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Journal for the Study of the New Testament 2010 32: 405

DOI: 10.1177/0142064X10366366

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Paul and the Law: What he Does not Say

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Abstract

As Betz observed in 1979, Paul never says that Christians are supposed to ‘do’ the Torah. This article seeks to develop the argument of omission in relation to Paul and the law. What else does he not say? According to Rom. 2.17-29, Jews ‘rely on’ the law, ‘boast’ in the law, know God’s will through the law, are educated in the law, have light, knowledge and truth because of the law, are to ‘do’, ‘observe’ and ‘keep’ the law, on occasions ‘transgress’ the law, and possess the law as a ‘written code’. Not only does Paul not say these things about Christians vis-à-vis the law, he shifts the focus from the law to something else using the same words and concepts. Such omission and substitution suggests that the Law of Moses holds a very different place for Jews than for Christians in Paul’s thought.

Keywords

Paul, the law, letter, commandments, hermeneutics, ethics

There are three kinds of evidence in Paul’s letters that bear on the question of Paul and the law: what Paul says about the law; what Paul does with the law; and what Paul does not say about the law. If the first and second have received considerable attention, the third more implicit class of evidence is relatively neglected.

A few discussions of Paul and the law observe that when the apostle to the Gentiles speaks of Christians and the law in a positive way he does not say we ‘keep’ or ‘obey’ it. Hans Dieter Betz’s 1979 Galatians commentary is an early example: ‘[T]he Jew is obliged to do the Torah (cf. [Gal.] 3.10, 12; 5.3; also 6.13), while the Christian fulfils the Torah ... [Paul] carefully distinguishes between the ‘doing’ and the ‘fulfilling’ of the Torah—the ‘doing’ of the Jewish Torah is not required of Christians, but the ‘fulfilling’ is’ (Betz 1979: 275).

It is worth enquiring whether Paul omits to say other things about the law in relation to Christians. What Jews regularly said about the law can be ascertained not only from the Old Testament and post-biblical Jewish

texts, but also from those points in Paul's letters where he himself discusses how Jews relate to the law. This article takes a passage from Rom. 2 as a test case for assessing the significance of silence in Paul's letters on the subject of believers in Christ and the law.

Romans 2.17-29 is arguably the most extensive and illuminating text in the Pauline corpus concerning Jewish identity.¹ In Rom. 1.18-3.8 Paul indicts the whole world and brings down the verdict that everyone needs the righteousness of God (Rom. 3.9-20). Even the Jews are not exempt from judgment and the wrath of God. In Rom. 2.17-3.8 the apostle turns his sights on the Jews: 'Now you, if you call yourself a Jew [Ἰουδαῖος] and rely on the law ...' (Rom. 2.17a). Significantly, vv. 17-29 contain no less than ten explicit references to the law (νόμος).² The first two verbs in v. 17, ἐπονομάζῃ ('call' yourself a Jew) and ἐπαναπαύῃ ('rely upon' the law), contain 'an alliterative wordplay' (Jewett 2007: 219). With this device Paul makes it clear that to *take* the name of Jew is to *trust* in the Law of Moses.

What do we learn about Jews and the law in Rom. 2? Paul says that Jews rely on the law (v. 17a), boast in the law (v. 23; cf. v. 17b), know God's will through the law (v. 18), are educated in the law (v. 18), have light, knowledge and truth because of the law (vv. 19-20), are to do the law (v. 25), (by implication) are to observe the righteous requirements of the law (v. 26) and keep the law (v. 27); transgress the law (vv. 23, 25 and v. 27), and possess the (law as) written code (v. 27). The question I wish to pose is a simple one: does Paul say the same things of believers in Christ in relation to the law? If not, what is the significance of this omission?

Jews Rely on the Law

The first feature of the Jews to which Paul draws attention in Rom. 2.17ff. is that they 'rely on the law'. This is not something any Jew would have disputed. 2 *Baruch* 48.22 indicates how this sentiment can relate to Paul's next point in v. 17 of 'boasting in God': 'In you we have put our trust, because, behold, your law is with us, and we know that we do not fall as long as we keep your statutes.' This text also shows that to trust in God and the law is not necessarily a negative thing. Paul is not censuring these Jewish proclivities. As vv. 21-29 show, Paul's criticism

1. Rom. 7 would be another candidate for this title.

2. Byrne 1996: 97 notes that '[a]ll through [Rom. 2.17-24] it is the law which is the crucial factor'.

is of the Jews' failure to observe the law, not their possession of or high regard for the law.

The verb translated 'to rely upon', ἐπιναπαύομαι, only occurs twice in the New Testament. The other occurrence (Lk. 10.6) carries the more literal sense of something ('peace') resting upon someone. About ten times in the LXX it also carries this more literal sense. The figurative meaning, evident in Rom. 2.17, of 'find well-being or inner security ... in the sense of rely on' (BDAG) occurs in Mic. 3.11 ('they *lean upon* the Lord'). As Louw and Nida note, '[t]he concept of dependence or reliance upon something may be expressed in a number of different ways' (Louw and Nida 1988: 31.83). Noteworthy here is the fact that Paul nowhere says that believers in Christ 'rely upon the law'. Although he does not use ἐπιναπαύομαι with reference to anything else Christians rely upon, conceptually they rely upon, or more commonly in Paul have faith in, Christ.

Jews Boast in the Law

The second thing Paul lists in his profile of the average Jew is that they 'boast in God' (v. 17b). The other thing the Jew boasts in according to Paul is 'in the law' (v. 23). Although 'boasting' in English is usually a pejorative term (cf. Jas 4.16: 'You *boast* and brag. All such boasting is evil'), Paul can use it both negatively and positively, and both senses are evident in Romans. Both 'taking pride in' God and the law are positives in Rom. 2.

Paul uses the verb καυχάομαι five times in Romans. If in ch. 2 Jews boast in God and the law, in ch. 5 believers in Christ boast in hope, hardship and 'in God through our Lord Jesus Christ, through whom we have received reconciliation' (vv. 2, 3, 11 respectively).³ To fill out the picture of boasting in Romans, along with the verb 'to boast' Paul uses two cognate nouns. Romans 15.17 connects Christian 'boasting' directly to Jesus Christ via Paul's personal example: 'Therefore I glory [or 'take pride in'; καύχησις] in Christ Jesus in my service to God'. And Rom. 3.27 and 4.2 pit faith against the law as ways of obtaining the righteousness of God.

According to Paul, if Jews boast in God and the law, Christians boast in God through Jesus Christ.

3. Most English versions translate καυχάομαι in Rom. 5.2, 3 and 11 as 'rejoice', obscuring the connection with 2.17 and 23.

Jews Know God's Will through the Law

In Rom. 2.18 Paul affirms that Jews 'know his [God's] will'⁴ ... because they are instructed by the law'.⁵ The connection between the will of God and the Law of Moses is well established in biblical and Jewish tradition. The psalmist prays: 'I desire to do your will, O my God; your law is within my heart' (Ps. 40.8). In 1QS 'the Instructor ... should fulfil the will of God in compliance with all revelation for every period' (9.13); 'he should perform [God's] will ... wish for nothing that he [God] has not commanded and be ever alert to the precept of God' (9.23-25).

Two senses of 'the will of God' are evident in Paul's letters (and in biblical idiom generally): his immutable will (viz., his eternal purposes), and his moral will (the holiness of life that he desires for his people). Roughly speaking the former is what God does sovereignly (Rom. 9.19: 'who resists his will?'), and the latter, what God wants ethically (1 Thess. 4.3: 'It is God's will that you should be sanctified').

Reference to God's immutable will appears in seven letters in the Pauline corpus. Paul's plans are dependent on the will of God (in Rom 1.10 and 15.32), his apostleship is by the will of God (in epistolary pre-cripts: 1 Cor. 1.1; 2 Cor. 1.1; Eph. 1.1; Col. 1.1; 2 Tim. 1.1) and the plan of salvation is according to the will of God (Gal. 1.4; Eph. 1.9, 11).

The parallel clause in Rom. 2.18, 'and approve what is superior', indicates that 'knowing the will of God' there refers to God's moral will. Both clauses describe in a general way that, through the law, Jews know how to live a life pleasing to God. 'God's will' is attested at seven other points in Paul's letters, twice each in 1 Thessalonians, Ephesians and Colossians, and once more in Romans. All of these instances refer to Christians in relation to God's moral will. The point to note is that none of them indicates that Christians know God's will through the law.

Paul says that believers know God's will through other means. Of the seven passages, two supply no clues as to where Paul believes Christians find God's will (Eph. 6.6: 'do the will of God from the heart'; and Col. 4.12: 'stand firm in the will of God'). Two passages give concrete guidance concerning some specific aspect of God's will (1 Thess. 4.3: 'It is God's will that you should be sanctified: that you should avoid sexual immorality'; and 1 Thess. 5.18: 'give thanks in all circumstances, for

4. Gk. τὸ θέλημα. According to Jewett 2007: 223 the absolute use of the noun (literally, 'you know the will') 'follows a Jewish idiom'. Cf. 1QS 8.6 and other Qumran references to the will of God.

5. The adverbial participle 'instructed' modifies both 'know' and 'approve'. Cf. Moo 1996: 161.

this is God's will for you in Christ Jesus'). The only source for this knowledge that Paul indicates is his own instruction. Evidently, the Thessalonian believers know God's will through the authority of God's appointed messenger. Two passages forge a connection between wisdom and knowing the will of God: 'Therefore do not be foolish, but understand what the Lord's will is' (Eph. 5.17) and 'asking God to fill you with the knowledge of his will through all spiritual wisdom and understanding' (Col. 1.9).

The seventh passage, Rom. 12.2, is the most significant for Paul omitting to mention the law in relation to God's will:

Do not conform any longer to the pattern of this world, but be transformed by the renewing of your mind. Then you will be able to test and approve what God's will is—his good, pleasing and perfect will.

Romans 12.1-2 signals the beginning of explicit exhortation in Romans, following a long theological exposition in chs. 1–11. Yet the switch to ethics is hardly abrupt, as it picks up thoughts from earlier parts of the letter. Total dedication to God is not some afterthought, but the climax to which Paul has been building. Paul bases his appeal on the mercies of God, which are ringing in the hearers' ears from chs. 9 to 11, where 'mercy' is a key term. His call for reasonable worship and mind renewal brings ch. 1 to mind, with its false and foolish worship and corrupted minds. The presentation of the believers' bodies reiterates and expands the same call in Rom. 6.13 and 19.

Finally, with reference to our interests, Rom. 12.2 invites readers to compare and contrast the experience of Jews and believers in Christ on the question of knowing God's will. The will of God which believers test and *approve* in response to the gospel (Rom. 12.2b) recalls and surpasses the experience of the Jews who know God's will and *approve* what is superior because they are instructed by the law (Rom. 2.18). This connection is rendered likely not simply because chs. 2 and 12 mention the moral 'will of God', but because of the repetition of the term *δοκιμάζω*, a reference to the process of discerning *approval*. Jews discern what is superior in Rom. 1.18; believers in Christ discern the good, pleasing and perfect nature of God's will in Rom. 12.2. The term only occurs four times in Romans, the other two bearing no connection to God's will (Rom. 1.28; 14.22). Further, in Bar. 4.1-4 Jews can claim that 'what pleases God is known to us' in a passage celebrating 'the book of the precepts of God, the law that endures forever'.

Rather than linking knowledge of what pleases God to the law, Paul ties it to the gospel and an appropriate response of total dedication to God. In the unfolding argument of Romans, if Jews know God's will and can approve of what is superior through the law (as Paul observed in 2.18) and believers in Christ are not under the law (as Paul so firmly insists in chs. 6 and 7), how do Christians know God's will and approve the good, that which is pleasing to him? Romans 12.1-2 supplies the answer. According to Paul, if Jews know God's will through the law, Christians find God's will in apostolic instruction, wisdom and in response to the gospel.

Jews are Educated in the Law

According to Rom. 2.18b Jews are '*instructed* by the law'. As Jewett suggests, 'Paul selects the verb *κατηχέω* because it was already being used as in-group jargon for religious schooling, instruction or catechizing of Christian converts' (Jewett 2007: 224). It is certainly true that Jews were taught the law. The normal first-century Jewish experience included considerable instruction in the Scriptures in the context of both home and synagogue (cf. Josephus, *Apion* 2.178, 204). Philo wrote that the Jews 'consider their laws to be divine revelation and are instructed in them from their youth' (*Leg. All.* 210; cf. 115). According to *m. Ab.* 5.21 'at five years old one is fit for the Scripture'. In *4 Macc.* 18.10 there is intimation that the model Jewish father gave much instruction in the Scriptures to his sons. The educational character of the synagogue service is stressed by Josephus (*Apion* 2.175): Jews 'gather together to listen to the law and learn it accurately'.

Outside Rom. 2.18, the verb in question is used on six other occasions in the New Testament. Twice *κατηχέω* carries the less technical sense of 'report'. The four texts that use it in the sense of 'instruction' make it clear that believers are 'instructed' by specifically Christian teaching: things about Jesus (Lk. 1.4), 'the way of the Lord' (Acts 18.25), prophecy in a Christian gathering (1 Cor. 14.19) and 'the word' of the gospel (Gal. 6.6). Nowhere does Paul say that Christians are 'instructed by the law'; instead, throughout his letters they are instructed by the gospel.

Jews have Light, Knowledge and Truth because of the Law

In vv. 19-20 Paul affirms that Jews possess much that is good in the law, specifically light, knowledge and truth. As Jewett notes, '[t]hat knowledge and truth were revealed in the Torah was widely assumed

[by Jews]' (Jewett 2007: 227). 2 *Baruch* 44.14 claims that Jews 'have prepared for themselves treasures of wisdom and stores of insight ... [and have] preserved the truth of the law'. Sirach 17.11 asserts that 'God gave them [the Jews] knowledge and the law of life'. A connection of the law with light was also a commonplace. In Isa. 51.4 the prophet declares that '[t]he law will go out from me; my justice will become a light to the nations' (cf. Isa. 8.20).

Paul makes no such claims in relation to Christians and the law. As Rom. 13.12 intimates, he transposes light and darkness imagery onto an eschatological plane, a development anticipated by texts in Isa. 59–60, to which Paul alludes in connection with his idea of walking *in the light*. Following Rom. 2.20, the word 'knowledge' is used twice more in Romans. Both are with reference to Christians. Romans likewise does not connect knowledge to the law, but rather intimates that Christians find knowledge in connection with the mercy of God revealed in the gospel (11.33). In Rom. 15.14 Paul assures the Christians that even though the law embodied knowledge (2.20), because he has instructed them concerning the gospel, they are 'complete in *knowledge* and competent to instruct one another'. In Rom. 15.8 Paul lays claim to the third abstract noun associated with the law in 2.20 for Christians: 'Christ has become a servant of the Jews on behalf of God's *truth*, to confirm the promises made to the patriarchs'.

According to Paul, if Jews have light, knowledge and truth because of the law, Christians possess these in even greater measure because of the gospel.

Jews are to Do, Observe and Keep the Law

In vv. 25–27 Paul notes the response to the law required of Jews: they must '*do* (or 'practice'; πράσσω) the law' (v. 25), '*observe* (or 'keep'; φυλάσσω) the righteous requirements of the law' (v. 26) and '*keep* (or 'complete'; τελέω) the law' (v. 27). A highly debated passage, these verses not only describe what Jews are meant to do with the law, but also speak of 'those who are not circumcised' observing and keeping the law (2.26–27). Whether Paul is referring to Christian Gentiles or non-Christian Gentiles, or speaking hypothetically,⁶ must not derail us here. What is clear is that the Apostle's description of Gentiles obeying the

6. See a full discussion in Gathercole 2002, who defends the view that these verses, along with Rom. 2.14–15, refer to Gentile Christians.

law is couched in highly rhetorical terms; the tone is polemical.⁷ Paul supports the charge of Israel's breaking of the law (see vv. 25, 27) by 'showing how an unrepentant and stiff-necked (Rom. 2.5) Israel actually compares unfavourably with a law-abiding Gentile group'.⁸ The irony is delicious, even if some of the details of interpretation are hard to digest. As demonstrated in what follows, outside of such an exceptional setting Paul nowhere says that Gentile believers in Christ 'do/observe/keep' the law. In more sober contexts, where Paul is not shaming Jews but instructing Christians, he avoids such language.

Looking for distinctions among the three verbs is to indulge in over-interpretation. In Rom. 2.25-27 Paul uses them in close proximity, suggesting that the change of verbs may be put down to stylistic variation. As Moo notes,

[m]ost of the phrases [Paul uses for Jewish obligations in relation to the law] were already being used by Jews to denote obedience to the law; and most have close equivalents in the Hebrew of later rabbinic literature. They are all different ways of expressing the general idea of obedience to the Law of Moses (Moo 1996: 170).

Paul uses all three verbs not infrequently. Sometimes these are in relation to the responsibilities of Christians, but the law is not the thing that Christians do, observe or keep.

The verb 'to do', πράσσω, appears 18 times in Paul's letters. Frequently it refers to 'doing' something sinful, as in Rom. 2.1: 'You, therefore, have no excuse, you who pass judgment on someone else, for at whatever point you judge another, you are condemning yourself, because you who pass judgment *do* the same things' (cf. Rom. 1.32; 2.2-3; 13.4; 1 Cor. 5.2; 2 Cor. 12.21; Gal. 5.21). In Rom. 7 Paul the Jew is unable to 'do' the requirements of the law (Rom. 7.15, 19). Paul 'does'

7. Cf. Byrne 1996: 88: 'In the present connection, however, where Jews and Gentiles are being played off against each other, its formulation is sharply polemical'.

8. Gathercole 2002: 48. Cf. the quotation of Isa. 52.5 in Rom. 2.24 and also Rom. 9.30-32, 'where it is precisely the Gentiles who believe who are contrasted with unbelieving Israel' (Gathercole 2002: 32). Stuhlmacher 1994: 49-50 points out that whereas '[a]ccording to early Jewish expectation, the righteous will one day execute judgment over sinners (and the Gentile nations) (cf. Dan. 7.22, 27; Wis. 3.7f.; 1 Enoch 90.19; 95.3) ... [here] the Gentiles who are obedient to God will sit in judgment over those Jews who, in spite of their knowledge of the Law, which has been written and entrusted to them, and in spite of their circumcision, are transgressors of the Law'.

his preaching voluntarily in 1 Cor. 9.17. People are said to ‘do’ things, whether good or bad, in Rom. 9.11 and 2 Cor. 5.10. ‘Doing’ as a neutral description of behaviour appears in Eph. 6.21 and 1 Thess. 4.11. The only thing that Christians are instructed to ‘do’ in a more general sense is in Phil. 4.9, where Paul instructs believers in Christ, not to do the law, but rather to ‘do ... whatever you have learned or received or heard from me, or seen in me’.

A similar picture emerges with Paul’s observation that Jews ‘keep’ (φυλάσσω) the righteous requirements of the law’. As in Rom. 2.26, in Gal. 6.13 Jews are to ‘keep’ the law. The two words φυλάσσω (‘keep’) and δικαιώματα (‘righteous requirements’) appear together more than 70 times in the LXX. Almost uniformly these verses refer to keeping the δικαιώματα of the Lord (see, e.g., Deut. 4.40; 6.2; 17.19; 28.45; 30.10, 16; Pss. 104.45; 118.5, 8; Prov. 2.8; Mic. 8.16; Ezek. 11.20; 18.9; 20.13, 18, 19, 21; 43.11), meaning doing the Law of Moses.⁹ In Paul’s letters most of the occurrences of the verb refer to ‘keeping’ in the sense of ‘guarding’ (2 Thess. 3.3; 1 Tim. 6.20; 2 Tim. 1.12, 14; 4.15). Like Phil. 4.9, which issues a call to ‘do’ (πράσσω) what believers have seen Paul do, 1 Tim. 5.21 contains a more general call to ‘keep’ (φυλάσσω) something. Once again, it is not the Law of Moses that Christians are called to heed; rather, in 1 Tim. 5.21 Paul tells Timothy to ‘keep’, not the law, but his own apostolic directions: ‘I charge you, in the sight of God and Christ Jesus and the elect angels, to *keep* these instructions’.

The third verb, τελέω, ‘to keep’ or ‘complete’, appears only five times in Paul’s letters. The other occurrences bear no relation to the law (Rom. 13.6; 2 Cor. 12.9; Gal. 5.16). Paul does not say that Christians ‘keep’ the law. On the other hand, to continue our theme of substitution, 2 Tim. 4.7, does say that Paul has ‘completed [not the law, but] the race [or course]’ set out for him in connection with the mission given him by the risen Christ.¹⁰

9. Jewett 2007: 233 is right to call it ‘technical terminology of legal conformity from the LXX’. As Dunn 1988: 121–22 observes, ‘[t]he full phrase, “keep the (God’s) ordinances” occurs regularly in Deuteronomy (4.40; 6.2; 7.11; etc.) and Ezekiel (11.20; 18.9; 20.18; etc.)’.

10. Two other (basically synonymous) verbs Paul uses for ‘obeying’ the Law of Moses, not found in Rom. 2, are worth mentioning. He links both to Jewish observance of the law, but does not use them to connect Christians to the law: ‘to do’, ποιέω, in Rom. 2.14; 10.5; Gal. 3.10,12; 5.3 (cf. ποιήτης in Rom. 2.13); and ‘to remain in’, ἐμμένω, in Gal. 3.10, quoting Deut. 27.26.

Put simply, according to Paul, if Jews are obliged to obey the Law of Moses, believers in Christ are not.¹¹ Instead, they are to obey apostolic instructions. The Christian does, however, have a positive response to the law: to ‘fulfil’ the law (πληρώω and cognates; Rom. 8.4; 13.8; Gal. 5.14; cf. Gal. 6.2).¹²

Jews Transgress the Law

Three times in Rom. 2 Paul warns of the danger of Jews *transgressing* the law (v. 23: παράβασις; ‘transgression’; and vv. 25 and 27: παραβάτης; ‘transgressor’). That this language is standard Jewish parlance is evident in Josephus, who refers repeatedly to ‘transgressing the law’ (*Ant.* 3.218; 8.129; 9.243; 14.167; 18.81; 18.268¹³).

Paul has a potent arsenal of words for sin and deploys them fearlessly when targeting the shortcomings of individual believers and churches. Yet he never condemns the sins of believers as *transgressions*. Outside of Rom. 2, the language of transgression is used on only five other occasions.¹⁴ In each case he is talking about either failing to observe the Law of Moses or Adam or Eve breaking a command from God (which Paul thinks of as a prototype of the Mosaic Law): (1) ‘where there is no law, there is no transgression’ (Rom. 4.15); (2) ‘Adam’s transgression’ (Rom. 5.14); (3) ‘What, then, was the purpose of the law? It was added because of transgressions’ (Gal. 3.19); (4) ‘Adam was not deceived, but the woman being deceived was in the transgression’ (1 Tim. 2.14); and (5) ‘If I rebuild what I destroyed [i.e., the law—see v. 19], I prove that I am a transgressor’ (Gal. 2.18).

In the last case (Gal. 2.18), παραβάτης is translated interpretively, but uncontroversially, as ‘lawbreaker’ by NIV, TNIV and HCSB. In support, it is worth noticing that all three occurrences of transgression terminology in Rom. 2 are found in genitive expressions involving ‘the law’ (literally, ‘transgression of the law’ once and ‘transgressor of the law’ twice).¹⁵ It does seem that Paul uses the two words in question, not for

11. The only possible exception, Rom. 2.26-27, as noted above, which may refer to Gentile Christians, occurs in a polemical context the purpose of which is not to define a Christian’s relationship to the law but to condemn Jews as lawbreakers.

12. The sense in which Christians fulfil the law is debated. For our purposes, however Paul is to be understood, as Betz observed (noted above), fulfilling the law is different from keeping it.

13. Cited in Jewett 2007: 230.

14. The first four are παράβασις; the last is παραβάτης.

15. Cf. Jas 2.11.

sin in general, but as technical terms for ‘breaking the law’.¹⁶ He never names the sins of Christians as such. If you are not under the law, which Paul says of believers in Christ, you cannot transgress it. According to Paul, while Jews *transgress* the law, Christians do not.

Jews Possess the Law as a Written Code

The last element in Paul’s reflections on Jewish identity in Rom. 2.17-29 that I wish to comment on is Jewish possession of ‘the written code’, or more literally, their possession of the ‘letter’ (v. 27; cf. 29). The next step in Paul’s indictment of Jews as guilty before God and in need of his righteousness, Paul inverts the usual Jewish expectation of the righteous judging the unrighteous, which they took to mean Jews condemning Gentiles, to have Gentiles judging and condemning Jews: ‘the one who is not circumcised physically and yet obeys the law will condemn you!’ (v. 26). The apostle charges that Jews have broken the law that they were obliged to keep.

In Rom. 2.29 Paul sets up a contrast between ‘letter’ and ‘Spirit’:

circumcision is circumcision of the heart, by the Spirit, not by the letter (Rom. 2.29)

The same contrast also appears in two other Pauline texts:

But now, by dying to what once bound us, we have been released from the law so that we serve in the new way of the Spirit, and not in the old way of the letter (Rom. 7.6).

He has made us competent as ministers of a new covenant—not of the letter but of the Spirit; for the letter kills, but the Spirit gives life (2 Cor. 3.6).

Romans 2, 7 and 2 Cor. 3 are the only three places in Paul’s letters that he refers to the law as ‘letter’. While ‘letter’ is not the standard Jewish epithet for the law, Jews did refer to the law as ‘letters’ in the plural, as in the phrase ‘the holy writings’, or more literally, ‘the holy letters’, τὰ ἱερὰ γράμματα. Schrenk reports that the phrase was common in Jewish texts,¹⁷ and 2 Tim. 3.15 uses it to refer to the ‘holy Scriptures’ (TNIV) or ‘sacred writings’ (NRSV).

16. Louw and Nida 1988 define παραβάτης as ‘disobey, break the law’.

17. Schrenk, *TDNT*, I, 765. See, e.g., Philo, *Vit. Mos.* 2.292; *Spec. Leg.* 2.159; 2.238; *Vit. Cont.* 28, 75.

Most commentators agree that Paul uses 'letter', γράμμα, to refer to the Law of Moses as a written document.¹⁸ Although in English the most common meaning of 'letter' is 'a unit of an alphabet' (cf. Gal. 6.11), in Greek it can mean 'a set of written characters forming a document or piece of writing' (BDAG, 2). Given this basic sense, can we specify more accurately what law as 'letter' denotes for Paul? A clue to its meaning is found in 2 Cor. 3.7-8, where 'letters' refer to the Decalogue written on tablets of stone:

Now if the ministry that brought death, which was engraved in letters on stone, came with glory, so that the Israelites could not look steadily at the face of Moses because of its glory, fading though it was, will not the ministry of the Spirit be even more glorious?

Another pointer is the fact that 'letter' is contrasted with 'Spirit' in all three chapters, and in Rom. 2.27 it is linked with circumcision. This has led many to suggest that 'letter' refers to 'the externality of the law' (Schreiner 1998: 142). When Paul writes negatively about circumcision, he frequently conceives of it as an external action. And the 'letter/Spirit' contrast is often taken to point to a distinction between an external versus a condition of the heart.

Taking matters a step further, several English versions translate 'letter' in Rom. 2 and 7 as 'written code' (e.g., NIV, TNIV, NRSV, ESV; cf. HCSB: 'letter of the law').¹⁹ The context of Rom. 7 supports this decision. In Rom. 7.7-12, following 7.6, the last word of which is 'letter', Paul refers interchangeably to the law as νόμος (six times) and as ἐντολή ('commandment', five times). He directly associates the two as virtual synonyms in v. 12: 'So then, the law is holy, and the commandment is holy'.

Paul uses 'letter' as a way of referring to the law as a set of commandments to be obeyed, as a written 'legal code'. As such, it is significant that he confines his references to the law as 'letter' and 'commandment' to contexts in which he is discussing Jewish adherence (or more accurately, non-adherence) to the law. When writing of the law positively in connection with Christians, Paul's letters refer to it as γράμματα ('letters', 2 Tim. 3.15), νόμος ('law', e.g., 1 Cor. 9.8-9), γραφή ('Scripture', e.g., Rom. 4.3; Gal. 3.8; 1 Tim. 5.18; 2 Tim. 3.16), and γραφαί ('Scriptures',

18. Fitzmyer 1992: 323 takes 'letter' here to refer to the old 'dispensation', which was 'governed by a written code, an extrinsic norm to be observed and esteemed'.

19. 'Letter' is preferred in 2 Cor. 3, perhaps to retain the play on connection with 'letters on stone' in v. 7.

e.g., Rom. 15.4); but Paul never refers to the law as γράμμα, 'letter', as 'legal code', with Christians in mind.²⁰

Paul, it seems, uses γράμμα as a technical term for the law as an obsolete Jewish legal code, from which Christians are exempt. The three texts in question (Rom. 2 and 7, and 2 Cor. 3) all contain a contrast in terms of salvation history. As Moo contends, 'letter describes the past era in which God's law through Moses played a central role and 'Spirit' summing up the new era in which God's Spirit is poured out in eschatological fullness and power' (Moo 1996: 175). The Holy Spirit as the gift characterizing the new age is prophesied in texts such as Joel 2.28-29, Isa. 44.3 and Ezek. 11.19, 36.26-27.

In short, according to Paul, if Jews have the law as 'letter', as legal code and written collection of commandments, Christians do not.

Conclusion

Although largely overlooked in treatments of Paul and the law, the implicit evidence for how Paul conceives of the believer's relationship to the Law of Moses tells its own compelling story. A Jew like Paul could be expected to relate to the law in a number of ways. According to his own testimony in Rom. 2.17-29, Jews 'rely on' the law, 'boast' in the law, know God's will through the law, are educated in the law, have light, knowledge and truth because of the law, are to 'do', 'observe' and 'keep' the law, on occasions 'transgress' the law, and possess the law as a 'written code'. Much of this is confirmed by the Jewish Scriptures and Second Temple Jewish texts. Significantly, Paul never says that Christians relate to the law in any of these ways.²¹

What then are we to make of such omissions? Paul and the law is a notoriously complicated subject, and different interpreters might assess the significance of Paul's failure to say standard Jewish things about the law in connection with Christians differently. To my mind, the data point to a major shift in the way the people of God relate to the law. The Law of Moses is much more of a focus for Jews than for Christians and the

20. Pauline usage justifies seeing a distinction between the plural 'letters' and the singular 'letter'. Whereas the former refers to all of the Jewish Scriptures, the latter is a pejorative term for the Law of Moses.

21. Free from the constraints of a single article, we could also notice that Jews 'learn' the law, 'walk according to the law', and expect good fruit and good works to flow from their obedience to the law. Paul says none of these in relation to Christians.

two groups relate to the law quite differently. The evidence of omission is fully in line with Paul's perspective that, although Jews are under the law, believers in Christ are not.

But in what sense are believers not under the law? Does Paul have his own way of clarifying the sense in which Christians are not under the law? In Rom. 2 law as 'letter' (or legal code) emerged as a distinctively Jewish perspective on the law. Along with 'letter', there are three other terms in Paul's letters that describe the law as a possession of the Jews, but not of Christians: Jews possess the law as a 'book',²² 'decrees'²³ and 'commandments'.²⁴ Paul conceives of the law as a letter that kills, as a book that brings a curse, as decrees that stand against us, and as commandments to be obeyed. In every case, according to Paul, this is not how the law relates to Christians.²⁵

However, it would be a mistake to surmise that Paul believes that Christians do not have a positive relationship to the law. On the contrary, the Law of Moses functions *as witness to the gospel* and *as wisdom for living* throughout his letters.²⁶ The law *as law* is the way in which Christians do not relate to the Law of Moses.²⁷ To be under the law *as law* is to be 'bound by the demands of the Mosaic law code and subject to its sanctions' (Westerholm 2004: 300). It is that which must be done, kept and observed, and not transgressed. According to Paul, Christians

22. Gk βιβλίον. In Paul's quotation of Deut. 27.26 in Gal. 3.10 he changes 'the words of this law' in the citation of Deuteronomy to 'the *book* of the law': 'Cursed is everyone who does not continue in all the things written in the book of the law so as to do them.' In referring to the curse of the law Paul shifts from the law as oral proclamation to the law as written document, in a manner reminiscent of his use of 'letter' as a reference to the law as an external and objective code. Tellingly, as Watson 2004: 432 points out, in other texts in Deuteronomy, 'the book of the law' is associated with the curse of the law. Cf. Deut. 28.61; 29.19-20, 26; 30.10 (also Josh. 23.6).

23. Gk δόγμα. In Eph. 2.15 and Col. 2.14 Paul writes of Christians as being freed from the law as 'decrees', that is, 'rules or regulations to be observed' (BDAG, 1a).

24. Gk ἐντολή. In Rom. 7.7-12, in a context of the law leading to death rather than life, as noted above, Paul uses 'commandment' as a synonym for 'law'.

25. Such negative characterizations of law also appear in English idiom; cf. being prosecuted according to 'the letter of the law' and having 'the book thrown at you'.

26. For details, see my forthcoming *New Studies in Biblical Theology* volume on Paul and the law which I am currently researching and writing.

27. Cf. Westerholm 2004: 37: 'The law, *as law*, is meant to be observed' (italics original). Also Hays 1996: 163: 'The Law originally had the primary function of *defining the identity of God's elect people*, the Jews. Within that hermeneutical perspective, the Law was understood primarily as *commandment*' (italics original).

do not relate to the law as such, having died to it and been freed from it. The implicit evidence, what Paul does not say about Christians and the law, offers powerful confirmation for this conclusion.

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