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Short Title

NOMOS IN ROMANS
LAW AND CHRISTIAN LIVING

Richard L. Ferguson
1958

Richard L. Ferguson
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35741

THE RELATIONSHIP OF 'O NOMOS
TO THE LIFE OF THE CHRISTIAN
ACCORDING TO ST. PAUL'S LETTER TO THE ROMANS

A Thesis Presented to the Faculty
of Concordia Seminary, St. Louis,
Department of Exegetical Theology
in partial fulfillment of the
requirements for the degree of
Master of Sacred Theology

by

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June 1964

35741

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CHAPTER I

INTRODUCTION

What relationship the law has for the Christian is no new problem for the Church. Moses, Christ, and Paul dealt with the issue, yet this enigma confronted theologians of the past and continues to confront theologians today. Among contemporary Lutheran theologians the question has revolved around the propriety of using the law as a guide for the Christian's life: the so-called "third use of the law." This concern underlies the present thesis. In Paul, who grappled with God's law, is the chief answer to the dilemma. Paul's letter to the Christians in Rome has provided a most systematic discussion of the place of the law.

Paul's understanding of νόμος can not be grasped by a mere word study—although this provides some indication of his thought. To comprehend his concept one must seek the context of his thinking, and that means primarily the Old Testament, but then also the framework through which he views the Old Testament. Thus the student of Paul must have regard for two major influences upon his thinking: the Hellenic-Jewish culture and theology which Paul first imbibed and later reacted against, and Jesus the Christ Who transformed Paul's total life. The two must not be thought of as always antithetical, for, unless one so defines Hellenic-Jewish culture as to equate it with Judaism Paul opposed, one will observe that it was in a Hellenic-Jewish culture that the Messiah was recognized (cf. Luke 2:25-38). Thus rabbinic sayings and Christian theology need not always be diametrically opposed nor need Paul be

severed entirely from his training. For Paul the whole of life--including his Hellenic-Jewish heritage which he did not entirely despise--was comprehended in Jesus Christ. Through Christ Paul views his message, work, and mission.

The Apostle's Christocentricity conflicts with one faction of Hellenic Judaism, which was, if a term may be coined, "Judaeo-centric," that is, a faith imbedded in righteousness by works, boasting in the possession of and obedience to the law as given to Israel. The representatives of this theology were Paul's "Judaizers." Careful interpreters must reckon with Paul's sharp polemic against this faction. Even when he is not speaking to them in Romans, his discussion of their heresy colors his discussion of the same problems. Furthermore, polemical debaters frequently concede the opponent some ground, in order to discuss the issue. This is the assertion of E. Burton in his commentary on Galatians:

Instead of directly controverting the Pharisaic definition, which the legalistic language of the O. T. rendered somewhat difficult, Paul at times, and to a certain extent, takes the Pharasaic opponent on his own ground and attacks his conception of law through an attack upon his notion of the covenant.¹

This meeting of an opponent on his own ground must be taken into account in any examination of the Pauline theology of νόμος.

Not all of the literature reflecting the Hellenic-Judaic culture is intertestamental: some, particularly Talmudic, may be post-Pauline. However, many of the concepts underlying the written statements probably

¹E. Burton, A Critical and Exegetical Commentary of the Epistle to the Galatians in International Critical Commentary (New York: C. Scribner's Sons, 1921), p. 447.

were current during Paul's day. Oral tradition is generally accepted today as antecedent to much literature, particularly biblical and rabbinic literature. Matthew 15:2-3 evidences such oral tradition:

[Then the Pharisees and scribes ask:] "Why do your disciples transgress the tradition of the elders? For they do not wash their hands when they eat." He answered them, "And why do you transgress the commandment of God for the sake of your tradition?"²

The student must show that there is conceptual similarity between the subject matter and the material quoted, and that, in this case, the Pauline material did not antedate the extra-biblical material.

In order to focus upon the biblical material itself, later interpreters such as Luther will not be extensively discussed in this paper. Furthermore, not all occurrences of uses of the term νόμος in Romans will be discussed here, for the basic question is the relationship of the νόμος of God to the life of the Christian.

Nor will extensive attention be paid to Hellenistic and Latin background materials, even though it is possible that the recipients of the letter were not Jews but Gentiles. Paul's discussion concentrates on the relationship of the law to the Christian in the light of the Judaistic controversy. Certain Graeco-Roman concepts of νόμος had already influenced Jewish views of νόμος as will be shown below.

The first chapter will discuss the root concept of νόμος as "God's instruction." Chapter two will examine the conflict of man under sin and God's instruction, νόμος. The third chapter will show Paul's

²The translation here and throughout this paper for Scripture references (unless otherwise indicated) is from the Revised Standard Version.

solution of the conflict and failure of νόμος: Jesus Christ as the end of νόμος for righteousness and as the power to fulfill νόμος.

1. Hatch and R. Hatch, ed., *A Concordance to the Septuagint and Other Greek Versions of the Old Testament*, (Graz, Austria: Akademische Druck- und Verlagsanstalt, 1951), II, 247-248.

CHAPTER II

Ὁ ΝΟΜΟΣ IS GOD'S INSTRUCTION

תּוֹרָה is the Old Testament Antecedent of Ὁ Νόμος

Paul's discussion of νόμος revolves principally around its former use by the Jews and the effect this former use has upon the Christians's attitude toward its use by Christians. Consistently the Apostle relates his discussion of νόμος to the Jewish attitude: in Romans 2 the problem is the boast the Jews made of their possession of תּוֹרָה; in Romans 3, the antithesis between faith and the works of the law (dealt with in chapter 4 by the example of Abraham); in Romans 7 and 8, the impotence of the law to give life and the power of God to fulfill what the law could not do; in Romans 9 and 10, the failure of Israel to attain righteousness because they pursued that righteousness as if it were based on works of the law. Νόμος must be examined primarily in the light of Jewish views of the law. St. Paul could have no other νόμος in mind than תּוֹרָה upon which the Jews relied, boasting in its possession (Rom. 2:17-24). In the Septuagint, the Greek translation of the Hebrew Old Testament which supplies much of the religious vocabulary of the New Testament, it is νόμος that translates the term תּוֹרָה most frequently: approximately 192 times out of 243 occurrences, the word which νόμος translates is תּוֹרָה.¹ Furthermore, throughout the

¹E. Hatch and H. Redpath, et al. (ed.), A Concordance to the Septuagint and Other Greek Versions of the Old Testament, (Graz, Austria: Akademische Druck and Verlagsanstalt, 1954), II, 947-949.

Septuagint, תורה is translated by words other than νόμος only twenty-four times, and of these eight are cognates of νόμος (νομοθεσία, νομικός).² Thus it is clear that, to the translators of the Septuagint--as varied as they may have been--the term νόμος was the Greek equivalent for the Hebrew term תורה. This supports the conjecture that St. Paul was thinking of תורה when he wrote the Greek word νόμος at least when discussing the relationship of νόμος to the Jews, as he does throughout Romans.

Edmund Jacobs provides a brief discussion of the background of the term תורה, its etymology and its significance in the Old Testament:

The verb arah, to which the noun torah is connected, does not originally designate divination by means of arrows shot in a certain direction (2 Kings 13.17; Jg. 18.6), a frequently attested custom in pre-Islamic Arabia, but has the more general sense of pointing out a direction; this sense appears, for example, in such passages as Gen. 12.6 (the indicative oak tree); Gen. 46.28; Ex. 15.25 (Yahweh shows them a tree); Prov. 6.13 (a worthless person moreh--makes signs--with his fingers); Ps. 45.5 (that your right hand may cause you to see wonders). When this indication is given by a superior, it is also an instruction: Ex. 4.12-15; Is. 28.26; Job 34.32, and when the giver of the instruction is God, it receives thereby an authority that quite naturally appears absolute.³

The primary significance of תורה is "instruction," according to Jacobs.

Ὀνόμος is Implicit in Creation

Paul tells the Roman Christians that the Gentiles do the things of this instruction νόμος, that they have the work of νόμος written

²Ibid., I, 218, 293, 300, 479, 495, 649; II, 881, 946, 947, 1219, 1334.

³E. Jacob, Theology of the Old Testament, translated by A.W. Heathcote and P. J. Allcock (New York: Harper and Brothers, 1958), pp. 271-272.

in their hearts even if they do not have it in the same manner in which the Jews possess it (Rom. 2:12-15).

A concept similar to the Pauline thought that νόμος is implicit in creation is evident in II Baruch:

And it shall come to pass at the self-same time,
That a change of times shall manifestly appear to every man,
Because in all those times they polluted themselves
And they practiced oppression,
And walked every man in his own works,
And remembered not the law of the Mighty One.

Therefore a fire shall consume their thoughts,
And in flame shall the meditations of their reins be tried;
For the Judge will come and will not tarry.

Because each of the inhabitants of the earth knew when he was
transgressing.
But My Law they knew, not by reason of their pride.
(II Baruch 48:38-40)⁴

Although this book is dated after A. D. 70 by Charles, he credits the relationship between this passage and Romans 2:14-15 to a Jewish commonplace.⁵ While there may be some question as to whether or not this passage is a polemic against Christianity, it still concurs with the thought of Paul here. Were this section a polemic agreement would be even more striking and indicative of a body of common thought. Whatever the case, both II Baruch 48:38-40 and Romans 2:14-15 indicate a limited knowledge of the instruction of God. Paul, however, stresses the positive aspect: not only do Gentiles know some things of the law, some

⁴R. H. Charles, "2 Baruch," The Apocrypha and Pseudepigrapha of the Old Testament in English, edited by R. H. Charles (London: Oxford University Press, 1913), II, 507. Hereafter Charles' edition will be referred to as APOT. Translations of both the Apocrypha and the Pseudepigrapha are from APOT.

⁵APOT, II, 480.

Gentiles actually do some of the things of the law. It is here that II Baruch and Paul differ, but they do concur in attributing to the Gentiles a form of knowledge of God's instruction.

The other extreme in Judaism--the conviction that the Gentile (or even the lax Jew outside the true Israel) should not even be permitted to be associated with the law--is evidenced in the writings of the Qumran community. It should be noted that this community was not mission inclined, but rather exclusive instead. Consequently the sect's view is more extreme than the view of the Jew Paul portrays. However, the sect grew from its milieu and thereby reflects in an intensified form some of the trends current in Judaism. Where the Jew was parochial in his legalism toward the Gentile, the monk of Qumran was parochial toward those who, according to his frame of reference, did not keep the **תורה**. It is the same basic attitude. The Dead Sea Scrolls indicate that members of the community are not even to discuss the **הרה** with froward men:

No one is to engage in discussion or disputation with men of ill repute; and in the company of froward men everyone is to abstain from talk about the meaning of the Law.

With those, however, that have chosen the right path everyone is indeed to discuss matters pertaining to the knowledge of God's truth and his righteous judgements. (1 QS 9:16-17)⁶

Since the Qumran community considered itself to be the true Israel it is reasonable to suggest that this text is indicative of an extreme attempt to be the true Israel, the community priding itself in its possession of the **תורה**. The attitude of more mission-minded Jews is reflected, apparently, in Paul's discussion, for they are sure that they are to guide the

⁶ T. Gaster, The Dead Sea Scriptures (New York: Doubleday, 1956), p. 59.

blind Gentiles, having the embodiment of knowledge and truth in the law (Rom. 2:17-21). But the spirit of exclusive possession of **היהוה** is dominant in both instances. The Qumran community's view is antithetical to the view represented by II Baruch because of the sect's extremely parochial stance.

The question must be asked "What does Paul mean by **φύσει**?" Philo of Alexandria employs **φύσις** in a manner somewhat similar to Paul's:

For we should have one tie of affinity, one accepted sign of goodwill, namely, the willingness to serve God and that our every word and deed promotes the cause of piety. But as for these kinships, based on blood-relationship . . . let them all be cast aside if they do not earnestly seek the same goal, namely the honor of God, which is the indissoluble bond of all the affection which makes us one. For those who are so minded will receive in exchange kinships of greater dignity and sanctity. This promise of mine is confirmed by the law, where it says that they do "what is pleasing" by nature [**τῇ φύσει**] and what is "good" For it says, "Ye are sons to your Lord God" Deut. 13:18, 14:1⁷

While Philo here applies the term **τῇ φύσει** to the Jews rather than to the Gentiles, he employs it in the same manner: it is according to nature that the Jews do what is pleasing. Elsewhere this philosopher discusses the harmony of the cosmos with the law, asserting that man regulates himself in accordance with nature:

The world [**κόσμος**] is in harmony with the law [**νόμος**], and the law with the world, and . . . the man who observes the law is constituted thereby a loyal citizen of the world [**κοσμοπολίτης**], regulating his days by the purpose and will of nature [**φύσει**], in accordance with which the entire world itself also is administered.⁸

⁷Philo, "On the Special Laws," I, 317-318. Translated by F. Colson and G. Whitaker. All translation of Philo is by the same translators.

⁸Philo, "On the Account of the World's Creation," I, 3.

N. De Witt, author of St. Paul and Epicurus, associates Paul's expression $\phi\upsilon\sigma\iota\varsigma$ in I Corinthians 11:14 with Epicurus' teaching, and his comments might well apply here also, for the thought that nature teaches is implicit in Romans 2:14:

Neither the Big nor the Little Epitome of Epicurus deals specifically with the subject of ethics but they make it abundantly clear that the source of ethical principles is to be found in the physical principles. In other words, Nature is the supreme teacher. Paul reveals his awareness of this doctrine by the vehemence with which he asserts the substitute doctrine that "all the treasures of wisdom and knowledge" are hidden in God. Yet his youthful allegiance to the creed of Epicurus so far prevails over the convictions of his mature age that he finds it quite easy to write "according to nature and "contrary to nature" and in First Corinthians 11:14 actually recognizes the principle he elsewhere repudiates: "Does not Nature herself teach you?" This phraseology is foreign to the New Testament except in his Epistles.⁹

While de Witt's assumptions about Epicurus' influence on Paul may be challenged, his observation on this similar use of $\phi\upsilon\sigma\iota\varsigma$ is applicable.

Cicero employs a similar concept of $\nu\omicron\mu\omicron\varsigma$ in $\phi\upsilon\sigma\iota\varsigma$:

Law is the highest reason, emplanted in nature, which adjures what things must be done, and prohibits the opposites.¹⁰

In this instance the employment of $\phi\upsilon\sigma\iota\varsigma$ by Cicero more nearly approximates the Pauline employment of the term $\sigma\upsilon\upsilon\upsilon\epsilon\iota\sigma\eta\sigma\iota\varsigma$.

Barrett suggests that Paul's employment of $\phi\upsilon\sigma\iota\varsigma$ is an adaptation of Stoic-Jewish doctrines of 'natural law.'¹¹ Anders Nygren disagrees:

⁹N. De Witt, St. Paul and Epicurus (Minneapolis: University of Minnesota Press, 1954), p. 171

¹⁰Cicero, "Laws," I. vi. 8.

¹¹C. K. Barrett, The Epistle to the Romans (London: Adam and Charles Black, 1957), p. 52.

It is clear that Paul's thought has nothing to do with the question of a lex naturae. He was not advancing a general theory as to the heathen, to the effect that they by nature do what the law commands. He is only talking about the particular situation when a heathen, in a situation where nature places him, does something which the law does command. . . .¹²

If it were not for Paul's speaking of the teaching of nature in I Corinthians, 11:14, Nygren's argument might stand.

For a yet clearer understanding of Paul's meaning for φύσει a study of his other uses of the term will be fruitful. In Romans 1:26 he writes of the Gentiles whose women: *μετήλλαξεν τῆν φυσικὴν κρῆσιν εἰς τὴν κατὰ φύσιν*. Here the term can only mean "nature": "who changed the natural function for that which is contrary to nature." Note also the cognate *φυσικῆν*. In Romans 2:27 the translation is not quite so easy, one is not certain whether "by birth" or "by nature" (or "from nature") is to be preferred. The term is used to describe the process of grafting a wild olive branch which is *κατὰ φύσιν* to the domestic olive tree in Romans 11:24. This is opposed to the branch that is the natural one (*κατὰ φύσιν*) in Romans 11:21,24. The term is twice used in Galatians in the identical form to that in Romans 2:14. In Galatians 2:15 Paul speaks of those who are *φύσει* Jews and not Gentile sinners. Here either "by birth" or "by nature" are possibilities. In Galatians 4:8 the term could refer only to the real nature of the thing: *Ἀλλὰ τότε μεν οὐκ εἰδότες θεὸν ἐδουλεύσατε τοῖς φύσει μὴ οὖσιν θεοῦ*. One other Pauline instance remains, Ephesians 2:3 where "by birth" or "by nature" are both possible translations.

¹²A. Nygren, Commentary on Romans (Philadelphia: Muhlenberg Press, 1949), p. 124.

The term occurs only twice in the New Testament outside the Pauline corpus: James 3:7 and II Peter 1:4. In these instances the word appears to have another sense: "disposition" or "characteristic." James speaks of human characteristic; Peter of divine.

Thus there are three major possible senses for *φύσις*: "characteristic," (which, as we have seen, is not Pauline), "inherited condition (by birth)," and "nature."

Romans 2:15 itself does not give us the final answer because the sentence could read either *ὅταν γὰρ ἔθνη τὰ μὴ νόμου ἔχοντα φύσει* or *φύσει τὰ νόμον ποιῶσιν*, i.e., either "when Gentiles who have not the law due to their birth" or "in accordance with nature [they] do the things of the law." However, Paul's use of *φύσις* in I Corinthians 11:14 allows for the concept of nature as teacher of life, and such a translation could be applied to the other passages in question.

Paul also had pointed out in the previous chapter that some things about God are evident in nature, and that their manifestation forestalls any excusing of the Gentiles. With this context in mind, it seems likely that Paul could say that some of the things God wills, some of his instruction, might well have been perceived in nature. Furthermore, in Romans 2:12 Paul is also removing any excuse the Gentiles might offer. In other words, although they might not have the historically delivered *νόμος* as the Jews received it, the Gentiles can perceive some of the *νόμοι* of God in nature and even do some of them. Finally, even if the term "by birth" is adopted as the translation of *φύσει*, nothing else but the guidance of nature could be theirs, for they did not have the *νόμος*.

In summary, perhaps the best translation which will maintain the ambiguity of the problem and yet suggest both possibilities is that of

J. H. Rhys:

For as many as sinned apart from Torah also perish apart from Torah; and as many as sinned under (or, in) Torah shall be judged by means of Torah. For those who are pupils of Torah are not in the right with God, but those who are doers of Torah will be put in the right. For when the Gentiles who do not possess Torah naturally perform the provisions of the Torah, not possessing Torah they are a law [Torah?] for themselves; they are showing that the reality (literally, work) of the Torah is written in their hearts, while their conscience bears witness and their thoughts condemn or perhaps excuse them. (Rom. 2:12-15)¹³

St. Paul uses *טוֹרָה* also for the written *טוֹרָה*: "But now the righteousness of God has been manifested apart from the law, although the law and the prophets bear witness to it. (Rom. 3:21)" The Apostle is speaking of that section of the canon known as the *תּוֹרָה*, especially in the second occurrence of *טוֹרָה*. This is clear from the phrase "the law and the prophets."

Thus Pauline understanding of the *טוֹרָה* itself can be summarized as follows: (1) *טוֹרָה* is God's instruction to his people; (2) this instruction is also implicit in creation;¹⁴ (3) this instruction is also written, particularly in the section of the canon known as "the law."

Paul's discussion of the place of the *טוֹרָה* of God will be the concern of the next two chapters of this paper.

¹³J. H. Rhys, The Epistle to the Romans (New York: The Macmillan Co., 1961), pp. 29-30.

¹⁴It need hardly be said that, in Paul's completely theocentric thought, *פְּרִיָּה* is not a neutral, autonomous entity apart from God's will and action. What the Gentiles do *פְּרִיָּה*, they do by the will and working of God.

CHAPTER III

וְנִמְצָא IN CONFLICT WITH MAN UNDER SIN

God's Intention in Revealing *Νόμος* is to Show the Way of Life

According to Paul, God's basic purpose in giving instruction is to show the way of life: "I once was alive apart from the law, but when the commandment came sin sprang to life and I died; the very commandment which promised life proved to be death to me." (Rom. 7:9-10) The Pauline concept of the life-giving purpose of *νόμος* is identical with the Deuteronomic concept of the purpose of *תורה*:

But you [Moses], stand here beside me [Yahweh], and I will tell you all the commandment and the statutes and the ordinances which you shall teach them [the people], that they may do them in the land which I give them to possess." [Moses then addresses the people:] You shall be careful to do therefore as the Lord your God has commanded you; you shall not turn aside to the right hand or to the left. You shall walk in all the way which the Lord your God has commanded you, that you may live, and that it may go well with you, and that you may live long in the land which you shall possess (Deut. 5:31-33, emphasis added).

Note that the above exposition directly follows the giving of the *תורה* in the Deuteronomic account. Clearly it indicates the function of the *תורה* as the Deuteronomist envisioned it: it is to be a guide for living and a way to life. It must be said briefly here that these are words for God's people who live in His deliverance and, who, at least ideally, respond with lives modelled according to the law.

תורה is seen as the reviver of life by the Psalmist who wrote

Psalm 19:

The law of the Lord is perfect,
reviving the soul;
the testimony of the Lord is sure,

making wise the simple;
 the precepts of the Lord are right,
 rejoicing the heart;
 the commandment of the Lord is pure
 enlightening the eyes;
 the fear of the Lord is clean,
 enduring forever;
 the ordinances of the Lord are true,
 and righteous altogether. (Ps. 19:7-9, emphasis added)

The parallel terms "testimony," "precepts," and "commandment" indicate that **הורא** here has the same sense, that of "God's instruction."

Through Isaiah Yahweh himself commends his "law" to his people as a positive power for deliverance as it issues forth from Him:

"Listen to me, my people,
 and give ear to me, my nation;
 For a law will go forth from me,
 and my justice for a light to the peoples.
 My deliverance draws near speedily,
 my salvation has gone forth,
 and my arms will rule the peoples. . . ." (Is. 51:4-5)

Observe that "law," "justice," "deliverance," and "salvation" are here paralleled. God's instruction is part of His salvation which He freely gives. It must be emphasized here, too, that God is speaking to those who are already His people.

Jewish literature contains similar ideas about God's purpose in giving His instruction. For instance, the author of Sirach, an apocryphal book written about 180-175 B.C.,¹ says that God gave Moses the "Law of life":

And He caused him to hear His voice,

¹G. H. Box, "Sirach," The Apocrypha and Pseudepigrapha of the Old Testament in English, edited by R. H. Charles (London: Oxford University Press, 1913), I, 293. Hereafter Charles' edition will be referred to as APOT.

And let him draw nigh into the dark cloud.
 And He placed in his hand the commandment,
 Even the Law of life and discernment;
 That he might teach His statutes unto Jacob,
 And His testimonies and judgements unto Israel. (Sir. 45:5)

The Wisdom of Solomon, a work of slightly later origin,² speaks of the observance of Wisdom's laws as the assurance of incorruption: "And the love of her [wisdom] is observance of her laws; and to give heed to her laws is the assurance of incorruption." (Wisd. of Sol. 6:18).

The rabbinical concept identical with the Pauline view of the purpose God has for His instruction is evidenced by Hillel:

More flesh, more worms; more wealth more care; more maidservants more lewdness; more menservants more thieving; more women more witchcraft; more Torah more life; more classroom more wisdom; more counsel more discernment; more righteousness more peace. Whoso has gained a good name has gained it for himself; who has gained for himself words of Torah has gained for himself life in the world to come. (Pirke Aboth 2:8, emphasis added)

תורה in this contest again refers to God's instruction, as can be seen by its association with "classroom" and "counsel." Since Hillel lived about 60 B.C.--A.D. 20, and was a highly influential Rabbi,³ here is a witness, contemporaneous with the early life of Christ and antecedent to Paul, who can be considered an accurate example of one school of Jewish theology, the school in which Paul was trained.

It has been shown that St. Paul saw that God's intention for His instruction, $\delta \nu\omicron\mu\omicron\varsigma$, is to show how life is meant to be lived, and that this Pauline view coincides with the biblical and post-biblical

²S. Holmes, "The Wisdom of Solomon," APOT, I, 520-21.

³J. Goldin, "Hillel," The Interpreter's Dictionary of the Bible, edited by G. Buttrick. (New York: Abingdon Press, 1962), II, 605. Hereafter this work will be referred to as IDB.

concept of νόμος. However, the Apostle also saw that this divine purpose was frustrated, for empirically νόμος brings not life, but death: "... when the commandment came, sin sprang to life and I died; the very commandment which promised life proved to be death to me."

(Rom. 7:9-10) It is this frustration of the life-giving function for which the law was intended that will be discussed in the remainder of this chapter.

God's Purpose for *Νόμος* is Frustrated because Man is Under Sin

The Apostle Paul is no idealist out of touch with reality; rather, he frankly observes that man by himself, as he is, can not gain use of the life by his law, rather man can receive only death (Rom. 7:9-10). Paul goes on to indicate why this is so: *ὁ νόμος* is spiritual, but man is carnal, sold under sin (Rom. 7:14), and carnally minded man can not please God (Rom. 8:6). It is this situation, that man is under sin and is carnally minded that requires Paul to deny to *νόμος* the power to bestow life, even as he emphatically does in chapter eight: "For God has done what the law, weakened by the flesh, could not do; sending his own Son in the likeness of sinful flesh and for sin, he condemned sin in the flesh." (Rom. 8:3)

At this point the question arises: did the Old Testament itself view the *גורל* as frustrated in its ability to bring life and to enable men to please God? The Deuteronomic witness quoted above does not indicate any consciousness of the purpose of the *תורה* being frustrated by the situation of man's bondage under sin; it does not suggest that man would be unable to employ *גורל* in life for life.

Nor did the above-quoted Psalm 19 betray any thought that the הויה of God could not revive the life of man.

Jeremiah does warn the Lord's people against feeling secure in the mere possession of the law:

"How can you say, 'We are wise,
and the law of the Lord is with us'?
But, behold, the false pen of the scribes
has made it into a lie." (Jer. 8:8)

Furthermore, the Psalmist can picture God calling Israel to judgment before the heavenly council for lip-service to the law:

To the wicked God says:
"What right have you to recite my statutes,
or take my covenant on your lips?
For you hate discipline,
and you cast my words behind you." (Ps. 50:16-17)

While the Psalmist does not employ the term νόμος, it is clear that he is faulting the wicked for attempting to boast in their knowledge of God's statutes and covenant while basically opposing God's counsel. St. Paul speaks of the same boastful misuse of the law in Romans 2:17-24.

But the Apostle sees a deeper frustration of νόμος, in the fact that the mind of natural man cannot submit to God's law (Rom. 8:7), a sentiment that concurs with Jeremiah's witness:

The heart is deceitful above all things,
and desperately corrupt;
who can understand it? (Jer. 17:9)

St. Paul, therefore, does not stand alone in his recognition that the natural man is corrupt. It remains to be seen why the Apostle stresses as strongly as he does this corrupt nature and its frustrating of the life-giving function of the law.

H. J. Schoeps supplies an insight into Paul's emphasis on the

failure of νόμος to give life, although Schoeps wrongly assumes that

Paul misunderstood the relationship of covenant to תורה:

Now when Paul speaks of the Jewish νόμος he implies a twofold curtailment, which was obviously customary in the Diaspora: in the first place he has reduced the Torah, which means for the Jews both law and teaching, to the ethical (and ritual) law; secondly, he has wrested the law from the controlling contest of God's covenant with Israel.⁴

Schoeps' argument indicates the context of Paul's arguments earlier,

where he shows that Paul is attacking a human religion of merit:

The tendency to establish a human claim over against God and to replace the Old Testament religion of grace by a human religion of merit is already observable in the LXX (cf. above ch. 1, 2b). Thus far Paul is here attacking rather the Hellenic Judaism of his origins rather than real rabbinicism. He confronts Hellenic Judaism with the sovereignty of God and divine grace by which the sinner for Christ's sake is viewed as righteous in the law hour of judgement.⁵

Although it is questionable whether Schoeps' distinction between Hellenistic Judaism and real rabbinicism is correct, Schoeps' observation that Paul is attacking a religion of merit is correct.

This religion of merit is often called "legalism," a theory of salvation by meritorious works. This legalistic trend, as Schoeps indicated, is evidenced in the translation of the broader term תורה by the more narrow term נטעט in the LXX, as C. H. Dodd has also seen:

Thus over a wide range the rendering of תורה by נטעט is thoroughly misleading, and it is to be regretted that the English versions followed the LXX (via the Vulgate) in so many cases. But while the translation is often misleading as a representation of the original meaning, it is most instructive in its bearing upon Hellenistic Judaism. It is clear that for the Jews of Egypt in

⁴H. J. Schoeps, Paul (Philadelphia: Westminster Press, 1961), translated by Howard Knight, p. 213.

⁵Ibid., p. 206.

the Hellenistic period the developed meaning of νόμος as a code of religious observance, a "law" for a religious community, was the normal and regulative meaning, and they made this meaning cover the whole use of the word in the Old Testament. Thus the prophetic religion was obscured. . .⁶

Dodd emphasizes that this was most likely no parochial, personal view of the translators:

In thus rendering the term, the translators are no doubt reflecting the sense in which their community read the Hebrew Bible, but Their rendering helped to fix and stereotype that sense.⁷

While the above statement is merely Dodd's own conjecture, it appears to be a reasonable explanation, for the Septuagint is no personal translation but the work of many translators over a long time-span.⁸ Furthermore, Dodd supports his argument for the legalistic sense by showing that the cognate of חורה, חורה, is translated by ἡμετέρας.⁹

Thus it becomes clear that Paul's use of νόμος must be viewed in the light of the legalistic significance of the term, particularly when he is engaged in controversy with Jewish or Judaizing opponents.

One other facet of the context of Paul's discussion of νόμος is evident in the letter to the Roman Christians: Paul is describing essentially the relationship of unregenerate men to God (Rom. 8:7-8, 7:14). This is the sense of "under sin" as Paul expresses it in Romans 7:14. Herein lies the root of Paul's refusal to speak of the law as a life-giving power.

Man can not accept the authority of God because he is basically

⁶ C. H. Dodd, The Bible and the Greeks, (London: ^{Hodder} Houghton and Stoughton, 1935), pp. 33-34.

⁷ Ibid., p. 34.

⁸ J. W. Wevers, "Setuagint," IDB, IV, pp. 273, 276.

⁹ C. H. Dodd, The Bible and the Greeks, p. 33.

opposed to God, and consequently actively opposes God. This is the essence of Paul's extensive discussion of *νόμος* in Romans 7:7-25. This section of Romans has been a problem for exegetes who have, over the years, presented many different theories about it, as J. H. Rhys shows:

Before one attempts to treat this section of the epistle, it is necessary to come to some decision regarding what is represented here by the pronoun I. For this there are as many opinions as there are possibilities in human imagination. Dodd takes it as autobiographical, holding that the apostle is discussing chiefly his own experience prior to his conversion. Barrett considers that it represents the experience of man generally rather than that of Israel or of the preconversion or postconversion of Paul. Bardenhewer refers it to Paul himself in his regenerate state. Michel considers it as a rhetorical device that sets forth the experience of regenerate man, although he recognizes a possibility that it may represent the experience of the individual Jew. Augustine set forth two ideas: that it represented the experience of man before and after the coming of Torah, and that it described the experience of the individual Jew in the course of his upbringing under Torah. Origen, although inclining to the second of the opinions later developed by Augustine, suggested that Paul's words were applicable to any sort of divine commandment, even to natural law¹⁰

The Qumran findings now add information for consideration, as K. G.

Kuhn notes:

In using the pronoun "I" even the believer counts himself as belonging to this "Company of the flesh of evil," since he is a man, and as such, in the context of the passage, he commits sin. The passage runs as follows: "To those whom God has chosen he has given them (viz. the aforementioned gifts of salvation: knowledge, righteousness, strength and glory) as an eternal possession, and allows them as heirs of the lot of the holy ones, and he has associated their assembly with the sons of heaven for a gathering of the community. . . . But I belong to the mankind of perversion and to the company of the flesh of evil. My transgressions, my wickedness, my sin together with the hardness of my heart (mark me as

¹⁰J. H. Rhys, The Epistle to the Romans (New York: The Macmillan Co., 1961), pp. 29-30.

belonging) to the company of worms and to those who walk in darkness" (I QS xi, 7-10).

Most important for the New Testament is the "I"-style of this saying. We have in this text the same "I" as in Rom. 7; it is the same "I" not only in regard to style, but especially in regard to theological connotations: "I" is here, just as in Rom. 7, not meant individually or biographically; it is gnomic, descriptive of human existence. The "I" in this Qumran passage, as in Rom. 7, signifies the existence of mankind, which is flesh. Man is flesh because and inasmuch as he sins and thereby stands under ungodly power. One may compare the sentence in the Qumran text, "I belong to the company of the flesh of evil" with Rom. 7, 14 "I am fleshly (and that means), sold under sin." Likewise, Rom. 7, 24: "I. . . miserable man! Who will rescue me out of this body which is about to succumb to death (because of sin!)."

Kuhn adds that the Qumran hymns also exhibit this use of "I":

This "I"-style is found with identical theological meaning not only in the quoted Qumran passage, but also frequently in the Qumran hymns (I QH). Here we find in one instance how the poet, after having praised the fullness of salvation, which has been promised to him as a member of the community of God's salvation, goes on to say: "But I, an image of clay, what am I? Kneaded with water, what am I worth? And what strength have I? For I stand in the domain of evil, and with the miserable is my lot." (iii, 23-25).

This "I"-style of the Qumran hymns is evidently connected with the "I"-style of the Old Testament psalms and, from the point of view of form, this genre is here developed further. In the Qumran texts, rather than the Old Testament Psalms which offer the true and immediate parallel to the "I"-sayings of Rom. 7.¹¹

Kuhn's presentation supports the contention that Romans 7:7-25 is a description of man as man in his situation of bondage to sin.

Perhaps the view of C. H. Dodd might have been different if he had had access to the information Kuhn presents when he wrote his commentary on Romans, for Dodd presents a great deal of information which supports Kuhn's view that Romans 7 presents a picture of natural man under the dominion of sin. Dodd points out that Philo had allegorized the account

¹¹K. G. Kuhn, "Temptation, Sin, and Flesh," The Scrolls and the New Testament, edited by Krister Stendahl (New York: Harper and Brothers, 1957), p. 102.

of the Fall, and that there is a real possibility that Paul is thus allegorizing man's situation due to the Fall:

Paul read in Genesis how Adam at first lived in innocence. A command was given to him, intended to prevent him from forfeiting his immortality, according to the rabbinic interpretation. The serpent, subtly turning this command to his own ends, seduced Adam (through his wife--but for Paul here, that is not significant). He transgressed the command and death was the result. "Which things," as Paul might have said, "are an allegory" (cf. Gal. iv. 24). Translated into terms of individual experience, the story runs: I lived at one time without the law myself, but when the commandment came home to me, sin sprang to life and I died; the command that meant life proved death for me. The command gave an impulse to sin, sin beguiled me, and used the command to kill me. It fits like a glove; and there are enough verbal echoes of the Greek translation of Gen. iii. to make it likely that Paul actually had the passage in mind. Such an exposition of the story of the Fall, as a parable of individual experience is a commonplace in modern preaching. It is not always realized that Paul interpreted it so; but such is probably the case.¹²

However, Dodd asserts that even if it were allegorical, this account is autobiographical because a man puts his own experience into an allegory. This may be true, but it would still be an allegory of the Fall. Furthermore, one might well ask: "What would the Judaizers care about Paul's personal experience?" The Judaizing party could say: "The Torah may have that effect on you, Paul, but not on us. For us the command is sweet and life-giving." St. Paul would find it of little value to present his own personal reaction to the νόμος of God. In fact, in Romans 8:7 he speaks generally: "For the mind that is set on the flesh is hostile to God; it does not submit to God's law, indeed it cannot. . . ." Dodd also raises the objection that such an impersonal construction could hardly move a man to exclaim "Wretched man that I am!

¹²T. H. Dodd, The Epistle of Paul to the Romans (London: Fontana Books, 1959), pp. 123-124.

Who will deliver me from this body of death?" Dodd assumes that Paul would not have emotionally included himself in such an objective description of the situation of natural man.¹³ But to this objection of Dodd, one could reply that the Paul who included himself among the sinners for whom Christ died could have identified himself also under that bondage of sin because he, too, is a man.

It has been said by some scholars that Paul is ascribing to the "I" an inner harmony with the will of the law. However, this can not be Paul's view in Romans 7, for in Romans 8:7 he denies to man the possibility of being in harmony with the law of God by himself.¹⁴

Whether Paul is speaking of natural man or regenerate man in Romans 7 is not decisive for this discussion, for, as Paul concludes in 7:21-25, Jesus Christ is the deliverance God provides for man. Jesus Christ is deliverance from bondage to sin--this continues for regenerate man throughout his life. The law is never the means of deliverance, not for natural man nor for regenerate man. Man by himself is incapable of responding to the good, unable to fulfill God's νόμος, yes, impotent even to submit to the νόμος of God (Rom. 7:14-20; i:3,7-8).

The Apostle has already discussed the total inability of man to do God's will and to follow God's instruction completely in Romans 3:9-20, where he cites a catena of Old Testament passages in a rabbinical manner. He points out the depravity of all men in order to demolish the boast of

¹³Ibid, pp. 123-124.

¹⁴A. Nygren, Commentary on Romans (Philadelphia: Muhlenberg Press, 1949), translated by Carl C. Rasmussen, p. 289.

the Judaizers that Jews have a priority over Gentiles. In Romans 7 his purpose is to indicate that the *νόμος* on which men rely is unable to gain deliverance for them, but he is stressing that same human lack of power to submit to God completely. Here Paul is echoing the thought of Ps. 14:1-3:

The fool says in his heart, "There is no God."
They are corrupt, they do abominable deeds,
there is none that does good.

The Lord looks down from heaven upon the children of men,
to see if there are any that act wisely, that seek after God.

They have all gone astray, they are all alike corrupt;
there is none that does good, no, not one.

Paul might also have appealed to another Old Testament passage which fortifies the concept of the total depravity of man, Genesis 6:5, which says: "The Lord saw that the wickedness of man was great in the earth, and that every imagination of the thoughts of his heart was only evil continually."

A stand similar to Paul's is taken by the author of IV Ezra:

And thy glory went through the four gates of fire, earthquake,
wind and cold,
To give Law to Jacob's seed
and commandment to the generation of Israel.
And yet thou didst not take away from them the evil heart,
that thy law might bring forth fruit in them. For the first Adam,
clothing himself with the evil heart, transgressed and was overcome;
and likewise all who were born of him. Thus the infirmity became inveterate;
the Law indeed was in the heart of the people, but (in conjunction) with the evil germ;
so what was good departed, and the evil remained. (IV Ezra 3:19-22)

Although G. H. Box, the editor of IV Ezra, indicates that the portion of IV Ezra from which this quotation comes was written about A.D. 100, it certainly provides a distinct witness of an independent attempt to

deal with the same problem of legalism.¹⁵ This does not imply that Paul read IV Ezra, only that the same problem is dealt with.

Box also points out how this eschatological theology--as well as Paul's own view--contradicts the view of rabbinic Judaism:

The corruption of the human race is regarded as due to a development of something inherent in man's nature (yeser hā ra of Rabbinic theology); but by representing the Law as powerless to prevent the evil element in man's nature from gaining the entire mastery (iii. 22), our apocalyptist directly contradicts the orthodox Rabbinic view, according to which the evil yeser could be--and as a matter of fact has been by the pious in Israel generally--successfully resisted by the study of the Law and the practice of good works.¹⁶

This thesis presented by Box that, according to the Rabbis, the law of God can empower man to successfully resist the evil impulse and to practice good works is affirmed by Montefiore's quote from and comment upon a saying by Rabbi Johanan:

Yet the Law (contrast the theory of Paul!) helps the Israelite to conquer the evil impulse and temptation:

All the time the words of the Law find free entrance into the chambers of the heart, the words of the Law can rest there and the evil inclination cannot rule over them, and no man can expel them. As if a king went into the steppe, and found dining halls and large chambers, and went and dwelt in them. So with the evil inclination; if it does not find the words of the Law ruling (in the heart), you cannot expel it from the heart. (Midrash Prov. 24:31f., 48b)¹⁷

More passages from rabbinic witnesses could be cited as testimony of the Jewish idea that the **אפיקורוס** can empower men to defeat sin, passages

¹⁵G. H. Box, "IV Ezra," APOT, II, 551-552. It should be added here that this work can hardly be a Christian work, for it leaves man hopeless and without any real possibility of deliverance.

¹⁶APOT, II, 556.

¹⁷C. G. Montefiore and H. Loewe, A Rabbinic Anthology (New York: Meridian Books, Inc., 1938), p. 124. Rabbi Johanan died c. A.D. 279.

such as W. D. Davies employs in *Paul and Rabbinic Judaism*.¹⁸ However, behind that rabbinic optimism concerning the efficacy of the **אָרְוָה** is an attitude toward the basic nature of man, an attitude which differs essentially from Paul's anthropology of the total opposition of man to God. Montefiore expresses the rabbinic anthropology in this way:

The Rabbis did not propound any theory as the corruption of man's heart or the incapacity of man to do good without a preliminary regeneration. They did, indeed, speak of a poison or dirt which the serpent injected into Eve, and which continued among her descendants (Yeb. 103b). But this "dirt" was removed from the Israelites by the acceptance of the Law. It is to be regarded as a peculiar propensity to sexual or even to unnatural lust. . . . We also find the statement that there is no generation to which at least one ounce of the sin of the Golden Calf does not inhere (T. J. Ta'an. IV, i, f. 68c, line 51 l 1). Yet neither theory is much alluded to. Even a heathen, if he chose, could be righteous--and apparently, this righteousness did not always involve his becoming a proselyte.¹⁹

Of the rabbinic sayings which Montefiore cites in support of his view, an excerpt from a Midrash on the Psalms is most significant:

"The Lord loves the righteous" (Ps. cxlvi, 8). If a man wishes to become a priest or a Levite, he cannot, if his father was not one. But if he wishes, he can become righteous, even if he be a heathen, because the righteous do not depend on ancestry, but of themselves they resolve to be righteous and love God.²⁰

It is this failure of Jewish anthropology to face up to the reality of man's sinful nature that leads to Paul's strong stand on the inability of man to fulfill the *דְּמוּת* of God.

¹⁸W. D. Davies, *Paul and Rabbinic Judaism* (Second Edition, London: S. P. C. K., 1955), pp. 22-23.

¹⁹Montefiore and Loewe, *op. cit.*, p. 306.

²⁰*Ibid.*, pp. 306-307.

The Apostle describes various aspects of the conflict between man under sin and the νόμος of God. These will be discussed directly below.

Opposition to Νόμος by Men under Sin

Not only are men unable to do all the things which the νόμος of God commands, they also oppose it overtly, doing precisely what the instruction of God proscribes. In fact, the result of the expression of νόμος to men is to increase sin, according to Romans 7:7-11, 14. This is also the Apostle's thought in Romans 5:20, where νόμος is to be taken as indicating not purpose but result: νόμος δὲ παρεισηθηεν ἵνα πλεονύσῃ τὸ παράπτωμα. . . . This consecutive use of the ἵνα clause is discussed in Blass-Debrunner (Funk):

The possibility of a purely final conception is certainly not to be denied in several of the NT exx. cited, e.g. Lk. 9:45, 2 C 1:17; it is still more probable in the frequently recurring ἵνα πληρωθῇ ("in order that by divine decree it might be fulfilled"); indeed Jewish theology in general has contributed to the blurring of the distinction between purpose and result (Mt. 210, 219 [333, 348]; Moule 142); also cf. Epict. 1.19.13, 4.1.148. Jn. 9.2 τίς ἥμαρτεν . . . , ἵνα τυφλὸς ἐγεννήθῃ; "with the result that" . . . , the weakly attested reading ὅτι . . . ἐγεννήθη (cf. 456(2)), preferred by Blass, is unnecessary; cf. Epict. 3.1.12 τί εἶδεν ἐν ἑμαὶ ὁ Ἐπίκτητος, ἵνα . . . περιίδη; R 5:20 ἵνα πλεονύσῃ, τὸ παράπτωμα: ἵνα acc. to Chrys. (MPG 60.878; cf. 59.307): οὐκ αἰτιολογίας (final) ἀλλ' ἐκβασιῶς (consecutive) ἔστιν. . . .²¹

Thus while the consecutive use of ἵνα in the Synoptic Gospels remains somewhat unsure, it is reasonably certain that the Johannine utilization in John 9:2, at least, presents a definite example of ἵνα employed in a non-purpose clause, providing a biblical parallel to Rom. 5:20.

²¹F. Blass and A. Debrunner, A Greek Grammar of the New Testament and Other Early Christian Literature (Ninth-tenth German edition, Chicago: University of Chicago Press, 1961), translated and revised by R. W. Funk, 391(5), p. 198.

Most commentators such as Barth,²² F. F. Bruce,²³ Rhys,²⁴ Barrett,²⁵ and Dodd²⁶ do not recognize the consecutive sense, in fact they do not even consider it, merely assuming the final sense. But Sanday and Headlam take both possibilities into consideration, and, citing Chrysostom (to whom Blass-Debrunner referred above), conclude in favor of the consecutive sense:

The multiplication of transgression is not the first and direct object of law, but its second and contingent object: law only multiplies transgression because it is broken and so converts into deliberate sin acts which would not have had that character if they had not been so expressly forbidden.²⁷

If this ecbatic sense is accepted, the text no longer suggests that God gave the νόμος in order to intensify sin; rather, the text says that the result of the expression of God's instruction to men under sin is greater rebellion, active transgression. In Romans 7:8-20 Paul is describing the same sort of occurrence: the good law is given in order that man might know the way of life (this is God's intention), but man

²²K. Barth, The Epistle to the Romans (Sixth German edition, London: Oxford University Press, 1933), translated by E. C. Hoskyns, pp. 182-186.

²³F. F. Bruce, The Epistle of Paul to the Romans in Tyndale Bible Commentaries (Grand Rapids, Michigan: Wm. B. Eerdmans Publishing Co., 1963), VI, 133.

²⁴Rhys, op. cit., pp. 66-67.

²⁵C. K. Barrett, A Commentary on the Epistle to the Romans (London: Adam and Charles Black, 1957), pp. 117-118.

²⁶D. H. Dodd, The Epistle of Paul to the Romans, p. 104.

²⁷W. Sanday and A. Headlam, A Critical and Exegetical Commentary on the Epistle to the Romans in The International Critical Commentary (fifth edition, Edinburgh: T. & T. Clark, 1902), p. 143.

under sin receives death because he rebelliously opposes the commandment. In verse 13 of the same chapter *ἵνα* is most naturally introducing result clauses and not purpose clauses. It is the result of the work of sin that sin becomes apparent and sinful beyond measure. Thus the law makes sin known (Rom. 3:20, 5:13), rather than sin itself doing this.

Misuse of *Νόμος* by Boastful Pride and by Bargaining with God

Men do more than oppose God's instruction, they also attempt to misuse it in two ways: first, they try to bolster their pride, claiming that their possession of this *νόμος* is a credit to themselves; secondly, they try to use their acts of obedience as claims on God by which they can bargain with God for their acceptance by Him. Paul's discussion of these two abuses of God's *νόμος* will be dealt with in order.

Paul condemns the Jews' attempts to boast in their possession of the law (Rom. 2:13,17,23). This boastful use of *νόμος* is discussed below.

The strong reliance upon the mere possession of the *תורה* is evidenced in the reaction of the people to Jeremiah's accusations that they have left God's *תורה*. They say:

Come, let us make plots against Jeremiah, for the law shall not perish from the priest, nor counsel from the wise, nor the word from the prophet. Come, let us smite him with one tongue, and let us notheed any of his words. (Jer. 18:18, cf. esp. Jer. 8:8)

Rabbinic scholars claimed a priority for the Jews, who had the *תורה*: "For, R. Hanina said: He who is commanded and does, stands higher than he who is not commanded and does." (Abodah Zarah 3a). The famous representation of God's offering the *תורה* to all the nations of the earth, with only Israel accepting, indicates the pride with which

some of the Jews held their possession of the *גורל* (cf. Montefiore and Loewe, A Rabbinic Anthology, p. 78).

It is not merely the misuse of *מְצִיטָה* by bargaining with God that St. Paul condemns; rather, he even more emphatically opposes the Jew's attempt to use the *מְצִיטָה* of God to build up a quantity of works by which they would merit the righteousness of God. This is what the Apostle writes in Romans 9:30-32:

What shall we say, then? That Gentiles who did not pursue righteousness have attained it, that is, righteousness through faith; but that Israel who pursued righteousness which is based on law did not succeed in fulfilling that law. Why? Because they did not pursue it through faith, but as if it were based on works. (cf. also Rom. 3:27-31)

The Apostle spells out the close relationship between boasting and attempting to gain a claim on God by one's works (of the law) in Romans 4:1-3:

What then shall we say about Abraham, our forefather according to the flesh? For if Abraham was justified by works, he has something to boast about, but not before God. For what does the Scripture say? "Abraham believed God, and it was reckoned to him as righteousness." Now to one who works, his wages are not reckoned as a gift but as his due.

Paul's concern was foreshadowed in the Old Testament by the author of Deuteronomy who depicts Moses' words to Israel as follows:

Do not say in your heart, after the Lord your God has thrust them out before you, "It is because of my righteousness that the Lord has brought me in to possess this land." (Deut. 9:4)

And again, Moses emphasizes his point that it is not Israel's righteousness, but God's acceptance.

Know therefore, that the Lord your God is not giving you this good land to possess because of your own righteousness, for you are a stubborn people. (Deut. 9:6)

The book of Sirach, written about 175 B. C., demonstrates the

sort of legalism which Paul opposed. In Sirach, Abraham qualifies himself for reception into God's covenant by keeping the law:

Abraham was the great father of a multitude of nations,
 and no one has been found like him in glory;
 He kept the law of the Most High,
 and was taken into covenant with him;
 he established the covenant in his flesh,
 and when he was tested he was found faithful.
 Therefore the Lord assured him by an oath
 that the nations would be blessed through his posterity . . .
 (Sirach 44:19-21a)

The Talmud also provides an example of this sort of keeping of the entire תורה by Abraham:

Rab said: Our father Abraham kept the whole Torah, as it is said: Because Abraham hearkened to My voice [kept My charge, My commandments, My statutes, and My laws] Gen. 26:5). R. Shimi b. Hiyya said to Rab: Say, perhaps, that this refers to the seven laws? --Surely there was also that of circumcision! Then say that it refers to the seven laws and circumcision and not to the whole Torah? --If that were so, why does Scripture say: "My commandments and My laws"?

Raba A. R. Ashi said: Abraham, our Father, kept even the law concerning the 'erub of the dishes, as it is said: "My Torahs": one being the written Torah, the other the oral Torah. (Yoma 28b)

The meritorious nature of the fulfilling of precepts is shown in the Talmud:

Mishnah. He who performs one precept is well rewarded, his days are prolonged, and he inherits the land. But he who does not perform one precept, good is not done to him his days are not prolonged, and he does not inherit the land.

Gemara. But a contradiction is shown: These are the things the fruit of which man eats in this world, while the principal remains for him for the future world. Viz. honouring one's parents, the practice of loving deeds, hospitality to wayfarers, and making peace between man and his neighbor; and the study of the Torah surpasses them all. --Said Rab Judah: This is its meaning: He who performs one precept in addition to his equally balanced merits is well rewarded, and he is as though he had fulfilled the whole Torah. (Kiddushim 39b)

The Apostle's polemic against the attempt to use the merits gained

from deeds of the *תורה* in order to stand as righteous before God evidences an awareness of the re-interpretations of Abraham as a doer of the *תורה*, and, in particular, a doer of the rite of circumcision, Paul stresses that the act of circumcision was not a condition of the covenant, but a seal of the righteousness which Abraham already had, by faith, while he was still uncircumcised, in virtue of God's gracious verdict upon him. (Rom. 4:9-12).

Consequently, Paul has destroyed the argument of some of his opponents who claimed that the work of circumcision was a work that was of value before God: "Circumcision indeed is of value if you obey the law; but if you break the law, your circumcision becomes uncircumcision" (Rom. 2:25). He follows this with the argument that none is righteous, that no one does good, and that, therefore, anyone who seeks to justify himself by placing himself under the law is reproved by the law itself (Rom. 3:9-20), for sin is made a consciously experienced reality by the law.

The law guided us until Christ came (Gal. 3:24-25). This verse is often interpreted as indicating that the Christian has no relation to the law whatsoever because the law was to be merely a temporary tool that would confine man until faith comes (cf. Gal. 3:23). However, this is to ignore Paul's discussion of Abraham whom he credits with faith (Gal. 3:6-9, cf. 3:23). Paul's argument, if taken temporally, would thus contradict itself. It would not be contradictory if Paul is merely conceding, for the sake of argument only, the temporal precedence of *νόμος*. Then he would be saying "If the law did come first, it was only secondary; faith still has priority in God's plan."

The basic point is that the Christian is no longer under the law, but under the grace of God. This is illustrated by the way Jesus was associated with his disciples. According to M. Franzmann:

The usual rabbi-disciple relationship had its basis in something which transcended both rabbi and disciple: the Torah. It was respect for the rabbi's knowledge of the Law, admiration for his skill in expounding the Law, and reverence for his devotion in fulfilling it that attracted the disciple to the Rabbi and determined his relationship to his master.²⁹

Franzmann continues to point out that Christ's calling to Himself disciples was an indication that He, not the Torah, was the authority.

Paul's letter to the Romans demonstrated how he bases his imperatives in Jesus the Christ, rather than in the imperatives of the Old Testament Torah. For instance, in Romans 15:1-5 he writes:

We who are strong ought to bear with the failings of the weak, and not to please ourselves; let each of us please his neighbor for his good, to edify him. For Christ did not please himself; but, as it is written, "The reproaches of those who reproached thee fell on me."

²⁹M. Franzmann, Follow Me (St. Louis: Concordia Publishing House, 1962), p. 7.

CHAPTER IV

JESUS CHRIST AND תורה

Jesus Christ, the End of *Νόμος* for Righteousness

It is precisely because men attempt to use the *νόμος* of God in order to be received by God as righteous by virtue of their works of the law, that Jesus Christ is for Paul the τέλος of νόμος. Christ is the end of the law because He is righteousness for those who believe (Rom. 9:30-10:4). The argument that Paul presents in Romans 9:30-10:13 centers around this pursuit of righteousness. The reason that people of Israel do not have the righteousness which they pursued is that they pursued the state of righteousness as if it were based not on faith, but on (their) works (Rom. 9:30-32). The original stresses more clearly that the Jews were looking to works not faith as the source of the righteousness: *ὅτι οὐκ ἐκ πίστεως ἀλλ' ὡς ἐξ ἔργων* (Rom. 9:32). While Paul commends their zeal he frankly brands it as an unenlightened zeal because these Jews were ignorant of the righteousness that comes from God, and while seeking to establish their own righteousness they do not submit to God's righteousness (Rom. 10:2-3). It is in the light of this argument that Paul's emphatic summary must be understood: Christ is the end of (using) the law for righteousness (Rom. 10:4). Again, the Greek stresses this clearly: *τέλος γὰρ νόμου Χριστὸς εἰς δικαιοσύνην παντὶ τῷ πιστεύοντι* (Rom. 10:4). Thus this declaration could be paraphrased more clearly: "The end of the law is Christ for righteousness to those who believe." It may well be

that the Apostle did not wish to say only that Christ was the end of using the law for righteousness before God, but also that Christ is righteousness for those who believe. Neither sense excludes the other, rather each interpretation interlocks with the other. The point is that Christ freely gives God's righteousness, and thus is the end to any attempt to earn God's righteousness on one's own.

There is some question as to whether *τέλος* in Romans 10:4 is to be understood as "end," or, as a number of scholars suggest, as "goal." Such a distinction is inconsequential for this passage, because if the "goal" has been reached (righteousness), then its pursuit by is no longer necessary or possible. Paul said just that in the preceding verse (Rom. 10:3), where he indicated that God's righteousness is given, there is no need to seek it on one's own, indeed to do so is to miss God's free righteousness.

Not only does the law of God reveal sin, it also reveals the whole world as guilty before God (Rom. 3:19-20). It is for this reason that Paul declares that God's righteousness has been manifested apart from *νόμος*, although the written *νόμος* and the prophets bear witness to that righteousness of God (Rom. 3:21-26). This excludes the misuse of the *νόμος* which Paul calls "boasting," for man is justified by God through faith apart from works of the law (Rom. 3:28). In answer to the hypothetical question "Is this not overthrowing the law?" Paul's reply is that this is upholding the law, i.e., using it as it was intended to be used (Rom. 3:31). The Apostle presses his earlier assertion that the written *νόμος* and the prophets bear witness to this freely given righteousness of God by using Abraham as an example.

Abraham was justified by God's imputing righteousness to him, not as one who works (Rom. 4:3ff.). He further uses the "work" of circumcision as a sign of God's already having justified Abraham (Rom. 4:9-12). This is the righteousness of God which is apart from the law to which the law and the prophets bear witness and which is manifest completely in Jesus Christ.

Thus the Christian is no longer *ὑπὸ νόμου*, i.e., he does not have to use the works of the law in order to live in God's sight, because the Christian is *ὑπὸ χάριτι*, i.e., he lives in God's sight because God has accepted him by His free willingness (Rom. 6:14). This conclusive statement summarizes the Pauline argument that Christians are dead to sin and alive to God through Jesus Christ (Rom. 6:1-14). Its point is that man is no longer under the dominion of sin, and hence no longer under the legalistic constraint of attempting to bargain with God on the basis of activities that are directed under the law. Paul has provided his own commentary on his meaning for the *ὑπὸ νόμου-ὑπὸ χάριτι* antithesis in his earlier discussion of Abraham. Although the term *ὑπὸ νόμου* is not used, Paul does oppose *κατὰ χάριτι* to works which merit due reward (*ὀφείλημα*) in Romans 4:4. In this discussion the Apostle is concerned with the principle according to which a man lives, and stresses that it is not according to the reward principle, but according to the free gift of God. In Romans 6:1-14 Paul is dealing with the basis which rules a man's life. It is not legalistic principle but God's free gift that has authority over a man's life, according to Romans 6:14. F. W. Danker has expressed it in this way:

In reply therefore to the claims of the Judaizers that faith in the atonement of Jesus Christ is not sufficient to establish and

maintain a right relationship with God, the Apostle insists that the restoration of man to God is completely God's work and that a God-pleasing life is effected by the Gospel, not by the law.¹

It is the Gospel--grace--not the law that rules over man.

Paul approached this same situation in another way in his letter to the Christians in Galatia when he spoke of νόμος as the παιδαγωγός which guided us until Christ came (Gal. 3:24-25). This statement is the conclusion of a long discussion of the antithesis of "works of the law" versus "hearing with faith," of "Spirit" versus "flesh" (Gal. 3:1-5). He shows in this discussion (1) that Abraham was justified through faith, (2) that Christ redeemed us from the curse of the law, (3) that the law is a temporally later addition to the earlier Abrahamic covenant, and (4) that the law can not bring righteousness, for Scripture declares all things are under sin (Gal. 3:6-22). His point in using the παιδαγωγός-image is to show the finitude of πνεῦμα as being neither God's first nor his last work and to make clear that receiving the Spirit by meritorious works of the law is an impossibility. We are all sons of God, heirs according to God's work in Christ, not according to our work by the law. The message in Galatians 3 is the same as the message in Romans 9:30-10:4: righteousness is here, it is God's free gift, it is not a reward attained by labors of the law. Christ is the end of do-it-yourself ingratiating one's way into God's fellowship, for in Christ, God has made us sons through faith (Gal. 3:25-26).

¹F. W. Danker, Faith Without Works (St. Louis: Concordia Publishing House, 1964), p. 2.

Christ is the end of using νόμος in order to gain righteousness, this is clear. The relationship of the Spirit-led son of God who is in Christ to νόμος remains to be clarified. Is there no relationship other than the condemning action of νόμος which returns man to Christ for forgiveness? Can the νόμος ever be a guide for knowing the will of God? This question the next section will pursue.

Jesus Christ, the Power to Fulfill Νόμος

Not only is Jesus Christ the end to using God's νόμος in an attempt to merit righteousness, He is also the power to fulfill God's instruction, God's will. This is Paul's point in Romans 8:1-17. First of all he clearly states that there is no condemnation to those who are in Christ (consequently there is no need to be piling up credits under the law). Then he stresses that man is in the Spirit, no longer under bondage to the flesh. Now that man is free from bondage to his self, man is able to live before God, vivified by God's Spirit. By Jesus Christ sin has been condemned in the flesh; God has done what the law, weakened by the flesh could not do, in order that the just requirement of the law might be fulfilled in us, who walk not according to the flesh but according to the Spirit (Rom. 8:1-4). Here Paul clearly states that the "just requirement of the law" might be fulfilled in us by Jesus Christ. Two interpretations are possible: (1) Paul is speaking of justification, or (2) Paul is saying that Jesus Christ gives us the power to fulfill the law.

There are three basic reasons to support the second alternative, that Christ is the power to fulfill the law. The first is the context

of verse 4. According to Romans 8:3, God did what the law could not do: God condemned sin in the flesh by Jesus' incarnation and death. This power of the flesh, this bondage to sin, was the block in the way of the law that kept it from being fulfilled, as has been shown above.

The second reason is found in the use of the phrase τὸ δίκαιωμα τῷ νόμῳ. According to Sanday and Headlam, the term δικαίωμα is the definite concrete expression of the act of δικαίωσις: we might define it as "a declaration that a thing is δίκαιον, or that a person is δίκαιος." From the first use we get the common sense of "ordinance," "statute," as in Luke i. 6; Rom. i. 32, ii. 26, and practically viii. 4; from the second we get the more characteristically Pauline use in Rom. v. 16, 18.²

Sunday and Headlam discuss the many interpretations of δικαίωμα in this context:

"the justifying," Wic. Wiclif, "the justification," Rhem. Douay version after Vulg. iustificatio; Tyn. is better, "the rightewesnes requyred of (i.e. by) the lawe." We have already seen that the proper sense of δικαίωμα is "that which has the force of right": hence it = here the statutes of the Law, as righteous statutes.³

Tyndale has expressed it correctly, associating δικαίωμα with the law. It would not appear logical for Paul to associate justification with the law, since he so carefully separates justification from the law. Furthermore, had Paul intended the meaning justification he could have unequivocally indicated it by using δικαιοσύνη.

The third reason for contending that Romans 8:4 indicates Paul believed that Christ is the power to fulfill νόμος lies in the use of the term "fulfilled," πληρωθῆναι. These two terms occur in close conjunction

²W. Sanday and A. Headlam, A Critical and Exegetical Commentary on the Epistle to the Romans in The International Critical Commentary (Fifth edition, Edinburgh: T. & T. Clark, 1902), p. 31.

³Ibid., p. 194.

twice in the course of Romans 13:8-10:

Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law. The commandments, "You shall not commit adultery, You shall not kill, You shall not steal, You shall not covet," and any other commandment, are summed up in this sentence, "You shall love your neighbor as yourself." Love does no wrong to a neighbor; therefore love is the fulfilling of the law.

It is certain that Paul is referring to the הורה itself, for he quotes from the commandments. Acts of love are the just demands of the law.

It is important to remember here the Pauline stress that Jesus Christ has given God's free justification to men, freeing them from bondage to sin for service to God, and that, consequently, Christ is power to love, power to fulfill the just requirements of the law. With this view of Paul's conception of the law, Gutbrod, writing in Theologisches Worterbuch zum Neuen Testament, concurs:

Das gilt, wie das Gesetz nach seiner Forderung zusammengefasst werden kann im Gebot der Liebe, Gl 5,14; R 13, 10. Ja, das Doppelgebot der Liebe kann (in Anlehnung wohl an Jesus Mt 22,36ff) geradezu als der νόμος bezeichnet werden, so dass das Gebot der Nächstenliebe ὁ ἴστος νόμος ist, R 13,8; dasselbe wird mit dem ὁ νόμος τοῦ Χριστοῦ in Gl 6,2 gemeint sein. So wird also bei dem, der durch Christus in die Liebe gestellt wird, das Gesetz nach seiner eigentlichen Intention erfüllt. R 8,4: ἵνα τὸ δικαίωμα τοῦ νόμου πληρησθῆν ἐν ἡμῖν τοῖς μὴ κατὰ σάρκα περιπτωτοῦσιν ἀλλὰ κατὰ πνεῦμα. Darum kann Paulus R 3,31 sagen, dass durch das Evangelium von der Glaubensgerechtigkeit das Gesetz nicht nur nicht abgeschafft, sondern erst eigentlich aufgestellt werde; und zwar ist hier das Gesetz wohl nicht nach seinem verheissenden (vgl R 4) oder nach seinem verurteilenden (vgl R 3,10ff), sondern nach seinem spezifischen, dem gebietenden Sinn gebraucht.⁴

Although Romans 8:1-4 demonstrated Paul does believe that the law can be fulfilled in us, the problem yet remains "Why does Paul so strongly oppose life under the law to life under the Spirit?" Since

⁴W. Gutbrod, "νόμος," Theologisches Worterbuch zum Neuen Testament (Stuttgart: W. Kohlhammer Verlag, 1942), IV, 1069.

what Paul means by life "under the law" had been described in the previous section (namely, using the works of the law to gain acceptance in God's sight), only the question of what Paul means by "living by the Spirit" will be clarified here.

To live in the Spirit means, according to Paul, that God's Spirit must dwell in the individual by Jesus Christ (Rom. 8:9). This Spirit of Christ empowers man to call God "Father" (Rom. 8:15), to pray rightly (Rom. 8:26), and to put to death the deeds of the body (Rom. 8:12-13). Gottlob Schrenk has expressed the relationship of the Spirit to the law in a helpful manner:

The fashioning of the *καρπία* afresh to obedience is the antithesis not merely to a false use of the Law but to every pre-Christian use. This renewal, however, is effected by the Spirit.⁵

This summarizes the crucial point: it is the Spirit who vivifies, always and only the Spirit. One can not look to the law for the gift of life, only to the Spirit.

Essentially Paul's stress on the Spirit is intended to stress the fact that it is God who empowers man to act. This is clearly spelled out by the Apostle in his second letter to the Christians at Corinth:

Since we have such a hope, we are very bold, not like Moses, who put a veil over his face so that the Israelites might not see the end of the fading splendor. But their minds were hardened; for to this day, when they read the old covenant, that same veil remains unlifted, because only through Christ is it taken away. Yes, to this day whenever Moses is read a veil lies over their minds; but when a man turns to the Lord the veil is removed. Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom. (II Cor. 3:12-17)

⁵G. Schrenk, "*καρπία*," Theological Dictionary of the New Testament, edited by Gerhard Kittel, translated by Geoffrey Bromiley (Grand Rapids, Michigan: Wm. B. Eerdmans Publishing Company, 1964), p. 765.

Man by himself is impotent, bound under sin, and for such a man the law can not show the way to life, rather it intensifies man's subjection. But the man empowered by the Spirit, the man in whom God is dwelling and working can properly interpret and employ God's Old Testament instruction. He sees in it not something in which he can pride himself, but God's righteousness; he sees not legal prescriptions by which he can merit God's acceptance, but God's instruction for his sons.

This is precisely what God promised through His prophet Jeremiah:

Behold, the days are coming says the Lord, when I will make a new covenant with the house of Israel and the house of Judah, not like the covenant which I made with their fathers when I took them by the hand to bring them out of the land of Egypt, my covenant which they broke, though I was their husband, says the Lord. But this is the covenant which I shall make with the house of Israel after those days, says the Lord: I will put my law within them, and I will write upon their hearts; and I will be their God and they shall be my people. And no longer shall each man teach his brother, saying "Know the Lord," for they shall all know me, from the least of them to the greatest, says the Lord; for I will forgive their iniquity and I will remember their sin no more. (Jer. 31:31-34)

Again the picture of the new heart given by God is used by Jeremiah to emphasize the new life given by God:

And they shall be my people, and I will be their God. I will give them one heart and one way, that they may fear me forever for their own good and the good of their children after them. I will make with them an everlasting covenant, that I will not turn away from doing good to them; and I will put the fear of me in their hearts, that they may not turn from me. (Jer. 32:38-40)

When Paul speaks of the Spirit, he is speaking of God's action. His message is essentially identical to that of Jeremiah: God will work in the hearts of men. It is the forgiving Lord who empowers men to fear, to know, to obey Him. Yet this does not annul the **תורה**, it does not free God's people from their responsibility to the Lord; on the contrary, it empowers those who have the one heart to walk in the one

way, the way of God, the way of the Spirit (cf. Jer. 32:38 with Rom. 8:4).

This heart-felt obedience to God is keynoted by Paul in Romans 6:15-18:

What then? Are we to sin because we are not under law but under grace? By no means! Do you not know that if you yield yourselves to any one as obedient slaves, you are slaves of the one whom you obey. . . . But thanks be to God, that you who were once slaves of sin have become obedient from the heart to the standard of teaching to which you were committed, and having been set free from sin, have become slaves of righteousness.

It is not obedience for the sake of boasting or meriting a claim before God that Paul seeks, but the obedience from the heart--in terms of Jeremiah "the whole heart," and in terms of Paul "the spiritually circumcised heart" (cf. Jer. 24:7 and Rom. 3:25-29).

To return to the basic question now: "Why does Paul oppose life under the law to life under the Spirit?" Two points may be stated:

(1) "Life under the Spirit" stresses that the power of God is the strength for life; (2) "life under the Spirit" stresses that the whole of one's life, from one's basic attitude (heart), must be directed by God toward God. Paul associates this obedience and the power from God to be obedient in his letter to the Philippian Christians:

Therefore, my beloved, as you have always obeyed, so now, not only as in my presence but much more in my absence, work out your own salvation with fear and trembling; for God is at work in you, both to will and to work for his good pleasure. (Phil. 2:12-13)

It should be noted that Paul later in this same letter stresses that he can not have a righteousness of his own, based on *νόμος* but only a righteousness which is through faith, from God (Phil. 3:7-9).

It has been shown that Jesus Christ is the end of *νόμος* for righteousness and that Jesus Christ is also the power to fulfill the just

demands of *νόμος*. These statements are not antithetical, but complement one another. The life of the Christian is not lived under the compulsion of the law, nor is the Christian's life lived without regard for God's will. In Jesus Christ, by the power of the Holy Spirit, the Christian is free to serve God, to follow God's instruction in its deepest intention.

CONCLUSION

It has been shown that Paul's primary opposition to *ὁ νόμος* was not to it per se but to the misuse of *νόμος* in order to boast in the fact of knowing it or in order to use it to build up merit which could be used to demand God's acceptance. Paul saw that the failure of the law to fulfill its life-showing purpose was due to man's bondage to sin. He also saw this bond removed by the work of Christ who is the end to any attempt to use the works of the law in order to attain righteousness, as well as the end to man's supposed need to do so. More than this, Paul saw that now Christ could empower man where the law could not; Christ could give man the power to fulfill the law.

Paul's stress on the Spirit as the power for life needs to be emphasized, for it reminds the Church of today that simply referring to the demands of the law, simply teaching God's instruction of His will does not empower men to do it. Consistently the Church must bring to bear the killing aspect of the law so that the sinner is exposed and convicted. Just as consistently the Church must turn men to complete dependence upon the work of God in Christ Jesus. It is never sufficient merely to show men what they ought to do--whether using the law directly or using Jesus as an example, a new law. Even indicating what the works of the Spirit are is not sufficient. Always the Church must assure men that their relationship to God does not depend upon their deeds, even their fruits, but upon God's acceptance of them in Jesus Christ. In this forgiveness men are to be encouraged by being told not only what God's instruction is but also God's acceptance of their labor in His forgiving love.

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