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THE IDENTIFICATION OF THE LAW IN JAMES 2:8–12

by

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Greek Exegesis of James: 238, 9:25 A.M.

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Introduction

The goal of this paper is to identify the law to which James refers in 2:8–12, and to understand his use and application of it to his readers.

Determining the meaning of the term *law* in James may seem somewhat simple or even insignificant at first glance.¹ James refers to the *royal law according to the Scripture* in 2:8, the *law* in 2:9, the *whole law* in 2:10, the *law* in 2:11, and the *law of liberty* in 2:12. Elsewhere in his letter, he refers to the *law* (4:11–12) and the *perfect law of liberty* (1:25). In each case, the main point that James is trying to convey is fairly clear: Christians should understand that being doers of the Word is vital, that showing favoritism is sin, that a future judgment is coming at which our obedience to God’s commands will be of utmost concern, and that speaking evil about a fellow Christian is wrong. Because of this basic clarity of the passage, it is not our intent here to simply discuss the interpretation of the passage. Rather, it is to treat the specific interpretive problem of the identity of the law to which James refers.

The exact identity of this *law* is not as simple as it may first appear. Various identifications are offered by Bible scholars. Some uniformly identify the law throughout the passage as the Law of Moses from the Old Testament² or as the Ten Commandments.³ This is an attractive

¹ Thielman, for instance, writes, “we shall not investigate the epistle of James because there the continuity between the Mosaic law and the gospel is not an issue...Jesus’ teaching about the Mosaic law had already become the law itself, and no debate on the issue was necessary.” See Frank Thielman, *The Law and the New Testament: The Question of Continuity* (New York: Crossroad Publishing, 1999), p. 4. Cairns: “In the light of James 1:25, the relationship of the believer to the law appears so clear as to be beyond controversy” (Alan Cairns, *Chariots of God: God’s Law in Relation to the Cross & the Christian* (Greenville, SC: Ambassador-Emerald, 2000), p. 71.

² Homer A. Kent, Jr., *Faith That Works: Studies in the Epistle of James*, rev. ed. (Winona Lake, IN: BMH Books, 2005), p. 71. However, later on Kent equates the law with the gospel and its attendant obligations (p. 73). Supporting the meaning of law as the “law of Israel” or Torah is Patrick J. Hartin, *James*, Sacra Pagina, vol. 14 [Collegeville, MN: Liturgical Press, 2003], p. 111. At the popular level, refer to R. Kent Hughes, *James: Faith That Works* (Wheaton: Crossway, 1991), p. 98.

interpretation because of the reference to *Scripture* in 2:8 and the quotations from the Ten Commandments in 2:11, both referring to the Old Testament. Others suggest that this cannot be the case because elsewhere the New Testament teaches that the Christian is not under the rule of the Mosaic Law. Therefore, the reference to the law must refer to the Law of Christ as found in the New Testament, with supporting references in 2:10–11 to the Law of Moses to illustrate a general principle.⁴ A mediating position says that “the law in question here is not the OT law as such, but the OT as reinterpreted and imposed by Christ on his followers.”⁵ In summary, the major views differ as to the degree they distinguish James’ use of law from the Mosaic Law: there is either no distinction, a total distinction, or some distinction.⁶ Unfortunately, some of the authors

³ The online “Forerunner Commentary” on James 2:8–10 promotes the interpretation that the royal law is simply the Ten Commandments. See Forerunner Commentary, “*James 2:8–10*,” par. 2, [on-line] accessed 11 April 2008, available from <http://bibletools.org/index.cfm/fuseaction/Bible.show/sVerseID/30302/eVerseID/30306>, Internet. Practically, reformed theologian David Doriani takes this position as well when he describes how each of the Ten Commandments are broken by the practice of favoritism (David M. Doriani, *James*, Reformed Expository Commentary [Phillipsburg, NJ: P&R, 2007], pp. 71–73).

⁴ R. Bruce Compton, “Greek Exegesis of James” (class notes, Detroit Baptist Theological Seminary, Spring 2008), notes on 2:8. Most of the notes are not typed as part of the class syllabus. Therefore, future references to this document will usually refer to the verse number where the comments occurred and will omit page numbers.

⁵ Douglas J. Moo, *The Letter of James* (Grand Rapids: Eerdmans, 2000), p. 117 and Peter H. Davids, *Commentary on James*, NIGTC (Grand Rapids: Eerdmans, 1982), p. 118. Refer also to D. Edmond Hiebert, *James*, rev. ed. (Winona Lake, IN: BMH Books, 1992), p. 145, 150, and 151, who distinguishes James’ use of the law from the Ten Commandments, the ritualistic matters of the Mosaic Law, the Mosaic Law itself, and the rabbinical interpretation of the Law. Similarly, see G. K. Beale and D. A. Carson, eds., *Commentary on the New Testament Use of the Old Testament* (Grand Rapids: Baker, 2007), p. 1000. Along this line of thinking, a very clear contrast is made by Moo between his view and that of Strickland’s dispensational view in Moo’s response to Strickland’s article in “The Inauguration of the Law of Christ with the Gospel: A Dispensational View,” in Wayne G. Strickland, ed. *The Law, the Gospel, and the Modern Christian: Five Views* (Grand Rapids: Zondervan, 1993), p. 315.

⁶ There are other views which are combinations or hybrids of the above, but we will not focus on them in this paper. John MacArthur, *James* (Chicago: Moody Press, 1998), pp. 111–112 says “the **royal law** is, in essence, the sum and substance of the complete Word of God...the particular **royal law** James focuses on is ‘You shall love your neighbor as yourself.’” Later he writes, “the redeeming **law of liberty**, God’s Word of the gospel, the New Testament in Jesus Christ...” (p. 116). Esser suggests that the believer is free from strict observance of the law, but may still fall under its judgment when he writes, “He who keeps this commandment is free from the fear of having to keep the whole of the Jewish law by a minute observance of every single commandment...It is still true, however, that he who [shows] partiality will finally fall under ‘judgment without mercy’, exactly as if he had not kept the OT law” (*NIDNTT*, s.v. “Law,” by H.-H. Esser, 2:449). According to Johnstone, the law is the “moral law, looked at as

already cited are not very precise in making the distinction, at some points seeming to take one view, and at other points taking a different view. So, the primary goal of this paper is to make a precise statement identifying the law to which James refers.

Neither is the identification of the law in James an insignificant matter. This question touches at the heart of the issue of the continuity or discontinuity of the New Testament with respect to the Old Testament. How exactly is the believer related to the Mosaic Law and the Law of Christ? Is the believer obligated to follow the Law of Moses? How can James use the Mosaic Law to underpin a demand on the New Testament believer if Christians are not under the Law? So, a secondary goal of this paper is to clarify James' application of the Law to his audience, and by extension, to Christians today.

I will attempt to achieve these goals by a careful exegetical and theological study of James 2:8–12, referring to the historical context and the immediate and remote Biblical contexts. In the end, I hope to convincingly demonstrate that throughout the passage, James uses *law* to refer to the whole royal law of liberty. This is a law which we know from other texts of Scripture as the Law of Christ, that to which Jesus Christ referred in Matthew 23:20, and which is mentioned in 1 Corinthians 9:21 and Galatians 6:2. James does not use the term *law* to refer to the Mosaic Law at all, though he does quote three moral commands from the Mosaic Law that are incorporated into the Law of Christ. Therefore, I understand that there is a thoroughgoing distinction between the Law of Christ and the Law of Moses, with the caveat that many truths revealed in the Law of Moses are carried over into and incorporated into the Law of Christ.

incorporated with the gospel of salvation" (Robert B. Johnstone, *James* [reprint ed., Edinburgh: Banner of Truth, 1977], p. 170).

Two facts are presupposed throughout the paper. First, the traditional view of authorship is accepted, namely that James, the half-brother of Jesus and leader of the Jerusalem church (Acts 15:13) wrote the letter. Second, the readers of James' letter were Jewish Christians living outside of Palestine (n.b. "the twelve tribes" in James 1:1). The reader may consult the commentaries for explanation of these views.⁷

Cultural and Historical Context

Cultural Context

Both James and his audience were Jewish Christians, or at least professing Christians. The Jewish air to the epistle can hardly be missed; neither can the Christian atmosphere. James refers to them as "brethren" in 15 verses (1:2, 16, 19; 2:1, 5, 14; 3:1, 10, 12; 4:11; 5:7, 9, 10, 12, 19). They held the faith (2:1). They held meetings in which they gathered as a church (2:2). Other evidences of this can be seen throughout the letter. The significance of this fact for this paper is that both author and audience would have been very familiar with the issues of the Mosaic Law and how it was either annulled or adapted in the new era after the first coming of Christ.

The Jerusalem Council of Acts 15 is evidence of the fact that the relationship of law and grace was a hot topic in the nascent church (Acts 15:10–11). Granted, the Council likely met af-

⁷ For commentaries in support of these presuppositions, please refer to Hiebert, *James*, pp. 13–36; Kent, *Faith That Works*, pp. 2–14; Moo, *The Letter of James*, pp. 9–27; Johnstone, *James*, pp. 1–8. Perkins supports James the brother of the Lord as author but doubts the initial addressees were only Jewish Christians. See PHEME PERKINS, *First and Second Peter, James, and Jude*, IBC (Louisville: John Knox, 1995), pp. 83–85. Doriani agrees about the author but suggests the terms twelve tribes and dispersion refer to a wider audience than just Jewish Christians because of his covenant theology view. See Doriani, *James*, pp. 4–6, 12. Davids agrees with the presupposition about the Jewish Christian audience, but denies that James was the sole author of the work, saying that a later redactor, possibly after James' death, edited the work, so that it includes James' words (Davids, *Commentary on James*, pp. 21–22, 63–64). Later, the same Davids in his popular commentary on James refers to the audience as the church, a distinct nation in the world, and as believers in general (Peter H. Davids, *James*, New International Biblical Commentary [Peabody, MA: Hendrickson, 1983], p. 25). Hartin nuances the authorship position by saying that either James of Jerusalem or a close associate after his death wrote with his authority (Hartin, *James*, pp. 24–25).

ter James wrote his letter (see the next section), but these issues were surely simmering for years before the Council. Apostolic preaching contrasted the way of Christ to the Jewish view of the Mosaic Law, whether that view was following the Torah or the modified, legalistic approach of Judaism. This caused great conflict in the early missionary work of Paul from around 47 A.D. (Acts 13:45, 14:2–4, etc.) Even earlier, a Jew-Gentile controversy arose over the issue of circumcision and the food laws (Acts 10:1–11:18). As much as 10 years earlier when Paul was in Damascus, the new “Way” was so controversial that Paul’s life was threatened by the Jews (Acts 9:23). Three or more years before that, a great persecution had arisen against the church (Acts 8:1), shortly after the martyrdom of Stephen (Acts 7:60). Becoming a Christian was not an automatic transition from one’s Jewish heritage. The “old way” was quite attractive, given the societal and family persecution that would likely come with accepting Jesus Christ as the Messiah. Furthermore, the Jewish convert would have had to deal with Jesus’ teaching on his fulfilling of the Law, the Sermon on the Mount, and the related apostolic teaching.

Clearly, the issues of Law and grace go all the way back to the beginning of the church and Jesus’ earthly ministry. James’ writing would be some years after the issue had already been a concern for thousands of new Christians. In this environment, the issue of the relationship of the Christian to the Law was so familiar that James did not feel the need to say a lot about it. Rather, his immediate concern was with more practical matters of the faith. Because of their background, the readers would have understood more clearly James’ reference to “law” than we do today. This is not to suggest that they were fully versed in all the theological ramifications, but with many years of apostolic teaching and intimate experience in this area, they may have been better prepared to read and understand what James was saying than what we would initially be inclined to think.

Given these facts, we must not arrive at a definition of *law* that would strike James or his readers as outlandish. For instance, if they understood the Law of Moses to have been outmoded by the Law of Christ, and this can be clearly demonstrated from James and other NT Scriptures, then it would certainly be incorrect for us to say that the Law actually refers to the full requirements of the Mosaic Law. That would be outside of James' authorial intent. On the other hand, if James and his readers seem to understand the Law of Moses to be fully binding upon them, it would be wrong to suggest that the law refers exclusively to the Law of Christ totally apart from the Law of Moses. It will be our task to explore this issue further in the pages ahead.

Historical Context

Another important preliminary issue to consider is the date that James wrote. The commentaries cited earlier support an early date, sometime in the mid 40s A.D., and this is the view taken in this paper. The heavily Jewish character of the letter, the reference to the "synagogue" in 2:2, and the lack of clarification of his teaching on faith and works relative to Paul's public ministry all indicate a date before the first missionary journeys of Paul. Silence on circumcision also suggests a date before the Jerusalem conference, where the law-gospel controversy erupted to the surface with great force.⁸ These arguments indicate a date before James' martyrdom in the 60s A.D. The early date implies that James was the earliest NT letter. This is significant because the only "Scripture" (γραφή) to which James could refer would be the Old Testament. This issue

⁸ It is highly doubtful that James was unaware of the brewing circumcision controversy, given the historical survey from Acts above. Furthermore, Moo cannot be right that James was unaware "of the conflict over torah that emerged in the early church as a result of the Gentile mission" (Moo, *The Letter of James*, p. 26). As a leader of the church from early in the 30s through the 40s, such an important issue could hardly have escaped his notice, particularly given his developed theology on the issue displayed in Acts 15:13-21 and his proximity to the first Gentile outreaches.

must be considered when interpreting verses that refer to the Scripture (2:8 and 2:11).

Immediate Context

The epistle of James can be understood as revolving around a theme of the tests of a genuine Christian faith.⁹ Three times James exclaims that faith without works is dead (2:17, 20, 26). Such statements indicate that this is James' primary concern for his audience—that they not be claiming to have faith while at the same time lacking real evidence that their claim is true.

James shows what this evidence should look like in various life circumstances. In 1:1–18, James teaches his reader that genuine Christian faith responds to trials and temptations in a certain way. In 1:19–27, he says that real faith responds properly to the Word of God. Then in 2:1–13, he teaches that living Christianity rejects partiality in favor of loving and merciful treatment of our neighbors, including the rich and poor. In verses 1–4, James prohibits the exercise of faith with a display of favoritism. Such partiality must be eliminated. An illustration about a rich visitor and a poor visitor to their assembly drives the point home that they should not treat the rich with special favor while they mistreat the poor—and all on the basis of external appearance. Then in verses 5–13, James supports the prohibition against partiality with three reasons (we could combine the second and third reasons into one but that is not necessary).

The first reason that the readers should not exercise partiality is that partiality is inconsistent with the way that God operates relative to the rich and poor (verses 5–7). The command to “listen,” the direct address to “my beloved brethren,” and the subject matter of rich and poor mark this off as a separate subsection. The readers were mistreating the poor, but God was

⁹ Hiebert, *James*, p. 37; Compton, “Greek Exegesis of James,” p. 18.

pleased to elevate many among the poor to a place of riches in Christ. The readers' behavior was directly opposite of God's pattern. Further, their honoring of the rich seems inconsistent in light of the fact that many rich folks had oppressed them and were blasphemers of the name of Christ.

The second reason that the readers should not exercise partiality is that partiality is contrary to God's law of love as expressed in the Old Testament (verses 8–11). There is a switch from third person to second person between verses 7 and 8, and the common subject matter of the law ties together verses 8 through 11 as a new subsection. The mention of partiality in verse 9 confirms that this is connected to the subject that started at verse 1. For now it is sufficient to note that James directly states that showing favoritism is a violation of this law and makes one a law-breaker, a sinner. We will examine this in greater detail momentarily.

The third reason that the readers should not exercise partiality is that partiality is contrary to God's principle of mercy (verses 12–13). A command to speak and act in light of coming judgment and the judgment theme itself marks these two verses as having a slightly different intent than the previous section. Those who do not exercise mercy will incur a strict judgment—one in which no mercy is shown by God toward them.

This section bolsters the overall theme of the letter in that it shows that a living faith will be marked not by discrimination, but by a loving and merciful attitude toward others. This kind of response shows that one's heart is in line with God's appraisal of things rather than with selfish motivations. As such, this response shows a genuine faith.

This paper treats 2:8–12, despite the fact that verse 12 begins a new sub-section and technically should be discussed along with verse 13. For the topic at hand, verse 12 must be included because it refers to the *law of liberty*, and verse 13 adds little to the discussion on the identification of the law itself. The other verses that mention *law* in 1:25 and 4:11–12 are also addressed.

Text and Translation

Following is the Nestle-Aland text of James 2:8–12.¹⁰

- 2:8** Εἰ μέντοι νόμον τελεῖτε βασιλικὸν κατὰ τὴν γραφήν·
ἀγαπήσεις τὸν πλησίον σου ὡς σεαυτὸν,
καλῶς ποιεῖτε·
- 2:9** εἰ δὲ προσωπολημπτεῖτε,
ἀμαρτίαν ἐργάζεσθε ἐλεγχόμενοι ὑπὸ τοῦ νόμου ὡς παραβάται.
- 2:10** ὅστις γὰρ ὅλον τὸν νόμον τηρήσῃ,¹¹ πταίσῃ¹² δὲ ἐν ἐνί,
γέγονεν πάντων ἔνοχος.
- 2:11** ὁ γὰρ εἰπὼν· μὴ μοιχεύσης, εἶπεν καὶ· μὴ φονεύσης.¹³
εἰ δὲ οὐ μοιχεύεις φονεύεις¹⁴ δέ,
γέγονας παραβάτης νόμου.
- 2:12** οὕτως λαλεῖτε καὶ οὕτως ποιεῖτε ὡς διὰ νόμου ἐλευθερίας μέλλοντες κρίνεσθαι.

According to the UBS apparatus and Metzger's commentary, there are no major textual variants in the passage.¹⁵ Some minor variants are noted in Hodges and Farstad,¹⁶ but these con-

¹⁰ All Greek New Testament Scripture quotations, unless otherwise noted, are taken from Kurt Aland and Barbara Aland, eds., *Novum Testamentum Graece*, Nestle-Aland 27th ed. (Stuttgart: Deutsche Bibelgesellschaft, 1993).

¹¹ The majority or Byzantine text reads this verb as τηρήσει, a third person singular future active indicative rather than as an aorist active subjunctive as above. Thus KJV and NKJV translate “whoever shall keep...” whereas most translations render it as “whoever keeps.” The indefinite pronoun “whoever,” indicating a generic subject, would support the subjunctive form, but there is no ἄν particle like in other places where this is the case (for instance, 1 John 2:5). See the mention of James 2:10 in Daniel B. Wallace, *Greek Grammar Beyond the Basics: An Exegetical Syntax of the New Testament* (Grand Rapids: Zondervan, 1996), p. 479, and fn 86. Scribes may well have changed the original text to conform to the more common grammatical usage of an indicative when no contingent particle was present (ἄν or ἐάν). The force of the verse is not significantly affected.

¹² Similar to the previous word, the Byzantine text reads this verb as πταίσει, a third person singular future active indicative instead of the aorist active subjunctive printed above.

¹³ A number of spellings of the adultery and murder verbs are found in the MSS. The Byzantine text has both verbs in the future tense whereas the NA27 has them as aorist subjunctives (these are prohibitive subjunctives; see Wallace, *Greek Grammar Beyond the Basics*, p. 469). The Byzantine harmonizes well with the earlier future tense “imperative” ἀγαπήσεις of 2:8 and with the future tenses of the next occurrences of those two verbs.

¹⁴ The Byzantine text reads this and the previous verb as the future tense instead of the present tense.

¹⁵ See Barbara Aland, et al., eds., *The Greek New Testament*, Fourth rev. ed. (Stuttgart: Deutsche Bibelgesellschaft, 1998) and Bruce M. Metzger, *A Textual Commentary on the Greek New Testament*, second ed. (Stuttgart: Deutsche Bibelgesellschaft, 2000).

sist mainly of tense changes that harmonize verbs in the passage to each other or to expected usage, so giving rise to minor spelling variations. Because the Byzantine text shows a tendency to such harmonization, the more difficult readings of the text shown above are more likely original. However, none of these variants alter the meaning of the text to any significant degree.

Below is my translation of the passage arranged similarly to the Greek text above. This will be used as the working English translation throughout the paper.

- 2:8** If you really are fulfilling the royal law according to the Scripture,
namely, “You shall love your neighbor as yourself,”¹⁷
you are doing well.
- 2:9** But, if you are showing partiality,
you are committing sin and are convicted by the law as transgressors.
- 2:10** For whoever keeps the whole law, but fails in one point,
he¹⁸ has become guilty *of sin against*¹⁹ all of it.
- 2:11** For he who said, “Do not commit adultery,”²⁰ also said, “Do not murder.”²¹
Now, if you do not commit adultery but you do commit murder,
you have become a transgressor of the law.
- 2:12** So speak and so act as those who will be judged on the basis of the law of liberty.

Exegetical Analysis

In order to achieve the goals of the paper to identify the law in James and understand his application of it to his readers, two primary questions must be answered. First, what is the identification of the various uses of the term *law* in James 2:8–12? This question is largely taken up in

¹⁶ Zane C. Hodges and Arthur L. Farstad, eds. *The Greek New Testament According to the Majority Text*, second ed. (Nashville: Nelson, 1985), p. 680.

¹⁷ Lev 19:18 and reflected in Mat 19:19, 22:39, Mark 12:31, Luke 10:27, Rom 13:9, Gal. 5:14.

¹⁸ I am not at all opposed to using the masculine pronoun generically to refer to “he or she.”

¹⁹ BDAG, s.v. “ἐνοχος,” p. 338–39. Meaning 2, section (b), subsection γ says that the word can be used “to denote the pers. (or thing) against whom the sin has been committed.” The offended party or thing is in the genitive, as here with the adverbial genitive of reference πάντων, which refers to all of the law.

²⁰ Exodus 20:14; Deut 5:18.

²¹ Exodus 20:13; Deut 5:17.

the following exegetical analysis. Following that analysis, the next major question is examined, namely, is the royal law the same or different than the Mosaic Law? Along the way, observations will be made that will help us understand the application of the law to James' audience.

Because each verse contains a reference to the *law*, the detailed study of the passage will proceed verse by verse in order to examine the portions of the verses relevant to our study.

James 2:8

Verse 8 is structured as a first-class conditional sentence, which assumes for the sake of argument that the “if” part is true. If the readers are fulfilling the law, then they would be doing well. But the interpreter of this section is immediately faced with the question of how to handle the connection of 2:8 to the previous verses, because of the particle μέντοι that appears at the beginning of the verse. The word usually is used as an adversative particle “however” or “though.” James may thus simply be commending some of the readers who are not dishonoring the poor.²² But that usage does not seem to fit this context after verse 7. This verse is more closely related to verse 8 with the contrasting conditional sentence there, and two adversatives in sequence (one at verse 8, if μέντοι is to be taken adversatively, and one again at verse 9) seems out of place here.

The standard Greek lexicon and most commentators agree that μέντοι should be translated affirmatively as “really” or “actually.”²³ This means that the particle functions as an adverb

²² See Hiebert, *James*, p. 145; Kent, *Faith that Works*, pp. 70–71.

²³ BDAG, s.v. “μέντοι,” p. 630. See Moo, *The Letter of James*, pp. 110–11. Most English translations concur, save KJV and NET (which do not translate the word), and NASB, which takes it in the adversative sense. Rogers and Rogers offer “indeed” as the translation, but do not specify if this should be taken adversatively or affirmatively. See Cleon L. Rogers, Jr. and Cleon L. Rogers, III, *The New Linguistic and Exegetical Key to the Greek New Testament* (Grand Rapids: Zondervan, 1998), p. 557. Johnstone, *James*, p. 157 takes the adversative view as does Davids in *James*, p. 114.

to the verb “fulfill.” If the readers claimed to fulfill the law, and particularly with respect to their treatment of the rich, then James would be in effect saying, “If you are *actually* doing as you say, then you are doing well.” Given verse 8, and the previous context regarding their dishonoring of the poor, the word “really” points out their hypocrisy. They say that they are fulfilling the law; but they are not *really* doing so, certainly not with respect to the poor person that comes into their assembly. Perhaps James is not suggesting they make a claim either way, but in any case the adverbial force of μέντοι differentiates between genuinely fulfilling and hypocritically fulfilling the royal law. There may have been very few in the assemblies who were genuinely doing the right thing; the problem of favoring the rich was systemic.

This adverbial force of “really” is attached to the verb τελείτε, which means to complete, carry out, or pay. The definition “to carry out an obligation or demand” in the sense of keeping the law fits the context best.²⁴ The present tense of “fulfill” does not indicate either way whether the readers are carrying out their obligation to the law—that is encapsulated in the conditional nature of the sentence.²⁵ The present tense is a customary present, almost gnomic in the sense that it communicates a general principle that is always true—fulfilling the law *is* doing right.

The next phrase, “the royal law,” tells the readers just what they were expected to genuinely carry out. The adjective “royal” translates βασιλικόν, a cognate with the Greek noun

²⁴ BDAG, s.v. “τελέω,” p. 997–98.

²⁵ I am not convinced by Hiebert, *James*, p. 145, who says that the present tense indicates some of the audience is indeed keeping this law. Some of them may be, and some of them may not, but the present tense does not seem to me to be the syntactical mechanism that conveys this. That function is in the domain of the conditional, or of the emphatic particle μέντοι, or in the surrounding context.

“kingdom.” It is used five times in the New Testament (John 4:46, 49; Acts 12:20, 21).²⁶ Despite the attractiveness of interpreting this as the “supreme” or “highest” or “governing” law because of the use of the law of love in the gospels (Matthew 22:39, John 13:34), the word’s semantic domain simply does not include that meaning.²⁷ Its meaning “of or belonging to the king” is confirmed in the LXX, where Numbers 20:17, 21:22, 2 Sam. 14:26, and several places in Esther all use it this way. Therefore, the law in question is the “law of the king.” This fits the immediate context, where verse 5 refers to the kingdom (βασιλείας). For James, the king must be none other than Jesus Christ, the Messiah-King, the one who presented himself to Israel as king, as recorded in the gospels. We might immediately conclude then that this royal law is the Law of Christ.²⁸

But naming the law this way does not necessarily differentiate this law from the Law of Moses or any other law given in the Bible, as they are all given by God or Christ in some fashion. Nor does calling this law “the Law of Christ” answer the questions raised by the next phrase, “according to the Scripture.” The face value of this phrase would seem to clinch the view that the royal law is actually the command quoted from Leviticus 19:18, or the entire Mosaic Law which includes that command. This phrase also raises the question of whether the royal law is a single command (as it seems) or an entire body of law. To these questions we now turn.

The phrase “according to the Scripture” can be interpreted in two ways. It could be an adjectival phrase modifying *law* or an adverbial phrase modifying the verb *fulfill*. The CSB, NET

²⁶ In John 4:46, 49, it is used as a substantive of an official, and in Acts 12:20, 21 it is used of a country or clothing that was associated with a king

²⁷ BDAG, s.v. “βασιλικός,” p. 170. See also Carson’s article on James’ use of the Old Testament in Beale and Carson, eds., *Commentary on the New Testament Use of the Old Testament*, p. 1000.

²⁸ *NIDNTT*, s.v. “Law,” by H.-H. Esser, 2:449 disagrees, saying that the royal term “need not necessarily refer to Jesus the King; it may equally refer simply to the grandeur of this commandment.”

and NIV translate the phrase as modifying *law*—the law as *prescribed, expressed or found* in the Scripture. The royal law in this view is exactly the love-command quoted from Leviticus 19:18. In other words, in this view, the prepositional phrase identifies what the royal law is.²⁹ However, this is unlikely for two reasons. First, the substantive νόμον is more distant from the prepositional phrase “according to the Scripture” than is the verb “to fulfill.” In other words, the phrase is closer to “fulfill” and more naturally modifies it. Second, had James wished to say that a single commandment was the issue here, he would have used the Greek word ἐντολή, as used in Matthew 22:36, 38 and 40. In fact, in Matthew 22:40, both words are used: “On these two *commandments* (ἐντολαῖς) hang the *whole of the law* (νόμος) and prophets.” Furthermore, the following verses in James actually teach this “whole law” concept, and the verb τελέω is used in several other contexts to refer to the fulfilling of the entire law, not just a single command.³⁰

For these two reasons, it is more reasonable to take the prepositional phrase as an adverbial phrase modifying the verb *fulfill*. It tells the reader not what the royal law is (a single command selected out of a collection of commands), but how it is to be carried out—in love. The whole law is to be carried out in accordance with the instruction given in Leviticus 19:18. The royal law is a body of commands, while the Scripture refers to a single (albeit important) command. This single command, written with an imperatival future,³¹ is the one which the Lord

²⁹ So Dale C. Allison, Jr., “Jesus and the *Torah*,” in *The Law in Holy Scripture*, ed. Charles A. Gieschen (St. Louis: Concordia Publishing House, 2004), p. 79.

³⁰ See Luke 18:31, 22:37; Acts 13:29; Romans 2:27; Galatians 5:16; and possibly Luke 2:39, with the latter and Romans 2:27 being the closest parallels to the use in James 2:8. In Luke, Joseph and Mary carried out all their obligations under the Mosaic Law. In Romans the sense is that of a Gentile who keeps the whole Mosaic Law. In both cases, the fulfilling has to do with the Mosaic Law as a whole, whether the specific subset of prescriptions in the case of a new baby, or of all the prescriptions.

³¹ See Wallace, *Greek Grammar Beyond the Basics*, pp. 569–70. The future is often used in OT quotations.

points out as summarizing the second table of the Mosaic Law (Matt 22:39, Mark 12:31, Luke 10:27). Paul later does the same in his letters (Rom 13:9, Gal 5:14). Therefore, in answer to our previous questions, the royal law is not a single command; rather, it is a body of truth³² which must be kept in accord with the standard of love as written in the Scripture passage Leviticus 19:18. This conclusion is supported by other uses of the phrase “according to the Scripture” in the LXX (Deut 10:4; 1 Chron 15:15; 2 Chron 30:5, 35:4; Ezra 6:18). The phrase describes the manner in which something was done, “in the manner prescribed.”³³

The other major English translations render the prepositional phrase literally, simply “according to the Scripture.” Such a translation does not seem to indicate the translators’ interpretation either way. For sake of clarity, we could translate the verse this way: “You are doing well if you really carry out the royal law in a manner consistent with the Scripture which says, ‘You shall love your neighbor as yourself.’”

James 2:9

The adversative $\delta\epsilon$ contrasts verse 8 with verse 9. Both verses have the same structure,

³² Carson agrees in his commentary found in Beale and Carson, eds., *Commentary on the New Testament Use of the Old Testament*, p. 1000. So also Davids, *Commentary on James*, p. 114.

³³ Κατά with the accusative commonly specifies the standard by which something is done. See Wallace, *Greek Grammar Beyond the Basics*, pp. 376–77. There are other Biblical texts which use a similar phrase with a similar meaning, “according to what is written” or slight variants. The reader can refer to Deut 29:21; Josh 1:8; 2 Kings 14:6; 22:13; 1 Chron 16:40; 2 Chron 34:21; 35:4, 26; Neh 10:34; Esther 3:12; 8:9; 9:27; 2 Cor 4:13.

Joshua 8:34 may be an exception, where “according to all that is written” could specify not the manner but the content of the reading. However, even here, the reading could have been done in the manner prescribed in the Law. The verse in 2 Cor. 4:13 may be the closest example to the construction we have in James 2:8. It says, “And since we have the same spirit of faith, according to what is written, ‘I believed and therefore I spoke,’ we also believe and therefore speak” (NKJV). Here the “according to what is written” is followed by a quotation just like in James. In this case, the prepositional phrase “according to” specifies what their spirit of faith is, so it is somewhat different than many of the uses cited above.

Note that other English texts quoted in this paper will be from the NKJV.

namely as first-class conditional sentence, but they have the opposite sense—in verse 8, if the readers are really fulfilling the royal law in a loving manner, they would be doing right, but in verse 9 if they are showing partiality, then they would be sinning.³⁴ Context indicates that they indeed were falling short in this area.

The portion of the verse most relevant to our study is the last phrase, “are convicted by the law as transgressors.” The participle “convicted” is a verbal participle of result³⁵ showing that partiality is a sin which results in being constituted as guilty before the law. “The law” is the articular “τοῦ νόμου.” The article here is anaphoric, pointing back to the previous reference to the law in verse 8. The standard of the royal law has been broken, and therefore the readers are convicted by the *royal law* as transgressors. The word transgressor indicates one who has crossed over a boundary and violated the standard of the law. He is outside of the boundaries of conformity to the royal law.

James 2:10

Upon hearing verse 9, the initial impression of James’ readers might be to wonder how it can be that not following one little part of the law constitutes one as a transgressor in such a thoroughgoing sense. So verses 10 and 11 both begin with the explanatory “for.” James is explaining his previous point, namely that showing partiality makes one a law-breaker. He does this in two stages. In the first stage in verse 10, James answers the question “why am I a transgressor of the law if I only showed partiality?” The answer is that whoever fails in one minor point of the

³⁴ Rogers and Rogers well note that showing partiality is not the only way to sin. In other words, this is not a reversible condition. See Rogers and Rogers, *The New Linguistic and Exegetical Key*, p. 557, as well as Wallace, *Greek Grammar Beyond the Basics*, p. 686.

³⁵ Wallace, *Greek Grammar Beyond the Basics*, p. 639

law, even though he nearly keeps or tries to keep all of it, becomes guilty against all of it.

Verse 10 states the point very plainly: “whoever keeps the whole law, but fails in one point, he has become guilty *of sin against* all of it.” Other Scriptures such as Romans 3:10 make it clear that no one actually *has* kept the whole law (save Jesus Christ, of course), and furthermore the Scriptures teach us that because of total depravity, no one *can* keep the whole law (Rom 8:7–8), whether that is the Mosaic Law or any other expression of God’s demand for perfect righteousness (Matt 5:48; 1 Peter 1:16; Galatians 3:10). In other words, James’ statement is a hypothetical but impossible relative clause that is inclusive of all humanity—no one can keep the whole law, and even if one tried to do so, he would fail as soon as the first little point was broken. The hypothetical nature of his statement is not unique to James. Romans 2:13 says that the doers of the law will be justified, but Romans 3:10, shows how this is really impossible.

So what law is James speaking about in verse 10? There are two views. One is that this law is the Mosaic Law.³⁶ This is supported by at least three arguments. First, the switch from second person to third person pronouns seems to distance verses 10–11 from verse 9, which refers to the royal law. If this distance is real, then perhaps there are two different laws in view. Second, the phrase “the whole law” is used twice elsewhere in Scripture, both times referring to the Mosaic Law (Matt 22:40, Gal 5:3).³⁷ Third, the illustrative content of verses 10 and 11 seem to set them off as speaking of a different law than has been under consideration in verses 8 and 9.

However, none of these arguments are absolutely conclusive. Another view can be supported, namely that the “whole law” in verse 10 actually refers to precisely the same law as in

³⁶ Compton, “Greek Exegesis of James,” notes on 2:10.

³⁷ A similar phrase “all the law” is used in Gal 5:14. It also refers to the Mosaic Law.

verses 8 and 9. There are three reasons in support of this view. First, on the simplest reading, the reader is hard-pressed to see any difference between the law as it is used thus far in verses 8–10. Second, the “whole law” is modified by the article. This article can be understood as an anaphoric article, at least in a broad sense, referring to the law that was previously mentioned. Third, the readers are pictured as attempting to keep the law in verse 10, yet stumbling in one part of it. This stumbling makes them guilty of all of it. Verse 10 is explaining what is meant at the end of verse 9 where James says they are convicted by the law as transgressors. The connection is easiest to understand if the law is the same in both cases—that which is required of the readers.

In response to the arguments for the first view, it can be said first that the switch to the third person is simply a way of marking off the general or inclusive nature of the principle James is stating in relation to the law mentioned in verse 9. Second, the reference to the “whole law” can just as well be a reference to the entire royal law as it can be a reference to the entire Mosaic Law, as the following verse makes clear. The whole point that James is making is that there is a unity to the law, and this unity principle applies to any law given by God, whether it is the Mosaic Law or the Law of Christ. In other words, this use of “whole law” does break with the other two in Matthew 22:40 and Galatians 5:3, because it is James’ point to teach that the Law of Christ is just as indivisible as the Mosaic Law was, and violations of it are not to be taken lightly. Third, as for the argument regarding the illustrative nature of verses 10 and 11, it can be simply replied that in fact only verse 11 is illustrative, while verse 10 is a statement of the fact that a violation of the law of love through partiality is a law-breaking offense.

Thus far, we have determined that James is referring to a law called the “whole royal law.” It is to be kept in a manner consistent with the command to love one’s neighbor.

James 2:11

So far, James has completed the first stage of his explanation of how one becomes a transgressor of the whole royal law. We could call that the explanation proper. It is followed in verse 11 by the second stage of his argument, the illustration of the explanation. Verse 11 answers the question “how do I know that this guilty-of-one-means-guilty-of-all principle is true?” By using the illustration of God’s giving of the Mosaic Law, James answers that the various individual commandments come from a single law-giver. The single law-giver brings unity to the collection of commandments, making it such that setting aside any one command in effect shows a disregard for all of them and ultimately is a violation of the holiness of the law-giver. The generic nature of the truth James is conveying applies to any law given by God at any time in history. Certainly it applies to both the Mosaic Law and the whole royal law.

But this brings us again to the crux of the matter regarding the law. What law is James talking about? Thus far we have said that verses 8 through 10 refer to precisely the same law, the whole royal law. If we follow this interpretation into verse 11, we can make sense of the verse. Verse 11 has an anarthrous νόμου, but most translations take this either as “a lawbreaker” or “a transgressor of the law,” indicating that the law in view is the same as that mentioned in verse 10. If so, this would suggest James is still writing about the “whole royal law.” And syntactically, apart from any other considerations, this could be the case.

But there is one major objection to this view, and that is the quotation of two commandments from the Decalogue. If James understands there to be a difference between the Mosaic

Law and the royal law, this quotation from the Ten Commandments (Exodus 20:13, 14)³⁸ suggests that it is likely that he is switching from speaking of the royal law (in verses 8 through 10), to the Law of Moses (verse 11). This would be a good explanation of the quotation. However, an alternative case can be made that the commandments quoted in verse 11 are indeed drawn from the OT, but just like the commandment quoted in verse 8, these need not be construed in a way that puts the readers under the Mosaic Law. Instead, because each of these commands is carried forward into the New Testament Law of Christ (John 13:34–35, Romans 13:9), James can exhort the readers using OT quotes but still be referring to the royal law, which includes these same moral requirements. In other words, James speaks of the royal law in verses 8 through 10, switches to an illustration from the Law of Moses in 11a, and then applies that illustration to the royal law in 11b.³⁹ This makes for the simplest explanation of the entire passage, because it avoids switching the meaning of *law* twice in the passage.

Another significant question is why James switches from the second person to the third person in verses 10 and 11a, and then back to second person verbs in 11b. Does this imply that the readers are directly under the mandates of the Mosaic code, since that code is quoted earlier in verse 11? The text could be taken that way, but it can also be explained that these are simply

³⁸ There is a minor issue as to why the order of the commandments is switched from the Decalogue, and why these two commandments are selected. There is not much significance to these issues; James is simply selecting two commands to illustrate his point about the unity of the Mosaic Law.

³⁹ This way of looking at the verses turns out to be yet another, though perhaps somewhat weaker, argument against the law in verse 10 being a reference to the Mosaic Law. Why? If James uses “law” in 2:10 to refer to the Mosaic Law, it is the *only* time in the passage that he does so. Granted, James refers to Mosaic commandments in verses 8 and 11, but it seems strange that he would use “law” to refer to the royal law in verse 8, 9, 11, and 12, and yet not do so in verse 10. (Of course, this assumes that the reference in verse 12 is to the royal law, a point which will be supported in the upcoming pages).

generic references, with the perfect verb “have become” classified as a gnomic perfect.⁴⁰ The commandments themselves are second person aorist active subjunctives. This is a form we would expect such legal material to take. James simply continues using the second person in the present active indicative verbs later in the verse. A more nuanced interpretation understands that James begins at verse 11b to draw the application to his readers, not putting them under the Mosaic Law per se, but illustrating that either a) if they were under that Law, they would be guilty of all of the Mosaic Law even if they only broke one commandment or b) since they are under the royal Law of Christ, which incorporates these commands from the Decalogue, breaking one of these commandments makes them guilty of all the royal law.

It seems simplest to say that the “law” throughout the passage thus far is a reference to the whole royal law. Some commandments from the OT are incorporated into that law and are binding on Christians today. The connection to the readers’ situation is that they were failing in the area of love, and so by breaking one command they were not keeping the rest of the royal law in the loving manner prescribed in v. 8. They were, therefore, transgressors of that law.

However, at this point, it must be admitted that whether the royal law and the Law of Moses are to be distinguished in the first place must be determined on other grounds than verses 8 through 11. It is exegetically possible that the royal law and the Law of Moses are one and the same, but also feasible that they can be distinguished to some greater or lesser degree.

⁴⁰ Wallace, *Greek Grammar Beyond the Basics*, p. 581 mentions this possibility “since the sinner in view is generic,” though he prefers to classify the verb as a proleptic (futuristic) perfect. Brooks and Winbery classify this verb as a gnomic perfect, though they question whether the gnomic category should be used at all. See James A. Brooks and Carlton L. Winbery, *Syntax of New Testament Greek* (Lanham, MD: University Press of America, 1979), p. 107.

James 2:12

James now appeals to the readers to speak and act in such a manner as reflects that they will be judged by the law of liberty.⁴¹ Their conduct should be carried out in light of their coming judgment, which will presumably be on the basis of this law, assuming that they are indeed believers and will correct their shortcomings in the area of the display of favoritism.

The word ἐλευθερίας (“of liberty”) is a genitive of description,⁴² specifying the type of law that James has in mind. It is a law that brings with it freedom, as opposed to a law that brings bondage. The phrase διὰ νόμου ἐλευθερίας uses διὰ plus a genitive phrase, not to indicate ultimate agency, but to indicate the basis or criterion of the judgment. An idiomatic translation would therefore be “on the basis of the law of liberty.”⁴³

Again we must ask, what is the law of liberty? Because the readers are enjoined to fulfill the *royal* law earlier in the passage, and are now said to be those facing the judgment of the law of *liberty*, it is certain that these two laws are actually one and the same. Therefore, the *whole royal law of liberty* is how James thinks of this law. And we have seen that this is the way the term *law* is used throughout the passage.

⁴¹ The combination μέλλοντες κρίνεσθαι is most simply taken as a round-about way of referring to the future judgment. This may include the ideas of imminence (cf. James 5:9, and Kent, *Faith that Works*, p. 73) and certainty of occurrence (cf. Hartin, *James*, p. 123; Davids, *James*, p. 118), but the emphasis is on the comparative in the verse: “speak and act **as** those who will be judged...” With the comparative, James is in effect encouraging the readers to behave in a manner consistent with those who will be judged by the law of liberty should behave. If they are not merciful in their conduct toward others (v. 13), then they should not expect a favorable judgment.

⁴² Rogers and Rogers, *The New Linguistic and Exegetical Key*, p. 557.

⁴³ This is followed by most major English translations (except ESV) when they translate “judged **by** the law of liberty.” See Moo, *The Letter of James*, p. 116; and Hartin, *James*, p. 123. Rogers & Rogers disagree, saying that this genitive phrase “indicates the state or condition in which one does or suffers something; i.e. ‘under the law of liberty’” (Rogers and Rogers, *The New Linguistic and Exegetical Key*, p. 557). In this view, the readers are “under the law of liberty” much like Paul’s use of “under the law” in Rom 2:12, 1 Cor. 9:20, and Gal. 4:21.

James 1:18–25

Thus far we have seen that James refers to a law which he could call the *whole royal law of liberty*. The readers are responsible to keep this entire body of commands, as they will be judged by it. The law of liberty is mentioned one other time in James by this same name (1:25) and there appears to be no reason to suggest that the law of liberty there is different than the law of liberty in chapter 2. In chapter 1, the law of liberty is the same as the implanted word mentioned in verses 21, 22, and 23, and is the word which is able to provide salvation. This word is also mentioned in verse 18 as the instrument that God uses to bring about regeneration. James is speaking about eternal spiritual salvation from sin and death and it seems clear that the gospel of Christ is included in his thought when he writes “the law of liberty.”⁴⁴

This law is also called a perfect law. Such a law is the highest kind of law that can be envisioned; it answers to the highest standard that can be set up for a law. James certainly holds this law in very high esteem.

James 4:11–12

The law is mentioned again in James 4:11 and 12. There James prohibits speaking against or slandering others. To slander another is to ignore the law of love for one’s neighbor and in effect, to set oneself up as a judge or authority over the law. This passage ties in closely with our section in 2:8–12 in that the law of love is at issue there also.⁴⁵ Since the law certainly refers to

⁴⁴ Kent writes of the law of liberty: “It refers to the Word of God as found in the gospel, together with its attendant obligations. This law of liberty sets believers free from built and slavery to sin, but it also places them under the obligation to obey their Lord and Master. Christ holds His followers accountable not only for their faith, but also for their works done in obedience.” Kent, *Faith That Works*, p. 73.

⁴⁵ Moo, *The Letter of James*, pp. 198–99 helpfully explains the connection between the criticism of a fellow believer and the law of love for one’s neighbor. James may well be alluding to Lev 19:16, “Do not go about spread-

the larger enclosing body of truth which includes the command to love one's neighbor (and not just the single commandment to love), it is safe to conclude that the James 4 law is the same as the royal law as referred to in 2:8. Here, as there, James places special emphasis on the importance of keeping the law in a manner consistent with love of one's neighbor.

Biblical and Theological Analysis

To move closer to a specific identification of the royal law vis-à-vis the Mosaic Law, we must turn to the wider context of Scripture.

The Royal and Mosaic Laws Are Distinct

The main problem left unhandled thus far is in the determination of whether there is a distinction between this law and the Mosaic Law mentioned in verse 11. By drawing upon other Scripture along with James, we can make some headway.

Four points can be made in favor of distinguishing the royal law of liberty from the Mosaic Law. First, since the reference to the law of liberty in James 1:18–25 includes the gospel of Christ, the royal law must be distinguished from the Mosaic Law. In the Mosaic Law we cannot find a direct mention of the good news of the finished work of Christ. Certainly as revelation progresses through the Psalms and the time of Isaiah, more comes to light. But James has advanced beyond that point, mentioning that he is the bondservant of Christ (1:1) and that he proclaims the faith of Jesus Christ, the Lord of glory (2:1).⁴⁶

ing slander among your people" (NIV). Furthermore, the word "neighbor" at the end of verse 12, despite a minor textual variant there, calls to mind the Scripture quoted in James 2:8 about loving one's neighbors and the quotation of Lev 19:18.

⁴⁶ This is argued by Moo in "The Law of Christ as the Fulfillment of the Law of Moses: A Modified Lutheran View," in Wayne G. Strickland, ed. *The Law, the Gospel, and the Modern Christian: Five Views*, p. 375.

Second, James' attachment of the adjective "perfect" to the law of liberty in 1:25 points to a distinction between the Mosaic and royal laws as well. This seems to imply the perfection of the royal law as over against the Mosaic Law which is imperfect. Of course, in a real sense the OT Law was perfect (Psalm 19:7).⁴⁷ It provided restoration to one's soul, it imparted wisdom, it encouraged believers. But in another real sense, the law was weak and unprofitable and unable to make anything perfect (Heb 7:18–19). Hebrews 10:1–4 demonstrates that the law was unable to provide for final expiation of sin, nor was it able to perfect the worshippers that came year by year to offer sacrifices for sin. God through the prophet Jeremiah promised a new covenant with the nation of Israel which would replace the former one which the Israelites had broken (Jer 31:31–32). Paul teaches that the purpose of the Law was to point out sin, not to justify (Rom 3:20). But James refers to the law as an implanted word which is able to bring regeneration and save souls (1:18, 21). All of these texts indicate that a distinction is maintained in the Scripture between the Mosaic Law and the Law of Christ. The new law is better than the old.

Third, the mention of the "law of liberty" in verse 12 also supports a distinction between the two laws. Some would go as far as to say that the mention of the law of liberty proves that James intends the reader to understand a distinction between the two laws.⁴⁸ However, it may be presuming a little bit to conclude this just from the text of James 2. After all, he presents both the Mosaic Law and the Law of Christ as unified law codes, which breaking one part of makes one guilty of all. He does not say one way or the other if a person is able to keep the whole royal law,

⁴⁷ *NIDNTT*, s.v. "Law," by H.-H. Esser, 2:449 uses this reference to support the point that James is showing a background in Jewish thought. This perfection of the law is used by some interpreters to say that the royal law is precisely the same as the Mosaic Law, that is, they are perfect in the same sense. See Hartin, *James*, p. 112.

⁴⁸ Compton, "Greek Exegesis of James," notes at 2:12.

but he is assuming that his readers are not doing so, and it sounds equally as difficult to keep the one as the other. So while it may stretch James' point to prove a distinction between the laws just from his text, the overall context of the Scripture does support such a distinction, and the modifier "liberty" points to it. The word implies the Mosaic Law really binds and brings guilt and condemnation because no one can keep the whole Law. 2 Corinthians 3:7–11 calls the Mosaic Law a ministry of death and condemnation, one which was passing away. It is contrasted to the ministry of the gospel, a ministry of the Holy Spirit which gives life and exceeds the glory of the former covenant because it is permanent. Here we have liberty from guilt and condemnation produced by the Mosaic Law.⁴⁹ The law of liberty includes final expiation of sin and an enabling element (the Spirit, through regeneration) that allows one to become a fulfiller of the royal law.

Fourth, other New Testament Scriptures teach that Christians are not "under the Law." This is because the Mosaic Law has been set aside. Galatians 3:19 says, "What purpose then does the law serve? It was added because of transgressions, till the Seed should come to whom the promise was made." Evidently there was a termination point for the Law, and that was the coming of Christ. Ephesians 2:15 says that Christ "abolished in His flesh the enmity, that is, the law of commandments contained in ordinances." Colossians 2:14 concurs, saying that Christ "wiped out the handwriting of requirements that was against us." Furthermore, the New Testament teaches that believers in the church are not under the jurisdiction of the OT law. Romans 7:4 teaches that believers "also have become dead to the law through the body of Christ" and Galatians 3:23-25 says that we are no longer under the guardianship of the Law. Galatians 4:21 re-

⁴⁹ The idea of liberty is also found in John 8:32–36, where the Lord affirmed that "whoever commits sin is a slave of sin" but "the truth shall make you free." Paul follows up and affirms that "sin shall not have dominion over you" (Rom 6:14). Here the liberty is from sin, not the Mosaic Law or its condemnation per se.

bukes those who desire to be under the Law. Romans 6:14 and Galatians 5:18 close the case: “for you are not under law but under grace”⁵⁰ and “if you are led by the Spirit, you are not under the Law.” Instead, NT believers are under the Law of Christ (1 Cor 9:21, Gal 6:2).

A distinction between Moses’ Law and Christ’s Law can also be seen in Acts 15:13–21. Not very long after writing his letter, James confronted some related issues regarding the Mosaic Law and the Gentiles at the Jerusalem Council as recorded in Acts 15. The question of the meeting was whether the Gentiles were required to be circumcised and to obey the Mosaic Law in order to be saved. The resounding answer of the Council was that the Gentiles did not need to keep the Mosaic Law. And while a fully detailed examination of James’ answer is outside of the scope of this paper, there are some points that are quite clear. First, James acknowledges that God was working among the Gentiles, as evidenced by Peter’s ministry and the ministry of Paul and Barnabas (Acts 15:14). Second, he recognizes that the salvation of the Gentiles is consistent with the future work of God among the Gentiles referenced in Amos 9:11–12 (15:15–18).⁵¹ Third, he concludes that the Gentiles should not be troubled with Mosaic requirements as if they were normative for their salvation (15:19). Fourth, he recognizes that there were certain religious and cultural norms that were so basic that all the Gentiles would recognize them—avoidance of idolatry, sexual immorality, and the eating of certain types of things that would be offensive to

⁵⁰ Despite Reisinger’s protestation to the contrary, Romans 6:14 does allow us to distinguish grace as the rule of life for the believer from the old rule of life, the Mosaic Law (Ernest C. Reisinger, *The Law and the Gospel* [Phillipsburg, NJ: P & R Publishing, 1997], pp. 118–32). Making such a distinction does not leave the Christian without a standard of righteousness—as if he can espouse an antinomian view of the faith—because his standard is the Law of Christ.

⁵¹ For a more detailed discussion of the issues surrounding Acts 15:14–18, please refer to Matthew A. Postiff, “The Quotation of Amos 9:11–12 in Acts 15:16–18” (class paper for Hebrew Exegesis of Amos, Detroit Baptist Theological Seminary, Fall 2007).

the Jews (15:20). He explains this latter point by appealing to the Mosaic Law. For many generations that Law had been preached in the cities of the Gentiles, so much so that it had an impact beyond just the Jewish population that lived there.

The significance of this for our discussion of James 2 is that it shows very clearly that James made a distinction between the Mosaic Law and the code of conduct that was incumbent upon a new Gentile convert. If it was his intent to tell the audience that they must understand the Mosaic Law to be binding upon the Gentile converts, he certainly would have spoken differently. As it stands, he showed that there were certain features of the Mosaic Law which were helpful for the new converts to follow, but this fell far short of binding the new believers by the whole code. It was evidently not his intent to suggest the Law of Christ was the same as the Law of Moses at the Jerusalem Council. Given James' position in the church and understanding of the issues, it is highly doubtful that he could have taken a position different from this at any point after his conversion. He was certainly aware of these issues for years before they came to the Council. James did not intend to convey anything else in what he wrote regarding the law in his second chapter. His readers would have found it shockingly out of place for James to take them back to the Old Covenant once the New had been put into place.

The Royal and Mosaic Laws Are Related

Having established that the Law of Christ and the Law of Moses must be distinguished, it then can be asked if and how they are related. Indeed they are related, precisely because they share a common law-giver. Both are expressions of the holiness of God. Some commands that are found in one are found in the other. Love for one's neighbor in Leviticus 19:18, for instance, is brought directly into the Law of Christ by the Lord as recorded in John 13:34–35 and Matthew 5:44. The prohibitions against murder and adultery are carried into the Law of Christ as well.

They two laws are not identical, however. Many comments in the scholarly literature tie the Mosaic Law and the Law of Christ together as if they are basically equivalent, with some reinterpretation in some areas and relaxation in others.⁵² But the very unity principle espoused by James and recognized by all his interpreters would suggest that if some parts are “reinterpreted” or “relaxed,” the entire law must be replaced with a new law. It has to be upheld as a unit, or discarded as a unit and replaced with a new unit.

So how do we explain the similarity of the laws while maintaining a proper distinction between them? Like two brothers, both have characteristics from the father. If the two sons were businessmen, being an employee of one would not be identical to being an employee of the other. Both might share common practices and moral commitments because of their parentage, but there would be significant differences as well. So it is with the Christian—he is employed by the younger son, not the elder. Similarity between the two laws does not demand equality.

Conclusion

The foregoing analysis has shown that James refers to a body of commandments which he calls the royal law of liberty. It is royal in that it comes from the Messiah-king and takes its character from him. It brings freedom instead of bondage. It is a unity, just like the Mosaic Law, in that if one of its constituent commandments is broken, the person becomes guilty of all of it. It is also described as a perfect law, indicating that it meets the highest standard in a law.

Three of these descriptive terms also support the fact that this law should be distinguished

⁵² It is better to recognize that the Law of Christ is not simply a “rephrasing of the Mosaic law,” as stated by Wayne G. Strickland in his article “The Inauguration of the Law of Christ with the Gospel: A Dispensational View,” in Wayne G. Strickland, ed. *The Law, the Gospel, and the Modern Christian: Five Views*, p. 277.

from the Mosaic Law. The royal law is *royal* precisely because it was expounded by the Messiah in his first advent, well after the giving of the Mosaic Law. It is a law which brings *freedom* as opposed to the condemnation and bondage that were inherent in the Mosaic Law. And it is *perfect* in that it corrects the shortcomings of the Mosaic Law.

Is the distinction between the two laws complete? Nearly so. Granted, there is an organic relationship between them. Both are expressions of God's holy character, and as such James can use some of the individual commandments from the Mosaic Law because they are directly incorporated into the Law of Christ. But to be under the Law of Christ is not equal to being under the Law of Moses. Nor is it the case that all of the Mosaic Law is carried over into the Law of Christ, as if our Lord simply added some new laws or new requirements as to proper motivation to the law that existed before. It would have been so unexpected to James' audience for him to espouse the Mosaic Law again that it is just not feasible to suppose that the royal law of liberty is the same as the Mosaic Law. After all, had James wished to refer to the Mosaic Law, he could have used Moses' name easily enough!

So, the believer is not "under the Mosaic Law." But just as much as an OT saint was bound to obey the Mosaic Law, an NT saint is bound by the Law of Christ, the whole, perfect, royal law of liberty. James could see it no other way. What Christ taught, he had to teach. How Christ lived, he had to live. This is the Law of Christ—what Christ taught and modeled, and in turn what his apostles taught and modeled for believers. To be sure, none of this states that a person is saved by keeping the Law of Christ. Such was not even the case with the Law of Moses. But the Master does have expectations of his subjects. To treat those requirements lightly is to lightly esteem the one who gave them.

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Notes:

Probably should refer to Oman on textual issues.

Compton distinguishes his view from Kent and Hiebert, and aligns himself more closely with Moo. Moo's position in the commentary seems somewhat different than Compton. But Hiebert agrees with Moo!

2:11 has a conditional indicative "if you do not commit adultery..." Wallace p. 450-51.

2:11 general type of this conditional sentence is in Wallace 683-84.

2:12 passive judged has an unstated agent which is obviously God (Wallace 437-38).

See Strickland, p. 56 for view that favoritism might be akin to murder.

Need to study through the journal articles on the subject, which are probably many!