

Embracing the Law: A Biblical Theological Perspective

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INTRODUCTION

The subject of "law" (תּוֹרָה, νόμος) is tantalizing, partly because of the large place given it in Scripture, partly because of the ambiguity of its definition and role, partly because of the way an assessment of law affects the relationship between contemporary Judaism and the Christian Church, partly because of the unceasing debate that surrounds it, and certainly because of the guidance the law affords or does not afford for Christian behavior. So large is the arena of debate, even for one facet of the subject, e.g., Paul and Torah, that an attempt at a synthetic view of the subject covering both testaments is like entering a minefield.¹

The purpose of this essay is to explore the subject of "law" (תּוֹרָה, νόμος) from a biblical theology perspective. In defense of this attempt, one can offer the rationale that beyond the debate of exegetical detail, Scripture is to be viewed wholistically. Theologians from either testament often proceed exclusively on their individual turfs, and they need to be called, whatever their specialization, to work toward synthesis. A look at the forest, rather than the microscopic examination of a twig, has its own rewards. Current discussion on the canonical approach to biblical interpretation is only a further incentive to pursue a less-than-atomized approach. Some fresh proposals on New Testament texts on law are altering the older theological landscape.² While these proposals are contested, they nevertheless

1. "The topic 'law' is an unresolved fundamental problem for a biblical theology that connects the Old and New Testaments" (P. Stuhlmacher, "The Law as a Topic of Biblical Theology" in *Reconciliation, Law and Righteousness. Essays in Biblical Theology* [Philadelphia: Fortress, 1986] 130).

2. E.g., E. P. Sanders, *Paul and Palestine Judaism: A Comparison of Patterns of Religion* (London: SCM, 1977); *Paul, The Law and the Jewish People* (Philadelphia: Fortress, 1983); and J. D. G. Dunn, "The New Perspective on Paul," *BJRL* 65 (1983) 95-122 = *Jesus, Paul and the Law* (Louisville: Westminster/John Knox, 1990) 183-206.

invite probes toward a new synthesis. For all who see the Bible as Scripture, there is the deep-seated conviction that the two Testaments belong together, that Christians deal with one entity when they deal with Scripture, and that, while our work may take us into specialization of sections, a projected outcome is a statement broadly based on the entire Scripture.³

Both Harmut Gese and Peter Stuhlmacher have attempted such wholistic statements with respect to law.⁴ Both follow a history-of-traditions approach, with Stuhlmacher building on Gese's work. Gese proposes two kinds of Torah: a Sinai Torah and a Zion Torah. The first, the more prominent, associated in the tradition with Moses, finds its locus in Deuteronomy and is characterized by details about worship, holiness, family, the larger society and neighbor, the finest example of which is the decalogue. Basically it is given to one people. The Zion Torah, by contrast, is for all people and is eschatological in orientation. The locus for discussion is the prophets (Isa 2:2-4; Mic 4:1-4; Isa 25:7-9; Jer 31:31).⁵ Stuhlmacher traces these sets of distinctions into the New Testament more explicitly than Gese does, concluding with a taxonomy in which Matthew and James are in the lineage of the Sinai Torah. Paul and the book of Hebrews operate out of a Zion Torah.⁶

There is no evidence, however, it has been said in critique, that Paul was influenced by any generally held belief in an eschatological Zion Torah.⁷ The Gese-Stuhlmacher differentiation is problematic also because of the sharpness by which Zion law is set over against the Sinai law. Moreover, it is flawed by the speculative nature of the tradition process on which the whole schema is built. At the end of the day the law-gospel polarity remains.

The thesis argued here is that with respect to law in the two Testaments, there is a greater coherence and consistency, though along different lines, than that allowed by the Gese-Stuhlmacher approach. The law-gospel polarity must be transcended. The alternate model presented here is Old Testament-friendly and is sensitive to law as gift, as boundary marker, and as life infusing. First, I will summarize the status of law as offered by Old Testament theologians. Alongside

3. Moves in the direction of a biblical theology are illustrated, for example, by the appearance, beginning in 1986 of the *Jahrbuch für Biblische Theologie*. Cf. H. Gese, *Essays in Biblical Theology* (Minneapolis: Augsburg, 1981); E. A. Martens, "Biblical Theology and Normativity," in *So Wide a Sea: Essays on Biblical and Systematic Theology* [ed. Ben C. Ollenburger; Elkhart, Indiana: Institute of Mennonite Studies, 1991] 19-35.

4. H. Gese, *Essays*; P. Stuhlmacher, "Law."

5. Gese, *Essays*, 60-92.

6. Stuhlmacher, "Law," 122-24, 126ff.

7. A. J. M. Wedderburn, "Paul and the Law," *SJT* 38 (1985) 619.

this summary I will place recent New Testament exegetical proposals, since due to a current paradigm shift, these have not yet been incorporated into New Testament theologies. Out of this process and this juxtaposition a coherent biblical theology of law emerges.⁸

One fruitful route into our subject is to ask: What have Old Testament theologians surmised about law? Since it is one of the functions of a biblical theologian to summarize the results of exegetical work, a rapid overview follows.

I. THE OLD TESTAMENT ASSESSMENT OF LAW

A survey of selected Old Testament theologians shows that the theology of law follows three major strands. That is, law takes on slightly different color hues when viewed against different realities. Set against God, the author of law, law is good. Set in the context of covenant, law defines the people of God. Set over against the question of life, law is life infusing.

A. *Law as a Good Gift*

Theologians of the Old Testament commonly give a positive assessment to law. Since the Torah is God's gift, it is good. The nature of that 'good', however can be variously described.

W. Eichrodt underlined that *Torah* was to be understood as disclosing the divine will. He observed that with the giving of Torah,

8. A working definition of law is "that body of statutes and commandments (the חֻקִּים and the מִשְׁפָּטִים) associated with the covenant." R. E. Clements, building on Deut 4:44-45 says, "Torah is the comprehensive list of instructions and stipulations by which Israel's covenant with God is controlled" (*Old Testament Theology: A Fresh Approach* [Atlanta: John Knox, 1978] 110); cf. a further definition on p. 118. Cf. also Gese, *Essays*, 61ff. W. D. Davies offers four meanings: commandments; prophets, wisdom and history; a cosmic function in connection with wisdom; the entire revealed will of God ("Paul and the Law: Reflections on Pitfalls in Interpretation," in *Paul and Paulinism: Essays in Honour of C. K. Barrett* [ed. M. D. Hooker and S. G. Wilson; London: SPCK, 1982] 4-16). For Knox Chamblin, law "denotes the rule of life which God gives to his people, that way in which they are to walk, those commandments which they are to obey" (K. Chamblin, "The Law of Moses and the Law of Christ," *Continuity and Discontinuity* [ed. John S. Feinberg; Westchester, IL: Crossway, 1988] 181). A further discussion of definition is found in Dale Patrick, *Old Testament Law* (Atlanta: John Knox, 1985) 4.

Νόμος is the Greek equivalent to the Hebrew תּוֹרָה. S. Westerholm has shown that norms is an appropriate rendering for torah and that when Paul uses νόμος to sum up Israel's obligations, he is "fully in line with the Hebrew usage of torah" (*Israel's Law and the Church's Faith* [Grand Rapids: Eerdmans, 1988] 106); cf. J. D. G. Dunn, *Romans* (WBC; Dallas: Word, 1988) lxvii; L. Gaston, *Paul and the Torah* (Vancouver: University of British Columbia Press; 1987) 10-11.

God outlines what is expected. The God of Israel, unlike the gods of surrounding peoples, is not capricious. With such a God as Yahweh, Israel may know exactly where she stands. Eichrodt states, "The fear that constantly haunts the pagan world, the fear of arbitrariness and caprice in the Godhead, is excluded."⁹ Compared with the ancient Near East, Eichrodt identifies several distinctive features of Israel's secular law: an emphasis on God throughout; the moral precepts nested in religious commands; a higher value placed on human life; and a rejection of class distinctions as a basis for the administration of justice.¹⁰ This disclosure of the divine will, which touches on disparate areas of human existence, takes the guesswork out of religious devotion. This function of law is not destructive but helpful. Law, as depicted in Israel's life, is a large asset.

Brevard Childs, like W. Eichrodt, ties Torah with the will of God. God as depicted in Eden is someone with a will which he communicates. To know God is not a process separate from knowing his will, the fullest and most direct expression of which is the law at Sinai.¹¹ And Sinai can be correctly understood within the canonical context, specifically Deuteronomy which addresses a new situation and so clarifies that every future generation may approach and appropriate the law. "The Law of God was a gift of God which was instituted for the joy and edification of the covenant people. It was not given as a burden, but as a highest treasure and clear sign of divine favour."¹² Both W. Eichrodt and B. S. Childs delineate the contours of law vis-à-vis God. By the law Israel deciphered something critical about its God. God is not arbitrary or capricious; God is accessible. Law is good.

To quote from the Old Testament text itself: "And the Lord commanded us to do all these statutes . . . for our good always" (Deut

9. W. Eichrodt, *Theology of the Old Testament* (2 vols.; Philadelphia: Westminster, 1961, 1967) 1:38. Since Eichrodt's writings in the 1930's, attention to the place of stipulation in ancient Near Eastern treaties has only reinforced a favorable assessment of law. These treaties show that the suzerain expected loyalty from his vassal. In God's covenant with Israel these expectations of loyalty are not left ambiguous, but are given a measure of concreteness. One knows with reasonable precision what loyalty entails.

10. Eichrodt, *Theology of OT*, 1:74ff. Cf. M. Lind, who highlights the motive clause in Israelite law, a distinguishing mark from the ANE law. Lind stresses that in Israel laws were never oriented to the political office of kingship, as in the ANE, but to Yahweh's word (Millard C. Lind, "Law in the Old Testament," in *Monotheism, Power, Justice: Collected Old Testament Essays* [Elkhart, IN: Institute of Mennonite Studies, 1990] 61-81).

11. B. Childs, *Old Testament Theology in a Canonical Context* (Philadelphia: Fortress, 1985) 53.

12. Childs, *OT Theology*, 57. Cf. Paul Hanson, "Commands and prohibitions were not presented to the community as harsh and onerous impositions, but as loving protections safeguarding this space for fellowship with God" (*The People Called: The Growth of Community in the Bible* [San Francisco: Harper & Row, 1986] 53).

6:24). In Psalm 119, where God's Torah is the reason for praise, David writes, "Your laws (משפטים) are good" (Ps 119:39; cf. v. 97). "The law (תורה) of the Lord is perfect (תמימה), reviving the soul" (Ps 19:8[7]).

The first color hue, refracted through the prism of God the deity, is that law is the revelation of the divine will. Torah is an expression of God's intent. Such an expression is a gift, a gift which is for Israel's and humanity's good.

B. *Law and Covenant Community*

Refracted through the prism of covenant, law displays another hue of color. The Torah is essential to the definition of a covenant people. The importance of this aspect of "law" is delineated by Ronald Clements, who centers his "fresh approach" to Old Testament theology largely in *law* and *promise*.

The theology of the Old Testament must be a theology of law, for law is not only more prominent than history, but gives unity to the Old Testament.¹³ The importance of law derives from its primary connection to covenant. Here is a bond between God and Israel, based on election, that is unlike anything elsewhere. But the importance of law derives also from its connection with canon, since, according to Clements, it was with the book of Deuteronomy—a book dominated by law—that the canonical process began. Covenant, law, and canon mark off this people called Israel.

That the Torah gave definition to the people of Yahweh is clear from the following. 1) An elect people was marked by covenant which in turn included Torah. Clements notes, "It is as a consequence of belonging to the elect people of Yahweh that the Israelite finds himself committed in advance to obedience to *torah*."¹⁴ Moses asked: "And what other nation is so great as to have such righteous decrees and laws as this body of laws I am setting before you today?" (Deut 4:8). 2) Disregard of the Torah brought punitive measures, one of the severest of which was exile from the land, the geographical identity marker of Israel's election status.¹⁵ 3) The preaching of the prophets, in pointing to the offenses against Torah, alerted Israel to the covenant relationship which was being jeopardized.¹⁶ In short, law was constitutive of covenant, and covenant, as spelled out in the canon, was the supreme mark of Yahweh's elect people.

Paul Hanson's work in Old Testament theology is taken up with tracing the growth of community in the Bible. In this growth process

13. Clements, *OT Theology*, 130.

14. *Ibid.*, 109.

15. *Ibid.*, 109.

16. *Ibid.*, 125.

law plays an important role by giving definition to the people of God. Hanson's discussion of law is nuanced differently than Clements'. Clements situates law next to election and covenant in shaping the community. For Hanson the Torah is a response to God's compassionate act, his initiative and deliverance in the Exodus. Hanson says, "Israel's legal structures . . . can be understood properly only when seen as aspects of its ongoing effort to describe the nature of a people owing its existence to God's gracious act of deliverance."¹⁷ Hanson holds that the community is characterized by a triadic notion, one of which is righteousness (law). Two others are worship and compassion.

The Torah aims at structuring and regulating the community. Its emergence is in response to Yahweh, but its function is to demarcate a community. Hanson states, "The Decalogue is thus the culmination of a centuries-long process of a community's identifying itself in response to the creative, redemptive, sustaining and sanctifying acts of God."¹⁸ Identification, more precisely comes through the Covenant Code, the Cultic Decalogue (Exod 34), and the Holiness Code. These codes encompass a broad sphere of behaviors—social, cultic, moral—which were to characterize the community of faith. Much in these codes is highly specific, as when instruction is given not to afflict the widow or orphan (Exod 22:21-23). Other laws deal with diet and festivals. But in any case, whatever the laws, they are to be understood as characterizing a community.

Hanson rightly invokes the story of Ezra to show how law functions in consolidating a community. Commenting on Ezra 7:25-26, which spells out Ezra's assignment as teaching those who do not know the law of God, Hanson states, "The Torah (*dāt*) in Ezra's hand is here defined as the constitutional document of the Jewish community. By acceptance or rejection of the Torah, individuals define themselves as either inside or outside of that community."¹⁹ Similarly, Nehemiah's covenant renewing ceremony was intended to give the community solidarity and character (Neh 9:38-10:39).

In sum, both Clements and Hanson have the community sharply in focus when they discuss law. Clements' language is one of election, covenant, and law within covenant whereby the community gains its identity. Hanson stresses the response-nature of the legal provisions, a response designed to shape and characterize a community. Whereas for Eichrodt and Childs Torah is associated with the disclosure of the divine will, for Clements and Hanson the community has moved

17. Hanson, *People Called*, 51.

18. *Ibid.*, 54.

19. *Ibid.*, 293.

much more center stage; Torah gives contour and definition to this community of faith.

C. *Law and Life*

Still another color hue on law emerges when law is set alongside the broad reality of 'life'. Two theologians who are representative of linking law and life are G. von Rad and W. Kaiser.

In W. Kaiser's book on Old Testament theology law is discussed primarily in the chapter "People of the Promise: Mosaic Era."²⁰ Preceding a detailed discussion of "The Law of God," more particularly the moral, ceremonial and civil law, Kaiser provides a perspective on law, largely through Leviticus 18:1-5 and the expression, "You shall keep my statutes and my ordinances; by doing so one shall live. I am the Lord" (NRSV). Kaiser's question is whether, given the promissory covenants of the patriarchs, there is here a step down to a conditional covenant. His answer is essentially "No." There is not here, as other commentators would suggest, a hypothetical offer of acceptance with God for any who might keep the laws perfectly. Kaiser stresses the Sinaitic covenant initiated by grace and the "I am Yahweh," which brackets the Leviticus passage and so nuances that passage in the direction of sanctification rather than salvation. The passage highlights the necessity of obedience for "those who have claimed to have experienced the grace of God's deliverance."²¹ Whether or not one agrees with Kaiser's interpretation, his point of departure for a discussion of law is significant. He rightly takes into account an impressive number of statements that link law with life.

G. von Rad precedes his discussion of specific commandments with a section "The Significance of the Commandments." Although quite

20. W. Kaiser, *Toward an Old Testament Theology* (Grand Rapids: Zondervan, 1978) 111-21.

21. *Ibid.*, 113. Compare his elaborations in "Leviticus 18:5 and Paul: 'Do This and You Shall Live' (Eternally?)" *JETS* 14 (1971) 19-28 and in "God's Promise Plan and His Gracious Law," *JETS* 33/3 (1990) 289-302. Kaiser shies away from interpreting Lev 18:5 as dealing with "eternal" life. Granted that the expression is anachronistic for the Old Testament, it is hard not to see 'life' in Lev 18:5 as anything other than what the NT terms 'eternal life', since it is the highest benefit the Old Testament offers. Moreover, Paul's use of the Leviticus text in Romans 10:5 is, according to the interpretation defended below, supportive of the notion that the law, appropriated by faith, results in 'life'. To take Lev 18:5 at face value is not suggesting an alternate way of salvation. Salvation is not thereby gained by merit, but remains the gift of God through grace in response to faith. The faith response consists of an embrace of the law comparable in NT terms to the embrace of Christ. A flawless, perfectionist keeping of the law is not in question. Besides, embracing the law includes offering sacrifice for infringing the law. A key to the interpretation is to understand the term "keep," which, as explained below, incorporates the English term "embrace."

wide ranging in his comments, he nevertheless notes, "The Decalogue raises one of the most important of all the questions in the theology of the Old Testament—how is this will for Israel to be understood theologically?"²² He answers that the revelation of the commandments is understood as a "saving event of the first rank."²³ The saving gift is the gift of life. Von Rad cites the *paraenesis* in Deuteronomy which weaves together command and the promise of life (e.g., 5:33; 8:1; 16:20; 22:7). "The proclamation of the commandments and the promise of life were obviously closely connected in the liturgy from a very early time."²⁴ One example, also noted by von Rad, is Ezekiel 18:5-9.

The connection between law and life is explicated in Ezekiel 18 where the prophet presents three case studies: a righteous person, his unrighteous son, and the righteous son of the unrighteous man. The prophetic proposition is that the righteous person in observing the law shall live. Thirteen Torah stipulations in two similar but not identical lists do not exhaust, but are representative of, God's instructions to which this person adheres, e.g., not to defile the neighbor's wife, not to oppress anyone, to give bread to the hungry and to cover the naked with clothing (18:6-7). Ezekiel summarizes: "He follows my decrees and faithfully keeps my laws. That man is righteous; he will surely live" (18:9).

The critical question, given our agenda, is to understand the expression, "he shall surely live." The expression must be seen against its opposite, "The soul who sins is the one that will die" (Ezek 18:20). Since the life of all terminates sooner or later, something other than the mere extension of existence, length of days, is meant by the phrase, "he shall surely live." Both G. von Rad and W. Zimmerli have addressed the meaning of "life" in this context. Zimmerli lists and refutes several proposals: that by "life" is meant the survival by the pious of the destruction of Jerusalem; that "to live" refers to the glories beyond the final judgment; or that "to live" is to return to the land.²⁵

G. von Rad, examining the meaning of "life" in conjunction with the Psalms, concluded that "to live" is to be granted access to the sanctuary, and so to be granted all that is incorporated by what it means to be in the presence of God or, to put it differently, to be the beneficiaries of the promise "God will be with you."²⁶ These benefits, which included a satisfying experience physically, were not

22. G. von Rad, *Old Testament Theology* (San Francisco: Harper and Row, 1962, 1965) 1:192.

23. von Rad, *OT Theology*, 1:193.

24. *Ibid.*, 1:194.

25. W. Zimmerli, *Ezekiel I* (Philadelphia: Fortress, 1979) 381.

26. G. von Rad, "'Righteousness' and 'Life' in the Cultic Language of the Psalms," in *The Problem of the Hexateuch and Other Essays* (New York: McGraw-Hill, 1966) 253ff.

limited to the material, for as the psalmist declared, "and afterward you will take me into glory" (Ps 73:24). Indeed there is a mystical note in Psalm 36:9, "For with you is the fountain of life; in your light we see light." Zimmerli also reaches for the Psalms in seeking an answer to the meaning intended by "life" and concludes, "In all these troubles, the appeal is always that Yahweh would turn his gracious countenance to the Psalmist. It is in this that life consists."²⁷ Ezekiel prompts us to understand life as that superlative quality of life which is more than existence but which partakes of the divine character. "To live," then, is to enjoy life with God, a reality which the New Testament will call "abundant life" and "eternal life."

Leviticus 18:1-5, a fulcrum text for W. Kaiser, and Ezekiel 18:5ff., one to which von Rad and Zimmerli frequently return, operate on a similar theological platform with similar vocabulary. Leviticus speaks of חֻקֹת ("decrees") and מִשְׁפָּטִים ("laws") (18:4-5) and so does Ezekiel 18:9: "He walks in my decrees חֻקֹת and faithfully keeps my laws מִשְׁפָּטִים (18:9). Moreover, in both Leviticus and Ezekiel the verbs are "walk" (הֵלֵךְ) and "keep" (שָׁמַר). The parallelism of "walk" and "keep" may be captured by the English word, "embrace." Both the Leviticus and Ezekiel text link the embracing of the law with life.

The term "embrace" is helpful; it is a corrective to the word "keep," which connotes immaculate performance of every legal detail, a kind of perfectionism. G. von Rad observes that for this preacher in Deuteronomy the threat does not come from failure to fulfil the law, but from "her possible refusal to do so."²⁸ The Old Testament view is that it is within reach to "keep" the law in the sense of embracing the law. That phrase, "embrace the law" signals a whole-hearted commitment to the law but does not imply a frantic attempt to measure up to each stipulation. To embrace the law is to seize it as one's orientation, to be guided by it and, yes, to obey it and so to keep it, but not to be victimized by its jot and tittle. To embrace the law is to lock oneself to the Torah as the large entity that it is—a gift from Yahweh, so that in embracing the law one embraces God.²⁹

When Israel is presented with the Book of the Covenant the people respond, "We will do everything the Lord has said; we will obey" (Exod 24:7). To such an intention God responds, "Everything they said was good. Oh that their hearts would be inclined to fear me and keep all my commands always so that it might go well with them

27. Zimmerli, *OT and the World* (Atlanta: John Knox, 1976) 118.

28. von Rad, *OT Theology*, 2:393.

29. That such a meaning, supplied by our English word "embrace," is appropriate follows from several considerations. Lexically, the sense of "embrace" is required in such expressions as שָׁמַר נַפְשׁוֹ, rendered as "guarding his life" (cf. Prov 13:3; 16:7; 22:5) with the sense of cherishing one's life. The term שָׁמַר occurs in the phrase שָׁמַר דֶּרֶךְ יְהוָה (Gen. 18:19). At issue in Genesis 18:19, where Abraham's descendants are to be directed

and their children forever" (Deut 5:28-29). Ahead of doing the commands is a decision to fear God. That such is the sense of "keeping the commandments" is clarified in Deuteronomy 17 when its opposite is depicted: "But if your heart turns away and you are not obedient, and if you are drawn away to bow down to other gods . . ." (Deut 30:17). The prophets, especially Jeremiah, frequently conclude indictment lists with the telling phrase "they forsook me [Yahweh]" (Jer 2:13, 17, 19; 5:7, 19; 16:11; 17:13). The opposite would be to cling to Yahweh, and that would entail embracing the law. It is because to embrace the law is to embrace Yahweh that Ezekiel can declare of such an one: "He is righteous; he will surely live" (Ezek 18:9).

With this dictum, that embrace of law means righteousness and hence life, other Scriptures cohere. "I will never forget thy precepts, for by them thou hast given me life" (Ps 119:93).³⁰ "See, I have set before you today life and prosperity, death and destruction. For I command you today to love the Lord your God, to walk in his ways, and to keep his commands (מצוות), decrees (חוקות) and laws (משפטים); then you will live and increase . . ." (Deut 30:15-16). "They [all the words of this law] are not just idle words for you—they are your life" (Deut 32:47). Attention to law results in life. Life is understood in a double way. Life signifies life in the promised land of Canaan, because of the focus in these verses, e.g., ". . . and the Lord your God will bless you in the land you are entering to possess" (Deut 30:16). The opposite of life is to be destroyed: "you will not live long in the land you are crossing the Jordan to enter and possess" (Deut 30:18). But more is at stake than existence in the land, for when the writer urges the choice of life, the explanation is, "For he, namely Yahweh, is your life" (Deut 30:20). The "living" to which law observance entitles one is of a Yahweh-linked life. And so we are back to von Rad's understanding of life as that form of existence which is characterized by the immediacy of the eternal God. The promise for those who wholeheartedly embrace the law is life with God.³¹

In sum, theologians of the Old Testament see the law as one might a rainbow with several hues of dominant color. First, understood in terms of its source, law is good. It derives from God, who by

to "keep the way of the Lord," is a specific orientation, namely giving oneself to a walk with God. Better sense is made of the expression by rendering, "embrace the way of the Lord." So also in Ezekiel 18:9, "in my statutes he walks" is a matter of general orientation, or even attachment, which is followed by the parallel and more specific line, "and he keeps my laws." Here walking and keeping are in parallel with the sense of "embrace" (cf. Zech 3:7). The term "embrace" is inclusive of the double element "obey God's voice and walk in his law" (Jer 32:23).

30. The translation is that by B. S. Childs, *OT Theology*, 52.

31. That 'quality of life' is described in part in Ps 119 with words such as 'delight', 'joy', and 'freedom'.

means of it discloses his will. Second, understood in terms of its recipient, law shapes, orders, and demarcates a community. The Torah is an identity marker specifying what it means to be a holy people. Third, understood in terms of its purpose, embrace of law is tantamount to embrace of Yahweh and results in life.

II. THE NEW TESTAMENT ASSESSMENT OF LAW

If one moves from the Old Testament, with its positive theology of law, to the New Testament, one is not a little surprised at some harsh things said about the law. One example is Paul's strident word, "All who rely on the observance of the law are under a curse" (Gal 3:10). One readily agrees with Ronald Clements, "In a great many ways the New Testament reveals a markedly fresh and radical approach to the problems of the theology of law."³² To begin with, however, would one not do well, especially when coming from the Old Testament, to be open to the possibility that in some way the theologies of the two Testaments on the subject of law cohere? In the absence of syntheses within New Testament theologies which incorporate the newer paradigm shift (discussed below), we shall now need to proceed more exegetically. As we shall see, some of the strands in law identified under the old covenant cohere with New Testament strands. One of these is the belief in Torah as a gift.

A. *Law: A Good Gift*

Like the Old Testament, both the writer of John's gospel and Paul—at least on occasion—affirm the law as good. In John one reads, "From the fulness of his grace we have all received one blessing after another. For the law was given through Moses; grace and truth came through Jesus Christ" (John 1:16-17, NIV). The assessment of the "law given through Moses" in this context depends on the solution to the meaning of the preposition, ἄντί, a *hapax legomenon* in the Gospel. The Authorized Version implicitly reads ἄντί as antithetical, "And of his fulness have all we received, and grace for (ἄντί) grace" (John 1:16). Then, building on the idea of contrast, and inserting an unwarranted "but," verse 17 is made to read: "For the law was given by Moses, but grace and truth came by Jesus Christ" (John 1:17). In this way the translation "clarified" (or rather grossly misrepresented) the relationship between the law and the gospel as opposites.³³

32. Clements, *OT Theology*, 129.

33. An unfortunate rendering is given in *The Living Bible*: "For Moses gave us only the Law with its rigid demands and merciless justice, while Jesus Christ brought us loving forgiveness as well."

Ruth Edwards documents the views of scholars—an impressive list—favoring ὀντί as "upon."³⁴ More recent translations so render the text, "From his fulness we have all received, grace upon (ὀντί) grace" (RSV; NRSV; NEB; NASB), and so give the impression of a cornucopia of bounty. She argues, however, that such a translation is flawed because nowhere in Greek literature is there an example where ὀντί means "upon." Indeed, the Greek preposition for "upon" is ἐπί. She proposes that ὀντί be understood as "instead of" with the sense of "replacement." That is, one thing is superseded by another.³⁵ The leading Fathers of the Greek Church so understood it. One grace-gift, namely the law, has been superseded by another grace-gift, Jesus Christ. Yet, modern scholars, injecting the supposed Pauline notion that law and gospel are opposed, have resisted this interpretation, she says, apparently on the grounds that law would not be designated a χάρις (gracious gift). So W. Zimmerli, for example, by appealing to verse 17 as setting law and gospel in contradistinction, comments, "Paul's antithesis of grace and law is adopted."³⁶ So, even though ἐπί would by itself allow an interpretation favorable to the Law, verse 17 is tilted to give a negative interpretation of law.

Such a negative view of law assumes that in verse 17 there is antithetic parallelism. The two halves, "for the law was given through Moses" and "grace and truth came through Jesus Christ" are grammatically neatly balanced. The parallelism, as J. Jeremias and others have suggested, is progressive rather than antithetical.³⁷ Barnabas Lindars has proposed for verse 17 the sense, "Just as the law was given through Moses, so grace and truth came through Jesus Christ."³⁸ The verse would then be an explication of verse 16, with the sense that while the new grace is clearly superior, the law, while an older grace, was nevertheless clearly a grace.³⁹

To this affirmative statement of the law by John we may add that of Paul: "So then the law is holy and the commandment is holy, righ-

34. R. Edwards, "'Charin anti Charitos' (John 1:16). Grace and the Law in the Johannine Prologue," *JSNT* 32 (1988) 3-5.

35. Edwards, 6-9.

36. Edwards, 7; citing *TDNT* 9 (1974) 399.

37. Noted in Edwards, "'Charin anti Charitos,'" 8.

38. Edwards, 8; citing B. Lindars, *The Gospel of John*, 98.

39. Edwards helpfully traces other references to law in John to show that John so understood "law" ("*Charin anti Charitos*," 8-10). The law is viewed positively even though now superseded by Christ, just as, say, John the Baptist, who was a shining light has been superseded by the true light, Jesus Christ. Clearly, Jesus is a gift of grace, but so also is the law. W. J. Dumbrell, taking into account the entire first chapter of John as context, and comparing it with Exodus, makes helpful observations, but is still primarily concerned with explicating the contrast ("Law and Grace: the Nature of the Contrast in John 1:17," *EvQ* 58 [1986] 25-37). But according to Edwards one should read John 1:16-17 not as contrast but as progression.

teous and good" (Rom 7:12; cf. 1 Cor 3:7ff.). It is because Paul shares with the Old Testament the understanding that in the law is the revealed will of God that his paranetic sections so readily echo the law (e.g., Rom 13:8-10; Gal 5:13-6:10). So Paul counsels "those who are in" (to use Sander's distinction of "getting in" and "staying in") to be observers of the law.⁴⁰ By no means is the law set aside as unimportant. It may be interpreted or prioritized, but it is certainly not dismissed, nor is it abrogated, but it is instead affirmed.⁴¹ Paul's assessment of "law," as also that of Jesus and John, is positive. In this positive assessment the New Testament is at one with the Old Testament, as the summaries from W. Eichrodt and B. S. Childs have shown.

B. *Law and Community*

While Paul and Jesus affirm the law, the problem is, as has long been observed, that from both come statements negative about the law. This discordance has evoked a great many recent studies.⁴² Douglas Moo opens an overview article with the comment, "Scholarship on Paul and the law in the last ten years has witnessed a 'paradigm

40. Sanders, *Paul, the Law, and the Jewish People*, 6.

41. J. Ziesler observes that Paul does not often appeal to the law, but there is an "implicit attitude to the continuing validity of the Law for all Christians" (*Paul's Letter to the Romans* [London: SCM, 1989] 49). Similarly, Knox Chamblin for a sustained argument on continuity, but with greater attention to Jesus and the law ("The Law of Moses"). Commenting on Matt. 5:17, R. Fuller opts for the view favoring continuity ("The Decalogue in the New Testament," *Int* 43 [1989] 247). Otherwise J. M. G. Barclay (*Obeying the Truth: A Study of Paul's Ethics in Galatians* [Edinburgh: T. & T. Clark, 1988] 234-35) and Douglas Moo ("Paul and the Law in the Last Ten Years," *SJT* 40 [1987] 287-307).

42. Especially since the work of E. P. Sanders there has been a fresh flurry of monographs and articles on the subject: E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (London: SCM, 1977) and *Paul, the Law, and the Jewish People* (Philadelphia: Fortress, 1983); Heikki Räisänen, *Paul and the Law* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1983); T. Gordon, "Paul's Understanding of the Law: A Tri-Polar Analysis," (Unpublished Ph.D. diss., 1984); Lloyd Gaston, *Paul and the Torah* (Vancouver: University of British Columbia Press, 1987); Stephen Westerholm, *Israel's Law and the Church's Faith* (Grand Rapids: Eerdmans, 1988); J. D. G. Dunn, *Romans* (2 vols.; WBC; Dallas: Word, 1988); J. D. G. Dunn, *Jesus, Paul, and the Law* (Louisville: Westminster/John Knox, 1990). See the following works for helpful summaries: A. J. M. Wedderburn, "Paul and the Law," *SJT* 38 (1985) 613-25; John M. G. Barclay, "Paul and the law: observations on some recent debates," *Themelios* 12 (1986) 5-15; Douglas Moo, "Paul and the Law in the Last Ten Years," *SJT* 40 (1987) 287-307; F. F. Bruce, "Paul and the Law in Recent Research," in *Law and Religion: Essays on the Place of the Law in Israel and Early Christianity* (ed. B. Lindars; Cambridge: James Clarke, 1988); Dunn, *Romans*, with extensive bibliography, lxiii—lxiv; John Ziesler, *Paul's Letter to the Romans* (London: SCM, 1989).

Sanders showed that in modern biblical interpretation there was grave misunderstanding of the Judaism Paul was attacking. Judaism was not preoccupied with a works-righteousness, as often claimed. Judaism's self-understanding was of a salvation premised on God's grace, for through it the covenant relationship had come into being. Sanders maintained that this covenant was regulated by law, not in the sense that entry

shift."⁴³ As a result of this paradigm shift, better bridging between Old and New Testament on this issue is now possible. The angles of vision outlined by Old Testament theologians can now be better correlated with what are the newer understandings in New Testament scholarship.

The fresh way forward in resolving the apparent contradictions about the law within Pauline literature has come with the adoption of a sociological approach. Drawing on anthropologists and sociologists, such as Mary Douglas, attention has focused on the functions of law, two of which are summarized by the words "identity" and "boundary markers."⁴⁴ Laws which prescribe rituals, for example, give identity to a group. Such prescriptions are also boundary markers. The ritual laws and their observance essentially draw sociological lines marking who belongs and who does not belong to the group. In much of Jewish history overt practices, such as circumcision, dietary regulations, and Sabbath keeping, as detailed in the law, gave to Jews their identity. These, and other laws visibly distinguished Jews from Gentiles.⁴⁵ James Dunn argues that when Paul spoke of the "works of the law," he had in mind those observances which were national identity and boundary markers. The phrase "works of the law" Dunn summarizes as belonging to "a complex set of ideas in which the social function of the law is prominent. The law serves both to identify Israel as the people of the covenant and to mark them off as distinct from the (other) nations."⁴⁶

Such a view of "works of the law," given meaning sociologically rather than theologically, signals a need to rethink the agenda which Paul addressed in his letters. Commonly, working theologically and with the sixteenth century Reformation questions in the forefront, we

into covenant was by law, but that *staying* in called for law observance, a role for law he capsulated in the phrase "covenantal nomism" (*Paul and Palestinian Judaism*, 75). In my view the law also has a wider function; law belongs to covenant, but law extends beyond covenant. With Sanders and the subsequent debate, interesting, even exciting proposals are emerging, which, to say the least, are putting into question earlier, apparently too facile answers.

43. Moo, "Paul and the Law," 287.

44. These terms have been strategic in the discussion since the 1983 publication of James Dunn's article, "The New Perspective on Paul," *BJRL* 65 (1983) 95-122. Dunn has developed his position in several articles which are now collected in a single volume *Jesus, Paul, and the Law*. In it, by means of "Additional Notes" appended to articles, Dunn answers his critics.

45. "These [circumcision, food laws, and sabbath] were not the only beliefs and practices which marked out Jews, but from the Maccabean period onward they gained increasing significance for their boundary-defining character, and were widely recognized ... as particularly and distinctively characteristic of Jews" (Dunn, *Romans*, lxxi).

46. Dunn, "Works of the Law and the Curse of the Law (Galatians 3:10-14)," *NTS* 31 (1985) 531 = *Jesus, Paul, and the Law*, 223.

have understood Paul's words about the works of the law as answering the spiritually oriented question of how one is saved and how one finds acceptance with God. The platform for debate put the individual center stage. But the sociological approach sets the larger community center stage, and means that Paul was attacking the exclusivism of those who tended to restrict God's favor to those whose mark of distinction was the law. In Dunn's interpretation the nub of the issue in Paul is not merit based righteousness; the nub is a closely cloaked national identity in which law and group identity are coterminous.⁴⁷

Support for a sociologically oriented understanding of the "works of the law" can be drawn from Galatians. In the extant Pauline literature the first use of "works of the law" is in Galatians 2:16, which is in the context of a discussion of circumcision and dietary laws (Gal 2:1-14).⁴⁸ The contrast between works of the law and faith in Galatians 3:10-14 has in view, as Dunn argues, not particular good works aiming at salvation, but an attitude whereby Israel is thought to be marked out by "law." "What he [Paul] is concerned to exclude is the *racial* not the *ritual* expression of faith; it is nationalism which he denies not *activism*."⁴⁹ Paul objects to a view in which there is not room for a covenant people bonded through faith quite independent of these outward law observances. That the Jewish exclusivism is the point at issue in Galatians 3:10-14 is shown by the way in which the passage concludes, namely with talk about the blessing of Abraham coming through Christ to the Gentiles (v. 14).⁵⁰ Paul's agenda is a missionary agenda.

Such an understanding of "works of the law," one can see, begins to ease the tensions Bible readers have felt with Paul's assessment of the law which is sometimes positive and sometimes negative.⁵¹ Paul asserts the goodness of the law for in it is the expression of God's will.

47. Cf. Ziesler, "Moreover, when examined carefully, Paul's writings do not mount an attack on Law-obedience on the grounds that it leads to self-righteousness," *Romans*, 43.

48. Dunn also notes how the language matrix for "works of the law," such as its parallel "of the flesh" (Rom 9:8, 11) comports with a sociological understanding ("Works of the Law," 30 = *Jesus, Paul, and the Law*, 222-23). Dunn argues that many of the crucial passages in Romans (e.g., 3:27-31; 7:14-25; 9:30-10:4) are more manageable given this sociological understanding (*Romans*, lxxii and exegesis of relevant passages). The boasting of which Paul was critical is the boasting in national superiority, the Jew over the Gentile, not the boasting in merit achieved righteousness. Paul is the great leveler between Jew and Gentile.

49. Dunn, *Jesus, Paul, and the Law*, 198.

50. Dunn, "Works of the Law."

51. Dunn, "Works of the Law," 531 = *Jesus, Paul, and the Law*, 223. Sanders (*Paul, the Law, and the Jewish People*, 13-14) and Räisänen (*Paul*, 94-96), though not in the same way, have overdrawn the tensions by describing them, as does Räisänen, as contradictions. Cf. Dunn, "Works of the Law," 523 = *Jesus, Paul, and the Law*, 215.

Paul's interest is not to break from the law. Nor is it to fault the Jews for supposedly emphasizing the law as earning salvation. Nor is it to defend a distinction between ceremonial and ritual law. But Paul is critical of a use of the law which so emphasizes the identity and boundary marking function that it erects a wall between the possessors of the law, the Jews, and all others, and erects it so high that all others are excluded. Paul's missionary efforts to bring Gentiles to faith were hindered by those who insisted that Gentiles must observe the election markers—circumcision and food laws. But in God's new people identity markers are of a kind other than ethnic. Paul attacks the misuses of the law, in which its identity function has become central, determining, and all absorbing. Paul is not distancing himself from the law as such.

Paul's situation, one could add, was in some way parallel to Jeremiah's. Jeremiah, like Paul, took on a cherished theological dictum, one that was true but which had been perverted. Jeremiah's audiences had come to place trust in the temple (Jer 7:1-15). In an earlier day, under Isaiah, such a move had not only been warranted, but encouraged, given God's promises. The temple had functioned as a symbol of God's presence. By seizing on the explanation, without attention to other realities, the generation of Jeremiah's day was being deceived. Jeremiah cried, "Don't be deceived, saying 'The temple of the Lord, the temple of the Lord, the temple of the Lord'" (Jer 7:4). Similarly Paul warned, don't be deceived by anchoring your trust for salvation in your identity markers! At issue in Jeremiah's day, as also in Paul's time, was that a sound theology of a past generation had been perverted. That which was an aspect of Torah, namely the marking of boundaries for a people, could not be defined as the essence of the Torah. Paul polemicized against the law because it separated Jew and Gentile. He was otherwise totally comfortable, it appears, in lauding the law. He could rail against law-keeping (Gal 3:10) and in the next breath (Gal 3:12) quote Leviticus 18:5 that "he who practices them shall live by them"—a statement comparable to Romans 2:13 that the one doing the law is justified.

Dunn's interpretation of "works of the law," not as works of merit to achieve salvation, but as deeds—circumcision, diet laws and observances of festivals—which like badges keep Jews in and Gentiles out, has not gone unchallenged. Against Dunn's interpretation H. Räisänen has urged that the continuity between Judaism and Paul has been overstressed, that Paul's attack is not really on an attitude toward law, but on the law itself, and that the exegesis of Galatians 2:16 is defective.⁵² F. F. Bruce lodges a similar complaint

52. Räisänen, *The Torah and Christ* (Helsinki: Finnish Exegetical Study, 1986) 168-84. The objections are summarized in Dunn, *Jesus, Paul, and the Law*, 207, followed by a reply.

about the exegesis.⁵³ Others, such as Peter Stuhlmacher and T. R. Schreiner, have noted that "works of the law" cannot be restricted to circumcision, food laws and the sabbath; and that the justification issue, rather than the nationality issue, is closer to the center of Paul's concern.⁵⁴ Even if these objections require further nuancing, the overall argument by Dunn, supported increasingly by others, carries considerable weight.⁵⁵ If the sociological argument can be sustained, an easy linkage with the Old Testament can be forged, a consideration that could, in turn, make the position espoused by Dunn more creditable.

From the standpoint of the Old Testament we identified a color hue of law which was closely associated with covenant community and the identity of the people of God. Ronald Clements, basing himself on Deuteronomy, explained how law, inextricably bound with election and covenant, was constitutive for Israel. Her self-definition, as Paul Hanson underlined, incorporated an understanding of Torah. It is precisely this notion of Israel's self-definition that recent New Testament scholars have addressed. If the position sketched by Dunn and others holds, it would mean that a legitimate function of the law, namely that of giving identity, had in Paul's time become an obsession to the point that Gentiles were all but excluded from God's community, unless, of course, they took on the Jewish badge. The grace of God had been restricted in nationalistic terms. There existed then a continuity of belief about the law from the Old Testament into the age inaugurated by Christ, but it was a diseased continuity, a link yes, but one that needed to be sanitized. With the coming of Christ, the identity markers, or badges had changed; for the new people of God the externals of circumcision or dietary laws were no longer of importance. In that respect one would need to speak of discontinuity between the Old Testament and the New.

53. Bruce, "Paul and the Law in Recent Research"; Dunn's summary and answer are found in his additional note, *Jesus, Paul, and the Law*, 212.

54. Summaries of correspondence and articles are given in Dunn, *Jesus, Paul, and the Law*, 212-13.

55. Cf. A. Wedderburn, for example, who agrees that the antithesis of 'works' and 'faith' in some instances at least is in the context of the dispute over the admission of Gentiles into the church ("Paul and the Law," 618). John Barclay's conclusions from his study of Galatians are similar to Dunn's on the meaning of "works of the law" (J. M. G. Barclay, *Obeying the Truth: A Study of Paul's Ethics in Galatians* [Edinburgh: T. & T. Clark, 1988] 234-35). Barclay says, "In our analysis of the crisis in Galatia and Paul's response to it we have found no evidence to support the common theological interpretation of this letter, that Paul was fighting to maintain the principle of grace, received as a gift through faith, against the principle of merit, achieved through doing good works" (Barclay, *Obeying the Truth*, 235).

C. Law: The Old Covenant Way to Eternal Life

The words of Jesus and Paul about law are not only positive in a general sort of way; Jesus explains, as Paul does also, that under the old covenant embrace of law is life engendering. Jesus and Paul reiterate, therefore, what was said of the law in the Old Testament.

Jesus' explanation about the law and eternal life is given in response to the question by the rich ruler, "Good teacher, what must I do to inherit eternal life?" (Mark 10:17-22/Matt 19:16-22/Luke 18:18-23). In reply Jesus points him to the commandments, specifically to a portion of the decalogue.⁵⁶

For our purposes two observations are in order. The first pertains to the meaning of "eternal life." In Mark the teacher asks about "inheriting eternal life," a reference with an eschatological flavor. In Matthew, however, the language is of "having" or "getting" eternal life, hinting at that which is possessed in the here and now. An important key to living the good life here and now, both Hellenistic philosophy and Judaism would agree, would entail the observance of the second table of the Decalogue. But Jesus moves beyond the here and now by speaking about treasure in heaven, as in Mark, and so highlights eschatology.⁵⁷ So, "eternal life" is defined partially as a life of virtue in the here and now, but more fully eschatologically, entailing treasure in heaven. I. Howard Marshall is correct to say that "life" is tantamount to salvation. "The thought is primarily of life with God after death."⁵⁸

The second observation centers on the close linkage between eternal life and the Torah. To the ruler the answer is, "You know the commandments" (Mark 10:19). A similar incident with the lawyer prompts the response by Jesus, "What is written in the law (τῶ νόμῳ)?" (Luke 10:26). The lawyer answers with citations from Deuteronomy and Leviticus. In both instances and without qualification, Jesus links the law with eternal life (Matt 19:17; Luke 10:26). Summarizing how the law and eternal life are connected, S. G. Wilson states: "For Luke the law can be adequately summarized in the two great commands and that obedience to them is sufficient qualification for

56. In a recent article Reginald Fuller summarizes the results of Klaus Berger's tradition-critical work, whose conclusion is that the radical set of sayings, except for the quotation from the decalogue, is authentic to Jesus. But Fuller points to evidence which supports also the decalogue reference as authentic. Just as in the Sermon on the Mount where Jesus both quotes and then radicalizes the decalogue, so also here he cites the decalogue and radicalizes it ("The Decalogue in the New Testament," *Int* 43 [1989] 243-55 esp. 244.).

57. Fuller, "Decalogue," 246.

58. I. Howard Marshall, *Commentary on Luke* (Grand Rapids: Eerdmans, 1972) 442.

entry into the kingdom."⁵⁹ Luke's Jesus corroborates what is the teaching of the old covenant, namely that fully to embrace the law is life-giving.

One is on similar turf if one moves into Pauline literature. Romans 9:30-10:4 is an example of an exposition which links law with faith and accords access to God via the Law. Whatever Paul may say elsewhere of the law, here he clarifies under what circumstances the law leads to righteousness.

From this much discussed passage, which has prompted doctoral theses and monographs, even on a single phrase, we draw the conclusion that acceptance with God is premised on faith in God through a faith embrace of the law.⁶⁰ Without getting caught in the labyrinth of argument, we may view two propositions as sustaining the thesis. The first is that in this pericope the law, rather than being disparaged, is lauded. The second is that the contrast explicated is not on the works-faith axis but on a goals axis where faith is common to both coordinates.

High praise for the law's role is attested to in the expression "law of righteousness" (νόμον δικαιοσύνης, Rom 9:31). The phrase, νόμον δικαιοσύνης, is a *hapax legomenon* in the New Testament. Often it is rendered as a law-kind of righteousness, or also as a righteousness established by law-keeping.⁶¹ Quite a different interpretation is given by J. Toews and R. Badenas. Toews argues that the genitive δικαιοσύνης must be a subjective genitive with the sense of a righteous law, that is, a law characterized as righteous. In the same context the objective genitive is expressed differently: "τὴν δικαιοσύνην τὴν ἐκ τοῦ νόμου" the righteousness that arises out of law (10:5). In a similar vein, Badenas sustains a high view of law. In the several instances where νόμος is used in Romans 9-11, it is in construction with δικαιοσύνη and not in opposition to it. He notes that the background discussion of law in Romans 9-11, starting with Romans 4, is always positive. He asserts, "The thrust of the passage then favors interpreting νόμον δικαιοσύνης as the Torah viewed from the perspective

59. S. Wilson, *Luke and the Law* (Cambridge: Cambridge University Press, 1983) 15. Wilson correctly notes that some ambivalence emerges for the reader when in the story of the rich ruler the law is supplemented with the teaching about radical poverty, but this directive may be an explication of what it means to love the neighbor.

60. See J. E. Toews, "The Law in Paul's Letter to the Romans. A Study of Romans 9:30-10:13," (Unpublished doctoral dissertation, 1977); R. Badenas, *Christ the End of the Law: Romans 10:4 in a Pauline Perspective*, JSNTSup 10 (Sheffield: University of Sheffield Press, 1985).

61. For a review of the traditional interpretation see Toews, "Law in Romans," 117-124, and Badenas, *Christ*, 103 and the bibliography there. The RSV, as well as the NRSV translate (erroneously, according to Badenas), "Israel who pursued the righteousness which is based on law did not succeed in fulfilling that law" (Rom 9:31).

of the δικαιοσύνη it promises, aims at, or bears witness to" (cf. Rom 3:21).⁶² So interpreted, Paul sees the law positively.

A further reason for regarding the law in a most favorable light is the statement, "Christ is the end (τέλος) of the law so that there may be righteousness for everyone who believes" (Rom 10:4). This statement has been understood to mean that Christ has terminated the law; if so the law appears in an unfavorable light. But quite the opposite is indeed the case. At issue is the term τέλος. Toews argues for a teleological rather than terminal meaning on four grounds.

1) Linguistically in cognate literature the teleological nuance is more basic than the terminal. 2) The context has goal oriented language, e.g., "pursue" (Rom 9:30, 31; cf. 11:25-26). 3) The goal oriented language characterizes the final part of the sentence paraphrased as "Christ is the goal of righteousness unto everyone that believes."

4) Elsewhere in Romans there is no hint that the law is invalidated.⁶³ Badenas concurs. Badenas allows, however that τέλος is a dynamic polysemic word whose meaning is determined by context but "whose basic connotations are primarily directive, purposive, and completive and not temporal."⁶⁴ He concludes that the term τέλος, then, denotes purpose or fulfilment, but never abrogation.⁶⁵ He offers a dynamic translation, "the law points to (or intends) Christ."⁶⁶ In such an understanding the law is definitely put in a favorable light.

The positive view of the law prepares one for the proposition that the faith-embrace of the law brings acceptance with God. That proposition becomes plausible when the contrasts in the passage are carefully noted.

First, the contrast in the passage is initially a contrast of goals (Rom 9:30-10:4). Paul asserts that the Gentiles obtained a righteousness that is by faith, but Israel who pursued the law did not attain the law since their pursuit was not characterized by faith (Rom 9:30-33). In the traditional interpretation, "the Gentiles obtained righteousness while the Jews did not because the former accepted the Messiah in faith in contrast to Jewish rejection of him."⁶⁷ Toews and Badenas, to cite two, have offered a compelling reinterpretation.⁶⁸ The contrast Paul draws is between Gentiles and Israel, but

62. Badenas, *Christ*, 104.

63. Toews, "Law in Romans," 231-37.

64. Badenas, *Christ*, 79.

65. Badenas, *Christ*, 145-46. Moo, "Paul and the Law," while recognizing the compelling nature of Badenas' arguments, tries to argue from this text (unconvincingly in this writer's opinion) for discontinuity.

66. Badenas, *Christ*, 147.

67. Toews, "Law in Romans," 124.

68. Toews, "Law in Romans," 125-204; Badenas, *Christ*, 101-51.

the distinction is not between a faith-kind of righteousness and a works-kind of righteousness. Rather, the distinction has to do with two goals: righteousness for the Gentiles; the law for Israel. The Gentiles strove after righteousness. The Jews were striving after the law, but inappropriately, in a manner we suggest, not unlike the Israelites in the wilderness for whom the brazen serpent, a gift for their healing, became an object of veneration. Israel's quest was indeed for the law, but they did not reach into the law's true meaning. The Jews' preoccupation was with law. The Gentiles reached for righteousness.

If there is a contrast in goals between Gentiles and Israel, there is in principle a common faith requirement for both. Paul underscores God's impartiality. The Gentiles were to respond in faith; so was Israel. What might seem to be a contrast is not a contrast, because for both, Gentiles and Israel, faith was the key component. The inference is clear: had Israel pursued the law in a correct mode, namely faith, they would have been the beneficiaries of God's saving activity. As it was, they seized on the law by "works." At issue is not the fulfillability of the law, but the failure to embrace the law in a faith response to God's gift.⁶⁹ The problem then was not that Israel pursued the law; her problem was in the way she pursued it. Had she pursued the law in faith, namely embraced it as God's gift of grace, she would have been accepted by God.

A further support for the view that the law, when embraced by faith, results in God's saving activity comes from Leviticus 18:5, which Paul quotes in Romans 10:5: "Moses describes in this way the righteousness that is by the law: 'The man who does these things will live by them.'" One view is that with this Old Testament quotation Paul inveighs against a works-kind of righteousness. Commentators arrive at this interpretation by importing some contrasts Paul makes elsewhere between "works of the law" and "faith."⁷⁰ But this interpretation is flawed. Surely if the issue is righteousness by works of the law, as Leviticus 18:5 is purported to say, it would be a strange puzzle why Paul would adduce that verse in support of the faith principle. Moreover, if Paul by means of Leviticus 18:5 were fingering works-righteousness, he would be setting the Deuteronomy quotation which immediately follows, "the word is near you" (i.e., the word of faith), against the Leviticus quotation as saying two opposite things. One, the Leviticus passage would stress doing; the other, the

69. Cf. Toews: "One's status before God is determined by one's stance to Torah as a statement of election, and not by performance of individual commandments" ("Some Theses Toward a Theology of Law in the New Testament," in *The Bible and Law* [ed. Willard Swartley; Elkhart, IN: Institute of Mennonite Studies, 1982] 49).

70. E.g., E. Käsemann, *Commentary on Romans* (Grand Rapids: Eerdmans, 1980).

Deuteronomy passage, would stress believing. But it is not by contrast but by continuity that the two quotations are related, as the prepositions show.⁷¹ The texts are complementary. "By putting these two references together Paul equated 'the righteousness taught by the law' with 'righteousness by faith' in a clearly new way, meaning thereby that doing the righteousness taught by the law is coming to Christ for salvation, and thus receiving life."⁷² Or put another way, the embracing of the Torah by faith was to receive God's salvation. Law was a necessary vehicle, faith the sufficient condition for salvation. With the coming of Christ that vehicle was superseded, of course, but as David's joy in salvation indicates, faith and law were not incompatible.

The view on Romans 9:30-10:4 which is adopted here is summarized by Toews: "Romans 9:30-10:13 read as a unit affirms . . . the law accepted in faith as a way to righteousness for the Jews, while at the same time declaring that Christ has fulfilled the law. It thus asserts two ways to righteousness, faith in God via the law and faith in God via Jesus Christ."⁷³ Paul's insistence on faith in Christ for salvation should not blind us to the earlier importance of law as Christ's counterpart with a similar, though time bound, salvific function.

The principle which Paul enunciates, namely that salvation by faith in God is possible via the law, is of one piece with what the Jesus of the Synoptics told the rich ruler and the lawyer. Both in turn sustain the view elaborated in the Old Testament. That view is that when the law under the old covenant is embraced with a whole-hearted commitment to God, then righteousness and life are guaranteed. Clearly, with the coming of Christ a new reality obtains that far outstrips the law. Now the faith response, formerly toward the law, is to Christ.

71. Paul's use of γάρ to introduce the Leviticus quotation follows the statement that the law points to Christ. The subsequent preposition *de* in v. 5 is not disjunctive but conjunctive, which implies that vv. 6-8, the Deuteronomy quotation, is an elaboration of v. 5. That is, the Deuteronomy passage explains the Leviticus text.

72. Badenas, *Christ*, 125; for the sustained argument, see Badenas, *Christ*, 118-25.

73. Toews, "Law in Romans," 106. Paul's statements elsewhere, e.g., Gal 2:21; 3:21 which point at first sight to a different conclusion, must be understood in the sense that faith is the necessary and sufficient condition for salvation. The error which Paul speaks to is to make law both the necessary and sufficient condition for salvation. Once Christ has come, the function for law as critical for salvation ceases. Moreover, the term "law" is multivalent; its referent must be determined by the context. Some of his supposed anti-law statements take on a different complexion once it is understood that "works of the law" are identity markers, as argued above. Much depends on how one sees the basic agenda in Romans and Galatians. Those are to be followed who see the agenda, not one-sidedly as soteriologically, but primarily ecclesial. The agenda in both books is a Jew-Gentile agenda.

CONCLUSION:
LAW IN BIBLICAL THEOLOGY: CONTINUITY AND DISCONTINUITY

The positioning of law within biblical theology, as advocated here, takes greater account of the continuity between the Old and New Testaments, than of the discontinuity which law discussions have abetted.

The continuity for law is grounded in *Heilsgeschichte*, a notion premised on increments in God's revelation in history. To Abraham God appeared with a gift, the gift of a promise. A further disclosure came in the Exodus-Sinai event with God's gift of Torah. By it people may know the will of God. It was an advance over the gift of the promise in that it was more definitive and more elaborative, hence more of a disclosure of God. In the coming of Jesus, the incarnation, God gave the supreme gift. The person of Christ was more tangible than either promise or law. More than in promise and law, there was disclosed in Jesus Christ, the will and purpose of God. So the increments in this holy history have their distinctive nodal points: the promise, the law, the Christ-event.⁷⁴ Each successive nodal point is within a larger sociological entity. The promise was given to a family; the Torah was given to an elect people (nation); the person of Christ is a gift to the world.

Continuity in this holy history is not alone in terms of God's gifts but also in terms of human appropriation. The gift of the promise was one received in faith (Gen 15:6) and so issued in righteousness. Similarly, the Torah, God's grace gift, when embraced by faith, issued in righteousness (Rom 9:30-31). Clearly Jesus Christ, when received as God's gift through faith, brings righteousness (Gal 3:26; Rom 10:9-10). The principle of faith response to God, namely orienting oneself totally to God via his gift, remains unchanged. The faith response is essentially an embrace of God; more specifically it is an embrace of his gifts, be they promise, Torah or Christ. To embrace the Torah is also to embrace the promise; to embrace Christ is to embrace the preceding gifts of promise and Torah. It is this recognition that gives to law an abiding ethical claim on the believer.

But to sketch the taxonomy in this fashion is also to recognize that with the coming of Jesus two functions of the law have been terminated. In the old covenant the law made for national identity; it set out boundary markers. These boundary markers pertained to circumcision, to dietary regulations, and to festival regulations. No longer. Their function was temporary. In Christ, God's gift to the world, the boundaries between Jews and non-Jews are eliminated.

74. Cf. Galatians 3 for its broad contours of promise, law, and Christ.

Now the Holy Spirit is the boundary marker and the giver of identity (Rom 8:14-17). In the limited sense of law as a boundary marker the law has been abrogated. In another sense too discontinuity needs to be recognized. The embrace of law in the old covenant issued in God's acceptance, or eternal life, to use New Testament language. Law no longer so functions, now that Christ has come. Christ has superseded the law.

A biblical theology of law is anchored in three theses. 1) Torah as good remains the expression of the will of God. 2) Torah was an identity marker for the OT people of God, and to the extent to which this became an obstacle the NT polemicized against it. 3) Torah, when embraced in faith, made for righteousness—the NT agrees—but is superseded now by Christ.

The view of law here elaborated means that with respect to Paul's use of law Heikki Räisänen's solution, namely that Paul is hopelessly contradictory, is unnecessary.⁷⁵ Nor is resolution to be found, as H. Huebner suggested, in positing a development of thought between Paul's writing of Galatians and his work on Romans.⁷⁶ Rather, Paul is fighting on two fronts: against those antinomians who hold that Christ's coming abrogates law, and against super nationalists who maintain Jewish exclusivism on the basis of the law. So Paul can be heard saying both a "Yes" to the law when its goodness is in question, even its earlier life-bringing function, but "No" to the law at those points where it reinforced Jewish ethnic solidarity without making room, through Christ, for the Gentiles. Compared with the Gese-Stuhlmacher approach on traditions, the view here advocated sees less of a dichotomy between law and gospel. This exposition allows one to see more gospel in law, and more law in the gospel. The implications for Christian ethics which arise out of an endorsement of Old Testament law are large, but cannot be explicated here.⁷⁷

We can summarize and restate our conclusions. From the Old Testament the law may be viewed from three perspectives: theologically, anthropologically and soteriologically. Theologically, the law

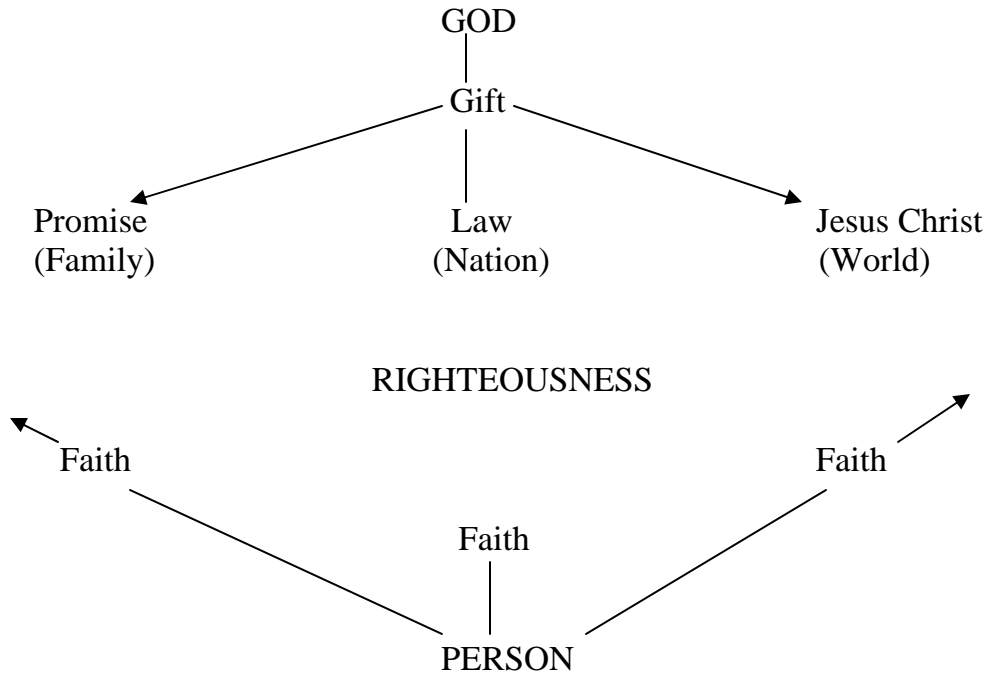
75. Räisänen, *Paul and the Law*. Cf. now the articulate rebuttal of a major aspect of Räisänen's position by Jeffrey A. D. Weima, "The Function of the Law in Relation to Sin: An Evaluation of the View of H. Räisänen," in *NovT* 32/3 (1990) 219-35.

76. H. Huebner, *Law in Paul's Thought*. Edinburgh: T. & T. Clark, 1984.

77. W. Kaiser's rehabilitation of the Old Testament law for the Christian is to be heartily endorsed ("God's Promise Plan and His Gracious Law," *JETS* 33/3 [Sept. 1990] 289-302). Among the helpful treatments are C. J. Wright, *Living as the People of God* (Leicester: Inter-Varsity Press, 1983) = *An Eye for an Eye* (Downers Grove: Inter-Varsity Press, 1983); and Waldemar Janzen, *Old Testament Ethics: A Paradigmatic Approach* (forthcoming).

is an expression of the will of God. The New Testament concurs. Anthropologically the law bonds a community. The New Testament partly demurs; it addresses an excessive preoccupation with the law in this respect and brings correctives. Soteriologically, the Old Testament asserts the life-bringing function of the law. The New Testament concurs, emphasizing that this conclusion is warranted only when the law is embraced in faith, and that the law is superseded by God's latest gift, Jesus, the Christ.⁷⁸

Chart: Situating the Law Soteriologically



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