A Conceptual Foundation for Using the Mosaic Law in Christian Ethics — Part 1

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Current Misunderstandings of the Discontinuity that Christ Makes to the Moral Order and the Mosaic Law

The Bible is clear that Christ brings a radical discontinuity to world order and believers' relation to the Mosaic Law. Evangelical scholarship has been influenced by three ethical frameworks that misunderstand this discontinuity. Divine command voluntarism suggests we do not live under the command given to Moses because God's commands are specific and cannot be universal (i.e. relate to creation order). Historicism posits that the moral order as revealed in the Mosaic Law has been replaced by something new; and situationalism misunderstands being 'not under the Law', saying this is a shift from ethics based upon concrete written commands to a private imperative of the Spirit, with undefined content.

However, the New Testament treatment of the Mosaic Law demonstrates that the Law does, in fact, contain general moral instructions relating to the creation order. The discontinuity between the Testaments is rightly understood when we see that the Mosaic instructions have not been *replaced* but rather *eschatologically transformed* by the coming of Christ. Christ and Paul's usage of the Mosaic Law demonstrate that the laws of Israel are the shadowy typological precursors to their fulfilled anti-type form in the New Testament. All elements of the Mosaic Law—'moral', 'civil' and 'ceremonial'—are fulfilled in Christ such that the eschatological form of these Laws continues to be authoritative for believers. There is continuity but also dramatic change in the content of these Laws. Christ's coming also ends the Mosaic Law as a historical entity. Its mediated form as a coersive political ritualistic community law (a form which made hypocritical obedience possible and encouraged legalism) is over. There is also a change in believers' relation to God's command (which remains verbal, public and enscripturated) since his command now comes not

as an external coercive force, but rather is internalised. Christians share their creator's will and understanding of the moral order because they are united to Christ by the Spirit.

Therefore this conceptual framework of the teleological fulfilment of *all* Mosaic Law, within a right understanding of the discontinuity between the Testaments, gives Christians the confidence to utilise that Law (even the parts of it not directly reiterated in the New Testament) in Christian ethics.

Outlining the Underlying Questions

1. In what way can we utilise the Mosaic Law in Christian ethics?

2 Timothy 3:16-17 tells us that 'All Scripture is breathed out by God and profitable for teaching, for reproof, for correction, and for training in righteousness, that the man of God may be competent, equipped for every good work'. This paper seeks to lay a foundation for why and how Christians should use the Mosaic Law for teaching, reproof, correction and training with respect to ethics.[1] In this chapter we will simply outline the questions that frame our debate and the approach we will take.[2]

We are not primarily concerned to find if New Testament ethics is *influenced by* or finds its *origin* in the Mosaic Law, but rather seek to discover the *interpretive methodology* the New Testament writers suggest everyday believers should have towards these Old Testament texts as they deliberate ethical questions.[3] For example, how does the Mosaic Law now function for Christians: has its commanding force ceased or does it *continue* to have some kind of imperatival function for believers? And what are Christians to do when faced with an ethical dilemma that is only explicitly dealt with in the Mosaic Law, but not in the New Testament? Should the route to ethical knowledge exclusively centre on the teachings of Christ and the apostles (thus Christians 'utilise' the Mosaic Law but only in a limited sense as we read it 'reiterated' in the pages of the New Testament)? Or should we take a broad interpretive approach, going back to the details of the Mosaic Law to extend Christian ethics, even in areas not directly mentioned in the New Testament? And can we use ethical data from the Mosaic Law to weight a 'balance of Scripture' argument to assert that an ethical position carries *more* authority if it has been mentioned in the Law (e.g. homosexuality)?

We may not provide answers to all these questions but we seek to construct a conceptual foundation that will give us a basis from which we can use the Mosaic Law *appropriately* in Christian ethics.

2. How should we deal with the radical discontinuity that Christ brings to the world?

Any conceptualisation of how Christians are to use the Mosaic Law must accommodate the radical discontinuity that the Christ event brings to the cosmos. We will very briefly outline the texts that present this discontinuity before considering how it has been misunderstood in ethical voluntarism, historicism and situationalism. Having established certain systematic parameters, we will examine the texts below more closely to integrate them into an ethical framework that understands this discontinuity rightly.

a. Apocalyptic change in world order

Isaiah 42: 9 prophesies: 'Behold, the former things have come to pass, and new things I now declare; before they spring forth I tell you of them.' It is undeniable that in Christ, God has done a new thing. Whilst avoiding the extremes of an overly immanent eschatology we must acknowledge that God has inaugurated a new world order (paliggenesia)[4] in Jesus—through his incarnation, his death, and particularly his resurrection and ascension.[5] The apocalypse has begun, the world has been shaken,[6] the age of new wine has arrived, the Spirit is here.[7]

b. The fulfilment of Mosaic Law and a change in our relation to God's command.

Jesus himself states that he has come to 'fulfil' the Law (Matt. 5:17), and reminds us that 'Christ is the end of the Law' (Rom. 10:4). Jeremiah 31:31-32 says '…I will make a new covenant with the house of Israel and the house of Judah, not like the covenant that I made with their fathers'.[8] This new covenant has a new priesthood, and hence necessarily there is a change in Law as well (Heb. 7:12). The Mosaic Law was only a shadow of the fulfilled eschatological realities. Christ has abolished anairei the shadow in order to establish the true form (Heb. 10:1, 9).[9]

The Bible is clear that Christians are not under the Law: 'But if you are led by the Spirit, you are not under the Law.' (Gal. 5:18).[10] Another related idea is that believers are released from the Law. 'But now we are released from the

Law, 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' (Rom. 7:6). The Law's temporary functions of imprisoning under sin and increasing sin have ceased (Gal. 3:22; 4:3-4; Rom. 5:20; Gal. 3:19). Hence believers are no longer under a pedagogue but have the full rights of sons. 'But now that faith has come, we are no longer under a guardian (paidagwgon) for in Christ Jesus you are all sons of God, through faith' (Gal. 3:25-6). This guardianship is described as slavery. There is a freedom associated with not being under the Law.

Another change concerns the mediated form of Law. Mosaic Law upheld an element of distance between the Israelites and God because its form was always mediated. The Mosaic Law was delivered by angels through a mediator (Heb. 2:2; Gal. 3:19-20) and was a 'letter' not written on the heart by the Spirit (2 Cor. 3). In the last days however, this mediated form of communication has ended, since Christ mediates God directly to us (1 Tim. 2:5) through the Spirit.

3. Conclusion

As this brief sketch shows, Christ's coming brings a radical discontinuity in world order and great changes regarding Mosaic Law. Now we will explore how interpretations of these negative statements about the Mosaic Law (often inadvertently) entail a conception of discontinuity that runs against key theological axioms.

Misunderstanding the Discontinuity between the Mosaic Law and Christian Ethics

Our argument will show how certain conceptions of the discontinuity between the Mosaic Law and Christian ethics implicitly operate within the ethical frameworks of voluntarism, historicism or situationalism. We will also explore the inconsistency of various authors' approaches and how these frameworks deny basic biblical doctrines. Our method will primarily be at the systematic rather than exegetical level, because (particularly with reference to 'the Law') one's theological framework, pnuematology and conceptualisation of the nature of the moral order itself, deeply affect the understanding of the terms involved.

1. Misunderstanding the discontinuity: Divine command voluntarism

One conceptualisation of the discontinuity between the Mosaic Law and Christian ethics ultimately suggests that all ethics are discontinuous since they

are grounded only in the free divine command of God rather than in the universal order of nature. Hence there is no problem with discontinuity between the Mosaic Law and Christian ethics since each are different divine commands. An example of this is Barth's divine command theory.

a. Barthian voluntarism: Discontinuous particular commands rather than continuous general rules.
In *Ethics* Barth states—

> When people reached by God's command stand in decision, it is a particular and definite command that has reached them. Moral generalities of any kind, even though they are biblical and in the exact words of the Bible, are not the command, for over against them we ourselves secretly are and remain judges and master. The good is this or that command that is given to me without choice or determination on my part (Barth, 1981, 83).

Barth argues that God's commands come to us as specific, 'particular and definite' commands. They come to us alone as individuals, not as 'moral generalities' or rules. This is because any general rule, described in ontological categories (as all general rules must be) opens up interpretive freedoms through which we remain 'judges and master' as we pit our rationality against God's revelation. For Barth the Word of God cannot in any way be intermingled with human understanding of the world as it is, thus ethics must come as pure revelation, independent of human reason: 'the Word of God…[is] always the aggressor in relation to everything else, to general human thinking and language.' (CD II/2, 520).

This position is essentially *voluntarist* (ethical voluntarism denies that ethics are grounded in metaphysics and the concrete ontology of creation). The defence that Barth *only* makes epistemological and not ontological claims regarding ethics, is not actually correct. Whilst most of Barth's arguments concern epistemology, his denial of general moral rules actually is a denial of an objective generic moral order (and not just a denial of our epistemological access to that order): 'If we had understood it [God's command] as a general moral truth we should have had to equate it now with the content of an absolute body of law. *Somewhere and in some way it would have to be true in itself*' [italics added]

(Barth, 1981, 85). It is the ontological element of general moral rules to which Barth objects—their ontology is that which provides their independence from God and thus makes them an alternative authority to God.[11] One can also discern ontological claims about creation order amongst his epistemological arguments and these seem to be negative: 'only the command which is issued to us and not a *concept* of it, not an idea, not a conceptualised 'being' of the good, is the court which we must obey or disobey in moral decision' (Barth, 1981, 78). Barth's stress on 'God's command as Creator' does not in itself prove that he holds a non-voluntarist framework. For when Barth talks of God as Creator his primary focus is not upon a created order but on God's absolute sovereignty—'power confronting absolute impotence' (Barth, 1981, 118).[12]

At best, Barth holds a kind of 'dynamic' individuated ontology of 'moral order'. There is some kind of ontology connected to God's command, but it only concerns the individual: 'the correlation really does exist between his command and the definiteness of our life.' Yet as his argument unfolds and he explains our ontology as creatures, 'the how and why of our being', he again only relates this to our individuated 'definiteness' as receivers of command but never suggests a mutually shared external order (Barth, 1981, 175-6). It seems this individuated ontology is in flux: 'The good, the command, *is* not true but *becomes* true as it is *spoken* to us as the truth' (Barth, 1981, 85). Barth thus seems to reduce moral 'order' and 'good' to an ontological 'becoming' that is dependent upon whatever God commands, moment by moment. The 'facts of our being' are defined or 'decided upon' in connection with God's command rather than created in accordance with the norms of nature (Barth, 1981, 175). Barth's Aristotelian approach is apparent in his discussion of sexuality: he argues that the good can only ever be realised *a posteriori* in concrete examples—there are only ever particular realisations of God's commands. (Barth, 1981, 181-5). Yet he seems confused since he does admit natural generic categories such as male and female, and that 'God's command must be heard by males as males and females as females'. Somehow this does not constitute a moral generic grouping (i.e. a natural moral order that could be used to define right action) (Barth, 1981, 181).

b. Divine command voluntarism's influence on scholarship

Whilst many evangelical scholars would refute Barth's divine command framework we must be aware of its influence. This is seen in a tendency towards

Barthian docetism (seen most clearly in Barth's approach to the Word of God) in ethics, i.e. where it is claimed that eternal truths cannot be constrained within or identical to historical details, and so no generalisation can be made from narrative accounts. This can be seen in some narrative approaches that deny the possibility of discerning general moral truths from particular historical details. Whilst many conservative scholars would refute this approach in the New Testament, they apply it to the Old Testament (often as *part* of an argument refuting the classic three-fold hermeneutical division of the Law). They do this suggesting that because all Torah had some *Sitz im Leben* within the social institutions of Israel, any attempt to identify 'moral' norms which survive the ceremonial and civil aspect of those institutions must be arbitrary.[13] It is argued that the Mosaic Law must be treated 'as a whole' ('whole' interpreted to mean there is no division between moral, i.e. general, and non-moral, i.e. particular time/location specific, instructions because *all* are assumed to be exclusively time/location specific.)[14] This voluntarist framework is also accepted when the ending of the Mosaic Law, as a covenant institution, is suggested to end *all* authority of *all* elements of the Mosaic Law.[15] Any position which asserts discontinuity between the moral element of Mosaic commands and Christian ethics, yet does not see this as a conundrum to be solved, suggests a certain level of voluntarism. For if one is to uphold a concept of a general moral order then one cannot assert ethical discontinuity without at least seeing the need for some kind of resolution of this contradiction.[16]

c. Critique of divine command voluntarism

The first problem of divine command voluntarism lies in the particularity of God's command. Right and wrong are not ultimately defined in a general sense, but actually only relatively, with respect to what has been revealed. Thus, *there is no universality to ethics, since all ethics will be entirely particular* (this is precisely Barth's point). Divine command theory is a denial of a general moral order of creation. Any universalising element of this ethic will only be a construct (such as Barth's 'summaries'). God may speak to a collected number of individuals, but since we have effectively refused generic groupings in nature, these 'universal' commands are only a repetition of individuated commands of which all have the same content.[17] A consistent divine command theorist will not be able to assert a general moral rule: 'murder is wrong' (i.e. a universal claim upon any particular action that is classified within the generic group of actions called 'murder') but only that a number of individuals have

been instructed not to do certain actions (which from a realist position are all classified as murder) by God.

Yet the existence of general moral rules sewn into the order of creation is witnessed to throughout the Bible. Colossians 1:15-20 tells us that creation is ordered both generically (so moral actions are classifiable into universal groups) 'in him all things *hold together*' and by telic order (so we can apply moral rules to these classes of actions with respect to God-given purposes) 'all things were created by him and *for him*'.

It is essential to see that whilst all God's commands are located in an historical context they are presented as consisting of two types not just one: some are specific, providential and arbitrary but others are general and moral. His providential arbitrary commands are unrelated to the creation order and therefore not accessible in terms of right and wrong; instead they are particular (such as particular commands to individuals, like Jonah being told to go to Nineveh, or God's elective, redemptive calling worked out in salvation history).

His moral actions, on the other hand, *are* assessable in terms of right and wrong since they are related to the creation order, and so universalisable.[18] Simply because all of God's commands are presented in a historical context does not mean they are *all* of the providential arbitrary kind. Even a cursory reading reveals that much of the Mosaic Law *does* concern issues of general morality (i.e. re general right and wrong). Our study of the New Testament usage of the Mosaic Law will show that the New Testament authors understood it to contain general moral instruction, not merely arbitrary commands for the Israelites.

Nor does the historical context make it impossible *a priori* to distinguish the general moral from the arbitrary aspects of Mosaic Law. It is a difficult task but not impossible. We may admit discontinuity for *other* reasons (e.g. eschatological fulfilment) but we should not allow the distance of *time alone* to stop us from seeking moral principles in the Old Testament, anymore than it stops us from seeking them in the New Testament (O'Donovan, 1994, 38-45).

It is also hard to see where a place can be found for a *rational decision making process* with those who want to equate the moral aspects of the Mosaic Law

to the time specific arbitrary command of God (i.e. to deny that the moral aspects of Mosaic Law relate to a created general ontology of moral rules). If one wishes to separate creation from ethics to retain God's (or man's) ethical autonomy then we must also accept that creation cannot provide any substantiating evidence for the commands of God and there is nothing in creation than one can consider, even from a position of faith, to deepen our ethical understanding.[19]

Barth wanted to make precisely this point in order to turn the tide against nineteenth century liberal rationalism: 'divine command does not need any interpretation, for even to the smallest details it is self-interpreting' (CD II/2, 665). Barth denies general moral rules in order to empty rationalism of its power and so must downgrade Scripture from *revelation to witness*: 'throughout the Bible, the biblical commandments are not simple and direct revelation, but like the whole Bible they are *witness* to revelation, and it is in this specific sense which excludes their use as general moral truths that they are God's Word to us' (Barth, 1981, 82). For Barth, Mosaic Law and even New Testament ethical commands are only ever witnesses to God's directly inspired divine command to us. So how do we decide if a command to Moses is a command to us? In a sense this is not our decision to make, rather the command of God (to which the Law of Moses witnesses) simply *comes to us* as an undeniable command needing no interpretation. Our place is merely to hear and obey.

In places Barth seems to embrace the innate irrationality of his voluntarism. At times he comes close to suggesting some of God's commands have a private nature, parallel but separate to Scripture. Barth needs this mystical approach if he is to explain 'exceptions' to the specific command of Scripture without recourse to a concept of general rules.[20] Elsewhere he clearly cannot sustain this level of voluntarism and actually engages in rational decision making, using general moral rules (to which the biblical evidence clearly points) (O'Donovan, 1995, 87; Hays, 1996, 236-9). Barth's exegesis of the Decalogue is strained and he finally declares that the Decalogue is indeed a collection of 'summaries'. Thus 'he effectively admits, with more good sense than consistency that the particularist approach cannot be carried through, for a "summary" is nothing if not the universal generalisation which he sought so hard to exclude' (CD II/2, 681-683; CD III/4, 400; O'Donovan, 1976, 62).

Ultimately voluntarism runs against the orthodox tradition that is able to stress faith seeks *understanding*. Faith *can* find its place within an ordered universe and rationality *can* find its place within a theology of revelation. But when the reality of general moral rules is accepted then our central hermeneutical problem returns. We are again faced with the interpretive conundrum of the nature of the discontinuity between the Mosaic Law and Christian ethics, and how, if at all, these commands apply to Christians.

d. Conclusion

Our understanding of the discontinuity between the Mosaic Law and Christian ethics cannot be based on a system that denies general moral rules are sewn into creation order; and we must uphold that the historical context of the Mosaic Law does not necessarily exclude it from containing universalisable moral rules, but rather the Law can contain both time-specific and general (i.e. moral) instruction.

Most evangelical scholars would claim a realist framework (i.e. universal ethics based in creation ontology). However their realism must have *sufficient conten*t to avoid the problems of voluntarism. By this we mean that within their conception of the discontinuity between the testaments they must be able to accommodate the notion of a continued external created moral order, referred to by Torah and which is shared by both the Israelites and ourselves.

Misunderstanding the discontinuity: Historicism

We have seen that the historical context of the Mosaic Law does not necessarily exclude it from containing universalisable rules revealing the moral order of creation. But the question remains as to how we are to understand the dramatic and fundamental *change* in world order that ensued with the advent and particularly the resurrection of Christ and how this affects our reading of the Mosaic Law. We will explore how some descriptions of the Christian use (or rather non-use) of the Mosaic Law reflect an understanding of this change that denies key biblical axioms. The crux of the issue concerns how the Mosaic Law is fulfilled. How does the 'law of Christ' fulfil the Mosaic Law?

a. Three conceptions of fulfilment

We can identify three different conceptualisations of 'fulfilment', each of which entails a different use of Mosaic material in Christian ethics. The first is *partial*

fulfilment, partial truncation, partial continuation. By this we mean that some parts of Mosaic Law are fulfilled by Christ (e.g. 'ceremonial), some parts are truncated (e.g. the 'civil') and some parts continue unabated (e.g. the 'moral'): a simplistic reformed three-fold hermeneutic of Law. There remains a partial identity between the old Law and the new 'law of Christ'. What does this mean for the use of the Mosaic Law by Christians? It would imply some parts of the Law continue to be of direct authority for Christians but other parts are entirely obsolete.

The second understanding is *fulfilment as replacement*. By this we mean the Mosaic Law is fulfilled by something different to itself. The 'law of Christ' does not share identity with the Mosaic Law, but rather was pointed to by the Mosaic Law, as something that would replace it (in the same way that life in prison is 'fulfilled' and replaced by life on the outside—the first stage in a sense points to the second stage, but there is no necessary qualitative link between the two 'eras'). There may well be *overlap in content* between the Mosaic Law and the 'law of Christ' but this is due to a shared originating source (God's eternal character) rather than any direct link between the two. What does this mean for the use of the Mosaic Law by Christians? It implies that all parts of Mosaic Law not expressly reiterated in the New Testament are obsolete, and even those parts that are reiterated, add no extra weight to the 'law of Christ' since even they have been replaced.

The third is *teleological fulfilment*. By this we mean the Mosaic Law finds its teleological goal in the 'law of Christ'. There is 'organic' identity between the Mosaic Law and the 'law of Christ' but there is also change in form (e.g. as from a seed to its *telos*, a tree). What does this mean for use of the Mosaic Law by Christians? It implies that *all* of the Mosaic Law is useful for Christians, yet all of it is in unfulfilled form. Thus change will be observed at the coming of Christ but will there be a typological link between unfulfilled content and fulfilled content.

b. Fulfilment as replacement: Westerholm and Moo's position

Let us look for example at Stephen Westerholm and Douglas Moo's positions concerning the Christian use of the Mosaic Law. The evidence will suggest that Westerholm, and most probably Moo, hold the second view of fulfilment.

When commenting on the Sermon on the Mount, Moo argues that Jesus 'is claiming that his teaching brings the eschatological fullness of God's will to which the Mosaic Law looked forward. Jesus "fulfils" the Law not by explaining or by extending it but by proclaiming the standards of kingdom righteousness that were anticipated in the Law' (1993, 352).

This sounds like Moo is advocating a teleological fulfilment of Law. Yet as he continues, his conceptualisation seems to be closer to that of replacement rather than qualitative fulfilment that carried forward the content of the Mosaic Law for believers. He argues Jesus' 'teaching is neither a repetition nor an expansion of the Law, *nor is it based on Law*. Nevertheless, it stands in salvation–historical continuity with that Law'. [Italics mine] (1993, 356). But Moo's concept of salvation–historical continuity or anticipation is understood in a very minimal way since he argues that Christ's teaching neither intensifies nor brings forth the true intention of the commands but rather consists of 'new demands only indirectly related to the Old Testament commands which are cited.' (1984, 26).

When talking of the love command in Romans 13:9, Moo argues—

> At issue then, is whether, in 'summing up' the Old Testament commandments about our relations to others, the love command *replaces* these commandments or whether it simply focuses them by setting forth a demand that is integral to each one of them. When we remember that Paul has earlier in Romans proclaimed the Christians freedom from the 'binding authority' of the Mosaic Law […] the former alternative seems to be closer to the truth (1996, 816).

Although Moo is clearly not happy with wholesale disjunction, the fundamental logic of his argument pushes in this direction. This makes his repeated assertions of some level of continuity seem somewhat contradictory. A telling statement by Moo relates to how Christian ethics are to be discovered: 'Our source for determining God's eternal moral law is Christ and the apostles, not the Mosaic Law or even the Ten commandments.' (1993, 89).

Westerholm's position is less cautious. In his chapter on 'Law and Christian Behaviour', Westerholm reveals the way he conceives the connection between

the Mosaic Law and Pauline ethics in an introductory analogy. He argues that just because two entirely different countries may have laws with similar content (e.g. murder being a capital offence) this does not entail that the authority of one country's laws continue when one moves to different country. Likewise it does not follow that overlap in content between the Mosaic Law and the 'law of Christ' entails that Mosaic Law 'is the foundation of Christian ethics' 'or the basis on which Paul defines sin for believers and insists that they not commit it' (Westerholm, 1988, 199-201).

Westerholm goes further. He moves from arguing against any *necessary* connection due to shared content between Mosaic Law and the 'law of Christ', to a statement that *there is no connection*. (Westerholm 1988, 199-201). He states '"Walking in the Spirit" is an ethical norm replacing the Law […] the ethical behaviour which the Spirit induces corresponds nicely with the moral demands of the Mosaic Law. But this, as we have seen, does not mean that Paul derives Christian duty from the law' (1988, 214). Westerholm's argument seems to be that the Mosaic Law, despite a seeming 'correspondence' with Christian ethic, has no more privileged connection to the 'law of Christ' than any other society's laws which all, to some extent, reflect the creative order and God's character (Rom. 1–2). Westerholm means here to deny not only that the *authority* of Christian ethics derives from Mosaic Law but also the *content or formulation* derives from Mosaic Law. He goes on to argue—'The old covenant, of which the Mosaic Law was an essential component, has now been replaced by a new covenant. And while others, with or without reflection, continued with the old observances, Paul set about the task of *formulating* the ethics of the new covenant.' [italics mine](Westerholm 1988, 221).

He repeatedly states that Paul refused 'to allow the Mosaic Law a place in Christian ethics' and that he 'abandoned Torah' (Westerholm, 1988, 199, 217) and concludes that 'Paul could not conceive of Torah as a mere guide for moral behaviour. Once he had rejected the law as the means of salvation, then ethical conduct required different norms' (Westerholm 1984, 218).

c. Fulfilment as replacement equates to ethical historicism

Ethical historicism is a framework where the moral order has actually changed with history to become something new; and it is hard to see how the above conceptualisations could be understood as anything other than historicism.[21]

Firstly the Mosaic Law has been 'replaced' with other moral norms, secondly this change concerns ontology not merely epistemology and thirdly the knowledge of the moral order cannot be accessed via the old revelation.

In the above arguments there is no place for utilising parts of the Mosaic Law that are not explicitly 'repeated' 'reintroduced' or 'reapplied' in the new era (Moo, 1988, 216). No moral is binding unless 'clearly repeated by Christ' (Moo, 1993, 376). *This means that some moral laws, to which the Mosaic codes pointed, have simply ended*.[22] But the ending of those old Mosaic moral laws means that Christ essentially introduces us to a different world. Because the moral order is a unity, if even only one part of it stops (e.g. before X was wrong, now X is right), in a sense, the *entire* order becomes something totally new. One could even argue that the world and all moral agents have actually metamorphosed into entirely new identities. It is not the same world, not just qualitatively but *quantitatively*.

O'Donovan explains—

> to the extent that we do come to recognise and respond to a new good, we must *ipso facto* loose our grip on the old, for the old and the new do not inhabit the same moral field […] the agent becomes a plurality, a sequence of dissociated roles and responses evoked by the shifting self-transforming meanings of the world, or […] the sequence of different worlds into which he has to act (1994, 185).

Despite claims to the contrary, the inevitable logical outcome of Moo and Westerholm's arguments is that God, as it were, wipes the ethical slate clean at the coming of Christ, and '*re-introduces*' a 'new' ethic, rather than fulfilling and transforming the past order.

d. Critique of historicism: A universe in flux

But if the world has changed then can we not assert that any 'trans-historical meditation' (i.e. learning from the past) should really be impossible? Even if there is 99% overlap in ethical content between Moses and Christ, we actually inhabit a different universe and any interpretation of the present by the past is, in fact, illogical. Every ethical era presents an entirely new universe to the last and each must be evaluated afresh in its totality. Good is defined exclusively as

the new thing that God does in history, unrelated to the past, because God has wiped the ontological state of ethics clean.

Within this conceptualisation history becomes mere *process*. Despite the fact that Christ came 'according to the Scriptures', the ethical aspect of the Christ event is actually uninterpretable from what went before, since God only defines values from within the historical process rather than from outside of it. There is no way to critique God's actions in history. In addition, if the ethical ontology of the world is not linked organically to its previous form, there is nothing to stop God transmuting this universe an infinite number times into an infinite number of ethical variations. (One may retort that the consistency of God's character will never allow this to happen. But we can reply that if we accept the concept of God hypothetically being able to create different kinds of ethical universes in order to protect his free sovereignty, then we cannot now argue from his character that he is bound to keep this ethical universe unchanging. To have stability we need a notion of creation order which has its telic end sewn into its beginnings, and through which God's faithfulness to that order can be seen.)

Thus within a historicist conception the only answer to the problem of novelty in the moral field will be pure revelation: this alone will be able to introduce us to the strange new ethical era we find ourselves in (e.g. Moo's interpretation of 'You heard it was said…but I tell you' as Jesus pronounces in the Sermon on the Mount, 1984, 17-28). Without a concept of a–historical moral order, many of the problems that faced voluntarism resurface.

A fundamental problem with this kind of historicism is that it fails to have a through-going christological hermeneutic. Ironically this unites Moo and Westerholm to a position they most strongly refute: the simplistic three-fold hermeneutic of law (i.e. the first understanding of fulfilment as discussed above: part fulfilment, part truncation, part continuation). In both conceptions the 'moral' parts of the Law fail to be promissory of Christ.

In the three-fold hermeneutic there is an understanding that the Law is fulfilled by Christ however this is truncated. The ceremonial and civil parts of the law are fulfilled and transformed by Christ, but the moral parts go on untouched, Christ's coming into the world does not transform or 'fill them up' in any way, he can only confirm them. Thus the moral parts of the Law do not

typologically promise Christ at all. Christ is not the antitype to Moses with respect to moral laws but merely another type (not even another Law-*giver* but merely a Law-*reiterator*).

The historicist position (fulfilment as replacement) despite coming to the opposite conclusion to the first view, actually has similar hermeneutical foundations. Regardless of its assertions of treating the Mosaic Law as a whole, a duality is set up—there are promissory aspects to Mosaic Law (e.g. the sacrifices/ceremonial parts) which Christ fulfils and carries forwards in a new form in the era of the Spirit. But there are non promissory aspects to Mosaic Law (e.g. the moral parts) which have been replaced or jettisoned. Again we see God's actions in history split into two streams, the only difference between this and the preceding schema is that in this, the second stream of moral Law finishes at the coming of Christ rather than continuing on unaffected.

A response might be that this kind of historicism does hold that the moral parts of the law are promissory: the moral part of the law promised that Christ, the perfect Israelite would be sent by God, to obey the Mosaic Law perfectly. But this is not how the Bible presents Christ's fulfilment of law (either in Old Testament prophesy or in the New Testament). Firstly the context for Matthew 5:17 strongly suggest that Christ is referring to his *teaching rather than his obedient life* when he explicitly says he has come to fulfil the law (Carson, 1995, 142; Moo, 1993, 351). Secondly the Old Testament eschatological passages concerning the Law suggest its future lies in the entire people of God obeying the law, *themselves*, in God's eschatological kingdom (not just the Christ obeying it on their behalf—although we know from the rest of the New Testament that this obedience only comes through faith-union to Christ the truly obedient Israelite). Therefore our criticism stands.

e. The alternative: Fulfilment as teleological transformation and consummation.

There is only one explanation of the ontological change Christ brings to the moral order that avoids becoming historicism. This is an understanding of fulfilment not as *replacement but as teleological fulfilment* where the paradigm of history (including ethical history) has only *one* beginning and *one* telic end that is organically related to that beginning. There is disjunction yet this must be seen as the disjunction between telic beginning and telic end. We will look

at the New Testament exegetical evidence later, but here we can see systematic reasons why this must be the case.

Firstly, biblical eschatology presents the new creation as *connected* to the original creation in such a way as there is disjunction but never annihilation.

> The resurrection of Christ, upon which Christian ethics is founded vindicates the creation order in this double sense: it redeems it and transforms it. For the resurrection appears in the Gospels under a double aspect, as the restoration of Jesus from the dead and as his glorification at God's right hand (O'Donovan, 1994, 56).

Creation order has been vindicated, including that part of creation order reflected in the Mosaic covenant (Ps. 8; Rom. 8:19; Rev. 5). In terms of quantitative identity the Bible affirms the universe is still the *same* universe and we remain the *same* moral agents either side of the Eschaton, even though qualitatively we have been transformed. Thus the christological fulfilment of the elements of Mosaic Law that concern general creation order must likewise be understood, not as *replacement* with something entirely different but as the *transformation* into their telic end. This is a transformation so extreme, with the end so glorious in comparison to the beginning that one can describe the Mosaic Law undergoing a 'setting aside' (aqethsi) and being annulled (anairew) so long as one remembers what the Mosaic Law has been 'set aside' *with* its typologically fulfilled form (Heb. 7:15-22; 10:9-14).

Secondly, the Bible upholds a thorough-going christological hermeneutic: *All* the Law and the prophets point to Christ (Luke 24:27; Matt. 5:17-18; 11:13). We must assert the unity of God's gracious actions and revelation in Christ. God has only one unified plan to bless creation, which is the promise of Christ, contained throughout the *whole* of the Law, fulfilled by the person of Christ (2 Cor. 1:20; 1 Tim. 2:5; Col. 1:15-20).

Therefore we need a breadth to our christology such that Christ fulfils not just the ceremonial/civil parts of the Law, but the *entire Law* including its moral dimensions: every law foreshadows Christ, not just the 'ceremonial' ones. The moral element of the Mosaic Law does not continue untouched in the era of the Spirit, but neither is it *replaced*.

Thirdly we can assert that this teleological transformation of the Mosaic Law (rather than its replacement with something quantitatively different) is anticipated in the Old Testament itself. In the future, God's people will be empowered to obey, not an entirely new teaching, but rather something described *in terms that are closely connected to the old Mosaic Law* (the lexical choice of the concrete terms of 'statutes and rules': hQ'xu and jP'v.mi in Ezekiel 11.20, 36.27 and 37:24 suggest some connection to the original Mosaic Law). Deuteronomy 30:6-10 is even clearer 'And the LORD your God will circumcise your heart […] when you obey the voice of the LORD your God, to keep his commandments and his statutes that are written in this Book of the Law' (hw"c.mi and hQ'xu: See Block, 1997, 198-9; 1998, 353, 417; McConville, 2002, 428, 430-3).

Moo argues from Jeremiah 31.32 that the new arrangement would 'not be like the covenant I made with their forefathers' (1993, 345) but he failed to mention the following promise which states 'God will put his law within them' hr'AT (Jer. 31:33). Kaiser rightly argues 'the burden of proof is on those who say this Law found in the new covenant and the Zion passages is different from the one already known in the text' (Moo, 1993, 398).[23] Just as something of the original meaning of sacrifice xb;z< is retained even when it is transformed into its fulfilled New Testament form so for hr'AT, jP'v.mi and hQ'xu.

If our teleological conception of fulfilment is right then it is important to recognise this changes the way the Mosaic Law can be used in the Christian era. Moo declines to utilise details of the Mosaic Law that do not concern issues directly reiterated in the New Testament. However if we have confidence that all of the Mosaic Law is fulfilled in Christ and is connected in content some way to its telic end rather than merely historically preceding it then we have hope that (using hermeneutical keys provided by Christ) we can access the whole Law for the benefit of Christian instruction.[24]

Misunderstanding the discontinuity: Situationalism

a. Ethical situationalism

A third misunderstanding of the discontinuity between the basis of ethics in the Old Testament and the New Testament concerns the role of the Holy Spirit. We will demonstrate how certain authors seem to advocate a form of ethical situationalism. Situationalism is in essence a 'formal' ethic with no concrete

content. It holds that the content of Christian ethics may not be described prior to each situation. Instead Spirit-filled Christians will know what to do as each ethical situation arises. Bultmann, for example, clearly held this framework: 'The love-commandment […] by its own nature will not tolerate any formulated positive positions' (Bultmann, 1955, 2:222). There are several different facets to this conceptualisation.

The first downplays obedience to written concrete ethical revelation, and particularly the Torah in preference for a spontaneous ethical walk with the Spirit. Paul's contrast of 'letter' and 'Spirit' is utilised to make this point (Rom. 2:29; 7:6; 1 Cor. 3:6 ff.). Westerholm is a particularly strong advocate of this position. He concludes his article on 'The Letter and the Spirit' with—

> Above all, we must remember that Paul cannot provide any ready formula for the discovery of the will of God, as he could have done had that will involved the observance of a code of statutes. He can only pray that his spiritual children will grow in their ability to discover the 'good and acceptable and perfect will of God (Rom. 12:2) (Westerholm, 1984, 245).

Similarly F. F. Bruce, in an article on 'Paul and the Law of Moses', argues against Calvin's 'third use of the Law' saying 'So far as Paul is concerned, guidance for the church is provided by the law of love, not by the "law of commandments and ordinances" (Eph. 2:15) […nor] prudential rules and regulations' (Bruce, 1975, 277-278). Moo's position is far more reserved yet he still argues 'having recognised the place within the "law of Christ" of specific commandments, however, I want to insist that they must not be given too much prominence. The basic directive power of the "new covenant law" lies in the renewed heart of the Christian (Rom. 12:1-12)' (Moo, 1993, 370).

A second facet of the argument contrasts 'fulfilling' and 'doing'. Westerholm argues that Paul never claims the Christians 'do' (poiei/n) the law rather they are said to 'fulfil' (plhrou/n) it (Rom. 8:4; 13:8, 10; Gal. 5:14); and Paul only *describes* the law's fulfilment by Christians, but never prescribes they fulfil it through their conduct (Westerholm, 1986, 237).[25] Thus the way Christians relate to the Mosaic Law is not by conscious obedience to it, but to fulfil it, inadvertently, as it were, as they walk in the Spirit.

A third element is the stress upon broad principles instead of individual instructions. This modifies the 'formal' nature of this position, allowing for some content in Christian ethics which is necessarily general not specific. Moo argues, 'This "law of Christ" is not a set of rules but a set of principles drawn from the life and teaching of Jesus, with love for others as its heart and the indwelling Spirit as its directive force'. Referring to use of avnakefalaio,w in Romans 13:9 he says, 'If love for others "sums up" the commandments, the implication is that the one who truly loves will have no need of these commandments' (Moo, 1993, 357; 1996, 816-817). Räisänen is even stronger, arguing for a radical reduction of the Law to the love command (1983, 27).[26]

b. Critique of situationalism

Regarding the dichotomy between serving by the mode of the Spirit compared to serving by the mode of the letter Westerholm is right when he argues against Käsemann that this dichotomy is more than a hermeneutical one (describing two ways of reading the Law, legalistic versus non-legalistic reading). Westerholm states that the distinction concerns the actual Law itself (Westerholm, 1984, 229-41). But his explanation of the contrast between Spirit and letter effectively presents a pnuematology that pits the Spirit against God's revealed written word, as he argues for a spontaneous Spirit-lead that ethic replaces publicly written, concrete commands.[27]

Our reply is that the *internal* witness of the Spirit (Jer. 31:33-4) does not negate the need for the *external* witness of the Scriptures (1 Pet. 1:10-12). The adjective pneumatiko, is primarily used to denote obedience to God's will and *not* a form of service that necessarily lacks verbal content (e.g. Eph. 5:19; Col. 3:16), or corporeal expression (e.g. 1 Cor. 15:44) or the form of command (e.g. Rom. 7:14; 1 Cor. 14:37).

The Bible is clear that in the last days the Spirit's mode of revelation is *still* the external, public, concrete written word (e.g. 1 Thess. 1:4-6; Rev. 5). We must be consistent in applying this pnuematology to both gospel message *and* ethical revelation rather than allowing a certain level of mysticism to locate Christian ethics in a secret domain of private inspiration.

Secondly, we can argue that situationalism has wrongly pitted the Spirit against the *ordered* nature of commands. Mosaic Law or 'letter' (i.e. a historical,

positive, enforced community law, the domain of 'statutes' and 'legality') has been wrongly equated with all 'moral law' (i.e. revelation of the created order that evokes actions)[28] and then *both* are argued to be eliminated.[29] This is the Lutheran dialectic of law and gospel pushed far beyond the biblical parameters. Wrongly this position finds it 'difficult to accept that an *ordered* moral demand can be, in and of itself, evangelical. The antithesis between Moses and Christ has been widened to encompass a total opposition between order and transcendence' (O'Donovan, 1994, 153). But our arguments against voluntarism have already proved that general *ordered* commands are an integral, and continuing part of creation. At an exegetical level the weight of Paul's detailed parenesis also makes it clear that Christian ethics continues to contain specific written public commands.[30] (See in particular his specific exhortations condemning or instructing individuated ethical actions.)[31]

Nor do we want to concede that the form of ethical imperative is merely a 'stop-gap' measure, due to the continuance of the immature, fleshly and weak nature of Christians this side of Christ's second coming (Westerholm, 1988, 245; Moo, 1993, 370; 1988, 218). *Concrete verbal commands are not mere necessities due to sin, but form part of the eternal communication between the persons of the Trinity* (John 12:49-50; 14:31; Poythress, 1999, 13-26). We must strongly assert that the *form of command* continues to be a glorious part of the Father's loving relationship with his children, and the Christ's relationship with his people. Verbal imperatives will continue even in heaven itself. (However this is not to say that form of imperative *exhausts* the rich diversity of New Testament ethical forms which make up a complex matrix of deontic, virtue based and teleological ways of conveying how Christians are to live and be.)

In reply to our critique it may be argued that even if the 'law of Christ' does contains concrete commands this does not necessitate those commands being Mosaic. However if we accept a teleological understanding of the fulfilment of the Mosaic law, we would expect the Law in some sense to be reflected in Christ's commands, and this is precisely what we see in the New Testament.

Concerning the 'fulfilling/doing' argument we can firstly question the statement that Christians are never encouraged to do the Mosaic Law. There are several instances where Paul directly quotes the Mosaic Law retaining some kind of imperatival force for Christians. Moreover, the immediate context of

Paul's descriptions of 'fulfilling the Law' *are* closely connected to the concept of 'doing the Law'.[32] In Romans 13:9-10 it seems highly unlikely that Paul would quote verbatim the second half of the Decalogue if he were merely wishing to replace it entirely with a general principle. Rather he is quoting it in order to exegete it in the light of Christ, i.e. display its full and consummated meaning—'love'. Note that love has already been expanded upon and commanded in very concrete terms in the previous chapter.[33] Regarding Galatians 5:14, Westerholm fails to comment on the key fact that the description of how the Law is fulfilled here is not by walking in the Spirit, or general Christian love, but *by a Levitical command itself*. The entire section on the fulfilment of the Law is concluded by the inference '*therefore…let us do good* to all people' (6:10).

These arguments show that the third part of the situationalist position that suggests the general love principle replaces specific commands cannot be true. (When Paul says that the Decalogue is 'recapitulated' in the command to love, the use of anakefalaiow elsewhere does suggest some kind of continued integrity of the object that is 'summed up' rather than its replacement.)[34] The 'love summaries' (Gal. 5:14 and Rom. 13:8-10) are extremely significant as ordering principles, for our christological interpretation of the Mosaic Law and New Testament ethics, but they do not make the concrete ethical instructions of the Old Testament and New Testament redundant. Deidun rightly argues that love cannot be limited 'to the fulfilment of calculated ethical demands […] but if love goes beyond calculable obligation, it does not go *around*' (Deidun, 1981, 171).[35]

One final point against situationalism is that, if we cut ethics loose from concrete revealed instructions in this new era of the Spirit, we must still face the problem of novelty in the moral field. The facts of the matter are that we *will* continue to make ethical deliberations, and we will seek grounds on which to make them, rather than being only led by the spontaneous promptings of the Spirit. These grounds can either be the Scriptures (old and new) or the 'sentimentality and self-deception to which we are all prone' when lacking 'particular commandments' (Cranfield, 64, 67).

c. Conclusion

The import of this for our argument is that one cannot deny the use of the Mosaic Law by Christians simply because it comes in the form of specific

concrete commandments. This 'form' of ethical instruction is not inconsistent with the way we serve God in the era of the Spirit. If we want to find a 'letter/ Spirit' dichotomy we must find it in understanding the discontinuity aright.

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ENDNOTES

1. Clearly Christ's atonement is the foundation for all good works, yet we will see that the good news of the kingdom of heaven is not reducible to the message about Christ's substitutionary death, if that message excludes an 'ethical' description of God's standards of righteousness. When the man of God is trained in righteousness, this is training in the gospel, but this evangel includes both 'repent and believe', not just the latter.
2. A provisional definition of 'ethics' is 'that which concerns universally ordered actions in an ordered value system indicated by the descriptors 'right' and 'wrong". However even this simplified definition includes some assumptions (e.g. that some actions can be universally ordered). For argumentation for this framework see O. O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics* 2nd ed. (Leicester: Apollos, 1994), ch. 2, 'The Created Order'.
3. We also wish to delineate the theological framework that undergirds their methodology.
4. Matt. 19:28.
5. See Is. 43:19; 48:6; 65:17; Acts 2:14-41.
6. E.g. Hag. 2:7; Joel 2:30-32; Matt. 22:29-30; Mark 13:24-26; Luke 21:25-27.
7. So Matt. 9:17; Mark 2:21-22; Luke 5:37-39.
8. See also Heb. 8:6-13; 10:16.
9. Also 2 Cor. 3:6.
10. Also Rom. 6:14-15; 1 Cor. 9:20; Gal. 3:23; 4:4-5, 21.
11. E.g. an 'ethics of being' is used as a pejorative term. Karl Barth, *Ethics* (Edinburgh: T&T Clark, 1981), p. 78.
12. CD III/4 is more ambiguous than Ethics but statements concerning the 'moral order' seem to be reductionistic and concern the ontology of that order rather than merely epistemological access to it (CD III/4, 45-46).
13. G. R. Dunstan, *The Artifice of Ethics* (London: SCM, 1974), p. 20; D. Moo, "The Law of Christ as the Fulfilment of the Law of Moses: a Modified Lutheran View", in Greg L. Bahnsen *et al. The Law, the Gospel and the Modern Christian* (Grand Rapids: Zondervan, 1993), pp. 336-7; R. Longenecker, *Paul, Apostle of Liberty*

(Grand Rapids: Baker, 1976), p. 119; F. F. Bruce, *Paul: Apostle of the Heart Set Free* (Grand Rapids: Eerdmans, 1977), 192-3; M. Noth, *The Laws in the Pentateuch* Trans. D. R. Ap-Thomas (London & Edinburgh: Oliver & Boyd, 1966), pp. 41, 64.

14. It is also argued because no hermeneutical divisions in the Law were understood by the Israelites it is anachronistic to impose them now- one reply is that it is true there was no need for the Israelites to divide the Law, but salvation history has progressed making this a legitimate Christian concern.
15. E.g. 'Paul's refusal to allow the Mosaic Law a place in Christian ethics follows inevitably from his understanding of the nature of the law. Torah is, for him, not a statement of God's will for people of every age and place, but the covenantal obligations imposed on Israel.' (S. Westerholm, "Letter and Spirit: The Foundation of Pauline Ethics," *NTS* 30: 199).
16. A divine command influence can also be seen in an ethos that is suspicious of moral law as a general concept, particularly because it might endanger God's autonomy, and so also humanity's autonomous rule in creation as vice-regent (our discussion of situationalism will develop this argument).
17. E.g. Barth's talk of rules and exceptions regarding 'Do not Kill' interpreted by the Sermon on the Mount (Karl Barth, *Church Dogmatics* III. 4, G. W. Bromiley & T. F. Torrence (eds.), trans. G. T. Thomson (Edinburgh: T&T Clark, 1961, [1951]), p. 430).
18. God's freedom is not limited by the universality of his moral order—he could have created a universe with very different moral kinds but he actually created this one.
19. This has wo outcomes if divine command voluntarism is consistent: (1) because there is no substantiating evidence for the commands of God in creation, God's authority essentially does not come to mankind primarily as that of Creator but as an alien force. 'If we rule out every claim that might support the authority of God's will […] as derogating from its unmediating demand upon us, how, then is God's will more 'authoritative' than any other alien will that may try to force itself upon us?' (O'Donovan, *Resurrection and Moral Order*, p. 134). Barth stress on the command of God as 'the Creator' cannot help ultimately since he never allows that term to be filled with creational content; (2) any complaint to God concerning the 'problem of evil' must be abandoned since a priori everything God does is good. If none of God's actions relate to a generic external order then in no sense can God seem to act inconsistently with respect to that order. Yet the Psalmist (and Job's) very witness is that, from a human point of view, evil is a problem in a world because it does not seem that all God's actions are consonant with the good order we see in creation. This is why the Bible's eschatology is so vital—one day this dilemma will be resolved and God vindicated (O'Donovan, *Resurrection and Moral Order*, pp. 44-5).
20. E.g. Regarding the commands in the Sermon on the Mount he says 'They declare the simple command of God which is valid for all men in its basic and primary sense, and which is thus to be kept until further notice' (CD III/4, 430 [Italics

added]. But what does Barth mean by 'further notice'? His denial of general rules entails he cannot mean scriptural reference to a further exception that narrows down a general rule. It is hard to see what else this could be other than a direct experience of divine revelation which provides the authentication (or in this case denial) of the witness; Richard Hays, *The Moral Vision of the New Testament* (Edinburgh: T&T Clark, 1996), 230-5.

21. Moo's assertion of 'God's eternal moral norms, which never change' does not make his position less historicist, but only contradictory. In other places he does seem to assert God's ontological moral norms have changed (rather than just an epistemological shift in our access to God's norms) by arguing that Jesus teaching is actually different in content to the Mosaic law on several moral issues: e.g. divorce 'Jesus' teaching on divorce can hardly be said to grow directly out of the Old Testament'; swearing oaths 'Jesus sweeps away the whole system of vows and oaths that was described and regulated in the Old Testament' and loving ones enemies (Moo, "The Law of Christ," pp. 89, 349).
22. In fairness to Moo a complicating factor is the relationship between the authority of revelation and ontology of creation order; this may provide Moo with a partial defence.
23. See Schreiner's argument that the Sinai Torah is not to be distinguished from the Zion Torah and that the law itself anticipates its future fulfilment. T. R. Schreiner, *The Law and its Fulfilment: Christ Pauline Theology of Law* (Grand Rapids: Baker, 1993), pp. 160-1).
24. Including aspects not directly repeated in the New Testament such as marriage to close relatives (cf. Lev. 18); involvement with forms of witchcraft and various forms of the occult (cf. Lev. 19); the proscription against abortion (cf. Exod 21).
25. See also R. N. Longenecker, *Galatians* (WBC. Dallas, TX: Word, 1990), pp. 242-3; Moo, "*The Law of Christ*," p. 359.
26. So also C. K. Barrett, *A Commentary on the Epistle to the Romans* (NY: Harper & Row, 1957), p. 251; Dunn, 778-1; Longenecker, 241-4.
27. Westerholm's argument is confusing at times. His entire logic is that 'letter' denotes concreteness and that this form of guidance is over. He concludes: 'We have seen in Romans 2:27; 7:6 and 2 Corinthians 3:6 that Paul uses the 'letter' to represent the law of God in its written form, made up of concrete commands…[Christians] serve God now, not by complying with the 'letter', but by deriving guidance and strength from the divine spirit within.' (Westerholm, "Letter and Spirit,": 241) Yet in his last paragraph he does admit (because of the sheer evidence of the parenetic passages in Paul) that there is a concrete element to the Spirit's guidance. This is strange when his main argument denies God's guidance is to be discovered in any 'ready formula' or 'statutory formulation' or 'externally composed commands'. Thus his concession about 'concreteness' cannot be interpreted as 'publicly revealed written general prescriptions' but something weaker such as 'the Spirit leads Christians in a clear

way so they will know what to do'. If he means anything stronger than this, it is true he is not a situationalist, yet only because he has undermined his general thesis.

28. For example see how Westerholm uses 'legal code' as synonymous with 'concrete commands' in the following quote: 'Can Christian service ever be defined as a duty to observe concrete commands imposed from without? Can the place once occupied by the Law of Moses be occupied by any other legal code?' (1984, 244)
29. E.g. 'note that the replacement of the (Mosaic) law is the Spirit, not another law. Paul does, to be sure, use the phrase 'law of Christ' elsewhere but the phrase is used loosely by analogy with the Mosaic code for the way of life fitting for a Christian. No specific collection of commands is in view.' (Westerholm, 1988, 214). See also Bruce's comments on spontaneity (1975, 277) and Moo, 1993, 343.
30. E.g. Rom. 12:1-15; Gal. 5:13- 6:10; Col. 3:1-4; 1 Thess. 4:1- 5:22. On this point Holtz summarises W. Schrage's monograph Die konkreten Enizelgebote in der paulinischen Paranese: Ein Beitrag zur neutestamentlichen Ethik, Gutërsloh, 1961 'Paul's parenesis is by necessity unfolded in concrete single commandments, which have more than merely paradigmatic character' (Rosner 1995, 52).
31. E.g. regarding: incest (1 Cor. 5), lawsuits (1 Cor. 6), divorce (1 Cor. 7), sexual immorality (1 Thess. 4:1-8), submission to government and payment of taxes (Rom. 13) etc. Also Paul often uses poie,w to instruct specific ethical actions e.g. Rom. 13:3, 15:26; 1 Cor. 7:36-7 10:31; 16:1; 2 Cor. 8:11; 13:7; Gal. 6:9; Eph. 6:6, 8-9; Phil 2:14; Col. 3:17; 1 Thess. 4:10; 2 Thess. 3:4.
32. Carson in D. A. Carson, P. T. O'Brien and M. A. Seifrid (eds.), *Justification and Variegated Nomism* (Grand Rapids: Baker Academic, 2004), p. 429, fn. 105.
33. The context of Gal. 6:8 and Rom. 12:2 also suggests that the means by which our minds are to be renewed as we are lead by the Spirit is hearing and being obedient to concrete commands.
34. E.g. usage in Eph. 1:10: the summing up of all things in Christ; in Classical Greek often the summation of a book or speech (Danker, 2000, 65). This runs against a 'replacement reading' just as the main body of a book is not replaced by its conclusion. Hence Schreiner and Thielman's interpretation as a 'summation' is most likely (Schreiner, *The Law and its Fulfilment, pp.* 149-150; F. Thielman, *The Law and the New Testament: The Question of Continuity* (New York: Crossroads, 1999, pp. 89-90).
35. See also Charles E. B. Cranfield, "St. Paul and the Law," *SJT* 17, 1964: 67.