

“Not Under the Law but Under Grace”

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It is well-known that in Romans 6:14 Paul says that believers “are not under the Law (*hupo nomon*) but under grace.” He repeats this again in the next verse when he asks, “Shall we sin because we are not under the Law (*hupo nomon*) but under grace?” His answer is a resounding, “May it never be!” (Rom 6:15). Paul makes a similar statement in 1 Corinthians when he describes his missionary methodology of adapting his lifestyle to various situations in order to win people for Christ: “To the Jews I became as a Jew, so that I might win Jews; to those who are under the Law (*hupo nomon*), as under the Law (*hupo nomon*) though not being myself under the Law (*hupo nomon*), so that I might win those who are under the Law” (1 Cor 9:20). The key clause in this verse is the one where Paul says that even though he sometimes adopted an “under the Law” lifestyle, in reality he himself is *not* under the Law. In addition, there is a verse in Galatians where Paul says: “If you are led by the Spirit, you are not under the Law (*hupo nomon*)” (Gal 5:18). Related to these passages are the ones where Paul says that the Law has been “rendered inoperative” (Eph 2:15), that we have “died to the Law” (Gal 2:19; Rom 7:4, 6) and have been “released” from it (Rom 7:6) – all of which are synonymous with the statement that we are “not under the Law.” Now what are we to make of these statements? In order to answer this question we must first establish what Paul means by “the Law” (*nomos*).

The meaning of *nomos*

My thesis is that in Paul’s normal usage, *nomos* means the Mosaic Law as a covenant of works, that is, the “Do this and live” principle, accompanied by the threat of

the curse for those who transgress the Law. I agree that there are other usages of *nomos* in Paul’s writings, but they are subsidiary. Sometimes *nomos* means a principle (perhaps, e.g., Rom. 3:27 and 7:21). Sometimes it refers to the Old Testament as Scripture (e.g., Rom. 3:21; Gal. 4:21). But in the great majority of instances, and particularly in the instances that we are interested in (i.e., the statements concerning the believer’s deliverance from the *nomos*), I believe *nomos* means the Mosaic Law as a covenant of works.

Although by no means exhaustive, here is a sampling of some of the evidence that *nomos* in Paul means the Mosaic covenant of works.

First, there is Paul’s quotation of Lev 18:5 in Gal 3:12 and Rom 10:5, where he sets the “Do this and live” principle in contrast with the principle of salvation by faith apart from works. Note that these proof texts, which in their original context refer to the *Mosaic* economy, were cited by the Westminster divines in support of the doctrine of the *Adamic* covenant of works (WCF VII:2; XIX:1; WLC # 20, 30, 92, 93; WSC # 12, 40). The divines believed this was legitimate exegetically because they held, as did the majority of Reformed theologians of their day, that the Mosaic covenant included a republication of the pre-fall covenant of works. Since the works-principle operated only on the theocratic, typological level of Israel’s retention of the land as a picture of heaven, it did not detract one iota from the underlying unity of the covenant of grace and the reality of salvation by faith in Christ alone, apart from works, in every epoch of redemptive history after the fall (Rom. 1:1-2; 3:21; 4:1-25; 10:6-8; Gal. 3:6-9, 21-22; Heb. 4:2; 11:39-40).

Second, there is Galatians 3:10–4:7, where Paul repeatedly contrasts the Mosaic Law and the Abrahamic promise: “What I am saying is this: *the Law*, which came four hundred and thirty years later, does not invalidate a covenant previously ratified by God, so as to nullify *the promise*. For if the inheritance is based on *Law*, it is no longer based on *promise*; but God has granted it to Abraham by means of *promise*” (Gal. 3:17-18). There is no hint in the context that Paul is answering a Jewish misinterpretation of the Law. He is talking about the Mosaic Law itself, for he refers to it in context as a particular, historical covenant that came 430 years after the promises were made to Abraham (3:17), and which was “added” and “ordained” by God “through angels in the hand of a mediator” (i.e., Moses) (3:19). Paul implies that if the inheritance were based on the Law, it *would* nullify the promise. The Law, in and of itself, must therefore be a covenant of works.

Third, the fact that the Mosaic Law is defined by Paul as “a disciplinarian (*paidagōgos*) until Christ came” (Gal. 3:22-23) proves that it must be a covenant of works. The translation “tutor” is recognized by most scholars to be erroneous. The Law was not given merely as a tutor to educate Israel, but to bring Israel to recognize her total inability to keep it, thus keeping her in custody until Christ came. The disciplinarian function of the Law is most clearly seen in the curses of the Law, which ultimately forced Israel into Babylonian captivity, a picture of exile from paradise. The Law could not be “a disciplinarian until Christ came” if it were only a gracious rule of life. To “shut up everyone under sin” (Gal. 3:22) it had to be a covenant of works.

Fourth, the Mosaic Law had to be a covenant of works, for Christ was born “under the Law” (*hupo nomon*) in order to bear away its curse so that we might obtain the

inheritance as God’s sons (Gal. 4:4-7). We could not inherit by our own obedience to the Law, only by the obedience of Jesus Christ imputed to us and received by faith alone. If Christ’s obedience is a meritorious Law-keeping, then the Law must be a covenant of works. But if we say that the Mosaic Law is a gracious covenant, we are then bound to affirm that Christ received eternal life as a gift of unmerited grace.

Paul did not spin this covenantal conception of the Law out of his own brain. As a former Jewish Rabbi and an avid student of the Torah, it is reasonable to assume that Paul’s conception of the Law was derived from the Scripture itself.

For example, the second commandment includes a threat of divine judgment for those who transgress the Law, and a promise of divine acceptance for those who keep it (Exod. 20:5-6). Likewise, the fifth commandment includes a promise of long life in the land, as a type of eternal life. Long life in the land was but a shadow, a picture, of endless life with God in the new heavens and new earth. This typological interpretation is not merely a Pauline invention; it is found in the Old Testament itself, e.g., in Isaiah’s picture of the eternal state, which is described using the language of the Israelite theocracy: “No longer will there be in it an infant who lives but a few days, or an old man who does not live out his days” (Isaiah 65:17-20). When the NT refers to Isaiah’s prophecy of the new heavens and the new earth it interprets his theocratic language typologically as a reference to the resurrection state of *immortality* in the heavenly inheritance (Rev. 21:1-7; 22:1-3). Meredith Kline calls this “typological idiom.”¹

¹ Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Eugene, Or.: Wipf & Stock, 2006), 341-42.

In addition, there are the blessings on Mount Gerizim and the curses on Mount Ebal (Deut. 27-28; cp. Leviticus 26). Paul quotes the summary curse of Deut. 27:26 in Gal. 3:10, and contrasts the principle of “performing” the Law, which for sinners only produces a curse, with the principle of “faith” which brings justification. The Babylonian exile was the culmination of the curse of the Law, and is thus further proof that the Mosaic covenant was a covenant of works. In the exile, God executed his wrath against Israel on the typological level. Israel was placed outside of the land, “east of Eden” in the land of Babylon. God issued his divorce papers to Israel. She who was formerly *Ammi* (“My people”) became *Lo-Ammi* (“Not my people”). The covenant was broken by Israel’s apostasy. This could never happen if the covenant were a covenant of grace. The covenant of grace is unbreakable. Indeed, this is the very thing that the Jeremiah identifies as the key difference between the old covenant and the new: “Behold, days are coming, declares the LORD, when I will make a new covenant with the house of Israel and with the house of Judah, *not* like the covenant which I made with their fathers in the day I took them by the hand to bring them out of the land of Egypt, *My covenant which they broke*, although I was a husband to them, declares the LORD” (Jer. 31:31-32). The new covenant is called the everlasting covenant precisely because it cannot be rescinded by the church’s unfaithfulness: “I will make an everlasting covenant with them that I will not turn away from them, to do them good; and I will put the fear of Me in their hearts so that they will not turn away from Me” (Jer. 32:40). God turned away from Israel, but he will never turn away from the church. Individual members of the covenant may be cut off from the new covenant, but as a corporate promise made with the church, it can never end in exile. That is why the new covenant is called “a better covenant” (Heb. 7:22; 8:6).

Finally, Paul’s understanding of the Mosaic Law as a covenant of works was possibly influenced by the teaching of Jesus. I’m thinking particularly of Jesus’ discussion with the rich young man. The rich young man had asked Jesus, “What good thing shall I do that I may obtain eternal life?” Jesus replied, “Why are you asking Me about what is good? There is only One who is good; but if you wish to enter into life, keep the commandments” (Matt. 19:16-17). Jesus of course is not really offering eternal life to the man on the basis of his keeping of the commandments. He is simply setting forth the standard. Although the man thought he had kept the commandments from his youth, Jesus clearly does not think so and shows him that his idolatrous attachment to wealth stands in the way of obtaining eternal life by means of the Law.

Much more could be said by way of clarification and substantiation, but I trust enough has been said to show the strength of the case for interpreting the Mosaic Law as a covenant of works.

The meaning of “not under *nomos*”

Now why is it so important to correctly define the meaning of *nomos* in terms of the Law as a covenant of works? Because it sets the proper context for understanding what Paul means when he says that the *nomos* has been “rendered inoperative” (*katargeō*, Eph. 2:15), or when he says that we have “died to the *nomos*” (Gal. 2:19; Rom. 7:4, 6) and are thus “not under the *nomos*” (Rom. 6:14-15; Gal. 5:18), having been “released” from its binding jurisdiction (*katargeō* again, Rom. 7:6).

These rather bold Pauline assertions can easily be misunderstood, as if he were affirming that grace gives the Christian a license to sin. Indeed Paul himself testifies that

his opponents charged him with promoting sin (Rom. 3:8; Gal 2:17). So it is important to be clear that the *nomos* from which we have been delivered is not to be equated with the imperatives and commands of God’s Word.

Indeed, this mistaken equation would bring Paul into direct contradiction with Jesus, who insisted on keeping even “the least of these commandments” (Matt. 5:19). Jesus commissioned the apostles to teach the nations to “observe all that I commanded you” (Matt. 28:20). Jesus requires us to love him and to express that love by keeping his commandments (John 14:15, 20-21), especially the new commandment to love one another as Christ loved us (John 13:34). To interpret the statement that the believer is “not under *nomos*” in the simplistic sense that we are not obliged to obey any commands would also bring Paul into contradiction with himself. Paul said that what matters is not circumcision but “keeping the commandments of God” (1 Cor. 7:19). He also spoke, in the very context in which he spoke of our deliverance from the Law (Rom. 6:1–8:17), of the fact that, through the sanctifying work of the Spirit, “the righteous requirement of the Law is fulfilled in us” (Rom. 8:4). Later, in the same chapter, he says that “we are *under obligation*, not to live according to the flesh, but according to the Spirit” (Rom. 8:12). Obedience is not optional. Christians are obligated to walk in the Spirit. So deliverance from the Law is not the same thing as deliverance from the obligation to righteous living and obedience. The abolition of the Mosaic Law is not the same thing as the abolition of commandments, imperatives, or moral obligations.

Let us be clear then: what we have been delivered from by union with Christ in his death, is the Mosaic Law given to Israel at Mount Sinai in thunder and thick cloud, with its blessings and curses, as a typological republication of the covenant of works

made with Adam. The Law is abrogated as a covenant of works in the sense that Christ has fulfilled the requirements of the covenant of works for us by his active and passive obedience. By his active obedience he perfectly kept the requirements of the Law. By his passive obedience he took away the curse of the Law by becoming a curse for us. As Paul says, we died to the Law through the body of Christ, that is, through his flesh offered up to God upon the cross as a satisfaction of the just demands of his holy Law.

For through the Law I died to the Law, so that I might live to God (Gal 2:19).

Christ redeemed us from the curse of the Law, having become a curse for us – for it is written, ‘Cursed is everyone who hangs on a tree’ (Gal 3:13).

But when the fullness of the time came, God sent forth His Son, born of a woman, born under the Law, so that He might redeem those who were under the Law, that we might receive the adoption as sons (Gal 4:4-5).

For he himself is our peace, who has made the two one and has destroyed the barrier, the dividing wall of hostility, by abolishing *in his flesh* the law with its commandments and regulations (Eph 2:14-15).

Or do you not know, brethren (for I am speaking to those who know the law), that the law has jurisdiction over a person as long as he lives? ... Therefore, my brethren, you also were made to die to the Law through the body of Christ (Rom 7:1, 4).

In Christ, we have been judged by the Law. The fullness of its wrath and curse has been fulfilled by us, through our Substitute. The Law has exacted the fullness of its just demands at the hand of Jesus. Since we in Christ have satisfied its just claims, the Law no longer has jurisdiction over us. We are not under its dominion. It can't threaten us any more. We are now in Christ.

However, we have not been delivered from the obligation to obedience. In fact, obedience is demanded of us *precisely because* we have been delivered from the Law as a covenant of works. How so? Because our deliverance from the Law has taken place not in

the abstract, but only by virtue of our union with Christ. Christ delivered us from the Law not by setting aside its righteous demands, but by fulfilling and satisfying them.

Therefore, since we are united to the Law-fulfilling Christ, the believer still sustains a continuing relationship to the righteous requirement of the Law in Christ.

If it is only through Christ that we have been delivered from the Law, then we are now *bound to Christ*, and we express that obligation by conforming ourselves to the righteous requirement of the Law. To be sure, the Law *as Law* is no longer our authority. It no longer has authority over us, any more than it has authority over a deceased person (Rom. 7:1, 4). But we are not free from all ethical authority. We have been married to Another Husband to whom we now submit in loving obedience. And since he fully kept the Law in our place, its just requirements still come to us via Christ, not as a binding covenant of works, to be thereby justified or condemned, but as part of the covenant of grace. All the commands of the Law that were grounded in creation and the holy nature of God, come to us now through Christ as the commands of Christ, “the law of Christ” (1 Cor. 9:21; Gal. 6:2). They are imperatives rooted in the indicative of our identification with Christ in his death and resurrection.

As those who have died to sin in Christ, we must put to death our members which are on the earth. As those who have been raised up with Christ, we must continually set our minds on heavenly things, not on earthly things. We must not lie, not because the Law prohibits lying, but because in Christ we are no longer liars in God’s sight. We must not commit adultery, not because the Law forbids it and threatens us with death if we do it, but because we dare not take the members of Christ and join them to a harlot (1 Cor. 6:12-20).

There are only two ethical systems, and all men are either under one or the other. The first is the ethical system of the covenant of works, first revealed to Adam in the garden, and republished on a much larger scale for all mankind to see at Sinai. After the fall, this ethical system always and inevitably leads to failure. The Law as a covenant of works only provokes fallen man to sin. Paul says that when we were in the flesh the sinful passions were “aroused by the Law” (Rom 7:5). He illustrates this with a specific command: “I would known about coveting if the Law had not said, ‘You shall not covet.’ But sin, taking opportunity through the commandment, produced in me coveting of every kind” (Rom 7:7-8). Clearly, the ethical system of the covenant of works – when placed upon sinners – is not a very effective method of restraining sin and promoting righteousness.

The alternative ethical system is union with Christ in his death and resurrection. Paul says that we are “not under the Law,” but he goes on to add that we *are* “under grace.” Now we must be clear what we mean by an alternative ethical system. It does not mean that the content of the ethical requirements has changed. Now it is true that we who live in the new covenant age have greater insight into God’s righteous and loving character, as revealed definitively and finally in the cross of Christ. It is true that this insight into God’s character surpasses the revelation of God’s nature as perceived in the types and shadows of the old covenant, resulting in a great appreciation for the centrality of the love command. Nevertheless the content of the righteousness demanded in the new covenant is not substantially different than the content of the Law. Due to progressive revelation, the final revelation in Christ so surpasses the shadow revelation given through Moses, that we may feel as if the love command was virtually unheard of until we see

love demonstrated on the cross. Yet progressive revelation is the unfolding flower of what was already present in the bud. There is progress, but it is *organic* progress, a bringing out of what was already there in type and shadow under the old covenant. Thus, even the old covenant had its love command: “Love your neighbor as yourself” (Lev. 19:18). Yet the definitive exposition of what was entailed by that love would not be seen until the love of God was made manifest in the cross of Christ. “We know love by this, that He laid down His life for us; and we ought to lay down our lives for the brethren” (1 John 3:16).

The real substantive difference in the ethic of the new covenant lies not in the area of the content of this ethic, but in the antithetical contrast between the Law as a covenant of works and the dynamic of grace, with its indicative-grounded imperatives. The Law says, “Do this and live! Sinner, be something you are not!” Grace says, “You have been made alive, therefore be what you are!” The imperatives of the NT are laced with indicatives (see Ephesians 4-6 and Colossians 3-4). There are no imperatives in the NT that come to us apart from the indicative of our union with Christ, apart from the reality of what we have first become by grace. In the NT we find no sheer commands direct out of heaven from the throne of God, much less the naked ten commandments as an eternally static “moral law” binding on all men. To the extent that the ten commandments contain a just requirement founded on the holiness of God, we find those commands coming to us not from the hands of Moses, but from the hands of Christ who first kept those commands in our place and who calls us to see ourselves as having kept them in him, and to express that vision concretely in our lives.

The irony is that those who try to be sanctified by the Law will find their efforts ending in frustration. “The faster I go, the behinder I get.” The Law stirs up sin and makes it worse (Rom 5:20; 7:5). Only those who understand their freedom and deliverance from the Law (properly defined) will be enabled to grow in holiness, obedience, and conformity to the image of Christ. And, lo and behold, these are the ones who discover that as a matter of fact the very righteousness that the Law required all along is being fulfilled in them by Christ’s Spirit (Rom 8:4).