

Institute for Christian Studies
FACULTY BULLETIN

Number 5
© November, 1984

COPYRIGHT 1984

by

The Institute for Christian Studies
1909 University Avenue
Austin, Texas 78705

TABLE OF CONTENTS

FOREWORD	4
DEUTERONOMY AND THE LAW	
Rick Marrs	5
THE RISE OF JUDAISM: FROM EXODUS/SINAI TO SIANAI/EXODUS	
Michael Weed	18
JESUS OF NAZARETH: A LIBERAL AND A LEGALIST	
Allan McNicol	31
PAUL, THE LAW, AND LEGALISM	
James W. Thompson	51
CONTRIBUTORS	61

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

DEUTERONOMY AND THE LAW

By Rick Marrs

See, I have set before you this day life and good, death and evil. If you obey the commandments of the Lord your God which I command you this day, by loving the Lord your God, by walking in his ways, and by keeping his commandments and his statutes and his ordinances, then you shall live and multiply, and the Lord your God will bless you in the land which you are entering to take possession of it. But if your heart turns away, and you will not hear, but are drawn away to worship other gods and serve them, I declare to you this day, that you shall perish; you shall not live long in the land which you are going over the Jordan to enter and possess. I call heaven and earth to witness against you this day, that I have set before you life and death, blessing and curse; therefore choose life, that you and your descendents may live, loving the Lord your God, obeying his voice, and cleaving to him; for that means life to you and length of days, that you may dwell in the land which the Lord swore to your fathers, to Abraham, to Isaac, and to Jacob, to give them.

Deuteronomy 30:15-20

One can scarcely read these stirring words without catching a vision of the centrality and challenge of the law to the life of ancient Israel. To interpret properly the place and function of the law in ancient Israel, it is crucial that one view the law in Deuteronomy, first and foremost, through the eyes of the original recipients of that law, rather than viewing the refraction of that law through later centuries of historical development and experiences.¹ In its original context, the message of

Deuteronomy is somewhat singular--it is the message of gift. However, the gift is twofold. For Deuteronomy, the story concerns not only God's gift of land, it also concerns God's gift of the law.

Background to Deuteronomy

The book of Deuteronomy relates the impassioned pleas of Moses to a people living between promise and fulfillment. The people stand on the banks of the Transjordan, eagerly anticipating the fulfillment of the ancient Abrahamic promises. In the more recent past, the salvific acts of Yahweh evidenced in the Exodus and Red Sea crossing, in the beneficent care of Yahweh during the wilderness wanderings, and in the over-throw of intransigent Transjordanian kings, have renewed an awareness of the present reality and validity of those ancient promises. However, complete fulfillment of those promises remains across the Jordan.² In this context, a central concern for the Israelites becomes: How do we appropriate and bring to complete realization the ancient Abrahamic promise? Deuteronomy addresses this issue most clearly with its theology of the law.

The form and style of Deuteronomy are important for appreciating the theology of the law. It is a mistake to understand Deuteronomy as a code of legalistic laws forced upon the people as a burden.³ Rather, the language is parenetic and hortatory, using homiletic style to urge the people to understand the true motive for obedience--love of Yahweh. Many scholars maintain the book is written in a form similar to the Hittite suzerainty treaty of the ancient Near East. Although this is probably true, one can also see sermonic discourse throughout the book. The "preacher" strives to bring his listeners into the proper relationship with God. Thus, the book of Deuteronomy is an attempt to relate the Mosaic faith to

Israel's new life in Canaan. It attempts to show that Israel's covenant faith, born in the wilderness, is compatible with and possible in the more advanced land of Canaan.

The Gift of the Land

Essential to a proper understanding of the Deuteronomic view of the law is an understanding of the Deuteronomic view of God. In Deuteronomy, Yahweh is not simply Creator, he is also Sustainer. Yahweh, giver of life, continues to sustain his creation through love.

And he humbled you and let you hunger and fed you with manna, which you did not know, nor did your fathers know; that he might make you know that man does not live by bread alone, but that man lives by everything that proceeds out of the mouth of the Lord. (Deut. 8:3)

Take heed lest you forget the Lord your God, by not keeping his commandments and his ordinances and his statutes, which I command you this day: lest, when you have eaten and are full, and have built goodly houses and live in them, and when your herds and flocks multiply, and your silver and gold is multiplied, and all that you have is multiplied, then your heart be lifted up, and you forget the Lord your God, who brought you out of the land of Egypt, out of the house of bondage, who led you through the great and terrible wilderness with its fiery serpents and scorpions and thirsty ground where there was no water, who brought you water out of the flinty rock, who fed you in the wilderness with manna which your fathers did not know, that he might humble you and test you, to do you good in the end. Beware lest you say in your heart, "My power and the might of my hand have gotten me this wealth." You shall remember the Lord your God, for it is he who gives you power to get wealth; that he may confirm his covenant which he swore to your fathers, as at this day. (Deut. 8:11-18)

In Deuteronomy, the clearest evidence of God's continued gracious sustenance is the gift of the land itself. Land theology plays a central role in Deuteronomy. In fact, there are only two chapters in which "land" is omitted. The phrases "go in and possess" and "the land which the Lord your God has given you" occur thirty-five and thirty-four times respectively. However, one must see the theology of the land in relation to the law and covenant of Yahweh. By noticing various passages in the book one can see theologically how the land is considered as a gift from God, as a possession for them to take, as a continued possession only through obedience to the Law, and as an essential to real "life."

The first thing that Israel must realize is that the land is a gift from God. This is fundamental for a proper relationship with God. The reason for this gift is twofold. Stated negatively, God is not giving the Israelites this land because they are righteous. Rather, it is because the other nations are wicked and he is fulfilling the promise which he made with the patriarchs (Deut. 9:5, 6). The themes of gift and promise are interrelated. The Deuteronomist reminds the people that this gift is completely unmerited, for Israel is in fact herself a "stubborn people" (Deut. 9:6). Yet he also strives to show that the promise which was made to the patriarchs is now being realized in the present hearers. It is given to them because God loves them and is keeping his promise to the fathers (Deut. 7:8). The people should not

become arrogant, claiming that they are self-sufficient. Deuteronomy envisions the danger of Israel forgetting the salvific acts and profusion of blessings with which Yahweh has blessed her, and of becoming self-confident and arrogant. Thus, he also urges Israel to remember continually the great love that Yahweh manifested in his acts of salvation (Deut. 8:11, 17, 18). The religious message of Deuteronomy is that Israel can never claim to be self-sufficient and independent because her very beginning was from God. She must continually remind herself that the land is a gift and that her existence will always have its basis in Yahweh. Yahweh, the giver of the land, is also the giver of life in that land.

Inseparably linked with God's gift of the land is the possession of that land which Israel must accomplish. The writer of Deuteronomy argues that Yahweh is in control of all nations. He goes before the Israelites to conquer the land and give it as an inheritance to the people whom he has chosen. It is significant that Deuteronomy refers to the land of Canaan as Israel's inheritance, a term originally used in reference to land possessions of a family or a clan.⁴ Seen in this context, the conquest is not "just another war." It is "Yahweh's war": Israel is his agent to secure a land. Israel has no natural right to the land; it is God's gift as an inheritance. However, there is more to possession than Israel just having received an inheritance. Israel will find "rest" in the possession of this land. The combination of these motifs is seen in Deuteronomy 3:18-22. Yahweh tells his people to go possess the land that he has given them; they are not to be afraid for the Lord is fighting for them and he will give them rest. This promise contains

special significance when one remembers the historical context. This is an exhortation to a weary people who have come from severe affliction in Egypt and have spent forty years homeless in the wilderness. The land gains new significance as a gift from Yahweh in which Israel will experience “rest from her enemies” (Deut. 12:10). Here Yahweh’s people will claim their inheritance and live in safety.

The Gift of the Land

It is in this context of the promise-fulfillment theme of the land that the centrality of the law and the covenant appear. The book of Deuteronomy contends that it is impossible to possess the land and not live under the covenant of God. To appreciate the relationship between the law and the land one must see these laws in their proper perspective. It is imperative that one remember that Israel’s election is not based on a prerequisite of obedience to the law, but vice-versa. The promise extended by Yahweh always precedes the attendant law enjoined upon Israel. Theologically as well as historically, the Exodus (salvation) precedes Sinai (law). It is none other than the redeeming and preserving God of the Exodus who again at Sinai demonstrates his love toward this escaped band of slaves. For a people who have recently experienced the joy and exhilaration of deliverance and freedom, this merciful God now lovingly proclaims the appropriate and obedient response to these gracious acts. Thus, fulfillment of these commands is not a pre-condition of the salvation which Yahweh has given. Rather, the proclamation of the commandments takes place subsequently to the election. Hence, obedience follows the divine saving activity. God’s grace calls forth a love for him which results in the desire to follow humbly his regulations and to let him guide Israel in her daily life. Clearly salvation can never be earned; however, it can be responded to

appropriately or inappropriately. Obedience to the instructions of this loving God is the appropriate response of those who have experienced his redemptive love.

The Law and the Land

The connection of law and land is seen throughout the book. In Deuteronomy 4:1-8 (especially vss. 1, 5, 8) Moses urges the people to keep the ordinances and statutes of Yahweh so that they may be insured of possession of the land. The land is seen as a sphere of blessing and prosperity when there is obedience and submission to God's will.

A clear interrelation between God's law and God's land is found in Deuteronomy 6:20-25:

When your son asks you in time to come, "What is the meaning of the testimonies and the statutes and the ordinances which the Lord our God has commanded you?" then you shall say to your son, "We were Pharaoh's slaves in Egypt; and the Lord brought us out of Egypt with a mighty hand; and the Lord showed signs and wonders, great and grievous, against Egypt and against Pharaoh and all his household, before our eyes; and he brought us out from there, that he might bring us in and give us the land which he swore to give to our fathers. And the Lord commanded us to do all these statutes, to fear the Lord our God, for our good always, that he might preserve us alive, as at this day. And it will be righteousness for us, if we are careful to do all this commandment before the Lord our God, as he has commanded us.

This passage discusses teaching a later generation why God's laws must be kept. It is quite significant to note that the father is to answer the son by reciting the old credos of God's salvific action on behalf of Israel. A later generation will be in peril of forgetting Yahweh's action and thus not comprehending the meaning

behind his laws. Thus, this passage reminds Israel that the laws come from a God who redeemed her from slavery and led her into a prosperous land, and who gave her a set of laws by which she could maintain that personal relationship with him. The writer states that the acceptance and observance of these statutes will be considered as righteousness to God. Righteousness here is not equivalent to goodness, but rather denotes a correct attitude toward the claims which another (here Yahweh) has upon a person. He who accepts and believes in God and his will has a right relationship with Yahweh, i.e., on the basis of his intention to be associated with God, God recognizes and blesses him. This close connection of the law and the land runs throughout Deuteronomy. Obedience to the law is the only way in which Israel can continue to exist in the land. Disobedience brings war, catastrophe, loss of land, and death. Therefore the law has a negative function in that it is the condition upon which Israel's existence depends. However, it also has a positive function in that it is the norm of life or the modus vivendi for real existence.⁵

Negatively, if Israel does not fulfill her covenant obligations she will lose the land. The Deuteronomist declares that only a God who could perform such great acts of mercy, who would choose a people out of love, and who would fulfill his promises by giving them a bountiful land could be worshiped.

The gracious love of God for his people was employed by the writer of our book to argue for a favorable response on the part of the people. Such great love ought not go unrequited. Simply because Yahweh is a merciful God (4:31; 13:18; 30:3) his people do not have license to flout his will or disregard his instruction (Torah).

It is unthinkable for Israel to reject a God who has stood by her in faithfulness and

made her a mighty nation. God's people must obey his laws, not solely for the necessity of worship or to avoid divine retribution, but because it is through obedience that a harmonious and satisfactory relationship is maintained. Life then is secure in the promised land. It is this positive relationship between the law and the land which Deuteronomy sees as central. Obedience to the law is seen as equivalent to life in the land (Deut. 30:15-20). Throughout the book laws are given so that the children of Israel may live in the land. The land is seen as a gift of salvation to the people of God. It is a home, a dwelling place where Israel can live in an ideal relationship with God. However, again it should be stressed that neither the land nor the law guarantee life; rather, they are the gifts of the one who does guarantee life.

In Deuteronomy 26:5b-9 Israel is commanded to return to Yahweh the first fruits of sacrifice. The central focus and thrust of the law again appear. Israel must return first fruits to the Lord, not because Yahweh wishes to lay a heavy burden upon her, but because this is the natural response to give to the one who gave and blessed the land. Every statute and ordinance of the law is conditioned on what the Lord has done previously for his people. The worshiper's gift is merely the fruit of God's gift to him. This passage contrasts the nomadic life of Abraham with the sedentary life of Israel. In faith Abraham "lost" his land and in humble obedience went wherever the Lord commanded. Now Israel is to enjoy the results of that obedience--the land. There is an intimate connection between Abraham's move from obedience and Israel's existence in a prosperous land because of that obedience.⁷

Deuteronomy 32:45-47 beautifully summarizes the theology of the law and the land in Deuteronomy. After the song of Moses has been sung, Moses stands

before the people and recites the religious message they need to hear:

Lay to heart all the words which I enjoin upon you this day, that you may command them to your children, that they may be careful to do all the words of this law. For it is no trifle for you but, it is your life, and thereby you shall live long in the land which you are going over Jordan to possess.

The purpose of the law is to insure existence in the land. It must not only be learned, but must also be taught to the children so that they will not lose the land. The land is a gift from God given to an undeserving people. By God's redemptive activity he himself creates for his people the prerequisites for their obedience and assurance of life. As Wright says, "The land was a wonderful gift of God's grace, but it was also a holy gift which demanded a definite covenant decision." Moses declares, "...it is no trifle (i.e., 'empty word'), but it is your life" (Deut. 32:47). Deuteronomy contends that the issuing forth of the law is the issuing forth of life itself. There is life in the mighty acts of deliverance from Egypt and possession of the land; there is also life in the word of Yahweh which teaches the people how to maintain a long and prosperous life in that land. The theology of Deuteronomy contains a powerful message. The writer draws upon the mighty salvific acts of Yahweh and the promise par excellence of a land in which God himself will care for and sustain his elect people. Israel, to maintain a personal and vibrant relationship with God must have the proper response and attitude toward him. This she demonstrates by accepting and fulfilling her covenant obligations. In so doing she receives life itself.

The message of Deuteronomy continues to speak forcefully to any people who considers itself to live in covenant with this saving God. The modern church

exults in the gracious salvation that has been extended in Jesus Christ. That salvation brings deliverance and freedom in a full sense to a people painfully acquainted with slavery and despair. Significantly, the same loving and sustaining God calls his redeemed to a life of obedience and commitment. As so eloquently stated in the ancient passages of Deuteronomy, this life of obedience and commitment is in no way intended to earn salvation, for salvation has already been given! Rather, it is always and only properly understood when viewed as a response to the grace of God. In such an obedient response, the modern covenant community manifests the proper relationship with God and in so doing receives life itself.

Notes

- ¹ Conversely, a most telling understanding of the Law is seen in the period of the Josianic reform. In Covenant: The History of a Biblical Idea (Baltimore: The Johns Hopkins University, 1969, pp. 143, 144), Prof. D. Hillers catches the tenor of Deuteronomy quite well:

A better conception of the nature of the book [Deuteronomy] may be gained from seeing how it affected King Josiah: “When the king heard the words of the book of the law, he tore his garments. And the king commanded...’Go inquire of Yahweh for me and for the people and for all Judah concerning the words of this book that has been kindled against us.’” The impassioned sentences of Deuteronomy helped propel the most stringent reform ever attempted in Judah’s history and will serve us as a measure of the continuing vitality of the covenant idea, of the changes in its conception, and of the heroic efforts necessary to put the covenant back in force as a social reality.
- ² The book itself claims to be the words of Moses spoken to the people of Israel just after they have completed their wilderness experience and are about to enter the promised land. Most scholars however see the actual form of Deuteronomy as having taken place in the seventh century; they link it with Josiah’s reform of 621 B.C. G. Fohrer (Introduction to the Old Testament [Nashville: Abingdon, 1968, p. 175]) argues that the “core” of Deuteronomy could have been initiated in the eighth century under Jeroboam II, brought to Southern Judah after the fall of Samaria (721 B.C.), and put in the temple of Jerusalem. It probably was revised and edited in the reign of Manasseh (by loyal adherents to Yahweh) and found by Hilkiah in this form. If this is the case, then the book of Deuteronomy becomes the powerful living word of Yahweh. It spoke to the people of Moses who were in an interim between promise and fulfillment; it later spoke to the descendents of that people who were now in danger of losing that inheritance which God had given them.
- ³ The term law (Torah) means “instruction, guidance, teaching.” Its verbal counterpart means “to teach.” Thus, law for the Deuteronomist is not an impersonal system of regulations; rather, it is the loving concerned guidance of a caring parent.
- ⁴ Note especially Deuteronomy 32:8, 9 in the context of God’s gift and inheritance.
- ⁵ P. Miller, “The Gift of God,” Interpretation 32 (1969) 459.

- ⁶ J. Myers, Grace and Torah (Philadelphia: Fortress Press), 50f. Cf. also the comment of D. Hillers, “And since the prior oath of God is thus one of his gracious acts toward Israel, it is one thing that should motivate their humble obedience” (Covenant, 155).
- ⁷ Miller, “Gift of God,” 462f.
- ⁸ G. Wright, “Deuteronomy,” The Interpreter’s Bible, vol. II (Nashville: Abingdon, 1953) 328.

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.

JESUS OF NAZARETH: A LIBERAL AND A LEGALIST

By Allan McNicol

Ernst Kasemann relates the following story that is supposed to have taken place in Holland during the period of disastrous flooding in 1952.¹ It appears that the dykes of a particular parish had become so vulnerable to the storms and high seas it was deemed necessary by the authorities that the entire populace spend a Sunday laboring to fortify the protective walls. This meant, of course, that the people could not carry on their regular church activities on this particular Sunday. The local minister was informed and he found himself in an unenviable position for a Dutch Calvinist. Should he ask the parishioners to attend services and risk the collapse of the dykes or should he violate the command to keep the Sabbath holy by neglecting the services and engaging in work. Unable to make the decision himself the minister called the church council together. Discussion went back and forth--pro and con. Finally, the minister, who leaned toward the view of abandoning services in favor of working, mentioned the scripture where Jesus said 'the Sabbath was made for man, not man for the Sabbath' (Mark 2:27). At this point it is said that an old patriarch of the congregation struggled to his feet and announced, "I have

been troubled, pastor, by something I have not been able to say in public. Now the time has come to say it. I have always had the feeling our Lord Jesus was just a bit of a liberal.”

A sense of disease over the perception that Jesus may have been a bit liberal is not only disquieting news to conservative Dutchmen. As free church communities placing great emphasis on being faithful to God through careful obedience to the teachings and ordinances of the early church, the churches of Christ have emphasized repeatedly the need for Christians to be responsive and submissive to authority.² Practically speaking, as this concept has worked itself out in the local church it has meant that stress is placed on reading and interpreting biblical texts to determine what one should and should not do in all aspects of life as a Christian; and this ethos has become so pervasive amongst us that it has become clear that we are not far from what many observers of religion would call legalism.³

Mennonite John Yoder, in a very sympathetic treatment of the churches of Christ as a free church movement, has accurately put his finger on two theological tendencies in our fellowship that have made churches of Christ more susceptible to legalism than many other “restoration-type” churches which have broken with the church-state connection. First, Yoder points out the tendency on the part of churches of Christ (perhaps because many early nineteenth-century leaders had training in Scottish common sense philosophy) to follow a Calvinist rather than Anabaptist vision with reference to their interpretation of the New Testament as a complete pattern for church life--especially as it relates to polity.⁴ Second, Yoder notes that in contrast to other

free church movements there is a demonstrated tendency in churches of Christ to emphasize restorationism to such an extent that some have painted themselves into a corner. The view that the New Testament church constituted a pure pattern for Christianity does have value in allowing a way around the difficult problem of historical contingency. But, if pressed to the extent some have forced this model, it has no clear way of dealing with the factors of cultural and philosophical change in any given contemporary era.⁵ In these two areas Yoder has demonstrated that churches of Christ have a particular problem with legalism.

It is the easiest thing in the world for church leaders to enshrine their own particular opinions and interpretations of the New Testament as the touchstone or benchmark of apostolic authority. In some circles we have become so provincial that other theological discipen used in the interpretation of texts in historic Christianity aside from our own are declared illegitimate. This is a serious problem which we can overcome only by becoming more conversant with the whole area of ecumenical biblical scholarship. Until that day arrives legalism poses an ever-present problem for us.

Furthermore, there is a cultural factor that compounds our struggle with legalism today. A considerable segment of the churches of Christ in America are people who find themselves alienated from the mainstream political, religious, lifestyle and philosophical models that are paraded regularly before them in their primary sources of information about the world, namely the media. These people are in the church precisely because it fortifies an

alternative set of personal values contrary to those which are operative in wider society. These Christians want clear authority. And the more legalistically their particular value system is implemented in the church, and even when possible in our wider pluralistic society, the better.

For these new authoritarians Jesus, the most potent figure and symbol in our civilization is, of course, thought to be the ideological foundation. Any idea that Jesus may have been a bit of a liberal, or sat loose in his attitude towards traditional authority, is a bitter pill that would be very hard for many to swallow. What is called for in these circles is a Jesus who under girds our views about authority; not one who questions them!

Since it is axiomatic that being a faithful Christian means to take the legacy of the life, deeds and teachings of Jesus seriously, it is important to raise the historical question as to what was Jesus' attitude toward the established authority structures of his time. Did he in conservative fashion demand strict adherence to the religious status quo in first-century Galilee? Or was he indifferent toward these structures? Or did he think that the established authorities were evil and should be overthrown? To ask these questions is really another way of raising the issue of Jesus' attitude towards the law of Moses: Torah. For the Torah was the established law under which a first century Jew in Palestine lived. By raising this issue, of course, it is not just our intention to go carefully through the primary and secondary sources of Jesus' life and give an historical answer to our question. Rather, we wish to pose the question in such a way that we intend to be able to separate the genuine earthly Jesus and his truthful claim over the church from the Jesus of our

modern ideological agendas.⁶ Furthermore, perhaps there is latent in this material a word whereby the community today who knows that its very existence is dependent upon remembrance of the revelation of God in Jesus' life can hear something that will allow it to stay clear of the entanglements of legalism. Thus, the purpose of this essay is to give an analysis of Jesus and his relationship to the law and suggest some implications this analysis has for the church today.

It will not be possible to cover all the relevant texts regarding Jesus and the law. In this essay we will concentrate on Jesus and the law in his Galilean ministry as recorded by Matthew, Mark, and Luke.⁷

Procedurally, in order to give force to this essay we will condense our analysis of Jesus' attitude toward Torah into a defense of two theses. After we have defended these theses we will conclude our essay with a summary of our findings and a statement concerning what implications this research has for the problem of legalism in the churches of Christ.

Jesus and the Law

Thesis One

Jesus respected and was observant of Torah the traditional inherited value system of the Jewish people of Galilee in the first century. To the degree that the Torah gave definition to all aspects of life, was written down in a book and was scrupulously observed, Jesus endorsed this practice and thus in this sense may be called a legalist.

It is customary for beginning students of the New Testament to be taught as foundational knowledge that there was considerable diversity and division in first-century Judaism. Such groups as the Pharisees, Zealots, Sadducees, Essenes, and Herodians competed for the allegiance of the people. Amidst this diversity we tend to forget that all these groups had some underlying views in common. Aside from accepting the fundamental confession that God is One, no concept was more firmly entrenched than the view that the Torah had come by revelation from God to Moses and represented God's normative claim over Israel. Every Jew had the responsibility to be observant of it.⁸ This shared sense of a common communal existence under Torah was so strong that it is doubtful whether Jesus would have received any hearing among his people if his position were otherwise. In fact, the sources on Jesus' life indicate he observed Torah rigorously.

Throughout the gospel tradition we learn that Jesus faithfully attended the great festivals in Jerusalem. He paid the half shekel temple tax and wore the prescribed tassel on his outer garment.⁹

There is no clear evidence that Jesus made subtle distinctions (as in later Christian centuries) between the moral and ceremonial law or divided it into written demand and oral interpretation.¹⁰ He seemed to hold the conventional view that the law in written form and the oral traditions came from Moses.¹¹ To be sure, on some occasions Jesus and his disciples clashed with certain interpretations of the law held by particular sectarian groups over such issues as the ritual need for the washing of hands before meals, what constituted work on the Sabbath, or whether the concession for divorce in Torah

constituted God's intention for Jewish practice in matters of marriage.¹² But with these and similar incidents that are noted in detail in the gospels, other groups within Judaism in the first century took positions which were similar to Jesus. All that this indicates was that Jesus was in the mainstream of Galilean Judaism. His attitude was in many ways typical of any devout follower who operates within a tradition.

One of the strongest pieces of evidence in favor of our thesis can be found in the belief system of the Aramaic-speaking disciples of Jesus who reformed to carry on his message after his death and resurrection. They remained observant of Torah (Acts 2:46; 21:20).¹³ Even Paul the great bête noire of all Jews who accepted the proposition that Torah-keeping was essential for salvation viewed himself as observant of the law; only he demanded that believers in Jesus not see the law as the means of inheriting the promises given to Abraham and thus binding on both gentile and Jew (Acts 21:23-26; Rom. 4:9-13).¹⁴ If followers of Jesus, including the Twelve, after the resurrection both claimed to be loyal to Jesus' cause and were observant of Torah, it is hardly likely that their recollection of Jesus was of one who advocated the freedom to disregard it during his earthly ministry. Thus, upon historical analysis of the Galilean ministry, we are drawn to the conclusion that throughout his ministry Jesus maintained a strong allegiance to the traditions of his people, the centerpiece of which was the Torah. In this sense he could be called a "legalist."

Thesis Two

Jesus' utopian perspective that he lived at the beginning of the Messianic time caused him to assert that the normal routine of Torah-keeping in his era was an inadequate response to the crisis of his times. He alienated himself from his fellow Jews when upon the creation of a new family who were to serve as the prototype of the people in the new creation he urged such rigorous practices that in the view of some, the validity of traditional observance of Torah was repudiated. In this sense Jesus was an innovator or a liberal.

Jesus' close association with John the Baptist was indicative of his deep belief that Israel was at the edge of the Messianic Age and was about to enter its most crucial period of history. A fundamental theme of John's preaching was that the business-as-usual attitude on the part of Israel toward Torah observance was not good enough in these critical times. Israel should retreat to the wilderness apart from all false enticements of the age and there she could, in a place of quiet solitude, be purified in a special relationship with God in preparation for the critical events to come (cf. Hosea 2:14).¹⁵ As the old Israel began in the wilderness so the new Israel would have its origins there as well. John announced that a failure to heed his radical call would lead to dire circumstances in Israel. The axe lay at the root of the trees (Matt. 3:10). Israel could no longer attain collective security before God by relying merely on its election as the chosen people and the promises of the covenant (Matt. 3:9). Israel must show a new moral seriousness towards Torah that went beyond mere perfunctory observance. This included sharing coats and food with the poor and being content with one's wages (Lk. 3:10-14; Matt. 3:8).

Although Jesus did not advocate retreat into the wilderness the message

of a stern call for Israel to go beyond being mere observers of Torah was carried on by Jesus after John's death. In view of the coming decisive events which were shortly to occur in the very near future, it was Jesus' view that the most critical thing to do was to repent and show the fruits of this change of heart in a reformed life (Lk. 13:3; Mk. 1:15; Matt. 7:16-20; 11:20-24).

In order to give focus to his vision of the people of God who would be prepared for the coming decisive events of history, Jesus formed a nucleus of the future restored Israel by selecting the Twelve.¹⁶ It is important for our purposes to determine what Jesus was seeking to embody with his choice of the Twelve; especially how his activities with them were intended to transcend the lifestyle common to Torah observance of the day. To follow Jesus the disciples had to leave their vocations (Mk. 1:16-20; Matt. 9:9). They also were to leave their possessions (Lk. 12:33; 14:33; Mk. 10:21; Matt. 10:5-9). To accentuate the fact that this small community constituted a new fellowship distinctly different from anything they were used to in the past, Jesus demanded that his disciples be aware of the radical disjunction between the past and present life as his followers even in respect to leaving their own families (cf. Matt. 10:37; Lk. 14:26). This call for a radical break with their past lifestyles, including the breaking of close family ties, had grave implications vis-à-vis the common observance of Torah with its stress on the responsibility of men to provide for their families both by their presence with them and their financial means.

We can gain an insight into how revolutionary and upsetting Jesus' mission must have been to the Galileans by looking closely at one of his familiar sayings in Matthew 8:21-22 (see Lk. 9:59-60). Here the call to follow Jesus takes priority over preparation and implementation of the burial of a potential disciple's dead father. No parallel to this saying has been found in the known literature of the Greco-Roman world.¹⁷ This kind of demand by the teacher upon his disciple is without precedent. The call to give up the most sacred filial duty of burying a parent would certainly be perceived by observant Jews of Jesus' time not only as disrespectful to the memory of one's family; but also as a claim that Torah with its call to honor father and mother should be relegated to "second fiddle" in favor of Jesus' call to discipleship. There is strong unbroken tradition in Judaism (as in most societies) in that minimal respect one can show to a parent is to give them a decent burial. Under Pharisaic influence in Palestine the rites for the dead, especially one's parents, had gained primacy among all good works. In the Rabbinic materials the following saying with reference to care for one's family is found.

He who is confronted by a dead relative is freed from recitation of the Shema, from the Eighteen Benedictions and from all the commandments stated in the Torah (Ber. 3:1; cf. M. Exodus 18:20).¹⁸

Clearly Jesus' saying cut against the grain in the established Judaism of his day. This saying (incident) is so shocking that it cannot be perceived merely as a metaphor for the urgency or mutual exclusiveness of his call to discipleship.¹⁹ But neither should it be viewed as a sweeping statement on

Jesus' part where he apparently declares null and void one of the sacred ten words; namely to honor father and mother.²⁰ Rather, it seems to be the case here that Jesus is stressing the great difference between the business-as-usual attitude toward observance of Torah in his day and entrance into life in the new family of the kingdom. This required such a radical break between past and present that Jesus was quite prepared to upset and offend traditional sensibilities. Yet even here, Jesus did not view himself as being in violation of Torah. The kingdom was in the process of coming. The call to life by sheer grace entailed the belief that God, the loving heavenly father who was in the process of bringing a new creation, could certainly find support for the disciples' families and even create a situation under which the potential disciple's father would receive a decent burial. The important thing was to trust in the care of this gracious father and he family should live in total dependence on his care--to such an extent that no man in the new family should be called 'father' (Matt. 23:9; cf. Matt. 6:9, 32).²¹ The disciples no longer had an earthly father (in the traditional patriarchal sense of that era) who could carefully plan their future careers and destiny; even the funeral arrangements for their families. From now on God was their father.

It is no wonder that this outlook came as shocking news to the normal observant Jew of Jesus' day; and it is understandable that even Jesus' own earthly family questioned the validity of this outlook (Mk. 3:21). Jesus was clear in the importance he gave to this family (Mk. 3:31-35; Matt. 10:34-37). But those who discounted this dimension in his thought could only see dispossessed families and disrespectful disciples. This was the source of the

distress many thoughtful observant Jews felt toward Jesus and the implications of his teaching for normal perceptions of Torah. Jesus' view of God's demands for the preparation of the Kingdom was taking them to the outer limits of regular Torah observance. And it certainly didn't alleviate matters when he freely invited the sinners and tax gatherers (others who had gone beyond the pale of regular Torah observance) to come to his table on the basis of sheer grace rather than demanding the customary period of probation as did the Pharisaic teachers (cf. Mk. 2:15-16).²² Thus Jesus was considered by many conscientious Jews as dangerous.²³ Ultimately, he was disposed of outside the city gate in Jerusalem (Heb. 13:12).

The contrast between being a common observer of Torah and Jesus' call to live in absolute dependence upon the gracious care of the father in Jesus' new family is brought out clearly in the famous 'light burden' passage of Matthew 11:28-30. This is a crucial text for understanding both the vision of Jesus for his new family and its connection with Torah. The text appears to be a redefinition of some sayings in the Apocryphal book of Sirach written about 200-190 B.C. In Sirach 51:26, 27 we read:

Put your neck under the yoke and let your soul receive instruction
it is to be found close by.

See with your eyes that I have labored little
and found for myself much rest (R.S.V.).

The subject of this poem is the wisdom of God. Here the hearers of this poem are exhorted to follow God's wisdom. They are to put their necks under

the yoke and to receive its instruction. For the observant Jew the yoke of wisdom and the yoke of the commandments of God as given in the Torah were the same (Sirach 24:23-29).²⁴ The Torah was God's concrete expression in the form of instruction designed to show his people how they should live in all areas of life. But in Matthew 11:28-30 Jesus, speaking to the disciples, adds to the demands of the common observance of Torah the call to his way of discipleship (cf. Matt. 5:20).²⁵ Concretely, this meant they were to go with him in his mission of teaching, preaching, and healing (Matt. 4:19-25; 10:16).²⁶ Being yoked with Jesus and carrying the burden of learning from him gave every indication of creating great difficulties (Matt. 10:24-39; cf. 5:20). Yet here Jesus is said to tell his disciples that his yoke is easy and his burden is light! Indeed, as individuals who would try to meet these demanding standards on their own resources this was impossible.²⁷ But because Jesus, the teacher of God's wisdom, had promised to be with his disciples in one family under God's gracious care until the end of the age, what was once impossible for the individual was now possible in the context of the new family existence (Matt. 28:16-20; cf. Gal. 6:2).²⁸

Finally, this vision of life together in the new family of God where God's demands are fulfilled is at the heart of the Sermon on the Mount (Matt. 5:1-7, 29) or the Sermon on the Plain (Lk. 6:17-49). Of course Matthew and Luke have been careful to place these significant statements of the nature of life in Jesus' new community into the context of concrete expressions indicating what was taking place in the life of Jesus' family under the direct rule of God (Matt. 4:23-25; Lk. 6:17-20; cf. Matt. 11:2-6).²⁹ In Matthew 5:21-

48 the ethical demands of Jesus are set out vis-à-vis the law. But again we should not rush to the conclusion that when Jesus used the formula ‘you have heard, but I say to you,’ that he is giving his statements on the life of a disciple as something operative in place of the Torah. The grammatical construction here could just as well be read as either ‘and I (in agreement with Torah) say to you,’ or as I think is more likely, ‘I (in addition to Torah) say to you.’³⁰ According to Matthew 5:17-20 the last thing Jesus wanted to do was replace the demands of Torah.³¹ Since that passage sets forth the themes which are developed in Matthew 5:21-48 it is hardly likely that the so-called antitheses should be read as Jesus’ alternative to Torah. Jesus called his Jewish disciples to be observant of Torah within the mainstream of the tradition (Matt. 23:3). But in addition he called for a greater righteousness (Matt. 5:20-48). Thus he was both a legalist and a liberal.

Summary of Findings

It seems abundantly clear that Jesus could in no way be described as being indifferent to observance of Torah. Nor did he consider that the normal procedure of interpreting the law as carried on by the scribes was inherently evil (Matt. 23:2, 3). The problem with the scribes and Pharisees was that they did not live up to the law or were over zealous in devising ways to make its demands easier (Matt. 24 :4-39; Mk. 7:1-13). In his general disposition toward the givenness of Torah as authoritative tradition (both in written and oral form) Jesus was quite conservative.

But, at the same time, there was a major element in his outlook where he

differed from the typical contemporary Torah observer. Taking up where John the Baptist left off, Jesus saw himself as called by God to create a new family of restored Israel who would live in total dependence upon God as a prototype of citizenship in the new creation. What seemed to Jesus to be a way of life lived by sheer grace (e.g., calling disciples to leave their earthly livelihoods) appeared to other Jews as irresponsible and contrary to Torah. Thus many became hostile and ultimately Jesus was rejected by the status quo. In this sense Jesus did not accept the status quo and as the old Dutchman correctly perceived was a “bit liberal.”

Our Battle with Legalism

In conclusion we would raise the question about the applicability of these findings to contemporary church life. We believe there is a word here that if heeded may help churches of Christ be more faithful to the intent of Jesus of Nazareth and at the same time avoid a distorted legalism. We will attempt to state this word in the form of several observations.

1. Jesus himself held in deep respect a form of traditional authority: the Torah and observance of it. Likewise the church should do the same today both with respect to the teachings of Jesus and the apostles and of our historic free church restorationist theological perspective.
2. There is evidence to indicate that Jesus did not allow himself to stop with being the faithful conservator of his inherited tradition. He did not use allegiance to tradition as a means of avoiding the historical contingencies he faced in his era. He was no obscurantist. Churches of Christ today should be aware of

over zealous attempts on the part of some who would seek to imprison them with a total theological outlook solely operative within a very restrictive set of formulas worked out by past leaders but which are no longer relevant today. This legalism, in the name of Jesus, should not be tolerated in the family of God today.

3. Jesus risked alienation and accepted hostility because of his conviction that in his new community something more significant was taking place there than in the wider general society of his time. We should see today that the local congregation (our family) can still be a place where the Lordship of Christ challenges us to risk alienation either from “the do your own thing culture” of the left or those of the new right who would make their ideological use of Jesus the basis for a new unity between church and state. We must remember that as a sectarian fellowship we are as Jesus’ family, set apart under God’s word to model among ourselves the ultimate triumph of the kingship of the heavenly father. This strategy brings freedom not bondage.

Earlier in this paper we referred to the excellent analytical work John Yoder has done on the churches of Christ and their battle with legalism. We now close with a further observation he has made.

If Jesus Christ is Lord, obedience to his rule cannot be dysfunctional. Principled or virtuous behavior cannot be imprudent generally, though it may well appear so punctually. Torah is grace, not a burden. The (new) covenant is liberation, not servitude.³²

Notes

- ¹ E. Kasemann, Jesus Means Freedom (Philadelphia: Fortress, 1970) 16.
- ² See my article “Apostolicity and Holiness: The Basis for Christian Fellowship,” Mission 1985 (forthcoming). Here I stress that the churches of Christ are a legitimate fellowship based on the traditional marks of the church being one, catholic, holy, and apostolic. They claim to be a legitimate holy fellowship both on the grounds of claiming to follow a transcendent moral purpose revealed in Scripture and through the regular exercise of discipline by ecclesiastical authorities.
- ³ Cf. John H. Yoder, The Priestly Kingdom: Social Ethics of the Gospel (Notre Dame, Indiana: University of Notre Dame, 1934) 198.
- ⁴ Ibid., 131-133.
- ⁵ Ibid., 198.
- ⁶ The case for the historian’s Jesus to supplant the Jesus of the ideologues is well stated by Leander Keck, A Future for the Historical Jesus (Philadelphia: Fortress, 1971) 103-106.
- ⁷ Although we do not have room to discuss the material in this paper my own analysis of the clash between Jesus and the temple authorities in Jerusalem as well as the Johannine materials is congruent with the picture of Jesus’ attitudes toward the law which we find in the earlier stages of his ministry.
- ⁸ Ed P. Sanders, “Jesus, Paul, and Judaism,” Aufstieg und Niedergang der

Romischen Welt II, 25.1 (Berlin: Walter De Gruyter, 1982) 393 makes this observation: “Various groups may have disagreed among themselves as to the right interpretation of Torah, and who had the right to interpret it, but they agreed they should live according to it.”

- ⁹ Douglas J. Moo, “Jesus and the Authority of the Mosaic Law,” Journal for the Study of the New Testament 20 (1984) 5.
- ¹⁰ D. Flusser, Jesus (New York: Herder and Herder, 1969) 46.
- ¹¹ Ibid.
- ¹² Cf. Matt. 15:20/Mk. 7:1-4; Mk. 2:23-3:6/Lk. 6:1-12/Matt. 12:9-17; Matt. 5:31-32/19:1-12 et parr.
- ¹³ Sanders, 429.
- ¹⁴ Ibid., 432.
- ¹⁵ Gerhard Lohfink, Jesus and Community (Philadelphia : Fortress, 1984) 8.
- ¹⁶ Lohfink, 31-32 points out that there were two groups of people who heard Jesus’ message with favor. There were those who accepted it but remained in the villages to await the reign of God (cf. Mk. 5:19, 20). On the other hand there were the disciples (mathetai) who were called by Jesus to be his students. These appeared to constitute what the later Pharisees would call a haberim (a conventicle of students gathered around a teacher to study and live by Torah). Jesus’ demands for this latter group were stricter than for the former perhaps because he saw them as the real proto-types of life in the kingdom.
- ¹⁷ M. Hengel, The Charismatic Leader and His Followers (Philadelphia : Fortress, 1968) 8-15.
- ¹⁸ Hengel, 9.

- ¹⁹ Contra R. Banks, Jesus and the Law in the Synoptic Gospels in Society of New Testament Studies Monographic Series 28 (Cambridge: Cambridge University, 1975) 97.
- ²⁰ Contra Sanders, 415.
- ²¹ Lohfink, 48.
- ²² W. R. Farmer, Jesus and the Gospel (Philadelphia: Fortress, 1982) 36-40.
- ²³ A similar observation may be made with reference to Jesus' purported declaration against traditional distinctions between clean and unclean foods (Matt. 15:10; Mk. 7:15-20). The earthly Jesus did stress the point that defilement was not confined to touching material things so much as it was a matter of inner or moral defilement. There is no evidence that Jesus was non-observant of the food laws of Torah or taught others to be so. His close disciple Peter much later was strictly observant on this matter (Acts 10:9-46).
- ²⁴ Lohfink, 61.
- ²⁵ G. Stanton, "Matthew 11:28-30: Comfortable Words?" The Expository Times 94 (Oct. 1982) 3-8.
- ²⁶ Ibid.
- ²⁷ Lohfink, 62-63; R. Riesner, Jesus als Lehrer WUNT 2.7 (Tubingen: J. C. B. Mohr, 1984) 330-344 develops the theme of Jesus as teacher of wisdom.
- ²⁸ Lohfink, 62-63.
- ²⁹ Ibid.
- ³⁰ Moo, 18.

³¹ It is not possible in this essay to give a complete analysis of Matthew 5:17-19. The passage has many exegetical problems. A primary problem is to determine the meaning of pleroo (to complete, fulfill) in 5:17. Moo, 23-28 has an adequate survey of the interpretations of this passage. Three, in particular, he notes as the important ones: (1) to read pleroo as “fills up” or “brings to complete obedience” in the sense that Jesus’ demands for his community brought to expression the full intended force of Torah; (2) or extended its demands; (3) or to read pleroo as “fulfills” in the sense that Jesus brought in his ministry the Messianic era towards which the law and the prophets traditionally pointed. The present writer tends think that a combination of option one and two best expresses the meaning of the text. (Cf. Matt. 3:15 where the active infinitive, as in 5:17, is used in this way).

³² Yoder, 37.

PAUL, THE LAW, AND LEGALISM

By James W. Thompson

If the words of Paul have been “hard to understand”^u (2 Pet. 3:16) throughout the history of Christianity, his words about law and grace have perhaps given the most difficulty. The church has faced the continuing problem of steering between “Scylla of legalism and the Charybdis of antinomianism.”¹ The vocabulary for this discussion and the sensitivity to the problem of law and legalism have been inherited primarily from Paul.

Although the term “legalism” does not appear in most English translations and has no Greek equivalent, Paul’s comments about the law and justification apart from the law have contributed to our antipathy to legalism in all of its forms. Paul’s negative comments about the law, which appear primarily in Galatians and Romans, have always been shocking to anyone who recalls the positive appreciation of the law in Judaism. The Christian, according to Paul, is not under the law, but under grace (Rom. 6:14, 15). The

law is presented as such an extraordinary burden that its only effect is to produce sin (7:7; cf. 4:15). Those who are justified before God are not those who are righteous according to the law's standards, but are those who have no righteousness of their own.

Paul's emphatic rejection of the law as the determining factor and his emphasis on the justification of the ungodly has led to the claim that Paul rejects ethical norms. According to William Doty, "One of the most important reclamation projects in the history of biblical research was the reclaiming of Paul as a situation or contextualist theologian and ethicist rather than as a dogmatic moralist." Concrete moral advice, according to Doty, is pieced together by Paul "in each situation."² Paul has been the court of appeal in many cases where ethical rules have been rejected. In current discussions regarding homosexuality, divorce, and other moral issues, Paul's statements about the law are commonly understood to mean that Paul dispenses with rules in the Christian life. Thus the imposition of any rules is viewed as a rejection of the central Pauline view.

John Knox once argued forcefully that Paul unintentionally undermined moral conduct with his emphasis on justification and reconciliation rather than forgiveness of sins. The forgiveness of sins, according to Knox, implies repentance and contrition on the part of the one who has been forgiven. Where there is forgiveness, the wrongdoer and the wronged can remember the wrong together as a shared experience.³ Where there is genuine forgiveness, the wrongdoer must, like the prodigal son, acknowledge his guilt and change his life.

According to John Knox, Paul never really answered the question, “Shall we continue in sin that grace may abound?”⁴ Paul’s answer in Romans 6:1-11 takes the form of a demonstration that the believer will be righteous, not of an explanation of why he ought to be: since the believer is in Christ, he will fulfill the law of Christ; since he has the spirit, he will manifest the fruit of the Spirit. Thus it is commonly argued that, while Paul called for a new life in the Spirit, his doctrine of justification by faith undermined the structured life of obedience.

Paul, the Commandments, and the Law

A perspective from Paul, which often goes unnoticed, is his use of such terms as “law” and “commandment” in a very positive way. Thus while Paul emphatically claims that justification is not based on the keeping of the law, other statements indicate that he sees the Christian life within the framework of commandments and rules. The paradox in Paul’s teaching about the law comes into clear focus in 1 Corinthians 7:19. This passage appears in a context where Paul insists that Christians should remain as they were when they were called. After Paul has said that neither the circumcised nor the uncircumcised should change their status (7:17-18), the statement in 7:19 is formulated as a two part slogan. In the first part, Paul cites an oft-repeated dictum: neither circumcision nor uncircumcision is anything. The same formula, which appears in Galatians 5:6; 6:15, is a good summary of Paul’s

teaching on circumcision. A practice which has been enjoined in the law for the people of God does not, according to Paul, “count for anything.”

This passage summarizes the argument which Paul makes else-where. The physical act of circumcision, which was the sign of membership in the covenant community, is no longer binding (Rom. 2:25-28; Gal. 2:3). Insistence on circumcision is a rejection of the gospel of grace (Gal. 5:1-6) and a futile attempt to be saved by works of the law (Gal. 3:1-5). Thus an Old Testament injunction is no longer valid for Christians.

In view of the affirmation in I Corinthians 7:19a, we are surprised in 1 Corinthians 7:19b to discover that what matters for the Christian is the “keeping of the commandments.” While circumcision no longer matters, the Christian is not set free from obligations. The Christians at Corinth were to understand that there are norms and rules in the Christian life. Apparently the Christian was not left to discover his obligations intuitively. He was aware of certain fixed criteria for Christian conduct.

The phrase, “keep the commandments,” is a common expression in Judaism for observing the requirements of the Torah (Tob. 14:9; Sir. 29:1; Matt. 19:17; cf. John 9:16). Thus one must ask what “keeping the commandments” means for Paul. Is he introducing a new set of regulations to replace the Torah? Or does he, despite his statements about the unimportance of circumcision, assume that Christians recognize the validity of the Old Testament commands?

While “keeping the commandments” involves the various commandments which Paul himself gives (cf. 1 Cor. 7:17), there is reason to believe that the Christian possesses more of a standard for the Christian life than that provided solely in Paul’s instructions to the churches. Paul’s isolated comments were scarcely a thorough description of the Christian life. His regulations were addressed to specific situations, and thus were not comprehensive in scope. The commandments which were valid for Christians undoubtedly included the words of Jesus, as 1 Corinthians makes abundantly clear. Paul appeals to words of the Lord on the subject of marriage in 1 Corinthians 7:10, citing these words as a binding authority (cf. 1 Cor. 7:25). A command of the Lord is recalled also in 1 Corinthians 9:14 (cf. Luke 10:7). Probably other moral commands from Paul are also derived from the commands of Jesus, although Jesus is not specifically cited. Thus “keeping the commandments” undoubtedly refers, at least partially, to the commands of Paul and the words from the earthly Jesus.

Although circumcision is no longer binding for believers, to “keep the commandments” still includes the demands which are given in the Torah. Indeed, while Paul says that he is “not under law,” he sometimes cites the law in a favorable way. In 1 Corinthians 14:34, for example, he instructs women to be submissive and silent in the church, “as the law says.” In this instance he is apparently referring to popular interpretations of the law, and not to a specific verse. Nevertheless the law is cited as a source of authority for Christians.

The continuing authority of the Torah for the Christian is also indicated in those passages where Paul's commands are paraphrases of the injunctions of the Old Testament (Rom. 12:16, 17, 19, 20). In many instances the commands are prefaced by such phrases as, "It is written," which suggests that the demands of the Old Testament retain their authority (cf. Rom. 12:19) for Christians. There are also significant points where Paul's argument on serious moral questions, even in letters to Gentile churches, is based on the Old Testament (cf. 1 Cor. 6:16). Thus the Old Testament is not only useful because it is the book of promises; it has commandments which are to be kept.

Paul's positive appreciation of the law in the Christian life is also suggested in the two books where he most emphatically contends that the law does not save. In Romans 8:4 he says that "the just requirement of the law might be fulfilled in us, who walk not according to the flesh, but according to the Spirit." Similarly, in Romans 13:8, he says that one who loves his neighbor "has fulfilled the law." In Galatians 5:13, after Paul has condemned those who have sought to find justification in the law (5:4), he introduces the moral requirements which are binding on Christians with the words, "The whole law is fulfilled in one word, 'You shall love your neighbor as yourself.'" Thus the law, or the "requirements" of the law, are to be fulfilled in the Christian life.

Overcoming the Dilemma

A survey of Paul's statements about the place of the Old Testament commandments in the Christian life leaves us with a dilemma to resolve for ourselves. We have seen that Paul neither demands that all commandments from the Old Testament be kept (i.e., circumcision) nor releases the Christian from the "just requirement" of the law (Rom. 8:4). Thus we must ask how this paradox can be resolved into a consistent point of view.

The Old Testament commandments are apparently binding only as they are interpreted within a Christian perspective.⁵ Paul speaks of fulfilling "the law of Christ" (Gal. 6:2; cf. 1 Cor. 9:21) and the "just requirement of the law" (Rom. 8:4). This "law of Christ" is apparently a code of precepts which a Christian is obliged to keep.⁶ C. H. Dodd has said that "it would perhaps not be going too far if we said that the ultimate law of God can be discerned in the Torah when it is interpreted by Christ."⁷ Thus under Christ the Christian fulfills the actual intention of the law when he obeys the words of Jesus and understands the intention of the law. The Christian has learned to distinguish the primacy of the love commandment (Rom. 13:8; Gal. 5:13) through the perspective given by Christ. Thus to "keep the commandments" is to obey the actual intention of the Old Testament.

C. F. D. Moule helped us understand the consistency in Paul's

statements about the law when he observed that there is no Greek equivalent for “legalism” or “legalist.”⁸ When Paul attacks the life under law, it is legalism that he attacks, according to Moule. Legalism is the attempt to use the law to establish one’s own righteousness.⁹ The legalists of Galatians had argued that trust in Christ was not enough; they compelled others to add the safeguard of Judaism. Such a resort to law-keeping was a denial of the work of Christ.

Paul’s argument for salvation by grace was by no means a plea for the unstructured life without the precepts of the law. The law remains a valid statement of the will of God. The Christian who has experienced the grace of God is not left to follow his intuition or the promptings of the Spirit to discover what God wants. Life under grace remains a life of obligation. The concrete demands of God are discovered in the words of Jesus and in the insight which Jesus brings to the precepts of the Old Testament.

One additional factor in the Christian’s fulfillment of the law is Paul’s insistence that the requirements of the law which could not be fulfilled without Christ are now fulfilled in Christ. The new situation is caused by the power of the Spirit (Rom. 8:4). Paul insists repeatedly that the Christian is not left alone to satisfy God’s requirements. The moral life is a “fruit of the Spirit” (Rom. 8:4, 5). Thus while God’s demand has not been relaxed, God has provided the continuing power which enables the Christians to “keep the commandments.”

The Christian Life Today

Jürgen Moltmann has commented that discipleship is not a favorite theme in Protestant circles.¹⁰ The subject has been taken over, according to Moltmann, by the “radicals” and “fanatics.” One may assume that a misunderstood view of grace is responsible for the widespread unpopularity of the themes of law, discipleship, and commitment. Those who have discovered grace have difficulty offering a word of judgment or a summons to “keep the commandments.” Any reluctance to challenge the church to rigorous discipleship, chastity, and the sacrifice of the self has resulted from a misunderstanding of grace. To insist on “keeping the commandments” is not legalism.

The challenge for the contemporary church is to discover the lifestyle in which one may have law without legalism, and grace without its being turned into cheap grace. The disciplined life, guided by the commandments and empowered by the Spirit, is the appropriate response to the grace of God.

In many circles, the word “law” needs to be reclaimed, complete with the positive associations which the word has had from the time of the psalmist until Paul. God’s law is not a burden; it is a gift to provide a guide for living. God’s law, rather than diminishing our freedom, makes us free to become what we were meant to be.

Notes

- ¹ Paul Schubert, "Paul and the New Testament Ethic in John Knox," in W. R. Farmer, C. F. D. Moule, and R. R. Niebuhr, Christian History and Interpretation: Studies Presented to John Knox (Cambridge: At the University, 1967) 388.
- ² W. Doty, Letters in Primitive Christianity (Philadelphia: Fortress, 1973) 37.
- ³ John Knox, Chapters in a Life of Paul (New York: Abingdon, 1950) 147.
- ⁴ Knox, 154.
- ⁵ W. Schrage, Ethik des Neuen Testaments, NTD (Gottingen: Vandenhoeck und Ruprecht, 1982) 197.
- ⁶ C. H. Dodd, More New Testament Studies (Grand Rapids : Eerdmans, 1968) 137.
- ⁷ Dodd, 138.
- ⁸ C. F. D. Moule, "Obligation in the Ethic of Paul," in Farmer, Moule, and Niebuhr, 392.
- ⁹ Moule, 392.
- ¹⁰ J. Moltmann, in Folgen der Nachfolge; miteinander in Lebensraum Christ, ed. evang. Studentengemeinde Tübingen (Stuttgart: Steinkopf, 1979) 67.

CONTRIBUTORS

The contributors to this issue are all faculty members of the Institute for Christian Studies.

Marrs, Rick R., B.A., M.Div., Abilene Christian University; Ph.D., Johns Hopkins University. Old Testament.

McNicol, Allan, B.A., M.A., Abilene Christian University; B.D., Yale University; M.A., Ph.D., Vanderbilt University. New Testament, Intertestamental Literature.

Thompson, James W., B.A., M.A., Abilene Christian University; B.D., Union Theological Seminary; Ph.D., Vanderbilt University. New Testament, Hellenistic Literature.

Weed, Michael R., B.A., M.A., Abilene Christian University; B.D., Austin Presbyterian Theological Seminary; Ph.D., Emory University. Ethics, Theology.