

All Israel has transgressed thy *law* and turned aside, refusing to obey thy voice. And the curse and oath which are written in the *law* of Moses the servant of God have been poured out upon us, because we have sinned against him. (Dan. 9:11)

And they found it written in the *law* that the Lord had commanded by Moses that the people of Israel should dwell in booths during the feast of the seventh month. (Neh. 8:14)

Our kings, our princes, our priests, and our fathers have not kept thy *law* or heeded thy commandments. (Neh. 9:34)⁹⁶

4. By a natural development, the scope of "the *torah* of Moses" was later extended to include the whole of the Pentateuch;⁹⁷ and, naturally, the Greek followed suit and spoke of the Pentateuch as *ho nomos*. While a reminder of the scope of "the Torah" may well be in order, Hellenistic Judaism can scarcely be faulted for designating it "the law"; the title, in both Hebrew and Greek, has grown out of its Deuteronomistic usage, where it means "law."

5. It follows that, when Paul uses *nomos* to mean the sum of obligations imposed upon Israel at Mount Sinai, with the accompanying sanctions, such usage is a precise equivalent of what Deuteronomistic and later Old Testament literature meant by *torah*. That Paul's view of the role of the "law" in the divine scheme differs radically from that of the rabbis is only to be expected. It is not a consequence of his use of Greek *nomos*.

96. Perhaps the most interesting passage in this regard is Ezra 7:12-26. The passage, in Aramaic, refers to "the law of the God of heaven" (v. 12), "the law of your God" (vv. 14, 26); Ezra is referred to as "the scribe of the law of the God of heaven" (v. 21). The Aramaic word used (*dāth*) is well attested as meaning "decree," "law" (cf. Dan. 6:9, 13, 16 [vv. 8, 12, 15 in English versions]: "the law of the Medes and the Persians," etc.). In Ezra 7 it is clearly used as the equivalent of the Hebrew *torah*: in the immediate context, Ezra is called "a scribe skilled in the law (*torah*) of Moses which the Lord the God of Israel had given" (v. 6; cf. v. 21) and as one who "set his heart to study the law (*torah*) of the Lord, and to do it, and to teach his statutes and ordinances in Israel" (v. 10). Clearly the Septuagint was not original in translating *torah* with a word meaning "law"; those who condemn the Septuagint version and Hellenistic Jewry for rendering *torah* with *nomos* ought to apply the same judgment to the author and community of Ezra!

97. Cf. Clements, *Theology*, 110-120.

Chapter Eight

Justification by Faith

The central contentions emerging from the "new perspective" on Paul relate to Luther's "principal doctrine of Christianity": justification by faith, not by human "works." Traditionally, scholars have accepted the contrast as genuine to Paul and debated whether Paul saw the rejected "works" as good but inadequate (Wilckens) or as damnable sins (Bultmann). Today, however, a number of scholars deny that human "works" as such were even an issue for the apostle. Dunn, for example, thinks that Paul directed his opposition, not at "works" in general, but at Jewish exclusivism which required the peculiarly Jewish "works of the law" of those who would belong to God's people. Sanders finds no evidence that Paul thought human "works" wrong; texts which indicate that Paul found them inadequate are dismissed to the periphery of Paul's thought as representing mere arguments rather than his real reason for rejecting the law. For his part, Räisänen concedes that Paul does contrast faith and "works" and that he rejects the law in part because it is based on "works"; but he finds the contrast unjustifiable, Paul's understanding of Judaism erroneous, and his doctrine of *sola gratia* idiosyncratic and impractical. In short, either Paul did not really say what he has traditionally been thought to have said; or, though he may have spoken words to that effect, he did not really think that way; or, though he may have said and thought something like the traditional Lutheran view, he was really wrong. One way or another, the Lutheran understanding of Paul comes to grief.

All three scholars, Dunn, Sanders, and Räisänen, share the same starting-point: Judaism does not see salvation as a human achievement,

earned by human "works." Räisänen, convinced that Paul nonetheless represents Judaism in these terms, concludes that the apostle is wrong. Sanders and Dunn argue that Paul neither opposes human "works" as such nor attributes a doctrine of salvation by "works" to Judaism. Clearly our review of the place of justification by faith in Paul's thinking about the law must begin with a discussion of the relation between salvation and "works" in Judaism.

The conclusions reached in the preceding chapter are crucial to the argument which follows. Here the following positions will be advanced.

1. Though it is misleading to represent Judaism as a religion of "works-salvation," observance of the law may be regarded as Israel's path to life; moreover, as a rule Judaism has not despaired of human capacity to render at least the token obedience which God requires of his people. Paul himself *agrees* that the law promises life to those who observe its commands.

2. On the other hand, Paul believes that human sin has rendered the righteousness of the law inoperable as a means to life. There is no doubt that this conclusion about the human plight was forced upon Paul by his Christian conviction that "Christ died for our sins" (1 Cor. 15:3); moreover, Paul has other arguments at hand to show that the law does not represent God's ultimate design. Still, when Paul explains why the law fails to provide the life it promises, human transgressions bear the blame.

3. Paul thus believes that humans do not and (apparently) cannot obey God's commandments in a way that satisfies divine requirements. Judaism is not (as a rule) so pessimistic. Conversely, Paul attributes salvation to divine grace to the exclusion of any role by human works in a way which is not typical of Judaism. And the tenet that justification is by faith *alone* is both necessary to Paul and pointless from the perspective of Judaism. We do not know at what point in his Christian career Paul first gave the doctrine the precise formulation found in Romans and Galatians; the underlying conviction of humanity's utter dependence on divine grace appears to be a constant factor in his writings.

4. Paul does not see the fundamental sin of Jews as "boasting" in their observance of the law, nor is the failing of the law that it leads to such misplaced arrogance. He does claim that salvation by divine grace, through faith in Christ, leaves no place for human boasting, whereas a salvation which depended on human observance of the law

would allow human boasting. That the emptiness of human pretensions should be exposed and God should be seen as "Source, Guide, and Goal of all that is" (Rom. 11:36 NEB) marks the fitting climax of the Pauline gospel.

i. Judaism and "Works"

Paul claims that the works of the law cannot "justify." But who, the question is now being asked, ever thought they could?

Perhaps the thesis most central to the "new perspective" on Paul is that, for Judaism at least, salvation was *not* based on works. To distinguish faith (or grace) from works (or the law) as alternative paths to salvation and suggest that Judaism advocated the latter is to misrepresent the faith of Paul's fathers. As we have noted, it is then disputed whether Paul himself or his interpreters bear primary responsibility for the misrepresentation. We may review three positions briefly.

Sanders's *Paul and Palestinian Judaism* marks the starting-point for the current debate. For Sanders, all branches of first-century Judaism shared the conviction that Israel's standing with God was initiated by God's gracious act in establishing a covenant with his people. Obedience to the law, far from constituting the basis of that relationship, represents Israel's proper *response* to God's grace. Thus salvation is not "earned" by human works, though Sanders certainly allows that obedience is necessary if the Israelite's relationship with God is to be maintained.¹ Paul himself understood the nature of Judaism.² His polemic against it was rooted, not in a rejection of "works," but in his exclusive soteriology and in his concern for the admission of Gentiles to the people of God.³

Sanders's picture of Judaism is enthusiastically endorsed by Dunn,⁴ to whom we owe the provocative claim that "Paul is wholly at one with his fellow Jews in asserting that justification is *by faith*."⁵ Dunn, like Sanders, attributes the view that Paul rejects Judaism because it is based on "works" to "the standard Protestant (mis)reading

1. Sanders, *Paul*, 420.

2. *Ibid.*, 551.

3. Sanders, *Law*, 47.

4. Dunn, "Perspective," 97-100.

5. *Ibid.*, 106. Note, however, the criticism of Räisänen, "Break," 546, of Dunn's exegesis of Gal. 2:15-16, on which this statement is more immediately based.

of Paul through Reformation spectacles."⁶ The real point of Paul's attack is (again) not "works" as such, but, in Dunn's view, reliance on those particular "works of the law" which served as "identity and boundary markers"⁷ for the Jewish people (circumcision, food laws, sabbath observance, and the like). "God's purposes and God's people have now expanded beyond Israel according to the flesh, and so God's righteousness can no longer be restricted in terms of works of the law which emphasize kinship at the level of the flesh."⁸

But this, according to Räisänen, is not the whole story. To be sure, Räisänen is convinced by Sanders's case that Judaism was not characterized by "legalism," that "*it did not even understand the law to be a means of salvation*. God's grace, expressed in the establishment of the covenant, held precedence over man's obedience."⁹ But though this understanding of Tannaitic Judaism is taken to be all but irrefutable,¹⁰ it differs, according to Räisänen, from Paul's own understanding. "For Paul, Judaism was legalism." In his view, "the Jews (including some Jewish Christians) ascribe saving value to the fulfilment of the precepts of the law."¹¹ Paul's view of the Jewish religion is a distorted one. "It should not have been possible to do away with the 'law as the way to salvation' for the simple reason that the law never was (or was conceived to be) that way. . . . Paul is wrong."¹²

Does Paul think Jews "ascribe saving value to the fulfilment of the precepts of the law"? Räisänen is, I believe, correct in saying that he does.¹³ Gal. 5:4 speaks explicitly of those "who would be justified by the law"; with such people Paul contrasts those who, "by faith, . . .

6. Dunn, "Perspective," 119.

7. Dunn, "Works," 528.

8. Dunn, "Perspective," 117. Cf. also Wright, "Paul": "Judaism, so far from being a religion of works, is based on a clear understanding of grace, the grace that chose Israel in the first place to be a special people. Good works are simply gratitude" (80). "Works-righteousness" has been attributed to Judaism by the re-rejection of the Protestant-Catholic debate (80). Paul finds Israel "guilty not of 'legalism' or 'works-righteousness' but of what I call 'national righteousness,' the belief that fleshly Jewish descent guarantees membership of God's true covenant people" (65). Seen in this way, "the categories with which we are to understand Paul, and for that matter the whole New Testament, are not the thin, tired and anachronistic ones of Lutheran polemic" (87).

9. Räisänen, "Legalism," 66.

10. Ibid., 66.

11. Ibid., 64.

12. Ibid., 72-73.

13. Räisänen, *Law*, 162-164.

wait for the hope of righteousness" (v. 5). Divine approval on the day of judgment is the goal of both groups; in Paul's terms, one group bases its hope on the law, the other on faith. Conceivably, of course, Paul would not have considered his Galatian opponents to be representative of first-century Judaism. But according to Rom. 9:30-31, *Israel* pursues "the righteousness which is based on law," a righteousness which is again contrasted with that "through faith." In the context, "righteousness" must refer to "righteous status in God's sight,"¹⁴ for this is precisely what, according to Paul, Gentile believers have "attained . . . through faith" but Jews have not. The fundamental principle of the "righteousness which is based on the law," according to 10:5, is that life is given to those who obey the law's commands; yet, in its immediate context, the verse can only mean that the "righteousness" which finds life through the law is that sought by Jews (9:31; 10:1-3). Clearly Paul believes that the pursuit of life and approval with God by means of the law is typical of Judaism.

But to this recognition a crucial point must be added. It is not enough to say that Paul represents his *opponents* as believing that the law serves "a soteriological function";¹⁵ in Paul's own view (as outlined in Chapter Seven above), the law was offered on precisely that basis. The claim that the law was given for "life" is Pauline (Rom. 7:10). Paul affirms (in principle at least) the thesis that the "doers of the law" will be "justified" (2:13; cf. v. 25). And Paul himself finds the essence of the law to rest in the assurance that those who "do" its commands will "live" (10:5; cf. Gal. 3:12). When he contrasts the righteousness of the law with that of faith, in neither case does he base his depiction on empirical observation of first-century communities; both principles he finds enunciated in scripture (Rom. 10:5-13). As spokesman for the view that the law promises life to its adherents, he cites, not Pharisaic theologians with whom he disagrees, but Moses himself (v. 5).¹⁶

14. Cranfield, *Romans*, 506.

15. Räisänen, *Law*, 178.

16. According to Sanders, Paul's point in Rom. 10:5-8 is that "Moses was incorrect," that "Scripture itself shows that real righteousness is by faith and leads to salvation for all who faith, without distinction" (*Law*, 41). But Moses could not be "incorrect" for Paul, and other texts show clearly that Paul affirms the basic Old Testament premise, here attributed to Moses, that obedience to God's commands brings life. Paul is bound to grant validity to a principle of life proclaimed by Moses—if only to deny that the law has been able to deliver on its promise. Cf. Gundry, "Grace," 18-19; Hübner, "Proprium," 462; and especially Dahl, *Paul*, 159-177.

The attribution to Moses makes Räisänen's explanation of the origin of Paul's notion highly unlikely. Räisänen suggests that Paul first came to view the law as Judaism's path to salvation in his battle with Jewish Christians who tried to exclude uncircumcised Gentile believers from table fellowship. Paul may then have concluded (wrongly) that such believers were thought to be excluded from salvation in Christ as well, and hence that the law was being made the means of salvation.¹⁷ But such an explanation leaves out of account and unaccountable Paul's own affirmation that the law was given for life. Did he first encounter the idea as his own mistaken perception of his opponents' position, then search for scripture to support *their* case, and magnanimously concede that they had Moses on their side, before finally offering the alternative of faith? It does not seem likely of the Paul of the epistles.

That the law promises life is thus Paul's own conviction, though one which (he believes) he shares with the "Israel" of his day—indeed, one which he apparently held during his "former life" in Judaism (Gal. 1:13).¹⁸ He cites scripture as supporting the notion; to search elsewhere for its derivation is to cross a brook looking for water. He quotes Lev. 18:5, and it suits his purpose well. But it is only one of dozens of texts from which Paul could conclude that keeping the law was Israel's path to life.

You shall therefore keep my statutes and my ordinances, by doing which a man shall live: I am the Lord. (Lev. 18:5)

And now, O Israel, give heed to the statutes and the ordinances which I teach you, and do them; that you may live. . . . (Deut. 4:1)

You shall walk in all the way which the Lord your God has commanded you, that you may live. . . . (Deut. 5:33)

And the Lord commanded us to do all these statutes, to fear the Lord our God, for our good always, that he might preserve us alive, as at this day. And it will be righteousness for us, if we are careful to do all this commandment before the Lord our God, as he has commanded us. (Deut. 6:24-25)

All the commandment which I command you this day you shall be careful to do, that you may live. . . . (Deut. 8:1)

See, I have set before you this day life and good, death and evil. If you obey the commandments of the Lord your God which I command

17. Räisänen, "Legalism," 78-82.

18. Cf. Kim, *Origin*, 349.

you this day, by loving the Lord your God, by walking in his ways, and by keeping his commandments and his statutes and his ordinances, then you shall live and multiply, and the Lord your God will bless you in the land which you are entering to take possession of it. But if your heart turns away and you will not hear, but are drawn away to worship other gods and serve them, I declare to you this day, that you shall perish. . . . (Deut. 30:15-18)

When the son has done what is lawful and right, and has been careful to observe all my statutes, he shall surely live. (Ezek. 18:19; cf. vv. 9, 21)

I gave them my statutes and showed them my ordinances, by whose observance man shall live. (Ezek. 20:11; cf. vv. 13, 21).

Yet they acted presumptuously and did not obey thy commandments, but sinned against thy ordinances, by the observance of which a man shall live. . . . (Neh. 9:29)

Texts such as these invite the following considerations:

1. A number of Old Testament passages clearly state that obedience to the commandments leads to the possession of life, a recognition of one's righteousness, and the enjoyment of God's blessing; conversely, it is taught that those who disobey the commandments are condemned as wicked and said to be subject to the divine curse and the sentence of "death." Now it is true that the notion of what "salvation" entails has developed considerably in Paul beyond its Old Testament implications. Furthermore, there are perils in speaking of "soteriology" in Judaism.¹⁹ Nonetheless, if the term is to be used at all, then the law is surely attributed with "a soteriological function" in texts which make life, righteousness, and divine blessing dependent on its observation. If Paul is wrong in considering the law a path to salvation, it is an error he shares with Leviticus, Deuteronomy, and Ezekiel.

2. At the root of the denial that the law is a path to salvation in Judaism lies the identification of "gaining salvation" with "becoming a member of God's covenant people." Since, in Judaism, membership in God's people is the result of God's election of Israel, "salvation" can be said to result from an act of God's grace.²⁰ Hence it is claimed that for both Judaism and Paul, salvation is by grace, whereas the maintaining of one's status within God's covenant people depends on works. The basic "pattern" is perceived to be the same.²¹

19. Cf. Sanders, *Paul*, 17-18, 75.

20. *Ibid.*, 220.

21. Sanders, *Paul*, 543; Räisänen, *Law*, 184-186.

The discussion has served to remind forgetful New Testament scholars that divine grace is not a category peculiar to Christian theology. Sanders has, I believe, decisively refuted the notion that keeping the law was regarded in Judaism as the sole and sufficient basis for salvation, that life was thought to be "earned" as a matter of human achievement. Judaism kept grace and works in balance.²² Nonetheless, the claim that "grace" and "works" play an identical role in Judaism and in Paul remains, I believe, misleading. With eyes fixed on the death of Christ for the sins of humanity, Paul had every reason to make grace all-important, to see human endeavors as ineffectual at best. Generally speaking, Judaism has felt no such strictures and has viewed human capacities more optimistically. Divine grace is never ignored, but (in Montefiore's terms) it is "not supposed that human efforts count for nothing."²³ As a result, Judaism does not (as a rule) share Paul's perception of the need for *exclusive* reliance on God's grace.

a. Even if we accept the identification between "gaining salvation" and "becoming a member of God's covenant people," it is not true that Judaism dogmatically and consistently attributed the election of Israel to divine grace alone. As Sanders himself has shown, the election is sometimes explained with Israel's merit as a motivating factor, at other times with an emphasis on the gratuity of God's act.²⁴ The reason for the inconsistency, Sanders rightly notes, is that "the Rabbis did not have the Pauline/Lutheran problem of 'works-righteousness' Grace and merit did not seem to them to be in contradiction to each other."²⁵ Thus Paul, but not Judaism (as a rule), felt the need for a dogmatic insistence on salvation by grace which *excluded* human merit.

b. When Paul insists that "justification" is by faith, not by the works of the law, he means that the Christian *hope for approval on the day of judgment* rests on faith, not on observance of the law's demands (cf. Gal. 5:4-5). Those who are "justified by faith" are assured of being "saved . . . from the wrath of God" (Rom. 5:1-10); for them there is "no condemnation" (8:1). Indeed, already they enjoy the life of the new creation (6:4; 2 Cor. 5:17) and have experienced the Spirit as its "first fruits" and "guarantee" (Rom. 8:23; 2 Cor. 1:22). While the

22. Sanders, *Paul*, 426-427.

23. Montefiore, *Judaism*, 78.

24. Sanders, *Paul*, 87-101.

25. *Ibid.*, 100.

moral behavior of believers may provide evidence of such life, and while grievous sins can forfeit that life (Rom. 11:22; 1 Cor. 10:1-13; Gal. 5:4; 1 Thess. 3:5, etc.), Christian "works" can hardly be regarded as a *condition* for acquiring what (in Paul's view) has already been granted. Indeed, any suggestion of a still outstanding requirement placed upon believers for the gaining of life would surely qualify as heresy for Paul.

But when "salvation" is defined in terms of approval on the day of judgment and enjoyment of the blessings of the age to come, then it is clear that "works" done in compliance with the law are given a role in Judaism which Pauline Christianity emphatically denies. The biblical texts quoted above suggest that Israel, though elect, encounters in the commandments a radical choice between life and death, blessing and curse.²⁶ Nothing really comparable to the Pauline assurance that what is decisive lies in the past, that Christians have *already* been "justified," is implied. The biblical condition of obedience to the law's demands remained in place when the "life" to which it led was later interpreted of the age to come. As Sanders has reminded us, Judaism never forgot that such obedience is "the *conditio sine qua non* of salvation."²⁷ God in his mercy may tip the scales in such a way that a single observance, or the slightest indication of an intention to obey, is sufficient for his approval; the issue remains one of obedience to the law. In this sense the law and human "works" are clearly given a soteriological function in Judaism which is denied them by Paul.

c. If the Sinaitic covenant requires obedience to the law as its condition for life, then, in *Paul's* terms, it "does not rest on faith." The point of Gal. 3:12, as we saw in Chapter Seven above, is precisely that a law which demands *deeds* is based on a different principle than that of *faith* (cf. Rom. 4:5 and the contrast between "works" and "faith" in Rom. 3:27; 9:32). Similarly, Paul's contrast between the law and "grace," and that between the law and God's promise, both hinge on the distinction, fundamental to Paul, that the law demands deeds as its condition for blessing whereas, *for Paul*, God's grace and promise must depend on the exercise of his sovereign will alone (Rom. 4:14, 16; Gal. 3:18; cf. Rom. 4:4; 9:11, 16; 11:6). Paul thus posits a basic difference in nature, not simply between his view of the gospel and that of the "Judaizers," but between God's revelation of righteousness

26. Cf. Zimmerli, *Law*, 47-60.

27. Sanders, *Paul*, 141.

in Jesus Christ and the righteousness proclaimed by Moses: the former is an expression of God's grace to the exclusion of a requirement for deeds, whereas the law demands deeds.

Paul's opponents, of course, did not see it that way. The methodological error has often been committed in the past of concluding that, since Paul contrasts grace and works and argues for salvation by grace, his opponents (and, ultimately, Judaism) must have worked with the same distinction but argued for salvation by works. Clearly this distorts Judaism, which never thought that divine grace was incompatible with divine requirements. But we become guilty of a similar methodological error if we conclude that, since Paul's opponents did not distinguish between grace and requirements, Paul himself could not have done so either: the evidence shows that he did, giving "grace" an exclusive sense (eliminating any role by "works"; cf. Rom. 4:4; 11:6) and "faith" a narrower definition (it "does not work"; Rom. 4:5; cf. Gal. 3:12) than was normal in Jewish writings. Hence the contrast that Paul introduces between the law and its "works" on the one side and divine grace and human faith on the other does not imply that Judaism is innocent of the latter notions, but simply (as we have seen) that it does not share Paul's perception of the need for *exclusive* reliance upon them. Such a judgment, it seems to me, is no caricature of Judaism, though, to be sure, the Jewish position could hardly be reconstructed on the basis of Paul's writings alone.

The methodological point is crucial. Paul must not be allowed to be our main witness for Judaism, nor must Judaism, or the position of Paul's opponents, determine the limits within which Paul is to be interpreted. The basis for Paul's rejection of the law must not be determined solely by asking what his foes were proposing any more than we may see Judaism's own perspective of the law in Paul's rejected version of it. Paul moves the whole discussion onto a different level. While *agreeing* that the law demands obedience, Paul perceives (as his opponents did not) that the truth of the gospel implies the inadequacy of the law to convey life; since, however, divine purposes cannot fail, God's design from the very beginning must have been to grant life by means of faith in Christ, not the law. Forced to explain (as his opponents were not) both the law's inadequacy and the distinction between the path of faith and that of the law, Paul characterized the law and the gospel in terms crucial to his case, but foreign to the understanding of his opponents.

We turn, then, to Paul's explanation of the law's inadequacy.

ii. The "Weakness" of the Law

At this point two distinctions need to be introduced. The first, drawn by Sanders, will not be used in the subsequent argument. The second, proposed here, is critical to the case.

Fundamental to Sanders's discussion is his distinction between "the reason for which [Paul] held a view and the arguments which he adduces in favor of it."²⁸ In reviewing Paul's reasons for rejecting obedience to the law as an "entrance requirement,"²⁹ Sanders dismisses some of the explanations proposed because they lack any support in the text, others because, though cited by Paul himself, they prove to be mere arguments conceived to defend a position of which Paul was already convinced on other grounds. From such arguments Sanders distinguishes what he considers Paul's real reasons for rejecting the law: his exclusivist soteriology (salvation is only by faith in Christ, and therefore, by a process of elimination, it cannot be by the law) and his concern that the Gentiles are to be saved on the same basis as the Jews (hence not by the *Jewish* law).

The distinction between Paul's (real) reasons and his (mere) arguments appears to underlie Sanders's now famous claims about what, for Paul, is wrong with Judaism: "In short, *this is what Paul finds wrong in Judaism: it is not Christianity.*"³⁰ Convinced by his Damascus experience that salvation is available only in Christ, Paul was forced to concede that "the following of *any* other path is wrong. . . . Doing the law, in short, is wrong only because it is not faith."³¹ Such statements are patently untrue if we allow Paul's *arguments* a place in a description of what he finds wrong with the law. Sanders agrees, for example, that Paul appeals to "universal transgression" in explaining why the law cannot make one righteous; but since "the various statements of human transgression are arguments in favor of a position to which Paul came on some other ground,"³² they do not figure in Sanders's account of what Paul found wrong with the law.

Such a distinction is both useful and potentially misleading. Its usefulness lies in the reminder that, so far as we can tell, Paul harbored no serious misgivings about the "righteousness based on law" before

28. Sanders, *Law*, 4.

29. *Ibid.*, 17-64.

30. Sanders, *Paul*, 552.

31. *Ibid.*, 550.

32. Sanders, *Law*, 36.

he encountered the risen Christ.³³ This in turn means that the various criticisms Paul brings to bear against the law, and his explanations as to its purpose, must all come under the category of Christian theology (the term, needless to say, is not meant to be pejorative!) and cannot be used in any direct way as evidence of how a faithful Jew perceived life "under the law." **Paul, the Christian apostle, was forced to reassess the nature, function, and efficacy of the law.** The problems he faced are crucial to Christian theology, and remain of interest in that sphere; but clearly they become problems only when the inadequacy of the law is assumed. Thus, if we are to be fair in our portrayal of Judaism, we need to distinguish between Paul's initial reason for abandoning his "former life" (cf. Gal. 1:13) and the later explanations he supplies as to its shortcomings.

On the other hand, if our concern is to delineate the achievement of the apostle, it will no longer do to focus our attention primarily on the starting-point of his thought, the conviction that occasioned his reassessment of the law.³⁴ To exclude from an account of "what Paul finds wrong in Judaism" any argument which was not itself the initial cause of his reevaluation is to exclude from the discussion any thinking Paul may have done on the topic. To be sure, a consideration of his thought inevitably means crossing the frontier from a historical description of first-century religion into a description of (one variety of)

33. To this extent the arguments of Kümmel and Stendahl, summarized in Chapter Four above, are correct. Note, however, Kim's warning against denying that Paul shared something of the human experiences portrayed in Romans 7 (i.e., the arousal of desire for what is forbidden in response to its prohibition, and the conflict between the desire to do good and the act of evil): "To deny to Paul these human, all too human, experiences is to make him twice divine. For it would imply that Paul was a super-human being who was exempted from such experiences as are common to man, and yet that without having suffered them, he could still describe them as vividly as he does in Rom 7. Furthermore, it is to rob Paul's statements about the freedom in Christ from the law of their empirical reality. For he who has had no experience of the bondage of the law (of sin) cannot know freedom from it, either" (*Origin*, 53). Cf. also Davies, *Studies*, 94; Beker, *Paul*, 240-243; and the balanced comments of Sanders, *Paul*, 443-444, n. 5; *Law*, 152-153. Kim goes on to say, however, that other passages in Paul (Gal. 1:14; Phil. 3:4-6) make it clear that such common experiences were not regarded by Paul before his conversion as problematic, and that he was "rather satisfied with his achievement in Judaism" (*Origin*, 54).

34. Note that Dahl, *Review*, 157, finds justification for treating the "human plight" as "the logical starting point for an analysis of Paul's *theology*, even though faith in Christ made Paul reach his assessment of human plight."

first-century Christian theology, even if the goal is an accurate historical rather than normative description of the latter. If Paul's view of the law is our subject, such a venture simply has to be made. We may find Paul's theology foreign and difficult to grasp; Paul without his theology is hardly worth the effort.

The basic orientation of the following discussion of the inadequacy of the law is thus different from that in Sanders's works. What Sanders labels Paul's "real reason" after secondary argumentation has been dismissed is here regarded simply as the starting-point of his thought; primary attention will be focused precisely on Paul's developed views, as expressed in the extant and acknowledged epistles, as to why the law is unable to save.

A quite different, but, I believe, useful distinction is here proposed for the discussion of what Paul finds wrong with the law. As we have seen, Paul was faced with the task of explaining the relation between **three convictions apparently in tension with each other:**

1. **According to Old Testament texts which Paul is bound to take seriously, Jews are promised life if they obey God's commands.**
2. **Since God sent his Son to redeem humanity, salvation is possible only through him.**
3. **God, being God, must have intended salvation through faith in Christ from the beginning.**

Thus, on the one hand, Paul is concerned to show that faith in Christ, not obedience to the law, represents—and has always represented—God's intended plan for salvation. On the other hand, he needs to explain why the law does not provide the life which (as Paul himself both allows and affirms) it in fact promises. In both cases, of course, Paul's reasoning runs (in Sanders's terms) "from solution to plight": it is because Paul, the Christian, is convinced of the truth of the second proposition that the first becomes problematic and the third requires proving. But two separate issues are at stake, and it seems to me useful to keep them apart.³⁵

35. In general, Galatians is more concerned with showing that salvation by faith in Christ was God's eternal plan, and that the law was merely a parenthesis between the giving of the promise to Abraham and its fulfillment in Christ. In Romans, on the other hand, "Paul does not face an apostasy of Judaizers but is engaged in a dialogue with Jews and Jewish Christians about his stance toward the Torah as consistent with the faithfulness of God toward Israel in the gospel" (Beker, *Paul*, 104). Here of necessity Paul considers in detail the problem of why the law does not lead to the life it promises.

Paul argues, for example, that the scripture "foresaw" that the Gentiles would be justified by faith (Gal. 3:8) when it promised that the nations would be "blessed" in Abraham, who himself was declared righteous because of his faith (vv. 6-9). He finds in Hab. 2:4 a proof that God intended justification to be by faith; the law is excluded since it is based on a different principle (Gal. 3:11-12). Moreover, the promise to Abraham preceded the giving of the law: God's ultimate purposes, Paul argues, are thus apparent in the former institution, and cannot be set aside by the latter (vv. 15-18). In fact, the law serves functions quite different from that of imparting life (vv. 19-25). In each case, Paul attempts to show that God "knew all along," and intended, that faith, not the law, would lead to life. But none of these arguments accounts for the claim of God's law to provide life for its adherents and the failure of the law (evident once it is realized that salvation is to be found only in Christ) to deliver on its promises.

Above all, the problem of Gentile admission to the people of God does not answer the question why the law cannot lead its adherents to life. There is no need, in the current state of the debate, to emphasize the centrality of the Gentile mission to Paul's thinking. For Paul, it was obvious that God intended from the beginning that Gentiles would belong to his people and equally obvious that faith in Christ, not the Jewish law, was the intended means of the Gentiles' inclusion. God is *not* the God of Jews only (Rom. 3:29). Abraham was to be the father of all who believe, whether they are circumcised or uncircumcised (4:11-12). If the promise was to be effective for *all* of Abraham's "seed," then faith, not the Jewish law, had to be the means of appropriating it (v. 16). All who are in Christ—Jew or Greek, slave or free, male and female—are "Abraham's offspring, heirs according to promise" (Gal. 3:28-29). That Gentiles have a place in God's plan is for Paul the ultimate demonstration that faith in Christ, not the Jewish law, lies at its center.

But the problem remains.³⁶ God's promise that those who obey his commands will live cannot be set aside simply because Gentiles were not present when the law was given. When God's Son came on the scene, God's law was already in place—Christ himself was born "under" the law (Gal. 4:4). An old and divine covenant was in force before the new was established (2 Cor. 3; cf. Gal. 4:24); a righteousness based on law was proclaimed by Moses (Rom. 10:5) before the righ-

36. Cf. Bläser, *Gesetz*, 46.

teousness apart from the law was "manifested" through faith in Jesus Christ (3:21-22; cf. Gal. 3:23). It is thus not enough to say that faith in Christ leads to life whereas the law does not. **The law cannot be dismissed simply as a false path to life adopted by Judaizers.** On the contrary, so seriously does Paul take the institution of the law, and such validity does he attribute to its sanctions, that he believes humanity must be redeemed from its curse, that believers must actually *die to the law*, if they are to be saved.³⁷ But why does the law bring a curse, condemnation and death, rather than life to its adherents?

Paul's exclusivist soteriology provokes, but does not answer, the question of the law's inadequacy. Certainly his conviction that salvation is available only in Christ—who, after all, did not die in vain (Gal. 2:21)—was a sufficient reason for believing that salvation is not found in the law.³⁸ **But exclusivist soteriology does not explain how the law has failed.**³⁹ Nor is it sufficient to say that Paul thought in black-and-white terms, so that, if life is available in Christ, the law, by way of contrast, must be linked with condemnation and death.⁴⁰ What reason did Paul have for making the law part of the dilemma? Does the fact that the law cannot impart life lead of itself to the conclusion that it curses, condemns, and *kills* (Gal. 3:10; 2 Cor. 3:6, 7, 9; Rom. 7:10; 8:2)?

When the question of the law's *failure* is posed, the debate necessarily returns to the issues raised by Bultmann and Wilckens: **Does the law fail to provide life because its conditions are not met and its commandments are transgressed? Or is the problem that the Jews' very compliance with its commands leads them into the more fundamental sins of self-righteousness and boasting?** The latter alternative will be considered below (iv. The Exclusion of Boasting). Here we will consider the role of human transgressions in Paul's view of the law's "weakness."

The critical passage is Rom. 1:18-3:20. In the course of the argument Paul himself affirms the basic principles of the righteousness

37. Cf. Beker, *Paul*, 187: "Unlike Marcion, [Paul] does not conclude that the law is an inferior dispensation that does not conform to God's will and plan of salvation. To the contrary, Christ died 'for our sins,' that is, for the sins incurred under the law. Christ's death is a sacrificial death that acknowledges our just condemnation by the law. . . ."

38. Cf. Kuss, "Nomos," 211-213.

39. Cf. Byrne, "Sons," 231; van Dülmen, *Theologie*, 178.

40. As Sanders, *Law*, 137-141, thinks.

based on law (cf. 10:5): God "will render to every man according to his works" (2:6). He will reward with eternal life "those who by patience in well-doing seek for glory and honor and immortality," while "wrath and fury" await the wicked (vv. 7-8). God requires more than the possession of the law of those who would be justified: "It is not the hearers of the law who are righteous before God, but the doers of the law who will be justified" (v. 13). On the other hand, the passage reaches its conclusion in the claim that "no human being will be justified in [God's] sight by works of the law," and that "now the righteousness of God has been manifested apart from law . . . through faith in Jesus Christ" (3:20-22). Here, then, we find Paul expressing, and presumably explaining the relation between, the propositions with which we began: the Old Testament promises life to those who obey God's commands, yet salvation is possible only through Christ, not through observance of the law.

There is, it seems to me, no reason to deny Paul's sincerity in affirming the first proposition. Nothing in the passage suggests that he is merely adopting his opponents' understanding for the sake of an argument. Paul clearly believes that the law does not lead to life, that God was achieving quite different purposes through its promulgation; nonetheless, the sanctions of life as well as death, blessing as well as curse, are part of the divine record, and Paul was not one who could ignore them. What he needs to show is why only the law's curse has become operative.

His answer, in a sense, is straightforward enough. The law promises life to those who adhere to its commands, but threatens with death those who disobey; clearly, then, since the law does not lead to life, all must have transgressed its demands. "All have sinned and fall short of the glory of God" (3:23). Though the law promises life, what it brings is "knowledge of sin" (v. 20). In the words of scripture, "All have turned aside, together they have gone wrong; no one does good, not even one" (v. 12). Human transgression is Paul's explanation of why the law does not provide the life it promises.

Paul's conclusion is clear, but the path by which he reaches his goal contains a number of surprises, and the question may well be asked whether Paul's argument supports the conclusion he desires. The passage requires a closer look.

1. The relation between Jews and Gentiles is never far from Paul's mind; here it provides the structure for Paul's presentation of the human dilemma. Rom. 3:9 suggests that the argument which

precedes it was meant to demonstrate the guilt of "both Jews and Greeks," and in fact 1:18-32 does seem to catalogue characteristic Gentile vices, whereas in 2:17-29, Jews are explicitly addressed. Paul's point, in part, must be that Jews and Greeks share the same dilemma—hence the same divine solution applies to both.

But Paul consistently treats the pressing issues of the moment within the framework of broader theological concerns, and Romans 1-3 is no exception. The immediate problem facing Paul in Galatians was the terms on which Gentiles are to be admitted to the people of God; but Paul responds to the matter with a wide-ranging discussion of the nature and function of the divine law. Similarly, while Paul's pressing concern in the opening chapters of Romans may be to support a gospel of salvation for Gentiles as well as Jews through faith in Christ apart from the law, we underestimate his theological achievement if we fail to see that he has raised the level of the discussion above the practical concerns of the first-century Church in depicting in general terms the plight of humanity before its Creator and Judge. Thus, whereas Rom. 1:18-32 details sins for which pagans were notorious in Jewish polemics, Paul himself does not use the word "heathen" (*ethnē*) in the portrayal. Instead he addresses "all ungodliness and wickedness of men" (1:18) perpetrated in the face of the Creator's goodness (v. 25), and drawing upon humanity "the wrath of God" (v. 18). Again, though Jews are perhaps primarily in mind already in the beginning of chapter 2, the address is not limited to them:⁴¹ "You have no excuse, O man" (2:1; cf. vv. 3, 6). Paul's concern is to show all humanity under divine sentence, accountable to God, yet defenseless before his judgment: "that every mouth may be stopped, and the whole world may be held accountable to God" (3:19).⁴²

41. Cf. Zeller, *Mission*, 149; and, even more emphatically, Stowers, *Diatribē*, 112.

42. Cf. Bornkamm, *Experience*, 59. We may compare the opening of 1 Corinthians. The problem at hand is Corinthian claims to wisdom. Paul deals with the matter by contrasting the futility of human wisdom in general with the power and wisdom of God (1:25; cf. 3:19). Faith must therefore rest in the power of God, not in the "wisdom of men" (2:5). The wisdom, righteousness, sanctification, and redemption in which believers share are theirs through Jesus Christ (1:30); only in him may they boast (1:31). Paul treats separate issues in Romans and 1 Corinthians; in both cases, however, immediate concerns are illuminated by basic convictions about the bankruptcy of human endeavors and the sufficiency of God's redemption in Christ.

2. But does Paul's argument bear the weight of his conclusions?⁴³ In 1:18-32, Paul declares (he can hardly be said to demonstrate) that humanity is guilty of wicked behavior, idolatrous worship, and suppression of the truth. No exceptions seem to be allowed. Yet in chapter 2, Paul appears to reckon with Gentiles who fulfill the requirements of God's law. His accusations are now directed at Jews, whom he finds guilty of egregious sins; yet here too Paul appears to allow for the possibility that they may "obey the law" (2:25) and thus prove to be "real" Jews whom God will praise (vv. 28-29). In 3:10-18 his "demonstration" amounts to no more than a collection of scripture texts denouncing human sins; and some of the passages quoted (Ps. 5:9 [MT 10]; 140:3 [MT 4]; 10:7; 36:1 [MT 2]) are from contexts in which the righteous denounce the wrongs of the wicked with no implication that the evils are universal; yet universality is necessarily Paul's point. It is not surprising, then, that many readers feel that Paul has not proven his case.

a. In fairness to Paul, it might be asked how universal transgression could ever be proven to the satisfaction of a neutral observer. Such a conviction, by its very nature, is not susceptible to empirical demonstration.⁴⁴ Paul's argument, of necessity, is homiletic and traditional in nature,⁴⁵ directed to readers familiar with the motifs and liable to be impressed by their recollection. The prophetic literature is filled with denunciations of the nations, and especially of Israel, in which particularly lurid wrongs are cited and yet guilt is held to be universal, and divine judgment is expected for all. Such literature is simply not to be judged by the probative force of the argumentation. If Paul's denunciations are faulted as too sweeping, what are we to say of passages like the following, taken from Jeremiah but abundantly paralleled in the other prophets?

They are all stubbornly rebellious, going about with slanders; they are bronze and iron, all of them act corruptly. (Jer. 6:28)

No man repents of his wickedness, saying, "What have I done?" Every one turns to his own course. (8:6)

43. Cf. Räisänen, *Law*, 97-109; Sanders, *Law*, 123-132.

44. Cf. Pfeiderer, *Paulinism*, I, 35-36.

45. Cf. Wilson, "Religion," 340-341: "It would be a mistake to read 1.19f. as a neutral or comprehensive assessment of Jewish and Gentile piety; it is rather an impassioned, selective, even tendentious critique from the perspective of the gospel. . . . It is a prophetic judgement which is different from, and cannot be used as evidence for, the scientific study of religion."

They are all adulterers, a company of treacherous men. They bend their tongue like a bow; falsehood and not truth has grown strong in the land; for they proceed from evil to evil, and they do not know me, says the Lord. Let every one beware of his neighbor, and put no trust in any brother; for every brother is a supplanter, and every neighbor goes about as a slanderer. Every one deceives his neighbor, and no one speaks the truth; they have taught their tongue to speak lies; they commit iniquity and are too weary to repent. Heaping oppression upon oppression, and deceit upon deceit, they refuse to know me, says the Lord. (9:2-6 [MT 1-5])

b. What, then, are we to make of the contradiction between the claim in Romans 3 that "all men, both Jews and Greeks, are under the power of sin" (v. 9) and the allowance in chapter 2 of the possibility that Jews and Gentiles may gain life by obeying God's commands? Three considerations may lessen (but not resolve) the tension between these claims.

First, as we have seen, Paul finds in scripture, and here repeats as valid, the principle that obedience to God's law leads to life. The sequel will show why, in Paul's mind, that principle has failed. Nevertheless, in depicting the dilemma which led to the cross, Paul restates the principle of righteousness which operated under the Sinaitic economy before the righteousness of faith in Christ was revealed. In the light of what follows, his statements have necessarily a provisional nature.⁴⁶

Second, though Paul includes Jews in his denunciation of human sins, and finds them guilty of the same wrongs they condemn in others (2:1-3, 21-23), the thrust of his argument in Romans 2 lies in meeting an objection, not to the truth, but to the relevance of the point. His primary concern is not to prove that Jews are guilty of transgressions to those who think them innocent, but to insist that Jews, for all their privileges, are as responsible as Gentile sinners for the transgressions they commit (2:3, 9-11, 12, 25-27). Once Paul has shown that Jewish privileges do not exempt them from judgment, Paul can draw the conclusion that the "whole world" lies guilty and defenseless before God (3:19). In this way, the thrust of the argument of Romans 2 does support the conclusion Paul reaches in chapter 3.

Third, it is in the course of this argument against Jewish privileges, not in his assessment of the Gentile plight, that Paul compares righteous Gentiles to sinful Jews and claims that the former will con-

46. Cf. Hahn, "Gesetzesverständnis," 32.

demn the latter at the judgment.⁴⁷ In suggesting that some Gentiles will be approved by God on the basis of their works, Paul appears to allow in Romans 2 what chapters 1 and 3 categorically deny.⁴⁸ Perhaps the traditional motif which compared (relatively) righteous Gentiles with sinful Jews, to the latter's shame and condemnation, has influenced Paul here (cf. Ezek. 3:6-7; 5:6-7; 16:27, 32-34, 44-52; Matt. 12:41-42).

c. Paul does quote in Romans 3 (as elsewhere!) Old Testament texts in a sense foreign to their original context. On the other hand, at least Eccl. 7:20 and Ps. 14:2-3 support a case for universal transgression, and Isa. 59:7-8 is taken from a general condemnation of God's people. Moreover, as we have seen, many other texts from the prophets, equally sweeping in their denunciation, could have been quoted. Universal transgression was not a notion foreign to Judaism, though Paul radicalizes its implications.

3. Though Sanders and Räisänen both concede that Paul argues for universal sinfulness in Romans 1-3, the tenet is dismissed to the periphery of Paul's thought.⁴⁹ Paul's argument is perceived as inconsistent and illogical. Other passages show, it is said, that Paul was not particularly troubled by the problem of sin. What we find in Romans 1-3 is a mere argument for rejecting the law, whereas Paul's real reasons for doing so were quite different.

It is certainly true that Paul did not start with a conviction about the hopelessness of the human predicament under sin, then grasp at Christ as the answer to the dilemma.⁵⁰ On the other hand, Paul inherited—he did not first posit—the notion that Christ's death was "for our sins" (the traditional phrase in 1 Cor. 15:3; cf. Rom. 3:25; 4:24-25, etc.); hence, broadly speaking, the solution imposed its own view of the human plight on Paul, and the plight thus defined was no more an option to Paul than was the solution itself. That a conviction of universal sin cannot be independently proven is no reason for thinking it less than fundamental to Paul. Moreover, the conviction itself dictates neither a particular view of the origin of sin nor a precise definition of the nature of its power. Paul's wrestlings with these latter issues (to which we return in Chapter Nine) confirms rather than undermines the

47. Cf. Wilson, "Religion," 341; Räisänen, *Law*, 106; Watson, "Faith," 215.

48. That Gentile Christians are meant in Romans 2 is unlikely; cf. Räisänen, *Law*, 104-105.

49. Sanders, *Law*, 35-36; Räisänen, *Law*, 107-109.

50. Sanders, *Paul*, 443, 499.

central place occupied by sin in Paul's thinking about the human plight. Surely a belief that God's Son died for the sins of humanity would lead Paul to take human sin with an awesome earnest!⁵¹

Other passages show that he did just that. In Romans 4, we encounter the startling—and undoubtedly Pauline—formulation, the justification of the "ungodly" (v. 5). Not less startling is the way Paul includes himself among the "weak," the "ungodly," the "sinners," and the "enemies" of God for whom Christ died (5:6-10).⁵² In Romans 6-7, Paul describes the desperateness of the human plight as involving actual bondage to sin requiring deliverance rather than simply transgressions and guilt needing atonement.⁵³ Here the claim is repeated that the law's failure is due to human sin. Though given for "life" (7:10), its coming served only to revive sin and thus lead to death.

I was once alive apart from the law, but when the commandment came, sin revived and I died; the very commandment which promised life proved to be death to me. For sin, finding opportunity in the commandment, deceived me and by it killed me. (7:9-11)

The law's commandments are good (v. 12), but the "weakness" of the

51. In attributing Paul's pessimism about the human condition to his pre-conversion (Hellenistic Jewish) religion, Montefiore fails to realize the amount of rethinking required by Paul's new faith in a crucified Messiah. See above, section i of Chapter Three.

52. For Paul's own sense of sin, see also 1 Cor. 15:9; Gal. 1:13; Phil. 3:6, 12. It is true that Paul sees his persecuting activity as an expression of his fervor for Judaism; but there is no question that he could have regarded as anything but a heinous sin the "violent" persecution of the "church of God" and the attempt "to destroy it" (Gal. 1:13). Note also how Paul personalizes the death of Christ in Gal. 2:20. For the view that Paul should not be made an exception to the human plight as portrayed in Romans 7, see note 33 above. His description of his life under the law as "blameless" (Phil. 3:6) perhaps reflects his preconversion assessment, though the polemical context in which the claim is made—a comparison with Paul's detractors, self-proclaimed devotees of the law—should be kept in mind as well. There is no warrant for detaching Phil. 3:6 from its context, then elevating the isolated claim to Paul's "real" assessment of human capacities, setting aside Romans 1-3, 5, 7, etc. in the process. Cf. Espy, "Conscience," 161-188.

53. The two explanations should not be played off against each other; transgression leads to bondage, and bondage is expressed in transgression (cf. Rom. 6:16, 19-21; 7:15-23). Note how Rom. 3:9 (all are under the power of sin, *hup' hamartian*) follows from Paul's claim in the preceding chapters that Gentiles and Jews commit sins. Cf. Räisänen, *Law*, 99-100, n. 29. For the importance of "juristic thinking" to Paul's theology, cf. Hübner, "Proprium," 467-471; Gundry, "Grace," 28-34.

law is shown by the inability of "sinful flesh" to meet its demands (8:3-4).

As we have seen, Rom. 9:31-32 presupposes the same argument. Only faith in Christ, not "works," can lead to righteousness. Not that "works" are themselves wrong; the righteousness based on the law demanded them (10:5). But those who pursue such righteousness do not attain their goal (9:31)—and, in the context of the argument in Romans, transgressions are certainly the underlying reason. To pursue righteousness by works, not faith, is wrong since the former path has failed and has been replaced by the latter (3:20, 22; 10:4). Yet Israel, in its unenlightened zeal for what has now passed away, stumbles at God's righteousness offered in Christ (9:32-10:3).

Gal. 3:10 is based on the same premise. What the law brings to its adherents, Paul says, is a curse, not a blessing. To prove his point, he cites Deut. 27:26: "Cursed be every one who does not abide by all things written in the book of the law, and do them." Here, as elsewhere, it is the failure to "abide" by the law, the failure to "do" its commands, that draws upon men and women "the curse of the law" (Gal. 3:13).⁵⁴

Finally, Paul's comparison of the old and new covenants in 2 Corinthians 3 assumes the same conviction. Both covenants—the old as well as the new—are divine and glorious. But the old covenant "kills" whereas the new gives life (v. 6). The old is a "dispensation of death" and "condemnation" (vv. 7, 9), whereas the new leads to righteousness. In the context, Paul is explaining the splendors of his own "ministry," and he does not pause to explain the dilemma to which the ministry of Moses led. But to suggest that the law "condemns" something other than its transgression is to depart from what common sense says about any law as well as from what Paul, in harmony with a host of Old Testament texts, says elsewhere about the Mosaic code (cf. especially Rom. 4:15).

All of this—let me repeat—is Paul's Christian theology; Sand-

54. Against Sanders's view (*Law*, 20-22) that Paul quotes the text in Deuteronomy simply because it links the law and the divine curse, see Räisänen, *Law*, 95-96, n. 13: even a Paul is not likely to have derived from a verse condemning transgressions of the law a proof that the law's acceptance brings a curse! Similarly, Paul's point cannot be that trying to "do" the law brings a curse, since the curse is explicitly said to be pronounced over those who fail to do what the law commands. Since Paul's own statements elsewhere (cf. Rom. 2:12; 4:15; 7:10-11) connect the ill effects of the law with its transgression, and this is the obvious sense of the verse he quotes here, there is no need to distinguish between what Paul wants the words of his quotation to say and what they actually say.

ers rightly pillories historians of religion who portray Judaism and its law in terms borrowed from Paul's account of their shortcomings.⁵⁵ As far as we can tell, Paul before his conversion did not believe that the law had failed, nor did he long for a savior to deliver him from its bondage. Only faith in a crucified Messiah forced Paul to explain why the law had not led to life. Still, in an account of the views of Paul the apostle, we cannot rest with the claim that the law was wrong only because it was not faith. The law, for Paul, failed because of human transgressions.

By now it should be evident why Paul gave the human dimension of the law (its demand for compliance) an emphasis foreign to Judaism as a whole and to the understanding of his opponents. What for others seemed inconceivable Paul was forced to explain: the law had failed to bring life. Since the divine part in the giving of the law cannot be faulted with its shortcomings, the demand for human works becomes the center of Paul's attention: the law must "rest" on works. Conversely, since the gospel succeeds where the law has failed, Paul must exclude from his definition of "grace" and "faith" the human activity which doomed the law to failure: "faith" does not work, nor can "grace" be the reward of the one who does. It is because Paul believes the coming of the new covenant implies the inadequacy of the old that he characterizes the one as resting on divine grace, the other on human works.

Perhaps we should add a postscript at this point. Paul was not the first to deduce the incorrigible sin of God's people from what he perceived as an act of divine judgment; nor was he the first to conclude that, as a result of such sin, the Sinaitic covenant had proved inadequate.⁵⁶

55. Sanders, *Paul*, 4.

56. Note also Jer. 11:1-13; Hos. 1:9; 2:2 (MT 2:4). The point is stressed in von Rad's *Theology*. Whereas Deuteronomy regards the commandments as easy to obey, such confidence was shattered by the prophets. The earlier prophets spoke of "Israel's utter and complete failure vis-à-vis Jahweh"; Jeremiah and Ezekiel go further, reaching "the insight that she is inherently utterly unable to obey him" (II, 398). It is characteristic of the prophets that they see the "security" given Israel by her "election traditions" as "cancelled out because of her guilt" (II, 117). "They consigned their audience, and all their contemporaries, to a kingdom of death where they could no longer be reached by the salvation coming from the old saving events" (II, 272). As a result, the only thing Israel could "hold on to" was "a new historical act on the part of Jahweh. . . . The prophetic message differs from all previous Israelite theology, which was based on the past saving history,

Behold, the days are coming, says the Lord, when I will make a new covenant with the house of Israel and the house of Judah, not like the covenant which I made with their fathers when I took them by the hand to bring them out of the land of Egypt, my covenant which they broke, though I was their husband. (Jer. 31:31-32)

Indeed, Paul was not the first to think (though he was the first to systematize the conviction) that since the Sinaitic covenant had failed through human transgressions, any further dealings of God with his people must be based on God's character and grace alone.⁵⁷

Therefore the Lord has kept ready the calamity and has brought it upon us; for the Lord our God is righteous in all the works which he has done, and we have not obeyed his voice. . . . We have sinned, we have done wickedly. . . . O my God, incline thy ear and hear; open thy eyes and behold our desolations, and the city which is called by thy name; for we do not present our supplications before thee on the ground of our righteousness, but on the ground of thy great mercy. O Lord, hear; O Lord, forgive; O Lord, give heed and act; delay not, for thy own sake, O my God, because thy city and thy people are called by thy name. (Dan. 9:14-15, 18-19)⁵⁸

in that the prophets looked for the decisive factor in Israel's whole existence—her life or her death—in some future event" (II, 117). Thus, whereas for Deuteronomy God's commands are given "for life," their fulfillment is not a problem, and what is required is simply a reaffirmation of the old covenant, for Jeremiah and Ezekiel "Jahweh's commandments have turned into a law that judges and destroys" (II, 269). Israel is incapable of observing them, yet the future holds out the hope of a new covenant brought about by a new saving act on the part of Israel's God. Cf. also Zimmerli, *Law*, 76; Ridderbos, *Paul*, 157; Stuhlmacher, *Reconciliation*, 114.

I am not sure on what basis Räisänen concludes that "if something is truly divine, it is hardly capable of being abrogated" (*Law*, 265), and that, as a result, Paul's view of the law is necessarily untenable. Jewish and Christian thinkers through the ages have not placed that kind of restriction on the Almighty's dealings with his world. As Jeremiah 31 and Hos. 1:9 indicate, Paul was not the first to think that the Sinaitic covenant had been annulled by human sin. Divine institutions like prophecy, human government, marriage, ritual laws, etc. have frequently been thought to be tied to "this age," or even a part of it. And was Judaism invalidated when the temple worship it believed was divinely appointed was nonetheless brought to an end?

57. Cf. Meyer, *Christians*, 129-131.

58. Cf. also Ezek. 36:22-32; Deut. 9:4-29; Hos. 11:8-9.

iii. The Centrality of Grace

If Paul regards the mark of the old covenant as its demand for obedience and sees the reason for its failure in human transgressions, then the mark of the new covenant, and the basis for his confidence in its success, is its exclusive dependence on God's grace.⁵⁹ Believers in Christ have been called into (a status of) grace (Gal. 1:6).⁶⁰ They stand in grace (Rom. 5:2). To return to the law is to "nullify the grace of God," to risk "[falling] away from grace" (Gal. 2:21; 5:4; cf. 1:6). Once believers lived "under law," but, by dying with Christ, they "died to the law" and left its sphere (Rom. 7:4-6); now they "are not under law but under grace" (6:14).

The (specifically Pauline)⁶¹ emphasis on grace and the contrast between grace and law is not difficult to explain once the character and failure of the law are defined in Pauline terms. Grace is the obvious antidote to the plight which resulted from life "under law."

But the free gift is not like the trespass. For if many died through one man's trespass, much more have the grace of God and the free gift in the grace of that one man Jesus Christ abounded for many. . . . If, because of one man's trespass, death reigned through that one man, much more will those who receive the abundance of grace and the free gift of righteousness reign in life through the one man Jesus Christ. . . . Law came in, to increase the trespass; but where sin increased, grace abounded all the more, so that, as sin reigned in death, grace also might reign through righteousness to eternal life through Jesus Christ our Lord. (Rom. 5:15, 17, 20-21; cf. 3:24; 6:23; 2 Cor. 6:1)

In these verses, "grace" clearly involves forgiveness from transgressions and deliverance from the "reign" of sin; it thus reverses the dilemma created under the law's hegemony. But the term also implies the complete freedom with which God bestows those favors; this, too, involves a contrast with the order based on the law and its "works," where divine blessing, Paul insists, is linked to human obedience (Rom. 4:4; 10:5).⁶² Repeatedly Paul parallels the grace (*charis*) of God with his "free gift" (*dōrea*, Rom. 5:15, 17; cf. 3:24; 6:23). Grace is a gift lavished on sinners, on the ungodly, solely at the discretion and by

59. Cf. Bläser, *Gesetz*, 194.

60. Cf. Burton, *Galatians*, 21.

61. Cf. Beker, *Paul*, 265-266.

62. *Ibid.*, 266.

the goodness of God. It is God's to bestow, and he bestows it "upon whomever he wills" (9:18). Were human "works" a factor, "grace would no longer be grace" (11:6).

Thus human "works" and the law which demands them are necessarily excluded from a justification based on grace.⁶³ It does not follow that Jews are wrong in attempting to obey God's law; on the contrary, Paul commends them for their zeal (10:2). But, since they fail to attain their goal, only divine grace can convey life. A "faith" which involves no "pursuit" of righteousness must be substituted for the "works" of those who strive but fall short (9:30-32). Such faith implies the abandonment of one's "own," inadequate righteousness, with submission to "the righteousness that comes from God" (10:3; cf. Phil. 3:9).

This understanding of the relationship between faith and works emerges most clearly in Romans 3 and 4. The "works of the law" do not justify because "all have sinned and fall short of the glory of God" (3:20, 23). Hence God has manifested a "righteousness . . . apart from law . . . through faith in Jesus Christ" (vv. 21-22), a justification bestowed "by his grace as a gift (*dōrean tē autou chariti*)" (v. 24). When Paul claims that "a man is justified by faith apart from works of law" (v. 28), he can only mean, in the conclusion to this argument, that human attempts to keep God's law have failed, that acceptance of God's grace revealed in Christ is the only path to life.

The opening verses of Romans 4 confirm the view that "justification by faith" implies the exclusion of human "works" from any role in salvation.⁶⁴ Grace would not be grace if given in response to the activity of "one who works" (4:4); justification by faith is the mark of the "one who does not work but trusts him who justifies the ungodly" (v. 5).

The essentials of Paul's position in Romans—though not the logical arrangement—are all found in Galatians as well: the contrast between the law and faith, based on the demand of the law for deeds (3:11-12); the contrast between a gospel of God's grace and a message (hardly to be called a "gospel") which requires submission to the law (1:6-7; 2:21; 5:4); the insistence that the law pronounces a curse on

63. See the discussion above, section ii of Chapter Seven.

64. The emphasis is, of course, clear beyond dispute in the disputed epistles: Eph. 2:8-9; Tit. 3:4-7. Such texts ought at least to warn us that "Reformation spectacles" are not required to read Paul as denying that human "works" are a factor in salvation.

those who do "not abide by all things written in the book of the law, and do them" (3:10); the claim that God's inheritance must be bestowed by his sovereign act alone (the promise) rather than by means of law, where human compliance is indispensable (vv. 15-18). Paul's argumentation is clearer in Romans; nothing suggests a substantial shift in his thinking on the subject.

But even when the point of justification by faith is recognized as the exclusion of human "works" from salvation, the centrality of the conviction is often questioned. In both Romans and Galatians, the formulation "justified by faith" occurs in the context of the first-century dispute concerning Gentile admission to the early Church (Rom. 3:28; cf. 4:1-17; Gal. 2:14-16). Was the doctrine, as Wrede argued,⁶⁵ merely a polemical tool devised to counter the demand that Gentile believers submit to the Jewish law?

That the doctrine in an explicit form occurs only in contexts where the Gentile problem is discussed (cf. however Phil. 3:9) is not in itself decisive.⁶⁶ Pagan converts would not normally have been tempted to think that deeds done in the days of their idolatry could commend them to the living God. Apart from the question whether observance of the Jewish law was necessary, then, Paul could ignore the problem of "works"; the silence of particular epistles on the issue is no indication that Paul had not yet given it thought.

When, however, Paul did deal with the problem posed by the Mosaic law, he explained its failure by insisting that the law's demand for "works" had not been met, that divine grace was the only remedy. Thus the fundamental principle affirmed by Paul's thesis of justification by faith, not works of the law, is that of humanity's dependence on divine grace; and that conviction, it may safely be said, underlies everything Paul wrote.

The Thessalonians may have "turned to God from idols" (1 Thess. 1:9), but Paul stresses that this was in response to God's calling (1:4; 2:12; 5:24), that God was the one who "destined" them "to obtain salvation" (5:9).⁶⁷ The Corinthians were emphatically reminded that God's call is directed to the "foolish," the "weak," "what is low and despised in the world, even things that are not, to bring to nothing things that are, so that no human being might boast in the presence of

65. See the review of Wrede above, section i of Chapter Two.

66. Cf. Hübner, "Proprium," 454-455; Pfeleiderer, *Paulinism*, I, 30.

67. Hübner ("Proprium," 454-458) develops in detail the correspondence between justification by faith and Paul's thinking as reflected in 1 Thessalonians.

God" (1 Cor. 1:27-29).⁶⁸ The new creation of which Christians are a part is entirely "from God" (2 Cor. 5:17-18). The Galatian believers at one point came "to know God"—but the matter is better expressed by saying that they came "to be known by God" (Gal. 4:9). In the letter to the Romans, the contrast between grace and works figures not only in Paul's discussion of justification by faith, but also in his account of the election of God's people through the ages (9:10-13, 16; 11:5-6).

Nor does human dependence on divine grace end with conversion.⁶⁹ Paul's understanding of Christian behavior will be the subject of a later chapter; here we may simply note his insistence that the God who "began a good work" when believers first received the gospel is the one who "will bring it to completion at the day of Jesus Christ" (Phil. 1:6; cf. 1 Thess. 5:24). He is "at work" in believers, "both to will and to work for his good pleasure" (Phil. 2:13). He is the one who will "make [them] stand" (Rom. 14:4). Believers are not to imagine that they know anything (1 Cor. 8:2), that they are anything (Gal. 6:3), or that they have anything apart from what they have received from God (1 Cor. 4:7). They are enabled to function in the Church only because gifts of grace (*charismata*) have been granted to them (Rom. 12:6; cf. 1 Cor. 1:4-7; 12:6; even 2 Cor. 8:1, 7!). They do not even know how to pray as they ought (Rom. 8:26). They owe their standing to God's kindness and will maintain it only as they "continue in his kindness" (11:22).⁷⁰

It is typical of Paul to qualify statements of his own accomplishments with a telling "Yet not I":

But by the grace of God I am what I am, and his grace toward me was not in vain. On the contrary, I worked harder than any of them, though it was not I, but the grace of God which is with me. (1 Cor. 15:10)

In Christ Jesus, then, I have reason to be proud of my work for God. For I will not venture to speak of anything except what Christ has wrought through me to win obedience from the Gentiles, by word and deed. (Rom. 15:17-18; cf. 2 Cor. 12:11)

His appointment to apostleship was made by divine grace (Rom. 1:5; 15:15-16; Gal. 1:15-16; 2:9), and grace made his work effective (1 Cor. 3:5, 10; 2 Cor. 1:12; cf. Gal. 2:8). His competence was from God, not

68. Cf. Hooker, *Pieces*, 27-28.

69. Cf. Gundry, "Grace," 8-10.

70. None of these texts implies passivity or indolence on the part of Christians; the point is simply Paul's insistence that God is "at work" in whatever a believer does. Cf. Lyonnet, "Gratuité," 107-110; Deidun, *Morality*, 51-84.

himself (2 Cor. 3:5); he dared not rely on himself, but only on God (1:9). He was an earthen vessel; power came from God, not himself (4:7). His very weakness gave God the opportunity to display the power of Christ within him (12:9-10).

Modesty, true or false, will not explain the almost wearisome way in which Paul protests his impotence; nor does it account for his insistence on the impotence of others. We are dealing with specifically Pauline dogma. **If the above texts mean anything, they prove that an emphasis on divine grace as opposed to human achievement is a genuine Pauline concern, not one foisted upon him by Reformation interpreters.** Judaism knows much of divine grace; its view of humanity's plight, however, is less drastic than Paul's and, as a result, it does not speak in Paul's exclusive language of the need for divine grace. Paul's convictions on both scores were formulated in the light of the cross of Christ. Held throughout his ministry, these convictions found their most memorable expression when Paul, responding to the controversy surrounding the admission of Gentiles to the Church, declared his doctrine of justification for Jews and Gentiles alike by faith in Jesus Christ, apart from the works of the law.

iv. The Exclusion of Boasting

In the opening chapters of Romans, Paul has shown that the law promises life to those who do its commands, but that sin has left the world guilty before God; justification, however, is available by God's grace as a gift to those who believe in Jesus Christ. Paul continues: "Then what becomes of our boasting? It is excluded. On what principle (*diapoiou nomou*)? On the principle of works? No, but on the principle of faith" (3:27).

Paul's use of *nomos* in this controversial verse was discussed in the preceding chapter. The *nomos* of works here excluded is best seen as the law of Moses which demands works; note how, in the summary of Paul's argument in verse 28, the "works" of the Mosaic law are indeed said to be excluded from the process of justification. *Nomos pisteōs* is perhaps best rendered "principle of faith," though Paul uses the ambiguity of Greek *nomos* to form a pointed, polemical contrast with the Mosaic order.

But what "boasting" is excluded? What "boasting" would be legitimate if righteousness were indeed achieved under a law demanding works, but is ruled out since righteousness can only be gained under

the "principle of faith"? The answer seems clear. "Boasting" may be appropriate if something has been done to warrant it; if, however, "works" are excluded and divine grace is the sole basis for justification, then no place is left for human "boasting."

That "boasting" in one's achievements is uppermost in Paul's mind is apparent from the opening verses of Romans 4. Abraham would have had "something to boast about" if he had been "justified by works" (v. 2); obviously the exclusion of "boasting" in 3:27 is being picked up and developed. But Abraham has nothing to boast about, for he was counted righteous because of his faith (4:3), and faith is the mark of the "one who does not work but trusts him who justifies the ungodly" (v. 5). God would have to respond to "works" by rewarding the worker, not according to divine grace (*kata charin*), but according to the worker's own "due" (*kata ophelēma*, v. 4); such a righteousness leaves the "one who works" with grounds for boasting. But these are eliminated when justification is by faith.

To this brief review of a crucial passage, three comments must be added:

1. The only "boasting" mentioned in Romans before 3:27 is that of Jews in their possession, not their observance, of the divine law (2:17, 23). Hence a number of scholars believe that this is the boasting Paul excludes in 3:27.⁷¹ Confirmation of the view is found in 3:29: if justification were by the Jewish law, Jews could boast of its possession while Gentiles would be without hope; since, however, God is the God of Gentiles as well as Jews, justification must be available on the same terms (i.e., faith) for both, and Jews can no longer boast of their possession of the law. That Paul's argument in chapter 2 precludes such boasting is clear enough, and it is possible that its exclusion is part of what he has in mind in 3:27 as well. But the progression of his argument as outlined above, and especially the way in which he develops the exclusion of boasting in 4:1-5, show that the primary emphasis is on boasting of one's achievements.⁷²

2. Rom. 4:2 ends in an ambiguous phrase: "For if Abraham was justified by works, he has something to boast about, but not before God (*ou pros theon*)."⁷³ The words are sometimes taken⁷³ as implying that

71. Cf. Räisänen, *Law*, 170-171; Sanders, *Law*, 33.

72. Eph. 2:9 can at least be said to support this interpretation. For the connection between Rom. 3:28 and 29, see Käsemann, *Romans*, 104; Beker, *Paul*, 82.

73. E.g., Sanday and Headlam, *Romans*, 99-100.

Abraham's boasting of his achievements would be legitimate before people but illegitimate before God. But this seems unlikely.⁷⁴ How is Paul's argument served by the implication that boasting before people is legitimate? Moreover, such a reading leaves the possibility posed in the opening of verse 2 ("For if Abraham was justified by works . . .") unchallenged before the beginning of verse 3; but verse 3, while intended to support the claim that Abraham was not so justified, does not state the claim that he was not. Logically, then, the final words of verse 2 must be Paul's emphatic way of denying the truth of the supposition just proposed: "It is not so in God's eyes (*pros theon*)," "God does not see the matter so, for what does the scripture say? . . ." Underlying the emphatic denial is Paul's revulsion at the very suggestion that humans might have any ground for boasting before God.

3. Paul's doctrine of justification by faith thus results in the exclusion of boasting in human achievement. That Paul finds the exclusion appropriate is obvious, given his tenacious insistence on the centrality of divine grace and his explicit condemnation elsewhere of boasting in anything but the "Lord" and his cross (1 Cor. 1:29, 31; 2 Cor. 10:17; Gal. 6:14). But Sanders seems to be correct in finding in the passage in Romans "no indication that Paul thought that the law had failed *because* it leads to the wrong attitude or that his opposition to boasting *accounts* for his saying that righteousness is not by law."⁷⁵ On the contrary, the implication that boasting would be legitimate if "works" had been performed shows that the failure of the law is due to transgressions and not to any self-righteousness and boasting which might have followed on its observance. And this, of course, is precisely the point of Romans 2 and 3.

The story elsewhere in Paul is the same: the failure of the law is attributed to transgressions, not to attitudes which attended its observance. According to Rom. 4:15, the effect of the law is to bring wrath to bear on transgressors (cf. 5:13). According to Rom. 5:20, the introduction of the law multiplied the evil of transgressions. Romans 6 depicts life "under law" as marked, not by self-righteous observance, but by bondage to uncleanness and lawlessness (6:19) and the doing of shameful deeds (v. 21). In Romans 7:5 "sinful passions" are said to be aroused by the law—and the smugness of the "righteous" is not what Paul has in mind! Paul portrays those subject to the law in Ro-

74. Cf. Cranfield, *Romans*, 228; Räisänen, *Law*, 171, n. 56.

75. Sanders, *Law*, 35.

mans 7 as knowing the good but unable to do it,⁷⁶ and in 8:3 refers to this inability as a mark of the law's "weakness."

In short, Paul nowhere suggests that the law fails because its careful observance leads to self-righteousness and boasting; nor are the latter sins portrayed as characteristic flaws of Jews. Twice Paul refers to the righteousness based on the law which Jews pursue as their "own" righteousness (Rom. 10:3; Phil. 3:9); but this expression reflects the conviction that the law requires of its subjects personal obedience to its commands, whereas the righteousness of faith comes from God (*ek theou*, Phil. 3:9) as a gift of his grace. One's "own" righteousness thus need not imply self-righteousness; nor can such righteousness, commanded by God's law, be inherently wrong. What is wrong, of course, is the pursuit of the law's righteousness now that Christ has come and revealed God's righteousness through faith, thus bringing to an end the role of the law as a possible path to life (Rom. 10:4).

Paul does not fault the law with leading to self-righteousness and boasting. Yet the same message of the cross which demonstrates the folly of human wisdom (1 Cor. 1:20) also declares the bankruptcy of human righteousness (1 Cor. 1:30; Rom. 1:18-3:20); consequently, boasting of human wisdom and righteousness are alike excluded by Paul's gospel (Rom. 3:27; 4:1-5; 1 Cor. 1:30-31). Naturally, the exclusion itself, in Paul's mind, was part of the divine plan. When all humanity has been "consigned" to sin, divine mercy becomes the only basis for life (Rom. 11:32); and this, Paul assures us, was the eternal plan of God, "from" whom, "through" whom, and "to" whom "are all things" (v. 36). God's intention from the beginning was that his unilateral promise, rather than a law which required human compliance, should be the basis of his blessing (Gal. 3:15-18; Rom. 4:13-16). Not human "will" or "exertion," but divine "mercy" is, and has always been, the principle by which men and women stand before God (Rom. 9:16). Thus, though on one level the law "failed" because of human transgressions, on another level that very failure formed a part of God's design with the law. To a fuller consideration of Paul's view of that plan we turn in Chapter Nine.

But here we must conclude with an acknowledgment of Paul's achievement. It is to the apostle that we owe the characterization of

76. For Bultmann's interpretation of Romans 7 (Bultmann, "Anthropology," 147-157), see my "Letter," 232-233, 237-239.

salvation as the sheer gift of God's grace in Christ. Christian faith, for Paul, is merely a response to that grace; Paul distinguishes it from human "works." It is Paul's view that the law demands "works" as its condition for life, and Paul's explanation that the law failed as a path to human life because of universal human sin. That justification by grace through faith demonstrates the inadequacy of human righteousness and excludes human boasting are conclusions drawn by the apostle Paul.

Christians of different ages and traditions have varied in the weight they have assigned to these convictions. Where they are prominent—as they are, above all, in Martin Luther—the reading of Paul is inevitably the reason. There is more of Paul in Luther than many twentieth-century scholars are inclined to allow.

But the insights of the "new perspective" must not be lost to view. Paul's convictions need to be identified; they must also be recognized as Christian theology. When Paul's conclusion that the path of the law is dependent on human works is used to posit a rabbinic doctrine of salvation by works, and when his claim that God's grace in Christ excludes human boasting is used to portray rabbinic Jews as self-righteous boasters, the results (in Johnsonian terms) are "pemicious as well as false." When, moreover, the doctrine of merit perceived by Luther in the Catholicism of his day is read into the Judaism of the first Christian centuries, the results are worthless for historical study. Students who want to know how a rabbinic Jew perceived humanity's place in God's world will read Paul with caution and Luther not at all. On the other hand, students who want to understand Paul but feel they have nothing to learn from a Martin Luther should consider a career in metallurgy. Exegesis is learned from the masters.