

Romans 10:5 and the Covenant of Works?

Introduction

Romans 10:5 (Μωϋσῆς γὰρ γράφει τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου ὅτι ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς) is the proverbial exegetical onion. To peel back a single layer of investigation is to uncover several more layers of equal or greater complexity. Of what righteousness does Moses speak? How does it relate to “the righteousness by faith” (ἡ δὲ ἐκ πίστεως δικαιοσύνη, 10:6)? How precisely does Paul define the term νόμος in this passage? How does Paul’s affirmation at 10:5 relate to his claim that Christ is “the end of the law” (τέλος νόμου, 10:4)

One’s answer to these questions in turn shapes the way one frames and resolves *the* looming question in Pauline study – how does the apostle understand the Mosaic Covenant? How are we to account for the likely contrast Paul erects between his quotation from Leviticus and his quotation from Deuteronomy at 10:5-8? How does Paul’s argument at 10:4-8 give expression to his claim that he does not “abolish the law through faith” (νόμον οὖν καταργοῦμεν διὰ τῆς πίστεως; μὴ γένοιτο· ἀλλὰ νόμον ἰστάνομεν, 3:31)?

How are these questions to be resolved? Many older commentators see Rom 10:5 as a witness to the standard of righteousness set forth in the covenant of works. In this paper, we will consider afresh that Paul’s engagement of the Mosaic law at Rom 10:5 is, in fact, an engagement of the Mosaic law in one very specific but important respect. Paul considers the moral demands of the Mosaic law, in distinction from the gracious covenant in which they were formally promulgated, to set forth the standard of righteousness required by the covenant of works.¹ This is not to say that Paul believed that God placed

¹ This position for which I will be arguing is essentially that argued by Anthony Burgess, “The Law (as to this purpose) may be considered more largely, as that whole doctrine delivered on Mount Sinai, with the preface and promises adjoined, and all things that may be reduced to it; or more strictly, as it is an abstracted rule of righteousness, holding forth life upon no termes, but perfect obedience. Now take it in the former sense, it was a Covenant of grace; take it in the later sense, as abstracted from Moses his administration of it, and so it was not of grace, but workes,” *Vindiciae Legis: Or, A Vindication of the Morall Law and the Covenants, from the Errours of Papists, Arminians, Socinians, and more especially, Antinomians*. In XXX. Lectures, preached at *Laurence-Jury*, London (2d ed.; London, 1647), 235. Anthony Burgess was a member of the Westminster Assembly and served on the committee that drafted WCF 19 (“Of the Law of God”).

Israel under a covenant of works at Mount Sinai. Nor is it to say that the apostle regarded the Mosaic covenant itself to have degenerated, by virtue of Israel's unbelief and rebellion, into a covenant of works. Nor is it to say that Paul understood that God gave the Decalogue specifically or the Mosaic legal code generally as a covenant of works separate from a gracious Mosaic covenantal administration.²

That Paul is here engaging the Mosaic Law as it articulates the standard of righteousness set forth by the covenant of works is a venerable interpretation.³ It is also one enshrined by the proof-texts of the Westminster Standards. The Assembly cited Rom 10:5 as proof for the following confessional declarations: "The first covenant made with man was a covenant of works, *wherein life was promised to Adam; and in him to his posterity...*" (WCF 7.2); "God gave to Adam a law, as a covenant of works, by which He bound him and all his posterity, to personal, entire, exact, and perpetual obedience, promised life upon the fulfilling, and threatened death upon the breach of it, and endued him with power and ability to keep it" (WCF 19.1).⁴ Tellingly, the Assembly does not cite Rom 10:5 as proof for the covenant of works *simpliciter*. Rom 10:5 is proof, rather, for the moral law which lies at the heart of the covenant of works.⁵ The identification in

Consider the similar reflections of Francis Turretin, "The Mosaic Covenant may be viewed in two aspects: either according to the intention and design of God and in order to Christ; or separately and abstracted from him. *In the latter way, it is really distinct from the covenant of grace because it coincides with the covenant of works and in this sense is called the letter that killeth and the ministration of condemnation, when its nature is spoken of* (2 Cor. 3:6, 7). But it is unwarrantably abstracted here [i.e. by those who would make the "Sinaitic legal covenant ... a certain third covenant distinct in species from the covenant of nature and the covenant of grace," p.262] because it must always be considered with the intention of God, which was, not that man might have life from the law or as a sinner might be simply condemned, but that from a sense of his own misery and weakness he might fly for refuge to Christ," *Institutes of Elenctic Theology* (3 vols.; 1679-1685; trans. George M. Giger and James T. Dennison, Jr.; Phillipsburg, N.J.: P&R, 1992-1997), L.12.Q.12.18 (=2.267), emphasis mine.

² That is, in the sense of what has been called a "mixed" covenant. See here the judicious comments of Patrick Fairbairn, *The Revelation of Law in Scripture* (Edinburgh: T&T Clark, 1869), 445-446, quoted *infra*. For options circulating among Reformed theologians and expositors in the seventeenth century regarding the relation of the Mosaic Covenant to the covenant of grace, see Burgess, *Vindiciae Legis*, 233-235; Kevan, *The Grace of Law*, 109-134; and, most recently, Rowland Ward, *God and Adam: Reformed Theology and the Creation Covenant* (Wantirna, Australia: New Melbourne Press, 2003), 126-139.

³ John Brown [Haddington], *An Exposition of the Epistle of Paul the Apostle to the Romans ...* (Edinburgh, 1776), 402-403; Thomas Wilson, *A Commentarie upon the most Divine Epistle of S. Paul to the Romanes...* (London, 1614), 776-785.

⁴ Emphasis mine. Rom 10:5 is given as proof for the portion that I have underscored. See also the citations of Rom 10:5 at WLC 20, 92, 93, and WSC 40.

⁵ This is especially evident from the citation of Rom 10:5 as proof of LC 92, "Q. What did God at first reveal unto man as the rule of his obedience? A. The rule of obedience revealed to Adam in the estate of innocence, and to all mankind in him, besides a special command not to eat of the fruit of the tree of knowledge of good and evil, was the moral law."

view, then, is not between the Mosaic Covenant and the Covenant of Works as covenantal administrations. The identification is twofold. First, the moral law set forth in the covenant of works is substantially identical with the moral law set forth in the Mosaic Covenant. Second, the connection between “obedience” and “life” expressed by the moral law in the covenant of works is an abiding one. The moral law set forth in the Mosaic Covenant continues to express that connection.⁶

If this historical proposal is tenable, then it goes a long distance towards resolving a number of exegetical and theological difficulties that have attended recent study of the apostle Paul. The question before us, then, is this – is this proposal exegetically tenable? In other words, is this what the apostle Paul is arguing at Rom 10:5?

Rom 10:5-8 – Contrast or Continuity?

As recently as 1979, one respected commentator could claim that “a contrast between v.5 and vv. 6-8” could be affirmed “without much fear of contradiction.”⁷ What could be assumed a generation ago must now be vigorously argued. The question concerns the relationship between Rom 10:5 and Rom 10:6-8.

Μωϋσῆς γὰρ γράφει τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου
 ὅτι ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς.
 ἢ δὲ ἐκ πίστεως δικαιοσύνη οὕτως λέγει,
 Μὴ εἴπῃς ἐν τῇ καρδίᾳ σου, Τίς ἀναβήσεται εἰς τὸν οὐρανόν;
 τοῦτ' ἔστιν Χριστὸν καταγαγεῖν·
 ἢ, Τίς καταβήσεται εἰς τὴν ἄβυσσον;
 τοῦτ' ἔστιν Χριστὸν ἐκ νεκρῶν ἀναγαγεῖν.
 ἀλλὰ τί λέγει; Ἐγγύς σου τὸ ῥῆμά ἐστιν
 ἐν τῷ στόματί σου καὶ ἐν τῇ καρδίᾳ σου,
 τοῦτ' ἔστιν τὸ ῥῆμα τῆς πίστεως ὃ κηρύσσομεν.

What is the force of the particle δέ (10:6)? Is this particle adversative (“but”) as many commentators have maintained?⁸ Or is this particle connective (“and”) as many

⁶ Having spoken of the law given as a covenant of works (19.1), the Westminster Divines proceed to say “*This law*, after [Adam’s] fall, continued to be a perfect rule of righteousness; and, as such, was delivered by God upon Mount Sinai, in ten commandments, and written in two tables: the four first commandments containing our duty towards God; and the other six, our duty to man” (19.2, emphasis mine).

⁷ C. E. B. Cranfield, *A Critical and Exegetical Commentary on the Epistle to the Romans* (ICC; 2 vols.; Edinburgh: T&T Clark, 1979), 2:520.

⁸ C. H. Dodd, *Romans*, 165; Käsemann, *Romans*, 286-287; Getty, “An Apocalyptic Perspective,” 115; Dunn, “Righteousness,” 222; Werner Führer, “‘Herr ist Jesus,’ Die Rezeption der urchristlichen Kyrios-Akklamation durch Paulus, Römer 10,9,” *KD* 33 (1987): 137-149; E. Elizabeth Johnson, *The Function of Apocalyptic and Wisdom Traditions in Romans 9-11* (SBLDS 109; Chico, Calif.: Scholars Press, 1989), 157; Beker, “Echoes and Intertextuality: On the Role of Scripture in Paul’s Theology,” *Paul and the*

recent commentators have argued?⁹ One's conclusion to this question has significant and determining implications for how they will relate the two "righteousnesses" in view (τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου, 10:5; ἡ δὲ ἐκ πίστεως δικαιοσύνη, 10:6). If the complementary position is correct, then the two "righteousnesses" are in turn complementary.¹⁰ If the antithetical position is correct, then the two "righteousnesses" are antithetical.

There is compelling evidence that the particle δὲ is adversative.¹¹ Paul is setting in juxtaposition two concepts that elsewhere in his correspondence are antithetical. First, there is a "close parallel" between Phil 3:9 and Rom 10:5.¹² Both passages speak of a righteousness which is "from the law" (ἐμὴν δικαιοσύνην τὴν ἐκ νόμου, Phil 3:9; τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου, Rom 10:5), and a righteousness which is "by faith" (τὴν ἐκ θεοῦ δικαιοσύνην ἐπὶ τῇ πίστει, Phil 3:9; ἡ δὲ ἐκ πίστεως δικαιοσύνη, Rom 10:6). In Phil 3:9, the two righteousnesses are set in indisputable contrast (ἀλλὰ). This lends considerable weight to the thesis that the particle δὲ is, in the context of Rom 10:4-6, adversative.¹³

Second, and contextually closer to his statement at 10:5, Paul also contrasts two righteousnesses at Rom 10:3. These righteousnesses are surely parallel with and defining of the righteousnesses of 10:5-8 (and in turn parallel with and defining of the righteousnesses of 9:30-32).¹⁴ In what relation do these two righteousnesses stand to each

Scriptures of Israel (ed. Craig A. Evans and James A. Sanders; JSNTSup 83; Sheffield: Sheffield Academic Press, 1993), 64-69; Steven Richard Bechtler, "Christ, The Τέλος of the Law: The Goal of Romans 10:4," *CBQ* 56 (1994), 304; Arthur Dewey, "A Re-Hearing of Romans 10:1-15," *Semeia* 70 (1997): 109; Aletti, *Israël et la Loi dans la Lettre aux Romains* (LD 173; Paris: Cerf, 1998), 223.

⁹ For examples of "complementary" readings, see those discussed at T. Schreiner, "Paul's View of the Law in Romans 10:4-5," *WTJ* 55 (1993): 126n.52. Adherents include George Howard, "Christ the End of the Law;" Cranfield, *Romans*; Rhyne, *Faith Establishes the Law*, 106; Hays, *Echoes of Scripture*, 76; Gignac, "Citation de Lévitique 18,5 en Romains 10,5 et Galates 3,12: Deux Lectures Différentes des Rapports Christ-Torah?," *EgT* 25 (1994): 367-403; Wagner, *Heralds of the Good News*, 159-161, cf. "'Who Has Believed Our Message?,'" 196-198; and N.T. Wright, *Romans*, 660.

¹⁰ "[Deuteronomy 30:6-8] offers ... a fresh explanation, granted exile and return, for what 'do the law and live' might actually mean." N. T. Wright, *Romans*, 660.

¹¹ Although we will not pursue this line of reasoning here, see Westerholm's *reductio ad absurdum* of the complementary position, *Perspectives Old and New on Paul: The "Lutheran" Paul and His Critics* (Grand Rapids: Eerdmans, 2004), 327-328.

¹² Schreiner, *Romans*, 553.

¹³ Pace Daniel P. Fuller, *Gospel & Law: Contrast or Continuum? The Hermeneutics of Dispensationalism and Covenant Theology* (Grand Rapids: Eerdmans, 1980), 66.

¹⁴ "Mit der 'Gerechtigkeit aus dem Gesetz' in 10.5 kann Paulus kaum etwas anderes meinen als die 'eigene Gerechtigkeit' in 10.3 und den Versuch aufgrund von Werken nach dem 'Gesetz der Gerechtigkeit' zu

other? At 10:3, there is the righteousness to which unbelieving Israel has not submitted: “the righteousness of God” (θεοῦ δικαιοσύνην, cf. τῆ δικαιοσύνη τοῦ θεοῦ, 10:3). There is also the righteousness for which they strive (τὴν ἰδίαν [δικαιοσύνην] ζητοῦντες στήσαι, 10:3). Paul sets these these righteousnesses in contrast with respect to possession or origin. The righteousness for which Israel strives is their own (τὴν ἰδίαν). The righteousness they lack comes from God (τοῦ θεοῦ). That the righteousnesses of Rom 10:3 are thus set in contrast suggests therefore that the righteousness of 10:5-6 are similarly set in contrast.

A third reason that the particle δὲ at Rom 10:6 is adversative pertains to Paul’s definitions of these righteousnesses at 10:5-6. The hallmark of “the righteousness which is of the law” at 10:5 is that “the one who does these things will live by them” (ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς). In other words, inextricably tied to this “law righteousness” is human performance or activity as its basis or ground.¹⁵ The “righteousness by faith” (10:6) is a righteousness that is exclusive of human endeavor and is received through faith.

This reading is confirmed when we observe that Paul elsewhere in his discussions of “righteousness” juxtaposes performance and faith antithetically. At Rom 4:4-5, Paul contrasts “working” (μὴ ἐργαζομένω, 4:5) and “believing” (πιστεύοντι, 4:5) with respect to the righteousness of justification (εἰς δικαιοσύνην, 4:5, cf. 4:6, καθάπερ καὶ Δαυὶδ λέγει τὸν μακαρισμὸν τοῦ ἀνθρώπου ᾧ ὁ θεὸς λογίζεται δικαιοσύνην χωρὶς ἔργων). Paul similarly contrasts the language of faith and striving at 9:30-31. Paul speaks of Gentiles who have attained “righteousness” (δικαιοσύνην, 9:30) – not by striving (μὴ διώκοντα, 9:30), but through faith (ἐκ πίστεως, 9:30). By way of contrast, Israel precisely through striving (Ἰσραὴλ δὲ διώκων, 9:31) has failed to attain unto the “law [of righteousness]” (εἰς νόμον, 9:31). Whatever one concludes concerning the precise identity of the word νόμος in 9:31, the contrast between the “righteousness” (δικαιοσύνη) connected with striving (διώκοντα, διώκων) and the “righteousness” (δικαιοσύνη)

trachten in 9.31-2. Die in 9.31 als fascher Weg abgewiesene Werke korrespondieren mit dem in 10.5 genannten ‘Tun,’” Vos, “Die Hermeneutische Antinomie bei Paulus,” 259.

¹⁵ Brendan Byrne, *Romans* (SP 6; Collegeville, Minn.: Liturgical Press, 1996), 317.

connected with faith (ἐκ πίστεως) is indisputable.¹⁶ Paul’s conclusion in 9:32 (ὅτι οὐκ ἐκ πίστεως ἀλλ’ ὡς ἐξ ἔργων), citing the familiar contrast “faith/works,” simply cements the contrast he has been drawing in this argument and throughout the epistle.

A fourth reason why the particle δὲ is adversative has to do with the passage that Paul adduces to demonstrate “law righteousness.” Paul cites Lev 18:5 at Rom 10:5.¹⁷ He has earlier cited Lev 18:5 at Gal 3:10-13, and does so to support a contrast between the law (νόμος) and faith (ἐκ πίστεως) in a passage that, similarly to Rom 10:4-6, “treat[s the question] whether righteousness is available by the law.”¹⁸ To those who object that Paul could not set two passages of Scripture in contrast, Gal 3:12 offers compelling precedent.¹⁹

Scripture –vs– Scripture?

If Paul intends a contrast between the two righteousnesses of Rom 10:5 and Rom 10:6, the question arises whether Paul is pitting one passage of Scripture against another. Daniel Fuller asserts that to maintain an adversative relationship between Rom 10:5 and 10:6-8 necessitates “either (1) conced[ing] that the Pentateuch can state such opposites, or (2) that Paul, while holding to the intended meaning of Leviticus 18:5 in Romans 10:5, nevertheless ignored the intended meaning of Deuteronomy 30:11-14 ...”²⁰ Philip Vielhauer, however, not only maintains a contrast, but articulates it in the strongest of terms, “Paul here places two passages of Scripture against one another and pits the

¹⁶ In this vein, compare Dunn’s observation that “when Paul sets righteousness ἐκ πίστεως alongside ἐκ something else, with δὲ as the linking word, he obviously intends his reader to understand a contrast between the two phrases (4:16; 9:30, 32; as well as Gal 2:16 and 3:21-22), *Romans*, 602.

For discussions of the meaning of the phrase νόμον δικαιοσύνης, see Moo, *Romans*, 622-627; Schreiner, *Romans*, 536-538.

¹⁷ Few dispute that Paul intends to quote Lev 18:5 at Rom 10:5. Paul’s use of the phrase Μωϋσῆς γὰρ γράφει signals a citation from Scripture, and the phrase in question (ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς) substantially corresponds to the text of LXX Lev 18:5b (ποιήσετε αὐτὰ ἅ ποιήσας ἄνθρωπος ζήσεται ἐν αὐτοῖς ἐγὼ κύριος ὁ θεὸς ὑμῶν) [On the variations between Paul’s text and the text of LXX Lev 18:5 see Wilckens, *Der Brief an die Römer* (EKKNT 6/2; Zurich: Benziger / Neukirchen-Vluyn: Neukirchener, 1980), 224n.1003]. Further, Dunn notes that Lev 18:5 “was a text he had already used in Gal 3:12,” “‘Righteousness from the Law’ and ‘Righteousness from Faith’: Paul’s Interpretation of Scripture in Romans 10:1-10,” in *Tradition and Interpretation in the New Testament* (ed. Gerald Hawthorne and Otto Betz; Grand Rapids: Eerdmans, 1987), 217.

¹⁸ Schreiner, *Romans*, 554. See also Schmithals, *Der Römerbrief*, 372.

¹⁹ Dunn, *Romans*, 602. See further at Schreiner, “Paul’s View of the Law,” 132. It is in this regard surprising to see Wright assert “It would be out of character for Paul to set up one passage of Scripture against another,” *Romans*, 659.

²⁰ Fuller, *Gospel and Law*, 67.

second against the first.²¹ Is it true that Paul is playing one Scripture passage against the other, as Vielhauer asserts?²²

Some respond to this question by affirming that Paul does not set one Scripture in contrast with another.²³ One proposed explanation is that Paul is said to set Leviticus against his imaginative reworking of Deut 30:6-8.²⁴ In other words, we have at Rom 10:6-8 not the text of Scripture but “an allusion” or “a constructed rhetorical figure.”²⁵ Paul is sometimes understood to be “distinguish(ing) between the use of authoritative scriptural texts, and the use of scriptural texts in formulating thoughts of [his] own.”²⁶ Fitzmyer sees Paul “not interpreting the OT in the strict sense,” but “borrow[ing] phrases from Deuteronomy and appl[ying] them to Christ.”²⁷ Although this position resolves the question by declaring its nonexistence, Paul does intend to quote Deut 30:12-14 as

²¹“Hier stellt Paulus zwei Schriftworte einander entgegen ... und spielt das zweite gegen das erste aus...,” “Paulus und das Alte Testament” in *Oikodome: Aufsätze zum Neuen Testament* (Vol. 2; ThB 65; Munich: Kaiser, 1979), 214, quoted at J. S. Vos, “Die Hermeneutische Antinomie Bei Paulus (Galater 3.11-12; Römer 10.5-10)” *NTS* 38 (1992): 254.

²² Similarly Byrne responds to the charge that Paul here “appears to pit scripture against itself in a way that has no foundation in the original” by affirming that “Paul is not so much ‘proving’ anything from scripture as ‘finding’ validation in scripture for the superiority of the new dispensation God has brought about through Jesus Christ,” *Romans*, 318.

²³ What follows is condensed and adapted from my “‘Rejoice, O Nations, With His People: Deuteronomy 27-32 in the Epistles of Paul,’” (Ph.D. diss., Duke University, 2002), pp. 213-218. See also Guy Prentiss Waters, *The End of Deuteronomy in the Epistles of Paul* (WUNT II.221; Tübingen: Mohr Siebeck, 2006), 163-166.

²⁴ Dunn offers Sandlay-Headlam, Zahn, Denney, and Barrett, in a partial listing of scholars who do not see Paul engaging the text of Deut 30:12-14 as Scripture at Rom 10:6-8, *Romans 9-16* (WBC 38B; Waco: Word Publishing, 1988), 603, to which list Eckstein adds P. Billerbeck, “‘Nahe ist dir das Wort’: Exegetische Erwägungen zu Röm 10.8,” *ZNW* 79 (1988): 211. For a more extensive listing of exegetes who accept this text as “a rhetorically construed paraphrase of the OT text,” see Ernst Käsemann, *Commentary on Romans* (Grand Rapids: Eerdmans, 1980), 284; R. Badenas, *Christ the End of the Law* (JSNTSup 10; Sheffield: JSOT Press, 1985), 125-126. For a comparable survey of opinion among critics active prior to 1900, see H. A. W. Meyer, *A Critical and Exegetical Handbook to the Epistle to the Romans* (New York: Funk & Wagnalls, 1884), 406.

For scholars who see Paul driven to engage Deut 30:6-8 as he has done by “Jewish polemic,” see Eckstein, “Nahe ist dir das Wort,” 210.

²⁵ “eine Anspielung,” “eine ... gebildete rhetorische Figure,” Ulrich Luz, *Das Geschichtsverständnis des Paulus* (BEVT 49; Munich: Chr. Kaiser Verlag, 1968), 91. Luz is describing the viewpoint of a number of scholars, but not necessarily his own viewpoint.

²⁶Johannes Munck, *Christ & Israel: An Interpretation of Romans 9-11* (Philadelphia: Fortress Press, 1967), 41. Seventeenth century commentators were well aware of the complexities of this question and offered a substantial, nuanced discussion of it. See especially Andrew Willet, *Hexapla: That Is, A Six-folde Commentarie upon the most Divine Epistle of the holy Apostle S. Paul to the Romanes...* (2 vols.; London, 1620), 1.458-459; and Matthew Poole, *Synopsis Criticorum Aliorumque S. Scripturae Interpretum* (5 vols.; London, 1676), 4.226-227.

²⁷ Joseph A. Fitzmyer, *Romans: A New Translation With Introduction and Commentary* (AB 33; New York: Doubleday, 1992), 588.

Scripture at Rom 10:6-8.²⁸ Paul introduces Rom 10:6 with a statement “appropriate to an introduction to a quotation.”²⁹ The parallel between Rom 10:5 and 10:6, on the one hand, and Gal 3:11 and 3:12, on the other, further compels the reader to the conclusion that Paul is deliberately engaging Deut 30:12-14 *as Scripture*.³⁰

Käsemann has argued that Paul accepts both Lev 18:5 and Deut 30:12-14 as part of the Scripture, and sets them in contrast. He maintains, however, that Paul has “appl[ied] to Scripture too the distinguishing of spirits demanded of the prophets in 1 Cor 12:10; 14:29ff.” He does so on the basis of the criterion of “justification,” namely, “the contrast between the old and new aeons under the banner of the law on the one side and of the promise and the gospel on the other.”³¹ Paul has, in other words, mounted a stringent critique of Lev 18:5. J. G. Vos has rightly observed, however, that Käsemann has misconstrued the spiritual discernment of the prophets. This discernment was not intended to establish a “canon within the canon,” to establish or manifest degrees of authority within the Old Testament Scripture. It was, rather, to discern “whether a prophetic expression actually originated from God (cf. 1 John 4:1).”³² One might further observe the incongruity of Paul – having earlier declared his purpose to not to “destroy the law through faith” but to “establish the law” (3:31) – proceeding to critique the law by means of the doctrine of justification by faith alone.

The “Righteousness which is of the law”

If, then, Paul is quoting from Leviticus and from Deuteronomy as Scripture, and if these passages are set in antithesis, then what is the import of this antithesis? Precisely what is Paul contrasting against “the righteousness by faith”? To answer this question, we will need to determine what Paul means by “the righteousness which is of the law” (τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου, 10:5).

Boundary Markers?

²⁸ See Waters, “Rejoice, O Nations,” 215-218. See also Dunn, “Righteousness from the Law,” 217-218; Schreiner, *Romans*, 556; Wright, *Romans*, 658-660.

²⁹ Waters, “Rejoice, O Nations,” 215.

³⁰ Waters, “Rejoice, O Nations,” 215-216.

³¹ Käsemann, *Commentary on Romans* (trans. Geoffrey Bromiley; 4th Gm. Ed.; Grand Rapids: Eerdmans, 1980), 286.

³² “Ob eine prophetische Äußerung tatsächlich von Gott stammt (vgl. 1 Joh 4.1),” Vos, “Die Hermeneutische Antinomie,” 270.

Many recent interpreters have concluded that the “law righteousness” of which Paul speaks has fundamentally to do with Israel’s zeal and privilege concerning her status as the covenant people of God.³³ Dunn, whom we observed has argued that Paul maintains a contrast between the “law righteousness” of 10:5 and the “righteousness by faith” of 10:6, has argued that Paul’s objection to “law righteousness” does not consist in performance *per se*.

“Righteousness out of the law” then is righteousness understood as sustained and dependent upon acts of lawkeeping, righteousness understood as marking out a relationship with God peculiar to the people of the law and documented and validated by their faithfulness to those ancestral customs in particular which gave them their distinctiveness among the nations.³⁴

In other words, Paul is “*not* ... condemning all ‘doing’ or ‘good works’ in general, but as characterizing that Jewish covenant zeal which restricted God’s righteousness to ethnic Israel, to those who by doing what the law commanded lived within the law and identified themselves as God’s people.”³⁵ Israel’s fault is that she has “confused” what Dunn terms “a secondary righteousness” (that of 10:5) with the “primary righteousness” (that of 10:6), of which the secondary righteousness is its “fruit.” She has expressed this confusion by pressing this secondary righteousness upon “Gentile believers as much as the primary righteousness.”³⁶

If Dunn is correct, then Paul’s critique of unbelieving Israel is fundamentally sociological and not fundamentally soteriological. Two considerations, however, militate against Dunn’s proposal. First, Paul here defines “law righteousness” primarily in terms of activity and not status or identity: “the one who does these things” (ὁ ποιήσας αὐτὰ, 10:5). Paul’s concern is “doing.” It is *activity* that constitutes the essence of the “law righteousness” of which Paul speaks.³⁷

Second, the text form in which Paul presents Lev 18:5 highlights precisely this concern to underscore activity.

LXX Lev 18:5 καὶ φυλάξεσθε πάντα τὰ προστάγματά μου

³³ One of the earlier of modern proponents of this view in connection with Rom 10:4-8 is George Howard, “Christ and The End of the Law.”

³⁴ Dunn, *Romans*, 2.612. For Dunn’s more comprehensive treatment of this subject see his *The Theology of Paul the Apostle* (Grand Rapids: Eerdmans, 1998), 354-366.

³⁵ Dunn, “‘Righteousness from the Law,’” 223. Compare here the similar claim of Ragnar Bring, “Paul and the Old Testament A Study of the Ideas of Election, Faith, and Law in Paul, with Special Reference to Romans 9:30-10:13.” *ST* 25 (1971): 44.

³⁶ Dunn, *Theology of Paul the Apostle*, 516.

³⁷ H. A. W. Meyer, *The Epistle of Paul to the Romans*, 406.

καὶ πάντα τὰ κρίματά μου
καὶ ποιήσετε αὐτὰ ἃ ποιήσας ἄνθρωπος ζήσεται ἐν αὐτοῖς
ἐγὼ κύριος ὁ θεὸς ὑμῶν

Rom 10:5 ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς.

Leaving aside the thorny text-critical questions attending the text of Rom 10:5,³⁸ we may note that Paul's citation of Lev 18:5 omits the phrase "all of my decrees and all of my commands" (πάντα τὰ προστάγματά μου καὶ πάντα τὰ κρίματά μου). Far from attempting to minimize or even to eliminate from consideration "all the decrees and commands" of God by excising this phrase, Paul encapsulates "all the decrees and commands" of God by a single word (αὐτὰ). In doing so, he assumes his readership's competency to discern the connection.³⁹

When Paul encompasses Moses' phrase "all of my decrees and all of my commands" (πάντα τὰ προστάγματά μου καὶ πάντα τὰ κρίματά μου) in a single word (αὐτὰ), he is stressing a vital point. The righteousness which is of the law (τὴν δικαιοσύνην τὴν ἐκ τοῦ νόμου) is a righteousness which is based upon and demands perfect and entire obedience to all the commands of God's law.⁴⁰ It is the meeting of *this* standard that is requisite for entrance into "life." We have, then, an important affirmation parallel to Paul's claim at Gal 3:10 that failure to perform flawless obedience to the law results in coming under the law's curse ("for as many as are of the works of the law are under a curse, for it is written, "Cursed is every one who does not abide in everything which has been written in the book of the law, to do them."⁴¹

³⁸ On which see Cranfield, *Commentary on Romans*, 520-521, and Schreiner, *Romans*, 562-563.

³⁹ Heil, "Christ, the Termination of the Law," 491. So also H. A. W. Meyer, *Epistle of Paul to the Romans*, 406.

⁴⁰ "Paulus ändert kontextbedingt den Plural der Gebote in den Singular der Gesetzesgerechtigkeit," Wilckens, *Der Brief an die Römer*, 2.224n.1003.

⁴¹ For a survey of discussion of this verse in the contemporary literature, see Stanley, "'Under a Curse': A Fresh Reading of Galatians 3.10-14." *NTS* 36 (1990): 481-486; James M. Scott, "For as Many as are of Works of the Law are under a Curse, (Galatians 3.10)," in *Paul and the Scriptures of Israel* (ed. Craig A. Evans and James A. Sanders; JSNTSup 83/ SSEC 1; Sheffield: JSOT Press, 1993) 188-194; and Norman Bonneau, "The Logic of Paul's Argument on the Curse of the Law in Galatians 3:10-14," *NovT* 39 (1997): 60-62.

For defenses of the position that Paul at Gal 3:10 understands the law to require perfect obedience, see T. Schreiner, "Is Perfect Obedience to the Law Possible? A Re-examination of Galatians 3:10," *JETS* 27 (1984): 151-160; *idem.*, "Paul and Perfect Obedience to the Law: An Evaluation of the View of E.P. Sanders," *WTJ* 47 (1985): 245-278; R. Gundry, "Grace, Works, and Staying Saved in Paul," *Bib* 66 (1985): 1-38; and most recently, Bryan D. Estelle, "The Covenant of Works in Moses and Paul" in *Covenant*,

The Righteousness ἐκ τοῦ νόμου

We have argued that Paul's citation form of Lev 18:5 focuses upon the doing of the commandments of the Mosaic law. This means that Paul understands "the righteousness which is of the law" (τὴν δικαιοσύνην τὴν ἐκ [τοῦ] νόμου, 10:5) to consist of perfect and flawless obedience to the demands of the law.

In the phrase "the righteousness which is of the law," does Paul in fact mean by the word "law" (νόμος) "commandments" or "precepts" specifically? Cranfield claims that by the word νόμος Paul generally means "the Old Testament Law (without distinguishing between the legal parts and the rest of the Pentateuch)."⁴² Such a position gains plausibility, for instance, from Paul's argument at 4:1-25, where Paul's defense of the law (3:31) is taken from the Abrahamic narrative of Genesis. It also rightly recognizes Paul's sensitivity to the narrative context within which his Pentateuch citations fall.⁴³

Nevertheless, as Westerholm correctly observes, Cranfield's definition inadequately captures what Paul means by the term νόμος at a number of points in his epistles. Westerholm concludes that "the 'law' in Paul's writings frequently (indeed, most frequently) refers to the sum of specific divine requirements given to Israel through Moses." It is, in other words, "the Sinaitic legislation ... accompanied by sanctions."⁴⁴

It is, of course, not a general definition but the immediate context that provides us with Paul's meaning of νόμος at Rom 10:5. Paul's insistence that "law righteousness" is attained by performance (ὁ ποιήσας), and that the standard for entrance into life⁴⁵

Justification, and Pastoral Ministry: Essays By The Faculty of Westminster Seminary California (Phillipsburg, N. J.: P&R, 2006), 124-133.

⁴² Cranfield, "St. Paul and the Law," *Scottish Journal of Theology* 17 (1964): 44, cited at Westerholm, *Israel's Law*, 108.

⁴³ For general "narrative" approaches to Pauline engagement of Old Testament Scripture generally, and of the Pentateuch specifically, see Richard B. Hays, *Echoes of Scripture*; Carol Stockhausen, *Moses' Veil and the Glory of the New Covenant: The Exegetical Substructure of II Cor. 3,1-4,6* (AnBib 116; Rome: Pontifical Biblical Institute, 1989); N. T. Wright, *The Climax of the Covenant*; James M. Scott, *Adoption as Sons of God: An Exegetical Investigation into the Background of ΥΙΟΘΕΣΙΑ in the Pauline Corpus* (WUNT 2/48; Tübingen: Mohr-Siebeck, 1992); Carol Stockhausen, "2 Corinthians 3 and the Principles of Pauline Exegesis," in Evans and Sanders, *Paul and the Scriptures of Israel*, 143-164; and James A. Sanders, "Paul and Theological History," 52-57.

⁴⁴ Westerholm, *Israel's Law*, 108, 109.

⁴⁵ As we shall argue *infra*, the "life" in view in Paul's argument is not mere temporal life, but eternal life. See Poole, *Synopsis Criticorum*, 226; Willet, *Epistle to the Romanes*, 438; *Annotations Upon All the Books of the Old and New Testament...* [=Westminster Annotations] (3d ed.; London, 1657), ad loc.; Edward

(ζήσεται) is continued, perfect obedience (αὐτὰ, cf. LXX Lev 18:5) certainly *could* accommodate Westerholm's definition.

Nevertheless, an objection surfaces at this very point. Does Paul understand Moses to teach that one ought to earn eternal life through obedience to the demands of the law? Does this mean that the Sinaitic administration required perfect obedience of the individual in order to attain to life? This question is heightened when we consider Lev 18:5 in its context. John Murray observes that "Lev. 18:5 is in a context in which the claims of God upon his redeemed and covenant people are being asserted and urged upon Israel ... [It] refers not to the life accruing from doing in a legalistic framework but to the blessing attendant upon obedience in a redemptive and covenant relationship to God."⁴⁶ If the Scripture teaches that the Mosaic administration is an administration of the covenant of grace, as the Westminster Divines affirm (WCF 7.5), then how could Paul have interpreted Lev 18:5 as he has? How could he have taken a passage which, in context, appears to refer to the sanctificational works of a redeemed persons within the covenant community, and apply this text to individuals seeking the righteousness of justification on the basis of their performance?

One way of alleviating this difficulty is to argue that the one who performs in Rom 10:5 is not the sinner seeking justification, but Jesus Christ performing obedience to the law and thereby earning life for his people. This passage is said to teach the "achievement of the one Man who has done the righteousness which is of the law in His life and, above all, in His death, in the sense of fulfilling the law's requirements perfectly and so earning as His right a righteous status before God."⁴⁷ In this sense, one could argue that Lev 18:5 points to Jesus Christ typologically. It is, as Cranfield maintains, an illustration of what it means that Christ is the goal of the law (τέλος νόμου, 10:4).⁴⁸

While one may dispute what it is that Cranfield maintains Christ to obtain in consequence of his obedience and death (mere "status"), it is unquestionably true that, for

Leigh, *Annotations Upon All the New Testament Philologicall and Theologicall* (London, 1650), 221; Thomas Wilson, *An Exposition Upon the Epistle to the Romanes*, 782.

⁴⁶ John Murray, *The Epistle to the Romans* (2 vols.; NICNT; Grand Rapids: Eerdmans, 1959, 1965), 2.249. Compare the similar observations of Patrick Fairbairn, *The Revelation of Law in Scripture* (Edinburgh: T&T Clark, 1869), 444.

⁴⁷ C. E. B. Cranfield, *Romans*, 521. Cranfield cites Barth, *Church Dogmatics* II/2 in support of this claim, 521n.4.

⁴⁸ C. E. B. Cranfield, *Romans*, 522.

Paul, Christ by his obedience and death has accomplished the sole basis for the sinner's justification (Rom 5:12-21).⁴⁹ Cranfield's point, in modified form, stands theologically. Nevertheless, it is not at all clear that Paul is advancing this point exegetically at Rom 10:5. There is no contextual reason requiring Christ to be the implied subject of Rom 10:5b (ὁ ποιήσας αὐτὰ). Furthermore, such a reading of Lev 18:5 would unexpectedly differ from Paul's reading of the same verse at Gal 3:12 – a quotation, we may recall, that surfaces in a context similar to that of Rom 10:5-8.⁵⁰

We may return to our question – has Paul misquoted Lev 18:5 at Rom 10:5? We answer decidedly in the negative. First, Paul's interest in Lev 18:5 concerns precepts or commandments. By the quoted word αὐτὰ, we have argued, Paul summons to the reader's mind "all [God's] decrees and commands" (πάντα τὰ προστάγματα μου καὶ πάντα τὰ κρίματα μου). Which precepts does Paul have in mind? We have seen Westerholm argue that Paul most frequently means by the word νόμος "the Sinaitic precepts." We may, however, press Westerholm's definition of the word νόμος as "Sinaitic precepts accompanied by sanctions." Paul, to be sure, will never separate Mosaic commandments from the Mosaic covenant, but he will distinguish or abstract them.⁵¹ At Rom 10:5, Paul patently concerns himself with the commandments found within the Mosaic law. His immediate concern is not the Mosaic covenant *per se*.

While Paul concerns himself with the commandments found within the Mosaic law, he does not concern himself with commandments that are found *only* within the Mosaic law. This is evident from a few considerations. First, Paul's argument in 10:4-13 is universal in scope. Paul affirms at 10:4 that Christ is the "end of the law to everyone who believes" (τέλος νόμου ... εἰς δικαιοσύνην παντὶ τῷ πιστεύοντι [emphasis mine]). The righteousness of justification is not restricted to Jews only. It belongs to "everyone who believes." This point is reinforced by Paul's repeated emphasis in Rom 10:6ff. upon the universality of preaching and reception of the "righteousness by faith." In other

⁴⁹ Moo, *Romans*, 646-647. For Rom 5:12-20 as defending the active and passive obedience of Christ as *the* righteousness imputed to the believer in justification, see Estelle, "Covenant of Works in Moses and Paul," 117-124; David Van Drunen, "To Obey Is Better Than Sacrifice: A Defense of the Active Obedience of Christ in the Light of Recent Criticism," in Gary L. W. Johnson and Guy Prentiss Waters, eds., *By Faith Alone: Answering the Challenges to the Doctrine of Justification* (Wheaton, Ill.: Crossway, 2007), 142-145; John Piper, *Counted Righteous in Christ* (Wheaton, Ill.: Crossway, 2002), 90-114 ; and our discussion *infra*.

⁵⁰ Moo, *Romans*, 647.

⁵¹ It is at this point that Westerholm and I find ourselves in disagreement.

words, the gospel is proclaimed to all kinds of people, whether Jew or Gentile. The “righteousness by faith,” as Paul stresses, is held out to all who are within the hearing of the preached word (10:8). Paul’s addition of the word Πᾶς to his quotation of Isa 28:16 at Rom 10:11, and to his quotation of Joel 2:32 at Rom 10:13 (Πᾶς γὰρ ὅς ἂν ἐπικαλέσῃται τὸ ὄνομα κυρίου σωθήσεται) stresses the universality of those to whom “righteousness by faith” is proclaimed and of those who receive it. Finally, Paul explicitly stresses at 10:12 the universality of the gospel (οὐ γὰρ ἐστὶν διαστολή Ἰουδαίου τε καὶ Ἑλληνοῦ, cp. κύριος πάντων, πλουτῶν εἰς πάντας τοὺς ἐπικαλουμένους αὐτόν).

Second, if the solution is universal, it stands to reason that what has occasioned that solution (the “problem”) is universal is well.⁵² Why proclaim the “righteousness by faith” to individuals who stand in no need of it?⁵³ This lends an *a priori* presumption to a universal audience at 10:5. Is this so? Paul, as we have observed, does not explicitly identify the subject who “does these things” at 10:5. If context is to be our guide, however, then the subject must be as extensively defined as the persons with whom Paul is interested in 10:6-13, namely “Jew[s] and Gentile[s] without distinction” (10:12). The problem that Paul identifies, then, is one to which Moses gives expression (Μωϋσῆς γὰρ γράφει, 10:5) but is not one that Paul limits or restricts to the Jews, the recipients of the Torah.

Gentiles and the law?

⁵² Universal, however, in a different respect. The problem of sin is numerically universal. Each ordinary son and daughter of Adam bears the guilt and pollution of sin. The solution of salvation, however, is generically universal. It is possessed by all kinds of people, but not all persons individually.

⁵³ In other words, Paul’s claims evidence that he not only argues, but also reasons at Rom 10:4ff. from “plight” to “solution.” Some scholars have argued that Paul reasons from “solution” to “plight,” although he argues from “plight” to “solution,” E. P. Sanders, *Paul and Palestinian Judaism*, 552; *Paul, the Law, and the Jewish People*, 70ff. For a review and critique of this thesis see Robert H. Gundry, “Grace, Works, and Staying Saved in Paul,” *Biblica* 66 (1985): 1-38; Frank Thielman, *From Plight to Solution: A Jewish Framework to Understanding Paul’s View of the Law in Galatians and Romans* (NovTSup 61; Leiden: Brill, 1989); Guy Prentiss Waters, *Justification and the New Perspectives on Paul* (Phillipsburg, N.J.: P&R, 2004), 64-72.

N.T. Wright has retained the “plight” to “solution” framework but has argued that it does not concern fundamentally soteriological issues. For a response to this (chiefly) non-soteriological construction of the plight-solution framework in the Pauline correspondence, see my *Justification and the New Perspectives on Paul*, 151-190.

Paul, however, has affirmed that it is to the “law” (νόμου) that the problem of Jews and Gentiles has reference. What does he mean when he says this? To answer this question, we must rehearse Paul’s claims in the opening three chapters of Romans.⁵⁴

That Paul understood the human problem of sin to be universal requires little argument. Paul labors to show in Rom 1:18-3:20 that Jews *and* Gentiles alike are “all under sin” (πάντας ὑφ’ ἁμαρτίαν, 3:9). Paul is also careful to state the grounds of human culpability for Jews and Gentiles, respectively. On the one hand, Paul can affirm that “as many as have sinned apart from the law shall also perish apart from the law, and as many as have sinned by the law shall be judged through the law” (ὅσοι γὰρ ἀνόμως ἥμαρτον, ἀνόμως καὶ ἀπολοῦνται, καὶ ὅσοι ἐν νόμῳ ἥμαρτον, διὰ νόμου κριθήσονται, 2:12). By the word νόμος, Paul at Rom 2:12 certainly means the “written law,” the law codified, written, and given through the hand of Moses on Mt. Sinai.⁵⁵ The Jews’ moral culpability is assessed against the standard of the Mosaic law. The Gentiles, who lack that particular standard, are also morally culpable. But culpability, Paul argues, presupposes and even requires a standard (“but where there is no law neither is there transgression,” 4:15b [οὐδὲ οὐκ ἔστιν νόμος οὐδὲ παράβασις]).⁵⁶ Paul will stress that Gentiles not only know God as he has revealed himself in creation and providence (“therefore what is known of God is manifest to them,” 1:19 [διότι τὸ γνωστὸν τοῦ θεοῦ φανερόν ἐστιν ἐν αὐτοῖς]; “although they knew God,” 1:21 [γινόντες τὸν θεόν]), but also know his righteous decree that evildoers are worthy of death (οἵτινες τὸ δικαίωμα τοῦ θεοῦ ἐπιγινόντες ὅτι οἱ τὰ τοιαῦτα πράσσοντες ἄξιοι θανάτου εἰσίν, 1:32).

Paul leaves us in no doubt concerning what that standard is. He says that the Gentiles which do not have the [Mosaic] law nevertheless do by nature what that law

⁵⁴ Friedrich Lang rightly expresses the connection between Paul’s emphasis upon the perfect “doing” of the law at Rom 10:5 and human inability to keep the law unto life argued at Rom 1-3, “In diesem Zitat liegt der Akzent ganz eindeutig auf dem Tun der göttlichen Vorschriften und auf der vollständigen Einhaltung aller Anordnungen und Rechtsentscheidungen Gottes, worauf das doppelte πάντα hinweist. Nur der vollständigen Tora-Observanz, die aber kein Mensch vorweisen kann (Röm 1-3), wird das Leben, d.h. das Heil, zugesagt,” “Erwägungen zu Gesetz und Verheißung in Römer 10,4-13,” in *Jesus Christus als die Mitte der Schrift* (eds. Christof Landmesser, Hans-Joachim Eckstein, and Hermann Lichtenberg; BZNW 86; Berlin and New York: Walter de Gruyter, 1997), 582.

⁵⁵ Charles Hodge, *Commentary on the Epistle to the Romans* (rev. ed.; New York: A. C. Armstrong and Son, 1896), 81. Compare the similar comments of W. G. T. Shedd, *A Critical and Doctrinal Commentary upon the Epistle of St. Paul to the Romans* (New York: Charles Scribner’s Sons, 1879), 43. See the extended defense of this position by Timothy Dwight at H. A. W. Meyer, *Romans*, 107-108.

⁵⁶ Shedd, *Romans*, 43.

requires (2:14, ὅταν γὰρ ἔθνη τὰ μὴ νόμον ἔχοντα φύσει τὰ τοῦ νόμου ποιῶσιν). The reason this is so is because the work of the law is written on their hearts (2:15, οἵτινες ἐνδείκνυνται τὸ ἔργον τοῦ νόμου γραπτὸν ἐν ταῖς καρδίαις αὐτῶν). The result is that the consciences and thoughts of Gentile men and women, informed by this standard, alternately accuse or excuse their thoughts, words, and behavior (2:15b).

What can be said of this “law” which is thus available to all men and women? This “law” can certainly be distinguished from the Mosaic law in its totality, since Gentiles are expressly said *not* to have the Mosaic law. Nevertheless, because Paul uses the term νόμος to describe this standard available to the Gentiles, neither may we separate it from the Mosaic law.⁵⁷ Wherein does the overlap consist? Paul answers this question explicitly in the first chapter. He gives a catalogue of transgressions committed by Gentile persons (1:25-32) for which transgressions they are culpable (1:32). Each of these transgressions is *moral* in nature. All of them are traceable to the moral law which was “summarily comprehended” in the Ten Commandments of the Mosaic law.⁵⁸ What Paul is stressing is not simply the horizontal consequences of these sinful behaviors, but that these behaviors are transgressions of a divine, moral standard which is inescapably manifested to and known by every human being.⁵⁹ It is this law (νόμος) – the moral law – of which Paul speaks in Rom 2:12-16. Because Paul invokes a “law righteousness” pertaining to all kinds of people (Jew and Gentile) in Rom 10:5, it must be this same law that he has in mind there.⁶⁰

⁵⁷ Pace Stephen Westerholm, *Perspectives Old and New on Paul: The “Lutheran” Paul and His Critics* (Grand Rapids: Eerdmans, 2004), 414-417. Westerholm claims that Paul, in “depict[ing] the plight of all humanity in terms borrowed from, and (strictly speaking) appropriate only to, the Jewish situation (‘under the law’),” has made a “generalization” albeit “unconsciously.”

⁵⁸ Westminster Larger Catechism Question and Answer 98.

⁵⁹ Pace Wright, *Romans*, 434. Wright states “Paul’s view of sin, once more, is not that it is the breaking of arbitrary divine rules but that it is subhuman or nonhuman behavior, deeds that are unfitting for humans to perform,” and again, “[Paul] asserts that humans in general have an innate awareness that certain types of behavior are inherently dehumanizing, to their practitioners as well as to their victims.” It is not simply that these behaviors are “inherently dehumanizing” (though they certainly are). Neither do they entail the breaking of “arbitrary divine rules” (emphasis mine). They are the breaking of divine laws to which the moral constitution of all rational creatures inescapably bears witness, and which necessarily express the moral perfection of God (1:20).

⁶⁰ We should note at this point our disagreement with Westerholm’s analysis of this issue. Westerholm, in arguing that those “under the law” (Rom 3:19) are Jews only, maintains that the Gentiles being a “law to themselves” (2:14) does not warrant affirming the Gentiles to be “under law,” *Perspectives Old and New on Paul: The ‘Lutheran’ Paul and His Critics* (Grand Rapids: Eerdmans, 2004), 415. We can affirm with Westerholm that Paul did not understand the Gentiles to have stood under the law defined as the Sinaitic

How could Paul have derived a testimony regarding the moral law, revealed to Jews and Gentiles, from Lev 18:5? The answer is found in the overlap that exists between the moral law and the Mosaic law. Because of this overlap Paul can quote the Mosaic writings, deducing therefrom a principle that applies universally to Jews and Gentiles alike.

Do This And You Shall Live

We have established that the “law righteousness” of Rom 10:5 and the “righteousness by faith” of Rom 10:6 are set in contrast with one another; that the “law righteousness” of Rom 10:5 requires perfect obedience to commandments found in the Mosaic law; that the commandments in view are the moral law, formally promulgated in the Decalogue; and that the particular commandments that Paul has in mind are not unique to the Mosaic law but known, through conscience, by every human being. Paul, however, claims more at Rom 10:5. He argues that “life” is suspended upon perfect obedience to the commands of the law.⁶¹ What precisely is this “life”? To be sure, Paul understands Moses to bear witness to an “obedience-life” connection. Does this connection, however, find precedent in the pre-Mosaic era?

Paul asserts that the one who flawlessly obeys the commands of the moral law shall live by them (ζήσεται ἐν αὐτοῖς). This life is clearly future, but how far into the future is this life located? Commentators have raised the question whether the “life” in view is “temporal” or “eternal.” In other words, does this “life” consist of such this-worldly blessings as longevity, wealth, or victory over one’s enemies? Or does it consist of eternal felicity and communion with God? This question was vigorously discussed in the seventeenth century.⁶² For at least one Reformed commentator, the “life” set forth by

administration (broadly) or the Sinaitic legal code (specifically). Paul’s use of the word “law” at Rom 2:12-16, however, seems to admit of more flexibility than Westerholm allows. By “law,” Paul means here, as we have argued, in substance the Decalogue, that is, the Decalogue less any adjuncts that were uniquely revealed to Israel.

⁶¹ This speaks against the claim of many New Testament scholars that “the attempt to live from the law in and of itself merits curse” (“der Versuch, aus dem Gesetz zu leben, als solcher fluchwürdig ist”), Schmithals, *Der Römerbrief*, 371, quoted at Schreiner, “Paul’s View of the Law,” 125.

⁶² For commentators who took either side of the question, see the listing at Poole, *Synopsis Criticorum*, 226.

the law in Rom 10:5 is eternal but not altogether exclusive of temporal life.⁶³ Many seventeenth century Reformed commentators, however, simply argued and concluded that the “life” of Rom 10:5 is “eternal.”⁶⁴ Some did so by rightly appealing to Matt 19:16-18 (“what good thing shall I do in order that I may have eternal life?” 19:16 [τί ἀγαθὸν ποιήσω ἵνα σχῶ ζωὴν αἰώνιον;]; “But if you want to enter into life, keep the commandments” 19:18 [εἰ δὲ θέλεις εἰς τὴν ζωὴν εἰσελθεῖν, τήρησον τὰς ἐντολάς]).⁶⁵ At least one expositor made the claim that the life of Rom 10:5 is the eternal life held out in the covenant of works.⁶⁶

Among contemporary commentators, one may find the same division. One will find argued the position that Paul conceives “life” here to be essentially temporal,⁶⁷ and the position that this “life” is essentially eternal.⁶⁸ Is the latter an exegetically tenable position?

One fruitful avenue in answering this question is to consider the alternative scenario that Paul describes. Just as obedience brings life, the apostle maintains in quoting Lev 18:5 at Gal 3:12, disobedience brings curse (κατάρα, Gal 3:10). Similarly, Paul has argued, those who disobey the moral law are “worthy of death” (ἄξιοι θανάτου, Rom 1:32). Paul can also claim that sin’s wage is “death” (ὀψώνια τῆς ἀμαρτίας θάνατος, 6:23a). This earned death is contrasted with the eternal life (ζωὴ αἰώνιος) which is a “gift” in Christ Jesus (6:23b). For Paul, then, the counterpart of “death” is the gift of “eternal life” in Christ. The “death” in view must also be eternal death. Is there any evidence that Paul likewise conceives at Rom 10:5 the “life” consequent upon perfect obedience to the law to be likewise eternal?

⁶³ Poole, for instance, cites one commentator who argues that the temporal life of the Mosaic law set forth the eternal life set forth by the moral law in typological fashion (“[spirituali & aeterna] vita illa quae sub vita temporali typice continebatur”), *Synopsis Criticorum*, 226.

⁶⁴ See n.45 above.

⁶⁵ Andrew Willet, *A Sixfold Commentarie*, 438; Thomas Wilson, *Romans*, 783; Westminster Annotations, *ad Rom 10:5*; Poole, *Synopsis Criticorum*, 226.

⁶⁶ So John Brown [Haddington], “That which the Lord promised in the covenant of works, upon condition of perfect and personal obedience, was not an animal life in paradise, or the continuance of his estate in paradise; but everything which conduceth to make a man truly happy, is comprehended under life, and so it takes in the happiness both of soul and body: *The man that doth these things shall live thereby*,” *An Exposition of ... Romans*, 403a.

⁶⁷ Although their proposals differ substantially, see Dunn, *Romans*, 601; and Walther Schmithals, *Der Römerbrief* (Gütersloh: Gütersloh Verl.-Haus Mohn, 1988), 372 for examples.

⁶⁸ Byrne, *Romans*, 317; Schreiner, *Romans*, 555.

The answer to this question is found in Paul’s argument at Rom 5:12-21. In this section of Romans, Paul maintains a running comparison and contrast between Adam (5:14) and Christ. Adam is alternatively called “one man” (ένος ανθρώπου, 5:12, cp. 5:19) and “the one” (του ένος, 5:15, cp. 5:16, 17,). Christ is, by comparison, also termed “one man” (ένος ανθρώπου, 5:15), and “the one” (του ένος, 5:17, cp. 5:19). The comparison is not accidental. Adam is, Paul declares, a “type of the coming one” (’Αδάμ ὅς ἐστιν τύπος του μέλλοντος, 5:14).

Precisely how are Adam and Christ related? How does Adam’s work look ahead to Christ’s work? Paul concentrates upon the mode in which their respective actions came to bear on those whom they represent. Which action or actions of Adam’s are in view? Paul points to the “transgression of Adam” (παραβάσεως ’Αδάμ, v.14), and speaks of it in pointed and definite terms. It is “*the sin*” (τὸ παράπτωμα, v.15; emphasis mine) or “the one sin” (του ένος παραπτώματι, v.15, v.17, v.18). Paul can only have in mind the sin of Adam in eating the fruit of the tree of knowledge of good and evil – the fruit that God had forbidden him to eat (Gen 2:16, 17; 3:6). While Adam as a reasonable creature was bound to the whole of the moral law (as we have seen), this positive command was subsequently issued as a test of his obedience, and it was by disobedience to this command that he fell.

This one sin has in turn impacted Adam’s posterity. Paul expressly precludes the possibility that Adam’s posterity have become sinners through imitation of his sinful deed (5:14, ἐπὶ τοὺς μὴ ἁμαρτήσαντας ἐπὶ τῷ ὁμοιώματι τῆς παραβάσεως ’Αδάμ). How is it then that Adam’s one sin has become the possession of his ordinary posterity such that they have died (5:15, cp. 5:17), stand condemned (5:16, 18), and are constituted sinners (5:19)?⁶⁹ The answer is that Adam’s one sin has been imputed, reckoned, or accounted to those with whom he is united and whom he represents, his ordinary

⁶⁹ The NAS translation of 5:19 (“the many were made sinners”) is an imprecise translation of Paul’s phrase “κατασταθήσονται οἱ πολλοί.” The verb καθίστημι is best rendered “constitute, appoint” (see Piper, *Counted Righteous in Christ*, 106-109; Brian Vickers, *Jesus’ Blood and Righteousness* [Wheaton, Ill.: Crossway, 2006], 116-122). The term, in other words, does not speak to a moral change within the descendant of Adam. It refers to the change in legal or forensic status of the descendant.

posterity.⁷⁰ Specifically, the guilt of his sin is counted theirs such that they justly enter into a state of condemnation and death.

Paul argues that the relationship between Christ and his people operates in an analogous way with respect to their justification. He delineates the mode of Christ's representative actions coming into the possession of his people in much the same way that he has delineated the mode of Adam's representative actions coming into the possession of humanity, namely imputation. Which action or actions of Christ's are in view? Paul describes his work variously in these verses. It is the "one righteous act" (ἐνὸς δικαιώματος, 5:18), the "obedience of the one man" (τῆς παρακοῆς τοῦ ἐνὸς ἀνθρώπου, 5:19). Paul has in mind in such statements the obedience of Jesus Christ to the law culminating in his death on the cross.⁷¹ It is Christ's "perfect obedience and full satisfaction," then, that is imputed to believers for their justification.⁷²

⁷⁰ As Hodge rightly observes, "the ground of this [i.e. Adamic] imputation is the union between Adam and his posterity," *Romans*, 280.

⁷¹ Dunn has argued that "to see in it [ἐνὸς δικαιώματος] a reference to Christ's whole life ... weakens both the point of contrast (Adam's "trespass") and the echo of 3:24-26 (God's righteousness displayed in Christ's death as expiatory sacrifice)," *Romans*, 1.283. Wright speaks of the "one act of righteousness" in terms of "Jesus' messianic action on the cross," and argues that Christ's "merits ... [are] almost certainly not what Paul has in mind here," *Romans*, 529. He will, however, claim that the "obedience" in view encompasses Christ's "obedience to God's commission ... to the plan to bring salvation to the world." It is not, at any rate, "obedience to the law," *ibid.* For a helpful response to these objections raised by Dunn and Wright, see David Van Drunen, "To Obey Is Better Than Sacrifice: A Defense of the Active Obedience of Christ in the Light of Recent Criticisms," in *By Faith Alone*, 143-145.

Recently, J. R. Daniel Kirk has argued that Paul, in Rom 5:18-19, does not have Jesus' law-keeping in view, "The Sufficiency of the Cross (I): The Crucifixion as Jesus' Act of Obedience" *SBET Vol / Issue* 36-64. Kirk maintains that "the Fall narrative ... along with Paul's interpretation of it in Romans 5, points particularly to the one *peculiar* command that God gave by which the fate of the many rested in Adam's hands: the command concerning the tree of the knowledge of good and evil. A comparison with Jesus would more naturally fall to the one *peculiar* command that God gave by which the fate of the many rested in his hands: the command concerning the tree on which Jesus died," 44-45. Kirk disallows that "Paul views Adam's *one* transgression as a transgression of the whole (moral?) law. The context of Romans 5 argues rather strongly against it," 44n.26.

We have seen, however, Paul claiming that every human being – Jew and Gentile – is obliged to keep the commands of the moral law. This obligation rests on every reasonable creature *qua* reasonable creature. The covenant of works (Gen 2) did not suspend or replace this obligation. Instead, it entailed the addition of a single, positive command to the moral law to which Adam had already been bound. When Paul speaks of the "one act" of Adam's disobedience, he is not referring to the disobedient eating of the fruit *simpliciter*. He is referring to Adam's disobedience as a "violation of the whole law," Turretin, *Institutes*, 2:450, quoted at *ibid.* In similar fashion, when Paul speaks of Christ's work in terms of the "one righteous act," he is not speaking of Christ's death to the exclusion of his life of obedience to the law. He is speaking, rather, of Christ's life of obedience to the law as it culminates in his death on the cross. That Christ's active obedience, in particular, is in view is evident from the way in which Paul speaks of what is bestowed upon believers – it is a "gift of righteousness" (τῆς δωρεᾶς τῆς δικαιοσύνης, 5:17) whereby they shall reign in life (ἐν ζωῇ βασιλεύσουσιν, 5:17). They have not received pardon only (which could not of

What benefits have accrued to Christ’s people by virtue of what theologians have termed the imputation of his active and passive obedience?⁷³ Paul stresses that believers have received “justification” (δικαίωμα, 5:17), or “a justification leading to life” (δικαίωσιν ζωῆς, 5:19).⁷⁴ They have been “constituted” or “appointed righteous” (δίκαιοι κατασταθήσονται, 5:19). This verdict of justification stands in direct contrast with the condemnation that by nature was theirs in Adam. The basis of the verdict of justification, Paul says, is the “abundance of ... the gift of righteousness” that they have “received” (τὴν περισσεΐαν ... τῆς δωρεᾶς τῆς δικαιοσύνης λαμβάνοντες, 5:17). It is this “righteousness” which entitles them, Paul affirms, to “reign in life” (τὴν περισσεΐαν ... τῆς δωρεᾶς τῆς δικαιοσύνης λαμβάνοντες ἐν ζωῇ βασιλεύουσιν), a “life” that Paul describes as “eternal life” (ζωὴ αἰώνιος, 5:21, cp. 6:23).

The relation between the consequences of Adam’s work and the consequences of Christ’s work for those whom they represent may be charted as follows.

<u>ADAM</u>	<u>CHRIST</u>
Condemnation (5:16, 5:18)	Justification [of life] (5:17, 5:19)
Appointed Sinners (5:19)	Appointed Righteous (5:19)
[Reign of] Death (5:14, 5:17)	[Reign in] Life (5:17, cf. 5:18)

To be sure, Paul throughout Rom 5:12-21 stresses a disparity between Adam and Christ with respect to what comes to those whom they represent. Paul twice stresses the “how much more” of Christ’s work (πολλῶ μᾶλλον, 5:15, 17). Although sin may “increase” (πλεονάση) yet grace “superabounds” (ὑπερπερίσσευσεν, 5:19). The difference, as Estelle has aptly put it, is one of “degree” (5:15) and “consequence”

itself entitle to life, cp. Owen, *Works*, 5:263), but they have received by imputation that “righteousness” which entitles them to life.

⁷² Westminster Larger Catechism, Question and Answer 70.

⁷³ For defenses of Rom 4:4-5 as a Pauline testimony to the imputation of Christ’s righteousness, see now D. A. Carson, “The Vindication of Imputation: On Fields of Discourse and Semantic Fields,” in *Justification: What’s At Stake in the Current Debates* (eds. Mark A. Husbands and Daniel J. Treier; Downers Grove, Ill.: IVP Press, 2004), esp. 55-68; and Vickers, *Jesus’ Blood and Righteousness*, 71-111.

⁷⁴ For the latter rendering, see John Murray, *The Epistle to the Romans*, 1:202.

(5:19).⁷⁵ The disparity extends neither to the mode (i.e., imputation) of the work of Adam and Christ impacting those whom each represents nor to the “life / death” issues that were set before each federal head. The fact that Christ purchased eternal “life” for his own, and that he did so for those who were eternally “dead” in Adam means that Christ’s work was intended to remedy what Adam had wrought (death), and to accomplish what Adam had failed to do (life). Paul emphasizes disparity in his argument precisely in order to underscore the breathtaking achievement of what Christ has accomplished in relation to what Adam has wrought.

This means that if Adam by his disobedience brought eternal death, then his obedience would have brought eternal life. In other words, Christ’s “obedience” and its consequence (“eternal life”) parallel what Adam ought to have done but did not do. The life that Adam ought to have attained would have been consequent upon Adam’s continuing, during the period of his testing, in obedience to all the commands set before him, whether moral or positive. This life, it stands to reason, could be aptly described “eternal.”

We are now in a position to relate in preliminary fashion our findings in Rom 5:12-21 to our study of Rom 10:5. Moses bore witness to the “obedience – life” connection by means of the commands of the moral law, Paul argues at Rom 10:5. The basis of this connection, Paul argues at Rom 5:12-21, is the moral law as it functions within the covenant of works.

Before we summarize our findings, it is important for our study of Rom 10:5-8 to note that, while Paul illustrates Adam and Christ in *parallel* relationship in the respects we have above outlined, he highlights significant points of *difference* between Adam and the believer. What Adam and Christ attain comes to them in the sphere of achievement: Adam has achieved death, and Christ has achieved life. This is why the language of disobedience and obedience with respect to each one figures prominently in Paul’s argument. For believers, however, the benefits that Paul outlines in Rom 5:12-21 (righteousness, justification, reigning in life) come not along the avenue of their performance but along the avenue of reception.

⁷⁵ Bryan Estelle, “The Covenant of Works in Moses and Paul,” in *Covenant, Justification, and Pastoral Ministry* (Phillipsburg, N.J.: P&R, 2007), 123.

This is evident from Rom 5:15-21 in two ways. First, Paul underscores by means of repetition the language of gratuity throughout this passage. What believers possess is a “gift” (χάρισμα, 5:15, 5:16; δωρεά, 5:15; δώρημα, 5:16), the “gift of righteousness” (τῆς δωρεᾶς τῆς δικαιοσύνης, 5:17). It comes to them by the “grace of God” (ἡ χάρις τοῦ θεοῦ, 5:15); the “grace of the one man, Jesus Christ” (ἐν χάριτι τῆ τοῦ ἐνὸς ἀνθρώπου Ἰησοῦ Χριστοῦ, 5:15). Paul speaks in this connection of the “abundance of grace” (τὴν περισσείαν τῆς χάριτος, 5:17), or simply “grace” (χάρις, 5:20, 21). On at least ten occasions in these verses, then, Paul verbally highlights the gratuity of the believer’s righteousness in justification. Second, Paul explicitly says that the “abundance of the grace and of the gift of righteousness” is something that believers “receive” (λαμβάνοντες). Although commentators differ, Paul is here likely referring to the reception by faith of the imputed righteousness of justification (as he has stressed earlier in the epistle).⁷⁶ What is undisputed is that Paul stresses that this righteousness has come to believers not on the basis of their performance, but by divine grace.

Let us summarize our findings in Rom 5:12-21. We have seen that Adam and Christ are parallel in important respects. First, they both function in a representative capacity. They are, in other words, “public persons.”⁷⁷ Second, both operate in the sphere of performance or achievement. Third, the works of each are reckoned, accounted, or imputed to those whom they represent. Christ’s work (“obedience”), then, resulted in “righteousness,” “justification,” and, finally, “eternal life” for his people. In parallel fashion, Adam’s earlier work (“transgression”) resulted in “condemnation” and “death” for his ordinary posterity. Had Adam obeyed, however, eternal “life” would have been the result. This eternal “life” would have been the result of his performance. Believers’ eternal “life” is based on Christ’s work and therefore is of grace to them.

Rom 10:5 through the “lens” of Rom 5:12-21

⁷⁶ Murray, following H. A. W. Meyer, argues that the reception in view “does not refer to our believing acceptance of the free gift, but to our being made the recipients, and we are regarded as the passive beneficiaries of both the grace and the free gift in their overflowing fullness,” *Epistle to the Romans*, 1:198. Other commentators see the reception of faith in view at 5:17, John Brown [Wamphray], *Exposition ... of Romans*, 189; John Brown [Edinburgh], *Analytical Exposition of the Epistle of Paul the Apostle to the Romans* (New York: Robert Carter and Brothers, 1857), 78; and (likely) Douglas Moo, *The Epistle to the Romans*, 340.

⁷⁷ Westminster Larger Catechism, Question and Answer 22.

What does this mean for our understanding of Rom 10:5? We have seen that, in Rom 10:5, Paul suspends “life” upon perfect obedience to the law. He found testimony to this principle in Lev 18:5. In Rom 5:12-21, however, Paul demonstrates that there is pre-Mosaic precedent for this principle: this principle is rooted in the covenant of works. This is why Paul sets the “righteousness by faith” (10:6) in such stern contrast against the “righteousness which is of the law” (10:5). We have above observed that Rom 10:5-8 is but one link in a running chain through this letter – the setting of “works” against “faith” in the sphere of justification (3:28; 4:4-5; 9:30-32). Rom 5:12-21 provides, historically although not rhetorically, the first link in this chain.

Rom 5:12-21 informs our reading of Rom 10:5-8 in two respects. First, at Rom 10:5, Paul repudiates the suggestion that a fallen person can attain to righteousness and life by performance or obedience to the law. He does so simply by setting forth the principle that defines what is necessary to enter into life – perfect obedience to the law. Rom 5:12-21 explains *why* this is so. Justification (and thus life) cannot come on the basis of the deeds of the ordinary descendants of Adam. They are condemned and dead and are unable to meet the standard of performance necessary to see life. Justification and life can only come to them from without, on the basis of the performance of “the one who was to come” (5:14).

Similarly, at Rom 10:6-8, Paul stresses that righteousness comes by faith. The argument that follows stresses the receptivity of faith in justification. Paul’s quotations from Deut 30:6-8 illustrate this point precisely.⁷⁸

ἡ δὲ ἐκ πίστεως δικαιοσύνη οὕτως λέγει,
 Μὴ εἶπης ἐν τῇ καρδίᾳ σου,
 Τίς ἀναβήσεται εἰς τὸν οὐρανόν;
 τοῦτ' ἔστιν Χριστὸν καταγαγεῖν·
 ἢ, Τίς καταβήσεται εἰς τὴν ἄβυσσον;
 τοῦτ' ἔστιν Χριστὸν ἐκ νεκρῶν ἀναγαγεῖν.
 ἀλλὰ τί λέγει;
 Ἐγγύς σου τὸ ῥῆμά ἐστιν
 ἐν τῷ στόματί σου καὶ ἐν τῇ καρδίᾳ σου,
 τοῦτ' ἔστιν τὸ ῥῆμα τῆς πίστεως ὃ κηρύσσομεν.

Paul’s focus in these verses is “the word of faith that we preach” (τὸ ῥῆμα τῆς πίστεως ὃ κηρύσσομεν, 10:8). “Righteousness by faith” does not require climbing into the heavens

⁷⁸ On the text form of Deut 30:6-8, see Waters, “Rejoice, O Nations, With His People,” 219-223; Stanley, *Paul and the Language of Scripture*, 128-133; Dieter-Alex Koch, *Die Schrift als Zeuge*, 129-132.

or plumbing the depths.⁷⁹ That work has been done by Christ.⁸⁰ To suggest otherwise is, quite literally, unspeakable (Μὴ εἰπῆς ἐν τῇ καρδίᾳ σου, 10:6). “Righteousness by faith” comes, rather, through the preached word (cf. 10:17). That word, Paul says in his citation of Deuteronomy, is “near” the hearer (Ἐγγύς, 10:8).

If we ask *why* this is so, we need go no further than Rom 5:12-21. “Righteousness,” “justification,” and “life” come not in the way of performance, but in the way of reception. Faith, as Paul earlier argues at Rom 4:4-5, is unlike all other human activity in this respect: in justification, faith uniquely *receives* the righteousness of Christ. At Rom 10:6-8, Paul again stresses the receptivity of faith in justification. It is the proper alternative to performance in justification (Rom 10:5).

Once Again – ΤΕΛΟΣ ΝΟΜΟΥ

Let us take up the import of our conclusions for another, related exegetical question. What does Paul say when he affirms at Rom 10:4 that Christ is “the end of the law unto righteousness for everyone who believes?” (τέλος νόμου ... εἰς δικαιοσύνην παντὶ τῷ πιστεύοντι)? To answer this question, one must define the word τέλος at 10:4. Scholars have for centuries debated the meaning of the term τέλος.⁸¹ Does it mean “termination”?⁸² Does it mean “goal”?⁸³ Does it combine these two senses?⁸⁴ The

⁷⁹ It is at this point that proposals understanding continuity between the “law righteousness” of 10:5 and the “righteousness by faith” of 10:6 misconstrue the text’s meaning. Fückiger (quoted approvingly at Fuller, *Gospel & Law*, 70) claims that “the life which Moses promises according to [Rom.] 10:5 is therefore to be enjoyed by those who believe and confess. The obedience of faith thus becomes the proper fulfilling of the law, which requires righteousness and promises life to those who do righteousness.” The problem with this reading is that Paul quotes Rom 10:6-8 precisely in order to *exclude* (in the realm of justification) the activity of which Fückiger and Fuller speak.

⁸⁰ “[T]he design of this passage is to present the simplicity and suitableness of the gospel method of salvation, which requires only faith and confession, in opposition to the strict demands of the law, which it is as impossible for us to satisfy as it is to scale the heavens,” Hodge, *Romans*, 535. Compare William Sanday and Arthur Headlam, *A Critical and Exegetical Commentary on the Epistle to the Romans* (ICC; 2d ed.; New York: Charles Scribner’s Sons, 1896), 287; Moo, *Romans*, 655-656; Heil, “Christ, The Termination of the Law,” 497.

⁸¹ For helpful and brief taxonomies of the options circulating in the contemporary secondary literature, see George Howard, “Christ and the End of the Law: The Meaning of Romans 10:4ff.” *JBL* 88 (1969): 332; and, more recently, Thomas Schreiner, “Paul’s View of the Law in Romans 10:4-5” *WTJ* 55 (1993):113-124; and Douglas Moo, *The Epistle to the Romans* (NICNT; Grand Rapids: Eerdmans, 1996), 638. For a particularly helpful survey of the German literature, see Wilckens, *Der Brief An Die Römer*, 2.222-224. For the discussion in the seventeenth century, see Poole, *Synopsis Criticorum*, 225-226 (Poole gives four major positions in the exegetical discussion contemporary to him). The most comprehensive work, however, is Robert Badenas, *Christ the End of the Law: Romans 10.4 in Pauline Perspective* (JSNTSup 10; Sheffield: JSOT Press, 1985).

⁸² John Brown (Edinburgh), *Romans*, 365; Hodge, *Romans*, 527-529; Frederic Godet, *Commentary on the Epistle to the Romans* (1883; repr., Grand Rapids: Zondervan, 1956), 376; H.A.W. Meyer, *Critical and*

complexity of the debate is evident from Cranfield's comment that, while he adopts the meaning "goal," "it is tempting to settle for the view that both meanings were intended."⁸⁵

This question is not without implications for one's exegesis of Rom 10:5-8. Arguing that Paul conceives Christ as the goal or fulfillment of the law at Rom 10:4, some scholars proceed to conclude that there is a presumption of compatibility between the two righteousnesses of 10:5-6.⁸⁶ In other words, since "goal" speaks to a fundamental compatibility between "Christ" and the "law," Paul's reflections in the following verses must surely follow suit. Other scholars argue that the word τέλος means, in context, "termination." Such scholars often proceed to argue that the two righteousnesses of 10:5-6 are related antithetically.⁸⁷ Käsemann too rigidly affirms the connection between one's position on the meaning of the word τέλος and one's position on the relationship of the "righteousnesses" of 10:5-8.⁸⁸ He is surely correct, however, to remind the reader that these two questions are related.

So far as the definition of the word τέλος is concerned, formidable lexical arguments have been mounted for both the "termination" and the "fulfillment"

Exegetical Handbook To the Epistle to the Romans (New York: Funk and Wagnalls, 1884), 405; Lenski, *Interpretation of Romans*, 645; Murray, *Romans*, 2:49; Schlier, *Der Römerbrief*, 311; Leon Morris, *The Epistle to the Romans* (Grand Rapids: Eerdmans, 1988), 381; Dunn, *Romans*, 2:589-590; Moo, *The Epistle to the Romans*, 638-642; Lukas Kundert, "Christus als Inkorporation der Tora: Röm 10, 4 vor dem Hintergrund einer erstaunlichen rabbinischen Argumentation" *TZ* 55 (1999): 76-89; John Paul Heil, "Christ, the Termination of the Law (Romans 9:30-10:8)," *CBQ* 63 (2001): 484-498. For other twentieth century proponents of this view, see Cranfield, *Romans*, 518; and Fitzmyer, *Romans*, 584.

⁸³ John Calvin, *Commentaries on the Epistle of Paul to the Romans* (Repr. Grand Rapids: Baker, 1996; Edinburgh: Calvin Translation Society, n.d.), 383-385; Anthony Burgess, *Vindiciae Legis*, 267-275; John Owen, *Works* 5:342 (on the latter two of whom, see Badenas, *Christ the End of the Law*, 23); Badenas, *Christ the End of the Law*, esp. 38-80; Fitzmyer, *Romans*, 584; Wright, *Romans*, 655-657. For other twentieth century proponents of this view, see Fitzmyer, *Romans*, 584.

⁸⁴ Howard cites Leenhardt as an example of this view, "Christ and the End of the Law," 332. See also the authors referenced at Dunn, *Romans*, 2:589. Note also Michel Quesnel "Les deux lectures ("arrêt, cessation"; "but, objectif") ne sont pas exclusives l'une de l'autre, le texte jouant sans doute sur l'un et l'autre sens du terme," "La figure de Moïse en Romains 9-11," *NTS* 49 (2003): 328.

⁸⁵ Cranfield, *Romans*, 519. Compare the comments of Shedd, *Commentary on Romans*, 313.

⁸⁶ See Badenas, *Christ the End of the Law*, 118; N. T. Wright, *Romans*, 660.

⁸⁷ Although both present different readings of Rom 10:4-8 in other respects, see the agreement of R. C. H. Lenski, *The Interpretation of St. Paul's Epistle to the Romans* (Columbus, Ohio: Wartburg, 1945), 645-654; and J. D. G. Dunn, *Romans*, 589-591, 598, 602, 613.

⁸⁸ See Käsemann, *Romans*, 284. John Calvin is a good example of one who maintains a non-termination understanding of Rom 10:4 (he translates the word "complementum" [completion]), but contends that the two "righteousnesses" of Rom 10:5-8 are antithetical, *Romans*, 383, 386.

positions.⁸⁹ Nevertheless, scholars have not achieved consensus. Sometimes overshadowed by the debate surrounding the meaning of the word τέλος is the equally important question of the meaning of the word νόμου. John Brown (Edinburgh) frames the question nicely.

“The law” may be viewed as to its substance – the duties it enjoins; or as to its form – a covenant or method of justification, or a rule of conduct: it may mean law generally, or the Mosaic Law; and, supposing it to mean the latter, it may have especial reference either to its moral or its ceremonial statutes – either to it as an exhibition of duty to the Israelites, or as a temporary economy established for some particular purposes in the great scheme of the Divine moral government of mankind.⁹⁰

Both parts of the phrase τέλος νόμου, then, pose significant challenges to the exegete. As Dunn rightly notes, this question cannot be resolved without sufficient attention to the context of the passage.⁹¹ In the spirit of this observation, we may ask a question. Do our conclusions concerning Rom 10:5-8 contribute to the resolution of this issue? In order to answer this question, we must first observe that the claim of Rom 10:4 is tied not only to the proposition that precedes it, but also to the proposition that follows it. In Rom 10:4 and 10:5, Paul inserts the postpositive particle γὰρ. Consequently, as commentators frequently observe, Rom 10:4 must be explanatory of Rom 10:3, and Rom 10:5-8 must be explanatory of Rom 10:4.⁹² The interpretation of Rom 10:4, then, must be sensitive to these two horizons.

Paul does not affirm that Christ is τέλος νόμου in an absolute sense. He inserts two important qualifications. Christ is “the end of the law *unto righteousness for everyone who believes*” (τέλος νόμου εἰς δικαιοσύνην παντὶ τῷ πιστεύοντι, emphasis mine). The word δικαιοσύνην, of course, appears both in 10:3 (where Paul has contrasted the θεοῦ δικαιοσύνην with τὴν ἰδίαν [δικαιοσύνην]), and in 10:5-8 (where Paul will contrast “law righteousness” with “righteousness by faith”). The postpositive particles γὰρ at 10:4 and 10:5 only serve to reinforce this connection. The “righteousness” unto which Christ is τέλος νόμου, furthermore, is not for all human beings. It is only for a

⁸⁹ For “termination,” see Gerhard Delling, τέλος, *TDNT* 10:49-87, esp. 59-60; for “fulfillment, see Badenas, *Christ the End of the Law*, esp. 81-151. For critical responses to Badenas’ work, see Dunn, *Romans*, 589-590; Schreiner, “Paul’s View of the Law in Romans 10:4-5,” 117-120.

⁹⁰ John Brown (Edinburgh), *Romans*, 364.

⁹¹ Dunn, *Romans*, 589.

⁹² Moo, *Romans*, 636, 645. On the latter in particular, see Schreiner, “Paul’s View of the Law,” 123, and the literature cited at 123n.44.

certain subset of persons – “everyone who believes” (παντὶ τῷ πιστεύοντι). As we have seen, Paul takes up the “righteousness which is by faith” (ἡ ... ἐκ πίστεως δικαιοσύνη) at Rom 10:6. Undoubtedly, then, when Paul says that Christ is τέλος νόμου “with a view to righteousness to everyone who believes” (εἰς δικαιοσύνην παντὶ τῷ πιστεύοντι), he has in mind the imputed righteousness of Jesus Christ, received by faith alone.⁹³

This context, moreover, defines the meaning of the word νόμου at Rom 10:4. Paul’s concern for the law here is not as it establishes boundary markers between Jew and Gentile.⁹⁴ Nor is his concern for the law here as it is an economy or covenantal administration.⁹⁵ Paul’s concern for the law, as we have seen from our study of Rom 10:5, is the commandments and precepts of the moral law.⁹⁶

What does this mean for a definition of the word τέλος? While it is a thoroughly Pauline teaching that Christ is the goal of the law, or the one to whom the law points (whether considered as a covenantal administration or as commandments and precepts), it is not what Paul is claiming here. He is claiming that Christ is the “termination” of the law to the believer. Paul, however, is not affirming that the believer is thereby altogether free from the commandments and precepts of the law. Paul is no antinomian. The law as precept continues to bind believers. He is, however, claiming that the believer is free from the law’s commandments *as they bring life to the one who perfectly performs them and condemnation to the one who fails to meet this standard*. He is, in other words, freed from the law as it functions within the covenant of works.⁹⁷ He no longer claims a righteousness that may be called “his own” (ἰδίαν, 10:3) or that is rooted in his own performance (ὁ ποιήσας αὐτὰ ἄνθρωπος, 10:5). He lays hold of a righteousness that is “of

⁹³ For these two points, note the words of John Owen, “The apostle sufficiently determineth his intention, in affirming not absolutely that he is the end of the law, but he is so εἰς δικαιοσύνην, “for righteousness,” unto every one that believeth. The matter in question is a righteousness unto justification before God. And this is acknowledged to be the righteousness which the law requires. God looks for no righteousness from us but what is prescribed in the law,” *Works* 5:342.

⁹⁴ Pace Dunn, *Romans*, 598.

⁹⁵ As it is, for instance, in Gal 3:15-29. For a proponent who sees this view taught at Rom 10:4-8, see Westerholm, *Israel’s Law and the Church’s Faith*, 130.

⁹⁶ Speaking on this verse, Owen says, “The law is nothing but the rule of righteousness, - God’s prescription of a righteousness, and all the duties of it, unto us,” *Works* 5:342.

⁹⁷ Westminster Larger Catechism Q & A 97, “Q. What special use is there of the moral to the regenerate? A. Although they that are regenerate, and believe in Christ, be delivered from the moral law as a covenant of works, so as thereby they are neither justified nor condemned ...” “The law is abolished by Christ, not as a rule of life, but as a covenant prescribing the condition of life,” Hodge, *Romans*, 529.

God” (τοῦ θεοῦ, 10:3) and “by faith” (ἐκ πίστεως, 10:6) He is freed from the law as a covenant of works because the righteousness of Jesus Christ has been imputed to him and received by faith alone.

Conclusion

We began our study of Rom 10:5 by observing that the Westminster Divines cited this very text (among other texts) in support of its confessional statements concerning the covenant of works. Our study has not only confirmed the wisdom of the Assembly in citing this text in reference to that doctrine, but it has also shown how defining “law” at Rom 10:5 as the decrees and commandments of the moral law operating within the covenant of works explains otherwise knotty questions in the passage. How is it that Paul can set one passage of Scripture (Leviticus) against another passage of Scripture (Deuteronomy)? How is it that Paul can find testimony to two methods of justification within the Pentateuch? What does Paul mean when he says that Christ is the “end of the law”? It is when we see that Paul is engaging the moral law’s precepts as they function within the covenant of works that we can understand Paul that affirms the whole Scripture to bear univocal witness to Jesus Christ and his “righteousness” for sinners.

In closing, let us summarize what implications this passage has for our understanding of the relationship between the Mosaic covenant and the Covenant of Works. We do no better than to reference the comments of Patrick Fairbairn in relation to this very question.

[I]t is not difficult to understand how St. Paul should have singled out the brief passage under examination [i.e. Lev 18:5] as being, when looked at merely by itself, descriptive of the righteousness which is won by obedience to precepts of law, while yet it was not meant that Israel were expected to attain to such righteousness, or were, in the strict and absolute sense, dependent on the attainment of it for life and blessing. It set before them the ideal which they should earnestly endeavour to realize – which also to a certain extent they must realize as partakers, if only in an incipient state, of the Divine life; but not unless they were minded (as the unbelieving Jews of the apostle’s day certainly were) to stand simply upon the ground of law, and be in no respect debtors of grace, was a complete and faultless doing to form the condition of receiving the promised heritage of life. In this case it assuredly was. The words must then be pressed in the full rigor and extent of their requirement; for life could only be ministered and maintained on a legal basis, if the condition of perfect conformity to law had been made good. That Moses, however, no more than the apostle, intended to assert for Israel such a strictly legal basis as the condition of life, is evident, not only from the connection in which that particular declaration stands, but also from other parts of his writings, in which the evangelical element comes into view, in his words to the covenant people. To one of these, the apostle now turns (vers. 6-9) for a proof of the righteousness of faith ...⁹⁸

⁹⁸ Fairbairn, *The Revelation of Law in Scripture*, 492.

Paul has, by the very fact of quoting both Lev 18:5 and Deut 30:6-9 in support of the two “righteousnesses” in justification, avoided the conclusion that the Mosaic covenant is not an administration of the covenant of grace. His fundamental point at Rom 10:5, however, must not be lost. The moral law is not unique to the Mosaic administration. It functioned within the covenant of works such that the “one who does these things shall live by them” (10:5).

In closing, we may reiterate two matters that we have observed from Paul’s argument in Rom 10:5. First, we have seen Paul sustaining his great concern for justification by faith alone in this epistle. E. Elizabeth Johnson has reminded us that postwar Pauline scholars have given concerted attention to the apostle’s argument at Rom 9-11, not least to such questions as the place of Israel in God’s redemptive plan, and the place of Christianity in an increasingly pluralistic age.⁹⁹ Paul’s claims at Rom 9:30-10:8, however, remind us that the apostle, far from dispatching with justification after Rom 5:21, sustains his interest in soteriology (generally) and justification (specifically) well through the letter.

Second, we have seen that Paul articulates justification within a bicovenantal framework. Rom 10:4-8, then, does not only play a central role in the argument of the epistle to the Romans, but also offers a window into the very structure of redemptive history. Some within the Reformed churches are gravitating towards monocovenantalism (often not without grave consequences for their doctrine of justification).¹⁰⁰ To those interested in engaging that position biblically, the bicovenantalism of Rom 10:4-8 surely ought to play a central role in that engagement. At stake is the integrity of nothing less than the “word of faith which we preach” (10:8, τὴ ῥῆμα τῆς πίστεως ὃ κηρύσσομεν).

⁹⁹ E. Elizabeth Johnson, “Romans 9-11: The Faithfulness and Impartiality of God,” in *Pauline Theology, Volume III: Romans* (ed. David M. Hay and E. Elizabeth Johnson; Minneapolis: Fortress, 1995), 211-212.

¹⁰⁰ This is evident from the writings of individuals who have associated themselves with what is being called “the Federal Vision.” For documentation and analysis of the monocovenantal sympathies of Federal Vision proponents, see Guy Prentiss Waters, *The Federal Vision and Covenant Theology: A Comparative Analysis* (Phillipsburg, N. J.: P&R, 2006), 30-58. For the implications that this has had on these FV proponents’ doctrine of justification, see the discussion at Waters, *Federal Vision*, 59-95.