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FOREWORD

Throughout the history of the Christian movement there has been an almost irreconcilable tension between law and grace. Even today this remains a fundamental issue for Christians. At a practical level the course between an austere legalism and a sentimentally cheap grace has too often been steered by correcting the one abuse with a measure of the other. Legalism and license, however, are both mutations of the faithful and responsible Christian life. The solution to this long-standing problem is not to be found in crowding the boundaries or reacting to the abuses. Rather, it is to be found in grasping the proper relationship between the Gift of God and the Divine Command.

These essays are presented in an attempt to encourage Christian reflection upon the shape of the faithful Christian life: to exhort those who have life in the Spirit and freedom in Christ to fulfill the “law of Christ.”

Michael R. Weed, Editor

THE RISE OF JUDAISM:
FROM EXODUS/SINAI TO SINAI/EXODUS

By Michael R. Weed

Beginning roughly with the period of the exile in 586 B.C., a complex combination of internal tendencies and external pressures brought about several far-reaching developments that drastically altered the religion of Israel. In the following comments I want to outline one of these developments which is of critical importance for understanding biblical and Christian ethics, namely, the emergence of Judaism as the “religion of the book” and the development of Pharisaism as the “quintessence of postexilic Judaism.”

An understanding of this process is important for several reasons. First, it is necessary to grasp something of this development in order to understand both Jesus and Paul. Much of Jesus’ teaching both reflects and reacts against fundamental precepts of Judaism of his day. Likewise, the apostle Paul had been trained in and reacted against the Judaism of his day. Second, it is necessary to distinguish these later developments, and particularly the manner in which the law came to be viewed in Judaism, from the earlier religion of Israel. To fail to make this distinction not only distorts the religion of Israel

prior to the exile; it also obscures important parallels and similarities between the early Christian movement and the faith of Israel prior to the rise of Judaism. Finally, it is arguable that what we see in the development of Judaism is a type of morality and moral consciousness which is by no means restricted to historical Judaism nor even limited to the Judeo-Christian tradition. Rather, with the emergence of Judaism we see developing a universal possibility for organizing and understanding the moral life--one which persists with tenacity and vitality in both religious and non-religious forms today.¹ The following comments will first outline the shape of Israelite religion, and particularly the place of the law as it existed in the ninth and eighth centuries before Christ. Against this background we will trace the radical shift that occurs--particularly regarding the law--in the rise of Judaism.

Covenant Law

Israel's identity and self-understanding were fundamentally grounded in her relationship to God and her perception of his character. In the first instance, Yahweh's presence and identity were vouchsafed by certain formative events of disclosure through which he had revealed himself to select ones such as Abraham and Isaac. For Israel, these events culminated in the miraculous deliverance from Egypt. It was through the exodus--an unexpected and wholly undeserved display of God's power--that Israel became uniquely constituted as a people--a nation.

Thus, as a nation, Israel was founded upon an act of prevenient grace: the exodus. It was only after the exodus that Israel received the law through Moses at Mount Sinai. Although the law was critically important, it was not,

as such, constitutive of Israel's relationship with Yahweh. Rather, Israel's identity was conferred upon her by Yahweh; it was not founded upon her ability to accomplish the requirements of the law. Thus the law protected and regulated a relationship which was already established by Yahweh's prior act. The law channeled and guided Israel's response to Yahweh's action and it stipulated and warned against those actions which lay at the boundaries--those courses of action which were to be avoided by Yahweh's people.

It is important to note that the law functioned in a much broader context or "sacral framework" through which Yahweh's intentions and presence were known and experienced by Israel. Temple, priests, king, the very existence of the people themselves--all these were avenues through which Yahweh's presence and intentions were refracted through everyday life. Even the land itself--the promised land--was understood ultimately to belong to Yahweh (Lev. 25:23). Several different avenues thus existed through which the Israelite experienced the inescapable reality of Yahweh mediated through the very structures of his natural and social environments.

The law, to be certain, was an important and even a crucial part of the sacral framework in which the Israelite lived. It did not, however, take the form of a rigidly fixed and unalterable set of requirements and regulations. Describing the role of the law at this time in Israelite religion, Old Testament scholar Gerhard von Rad states:

Jahwism never contained a clearly defined entity which Israel could have identified as "Law." This does not mean she was not constantly faced with stern demands from Jahweh--particularly in the cult but also outside it. The content of the divine will was not

given her, however, in the shape of an exactly fixed and easily recognisable law.²

The will of Yahweh, although overriding and relativizing all other concerns, was disclosed to Israel in an on-going and dynamic relationship with him. Guided by memories of her past with Yahweh and anticipating her future with him, Israel continually reinterpreted and reapplied the law to address new situations and demands. This situation was to be radically altered and the religion of Israel drastically realigned. Although the winds of change may have been blowing much earlier, the Babylonian exile in 586 B.C. offers a clear line of demarcation. The exile and its various pressures upon Israel set the stage for the emergence of Judaism as “the religion of the book.”

The Dismantling of the Sacral Framework

The dissolution of the old order and its sacral framework was a gradual and complex process punctuated by cataclysmic political crises. The division of Israel into southern and northern kingdoms and the destruction of the northern kingdom in 721 B.C. were contributing factors. It was the deportations of 598 B.C. and 587 B.C. and the destruction of the kingdom and temple by Nebuchadnezzar, however, that decisively and irreversibly altered the old order.

Israelites found themselves in a strange land, removed from all that was sacred and all that had sustained their trust in Yahweh. The 137th Psalm voices the deep and searching agony of this experience:

How shall we sing the Lord's song in a foreign land? If I forget you O Jerusalem, let my right hand wither! Let my tongue cleave to the roof of my mouth, if I do not remember you, if I do not set Jerusalem above my highest joy.

Israel survived this challenge by grasping the one thing left to her and by which she might define her identity, the law.

Seizing upon the law, the priestly community devoted itself to the study and elaboration of the divine law with exceptional single-mindedness. It was also in this period that the synagogue emerged as a place where the people gathered to hear the law read and interpreted. Thus it was that the law secured Israel's survival as a people through the captivity. It was, however, a survival which left Israel drastically altered and forever redefined.

With the dismantling of the old sacral framework--temple, king, people, land--the law was loosed from its moorings.³ On the one hand, this led to a heightened emphasis on the law as the only remaining pillar of the original structure.⁴ Removed from the temple, the deportees had no opportunity to practice temple-worship. The only avenue open to them was that of faithful observance of particular requirements of the law (chiefly Sabbath-keeping regulations and the requirement of circumcision). It was solely the law that linked Jews of the Dispersion to their ancient homeland. Not surprisingly, subjugation to the law became the single most mark of Jewish identity.

On the other hand, the law was not simply emphasized. Rather it "became the centre column and stay of a new edifice erected on the ruins of the old."⁵ That is, the manner in which the basic nature and function of the

law had been understood in Israel underwent a radical and irreversible change. The law became, in Martin Noth's words, "a new edifice." Although this edifice did not reach its full development until post-canonical times--finally culminating in the development of Pharisaism--certain tendencies may be traced which follow upon the dissolution of the old sacral framework.

The New Edifice: Judaism

Judaism emerged with a distinctive redefinition of both the nature of the law and the constitution of the people of Yahweh. With the loss of the old sacral framework, the law took on a new identity. It tended to become an absolute entity unto itself.⁶ The law came to be considered Yahweh's eternal, pre-existent will. It was viewed as one of the pillars of the universe. It was even viewed as an agent of the creation. In this fashion, the historical circumstances and occasions surrounding the giving of the law were minimized and became incidental to its real meaning and significance.⁷

Thus the law came no longer to regulate and protect the affairs of the community already established by God's prior act; the law came to be viewed as actually having created the community.⁸ Likewise, whereas Israel had been a national entity coterminous with the descendants of the Israelite tribes by virtue of Yahweh's covenant-making election, this came no longer to be the case. With the shifting importance of the law and the rise of Judaism, an Israelite was now one who kept the law.⁹

The absolutizing of the law marking the appearance of Judaism also gave rise to a number of closely interrelated developments with far-reaching

consequences. One immediate consequence is that the theological significance of the temporal sequence Exodus/Sinai (Grace/Law) was obscured. No longer was the law considered “covenant law” through which Israel responded to Yahweh’s initiative at exodus. The memory of Sinai dominated Judaism as that of the exodus had dominated the earlier period.

Additionally, absolutizing of the law brought about a subtle shift of attention from the action of God to that of man.¹⁰ Yahweh increasingly became envisioned as withdrawn from the arena of history and removed from the ebb and flow of human affairs. The existence of the written law displaced Yahweh’s dynamic presence and involvement in history. Hence, in a guarded sense, there developed a kind of deistic distancing of Yahweh as the Giver of the law and the cosmic Judge and Spectator.

Further, the shift of attention from divine to human agency led to a deepened awareness of moral seriousness and individual responsibility. With this shift, however, there also appeared tendencies toward the development of theologies of reward and merit.¹¹ The law no longer defined the requisite response to God’s gracious initiative; it tended to become the means through which an individual might define and assess his status before Yahweh on the basis of his own accomplishments--lawkeeping. Moreover, one might also employ the law--particularly specific criteria--in assessing and evaluating the status of others before Yahweh.

Finally, accompanying the absolutizing of the law was the development of an authoritative body of tradition or oral law. This material emerged, in part at least, with the necessity of showing the specific meaning and relevance of

the law to virtually every aspect of life. Thus the oral law contained interpretations of the written law, principles of interpretation which demonstrated the relevance of the law to all aspects of life, reinterpretations of ancient and seemingly outmoded laws, and harmonizations of apparent tensions between laws. Eventually, the oral law came to be viewed as having been received at Mount Sinai along with the written law and handed down to Israel's elders by Moses himself. Hence Judaism came to be structured around an authoritative written law and an accompanying and equally indispensable body of authoritative oral tradition (eventually codified in the Mishnah, ca. A.D. 200).

The Pharisees: Quintessential Men of the Law

The Pharisees are but one of several movements that existed within the broader stream of Judaism prior to and during the time of Jesus. Their name is usually traced to the Hebrew word perushim, meaning "separatists." Their origins are obscure. They are variously traced as early as Ezra and as late as the Maccabean era in the second century before Jesus. Regardless of questions surrounding their early history, however, the Pharisees have been called by W. D. Davies "the quintessence of postexilic Judaism."¹² With their single-minded and scrupulous attention to the law, the Pharisees bring into focus tendencies already present, if latent, within Judaism's absolutizing of the law. Eventually they became the predominant voice of Judaism in the first century; after the destruction of Jerusalem in A.D. 70, they became normative Judaism

It must be admitted that the Pharisees have received “bad press.” They were no doubt considerably better than they are frequently taken to have been. They were devout in their commitment to Yahweh and the law. Their lives were marked by religious devotion and moral seriousness. Nonetheless, there were tendencies operating within Pharisaism--in part stemming from Judaism’s absolutizing of the law--which seriously and irreparably altered the nature and function of the law. These tendencies also altered the structure of the religious life.

First, with the Pharisees we see an intellectualizing of the religious life. Not only did the individual keep the law, he had to know the law and correctly interpret it. The task of correct interpretation became, for the Pharisees, an all-consuming task. Heavy emphasis was placed on the study and correct interpretation of the law. Thus the Pharisee was literate and frequently bilingual in a world in which literacy was an unusual accomplishment. Worship in the synagogue, in contrast to temple worship in ancient Israel (much less worship in the various pagan religions) was also very intellectual.

Second, the law was expanded, was ritualized, and underwent a leveling process. Regulations and requirements were incessantly added and multiplied out of pastoral and protective intentions. By Jesus’ time some 613 separate requirements had been identified--365 prohibitions and 248 positive requirements. With the sheer quantity of requirements, attention focused on minute details and precise compliance with the laws. Moreover, the very meaninglessness of some requirements was taken to point to their holiness and divine origin. In this process the intent of the law as well as distinctions

between the relative importance of different requirements--between secondary and “weightier matters”--became meaningless. A leveling occurred in which the underlying purpose and intent of the law tended to be lost.

Third, the emphasis placed on correct interpretation of the law almost inevitably led to divisions within the ranks of the Pharisees themselves. Conflicting opinions regarding increasingly minute points of interpretation became the contested bases for differing schools within Pharisaism. Ironically, the Pharisees, who perhaps began by separating themselves from pagans during captivity, eventually found themselves drawing away not only from Jews who were not Pharisees but also from fellow Pharisees with differing interpretations of the law.

Finally, in an ironic parody of his original intention, the Pharisee may become shut off or separated from others, God, and even himself. Philosopher Paul Ricoeur suggests that the final step in Pharisaism’s understanding of the shape of the moral life may be this tragic end.¹³ Man, knowing the law, becomes his own tribunal--his own Judge and Accuser.¹⁴ In effect, his plight is that of Psalm 51:31: “For I know my transgressions, and my sin is ever before me.” But while the psalmist can appeal to Yahweh to “wash me,” “cleanse me,” “purge me,” “fill me,” and, ultimately “create in me a clean heart, O God (vs. 10),” the Pharisee knows only his sin and seeks to remove it through his own efforts. As the law is removed from the covenant relationship it tends to take on a separate existence of its own; it is an “accusation without an accuser.”

Thus with Pharisaism the triumphant shouts of exodus are silenced.

Sinai, no longer connected with God's prior act of deliverance, now dominates the horizons of the heart. All of life is understood in terms of law; human existence is juridicized.

Afterword

Though Jesus had much in common with the Pharisees, he also challenged their basic views. At the heart of Jesus' message was his announcement of a radically new and decisive act of God. Now is the critical hour; the Father is now giving the kingdom in an action demanding response. It is in response to God's grace--a new Exodus--that Jesus announces the rigorous demands of the Sermon on the Mount--a new Sinai. The very severity of the demands reflects the magnitude of the gift evoking and empowering such a new life. Thus Jesus restores the old Exodus/Sinai relationship, founding the life of faithful obedience on the inbreaking of the kingdom.

Paul and the early Christian movement understood that the law did not establish one's relationship with God--much less offer a way where-by one might attain salvation. Salvation is God's gift. The life of response ("freedom in the Spirit"), however, takes the shape of trust in God and self-expending neighbor-love ("the Law of Christ"). The imperative--Sinai--is firmly rooted in the indicative--Exodus.

From the outset Christians had difficulty maintaining the balance of Exodus/Sinai. Antinomians and enthusiasts sought a freedom from the law and, occasionally, from all moral obligations. Judaizers and legalists obscured the priority of the divine initiative and portrayed the Christian life

as accomplished through regimentation to a code of regulations. The need remains for the faithful of every era to avoid these distortions by recovering the vital center--living out of God's grace and under its imperatives.

Notes

- ¹ See Martin Noth, The Laws in the Pentateuch (London: SCM, 1984) "... when in the New Testament the controversy with the Old Testament law comes to a head, it is not only a former Judaism which is confronted, but something which meets us in human history everywhere and always, then and now. So the history of the Old Testament law possesses a significance more general than the narrow context of its circle of experience" (107).
- ² Gerhard von Rad, Old Testament Theology, Vol. II (New York: Harper and Row, 1965) 394.
- ³ W. J. Harrelson, "Law in the OT," Vol. II The Interpreter's Dictionary of the Bible (New York: Abingdon, 1962) 88.
- ⁴ Noth, 87.
- ⁵ Noth, 87.
- ⁶ Noth, 86.
- ⁷ John Bright, A History of Israel (Philadelphia: Westminster, 1959) 427.
- ⁸ Bright, 416; Noth, 87.
- ⁹ Noth, 80.

¹⁰ Noth, 95.

¹¹ Noth, 98.

¹² W.D. Davies, Introduction to Pharisaism (Philadelphia: Fortress, 1967) 6.

¹³ Paul Ricoeur, The Symbolism of Evil (Boston: Beacon, 1969) 127ff.

¹⁴ Ricoeur, 145.

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