

## On the Unity of the Two Testaments: In What Sense Is the Torah a Law for Christians?

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### Navigating the Stormy Waters

THE TORAH, also known as the Pentateuch, is “a body of ritual, civil, criminal, and international law that guide[s] the people of Israel in relationships,”<sup>1</sup> not only with God and the nations but also with each other. And yet, the Torah is not *just* law. It is *also* a larger narrative moving from the creation stories to the entrance into the promised land. Accordingly, many have sought to isolate the Torah’s 613 laws from its narrative surroundings.<sup>2</sup>

Of course, this does not mean that unraveling all the difficulties posed by biblical law is simple—especially in light of the relationship between biblical law and the New Testament. For sure, we are all aware of the old claim that that the “grace of the gospel in Christ has replaced the bondage of the law under Moses.”<sup>3</sup> And yet, while there is some level of tension, there are also many shared convictions and practices between Jews and Christians—especially in light of the similar religious and

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<sup>1</sup> Simon J. Joseph, *Jesus and the Temple: The Crucifixion in its Jewish Context*, Society for New Testament Studies Monograph Series 165 (Cambridge: Cambridge University Press, 2016), 30.

<sup>2</sup> In the Babylonian Talmud, see b. Makkot 23b.

<sup>3</sup> Daniel I. Block, “Preaching Old Testament Law to New Testament Christians,” *Southeastern Theological Review* 3, no. 2 (2012): 196.

cultural milieu of Second Temple Judaism.<sup>4</sup>

Now, at the heart of Second Temple Judaism is the relationship between God and Israel, a relationship centered around the Torah and Israel's adherence to it—something which particularly urged in the Shema (Deut 6:4–9) and the Decalogue (Exod 20:1–21; Deut 5:1–21).<sup>5</sup> It is not surprising, then, that the Torah was not only considered “the basis of Jewish identity as the people of God . . . [but also effectively presented] itself as the expression of God's will.”<sup>6</sup>

It makes sense, then, that the other two parts of Jewish Scripture—the Prophets (the *Neviim*) and the Writings (the *Ketuvim*)—have come to be considered as a *rereading* of the Torah from within the new cultural and historical setting they find themselves in. The New Testament was not ignorant of this; it, too, can be seen to be another *rereading* of the entire Old Testament corpus grounded in how the coming of Jesus sheds light on what God continues to will for his people and how his people must continue to obey this divine will.

It is precisely here, however, where the tension between the two are felt. Certainly, if Jesus both emphatically denies invalidating (*katalyō*) the law and reveals its fulfillment (*plēroō*; Matt 5:17), then *some* things are different. And yet, not *everything* is different; *if read well*, nowhere in the New Testament do we get the sense that God's law is pitted against God's Gospel. Neither does it say anywhere that God's law is detached from the covenant nor that the Christian, “free” from the law, can do as s/he pleases. Rather, Christian discipleship necessitates cruciform living and submission to God's will *embodied* in the person of Jesus.<sup>7</sup>

In front of all this confusion, *how is the Torah a law for Christians?* I

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<sup>4</sup> See: Stephen Westerholm, “Introduction: Old Skins, New Wine,” in *Law and Ethics in Early Judaism and the New Testament*, ed. Stephen Westerholm, Wissenschaftliche Untersuchungen zum Neuen Testament 383 (Tübingen: Mohr Siebeck, 2017), 2. See also: Ed P. Sanders, *Comparing Judaism and Christianity: Common Judaism, Paul, and the Inner and Outer in the Study of Religion* (Minneapolis, MN: Fortress, 2016); Sanders, *Judaism: Practice and Belief, 63 BCE–66 CE* (Minneapolis, MN: Fortress, 2016).

<sup>5</sup> See: William R. G. Loader, *Jesus' Attitude towards the Law: A Study of the Gospels* (Grand Rapids, MI: Eerdmans, 2002), 2; James G. Crossley, *The New Testament and Jewish Law: A Guide for the Perplexed* (New York: T&T Clark International, 2010), 5–7.

<sup>6</sup> Loader, *Jesus' Attitude*, 2.

<sup>7</sup> See: Westerholm, “Introduction,” 16–18; see also: Richard B. Hays, “Whose World, Which Law?,” *Journal of Law and Religion* 32, no. 1 (2017): 17–25, at 22; Michael J. Gorman, “Paul and the Cruciform Way of God in Christ,” *Journal Moral Theology* 2, no. 1 (2013): 64–83.

hope to show, by looking at biblical law in both its Old Testament and New Testament contexts, that Scripture *primarily* concerns itself with the particular identity as people of God and the specific lifestyle that this implies. If this is so, then biblical law's *ultimate aim for Christians is the identity-forming covenant commitment with Jesus Christ embodied in the call to holiness*.<sup>8</sup>

<sup>8</sup> The more significant works consulted are: Dale Patrick, *Old Testament Law* (London: SCM, 1986); Brevard S. Childs, *Biblical Theology of the Old and New Testaments: Theological Reflection on the Christian Bible* (Minneapolis, MN: Fortress, 1993); J. Bailey Wells, *God's Holy People: a Theme in Biblical theology*, Journal for the Study of the Old Testament Supplement Series 305 (Sheffield, UK: Sheffield Academic Press, 2000); Hannah K. Harrington, *Holiness: Rabbinic Judaism and the Graeco-Roman World*, Religion in the First Christian Centuries (New York: Routledge, 2001); Jiří Moskala, "Categorization and Evaluation of Different Kinds of Interpretation of the Laws of Clean and Unclean Animals in Leviticus 11," *Biblical Research* 41 (2001): 5–41; Richard A. Allbee, "Asymmetrical Continuity of Love and Law between the Old and New Testaments. Explicating the implicit side of a hermeneutical bridge, Leviticus 19.11–18," *Journal for the Study of the New Testament* 31 (2006): 147–66; Naphatli S. Meshel, "Food for Thought. Systems of Categorization in Leviticus 11," *Harvard Theological Review* 101 (2008): 203–29; Bruce Wells, "What is Biblical Law? A Look at Pentateuchal Rules and Near Eastern Practice," *Catholic Biblical Quarterly* 70 (2008): 223–43; Raymond Westbrook, *Law from the Tigris to the Tiber: The Writings of Raymond Westbrook*, vol. 1, *The Shared Tradition*, vol. 2, *Cuneiform and Biblical Sources*, ed. Bruce Wells and F. Rachel Magdalene (Winona Lake, IN: Eisenbrauns, 2009); Hanna Liss, "Of Mice and Men and Blood: The Laws of Ritual Purity in the Hebrew Bible," in *Literary Construction of Identity in the Ancient World: Proceedings of the Conference Literary Fiction and the Construction of Identity in Ancient Literatures. Options and Limits of Modern Literary Approaches in the Exegesis of Ancient Texts (Heidelberg, July 10–13, 2006)*, ed. Hanna Liss and Manfred Oeming (Winona Lake, IN: Eisenbrauns, 2010), 199–213; Adela Yarbro Collins, "The Reception of the Torah in Mark: The Question about the Greatest Commandment," in *Pentateuchal Traditions in the Late Second Temple Period: Proceedings of the International Workshop in Tokyo, August 28–31, 2007*, ed. Akio Moriya and Gohei Hata, Supplements to the Journal for the Study of Judaism 158 (Leiden: Brill, 2012), 227–42; Joshua Berman, "The History of Legal Theory and the Study of Biblical Law," *Catholic Biblical Quarterly* 76 (2014): 19–39; Bernard Och, "Creation and Redemption: Towards a Theology of Creation," in *Cult and Cosmos: Tilting toward a Temple-Centered Theology*, ed. L. Michael Morales, Biblical Tools and Studies 18 (Leuven, BE: Peeters, 2014), 331–50; M. Cathleen Kaveny, "Law and Christian Ethics: Signposts for a Fruitful Conversation," *Journal of the Society of Christian Ethics* 35 (2015): 3–32; Joshua Berman, "Supersessionist or Complementary? Reassessing the Nature of Legal Revision in the Pentateuchal Law Collections," *Journal of Biblical Literature* 135 (2016): 201–22; Jonathan Burnside, "At Wisdom's Table: How Narrative Shapes the Biblical Food Laws and Their Social Function," *Journal of Biblical Literature*

## Biblical Law in its Old Testament Context

### *In What Way is Biblical Law Law?*

The first question that must be confronted is the nature of biblical law. While the Decalogue (Exod 20:1–17; Deut 5:6–21) stands out as the more important legal text, most of the 613 laws are found in the four major “biblical codes”: the Covenant Code (Exod 20:23–23:19), the Deuteronomistic Code (Deut 12–26), the Priestly Code (laws scattered in Exod, Lev, and Num), and the Holiness Code (Lev 17–26). The traditional view was that this complex formed the basis of a full-functioning *prescriptive* legal system where supreme authority rests on the “autonomous and exhaustive”<sup>9</sup> written word of the law codes themselves.

More recently, this *statutory* approach to biblical law has been brought into question: scholars rightly started to ask if our modern-day biases about the law were not skewing how we were interpreting *biblical law*—a system of law that came into being much earlier than the mid-nineteenth century when the statutory approach became popular.<sup>10</sup> For example, scholars started to question the idea that the Deuteronomistic Code sought to *conceal* the Covenant Code in order to *supersede* its authority and “present itself as the sole authority of divine law.”<sup>11</sup> Indeed, nowhere do we read that the Covenant Code has been abrogated in favor of the Deuteronomistic Code; both are written, codified texts, which would imply that both would still be in force. Strangely enough, this approach creates certain contradictions that are hard to resolve (as in the law concerning slaves: Exod 21:1–11; Deut 15:12–18).<sup>12</sup>

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135 (2016): 223–45; Henry A. Kelly, “Love of Neighbor as Great Commandment in the Time of Jesus: Grasping at Straws in the Hebrew Scriptures,” *Journal of the Evangelical Theological Society* 60 (2017): 265–81; Wil Rogan, “Purity in Early Judaism: Current Issues and Questions,” *Currents in Biblical Research* 16 (2018): 309–39; *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (Oxford: Oxford University Press, 2019).

<sup>9</sup> Berman, “History of Legal Theory,” 32. See also: Westbrook, “Biblical Law,” in *Law from the Tigris to the Tiber*, 2:303–4; William J. Doorly, *The Laws of Yahweh: a Handbook of Biblical Law* (New York: Paulist Press, 2002), 5.

<sup>10</sup> See: Berman, “History of Legal Theory,” 20: 25, 31; Berman, “Supersessionist or Complementary?” 207. As for a definition of “common law,” we can say that it “refers to a body of legal norms law that is developed by judges over time, more or less organically, as individual judges decide the particular cases and controversies brought before them” (Kaveny, “Law and Christian Ethics,” 5).

<sup>11</sup> Berman, “History of Legal Theory,” 28.

<sup>12</sup> See: Wells, “What is Biblical Law?,” 226–28; Berman, “History of Legal Theory,” 22; Berman “Supersessionist or Complementary?,” 203–7.

Due to this puzzling situation, scholars started to look more closely at the legal systems of Israel's neighbors. This line of thought proved beneficial since it highlighted many common points witnessed throughout the law codes in the ancient Near East. Indeed, such comparative approaches allowed us to appreciate that biblical law is not to be understood through the *hermeneutic of statutory law*, but of *common law*: in forming a *system of reasoning*, biblical law is essentially *customary law* based on judgments that a judge would make with recourse to the repository of known customs and accepted norms—they formed the basis of *precedent* but not *legislation*. This would mean that the Deuteronomic Code's revision of the Covenant Code ought to be considered as a process that *updates* but does not *erase* it from record.<sup>13</sup> Returning back to the laws of slaves, it is understandable that, after six years, a slave would make a new life for himself/herself and this new situation would create the need for a *revision* of the previous law, a law that would, however, *remain a part of the repertoire of common law*.

Thus, one could not "point to *the law*,"<sup>14</sup> as the system of reasonings are not just found *in the text* but also *behind the text*. A good example that illustrates the need to *get behind the text* is witnessed in the case of Deuteronomy 24:1–4 concerning divorce law. This case presents an unusual (and difficult) case wherein, if a husband finds *some kind of indecency* in his wife and divorces her, this ex-husband cannot remarry her if her second marriage either fails (not due to indecency) or because her second husband dies. This is an anomalous case because, in this second marriage, unlike the first, the woman would have her dowry restored and be paid compensation. If the first husband, then, remarries the same woman, he would *profit twice*, since he would not have given any compensation at his divorce and would have obtained the dowry gained from the second marriage. In this case, therefore, the application of common law was concerned more with fraud, bearing false witness, and hypocrisy. Strikingly, all these are aspects of that lifestyle that the law denounces—and this is why the punishment is so severe.<sup>15</sup>

In the end, by seeing biblical law in this way, we can see the *complementariness* of the different codes as they are *read, reinterpreted, and reap-*

<sup>13</sup> See: Westbrook, "The Nature and Origins of the Twelve Tables," in *Law from the Tigris to the Tiber*, 1:32–36; Berman, "History of Legal Theory," 24–26; Berman, "Supersessionist or Complementary?," 208–9.

<sup>14</sup> Berman, "History of Legal Theory," 27.

<sup>15</sup> See: Westbrook, "Biblical Law," 313–14; Westbrook, "The Prohibition on Restoration of Marriage in Deuteronomy 24:1–4," in *Law from the Tigris to the Tiber*, 2:387–404.

*plied* to one another according to the changing circumstances of Israel's history.<sup>16</sup> The heart of biblical law would, then, be "the critical preservation, retrieval, and correction of a normative political-moral tradition"<sup>17</sup> that is essential in the formation of a people's *identity*, since this law would reflect the *Volksgeist* or the "collective conscience of the people."<sup>18</sup> In other words, biblical law, based on common values and a common story, explains *who Israel is* and not just *what Israel does*. In the end, this is why it is fundamental that, in order to really understand biblical law, we must appreciate the Torah's *metanarrative*, as it is this narrative which explains how "the unwritten law was woven into the fabric of society and enunciated in the course of judicial deliberation."<sup>19</sup>

### *The Torah's Metanarrative*

In order to appreciate this larger narrative framework, I think it is enough to examine Exodus 19:4–6a. There, we see that the covenant indicates that, on the one hand, God is omnipotent and, on the other, Israel recognizes God's supreme authority to govern; and all this is ratified in a binding commitment in order that right relations are established between the two parties.<sup>20</sup>

As this is the case, the *Volksgeist* of Israel concerns the long story of creation, deliverance, and covenant, wherein deliverance from bondage "serves the creational goal by enabling humanity to live the life it was created to live,"<sup>21</sup> a goal that is ratified at Sinai. This *Volksgeist* implies that, while human judges were appointed to faithfully interpret and apply law in the daily life of Israel, God remains "the supreme judge as well as lawgiver,"<sup>22</sup> as he is the creator and caregiver of the cosmos and of his chosen fruit, Israel. This is the *hermeneutic* which guides all of Israel's thoughts, words, and behaviors with God, with the nations, and amongst themselves. This is the hermeneutic of common law and not statutory law. And this is the hermeneutic which allows us to appreciate biblical law all the more.<sup>23</sup>

But, if this is so, the aim of the law must be interpreted from within this same *Volksgeist*. So, then, what is the ultimate aim of Israel's story? If election

<sup>16</sup> See Berman, "Supersessionist or Complementary?," 215, 219–20.

<sup>17</sup> Kaveny, "Law and Christian Ethics," 6.

<sup>18</sup> Berman, "History of Legal Theory," 23.

<sup>19</sup> Berman, "History of Legal Theory," 27; see also Patrick, *Old Testament Law*, 198.

<sup>20</sup> See: Jan Joosten, "Covenant," Barmash, *Oxford Handbook of Biblical Law*, 8; Patrick, *Old Testament Law*, 223.

<sup>21</sup> Och, "Creation and Redemption," 397, 408.

<sup>22</sup> Patrick, *Old Testament Law*, 223.

<sup>23</sup> See Bailey Wells, *God's Holy People*, 56.

and covenant are aimed at helping Israel to live the life that it was created to live, then it stands to reason that the final aim of the law is to bring about communion with the one true God, the creator of heaven and earth.

*Biblical Law's Final Aim: the Call to Holiness*

To this end, I am firmly convinced that the answer, as Exodus 19:4–6a so eloquently puts it, is the call to holiness. Of course, if Israel is called to be holy, it is only because God is holy—after all, as Jo Bailey Wells rightly points out, all the commandments that Israel should follow, in both cultic and ethical terms, are summarized quite well in the exhortation to be holy as God is holy (Lev 19:1–2; 20:26). In other terms, in being holy, Israel “belongs to God in a particular way, living faithfully according to particular commandments.”<sup>24</sup>

By highlighting both cultic and ethical terms, Bailey Wells illustrates that the modern idea that Old Testament law is divided into two large groups, the ritual and the ethical, is “anachronistic and misleading”<sup>25</sup>—both aspects are important as both are necessary elements in understanding the identity of the people of God.

First of all, we can examine the cultic aspect, as this concerns the need for Israel to be *holy* and *pure* in order to enter into God's presence. This presence, of course, is not to be trifled with; Israel must have the utmost reverence when meeting God. And unlike God, who is always holy—and “not subject to death and decay”<sup>26</sup>—this state of purity that humanity needs to approach the holy can be lost. For instance, as Leviticus 11–15, Numbers 19, and Deuteronomy 23, which discuss death, clean and unclean food, skin diseases, and bodily emissions, all point out that most forms of impurity are found within the semantic field of *creation theology*, since they deal with changes in life and the life-force itself; while skin diseases are associated with death and decay, the shedding of blood during childbirth or menstruation is related to fertility and reproduction. “Blood is then seen in analogy to body fluids such as sperm,”<sup>27</sup> since they too have

<sup>24</sup> Bailey Wells, *God's Holy People*, 241.

<sup>25</sup> Sanders, *Judaism*, 318.

<sup>26</sup> Hannah K. Harrington, “Accessing Holiness via Ritual Ablutions in the Dead Sea Scrolls and Related Literature,” in *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and critique*, ed. Henrietta L. Wiley and Christian A. Eberhart, Resources for Biblical Studies 85 (Atlanta, GA: SBL Press, 2017), 73.

<sup>27</sup> Christian A. Eberhart, “To Atonement or Not to Atonement: Remarks on the Day of Atonement rituals according to Leviticus 16 and the Meaning of Atonement,” in Wiley and Eberhart, *Sacrifice, Cult, and Atonement*, 205. See also: Liss, “Of Mice and Men and Blood,” 205–8; Nobuyoshi Kiuchi, “A Paradox of the Skin Disease,”

a connection with the life force—something that belongs to God alone. Therefore, anyone who comes into contact (touch) with such things is said to be impure.

More to the point, many scholars now view the purity laws as “subordinate to the more fundamental requirement to preserve the sacred domain from desecration.”<sup>28</sup> In front of the font and giver of life, death and corpse impurity were considered as the greatest form of *desecration* and had to be kept away from God. For this reason, as Numbers 19 states, purification from corpse impurity was highly regulated and required the passage of seven days and the use a mixture of ashes of a red heifer and water.

Interestingly enough, *most* elements that cover food laws can be best understood from within the same semantic field of creation theology.<sup>29</sup> Indeed, what is most important for Israel is that, through what it eats, it respects life. This is why Israel cannot ingest—and therefore touch—the blood of animals, since blood is essentially linked to the life-force of that animal which belongs to God alone. For the same reason, this not only means that Israel must exclusively eat herbivores but also means that the slaughter of these same animals must be humane and quick. Thus, what is most important is that “there is a distancing in Israel from those animals which cause or are the result of death.”<sup>30</sup>

And yet, in order to stand in the presence of God, Israel did not *just* have to be ritually pure; one *also* needed to be morally pure and be especially careful about idolatry, sexual immorality, and bloodshed. Perhaps what is more important for us is that, for the Old Testament itself, the purity laws are “subservient”<sup>31</sup> to other *heavier* commandments that concern the love of God and neighbor. After all, in the Book of Tobit, for example, upon hearing that a Jew was murdered, Tobit jumped up and went to bury him (Tob 2:3–4; see also 1:18)—something which happens shortly after we are informed not only that he was mindful of God with

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*Zeitschrift für alttestamentliche Wissenschaft* 113 (2001): 508.

<sup>28</sup> Yitzhaq Feder, “Purity and Sancta Desecration in Ritual Law,” in Barmash, *Oxford Handbook of Biblical Law*, 104.

<sup>29</sup> Therefore, I agree with Moskala’s intuition that the unifying criteria of the purity laws is a theology of creation (“Laws of Clean and Unclean Animals in Leviticus 11,” 40). Even the so-called “hard cases” such as Lev 11:4–8 (the camel, hyrax, hare, and pig) can be viewed from within a theology of creation because, as Burnside notes, they are “half one thing and half of another,” since they either chew the cud but do not have *real* hooves or have hooves but do not chew the cud (“Biblical Food Laws,” 230); see also: Meshel, “Food for Thought,” 216, 225.

<sup>30</sup> Harrington, *Holiness*, 172.

<sup>31</sup> Harrington, *Holiness*, 186.

all his soul (Tob 1:12) but also that he performed many acts of charity (*eleēmosynē*) with his kindred (Tob 1:16). Thus, notwithstanding the explicit impurity connected with touching a corpse, “the attendance to the burial of even a stranger is an overriding *mitzvah*.”<sup>32</sup>

If there is no inherent dichotomy between ethics and purity, then they are a part of the same nexus which revolves around holiness and Israel’s state as being the chosen fruits of God. The consequence of this *election* by God, therefore, is immense responsibility; it requires that his people are separated from all that fractures and sullies the relationship with God and that they belong to him alone. In this way, Israel, tethered to God, is called to become a *mirror* which reflects God’s own holiness in the world and this reflection embraces not only ritual purity but also being *good* and avoiding *evil*, since *no evil can dwell with God* (Ps 5:4).

Furthermore, for Israel to act as a “mirror,” its eyes, ears, and heart must remain forever fixed on God. Certainly, as the prophets would often exclaim, God cannot abide fickleness of heart where the people sometimes follow God and sometimes turn away from him. The people must, therefore, be always wholeheartedly focused on God alone, as is stated in the Shema, where Israel is called to love God with all one’s being.

Thus, holy Israel is required to live a style of life in congruence with God’s will and nature. It is no coincidence, in fact, that, shortly after calling Israel a “kingdom of priests and a holy nation” (Exod 19:6a), God gave the law to his people (Exod 20:1–21), a law which stipulates that one must adhere to God and neighbor. This law, therefore, is the basic indicator of what is this lifestyle of holiness that God wills his people to live. The corollary to this is that, if the people neglect the law and do what is evil in the eyes of the Lord—by not loving God and neighbor—the people will profane themselves and effectively cut themselves off from God.

Ultimately, the final aim of the law is to make sure that Israel has ways

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<sup>32</sup> Harrington, *Holiness*, 186. Also, Collins rightly notes that, in Second Temple Judaism, it was most common to define the *heavy* commandments as “those forbidding idolatry, unchastity, the shedding of blood, profaning the divine name, calumny or slander against one’s neighbor and those commanding keeping the Sabbath holy, studying the Torah, and the redeeming [of] captives” (“The Reception of the Torah in Mark,” 235). Interestingly, all this is succinctly summarized in the double commandment of love of God and neighbor. See also: Testament of Issachar 5:1–2; Testament of Dan 5:3; Jubilees 7:20; 22:2; 36:7–8; Philo of Alexandria, *De decalogo* 12; and Philo, *De specialibus legibus* 2.15. For a critical edition of Philo, see *Philo in Ten Volumes (and two Supplementary Volumes)*, trans. Francis H. Colson, Loeb Classical Library 320 (Cambridge, MA: Harvard University Press, 1937).

and means to remain holy, to be separated *for* God and not *from* God. And if Israel is called to be separated from everything that God is not, this means that Israel too must be holy, pure, and good. As God himself says, Israel is *to be holy as he is holy* (Lev 19:1–2; 20:26). This, of course, goes to the very heart of what it means to be a Jew; it expresses not so much particularities which regulate the minutiae of behavior, but rather *identity*—a *Volksgeist* that revolves around how Israel lives for God alone, something which is expressed in Israel's submission and obedience to the will of God.

### Biblical Law and the New Testament

Our study on biblical law has formed a solid foundation so as to better understand the relationship between biblical law and the New Testament. There is no doubt, of course, that the death and resurrection of Jesus has profoundly shifted some elements of the law—in particular, the theology of the temple, sacrifices, and justification. But this does not mean that the New Testament rejects the essential features of biblical law in favor of something else.

Indeed, it shall be argued that the common-law approach can help us appreciate not only how the Gospels understand how Jesus can both assert that he has not come to annul the law and to bring it to fulfillment but also how Paul can declare that the works of the law do not justify but that *doers of the law will be justified*. Here, we hope to persuade our audience that both Paul and the Gospels aim to explain that holiness entails the love of God and love of neighbor, since the doing of these two things is why God gave the law to Israel in the first place.

#### *The Unfortunate Reality: Being Separated from God instead of for God*

The conclusion from the last section indicates that the law is the means given by God to his people so that they remain holy, separated *for* God and not *from* God. And yet, we know that Israel did not; it broke the covenant and, in making itself unclean, brought down the curses of Deuteronomy 27 on itself.<sup>33</sup> Therefore, the law, holy that it is, was incapable of keeping Israel separate—and it has now become something which condemns, because it

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<sup>33</sup> After all, the prophets are clear about how Israel had continuously broken the covenant notwithstanding the constant call to return to the Lord (see, among others: Jer 3:1–8; 4:1–4; Hos 11:5–7; Joel 2:12–14; Amos 4:6–11; Zech 1:1–6). This constant rebellion, and the great history of sin, comes to a head in Ezekiel, who highlights how the history of Israel is one long history of sin and rebellion (Ezek 20) to the point that Israel will now face God's judgment (Ezek 20:35). See: Childs, *Biblical Theology*, 544.

has illustrated that, while God remains faithful to the covenant, humanity has not.

Of course, Israel did have a system in place in which the one *who bears the weight of sin* can remove it—and this system revolves around the offering of sacrifices, as is witnessed most forcefully on the Day of Atonement (Lev 16:1–34). While we cannot say much, we can highlight that it is the animals' blood that is shed which is significant for atonement; blood belongs to God alone and, through its shedding, symbolically represents the offering the life of the offeror (see Lev 17:11 and Num 35:33).<sup>34</sup>

And yet, the sacrifices were unable to keep both the sanctuary and Israel as a whole cleansed from the moral (and ritual) impurity that permeated the land—the glory of the Lord eventually left the sanctuary and the exile happened. The Old Testament, then, reveals the “tragic paradox which underlies the Divine/human relationship.”<sup>35</sup> Humanity, who wants communion and peace with God, cannot seem to pass the trial by itself and ends up separated from the God it longs for. But, in spite of all the tragedy of sin, neither God nor the Old Testament allows the umbilical cord to be cut, as there is an overarching thrust of hope and messianic expectations imbued therein, expectations that come to fulfillment in Jesus Christ.

### *Christ's Lasting Corrective*

The first detail concerning Christ's fulfillment of the expectations of old concerns the temple itself. Indeed, with the dawning of Christ, God's presence and glory is no longer *properly* found in the temple. In effect, therefore, Jesus *replaces* the temple with his own body.<sup>36</sup> This, of course, creates a reordering of many things, especially the purity laws. Certainly, if the holy and the common are strictly separated and if the categories of pure and impure were introduced to enable the holy to meet the common, then this whole system is *transformed* when God became man because, in the Incarnation, holy God broke into this common space; by doing so,

<sup>34</sup> See: Gary A. Anderson, *Sin: A History* (New Haven, CT: Yale University Press, 2009), 15–26; Childs, *Biblical Theology*, 505–7; Joseph, *Jesus and the Temple*, 85–95; Isaac Kalimi, “The Day of Atonement in the Late Second Temple Period: Sadducees' High Priests, Pharisees' Norms, and Qumranites' Calendar(s),” *Review of Rabbinic Judaism* 14 (2011): 71–91; Hanno Langenhoven, Eliska Nortjé, Annette Potgieter, Yolande Steenkamp, “The Day of Atonement as a Hermeneutical Key to the Understanding of Christology in Hebrews,” *Journal of Early Christian History* 1 (2011): 91.

<sup>35</sup> Och, “Creation and Redemption,” 349.

<sup>36</sup> See Joseph, *Jesus and the Temple*, 209.

Jesus effectively pulled down the old dividing line between the holy and common once and for all.<sup>37</sup>

Secondly, we can highlight how the New Testament rereads the theology of sacrifices in light of Jesus's sacrifice on the cross. Above, we saw that what was important in the rite of purification on the Day of Atonement was the blood shed from animals as symbolic of the offering of the life of the one who offers. In the New Testament, we move from a symbolic offering of oneself through another to the selfless offering of Jesus for the many, whose blood cleanses all from sin (Rom 3:25; 1 John 1:7). This theological line of thinking, of course, finds its climax in the letter to the Hebrews, which "contrasts the superiority of Christ's sacrifice to that of the Levitical system, . . . [since it] accomplishes complete atonement."<sup>38</sup> Indeed, since the sacrifices of old were unable to remove sin, the sacrifice—and shedding of blood—of Jesus was a necessary *lasting corrective* for real atonement to happen.

Thirdly, we can point out that this real atonement should lead humanity to a transformation on both ontological and epistemological levels that results in reconciliation with God; since Jesus, through his blood, has closed the account and paid off all the debts that we have incurred through sin (1 Cor 6:20; 7:23), then the "*purpose of Christ's death was not merely to offer forgiveness of sins so that people could go on their merry way*. Rather, its purpose was to completely reorient human existence towards God, . . . expressed in living for Christ rather than for self."<sup>39</sup>

Ultimately, in understanding this larger context, we can appreciate how the coming of Jesus reconfigured our understanding of the law. Indeed, not only does Jesus replace the temple as the meeting place between God and humanity, but his redemptive sacrifice on the Cross also brings about real *reconciliation*. And yet, it is also true that Jesus's call for covenant *commitment* to God and to one's neighbor is the same call that is constantly underlined in the Old Testament.<sup>40</sup> After all, even if the dichotomy between the holy and the common has been abolished, the distancing of humanity from God can still take place if humanity is not *perfect*, loving God above all else and loving neighbor as self.

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<sup>37</sup> See Liss, "Of Mice and Men and Blood," 208.

<sup>38</sup> Langenhoven, Nortjé, Potgieter, and Annette, "Day of Atonement," 92.

<sup>39</sup> Michael J. Gorman, *Apostle of the Crucified Lord: A Theological Introduction to Paul and His Letters*. 2nd ed. (Grand Rapids, MI: Eerdmans, 2017), 364. See also: Anderson, *Sin*, 43–54; Juan M. Granados Rojas, *La teologia della riconciliazione nell'epistolario paolino*, Subsidia Biblica 46 (Rome: G&B Press, 2015), 136–39.

<sup>40</sup> See Block, "Preaching the Old Testament Law," 220.

*Jesus Christ, Telos of the Law*

As we have seen, the common-law approach allows us to appreciate how certain laws, like the purity laws, are *transformed* and *updated* due to the coming of Christ. But it is not just the purity laws that are updated—everything is. Indeed, I firmly think that this common-law approach is pivotal to understand Paul's global understanding of the law.<sup>41</sup>

On the one hand, there is the polemic about the “works of the law.” Now, this polemic appertains not to acts of charity that flow naturally from the lifestyle of holiness, but to works like circumcision, thought to bring about right covenantal relations.<sup>42</sup> As the above paragraphs imply, this line of thought is not unique to Paul. What is unique is that, for him, Christ, *telos* of the law (Rom 10:4), unveils the law's true sense by making *reconciliation* possible (Rom 5:1–11; 2 Cor 5:18–21). Indeed, what Paul meant by saying that Christ is the *telos* of the law is that “it is only in Christ that the law's aim is achieved, so that everyone who believes in Christ may attain the status of being counted righteous.”<sup>43</sup> As the law did not annul the promise (Gal 3:17), its aim was not to supplant the promise, but rather to help Israel cleave to it and, therefore, to keep Israel holy. It is here that we find the importance of the law as our *paidagōgos*, since its purpose was not only to instruct the people concerning the goodness required of the all but also to discipline us when we erred; but alas, we know well that this instruction did not bring about its desired end as *everyone fell short of the glory of God*.

On the other hand, Paul also says that his teachings *uphold the law* (Rom 3:31)—which implies that what Paul is saying about the law “reorients the reader's focus back to the purpose of the law—to foster whole-hearted devotion to God among people.”<sup>44</sup> And this focus is none other than a return to the Shema and love of neighbor. Indeed, while in Romans 3:30, he makes only an oblique reference God's oneness, we can confirm that this is a reference is to the Shema because Philo of Alexandria calls the acknowledgment and honor of the one God the first and most sacred of

<sup>41</sup> See Ryder Wishart, “Paul and the Law: Mark Nanos, Brian Rosner and the Common-Law Tradition,” *Journal of Greco-Roman Christianity and Judaism* 11 (2015): 153–77.

<sup>42</sup> See Jean-Noël Aletti, *God's Justice in Romans: Keys for interpreting the Epistle to the Romans*, Subsidia Biblica 37 (Rome: G&B Press, 2010).

<sup>43</sup> Charles Lee Irons, “The Object of the Law is Realized in Christ: Romans 10:4 and Paul's Justification Teaching,” *Journal for the Study of Paul and His Letters* 4 (2016): 33–54, at 51. See also: Hays, “Whose World, Which Law?,” 21.

<sup>44</sup> Gregory S. Magee, “Paul's Gospel, the Law and God's Universal Reign in Romans 3:31,” *Journal of the Evangelical Theological Society* 57 (2014): 345.

commandments.<sup>45</sup> Moreover, that *doing* good acts of charity (love of neighbor; Gal 5:14) flows from the life of holiness can be witnessed in Romans 12:1–8 and 13:1, 8–10. In the former, the giver who gives in simplicity is one who has offered himself as a sacrifice acceptable to God so as to ascertain what the will of God is (that which is good, pleasing, and perfect). In the latter, Paul makes clear that, in 13:1, true authority (*exousia*) rests with God and that, since love does no wrong, it is the fulfillment of the law.<sup>46</sup>

When all is said and done, the common-law approach allows us to see how Paul interprets the reservoir of the common law of Israel in light of the coming of Christ. In this way, “Paul saw *no* tension between the law’s condition of obedience as its path to life and his conviction that salvation is to be found in the Christian gospel: the same requirement of righteousness underlies both.”<sup>47</sup> But, since the law, holy as it is, was not able to keep Israel holy, God sent Jesus Christ as the way to make the pact right. This, of course, does not mean that the same requirements of love of God and neighbor are annulled because *we have died to sin to live for God in Christ Jesus* (Rom 6:11).

### *Jesus Christ, Authentic Interpreter of the Legal Deposit of Israel*

If we are right to ground our thesis on the common-law approach, then we should see this same logic in the Gospels. The Sermon on the Mount is the best place to see how Jesus keeps the old and brings it to fulfillment. Therein, we first find the *exordium* (Matt 5:1–16) wherein Jesus describes the *identity of the Christian*: the poor in spirit (5:3), the light of the world, and the salt of the earth (5:13–16). This identity requires a lifestyle to sustain it, a lifestyle that is based on a higher righteousness (5:20) and that is congruent with the law’s fulfillment (5:17–19). What is this higher righteousness is then explained and developed in the rest of the Sermon, wherein it is clarified not only that the six antitheses (5:21–48) illustrate that righteous living is a matter of the heart and living in wholehearted union with God (5:48) but also that the traditional Jewish practices of giving alms, prayer, and fasting (6:1–18) are to be carried out with a sincere

<sup>45</sup> See Philo, *De decalogo* 65.

<sup>46</sup> See: Collins, “Reception of the Torah in Mark,” 238; Kelly, “Love of Neighbor,” 275, 280–81; J. Schembri, *When Your Eye is ἀπλούς: The Christological Implications of Discipleship in Luke 11:33–36* (Rome: Angelicum Press, 2018), 90n102.

<sup>47</sup> Stephen Westerholm, “Finnish Contribution to the Debate on Paul and the Law,” in *Law and Ethics in Early Judaism and the New Testament*, Wissenschaftliche Untersuchungen zum Neuen Testament 383 (Tübingen: Mohr Siebeck, 2017), 249. See also Westerholm, “The Righteousness of the Law and the Righteousness of Faith in Romans,” *Law and Ethics in Early Judaism and the New Testament*, 256.

and simple heart focused on God alone (6:19–24).

Whilst much more can be said, I do think that what was said is indicative that Jesus was focused on the “weightier matters of the law: justice and mercy and faith.”<sup>48</sup> Ultimately, the Sermon shows that righteousness, right covenantal relations, is always derived from a “disposition of the heart, from the right intention, from love”<sup>49</sup>—and it is this disposition of the heart which forms the disciple as one who bears good fruits.

This same logic is witnessed in the larger context of the good Samaritan (Luke 10:25–42) and the double commandment (Matt 22:34–40; Mark 12:28–34), as well as in the discussion with the rich young man (Matt 19:16–30; Mark 10:17–31; Luke 18:18–30). In fact, in these texts, Jesus brings to the fore the identity-forming call to a life of holiness and perfection.

We can also make mention of Jesus’s critique on divorce (Matt 5:31–32; 19:1–9; Mark 10:1–12; Luke 16:18). The issue of divorce in Jesus’s teachings really concerns faithfulness in marriage as stated in Genesis 2:24. There is much that can be said about Matthew’s exception concerning *porneia* (Matt 5:32; 19:9). Many scholars, such as W. R. G. Loader, view *porneia* as simply illicit sexual activity. However, in light of Genesis 2:24, it seems better to view *porneia* as J. M. Weibling does, as “illicit sexual activity *which reveals a determined desire to divorce her present husband and become the wife of another*,” since Genesis 2:24 implies both cleaving to one another and sexual union. The point, then, is on steadfast love in marriage—and this is possible only if we are *perfect* and wholeheartedly focused on God.<sup>50</sup>

Similarly, we can also mention the polemics with the Pharisees and scribes (Matt 15:1–11; Mark 7:1–23; Luke 11:37–53). While often exaggerating the negative view of these groups, these polemics, echoing Old

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<sup>48</sup> Richard E. Averbeck, “The Law and the Gospels, with Attention to the Relationship between the Decalogue and the Sermon on the Mount/Plain,” in Barmash, *Oxford Handbook of Biblical Law*, 414. Of course, this line of reasoning is seen elsewhere in the Gospels, as in Mark 12:28–34. Perhaps, as Allbee illustrates, what Jesus adds to the common law of the Old Testament is to *extend* the love commandment to its natural logical conclusion (“Asymmetrical Continuity of Love and Law,” 166). See also: Collins, “Reception of the Torah in Mark,” 235.

<sup>49</sup> Bernardo Estrada, “La giustizia in Matteo. Presenza del Regno,” *Rivista biblica italiana* 59 (2011): 383.

<sup>50</sup> See James M. Weibling, “Reconciling Matthew and Mark on Divorce,” *Trinity Journal* 22, new series (2001): 227 (emphasis added). See also: William R. G. Loader, “Did Adultery Mandate a Divorce? A Reassessment of Jesus’ Divorce Logia,” *New Testament Studies* 61 (2015): 67–78.

Testament texts like Deuteronomy 29:18, Isaiah 56:9–12, and Psalm 24:4, explain that what is missing in the emphasis on purity is the internal cleanliness of the heart (see also Matt 3:8; 7:16–20; 12:33; Luke 3:8; 6:43–45), since only a *pure* heart can produce *pure* fruit.

What is important in all this is the inclination of the heart, as it is what is in the heart that leads to actions; if the heart is good, we shall know, by the person's fruits, that the disciple's heart is focused wholeheartedly on God and on Jesus, whom he sent.<sup>51</sup> Therefore, in rereading, reinterpreting, and reapplying the legal deposit of Israel's common law, Jesus brings us back to our roots and explains *why* God had given the law to Israel in the first place.

Ultimately, the call of the new covenant written on hearts instead of stone tablets in Jeremiah 31 comes to fulfillment in the New Testament. This call refers to the fact that, if the people would cling wholeheartedly to God, they would *know* what he wills, and consequently, no one would require either instruction or a *paidogōgos*, because, having become of age, they would know what God wants. And they would know it because they cling wholeheartedly to Jesus and his Cross.

### In the End, Be Holy

In this essay, we have seen that, on the one hand, Jesus Christ is now the *embodiment* of the will of God and that the Christian is required to listen to his voice to understand what is God's will for his people. However, on the other hand, what God wills has always been the same thing: that humanity recognizes its place, purify its heart, and submit to God (Jas 4:6–8)—in other words to become *perfect* as God is *perfect* (Matt 5:48) and be *holy* as God is *holy* (Lev 19:1–2; 20:26). This is the pattern of life that is congruent with “God's norms for life and conduct”<sup>52</sup> and requires us to be simple and pure to Christ (2 Cor 11:3).

In all this, we hope that we have persuaded our audience that biblical law's *ultimate aim and function for Christians is the identity-forming covenant commitment with Jesus embodied in the call to the life of holiness and perfection*. And, in the New Testament, this requires the Christian to recognize that everything depends on how much s/he is rooted in Christ, for it is this rooting in Christ from which Christian actions flows.

Ultimately, just as “God has an undivided love for all humanity and

<sup>51</sup> See: Estrada, “La giustizia in Matteo,” 392; Sanders, *Comparing Judaism and Christianity*, 324.

<sup>52</sup> George H. Guthrie, *2 Corinthians*, Baker Exegetical Commentary on the New Testament 8 (Grand Rapids, MI: Baker Academic, 2015), 94.

demonstrates this in action”<sup>53</sup>—an action that pivots round the sacrifice of Jesus on the cross—so too must the disciple have “a total, undivided allegiance to God.”<sup>54</sup> As this means “detaching oneself from that which separates from God,”<sup>55</sup> this also means that the disciple must reflect God’s holiness in the world by embracing the law of love which “is found in all streams of the tradition emanating from the person of Jesus. Appearing many times in the Synoptic Gospels, it is also evident in the Pauline tradition (Rom 13:9) and forms the very essence of Johannine theology,”<sup>56</sup> as well as the Catholic Epistles.

Therefore, *be holy and perfect as God is holy and perfect*, for this is the essence of the law, a law which leads us to the Cross, for it is the Cross, and the blood shed on it, that keeps us all separated *for* God forever more.

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<sup>53</sup> Patrick J. Hartin, “Call to Be Perfect through Suffering (James 1:2–4): The Concept of Perfection in the Epistle of James and the Sermon on the Mount,” *Biblica* 77 (1996): 486.

<sup>54</sup> Hartin, “Call to be Perfect,” 486.

<sup>55</sup> Gerhard Delling, “τέλος, τελέω, ἐπιτελέω, συντελέω, συντέλεια, παντελής, τέλειος, τελειότης, τελειόω, τελείωσις, τελειωτής,” in *Theological Dictionary of the New Testament*, ed. Gerhard Kittel and Gerhard Friedrich, trans. Geoffrey W. Bromiley, vol. 7 (Grand Rapids, MI: Eerdmans, 1971), 74.

<sup>56</sup> Hartin, “Call to Be Perfect,” 487–88.