Paul's "Positive" Statements about the Mosaic Law

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PAUL’S “POSITIVE” STATEMENTS ABOUT THE MOSAIC LAW*

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In a number of verses Paul made statements that suggest that the Mosaic Law, including its code of conduct, was abolished at the Cross for believers. He wrote, “By the works of the Law no flesh will be justified in His sight” (Rom. 3:20). “A man is justified by faith apart from works of the Law” (v. 28). “You are not under law but under grace” (6:14). “Therefore, my brethren, you also were made to die to the Law through the body of Christ” (7:4). “But now we have been released from the Law” (v. 6). “A man is not justified by the works of the Law” (Gal. 2:16). “That no one is justified by the Law before God is evident” (3:11). “Christ redeemed us from the curse of the Law” (v. 13). He abolished “in His flesh the enmity, which is the Law of commandments” (Eph. 2:15).

On the other hand Paul made some statements about the Law that seem to conflict with these negative statements. “Do we then nullify the Law through faith? May it never be! On the contrary, we establish the Law” (Rom. 3:31). “What shall we say then? Is the Law sin? May it never be!” (7:7). “So then, the Law is holy, and the commandment is holy and righteous and good” (v. 12). “We know that the Law is good” (1 Tim. 1:8).

How, then, are these positive statements to be understood? A number of scholars argue that these verses show that the Mosaic Law (or at least the Decalogue) is operative for the church today and that that Law is the law of Christ mentioned in 1 Corinthians 9:21 and Galatians 6:2.1

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For example Kaiser writes that to say that the Mosaic Law "is no longer obligatory, having served its usefulness now that the promise has come" is too absolute an affirmation, and is antithetical and incomplete.² He believes that Paul's positive statements on the Law in Romans 3:31 and 7:12 render such negative assumptions questionable. Kaiser states that the Mosaic Law, rather than being antithetical to the gospel, aids it so that Christians can live the life of faith.³ VanGemeren, like many covenant theologians, supports this understanding. This is because, he says, Reformed theologians seek continuity between the Mosaic Law and the gospel on the one hand, and harmony between Israel and the church on the other hand.⁴

Since Paul's statements about "the law of Christ" cannot be properly understood without an accurate understanding of his stand on the Mosaic Law,⁵ his rationale for his positive statements on the Mosaic Law needs to be investigated.

One should note that Paul made his positive statements on the Law only a few lines away from before and/or after his negative statements. In most instances the positive and negative phrases occur within the same contexts. So instead of prioritizing Paul's positive texts on the Law and using them to reinterpret his negative phrases, or vice versa,⁶ one must read and interpret Paul's

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6 As he discusses matters of contradictions, tensions, inconsistencies, and antinomies in Paul's writings, N. T. Wright wrestles with the charge that Paul was "gloriously inconsistent" in his statements on the Law. Wright questions why scholars prioritize certain Pauline statements on the Law, allow some statements "to dominate and the others apparently made to harmonize with it." He gives the example of scholars (e.g., Cranfield) who prioritize the Book of Romans regarding Paul's statements on the Law, while many Lutheran scholars elevate the Book of Galatians on the same subject. Wright observes, however, that Paul's statements on the Law are made within his treatment of subjects such as justification, Christology, pneumatology, baptism, and national Israel, and that his statements on the Law are not "self-contained." Wright holds that they "form part of a larger whole, or indeed several larger wholes." He adds that when "some of these contexts are taken seriously as the matrix of his various remarks about Torah, some at least of the contradictions (and other unpleasant things) which are often, and sometimes too gleefully,
sentences contextually. In this way it will become clear that rather than supporting a reinstitution of the Mosaic Law within the New Covenant church, Paul used the positive statements only to support his point about the termination of the Mosaic Law for the New Covenant participants.

ROMANS 3:31

In Romans 3:21–30 Paul emphasized that God has revealed His righteousness apart from the demands of the Mosaic Law, and that it is available to everyone, both Jews and Gentiles, through faith in Jesus Christ. This righteousness is needed because all have sinned and missed God’s glory (1:8–3:20). Because justification is “by faith apart from works of the Law” (3:27) and because God is the God of both Jews and Gentiles (v. 28), Jews have no basis for boasting because of that Law. Of what value then is the Mosaic Law? As Paul asked rhetorically, “Shall we therefore nullify the Law (καταργούμενον)?” And the answer is “May it never be [μὴ γένοιτο! On the contrary, we establish the Law” (v. 31).

In classical Greek καταργέω meant “being inactive” or “idle” (e.g., an idle person not fighting in a war). The word also meant to “destroy.” For example Plato wrote that at death no law can “destroy” the joy of the souls of those who have lived a well-ordered life and a life of philosophy. In the intertestamental period the Septuagint translated the Aramaic verb ʿṭṣ (“to cease,” Ezra 5:5; 4:21) with καταργέω (e.g., “to stop” construction work). Katargéw was used in the papyri to mean “to hinder” (e.g., to hinder one from his work). In the New Testament the word occurs twenty-seven times, twenty-five of which are in Paul’s letters. It means to “render powerless or ineffective,” “nullify,” “abolish,” “wipe out,” “set

found in his writings will be discovered to be illusory . . . [and that] we will be forced to think again about the nature of his theological method, which is often . . . dismissed” (Climax of the Covenant: Christ and the Law in Pauline Theology [Edinburgh: Clark, 1991; reprint, Minneapolis: Fortress, 1992), 4–7.}

7 Richard B. Hays, Echoes of Scriptures in the Letters of Paul (New Haven, CT: Yale University Press, 1989), 125. Hays notes that “where learned critics divide over the interpretation of a passage, it is a reasonable working hypothesis that the roots of the divergent readings must lie buried within the text itself” (ibid.).

8 Euripides, Phoenician 753.

9 Plato, Phaedrus 256.D.7.

aside,” “release from an obligation.”\(^{11}\) It means “to make void” (e.g., God’s faithfulness, Rom. 3:3; and His promises, 4:14); “to make powerless” (e.g., the body of sin, 6:6); “to dissolve” (e.g., a marriage contract, 7:2, 6); “to cease or terminate” (e.g., prophecy, 1 Cor. 13:8); and “to abolish” (e.g., death, 1 Cor. 15:26; 2 Tim. 1:10). In Romans 3:31 καταργέω refers to the Mosaic Law being rendered useless, since God can bypass it to reveal His righteousness.\(^\text{12}\)

When Paul asked, “Is the Law therefore nullified?” he answered his own question by saying, “We establish the Law.” The word “establish” (Ιστάνω) is the opposite of “nullify” (καταργέω).\(^\text{13}\) In the Septuagint ιστάνω occurs more than forty times and is used to translate various Hebrew words including יָשָׂה (“to stand,” Gen. 19:27; Ruth 2:7); ἐπὶ (“to confirm or establish,” Dan. 9:12; Ps. 119:106); ὑπάρχω (“to station,” Deut. 31:14); and ἐκφράζω (“to weigh,” Zech. 11:12).\(^\text{14}\) In 1 Maccabees 2:27 ιστάνω was used by Mattathias to encourage those who “upheld” the Law to follow him for a raid. Josephus used ιστάνω for “standing up” in battle.\(^\text{15}\) Also the word meant “to fix” or “to agree on” in financial transactions.\(^\text{16}\) In the New Testament the word occurs about one hundred times, half of which are used by Paul, and it means “to position or set something in place,” “to establish,” “to uphold or reinforce,” “to cause someone to be steadfast,” “to fix a time,” and “to determine a monetary amount.”\(^\text{17}\) In Romans 3:31 Paul was affirming or establishing the usefulness of the Mosaic Law and upholding its validity.\(^\text{18}\)


\(^{15}\) Josephus, *The Antiquities of the Jews* 5.161.5; 13.156.2; 17.4.2.


\(^{18}\) Ibid.
Since the Law has no part in obtaining a righteous standing before God (vv. 2–30), in what sense did Paul mean it is useful? Paul did not elaborate on this in the immediate context. His point seems to anticipate what he developed later, when he wrote in 7:7–11 that the Law reveals sin and that the Law is fulfilled in believers' lives (8:4). Moo supports this view.

The brevity of Paul's assertion and lack of any immediate explanation [of Rom. 3:31] make a decision [regarding the meaning of the verse] difficult. But the stress on faith as establishing the law suggests that it is law as fulfilled in and through our faith in Christ that Paul thinks of here. In 8:4, Paul will argue that those who are in Christ and who "walk according to the Spirit" have the law fulfilled "in them," in the sense that their relationship to Christ by faith fully meets the demands of God's law. While we cannot be certain, it is likely that Paul means essentially the same thing here: that Christian faith, far from shunting aside the demands of law, provides (and for the first time!) the complete fulfillment of God's demand in his law.

A number of writers, however, reject this view. Rhyne, for example, believes that Romans 4:1 is transitional and that it clarifies and explains 3:31. He insists that faith establishes the Law as "Paul turns to the law's account of the patriarch Abraham (4:1–25)." However, 4:1–8 does not seem to support the usefulness of the Law in the patriarch's salvation. Instead the passage points up the fact that just as Abraham and David could not boast in their works for their salvation, so the Jews could not boast in theirs. Romans 4:1–8 relates to Paul's discussion in 3:21–30, and not to his brief question and answer in verse 31.

As Hodge explains, "The next chapter [4:1] is not connected with this verse [3:31] by γάρ, which the sense would demand. . . . 'We establish the law when we teach faith, for Abraham was justified by faith.' The connecting particle is simply οὖν, then, and gives a different sense." Cranfield adds that "the use of the conjunction

20 Moo, The Epistle to the Romans, 255 (italics his).
22 Stephen Westerholm, Israel's Law and the Church's Faith (Grand Rapids: Eerdmans, 1988), 125.
οὖν at the beginning of 4:1 . . . [is] surely not the natural conjunction to use, to introduce the proof of the immediate preceding statement." The purpose of 4:1 "is to raise the question of Abraham as the most obvious possible objection to the statement that glorying has been excluded (3:27)." As Moo explains, "The lack of a γάρ here [in 4:1] distinguishes this context from the typical Pauline sequence in which an objection in the form of a question is met with a curt negative—usually μὴ γένοιτο—a counter assertion, and extended explanation (contra Rhyne, Faith Establishes the Law; pp. 34–61, who argues that 3:31ff fit this pattern)." Recognizing this problem, Rhyne comments in another place that 4:1 should be understood "as not strictly bringing proof but rather clarification of Paul's counter-thesis (3:31c)." However, since Rhyne fails to prove how 4:1–8 clarifies 3:31, his statement hardly resolves the problem.

Oὖν performs many other functions in Greek besides explaining its preceding statement. In 4:1 oὖν (with the rhetorical question "What then shall we say ... Abraham ... has found?") may be resuming a subject after an interruption. Having stated in 3:21–30 that salvation is apart from the Law, Paul answered an objection to that claim by means of a brief question and answer in verse 31. Then in 4:1–10 he resumed the argument he began in 3:21–30. However, Rhyne and others, arguing that Paul used the word "Law" unequivocally in his writings for the whole of the Old Testament, say that the "the law of faith" in 3:27 is the Mosaic Law.

24 Cranfield, A Critical and Exegetical Commentary on the Epistle to the Romans, 1:223.
25 Ibid., 226.
26 Moo, The Epistle to the Romans, 253 n. 40.
27 Rhyne, Faith Establishes the Law, 76.
29 Moo, The Epistle to the Romans, 252.
“On the one hand, the ‘law of works’ is the Old Testament law viewed primarily from the perspective of the works it calls for and thus as an impulse to boasting. On the other hand, the ‘law of faith’ is the same Old Testament law viewed primarily from the perspective of faith to which it bears witness and thus as an inhibition to boasting.”

But in 3:27 “law” in the phrase “law of faith” means a principle. Thus the phrase does not refer to the Old Testament Law viewed from the perspective of faith. As Moo explains, “The emphasis on faith apart from Law in both 3:21–22 and 3:28” makes Rhyne’s unity of the two concepts of faith and the Law unlikely.

Paul’s positive statement about the Mosaic Law in verse 31 does not mean that that Law is applicable to New Covenant believers, for that would contradict Paul’s emphasis on the fact that righteousness cannot come by the Law. Instead in verse 31 Paul’s point is simply that the Mosaic Law had a role and that it was not useless in God’s salvation history.

ROMANS 7:7–12

Romans 6–7 includes four cycles of rhetorical questions and answers, each answer logically leading to another question, in a consecutive manner (6:1–14; 6:15–7:6; 7:7–12; 7:13–25). In 7:5 Paul wrote that the Mosaic Law had raised sinful passions resulting in death. Anticipating that someone might infer from this that the Law was sinful, the apostle wrote, “What shall we say then? Is the Law sin?” (v. 7). Then he expressed his abhorrence for such an inference by the words μη γένοιτο (“May it never be!”). The fact

89; and Daniel P. Fuller, *Gospel and Law: Contrast or Continuum?* (Grand Rapids: Eerdmans, 1980), 77.


35 Ernest De Witt Burton, *Syntax of the Moods and Tenses in the New Testament Greek* (Chicago: University of Chicago Press, 1900; reprint, Grand Rapids: Kregel, 1982), 79. Romans 7:7–12 shows that Paul’s discussion of the Law is not limited to the regulations regarding circumcision and food. These ceremonial matters could not have aroused the sinful passions of the flesh, thus making people “bear fruit for death” (v. 5). Thus Reginald H. Fuller’s view that verses 7–25 discuss “the basic question of the place of the Decalogue in salvation history and its significance for
that the Law had raised sinful passions in humanity does not mean the Law was sinful. On the contrary, Paul explained that the function of the Law was to reveal sin (cf. Gal. 3:19). Hence the Law is not to be blamed for the people’s disobedience. In this sense the Law is holy, righteous, and good, for it made people conscious of their “desperate plight,” their need for salvation. However, since revealing sin is the function of the Law, and through that function it aided sin, that Law cannot enable Christians to bear fruit to God. Thus the church is divorced from it so that Christians can serve God in a new way by the Holy Spirit. Consequently rather than reinstating the Mosaic Law in the church Romans 7:12 only reconfirms the church’s separation from that Law as stated earlier in 7:1–6.

When Paul wrote in verse 12 that the Mosaic Law is “holy and righteous and good,” he did not mean that the Mosaic Law is operative for New Covenant participants in the church age, for he had already written, “We have been released from the Law” (v. 6).

This positive statement about the Law did not reverse Paul’s earlier affirmations that the church is not under the Mosaic Law, that believers are freed from the Law, and that believers are dead to the Law through Christ’s death on the cross (6:1–7:6).

Thus it is wrong to say that these positive statements about the Mosaic Law mean that the Sinaitic Covenant is “the law of Christ” mentioned in Galatians 6:2, and from this to conclude that the Law of Moses continues in the church today as the standard for God’s New Covenant people. These positive statements are not a set of commands calling the church back to obeying the Mosaic Law. In Romans 8:3, which deals with the same subject, Paul wrote that the Law was “weak.” This shows that the Mosaic Law that Paul had termed holy, righteous, and good, was still regarded by him as weak and powerless. Thus the Mosaic moral code is unable to guide current New Covenant participants to please God.39

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Therefore it is wrong to suggest that 7:7–12 is intended to reintroduce the church to that Law, as several scholars suggest.40

1 TIMOTHY 1:8

In 1 Timothy 1:8 Paul wrote, “But we know that the Law is good, if one uses it lawfully.” The word “lawfully” (νομίμως) in classical Greek means to be conformable to custom, usage, or law. The word was also used of funeral rites and legal rites.41 Elsewhere in the New Testament the word occurs only in 2 Timothy 2:5, where νομίμως refers to an athlete competing “according to the rules.” What did Paul mean by his statement that the Mosaic Law is good if used lawfully? Did he mean it has a role in the lives of church-age believers? Believers in Ephesus, where Timothy was ministering, seem to have been battling with a form of Judaism that taught “strange doctrines,” focusing on “myths and endless genealogies” (vv. 3–4), resulting in “fruitless discussion” (v. 6). In his instruction to Timothy, Paul contrasted those who held to such teachings with those who were of “the administration [οίκονομίαν] of God which is by faith” (v. 4). “The goal of our instruction,” he wrote, is “love from a pure heart and a good conscience and a sincere ['unhypocritical,' ανυπόκριτου] faith” (v. 5). Here love is presented in contrast to the Mosaic Law and independent of it.

In verse 8 Paul, continuing his discussion on the problem of the false teachers and the true goal of the Law, affirmed a conditional goodness for the Mosaic Law. He wrote that the Mosaic Law was given (“set in place”) not to benefit the righteous but the lawless (άνόμοις, v. 9). Only in this sense is the Law good. The lawful use of the Mosaic Law in this context then means that the Law was given not for the righteous but for the lawless people.

These lawless persons are further described in 1 Timothy 1:10–11. And in verse 13 Paul included himself among these people before his conversion. By identifying himself with the lawless to whom the Law was given, Paul implied that the Law is not intended for New Covenant participants. Since the Mosaic Law is for only the lawless—to point up their sin in contrast to God’s holy demands—this shows that recipients of the New Covenant’s spiritual blessings are not under the Mosaic Law. Contrary to Bahn-


41 Liddell, Scott, and Jones, Greek-English Lexicon, 1179.
Paul’s affirmation in 1 Timothy 1:8 of the goodness of the Mosaic Law cannot imply that he identified the Mosaic Law as the law of Christ.

**Summary**

The first article in this series argued that the New Covenant law in Jeremiah 31:33 differs significantly from the Mosaic Law because Jeremiah stated explicitly that the New Covenant will not be like the covenant made with Israel at Sinai (v. 32). This dissimilarity expressed with an absolute negation in that text implies a dissimilarity between the laws in these two covenants, since a covenant lies in its stipulations and cannot be divorced from them. The New Covenant and its features are presented as new by Jeremiah and the Torah of New Covenant is seen as proceeding directly from Yahweh at the time of the cutting of the New Covenant (v. 33).

The second article discussed various views on the identity of “the law of Christ” and concluded that it is the same as the New Covenant law. This is because the law of Christ that New Covenant participants are fulfilling, now that they like Paul are no longer under the jurisdiction of the Law of Moses, is associated with the ministry of the outpoured Spirit promised for the New Covenant age. In contrast Paul did not link the Mosaic Law with the ministry of the Spirit. Also grammatically “the law of Christ” can refer only to instructions that have their source in Christ, not the Law of Moses.

This third article shows that when Paul made several positive remarks about the Mosaic Law, he was not saying that that Law is operative for believers today. Church-age believers, as participants in the spiritual blessings of the New Covenant, are under the jurisdiction of Jesus Christ. Then when Christ returns to establish His millennial reign on the earth, the nation Israel will be recipients of the spiritual, national, and agricultural blessings of the New Covenant and will be under the Torah of the Messiah.


43 Wayne G. Strickland gives a helpful refutation of this idea (“Response to Greg Bahnsen,” in *Five Views on Law and Gospel*, 159. He correctly notes that the proper use of the Law is to indict the unrighteous, not to give a code of conduct for New Testament believers. See also Moo, “The Law of Moses or the Law of Christ,” 216.
