentary disposition), a promise is made to heirs based on the law. However, where there is no law (no will, testamentary disposition), but rather righteousness, a promise is made to heirs based on righteousness that comes by faith: "for if those who live by law are heirs, faith has no value and the promise is worthless because law brings wrath. And where there is no law, there is no transgression" (Verse 14, 15).

Poirier indicates that Romans 5:14 is taken to be a qualification of Romans 5:13b. The adversative particle λλ is seen as pointing out an exception to what precedes. That is, Paul here apdictically overrules his principle that "sin is not counted where ther is no law" (cf. 4:15) showing that there were several generations in which death reigned without sin being counted. Michael Winger clarified this fact

by arguing that it "does not follow [from Romans 5:13] that every transgression of any particular νόμος (Jewish or otherwise) is sin, nor that all sin transgresses a particular νόμος (1990 64, fn. 31).

Paul states in verse 16 that "the promise comes by faith so that it may be by grace and may be guaranteed to all Abraham's offspring". The concept of βεβαίαν "guaranteed" in verse 16 comes from the word βεβαίος, which means, "firm", "secure", "sure". This is a legal term which means, "to guarantee" the validity of a purchase and therefore it means to "establish or confirm" a title.

The sense in which Paul is using this term may be seen in connection with the concepts of   παγγελία and κληρονόμοι and therefore refers to the title, which the heirs have, in terms of the promise (will, testamentary disposition).

Paul's statements in Rm 4:13-16 are other examples of syllogisms in Romans. These statements may be reconstructed syllogistically as follows:

(i)   It was not through law that Abraham and his offspring received the promise that he would be heir of the world, but through that comes by faith (Verse 13).

(ii)   For if those who live by the law are heirs, faith has no value and the promise is worthless (Verse 14).

(iii)   Therefore, the promise comes by faith, so that it may be by grace and may be guaranteed to all Abraham's offspring, not only to those who are of the law, but also to those who are of the faith of Abraham. He is the father of us all (Verse 16).

Paul is here referring to the law concerning the right of succeeding to an inheritance. According to Roman law, an heir (*heres*) inherited by universal title (*titulo universale*) from the testator. The heir therefore inherited the assets, wealth or riches of the testator *in toto* including the testator's legal position with regard to his assets, the right to claim from his debtors and also his liabilities to creditors. The heir's inheritance of the testator's liabilities was only changed in 531 AD, when an heir could

evade the negative consequences of an inheritance by accepting a *beneficium inventari* and by doing so evade the responsibilty for the debts of the testator (Inst. 2. 19. 6; Codex 6. 30. 22. 14c, quoted by Van der Merwe & Roland, 1974: 1, 2).

3.3.10.3 Theological Contextual Application

The word παγγελία "promise" means a written or oral undertaking to do or not to do something. Paul's use of this word has the connotation of a "promise to do something". Such an undertaking creates expectancy on the part of the promised person, in this case the heir. According to Roman law, this expectancy was known as a "hope" (*spes*) to inherit from the testator. Before the death of the testator, however, the beneficiary had only a "hope" (*spes*) to inherit. He had no claim on the testator's estate but only a right to claim, which took place upon due date (*delatio*). The moment of *delatio* was also known as *dies cedit*, while the moment of enforcing the right to claim the inheritance was known as *dies venit* (Van der Merwe & Roland, 1974:11).

Paul contextualizes the right of succession based on the law with the right of succession based on the theological concept of faith. The right of succession on the grounds of faith is a completely new element, which Paul draws from the theological sphere and explains it in terms of the right of succession drawn from the law.

Paul draws the attention to certain negative elements of the right of succession based on the law. These elements are influenced by the negativity of the law itself which according to Paul is wrath ("for the law brings wrath", verse 15a) and the law brings transgression ("where there is no law, there is no transgression" conversely "where there is law, there is transgression", verse 15b). Therefore, says Paul, there is a difference between a right of succession on the grounds of the law and a right of succession on the grounds of faith, when it applies to the right of succession in the theological sense of the word. The right of succession on the grounds of the law is interpolated by Paul to the right of succession on the grounds of faith. Within this context, according to Paul, the right of succession on the grounds of the law is worthless, it has no value. However, the right of succession on the grounds of faith has value.

The promise to Abraham was based on faith and not on the law.

Therefore, it had value. Jews on the other hand, base their inheritance on the grounds of the law, which is worthless in terms of faith.

The offspring of Abraham in Rm 4:16 is anticipated or pre-empted here and clarified later by Rm 9:8, "In other words, it is not the natural children who are God's children but it is the children of the promise who are regarded as Abrahams offspring".

3.3.11 Romans 5:12-21: Paul's Argumentation about the Imputation of Original Sin and Death

Romans 5:12-21, especially verse 12, is considered to be the *locus classicus* of the doctorine of original sin or as David Weaver states it "inherited culpability" (1985:133), that is, the idea that each individual from the moment of conception has inherited the responsibility and guilt for the first sin of Adam as if it were their own. Prior to any individual's willful actions, the entire human race has sinned *en masse* in Adam. Therefore, each human individual from conception merits condemnation from God in addition to mortality, fallability and curruption stemming from Adam's sin, and is liable to eternal damnation.

Without venturing into an elaborate discussion of Weaver's views, the author is of the opinion that the essence of what Paul is conveying to his addressees in the first place might be understood more clearly if attention is afforded to Paul's syllogistic argumentation in Rm 5:12 in the context of verses 13-21.

3.3.11.1 Selected Juridical Imagery

The following concepts in Rm 5:12-21 convey juridical imagery:

- λλογε ται (Rm 5:13): Present indicative passive, third person singular of λλογάω: "to reckon", "to impute", "to charge". From a juridical point of view this concept may be interpreted

as an accusation of wrong-doing, that is, considering accounting the outcome of a person's act as due to his wrongful or culpable action; the blameworthiness of a person for a wrong done.

Romans 5:13 may therefore juridical be interpreted as "but where there is no law, no account is kept of sins". This verse may be explained in terms of the Roman juridical adage of *nullum crimen sine lege* which means "without a law (prescribing the punishment) no charge is possible" (Rm 7:7); (Hiemstra & Gonin 1981:233), also "a penalty is not imposed unless it is expressly laid down for that crime by law or by some other legal measure" (Ulp: Dig. 50.16.131.1, quoted by Hiemstra & Gonin 1981:241). Roman law recognized this principle in *crimina publica*, which preceded the later Roman law *crimina extraordinaria* (De Wet & Swanepoel 1975:45). There is thus reason to believe that it was recognized during Paul's time, which was during the Principate, a period which preceded later Roman law developments.

- κρίμα (Rm 5:16): This concept conveys juridical imagery which is contained in the following meanings of κρίμα: "judgements"; "decisions"; "legal action taken in a court of law against someone"; "law suite"; "case"; "legal action"; "to decide a question of legal right or wrong and thus determine the innocence or guilt of the accused and assign appropriate punishment in retrobution"; "to decide a legal question"; "to act as a judge"; "making a legal decision"; "to arrive at a verdict"; "to try a case"; "the authority to judge"; "the legal decision rendered by a judge whether for or against the accused"; "sentence"; "to judge legal cases"; "judgement". As in Rm 5:16: "…a verdict following an offence and bringing condemnation"; "to judge a person"; "to be guilty and liable to punishment"; "to judge as guilty"; "to condemn, condemnation".

- κατάκριμα (Rm 5:16): This concept means "to judge someone as definitely guilty and thus subject to punishment"; "to condemn"; "to render as a verdict of guilt"; "condemnation". The juridical imagery conveyed by this concept is that of a judge who judges and condemns the

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accused for an offence.

- δικαιωθέντες (Rm 5:1,9); δικαιοσύνης (Rm 5:17, 21); δικαιώματος (Rm 5:18); δικαίωσιν (Rm 5:18): These concepts have a juridical connotation and therefore mean juridical righteousness irrespective of whether it is in the context of secular law or thoracic law. Hence, justification by faith, which means having been justified on the grounds of faith, as in the case of being justified on the grounds of the law.

The concept of δικαιώματος is in the substantive genetive singular and its variants δικαιόω, δικαίωσις and δικαίωμα mean "the act of being cleared of a transgressiong", "to acquit", "to set free", "to remove guilt", "aquittal" (Rm 5:16,18). This concept and its variants convey the juridical imagery of an accused that is cleared, set free and acquitted on the grounds that his guilt has been cleared.

The concept of δικαιοσύνη in this theological context means "an act which is in accordance with what God requires" (Rm 5:18), or "an act of declaring someone as righteous on the basis of faith" (Rm 5:1); on the basis "of Christ's attoning blood" (Rm 5:9) and κατηλλάγημεν "reconciled" through His death. (Rm 5:10,11).

The concepts of παραπτώματος (Rm 5:18); παράπτωμα (Rm 5:20): The juridical imagery conveyed by these concepts is of someone who makes "a false step", "a blunder", or commits "a misdeed", a "trespass or transgression of a law", or "an offence" (Rm 4:25; Rm 5:15).

3.3.11.2 Exegetical Perspectives

The syllogism, as the common type of reasoning found in Paul's letter to the Romans, will forthwith be discussed with reference to Rm 5:12. A syllogism consists of two statements or propositions from which a third statement or conclusion is reached, for example, Rm 5:12:

1. (*Y*) Sin entered the world through (one) man (*Z*).

2. (*X*) Death entered the world through sin (*Y*).

3. (Therefore) in this way death (*X*) came to all man (*Z*).

As stated previously, this type of syllogism is well known by logicians under the proper name *Barbara* and is usually presented as follows (Stebbing, 1948:51)

1. Every *Y* is *Z*

2. Every *X* is *Y*

3. Every *X* is *Z*

Paul's statement, according to Rm 5:12, may serve as an illustration and explanation of a syllogism and the form of reasoning underlying it:

Therefore just as sin (*Y*) entered the world through one man (*Z*), and death (*X*) (entered the world) through sin (*Y*), and in this way (therefore) death (*X*) came to all men (*Z*) because all sinned.

It will be noticed that there are three *different* terms in the six propositions making up the argument. Each of the three different terms, sin (*Y*), man (*Z*) and death (*X*), occurs twice. Now by the middle term is meant the term, which appears in both premisses. The middle term does not appear in the conclusion since each term is used twice and only twice. In the foregoing example (Rm 5:12) the word "sin" (*Y*) is the middle term since it occurs in both premisses.

By the major term is meant the term, which occurs as the predicate of the conclusion, "man" (*Z*). The major term is also found in the first premiss of Rm 5:12, that is, "man" (*Z*). The phrase minor term refers to the subject of the conclusion. The minor term also occurs once in the premisses, as well as being the subject of the conclusion. In Rm 5:12 the term "death" (*X*) is the minor term. The major term is the term, which occurs, in the major premiss while the minor term is the term, which occurs, in the minor premiss. Each premiss, of course, contains the middle term (Popkin & Stroll, 1956:237).

The principle, in accordance with which this reasoning proceeds, may be formulated as follows: *whatever can be asserted of every member of a class, can in like manner be asserted of every sub-class contained in that class.* Thus the principle has been named the *dictum de omni et nullo*. It yields the following form: If every *Y* is *Z* (or not).

And every (or some) *X* is *Y*.

Then every (or some) *X* is *Z* (or not).

This argument in Rm 5:12 may be graphically illustrated as follows:
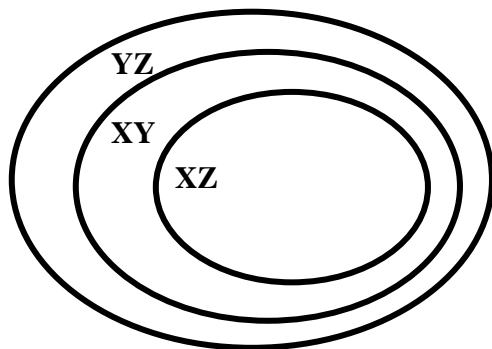
Every *Y* is *Z*

Every *X* is *Y*

Therefore every *X* is *Z*

This syllogism is well known to logicians under the proper name of *Barbara* (Stebbing, 1948:51).

Underlying this argument is the principle that in order to establish a universal conclusion, both premisses must be universal affirmatives and the terms must be arranged as in the above schema. If the first premiss is negative, the conclusion must also be negative. The second premiss being the statement that a certain sub-class is contained in the wider class, was affirmative and if this premiss were to make such an assertion about *some* members of this sub-class, then the conclusion would be particular (Stebbing, 1948:52).

Paul makes copious use of logical constructions in the letter to the Romans, especially deductive and inductive reasoning. Paul's statement in Rm 5:12 might clearly be understood if it is interpreted in terms of the principles of deductive and inductive reasoning. Deductive reasoning deals with that type of reasoning which attempts to establish conclusive inferences. A conclusive statement means that if the reasons given are true, then it would be impossible for the inference based upon these reasons to be false.

Such reasoning is called valid reasoning or valid inferences. Inductive reasoning deals with cases where it has to be determined whether the conclusion arrived at is reliably inferred from whatever evidence we have on hand (Popkin & Stroll, 1956:225,226).

Applying the above principles to Rms 5:12 it is important to establish the truth of Paul's statement in Rm 5:12, which may be paraphrased as follows, "All decendents of Adam are sinners". The validity of this statement may be established in two different ways: either by deductive reasoning or by inductive reasoning. For example, it may be deductively inferred as reasons in support of Paul's statement in Rm 5:12 that the following statements are true:

(a)   "All human beings are decendants of Adam".

(b)   "All decendants of Adam are sinners".

If both these propositions are true then it will be impossible for the proposition, "All decendents of Adam are sinners", to be false. The truth of proposition (a) and (b) provides conclusive evidence for the truth of the proposition, "All decendents of Adam are sinners". What Paul is saying, therefore, is an assertion about all human beings to an assertion about some human beings, that is, that they are sinners because of their decendancy from Adam. Paul is therefore, reasoning deductively.

On the other hand, if one does not accept Paul's statement in Rm 5:12 as valid, one may reason inductively in order to establish the truth of "All decendants of Adam are sinners". This may be achieved by arguing from the particular to the general, for example:

(a)   "Every human being is a decendent of Adam" and therefore sinful.

(b)   "Every decendent of Adam is a sinner".

The truth of (a) and (b) makes it probable that "All decendants of Adam are sinners". Inductive logic is thus not concerned with valid inferences, but with inferences which are probable, given as evidence the truth of certain propositions upon which they are based (Popkin & Stroll, 1956:227).

The question concerning the validity of Paul's syllogistic argument in Rm 5:12 and the juridical content of the concept of λλογε ται has not as yet provided an answer to what Paul means in Rm 5:12. There have, however, been various views in the light of which Rm 5:12 has been interpreted. Barclay (1975:79-81) mentions several possibilities, namely firstly the juristic idea of *solidarity* with reference to Joshua Chapter 7, in terms of which a Jew never really thought of himself as an individual but always thought of himself as part of a clan, a family or a nation apart from which he had no real existence. In Joshua 7, according to Barclay, for example, Israel failed in its assault against the city Ai as a result of Achan's sin. What the individual did, (in this case Achan) the nation did. Because of Achan's sin, the whole nation was branded sinners and punished by God (Barclay, 1958:51). Secondly, the idea of legal representation is also mentioned, says Barclay. This would hold that Adam was the *representative* of mankind and the human race shares in the deed of its representative. According to Barclay (*ibid*), a representative must be chosen by the people he represents and in no sense can we say that of Adam. Thirdly, there is the interpretation that what we inherit from Adam is the *tendency* to sin. According to Barclay (*ibid*), that is true enough, but that is not what Paul meant. It did not suit his argument at all. However, Barclay supports the idea of solidarity because of the solidarity of the human race and therefore all mankind actually sin in Adam (Barclay, 1958:51).

The suggestion of Weaver (1985:133), in particular with regard to Rm 5:12, as conveying the idea of "inherited culpability", needs a little attention in this regard. The concept of "culpability" is derived from the Roman law concept of *culpa* which means "guilt" (in the narrower sense) or "negligence" (in the wider sense) when it also includes *dolus*, which means "evil intent", "willfulness", "malice", "fault", "blame". It is, however, not clear which meaning of *culpa* is referred to in the concept of "inherited culpability" as used by Weaver. Assuming that "fault" or "blame" is referred to, then it would mean that all mankind inherits Adam's fault or blame. However, this interpretation of Rm 1:12 still does not sound plausible, because this is not what Paul is saying in this verse.

What Paul is saying in Rm 5:12, as stated above, may be reconstructed as follows:

(*Y*) Sin entered the world through (one) man (*Z*).

(*X*) Death entered the world through sin (*Y*).

(Therefore) in this way death (*X*) came to all man (*Z*).

Reference has already been made to this type of syllogism with reference to Stebbing (1948).

Every *Y* is *Z*.

Every *X* is *Y*.

Every *X* is *Z*.

As proved previously, this statement is a valid logical statement because it complies with the rule for testing the validity of a syllogistic statement. The statement that has to be analysed is therefore the above proven valid Pauline statement. The underlying principle, which Paul follows, is, "whatever can be asserted of Adam as a member of a class can in like manner be asserted of every sub class (man) contained in that class (mankind)". Therefore, it is not necessary to use the concept of "inherited culpability" because Paul's logic and choice of words does not point in this direction.

Clarity is, however, brought about by Paul's statement in Rm 5:13 by means of the concept of λλογε ται (present indicative passive, third person singular of λλογάω) which means "to reckon", "to impute", "to charge". From a juridical point of view this concept may be interpreted as an accusation of wrong-doing, that is, considering the outcome of a person's act as a result of his wrongful or culpable action; the blameworthiness of a person for a wrong done. Romans 5:13 may therefore juridically be interpreted as "but where there is no law, no account is kept of sins". This verse may be explained in terms of the Roman juridical adage of *nullum crimen sine lege,* meaning, "without a law (prescribing the punishment) no charge is possible" (Hiemstra & Gonin, 1981:233).

Roman law recognized this principle in *crimina publica*, which preceded the later Roman law *crimina*

extraordinaria (De Wet & Swanepoel, 1975:45). There is reason to believe that it was recognized during Paul's time, which was during the Principate, a period which preceded later Roman law developments.

The implications of Rm 5:13 in the light of the above adage is that there was no law during the time of Adam in terms of which his guilt could have been imputed to him. Yet a commandment is clearly stipulated in terms of Genesis 2:17. Adam's deed could therefore have been imputed to him on the basis of this commandment. Paul is therefore clearly referring to some other commandment. This commandment seems to be a written commandment as against the verbal commandment as stipulated in Genesis 2:17. Paul is therefore distinguishing between the period prior to the written law of Moses and the period thereafter.

What Paul is saying in Rm 5:13 and 14 may be paraphrased as follows: before the written Law of Moses was given, sin was in the world. As sin is not taken into account where there is no transgression, Adam sinned because he transgressed a verbal commandment (Gen 2:17) and was punished with death, which consequently reigned from the time of Adam to the time of Moses, when the written law was given, even over those who did not sin by breaking a commandment, (as in the case of mankind) as if they had sinned.

Adam's sin and resultant punishment by death was an inevitable consequence of man's transgression of God's unwritten law which is evidenced in Adam's sin. Adam's sin (his transgression) is however, not transferable. What is transferable is Adam's blameworthiness or *culpa*. This transfer of Adam's, blameworthiness or *culpa* may be understood from a theological point of view as well as from a juridical point of view.

Theologically, Adam's guilt is transferred to mankind on the basis of the absolute prerogative of God

(Rm 9:15,18,21). This is God's absolute privilege or special right to transfer or impute Adam's guilt to mankind – a practice that is revealed time and again in Scripture (Ex. 20:25; 35:7; 1Ki 21:29). Juridically, Adam's guilt, blameworthiness or *culpa* and resultant death is transferred to mankind on the basis of imputability.

This means that the guilt of Adam is imputed to mankind. Though this view was not acceptable to the Armenians of the seventeent century and is also not acceptable to the advocates of modern liberal theology, this is certainly the case according to the plain teachings of Scripture as stated in Rm 5:12-19; Eph 2:3-5 (Berkhof, 1933:143, 145).

The concept of λλογε ται in Rm 5:13, which is in the Present Passive tense, conveys the meaning that the "reckoning" or "imputing" is being done by someone (God) continuously to all men. This is juridically God's prerogative to impute the sin, blameworthiness or *culpa* and resultant death to mankind. Though they themselves (mankind) have not sinned by transgressing any commandment, Adam's guilt as well as death, which came about as a result of his transgression, is imputed to them as if they have sinned. The idea of imputation is therefore conveyed from the juridical sphere to the theological sphere.

The Pauline concept of λλογε ται contained in Rm 5:13, which means "reckoning" or "imputing" may be traced back to the Roman law concept of *actio noxalis,* in terms of which the master was responsible for the delicts of his slave. The modern concept of *vicarious responsibility* or *liability* may also have been derived from the concept of *actio noxalis*. Underlying this concept is the principle that if, for example, a slave committed theft, the *actio noxalis* in the form of *actio furti* was available, to the victim against the master of the slave (Van Zyl, 1977:352).

An important principle in this connection was that the guilt (*culpa*) would revert to the slave if he no

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longer belonged to his master (*ibid* 353). This was known as *noxa caput sequitur*, that is, the damage follows the person who caused it (Paul.: Dig. 34.4.6.2 quoted by Hiemstra & Gonin, 1981:231). The slave had to make good the damage suffered. Applied to Rm 5:12-14, Adam and his descendants had to make good the damage suffered. However, because Adam and mankind were incapable of making good the damage themselves, Jesus Christ came to their rescue on the basis of the grace of God (Rm 5:17; 6:1-14; Eph 2:1-10).

In conclusion Rm 5:13 and 14 may be explained as follows: before the written law of Moses, there was sin in the world. This could only have been the case if there was a law before the written law of Moses, which described certain actions as sinful, because these actions were transgressions of such law. Therefore, Adam sinned because there was a law (unwritten command) before the written law of Moses. It is for this reason that death reigned during this time.

3.3.11.3   Theological Contextual Application

The above Pauline argument may be understandible to modern man in view of modern juridical principles of imputability, vicarious liability or responsibility. The principle of imputability is a well-known modern international law concept in terms of which illegal acts or omissions contributing to the damage of a foreign state and caused by one or more persons belonging to the one state are attributable or imputable to the state they represent. The principle underlying vicarious liability or responsibility is that legal liability is imposed on one person for crimes committed by another (usually an employee or independent contractor), although the person made vicariously liable is not personally at fault (Martin, 2002:244,525).

A similar idea underlying the above modern principles may be traced in Paul's statement in Rm 5:12

and Rm 6:1 to 14, where Paul portrayes the death of Christ as the death of the believer. Christ's death and resurrection were vicarious acts as if the believer died when Christ died and was resurrected when Christ was resurrected. Conversely, the sins of mankind are imputed to Christ and punished by the death of Christ. This is a form of transferrable sin, blameworthiness or *culpa*, in terms of which Christ who is not personally at fault, is held responsible for the guilt of others who committed the wrongful act. The initial wrongdoer as well as his successor can only be exculpated, that is, freed from blame or guilt through the atoning act of Christ on the cross, who was delivered over to death for the sins of mankind and was raised to life for mankind's justification (Rm 4:25). Just as the sins of Adam are imputed to mankind, in a similar manner are the sins of mankind imputed to Christ and punished with the death of Christ.

3.3.12   Romans 7:1-6: Contextualisation of the Law of Marriage to explain Believers's Relationship with God

In this section Paul uses the law pertaining to marriage to explain by way of contextualisation how the law of God in relation to Christ functions. Paul recognizes an important function of the law with regard to relationships between individuals among themselves (*inter se*) and between each individual and God. Paul brings to bear in Rm 7:1-6.

The relationship between husband and wife serves as an example in this respect. Paul is, therefore, explaining this fact in Rm 7:1-6 by way of contextualisation. As soon as two people get married, they perform an act, which is legal in the eyes of God, because the law of God attaches legal consequences to the act of marriage *inter alia* as regards what the parties may do; what the parties may not do; how will the relationship be terminated; what rights and duties flow from the relationship.

Paul touches on a very important legal fact in this connection, namely, that one person in a relationship

owes the other person a duty, which entails that he or she has to behave in a certain manner towards the other person. This duty is reciprocal, that is, while each person has a duty towards another, the other person, has a corresponding duty towards that same person.

3.3.12.1 Selected Juridical Imagery

Typical of Paul is that he uses an issue with which his addressees are acquainted (Rm 7:1) to explain a soteriological concept or εὐαγγέλιον truth. The key juridical concepts, which Paul uses in his syllogistic argument, are νόμος "law" and κατήργηται ἀπὸ τοῦ νόμου "to release from the law". This concept of κατήργηται comes from καταργέω, "to make useless", "inactive", "render inoperative or invalid", "to abrogate", "abolish", "to be separated", "discharged or loosed from". In the passive this concept means, "to set free" thus ἐλευθέρα ἐστὶν ἀπὸ τοῦ νόμου "to be free from the law".

Paul's use of the concept is very significant in Romans. He was aware of the fact that law touches every community and all branches of the community; that law is not merely an aspect of the culture or way of life of a people; but that it is also a mirror of such culture (Church 1986: V). Paul in addition recognised that law is involved in every activity of the members of a community. These activities are known as legal facts. A legal fact is a fact to which the law attaches consequences (Van der Vyver 1362:14). For example, the law, (Torah, or secular law) has authority, that is, attaches legal consequences to a man as long as he lives and when he dies; the law attaches consequences to the legal fact of marriage and the resolution of the marriage to the effect that freedom from the law of marriage ensues (Rm 7:1-3).

 In the same way, by way of contextualisation, consequences similar to those ensuing from the law, but this time round, from a soteriological or theological point of view, are attached to when a man dies to

the law (Torah) through faith. He no longer belongs to the previous state but to Christ.

The concept of νόμος may be traced as far back as the fifth century BC. This concept was by this time already entrenched as the official term for "statute", an order of some kind, which was attributed to the gods. The concept initially referred to a norm both in a descriptive and in a prescriptive sense and on various occasions it was attributed to the gods, to a lawgiver, or to an enactment by a society as a whole. However, later this concept was recognised and acknowledged as referring to the valid norm within a given milieu (Ostwald, 1969:20,21).

Signs of the use of the concept, νόμος, are also evident in Greek literature where the dispenser of law and justice was Zeus. Zeus dispensed law and justice discriminately between man and animals. Zeus gave law, (νόμος), to man with justice, (δίκη), and to animals without justice, (δίκη) (Ostwald, 1969:21).

The term νόμος was also used in ancient Greek literature to describe a procedure, that is, the normal way by which something is done, for example, sowing, ploughing, harvesting or building. The proper procedure would be indicated by the expression "according to law" νόμος and the improper procedure "not according to law", νόμος. This meaning of νόμος described what is according to accepted norms in the sphere of human conduct and what is contrary to accepted norms (Ostwald, 1969:23,24).

The concept of νόμος had various connotations in ancient Greek, namely, νόμος "law" emanating from the gods or from a human lawgiver. This concept was also used to describe a way of life with regard to animals or humans. With regard to humans it also described not only the manner in which they were supposed to do things, but also their mores, beliefs, opinions and point of view. Lastly, the concept of

νόμος also refers to written laws (Ostwald, 1969:48).

The essence of law may be found in the fact that to the Romans of the Principate, Caesar was a personification of the law. Anything done against the law was against Caesar and therefore invalid: *quid fit contra legen est ipso iure nullum* "anything done against the law is invalid" and *contra legem facit, qui id facit, quid lex prohibit, infraudem legis vero, qui salvis verbis leges sententiam eius circumvenit* (Paul: Dig. 1. 3. 29) "to do what the law forbids is to violate the law, but to evade its tenor while observing its words, is to act in fraud of it" (Quoted by Hiemstra and Gonin 1981:171). To the Romans therefore, law was what Caesar said. This is evident from the following: *quod pricipi legis habet vigorum* (Ulp. Dig. 1. 4. 1; Inst. 1- 26) "the will of the emporer has the force of law" (quoted by Hiemstra & Gonin 1981:254). The Romans, therefore, had a strict positivistic concept of law.

From a Pauline contectual point of view, it may be stated that Paul's addressees may have understood the law in this sense: God is the personification of the law. Any thing done against the law of God is invalid and sinful. To do what the law of God forbids is to violate the law of God and to evade its tenor, while observing his Word, is to act in fraud of it. As it was to Romans: that the law was what Ceasar says, so also it was to Paul's addressees: the law is what God sees. The will of God has, just as the will of Ceasar, the force of law. The law is from God therefore, the law of God is positive law. At this point, positive law of God and natural law of God are not distinct, but two side of the same coin.

Concerning Paul's knowledge of law texts from the Pauline corpus may be cited where there is ample testimony by himself when he states in Philippians 3:5, 6 "… with regard to the law, a Pharisee; as for zeal. Persecuting the church; as for legalistic righteousness, faultless" and again, "I am a Jew… under Gamaliel I was thoroughly trained in the law of our fathers and was just as zealous for God as any of you are" (Acts 22:3).

Paul's view of the law or his reference to the law in Romans 7, must therefore be understood against this background of his religious and socio-political origins, which may be gleaned from various sections of his letters.

The Pharisees had a profound respect for the written Torah, therefore to prevent going against the Torah in their interpretation and way of life, they formulated an endless multiplication of rules of conduct known as the *halakkah* and the *haggadah.* The *halakkah* were legal interpretations, enactments and precepts with elaborate discussions in terms of which decisions were reached (Kee & Young 1960:34,37,40-47). Therefore it is conceivable that the *halakkah* could have been a central factor in Paul's life and thought (Tomson, 1990:47) and that the *halakkah* as a method of interpreting Thoraic principles could have played an important role in Paul's method of contextualising the gospel dynamics and truths with Roman legal principles and concepts with a view to explaining or elucidating the gospel.

Paul's use of the concept of νόμος has two different connotations and frame of reference in these arguments. Firstly, Paul uses the concept of νόμος with reference to the Torah; secondly he uses the same concept with reference to Roman law and the law of nature. The concept of "law" in verses1- 4 may be understood as "law" in the sense of the Torah and "law" in the sense of Roman law. The concept of "law" in verses 5 and 6, however, refers to the law of nature, seen in connection with the phrase "the sinful nature, the sinful passions".

It is for this reason, probably, that theologians hold conflicting views as to the content of νόμος "law" in the Pauline corpus. Räisänen (1983:16), for example, says that Paul never defines the content of νόμος and that Paul presupposes that his readers will know what he is talking about. Winger (1992:65-87), on the other hand, says νόμος as used by Paul carries a Greek idea of a human institution associated with a particular group of people. He compiles a survey of references to νόμος in Paul's letters and comes to the conclusion that Paul understands and uses the term, νόμος, not only with reference to Jewish laws

(Thorah), but to νόμος in general.

According to Räisänen (1983:16-18), there is an oscillation of the concept of law, which Paul never defines, in the Pauline corpus. Räisänen, however, concedes that scholars have indeed felt that it is rather difficult to let Paul's use of νόμος always apply to the Mosaic Law alone. This is also clear from the results of Winger's study (1992:85). Winger identifies several references to νόμος in the Pauline corpus. He identifies two definite references to νόμος, which is not Jewish, or at least not the whole of Jewish νόμος (Rm 2:14d; 7:2a). He also identifies thirteen implicit general references to a category of νόμος (Rm 3:27a, b; 7:2b, 22, 23a, b, c, 25a, b; 8:2a, b, 7; 9:31a) and two references to νόμος generally (Rm 4:15b; 5:13b).

Räisänen (1982:22-269) refers to various possibilities and attends to questions about why and how Paul speaks of the law in a way unlike any other early Christian. This is an important aspect of studies based on Paul's concept of law and is a pointer to the problem addressed in this thesis.

This research intends to search for a theory different from the various possibilities referred to by Räisänen (*op.cit.*). The point of departure of this research is that Paul was also influenced to a large degree by the Roman concept of law. The Roman concept of law and principles permeates Paul's letter to the Romans and can be identified in various sections.

Whether Paul is speaking of νόμος in the context of only Jewish law or only Greek or Roman law is a polemic question. However, in this research it is postulated that νόμος in Romans has a specific meaning which relates to the language of the people from whom the term originates. When legal principles or concepts are the object of discussion, it must be borne in mind that such principles or concepts are inextricably connected to the social network of the community in which such principles or concepts apply. Each legal system is part of the social network of the community in which it occurs (Deist, 1986:177). The same may be said concerning legal concepts. For this reason Jewish

understanding of the term law would differ from the Greek understanding and so also the Roman understanding of the term.

The concept of νόμος has connotations related to its social background and has therefore a specific meaning for a specific people under specific legal and social conditions. Paul uses a Greek term νόμος with a Greek connotation when he speaks to Greek-speaking people who have a completely different concept of law and a Greek frame of reference. When he speaks to the Jews, the term νόμος has a Jewish frame of reference with a Jewish connotation and means something quite different to the Jews with relevance to the Torah. When he speaks to the Romans, the term νόμος has a Roman frame of reference. Hence Paul uses metaphorical speech and contextualisation to explain the theological concept.

Roman law was for all intents and purposes originally a positivist legal system. The Romans made no distinction between the state and the law, or between Caesar and the law. This is evident from the following, *quod principi placuit legis habet vigorum* (Ulp. Dig.: 1.4.1 pr; Inst 1- 26) (the will of the emperor has the force of law) and *princeps legibus solutus est* (Ulp. Dig. 1. 3. 31) (the emperor (prince, ruler) is not bound by the law(s)).

To the Romans, Caesar was the personification of the law. Anything done against the law, was against Caesar, and *vice versa* and therefore invalid: *quid fit contra legem est ipso iure nullum* (anything done against the law, is in itself a violation of the law) and *contra legem facit, qui id facit, quod lex prohibit, in fraudum legis vero, qui salvis verbis legis sententiam eius circumverit* (Paul: Dig. 1. 3. 29) (to do what the law forbids is to violate the law, but to evade its tenor while observing its words, is to act in fraud of it).

The persons responsible for the administration of Roman law during the Pauline era had extensive,

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unlimited and unfettered powers, which were based on the concept of "imperium". The *imperium* was the unlimited power and authority to govern or rule. This power or authority was originally the prerogative of the king, but later it could be delegated to other officials and magistrates. According to Sherwin-White (1960–1961:3), no ancient authority defines "imperium". However, one can safely rely on the definition of "imperium" provided by Cassell's Latin Dictionary (1984): "a thing ordered, an order, a command, the right or power of ordering, within the Roman state, sovereignty, as constitutionally delegated to magistrates which included military command".

Augustus and his co-rulers, for example, had extensive powers inside and outside Rome and control over the running of the entire empire (Cary, 1954:476,479,513). Originally during the early republic the *imperium* competency was given to the king by means of the *lex curiata de imperio.* The comitia *curiata* was the committee or assembly. According to Van Zyl (1977:2-5), the basis of the *emperium* competency during the Principate was the *imperium proconsulare* and *tribunicia potestas* by means of which Ceasor could gain authority over the armies as well as over a number of boundary provinces of great strategic value and the *sacrosanctitas* by means of which he could enjoy enviobility (*sacrosanctitas)* and the right of veto (*ius vetare, ius intercedendi)*

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The *imperium* was the core of the power and authority of the most important officials such as the consul and praetor. As mentioned above, the *imperium* was the remnant of the imperial authority of the early kings (Van Zyl, 1977:13-14) and formed the foundation of Caesar's law-creating competency.

In addition, what the *princeps* willed was law. The law was not binding on the king. Anything done against the princeps or the law was invalid. The whole concept of law was closely related to the *imperium* of the king or Caesar. The king or Caesar was the law. The scope and extent of the imperium varied from the one office to the other. Its most important implications were the competency to exercise military supreme command, the competency to enforce orders and regulations or by-laws (*coercitio*) or

to administer law (*iurisdictio*).

Paul was writing to ordinary people in the diaspora, some with Gentile (1 Cor 12:2; Gl 2:7) background. Most of these people were Roman citizens and, as such, would be expected to have some knowledge of their rights in terms of Roman law. At least, this is what Paul presupposed. All other official competencies were based on the *imperium* (Sherwin-White, 1960-1961:8,10).

3.3.12.2 Exegetical Perspectives

The concept of δέδεται (Rm 7:2) means "to tie", "to bind". This concept as used by Paul in verse 2 is in the aorist and conveys a meaning of a completed action in the past. It is indicative of the manner in which the marriage bond was secured. It is with reference to a contractual relationship that Paul uses this concept. A contract was, according to Roman law, based on an obligation.

Paul's argument may be based on the following Roman law principles with which his addressees may have been familiar: o*bligatio est filia contractuum (*obligations issue from contracts or result from contracts)(Hiemstra & Gonin, 1981:234). According to Roman law, "an obligation is a bond or tie by law by which we are so constrained that we must of necessity render something in accordance with the laws of the State" (o*bligatio est iuris vinculun, quo necessitate adstringimur alicuius solvendae rei secundum nostrae civitatis iura* (Inst. 3. 13 pri)).

In the Digesta (44. 7. 3), the jurist Paul wrote as follows: *Obligationum substantia…in eo consistit…ut alium nobis obstringat ad dandum aliquid, vel faciendum vel praestandum* (The nature of obligations…consists…in that they impose a duty upon another to give, to do or to be responsible for something on our behalf). Another Roman law principle is that "an obligation once extinguished never revives" (*Obligatio semel extincta non reviviscit).*

An important characteristic of this bond in marriage is that it has a dual operation with regard to the rights that ensue from such it. On the one hand certain subjective rights ensue for the one party from the bond and on the other hand certain subjective rights ensue for the other party from the bond. Each

party's rights must be respected within the context of the bond. However, these ensueing reciprocal rights cease to exist at the death of the one party. Death dissolves the bond and sets the remaining party free.

Romans 7:1-6 consists of two syllogistic statements:

Statement A

(i)   The law has authority over a man only as long as he lives.

(ii)   For example, by law, a married woman, is bound to her husband as long as he lives, but if her husband dies, she is released from the law of marriage.

(iii)   Therefore, if she marries another man while her husband is still alive, she is called an adulteress. But if her husband dies, she is released from that law and is not an adulteress, even though she marries another man (because she is released from the law which bound her to her husband).

Statement B

(i)   So, my brothers, you also died to the law (released from the Torah) through the body of Christ (death of Christ) that you might belong to another, to him who was raised to the dead, in order that we might bear fruit to God.

(ii)   For when we were controlled by our sinful nature (as a woman controlled by her husband), the sinful passions aroused by the law (of nature?), were at work in our bodies, so that we bore fruit for death (because we were not in Christ).

(iii)   But now, by dying, to what once bound us (the Torah), we have been released from the law

(the Torah) so that we serve in the new way of the Spirit (as believers in Christ) and not in the old way (as adherents of the Torah) of the written code (the Torah).

Paul is using the metaphor from Roman marriage laws here, which were founded on the principle, namely, that death cancels all contracts. In each syllogistic argument Paul's statement is as follows: the law (of contract) has authority over a person, only as long as he is contractually bound. Paul connects with very old marriage practices and contemporary marriage practices of his time to explain theological concepts to his addressees, thus providing an example of Pauline contextualisation.

Paul's statements in Rm 7:1-6 may therefore be interpreted as follows: "we were married to sin; sin was slain by Christ; and therefore we are now free to be married to God". It may also be interpreted as follows: "we were married to the law; the law was killed by the work of Christ; therefore we are free to be married to God". Perhaps it is for this reason that Paul says the following: in Galatians 2:19, 20, "For through the law I died to the law so that I might live for God. I have been crucified with Christ and I no longer live, but Christ lives in me…"; in Colossians 3:3, "For you died, and your life is now hidden with Christ in God."; in Rm 6:8, "Now if we died with Christ, we believe that we will also live with Him"; and in 1 Corinthians 15:31, "I die everyday - I mean that, brothers - just as surely I glory over you in Christ Jesus our Lord."

3.3.12.3   Theological contextual application

Paul is therefore contextualising theological concepts with Roman law principles with regard to marriage. According to Roman law, a relationship between a man and a woman could be based on one of the following relationships: *concubinate*, which was based on a relationship between a man and a woman who were not married to each other; the *matrimonium non iustum* which was a binding agreement between a man and a woman who, though they have the intention to get married and may do so in terms of some or other community law, they are however prevented to enter into a legal Roman marriage because of some legal disqualification. A modern example of this type of marriage relationship is the recognised South African relationship between man and woman found in indigenous

South African law, the *iustum matrimonium*, also known as *iustae nuptae,* which was a marriage in terms of Roman law (Van der Vyver & Joubert, 1985:458).

The consequence of a marriage relationship according to Roman law, well known to Paul's addressees, was that the wife came under the *patriapotestas* (power) of the husband. The husband (*paterfamilias)* had unlimited power over his wife. The wife, on the other hand, had limited capacity to act. The husband's power (*patriapotestas*) could be terminated in various ways of which the most important was death and a change of status. As long as a woman's husband was alive, she could not marry another without becoming an adulteress. However, if her husband died, the marriage contract was automatically cancelled and she was free to marry anyone else (Van Zyl, 1977:83).

Contextualising theological concepts, Paul's argument therefore amounts to the following scenario: his addressees were previously married to the law "Torah" and were under the power of the law and had limited capacity to act outside the law. However, they died to the law when they accepted Jesus Christ and thereby they were freed from the law and its obligations, so that they could enter into a new relatioship with Jesus Christ.

This time around they got married, not to the law, but to Jesus Christ. As a result of the marriage to Jesus Christ, they fell under the power of a new *paterfamilias* (Rm 6:8; Gl 2:19, 20). The same scenario may be applied to their relatioship with sin. Previously they were married to sin and were under the power of sin, but now the tendency to sin died as a result of their acceptance of Jesus Christ (1 Cor 15:31; Col 3:3).

In terms of Roman law, therefore, a woman possessed no personal status. According to Roman customary law, a woman remained under the tutelage of some male (her father or sibling) for the rest of her life. Upon marriage a woman passed in terms of a very old religious marriage custom automatically

into the power or *manus* of her husband. This type of marriage (the so-called *cum manu* marriage) could take place in three ways, namely by means of *confarreatio*, *comptio* and *usus* (Van Zyl, 1977:96). The husband possessed this power to such an extent that he could put her to death or sell her. However, the institution of *manus* gradually died out and marriage became a mere business contract (Robinson, 1966:425).

3.3.13   Romans 8:15-17: Contextualisation of the Law of Adoption to Explain Believers's Adoption as Children of God

Francis Lyall, in his article: *Roman Law In The Writings of Paul-Adoption*, refers to the fact that Paul uses the metaphor of adoption five times in all, in three places in Romans and once each in Ephesians and Galations. According to Lyall, this concept has been discussed from different points of view without being adequately substantiated. And more formal suggestions seem not to have been taken up. However, he is of the opinion that the metaphor of adoption points to believers as sons under the *potestas* of God as members of his family and that the derivation of adoption from Roman law gains force when it is realized that Roman law is the only suitable source of reference for Paul (1969:458, 9). What follows below, conforms to Lyall's view with regard to Paul's use of the concepts of υ οθεσίας (Rm 8:15) meaning "sonship" and κληρονόμοι (Rm 8:17) meaning "heirs".

3.3.13.1   Selected Juridical Imagery

The idea of adoption is discussed by Paul logically in Rm 8:15-17. Paul uses the metaphor of adoption with reference to Roman legal principles. He uses concepts such as φειλέται (Rm 8:12), from the concept φείλω, which means forensically "to be under obligation in terms of a law" (Rm 8:12; 15:27; Gl 5:3); he uses the concept of υ οθεσίας (Rm 8:15) meaning "sonship"; the concept of συμμαρτυρε (Rm 8:16) which means "witness" and the concept of κληρονόμοι (Rm 8:17) meaning "heirs".

According to Lyall (1969:466) it is unnecessary to speculate which form of adoption, *adoptio* or

adrogatio, may have been intended. It is however true that *adrogatio* in Paul's time could take place only at Rome. Nevertheless, both forms have the same fundamental effect.

Paul knew that the Christians in Rome would get a clearer picture of their relationship with God if he used Roman law principles of adoption to explain their relationship with God. He is using one of the teaching methods known as metaphor, which is an application of a name or descriptive term to an object to which it is not literally applicable. Jesus used the same type of teaching method. Paul wants his readers, addressees, who are Roman citizens and therefore familiar with the Roman law principles of adoption, to understand the theological concept of adoption. The Roman concept of adoption is not the same as the theological concept, however. Because Paul wanted to bring them as close as possible to the theological concept, he used Roman law legal principles for adoption as a means of explanation.

3.3.13.2   Exegetical Perspectives

The most improtant figure in the Roman concept of adoption was the father (*pater*). He possessed what was called the *patria potestas*. The *patria potestas* was the father's power over his family. It was the power of absolute control and disposal. In the early days, it was actually the power of life and death. According to Roman law, a Roman son never came of age.

No matter how old he was, he was still under the *patria potestas* of his father. He was still his father's absolute possession and under his father's absolute control.

According to Roman law, adoption could take place in one of two ways, namely through *adrogatio* which was the procedure in terms of which a *sui generis* person could be adopted, that is, a person who was totally independent, i.e. did not belong to a *pater familias*. The other form was *adoptio*, which was a means whereby an *alieni iuris*, that is, a person who was already subjected to the power of another *pater familias,* could be adopted.

Adoption was based on a rule of the Twelve Tables. In terms of this rule a *pater familias* could sell his

son to a trusted person (*familiae emptor*). This procedure was known as *mancipatio* (*Lex Doudecim Tabularum 4.2,* quoted by Van Zyl, 1977:397). The *mancipatio* procedure was carried out by a symbolic sale, in which copper and scales were symbolically used. The formalities of this transaction required the presence of at least five adult Romans citizens, together with scales (*lipripens*). The adopting person grabbed with his one hand the person whom he was adopting (*mancipatio* is possibly derived from *manu capere)* while he formerly declared that the person being adopted was now his in terms of the *ius Quiritium* and that he had been bought "by copper and scale". At the same time he touched the scale with a copper coin and handed it as the selling price to the seller (Van Zyl, 1977:136 fnt 59). This fictitious sale secured the adoption.

Both *adoptio* and *mancipatio* are derived from a principle of the Twelve Tables. In terms of this principle, a *pater* who sold his *filius* (son) three times, lost his power over him (Van Zyl, 1977:89). The symbolism of the sale could therefore also be carried out three times. Twice the father symbolically sold his son and twice he bought him back; but the third time he did not buy him back and thus the *patria potestas* was held to be broken.

A much simpler adoption procedure was later followed during the time of Justinian. This entailed that the adopting father (*pater adoptans*) went, with the person to be adopted, to the *praetor* and presented his case for the transferance of the person to be adopted into his *patria potestas*. This transaction was then registered in the court register (*acta*) (Van Zyl, 1977:88).

The adoption process was carried out in the presence of seven witnesses in case a dispute ensued at some future stage, during which one of the witnesses could step forward and testify that the adoption was legal.

According to Roman law, a witness was a person who gave evidence about the truth or falsity of some

event, occurrence or statement in a court of law. A witness was also a person who observed the signing of a legal document in case it was subsequently necessary to verify the authenticity of such signature. He added his own signature as a witness. The same meaning is to this day attached to this concept in contemporary courts of law (Martin, 2002:538)

The above texts are examples of the forensic contexts within which the concept of *marturia (*witness) was used. A study of texts in Romans, where Paul uses this concept, reveals the manner in which Paul contextualizes this concept to explain the theological content of what he intends to convey to his addressees. In Rm 8:16, for example, Paul uses the concept of "witness" in the context of explaining another contextualized concept in the preceeding text (verse 15), namely *hiothesías*, which means "sonship" and implies "adoption".

The testimony of witnesses was one of the most important requirements for a valid adoption in Roman law. Five adult citizens had to be present during an adoption ceremony (Van Zyl, 1977:136 fnt 59). By connecting with this Roman forensic practice and using Roman forensic concepts, Paul explains the theological process, implications and consequences of adoption as children of God.

Paul uses and contextualizes the concept in various ways and contexts in most of his letters (1 Tm 2:6; 3:7; 5:19; Tt 1:12; 1 Cor 1:6; 2:1; 2 Cor 1:12, 22; 13:1; 1 Th 2:5, 19; 2 Th 1:10; 2:12; Phl 1:8; Gl 5:2; Rm 1:9).

The concept of "witness" during the Pauline era was thus a serious matter with serious legal implications. In a Roman court of law, a man could not give in evidence an ungrounded account of events. The evidence about which he testified had to be based on his own personal experience. This is the meaning, which Paul conveyed to his addressees concerning the testimony of the Spirit during the process of adoption. The Spirit, as a witness, is personally involved in the process of adoption and therefore it is in a position to testify about the authenticity of the adoption.

According to Roman law, there were therefore two forms of adoption, which were recognised, namely *mancipatio* (the sale of a son) and adrogatio (the sale of a person who was not a son). The ceremony *vindicatio* followed the two processes (here the adopting father presented a legal case for the transfer of the person to be adopted into his *patria potestas*). There had to be seven witnesses during adoption (hence the concept of *summarturei*), or at least the presence of five adult Roman citizens (Van Zyl, 1977 *ibid*).

The consequences of adoption, which Paul wanted to bring under the attention of his addressees, were the following:

(i)   The adopted person lost all rights in his old family and gained all the rights of a legitimate son in his new family. In the most binding way, he got a new father.

(ii)   He became heir to his new father's estate. Even if other sons were later born, it did not affect his rights. He was co-heir with them.

(iii)   In law, the old life of the adopted son was completely wiped out; for instance all his debts were cancelled. He was regarded as a new person entering a new life with which the past had nothing to do.

(iv)   In the eyes of the law he was absolutely the son of his new father.

(v)   The adoption ceremony was carried out in the presence of seven witnesses (or in the presence of at least five adult Roman citizens). Suppose the adopting father died and there was a dispute about the right of the adopted son to inherit, one of the witnesses or even more than one, could step forward and swear that the adoption was genuine (Van Zyl, 1977:81-82, 86-90; Barclay, 1975:105,107).

Paul transfers every step of Roman adoption to his addressees' adoption into the family of God:

(i)   He is saying that once his addressees were indebted to God. The word translated as "obligation" in verse 12 also means "debt". There rests an obligation on a person to pay a debt. In the passive, as in this context, it means a debt that is due. All men became indebted to God in Adam. In Adam man came in the absolute control of his own sinful human nature; men were

slaves (Eph 2:1 ff); but God, in His mercy, has brought man into His family so that man gained all the rights of legitimate sons in his new family. As in the case of an adopted person, the old life has no more rights over man. God has an absolute right over man. Man is His possession. The past is cancelled and his debt is wiped out, through the grace of God through Jesus Christ, by means of adoption.

(ii)   The word, which is translated, as "sonship" in verse 15, is υἱοθεσίας, adopted sons, that is, heirs (of all His riches). Man becomes joint heirs, co-heirs with Jesus: God's own Son. Man's genuine sonship is qualified by the word "Abba", the most intimate form of address by a child to his father. It is of Aramaic origin, used also by Jesus (Mark 14:36).

(iii)   The Holy Spirit Himself is a witness to man's adoption into the family of God. The Holy Spirit is present and takes part in the adoption process. The adoption was spiritual πνεῦμα υἱοθεσίας. The Spirit turned man into spiritually adopted sons and therefore one with the Holy Spirit (John 17:21-23). The Holy Spirit was not only a witness, but He was instrumental in the process of adoption. Therefore, He guarantees that it took place.

It may be concluded that it was Paul's picture, that when a man became a Christian, he entered into the family of God by means of adoption through the grace of God in Jesus Christ. This means that God, the Great Father (*pater familias*) has taken the lost, debt-laden sinner and adopted him into His family, so that the debts are cancelled and the glory inherited.

3.3.13.3   Theological Contextual Application

Paul, knowing his addressees had knowledge of the Roman legal adoption procedure, contextualized the entrance into the family of God with this procedure (Rm 8:15; 9:4; Gl 4:5; Eph 1:5). Whereas an adopted son, in terms of Roman law, had his position by law, the adopted son, in terms of the εὐαγγέλιον had his position by virtue of right based on God's grace in Jesus Christ: "(God) had already decided from the beginning that through Jesus Christ He would adopt us to be His children" (Eph 1: 5).

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The consequences of adoption as a child of God are exactly the same as the consequences of adoption by virtue of Roman law irresepctive of whether the adopted son is a *sui generis* or *alieni iuris*. Just as in the case of adoption in terms of Roman law where witnesses were required to testify during the adoption process, just so does the Spirit Himself testify with our spirit that we are God's children (Rm 8:15).

The wordplay in verse 17 between κληρονόμοι "heirs" and συγκληρονόμοι "joint heirs" conveys the fact that the newly adopted son of God is not just an heir, but he is a joint heir with Christ and entitled to all the rights and benefits of Christ.

3.4   Summary

Chapter three deals with an identification and exegetical evaluation of Pauline techniques for contextualising theological concepts with juridical imagery in the letter to the Romans. This chapter forms the bulk of the subject matter of the thesis, which is an exegetical perspective of Pauline contextualisation of selective juridical imagery with theological concepts in Romans and its contextual application.

The emphasis in this chapter is on various Pauline techniques for contextualising theological concepts in Romans with special reference to contextualisation of juridical imagery with theological concepts as well as Paul's use of techniques used by orators and logicians of his time, the use of syllogism, rhetorical, syntactical and semantical techniques.

This chapter is based on the hypothesis that Paul contextualised juridical imagery with theological concepts in Romans with a view to explaining such concepts to his addressees. This chapter forms the bulk of the subject matter of the thesis, which is an exegetical perspective of Pauline contextualisation of selected juridical imagery with theological concepts in Romans.

The Pauline use of propositions and syllogisms embedded in his argumentations is examined and discussed in this chapter. A proposition is a form of speech in which something is affirmed or denied of a subject (Meine, 1947:575).

The aim throughout this chapter is in accordance with the hypothesis, namely, to show that Paul contextualised theological concepts with juridical imagery. "Juridical imagery" concerns the choice and use of words, legal parlance, concepts or phrases which are characterized by its legal content as having to do with the law or argumentations and judgments in law courts. Juridical imagery may sometimes appear in ordinary speech, used by ordinary citizens not connected to law or law courts (1.8 *supra)*. Paul used many such words, concepts and phrases in his letters to explain theological concepts.

The concept of "juridical imagery" is used, in this thesis, in the above-mentioned sense, but also   to refer to concepts or situations that exist outside the theological realm but inside the juridical realm. For example, when Paul writes that he is "a slave of Jesus Christ" (Rm 1:1), he wants the reader to visualise the legal and social situation of a slave in Roman times; in other words, in terms of Roman law and then associates some characteristics, legal implications or relationships between a slave and his master in terms of Roman law during his time and relate these aspects to what Paul means when he says that he is "a slave of Jesus Christ". (cf 3.3.1.4.*infra*).

An investigation will forthwith be undertaken in this chapter to indicate how Paul connects with juridical concepts and contexualises such concepts in order to explain the gospel concepts to his addressees.

Paul was writing to ordinary people in Rome, some with Gentile background, using a common dialect known as κοινή Greek (Nunn, 1965:26.) Most of these people were Roman citizens and, as such, would have been able to have some knowledge or be able to visualize the juridical imagery,

conveyed by the Roman law–connotated concepts used by Paul in order to explain the gospel truths. The best manner of communicating with his addresseeand explain the gospel truths, was therefore to refer to their frame of reference within the context of there knowledge of juridical imagery by means of a methodologically, well-planned process of contextualisation.

The above Pauline method of contextualisation provides the answer to the following question: How did Paul go about contextualising juridical concepts with theological concepts? In order to understand how Paul went about the process of contextualisation, exegesis needs to be done. Such an exegesis entails an investigation of Paul's letter to the Romans along, rhetorical, logical and legal-hermeneutical principles. Taking cognizance of the above approaches, a three-tiered system of units which coincides with a syllogism can be used to approach such an analysis:

- An investigation of the first proposition, wich corresponds roughly to a sentence. Semantically, this unit is called a predicate and syntactically it is called a sentence consisting of a Noun and a Verb.

- An investigation of the middle semantic features, which are usually found, consisting of further arguments, predications, attributive predications, downgraded predications, downgraded modifying predications and further embedded predications. Syntactically these may be noun and verb phrases, adjectival phrases, prepositional phrases, conjunctions and nominal clauses.

- The concluding statement follows which makes up the third level.

In terms of logic there must be proposition which serves as the first premiss supported by a second premises followed by a third premises which is the conclusion, proving the truth of the first premises. This is a syllogistic argument and falls into the category of the three-tierd system, which semantically and syntactically will also function as the conclusion of the initial propostion or predicate. Semantic and syntactic features must be rhetorically moulded into a form fit for a Graeco-Roman presentation of a discourse or speech (cf 2.2.1), which had to contain the elements of θος, πάθος *and* λόγος

(Lambrecht 1989:240 quoted by Du Toit 1992:470).

The θος had to do with the positive picture, which the listener (or addressee) had about the writer or orator, his quality and his character. This persuasive mode was usually applied at the beginning of the discourse (or letter) (see Rm 1:1- 4).

The πάθος had to do with the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at the ending of the discourse (or letter) (see Rm 1:6,7).

The λόγος had to do with the logic of the discourse (or letter) and could be interactively woven into the θος and the πάθος. The main object of the λόγος was to persuade the listeners (or readers) inductively and deductively. It is at the λόγος stage that an orator or writer, such as Paul, could have used an interactive, multi-technique contextual discourse method. Throughout Paul's letter to the Romans the λόγος is displayed. The Graeco-Roman letter was characterized by the purpose, on the part of the writer, to convince and persuade the addressees followed by thanksgiving to the gods.

This is exactly what Paul does in Rm 1:1-8. Du Toit (1992:467) mentions three characteristic of the Graeco-Roman rhetoric, namely *forensic, deliberative, demonstritive* or *epidiacthic,* which were supposed to be incorporated and displayed in a speaker or writer's rhetoric. He states that the speech had to comply with the prescribed procedure in accordance with the following five steps: (i) the *inventio* (the stage during which material and information were gathered for the court case); (ii) the *dispositio* (the arrangement of the information or material); (iii) the *elocutio* (the stage during which the speech was formally, stylistically and grammatically prepared); (iv) the *memorial* (the memorising of the speech *in toto*); (v) the *pronuntiatio* (the presentation). During the *presentatio* stage, the orator made use of many other rhetorical figures such as *enthumeme, correctio, litotes,* hyperbole, climax, *interperatio*, and *laudatio* (*id* 471).

The aim throughout this chapter will be to show that Paul contextualized juridical imagery with theological concepts in his letter to the Romans, applying an interactive, multi-technique contextual method, as he dictated the contents to Tertius, his emanuensis (Rm 16:23). The aim is to unlock this method and its contextual application in Romans.

Paul's letter to the Romans consists of three important characteristics of a typical Graeco-Roman letter: (a) the opening, (b) the central section and (c) the closing (Aune, 1987:185). Pauline letters, however, have an expanded epistolary prescript, with the body consisting of the central section, which often closes with travel plans and exhortations. Doxology, greetings and benediction make up the closing (*ibid*).

Letter writing was already an accepted method of communication prior to the Pauline era. Examples of early letter writing are to be found as early as the Old Testament period (2Sm 11:4; 1 Ki 5:5; 10:1; 2Chr 2:11; 21:12, 30:17; 36:22; Ezr 1:1; 4:6; 4:11, 17–23; 5:6; Jr 29:1; Dn 44:1). Other examples of letter writing from the earliest period (pre-Pauline period) are to be found in the collections of Isocrates and Plato, which date between 368 and 328 BC (Harrop, 1965:383). Many examples of letters written prior to the Pauline period were found among archaeological discoveries in Egypt. These letters, which were written on papyrus, contained elements similar to Hellenistic letter-writing techniques (Nunn, 1965:26).

A typical Hellenistic letter would contain the following elements: rhetorical elements, plan and layout, personal and business elements. Such a letter would open with greetings, followed by a prayer for the health of the addressee, a thanksgiving to the gods, a main body of the letter and special salutations and personal greetings (Klijn, 1971:84). An example of a typical Hellenistic letter can be found in Ac 15:26-29.

Such a letter may have been expected to be formally and stylistically moulded into a form suitable

for a Graeco-Roman presentation of a discourse or speech and had to contain the same elements which was characteristic of Graeco-Roman public speeches and and discourse (cf 2.2.1 *supra*) of θος, πάθος and λόγος (Lambrecht, 1989:240 quoted by Du Toit, 1992:470). Just as in a case of public speech and discourse the θος related to the positive picture, which his listeners (or addressees) had about the orator or writer: his quality, his character and his persuasive mode were usually applied at the beginning of the discourse (or letter). The πάθος included the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at a later stage, especially towards the end of the discourse (or letter). The λόγος related to the logic of the discourse (or letter) and could be interactively woven into the θος and the πάθος (Lambrecht, 1989: *id* quoted by Du Toit, 1992: *id*). The main object of the λόγος was to persuade the listener, addressee or the reader inductively or deductively. It is at this stage that an orator or writer such as Paul could have used an interactive, multi-technique contextual discourse method.

The Graeco-Roman letter was just as in the case all public speech and discourse, characterized by the purpose of the writer to convince and persuade the addressee. This purpose was a peculiar characteristic of all forms of Graeco-Roman public discourse, irrespective of whether the genre of the discourse was *forensic,* that is, having to do with courts of law, d*eliberative,* that is, having to do with political debates aimed at the future or *demonstrative* or *epideictic* that is, having to do with the demonstration of the good or bad behaviour of public figures (Lansberg, 1960:61; Mack, 1990:34-35 quoted by Du Toit, 1992:466).

In the light of all the information concerning Hellenistic letter-writing techniques before and during the Pauline era the conclusion may be drawn that Paul's letter-writing techniques had certain resemblances with the Hellenistic public speech, discourse and letter-writing techniques of the time with regard to form, but that Paul had a unique approach and motive.

In conclusion it may be stated that, though cognisance is taken of various styles of Christian correspondence during Paul's time, Paul's letter to the Romans with its unique characteristic of

contextualising theological concepts with juridical imagery and his application of an interactive, multi-technique discourse method, which included techniques from rhetoric, semantic, logic and legal-hermeneutical principles, is an outstanding example of this genré.

This unique characteristic of Paul's letter to the Romans may be discussed with reference to the date, which tells much about the era, the genré, the typical style and the purpose of Romans.

(i) Characteristics of the Pauline Letter to the Romans

The Pauline letter to the Romans has, with regard to its date, genré, typical style and layout, exceptional characteristics that serve to support the above hypothesis. These characteristics are discussed below.

(ii) The Date of the Letter to the Romans

The date of Paul's letter to the Romans may be determined in the light of Ac 18:12–18, which relates to Paul's trial before Gallio, and an inscription found at Delphi in 1905, which refers to the proconsulship of Gallio and to the reign of Claudius (Klijn, 1971:85).

Delphi was located on the lower slopes of Mount Parnassus, across the Gulf of Corinth, near the city of Corinth itself (Kee & Young, 1960:66). The Delphi inscription makes it almost certain that Gallio came to Corinth in the year AD 51 and that his proconsulship was from AD 51 to AD 52 (Wright & Filson, 1956:97).

This is confirmed by the fact that the official term of a proconsul was only one year. The proconsul issued his order, proclamation, decree or edict at the beginning of his official term. The edicts were for this reason called *edicta annua* or *edicta perpetua* thereby indicating that they were perpetual during the course of his whole official term (Van Zyl, 1977:29). Therefore, if as is probable, Paul stayed in Corinth for one year and six months (Ac 18:11) and left Corinth not long after the trial (Ac 18:18). The

letter to the Romans must have been written some time between AD 51 and AD 54.

Nevertheless, with the additional help of Luke, the historian's information in Acts and the above historical information, a chronological reconstruction of the events which leads to the dating of the letter to the Romans may be stated as follows: (i) Paul was in Corinth during AD 51– 52. During this period he appeared before Gallio. The proconsulship of Gallio was from AD 51– AD 52 (Wright & Filson, 1956:97). This is confirmed by the fact that the official term of Gallio was only one year (Van Zyl, 1977:29). (ii) During this period Paul had been in Corinth for one year and six months (Ac 18:11). (iii) Paul stayed on in Corinth (Ac 18:18) for some time after his appearance before Gallio (which took place some time during AD 51– 52). (iv) Thereafter Paul set out for Syria and probably in AD 52 he set out for Ephesus (Ac 18:19-21). (v) Paul then landed at Caesaria, went down to greet the church in Jerusalem and then up to Antioch (Ac 18:22-23) where he spent some time (probably during AD 52– AD 53). This was the end of his second journey. (vi) Sometime during AD 53 Paul undertook his third missionary journey. He travelled from Antioch through Galatia and Phrygia (Ac 18:23) and arrived at Ephesus (Ac 19:1); he entered the synagogue and taught for three months (Ac 19:8). When some of the people in Ephesus became obstinate and maligned the Way and refused to believe, Paul left them and continued lecturing in the school of Tyrannus. Tyrannus was probably a teacher in rhetoric and oratory (Ac 19:8, 9, 10). This went on for two years (according to Ac 19:10). This was probably during AD 53 and 55. (vii) In probably AD 55 or 56 Paul returned to Corinth where he stayed (Ac 20:1-3) in the house of Gaius (Rm 16:23) and dictated the contents to Tertius (his *āmănŭensis)*, who wrote every word down (Rm 16:22).

In conclusion, the rhetorically, logically syntactically and semantically well reasoned character of the letter to the Romans testifies to the fact that the letter was written when Paul was able to stay in a fixed abode, possibly during his stay in Corinth at the end of his third missionary journey before he departed to Jerusalem, probably during AD 55 or 56. It can also be said that the date on which the letter was written was during the Principate, an era during which Roman law history reached its highes peak of its

development. Juridical imagery was generally well known and used during this period. Paul's use of juridical imagery therefore was a well-known practice.

(iii)   The Genré of the Letter to the Romans

Biblical scholars have written much about the genré of Romans. This study will not enter into any debate in this regard, but will heed the advice of Wuellner. The best way of approaching a piece of argumentation is, according to Wuellner, by asking the question "to what sort of judgment it is ultimately directed" (1976:335).

The author of this thesis is of the opinion that Paul's letter to the Romans is directed to an inquisitorial judgment in which juridical imagery plays an important role.   The concept of "inquisitorial" is derived from the Latin verb *inquiro, which* means to search for, to investigate, to look for, especially as a legal term, to search for evidence against someone. Hence *inquisitio* refers to the function of an *inquisitor*, which in Roman law meant "one, who searches for evidence to support an accusation" or "an investigation of a charge against someone" (Simpson, 1984:311). In Roman law, therefore, the *inquisition* was a public legal investigation, legal inquiry, or a criminal investigation in a court of law.

In addition to what Du Toit (1992:470) says, namely that Paul took the ancient letter-writing pattern as a basis, Paul produced a unique genre by using juridical imagery within the framework of an inquisitorial style incorporating various discourse techniques of his time, including rhetoric, logic, semantics, syntactics and legal hermeneutics.

Mention may also be made of the distinction between preaching *(kerygma)* and teaching *(didache)*. The former told what Paul had done; it consisted of narrative, and was aimed in the first place at reaching non-Christians, to bring them to faith in Christ. The latter repeated the teachings of Paul and was important only to those who already believed the good news (Manley, 1950:320). Paul's letter to the

Romans may, therefore, be classified as not only inquisitorial, but kerygmatic and didactic.

(iv)   The Typical Style of the Letter to the Romans

The intention under this section is to broadly outline the typical style of the Pauline letter to the Romans. There is an ongoing debate amongst biblical scholars concerning the style of the letter to the Romans. Wuellner refers to Bultman's *diatribe* (1976:335) and according to Holloway (2003:115), following Stowers, by employing the *diatribe* style Paul "presents himself to the Romans as a teacher" and that in particular "the dialogical style of the *diatribe* is central to self- presentation". There are, however, conflicting definitions of the concept of *diatribe*. One definition of a *diatribe* is "a piece of bitter critism, invective denunciation (Fowler & Fowler, 1964:338). This definition is more appropriate for the purposes of this thesis because it falls within the framework of the inquisitorial process of litigation.

The iniquisitorial process of litigation is an investigative procedure, a style in terms of which the judicial officer participates directly in the process of litigation, from beginning to the end of the proceedings, asking questions and leading evidence (cf 3.2.5 *infra*).

Paul's inquisitorial style in which he uses juridical imagery to explain theological concepts to his addressees, asking questions and leading evidence, may be detected throughout the letter to the Romans.

(v) The Purpose of Paul's Letter to the Romans

The purpose of Paul's letter to the Romans has sometimes been understood one-sidedly with emphasis on self-introduction by which "Paul recommends himself to the Roman churches as a teacher worthy of their support for his mission to Spain" or with emphasis on its ambassadorial function stating his travelling plans to Spain and Jerusalem (Holloway, 2003:114). The *diatribe* also comes to the fore as

Paul's purpose (*ibid 117*). *Diatribe* supporters describe Paul's purpose as "to proclaim popularity", "to preach publicly", "to teach" or "to present oneself" (Crafton, 1990:326).

However, there is another side to Paul's purpose when writing the letter. Paul's purpose clearly emerges in Rm 1:11-17. His purpose is firstly to "impart to you some spiritual gift to make you strong", which he does by letter prior to his visit, secondly, "to have a harvest amongst you" (Rm 1:13). Paul is "bound both to Greeks and to non-Greeks, both to the wise and to the foolish" (1:14). The concept of φειλέτης means to be indebted to someone, that is, to be "bound" to someone (cf 3.3.2 *infra*). It can also mean, as the Romans may have understood it in Latin, in terms of the concept implied by φειλέτης, which is *obligatio,* in terms of which a debtor may satisfy a debt by means of a performance that is due. Paul is indebted to his addressees not only with regard to the actual visit but also with regard to preaching the εαγγέλιον to them (Rm 1:15).

Romans 1:16-17 is significant within this context because Paul's letter is all about the εαγγέλιον, which is a power of God for the salvation of everyone who believes. For in the εαγγέλιον righteousness from God is revealed that is by faith from first to last. As it is written, "The righteous will live by faith" (Rm 1:17). These are the reasons why Paul is writing to them. Paul's ingenuity and his excellent handling of his craft as an orator should not be underestimated. This explains why Paul, who had never been to Rome, takes the first and best opportunity at the occasion to proclaim the εαγγέλιον to his addressees using the most elaborate and eloquent style that surpasses most of his letters. If Paul wrote to them only to garner help for his mission to Spain, surely he would not have gone to such lengths.

In conclusion it may be stated that the *diatribe,* as defined above within the framework of Paul's inquisitorial style, defines the purpose of Paul's letter to the Romans because Paul bitterly criticises and denounces his addressees (Rm 1:1-3:18). However, the didactic and kerygamtic purpose is not

excluded.

In accordance with the inquisitorial process of litigation, Paul addresses his addressees directly at a number of points in the letter (Rm 2:1-5; 9:19-21; 11:17-24; 14:4,10). Potential objections are mentioned (Rm 6:1,15; 7:7,13; 9:14,19; 11:1, 11, 19). These are answered promptly with a "God forbid!" (Rm 3:4, 6, 31; 7:7, 13; 9:14; 11:1, 11), followed by arguments to the contrary. The characteristic vocative "O man" is used in Rm 2:1, 3 and Rm 9:20. Rhetorical questions are addressed directly by Paul to his imagery opponents (Rm 2:3-4; 2, 21-22, 26; 3:3, 5-6, 8, 29, etc.).

(vi) The Layout of Paul's Letter to the Romans

The layout of Paul's letter to the Romans may be discussed juridically with reference to the elements of a summons and the inquisitorial process, in view of the Pauline use of juridical imagery throughout the letter. A summons is a court order addressed to an accused requesting him to appear in court at a specified place and time. An arraignment takes place by calling the defendant to the court by name, reading the indictment to him and asking him whether he is guilty or not. These characteristics are evident in Rm 1:18-32; 2:1, 12, 16; 5:18; 14:11, 12.

One of the characteristics of inquisitorial procedure is that the official participating is directly involved in the process of litigation, from the commencement of the proceedings until the conclusion of the hearing. The trial of an inquisitorial process is in the form of a hearing in which the judicial official may participate actively by asking questions and sometimes even leading evidence. There are no pleadings in the inquisitorial process but rather notice to the parties which includes evidence. In certain instances the judicial official is involved in gathering evidence.

The above characteristics of an inquisitorial procedure are evident in the layout of Romans. The defendant/s (Jews and Gentiles) is/are addressed directly in the letter (Rm 2:1-5; 9:19-21; 11:17-25;

14:4, 10). The judicial official (Paul) participates by asking questions (Rm 3:21-24, 25; 3:1-3, 5-9; 7:1, 7, 13; 10:14, 19; 11:1, 7, 11, 15). These questions are answered with interjections such as "I am using a human argument" (Rm 3:5); "Certainly not!" (Rm 3:6); "Their condemnation is deserved" (Rm 3:8); "Not at all!" (Rm 4:10); "…shall we be saved through his life!" (Rm 5:10); "What a wretched man I am!" (Rm 7: 24); and direct address by the judicial official (Paul) to the defendant, "You, therefore, have no excuse, you who pass judgment on someone else…" (Rm 2:1, 21-23).

The above elements and process may be deduced from the letter. The letter which commences from Rm1:1-15 is interrupted by a statement of the point at issue (Rm 1:16, 17) which is followed by the elements of a summons, Paul's charge, the process of arraignment; argumentation against the accused and for God, cross examination of the defendant, condemnation of the guilty party, who seeks justification through obedience to the law and aquittal of the not-guilty party on the grounds for justification by faith (Rm1:18-11:32). In this section there is an interaction of the *Dogmatic*, that which relates to *doctrine* and the *Paraenetic*, that which relates to the necessity and importance of the virtue and duties of the Christial life. The word *paraenetic* is from a Greek word, which means "indicating strongly what one should do or plan to do", or "to advise strongly, to urge" (Louw & Nida, 1989:422). This section is followed by a continuation of the letter consisting of exhortations and counselling (Rm 12:1-15:13). This is the *paraenetic* section, which is followed by more exhortations and greetings (Rm 15:14-16:24). This is the *peroratio,* which relates to the concluding part of a discourse, which recapitulates the principal points of a discoures or argument and urges the addressees with greater earnestness (Meine, 1947:532). The last section is the doxology (words at the end of a letter ascribing glory to God), of the letter (Rm 16:25, 26, 27).

To summarise it may be stated that the above elements, are interactively moulded in Paul's letter to the Romans within the framework of the *exordium* (Rm 1: 1-17), followed by the *narratio,* which consisted of an interaction of the *probatio* and the *refutatio* (Rm 1: 18-15:13), concluded by the *peroratio* (Rm 15: 11-16:27). This layout is in accordance with the Classical Greek layout of a discourse or oration. (cf 2.2.1 *supra*).

(a) Romans 1:1-8: Introductory Matters and Petitions

Romans 1:1-8 contains typical elements of a Graeco-Roman letter. All the elements which may be normally be detected in a Roman letter as stated above (3.2.5), Such a letter may have been expected to be formally and stylistically moulded into a form suitable for a Graeco-Roman presentation of a discourse or speech and had to contain the same elements which was characteristic of Graeco-Roman public speeches and and discourse (cf 2.2.1 *supra*) of   θος, πάθος and λόγος (Lambrecht, 1989:240 quoted by Du Toit, 1992:470).

Structures of selected sections from Romans are provided to enable the reader to have a clear understanding of Paul's argumentations.

CHAPTER 4

SUMMARY OF EXEGETICAL PERSPECTIVES OF PAULINE CONTEXTUALISATION OF THEOLOGICAL CONCEPTS WITH SELECTED JURIDICAL IMAGERY IN ROMANS

In view of a recent argument that an analysis of the New Testament letters can no longer stop at a structural analysis but has to take cognizance of aspects of conversational analysis and rhetoric, that an interactional model rather than a structural approach should be adopted in the analysis of letters (Vorster, 1990:107), an interactive multi-technique contextual discourse approach has been adopted in this thesis.

This discourse approach is investigated in this thesis with a view to unlock this possible Pauline approach, using a possibly similar approach in terms of which selected texts in the letter to the Romans are rhetorically, logically, and legal- hermeneutically expounded.

The novelty of the proposed approach embarked upon in this research lies in the fact that it is a paradigmatic and paradoxical shift from the previous approach as well as from all hitherto known approaches to the interpretation of Paul's letter to the Romans. This new approach has, as its predecessors, also been developed from methods first used in secular studies (Keegan, 1985:2). However, it differs from its predecessors in the sense that it is based upon the principles of three integrated types of discourse analysis techniques: rhetoric, logics and legal hermeneutics. It is hoped that this approach may not only pave the way to a new approach to New Testament exegesis, contemporary evangelism, homiletics and apologetics, but that it may also perhaps provide a meaningful contribution to the ongoing biblical scholarly dialogue in the quest for answers to existing problematic questions concerning methodology and approach to the interpretation of the New Testament, especially Paul's letter to the Romans. The proposed method and approach in this thesis mau becalled the interactive multi-technique contextual discourse analysis.

A reflective process was followed in the course of the research within the framework of the Principate, which was the period during which most of Paul's letters were written, including the letter to the Romans. The research focused on the impact of Roman administration and law on the Pauline era Christian community, placed within this framework of the Principate, and Paul's contextualisation of theological concepts with the daily issues with which this community was confronted.

The research approach was applied in all its consequences, indicating its paradigmatic and paradoxical shift from existing methods, focusing on Pauline contextualisation of theological concepts with the daily issues with which his addressees were confronted and using the letter to the Romans as study object.

Chapter one dealt with introductory matters and explained the title, problem and hypothesis, purpose and aim, the field of study, methodology for biblical interpretation, a survey of recently developed methodologies, recent approaches to the Pauline letter and the approach adopted in the present study.

The central problem statement in this research dealt with a contextual and theoretical question, which called for a reflective process, namely, how did Paul contextualise theological concepts in his letter to the Romans in order to explain these concepts to his addressees? This question implies a quest for a method or approach possibly used by Paul to contextualise theological concepts in Romans.

Theoretically, this is a research problem, because to this day no study has produced a theory or an approach that addresses this problem or provides an adequate response or solution to the problem concerning Paul's contextualisation of juridical imagery with theological concepts in order to explain such concepts to his addressees. The various theories and approaches are indicative of the

fact that the solution to the problem is not in sight as yet. This problem, though valid, cannot be readily or promptly solved. It may, however, be solved as investigations in this field continue.

The term "theological concepts" in the title has to do with theology. According to Dunn (1998:6), the term "theology" has had its fair share of definitions. Unpacking the term "theology" is a challenge, says Dunn. Many definitions have been offered and several layers of refinement are possible. Dunn comes up with a working definition, however, that "theology" is a talk λόγος about God θεός and all that is involved in and follows directly from such talk, particularly the coherent articulation of the religious faith and practice thereby expressed However, to be etymologically correct, the word "theology" is composed of the word θεός which means "God" and the word λόγος which means "word" and comprises both "word" and "reason". This term means, "the word" by which the inward thought is expressed but also "the inward thought or reason itself" (Liddel & Scott, 1968:416). Simply stated, theology is a form of reasoning about the word of God and the relation of God to the world of reality.

Exegesis has a lot to do with frame of reference. However, in this study exegesis goes further than the frame of reference of the interpreter and involves the frame of reference of the text. Each concept in a text refers to a specific background, which may be the background of the author, the receptor (reader) or the addressee.

There are various methods for biblical interpretation (Deist & Burden, 1980:118). A comprehensive description of each methodology is found in the work of McKenzie and Haynes (1999). All these methods, past and present, have invariably been developed from methods first used in secular studies of literature. Indicating the uniqueness, incompleteness and limited scope of each method, Keegan says that no method originated from biblical studies, no method is a panacea and no method is universal (1983: 2, 7).

As this was not the object of this study, a full discussion of each method for interpretation was not entered into. However, the reason why reference is made here, to these methodologies, is to position the proposed approach followed in this thesis and to take a standpoint *vis-à-vis* these well-known methods.

The term "contextualisation" in the title is understood in two different ways. Firstly, "contextualisation" in the sense of "context" as in linguistics or philology where it refers to the literary position of a word(s), phrase or statement in relation to or in connection with other words, phrases or statements in conveying a specific meaning in that relationship. In other words "context" denotes what comes before and after a word, phrase or statement helping to fix the meaning of the preceding or following word, phrase or statement. Secondly, the term "contextualisation" may stretch much further than the linguistic or philological field by means of extrapolation. The meaning of "contextualisation" is then extrapolated from the linguistic or philological field to the theological field in which case one speaks of contextualisation within the theological sphere as one would speak of contextualisation within the linguistic or philological sphere. In this sense "contextualisation" does not have the same meaning as in linguistics or philology where it refers to the literal position of a word in relation to or in connection with other words, but rather in the sense of conveying or connecting the meaning of a concept, used in the theological sphere, to the juridical sphere of a community.

The concept of "contextual application" simply means that theological concepts, as revealed in Romans, have to be contextually applied so that they are of current interest or application and understood by modern urbanised, culturally diversified, highly politicised and the law orientated mind of modern man.

The word "juridical" is an adjective describing concepts that have to do with law. The word

"imagery" has to do with figurative illustration. Hence "juridical imagery" refers to figurative illustrations by means of concepts that have to do with law. The word "imagery" is used to refer to concepts which exist in law outside the theological realm and which Paul uses to explain theological concepts.

The field of study is thus Pauline contextualisation of theological concepts with juridical imagery in Romans and its application. It is been limited to a research of Pauline contextualisation of theological concepts with juridical concepts, which confronted his Roman addressees according to his letter to the Romans.

Chapter two dealt with perspectives of various techniques for contextualising in Romans. This chapter started with an introductory discussion followed by a general discussion of classical Graeco-Roman techniques such as rhetoric, logic and legal-hermeneutical techniques. Some of the techniques used by Paul have been fully discussed.

The main intention of this chapter was not to provide a comprehensive discussion of all the various techniques used by Paul, but rather to highlight certain elements of some techniques with the view to proving that Paul made use of such techniques. Paul's letter to the Romans contains a number of different sorts of techniques such as rhetorical, syntactical and semantical techniques and may therefore be studied from all these perspectives.

The concept of rhetoric comes from the Greek word ήτωρ meaning "lawyer", "attorney" (Heb 24:1) or "public speaker". The Pauline era lawyers, attorneys and public speakers were renowned for their skill in articulate speech, using legal-hermeneutical principles to give legal advice (*responsa*), writing speeches and documents (*scribendi*), acting on behalf of clients (*agere)* and lecturing (*docere*).

In all these functions the rhetor, whether lawyer, attorney or public speaker, had to comply with Graeco-Roman principles of rhetoric or oratory, namely ἦθος, πάθος and λόγος. The rhetor was expected to display the three characteristics of the Graeco-Roman rhetoric, namely *forensic, deliberative and demonstrative or epideictic*. The prepared speech had to comply with the prescribed procedure in accordance with the following steps: (i) the *inventio* (the stage during which material and information were gathered; (ii) the *dispositio* (the stage during which the information or material for the speech or written document was arranged); (iii) the *elocutio* (the stage during which the speech or written document was formally, stylistically and grammatically prepared); (iv) the *memorial* (the memorizing of the speech *in toto*); and (v) the *pronuntiatio* (the presentation). During the *presentation* the orator or writer made use of many other rhetorical figures such as *enthumeme, correctio, litotes,* hyperbole, climax, and *interpretatio*. The main aim of the lawyer, attorney, public speaker or writer was to persuade.

Orators, lawyers or jurists, logicians and grammaticians in semantics and syntactics applied the above rhetorical elements. Hence, the hypothesis that Paul may have had knowledge of these elements and that he may have used them in an interactive multi-technique contextual discourse method to contextualize theological concepts with juridical imegary with which his addressees were daily confronted.

This possible Pauline methodology may be identified by means of exegesis in the process of which the various techniques used by Paul are identified.

The analysis followed in this thesis, to prove the above hypothesis, is in accordance with a simple subject-predicate or prediction pattern in terms of which the Pauline argument consists of a premiss containing two or more propositions followed by a conclusive statement thereby forming a syllogism with variably further propositions embedded inside other propositions and thereby

forming the Pauline syllogistic argument. Such a Pauline syllogistic argument, for all rhetorical intents and purposes, logically, syntactically and semantically display interactive multi-techniques in the process of Pauline contextualisation.

Chapter three deals with an identification and exegetical evaluation of Pauline techniques for contextualising theological concepts with juridical imagery in the letter to the Romans. This chapter forms the bulk of the subject matter of the thesis, which is an exegetical perspective of Pauline contextualisation of selective juridical imagery with theological concepts in Romans and its contectual application.

The content of chapter 3 is based on the hypothesis that Paul contextualized juridical imagery with theological concepts in Romans with the view to explain such concepts to his addressees.

The Pauline use of propositions and syllogisms embedded in his argumentations is examined and discussed in this study. A proposition is equivalent to a sentence. In this regard, Louw uses the concept of "colon" which is borrowed from the Greek grammarians and is equivalent to a sentence (1979:8). However, the author of this study prefers to use the concept of "proposition" throughout the discussion instead of "colon", the reason being that the emphasis is on the Pauline use of propositions and syllogism embedded in Paul's argumentations in the letter to the Romans, with reference to an interactive multi-technique contextual discourse method possibly applied by Paul. In the analysis, evaluation and discussions, Paul's connection with juridical imagery or legal concepts plays a prominent role.

In accordance with the hypothesis, the aim throughout this chapter is to show that Paul contextualized juridical imagery with theological concepts. "Juridical imagery" concerns the choice and use of words, legal parlance, concepts or phrases, which are characterized by their legal content as having to do with the law or argumentations and judgements in law courts. Juridical imagery may sometimes appear in

ordinary speech, used by ordinary citizens not connected to law or law courts. Paul used many such words, concepts and phrases in his letters to explain theological concepts.

The concept of "juridical imagery" is used in this thesis to refer to concepts or situations that exist outside the theological realm but inside the juridical realm. For example, when Paul writes that he is "a slave of Jesus Christ" (Rm 1:1), he wants the reader to visualize the legal and social position of a slave in Roman times, that is, in terms of Roman law. He then associates some characteristics, legal implications or relationships between a slave and his master in terms of Roman law during his time and relates these aspects to what he means when he says that he is "a slave of Jesus Christ".

Paul connects with juridical imagery the relationship between servant and master (Rm 1:1) and the juridical concepts of "*witness*" (Rm 1:9). He uses juridical imagery relating to the law of contract and commercial law, for example the concept of "*bound both to Greeks and non- Greeks*" (Rm 1:14). Other examples are the concepts of "*righteousnes*" (Rm 1:17), "*without excuse*" (Rm 1:20), "*acquittal*" (Rm 1:27), "*unrighteousness*" (Rm 1:29), "*judgment*" (Rm 2:5), "*justification*" (Rm 3:20). Another example is the concept found in Rm 4:4, "when a man *works,* his *wages* are not *credited* to him as a gift but as an *obligation*". The word "obligation" also means to be under obligation to perform in consequent of having previously received something of value for services rendered (*quid pro quo*) or "to owe, to be in debt". Paul uses a concept from the law of succession, "*heirs*", in Rm 4:14. Paul refers to the principal of "*legality*" (Rm 5:12-18), the legal relationship between husband and wife as in Rm 7:1-6. He uses juridical imagery relating to private law of adoption and succession (Rm 8:14-17). In Rm 13:7 Paul uses the juridical imagery, "Give everyone what you *owe* him: if you *owe taxes*, pay *taxes*; if you *owe revenue*, then *revenue*". In Rm 14:10-13 Paul refers to the judgment seat of God.

Paul used many other concepts borrowed from the law courts and legal parlance in metaphors and similes to explain soteriological truths and theological concepts. For example:

- *Injustice* (Rm 9:14); *unrighteousness, iniquity* (Rm 1:18, 29; 2:8; 6:13)

- *To make holy, consecrate, sanctify,* forensically, *to free from guilt* (Rm 15:16)

- *Lawlessness, iniquity, without law* (Rm 2:14; 4:7; 6:19)

- *Without excuse, inexcusable* in the forensic sense (Rm 1:20; 2:1)

The above concepts are but a few juridical concepts in Romans. They are usually used with reference to contextualisation of juridical imagery with theological concepts in Romans in order to explain the theological content of such theological concepts that Paul wishes to convey to his addressees.

Paul was writing to ordinary people in Rome, some with Gentile background, using a common dialect known as κοινή Greek (Nunn 1965:25). Most of these people were Roman citizens and, as such, would have been expected to have some knowledge of juridical imagery in terms of Roman law. The best manner of communicating with his addressees and explaining the ε αγγέλιον truths was for Paul to use juridical imagery by means of a methodologically, well-planned process of contextualisation.

This Pauline method of contextualisation ilicits the question of how did Paul go about contextualising juridical concepts with theological concepts? In order to understand how Paul went about the process of contextualisation, exegesis needs to be carried out. Such an exegesis entails an investigation of Paul's letter to the Romans along semantical, syntactical, logical and legal-hermeneutical principles.

Such an analysis is approached along a three-tiered system of units:
- At the top of the scale is the unit, which corresponds roughly to a sentence. Semantically, this unit is called a predicate and syntactically it is called a sentence consisting of a noun and a verb. Logically it may be called an argument, premiss or proposition, and to which belong assertions, questions and commands.
- In the middle there are usually semantic features, consisting of further arguments, predications, attributive predications, downgraded predications, downgraded modifying predications and

further embedded predications. Syntactically these may be noun and verb phrases, adjectival phrases, prepositional phrases, conjunctions and nominal clauses.

- The third level consists of a concluding statement.

Logically there must be propositions in support of the first premiss and a further premiss in support of the second premiss followed by a third premiss which is the conclusion, proving the truth of the first premiss. This is a syllogistic argument and falls into the category of the third level of the tier system, which semantically and syntactically will also function as the conclusion of the initial statement, sentence and argument. Semantic and syntactic features must rhetorically be moulded into a form fit for a Graeco-Roman presentation of a discourse or speech with the following obligatory elements: θος, πάθος and λόγος.

The θος dealt with the positive picture the listener (or addressee) had about the writer or orator, his quality, his character and this persuasive mode was usually applied at the beginning of the discourse (or letter) (Rm 1:1-4). The πάθος had to do with the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at the ending of the discourse (or letter) (Rm 1: 6, 7). The λόγος covered the logic of the discourse (or letter) and could be interactively woven into the *éthos* and the πάθος. The main object of the λόγος was to persuade the listeners (or readers) inductively and deductively.

It is at the λόγος stage that an orator or writer, such as Paul, could have used an interactive multi-technique contextual discourse method. Throughout Paul's letter to the Romans the λόγος is displayed.

The Graeco-Roman letter was characterized by the purpose of the writer to convince and persuade the addressees followed by thanksgiving to the gods. This is exactly what Paul does in Rm 1:1-8. Du Toit (1992:467) mentions three characteristic of the Graeco-Roman rhetoric, namely *forensic, deliberative,*

demonstrative or *epideictic,* which were supposed to be incorporated and displayed in speaker or writer's rhetoric. He states that the speech had to comply with the prescribed procedure in accordance with the following five steps: (i) the *inventio* (the stage during which material and information were gathered for the court case); (ii) the *dispositio* (the arrangement of the information or material); (iii) the *elocutio* (the stage during which the speech was formally, stylistically and grammatically prepared); (iv) the *memorial* (the memorising of the speech *in toto*); (v) the *pronuntiatio* (the presentation). During the *presentatio* stage, the orator made use of many other rhetorical figures such as *enthumeme*, *correctio, litotes,* hyperbole, climax, *interperatio and laudatio* (*ibid* 471).

The aim, throughout this chapter is in accordance with the hypothesis, namely, to show that Paul contextualized juridical imagery with theological concepts in his letter to the Romans applying an interactive multi-technique contextual method, as he dictated the contents to Tertius, his emanuensis (Rm 16:23). The aim is to unlock this method and its contextual application in Romans.

Paul's letter to the Romans consists of three important characteristics of a typical Graeco-Roman letter: (a) the opening, (b) the central section, and (c) the closing (Aune, 1987:185). Pauline letters, however, have an expanded epistolary prescript, with the body consisting of the central section, which often closes with travel plans and exhortations. Doxology, greetings and benediction make up the closing (*ibid*).

Letter writing was already an accepted method of communication prior to the Pauline era. Examples of early letter writing are to be found as early as the Old Testament period (2Sm 11:4; 1 Ki 5:5; 10:1; 2Chr 2:11; 21:12, 30:17; 36:22; Ezr 1:1; 4:6; 4:11, 17– 23; 5:6; Jr 29:1; Dn 44:1). Other examples of letter- writing from the earliest period (pre-Pauline period) are to be found in the collections of Isocrates and Plato, which date between 368 and 328 BC (Harrop, 1965). Many examples of letters written prior to the Pauline period were found among archaeological discoveries in Egypt. These letters, which were written on papyrus, contained elements similar to Hellenistic letter-writing

techniques (Nunn, 1965:26).

A typical Hellenistic letter would contain the following elements: rhetorical elements, plan and layout, personal and business elements. Such a letter would open with greetings, followed by a prayer for the health of the addressee, a thanksgiving to the gods, a main body of the letter and special salutations and personal greetings (Klijn, 1971:84). An example of a typical Hellenistic letter can be found in Acts 15: 26-29.

Such a letter may have been expected to be formally and stylistically moulded into the form fit for a Graeco-Roman presentation of a discourse or speech which had to have the following elements ἦθος, πάθος and λόγος (Lambrecht 1989:240 quoted Du Toit, 1992:470). The ἦθος had to do with the positive picture, which his listeners (or addressees) had about the orator or writer: his quality and character. This persuasive mode was usually applied at the beginning of the discourse (or letter). The πάθος had to do with the orator's (or writer's) appeal to the emotions of his listeners (or addressees). The πάθος was usually applied at a later stage especially towards the end of the discourse (or letter). The λόγος covered the logic of the discourse (or letter) and could be interactively woven into the ἦθος and the πάθος (Lambrecht, 1989: *idem* quoted by Du Toit, 1992: *idem*). The main object of the λόγος was to persuade the listener, addressee or the reader inductively or deductively. It is at this stage that an orator or writer such as Paul could have used an interactive multi- technique contextual discourse method.

The Graeco-Roman letter was characterized by the purpose of the writer to convince and persuade the addressee. This purpose was a peculiar characteristic of all forms of Graeco-Roman public discourse, irrespective of whether the genre of the discourse was *forensic,* that is, having to do with courts of law or d*eliberative,* that is, having to do with political debates aimed at the future or *demonstrative* or *epideictic* that is, having to do with the demonstration of the good or bad behaviour of public figures (Lansberg, 1960:61; Mack, 1990:34- 35, quoted by Du Toit, 1992:466).

In the light of all the information concerning Hellenistic letter-writing techniques before and during the Pauline era, a conclusion is drawn that Paul's letter-writing techniques had certain resemblances to the Hellenistic letter-writing techniques of the time with regard to form, but that Paul had a unique approach and motive.

In conclusion it is stated that, though cognisance is taken of various styles of Christian correspondence during Paul's time, Paul's letter to the Romans with its unique characteristic of Paul's method of contextualising theological concepts with juridical imagery and his application of an interactive multi-technique discourse method, which included techniques from rhetoric, semantic, logic and legal-hermeneutical principles, is an outstanding example of this genre.

The Pauline letter to the Romans with regard to its date, genre, typical style and layout, has exceptional characteristics, which serve to support the above hypothesis. These characteristics are discussed in the thesis.

The date of Paul's letter to the Romans is determined in the light of Acts 18:12–18, which refers to Paul's trial before Gallio, and an inscription found at Delphi in 1905, which refers to the proconsulship of Gallio and to the reign of Claudius (Klijn, 1971:85). Delphi was on the lower slopes of Mt Parnassus, across the Gulf of Corinth near the city of Corinth itself (Kee & Young, 1960:66). The Delphi inscription makes it almost certain that Gallio came to Corinth in the year AD 51 and that his proconsulship was from AD 51 to AD 52 (Wright & Filson, 1956:97).

This is confirmed by the fact that the official term of a proconsul was only one year. The proconsul issued his order, proclamation, decree or edict at the beginning of his official term. The edicts were for this reason called *edicta annua* or *edicta perpetua* thereby indicating that they were perpetual during the course of his whole official term, which was a one-year term (Van Zyl, 1977:29). Therefore if, as is

probable, Paul stayed in Corinth for one year and six months (Acts 18:11) and left Corinth not long after the trial (Acts 18:18), it must have been some time between AD 51 and AD 54.

Therefore, with the additional help of Luke, the historian's information in Acts and the above historical information, a chronological reconstruction of the events which leads to the dating of the letter to the Romans can be made as follows: (i) Paul was in Corinth during AD 51– 52. During this period he appeared before Gallio. The proconsulship of Gallio was from AD 51– AD 52 (Wright & Filson, 1956:07). This is confirmed by the fact that the official term of Gallio was only one year (Van Zyl, 1977:29). (ii) During this period Paul had been in Corinth for one year and six months (Acts 18:11). (iii) Paul stayed on in Corinth (Acts 18:18) for some time after his appearance before Gallio (which took place sometime during AD 51– 52). (iv) Thereafter Paul set out for Syria and probably in AD 52 he set out for Ephesus (Acts 18:19-21). (v) Paul then landed at Caesaria, went down to greet the church in Jerusalem and then up to Antioch (Acts 18:22-23) where he spent some time (probably between AD 52–AD 53). This was the end of his second journey. (vi) Some time during AD 53 Paul undertook his third missionary journey. He travelled from Antioch through Galatia and Phrygia (Acts 18:23) and arrived at Ephesus (Acts 19:1), where he entered the synagogue and taught for three months (Acts 19:8). When some of the people in Ephesus became obstinate and maligned the Way and refused to believe, Paul left them and continued lecturing in the school of Tyrannus. Tyrannus was probably a teacher in rhetoric and oratory (Acts 19:8, 9, 10). This went on for two years (according to Acts 19:10), and probably took place between AD 53 and 55. (vii) In probably AD 55 or 56 Paul returned to Corinth where he stayed (Acts 20:1-3) in the house of Gaius (Rm 16:23) and dictated the contents to Tertius, who wrote every word down (Rm 16:22).

In conclusion it is stated in the thesis that the rhetorically, logically, syntactically and semantically well reasoned character of the letter to the Romans testifies that the letter was written when Paul was able to stay in a fixed abode, possibly during his stay in Corinth at the end of his third missionary journey

before he departed to Jerusalem, probably during AD55 or 56. The date on which the letter was written was during the Principate, an era in which Roman Law history reached its highes peak of its development. Juridical imagery was generally well known and used during this period. Paul's use of juridical imagery therefore was a well-known practice.

Biblical scholars have written much about the genre of Romans. This study does not enter into any debate in this regard, but does heed the advice of Wilhelm Wuellner. The best way of approaching a piece of argumentation is, according to Wilhelm Wuellner, by asking the question "to what sort of judgment it is ultimately directed" (1976:335). The author of this thesis is of the opinion that Paul's letter to the Romans is directed to an inquisitorial judgement in which juridical imagery plays an important role. The concept of "inquisitorial" is derived from the Latin verb *inquiro* which means "to search for ", "to investigate", "to look for", especially as a legal term, "to search for evidence against someone". Hence *inquisitio*, which refers to the function of an inquisitor which in Roman law, meant "one who searches for evidence to support an accusation" or "an investigation of a charge against someone" (*CLD,* 1959). According to Roman law, the *inquisition* was a public legal investigation, legal inquiry, or a criminal investigation in a court of law.

In addition to what Du Toit says, namely that Paul took the ancient letter-writing pattern as a basis (1992:470), it may be stated that Paul produced a unique genre by using juridical imagery within the framework of an inquisitorial style incorporating various discourse techniques of his time, including rhetoric, logic, semantics, syntactics and legal hermeneutics.

The intention here is to describe in broad outline the typical style of Pauline letter to the Romans. There is ongoing debate amongst biblical scholars concerning the style of the letter to the Romans. Wilhelm Wuellner refers to Bultman's *diatribe* (1976: 335) and Holloway (2003:115), following Stowers, believes that Paul in employing the *diatribe* style "presents himself to the Romans as a

teacher" and that in particular "the dialogical style of the *diatribe* is central to self-presentation". There are, however, conflicting definitions of the concept of *diatribe*. According to the Fowler & Fowler (1964) a *diatribe* may be defined as "a piece of bitter critism, invective denunciation". This definition is more appropriate for the purposes of this thesis because it falls within the framework of the inquisitorial process of litigation.

The inquisitorial process of litigation is an investigative procedure, a style in terms of which the judicial officer participates directly in the process of litigation, from beginning to the end of the proceedings, asking questions and leading evidence. Paul's inquisitorial style in which he uses juridical imagery to explain theological concepts to his addressees, asking questions and leading evidence may be detected throughout the letter to the Romans.

The purpose of Paul's letter to the Romans has sometimes been understood one-sidedly with emphasis on self-introduction by which "Paul recommends himself to the Roman churches as a teacher worthy of their support for his mission to Spain" or with emphasis on its ambassadorial function stating his travelling plans to Spain and Jerusalem (Holloway, 2003:114). The *diatribe* also comes to the fore as Paul's purpose (*ibid 117*). Paul's purpose has also been described by *diatribe* supporters as "to proclaim popularity", "to preach publicly", "to teach" or "to present oneself" (Crafton, 1990:326).

However, there is another side to Paul's purpose when writing the letter. Paul's purpose emerges clearly in Rm 1:11-17. His purpose is firstly to "impart to you some spiritual gift to make you strong", which he does by letter prior to his visit. Secondly, "to have a harvest amongst you" (1:13). Paul is "bound both to Greeks and to non-Greeks, both to the wise and to the foolish" (1:14). The concept of φειλέτης means to be indebted to someone, that is to be, "bound" to someone (cf 3.3.2 *infra*), or as the Romans may have understood it in Latin, the concept implied by φειλέτης is *obligatio,* in terms of

which a debtor may satisfy a debt by means of a performance that is due. Paul is indebted to his addressees not only with regard to the actual visit but also with regard to preaching the εὐαγγέλιον to them (Rm 1:15).

Romans1: 16, 17 are significant within this context because Paul's letter is all about "the εὐαγγέλιον, which is a power of God for the salvation of everyone who believes. For in the εὐαγγέλιον righteousness from God is revealed that is by faith from first to last. As it is written: 'The righteous will live by faith'". These are the reasons why Paul is writing to them. Paul's ingenuity and his excellent handling of his craft as an orator should not be underestimated. This explains why Paul, who had never been to Rome, takes the first and best opportunity at the occasion to proclaim the εὐαγγέλιον to his addressees using the most elaborate and eloquent style that surpasses most of his letters. If Paul wrote to them only to garner help for his mission to Spain, surely he would not have gone to such lengths.

In conclusion it is stated that the *diatribe,* as defined above within the framework of Paul's inquisitorial style, defines the purpose of Paul's letter to the Romans, because Paul bitterly criticises and denounces his addressees (Rm 1:1-3:18). However, the didactic and kerygamtic purpose is not excluded. Reminiscent of the inquisitorial process of litigation, Paul addresses his addressees directly at a number of points in the letter: (Rm 2:1-5; 9:19-21; 11:17-24; 14:4,10). Potential objections are mentioned (Rm 6:1,15; 7:7,13; 9:14,19; 11:1, 11, 19). These are answered promptly with a "God forbid!" (Rm 3:4, 6, 31; 7:7, 13; 9:14; 11:1, 11), followed by arguments to the contrary. The characteristic vocative "O man" is used in Rm 2:1, 3 and Rm 9:20. Rhetorical questions are addressed directly by Paul to his imagery opponents (Rm 2:3-4; 2, 21-22, 26; 3:3, 5-6, 8, 29, etc.).

The layout of Paul's letter to the Romans is discussed juridically with reference to the elements of a summons and the inquisitorial process in view of the Pauline use of juridical imagery throughout the letter. A summons is a court order addressed to an accused requesting him to appear in court at a

specified place and time. An arraignment takes place by calling the defendant to the court by name, reading the indictment to him and asking him whether he is guilty or not. These characteristics are evident in Rm 1:18-32; 2:1, 12, 16; 5:18; 14:11, 12.

A characteristic of inquisitorial procedure is that the official participating is directly involved in the process of litigation, from the commencement of the proceedings until the conclusion of the hearing. The trial of an inquisitorial process is in the form of a hearing in which the judicial official may participate actively by asking questions and sometimes even leading evidence. There are no pleadings in the inquisitorial process but rather notice to the parties which include evidence. In certain instances the judicial official is involved in gathering evidence.

The above characteristics of an inquisitorial procedure, which are evident in the layout of Romans, are further discussed and expounded in the thesis. For example, the defendant/s (Jews and Gentiles) is/are addressed directly in the letter (Rm 2:1-5; 9:19-21; 11:17-25; 14:4, 10). The judicial official (Paul) participates by asking questions (Rm 3:21-24, 25; 3:1-3, 5-9; 7:1, 7, 13; 10:14, 19; 11:1, 7, 11, 15. These questions are answered with interjections such as "I am using a human argument" (Rm 3:5), "Certainly not!" (Rm 3:6), "Their condemnation is deserved" (Rm 3:8), "Not at all!" (Rm 4:10), "…shall we be saved through his life!" (Rm 5:10), "What a wretched man I am!" (Rm 7:24). Direct address by the judicial official (Paul) to the defendant also takes place, for example, "You, therefore, have no excuse, you who pass judgement on someone else…" (Rm 2:1, 21-23).

The emphasis in chapter 3 is on various Pauline techniques for contextualising theological concepts in Romans with special reference to contextualisation of juridical imagery with theological concepts as well as Paul's use of techniques used by orators and logicians of his time, and the use of syllogism, rhetorical, syntactical and semantical techniques.

The pattern followed throughout the thesis is a discussion of juridical imagery conveyed by selected concepts in Romans, exegetical perspectives, derived from the juridical imagery and the contextual application of selected texts in Romans.

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