

"WORKS OF LAW" IN GALATIANS

JOSEPH B. TYSON

SOUTHERN METHODIST UNIVERSITY, DALLAS, TEXAS 75275

IT has been customary to interpret Paul's letter to the Galatians as an attack upon the concept of works-righteousness and as an answer to a Judaizing mission which was undermining his own efforts. Recently, doubts have been raised about the nature of Paul's opposition in Galatia. J. Munck was of the opinion that the opponents had nothing to do with the Judean Christians.¹ Walter Schmithals vigorously rejects the idea that the opponents were Judaizers.² He believes that they were Gnostics who demanded circumcision. The present author has attempted to show that the opposition came from a group of local Christians who were confused both about the meaning of circumcision and about the requirements of Pauline Christianity.³

Although the nature of Paul's opposition has been discussed, his concept of "works of law" in Galatians has received less attention. The understanding that he was attacking the concept of works-righteousness has not been seriously questioned except by Schmithals. He maintains that, although the Galatian Gnostics practiced circumcision, they regarded it as having only a symbolic significance. It was not regarded as a meritorious deed, and Gnostics did not accept the concept of works righteousness. Schmithals' argument at this point depends on his understanding of Gal 5:3: "I testify again to every man who receives circumcision that he is bound to keep the whole law." Schmithals says that the Galatian Gnostics had not required adherence to the entire Jewish Torah and that Paul was giving them a new piece of information. Schmithals believes that the Gnostics used circumcision as a symbol of their disposing of the flesh and as an act which allowed them to live thereafter as *pneumatikoi*. Paul is, therefore, asserting that the Gnostics are incorrect, and he maintains that circumcision binds a person to the way of Torah, even though the recipient does not so intend and is not aware of the requirement. Schmithals' interpretation makes it difficult to understand 4:21, which says that those who have been circumcised intend to be under law: *Λέγετέ μοι, οἱ ὑπὸ νόμον θέλοντες εἶναι*. Schmithals observes that this verse is not addressed to the opponents; nevertheless, it says that those who receive circumcision intend to embrace the Torah.

Schmithals' interpretation seems to fall somewhat short of conviction. In

¹ Johannes Munck, *Paul and the Salvation of Mankind* (Richmond: John Knox, 1959) 87-134.

² Walter Schmithals, *Paul and the Gnostics* (Nashville: Abingdon, 1972) 13-64.

³ Joseph B. Tyson, "Paul's Opponents in Galatia," *NovT* 10 (1968) 241-54.

any case, however, we must ask why Paul found himself so vigorously opposed to those Christians who were accepting circumcision. Although it has been customary to answer this question by saying that he was opposed to a concept of works-righteousness, it seems necessary to re-examine this position.

The heart of the problem is Paul's frequent and pejorative use of the phrase, *erga nomou*, literally, "works of law." Ernst Lohmeyer has produced a careful study of the phrase, published with two other essays under the title, *Probleme paulinischer Theologie*.⁴ He begins by noting a lack of grammatical clarity in the phrase. The genitive, *nomou*, is not possessive, for the works do not belong to the law. It is not a subjective genitive, for the law does not produce works. Nor is it an objective genitive, because the works do not lead to the law.⁵

Surveying the use of *ergon* in the LXX and in Jewish literature close to the time of Paul, Lohmeyer finds that it has diverse meanings. It can denote an act or the product of a particular accomplishment. It can designate duty or service (*Dienst*), not in the sense of isolated acts but in the sense of a continuing obligation. Most significant is the use of the word in such phrases as, "working the works of God."⁶ This phrase does not speak of works which belong to God or works accomplished by him. It rather calls attention to a task which God sets for men. "Works" may be translated "commands," except that the emphasis is on a continuing duty rather than on a single act. Lohmeyer says: "Thus it is the same thing to speak of a law or a work; one can choose between the two, so that 'work' does not speak of the act of fulfillment, but of the demand of such a fulfillment."⁷ Furthermore, in Judaism the pious work is not thought of as one's own work. It is really the work of God. Over against this, the phrase, "one's own works," designates evil acts. Finally, the ultimate evaluation of work is distinct from its historical value. "All works are finally undetermined in their value, and God can reveal them only at the last judgment."⁸ "Works" thus stands for man's life as recognized by God.

Lohmeyer next turns to a survey of the phrase, *erga nomou*, in late Jewish literature, viz., Psalms of Solomon, 4 Ezra, and 2 Baruch. Here he finds that "'works' are, through the revelation of the law, the divinely presented possibility to live [God's] will and therefore, in the strict sense, to 'be'."⁹ "Works of law," therefore, designates a context of existence.

⁴ Stuttgart: Kohlhammer, n.d., 31-74.

⁵ F. Sieffert (*Der Brief an die Galater* [Göttingen: Vandenhoeck & Ruprecht, 1899] 143) understood it as a possessive genitive and translated: "Werke, welche dem Gesetze angehören, d. h. dadurch gefordert worden." E. D. Burton (*Galatians* [ICC; New York: Scribner, 1920] 120) says: "By *ἔργα νόμου* Paul means deeds of obedience to formal statutes done in the legalistic spirit, with the expectation of thereby meriting and securing divine approval and award, such obedience, in other words, as the legalists rendered to the law of the OT as expanded and interpreted by them."

⁶ Lohmeyer cites the following examples: Exod 5:5; 36:1, 3; Num 3:7, 8, 26, 31; 4:23, 30, 43; 8:19, 26; 2 Chr 29:35.

⁷ Lohmeyer, *Probleme*, 40.

⁸ Lohmeyer, *Probleme*, 44. Cf. Pss Sol 4:8.

⁹ Lohmeyer, *Probleme*, 57.

Lohmeyer feels that Paul stands within this Jewish tradition. He knows that God will evaluate "each man according to his works."¹⁰ In this statement, "works" must be understood as the "entire life of the faithful in every expression and movement."¹¹ Elsewhere, Paul expresses the idea that a work will be revealed on the day of judgment, as he distinguishes between the historical and the eschatological evaluation of works.¹² Basically, he uses the phrase, *erga nomou*, not to express the deeds of men accomplished in response to law but to describe the conditions out of which deeds may be accomplished. Thus, for Paul, *erga nomou* may be translated, "nomistic service."¹³ It designates the "religious system which is set for man."¹⁴ The question of fulfilling or not fulfilling the law plays no real part in Paul's letters. He can repudiate the system, not on account of a human impossibility, but because he believes God has repudiated it. When he writes *erga nomou*, he is not thinking of human moral achievements but of a context of existence in which a person might conceivably live. It is a system of service to God's revealed will; it is life under law. Lohmeyer is careful to say that Paul does not limit nomistic service to Jews. Gentiles are Gentiles not because they did not receive the law but because "they reject the claim of the law as being valid for all."¹⁵

Lohmeyer's convincing analysis allows us to approach Galatians with a more sharply phrased question. When Paul condemns "works of law," precisely what does he reject and why? Does he reject acts of obedience to Torah, or does he reject the system of nomistic service? Three passages in Galatians seem to offer possibilities for approaching an answer to this question: 2:15-16; 3:2, 5; and 3:10-12.

Gal 2:15-16

"We, by nature Jews and not sinners from the Gentiles, recognizing that a man is not justified on the basis of works of law,¹⁶ but through faith in Christ Jesus,¹⁷ even we have believed in Christ Jesus in order that we might be justified on the basis of faith in Christ¹⁸ and not on the basis of works of law, because on the basis of works of law no flesh shall be justified."

¹⁰ Rom 2:6.

¹¹ Lohmeyer, *Probleme*, 61.

¹² Cf. 1 Cor 3:13-15.

¹³ In German, *Dienst des Gesetzes*. Although Lohmeyer hesitates to classify the phrase, his interpretation assumes a qualitative genitive. Cf. A. W. Slaten, "The Qualitative Use of *Nómos* in the Pauline Epistles," *American Journal of Theology* 23 (1919) 213-19.

¹⁴ Lohmeyer, *Probleme*, 67.

¹⁵ Lohmeyer, *Probleme*, 69; cf. Rom 2:15.

¹⁶ ἐξ ἔργων νόμου.

¹⁷ ἐὰν μὴ διὰ πίστεως Ἰησοῦ Χριστοῦ. For this use of ἐὰν μὴ, cf. D. R. Goodwin, "Ἐὰν μὴ, Gal. ii, 16," *JBL* 5 (1886) 122-27.

¹⁸ ἐκ πίστεως Χριστοῦ. Little distinction can be made here between ἐκ and διὰ. Lohmeyer says that this genitive is as perplexing as *erga nomou*, but it reads best as an objective genitive.

These verses occur in the context of Paul's address to Peter at Antioch and apparently continue that speech. They may be rendered in the following paraphrase, in which "nomistic service" is substituted for "works of law": "Peter, you and I are Jews by nature. We are part of that group which has accepted nomistic service as a condition of existence. But we know¹⁹ that man is not justified on this basis but through faith in Jesus Christ. So we have believed in Jesus for that very reason, namely in order that we may be justified on the basis of faith rather than on the basis of nomistic service, because on the latter basis no flesh is to be justified." To state the argument briefly, *nomistic service is not the system which provides the conditions on the basis of which man can be regarded as righteous.*

The principle is asserted here without explicit defense, although an allusion to Ps 143:2 in vs. 16 may be intended as partial support.²⁰ Paul frequently uses Scripture to defend his contentions, but here the citation appears to be secondary. His rejection of nomistic service does not proceed from his understanding of Scripture but from his conviction that there is another kind of existence which provides the basis for justification. He is confident that Peter shares this conviction with him. He claims that they both have entered this kind of existence in order to be justified. There is little here which enlightens us on the underlying motivation for Paul's conviction. It does not seem to come from some frustrating experience with the demands of Torah, nor does it appear to come from an assumption that perfect obedience to the Torah is impossible. The basis of his conviction probably lies in his feeling about the superiority of faith in Christ as a context in which one may exist. It is this faith which he feels he shares with Peter, not a common pre-Christian experience of frustration nor a logical agreement with him.

The context of the passage shows that Paul is using the argument in order to deal with the problem of table fellowship between Jewish and Gentile Christians. The Jewish food laws lie at the base of the problem. To the extent to which Paul associates nomistic service with Jews, to that extent he associates it with the food laws. So, nomistic service is a particular kind of existence, one which includes the observance of certain food laws.

Before we leave this passage, it is necessary to observe that the address to Peter ends with a reference to the death of Jesus: "For if justification were through the law, then Christ died uselessly."²¹ Paul must feel that the death of the Christ is involved in the Christian conviction about nomistic service. That

¹⁹ *eidōres*. E. D. Burton ("Those Trouble-Makers in Galatia," *Biblical World* 53 [1919] 555) interpreted the verb in the sense of learning. He believed that it was a reference to some experience of frustration with the law. Phil 3:6 seems to be in conflict with this interpretation. For an opposing view, see Krister Stendahl, "The Apostle Paul and the Introspective Conscience of the West," *HTR* 56 (1963) 199-215.

²⁰ It would not be necessary to view the words as an allusion except for a parallel passage in Rom 3:20, where the psalm is quoted more fully.

²¹ Gal 2:21.

death has made possible Paul's own death to law: "I have been crucified with Christ."²² In some way, not yet clear, the significance of the death of Christ is at stake in the argument.

Gal 3:2, 5

"This only I wish to learn from you: Did you receive the spirit on the basis of works of law or on the basis of a believing act of hearing?²³ . . . Does the one who provides the spirit for you and works mighty things²⁴ among you do so on the basis of works of law or on the basis of a believing act of hearing?"

As in 2:15-16, so here two genitive phrases are used as alternatives. There it was *erga nomou* or *pisteōs Christou*. Here we have *erga nomou* or *akoēs pisteōs*. The last is probably a qualitative genitive, but it is difficult to render into English.²⁵ It is probably best understood as a believing acceptance, or as the faithful reception of a message. Paul's question is: Did you receive the spirit on the basis of nomistic service or as the result of a believing acceptance? The question is, of course, rhetorical.

Paul assumes that he and his readers share something, viz., the spirit and the mighty works. These phenomena appear to be quite objective, for one can say either that he has or has not received them, and he can speak of the attendant circumstances under which they were received. Elsewhere in the letter, it is clear that he thinks of the spirit as the common possession of Christians. In 4:6, the exclamation *abba* is taken as an objectification of the spirit and evidence of its presence. In 3:2, 5 Paul is pointing to an experience which is not unique to him, which was not produced by nomistic service, and which did not come out of the conditions imposed by this system.

In vs. 3, which intervenes between these two references to works of law, Paul asks: "Having begun with the spirit, are you now ending with the flesh?" The parallelism between vs. 2 and 3 shows that flesh stands on the same side with works of law. The believing acceptance is associated with the spirit, while nomistic service is associated with flesh. In Paul's terminology, flesh stands for the composition of man as an earthly creature and focuses attention on the outward or the visible.²⁶ It is clear that, here and throughout the letter, Paul is lamenting the fact that some of his converts have fallen away from his gospel of the spirit and are moving toward the flesh, i.e., *they are accepting circumcision*. Elsewhere, he speaks of circumcision as a fleshy thing.²⁷ If nomistic service can

²² Gal 2:20.

²³ ἐξ ἀκοῆς πίστεως.

²⁴ ἐνεργῶν δυνάμεις.

²⁵ If this were an objective genitive, we would have a phrase which seems quite out of place in Pauline literature, for it would make faith a concrete body of doctrine. A subjective genitive is possible, but it would imply that faith preceded the hearing. The qualitative understands *pisteōs* as functioning in the capacity of an adjective.

²⁶ Cf. R. Bultmann, *Theology of the New Testament* (New York: Scribner, 1954) 1, 232-46.

²⁷ Cf., e.g., Phil 3:2-11.

be thought of as fleshy existence, it is because of its association with circumcision. Indeed, circumcision itself is not thought of as a single act but as a kind of existence, viz., existence as a Jew. Circumcision, therefore, must be understood as a chief characteristic of nomistic service.

Furthermore, it is worth noting that Paul's repudiation of nomistic service follows a statement about the crucified Christ in Gal 3:1. He expresses his surprise at finding that people who know of that death can be misled into accepting circumcision. In some still unclear way, the significance of Jesus' death is at stake.

Gal 3:10-12

"For whoever exists on the basis of works of law exists under a curse. For it is written, 'Cursed be all who do not abide by everything written in the book of the law, to accomplish it' [Deut 27:26]. It is evident that in God's sight no one is justified in law, because 'the justified shall live on the basis of faith' [Hab 2:4]. But the law is not on the basis of faith, but 'the one who does these things shall live in them' [Lev 18:5]."

This is a troublesome passage, which seems to depend on a series of ingenious biblical interpretations. It affirms that one who attempts to live on the basis of nomistic service is trapped by the written Torah, which curses all who do not accomplish it fully, and by the prophet Habakkuk, who says that faith is the only basis on which one can live. The quotation from Deut 27:26 is from the LXX, which has: *ἐπικατάρατος πᾶς ἄνθρωπος ὃς οὐκ ἐμμενεί ἐν πᾶσι τοῖς λόγοις τοῦ νόμου τούτου τοῦ ποιῆσαι αὐτούς*. Since the Hebrew lacks anything corresponding to the word *pasi*, the LXX variation is significant. In following the LXX, Paul emphasizes the absolute nature of obedience and claims that the Torah condemns the one who disobeys even the least commandment.²⁸

In vss. 11 and 12, two scriptural quotations are set over against one another. The quotation from Habakkuk is intended to show that God intends man to live on the basis of faith; that from Leviticus makes it clear that the law does not provide such a basis. Gal 3:10-12 may be summarized as follows: The law requires absolute obedience and provides that man shall live by accomplishing its demands. But the prophet says that one shall live by faith. The result is that the man who attempts to live by nomistic service is trapped, because the law itself commits him to a set of impotent conditions. Justification is not possible on the nomistic basis, because it comes out of a different set of conditions. Although the argument moves in the area of biblical quotation and interpretation, it is clear that it is based on Paul's prior conviction about the superiority of existence in faith to nomistic service.

In the following verses (13-14), we have another reference to the death of the Christ, one which intends to show the means of release from the curse of

²⁸ A reference to the opponents mentioned in 6:13 is probably intended here. See also 5:3. Paul's interpretation of Deut 27:26 seems to be unknown in Rabbinic literature.

Deuteronomy. Paul again uses a biblical quotation to make his argument. Deut 21:23 puts a curse on anyone hanging on a pole. In his death, Jesus became cursed, and thus he assumed this curse for us. The effect of the death is to extend the Abrahamic promise to Gentiles.²⁹

The preceding are the only passages in Galatians in which the phrase, "works of law," is used. Although the verses are found in different contexts within the letter and perform different functions, it is methodologically correct to attempt some conclusions about the meaning of the phrase, as used in all three: (1) "Works of law" stands for a system which Paul feels has been superseded. It is the nomistic service, as Lohmeyer suggested. The system is inferior to existence on the basis of faith, and it commits one to a set of conditions which cannot result in justified existence, or in a reception of the spirit and the mighty works. (2) Existence under the system of nomistic service is actually annulled in the Scripture. (3) Nomistic service is chiefly associated with circumcision and food laws. (4) The rejection of nomistic service is connected with the death of Jesus.

There are only two other places in Galatians where Paul uses the word *ergon*, in both cases without the genitive *nomou*. In 5:19, the works of the flesh are listed (immorality, impiety, etc.). Here *tēs sarkos* is a subjective genitive, and the phrase denotes the things which flesh does. These works are, of course, condemned, but they have nothing to do with works of law. The other place where *ergon* is used is 6:4: "Let each one test his own works." Here "works" means those actions which a Christian performs, and there is no condemnation of such works. This verse is remarkable, because it condemns neither works nor boasting. Paul is instructing his readers to evaluate their works properly; but he is also saying that if the works are sound, there is room for boasting.

The word *nomos* appears frequently without *ergon*. It has a variety of meanings. It designates the OT in 4:21 and the Mosaic Torah as a historical phenomenon in 3:17, 19. In 5:3 and 6:13, Paul must be thinking of *nomos* in terms of its numerous demands, but in 5:14 and 6:2 he says that it can be fulfilled by Christian love. In almost every other appearance, the meaning of *nomos* seems to be synonymous with that of *erga nomou*. In five places (3:23; 4:4; 4:5; 4:21; 5:18) we have the phrase, *hypo nomon*, which specifically designates a realm of existence. This meaning is no less apparent in 2:19: "Through the law I died to it"; and in 2:21: "If justification were possible through the law, Christ died uselessly." Justification cannot come through the law, because the Scripture has locked up all people under sin.³⁰ Existence under the law is a custodial kind of existence, and the law kept us under restraint.³¹ Existence

²⁹ On the impotence of nomistic service, see also Gal 2:21; 3:21. Cf. the analysis of this passage by Ragnar Bring, "Die Erfüllung des Gesetzes durch Christus," *Kerygma und Dogma* 5 (1959) 1-22.

³⁰ Gal 3:21.

³¹ Gal 3:24.

under the law is opposed to the kind of existence we know in Christ.³² All these statements lead in the same direction, and they confirm our impression that, in most cases, *nomos* and *erga nomou* are interchangeable in Galatians. With both, Paul is designating a set of conditions associated with nomistic service. It is notable, however, that, in the phrase, *erga nomou*, it is *nomos* which carries the pejorative weight and not *erga*.

This analysis should show that Paul is not attacking a general kind of works-righteousness but a specific mode of existence. He believes that nomistic service does not provide those conditions which serve as a basis for justification. Since, in this letter, he is concerned with the issues of circumcision and food laws, it is not surprising that they are the chief characteristics of nomistic service. The kind of existence he rejects is that *hypo nomon*, where *nomos* signifies the demand of God as recorded in the Mosaic Torah. The emphasis, however, is not on *nomos* as God's demand but on the character of existence under Torah, the chief features of which are food laws and circumcision. Thus, when Paul thinks of works of law, he thinks of existence as a Jew.

We must now explore the reasons for Paul's feeling about works of law. A full exploration of this subject would bring us to the heart of his religion. We shall, however, limit our present investigation to certain positive evidence in Galatians.

Scriptural interpretation has some part to play in Paul's analysis, but it appears not to be a primary one. Rather, a common Christian commitment seems to lie behind his expressions. He can speak quite factually about this commitment and about an experience of the spirit and the mighty works. He can recall saying to Peter that their previous commitment to nomistic service had not been the basis of their justification. He can say to the Galatian Gentiles that nomistic service had not given them the spirit and the mighty works.

The death of Jesus plays a major role in Paul's attack on the works of law. The meaning of the death was treated in each of the passages examined above. In them, Paul implies that the death necessitated a rejection of nomistic service. He must mean that the death of Jesus opened up a new set of conditions which made nomistic service no longer a possible framework for justification.³³ This understanding forms a significant aspect of Paul's *Heilsgeschichte*. He says that *nomos* served as *paidagogos* and that it was appropriate as long as we could be regarded as immature and slaves.³⁴ But now, through Jesus' death, we have come to know that God has spoken something further. If nomistic service had been sufficient, there would be no need for God to speak further. But he has spoken, and our faith, our reception of the spirit, and the mighty works in our midst are concrete evidence of it. If we retain nomistic service, we are saying that God has not really spoken in Christ.

Since Paul associates circumcision and food laws with nomistic service, we

³² Gal 5:4.

³³ Gal 4:4-5; Rom 10:4.

³⁴ Gal 3:23-25.

need to ask why it is these particular things which the death of Jesus supersedes. In 3:14, he claims that the death of Jesus means that the promise to Abraham has been extended to Gentiles. He was surely aware that food laws and circumcision served as signs of exclusivism and separation. They were understood as objective markings for God's chosen people and signs of election. Paul himself used the words, "circumcised" and "uncircumcised," to designate respectively Jews and Gentiles.³⁵ In this connection it is essential to note that he thinks of himself as an apostle to the Gentiles. He defends his position strenuously in this letter. In 1:16, he sees this apostleship to Gentiles as the reason for his conversion and, indeed, as the essence of it. It constitutes the basis of his self-image. In ch. 2 he reports the two important agreements at Jerusalem, viz., that he is to be apostle to the Gentiles and that Gentile converts are to remain uncircumcised.³⁶ Here, then, is probably the fundamental answer to the question of the connection between Jesus' death and the rejection of nomistic service. In the death, God has opened the door to Gentiles and Jews and consequently must say no to nomistic service as a condition of existence. In God's new word in Christ, there is no distinction between Jew and Greek.³⁷ So Paul can end the letter climactically and in his own hand: "Neither circumcision nor uncircumcision amounts to anything, but a new creation."³⁸

This examination of Paul's use of the phrase *erga nomou* in Galatians enables us to draw the following conclusions: (1) "Works of law" refers specifically to a life dedicated to nomistic service; it is not to be confused with human deeds of a possibly meritorious quality. (2) Nomistic service is primarily associated with circumcision and the food laws. (3) Paul believes that the conditions set by nomistic service had been superseded by a new set of conditions which can be denoted as faith in Jesus Christ. The death of Jesus has made this possible, and it constitutes God's rejection of nomistic service. (4) Paul's understanding of this rejection involves a broadening concept of the chosen people. God's people are marked by faith and the spirit rather than by circumcision and food laws.

³⁵ Cf., e.g., Gal 2:7-8. The terminology is standard in Judaism in spite of the fact that Jews knew that some non-Jews were circumcised. Cf. Mishnah, *Nedarim* 3:11.

³⁶ Cf. Munck, *Paul*, pp. 119-22. Cf. also Gal 3:14, 28.

³⁷ Gal 3:28.

³⁸ Gal 6:15.