

New Perspective: Is there a need to Reinterpret Paul?

By Gerhard H. Visscher

Our intention is to take a look at some of the works of E. P. Sanders and James D.G. Dunn and to evaluate the so-called "New Perspective on Paul"; the bearing of this discussion upon the task of ministers and the life of the churches will also be discussed.

The subject that I am pleased to speak to you about is one that has been called nothing less than "the revolution that has rocked NT studies."¹ Anyone who reads scholarly works on Paul especially will encounter the effects of this "revolution" frequently. It will impact our reading, our preaching, and much of our approach towards the New Testament. It is today at the forefront of many a debate in the whole field of NT studies. The so-called "New Perspective on Paul" surfaces time and again. The effects of these scholarly debates even seem to have surfaced in an "Open Letter" published in the midst of our churches in southern BC last week.² For sometime now, I have had my own suspicions about the matter, but one of the benefits of teaching for a while at the seminary is that I have been able to spend some time delving into the matter. At the same time, I should mention that there has been a tremendous amount written on this subject and I certainly do not consider this presentation to be exhaustive.

¹ Thomas R. Schreiner, "Reading Romans Theologically: A Review Article" JETS 41/4 644.

² I am referring here to comments made in "On Being Reformed: An Open letter" in *Information: A Newspaper for the Reformed Home* 7/3 (Nov 28, 1998) where the charge has been made that "an attitude of 'exclusivism' toward other Christians." From the response of Dr. J. Visscher to this charge ("Responding to an Open Letter IV" *Information* 7/6 (February 5, 1999), it is apparent that the writings of J.D.G. Dunn are behind this viewpoint to some degree.

1. Brief Preliminary History

For an excellent review of the history of the whole debate, one should consult the first chapter of Frank Thielman's book.³ All that can really be done here is touch on some of the figures in this whole discussion.

Anyone who has read much of the exegetical works of John Calvin or Martin Luther will be familiar with the fact that Luther and Calvin are often quick to put an equation mark between the Roman Catholics of their day and the Jews or the Judaizers of the earlier New Testament era. It was a hermeneutical tool which allowed them to condemn the excesses of their opponents with a considerable degree of authority.

In his tractate *On the Jews and Their Lies* (1543), for example, Luther assumes that the Jews always believed that the act of circumcision itself would save them. Like "the papists," says Luther, they divorce an outward ritual from God's Word and so believe that their own effort will make them pleasing to God. The law drives them, like "the barefoot friars," not to the feet of God to beg for his mercy but to point boastfully to their own holiness and to claim that they possess such an excess of it "that they can use it to help others to get to heaven, and still retain a rich and abundant supply to sell."⁴ Many other examples can be given. The Jews

³ *Paul and the Law* (IVP, 1994) 14 - 47. A briefer survey is found in Thomas R. Schreiner's *The Law and Its Fulfillment: A Pauline Theology of Law* (Baker, 1993) 13 - 31. For a more detailed review of the various positions, S. Westerholm's *Israel's Law and the Church Faith: Paul and his Recent Interpreters* (Eerdmans, 1988) is recommended; this significant work is in the process of being revised and updated.

⁴ See Frank Thielman, *Paul and the Law: A Contextual Approach*, 23. The references in Luther's Works are to LW 47:172; cf. 47:159-76.

of Paul's day and the Papists of Luther's day are often considered one and the same.

While John Calvin is considerably more careful, he often makes the same hermeneutical shift. For example, in commenting on Paul's statement in Philippians 3:5 that he was "according to the law, a Pharisee," Calvin claims that Paul uses the term law to refer to the corrupt religion of his day which is very much as it is "at this day in the Papacy."⁵ When referring later to Paul's willingness to consider his own righteousness "loss" and "refuse," Calvin calls the Roman Catholics of his own time "those Pharisees of the present day."⁶

According to many, this kind of approach has become all too common among Protestants. Says Thielman:

It was frequently assumed...that at least from the period of the restoration of the Jews to Israel under Ezra, the history of Judaism was a story of spiralling degeneracy into legalism, hypocrisy and lack of compassion. Similarly, when Protestant scholars discussed rabbinic Judaism they tended to assume that Paul's polemic against Judaism, interpreted through the lens of Luther's reaction against Roman Catholicism, provided a sound basis for systematizing the religion of the Mishnah, Talmud and related Jewish writings of a later era.⁷

Probably one of the most extreme examples of this kind of approach is found with a man named Ferdinand Weber. In 1880 Weber published a book called *Jewish*

Theology on the Basis of the Talmud and Related Writings. Herein he summarized and systematized many passages from rabbinic writings; in doing so, he portrayed a stern God who appeared as a bookkeeper whose business it was to keep account of all one's merits and demerits. According to Weber, rabbinic Judaism also knew of a "treasury of excess merits that could be shared with those who did not have enough", and here too it was often "impossible to know just where one stood with God."⁸ Weber's work has not been without influence. It has been used extensively by W. Sanday and A. Headlam in their ICC Commentary on Romans,⁹ as well as in some of the works of R. Bultmann.

In any case, this approach generally continued until around the beginning of this twentieth century. Significant criticisms were launched by the Jewish Reformer C. G. Montefiore¹⁰ as well as a man who was neither a Jew nor a NT scholar, George Foot Moore.¹¹ I refer you again to the summary of Thielman for details regarding their arguments. These men pointed to what has been called a "hermeneutical error" made already by the Reformers. They pleaded with scholars to read the Jewish writings on their own merit rather than through the glasses of

⁸ *Paul and the Law*, 25.

⁹ Thielman makes the remark that "Sanday and Headlam considered Weber's book so authoritative that they cited his summaries, complete with parenthetical references to the German in order not to lose the correct nuance of Weber's words, as proof of what the rabbis believed." *Paul and the Law*, 25

¹⁰ In "Rabbinic Judaism and the Epistles of St. Paul" *Jewish Quarterly Review* 13 (1900-1901) 161-217 and *Judaism and St Paul: Two Essays* (M.Goschen, 1914).

¹¹ His three volume work, *Judaism in the First Centuries of the Christian Era: the Age of Tannaim* has recently been reprinted (Hendrickson, 1997) and is still a valuable guide to Tannaitic Judaism (50 BC to 200 A.D.).

⁵ *Commentaries on the Epistles of Paul the Apostle to the Philippians, Colossians, and Thessalonians*. Translated by John Pringle. (Baker, 1977) 92.

⁶ *Ibid.*, 96. These examples from Luther and Calvin are supplied by Thielman in *Paul and the Law*, 23-24.

⁷ F. Thielman, "Law," *Dictionary of Paul and his Letters*. Edited by G. F. Hawthorne, R. P. Martin. (InterVarsity Press, 1993) 530.

Roman Catholic theology. Regrettably, it was a plea that largely fell on deaf ears.

2. E. P. Sanders

It was really not until 1977, when E.P. Sanders wrote his most significant work *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Fortress), that scholarship really started paying attention. The aftermath of the Second World War as well as living in an age that is not receptive to any kind of racial bias may have had something to do with it. In any case, Sanders made his way through the most influential works of modern New Testament scholarship in order to show how they inappropriately discredited Judaism. He then embarks on a long journey through the Jewish Tannaitic literature (50 BC to 200 AD), the Qumran material, and the apocryphal and pseudepigraphal literature.

As the subtitle of his book suggests, Sanders's purpose was to compare the pattern of religion in Paul's letters with the pattern of religion in Jewish literature between 200 B.C. and A.D. 200. By "pattern of religion" he means the way the followers of a particular religion understand "getting in" and "staying in" their religion. How do you "get in"? How do you "stay in"? Comparing two religions in this way is better than comparing their "essences" or something like that, Sanders argues, because reducing an entire religion to such an essence as "legalism" or "grace" results in oversimplification of complex matters. The "pattern of religion" he found in Judaism, Sanders called "covenantal nomism"

Covenantal nomism, he says, 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."¹²

As Thielman summarizes Sanders for us:

God's choice to enter into a covenant relationship with Israel is, in all of this literature, a free act of God's grace, and the salvation that membership in that covenant implies is also by God's grace. Getting into the covenant people of God, then, was a matter of God's grace. It is true that maintaining one's place in the covenant involved obedience, but God had provided means of atonement and opportunity for repentance as ways of dealing with the transgression of his people. Thus 'election and ultimately salvation are considered to be by God's mercy rather than human achievement.' Judaism from Ben Sira (about 200 B.C.) to the Mishna (about AD. 200), therefore, was, despite all its diversity, a religion of grace that kept works on the "staying in" side of the religious pattern and did not allow them to intrude on questions of "getting in."¹³

According to Sanders then, the law was obeyed as a *response* to God's gracious and redeeming work. God graciously saved his people, and they should respond to his grace in grateful and humble obedience. All the detailed regulations found in the Mishnah assume this covenantal context.

Seldom in the history of New Testament scholarship has a single book drawn as much attention and caused such debate as this book of Sanders. The pleas of Montefiore and Moore were receiving attention as never before.

¹² *Paul and Palestinian Judaism*, (Fortress, 1977) 75. In response to criticisms, Sanders later wrote: *Paul, the Law and the Jewish People* (Fortress, 1983). Other works in which his views are defended are *Jewish Law from Jesus to the Mishnah: Five Studies* (SCM/Trinity, 1990); *Paul: Past Master* (Oxford, 1991).

¹³ *Paul and the Law*, 31.

The problem that all of this presents of course, is: if this is true of Judaism, what are we to make of the kind of Judaism that is encountered in the writing of the apostle Paul? And, if the Reformers and others were not careful enough in their interpretation of Paul, has our vision of Paul also been blurred because we have been looking through anti-Roman glasses?

The answer that Sanders has presented to this problem was that Paul repeatedly reasoned *backwards* from *the solution* of faith in Christ *to the human plight* that this solution demanded.¹⁴ The point is that whereas Luther, for example, was ever so aware of his *plight* (his desperate need for salvation) before arriving at the *solution* of a God who justifies the ungodly, Sanders is convinced that Paul did not wander about in Judaism aware of some such burdensome plight. The plight really came to light, so to speak, only when the solution was provided in Christ.

Sanders suggests that even if Paul sometimes appears to argue from plight to solution (as in Romans), these passages do not mean his personal experience was of this sort. Unlike Luther, Paul considered himself blameless with respect to the law prior to his conversion (Phil 3:6). Sanders says:

Paul's logic seems to run like this: in Christ God has acted to save the world; therefore the world is in need of salvation; but God also gave the law; if Christ is given for salvation, it must follow that the law could not have been; is the law then against the purpose of God which has been revealed in Christ? No, it has the function of consigning everyone to sin *so that* everyone could be saved by God's grace in Christ.¹⁵

But at the same time, it is important to note that according to Sanders, Paul is not arguing against attempts at self-righteousness. This

was not an issue. As he says at the end of *Paul, the Law and the Jewish People*, "the supposed objection to self-righteousness is as absent from Paul's letters as self-righteousness is from Jewish literature."¹⁶

Some examples of Sanders exegetical arguments can be given. In Galatians 2 and 3, Paul's argument is not dependent on the view that the keeping the law is impossible or that attempting to keep the law leads to sinful pride, but "on the conviction *that* if righteousness came through the law, then Christ died in vain (2:21; compare 3:21)."¹⁷ Similarly, Paul's argument in 2 Corinthians 3:7-18 is not that the old dispensation is faulty or lacks all glory; it's glory is simply surpassed by the present more glorious dispensation!¹⁸ Likewise, Philippians 3:6-9 does not criticize the law as such but simply says that Paul rejected all these when he found Christ.¹⁹ Even Romans, according to Sanders, is not busy with a critique of the law or the old dispensation; he only argues against the law because if salvation could come by means of the law, it would (1) exclude Gentiles and (2) make Christ's death vain. "Paul's negative statements about works of the law therefore form one way among many others of saying that humanity can be saved only through Christ."²⁰

The cleverness of this argument is that it, if it is true, we do not need to presume that Saul was dissatisfied with the law in his pre-Christian state, nor does Paul as a Christian

¹⁴ *Paul and Palestinian Judaism*, 429-556.

¹⁵ *Ibid.*, 475.

¹⁶ *Paul, the Law and the Jewish People*, 156; cf. 35.

¹⁷ As Thielman summarizes Sanders in *Paul and the Law*, 35 (cf Sanders, *Paul and Palestinian Judaism*, 482-84, 492-3).

¹⁸ *Paul and Palestinian Judaism*, 484-5.

¹⁹ *Ibid.*

²⁰ Thielman, *Paul and the Law*, 35 (cf. *Paul and Palestinian Judaism*, 485-90, 509-10).

need to maintain that Judaism is legalistic! It allows him to maintain that really, on this point, Judaism and Christianity are not that different. As a matter of fact, it allows him to draw the conclusion that "In short, *this is what Paul finds wrong in Judaism: it is not Christianity.*"²¹

3. James D. G. Dunn

James D. G. Dunn, another significant scholar on the writings of Paul, agrees with Sanders' perspective on Paul, is actually the one who coined the term "New Perspective on Paul,"²² and is one of its most enthusiastic promoters. At the same time however he advocates a major criticism or alteration to "covenant nomism."

Dunn believes that Sanders has erred somewhat in not emphasizing adequately what he calls the "*social function*" of the law in the New Testament era. At this time, the Jews saw the law as a sign of the position God graciously gave them and hence it served as a "badge" of their privileged position or, as Dunn likes to call it, a "boundary marker" between them and all others.

Dunn likes to emphasize what Paul often refers to as "works of the law" and he considers this another way of saying 'covenant nomism' because these works characterize 'being in' the covenant.²³ By

²¹ *Paul and Palestinian Judaism*, 552.

²² See J.D.G. Dunn, "The New Perspective on Paul," *Jesus, Paul and the Law: Studies in Mark and Galatians* (Westminster/John Knox Press, 1990) 183-214. Cf. in the same book "Works of the Law and the Curse of the Law (Gal.3:10-14) where Dunn says "'works of the law' is, then, another way of saying 'covenantal nomism' - that which characterizes 'being in' the covenant and not simply 'getting into' the covenant (as Sanders himself put it)" 220.

²³ "Works of the Law and the Curse of the Law (Gal.3:10-14), *Jesus, Paul and the Law: Studies in Mark and Galatians* 220.

"works of the law," Dunn believes that Paul is referring especially to three matters as a result of controversy with Jewish Christians, namely, circumcision, Sabbath keeping, and dietary observance. Paul's concern then is not about the possibility that some promote salvation by doing good works but it has to do with the fact that some defend a much too "exclusive" approach to Christianity. In the words of Dunn:

It is the law understood in terms of *works*, as a Jewish prerogative and national monopoly, to which he [Paul] takes exception....Paul here is not disparaging works in general or pressing a dichotomy between outward ritual done in the flesh and inward grace operative in the spirit. ...It is works which betoken racial prerogative to which he objects, acts done in the flesh because faith in Christ is reckoned insufficient as the badge of covenant membership which he denounces. Over against Peter and the other Jewish Christians Paul insists that God's verdict in favour of believers comes to realization through faith, from start to finish, and in no way depends on observing the works of law which hitherto had characterized and distinguished the Jews as God's people.²⁴

Thus the issue for Paul never is and never was merit-based righteousness but it was racial exclusiveness. And for that matter, any kind of boundary-marker other than faith in Christ itself.

This reading of Paul, says Dunn, has numerous advantages. It acknowledges the legitimacy of Sanders's complaint against the Lutheran paradigm for understanding Judaism, but at the same time it gives a picture of Paul much more firmly rooted within first-century Judaism. "Sanders," says Dunn, "in effect freed Pauline exegesis from its sixteenth-century blinkers, but he has still

²⁴ *Ibid.*, 200.

left us with a Paul who could have made little sense to his fellow Jews..."²⁵

So these then are two modern approaches to Paul. Another person who, if time permitted, would merit some attention would be Heikki Räisänen.²⁶ This Finnish scholar agrees with Sanders' viewpoint but then maintains that Paul has shifted his perspective a number of times, and ultimately is inconsistent. It is discouraging to note that this is where we end up with such approaches; the positive view on Judaism is taken as a given and then one seems to engage in all kinds of exegetical gymnastics to make Paul fit that picture.

4. Analysis

What should our position be regarding the views of Sanders and Dunn? There are a number of criticisms that can be brought forward at this point..

a) The Evidence: No Legalism?

One of the first concerns is the question whether Sanders has been entirely fair in his presentation of the evidence. While to critique Sanders on this point is a momentous task because of the sheer volume of rabbinic documents, in a very significant article,²⁷ Moisés Silva has suggested that he has not been sufficiently careful. Sanders refers to Ecclesiasticus and mentions in passing that "Ben Sirach shared the general belief that

²⁵ *Ibid.*, 201.

²⁶ Räisänen view are discussed by S. Westerholm in *Israel's Law and the Church's Faith*, 93-102. Readers will also be interested in the dissertation written under Dr. J. van Bruggen by T. E. van Spanje, *Inconsistentie bij Paulus? Een confrontatie met het werk van Heikki Räisänen* (Kok, 1996).

²⁷"The Law and Christianity: Dunn's New Synthesis" *Westminster Theological Journal* Volume 53. 1991. 339-353.

atonement is possible. Among good deeds, two are singled out which atone for transgression. They are honouring one's father and giving alms." Sanders quotes the relevant texts from Sirach 3:3: "Whoever honors his father atones for sins..." and 3:30: "Water extinguishes a blazing fire: so almsgiving atones for sin." But astonishingly, says Silva, "

Sanders offers no explanation for—indeed, shows no awareness of—what looks like a fairly blatant view of self-salvation. Of course, it would be unfair to focus on these two verses at the expense of ignoring the genuine piety that characterizes so much of Ecclesiasticus. Yet the notion that one's good deeds have efficacy over against one's sins...does lie at the very root of legalism."²⁸

This is of course only one small indication of the fact that despite his claim to be against bias,²⁹ he appears to have read the evidence with a particular agenda in mind.

A much more detailed evaluation can be found in chapter eight of D. A. Carson's, *Divine Sovereignty and Human Responsibility: Biblical Perspectives in Tension*.³⁰ In his survey, Carson concludes that while Sanders is generous in his

²⁸ *Ibid.*, 349.

²⁹ See the comments of N.T. Wright where he says that E. P. Sanders is not "a sworn enemy of Christian truth or faith" but a man who is against all prejudice (see S. Neill and N.T. Wright, *Interpretation of the New Testament*, (Oxford University Press, 1988) 391-2). Elsewhere, Sanders says: "I have been engaged for some years in the effort to free history and exegesis from the control of theology; that is, from being obligated to come to certain conclusions which are predetermined by theological commitment"(*Jesus and Judaism* (SCM Press, 1985) 333-4).

³⁰ (Baker, 1994) 84-109. References to other reviews of Sanders' approach can be found in Schreiner (*The Law and its Fulfillment* 114-21) and Eskola (*Theodicy and Predestination in Pauline Soteriology* (Mohr Siebeck, 1998) 52n1).

evaluation of the Tannaitic period, he is substantially correct; however Carson notes and shows from the evidence that while some merit theology is present in the Tannaitic period, *there is a drift towards much more of this merit theology in the later rabbinic material.* While God's sovereignty is emphasized, there is also ironically a tendency to "magnify the man"³¹; the result is that one cannot be generous anymore about the later rabbinic writings. The sovereign God is no longer sovereign over the area of salvation.

Much more work needs to be done in this regard but it is likely that Sanders' presentation of Judaism will increasingly be found wanting and one-sided. The fact that there is such a mass of material here and so much variety in the writings suggests that it is possible that one who wants to find elements of grace in rabbinic writings will be able to find them, but those who seek legalistic elements will be able to uncover those as well.

At the same time, however, one might ask the question whether there is not more than one way to test for legalism. Sanders seeks to ward it off with his references to "getting in" and "staying in." But there are other indications of legalism.

There is, first, *the question about the basis of election.* Both Schreiner and Carson perceptively note here another indication of legalism. On the topic of God's election of Israel, according to Sanders, the rabbis believed that while the covenant was offered to all nations *only Israel accepted it*, and God chose Israel, Sanders says, because of the *merit* of the fathers. These two points, responds Schreiner, "betray a legalistic mindset." "The decisive issue in salvation, then, was the decision of Israel to accept the covenant, and thus the Jews could boast that

they had the wisdom and virtue to embrace it."³² Carson remarks:

Again and again [Sanders] observes that human decision stands side by side with divine 'grace'; but he never remarks that 'grace' is undergoing a major semantic shift. He draws attention to passages on election, but minimises the evidence which transforms 'election' almost into reward."³³

Sanders tries to defend this in all kinds of ways, but the fact is that Paul would have most emphatically rejected any and all such argumentation.

There is, secondly, *the sheer mass of rabbinic material.* The fact is, that "the sheer number and detail of laws which are codified in the Mishnah betray the presence of legalism." Just as the vast tangle of today's legal system brings about the need for the ordinary citizen to hire a lawyer in order to interpret and assist him through the legal jungle, so it goes here.³⁴

While Sanders may respond that the Jews saw the law as a blessing from God rather than an onerous duty,

Nonetheless, the vast quantity of laws in the Mishnah and the minutiae contained therein enshrine legalism. When people begin to stress complex and detailed prescriptions for obedience, then the primacy of grace is threatened, even if the specific laws are viewed as a divine gift.³⁵

There is, thirdly, *a failure to stress God's role.* Sanders says at one point: "Very seldom is *God's* role in the covenant directly discussed. It is assumed so thoroughly that it need not be mentioned."³⁶ While willing to

³¹ Carson, *Divine Sovereignty*, 106, 109. See the striking example re Abraham on p. 107.

³² Schreiner, *The Law and its Fulfillment*, 117.

³³ Carson, *Divine Sovereignty*, 121.

³⁴ Schreiner, *The Law and its Fulfillment*, 116.

³⁵ Schreiner, *The Law and its Fulfillment*, 116

³⁶ Sanders, *Paul and Palestinian Judaism*, 82.

grant this to a degree, Schreiner points out that when there is a failure to mention grace and the covenant but at the same time no failure to mention prescriptions of the law, "one has a recipe for legalism."³⁷ Any theology that claims to stress God's grace but rarely mentions it and that elaborates human responsibility in detail inevitably becomes legalistic in practice, if not theory. This principle applies to rabbinic Judaism and to Christian churches. A church outwardly lauding grace as primary and fundamental may practice the most virulent legalism.³⁸

And fourthly, is there not the possibility of *so stressing the law within the covenant* (i.e., in the area of "staying in") that one is legalistic as well? This seems to be the criticism of the Finnish scholar Timo Eskola. He points out that since in Sanders's presentation keeping the law affects eschatological salvation, "covenant nomism is legalistic by definition"; thus Sanders has only succeeded in giving legalism a new status.³⁹ In fact, says Eskola, it may be better to refer to it as "synergistic nomism."⁴⁰

On a related note, perhaps more allowance would be made for the presence of legalism in Judaism if it would be realized that a tendency towards legalism is part of the fallen human condition. In a perceptive paragraph, Silva points out:

It is essential to note, however, that this kind of legalism is hardly the exclusive

³⁷ Schreiner, *The Law and its Fulfillment*, 116.

³⁸ *Ibid.*, 117.

³⁹ *Theodicy and Predestination in Pauline Soteriology* (Mohr Siebeck, 1998) 56. Eskola actually writes that Sanders has given "nomism...a new status but from the context it is evident that he is suggesting that "covenant nomism" gives *legalism* a new status. That is quite a charge, but by email correspondence I have confirmed that this is what Eskola's position.

⁴⁰ *Ibid.*, 57.

property of Judaism or medieval Christianity. On the contrary, it belongs to the heart of sin in its universality; indeed legalism is but the human cry for personal autonomy. Doing things our way as distinct from trusting God's power is illustrated just as clearly in modern evangelicalism as it is in the narrative of the wilderness wanderings. The inclination toward self-righteousness is thus *not* a unique Jewish problem: it is endemic to the human condition, and even the most deeply sanctified believer is vulnerable to its power.⁴¹

b) Variations in Judaism?

Another criticism launched by Silva, is the fact that Sanders seems to make no allowance for the possibility that in early, medieval or modern Judaism, there may indeed have been lay people or others who perceived salvation along legalistic lines. Silva quotes from Ellis Rivkin (a modern scholar who has made a significant contribution to the question who the Pharisees were); Rivkin refers to his earlier life in terms quite similar to Luther's description of his own "plight".

On the unerring scales of God's justice, would my righteousness offset my sinfulness and tip the scales to eternal life, or would the heavy weight of this or that sin, alone or in combination, bring the scales down on the side of eternal punishment? I oscillated between the ecstasy of the Law fulfilled and the agony lest, frail, finite, and impulse-ridden, I would fall short of what the Law demanded of me.⁴²

That raises the larger question: is Judaism necessarily as monolithic as modern scholars

⁴¹ "The Law and Christianity: Dunn's New Synthesis," 349.

⁴² *A Hidden Revolution: the Pharisees' Search for the Kingdom Within* (Nashville: Abingdon (1978) 22.

seem to make it appear? From much of the literature one gets the impression that either *all* of Judaism -- as it is presented in the Jewish writings, and represented anywhere in the New Testament—is legalistic or *none* of it is. “Either the Pharisees were hypocritical legalists who consciously sought to bribe God with their self-righteousness or they were not affected by legalism in any significant way.”⁴³ But that is clearly a false dilemma.⁴⁴ Is it not possible that there were various shades of legalism, even within Pharisaism? Must we presume that Pharisees were always alike—whether they are found in Jerusalem or in Galilee? Is the Lord Jesus, for instance, not more sympathetic to Nicodemus (John 3) than to those whom he opposes in Matthew 23? Similarly with the writings of the apostle Paul, must we suppose that his opponents were either all legalistic or not legalistic at all, without any possibility of shades in between?⁴⁵

In this regard, it is noteworthy that the issues that Dunn raises are, more often than not, also presented as a dilemma. If we, for argument’s sake, might be willing later to allow that there is something to Dunn’s view, does it have to be either-or here? Why is it always presented as if Paul is *either* opposing legalism *or* he is opposing exclusivism?⁴⁶ Are these necessarily mutually exclusive?

A welcome voice in this regard is being raised by Bruce Chilton. In his article on “Judaism,” he speaks about a “radical

⁴³ "The Law and Christianity: Dunn's New Synthesis," 350-1.

⁴⁴ *Ibid*, 351..

⁴⁵ Of interest here is the discussion about the possibility of "soft" and "hard legalism"; for some of the discussion on this point, see S. Westerholm, *Israel's Law and the Church's Faith*, 132-4.

⁴⁶ Silva notes one occasion where Dunn is more careful, but rightly maintains that this is exceptional (Silva, 351).

pluralization” of Judaism.⁴⁷ In a book that he authored together with Jacob Neusner, it is argued that there was not one Judaism in and before the New Testament era but many, Christianity being one of them, “the Mishnah’s Judaism” being another.⁴⁸

It seems to me that this is a move in the right direction. There are few movements in which everyone is consistently the same everywhere. (Canadian Reformed Churches, for example?!). While tendencies towards legalism (and exclusivism?) reside in the hearts of all, by the grace of God, some will be spared from this blindness more than others.

Obviously then, despite the flurry of excitement and discussion that Sanders has caused, and the fact that much of this discussion has been helpful, there is much that must be rejected. The use of works by advocates of this "New Perspective" will need to be read very critically.⁴⁹

c) "Works of the Law"

What about the ideas of James Dunn, then? Is it true that there is no indication of seeking salvation in a legalistic fashion anywhere in

⁴⁷ In *Dictionary of Jesus and the Gospels* (IVP, 1992), 400f.

⁴⁸ *Judaism in the New Testament: Practices and Beliefs* (Routledge, 1995) 31. Timo Eskola makes similar suggestions in *Theodicy and Predestination*, 56. That this is becoming a more standard view is also evident from the article on "Judaism" by J. Andrew Overman and William Scott Green in the *Anchor Bible Dictionary III* (Doubleday, 1992) 1037-54.

⁴⁹ It should be noted as well that despite my considerable appreciation for the works of N. T. Wright (especially *The New Testament and the People of God* and *Jesus and the Victory of God* in the Fortress series called *Christian Origins and the Question of God*), Wright is also an adherent of the New Perspective, as is apparent from the quotations cited by S. Westerholm in *Israel's Law and the Church's Faith*., 145n8.

Paul? Just boundary markers instead?

Weighing through all the writings of Dunn and working out an extensive critique is obviously a bigger task than you or I have time for today, but a number of critical comments can be made.

It will be apparent that Dunn wants to restrict the phrase “works of Law” (e[rgwn novmou) to a kind of technical term used specifically to these identity markers.⁵⁰ It is doubtful however whether that can be sustained.

Some of the strongest criticisms in this regard have come very recently from the pen of Timo Eskola. Eskola points out that Dunn got the idea about “identity markers” from some of the writings of E. Lohmeyer⁵¹ and J.B. Tyson⁵² who wrote about “the connection between the cultic practices of the Old Testament and the important term ‘works of the law’”⁵³ Eskola then goes on to examine

the term as its used in the OT (Ex. 35:21,24; Josh. 22:27, and shows that already here, while it is often a reference to an act of service in the tabernacle or temple, it is by no means limited to this nor is it limited just to some social function. Work (hdbd[]) and Torah are related, with hdbd[] referring to “the fulfilling of the precepts of the law of Moses.”⁵⁴ The same expression found in the Apocryphal⁵⁵ and Pseudepigraphal⁵⁶ writings is not limited either. The same is true of Qumran writings; although the use of the expression “works of the law” in the Qumran document 4QMMT is worthy of a study on its own, Eskola is convinced that here it is a reference to a more general temple service and torah obedience. Says Eskola: “it is easy to see that the ‘works of the law’ were not merely ‘identity markers’ for devout Jews.”⁵⁷

Both D. J. Moo and S. Westerholm have also argued very persuasively that the expression “works” (e[rga) in Paul refers to “deeds that are performed,” and thus “works of Law” signifies the “deeds” or “actions” demanded by the Mosaic Law. They find proof in Romans 3-4 where “works of Law” and “works” cannot be distinguished; especially in Romans 4:1-5 where Paul says that Abraham was not justified by his “works” (Rom 4:2) nor by “working” (Rom 4:4-5),

⁵⁰ In his commentary on Romans, e.g., Dunn argues that “works of the law” are not the same as doing the law or fulfilling the law but rather they “clearly refer to the actions and conduct required by the law if one is to be fully recognized and retain one’s status as a member of the people of God” *Word Biblical Commentary: Romans 1-8*. Volume 38A. (Word, 1988) 158-9. In his *The Theology of Paul the Apostle* (Eerdmans, 1998), Dunn complains that he has repeatedly been misunderstood as saying that “‘works of the law’ denote only circumcision, food laws, and Sabbath” (358n97). While this comment should be noted, it is apparent from the references above and elsewhere that Dunn does defend the notion that “works of the law” refer only to those works that can serve as “boundary markers.”

⁵¹ *Probleme paulinischer Theologie* (Kohlhammer, n.d.). Dunn refers to Lohmeyer and Tyson in “Works of the Law and Curse of the Law (Gal.3:10-14),” *Jesus, Paul and the Law* (Westminster/John Knox Press, 1990) 220.

⁵² *JBL* 92 (1973) 424-425. It was especially Tyson who identified the works of the law to such things as circumcision and dietary laws.

⁵³ Eskola, *Theodicy and Predestination*, 212.

⁵⁴ Eskola, *Theodicy and Predestination*, 213. Dunn took the opposite view in “Works of the Law and the Curse of the Law,” 220 and in “4QMMT and Galatians” *New Testament Studies* 43/7 (1997) 147-153. Settling the issue is obviously not easily done, but it should be noted that one might expect the phrase to have more of a boundary-marker function since 4QMMT is believed to be a letter written by the Essenes to their opponents in Jerusalem regarding their distinctives.

⁵⁵ Wisd. 6:3-4; cf. 12:4,19; Sirach 10:6; 11:20-21; 15:19.

⁵⁶ TLex 19:1,2; TBenj.5:2,3.

⁵⁷ *Theodicy and Predestination*, 217.

these can hardly be limited to “identity markers” since Abraham lived before the arrival of the Mosaic Law.⁵⁸

Other weaknesses in Dunn's theory are apparent as well. His work "Works of the Law and the Curse of the Law (Gal.3:10-14)"⁵⁹ is an article he wrote in response to critics as a crucial test-case.⁶⁰ But one of the reasons he fails to be convincing is because he entirely seems to overlook the fact that, while the quotation from Deut.27 is central to the passage, the works to which Deut. 27 refers, the sins that bring down the curse of the covenant, are not limited to circumcision, sabbath, etc., but there are references to idols (15), dishonoring father or mother (16), lying with one's father's wife (20) or slaying one's neighbor in secret (24).

Furthermore, while Westerholm refers to Roman 3:20, 28 as "positively fatal to Dunn's proposal"⁶¹, Dunn does try to read also this passage in accordance with his theory (as he does with all of Paul!). But it struck me as I read this section of his commentary, if one does that (i.e., if one reads this passage so as to say that Paul's opponents were attempting to be justified by works of the law such as

circumcision, etc.), then have we not come again full circle? Then is Paul not opposing legalism, even if it is a legalism about some specific matters? Then is Judaism (or at least this part of it) not legalistic after all? Then Sanders and Dunn are undone, and the Reformation writers and others are exonerated after all. The same seems to happen at times in his Galatians commentary; when he writes on the phrase “all who rely on the works of the law” in Galatians 3:10, he says:

Paul meant those who, in his judgement, were putting too much weight on the distinctiveness of Jews from Gentiles, and on the special laws which formed the boundary markers between them, those who rested their confidence in Israel's ‘favoured nation’ status, those who invested their identity too far in the presumption that Israel was set apart from ‘the nations’...⁶²

When one reads this, one wonders: even if the issue is exclusivism, is it not at one and the same time legalism? Dunn might respond: yes, but these are not Jews but Christians whom Paul is opposing. But to that, we would need to respond: yes, but the influence in this regard surely is from Judaism. And at bottom, it is still legalism that is at issue.

One more argument that should be considered for the position that Paul was indeed arguing against legalism has to do with the frequent references in Paul's writings to boasting (Rom.3:27-28; 4:1-5). Those references make little sense if they are nothing more than a matter of nationalism (or dietary laws, or sabbath observance), but if they have to do with pride in one's performance -- something tempting to every human being -- Paul's major point has great significance: glory and praise needs to be heaped upon the one and only God alone!

⁵⁸ D.J. Moo, "Law, 'Works of the Law,' and Legalism in Paul," *Westminster Theological Journal* 45 1983 73-100; S. Westerholm, *Israel's Law*, 117-119, 141-44

⁵⁹ *Jesus, Paul and the Law: Studies in Mark and Galatians* 215-41.

⁶⁰ The point that Dunn tries to make is that “the curse which was removed by Christ's death was the curse which had previously prevented that blessing from reaching the Gentiles, the curse of a wrong understanding of the law” (229).

⁶¹ *Israel's Law and the Church's Faith*, 119. Westerholm also offers other objections to Dunn's theories in "Sinai as Viewed from Damascus: Paul's Reevaluation of the Mosaic Law" *The Road to Damascus: the Impact of Paul's Conversion on His Life, Thought, and Ministry*. Edited by R. N. Longenecker. (Eerdmans, 1997) 147-165.

⁶² *The Epistle to the Galatians*. Black's New Testament Commentary. (Hendrickson, 1993) 172.

One last concern, before we move on, is a major one. When Dunn speaks about the contemporary significance of what he believes to be Paul's battle against exclusivism, he makes a number of very sweeping statements. At one point he compares "the role of the sacraments (baptism and the Lord's Supper)" today to the role of "circumcision, table regulation and sabbath" in Paul's day.⁶³ At another point he writes:

Equivalent defining issues within the history of Christianity have included believers' baptism, speaking in tongues, or apartheid. Today we might think of issues like abortion, women priests, scriptural inerrancy, or papal infallibility.⁶⁴

Here we see the practical consequences of following Dunn's exegesis. Just as Paul fought against all boundaries and exclusivism, so the Christian church must oppose any and every boundary!⁶⁵ Whether they are boundaries given by God's command does not matter (circumcision was too!); Paul, and thus God, is against any notion of exclusivity. Those who have opposed one hermeneutical jump are now making another!

To conclude also this section then, obviously I believe that Dunn's approach is (simply put) wrong. Many of the "works of the law" may very well have had a delimiting function, but to suggest that Paul is not saying more than that necessitates a rereading of Paul which will have to resort to eisegesis again and again. How else can one interpret Eph. 2:8-10 or Titus 3:4-7, and so many more of the apostle's words?

⁶³ "The New Perspective on Paul," *Jesus, Paul and the Law* 193.

⁶⁴ *The Theology of Paul the Apostle* 358.

⁶⁵ This approach gets worked out to some degree in Dunn's *Christian Liberty: A New Testament Perspective* (Eerdmans, 1993).

The problem in much of this is the sweeping positions Sanders and Dunn seem to adopt. In the time available to me, I have not managed to exegete all the passages that come up for discussion here, but I am willing to grant that it is possible that sometimes we are seeing legalism where we shouldn't or that sometimes we should be seeing exclusivism when we don't. We can learn from the voices of Sanders and Dunn as we consider them. But the problem is that for Sanders and Dunn it is *never* legalism that Paul is up against, and the problem with Dunn specifically is that it is *always* exclusivism that Paul is opposing.

d) What about Luther and Calvin?

The question that persists as we come full circle is to what degree Luther and Calvin are still trustworthy guides to Paul.

Now, to me there is no doubt that Sanders has issued a commendable warning. The rabbinic sources need to be read on their own merit. If we are going to read Luther and Calvin, we will do well to be aware of this hermeneutical jump which they frequently make. But let there be no doubt that Luther and Calvin have much to teach us.

It is particularly Stephen Westerholm who answers quite unequivocally about Luther's helpfulness. In his usual style, Westerholm writes:

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.⁶⁶

Especially this exercise in reading some modern authors reinforces the thought that to

⁶⁶ *Israel's Law and the Church's Faith*, 173.

really understand Paul on this and other points, we continue to do well to learn from the masters of the Reformation era. Westerholm himself advocates reading Paul with some aid from Luther. He argues as a result that in the Old Testament, and thus in Jewish "soteriology" works do play some role. For support, he refers to passages in which Israel is promised "life" if they will do the commandments of the law (Lev. 18:5; Deut 4:1; 5:33; 6:24-25, etc.⁶⁷ Overagainst this view, he suggests, Paul, as Luther saw it, insisted that human activity played no role in salvation at all.

Frank Thielman⁶⁸ and Timo Eskola⁶⁹ seem to steer us in a direction more similar to that of Calvin. Clearly, this master will teach us more than many a modern. The church has really not been that far off the mark.

5. Some Conclusions re "The New Perspective on Paul"

1. E. P. Sanders has rightly sounded a warning concerning the practice of some (e.g. F. Weber) to read the rabbinical writings, the Scriptures, and other writings of that time in such a way that the issues involved in the debates of the Reformation about justification by grace/works are

imposed upon the Jews. To read them today with the presupposition that they were all legalists is inappropriate. Rabbinical writings need to be allowed to speak for themselves.

2. Sanders has shown that the principles of grace were often alive in Judaism. The service of the Lord and the study of Scripture was also a joy and delight for many Jews in and before the New Testament period.

3. It has been shown however (M. Silva, D.A. Carson) that Sanders has often attempted to put the rabbinic writings in the best possible light, frequently overlooking aspects wherein a theology of merit is present. He does not adequately emphasize either that this merit theology, present at times in Tannaitic writings (50 BC - 200 AD), becomes increasingly predominant in later Amoraic writings (220 - 500 AD).

4. It should not be overlooked that the sheer volume and vast number of details and laws in the Mishnah and subsequent Talmuds tend towards legalism.

5. In this whole discussion, it should not be forgotten that legalism is not the exclusive property of any Jewish or Christian group. An inclination towards legalism is part of the fallen human condition.

6. In this debate too, false dilemmas need to be avoided. The choice is not: either *all* of Judaism was legalistic or *none* of it was. There is the possibility that some individuals/groups/areas were more legalistic than others. Likewise, there is not a single Judaism behind all the documents, nor should we presume that the opponents of the Lord Jesus were necessarily the same

⁶⁷ See *Israel's Law and the Church's Faith*, 146-7.

⁶⁸ See the comments Thielman makes in *Paul and the Law: A Contextual Approach* 243-5. He suggests that "Perhaps the present work can stand as a modest correction to Westerholm's fine achievement" (245). Another work worthy of note is I. John Hesselink's revised dissertation *Calvin's Concept of the Law* (Pickwick Publications, 1992).

⁶⁹ Eskola suggests the these texts that Westerholm quotes re life above are not speaking about "eschatological salvation" but about life today *Theodicy and Predestination*, 54.

- as the opponents of Paul on this point or that Paul's opponents were always of the same mindset.
7. It is to be regretted that Sanders and others have made this "new look" re a non-legalistic Judaism decisive and normative. Whenever the Scriptures seem to present a contrary picture, it is the Scriptures rather than the "new look" on Judaism that must be adjusted.⁷⁰ This is leading to a "New Perspective on Paul" in which the writings of Paul are being reinterpreted in a way which, more often than not, is regrettable and wrong.
 8. The subsequent shift of the New Perspective by James D. G. Dunn re "works of the law" is particularly lamentable.
 - a) His reinterpretation of "works of the law" in Romans and Galatians as "boundary markers" of Judaism which Paul rejects is contrary to the significance that this phrase has had in the OT, in Qumran writings, and must necessarily have in Paul (Timo Eskola).
 - b) The implication that Paul is opposing exclusivism in every instance rather than legalism must necessarily involve a further reinterpretation of Paul which jeopardizes the principles of justification by faith through grace alone (Westerholm, Thielman).
 - c) Dunn's conclusion that Christianity must similarly oppose all exclusivism (re Lord's Supper practices, believer's baptism etc) is unScriptural and dangerous for the life of the churches.
 9. While it is important to be mindful regarding the point mentioned in #1 above, the writings of the Reformers remain very significant tools for the understanding of the apostle Paul (Westerholm, Thielman).
 10. "Traditional Reformed theology can learn and appropriate a great deal from recent Pauline research, but it need not fear the dissolution of one of its central tenets, *sola fide*" (Silva).

For Further Reading

- E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion*. Fortress Press, 1977.
- James D.G. Dunn, "The New Perspective on Paul" *Jesus, Paul, and the Law: Studies in Mark and Galatians* Westminster/John Know Press, 1990.
- D. J. Moo, "Law, Works of the Law , and Legalism in Paul" *Westminster Theological Journal* (1983) 73-100.
- Frank Thielman, *Paul and the Law: A Contextual Approach* IVP. 1994
- Thomas R. Schreiner *The Law and its Fulfillment: a Pauline Theology of Law* Baker, 1993.
- Moisés Silva, "The Law and Christianity: Dunn's New Synthesis" *Westminster Theological Journal* (1991) 339-353.
- S. Westerholm, *Israel's Law and the Church's Faith: Paul and his Recent Interpreters* Eerdmans, 1988.

⁷⁰ On a related point, it is important to view recent discussion about the relationship between the Lord Jesus and the Pharisees in the light of these new views on Judaism and the law. To downplay the conflict is inappropriate as the Gospels and Paul are reliable sources of what transpired in the first century.