

Zeitschrift: Judaica : Beiträge zum Verstehen des Judentums
Herausgeber: Zürcher Institut für interreligiösen Dialog
Band: 21 (1965)

Artikel: Law and grace : with special reference to the Fourth Commandment
Autor: Jocz, J.
DOI: <https://doi.org/10.5169/seals-961102>

Nutzungsbedingungen

Die ETH-Bibliothek ist die Anbieterin der digitalisierten Zeitschriften. Sie besitzt keine Urheberrechte an den Zeitschriften und ist nicht verantwortlich für deren Inhalte. Die Rechte liegen in der Regel bei den Herausgebern beziehungsweise den externen Rechteinhabern. [Siehe Rechtliche Hinweise.](#)

Conditions d'utilisation

L'ETH Library est le fournisseur des revues numérisées. Elle ne détient aucun droit d'auteur sur les revues et n'est pas responsable de leur contenu. En règle générale, les droits sont détenus par les éditeurs ou les détenteurs de droits externes. [Voir Informations légales.](#)

Terms of use

The ETH Library is the provider of the digitised journals. It does not own any copyrights to the journals and is not responsible for their content. The rights usually lie with the publishers or the external rights holders. [See Legal notice.](#)

Download PDF: 06.05.2025

ETH-Bibliothek Zürich, E-Periodica, <https://www.e-periodica.ch>

einer Unterrichtsstunde über Ps 69 möglich wäre! —, um dann ganz allgemein darauf hinzuweisen, daß «alles, was früher geschrieben ward (gemeint sind die heiligen Schriften des Alten Testaments), zu unserer Belehrung geschrieben ist». Damit ist die intellektuelle Schicht im Menschen angesprochen. Es bleibt aber nicht dabei, wenn Paulus als Ziel der Belehrung angibt: «damit wir durch die Beständigkeit und durch den Trost der Schriften die Hoffnung haben». Die belehrenden Schriften vermögen deswegen Ausdauer und Ermunterung zu gewähren, weil der «Gott der Beständigkeit und des Trostes» dahinter steht. Im unreflektierten oder reflektierten Lesen oder Hören der Schriften des Alten Testaments gewährt Gott Ausdauer und Trost, wenn es ihm gefällt. In dem Wunsch, daß Gott einträchtigen Sinn verleihen möge, damit er einmütig als der Vater Jesu Christi gepriesen wird, greift Paulus das Thema der vorausgehenden Ausführungen wieder auf. Als letztes Ziel wird die Doxologie genannt. Auch darin zeigt sich die strukturelle Einheit von Altem und Neuem Testament, deren Eschaton Gottes Mit-Sein mit den Menschen ist, wie Mildenberger sagt.

LAW AND GRACE

*With Special Reference to the Fourth Commandment*¹

Rev. Prof. J. Jocz, Toronto

In theology no issue can be treated in isolation. Any theological enquiry in one field raises problems in every other field. Ultimately, all our answers depend upon our presuppositions. In our discussion of law and grace, specially with reference to the sabbath institution, a sharp distinction between O.T. and N.T., the Old Covenant and the New Covenant, Israel and Church, will lead to one conclusion; on the other hand, an effort to keep together the Old and the New, Gospel and Law, will lead to quite a different conclusion.

¹ A paper read at a retreat conducted by The Lord's Day Alliance of Canada, Oct. 28, 1963.

Surveying the history of theological thought, three main attitudes regarding law and grace become discernable: either grace in opposition to law; or law superseded by grace (dispensationalism); or grace as a kind of different law ("christian law"). My own pre-supposition is somewhat different: for me law is only the reverse side of grace; both are inseparable in the context of human life. There is no law without grace and there is no grace without law. If this premise is correct our first task is to settle the connection between the O.T. and the N.T.

1. *The connection between the O.T. and the N.T.*

The older theologians insisted upon the positive function of the *lex vetus*. Augustine asks: *finis autem legis quis est?* And he answers: *Ad hoc non ego, sed apostolus ipse respondeat: 'finis enim legis', inquit, 'Christus, ad iustitiam omni credenti'* (Rom. 10. 4). But he immediately explains: "*finis perficiens, non interficiens*"². The law was not annulled but completed and perfected. Augustine quotes Mtt. 5. 17: *non enim venit legem solvere sed adimplere*³. It is an established tradition to regard the *lex vetus* as *adventum Christi praeparare et praefigurare*. This effort to provide a positive connotation to the law, however, led to unfortunate conclusions: it opened the door for antinomianism on the one hand, and a disruption of the history of revelation on the other. Once we treat the O.T. as an archaeological monument with no relevance for the age *post Christum natum*, its message and challenge loses the significance it is meant to carry. Once the law is nothing else but a *praefiguratio* of things to come, then its validity has come to an end at the moment of fulfilment. As one writer puts it: "The whole of Mosaic religion in its typical rites and ordinances was a rough cast of higher futurity"⁴. Such a prefigurative understanding of Mosaic law ultimately leads to a Marcionite rejection of the O.T. For this we have only too many examples. I will only quote two:

² Augustine, *Contra adversarium legis et prophetarum*, 420.

³ *Contra Faustum Manichaeum*, 19. 13.

⁴ Henry Blunt, *Dict. of Doctrinal and Historical Theology*, 1872.

The German Roman Catholic professor of theology Bernhard Bartmann argues that Jesus distances himself from the O.T.; he knew himself as an absolute beginning; he does not think and act historically, but prophetically and vertically. Christianity therefore is not a "Semitic embryo". There was never such a connection except in the imagination of the Jews themselves. Christ abandoned the old wineskins as unusable for the new wine. The O.T. therefore has no further significance for the Church⁵.

The second example is from a Protestant source. It comes to us in the form of an anonymously written book by a German theologian who deals with the question of the use of the O.T. in Christian schools. The point he makes is that Christian children are unnecessarily exposed to the influence of the O.T. and are harmed by it. The Church does not require extraneous help. Here is his telling sentence: "Das Christentum besteht für sich und bedarf keiner fremden Stütze. . ." (Christianity has its own independent existence and requires no alien support)⁶. Although the author is not unaware of a certain connection between the O. and N.Ts. and even quotes St. Augustine's famous dictum: *Novum Testamentum in vetere latet, vetus in novum patet* — he can see little use for it in the Christian context.

In the theological perspective the implication of such an attitude is very far reaching. It leads to a discontinuity of revelation, a disruption of the covenant promises; a breaking asunder of the historic continuity of the people of God; it places the Church as a new beginning with the implication that God has failed with Israel but is more successful in the case of the Church. It would appear that Marcion's was a more logical position: for him the O.T. was the law of another God and utterly incompatible with Christian revelation⁷.

Fortunately, the Church never drew ultimate conclusions from

⁵ Prof. Bernhard Bartmann, *Der Glaubensgegensatz zwischen Judentum und Christentum*, Paderborn 1938, pp. 71, 74, 77f.

⁶ *Das Judenchristentum in der religiösen Volkserziehung des deutschen Protestantismus von einem christlichen Theologen*, Verlag von Fr. Wilh. Grunow, Leipzig 1893 (anonymous).

⁷ Cf. E. C. Blackman, *Marcion and his influence*, 1948, p. 24.

the confused thinking on the part of theologians. She was kept from extremes by the fact that the N.T. maintains a positive attitude to the Hebrew Bible. On the other hand there were always theologians who were able to grasp the close relationship between the two Testaments. This was specially the case during the Reformation and later in circles associated with what is called "federal theology".

A classic example is Philip Melanchthon. He does not hesitate to call Moses an evangelist and refuses to regard the function of the O.T. as abrogated. "Some are of the opinion", he says, "that we are to seek nothing but allegories in the stories of the O.T." This he regards as a misunderstanding. On the contrary, to him the O.T. also contains the Gospel. He asks: "What word could be more evangelically conceived than this: 'the Lord hath taken away thy sin'? Is this not the sum of the Gospel or of the preaching of the N.T.⁸?" Melanchthon insists that "the spirit of both Testaments is one and the same"⁹. This does not mean that he acknowledges no distinction. There certainly is a difference: the O.T. contains "a promise of physical things joined with the requisition of the law", whereas the N.T. "promises good things without condition since nothing in turn is demanded of us". In this last sentence we hear an echo of Luther's doctrine of *sola gratia*.

Within the reformed tradition, the O.T. was assigned an equally important function, specially among the "federal theologians". Leonard Riissen's position may serve as a typical example: the Covenant of grace is the same in the O.T. as it is in the N.T.; the Mediator is the same in both Testaments; the condition of the Covenant, namely faith, is the same in the whole Bible; the same promises obtain in both Testaments; even the sacraments, which are the seal of the Covenant, are substantially the same. Such an integral perspective of Holy Writ is in accordance with Calvin's own position who saw the difference between the two Testaments only with regard to *administratio* but not with regard to *substantia*¹⁰.

⁸ Melanchthon, *Loci Communes*, Engl. by Chs. Leander Hill, 1944, p. 166.

⁹ *Ib.*, p. 181.

¹⁰ For the subject cf. J. Jocz, *The Connection between the O. and N.T., Cap and Gown*, Wycliffe College Yearbook, 1961.

Once we accept an integral connection between the two Testaments we have to face the problem of law and grace.

2. *The connection between law and grace*

The severance of the Testaments as attempted by Marcion ultimately leads to antinomianism. This is the heresy the Church vigorously rejects. She refuses to accept the view that St. Paul's championship of grace implies a radical rejection of law. She points to the fact that St. Paul never questioned the justice of the law or its divine origin. No antinomianist could say: "the law is holy, and the commandment is holy and just and good" (Rom. 7. 12). St. Paul acknowledged himself under law though he calls it the "law of Christ" (1 Cor. 9. 21). In his letter to the Romans he asks the question: "Do we then overthrow the law by this faith?" And he answers: "On the contrary, we uphold the law" (Rom. 3. 31). When Luther formulated his doctrine of *simul iustus et peccator* he did so with a view to the dialectic which is presupposed in the Pauline position. It sums up remarkably well the situation we find in Romans 7 and 8. These two chapters are correlated and present the condition of the same man both under judgement and grace. Such is the human situation that as a sinner he is under judgement and as a forgiven sinner he is under grace. Without the reality of God's judgement, grace is reduced to a pious phrase. It is for this reason that the "human necessity", as Melanchthon puts it, "demands judicial and ceremonial laws". Because of this fact, Melanchthon even suggests that it would be better for us to abide by Mosaic law in preference to "Gentile laws and Papal ceremonies¹¹".

Unless law remains the obverse side of grace, grace cannot be treated seriously. How can man be surprised by God's forgiving grace, if he has never heard the *other* word of God's judgement? It is only at the point of treating Christians as angels outside the area of sin that the law becomes antiquated. This, however, the Church refuses to do; she rejects a perfectionist position. It was

¹¹ Op. cit, p. 227.

Luther's great achievement to have recovered the dialectic juxtaposition of law and grace, as we shall see later. Here we will only quote a short passage from his Commentary to Galatians which reflects his own experience:

"Therefore when I feel the remorse and sting of conscience for sin, I behold that brazen serpent Christ hanging upon the Cross. There I find another sin against my sin which accuseth and devoureth me. Now, this other sin (namely the flesh of Christ) which taketh away the sin of the whole world, is almighty, it condemneth and swalloweth up my sin¹²."

From this dialectic of a bad conscience and God's forgiving grace in Christ there is no escape. But where there is a knowledge of sin there is law. This is the Pauline position. It is utterly wrong to say that the O.T. only knows law and the N.T. only knows grace. Thomas F. Torrance has shown the importance *hesed* plays in O.T. society. These are his words: "*Hesed* is therefore not to be regarded as a virtue among virtues, or even as one at the top of the scale, but rather as the fundamental relationship upon which the whole structure of Israelite society and religion rested¹³." On the other hand, the N.T. knows all about the rigour of God's judgement: "What a man soweth that he shall reap", says the Apostle of grace (Gal. 6. 7.); and the letter to the Hebrews tells us that it is "a fearful thing to fall into the hands of the living God" (Hebr. 10. 31).

It would seem that the Bible allows the juxtaposition but not the separation of law and grace.

3. *The moral and the ceremonial law*

The Church always made a distinction between the moral and the ceremonial aspect of Mosaic law. She tried to interpret the cultic aspect of the Law as *praefiguratio* but the moral injunctions of the law she understood in a literal sense. The Church never denied the validity of the Decalogue though theologians have tried

¹² M. Luther, Comm. to Gal., Engl. 1953, p. 161.

¹³ T. F. Torrance, *The Doctrine of Grace in the Apostolic Fathers*, 1948, p. 13.

to interpret it in terms of natural law. Thomas Aquinas held that the Decalogue contains natural laws already inscribed in the hearts of all men, except for the 2nd and 4th Commandments¹⁴. This is a departure from a more primitive position when the Decalogue was given a much more positive interpretation. Tertullian ingeniously explains the text: "the double tablets of the law written all over" as meaning "that the law was ever hid in Christ", who mandates the old and fulfills the new¹⁵. Here the Ten Commandments are not separated from Jesus Christ but originate from him. At the same time Tertullian in his controversy with the Jews appeals to the "primordial law of God" which preceded the law of Moses written upon tables of stone. By contrast this unwritten law which was kept by the fathers, is to be understood "naturally". This "primordial law" required no ceremonial observance such as the sabbath or circumcision¹⁶. This would create a difficulty in the case of Abraham who was circumcised. But Tertullian has a ready answer: Abraham's circumcision was a "sign" but not a title to salvation¹⁷. This is an interesting passage as it throws light upon the hidden motive behind the patristic attitude to the law. The Church fathers were concerned to contradict the Jewish contention that salvation depends upon the observance of the law; this a Christian could not accept. Tertullian explicitly objects to the idea that sabbath observance should be viewed as a "balm of salvation". He is emphatic in his argument with Jews that Christians observe the sabbath in a different spirit and with different intention: for Christians to observe the sabbath means to abstain from all "servile work" and this "not only every seventh day, but at all time¹⁸". It is obvious from Tertullian's argument that by "servile work" he means the ceremonial observance of the sabbath as laid down by Judaism.

On this score the Church never hesitated; it was always opposed to any form of "Judaising". But the Decalogue as such was never

¹⁴ Cf. *Summa Theol.* I—II 9.98, a. 5.; also 9. 99. 4.

¹⁵ Tertullian, *Reply to Marcion*, IV, 225.

¹⁶ Tertullian, *An answer to the Jews*, ch. 2.

¹⁷ *Ib.* ch. 3.

¹⁸ *Op. cit.*, ch. 4.

treated lightly. Because of its universal application it was not regarded as abrogated by the Gospel. By the end of the 4th century it acquired added status and was widely used in the instruction of catechumens. It was cited to contradict the errors of Manichaeans. Already Irenaeus argues against Marcion and his followers who held that the Sermon on the Mount stands in opposition to the moral teaching of the law, that Christ did not come to destroy the law but to fulfil it¹⁹. On the question of the Decalogue Irenaeus has no hesitation: "they remain permanently with us, receiving by means of His advent in the flesh, extension and increase, but not abrogation²⁰".

4. The moral law and the Sabbath

When Melanchthon avers that the Decalogue has been "antiquated", he does not mean that its authority has now passed but that since the coming of Christ God does not deal with us on the basis of desert but of grace. In his own words: the Decalogue "does not condemn us if we are in any way delinquent²¹". But even on this understanding it is an audacious statement which calls for caution. The Decalogue certainly does condemn us, even though this is not God's last word. Here Melanchthon goes beyond St. Paul and Luther.

Our problem is to decide whether the Sabbath is part of the moral laws of the Decalogue or belongs to the ceremonial aspect of the Mosaic code. If the latter is the case then it has no further application within the area of the Gospel. What Justin said to Trypho with regard to the law in general would apply with equal force to the sabbath: "the Law promulgated on Horeb is now old", it has no more universal application for the new law has succeeded it²².

This is a difficult decision, it hinges on our attitude towards "natural law". Traditionally the Decalogue promulgates natural

¹⁹ Irenaeus, *Against heresies*, IV, 13. 1.

²⁰ *Ib.* IV, 16. 4.

²¹ *Op. cit.*, p. 229.

²² Justin, *Dialogue*, ch. XI.

law, except for the 2nd and 4th Commandments. But personally, I incline to the view that in the context of the Covenant none of the Commandments carry the connotation of "natural law", but are the specific rules for the people of God.

It does not appear that the early Church rejected the sabbath as an institution out of hand. Its opposition was directed towards the Jewish interpretation of the sabbath laws as is the case in the N.T. Ignatius may serve as an example. He exhorts his readers: "Let us therefore no longer keep the sabbath after the Jewish manner and rejoice in days of idleness... But let every one keep the sabbath after a spiritual manner, rejoicing in the meditation of the law, not in relaxation of the body, admiring the workmanship of God, and not eating things prepared the day before, nor using lukewarm drink and walking within a prescribed space, nor finding delight in dancing and plaudits which have no sense in them²³." Although this passage is from the "long recension" and therefore of spurious origin, yet it is of an early date and serves to illustrate a situation which obtained in about the 4th century. Here the writer goes out of his way to emphasise the difference between the Jewish and Christian observance of the sabbath but raises no objections to the sabbath as an institution. In fact, he conjoins the sabbath to the Lord's day which he describes as the "queen and chief of all days".

There is good reason why the sabbath cannot be classed with the ceremonial laws of the O.T. First, it has universal application in that it reflects the order of nature itself where activity and rest alternate. Second, it carries sociological significance which cannot be easily ignored, specially in maladjusted society. Here the sabbath is an institution which safeguards the rights of the weak against the oppression of the strong. But in the *Torah* context the 4th Commandment like the rest of the Decalogue is not motivated by "natural law" or sociological expediency, but by the concept of divine ordering. That God rested on the 7th day is meant to indicate that "rest" has cosmic significance and underlies the structure of the universe. Work and rest, like waking and

²³ Ignatius, *Magnesians*, 9 (long recension).

sleeping is what Tertullian would call the "primordial law of God" antedating the law of Moses. Mosaic law only reaffirms a fundamental principle, namely the relation between work and rest. The rule applies under all conditions, even to the time of plowing and the time of harvesting (Ex. 34. 21), and it is an all-inclusive rule extending from man to beast.

5. *The Sabbath as a mark of the Covenant*

When the Decalogue is viewed in relation to the Covenant, it becomes obvious that the 4th Commandment cannot be separated from the rest. Seen in this context the sabbath does not derive from "natural law" nor is it primarily *praefiguratio*, but a "sign" of the people of God. In this sense it carries sacramental significance in that it is given for the hallowing of man. What circumcision signified to the individual, the sabbath signified to the community, both were distinguishing marks of Israel's covenant-relationship. This is how the prophet Ezekiel sees the sabbath: "I gave them the sabbaths as a sign (אֵיית) between me and them, that they might know that I sanctify them" (Ez. 20. 12; cf. 20. 20).

The Church entered upon Israel's promises and re-interpreted his distinguishing marks: baptism took the place of circumcision and the sabbath was enlarged to include the Lord's day²⁴. As in Israel, so in the Church, the first rite was with a view to the individual whereas the second was the distinguishing mark of the whole community. Although the Lord's day carried primarily the significance of Christ's resurrection, the sabbatical aspect was never entirely lost. When Irenaeus says that the sabbath stands for the *requietio Dei* and points to God's Kingdom, His Service and the rest which enables us to participate at His table, he conflates the sabbath principle with the Lord's day and provides for both an eschatological background²⁵.

The point I am trying to make is that the Sabbath in the Christian context is the "Primal Day" of which Clement of Alex-

²⁴ J. Jocz, *Tertia Die, Secundum Scripturas*, *Canadian Journal of Theol.*, Vol. IX, No. 3, 1963.

²⁵ Cf. Irenaeus, *Against heresies*, IV, 16. 1.

andria speaks²⁶ and therefore cannot be an option for the Church but remains an indispensable sign of the Covenant. It belongs to the same order as Baptism and Holy Communion. The validity of such a position largely depends on the premise of continuity between the O. and N.Ts. and between Israel and the Church.

Because all that takes place in Israel and the Church is with a view to the rest of mankind the Sabbath has universal application: it stands as a sign of God's covenant between Him and his creatures²⁷. Though the world may refuse to share in the festivity and joy of the sabbath day, yet it must not be deprived of our sabbath witness which speaks of the rest, freedom and joy of the children of God. But even for the world the sabbath is not an option. To contravene the sabbath-rest is to contravene a biological and sociological law. This brings us back to our original problem of the relation between law and grace.

6. Law and grace in juxtaposition

Thor Hall in his analysis of the theological formula: *simul iustus et peccator*, was able to point to three examples of the relation between law and grace²⁸ at the hand of three outstanding theologians. Augustine saw the Christian placed between *charitas* and *cupiditas* in such a way that grace enables him to gain the upper hand but never to achieve complete victory. To the position of "righteous" and "sinner" he gave therefore a restricted meaning: *ex quadam parte iustus, ex quadam parte peccator*.

John Wesley, on the other hand, by reason of his emphasis upon sanctification, pressed for a marked division between the righteous and the sinner. Here it is a question of either — or: *iustus sum, peccator non sum*; or else *peccator sum, iustus non sum*.

Luther's position is more subtle and carries greater theological complexity. "According to Luther", says Hall, "man is and always

²⁶ Miscellanies VI, 16: On the 4th Commandment.

²⁷ Cf. K. Barth, Church Dog. III, 2, p. 457.

²⁸ Cf. Thor Hall, "An analysis of *simul iustus et peccator*", *Theology Today*, July, 1963, pp. 174 ff.

will be, even in the moment when he does the will of God, a *peccator*; so much so that he can *pecca fortiter*, since his being *iustus* is always because of a *iustitia* which is entirely *alena* and never becomes his own²⁹." It means that at no point can man stand in his own merit and not depend upon God's grace. On this principle even the Christian is still under law inasmuch as he is *peccator* and under grace by reason of his trust in Jesus Christ who declares him *iustus*. The 4th Commandment has its validity therefore for the self-same man: as law because he is *peccator* and as grace for he is a child of God.

To sum up:

The 4th Commandment has reference to universal law but in the Decalogue it related to the Covenant-relationship between God and Israel. As such the Sabbath is a sign or mark of the people of God. By reason of the connection between the two Testaments and the continuity of revelation, the sabbath is included in the Lord's day. Because the Christian is both under law and grace at the same time, the sabbath is to him *correptio* and *gratia* — *correptio* because he is *peccator*, and *gratia* because he is *iustus* in Christ. For the Church the Sabbath is the historic sign of the Covenant and as such a witness to the world pointing to the *eschaton*.

NOTIZEN ZUM ZEITGESCHEHEN

Spionage für Israel

In Kairo läuft gegenwärtig ein Prozeß gegen drei Deutsche, denen vorgeworfen wird, zugunsten Israels und zum Nachteil der VAR Spionage getrieben zu haben. Einer der Angeklagten

ist geständig. Er habe den Auftrag gehabt, sich mit deutschen Raketentechnikern in Ägypten zu befreunden und Informationen über sie und ihre Tätigkeit weiterzuleiten. Die wichtigsten dieser Spezialisten, um die es vor Monaten soviel Lärm ge-

²⁹ Op. cit., p. 175.