

# A Conceptual Foundation for Using the Mosaic Law in Christian Ethics – Part 2

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## Understanding the Discontinuity Rightly

### 1. Introduction: Not under the Law

The discontinuity between Old Testament and New Testament has been misunderstood by voluntarism, historicism and situationalism. We shall suggest a way forward for understanding the discontinuity that Christ brings to believers' experience of ethical decision making (particularly as they use the Mosaic Law).

That Christians are not under the Law is indisputable: 'But if you are led by the Spirit, you are not under the Law.' (Gal. 5:18).<sup>1</sup> However the question remains as to what exactly being 'under the Law' means. Cranfield's limits this to a *legalistic self-justifying misunderstanding* of Mosaic Law (Cranfield, 1964, pp. 55, 60-6). It seems likely that this is a major part of Paul's polemic (in contradiction to the New Perspective: Carson, 2004, pp. 249-96) but unlikely to be his only meaning.<sup>2</sup> Another interpretation limits the meaning to 'not under the powerful influence of Mosaic Law to provoke sin' (Schreiner 1993, 77-81).<sup>3</sup> This seems clearly to be the main meaning in several key texts; and 'not under the condemnation of the Law' seems the main idea for other texts.<sup>4</sup> However in Galatians 3:14-4:7, the salvation historical argument suggests that Paul's understanding of not being 'under the Law', in this context at least, is even wider. Paul seems to be talking about the Mosaic Law, as a historical entity, that began 430 years after the promises to Abraham, and it is this entity itself (rather than just its function of provoking sin) that is temporally finite, lasting literally 'until when (ἄχρις οὗ) Christ came (Gal. 3:19; Longenecker, pp. 136-50).

A key question is *whether this change is primarily in believers or in the Law itself*. We will see that the answer is both: there is an eschatological change in the Law itself concerning its *content* and *function* and also in believers (particularly regarding how they *relate* to God's command).

## 2. Not under the Law: teleological fulfilment of the Mosaic Law's content (*contra* historicism).

In what sense can we understand the Mosaic Law as temporally finite? We have seen in our rebuttal of historicism that we cannot take this to mean that the entirety of the Mosaic Law, including its ethical prescriptions, has been swept away and replaced by something new and disconnected. We have already suggested systematic reasons for an alternative conceptualisation: the Law has ended as an unfulfilled shadow, yet there is a continuation of the content of that Law into its teleologically transformed fulfilled form, the 'law of Christ'. Let us investigate whether this paradigm is consistent with the New Testament usage of the Mosaic Law.

### 2a. Christ's usage of the Old Testament Law: Eschatological fulfilment of its content.

Space does not permit a detailed survey of Christ's usage of the Mosaic Law but we will make several key points regarding the Sermon on the Mount and the meaning of Christ coming 'to fulfil' (πληρῶσαι) the Law (Matt. 5:17).

The sense of πληρῶσαι is best revealed by the immediate context.<sup>5</sup> When we look at the content of the antitheses it becomes clear that the way Jesus' teaching fulfils the Law is not by confirming the original content against misinterpretations of the day, nor merely intensifying it.<sup>6</sup> Yet he is not replacing the Law either, since everything he says does have a *continuity of intention* with each part of the Mosaic Law he is exegeting. (Schreiner, 1993, pp. 233-40; Carson, 1995, pp. 143-4; Poythress, 1991, pp. 251-86; *contra* Moo, 1984, pp. 14-49).

In the first and second antitheses (Matt. 5:21-30) Jesus forbids the attitudes that underlie murder and adultery, and warns of the eschatological judgement that Mosaic penalties pointed to. It is not difficult to argue that Jesus is filling out the Law's *intentions* regarding these commands. In the third antithesis (5:31-32) Jesus forbids what the Mosaic Law, on Jesus own interpretation, permitted—divorce. Yet there is still continuity with the intentions of that Law, since the statement that the Law was for 'hardness of heart' indicates that Jesus' teaching is fulfilling the *ideals* of the Law (which were necessarily compromised because of the political and social nature of Torah as positive community Law) (O'Donovan, 1976, pp. 61-69). The case of oaths makes a similar point (5:33-

37). In forbidding oaths, Jesus is again pushing the Law to its ultimate goal. Oaths essentially were used to encourage faithfulness and the Law regulated this practice. Jesus abolishes the outward community institution that had been abused in order to achieve the very intention of that Law: faithfulness.<sup>7</sup> In his fourth antithesis (5:38-42) Jesus forbids personal retaliation (which the Mosaic Law had regulated, only allowing for proportional, civic justice). It is again clear that the *aim* of the Law (that is to restrict personal physical violence and promote mercy) has not been superseded by Christ's teaching but rather taken up and pushed to its telic end.<sup>8</sup>

In the final antithesis (5:43-48) Jesus deals with a two part interpretation of the Law: Leviticus 19:17-18 'love your neighbour' and 'hate your enemy' (a popular misinterpretation of the animosity the Pentateuch instructed towards Israel's national enemies Deut. 7:2; cf. 20:16; Exod. 34:11-12; Deut. 23:6). Elsewhere in Matthew we can see how this element of the Law has been fulfilled. God's enemies are no longer defined with respect to national Israel but instead, as the immediate context of Matthew 4 indicates, God's enemy is defined as the tempter himself, the Satan. Thus Jesus fulfils the Law in 'hating' God's enemy by banishing the Satan (Matt. 4:10) as do the discipline through their exorcisms (Matt. 10:8). Therefore since the enemy lines have been re-drawn from national to spiritual, Jesus' teaching on love for *personal* enemies can be seen as the eschatological fulfilment of the Mosaic teaching of love for neighbour, since in the eschatological age, one's neighbour now includes one's personal enemies.

We can agree that 'In each of the antitheses then, Jesus pushes a tendency already present in the Mosaic Law towards its ultimate conclusion' (Theilman, 1999a, p. 58). The Sermon on the Mount provides evidence that the fulfilment of the Mosaic Law is not a replacement of that Law with something of disconnected content. Rather the Mosaic Law is fulfilled by its telic end, that is the consummated, filled-up, eschatological expression of its original intent.

## **2b. Paul's usage of the Old Testament Law: Typological fulfilment with continued imperatival force**

We will start with Paul's direct quotation of the Mosaic Law in Galatians 5:14.

### *2. b. i. Galatians 5:14- Law fulfilled by law<sup>9</sup>*

In 5:12-15 Paul argues that 'the whole Law is fulfilled in one word: 'You shall love your neighbour as yourself''(re: Lev. 19:18). For what reason does Paul

*quote* Leviticus 19 here? Our critique of historicism disallows an interpretation of Paul replacing the Law with a different and ‘new’ command. It also seems unlikely that Paul would precisely *quote* Leviticus (i.e. the Mosaic Law) as an example of the thing that the Mosaic Law has been replaced by, especially if that thing was intended to be entirely new and different to Mosaic Law.

If we are to have a thorough-going Christological hermeneutic, we cannot accept that Paul is correcting himself, saying that *some* exceptional parts of the Law actually remain intact, this verse from Leviticus being one of them (and by extrapolation other parts in the same genre, e.g. the ‘moral’ parts only<sup>10</sup> or those parts not ‘covenant markers’ etc.). Paul’s argument has been that the *entire* Law that is temporally finite, not just a particular part of it and it is the *entire* Law that is fulfilled in Christ.

The third explanation is that Paul quotes Lev. 19:18 to show that the Law is in some sense fulfilled *by itself*. The type or shadow that is the Mosaic Law is fulfilled by its ethical antitype, the ‘law of Christ’. There *is* a family resemblance between the earthly Jerusalem and the heavenly Jerusalem, despite the obvious and crucial differences. ‘Love your neighbour as yourself’ is both a specific command in the Mosaic package, but it also has been transformed, deepened, and made pregnant with meaning from Christ’s life death and resurrection, thus recapitulated into its fulfilled form ‘Love your neighbour as yourself’. Law is fulfilled by fulfilled law.

2. b. ii. 1 Cor. 5–7: *Allusions to authoritative Old Testament teaching*

In a study of 1 Corinthians 5–7, Rosner makes a convincing argument that much of Pauline ethics can be reliably traced back to the Hebrew Scriptures, in many cases through Jewish sources (Rosner, 1994, pp. 61-176), summarising some of his conclusions as follows—

In 1 Corinthians 5 a case of incest is condemned and discipline employed because of the teaching of Pentateuchal covenant and temple exclusion. In 6:1-11 going to court before unbelievers is prohibited with the Scriptures’ teaching on judges in mind. In 6:12-20 going to prostitutes is opposed using the Scriptural doctrine of the Lord as the believer’s husband and master, and with advice that recalls early Jewish interpretation of the Genesis 39 story of Joseph fleeing Potiphar’s wife. And in 7:1-40 several key texts from Mosaic Law (as understood by much early Jewish interpretations) inform what is said about marriage’ (Rosner, 1995, 8-9).<sup>11</sup>

This all points towards Paul still accepting the relevance of Old Testament ethical teaching for Christians, and particularly that found in the Mosaic Law. Rosner goes on to reason that the fact Paul only infrequently cites Old Testament commands ‘does not necessarily indicate the irrelevance of the Bible to the matters at hand [...]’ (Rosner, 1995, p. 9).<sup>11</sup> Paul’s use of allusion, as opposed to direct quotes in many instances particularly suggests that Paul method was not one *re-introducing* parts of the Old Testament into a Christian ethic under the assumption that all links with the Mosaic Law had been abolished with the coming of Christ. Instead Paul’s freer use of allusions lends itself to an organic understanding of the fulfilment of Old Testament material, where content is preserved, yet transformed by the coming of Christ.

2. b. iii. *Direct quotes of Mosaic Law—Continued imperatival force*

In several places Paul does directly quote commands from the Mosaic Law [mosaic reference in bold below]:

God will judge those outside. **Expel the wicked man from among you** (1 Cor. 5:13, ref: Deut. 17:7).<sup>12</sup>

This will be my third visit to you. **Every matter must be established by the testimony of two or three witnesses** (2 Cor. 13:1, ref: Deut. 19:15.)

Children, obey your parents in the Lord, for this is right. **Honour your father and mother**—which is the first commandment with a promise—that it may go well with you and that you may enjoy long life on the earth (Eph. 6:1-3, ref: Deut. 5:16).

Do I say this merely from a human point of view? Doesn’t the Law say the same thing? For it is written in the Law of Moses: **Do not muzzle an ox while it is treading out the grain** (1 Cor. 9:8-10 ref: Deut. 25:4). Is it about oxen that God is concerned? *Surely he says this for us, doesn’t he?* Yes, this was written for us, because when the ploughman ploughs and the thresher threshes, they ought to do so in the hope of sharing in the harvest. The elders who direct the affairs of the church well are worthy of double honour, especially those whose work is preaching and teaching. For the Scripture says, **Do not muzzle the ox while it is treading out the grain** (1 Tim. 5:17-18, ref: Deut. 25:4) and **The worker deserves his wages** (Luke 10:7). (See also Rom. 13:8-10 and James 2:8-13 which treat Deuteronomy 19:18 similarly to Gal. 5:14, as discussed previously and 1 Peter 1:15-17, ref: Lev. 11:44-45; 19:2; 20:7.)

It is important to note firstly the assertion that ‘the only place in Paul’s letters where he appears unambiguously to quote Mosaic Law as applicable to Christians is Ephesians 6:2’ is not correct (Moo, 1988, p. 216). At least seven times Paul directly quotes the Mosaic Law. James and Peter also quote it.

Secondly Paul’s interpretation of the fulfilled form of the Mosaic Law is at times close to the original Mosaic meaning (e.g. the first three examples) but for other parts of the Mosaic Law the fulfilled form is much wider in scope than the original reference (e.g. re. Deut. 25:4). However there is always some sense of *shared meaning and intent* between the unfulfilled Law and its fulfilled form; there is a link, the new instructions are not groundless, not entirely different. We could rightly describe this connection as between type and anti-type, between telic beginning and end. This means that whilst it is *technically* correct that ‘Paul never derives appropriate Christian behaviour by *simply* applying relevant precepts from Torah’ [italics mine] (Westerholm, 1986, p. 237) the conclusion that Paul never derives appropriate Christian behaviour by applying relevant precepts from Torah is entirely false.

Thirdly and most importantly, Paul chooses to use direct quotes *precisely because* these Mosaic commands still hold some kind of imperatival force. The above quotes are used in parenetic passages, and *not* merely in an indicative way, to provide background to Paul’s own imperative commands. Rather Paul continues to use the Mosaic commands as imperatives, authoritative *as command*, thus disagreeing most strongly with conceptions such as ‘A helpful analogy is to think of the Mosaic Law as you would a retired professor: he is very useful for advice, but he no longer sets the exams’ (Sheath, 2004, p. 24 referring to Smith, 1993, p. 47). Rather Paul never sought to drain the Mosaic Law entirely of its commanding force and relegate it to mere ‘advice’ or ‘data’ for wisdom.

There are two crucial qualifications to this point. The Mosaic Law is only authoritative as command, *as it is fulfilled in Christ*. (Yet we must not let the transformation into fulfilled form diminish the imperatival force of the original commands). Secondly, although these commands are still absolutely imperative, the wider context of Paul’s teaching shows us that these commands now come to us with an internal imperative, as sons, having shed their external coercive layer of institutionalised enforcement. Hence Paul’s understanding of the authority of the Mosaic Law for believers goes beyond a conception that

accepts its ‘authority’ as part of the divinely inspired canon but relegates it to the narrative of salvation history within a framework of progressive revelation.

We can agree entirely that some parts of Scripture (particularly the arbitrary commands of the Old Testament) are authoritatively inspired, yet in no way commanding for Christians (e.g. God’s command to Noah to ‘Make yourself an ark’). However our point is that the Law *does not* function in this way for Paul but rather it still functions *in some way* as commands for Christian ears: ‘surely he says this for us doesn’t he?’ Paul asks in 1 Corinthians 9:10.

We have seen that the teleological link between the Mosaic Law and Christ’s Law allows Paul to recognise some kind of continued imperatival force in the Mosaic Law for Christians, even though they are not under the Mosaic Law in its unfulfilled form. Thus this gives Christians confidence to utilise even parts of the Law, not directly reiterated by Christ, in Christian ethics, since we have a framework where *all* of the Law continues in some kind of fulfilled form.

### 3. Not Under the Law: The end of the mediated form of the Law (*contra* situationalism)

A second element that helps us understand how Christians are not under the Law concerns the way that the Law was mediated in the Mosaic era. We will see that there is a dramatic change in the *form* by which God’s commands are delivered in the era of the Spirit.

The Bible tells us that the Mosaic Law upheld an element of distance between the Israelites and God because its form was always mediated. The angelic deliverance of the Mosaic Law in Hebrews 2:2 (and Gal. 3:19)<sup>14</sup> is used to suggest an inferiority of the Law, a distancing mediatory element, compared to the New Covenant which is spoken by the Son of God himself. Likewise Galatians 3:19 also refers to Moses as the mediator of Law. Paul’s ensuing analysis seems to suggest this was an inappropriate intermediate stage, an unnecessary plurality, between the people and their one God ‘a mediator implies more than one, but God is one’ (Gal. 3:20; Betz, 1979, pp. 171-3). This mediated aspect of Law is also a reason for its negative descriptions in 2 Corinthians 3. The γράμμα brought death because its mediated form (i.e. coming through a veiled prophet) hid not only God from the Israelites but also the fading (and therefore temporary) nature of the Mosaic Law from the

Israelites. In this way it confused the Israelites into thinking that the Mosaic Law was an eternal end in itself (which they could use for salvation) rather than merely a passing stage of a bigger gracious plan. (O'Donovan, 1994, p. 153).

What is it about the Mosaic Law that gives it this mediated form (to which the references to angels, and the veiling of Moses are pointing)? Our previous theological arguments against situationalism give us some parameters: the negative, distancing aspect that Paul denotes with *γράμμα* in 2 Corinthians 3 *cannot be the nature of Law as direct written verbal communication from God.*

It is reasonable to suggest that it is the form of Mosaic Law as *enforced positive community* law that essentially causes this distancing element between the Israelites and God's perfect command. We have already seen Jesus refer to this in the Sermon on the Mount when he pointed out the necessary compromises that the Law required for it to function in the nation of Israel (e.g. regulations on oaths and divorce for hardness of heart, laws on adultery and murder that focus on external offences rather than internal attitudes etc.). These elements show how the Mosaic Law, whilst being *holy*, was always one step removed from God's perfect ideal. And this distance allowed room for legalism where perfect righteousness was understood in a minimal way as adherence to the letter of those community Laws alone. A second distancing feature was the Law's educative ritual/symbolic aspects which had unfortunate effect of providing occasion for hypocrisy to develop. This is because the form of the Law meant one's relationship to God was primarily measured in the community by signs that were essentially external rather than internal.<sup>15</sup>

The Law confronts the individual supremely as a *demand for community-adherence*. Its content is dominated by ritual observance, that aspect of public righteousness by which the individual is claimed by his conformity for membership of the community. It reaches the individual, not directly as God's word to him, but 'mediated through angels. (Gal. 3:19), that is, through the created authority of the community. (O'Donovan, 1994, p. 152).

### What happens to this mediated form in the New Testament?

The coming of Christ and his Holy Spirit mean that mediation is over. New Testament believers are said to have a direct experience of God—there is no external third party mediator. 'For there is one God, and there is one mediator between God and men, the man Christ Jesus' (1 Tim. 2:5).



When *men* want to know *God* they are no longer dissembled and distanced by the outward form of the Mosaic Law (like Moses' veil or an angel's message) but they can know God *himself* directly in Christ (and through Christ and his interpretation of the Mosaic Law, they can then know God directly *in* the Mosaic Law also). Christ's coming means that the mediated form of the Mosaic Law has been shed. Symbolic ritual and community enforcement, those external religious institutions that concealed God and gave opportunity for legalism and hypocrisy have been fulfilled by their true telic end and are now over (O'Donovan, 1994, pp. 156, 165-8; 1996, pp. 108-9). Christ is the end of the Law in its mediated form.<sup>16</sup> Likewise when *God* approaches *mankind*, he no longer sees just one man, Moses, representing all the people but Christ who is united by the Spirit to all believers, Therefore all in Christ, are placed directly face to face with God (Heb. 4:16).

The replacement of a community mediated law with faith-union to Christ by the Spirit means there is now direct interpersonal communication between God and mankind at the deepest level. Contra to situationalism, the mode of this direct deep-level communication remains the written Old Testament and New Testament Scriptures. God's witness, even post-Pentecost, remains as ever concrete, verbal, shared and rational. The difference in experience of this revelation between an Old Testament and New Testament believer is that the Spirit now *dwells in* Christians to enables us, by his internal witness to know God, as we read the Scriptures, from the inside of the Trinity, i.e. *really* directly. Thus 'The whole of Christian communication (in which, we must observe, Christian ethics is included) takes place at the summit of Mount Sinai and not at its foot, "with unveiled face" so that the glory of the Lord is manifest to all without concealment' (O'Donovan, 1994, p. 153).

#### 4. Not under the Law: The transfer from ὑπὸ παιδαγωγόν to full sonship (*contra* voluntarism)

The experience of Old Testament believers was of being ὑπὸ παιδαγωγόν of Mosaic Law (Gal. 3:24-25; 4:2, also under ἐπιτρόπους and οἰκονόμους in 4:2). But what does this means?

Studies of the usage of the term παιδαγωγός distinguish it from the educative διδάσκαλός and indicate it refers to a slave charged with the duty of strict supervision of the life and morals of under-age boys.<sup>17</sup> Pauline usage (1 Cor.

4:15) also suggests ‘an idea of severity (as of a stern censor and enforcer of morals) [...] where the father is distinguished from the tutor as one whose discipline is usually milder.’ (Thayer, 1889, p. 472). Longenecker argues that the term connotes the inferior and temporary nature of the Law’s supervision (Longenecker, 1982, pp. 53-61, 1990, 146-8; Lull, 1985, pp. 489-96).

The context in Galatians affirms particularly the coercive supervisory connotations. Being ὑπὸ παιδαγωγόν of Mosaic Law in 3:23 is described as imprisonment (Danker 2000, 748). The coercive nature of the captivity is clearly seen in the modification of ἐφρουρούμεθα with συγκλειόμενοι (connoting removal of personal freedom by deliverance to a confined position, completely hemmed in; Danker, 2000, p. 952). Thus in Galatians, obedience to the παιδαγωγόν of Mosaic Law is stressed to be **against one’s will** (i.e. like a wilful child disciplined by their strict guardian) and **without understanding** (i.e. the reasons for instructions is not explained, they come in the form of deontic commands: ‘do X because I say so’).

How should we conceptualise the freeing transfer to full sonship (Gal. 4:7)? One answer is essentially voluntarist, arguing now that Christians have come of age, they are freed from all specifically given commands in nature and given the rights of morally autonomous agents. Another answer is situationalist: gaining sonship means external rules have been replaced by a different private internal imperative. However we have seen that both these are not legitimate options.<sup>19</sup> A brief study of the biblical concept of sonship can offer a way forward.

In the Scriptures we can see that although sonship does imply authority (Ps. 2), it never implies moral autonomy, i.e. freedom to act independently of the Father’s will. When Paul states the Spirit enables God’s newly adopted children to say “Αββα ὁ πατήρ” (4:6) this is not only a reference about *intimacy* and *special status*, but one denoting *loving obedience*. It is likely Paul choose this rare phrase to make a direct allusion to the oral tradition of Christ’s words in Gethsemane, when he submits to the Father’s will—‘Abba, Father, all things are possible for you. Remove this cup from me. Yet not what I will, but what you will.’ The gospel context shows that this will is revealed in Scripture regarding both God’s providential/redemptive *will* (e.g. Mark 14:27 re. Zech. 13:7) *but also* God’s moral/universal will (e.g. 1 Pet. 2:21-22 re. Isa. 53:9, 11)).

The details of the passion narratives all stress the *righteous manner* in which Christ died (and made explicit by the centurion in Luke 23:47). Thus sonship *precisely implies* obedience to God's revealed written will (both providential and ethical) rather than freedom from it.

The shift from being under the pedagogue of Law to becoming sons of God means the end of being instructed *against ones will by an external coercive law* (Heb. 10:7-9 re. Ps. 40:7-8), not the end of moral instruction *per se*. The change is located in the form of law (ethical instructions no longer come in the form of enforced community penal sanctions) and in our will (we now take ownership of these instructions, since through the Spirit, we now share the same will as our instructing Father) and in our understanding (by the Spirit we now share the mind of Christ (1 Cor. 2:16) and so understand the reasons and coherence of God's creative order from the point of view of the Creator himself) (O'Donovan 1994, 101-120). This is not merely an exercise in stoic self-alienation, because everything that our Father instructs us in the building of his kingdom is for the benefit of that kingdom's heirs—us (Rom. 8:15). Ethically we are paralleled to Christ in Gethsemane—not set free as autonomous moral agents, but hypostatically united to the Father, by the Spirit, and thus sharing his will. This is what being 'not under the Law' really means. This is Christian freedom.

### Conclusion: A Change in Law

We have begun to see what being 'not under the Law' is. Divine command voluntarism is wrong to suggest we do not live under the command given to Moses simply because that command's historical context means it necessarily does not incorporate any generalisable moral rules. Historicism is wrong to suggest that being 'not under the Law' means the moral order as revealed in the Mosaic Law has been replaced by something new; situationalism is wrong to suggest that this involves a shift from ethics centering around the concrete written commands to a private imperative of the Spirit, with undefined content. Rather the New Testament treatment of the Mosaic Law shows us that the Law does in fact contain not only arbitrary details but also general moral instructions. These moral instructions, like the moral order itself have been eschatologically transformed by the coming of Christ. This transformation means the entirety of the Mosaic Law is over in its original form. Christ is the end of the Law.

Whilst Christians are without the Law of Moses (νόμος) we must remember that we are not without the Law of God (νόμος θεου) but rather under the ‘law of Christ’ (ἐννομος Χριστου) (1 Cor. 9:21). It is crucial to see that ‘the law of Christ’ is not something quantitatively new since there is an organic link with the original Mosaic Law which is best described as a typological link of content and intention, between telic beginning and fulfilled telic end. Regarding ethics, the Laws of Israel concerning morality are the shadowy typological precursors to their fulfilled anti-type form in the New Testament commands and descriptions. We would argue that all elements of the Mosaic Law, not just the ‘moral’ but also the ‘civil’ and ‘ceremonial’, are fulfilled in Christ such that the eschatological form of these Law continues to be authoritative for believers. The ‘civil’ and ‘ceremonial’ nature of the Law has been fulfilled in content: political compromises are replaced by the ideal that they point towards; coercive community penalties are transformed into the internal imperative of the Spirit working through the concrete commands of revealed Scripture; ritual institutions are changed into the spiritual reality to which they pointed.

The method for determining the fulfilled forms of the different elements in Mosaic Law is beyond the scope of this paper. A (very) provisional suggestion is that one needs to discern between which part of the Law are fulfilled in a way *similar* to their original commands (e.g. honouring ones parents, i.e. the ‘moral’ aspects) and which parts of the Law are fulfilled in a form *different* to their original commands (i. e. ritual and political/institutional aspects of Law). This task is not to impose an *a priori* grid upon the Mosaic Law, but rather find *a posteriori* divisions through close exegesis using New Testament hermeneutical guidance (Carson, 2004, p. 429). This will be a recursive process between several levels of analysis that include: exegesis of the details of the original intent of the Mosaic Law;<sup>20</sup> wider biblical typology of the issue; explicit New Testament hermeneutical keys that explain fulfilment of different kinds of Laws;<sup>21</sup> and New Testament ordering principles.<sup>22</sup>

### A Change in us

Being not ‘under Law’ also denotes dramatic change in a believer’s relation to God’s command. In the Old Testament, the Mosaic command always came to a believer from the ‘outside’, with them not fully sharing their creator’s understanding or will. Even for a devout believer who desired God’s will to be

done, this was always, to some extent, an exercise in self-alienation since their natural inclination was ultimately to do their own will. The disparity between one's personal will and God's was encouraged by the political community *form* of the Law that made hypocrisy possible since one could be obedient whilst desiring one's own glory rather than God's. The change with Christ's coming meant that post-Pentecost, believers were united to Christ, by the Spirit and so now shared the Creator's inner conviction and understanding of his commands in the context of his full plan for creation order. The change in *form* of God's command, explicitly including actions of the heart and excluding political coercion, mitigated against the old hypocritical obedience.

### So is the Mosaic Law binding on believers?

Is it imperative that believers continue to trust in a substitutionary sacrifice or keep the separative food laws? Must a Christian be circumcised? This is to ask *is the Mosaic Law binding on Christian believers?*

We would argue absolutely not, in its unfulfilled form. For example, we need not be physically circumcised: 'I declare to every man who lets himself be circumcised that he is required to obey the whole Law' (Gal. 5:3). To be compelled to do so would be to deny that we had received that to which physical circumcision pointed, the indwelling of the Spirit through the sanctifying work of Christ.

We would also argue absolutely so, in its fulfilled form. What the exact shape this form will take is a subject for another study. Answers to these questions might begin with the fact that spiritual circumcision is necessary as the defining mark of a Christian: 'In him also you were circumcised with a circumcision made without hands, by putting off the body of the flesh, by the circumcision of Christ' (Col. 2:11; 1 Pet. 1:15-17); Christians must trust in the sacrifice of Christ's death; and Christians must continue to be separated from the world (no longer through food rituals but through the sanctification of the Spirit and holy living).

What about the 'moral' commands of the Mosaic Law? What about 'do not kill' for example? In a sense, even for laws concerning morality, the unfulfilled form is likewise absolutely not binding on believers. Christians must not invent this law, or any law, as it originally stood in history as part of a coercive

religious political institution.<sup>23</sup> However, in its fulfilled form ‘do not kill’ is still evidently binding (and the shape of that form will no doubt be very similar to its unfulfilled form, still prohibiting murder, yet deepened and enriched with meaning from the whole complex of New Testament teaching on life itself).

Returning to the opening question of our paper, how should we treat those Mosaic Laws for which we have no direct New Testament mention? Our teleological framework, where *all* of the Law continues in some kind of fulfilled form, gives Christians assurance to utilise even parts of the Law not directly reiterated by Christ. This paper provides the grounding for this kind of hermeneutical process. It is only when we have a *conceptual foundation* for utilising the Mosaic Law in Christian ethics, knowing our method upholds the Bible’s teaching on the inter-testamental discontinuity, that we can have full confidence to plumb the rich *details* of God’s holy Law.

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## ENDNOTES

1. Also Rom. 6:14-15; 1 Cor. 9:20; Gal. 3:23; 4:4-5, 21.
2. For example in Galatians if Paul only meant to deny a legalistic misunderstanding of the law why does he bother to insist the Gentiles must not be circumcised rather than suggest they should continue to be circumcised only now with a right understanding. (Schreiner, 1993, p. 139).
3. E.g. ‘For sin will have no dominion over you, since you are not under law but under grace.’ (Rom. 6:14); Rom. 7:7-11.
4. E.g. Rom. 8:2-3; Gal. 3:13; Col. 2:13-15.
5. Jesus’ interpretation of the Law is very different to the scribal teaching, since the crowds were astonished ‘for he was teaching them as one who had authority, and not as their scribes’ (Matt. 7:29) but note Matthew highlights a difference in authority, rather than content.
6. One must ask why Matthew chooses πληρώω rather than ιστημι if he wanted to say Christ was merely confirming the law (Matt 5:17) (Poythress, 1991, p. 267). Matthean usage of πληρώω elsewhere suggests a fulfillment of prophesy nuance. (Theilman, 1999, p. 51).

7. Thus Moo's failure to see any continuity in Jesus teaching on oaths is simply incorrect (Moo, 1993, p. 349).
8. Again *contra* Moo's exegesis that here Jesus does not 'interpret any particular commandment of the law'. (Moo, 1993, p. 350).
9. Although Paul's main concern is to affirm that the Mosaic Law has ended, his preceding argument (4:21-31) has already set up a typological connection of the 'law of Christ' with the Mosaic Law by co-ordinating (as well as contrasting) the epicentres of the two covenants as the heavenly and earthly Jerusalem. The heavenly Jerusalem is different to the earthly Jerusalem, yet it is still called 'Jerusalem'.
10. Theonomism takes this conception to its very limit: unless rescinded 'we should presume the OT standing laws continue to be morally binding in the NT' (Bahnsen, 1985, pp. 345-46).
11. See also Theilman, 1992, pp. 235-53 and Schreiner, 1993, pp. 170-1.
12. Also Deut. 19:19; 21:21; 22:21,24; 24:7.
13. See also 1 Corinthians 14:34: 'the women should keep silent in the churches [...] as the Law also says', Acts 7:38 and 24:14.
14. Referencing the Septuagint translation of Deuteronomy 33:2. See also Acts 7:53.
15. Thus explaining the difference between Israelites and true Israelites, Matt 3:9-10; Rom 2:28-29. Donovan, 1994, pp. 165-8.
16. 'Christ is the end of the law': In Rom. 10:4 Paul argues that 'Christ is the end (τέλος) of the law for righteousness to all who believe'. Although the context does suggest Paul is concerned here with the ending of the mistaken use of the law to achieve righteousness (Schreiner, 1993, pp. 134-6). Schreiner is wrong to limit the meaning of this particular clause a legalistic misunderstanding and not the 'end' of the law in total. (He argues only 'the law' and not the entire preceding phrase is modified by εἰς δικαιοσύνην but Seifrid points out from a comparison of similar constructions that εἰς phrase most likely modifies the entire preceding clause (Seifrid, 1985, pp. 8-9). We can also accept 'temporal finishing' as part of the range of lexical meaning of τέλος since this does not undermine our typological fulfilment understanding of the Mosaic law either. However we would want to also suggest (and there is ample evidence) that Paul's usage of τέλος includes something of fulfilment/outcome/goal/fulsome result also: Pauline references to τέλος meaning: 'Outcome/Result': Rom 6:21-22, 2 Cor. 11:15, Phil 3:19; 'Goal' 1 Tim. 1:5, 1 Cor. 10:11; 'Fully/to the Utmost': 2 Cor. 1:13, 2 Thess. 2:16. Non-Pauline references meaning: 'Fully/to the Utmost': Luke 18:5, John 13:1, Heb. 6:8, Jam. 5:11, 1 Pet. 4:17; 'Fulfilment' Luke 22:37; 'Goal' 1 Pet. 1:9 (References in bold indicate particular use of τέλος with preposition εἰς)

17. Lull, 1985, pp. 489-96; Young, 1987, pp. 150-76.
18. The lexical range of φρουρέω includes positive connotations of guarding (e.g. Phil. 4:7; 1 Pet. 1:5) (Danker, 2000, pp. 1066-67).
19. Romans 7:6: 'We are released from the Law (κατηργήθημεν ἀπὸ τοῦ νόμου) having died to that which held us captive, so that we serve not under the old written code but in the new life of the Spirit' (also Gal. 2:19). However we must note that Paul uses the same word in Rom. 3:31, 'Do we then overthrow (καταργούμεν) the law by this faith? By no means! On the contrary, we uphold the law (ιστάνομεν).'
20. Used only once in biblical narrative and at a crux moment (Mark 14:36).
21. So understanding the semiotic nature of Israelite Law (Burnside, 2003, pp. 10-36); how those Laws relate to Israelite society and economics (Wright, 2004, pp. 48-102); the relationship between individual case laws and general ordering principles such as the Decalogue; the inherent flexibility and ability of Torah to be re-contextualised for new generations (McConville, 2002, pp. 41-42; 49-50); and that many Mosaic Laws are a subtle combination of symbolic, civic/political and moral aspects (e.g. Sabbath) so their fulfilment maybe equally complex (Wright 2004, 281-326).
22. E.g. i. separative laws 'Jesus declared all foods clean': Mark 7:19 (also Matt. 15:17; 1Cor. 6:13; Col. 2:21, 22); ii. sacrificial laws: 'Sacrifice and offering you did not desire but a body you prepared for me': Heb. 10:5 (also Heb. 10: 8-10; Rom. 3:25).
23. E.g. (i) Love orders all commands 'On these two commandments hangs (κρέμνεται) all the Law and the Prophets': Matt. 22:36-40 (also Mark 12:30-33; Luke 10:27; Matt. 7:12 and Rom. 13:9; Gal. 5:13-14; Jas. 2:8-10). (ii) mercy orders ritual commandments e.g. 'I desire mercy, and not sacrifice': Matt 12:7 (also Matt. 9:13 cf. Hos. 6:6; Isa. 1:11, 15-17; 1 Sam. 15:22; Prov. 21:3); 'The Sabbath was made for man, not man for the Sabbath' (Mark 2:27 also Luke 6:9; John 7:23; cf. Deut. 5:14 and Col. 2:16).
24. This is not to argue that the Church should not seek to influence the State as it enforces the protection of life.

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