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By What Law: A Rhetorical Analysis of Romans 8:1-4

Abstract:

Traditional interpretation of Rom 8:1-4 has failed to adequately understand Rom 8:1-4. This paper proposes a unified reading of “law” and supports an unfolding theme within Romans, that of obedience. The rhetorical features of amplification present in 8:1-4 highlight the need for a consistent use of the term νόμος. This allows a proper understanding of δικαίωμα in v. 4 that refers to the realm of moral behavior as described in the law and shows how Paul sees the Spirit guiding his communities to fulfill the “just requirement” of the Mosaic Law.



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Introduction

Paul's argument in Rom 8:1-4 combines two important themes within Romans: righteousness and law. Scholars have disputed the meaning of both these terms in 8:1-4 and consequently the interpretive history is replete with attempts at elucidating Paul's statement ἵνα τὸ δικαίωμα τοῦ νόμου πληρωθῇ ἐν ἡμῖν. Some scholars identify a two-fold distinction to the term νόμος in 8:4.¹ Others assume a single referent for νόμος in 8:4.² This article attempts to utilize the ancient rhetorical practice of amplification to illuminate Paul's usage of these terms

In this paper, I will demonstrate, through a survey of the recent history of interpretation, that a distinction between the uses of νόμος fails to bring clarity to Paul's argument in Rom 8:1-4 and instead that a unified reading of "law" supports an unfolding theme within Romans, that of obedience.³ In light of the unsatisfactory reading of a dual use of νόμος in 8:1-4, I propose that three issues have been neglected in regards to the understanding of Rom 8:1-4: (1) the rhetorical features of 8:1-4 and the practice of amplification and; (2) the meaning of δικαίωμα in v. 4.

Two Modern Interpretive Strategies

Commentators disagree on the identification of the two instances of νόμος in 8:2, whether both refer to the Mosaic law or to a "rule" or "principle." The majority view the "law of the spirit of life" and the "law of sin and death" not as a singular reference to the Mosaic law, but as a "word-play" by Paul on the term νόμος and denoting a "rule" or "principle." However, a growing majority understand the twofold use of νόμος in 8:2 as referring singularly to the Mosaic law. Here the law is functioning under two different domains, the domain of the "Spirit and life" and the domain of "sin and death." We will deal with the former view first.

View One: Two Laws in Rom 8:2

Two early modern commentators, William Sanday and Arthur Headlam affected generations of scholars by identifying both uses of "law" in 8:2 as "authority." In their ICC commentary on Romans they argued that, whether νόμος is governed by πνεῦμα or ἁμαρτία / θάνατος each refers to a different "authority producing regulated action such as would be produced by a code" basing this explanation on the genitive as expressive.⁴ This sense of νόμος as a guiding principle or rule is adopted by most of the commentators in this group.⁵ Udo Schnelle remarks that,

By no means can νόμος be understood as a consistent quantity with the same meaning in each case, for the verb ἠλευθέρωσέν clearly expresses that the one νόμος liberates one from the other. νόμος must here be translated with the “rule/norm” or “principle”... which means that in 8:2 νόμος does not refer to the Sinai Torah.⁶

One of the primary arguments to interpreting the uses of νόμος in 8:2 as a “rule” or “principle” is the grammatical construction of the two genitive phrases surrounding the two occurrences of the term. In the first clause of 8:2, the phrase τοῦ πνεύματος is understood as an epexegetic genitive and the second portion τῆς ζωῆς is understood either as qualitative or objective genitive, the entire phrase then reading, “the law which consists in the Spirit leading to/of life.”⁷

In the second clause of 8:2, the first part of the phrase τῆς ἀμαρτίας is understood as genitive of origin and the second portion τοῦ θανάτου is understood as qualitative genitive, the phrase then reading, “the law brought about by sin and leading to death.”⁸ Taken in this way, the argument is that these are contrasting laws, such that, “here Paul does indeed speak of two laws, not one law seen from two perspectives.”⁹

Here is where problems arise: Why has a shift in genitival use taken place in the second parallel clause of 8:2? Brendan Byrne and others opt to take the genitive phrase τῆς ἀμαρτίας as a genitive of origin, when one immediate clause earlier, the similar clause is taken as an epexegetic genitive.¹⁰ What causes this grammatical shift to take place within such a small portion of the text? Even if one does agree with the argument, there is far more coherence to treat syntactically paralleled clauses with the same grammatical categories. That they are related is clearly indicated by numerous factors: (1) the καὶ linking the two clauses; (2) the use of νόμος; (3) and the contrasting pair of nouns πνεύματος and ἀμαρτίας. There should be a consonance in genitival function. Interestingly, if the same grammatical categories are applied to each section of the clause that is as epexegetic genitives, then 8:2a would read, “the law under sin.” That is the sphere of sin, which in turn would work against the argument thus put forward.

It is simply far more likely that the genitives should be taken in a consistent manner with the parallel clause as genitives of possession. So that, the two occurrences of law that are mentioned are those which belong to the domain of the Spirit and life and the domain of sin and death. This,

however, still does not answer the question of whether there are two laws or two occurrences of law with a singular referent of Torah.¹¹

View Two: Mosaic Law in Rom 8:2

Eduard Lohse's influential treatment of 8:2 and the phrase "law of the Spirit of Life" set out an alternative approach.¹² Lohse challenged the ideas of dual "laws" in 8:2 and argued that νόμος in ch. 8 was "unambiguously the Old Testament law."¹³ Lohse's advice on Paul and the law is also helpful: "Die Frage, was Paulus unter dem νόμος τοῦ πνεύματος τῆς ζωῆς versteht, ist mithin nach wie vor strittig. Sie kann nur beantwortet werden, wenn Röm 8:2 in den Zusammenhang mit der Auslegung des Gesetzes gerückt wird, wie sie in ihrer grundsätzlichen Bedeutung von Paulus entfaltet wird."¹⁴ Lohse's insight into 8:2 sparked others, such as E.P. Sanders to question, "whether or not Paul made de facto distinctions between the law which Christians obey and the Mosaic law. The present point is that he made no generalizing or theoretical distinction."¹⁵ If it could be shown that Paul did not distinguish between law(s), then the interpretation of 8:1-4, and specifically 8:2, must follow along similar lines, mainly that no distinction should be made between Paul's use of νόμος in 8:2.¹⁶

Another important contribution was that of James Dunn and his emphasis on the eschatological framework of Rom 8. As Dunn as points out, it is important to remember that the phrase "law of the spirit of life" operates from within the new domain of Christ as introduced in 8:1. The reference to the "law of sin and death" in 8:2 looks back to previous references in ch. 7, which operate within the Adamic state of being. The introduction of "the law of the spirit of life" in ch. 8 should indicate that, "The law of the Spirit is the eschatological law (cf. Jer 31:31-34; Ezek 36:26-27)."¹⁷ This brings important ramifications for understanding the nature of law within ch. 8. There are not two contrasting laws in operation in 8:2, rather there is the Mosaic law viewed from different eschatological viewpoints.¹⁸ This theme is neither new or novel, but in fact replicates the situation described in Jer 31:31-34. This interpretation is also aided by Paul's use of ἄρα νῦν in 8:1 which also sets the chapter in an eschatological tone.

The strength of the second view is that the interpretation holds together a unified treatment of the use of νόμος in 8:2. This is not to say that Paul could not speak of a "rule" or "principle" but that if he wanted to do so, other ways were at his disposal. As it stands, in light of Paul's overall use of νόμος in his letters, it is more likely that a singular reference to the

Mosaic law is intended in 8:2. This combined with the eschatological thrust of the section adds to the support. Lastly, in light of 8:4, caution should be exercised in wandering away from νόμος as a reference to the Mosaic law, as it is precisely this νόμος that it fulfilled in those who “walk according to the Spirit.” Dunn rightly concludes on the entire section that, “In all this the law remains the expression and measure of God’s will, and fulfillment of its just requirement remains the goal of those who walk “according to the Spirit” (8:4).”¹⁹ It is the second view that brings the seemingly disparate sections of 8:1-4 together in a unified fashion. Given the arguments above, more support can be garnered from the following issues; the rhetorical strategy at work through Paul’s use of elaboration on a theme in 8:1-4 and the use of δικαίωμα in 8:4.

The Rhetoric of Rom 8:1-4

Romans 8:1 is the beginning of a new proof for Paul. This is clearly indicated by the marked distinction of forms between chapters 7 and 8. In ch. 8 there is no more diatribe or impersonation. In ch. 8, Paul sets out to positively describe those who are “in Christ” and live in the life of the Spirit and the section ends on a triumphal note in 8:37-39. Romans 8:1-4 is closely related to the *propositio* of 1:16-17 as both sections dwell on the twin themes of “righteousness” and “life.” Furthermore, the “salvation to everyone who believes” in 1:16 is now manifest in that, “there is no condemnation for those who are in Christ Jesus” (8:1).

One of the most important elements of rhetoric was style.²⁰ The style consisted of both individual words and clauses. One important aspect was *diaphoria* in which repeated instances of the same word, build on one another and acquire added significance.²¹ In Paul’s argument, the *diaphoria* occurs with the word νόμος, which occurs four times in 8:1-4. In each recurrence of νόμος the term gains added significance. In 8:2, the relationship between the two instances of νόμος indicates the comparison of the law under two domains and highlights the power of the Spirit to free the law from “sin and death.” Rom 8:3 complements the statement in 8:2 by reinstating the inadequacy of the law under the domain of “sin and death.” In 8:4, the instances culminate in the fulfillment of the νόμος that was freed by the Spirit in 8:2 and can now be “fulfilled” by those who are “in Christ.”

One element of style present in Paul’s argument is that of the theme of distinction. In book four of the *Rhetorica Ad Herrenium*, in a discussion on style and how to confer “distinction” within style, the author discusses

the theme of “figures of thought.”²² Within this theme, the author states that a topic is accumulated, then it is refined, and then descanted upon. *Accumulation*, “occurs when the points scattered throughout the whole cause are collected in one place so as to make the speech more impressive or sharp or accusatory.”²³ Once a topic is accumulated, it is refined, and this “consists in dwelling on the same topic and yet seeming to say something ever new. It is accomplished in two ways: by merely repeating the same idea, or by descanting upon it.”²⁴ Under the *descant*, is the *amplification*, whereby, “after having expressed the theme simply, we can subjoin the Reason, and then express the theme in another form, with or without the Reasons; next we can present the Contrary... then a Comparison and an Example... and finally the Conclusion.”²⁵ The amplification could be found throughout a rhetorical speech.²⁶ Five out of the seven features of an *amplification* are present in Paul’s argument in Rom 8:1-4 and can be seen in the table below:

Amplification of a Theme	Rhet. Her. 4.56-57
1) Theme expressed	<u>Rom 8:1</u> There is therefore now no condemnation for those who are in Christ Jesus.
2) Reason added	<u>Rom 8:2</u> For the law of the life-giving Spirit in Christ Jesus has set you free from the law of sin and death.
3) Theme is expressed in new form with or without reasons	Not included, but it is a redundant aspect of the form.
4) Argument from the contrary	<u>Rom 8:3a</u> For God achieved what the law could not do because it was weakened through the flesh.
5) Argument by comparison	<u>Rom 8:3</u> By sending his own Son in the likeness
6) Argument from example	<u>Rom 8:3</u> By sending his own Son in the likeness of sinful flesh and concerning sin, he condemned sin in the flesh,
7) Conclusion	<u>Rom 8:4</u> so that the righteous requirement of the law may be fulfilled in us, who do not walk according to the flesh but according to the Spirit.

Several insights can be made into Paul's argument with these categories. First, the argument from the contrary is useful in that it, "forcibly proves what the speaker needs to prove; and from a statement which is not open to question it draws a thought which is in question, in such a way that the inference cannot be refuted, or can be refuted only with much the greatest difficulty."²⁷ Paul clearly emphasizes the inability of the law, under the control of the flesh, to accomplish God's purposes.

Second, the argument from the example is important as, "Exemplification is the citing of something done or said in the past, along with the definite naming of the doer or author." This is clearly present in 8:3 with the example of God "sending his son" an activity done in time past. Third, the conclusion comes at an important place which is "after the strongest argument."²⁸ This is appropriate in ch. 8 as Paul is at the end of his strongest argument which is typically saved for last. This is further supported grammatically by the *i3na* clause indicating a purpose or result to the previous statements.

The only sections that appear to be missing are part three, where the theme is expressed in a new form with or without reasons. This point is a bit redundant and it is not surprising that Paul omits it here. The fifth part, the argument by comparison, also appears to be missing, although Paul's use of the word *ὁμοίωμα* in 8:3 displays the idea of comparison. If this final part is accepted, Paul has used six out of the seven parts of an *amplification* and lends further weight to the rhetorical features present in Rom 8:1-4.

The contribution these rhetorical features make to the previous argument is the need for a consistent use of the term *νόμος* in 8:1-4. Primarily, *diaphoria* is the repeated instances of the same word, but with each repetition, the word acquires added significance. To begin to introduce different definitions for *νόμος* would lessen the significance of the use of the term in 8:4. Furthermore, if the rhetorical feature of amplification is present, the conclusion is based upon the theme and reason added. To maintain a sense of continuity and the integrity to Paul's argument, a single definition of *νόμος* must be used throughout. Paul draws his conclusion in 8:4 about "the law" based upon his reason in 8:2. It has also not been noticed, that in Paul's conclusion in 8:4, he only uses *νόμος* once. It appears to me that if Paul had meant two different laws in 8:2, he would have needed to have an explanatory phrase in 8:4 suggesting what happens to the "law of sin and death." To the extent of saying that, "the law of sin and death has been done away with." Given these rhetorical features in place, we can now turn

to another crucial element in 8:4 that impacts on the use of νόμος in this section the meaning of δικαίωμα in 8:4.

δικαίωμα In Romans

δικαίωμα appears five times within the letter to the Romans, twice in the singular and three times in the plural form. The most pertinent occurrences for this discussion are the instances in 1:32, 2:26, and 8:4.²⁹ The first occurrence appears in 1:32 at the climax of Paul's diatribe against abhorrent Gentile behavior, where Paul notes that the Gentiles τὸ δικαίωμα τοῦ θεοῦ ἐπιγνόντες yet praise those who do not practice it. In ch. 1, δικαίωμα appears to represent a moral or behavioral aspect of God's law and stands in contrast to the practice of the behaviors in 1:18-32 and results in a decree of death. In the immediate preceding section of 1:29-31, Paul provides a vice list of immoral behaviors of Gentiles that stands under the "wrath of God" of 1:18. Within the context, Paul is arguing against "unrighteous" ways of living that stand in rebellion to God. God's δικαίωμα appears as the contrasting term to the list of behaviors Paul just described in 1:29-31 and the verdict on those "ways" is death. Paul's use of δικαίωμα reflects the typical usage found within the LXX, that of a statute or law that stands in relationship to God's command.³⁰ From the viewpoint of chs. 5–8, the list of behaviors Paul describes in 1:18-32 fall under the Adamic state of being and are the epitome of "walking according to the flesh" (C.f. Gal 5). While this instance is not found in direct relationship to νόμος, it best reflects the usage in 8:4, where Paul refers to a single aspect of God's law without further explanation.

The second usage of δικαίωμα appears in Rom 2:26, where it appears in the plural form. Like 1:31, this usage clearly reflects the usage of the LXX, where δικαίωμα in the plural form represents one aspect of God's law. In 2:26, it is Gentiles who are "keeping" the δικαιώματα τοῦ νόμου. If the position that 2:14-26 represents a group of Christian Gentiles is correct, then 8:4 nicely complements Paul's statement.³¹ That is, Christian Gentiles, those who have the Spirit, are the premiere example of the "us" and the "who" of Rom 8:4 (ἐν ἡμῖν τοῖς μὴ κατὰ σάρκα περιπατοῦσιν ἀλλὰ κατὰ πνεῦμα).

The final usage of δικαίωμα appears in Romans 8:4 which is the focus of this paper. In 8:4, like in 1:32, Paul refers to δικαίωμα, this time with the law. Rom 1:32 appears to be the inverse parallel of the usage in 8:4. Those who "walk according the Spirit" have the δικαίωμα of God

“fulfilled” in them. This would at least have to reflect the failures of 1:18-32 resulting in the description of immoral behaviors in 1:29-31. It could then be surmised that when Paul refers to the δικαίωμα τοῦ νόμου in 8:4, he is referring to the realm of moral behavior as described in the law that was “rebelled against” in 1:18-32, but now fulfilled or completed in those who have the Spirit. This final usage along with the previous instances of δικαίωμα in Rom suggest that Paul is deeply in line with the LXX tradition. This is supported by several other terms Paul frequently uses to speak of the Mosaic law, such as “words,” “commandments,” and “decrees.”

One note should be made in retrospect. In Rom 2, Paul twice mentions a group (Gentiles/ Uncircumcised) who “do the law” (2:14) and “keep the requirements of the law” (2:26). From the viewpoint of ch. 8 and the dichotomy between walking according to the flesh or Spirit, the groups mentioned in ch. 2 would now clearly be the “us” of 8:4 who have had the law fulfilled in them. For Paul, those that actually “do,” and “keep” the law are clearly those that are “in Christ” and have the Spirit. The ramifications for ch. 2 could not be clearer, the Gentiles in view are Christian Gentiles. This also helps support a unified reading of “law” which begins to show an unfolding theme within Romans, that of obedience.

The most important insight that resulted from this word study is the relationship between Rom 1:32 and Rom 8:4 and the positive and negative responses to God’s δικαίωμα. From this research, δικαίωμα in Rom 8:4 should be taken as the behavior that corresponds to God’s righteousness as found in the law. In other words, the life that the law sets out. From 8:4 onward, this is the life that is characterized by those who “walk according to the Spirit” and thus their lives correspond to God’s intent in the law. The lives of those for whom “the law has been fulfilled in” are characterized in opposition to the litany of descriptions found in 1:29-31. Therefore, they respond in obedience rather than rebellion to God’s decree.

In conclusion, perhaps there is no difference for Paul between the τὸ δικαίωμα τοῦ θεοῦ (Rom 1:32), τὸ ἔργον τοῦ νόμου (Rom 2:15), τὰ δικαιώματα τοῦ νόμου (Rom 2:26), γράμματος (Rom 2:27), τὰ λόγια τοῦ θεοῦ (Rom 3:2), τὸ δικαίωμα τοῦ νόμου (Rom 8:4). All these occurrences refer to the same semantic category, namely God’s law. This however, does not mean that Paul cannot stress certain aspects of the law, such as, the penal character in 1:32 or the positive aspects in 2:14-15, 26, and 8:4. Pressing a great distinction between these categories or terms may be to distinguish farther than Paul himself may have differentiated.

Conclusion

In this paper, a central and traditional interpretation has failed to adequately understand Rom 8:1-4. Specifically, that a distinction between the uses of νόμος fails to bring clarity to Paul's argument in Rom 8:1-4. Instead a unified reading of "law" supports an unfolding theme within Romans, that of obedience. In light of the unsatisfactory reading of a dual use of νόμος in 8:1-4, I proposed several issues that have been neglected in regards to the understanding of Rom 8:1-4. First, the rhetorical features of amplification are present in 8:1-4 and highlight the need for a consistent use of the term νόμος for the rhetoric to "work." Second, the meaning of δικαίωμα in v. 4 refers to the realm of moral behavior as described in the law. From these arguments, a consistent use of νόμος is critical to understanding Paul's argument and the nature of "law fulfillment" which Paul himself defines within the argument of Romans and ought to be carried into the micro-argumentation of Rom 8:1-4 and how Paul sees the Spirit guiding his communities to fulfill the "just requirement" of the Mosaic Law.

End Notes

¹ William Sanday and Arthur C. Headlam, *The Epistle to the Romans* (Edinburgh: T&T Clark, 1902), 190; John Murray, *The Epistle to the Romans* (Grand Rapids: Eerdmans, 1968), 276; Ernst Käsemann, *Commentary on Romans* (Grand Rapids: Eerdmans, 1980), 215-16; C. E. B. Cranfield, *The Epistle to the Romans: A Critical and Exegetical Commentary* (2 vols. Edinburgh: T&T Clark, 1987), 1:376; Heikki Räisänen, *Paul and the Law* (2d ed; WUNT, vol. 29 (Tübingen: J. C. B. Mohr Paul Siebeck, 1987) 51-52; Stephen Westerholm, *Israel's Law and the Church's Faith: Paul and His Recent Interpreters* (Grand Rapids: Eerdmans, 1988), 124; J. A. Ziesler, *Paul's Letter to the Romans* (Philadelphia: Trinity International, 1989), 202; C. K. Barrett, *The Epistle to the Romans: Revised Edition* (Peabody: Hendrickson Publishing, 1991), 145-6; Joseph A. Fitzmyer, *Romans* (New York: Doubleday, 1993), 482; Frank Thielman, *Paul & the Law: A Contextual Approach* (Downers Grove: Intervarsity, 1995), 201-3; Douglas J. Moo, *The Epistle to the Romans* (Grand Rapids: Eerdmans, 1996), 505-7; Luke Timothy Johnson, *Reading Romans: A Literary and Theological Commentary* (Macon: Smyth & Helwys, 2001), 128; Ben Witherington, *Paul's Letter to the Romans: A Socio-Rhetorical Commentary* (Grand Rapids: Eerdmans, 2004), 211; Leander Keck, *Romans* (Nashville: Abingdon, 2005), 196-97; Udo Schnelle, *Apostle Paul: His Life and Theology*, trans. M. Eugene Boring (Grand Rapids: Baker Academic, 2005), 339-40; Thomas H. Tobin, *Paul's Rhetoric in Its Contexts: The Argument of Romans* (Grand Rapids: Baker Academic, 2005), 281; Brendan Byrne, *Romans* (Collegeville: Liturgical, 2007), 242; Gordon D. Fee, *God's Empowering Presence: The Holy Spirit*

in the *Letters of Paul* (Grand Rapids: Baker Academic, 2009), 522; Peter W. Gosnell, "Law in Romans: Regulation and Instruction," *NovT* 51 (2009): 252-71; Frank J. Matera, *Romans* (Grand Rapids: Baker, 2010), 190-91.

² F. F. Bruce, *Paul, Apostle of the Heart Set Free* (Grand Rapids: Eerdmans, 1977), 199-200; Ulrich Wilckens, *Der Brief an Die Römer* (EKKNT; Neukirchen: Neukirchener Verlag 1978), 245; E. P. Sanders, *Paul, the Law, and the Jewish People* (Philadelphia: Fortress, 1983), 284; Hans Hübner, *Law in Paul's Thought* (ed. John Riches; trans., James C. G. Greig; Edinburgh: T&T Clark, 1984), 144-46; Paul J. Achtemeier, *Romans* (Louisville: Westminster John Knox Press, 1985), 134; James D. G. Dunn, *Romans*, 2 vols. (Dallas: Word, 1988), 1:417-23; Klyne Snodgrass, "Spheres of Influence : A Possible Solution to the Problem of Paul and the Law," *JSNT* 32 (1988): 99; N. T. Wright, *The Climax of the Covenant: Christ and the Law in Pauline Theology* (Philadelphia: Fortress, 1991), 209-10; Peter Stuhlmacher, *Paul's Letter to the Romans*, trans., S. J. Hafemann (Louisville: Westminster John Knox, 1994), 128; Thomas R. Schreiner, *Romans* (Grand Rapids: Baker, 1998), 400; Klaus Haacker, *Der Brief Des Paulus an Die Römer* (THKNT; Leipzig: Evangelische Verlagsanstalt, 1999), 151-2; Christopher Bryan, *A Preface to Romans: Notes on the Epistle in Its Literary and Cultural Setting* (New York: Oxford University Press, 2000), 45-7; Katherine Grieb, *The Story of Romans: A Narrative Defense of God's Righteousness* (Louisville: Westminster John Knox Press, 2002), 76-7; Robert Jewett, *Romans: A Commentary* (Minneapolis: Fortress, 2006), 481; Craig S. Keener, *Romans: A New Covenant Commentary* (Eugene: Cascade, 2009), 99-100.

³ For pre-modern viewpoints C.f. Origen, *Comm. Rom.* (ed. T. Heither, 5 vols.; New York: Herder, 1990-1995), 3:286-88; Augustine, *Augustine on Romans: Propositions from the Epistle to the Romans and Unfinished Commentary on the Epistles to the Romans* (trans., Paula Fredricksen Landes; Atlanta: Society of Biblical Literature, 1982), 21; John Chrysostom, *Saint Chrysostom: Hom. Act.* (ed. P. Schaff; A Select Library of Nicene and Post-Nicene Fathers of the Christian Church; Grand Rapids: Eerdmans, 1979), 433; Martin Luther, *Commentary on Romans* (trans., J. Theodore Mueller; Grand Rapids: Kregal Classics, 2003), 119; John Calvin, *Calvin's New Testament Commentaries: The Epistles of Paul to the Romans and Thessalonians* (ed. David W. Torrance and Thomas F. Torrance; trans., R. Mackenzie; Grand Rapids: Eerdmans, 1980), 276.

⁴ Sanday and Headlam, *Romans*, 190. Also Cranfield, reflecting this train of thought, writes, "we conclude that the most probable interpretation of *nomos* here is that which understands it to refer to the authority and constraint exercised upon believers by the Holy Spirit." Of further intrigue is that Cranfield was the replacement for the Sanday and Headlam ICC commentary on Romans and at this point he just propagates his predecessors' opinions.

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⁵ The argument concerning the cases of the genitives is the cornerstone argument of the dual-nomos view. I am aware that there are multiple issues involved with this view, such as; (1) the verb is connected back to adjectival form in chapter seven, where it is used to describe the

believer's liberation from the law (7:3), and thus also proves that the Mosaic law is not in view in 8:2; (2) It is argued that if the Mosaic law 'sets free' then verse two contradicts verse three, because that is precisely what the law could not do in verse three; and (3) the one law view proposes a greater contradiction, "giving the law this kind of role would contradict a central and oft-repeated tenet of Paul's theology" so Moo, *Romans*, 474.

⁶ Schnelle, *Apostle Paul*, 339. He cites others who agree: Käsemann, *Romans*, 215-16. Also, Räisänen, *Paul and the Law*, 91-2. Räisänen has two definitive articles on the subject. For English translations see Heikki Räisänen, "Paul's Word-Play on Νόμος: A Linguistic Study," in *Jesus, Paul, and Torah: Collected Essays* (JSNT; Sheffield: Sheffield Academic Press, 1992), 69-94; Heikki Räisänen, "The 'Law' of Faith and the Spirit," in *Jesus, Paul, and Torah: Collected Essays* (JSNT; Sheffield: Sheffield Academic Press, 1992), 48-68.

⁷ See Moo, *Romans*, 475-6; Fee, *God's Empowering Presence*, 523-4.

⁸ Even further is Barrett's *Romans* first edition commentary that translates 8:2b as "old law" and later "sin's law" which shows the grammatical constructions at work in interpreting this verse, even to the extent of adding the adjective "old" to describe the law in 8:2b. C.f. Barrett, *Romans*, 155.

⁹ Witherington, *Romans*, 211. Likewise, Heikki Räisänen, *Paul and the Law*, 52.

¹⁰ Bryne, *Romans*, 242.

¹¹ Ziesler takes both instances of νόμος in 8:2 to be the generic "rule/principle" thus departing from the majority of commentators in this view and creating some interesting problems with vs 3-4.

¹² Eduard Lohse "Ὁ Νόμος Του Πνεύματος Της Ζωής: Exegetische Anmerkungen Zu Röm 8:2," in *Neues Testament Und Christliche Existenz*; (ed. Hans Dieter Betz and Luise Schottroff; Tübingen: J. C. B. Mohr Paul Siebeck, 1973), 279-87.

¹³ Ibid, 284. See Haacker as well, "Daß zwei Funktionen oder Verständnisse der a Torah im Griechischen mit einer derartigen Genetivverbindung bezeichnet werden konnten, ist jedoch höchst zweifelhaft."

¹⁴ Ibid, 280. "The question of what Paul meant by the law of the spirit of life, is therefore still controversial. It can only be answered if Romans 8:2 is brought into the context of the interpretation of the law as it unfolds in its basic meaning by Paul."

¹⁵ Sanders, *Paul, the Law, and the Jewish People*, 96. He also stated, "When Paul uses the word "law" or "commandments" in connection with behavior, he never makes a theoretical distinction with regard to what

aspect of the law are binding, nor does he in any way distinguish “the law” which Christians are to obey from the law which does not righteous, which ties all humanity to sin, and to which those in Christ have died.” Hans Hübner’s work *Law in Paul’s Thought* has also contributed to the following discussion. Hubner agreed with Lohse’s thesis, that νόμος in 8:2 referred to the Mosaic law, but argued further that the, “expression ‘law of the Spirit’ most likely refers back to 7:14.” In 7:14, however, it is clearly the Torah which is meant. Hubner’s contribution added further support to the work done by Lohse and Sanders. Hubner has been strongly followed by N.T. Wright who generally assumes “Torah” as the meaning of law throughout ch. 8. C.f. Wright, *Climax of the Covenant*, 204-10.

¹⁶ Stuhlmacher likewise emphasizes that, “the Pauline understanding of Law stands in dialectical continuity to the Old Testament” (Stuhlmacher, *Romans*, 128.)

¹⁷ Dunn, *Romans*, 1:417.

¹⁸ Dunn rightly remarks that, “In short, since the second νόμος is still more clearly a reference to the Torah, it would throw the thought into some confusion to understand the first νόμος differently.” *Ibid.*

¹⁹ James D.G. Dunn, “Paul and the Torah: The Role and Function of the Law in the Theology of Paul the Apostle.” In *The New Perspective on Paul* (Grand Rapids: Eerdmans, 2008), 459.

²⁰ The importance of style is noted by Quintilian, “When our audience finds it a pleasure to listen, their attention and their readiness to believe what they hear are both alike increased.” Quintilian, *Institutio Oratio*, 213. 303.

²¹ Rowe, *Style*, 133-4.

²² The *Rhetorica Ad Herennium* is an anonymous work, inaccurately attributed to Cicero, written sometime between 86 and 82 BCE. Although A. E. Douglas, “Clausulae in the Rhetorica Ad Herennium as Evidence of Its Date,” *Classical Quarterly* 10, (1960): 65-78. has argued for an earlier dating, by 30 years, this has not garnered the support of other scholars. C.f. L. C. Winkel, “Some Remarks on the Date of The “Rhetorica Ad Herennium”,” *Mnemosyne* 32, 3/4 (1979). See also Aune, *Dictionary of the NT*, 416.

²³ Cicero, *Rhetorica Ad Herennium*, 363.

²⁴ *Ibid.*

²⁵ *Ibid.*; 369-71.

²⁶ Aristotle, *Rhet.*, 351; Cicero, *Or.*, 36.126-7. Duane Watson has argued that several types of amplification are common to the New Testament given its subject matter. He lists these as “the discussion of important matters related to the heavenly and divine, the love of God, moral

considerations, what is beneficial or detrimental to humankind, and love of close kin.” See Watson’s helpful article for amplification in 1 John and his detailed treatment of “amplification theory” therein, Duane F. Watson, “Amplification Techniques in 1 John: The Interaction of Rhetorical Style and Invention.” *JSNT* 51 (1993): 101.

²⁷ Unknown, *Rhet. Her.*, 295.

²⁸ *Ibid.*, 145-146.

²⁹ The third usage and fourth usage of δικαίωμα in 5:16, 18 reflects the definition provided by Aristotle in his *Nicomachean Ethics*. Aristotle defines δικαίωμα as “the rectification of an act of injustice.”³⁴ Within Paul’s argument in Rom 5, clearly Paul is setting up a contrast between competing “works” or “acts.” Specifically, the acts of Adam and Christ, with the acts of Adam leading to sin and death and the acts of Christ reversing or setting to right the acts of Adam and leading to righteousness and life (Rom 5:18).

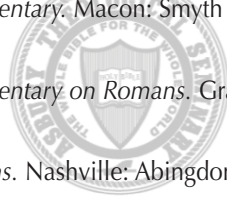
³⁰ δικαίωμα in the LXX occurs 140x and has a wide range of usage. δικαίωμα can be used to designate a statute or ordinance of God, an act, custom or practice, justice, duty, the right to appeal, a cause, principle, and even trembling. The majority of references refer to either a statute or ordinance of God and is typically identified as one aspect of God’s law. E.g., Gen 26:5; Exod 15:25–26; 21:1; 24:3; Lev 25:18; Num 15:16; 27:11; 30:17; 31:21; 35:29; 36:13; Deut 4:1, 5–6, 8, 14, 40, 45; 5:1, 31; 6:1–2, 4, 17, 20, 24; 7:11–12; 8:11; 10:13; 11:1; 17:19; 26:16–17; 27:10; 28:45; 30:10, 16; 33:10; 1 Sam 30:25; 2 Sam 19:28; 22:23; 1 Kgs 2:3; 2 Kgs 17:13, 19, 34, 37; 23:3; 2 Chr 19:10; Ps 18:22; 19:8; 50:16; 89:31; 105:45; 119:5, 8, 12, 16, 23–24, 26–27, 33, 48, 54, 56, 64, 68, 71, 80, 83, 93–94, 112, 117–118, 124, 135, 141, 145, 155, 171; 147:19; Job 34:27; Mic 6:16; Mal 4:4; Jer 18:19; Ezek 5:6–7; 11:20; 18:9; 20:11, 13, 16, 18–19, 21, 24–25; 36:27; 43:11; 44:24.

³¹ Cranfield, *Romans*, 1:156; Achtemeier, *Romans*, 43-45; Richard B. Hays, *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1993), 45 n.28; N.T. Wright, “The Law in Romans 2,” in *Paul and the Mosaic Law* (ed. James D. G. Dunn; Grand Rapids: Eerdmans, 2001), 146; Jewett, *Romans*, 93; Francis Watson, *Paul, Judaism, and the Gentiles: Beyond the New Perspective* (Grand Rapids: Eerdmans, 2007), 215. Contra Jurgen Becker, *Paul: Apostle to the Gentiles* (Louisville: Westminster John Knox, 1993), 86; Thomas R. Schreiner, *Romans* (Grand Rapids: Baker, 1998), 121-3; Stephen Westerholm, *Perspectives Old and New on Paul: The ‘Lutheran’ Paul and His Critics* (Grand Rapids: Eerdmans, 2004), 270 n.22; Byrne, *Romans*, 91; Keener, *Romans*, 43-46.

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