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THE LAW OF FREEDOM (JAMES 1:25): LIGHT FROM EARLY EXEGESIS

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The Law of Freedom (James 1:25): Light from Early Exegesis

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In James 1:21-25, a law that is both “perfect” and “of freedom” is closely correlated with an “implanted *logos*” (ἐμφυτος λόγος) that “is able to save souls.”ⁱ Among the earliest extant interpretations of this “implanted *logos*” is that of an anonymous Greek exegete, preserved in the catenae attributed to Theophylact and Oecumenius. This interpreter identified it as that which makes one “rational,” and associated it, further, particularly with the human ability to discern between “the better and the worse.”ⁱⁱ Though using different language, the 12th century Syriac exegete Dionysius bar Salibi interpreted James’s *logos* in a remarkably similar fashion. “God implanted [it] into nature,” he writes, “so that it should love good things and have an aversion to bad things.” Dionysius, moreover, identified the “implanted *logos*” itself as “natural law.” Accordingly, the “perfect law of freedom,” he states elsewhere, is a “law which God from the beginning placed in human nature.”ⁱⁱⁱ

Given that there is nothing to suggest any literary relationship between Dionysius and this anonymous Greek exegete,^{iv} the similarities in their interpretations are rather remarkable. Equally remarkable is the fact that this ancient line of interpretation, forwarded independently by two different exegetes, has been all but ignored in critical discussions of James. By and large, the fact that James^v speaks of the “implanted *logos*” in ways that are scarcely typical of Stoic discussions of human reason has been thought to preclude its interpretation as human reason or natural law. The description of this *logos* as something that can be “heard” and “done” – and particularly which can “save souls” –

has generally been taken as a clear indication that the Christian author of James refers rather to “the gospel.”^{vi} As one interpreter has put it, “that the gospel, if obeyed, is able to save a person’s self, is certainly a truism of the N[ew] T[estament].”^{vii} Consequently, the rationale for this ancient interpretation has not been investigated.

If critical study of the New Testament has taught us anything, however, it has taught us that such claims about “truisms of the New Testament” are tricky business. The New Testament itself – not to speak of the early Christian literature more generally – includes a great deal of theological variety. In fact, it is my contention that it is precisely the interpretation of these early exegetes that holds the key to understanding James’s correlation of “implanted *logos*” and the “perfect law of freedom.” In this paper I will show, first, that the similarities in the interpretations of these two early exegetes results from the fact that both read James in light of the Stoic theory that human reason, which in its perfect form as “right reason” constitutes natural law, develops out of an initial endowment of “implanted preconceptions” (ἐμφυτοὶ προλήψεις) of basic moral categories like ‘good’ and ‘bad’. Secondly, I will show that the term “implanted” is used to describe either human reason or a natural law it comprises repeatedly in ancient literature informed by this Stoic theory. Finally, I will argue that James himself has drawn on this concept of natural law.

Human Reason and Natural Law^{viii}

The heart of the Stoic theory of natural law is the identification of *logos* as the true, divine law. This identification is twofold, as is the Stoic *logos* itself. It refers on one hand to the divine, cosmic *logos* that permeates the universe and represents the law and constitution of the great “World City.” On the other hand, it refers to the *logos* that is definitive of human nature, and particularly to the “right reason” of the sage – the human

being whose *logos* conforms to the cosmic *logos*, and who is thus counted among the citizens of the World City. It is the latter identification that is of primary concern for our purposes. In order to clarify why, we'll need to take a brief detour into the Stoic account of the development of human reason.

According to the Stoics, the human animal is born with only a potential *logos*. A person is not rational in the proper sense of the term until around age seven, when his or her *logos* becomes fully mature. Chrysippus defined the mature *logos* itself as an “assemblage” of conceptions (ἔννοιαι) and preconceptions (προλήψεις). Prior to the maturation of the *logos* at around age seven, however, human beings are incapable of forming ἔννοιαι in the technical, Stoic sense; that is to say, we cannot acquire the sort of refined and well-defined concepts that require systematic intellectual inquiry. At this early stage, rather, the human intellect forms only preconceptions: general notions that arise naturally, simply as a result of the human mind's natural tendency to organize experience into abstract concepts. Thus, even prior to the time when a human is capable of the type of intellectual inquiry that leads to geometric equations or nuanced philosophical concepts, she or he nonetheless does work with general concepts such as ‘blue’ or ‘hot’ which result simply from repeated exposure to things that exhibit these characteristics. At this stage, then, the still-developing *logos* is an assemblage of preconceptions alone.

While all preconceptions, by definition, arise naturally apart from any conscious intellectual effort, the Stoics also posited a particular category of preconceptions that were “naturally” occurring in a still more specialized sense. The Stoics argued that providential Nature designed every animal with an impulse toward self-preservation, and this impulse entailed an innate tendency to seek out things that are helpful to its constitution and to avoid things that are harmful to it. The human animal is different from other animals, however, in that it has, by virtue of its rational tendency, the ability to *conceptualize* this distinction. The human animal, therefore, is understood to have an

innate disposition to form concepts like ‘good’ and ‘bad’. Unlike concepts such as ‘blue’ or ‘hot’, that is, concepts like ‘good’ and ‘bad’ are thought to arise *regardless of the nature of one’s experiences*; they represent, indeed, an evaluative disposition that one *brings to one’s experiences*. These innate concepts of ‘good’ and ‘bad’ – the existence of which are foundational for the Stoic view of the Goal as “life in accord with nature” – are called “implanted preconceptions” (ἔμφυτοι προλήψεις), and are commonly described as the “seeds” of knowledge or virtue.

Given the Stoic definition of the *logos* itself as an “assemblage” of conceptions and preconceptions, it is not surprising that these “implanted preconceptions” are closely correlated with the inchoate *logos* with which human beings are naturally endowed – and which will ultimately (ideally) develop into the “right reason” of the sage that comprises natural law.^{ix} It is against this theoretical background that we are to understand the interpretation of James’s “implanted *logos*” with reference to the human tendency to make ethical distinctions by both of our early exegetes. Our anonymous Greek exegete, as we have seen, identifies James’s *logos* explicitly as human reason in this connection. Equally striking is its identification simply as natural law by Dionysius. In fact, this theory of “implanted preconceptions” of good and bad was associated especially closely with the Stoic theory of natural law.

Logos and Natural Law as “Implanted”

Underlying the interpretations of both our early exegetes is an assumption that the term ἔμφυτος can be used in this philosophical context not only to describe the implanted preconceptions, but also the potential *logos* or natural law itself that these preconceptions comprise. In fact, such usage is found in a variety of ancient works that

deal particularly with the subject of natural law. In what follows, I will briefly discuss the most significant examples.

Cicero.

Perhaps the most significant instance is found in Cicero's *On Laws*, by far the most complete extant source for the Stoic theory of law. The initial definition of law presented in this important work is found in 1.18-19. "The most learned men," Cicero writes, defined law as "highest reason, implanted in nature" (*summa ratio insita in natura*). More precisely, he immediately clarifies, "this reason, *when firmly fixed and fully developed in the human mind*, is Law." This latter clarification seems to imply that the phrase *ratio insita* connotes specifically a less than "fully developed" *ratio*. And Cicero in fact makes it quite clear elsewhere in the treatise that the process that ultimately (ideally) leads to the "right reason" of the sage begins with a natural endowment of implanted preconceptions.^x Thus, just as the inchoate reason with which humans are born is comprised of "implanted preconceptions," so too can inchoate reason itself be described as "implanted reason" (*ratio insita*).

Significantly, Cicero attributes this definition of law to a prior source. The unfortunately fragmentary nature of the actual Stoic sources themselves makes it difficult to know what, precisely, that source was. But while there remains some disagreement on this question, it is recognized on all hands that his source was Greek.^{xi} It can therefore safely be concluded that, behind Cicero's definition of law in terms of *ratio insita*, there lies a Greek definition of law in terms of ἐμφυτος λόγος. In fact, analogous terminology is found in a number of other ancient works, composed in Greek, which also rely on the Stoic theory of law.

The Apostolic Constitutions.

Most striking in this connection is a fourth century Christian compilation known as the *Apostolic Constitutions*. Books 7 and 8 of this work contain a collection of prayers that assume the theory of law found in Cicero's *On Laws*.^{xiii} Here, however, this theory is incorporated into the biblical accounts of the creation of humanity by the God of the Jewish scriptures, and his gift of a divine law to Israel through Moses. The Torah, according to this work, is a "written law" (νόμος γραπτός) given as an "aid" to the "natural law" (φυσικός νόμος), which humans had corrupted.^{xiii} This latter, strikingly, is described repeatedly in the work as the ἔμφυτος νόμος - the "implanted law" – and is said to have been given to the first man, in Eden, "so that, from within himself, he should have the seeds of divine knowledge."^{xiv} Elsewhere described as "implanted knowledge" (ἔμφυτος γνώσις),^{xv} these seeds are linked especially to the by-now-familiar ability to distinguish ethical contraries: "you [God] gave, with respect to [Adam's] soul, rational discernment, ability to distinguish piety and impiety, [and] observation of just and unjust."^{xvi} Thus, in a manner quite analogous to Cicero's "implanted reason," this work describes the inchoate natural law, conceptualized as an aggregate of "implanted" "seeds of knowledge," as being itself an "implanted law."

Methodius.

A fragment from a work of Methodius preserved in the *Panarion* of Epiphanius reveals a similar incorporation of this notion of an "implanted natural law" into the creation account of Genesis 1, though in this case by way of Paul's discussion of "inner conflict" in Romans 7.^{xvii} According to Methodius, when Paul writes of his "delight in the law of God in my inmost self" (Rom 7:22), he is referring to the "implanted natural law" (ἔμφυτος φυσικός νόμος) with which God endows all human beings.^{xviii} With an eye to Rom 7:7-12, Methodius explains that, while Adam and Eve had once been free of "irrational desire" and the "enticing distractions of the pleasures," they were "infected with desire" when God commanded them not to eat of the tree of knowledge of good and

evil: “for once the commandment had been given, the devil got his opportunity to produce desire in me through the commandment.” The result was that “the natural law within us” (ὁ ἐν ἡμῖν φυσικὸς νόμος) was weakened “from its defeat by the desire in our bodies.” God thus sent his son to condemn sin to destruction, “so that the requirement of the law of nature would be fulfilled,” and the human being restored to “its original nature before its fall,” which is to say, “the rational image of God.”^{xix}

Justin Martyr.

A final example, the *Second Apology* of Justin Martyr, makes more explicit use of the developmental aspect of this Stoic theory in the service of its Christian apologetic than does Methodius. In *App* 13.2, Justin expresses his wish to be considered only as a Christian despite his Platonic background

not because the teachings of Plato are different from those of Christ, but because they are not in all respects similar, as neither are those of the others, the Stoics, and poets, and historians.

He proceeds to explain this partial agreement of Greek and Christian thought:

For each man [among those Greek thinkers just mentioned] spoke well in proportion to his share of the divine spermatik *logos*, seeing what was related to it ... For all the writers were able to see realities darkly by means of the implanted seed of the *logos* which was in them (διὰ τῆς ἐνούσης ἐμφύτου τοῦ λόγου σποράς).^{xx}

In contrast to the mere “seed” of the divine *logos* possessed by such earlier great thinkers, Christians, according to Justin, have access to the complete *logos* by virtue of their knowledge of the teaching of Christ, who was himself the embodiment of “right reason,” and whose teaching (he tells us elsewhere in the work) thus represents “the law of nature” (ὁ τῆς φύσεως νόμος).^{xxi} This contrast emerges elsewhere as Justin attributes the past persecutions of philosophers and the present Christian persecution to the same demonic source.

And those of the Stoic school – since, so far as their moral teaching went, they were admirable, as were also the poets in some particulars, on account of the seed of reason implanted in every race of men (διὰ τὸ ἔμφυτον παντὶ γένει ἀνθρώπων σπέρμα τοῦ λόγου) – [those Stoics] were, we know, hated and put to death ... For, as we intimated, the devils have always effected, that all those who in any case are zealous to live according to *logos* and shun vice, be hated. And it is no wonder if the devils are proved to cause those to be much worse hated who live not according to a part only of the spermatic Logos, but by the knowledge and contemplation of the whole Logos, which is Christ.^{xxii}

In both of these passages, the application of the term “implanted” (ἐμφυτος) to the *logos* itself – more precisely, to the “seed” of the *logos* – is analogous to its use in both the *Apostolic Constitutions* and Cicero’s *On Laws*. Strikingly, Justin uses this term particularly with reference to the divine and yet incomplete *logos* that is possessed by all human beings. He emphasizes this incomplete state, moreover, by means of the “seed” metaphor that is commonly associated with the “implanted preconceptions.” The developmental process that such language implies in these latter works, however, has undergone a radical alteration in the context of Justin’s Logos theory: the process by which the *logos* is completed has been removed from the sphere of individual human development and projected onto the stage of history. The attainment of right reason and life in accord with “the law of nature” is not simply a matter of intellectual effort; such a life is entirely impossible apart from the full revelation of the *logos* in the person and teaching of Jesus Christ.

Conclusion.

The repeated use of the term “implanted” to describe either human reason or the natural law it comprises in works otherwise so different in date, provenance and thought as Cicero’s *On Laws*, the *Apostolic Constitutions*, Justin’s *2 Apology* and the Methodius fragment can only be explained in terms of their common dependence upon a philosophical usage rooted in the Stoic theory of law. This usage was apparently

sufficiently well-known in Dionysius's day that he could – with neither comment nor apology – simply identify James's "implanted *logos*" as natural law. And this, I would argue, is precisely how it should be interpreted.

The Adaptation of a Philosophical Concept in James

As was mentioned at the outset of this paper, James's dependence upon Greek philosophical ideas for his concept of an "implanted *logos*" has generally been rejected due to the fact that James speaks of this *logos* in ways scarcely typical of Stoic discussions of human reason. To be sure, such differences are quite significant. But the facile conclusion that James – alone among the ancient sources treated above – has formulated an equation of "implanted *logos*" with a law that is both perfect and (in good Stoic fashion!) "of freedom," betrays a much too simplistic approach to the complex problem of the synthesis of Jewish, Christian and Greek traditions in the early Christian literature. As is clear from the *Apostolic Constitutions*, Methodius and Justin, the incorporation of this Stoic concept into religious ideas with which it was not originally associated resulted in many and various deviations from the Stoic theory as originally conceived. If James speaks of the implanted *logos* in ways that are not typical of Stoicism, neither is James a typical Stoic!

James's use of language of "hearing and doing" in connection with this *logos* is in fact quite instructive in this respect. Being a "*logos*-doer" in James's sense is clearly not a Stoic expression. As has often been pointed out, the phrase ποιητῆς λόγου would most likely conjure up images of an orator or poet in classical Greek usage. The use of ποιέω (as is obviously the case in James) of one who carries out, or is obedient to *logos*, is a semitism, and is thus typical of Jewish and Christian, not Stoic, literature. In Jewish and

Christian tradition, moreover, “doing” in this sense is often paired, as in James, with “hearing.” By the same token, this pair of terms is typically used in the Jewish and Christian literature with reference to ethical instruction, and particularly in connection with “hearing and doing” the law, as in Rom 2:13: “it is not the hearers of the law who are righteous in God’s sight, but the doers of the law who will be justified.” Similarly, the author of James himself elsewhere speaks directly of the ποιητῆς νόμου (4:11-12) rather than, as in 1:22, of the doer of the *logos* which is also law. If, then, James’s notion that the “implanted *logos*” can be “heard” and “done” thus derives ultimately from Jewish rather than Stoic tradition, his use of this language nonetheless confirms at the same time that he, quite like the Stoics, thinks of this *logos* precisely as a law.

That is to say, this passage simultaneously points to a significant similarity and a significant difference between James and those who originally coined the expression ἔμφυτος λόγος. Both associate it with the perfect law, but in James the understanding of that law is informed by Jewish and Christian tradition: the divine law conceived by the Stoics was, according to James, legislated by the God of Jewish and Christian tradition – whom he, significantly, in fact describes as “lawgiver” (4:12). And if the author of James assumes that this *logos* can be “heard” and, in some sense, “received” (cf. 1:21), this indicates only that he, like other Jewish and Christian authors who adapted the Stoic theory of natural law for their own purposes, understands it, though internal to the human individual, to have some external form as well.

Similarly, the notion that this *logos* “is able to save souls” (1:21) is well understood in light of the author’s expectation of an eschatological judgment to be executed in accord with the “law of freedom” (Jas 2:12). Such a belief in a final judgment is of course quite frequent in the early Christian literature, and analogous expectations are in fact found on the part of both Justin and Methodius, whose simultaneous dependence on the Stoic theory of law was discussed above.

If, then, these aspects of James's treatment of the "implanted *logos*" in no way tell against its dependence upon this philosophical idea, they do, nonetheless, give rise to a number of interesting questions. If this internal natural law has some external form, what is it? What particular law, that is, does James consider to be "perfect" and "of freedom"? And if that which "saves souls" is inborn in all people by nature, what, precisely, is the role of Jesus Christ (1:1; 2:1)?

ⁱ The close relationship between the "implanted *logos*" and the "perfect law of freedom" is generally recognized by interpreters, many of whom in fact argue that the two are identical. Among the most recent and extended treatments are R. Fabris, *Legge della Libertà in Giacomo* (Supplementi alla Rivista Biblica 8; Brescia: Paideia, 1977); M. Ludwig, *Wort als Gesetz: Eine Untersuchung zum Verständnis von "Wort" und "Gesetz" in israelitisch-frühjüdischen und neutestamentlichen Schriften. Gleichzeitig ein Beitrag zur Theologie des Jakobusbriefes.* (Europäische Hochschulschriften 23/502; Frankfurt am Main: Peter Lang, 1994); M. Klein, "Ein vollkommenes Werk": *Vollkommenheit, Gesetz und Gericht als theologische Themen des Jakobusbriefes* (BWANT 7/19; Stuttgart: Kohlhammer, 1995). See now also M. Jackson-McCabe, *Logos and Law in the Letter of James: The Law of Nature, the Law of Moses and the Law of Freedom* (NovTSup 100; Leiden, etc.: Brill, 2001), which gives a much more detailed treatment of the issues presented here.

ⁱⁱ For the relevant Oecumenius passage, see MPG 119. 468; for Theophylactus see MPG 125. 1145.

ⁱⁱⁱ I. Sedlacek, *Dionysius bar Salibi in Apocalypsim, Actus et Epistulas Catholicas* (CSCO, Scriptorum Syri 2/101; Rome: de Luigi, 1910), 91. I translate Sedlacek's Latin rendering of Dionysius's Syriac.

^{iv} Dionysius, in fact, remarks that he had no earlier complete treatments of the Catholic Epistles (including James) at his disposal.

^v Throughout this paper I refer to the letter and its author as James. The latter is done merely for the sake of convenience, and is not intended to reflect my advocacy of any particular theory of authorship.

^{vi} Representative in this regard is M. Dibelius, *James: A Commentary on the Epistle of James* (11th ed., rev. by H. Greeven; Hermeneia; Philadelphia: Fortress, 1988) 113.

^{vii} P. H. Davids, *The Epistle of James: A Commentary on the Greek Text* (NIGTC; Grand Rapids: Eerdmans, 1982) 95.

^{viii} This section presents in compressed and summary form what has been argued in detail in Jackson-McCabe, *Logos and Law in the Letter of James*, ch. 2.

^{ix} For example, by Cicero; see the following note.

^x *De Leg.* 1.26-27; see further on this Jackson-McCabe, *Logos and Law in the Letter of James*, 73-75.

^{xi} On the question of the source of Cicero's *De Legibus*, see L. P. Kenter, *M. Tullius Cicero, De Legibus: A Commentary on Book I* (Amsterdam: Adolf M. Hakkert, 1972) 9-10.

^{xii} For a convenient collection and translation of the passages, see D. A. Fiensy and D. R. Darnell, "Hellenistic Synagogal Prayers," in J. H. Charlesworth, ed., *The Old Testament Pseudepigrapha* (Garden City, NY: Doubleday, 1985) 2. 671-97. For the Greek text, see F.X. Funk, *Didascalia et Constitutiones Apostolorum* (Paderborn: Schoeningh, 1905).

^{xiii} *AposCon* 8.12.25.

^{xiv} *AposCon* 8.12.18; cf. 8.9.8; further 7.26.3; 6.20.

^{xv} *AposCon* 7.33.3.

^{xvi} *AposCon* 8.12.17.

^{xvii} For the Greek text, see K. Holl, *Epiphanius (Anocratus and Panarion)*, vol. 2: *Panarion: Haer. 34-64* (GCS; Leipzig: Heinrichs, 1922). For an English translation, see F. Williams, *The Panarion of Epiphanius of Salamis: Books II and III (Sects 47-80, De Fide)* (NHMS 36; Leiden: Brill, 1994).

^{xviii} *Pan.* 4.60.5-6.

^{xix} Cf. *Pan.* 4.41.6 with 4.27.8.

^{xx} *App.* 13.3, 5.

^{xxi} See *Second Apology* 2, where the teaching of Christ is associated with both “right reason” and “natural law.”

^{xxii} *App.* 8.1-3.