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Incarnating Jeremiah's promised new covenant in the 'Law' of James

Mariam J. Kamell

Mariam J. Kamell has recently completed her PhD at the University of St Andrews on the epistle of James.

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Ever since Luther called James an 'epistle of straw' in comparison with the Pauline Epistles, James gained the wrong kind of notoriety in the biblical world. In his 1522 Preface to the Epistles of James and Jude, Luther argued that James 'wanted to guard against those who relied on faith without works, but was unequal to the task'.[1] Luther's problem with James has largely to do with James' affirmation of the law, which for Luther was entirely suspect. He argues: James 'calls the law a 'law of liberty," though Paul calls it a law of slavery, of wrath, of death, and of sin'.[2] This issue of James and the law has indeed been one of the pressing problems in interpreting the epistle. Despite his dismissal, Luther raises an important point for the concept of the 'law' as crucial for understanding the epistle of James as a whole.

The difficulty with understanding James' use of law (*nomos*) lies in the text itself.[3] The author depicts the law as normative for Christian life in 1:25 while describing it as the 'perfect law of freedom'. He portrays it again as both the 'law of freedom' and the standard for judgment in 2:12, but this immediately follows from examples derived from the Mosaic Law and a demand for perfect obedience. Perhaps, however, the most confusing step is the equation of *nomos* with *logos* ('word') in the latter half of chapter one. However one understands the 'word of truth' which James further describes as the 'implanted word able to save your souls', this 'word' cannot be separated from James' description of the law – as is so often done. For example, the *logos* is variously understood as the Gospel[4]

1 E. Theodore Bachmann, ed. *Luther's Works: Word and Sacrament I*, vol. 35 (Philadelphia: Fortress Press, 1960), 397.

2 Ibid.

3 This article refers to 'James' as the author of the epistle in the canonical sense of the text's declared author.

4 Luke Timothy Johnson, *The Letter of James*, AB 37A (New York: Doubleday, 1995), 202, argues 'in light of James' use of *logos aletheias* in 1:18, there can be little doubt that the "implanted word" here also refers to the Gospel'. See also James B. Adamson, *James: The Man and His Message* (Grand Rapids: Eerdmans, 1989), 78, who simply states that the *logos* of 1:21 'means the Christian gospel'. Elsewhere, however, he explains the link of *logos* and *nomos* in 1:18-25 thus: '*logos* tends to mean a law of being and thinking, and *nomos* a law of conduct', making clear that he does see a legal overtone to the gospel in James.

or a modified understanding of the Gospel as Jesus' teaching and the response required by those who hear the message preached;[5] as a Christianized understanding of the Stoic *logos spermatikos*, the 'innate reason' and thus restoration of our perfect created nature which is able to choose the good;[6] as Wisdom;[7] as a modified understanding of the Mosaic Law;[8] or as Jeremiah's promise of a New covenant.[9] Meanwhile, definitions of the term *nomos* range from the Mosaic Law

5 Peter H. Davids, 'James and Jesus', in *Jesus Tradition Outside the Gospels*, ed. David Wenham (Sheffield: JSOT Press, 1985), 71; Peter H. Davids, *The Epistle of James*, NIGTC (Grand Rapids: Eerdmans, 1982), 95. Davids argues, based on a textual-verbal comparison with Luke 8:12, which is the only other place 'the word (λόγος) is said or implied to save', the *logos* in James refers to Jesus' teaching. Also, Ralph P. Martin, *James*, WBC 48 (Waco: Word, 1988), 49; M Dibelius, James, trans. Michael A. Williams, Hermeneia (Philadelphia: Fortress, 1975), 113. Martin sees the *emphutos logos* as equivalent to the *logos alētheias* of 1:18, for 'both refer to God's message of new life and salvation', providing a 'paraenetic-catechetical summons… to act responsively and responsibly'.

6 Sophie Laws, *A Commentary on the Epistle of James*, Black's NTC (London: A. & C. Black, 1980), 83; R. St. John Parry, *A Discussion of the General Epistle of St James* (London: C.J. Clay and Sons, 1903), 22; W. B Carpenter, *The Wisdom of James the Just* (London: Isbister, 1903), 145; F. J. A. Hort, *The Epistle of St James* (London: Macmillian and Co., Limited, 1909), 38; Matt Jackson-McCabe, *Logos & law in the Letter of James: the law of nature, the law of Moses, & the law of freedom* (Leiden: Brill, 2001), 138; Dibelius, *James*, 116-20.

7 Patrick J. Hartin, *James and the Q Sayings of Jesus* (Sheffield: Sheffield Academic Press, 1991), 111; Patrick J. Hartin, *James*, Sacra Pagina (Collegeville, Minn.: Liturgical Press, 2003), 79-80. In his commentary, Hartin also explains that the 'implanted word' refers 'to the word of the gospel' (107). Also, Timothy B. Cargal, *Restoring the Diaspora: Discursive Structure and Purpose in the Epistle of James*, SBLDS 114 (Atlanta: Scholars Press, 1993), 90; R. W. Wall, *Community of the Wise: The Letter of James* (Valley Forge: Trinity Press International, 1997), 73; Menahem Kister, 'Wisdom Literature and its Relation to Other Genres: From Ben Sira to *Mysteries*', in *Sapiential Perspectives: Wisdom Literature in Light of the Dead Sea Scrolls*, ed. John J. Collins, Gregory E. Sterling and Ruth A. Clements (Leiden: Brill, 2004), 30; Johnson, *James*, 287. Adamson also briefly argues for wisdom as the guide God uses to lead us in life, a guide which must be received as is here commanded, but elsewhere he does not sustain this reading (Adamson, *James: The Man and His Message*, 365).

8 J. H. Ropes, *A Critical and Exegetical Commentary on the Epistle of St. James* (Edinburgh: T. & T. Clark, 1916), 173; A. Schlatter, *Der Brief Des Jakobus* (Stuttgart: Calwer Verlag, 1956), 146. Schlatter explains that James intentionally avoided the term εὐαγγέλιον in order to distinguish his *logos* from the teaching of the early church regarding Christ's death and resurrection. He argues, 'War Gottes Wort nicht auch im Munde Moses und der Propheten rettende Kraft? Was er über das Gesetz, daß die Freiheit bringe, und über die Rechtfertigung Abrahams und der Rahab sagt, macht wahrscheinlich, daß Jakobus mit Überlegung hier das christliche Wort εὐαγγέλιον vermieden hat. Er kennt keine andere rettende Macht als Gottes Wort; dieses ist aber immer der Bringer des Heils, wie immer es zum Menschen kommt'.

9 Richard Bauckham, *James: Wisdom of James, Disciple of Jesus the Sage* (London: Routledge, 1999), 141; Douglas J. Moo, *The Letter of James*, Pillar NTC (Grand Rapids: Eerdmans, 2000), 32.

with perhaps a preference for the moral aspects of it;[10] as the Torah as interpreted through Jesus' teachings, especially those in the Sermon on the Mount;[11] as strictly Jesus' teachings particularly the Sermon on the Mount, replacing the Torah;[12] as an ethical and practical law which shifts the emphasis in the Mosaic Law and removes the ritual and ethnic pieces;[13] as the Mosaic Law in its entirety including the demands for ritual and purity;[14] as the Law of love and mercy as found in Leviticus 19:18 and reissued by Jesus in Matthew, Mark and Luke, Paul

10 Wall, *Community of the Wise*, 87; Jackson-McCabe, *Logos and Law*, 155, 163-64; Benedict Viviano, 'La Loi Parfaite de Liberté: Jacques 1.25 et la Loi', in *The Catholic Epistles and the Tradition*, ed. J. Schlosser (Leuven: Leuven University Press, 2004), 221. Viviano argues that 'Jacques représente ainsi une forme de Judéo-christianisme fidèle à la Torah… [et] ne mentionne pas les observances rituelles, non pas parce qu'il les rejette… mais pour des raisons de genre littéraire (il écrit non pas une halacha, mais une œvre d'exhortation morale…)'. He therefore concludes that throughout history the traditions of Paul and James have stood in 'une danse dialetique entre au moins deux sotériologies différentes' (226).

11 Hort, *Epistle of St James*, 41; Moo, *James*, 94. Moo explains the description of the law as 'of freedom' by 'the joyful knowledge that God has both "liberated" us from the penalty of sin and given us, in the Spirit, the power to obey his will' (117). See also Ropes, *Epistle of St. James*, 178-79, who sees in James a 'tendency to perceive Christianity as essentially a system of morals (a "new law")', and Franz Schnider, *Der Jakobusbrief* (Regensburg: Friedrich Pustet, 1987), 51.

12 Hartin, *James and the Q Sayings*, 170-71; Patrick J. Hartin, *A Spirituality of Perfection: Faith in Action in the Letter of James* (Collegeville, Minn.: Liturgical Press, 1999), 78-82; Adamson, *James: The Man and His Message*, 413. Adamson also argues, however, for a wisdom understanding of the Law in James, saying that wisdom is not found in *obedience* to the law, but rather 'wisdom is the perfect law of freedom' (379).

13 Davids, *Epistle of James*, 48-49, 100; Peter H. Davids, 'James's Message: The Literary Record', in *The Brother of Jesus: James the Just and His Mission*, ed. Bruce Chilton and Jacob Neusner (Louisville: WJK, 2001), 81; William F. Brosend, *James and Jude* (Cambridge: Cambridge University Press, 2004), 68-69; Cain Hope Felder, 'Wisdom, Law and Social Concern in the Epistle of James' (PhD Dissertation, Columbia University, 1982), 167, 171; Bede, *The Commentary on the Seven Catholic Epistles*, trans. David Hurst (Kalamazoo, Mich.: Cistercian Publications, 1985), 25-26; Marie E. Isaacs, *Reading Hebrews and James: A Literary and Theological Commentary* (Macon, Geo.: Smyth & Helwys, 2002), 193. Isaacs argues that James 'ethicizes' the law, transforming it from one concerned with ritual and boundary markers into one that 'refers to acts of compassion for the weak and vulnerable who are exploited by the world'.

14 John Painter, 'The Power of Words: Rhetoric in James and Paul', in *The Missions of James, Peter, and Paul: Tensions in Early Christianity*, ed. Bruce Chilton and Craig Evans (Leiden: Brill, 2005), 251; Ithamar Gruenwald, 'Ritualizing Death in James and Paul in Light of Jewish Apocalypticism', in *The Missions of James, Peter, and Paul: Tensions in Early Christianity*, ed. Bruce Chilton, and Craig Evans (Leiden: Brill, 2005), 468. Seitz, however, has done a careful study of the purity language found in James and in the LXX and did not find any convincing parallels of overtly ritualistic or cultic language, see O. J. F. Seitz, 'James and the Law', *Studia Evangelica* 2 (1964), 481-82.

in Romans and Galatians, and James here in 2:8;[15] or as a fulfillment, again, of the New covenant promise of Jeremiah.[16] It should be clear from these lists that there is no consensus on these terms *logos* and *nomos*, and that in fact, they are difficult to understand.[17]

So why should the two terms be considered together? It is clear within James 1-2 that he uses the terms nearly interchangeably. In 1:18-23 he talks of the *logos*, but within the single pericope of verses 22-25, he switches from *logos* to *nomos* in a way that forces us to understand the latter in terms of the former. The first use of *logos* is in 1:18, which states 'He [God] chose to give us birth through the *logos* of truth, that we might be a kind of firstfruits of all he created', followed in 1:21 with the command to 'humbly receive the implanted *logos* which has the power to save your souls'. This leads into the command in 1:22 to be 'doers of the *logos* and not merely hearers, who deceive themselves'. Here is where the transition from *logos* to *nomos* occurs, for mere hearers of the *word* are contrasted

15 Luke Timothy Johnson, *Brother of Jesus, Friend of God* (Grand Rapids: Eerdmans, 2004), 8-9; Johnson, *James*, 61; Gale Z. Heide, 'The Soteriology of James 2:14', *Grace Theological Journal* 12 (1992), 82; Kurt A. Richardson, *James*, NAC 36 (Nashville: Broadman & Holman, 1997), 46; Martin, *James*, lxxi. Johnson argues in his commentary that 'James can speak of the law positively as a "law of liberty" and "perfect law" and "royal law" – meaning thereby, the law of love in Lev. 19:18', and Richardson, failing to note that Leviticus 19:18 does not command people to love God, notes that 'James's concept of the law draws upon Lev. 19:18, which sums up the whole law in the command to love God and neighbor (Jas 2:8; cf. Rom 13:10; Gal 3:10)'.

16 Bauckham, *James*, 146. He states elsewhere that 'It is extremely doubtful that anyone in the Jerusalem church would have questioned that Jewish Christians should continue to observe the whole law' (in Richard Bauckham, 'James and Jesus', in *The Brother of Jesus: James the Just and His Mission*, ed. Bruce Chilton and Jacob Neusner [Louisville: WJK, 2001], 105-106). See also R. J. Knowling, *The Epistle of St. James*, 3rd ed. (London: Methuen & Co. Ltd, 1922), 33. Knowling sees in James' description of the law the background in Jeremiah 31:33, but prefers Leviticus 19:18 as the central command of the law. Also Wiard Popkes ('The Law of Liberty [James 1:25; 2:12]', in *Festschrift Günter Wagner*, ed. Faculty of Baptist Theological Seminary [Bern: Peter Lang, 1994], 140, 142), understands James as writing to correct a misunderstanding of Pauline 'freedom', and explains the term ἐλευθερία in James' description as not a law that somehow makes one free, but rather a law based in the freeing action of Christ, action which demands a practical response on the part of Christ's followers. Others include Maynard Smith, *The Epistle of S. James* (Oxford: Blackwell, 1914), 87-88; R. W. Dale, *The Epistle of James and Other Discourses*, 5th ed. (London: Hodder and Stoughten, 1906), 48, 65;

17 Carpenter, *Wisdom of James*, 173 provides the most unique interpretation of the *nomos*, for he ends by contradicting James altogether: 'The realization of the need of harmony between ourselves and the whole order of things, or rather between ourselves and the God of order, sets law in a different light; it then unfolds to us outlines of the ideal, because we see not the dry code but the spirit of which the commandments are but examples'. While James does argue for the unity of the law on the basis of the unity of the lawgiver, he clarifies in 2:8-12 that the commandments are not mere 'examples' but commandments that must be obeyed.

with those who look into the 'perfect *nomos* of freedom' and act. What people are supposed to *do*, however, was previously described as the *logos*. James then consistently uses *nomos* in chapters 1-2 as the object of study and obedience as well as the standard by which we will be judged. James uses various modifiers to describe the law, calling it the 'perfect law of freedom', the 'royal law', the 'law of freedom', and urges obedience to the 'whole law'. It seems evident that James has a clear picture in his mind of this law as a word by which God has acted through creation to save his people and to which God's people are subject, a clarity he assumes his audience shares. By his language, James makes apparent his view of the law: it is something good, given by God, able to be fulfilled, mandating obedience, and bringing freedom and salvation. It is in according to this understanding of James' text that a background will be sought to clarify the legal nature of the faith and works debate.

I argue that the two terms *logos* and *nomos* must be interpreted in relationship to one another, and any interpretation that does not take their relationship into account is invalid. Also, following Bauckham and Moo, I believe James' intended meaning can be understood within a background of Jewish prophecies of a new covenant and that this is the most economical explanation of his meaning. Finally, I propose that a clear understanding of these terms should be sought, clarifying what James intends when he commands obedience to the whole law and states that judgment will be based on our works. A clear understanding of these terms can help to move the epistle of James from under Paul's shadow.

Hebrew and early Christian contexts for James' thought-world

First, linguistically there are no precedents in the biblical tradition for expressions like 'birth by the word of truth', 'implanted word', 'perfect law of freedom', or 'royal law'. Hence one cannot simply find prior examples of these expressions to explain James' intention. There are, however, clear Jewish precedents to James' very traditional attitude toward the law.

Both Psalm 19 and 119 celebrate the law as a good gift from God. The Psalmist in 19:7 rejoices that "the law of the Lord is perfect, reviving the soul." Here we find perhaps the closest parallel to James' 'perfect law of liberty'. Certainly, with its conjunction of *torah* with *tamim*, the psalmist and the author of James shared a thought-world regarding the law. Moreover, the description 'reviving the soul' reveals that the psalmist views the Law as life giving. Psalm 119, while it does not juxtapose James' terms perfect', 'law', and 'liberty', does indicate both the inherent goodness and truthfulness of the law (vv. 30, 39, 86, 142) and the author's sustained love for it (vv. 14, 16, 18, 24, 35, 47, 48, 70, 72, 77, 92, 103, 143, 174).[18] Throughout Psalm 119, the idea that obedience brings freedom and joy to

18 Every time a term for 'delight' appears (*šûš, hph, šʿ* [and its related noun *šaʿᵃšû'îm*]), it refers to God's law in some form, whether it be commandments, statutes, decrees, or simply 'your law'. This shows a consistent association of the joy as proper response toward the law.

the practitioner may signify that James' expression *tēs eleutherias* indicates that the law brings freedom for those keeping it.

While James may echo the psalmist in his celebration of the law, the legal-ethical code of Leviticus 19 plays an important part of James' understanding of the requirements of the law. Johnson contends that Leviticus 19 is the background for the entire epistle of James, clarifying the conceptual links where there are not explicit verbal links.[19] Leviticus 19, as part of the Holiness Code, tells the people of Israel how they are to live in the land. In calling Leviticus 19:18b the 'royal law', James emphasizes the law of love as fundamental to the Law as a whole. If Johnson's analysis is correct, and Leviticus 19:12-18 as well as Jesus' reiteration of the love command of Leviticus 19:18b stands behind the message of James, then there is justification to see the 'law' in James as focused on the moral requirements of the people of God.[20]

In 2 Esdras 14:29-30, the author reminds his audience of the situation for the Israelites' reception of the 'law of life'. He adopts the common thread of a 'law of life' given in the context of the liberation from Egypt: 'our fathers lived as aliens from the beginning in Egypt, and they were *liberated* from there and they received the *law of life*'.[21] The law is intimately connected with Israel's original freedom from slavery. Likewise it was due to their disobedience to this 'law of life' that they lost their land, freedom, and lives. Crucially, the Torah was a law of liberty both because it was given at the time of their liberation from Egypt and because failure to obey it led to repeated enslavements to the nations.

The Law functioned within a covenantal framework for the Israelites. It is James' description of the *logos*, however, that makes his link with the Torah explicit. James describes the *logos* as a 'word of truth' which, when 'implanted', is able to 'save your souls'. The term *emphutos* is rare in the Jewish and Christian literature, appearing only in Wisdom 12:10, where it refers to the innate evil of the Canaanites. However, the later Epistle of Barnabas uses it twice in relevant ways. First, the thanksgiving in 1:2 states 'I am exceedingly overjoyed… for you have received such a measure of his grace *planted* within you, the spiritual gift!'[22] This text supports the idea that *emphutos* was used of something planted into a person's character at a time after conversion, not something innate from conception, contra the Stoic *logos spermatikos* assumption. Barnabas 9:9 provides

19 See the article, 'The Use of Leviticus 19 in the Letter of James', in Johnson, *Brother*, 123-35.

20 Jesus' highlights Leviticus 19:18b as one of two primary commands several times (Matt. 5:43-48, which picks up the covenantal language of Leviticus 19; Matt. 19:19; Matt. 22:34-40, par. Mk. 12:28-34 and Lk. 10:25-28). Jesus emphasizes it as essential to a Christian understanding of the law, a fact James may well echo.

21 Vulgate: (29) *peregrinantes peregrinati sunt patres nostri ab initio in Aegypto, et liberati sunt inde* (30) *et acceperunt legem vitae quem non custodierunt, quem et vos post eos transgressi estis.*

22 Bart D. Ehrman, *The Apostolic Fathers, II* (Cambridge, Mass.: Harvard University Press, 2003), 15.

a close parallel to James 1:21, calling God 'the one who has placed within us the implanted gift of his covenant'.[23] Here we have the description of God as the giver (cf. James 1:17), and the gift itself as implanted in the believer at the time of conversion. Even more importantly, the Epistle of Barnabas gives the content of what has been implanted – the covenant – and this may indicate an early tradition of interpreting James' *emphutos logos* as referring to the new covenant.[24]

In Ezekiel 11:19-20 God promises to give his people 'an undivided heart[25] and put a new spirit in them; [to] remove from them their heart of stone and give them a heart of flesh.'[26] Much like James 1:21, Ezekiel 11 contrasts the old, impure state with the new, undivided state. While James emphasizes the individual's responsibility in removing the old evil and receiving the new word, these human actions are balanced by God's work in implanting the word. In Ezekiel, much like James 1:22-25, the result of this change from old to new shows itself in law-keeping action: 'they will follow my decrees and be careful to keep my laws'. The new heart that God places within his people makes them desire obedience to God *and* grants them the ability.

Even more important, however, is Jeremiah's statement of the process and result of the new covenant. Jeremiah 31:31-34 contains a similar promise, chiefly verse 33,[27] wherein God promises 'I will put my law in their minds and write it on their hearts'. This new covenant has salvific overtones, since through it they enter into a right relationship with God, an idea that parallels James' description of the word as 'able to save your souls'. The immediate context may help to establish a stronger link with James, for in 31:27-28 Jeremiah employed the metaphor of 'uprooting' (*kathairein*) and 'planting' (*kataphuteuein*), which, although referring to the people of Israel specifically, reveals God's actions in uprooting the evil and planting the good in language similar to James'. God's declaration that he will watch over his people 'to build and to plant' leads first to his declaration to judge

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23 ὁ τὴν ἔμφυτον δωρεὰν τῆς διαθήκης αὐτοῦ θέμενος ἐν ἡμῖν. Cf. Ben Witherington III, *Letters and Homilies for Jewish Christians* (Downers Grove: IVP Academic, 2007), 441, who also highlights these texts from Barnabas as helpful for understanding James' use.

24 Darian R. Lockett, *Purity and Worldview in the Epistle of James* (London: T&T Clark, 2008), 111, concludes, 'Because as a gift the new covenant has been implanted, the readers should reject the pollution of wicked behavior'. He follows Luke L. Cheung (*The Genre, Composition and Hermeneutics of James* [Carlisle: Paternoster, 1985], 89), who looks to Barnabas 1:2 and 9:9 to interpret the 'implanted word', deciding the 'idea is not receiving the gospel truth in conversion, but rather on learning and understanding the word of truth' (92).

25 Ezekiel's *lēb 'ehad* ('single heart') offers us the opposite expression to James' *dipsuchos* ('double-souled'). James may well have understood these prophecies as pronouncing a divine antipathy toward dividedness in the people of God.

26 In the scrolls, 4Q436 1.i.10 conveys the same idea of gratitude to God because he drove away their heart of stone and 'set a pure heart in its place'.

27 This is the text noted by others for its parallels to James' statement. See, e.g. Bauckham, *James*, 141; Moo, *James*, 32; Cargal, *Restoring the Diaspora*, 87.

each for his or her own actions, followed by his promise to make a new covenant with his people by putting his law within them, all ideas echoed in James.

The strength of Jeremiah 31:27-34 (LXX 38:27-34) as a background for James is that it presents a new relationship between God and his people. Throughout the Hebrew Bible, God repeatedly indicts his people for failing in their covenantal relationship with Him but promises to make their covenant intrinsic to them some day in the future. This text is repeatedly quoted through the NT in context of the Lord's Supper. Jesus is cited as quoting Jeremiah in Matthew 26:28, Mark 14:24, and Luke 22:20 as he offers the cup to his disciples, implying that Jesus, or at least his early biographers, saw his passion and the covenant act of drinking his blood as signifying the arrival of the new covenant. Paul later alludes to the tradition of Jesus' quotation in 1 Corinthians 11:25 (less directly in 2 Corinthians 3:6). Likewise, Hebrews 8:8-12 and 10:16-17, both citing from Jeremiah 31 verbatim, demonstrate that NT authors viewed the time of the new covenant as having arrived through the work of Jesus.[28] Since the NT witness to new covenant language does not refer to baptism but to the Eucharist, *if* James 1:21 has a liturgical context, then it most likely shares this early church understanding.[29] A new covenant perspective takes seriously the imminence of the kingdom of God, inaugurated by Jesus' teaching and work, as the fulfillment of God's promised eschatological redemptive work.

Drawing the threads together: the Word and the Law in James

This new covenant, then, helps to explain both James 1:18 and 1:21. In 1:18, God gives birth to his people *logōi alētheias*, where the 'word' is the active agent in this birth metaphor.[30] If in James the *logos* is the law of the new covenant now made internal, the word of truth might reasonably be understood as referring to the content of the new covenant. The birth language then would be God's action in writing the covenant on his people's hearts so that they are brought into a new relationship with God as his children, people who know him covenantally through Jesus' work, the 'first fruits' of the day when all will 'know God'. Likewise,

28 Texts like Acts 10:43, 1 Corinthians 3:3, 1 John 2:27 make the same point but less explicitly.

29 While Martin, *James*, argues that the response to the 'implanted word' of James 1:21 'recalls also the baptismal response' (49), outside of a high church tradition there is nothing in this text that necessitates a baptismal context, or even a liturgical context. The response James seeks is to the implanting work of God.

30 William R. Baker, 'Who's your daddy? Gendered birth images in the soteriology of the Epistle of James (1:14-15, 18, 21)', *EQ* 79 (2007), 195-207, argues 'the images of sexual union and birth in 1:14-15, 18, 21' reveal 'the dominant image of salvation (and also judgment) in the epistle' (196). While his reading gives a helpful corrective to overly Pauline readings of the text, he perhaps becomes too hung up on proving God as a masculine 'Father' (200, 203), and his interpretation of the 'word of truth' as a 'surrogate father' (204) seems unnecessarily convoluted. His emphasis on union – and with whom one is united – however, is helpful.

in 1:21, if the new covenant through Jesus' death and resurrection is in mind, then the 'word planted within you' refers simply to God's promise in Jeremiah to 'put my law in their minds and write it on their hearts'. The law of God is now mediated through Christ's blood, initiating God's people into a new relationship with him. This understanding also provides the smoothest transition into the *nomos* as James uses it in 1:25 and following, because there is not the difficulty of a sudden change of referent. We hear echoes of the Passover in Egypt and Law-giving at Sinai in the 'word of truth' of the Eucharist and the 'law of liberty' of the new covenant. These allusions to earlier celebrations create the paradigm for James' thoughts.

James views the original Torah as something good, a gift from God. He, like other NT authors, however, views the original covenant as having been violated and sees therefore the need for a new covenant with a people of undivided heart. This theology leads into his subsequent discussion about faith and works. In the original covenant, the salvation, freedom and life of the people of Israel depended on their obedience to the covenant laws that God gave them.[31] Since Christ established the new covenant in his blood, double-minded devotion to God and to the world is not an option. The new covenant, as Ezekiel proclaimed it, meant a new heart, a heart pure in its service to God. As Jeremiah proclaimed it, people would genuinely know and love the Lord with no further unfaithfulness. James, in viewing his audience as the first-fruits of this new covenant, cannot accept their double-mindedness, urging the removal of all 'moral filth and the evil that is so prevalent' in order that they might receive the fulfillment of Jeremiah's prophecy.

Life in the new covenant

If James understood his time as the fulfillment of the New covenant, then he did not advocate a 'legalistic' obedience to a rote law, but instead the active reception of God's covenant within themselves that would produce lives of obedience to God's commands.[32] He now understands the promise of the new covenant

31 See, e.g., Deuteronomy 8:1, 19-20: 'Be careful to follow every command that I am giving you today, so that you may live and increase and may enter and possess the land that the LORD promised on oath to your forefathers…. If you ever forget the LORD your God and follow other gods and worship and bow down to them, I will testify against you today that you will surely be destroyed'. At the foundation of the Mosaic Covenant is the promise/warning that obedience to the Law results in fullness of life and freedom from slavery, but doubleminded pursuit of other gods and abandonment of LORD the results in destruction.

32 The commands which the epistle of James highlights echo the legal and prophetic call for justice and mercy for the oppressed (Lev. 19:15; Deut. 16:19-20; 27:19; Isa. 1:17; 10:2; 56:1; Hos. 12:6; Amos 5:15; Mic. 6:8; Zech. 7:9; Matt. 23:23; Lk. 11:42) as well as the Wisdom injunctions regarding the tongue as symbol of a person's interior orientation (Prov. 10:19, 20, 31; 12:18, 19; 18:21; Sir. 4:29; 5:13; 19:16; 22:27; Wisd. 1:11; Matt. 12:37).

as initiated by Christ's death and resurrection. It is an internal (*emphutos*) covenant that fulfills the Mosaic lawgiving at the time of Israel's freedom from Egypt (cf. Matt 5:19-20).[33] Because of this, external signs such as circumcision or Sabbath keeping are not germane to James' discussion. The internal transformation *will* reveal itself in a person's ethical choices, being transformed by the new covenant into knowing God and living according to his will. James' concerns regarding faith without works and a double-minded love of the world spring from his desire to see his audience truly participating in their promise as the first-fruits of God's new creation.

Abstract

Scholars have long debated over the identity and interrelationship of the 'word' and the 'law' in the epistle of James. The 'word' – the means of new birth and implanted within the believer – also requires obedience. The 'law' likewise requires submission and bears resemblance to the law given in the Pentateuch. This paper seeks to examine the evidence within James relating to both of these terms, while grounding the witness of James within prior and concurrent texts that can help to illumine his meaning and terminology. While James clearly refers to the teaching of Jesus within the epistle, this essay concludes that the most economical understanding of the 'law' in the epistle is to be found in Jeremiah 31:31-24 and the promise of an internalized new covenant. This new covenant came into being through Christ's work but does not mitigate earlier calls to repentance and obedience.

33 While not explored here, Matthew predominantly uses logos to refer to Jesus' *teaching*, cf. Matt. 7:28 summarizing the entire Sermon. He also reserves *nomos* for Jesus' use in all but one instance, cementing his perspective on Jesus as the fulfillment of the law and the only one with the right to interpret it.