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## Does Romans 2:14 Refer to the Natural Law?

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### *Abstract*

Whilst after decades of research, exegetes have all agree on the complexity of Paul's line of thinking in Rom 2:14–16, the ITC in its 2009 document, *In Search of a Universal Ethic*, still in an oversimplified manner propagates the view that Rom 2:14 presupposes a theory/theology of the natural law. This article makes plain the major disagreements among Pauline exegetes whether such presupposition stands by reviewing some major contributions to the discussion by raising major questions regarding the issue of φύσει in those verses, the nature of the law mentioned by Paul, the identity of the people Paul calls “Gentiles.” This article offers a more nuanced understanding of Rom 2:14.

Keywords: Rom 2:14, ITC, Universal Ethic, Natural Law, φύσει, Gentiles

In 2009, the International Theological Commission issued a document titled, *In Search of a Universal Ethic: A New Look at the Natural Law*.<sup>1</sup> The authors of this document quotes Rom 2:14–15, stating that these verses reflect Paul’s theology that there exists “an unwritten law inscribed in [the pagans’] hearts. It permits everyone to discern good and evil by himself” (no. 25). They rightly avoided directly claiming that by these verses Paul himself was referring to what we today call the natural law, yet they admitted that “[t]hese texts of St. Paul have had a decisive influence on Christian reflection in regard to natural law” (*ibid.*).

Taking Rom 2:14–15, as referring to the natural law has been a common position since the patristic period until today. Among the Church Fathers, we find, for example, Ambrose of Milan (*Epistle* 73.2) the early Augustine (*Enarrationes in Psalmos* 118.25.4).<sup>2</sup> In the scholastic period, we see, for instance, in the *Glossa Ordinaria*,<sup>3</sup> Alexander of Hales (*Summa fratris Alexandri* III.II. 2.4.2.1.), and certainly Thomas Aquinas (*Summa Theologica* IaIIae, q. 91, a. 2, sed contra).

Today, many Catholic ethicists still advocate wholeheartedly this position.<sup>4</sup> For instance, Ralph McInerny, the late philosophy professor at the University of Notre Dame, without explicitly citing this passage, writes as follows in a book chapter: “The natural law, as St. Paul remarks, is inscribed in our hearts.”<sup>5</sup> Robert L. Fastig-

<sup>1</sup> Available on the Vatican website: [https://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_con\\_cfaith\\_doc\\_20090520\\_legge-naturale\\_en.html](https://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20090520_legge-naturale_en.html). Accessed: August 31, 2022. For some preliminary evaluations of the document, see e.g.: Marciano Vidal, “El Problema de Una Ética Universal. A Propósito del Paradigma Propuesto por la Comisión Teológica Internacional (2009),” *Moralia* 33 (2010): 365–83; Gustavo Irrazábal, “«Biblia y moral». Los criterios de interpretación en el documento de la Pontificia Comisión Bíblica,” *Franciscanum* 54 (2012):333–368; John Berkman and William C. Mattison III, eds., *Searching for a Universal Ethics: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition* (Grand Rapids, MI: Eerdmans, 2014).

<sup>2</sup> He later changed his view on this issue, see: Simon J. Gathercole, “A Conversion of Augustine: From Natural Law to Restored Nature in Romans 2:13–16,” in *Engaging Augustine on Romans: Self, Context, and Theology in Interpretation*, Romans through History and Cultures Series, eds. Daniel Patte and Eugene TeSelle (Harrisburg, PA: Trinity Press International, 2002), 147–172.

<sup>3</sup> For more information, see: Jean Porter, *Nature as Reason: A Thomistic Theory of the Natural Law* (Grand Rapids, MI: Eerdmans, 2005), 3; Charles E. Curran, *The Development of Moral Theology: Five Strands* (Washington, DC: Georgetown University Press, 2013), 76–82; Riccardo Saccenti, “The Ministerium Naturae: Natural Law in the Exegesis and Theological Discourse at Paris between 1160 and 1215,” *Journal of the History of Ideas* 79 no. 4 (2018): 527–525 [530–533].

<sup>4</sup> This view is not uncommon in among Protestant ethicists. One well-known example is the late Lutheran theologian Wolfhart Pannenberg, see: id., *Systematic Theology*, trans. G. W. Bromiley, vol. 1 (Grand Rapids, MI: Eerdmans, 1991), 107–108. For a more detailed discussion on Pannenberg’s theory of natural law, see: B. Hoon Woo, “Pannenberg’s Understanding of the Natural Law,” *Studies in Christian Ethics* 25, no. 3 (2012): 346–366.

<sup>5</sup> Ralph McInerny, “Thomistic Natural Law and Aristotelian Philosophy,” in *St. Thomas Aquinas and the Natural Law Tradition: Contemporary Perspective*, eds. John Goyette, Mark S. Latkovic, and Rich-

gi calls what Paul's writing of Rom 2:14–15 "his articulation of the natural law."<sup>6</sup>

Such view on the interpretation of Rom 2:14–15 can also be found in the Catholic magisterial corpus.<sup>7</sup> For instance, Pius IX issued an encyclical, dated March 14, 1937, the Passion Sunday of that year, entitled in German *Mit brennender Sorge*, against the Nazi regime. In the document, the Pope makes his appeal with reference to the natural law:

Such is the rush of present-day life that it severs from the divine foundation of Revelation, not only morality, but also the theoretical and practical rights. We are especially referring to what is called the natural law, written by the Creator's hand on the tablet of the heart (*Rom. ii. 14*) and which reason, not blinded by sin or passion, can easily read. It is in the light of the commands of this natural law, that all positive law, whoever be the lawgiver, can be gauged in its moral content, and hence, in the authority it wields over conscience. Human laws in flagrant contradiction with the natural law are vitiated with a taint which no force, no power can mend. (no. 30)<sup>8</sup>

Taken at face value, these occasions of quoting or alluding to Rom 2:14 seem to fulfill what Vatican II demands for doing (moral) theology. In *Optatam Totius*,<sup>9</sup> the Council's Decree on Priestly Training, the Council Fathers require that: "Special care must be given to the perfecting of moral theology. Its scientific exposition, nourished more on the teaching of the Bible, should shed light on the loftiness of the calling of the faithful in Christ and the obligation that is theirs of bearing fruit in charity for the life of the world." (no. 16). However, earlier in the same number, the document states, "The students are to be formed with particular care in the study of the Bible, which ought to be, as it were, the soul of all theology" (*ibid.*). Closely associated with this statement is what one reads in *Dei Verbum*, the council's Dogmatic Constitution on Divine Revelation, no. 24, in which the Council Fathers teach us that "the study of the sacred page is, as it were, the soul of sacred theology." What every reader of these texts should note, but has almost always been

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ard S. Myers (Washington, D.C.: Catholic University of America Press, 2004), 25–39 [38].

<sup>6</sup> Robert L. Fastiggi, "St. Paul, the Natural Law, and the Catholic Tradition," in *St. Paul, Natural Law, and Contemporary Legal Theory*, eds. Jane Adolphe, Robert Fastiggi, and Michael Vacca (Lanham, MD: Lexington Books, 2012), 29–40 [30].

<sup>7</sup> For a more detailed record, see: Joseph Fuchs, S.J., "The Natural Law in the Testimony of the Church," in *Natural Law and Theology*, eds. Charles E. Curran and Richard A. McCormick, S.J. Readings in Moral Theology 7 (New York: Paulist, 1991), 5–16 [5–7]; Fastiggi, "St. Paul, the Natural Law, and the Catholic Tradition," 34–36.

<sup>8</sup> Available on the Vatican website: [https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf\\_p-xi\\_enc\\_14031937\\_mit-brennender-sorge.html](https://www.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_14031937_mit-brennender-sorge.html). Accessed: August 31, 2022.

<sup>9</sup> Available on the Vatican website: [https://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decree\\_19651028\\_optatam-totius\\_en.html](https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_en.html). Accessed: August 31, 2022.

neglected, is that, according to the Council Fathers, the scripture is *not* the soul of theology; rather, the *study* of scripture is. Thus, one may legitimately conclude that merely quoting or citing biblical passages is not the same as using the *study* of the bible as a source to do moral theology.<sup>10</sup>

In response to this conciliar request, this article, by review of major recent exegetical output, tries to readdress the question whether one can be as certain as all the aforementioned sources that Rom 2:14 refers to the natural law. In order to answer this question, we shall read the verse closely through the following steps. We shall first look at the context in which Rom 2:14 is embedded. Second, different scholarly opinions on the meaning of the word φύσει in the verse are reviewed. Third, we shall inquire the nature of Paul's "law" in the verse. This article shall then discuss which group of people Paul is referring to by the term "Gentiles" and how they shall fulfill the "law." Finally, we shall answer the question: How Are the "Gentiles" a Law to Themselves?

## Rom 2:14

ὅταν γὰρ ἔθνη τὰ μὴ νόμον ἔχοντα φύσει τὰ τοῦ νόμου ποιῶσιν, οὗτοι νόμον μὴ ἔχοντες ἑαυτοῖς εἰσιν νόμος· (Rom 2:14; NA 28)

When Gentiles, who do not possess the law, by nature do what the law requires, these, though not having the law, are a law to themselves. (Rom 2:14; NRSV)

For when the Gentiles who do not have the law by nature observe the prescriptions of the law, they are a law for themselves even though they do not have the law. (Rom 2:14; NABre)<sup>11</sup>

For whenever the Gentiles, having not [the] law φύσει may do the things of the law, these, having not [the] law, are the law to themselves. (Rom 2:14; My working translation)

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<sup>10</sup> For further discussion on whether this teaching of the Council has been received within the Catholic Church, see e.g., Reimund Bieringer, "Annoncer la vie éternelle (1 Jn 1,2). L'interprétation de la Bible dans les textes officiels de l'Eglise catholique romaine," *Revue Théologique de Louvain* 37, no. 4 (2006): 489–512.

<sup>11</sup> The translation by Joseph A. Fitzmyer, S.J., of this verse is very close to this one; see: *id.*, *Romans: A New Translation with Introduction and Commentary*, Anchor Bible 33 (New Haven: Yale University Press, 1993), 305.

Again, in *In Search of a Universal Ethic*, the authors, right before quoting the Pauline verses, states, “Paul affirms the existence of an unwritten law inscribed in their hearts. It permits everyone to discern good and evil by himself” (no. 25). The ITC interprets Rom 2:14–15 as Paul’s assertion that the (potential of the) ability to make moral discernments exists invariably in all humankind.

The correct understanding of this verse is the key to the question whether what we refer to today as the natural law is meant in Rom 2:14. At this juncture, let us review the arguments that have been proposed to consider the “law” in these verses as referring to the natural law.<sup>12</sup>

First, those who hold this view<sup>13</sup> relate the “law” in Romans 2 with those in Rom 7:21–23:

21 So I find it to be a law that, when I want to do what is good, evil lies close at hand.  
22 For I delight in the law of God in my inmost self, 23 but I see in my members another law at war with the law of my mind, making me captive to the law of sin that dwells in my members.

Second, the two terms “law” and “nature”, are both found in this one verse. However, the contrast between the two is alien to the Jewish scripture but similar to ancient Greek thought. In addition, Paul’s use of the other Greek notions in Romans 2, e.g., *agraphos nomos* and *syneidēsi*, indicate that he was under the influence of Greek philosophy, in which the theory of natural law originated.<sup>14</sup>

On the other hand, Paul might be writing merely under that influence, without intentionally developing a theory of natural law on his own.<sup>15</sup> There are also exe-

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<sup>12</sup> Fitzmyer, *Romans*, 306.

<sup>13</sup> For example: Eduard Norden, *Agnostos Theos: Untersuchungen zur Formengeschichte religiöser Rede* (Leipzig: Teubner, 1913), 11 n.2, 122; Max Pohlenz, “Paulus und die Stoa” *Zeitschrift für die neutestamentliche Wissenschaft und die Kunde der älteren Kirche* 42 (1949): 69–104; Charles H. Dodd, “natural Law in the New Testament,” *New Testament Studies* (Manchester, UK: University of Manchester Press, 1953), 129–142; Günther Bornkamm, “Gesetz Und Natur. Röm 2,14–16,” *Studien Zu Antike Und Urchristentum. Gesammelte Aufsätze Band II* 2 (1959): 93–118; Friedrich Kuhr, “Römer 2,14f. und die Verheissung bei Jeremia 31,31ff.,” *Zeitschrift für die neutestamentliche Wissenschaft* 55,2 (1964): 243–261; Hans Lietzmann, *An die Römer, Handbuch zum Neuen Testament* 8, 5th ed. (Tübingen: Mohr [Siebeck], 1971), 40–41.

<sup>14</sup> Fitzmyer, *Romans*, 306.

<sup>15</sup> Max Lackmann, *Vom Geheimnis der Schöpfung. Die Geschichte der Exegese von Römer I, 18-23, II, 14-16 und Acta XIV, 15-17, XVI, 22-29 vom 2. Jahrhundert bis zum Beginn der Orthodoxie* (Stuttgart: Evangelisches Verlagswerk, 1952), 285–363.



getes that are not convinced that Paul is referring to the natural Law in Romans 2.<sup>16</sup> We shall now investigate what Paul means by these them by looking at the nature of the Gentiles the nature of the law, the way in which this law is said to be fulfilled by the Gentiles, and the meaning and function of the dative φύσει in Rom 2:14.

### φύσει in Rom 2:14

Occupying the central position in the dependent clause in Rom 2:14a, ὅταν γὰρ ἔθνη τὰ μὴ νόμον ἔχοντα φύσει τὰ τοῦ νόμου ποιῶσιν, is the dative φύσει ‘by nature’. Most of the translations of this verse treat this dative as qualifying the verb that follows it, ποιῶσιν ‘they may do’, for example:

When Gentiles, who do not possess the law, by *nature* do what the law requires, (NRSV)

Indeed, when Gentiles, who do not have the law, *do by nature* things required by the law, (NIV)

In contrast, the New American Bible Revised Edition leaves the question whether the dative should only be considered as modifying the verb ποιῶσιν open:

For when the Gentiles who do not have the law by nature observe the prescriptions of the law, (NABre)

Although this translation looks ambiguous in this regard, it is a prudent translational decision. For as we shall see, there are exegetical debates as to whether it is more plausible to take the noun in its dative case as modifying what comes before, rather than what comes after, it.

Many commentators hold a position similar to the one that the translators of both NRSV and NIV adopt, e.g., Franz J. Leenhardt,<sup>17</sup> James Dunn,<sup>18</sup> Douglas J.

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<sup>16</sup> John L. McKenzie, “natural Law in the New Testament,” *Biblical Research* 9 (1964): 3–13; Anders Nygren, *Commentary on Romans*, trans. C. C. Rasmussen (Philadelphia, PA: Muhlenberg Press, 1949), 124; Bo Reicke, “Synecdoche in Röm 2.15,” *Theologische Zeitschrift* 12 (1956): 157–161 [161].

<sup>17</sup> *Id.*, *The Epistle to the Romans: A Commentary*, trans. Harold Knight (London: Lutterworth, 1961), 83.

<sup>18</sup> *Id.*, *Romans 1–8*, Word Biblical Commentary 38A (Dallas, TX: Word Books, 1988), 97–99.

Moo.<sup>19</sup> Fitzmyer offers us his reasons for supporting this position.<sup>20</sup> On the ground of Paul’s syntactic style, if he had intended the dative noun to modify τὰ τοῦ νόμου ποιῶσιν, he would have located φύσει within that participial phrase (cf. Rom 2:27; Gal 2:15). Furthermore, Fitzmyer, along with Leenhardt and Dunn, believes that the balance of the of the sentence would require readers to prefer taking the dative noun with what comes after instead of what precedes it.

To me, Fitzmyer’s arguments are self-defeating. On the one hand, Paul’s syntactic style does not require a dative noun that modifies a participial phrase be put within that phrase, and this is exactly what confuses his readers. In this particular case, he puts it neither within the preceding nor inside the subsequent participial phrase. In other words, I may apply the same argument of Fitzmyer and argue that had Paul intended φύσει be read together with τὰ μὴ νόμον ἔχοντα he would have put φύσει inside this participial phrase. On the other hand, in my opinion, seeing that the two contending participial phrases are identical in length, connect φύσει with either of them would break the balance of the sentence anyway.

To my judgment, the contrary position, namely that readers should connect φύσει with what comes after it, sounds more probable. As I share this position with Wright, along with Paul J. Achtemeier<sup>21</sup> and Charles E. B. Cranfield,<sup>22</sup> I shall summarize here his three arguments for this position.<sup>23</sup>

First, just a few sentences after our verse, in Rom 2:27 we find Paul using the same word to describe the state into which Gentiles were born:

καὶ κρινεῖ ἡ ἐκ φύσεως ἀκροβυστία τὸν νόμον τελοῦσα σὲ τὸν διὰ γράμματος καὶ περιτομῆς παραβάτην νόμου.

Then the physically uncircumcised person who keeps the law will judge you who, though having the written code and circumcision, are a transgressor of the law.  
(NRSV)

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<sup>19</sup> *Id.*, *The Letter to the Romans*, 2nd ed., *The New International Commentary on the New Testament* (Grand Rapids, MI: Eerdmans, 2018), 159–160.

<sup>20</sup> Fitzmyer, *Romans*, 310.

<sup>21</sup> *Id.*, *Romans*, Interpretation: A Bible Commentary for Teaching and Preaching (Atlanta, GA: John Knox, 1985), 45.

<sup>22</sup> *Id.*, *Romans*, 156–157.

<sup>23</sup> Wright, “The Law in Romans 2,” 145.

Thus, it is more plausible to take φύσει in v. 14 with what precedes it, and thus understanding the entire phrase τὰ μὴ νόμον ἔχοντα φύσει as referring to the state in which the Gentiles have “by birth,” i.e., that “they by nature do not have the [Jewish] law.”

Second, taken by itself, the word order of Rom 2:14a, ὅταν γὰρ ἔθνη τὰ μὴ νόμον ἔχοντα φύσει τὰ τοῦ νόμου ποιῶσιν, seems to suggest that φύσει “by nature” should be understood as modifying what follows it, namely, that the Gentiles may *by nature* do what are of the law. However, Wright points out that elsewhere in the same letter, Paul also uses a dative to modify what precedes, Τὸν δὲ ἄσθενούντα τῇ πίστει προσλαμβάνεσθε, “Welcome those who are weak *in faith*” (14:1a).

### Which Type of Law?

Having determined that the central dative modifier, namely φύσει, in Rom 2:14 should be linked to the participial phrase that comes right before it, now we come to the second key term, “law”. What type of law is envisaged in Rom 2:14, or in fact, in the entire Letter to the Romans?

The word νόμος ‘law’ appears four times in our verse. Most interpreters, e.g., Wright,<sup>24</sup> take them as having essentially the same meaning. In contrast to the popular understanding that it refers in particular to certain moral laws or to a certain moral system, it should be taken as referring to a system of religious practices. One might detect a moral dimension in it, even though it ultimately has to do with one’s identity vis-à-vis the God of Israel.

Furthermore, the immediate context in the letter requires that the “law” in Rom 2:14–15 refer to the Jewish Torah. In the next paragraph (vv. 17–24), Paul criticizes those Jews who “rely on the law and boast of [their] relation to God and know his will and determine what really matters because [they] are instructed in the law” (vv. 17b–18). Hence, it should be evident that the “law” here does not refer simply to a set of moral norms, for with this law the Jews find themselves in a *relationship with* God. In other words, it is the law that seals their identity as members of the chosen people of God. For this reason, Paul in the next paragraph brings up the topic of circumcision (vv. 25–27), which is governed by the Jewish

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<sup>24</sup> Wright, “The Law in Romans 2,” 137–138.

law, i.e., the torah, but it certainly does not pertain to the moral realm. In summary, in Rom 2:12–16, Paul compares the “Gentiles” who live without the law and the Jews with it, and this comparison clearly indicates that the law referred to being the Jewish, Mosaic law.<sup>25</sup>

Some other commentators might see the four occurrences of the word νόμος as denoting different concepts. For instance, Fitzmyer thinks that the first three occurrences are identical in meaning while the last one refers to something else. He believes that the last occurrence, namely that those “Gentiles” while not having the law but do what it requires are ἑαυτοῖς εἰσιν νόμος “are a law to themselves” (my emphasis). This last occurrence of the word νόμος, Fitzmyer suggests, is used by Paul figuratively as referring to “human nature”.<sup>26</sup> Meanwhile, Fitzmyer maintains that the first three uses of the word by Paul refer to “the Mosaic law”.<sup>27</sup> Hence, this slightly varying position does not have an impact on our understanding of the verse as supplied by Wright.

### Who Exactly Are These Gentiles?

In order to accurately understand what Paul wanted to say, we must first determine to whom Paul was referring by the word ἔθνη “Gentiles”. Interpreters are divided as to whether Paul is here referring to Gentiles in general or Gentile Christians in particular.

Among those who take the universal position regarding the referent of “Gentiles”, there are two major positions.<sup>28</sup> First, Paul is believed to be employing a rhetorical tactic, hypothesizing the existence of such Gentiles, namely those who

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<sup>25</sup> Fitzmyer, *Romans*, 305. Many other scholars, both in the field of ethics and of biblical studies, share a similar view, see e.g.: Michael Bertram Crowe, *The Changing Profile of the Natural Law* (The Hague, Netherlands: Martinus Nijhoff, 1977), 52–56; James Barr, *Biblical Faith and Natural Theology* (Oxford: Clarendon, 1993), 21–57; Markus Bockmuehl, *Jewish Law in Gentile Churches: Halakhah and the Beginning of Christian Public Ethics* (Edinburgh: T&T Clark, 2000), 131.

<sup>26</sup> Fitzmyer, *Romans*, 131.

<sup>27</sup> Fitzmyer, *Romans*, 131.

<sup>28</sup> N. T. Wright, “The Law in Romans 2,” in *Paul and the Mosaic Law: The Third Durham-Tübingen Research Symposium on Earliest Christianity and Judaism (Durham, September, 1994)*, ed. James D.G. Dunn (Eugene, OR: Wipf & Stock, 2001), 131–150 [144]. See also: Jens Schröter, “Juden und Heiden in Römer 2: Röm 2,1-29 innerhalb der Argumentation von 1,18–3,20,” in *God’s Power for Salvation: Romans 1,1-5,11*, ed. Cilliers Breytenbach, Colloquium Oecumenicum Paulinum 23 (Leuven: Peeters, 2017), 61–96 [77].

would keep the law by nature, only to disprove the possibility that such Gentiles could ever be found. This interpretation usually presupposes the long-standing exegetical tradition that takes Romans 1–8 as a complete unity, the so-called *ordo salutis*, with the following basic structure: Universal human sinfulness (chs. 1–3), Redemption by Christ and justification by faith (chs. 3–4), and the Christian new life (chs. 5–8).<sup>29</sup> Within this framework, by stating that “since all have sinned and fall short of the glory of God” (Rom 3:23), Paul rejects the possibility that such law-keeping Gentiles ever existed, and hence falsifies his hypothesis. A few others following an alternative.<sup>30</sup> It says that Paul’s severe language is merely rhetorical, while he in fact held that a small number of Gentiles did live their lives in the best sense, hence they are “a law to themselves” (Rom 2:14). In short, the essence of the argument in Romans 2 in particular and its broader context in general requires the universal understanding of the word “Gentiles”.<sup>31</sup>

On the other hand, other interpreters are convinced that in Romans Paul is referring specifically to Gentile Christians, including Augustine of Hippo (*De spiritu et littera*, 26.43–28.49 [CSEL 60.196–204]);<sup>32</sup> *Contra Iulianum* 4.3.25 [PL 44.750]<sup>33</sup>), Martin Luther (*Scholia in ep. ad Romanos* 2.14 [LuthW 44.750]), Felix Flückiger,<sup>34</sup> Josef B. Souček,<sup>35</sup> and Wilhelm Mundle.<sup>36</sup> First of all, on grammatical ground, Joseph A. Fitzmyer,<sup>37</sup> in spite of his own take on Paul’s argument, acknowledges that the word ἔθνη in the original Greek text is without article, “so it means ‘some Gentiles,’ not necessarily all Gentiles.”<sup>38</sup>

Secondly, the immediate context of Rom 2:14, specifically vv. 26–29, supports this interpretation.<sup>39</sup> N.T. Wright offers us clear and systematic explanation in this regard.<sup>40</sup> In Rom 2:26–29, there is a comparison between two groups of

<sup>29</sup> Cf. Wright, “The Law in Romans 2,” 131.

<sup>30</sup> Wright, “The Law in Romans 2,” 134, 144.

<sup>31</sup> Fitzmyer, *Romans*, 310.

<sup>32</sup> CSEL: *Corpus Scriptorum Ecclesiasticorum Latinorum*.

<sup>33</sup> PL: *Patrologia Cursus Completus, Series Latina*

<sup>34</sup> *Id.*, “Die Werke Des Gesetzes Bei Den Heiden (nach Röm. 2,14ff.),” *Theologische Zeitschrift* 8 (1952): 17–42.

<sup>35</sup> *Id.*, “Zur Exegese von Röm. 2, 14ff,” In *Antwort: Karl Barth zum zehntzigsten Geburtstag am 10. Mai 1956* (Zollikon-Zurich: Evangelischer-Verlag, 1956), 99–113.

<sup>36</sup> *Id.*, “Zur Auslegung von Rom 2, 13 ff.,” *Theologische Blätter* (1934), 249–256.

<sup>37</sup> Fitzmyer, *Romans*, 309.

<sup>38</sup> Fitzmyer, *Romans*, 309.

<sup>39</sup> Charles E. B. Cranfield, *A Critical and Exegetical Commentary on the Epistle to the Romans*, International Critical Commentary (London: T&T Clark International, 1975), 156.

<sup>40</sup> Wright, “The Law in Romans 2,” 144.

people, the Jews and the “Gentiles”, in Romans 2 is evident. The language of Rom 2:29, Wright asserts, demands the referent of the word “Gentiles” here be “Gentile Christians”.<sup>41</sup> It would be clearer if we compare this verse with another sentence in the same letter:

“Rather, a person is a Jew who is one inwardly, and circumcision is a matter of the heart, by the Spirit, not the written code. Such a person receives praise not from humans but from God.” (Rom 2:29)

“But now we are discharged from the law, dead to that which held us captive, so that we are enslaved in the newness of the Spirit and not in the oldness of the written code.” (Rom 7:6)

Wright highlights the fact that the “letter/spirit contrast”<sup>42</sup> in both cases are so reminiscent to each other that Rom 7:6 would shed light on the identity of the “Gentiles” in Romans 2. In Rom 7:1–6 the comparison is between those that are “bound by the law” and those that are “discharged from the law”. Wright points out that here Paul clearly refers to Gentile Christians, because non-Christian Gentiles are never “discharged from the law”, for they were never “bound by the law”. In other words, the Gentiles that concerns Paul in the Letter to the Romans are those Gentile Christians, not just any one of the Gentiles.<sup>43</sup>

Thirdly, Wright argues that in Romans 2 Paul makes allusion to Ezekiel 36.<sup>44</sup> One of the indications is how the biblical quote in Rom 2:24 echoes Ezekiel 36:20, as shown below (underlines and italics are mine):

But when they came to the nations (*εἰς τὰ ἔθνη*), wherever they came, they *profaned my holy name*, in that it was said of them, “These are the people of the Lord, yet they had to go out of his land.” (Ezek 36:20)

For, as it is written, “*The name of God is blasphemed* among the Gentiles (*ἐν τοῖς ἔθνεσιν*) because of you.” (Rom 2:24)

In light of this connection with Ezekiel, Wright proposes that Paul may have employed the “extended sense” of those Jews returning ἐκ τῶν ἐθνῶν “from the nations” (36:24) and applying the noun to refer τὰ ἔθνη “the Gentiles” in Romans

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<sup>41</sup> Wright, “The Law in Romans 2,” 134.

<sup>42</sup> Wright, “The Law in Romans 2,” 134.

<sup>43</sup> Wright identifies two other places in the undisputed Pauline epistles of such comparisons, i.e., 2 Cor 3:6 and Phil 3:3. Cf. Wright, “The Law in Romans 2,” 134–135.

<sup>44</sup> Wright, “The Law in Romans 2,” 135.

2ff. When the two passages are read together, we see the themes in each of them match. In order to demonstrate this, the two passages are to be quoted in full:

24 I will take you from the nations and gather you from all the countries and bring you into your own land. 25 I will sprinkle clean water upon you, and you shall be clean from all your uncleannesses, and from all your idols I will cleanse you. 26 A new heart I will give you, and a new spirit I will put within you, and I will remove from your body the heart of stone and give you a heart of flesh. 27 I will put my spirit within you and make you follow my statutes and be careful to observe my ordinances. 28 Then you shall live in the land that I gave to your ancestors, and you shall be my people, and I will be your God. (Ezek 36:24–28)

25 Circumcision indeed is of value if you obey the law, but if you are a transgressor of the law your circumcision has become uncircumcision. 26 So, if the uncircumcised keep the requirements of the law, will not their uncircumcision be regarded as circumcision? 27 Then the physically uncircumcised person who keeps the law will judge you who, though having the written code and circumcision, are a transgressor of the law. 28 For a person is not a Jew who is one outwardly, nor is circumcision something external and physical. 29 Rather, a person is a Jew who is one inwardly, and circumcision is a matter of the heart, by the Spirit, not the written code. Such a person receives praise not from humans but from God. (Rom 2:25–29)

Immediately noticeable are the common themes: keeping the statutes and ordinances (or the law), and doing so in heart and spirit, and membership of the people of God. All these lead Wright to conclude that Paul in Romans is referring to “*the ‘returned exiles’, the people of the new covenant,*”<sup>45</sup> namely, Gentile Christians.

Fourthly, Wright points out that the language Paul uses in the rhetorical question in v. 26 is reminiscent to that of his discussion about justification:<sup>46</sup>

[I]f the uncircumcised keep the requirements of the law, will not their uncircumcision be regarded (λογισθήσεται) as circumcision? (Rom 2:26)

But to one who does not work but trusts him who justifies the ungodly, such faith is reckoned (λογίζεται) as righteousness. (Rom 4:5)

The verb λογίζομαι ‘to count, to reckon’ is the term that Paul would use almost exclusively when discussing his theology of justification. In Romans 4, the verb occurs 11 times (vv. 3, 4, 5, 6, 8, 9, 10, 11, 22, 23, 24). Given that the two chapters refer to “transaction” of the same nature, the parties involved must be of the same nature. Therefore, Wright asserts, the Gentiles in Romans 2 can only be Gentile

<sup>45</sup> Wright, “The Law in Romans 2,” 136.

<sup>46</sup> Wright, “The Law in Romans 2,” 136.

Christians. Wright does admit that one of the major theological points that Paul wanted to make in Romans 1–3 is the universality of human sinfulness. Nevertheless, he does not think that it is incompatible with his position on the identification of the “Gentiles” in Romans 2 as Gentile Christians.<sup>47</sup>

### How Is This Law Fulfilled by the Gentile Christians?

Let us hear again how Paul begins the verse that concerns us, “When Gentiles, who do not possess the law, by nature φύσει do what the law requires” (Rom 2:14a; φύσει is deliberately left untranslated). Clearly, the most provoking idea in this dependent clause is that the non-Jewish Christians fulfil the requirements of the Jewish law. But how is it possible? Circumcision is the sign of the covenant that God has established with Abraham (cf. Gen 17:9–14). Only the circumcised are considered member of the Abrahamic covenant. In the Jewish tradition, it is circumcision, not just Abrahamic descent, that makes one a member of the chosen people: “Any uncircumcised male who is not circumcised in the flesh of his foreskin shall be cut off from his people; he has broken my covenant” (Gen 17:14). Gentile Christians, by definition, are not circumcised. How then could Paul assert that τὰ τοῦ νόμου ποιῶσιν (literally: “they may do what are of the law”)?

As proposed by Wright, we may look at several other places in the same letter for some hints.<sup>48</sup> The *locus classicus* of the position of Paul on this issue is Rom 13:8–10:

8 Owe no one anything, except to love one another, for the one who loves another has fulfilled the law. 9 The commandments, “You shall not commit adultery; you shall not murder; you shall not steal; you shall not covet,” and any other commandment, are summed up in this word, “You shall love your neighbor as yourself.” 10 Love does not wrong to a neighbor; therefore, love is the fulfilling of the law.

In addition to this passage, Wright looks at a few others in Romans to articulate Paul’s idea. First, in Rom 8:4–9, the main idea that Paul wanted to assert is: “the mind that is set on the flesh is hostile to God; it does not submit to God’s law” (v. 7). By implication, the mind that is set on the spirit is disposed to God and submits to God’s law. Second, in Rom 10:4–11, Paul quotes Deuteronomy 30. Similar

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<sup>47</sup> Wright, “The Law in Romans 2,” 136.

<sup>48</sup> Wright, “The Law in Romans 2,” 137–138.



to Ezekiel 36, Deuteronomy 30 is another “new covenant” passage, with common motifs including: return from captivity and from all the peoples (v. 3), God’s re-fashioning the human heart “so that [they] will love the Lord your God with all your heart and with all your soul” (v. 6), and the commandment being “in [their] heart for [them] to observe” (cf. v. 11). In combination of Paul’s “law of faith” in Rom 3:27, Wright demonstrates Paul’s “*a priori*” theological logic as follows:<sup>49</sup>

Because:

- a) those who belong to the new covenant – i.e., Christians – fulfill the law; based on Deuteronomy 30, Jeremiah 31, and Ezekiel 36;
- b) among those who belong to the new covenant, there are members who have not been, and are not required to be, circumcised; based on the argument of the whole of Galatians.

Therefore:

- c) the Gentile Christians, though uncircumcised, do keep the law.

More specifically, according to Wright, Paul uses the prophecy of Ezekiel that the returning exiles are made clean solely by the LORD’s action (36:24–28) to make this assertion: those who belong to the new covenant are “‘fulfilling the law’ *by their very existence*.”<sup>50</sup>

## How Are the “Gentiles” a Law to Themselves?

Instead of forcing a combination of individual words in Rom 2:14 to have it say what Paul most probably did not intend to say with it, it is perhaps more sensible for us to just look at the text and identify what Paul wanted his readers to understand.

From the beginning of Romans 2, Paul has been developing his theory of the general judgment in the future.<sup>51</sup> Read with its immediate context, Rom 2:14 most

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<sup>49</sup> Wright, “The Law in Romans 2,” 138.

<sup>50</sup> Wright, “The Law in Romans 2,” 138; my emphasis.

<sup>51</sup> Wright, “The Law in Romans 2,” 143.

probably serves as the closing remark of Paul's treatment of universal human guilt: "All who have sinned apart from the law..., and all who have sinned under the law..." (v. 12). In other words, both Gentiles and Jews, and thus all of humanity, have sinned.

In the next two verses, Paul explains how both groups have sinned and how they shall be judged. First, in v. 13, Paul treats the issue for the Jewish group. Then, in v. 14–16, he deals with the problem for the Gentiles. The principle on which Paul proceeds with his argument remains hidden for now, but is to be made apparent soon: "[F]or sin was indeed in the world before the law, but sin is not reckoned when there is no law" (5:13). In other words, if there had been no law, there would have not been anything counted as sin. Now, the imbalance in length between Rom 2:13 and 2:14–16 can be explained by the fact that the issue was much self-evident for the Jews than for the Gentiles. The former had for themselves the Jewish law, so it is easy to judge whether someone among the Jews, or all of them, is judged sinful. However, the Gentiles, by definition, have not had the Jewish law, how then could they be judged as sinful? This is the question that Paul is addressing here and elsewhere in Romans, and this is the reason why we find our verses concerned, vv. 14–15(16), in this context. By demonstrating that all, no matter Jews or (Christian) Gentiles, have a law proper to them, all of them have no excuse but be judged as sinful (cf. v. 12).

To a modern mind, morality and religious identity may belong to two distinct realms; but to Paul, they are one and the same thing, as we shall hear Paul say in the next chapter: "[S]ince all have sinned and fall short of the glory of God" (3:23). For Paul, the reason why sinning, or the breaking of the (Jewish) law, has any existential effect, is because it first and foremost compromises our relationship with God. Therefore, by definition, the precondition for anyone to enter into Paul's concern in Romans 2 is that they are in a certain covenantal relationship with God. And this is why non-Christian Gentiles are by default outside of the picture.

The Jews have their covenantal relationship with God primarily through two covenants, i.e., the Abrahamic covenant and the Mosaic covenant. Each of these covenants is accompanied by a sign, and these signs are something that must be done as an outward sign of belonging to the covenant. So, they become a law. In other words, such law defines those who keep that law as people of that covenant. The Abrahamic covenant has the law of circumcision (Gen 17:9–14), and the Mo-

saic law has the Sinai covenant (essentially but not limited to Exodus 19–24).

Paul is convinced that the Jews, perhaps as a whole, could not keep the entirety of the Mosaic law completely, whether by intention or by negligence (cf. Rom 2:17–24), and therefore, the keeping of the Abrahamic law, i.e., circumcision is for naught (cf. vv. 25–29). Gentiles, by nature, cannot fulfill the Jewish law. They may be very ethical people, but they would not fulfill the first part of the Decalogue that pertains to an individual’s relationship with the God of Israel. They also would not fulfill the Abrahamic law, i.e., the circumcision. Thus, from an absolutist point of view, neither the Jews nor the Gentiles could completely fulfill what the (Jewish) law, i.e., the law that the God of Israel set forth for any given person to enter into a right covenantal relationship with him, requires.

There is where faith in the salvation of Christ comes in (Rom 3:21–26). Whether Jews or Gentiles, whatever they fall short in terms of fulfilling God’s law, the Christ event makes up for them, and Christ did so gratuitously. Expressed in Paul’s own words:

[All] are now justified by his grace as a gift, through the redemption that is in Christ Jesus, 25 whom God put forward as a sacrifice of atonement[f] by his blood, effective through faith. (Rom 3:24–25a)

Read from this perspective, it is now clear to us that in Rom 2:14, Paul is not making a comparison between the Jews and the Gentiles, that one has the Jewish law and the other has another type of law, which is later (mis)interpreted as the natural law; rather, his point is that no matter what each of the group has, they inevitably fall short of fulfilling all that is required by God, but it is no longer the obstacle that obstruct humankind having a right, or conventionally, justified, (covenantal) relationship with God, for Christ has made up for whatever that each one of the humankind falls short from that requirement.

Understanding what Paul says in Rom 2:14 as natural law defeats the purpose of this section of his Letter. Perhaps influenced by the philosophical thought that had already taken root in his day, Paul’s language is reminiscent to the moral thinking of the Stoics that was termed “natural law” by subsequent generations; yet, taken together with Rom 2:15, it seems more plausible that Paul is here referring to the human conscience<sup>52</sup> in general instead of the natural law, even though Paul’s

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<sup>52</sup> Fitzmyer, *Romans*, 311; Marian Machinek, “Pauline Inspirations for the Theological and Ethical Dis-

concept of conscience here most probably differs, at least slightly, from ours.<sup>53</sup>

From this perspective, the judgment that natural law has “intrud[ed] from outside the biblical tradition” is probably right.<sup>54</sup> *Gaudium et Spes* is perhaps closer to the truth when it connects Rom 2:15–16 with conscience as a human moral capacity:<sup>55</sup>

In the depths of his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience, when necessary, speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged (cf. Rom 2:15–16). (*GS* 16)

What is more, in 1974, the same International Theological Commission approved in *forma generica* the “Nine Theses in Christian Ethics” composed by the Catholic theologian Hans Urs von Balthasar.<sup>56</sup> In this document, Rom 2:16, and by extension its immediately preceding verses, concerns primarily the issue of conscience (see Thesis 7). It is related to the natural law only indirectly (see Thesis 7, 2). In short, not only the study of scripture cautions directly connecting our passage concerned with the argument for the existence of natural law, even recent magisterial and curial documents have been careful not to give the impression that the two are directly related.

## Conclusion

After reviewing some major recent exegetes on Rom 2:14, with the specific focus on the syntactic content of φύσει, the nature of the “law”, the identity of the “Gentiles”, as well as a brief discussion on the Pauline theology in context, it is safe to conclude that exegetical scholarship has not settled the issue, and the current mainstream opinion is in opposition to the position that is so common in Catholic ethical discourses, namely, that in Rom 2:14 readers can find Paul’s theory

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course on Conscience Today,” in *The Bible and Catholic Theological Ethics*, eds. Yiu Sing Lúcas Chan, James F. Keenan, and Ronaldo Zacharias (Maryknoll: Orbis Books, 2007), 45–54 [48–49].

<sup>53</sup> Fitzmyer, *Romans*, 128.

<sup>54</sup> Gabriel Moran, *What Happened to the Roman Catholic Church? An Institutional and Personal Memoir* (Gabriel Moran, 2021), 93. This is a self-published memoir by the late theologian.

<sup>55</sup> Fitzmyer, *Romans*, 311.

<sup>56</sup> Available on the Vatican website: [https://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1974\\_morale-cristiana\\_en.html](https://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1974_morale-cristiana_en.html)

of the natural law. In fact, one philosopher judges that the use of Paul's metaphor of "a law written on the heart" as argument for the existence of natural law an example of "proof-text[ing]".<sup>57</sup>

In addition, our review has also shown that Catholic theological ethical discourses have not yet responded fully to the call by Vatican II to treat the *study* of scripture as the soul of theology (cf. *OT 16, DV 24*). Judged from an exegetical point of view, the Catholic ethical sources that we have encountered make biblical theological claims without adequately *studying* the relevant biblical passage. In fact, since the close of the Council, many moral theologians, theological ethicists, and Catholic exegetes have proposed methodological frameworks and paradigms to facilitate the incorporation of the fruit of biblical studies into Catholic moral discernment. Publications on this issue abound: Richard M. Gula, S.S.,<sup>58</sup> William C. Spohn,<sup>59</sup> Todd A. Salzman,<sup>60</sup> Laurence McNamara, C.M.,<sup>61</sup> Yiu Sing Lúcas Chan,<sup>62</sup> to name a few.<sup>63</sup> It is the wish of the present author that, one day, both the conciliar appeal and the effort by these and many other Catholic ethicists and exegetes may come to fruition.

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<sup>57</sup> Stephen Theron, "Beyond Natural Law," *New Blackfriars* 99 no. 1082 (2018): 481–502 [492].

<sup>58</sup> *Id.*, "Scripture in Moral Theology," in *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist, 1989), 165–184.

<sup>59</sup> *Id.*, *What Are They Saying about Scripture and Ethics?* Fully Revised and Expanded Edition (New York: Paulist, 1995); *Id.*, "Scripture," in *The Oxford Handbook of Theological Ethics*, eds. Gilbert Meilaender and William Werpehowski (Oxford: Oxford University Press, 2005), 93–111

<sup>60</sup> *Id.*, "Scripture and Method," in *What Are They Saying About Catholic Ethical Method?* (New York: Paulist, 2003), 80–109.

<sup>61</sup> *Id.*, "Saying Too Much, Doing Too Little: Catholic Morality at a Crossroad," *The Australasian Catholic Record* 85 no. 2 (2008): 178–195 [187–188]

<sup>62</sup> *Id.*, "Biblical Ethics: 3D," in *The Bible and Catholic Theological Ethics*, eds. Yiu Sing Lúcas Chan, James F. Keenan, and Ronaldo Zacharias (Maryknoll: Orbis Books, 2007), 14–33.

<sup>63</sup> Including but not limited to the contributors to the volume: Charles E. Curran and Richard A. McCormick, S.J., eds., *The Use of Scripture in Moral Theology*, Readings in Moral Theology 4 (New York: Paulist, 1984).