

The New Perspective on Paul: An Introduction for the Uninitiated

James A. Meek

The “New Perspective on Paul” has prompted a major reevaluation of a long-held scholarly consensus on the main outlines of Pauline theology and, with it, a reevaluation of first-century Judaism and Paul’s treatment of it. Much of this discussion arises from the publication in 1977 of E. P. Sanders’ influential *Paul and Palestinian Judaism*.¹ In it, Sanders not only challenges a widely held scholarly consensus, but the foundation of the faith of the Reformation. Predictably, his work has been subjected to considerable evaluation, elaboration, and criticism. The purpose of this paper is to summarize views of several key figures² in this discussion and to indicate something of what may be at stake.

Reevaluation of Paul and of Palestinian Judaism: E. P. Sanders

Sanders begins by surveying the understanding of Judaism in New Testament scholarship. The view of Weber, who understood Judaism as a legalistic religion, has been repeated (if modified in detail) by influential scholars such as Bousset, Billerbeck, and Bultmann. These scholars held that in Judaism “one’s fate is determined by weighing fulfillments of the law against transgressions” and that there is therefore “uncertainty of salvation mixed with the self-righteous feeling of accomplishment.”³ This view has not been unopposed, particularly by scholars such as Moore, Montefiore, and Sandmel:

The general Christian view of Judaism, or of some part of it, as a religion of legalistic works-righteousness goes on.... One of the intentions of the present chapter, to put the matter clearly, is to destroy that view...by showing that the Weber/Bousset/Billerbeck view, as it applies to Tannaitic literature, is based on a massive perversion and misunderstanding of the material.⁴

¹E. P. Sanders, *Paul and Palestinian Judaism*, (Minneapolis: Fortress, 1977).

²Many important figures could be added. The omission of any participant in this discussion in no way reflects on the author’s estimate of their importance, but only on the author’s desire to make the views of several key contributors accessible to others.

³Sanders, *Paul and Palestinian Judaism*, 54.

⁴Ibid., 59.

Dr. James A. Meek is Assistant Professor of Bible and Associate Dean for Academics at Covenant Theological Seminary in St. Louis, MO. Dr. Meek presents one evaluation of the “new perspective on Paul”; the next article by Dr. A. Andrew Das gives another view.

Most comparisons of Paul and Judaism have been comparisons of “reduced essences” or of “individual motifs.”⁵ Sanders finds these “inadequate” and proposes instead “to compare an entire religion, parts and all, with an entire religion, parts and all,” that is a “pattern of religion.”⁶

A pattern of religion, defined positively, is the description of how a religion is perceived by its adherents to *function*. “Perceived to function” has the sense not of what an adherent does on a day-to-day basis, but of *how getting in and staying in are understood*: the way in which a religion is understood to admit and retain members is considered to be the way it “functions.”⁷

To discover the “pattern of religion” found in first-century Palestinian Judaism, Sanders examines not only the early Rabbinic (Tannaitic) literature, but also the Dead Sea Scrolls, and a selection of the Apocryphal and Pseudepigraphical writings (Ben Sirach, 1 Enoch, Jubilees, the Psalms of Solomon, and 4 Ezra).

Sanders concedes that the Tannaitic literature pays a great deal of attention to the commandments of God, including such questions as their proper application, on whom each commandment is laid, and when each commandment should be regarded as fulfilled. This, however, does not constitute Judaism as a legalistic religion. Looking more closely Sanders finds that underneath the disagreement concerning the details of obeying these commands is “agreement on a vast number of principles.”⁸ In addition, he seeks to “ask what religious motives drove the Rabbis to such a detailed and minute investigation of the biblical commandments.”⁹

Sanders finds that “the bulk of the halakic material deals with the elaboration and definition of Israel’s obligation to God under the covenant.”¹⁰ Sanders does not find frequent mention of the covenant in the halakic materials, nor does he think that it is necessary for him to do so. It is sufficient that he finds the covenant presupposed throughout. As he says of the more narrow question of God’s role in the covenant, “it is assumed so thoroughly that it need not be mentioned.”¹¹ “It is the fundamental nature of the covenant conception which largely accounts for the relative scarcity of appearances of the term ‘covenant’ in Rabbinic literature.”¹²

Thus the starting place is God’s election of Israel and His covenant with Israel. In some places the literature ascribes this election entirely to

⁵Ibid., 12.

⁶Ibid., 16.

⁷Ibid., 17.

⁸Ibid., 81.

⁹Ibid.

¹⁰Ibid., 82.

¹¹Ibid.

¹²Ibid., 421.

God's mercy, while in others, there seems to be some merit (actual or foreseen) in Israel that prompts the election. There is finally "no clear answer" to the question of why Israel was elect.¹³ In any case, "grace and merit did not seem to [the Rabbis] to be in contradiction."¹⁴ It is clear, however, that the election and covenant (the means of "getting in") precede the giving of the commandments (the means of "staying in"). Israel does not obey the commandments in order to obtain salvation. Salvation is the substance of the election and covenant. God's fulfillment of the covenant is not dependent on fulfilling the commandments.¹⁵ However, for individual Israelites, "God made the condition for remaining in the covenant the free intent to obey the commandments...."¹⁶ This, then, is what Sanders calls "covenantal nomism."

Briefly put, covenantal nomism is the view that one's place in God's plan is established on the basis of the covenant and that the covenant requires as the proper response of man his obedience to its commandments, while providing means of atonement for transgression.¹⁷

Obedience to the commandments is therefore required, or at least, the *intent* to obey. Despite the exhaustive enumeration of the commandments and the details of their observance, Judaism did not conceive of the Law as a burden, but as a blessing.¹⁸ God rewards obedience and punishes disobedience, both in this life and in the life to come, but God's mercy prevents the application of a precise *quid pro quo*.

The Rabbis never said that God is merciful in such a way as to remove the necessity of obeying him, but they did think that God was merciful toward those who basically intended to obey, even though their performance might have been a long way from perfect.¹⁹

Sanders can find no evidence that the Tannaitic literature supports the notion of "weighing" acts of obedience and transgression.²⁰ Salvation belongs to all those who are in the covenant. It is only the worst sinners, those who sin with the intention of denying God or "cast off the yoke," who exclude themselves from the world to come.²¹ All others are saved by their

¹³Ibid., 99.

¹⁴Ibid., 100.

¹⁵Ibid., 95.

¹⁶Ibid., 93.

¹⁷Ibid., 75.

¹⁸Ibid., 110.

¹⁹Ibid., 125. Cp. "No rabbi took the position that obedience must be perfect." (*Paul, the Law, and the Jewish People* [Minneapolis: Fortress, 1983], 28).

²⁰Ibid., 138-147.

²¹Ibid., 134.

intent to obey and by atonement through sacrifice,²² suffering,²³ death,²⁴ and repentance (the “cure for non-obedience is repentance”²⁵). Repentance, however, “is not a ‘status-achieving’ activity by which one initially courts and wins the mercy of God. It is a ‘status-maintaining’ or ‘status-restoring’ attitude which indicates that one intends to remain in the covenant.”²⁶

Sanders has drawn particular attention for his treatment of texts which speak of the perceived remoteness of God and of the believer’s sense of unworthiness. Sanders argues that these passages do not support the view that first-century Judaism was a legalistic religion in which adherents were chronically uncertain of their final destiny. A “change of tone” in such texts is hardly “surprising.”

When someone is debating about the definition of a commandment, he naturally talks as if religion is under his control. But when, in prayer, he feels himself before his God, he is impressed by his own worthlessness and recognizes his reliance on grace.²⁷

Sanders’ conclusions regarding the Tannaitic literature are confirmed by his examination of the Dead Sea scrolls, as well as of selections from the Apocrypha and Pseudepigrapha. The overall portrayal of the “pattern of religion” in these materials is essentially the same, a “covenantal nomism” in which Israel owes its irrevocable election to the grace of God. By means of this gracious covenant, all Israel (except those who deliberately cast off the yoke of the covenant) will be saved. Works are necessary, not as means by which one obtains a relationship with God or earns one’s salvation, but as the means by which one maintains his position in the covenant community. Works, therefore, are not the means of “getting in,” but of “staying in.”

Sanders’ Reevaluation of Paul

With his portrayal of first-century Judaism in hand, Sanders turns to examine the apostle Paul. Again he seeks to discern the “pattern of religion,” how “getting in” and “staying in” are understood. Sanders takes as his sources the seven letters whose authenticity is unquestioned in contemporary scholarship: Romans, 1 and 2 Corinthians, Galatians, Philippians, 1 Thessalonians, and Philemon. The “speeches in Acts which are attributed to Paul cannot be used as a source for his thought.”²⁸ In practice, Sanders’ canon is even more severely circumscribed: Romans,

²²Ibid., 157-159.

²³Ibid., 168.

²⁴Ibid., 172.

²⁵Ibid., 112.

²⁶Ibid., 178.

²⁷Ibid., 224.

²⁸Ibid., 432.

Galatians, and, to a lesser extent, Philippians, carry the weight of the argument. While less than one-quarter of *Paul and Palestinian Judaism* was devoted to Paul, we now have as well Sanders' further elaboration of Paul's position in *Paul, the Law, and the Jewish People*.²⁹

Sanders begins by looking for the center of Paul's theology. Following Schweitzer, Sanders argues that the center of Paul's theology is not righteousness by faith.³⁰ Among other concerns, this doctrine does not provide any clear connection to such clearly Pauline emphases as ethics, the Sacraments, the gift of the Spirit, and participation "in Christ."³¹ Instead,

There appear to me to be two readily identifiable and primary convictions which governed Paul's Christian life: (1) that Jesus Christ is Lord, that in him God has provided for the salvation of all who believe (in the general sense of "be converted"), and that he will soon return to bring all things to an end; (2) that he, Paul, was called to be the apostle to the Gentiles.³²

It has commonly been believed that Paul's starting point was the plight of sinners before a holy God. In Romans, for example, Paul seemingly begins with the plight of humankind in sin and moves from that plight to an understanding of the solution God has provided.³³ Texts such as Romans 7 are alleged to demonstrate that on some level Paul had been dissatisfied with his life as a practicing Jew.³⁴ Sanders argues for a different reading of the structure of Romans and appeals to Philippians 3 to demonstrate that Paul did not, prior to his experience on the Damascus Road, understand himself to be in a plight from which he needed salvation.

The point is made explicitly in Gal. 2:21: if righteousness could come through the law, Christ died in vain.... If his death was *necessary* for man's salvation, it follows that salvation cannot come in any other way and consequently that all were, prior to the death and resurrection, in need of a saviour. There is no reason to believe that Paul felt the need of a universal saviour prior to his conviction that Jesus was such.³⁵

Put another way, Paul did not preach about men, but about God. It is true that, in the press of explaining the implications of his gospel, he comes closer to working out what can be called an "anthropology" than any other New Testament author, but that is *only the*

²⁹E. P. Sanders, *Paul, the Law, and the Jewish People*.

³⁰Sanders, *Paul and Palestinian Judaism*, 439.

³¹*Ibid.*, 492.

³²*Ibid.*, 442.

³³*Ibid.*

³⁴*Ibid.*, 443.

³⁵*Ibid.*

implication of his theology, Christology, and soteriology. It is not worked out for its own sake, for man's plight does not seem to be primarily what Paul preached about.³⁶

Paul's central theme, then, is not the death of Christ which atones for sin, but the *resurrection* of Christ in which believers participate by faith.³⁷ (Sanders grants that Paul understood the death of Christ to be expiatory, but sees this as part of the common tradition Paul shared with the earliest Christian preaching. "Men's transgressions do have to be accounted for; God must overlook them or Christ must die to expiate them; but they do not *constitute* the problem"³⁸ for which Paul's soteriology provides the solution.) Rather the theme of participation in Christ entails the hope of a full salvation in the future³⁹ and the present possession of the Spirit⁴⁰ by virtue of being part of Christ's body, expressed by the characteristic Pauline formula "in Christ."⁴¹ This, then, "is the theme, above all, to which Paul appeals both in parenthesis and polemic,"⁴² providing the link between soteriology and ethics that Sanders finds wanting in the traditional forensic doctrine of justification. To be sure, Paul uses the forensic language of "justification" (or as Sanders sometimes prefers, "to be righteoused"), but this is merely one set of terms (alongside the participationist terminology) that describe the "*transfer* to being Christian."⁴³ In fact, "Paul's 'juristic' language is sometimes pressed into the service of 'participationist categories,' but never vice versa."⁴⁴ It is the "participationist categories... [which] no doubt...tell us what Paul really thought."⁴⁵ "The dominant conception here is the transfer from one *lordship* to another."⁴⁶ Sin, in this way of thinking, is not conceived primarily as guilt, but more as a power from which believers must be set free.⁴⁷ It is not guilt which condemns, but participation in unions "which are not compatible with union with Christ."⁴⁸

What, then, of the Law, which figures so prominently in Judaism? Paul never appeals to the coming of the Messiah as a reason that the Law is no longer valid (as W. D. Davies has suggested).⁴⁹ Nor does Paul reason (as Bultmann and many others) that human beings are inherently unable

³⁶Ibid., 446.

³⁷Ibid., 446, 465.

³⁸Ibid., 500.

³⁹Ibid., 448-450.

⁴⁰Ibid., 450.

⁴¹Ibid., 453-463.

⁴²Ibid., 456.

⁴³Ibid., 463-472.

⁴⁴Ibid., 503.

⁴⁵Ibid., 507.

⁴⁶Ibid., 497.

⁴⁷Ibid., 453.

⁴⁸Ibid., 503.

⁴⁹Ibid., 480.

to keep the Law⁵⁰ and/or that even the attempt to pursue righteousness by Law is itself sin, because it necessarily leads to boasting of human accomplishment before God.⁵¹ Paul's argument does not derive from an analysis of the human condition at all. Even Romans 1-3 does not, in Sanders' view, describe what is wrong with humankind, but only demonstrates the need of a Savior.⁵² The only "defect" in the Law is this: "If the death and resurrection of Christ provide salvation, and receiving the Spirit is the guarantee of salvation, *all other means are excluded by definition.*"⁵³ This then leads to Sanders' oft-cited assertion that "this is what Paul finds wrong in Judaism: it is not Christianity."⁵⁴ Or, more broadly, "the point is that *any true religious goal*, in Paul's view, can only come through Christ."⁵⁵ Paul's calling as apostle to the Gentiles plays a key role: "It is the Gentile question and the exclusivism of Paul's soteriology which dethrone the law...."⁵⁶

Sanders expounds his view perhaps more simply under four heads in *Paul, the Law, and the Jewish People*. First, "the law is not an entrance requirement."⁵⁷ The question in Galatians 3 (and other texts) is "the condition on which Gentiles enter the kingdom of God."⁵⁸ Paul's opponents were contending that "the Gentile converts could enter the people of God only on condition that they were circumcised and accepted the law."⁵⁹ Paul's reply, and Sanders', is that entrance to the people of God is "not by works of the law." There is thus a formal similarity here between Paul and Palestinian Judaism: neither understood obedience to the Law as the means by which one could establish a relationship with God. (Of course, the similarity is merely formal since for Judaism, entrance was by election to the covenant, whereas for Paul entrance is by participation in Christ through faith.) The works of the Law cannot "righteous" because one can only be "righteoused," i.e., participate in Christ, by faith.

Second, if the Law is not an entrance requirement, what then is its purpose? Sanders finds that Paul makes several "attempts" at this question and that his answers are not entirely "harmonious" or "satisfactory."⁶⁰ There are, however, common threads in these divergent attempts: first, that God always intended to save in another way (i.e., by faith rather than works); and, second, that through the Law, God puts all humanity under the Law and sin.⁶¹

⁵⁰Sanders, *Paul, the Law, and the Jewish People*, 23.

⁵¹Sanders, *Paul and Palestinian Judaism*, 481-482.

⁵²Ibid., 501.

⁵³Ibid., 484.

⁵⁴Ibid., 552.

⁵⁵Ibid., 505.

⁵⁶Ibid., 497.

⁵⁷*Paul, the Law, and the Jewish People*, 17-48.

⁵⁸Ibid., 18.

⁵⁹Ibid., 18.

⁶⁰Ibid., 81, 86.

⁶¹Ibid., 81.

Third, Sanders contends that, even though Christians are not under the Law, Paul expects the Law to be fulfilled by them.⁶² Here Sanders' distinction between "getting in" and "staying in" comes into his discussion of Paul. As in Judaism, while the Law is not the means of "getting in," it is the expectation for those who would "stay in." Paul is, in Sanders' view, inconsistent in his application of the Law to Christians. "Paul did not work out a full halakic system, rulings seem to be ad hoc, and many of them may have come as a surprise to his converts...."⁶³ "Paul...never makes a theoretical distinction with regard to what aspects of the law are binding...."⁶⁴ Yet Paul wound up "deleting circumcision, Sabbath, and food laws from 'the whole law' and 'the commandments of God.'"⁶⁵

Finally (and much more briefly), although he elsewhere rejects a redemptive-historical explanation for Paul's view of the Law,⁶⁶ Sanders recognizes that there is a certain redemptive-historical development in Paul.

He thus knows about two righteousnesses. The difference between them is not the distinction between merit and grace, but between two dispensations. There is a righteousness which comes by law, but it is now worth nothing because of a different dispensation. *Real* righteousness (the righteousness of, or from God) is through Christ. It is this concrete fact of *Heilsgeschichte* which makes the other righteousness wrong, not the abstract superiority of grace to merit.⁶⁷

It is clear from the subsequent discussion that Sanders' influence has been considerable, both in shaping perceptions of Palestinian Judaism and of Paul. Thankfully, we are not left to come to terms with Sanders on our own. Many have responded to his work and we will now turn attention to several of his respondents.

Response to Sanders' Judaism:

Jacob Neusner

Jacob Neusner has offered a substantial and vigorous critique of Sanders' use of the Jewish literature. Although Neusner professes considerable respect for Sanders' goals (particularly his "apologia for ancient Judaism in the face of centuries-old Christian hostility"⁶⁸) and for many of

⁶²Ibid., 93.

⁶³Ibid., 95.

⁶⁴Ibid., 96.

⁶⁵Ibid., 103.

⁶⁶Ibid., 503.

⁶⁷Ibid., 140.

⁶⁸Jacob Neusner, *Judaic Law from Jesus to the Mishnah: A Systematic Reply to Professor E. P. Sanders* (Atlanta: Scholars Press, 1993), x. (Hereafter *Judaic Law*).

his insights, he vigorously challenges Sanders' approach to working with the Tannaitic literature and characterizes Sanders' work in terms such as "worthless," "ignorant," "profoundly flawed," and "intellectually rather vulgar."⁶⁹

First, Neusner charges that Sanders ignores very difficult problems involved in interpreting the texts. The Mishnah and Talmud date from one to five centuries after the period Sanders wishes to describe. While it may be assumed that these documents reflect in some way the concerns and issues faced by those who recorded them in their present form, it is not immediately evident that they accurately represent Judaism of the first century. Attribution of a saying or story to a first-century rabbi is no guarantee that this particular rabbi actually said or did what was attributed to him, nor can we safely assume that we know enough of that situation to be certain what the rabbi meant to say or do and how we are to interpret it. As Neusner notes, "Sanders therefore works on rabbinical documents in ways in which he would not imagine dealing with New Testament ones."⁷⁰ Neusner's own view is that "in historical study what we cannot show, we cannot know."⁷¹ Neusner clearly does not believe that Sanders has adequately demonstrated that his "Palestinian Judaism" actually represents the Judaism of first-century Palestine.

Nor is it clear that there is a single "Judaism" of the first century. Neusner charges that Sanders is insensitive to the diversity of Judaism over both time and space. Approaching the question sociologically, Neusner finds that there is not one "Judaism," but only "Judaisms."⁷² The assumption of a single, uniform "Judaism" "in fact fabricates a single, palpable social entity where, in antiquity and today, none existed or now exists.... Jews lived all over the world; they did not have a single language in common, and by the criteria of economics, on the one side, or politics on the second, or shared culture on the third, nothing bound them together."⁷³ Thus, "if documents came to closure over a period of half a millennium, as they did, how can we treat them all as essentially homogenous and representative of a single 'Judaism'—and forthwith assign the provenance of that 'Judaism' to the first century?"⁷⁴ Further, while it may be possible to identify factors that various "Judaisms" held in common, this "lowest common denominator"

⁶⁹Jacob Neusner, "E. P. Sanders *Paul, the Law, and the Jewish People*," in Jacob Neusner, *Ancient Judaism: Debates and Disputes*, Brown Judaic studies, no. 64, 1994. (Hereafter, "Sanders")

⁷⁰"Sanders," 200. Neusner summarizes the concerns raised by Philip S. Alexander against the conventional treatment of Judaic sources by New Testament scholars ("Rabbinic Literature and the New Testament," *Zeitschrift für die neutestamentliche Wissenschaft*, 74 [1983] 237-246): (1) the state of the texts; (2) the interpretation of the texts; (3) dating of the texts; (4) accuracy of attributions in the texts; (5) literary and form-critical concerns; (6) anachronism; (7) parallelomania.

⁷¹Neusner, *Judaic Law*, 265.

⁷²*Ibid.*, 51.

⁷³*Ibid.*, 2.

⁷⁴"Sanders," 200.

is of little interest: "For what each Judaic system had in common with others proves, as we shall see, systematically inert, hardly active, let alone definitive, in setting forth what to any given Judaism proved its critical point...what was a given to all systems gave life and power to none of them."⁷⁵

In addition to these important methodological concerns, Neusner finds Sanders' actual interpretation of the texts themselves to be wanting. The categories Sanders uses to describe Judaism are not categories offered by the texts themselves. Sanders has tried so hard to identify the common concerns that he supposes must underlie the extant documents, that he appears to ignore what these documents themselves actually treat as important. Neusner, for example, argues that the Mishnah is silent on the covenant and election, not because these are so thoroughly assumed that they need not be mentioned, but because it wishes instead to speak of other things.⁷⁶ The argument from silence is always a dangerous one.

But Sanders, according to Neusner, has "a rich capacity to make up distinctions and definitions as he goes along, then to impose these distinctions and definitions upon sources that, on the face of it, scarcely sustain them."⁷⁷ As a result, Sanders has, as much as his traditional opponents, imported categories foreign to the Jewish materials, rather than letting his understanding of Judaism develop organically from those materials.⁷⁸

Neusner also differs with Sanders on the interpretation of many particular texts in the literature. Sanders "time and again reads out of context and or simply does not understand at all...."⁷⁹ "He constantly alludes to passages that he does not present and analyze, and he imputes to said passages positions and opinions that are not obvious to others who have read the same passages; we are left only with his claims."⁸⁰

Finally, Neusner points out a striking omission from Sanders' documentary study of Palestinian Judaism: the Old Testament.

I do not understand why Sanders does not begin his work of description with an account of the Old Testament legacy available to all the groups under discussion as well as with an account of how, in his view, each group receives and reshapes that legacy.... It seems to me natural to give the Old Testament a central place in the description of any system resting upon an antecedent corpus of such authority as the Mosaic revelation and the prophetic writings.⁸¹

⁷⁵Neusner, *Judaic Law*, 53.

⁷⁶*Ibid.*, 235-236.

⁷⁷*Ibid.*, 250.

⁷⁸"Sanders," 195.

⁷⁹Neusner, *Judaic Law*, 270.

⁸⁰*Ibid.*, 268, note 16.

⁸¹*Ibid.*, 238.

Even if one makes some allowance for the emphatic tone of Neusner's critique, there remain serious questions about Sanders' treatment of the sources and the construction of first-century Palestinian Judaism that he derives from them. These questions must be satisfactorily answered before Sanders' reconstruction of the Palestinian Judaism of Paul's day can be taken as established.

Response to Sanders' Paul

James D. G. Dunn

In a number of important articles,⁸² James Dunn has responded to issues raised by Sanders' work. Dunn greatly appreciates Sanders' characterization of first-century Palestinian Judaism as "covenantal nomism." Freed from the assumption that Paul was combating a legalistic understanding of Jewish religion,

Sanders has given us an unrivalled opportunity to look at Paul afresh, to shift our perspective back from the sixteenth century to the first century, to do what all true exegetes want to do—that is, to see Paul properly within his own context, to hear Paul in terms of his own time, to let Paul be himself.⁸³

What Sanders has failed to do, however, is to capitalize on his own great achievement:

Instead of trying to explore how far Paul's theology could be explicated in relation to Judaism's "covenantal nomism," he remained more impressed by the *difference* between Paul's pattern of religious thought and that of first-century Judaism.⁸⁴

But this presentation of Paul is only a little better than the one rejected. There remains something very odd in Paul's attitude to his ancestral faith. The Lutheran Paul has been replaced by an idiosyncratic Paul who in arbitrary and irrational manner turns his face against the glory and greatness of Judaism's covenant theology and abandons Judaism simply because it is not Christianity.⁸⁵

⁸²Dunn's essential articles on this subject have been collected in *Jesus, Paul and the Law: Studies in Mark and Galatians* (Louisville: Westminster/John Knox Press, 1990). See also his reply to questions raised by C. E. B. Cranfield in "Yet Once More—The Works of the Law: A Response," *Journal for the Study of the New Testament* 46 (1992): 99-117.

⁸³Dunn, *Jesus, Paul and the Law*, 186.

⁸⁴*Ibid.*, 186.

⁸⁵*Ibid.*, 187.

What Sanders has missed, according to Dunn, is “the significance of the little phrase ‘works of the law’.”⁸⁶ Dunn argues that this phrase does not refer to all that the Law requires, but to “particular observances of the law like circumcision and the food laws”⁸⁷ and the sabbath. “We know that just these observances were widely regarded as characteristically and distinctively Jewish,”⁸⁸ both by Jews and non-Jews alike.

These identity markers identified Jewishness because they were seen by the Jews themselves as fundamental observances of the covenant. They functioned as badges of covenant membership. A member of the covenant people was, by definition, one who observed these practices in particular.⁸⁹

Given this axiomatic tie-up between these particular regulations of the law and covenant membership, it is no exaggeration to say that for the typical Jew of the first century AD, particularly the Palestinian Jew, *it would be virtually impossible to conceive of participation in God’s covenant, and so in God’s covenant righteousness, apart from these observances, these works of the law.*⁹⁰

These “identity markers” point up “the social function of the law.”⁹¹ (Although in earlier articles Dunn seemed to say that “works of the law” referred only to these identity markers, he has more recently denied that these ritual observances are meant to the exclusion of the rest of the Law. Rather, these “become fundamental in the sense of epitomizing or crystallizing the distinctiveness of the group which espouses them,”⁹² like believers’ baptism for Baptists, or speaking in tongues for Pentecostals.)

The dispute in Galatians was a dispute over these identity markers, the boundaries that define the covenant people,⁹³ a dispute that finally persuaded Paul that justification by faith and covenantal nomism were mutually exclusive.

“Works of law,” “works of the law” are nowhere understood, either by his Jewish interlocutors or by Paul himself, as works which *earn* God’s favour, as merit-amassing observances. Rather they are seen as *badges*: they are simply what membership of the

⁸⁶Ibid., 201.

⁸⁷Ibid., 191.

⁸⁸Ibid.

⁸⁹Ibid., 192.

⁹⁰Ibid., 193.

⁹¹Ibid., 216-219.

⁹²Cranfield, “Yet Once More,” 101.

⁹³From a survey of usage of Ἰουδαϊζέειν (Gal. 2:14) outside the New Testament, Dunn concludes that the term refers to the range of possible degrees of assimilation to Jewish customs,” up to, and sometimes including, circumcision (*Jesus, Paul and the Law*, 149).

covenant people involves, what mark out the Jews as God's people; given by God for precisely that reason, they serve to demonstrate covenant status. They are the proper response to God's covenant grace, the minimal commitment for members of God's people. In other words, Paul has in view precisely what Sanders calls "covenantal nomism." And what he denies is that justification depends on "covenantal nomism," that God's grace extends only to those who wear the badge of the covenant.⁹⁴

While Sanders' work has called into question whether Jews would have seen covenantal nomism and justification by faith as antithetical, Dunn argues that the evidence of Galatians makes it clear that other Jewish Christians had not perceived any conflict between them.⁹⁵ Paul's distinctive contribution is that he recognized this antithesis.

Paul's point is precisely that these two *are* alternatives—justification by works of law and justification by faith in Jesus are antithetical opposites. To say that God's favourable action towards anyone is dependent in any degree on works of the law is to *contradict* the claim that God's favour depends on faith, faith in Jesus Christ.⁹⁶

This antithesis is not an antithesis between faith and works generally, nor even between faith and ritual. "What he is concerned to exclude is the *racial* not the *ritual* expression of faith; it is *nationalism* which he denies not *activism*."⁹⁷ Thus Paul excludes (Rom. 3:27ff.) "boasting in Israel's special relationship with God through election, the boasting in the law as the mark of God's favour, in circumcision as the badge of belonging to God," not "boasting in self-achievement or boasting at one's good deeds."⁹⁸

Dunn finds the genesis of this conviction in Paul's conversion experience on the road to Damascus. The heart of that experience was his call to preach to the Gentiles, which meant a redefinition of the covenant people to include the Gentiles.⁹⁹ Contrary to the Reformation tradition, Dunn finds "the leading edge of Paul's theological thinking was the conviction that God's purpose embraced Gentile as well as Jew, not the question of how a guilty man might find a gracious God."¹⁰⁰

⁹⁴Ibid., 194.

⁹⁵Ibid., 99. "Given that in Jewish self-understanding covenantal nomism is *not* antithetical to faith, then at this point the only change which the new movement calls for is that the traditional Jewish faith be more precisely defined as faith in Jesus Messiah" (ibid., 196).

⁹⁶Ibid., 194.

⁹⁷Ibid., 198.

⁹⁸Ibid., 200-201, 238.

⁹⁹Ibid., 99.

¹⁰⁰Ibid., 232.

According to Dunn, Paul's argument in Galatians 3:10ff. is that:

Christ in his death had put himself under the curse and outside the covenant blessing (cf. Deut. 11:26; 30:19-20)—that is put himself in the place of a Gentile. Yet God vindicated him! Therefore, God is *for* the Gentiles; and consequently the law could no longer serve as a boundary dividing Jew from Gentile. In short, Christ in his death had effectively abolished this disqualification, by himself being disqualified.¹⁰¹

The conclusion, then, is that God accepts Gentiles, as Gentiles, without adoption of the distinctively Jewish identity markers. While this is unsurprising, the implication of this line of reasoning is startling: it seems that Christ died, not to save us from our sins, but merely to clarify a misunderstanding about the intent of the Law and the boundaries of the covenant people.

The curse of the law here has to do primarily with that attitude which confines the covenant promise to Jews as Jews: it falls on those who live within the law in such a way as to exclude the Gentile as Gentile from the promise.... The curse which was removed by Christ's death therefore was the curse which had previously prevented that blessing from reaching the Gentiles, the curse of a wrong understanding of the law. It was a curse which fell primarily on the Jew (3.10; 4.5), but Gentiles were affected by it so long as that misunderstanding of the covenant and the law remained dominant. It was that curse which Jesus had brought deliverance from by his death.¹⁰²

Dunn's observation that "this may seem at first a surprisingly narrow understanding of the redemptive effect of Christ's death" will be seen as something of an understatement to those whose understanding is still shaped by the faith commitments of the Reformation.

In Dunn's view, it is Sanders' failure to perceive the true meaning of "the works of the law," that prevents Sanders from achieving a more satisfactory reading of Paul. For one thing, Sanders would have been "able to give a more adequate account of Paul's more positive attitude to the law" in other contexts. In addition,

... he would not have had to press so hard the distinction between "getting in" (not by doing the law) and "staying in" (by keeping the law), a distinction which seems very odd precisely at Galatians 2:16, where the issue at Antioch was the day-to-day conduct of

¹⁰¹Ibid., 230.

¹⁰²Ibid., 229.

those who had already believed (2.14), and Paul's concern regarding the Galatians is over their ending rather than their beginning.¹⁰³

As always, James Dunn writes with care and immense learning. However, his understanding of the "works of the law" as limited to (or at least focused on) the ceremonial "identity markers" has failed to persuade the majority of other scholars. More seriously, perhaps, his minimizing of the fundamental significance of the death of Christ as only serving to correct a Jewish misunderstanding of the law is profoundly troubling.

Robert H. Gundry

Following the publication of *Paul, the Law, and the Jewish People*, Robert H. Gundry prepared a penetrating review of Sanders' methods, exegesis and conclusions.¹⁰⁴ Gundry expresses appreciation for Sanders' discussion of the primary Jewish material and secondary literature, his concern to account for the whole of these materials, his goal of comparing whole patterns of religion (although Gundry notes that Sanders has not in fact compared patterns of religion but only soteriologies, i.e., "getting in and staying in"),¹⁰⁵ and Sanders' effort to do full justice to evidence of the way in which Palestinian Judaism was actually lived.^{106,107}

The heart of Gundry's argument is that Sanders has failed to pay sufficient attention to evidence for a real disparity between theology and practice in Judaism. "If we exclude the NT and analyze the Jewish literature only *formally*," then we may, says Gundry, find substantial agreement between Paul and Palestinian Judaism.

But if we treat the literatures (Pauline and Palestinian Jewish) *materially*—i.e., if we weigh their emphases—quite a different impression may be gained, an impression of Palestinian Judaism as centered on works-righteousness and of Paul's theology as centered on grace.¹⁰⁸

Gundry, therefore, first questions Sanders' portrait of Palestinian Judaism.

Weighing the materials of Palestinian Judaism shows a preponderance of emphasis on obedience to the law as the way of staying in. The covenant, based on God's elective grace, may be

¹⁰³Ibid., 202.

¹⁰⁴Robert H. Gundry, "Grace, Works, and Staying Saved in Paul," *Biblica* 66 (1985): 1-38.

¹⁰⁵Ibid., 2-3.

¹⁰⁶Ibid., 5.

¹⁰⁷Gundry also notes, however, that Sanders has excluded from a number of potentially relevant materials from consideration: 2 Thessalonians, Colossians, Ephesians, the Pastorals, and passages about Paul in Acts; the targums, Pseudo-Philo [and, for that matter, Josephus] among the Jewish materials.

¹⁰⁸Ibid., 5-6.

presupposed; but it has not prominence (as Sanders admits). Rather, the law is searched, pulled, stretched, and applied. The rabbis start building a fence around it in order that people may not even come close to breaking it.¹⁰⁹

Gundry finds additional evidence for this preoccupation with the Law in Josephus's description of the Jewish sects (curiously omitted by Sanders) and in the attitude toward the Law at Qumran.¹¹⁰ Indeed, the writings of Paul himself must be considered as evidence.

Are we to prefer Paul's interpretation [of Palestinian Judaism] or Sanders'? Paul was closer. He had been a zealous proponent of Palestinian Judaism. His statements not only comment on others in Palestinian Judaism, but also reflect on the nature of his own participation in it (Gal 1, 13-14). To be sure, he converted to Christianity; but conversion does not necessarily blind a person to past realities; so we are not at liberty to say Paul misconstrued his own experience of Judaism.¹¹¹

Even the names applied to the people of God by Palestinian Judaism ("the pious," "the righteous") bring out this preoccupation.¹¹²

Paul's approach is quite different from this preoccupation with legal issues. "Though obedience is integral and important to Paul's theology, alongside Palestinian Jewish absorption in legal questions his comments on obedience look proportionally slight."¹¹³ Paul exhorts more than he expounds or interprets the Law, and he treats the moral aspects of the Old Testament law "as matters of universal obligation."¹¹⁴ When Paul opposes faith and Law, it is not only in regard to "getting in," but also (especially in Galatians) in regard to "staying in."¹¹⁵ When Paul insists on good works, he "makes good works evidential of having received grace through faith, not instrumental in keeping grace through good works."¹¹⁶

...whatever else Paul's phrase "from faith to faith" may mean in Rom 1, 17, it surely means that salvation continues as well as starts on the principle of faith alone, which, as Paul makes clear, excludes works.... for Paul good works are only (but not unimportantly) a sign of staying in, faith being the necessary and sufficient condition of staying in as well as getting in.¹¹⁷

¹⁰⁹Ibid., 6.

¹¹⁰Ibid., 6-7.

¹¹¹Ibid., 36.

¹¹²Ibid. Cf. in Paul "the believers," "the called," "the saints."

¹¹³Ibid., 7.

¹¹⁴Ibid.

¹¹⁵Ibid., 8.

¹¹⁶Ibid., 11.

¹¹⁷Ibid., 35.

It is in this light that Paul can speak of judgment according to works.¹¹⁸ Paul does not (*contra* Sanders) reject Judaism simply because it is not Christianity, but because “the Judaizers’ teaching [is] a *corruption* of grace and faith.”¹¹⁹

Faith and Law, then, are mutually exclusive. Although Gundry agrees with Sanders that there is a salvation-historical reason for this opposition, he argues that this cannot be the whole story. If God always intended salvation to be by faith in Christ for all people, why has faith only recently come (Gal. 3:23ff.)? How is it that not only Abraham was justified by faith prior to the Law, but David was justified by faith (Rom. 4:1ff. and Ps. 32) *during* the period of the Mosaic Law?¹²⁰

Rather, faith and Law are first of all opposed because of “the self-righteousness to which unbelievers who try to keep the law succumb.”¹²¹ In Philippians 3, Paul not only boasts of his status as a Jew, but also of his personal accomplishments within the Jewish system¹²² (one might also add Galatians 1:14 in which Paul speaks of his advancing in Judaism beyond his peers). Likewise in Romans 9:30-10:13, Gundry argues, “Paul sets faith against attempted performance of the law for righteousness, not only against unbelief.”¹²³

We conclude, then, that Paul is not criticizing the Jews’ unbelief in Christ *instead* of their attempt to perform the law, but that he is criticizing their unbelief *as caused by* an attempt to perform the law. That attempt leads to self-righteousness, but not because of any fault in the law or in obedience as such. Rather, boasting corrupts Spirit-less obedience to the law. Such obedience ends in man-made religion (if it does not already arise out of man-made religion).¹²⁴

The second reason that faith and the Law are opposed is human inability to keep the Law. It does not matter, Gundry believes, whether Paul’s own thought process moved from solution to plight or the reverse (or whether, as Gundry suspects, both occurred to him at the same time¹²⁵), Paul “includes Jews with Gentiles as lawbreakers in order to undermine legalistic dependence on the law and thereby support justification by faith.”¹²⁶ Paul believes that law-keeping must be perfect to be successful before God (Gal.

¹¹⁸Ibid., 34-35.

¹¹⁹Ibid., 12.

¹²⁰Ibid., 12-15.

¹²¹Ibid., 13.

¹²²Ibid., 13-14.

¹²³Ibid., 19.

¹²⁴Ibid.

¹²⁵Ibid., 28.

¹²⁶Ibid., 21.

3:10) and in that light all indeed “fall short of the glory of God” (Rom. 3:23).¹²⁷ The expression “works of the law” show that it is clearly performance, not merely acceptance of the Law, that is in view.¹²⁸ “Thus non-performance lies on the main track, not on a spur, of his argument; and his argument is not that eternal life *could* not come *even though* a person perfectly obeyed the law, but that eternal life *does* not come *because* a person obeys the law only imperfectly.”¹²⁹ It is for this reason that, despite his emphasis on obedience to the Law, Paul does not follow the rabbis in building a fence around the Law. “Paul’s failure to follow the rabbinic pattern reveals a world of difference between him and the rabbis: they show much more confidence in human nature than he does. He is far less sanguine.”¹³⁰

Finally, faith and obedience are opposed because the Law actually increases sin, as Sanders himself admits.¹³¹ But it is not only the bondage to sin that is increased, but the guilt of sin as well.¹³² Paul, therefore, uses both participatory language *and* judicial language to express the Gospel, and presses each kind of language into the service of the other.¹³³ And it is likewise for this reason that Paul (in distinction from Palestinian Judaism) says so little about repentance or any supposed atoning value of good works.

Paul so deeply felt the falling short of God’s glory through sin that he did not think trying to keep the law, *let alone repenting to receive forgiveness for failures to keep it*, adequate. The more the law abets sin’s lordship because of human weakness, the less adequate is repentance to take care of guilt; *for repentance implies a change of behavior*.¹³⁴

Gundry acknowledges that Sanders’ work prevents us from viewing Judaism as offering salvation by a surplus accounting of good works over sins. Nonetheless,

it is not too much to say that in Paul’s presentation of Palestinian Judaism, good works constitute a righteousness necessary at least to activate God’s grace for the forgiveness of sins. Paul will have none of this synergism. For him, salvation is wholly *by grace through faith*.¹³⁵

¹²⁷Ibid., 23.

¹²⁸Ibid., 24.

¹²⁹Ibid.

¹³⁰Ibid., 35.

¹³¹Ibid., 27. See the reference to Sanders supplied in Gundry’s note 74.

¹³²Ibid., 29.

¹³³Ibid., 30.

¹³⁴Ibid., 34.

¹³⁵Ibid., 19.

Stephen Westerholm

Stephen Westerholm has provided a substantial guide to the discussion about Paul and the Law in his book *Israel's Law and the Church's Faith*.¹³⁶ In the first portion of his work, Westerholm summarizes the contributions of thirteen key parties to the discussion, from Luther through Wrede and Schweitzer to Sanders and other contemporary scholars. In the second part, he offers his own contribution to the discussion by addressing four key issues.

First, Westerholm tackles the meaning of "law," concluding that the term refers to the Sinaitic legislation,¹³⁷ which consists of commandments to be done.¹³⁸ This "doing" is thus opposed to grace and to faith as the means by which one becomes an heir of Abraham (Gal. 3).¹³⁹ As Paul uses the term "law," it does not refer to a perversion of this legislation into legalism, but to the Sinaitic legislation itself.¹⁴⁰ Finally, despite arguments that have been advanced to the contrary, "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*."¹⁴¹

Next, Westerholm examines justification by faith. Westerholm concedes to Sanders and Dunn that it "is misleading to represent Judaism as a religion of 'works-salvation.'"¹⁴² At the same time, "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."¹⁴³ At the same time, Paul's testimony is that "human sin has rendered the righteousness of the law inoperable as a means to life."¹⁴⁴ Because people cannot (or at least, do not) obey the Law satisfactorily, salvation must be by grace alone, i.e., through faith alone. Because salvation is only by grace, through faith in Christ alone, there is no place for human boasting. (It is not that the fundamental sin of the Jews is "boasting," nor that the Law necessarily leads to the arrogance of misplaced human confidence.¹⁴⁵)

Westerholm must then turn to the question of the place of the Law in God's "scheme." The divine origin of the Law was not (in Galatians or elsewhere) in question for Paul.¹⁴⁶ Sin existed prior to the coming of the

¹³⁶Stephen Westerholm, *Israel's Law and the Church's Faith: Paul and His Recent Interpreters* (Grand Rapids: Eerdmans, 1988).

¹³⁷*Ibid.*, 106-107.

¹³⁸*Ibid.*, 107-108.

¹³⁹*Ibid.*, 111-112.

¹⁴⁰*Ibid.*, 130-135.

¹⁴¹*Ibid.*, 140.

¹⁴²*Ibid.*, 142.

¹⁴³*Ibid.*, 142.

¹⁴⁴*Ibid.*

¹⁴⁵*Ibid.*, 172.

¹⁴⁶*Ibid.*, 178.

Law. What the Law did, was: (1) “transform” sin into violations of explicit commands (subject to stated sanctions);¹⁴⁷ (2) increase the number and sinfulness of sins by introducing the additional temptation of violating an express command;¹⁴⁸ (3) bring an awareness of sin.¹⁴⁹ Although this seems difficult, Westerholm is unable to avoid the conclusion that (as Paul understands it) God must have intended this unhappy outcome from the beginning.¹⁵⁰ In addition, while “strictly speaking only Jews are subject to the (Mosaic) law...the plight of Gentiles as defined by Paul is at least analogous to that of the Jews ‘under the law,’ and Paul at times disregards the distinction.”¹⁵¹ Strictly speaking, the Law belonged to the old age.¹⁵²

Finally, Westerholm turns to the question of the abiding relevance of the Law for Christians. Sanders argued that the Law, while it was not the means of “getting in” to the covenant, is the means of “staying in” and should thus be fulfilled.¹⁵³ Westerholm takes the opposite view: Christians have been set free from the Law, period. Indeed, it had to be so: “since the Sinaitic covenant proved unable to convey life, Christians had to be delivered from both its demands and its sanctions to serve God under a new covenant.”¹⁵⁴ Neither Paul’s descriptions of the ethical behavior expected of Christians in terms that correspond to the moral Law, nor his statements that Christians “fulfill” the Law, provide a basis for any abiding validity of the Law. Instead, “the mark of Christian ethics is life in the Spirit, an ethic which Paul explicitly contrasts with obligation to the law.”¹⁵⁵

Thomas R. Schreiner

In a recent study titled, *The Law and Its Fulfillment: A Pauline Theology of Law*,¹⁵⁶ Thomas Schreiner has presented a substantial argument for a more traditional understanding of Paul and the Law.

Schreiner begins by addressing the question of why it is that the Law cannot save. Starting with Galatians 3:10, Schreiner shows that the fundamental problem is human inability to keep the Law.¹⁵⁷ Deuteronomy 27:26 (contra Sanders) is introduced into Paul’s argument to make the case that the Law requires perfect obedience (“to do all the things written in the book of the law”).¹⁵⁸ Paul is not here blazing new ground. “That the

¹⁴⁷Ibid., 182-185.

¹⁴⁸Ibid., 185-186.

¹⁴⁹Ibid., 186-189.

¹⁵⁰Ibid., 192.

¹⁵¹Ibid., 176.

¹⁵²Ibid., 195-196.

¹⁵³Sanders, *Paul, the Law, and the Jewish People*, chapter 3.

¹⁵⁴Westerholm, 199.

¹⁵⁵Ibid.

¹⁵⁶Thomas R. Schreiner, *The Law and Its Fulfillment: A Pauline Theology of Law* (Grand Rapids: Baker, 1993).

¹⁵⁷Ibid., 45.

¹⁵⁸Ibid., 46.

central problem was failure to keep the law is supported by the Old Testament¹⁵⁹ as numerous texts make clear.¹⁶⁰ Other texts in Galatians, Romans, and Philippians 3 are brought in to support Schreiner's thesis:

Paul says righteousness cannot be obtained by works of law or through the law. This is so because perfect obedience is required for right-standing with God, and such obedience is impossible. Old Testament sacrifices no longer atone; only Christ's death on the cross provides forgiveness.¹⁶¹

Sanders is correct that there has been a redemptive-historical transition, but he is wrong to limit the change to redemptive history: "the argument from redemptive history is wedded to the reality of human inability."¹⁶² The "works of the law" are not simply ritual identity markers (see Rom. 2:17-29),¹⁶³ nor does the phrase refer only to a legalistic attitude.¹⁶⁴

What then was the purpose of the Law? Schreiner is in substantial agreement here with Gundry and Westerholm: the Law provokes sin and increases the power of sin.¹⁶⁵ Paul is not, however, inconsistent in his statements about the Law, nor does he contradict the Old Testament.

The assertion that the law provokes sin refers to the function of the law in the unregenerate. "*When we were in the flesh* the passions of sin were aroused through the law in our members, and bore fruit for death" (Rom. 7:5). Paul does not argue that the only role of the law is to produce death. The argument is that when unregenerate people are confronted with the law, the law does not quench sin but inflames it.... The letter of the law kills when it functions apart from the Holy Spirit.¹⁶⁶

By arguing in this way, Schreiner is preparing to make his case that Christians have an abiding obligation to keep the Law (the third use of the Law). In addition to those texts in which Paul presents the commandment to love as fulfilling the Law (Gal. 5:14; Rom. 13:8-10), texts such as Romans

¹⁵⁹Ibid., 47.

¹⁶⁰Schreiner notes in particular Deuteronomy 27-30; Leviticus 26; Deuteronomy 31:16-22; 32; Joshua 23:14-16; 2 Kings 17:7-23; Isaiah 42:24; Jeremiah 11; and Daniel 9 in addition to the "new covenant" texts in Jeremiah 31:31-34 and Ezekiel 36:26-27. Additional support from other Old Testament texts, as well as from the Dead Sea Scrolls and other literature of the Second Temple Period may be found in Frank Thielman, *From Plight to Solution: A Jewish Framework for Understanding Paul's View of the Law in Galatians and Romans* (Leiden: E. J. Brill, 1989).

¹⁶¹Ibid., 71.

¹⁶²Ibid., 63.

¹⁶³Ibid., 55.

¹⁶⁴Ibid., 58.

¹⁶⁵Ibid., 73.

¹⁶⁶Ibid., 86.

8:4; 2:26; and 1 Corinthians 7:19 support Schreiner's argument that Paul expects Christians to obey the Law.¹⁶⁷ By inductive examination of a considerable number of Pauline texts, Schreiner attempts to establish the traditional distinction between moral, civil, and ceremonial aspects of the Old Testament Law.

One cannot respond with a simple "yes" or "no" as to whether the law remains in force. Paul argues that the Mosaic covenant has ended in one sense. The promises to Abraham have begun to be fulfilled with the coming of Christ.... Sacrifices, circumcision, and food laws are not observed literally; they point to deeper realities that have found their fulfillment in Christ.... The moral absolutes of the Mosaic law, however, are also fulfilled in Christ. The fulfillment of these commands, however, does not necessitate a change in the content of the commands. What is new is that the gift of the Holy Spirit now provides the power to obey what the law enjoins.... Paul takes laws related to Israel as a theocracy and applies them spiritually to the life of the church.¹⁶⁸

While Sanders argued that Palestinian Judaism was not legalistic, Schreiner attempts to show that Paul was in fact arguing against legalism. In doing so, he attempts to reframe the debate put forward by Sanders.

When I say Paul opposed legalism it does not follow that there was no emphasis on God's grace in Judaism. Sanders rightly disputes the caricature that Judaism had no theology of grace and was consumed with earning merit. My thesis is that Paul detected legalism in Judaism because its soteriology was synergistic.¹⁶⁹

In addition, Schreiner argues that to vindicate Paul one need not demonstrate that every Jew was legalistic, but only that "some Jews lived in a legalistic manner, and that some of them became the opponents of Paul (and Jesus!)."¹⁷⁰ In fact, Schreiner finds this quite likely.

Legalism also may exist in practice, even if grace is trumpeted in theory. Religionists may easily proclaim the primacy of grace and actually live as if the determining factor was human effort. The history of the Christian church amply demonstrates that a theology of grace does not preclude legalism in practice.... My colleague, Robert H. Stein has remarked that, if Judaism were not legalistic at all, it would be the only religion in history that escaped the human propensity for works-righteousness.¹⁷¹

¹⁶⁷Ibid., 149-156.

¹⁶⁸Ibid., 178.

¹⁶⁹Ibid., 94.

¹⁷⁰Ibid., 115.

¹⁷¹Ibid.

In fact, Schreiner believes that even the evidence Sanders has presented indicates the presence of legalism within Tannaitic Judaism.¹⁷² To say so is not anti-Semitic. Paul portrays not only the Jews, but all mankind, as under condemnation for sinful self-justification. In doing so, he condemns his own past, but Paul stands as one in the company of both the Old Testament prophets and Jesus Himself.¹⁷³ What Paul apparently encountered, then, and opposed, was not a legalism that denied grace, but a synergism that built on it.

Finally, did Paul teach justification by works? Schreiner believes that, in Romans 2, Paul is speaking of the obedience of believers, whose hearts have been circumcised by the Spirit of God (Rom. 2:29; cf. Deut. 30:6; 10:16; Jer. 4:4). As a result,

...even though Paul asserts that no one can attain salvation by good works, he also insists that no one can be saved without them, and that they are necessary to obtain an eschatological inheritance.... The works that are necessary for salvation, therefore, *do not constitute an earning of salvation but are evidence of a salvation already given.*¹⁷⁴

Key Questions

Judaism

Different readings of Palestinian Judaism arise from differences in method. While Sanders has built his portrait of Palestinian Judaism on the basis of perceived underlying assumptions, both Neusner and Gundry (from different perspectives) have argued that we must attend more to what the materials actually say and the concerns that they evidence. There are questions of dating and interpretation of the various materials. We must balance the expressions of theology with perceptions of how the religion was actually experienced by its adherents. Finally, there is a question of sources, particularly what role the Old Testament and even Paul himself should play in our understanding of Palestinian Judaism.

Although Sanders has not yet carried the day with his interpretation of Paul, his study of Judaism has been somewhat more persuasive. There is substantial agreement that Judaism can no longer be seen as offering salvation to those whose good deeds barely outnumber their sins. Sanders has successfully made the case that God's grace plays a significant role in the theology of Palestinian Judaism. As a result, the Judaism that lies behind the New Testament must have in it something like Sanders'

¹⁷²Ibid., 115-118.

¹⁷³Ibid., 120.

¹⁷⁴Ibid., 203.

covenantal nomism. At the same time, there have been significant challenges to Sanders' work, particularly on the question of the degree to which obedience and even self-righteousness may have overshadowed the role of grace, if not in theory, at least in practice. Westerholm, Gundry, and Schreiner have made a convincing case that, despite Sanders' efforts to demonstrate the contrary, Palestinian Judaism inclined toward syncretism between grace and good works, which (combined with a more optimistic assessment of human ability) necessarily led in the end to legalistic self-righteousness.

Paul

There is considerably greater disagreement about the new perspective on Paul. We may note the following.

What is the center of Paul's theology? Traditional Protestant exegesis has seen this primarily in forensic or judicial terms. Sanders understands Paul primarily in participationist terms. Gundry finds both categories present in Paul's thought.

What is the genesis of Paul's theology? Many interpreters have believed texts like Romans 7 indicate that Paul was deeply troubled about his inability to keep the Law prior to his encounter with Christ on the road to Damascus (rather like Luther before his breakthrough). More recently, Sanders, Dunn, and others have argued that Paul's encounter with the risen Christ and commission as apostle to the Gentiles is the true genesis of Paul's theology, and that Paul's statements about the Law and the human condition arise from reflection on this experience (reasoning from solution to plight).

What are the "works of the Law" by which one cannot be saved? Sanders puts the emphasis on "Law" and contends that Paul essentially argues that one cannot be saved by being Jewish.¹⁷⁵ Dunn sees the term as (primarily) limited to "identity markers" of circumcision, food laws, and the sabbath. Others (e.g., Westerholm, Gundry) argue that the "works of the Law" refers to the actual performance of the duties that the Law requires, particularly the moral demands of the Law.

What is the fundamental issue between Paul and Palestinian Judaism? Sanders has famously argued that what Paul finds wrong in Judaism is that it is not Christianity. Dunn sees the issue as a racial, as opposed to a universal, definition of the people of God. Gundry, Westerholm, and Schreiner argue that human inability to keep the Law of God and the self-righteousness that necessarily comes from the attempt to do so (apart from Christ and the Spirit) create a fundamental cleavage between works (or synergism) and grace alone through faith alone.

What was the purpose of the Law in God's design? Sanders finds Paul inconsistent on this, but concluded that Paul's main point is that God gave

¹⁷⁵Sanders, *Paul, the Law, and the Jewish People*, 46.

the Law to put all under sin. Westerholm, Schreiner, and Gundry conclude that the coming of the Law served to increase awareness of sin, to increase the bondage to sin, and actually to provoke sin.

Are believers responsible to obey the Law (i.e., the third use of the Law)? Sanders argues that as in Judaism, believers are expected to obey the Law to “stay in” the covenant. Since the essence of the works of the Law for Dunn are the ritual “identity markers,” there is no question of believers keeping these things. Westerholm argues that when Paul says Christians are free from the Law, they are completely free of it, once and for all, and consequently are under no obligation to it. Gundry and Schreiner maintain that, for Paul, Christians have an abiding obligation to obey the Law (in its moral aspects).

Finally, is Paul inconsistent? Sanders argues that Paul is a “coherent” thinker, but that because he was in essence developing his theology as he went along, many of his statements about the Law are inconsistent. Dunn, Gundry, Westerholm, and Schreiner each in their own way attempt to make the case that Paul is not inconsistent.¹⁷⁶

What Is at Stake?

The new perspective on Paul has raised many important questions. Of these, three primary concerns in particular stand out.

The first is the proper interpretation of Judaism (or, as Neusner would have it, Judaisms) of the first century. It is imperative for New Testament scholars to treat the textual materials and the faith of Judaism with sensitivity and respect. The Christian faith is not well-served by careless and erroneous characterizations of Jewish faith and practice.

The second is the reliability of Paul. If Paul presents an unreliable portrait of Palestinian Judaism, or if his own statements are almost hopelessly inconsistent, he becomes a questionable guide in other matters in which we cannot so readily verify his claims. Certainly the greatest challenge on this point is felt by those who hold that Paul, as the rest of the New Testament, is the fully authoritative and reliable basis for their faith. Other believers, however, must surely be given pause if Paul is shown to be in error or confusion on such fundamental matters.

The final question is the greatest question of all: what is the nature of the plight of man and the corresponding solution provided by God? The questions raised by the new perspective on Paul go to the heart of the New Testament diagnosis of the human condition and to the meaning and power

¹⁷⁶Cf. the wise observation of Moises Silva: “I would hold to the axiom that formal contradictions (i.e., apparent discrepancies) by *any* writer should be interpreted, whenever possible, as materially consistent—especially if they involve a fundamental question, such as the law is for Paul.” (“Is the Law Against the Promises?” in *Theonomy: A Reformed Critique*, William S. Barker and W. Robert Godfrey, eds. [Grand Rapids: Zondervan Publishing, 1990], 155-156.)

of the salvation brought by Christ. What is our plight before God? Is it guilt? Slavery to sin? Both? And how is it that we “get in” to the salvation offered in the Gospel? And how do we “stay in?” By works? By grace plus works (i.e., by synergism)? Or by grace alone? These questions not only shaped the Reformation (from whose debates Sanders has sought so valiantly to free us), but the confrontation between Augustine and Pelagius, many of the awakenings and revivals in the history of the church, and, it would appear, the New Testament itself. We may be grateful that the new perspective on Paul has brought them back to our attention. Our souls should not rest until we are, scholars and believers alike, clear on their answer.