Paul and the law: observations on some recent debates

John M. G. Barclay

The author, who recently completed his PhD on Galatians for Cambridge University, is lecturer in New Testament at the University of Glasgow.

1. The problem

Paul's statements on the law have always been a source of confusion and controversy. Even his own churches were confused by his insistence on freedom from the law (see 1 Cor. 6:12 with Rom. 3:8 and 6:15), and Christians in other parts of the early church were incensed by what they understood of his proclamation of a law-free gospel (see Acts 21:21, 28; Jas. 2:14-26). Small wonder, then, that ever since his letters became accepted as Christian scriptures, Paul's remarks about the law have sometimes been hailed as the essence of the gospel, sometimes rejected as incoherent and idiiosyncratic, and frequently misunderstood.

If one gathers together Paul's chief statements on the law and related issues they present a bewildering appearance. Sometimes the Greek term nomos clearly refers to the Mosaic Torah (e.g. Rom. 2:17; 1 Cor. 9:19; Gal. 3:17), but sometimes it seems to have the generalized sense of 'rule' or 'principle' (e.g. Rom. 3:27; 7:21; 8:22). On many occasions Paul declares categorically that Christians have died to the law and are free from it (e.g. Rom. 6:14; 7:1-6; Gal. 2:19; 5:1), while in some instances he is confident that they uphold and fulfil it (Rom. 3:31; 8:4; 13:8-10; Gal. 5:14). In several extended passages he contrasts the law with faith or with Christ (Rom. 2:4; 2 Cor. 3; Gal. 3-4), but on one occasion he refers to a nomos of faith (Rom. 3:27) and on two occasions alludes to a nomos of Christ (1 Cor. 9:21; Gal. 6:2). Moreover, in what seems to be intended as a summary statement about the relationship between Christ and the law (Rom. 10:4) it is unclear whether the crucial Greek noun telos is to be understood as 'end/termination' or 'goal/fulfilment'. How can Paul insist that there is no justification by works of the law (Rom. 3:20; Gal. 2:16; 5:4) and yet talk of judgment by works (Rom. 2:1-16; 2 Cor. 5:10; Gal. 6:4-8)? When circumcision is one of the commands of God in the Old Testament, how can Paul tell the Corinthians that it does not matter if they are not circumcised so long as they keep the commands of God (1 Cor. 7:19)? Did Paul think that it was impossible to be justified by works of the law because no-one can keep the law (Rom. 3:9-23; 7:7-25; Gal. 3:10), or because even keeping the law would not be the proper path to justification (Gal. 3:11-12,21; Phil. 3:2-11)? And, most fundamentally of all, if the law is the holy law of God (Rom. 7:10-14; 9:4) how could Paul regard it as responsible for sin, curse and death (Rom. 7:5; 2 Cor. 3:6-9; Gal. 3:10-13), and how could he play down its significance because it was 'ordained by angels through an intermediary' (Gal. 3:19)?

These are only some of the most important questions raised by Paul's remarks about the law. But they will suffice to indicate the complexity of the problem and how it is intimately bound up with many other themes in Paul's theology and ethics. Not surprisingly, such questions have spawned an enormous volume of literature even in the last few decades. It would not be possible to tackle all these questions in any one article like this and it would not be either practical or useful to attempt to survey all the relevant material written about them. In order to confine the discussion within reasonable limits I will focus on two main areas: (i) the meaning of the contrast between works of the law and faith in Christ, and the reason why justification by faith in Christ excludes submitting to the yoke of the law; and (ii) the question how Paul could hold together such negative and positive remarks about the Christian's relationship to the law, and what parts or aspects of the law he considered to be still relevant for Christians. These (among other) issues have been discussed in a particularly interesting way in three recent monographs on Paul and the law: H. Hünbner, Law in Paul's Thought; E. P. Sanders, Paul, the Law, and the Jewish People; and H. Räisänen, Paul and the Law. But before we examine these books we will need to put them in context by briefly outlining other widely-held views on our subject.

2. Long-established interpretations

We have already noted the ambiguity of the term nomos and the wide range of meanings Paul can give it. Many scholars have concluded that there is an implicit distinction in Paul's mind between 'the law as the revelation of God's will' and 'the law as misused by man to establish his own merit', i.e. 'legalism'. Burton, in his influential ICC commentary on Galatians, sought to establish this distinction through a detailed categorization of all Paul's uses of nomos, and the same point has been widely disseminated through important articles by Moule, Ladd and Cranfield. Thus Cranfield writes: 'it will be well to bear in mind the fact ... that the Greek language used by Paul had no word-group to denote "legalism", "legalist", and "legalistic" ... In view of this, we should, I think, be ready to reckon with the possibility that sometimes, when he appears to be disparaging the law, what he really has in mind may be not the law itself but the misunderstanding and misuse of it for which we have a convenient term.'

While other scholars like W. D. Davies would urge us to tread cautiously in this matter, there has been a long-established and almost universal consensus that the chief object of Paul's criticism of the law is the Jewish legalistic perversion which treats the law as a means of accumulating good works and earning one's own salvation. There are powerful theological presuppositions behind such an interpretation, the most important of which is the radical distinction between 'work' and 'faith' which became, through Luther, a central theme of the Reformation. Since most of the influential interpreters of Paul in this century have sprung
from the German Lutheran tradition (e.g. Bultmann, Bornkamm, Kümmel, Käsemann, Stuhlmacher), it is not surprising to find them describing Paul’s conflict with Judaism in these terms. To take just one example, Bultmann describes Judaism of the first century as ‘inevitably conceived in legalistic terms’, with an important place given to good works, even works of supererogation, as a basis for merit; and Paul’s critique of Judaism and justification by works of the law demonstrates that ‘it is not evil works or transgressions of the law that first make the Jews objectionable to God; rather the intention to become righteous before him by fulfilling the law is their real sin’. When one realizes that this was written in such terms in Germany in 1932, its potential anti-Semitism becomes terrifyingly clear. And it is not surprising that Jewish scholars like C. G. Montefiore and H. J. Schoeps have objected to Paul’s attack on Jewish legalism as directed against a debased form of Judaism or as a complete misunderstanding of the role of the law within the covenant structure of Judaism. Nonetheless, it has become common currency in scholarship of all confessional backgrounds to maintain that Paul’s antithesis between justification by faith and justification by works of the law expresses the distinction between trusting in God for one’s own salvation and earning it by one’s own efforts.

By contrast, there has been a much greater range of opinion on our second main topic, the explanation for Paul’s mixture of negative and positive remarks about the Christian’s relationship to the law. While some scholars would put great emphasis on the continuity between the law and Christian ethics, stressing the work of the Spirit in enabling the Christian to fulfill the law, others emphasize the discontinuity, underlining Paul’s antithesis between the slavery of the law and the freedom of grace. Once again, theological presuppositions have a part to play here. The Lutheran tradition has always emphasized the distinction between the law and the gospel and insisted that the power and motivation for Christian behaviour come from faith and love, not from an externally imposed code of behaviour. If it is necessary to talk about a ‘third use of the law’ (tertius usus legis) for Christians, that is only inasmuch as they are still sinners and ‘fleshly’ rather than ‘spiritual’. In the Reformed tradition, on the other hand, gospel and law are not seen to be sharply opposed to one another; the law is not in any sense abrogated by Christ, but reaches its full realization in him. The “third use of the law” is the principal use because the law itself is ‘spiritual’ and through the Spirit Christians are enabled to fulfill it.

Such different emphases have an obvious impact on one’s interpretation of the Pauline texts, as is well illustrated by two influential British scholars. F. F. Bruce is very close to the Lutheran tradition when he writes that “it is plain that Paul believed and taught that the law had been in a major sense abrogated by Christ”. Christ is the end of the law (Rom. 10:4) in the sense of its ‘goal’ and ‘terminus’ so ‘there is no more place for law in man’s approach to God’. The new age of the Spirit and liberty has replaced the age of the law (Rom. 6:14; 2 Cor. 3:6; Gal. 5:1) so that “according to Paul, the believer is not under law as a rule of life — unless one thinks of the law of love, and that is a completely different kind of law, fulfilled not by obedience to a code but by the outworking of an inward power”. Verses like Romans 8:2 and Galatians 6:2 should be taken in this sense as a ‘law of love’ rather than ‘prudential rules and regulations’, even if some people would consider this dangerously close to antinomianism. On the other hand, C. E. B. Cranfield is an able exponent of the Reformed tradition. He lays greatest emphasis on the fact that Paul describes the law as God’s law, good, holy and spiritual (Rom. 7:12, 14, 16, 22). Romans 10:4 should be understood in the sense that Christ is the ‘goal’ (not ‘end’) and innermost meaning of the law. He himself fulfilled the law (Rom. 10:5) and the giving of the Spirit is the establishment of the law (Rom. 3:31; 8:2, 4), in the sense that the Spirit enables us to recognize in God’s law the gracious revelation of his fatherly will for his children, and therefore to accept it willingly and gladly as a guide to the expression of the gratitude we want to show him’. The law is not abrogated in Christ because ‘God’s word in Scripture is one; . . . gospel and law are essentially one’.

There are, of course, other ways of explaining Paul’s paradoxical statements about the Christian’s relationship to the law. One popular approach is to distinguish between the moral parts of the law and its ceremonial or ritual regulations. Could this explain why Paul rejects the relevance of circumcision (Gal. 5:2-4) but accepts some of the basic moral rules in the Decalogue (Rom. 13:8-10)? Others, however, point out that no such neat division existed in the law or is ever acknowledged by Paul; and Paul treats even one of the Ten Commandments, the Sabbath law, as unhelpful (Gal. 4:10; Col. 2:16) or, at best, a matter of individual choice (Rom. 14:5-12). We may also note that W. D. Davies found the key to Paul’s statements on the law and the law of Christ in the rabbinc notion of ‘the Messianic Torah’, but, given the uncertain evidence for such a notion, few scholars have supported this thesis.

3. Important new perspectives
During the past few years a stream of articles and monographs on various aspects of our problem has flowed from academic presses. Several of these have taken the form of a new investigation of an old exegetical crux. P. von der Osten-Sacken wrote an important book on Romans 8 in the course of which he argued that ho nomos tou pneumatos (in 8:2) does not mean ‘the rule of the Spirit’ but ‘the law as rightly understood and interpreted by the Spirit’. C. T. Ryhne’s monograph on Romans 3:31 (‘we establish the law’ — nomon histamenon) argues that faith establishes the law inasmuch as ‘the law in its role as witness to righteousness by faith is established in the apostolic preaching of justification by faith’. In his recent and extremely thorough study of the famous phrase in Romans 10:4 (telos gar nomou Christos) R. Badenas amasses philological and exegetical evidence to argue that telos should be interpreted in ‘teleological terms’ (Christ is the ‘goal’, ‘purpose’, ‘fulfilment’ of the law) rather than in a temporal/terminal sense (Christ is the ‘end’ or ‘abrogation’ of the law). However, the most important progress in New Testament studies usually takes place when a scholar or group of scholars opens up a whole new angle of approach to an old topic and challenges the consensus interpretation. With regard to Paul and the law, we should note here three contributions which have opened up the debate in a fresh and provocative way.

(a) Back in 1963 Krister Stendahl published an article entitled ‘The Apostle Paul and the Introspective Conscience of the West’. Although a Lutheran himself, in this article
Stendahl launched a frontal attack on the way Luther, Lutherans and Western scholars in general interpreted Paul. Paul "has been hailed as a hero of the introspective conscience", wrestling with his personal awareness of sin under the condemnation of the law until he found the answer in Christ through 'justification by faith'. But, argues Stendahl, this whole picture of Paul has far more to do with Luther's struggle with his conscience in the sixteenth century than with Paul's real interest in the first. In fact Paul had an extremely robust conscience both before and after his Damascus Road experience. And the proper context for understanding Paul's battle for justification by faith versus justification by works of the law is not the individual's quest for forgiveness but the relationship of Jews and Gentiles—in particular whether Gentiles need to take on the yoke of the law (that is the Mosaic Torah, not law in general) in order to be proper members of the people of God. While it is quite understandable that this specific Jew-Gentile context should be forgotten or misunderstood in later centuries, Stendahl insists that we should make the attempt to understand Paul on his own terms. In this way, while he left many important questions unanswered, Stendahl signalled his dissatisfaction with much in the consensus interpretation of Paul and pointed the way to a fruitful re-examination of the actual historical problems which occasioned Paul's letters.

(b) Several other important questions on this subject have been raised by Hans Hübner in his major study The Law in Paul's Thought. Hübner's purpose is to revive earlier suggestions about a process of development in Paul's thought about the law, and to establish this thesis by an historical reconstruction of Paul's dealings with Galatia and Jerusalem and a careful exegetical analysis of Paul's different statements on the law in Galatians and Romans. Hübner proposes that 'between the time when Galatians was written and the writing of Romans, there lies a far from trivial process of reflection and development in Paul the theologian' involving a radical reworking of his view of the law. When he wrote Galatians Paul had an unreservedly negative view of the law and even described it as given by angels in order to lead men into transgressions (3:19); such a demonic origin, together with its impossible demands (3:10; 5:3), meant that the Christian should have nothing to do with the law. Verses in Galatians like 5:14 and 6:2, which appear to indicate a more positive Christian relationship to the law, Hübner takes in a different sense, arguing that they do not in fact refer to the Mosaic law at all. However, Paul received such a violent reaction to his letter both from Galatia and from the Jerusalem church that he was forced to reconsider his opinions and iron out some of their inconsistencies. The results of this reconsideration are seen in his letter to the Romans. Here circumcision and law are seen in a much more positive light, and it is possible to talk of Christians fulfilling the Mosaic law (13:8-10) and submitting to the law of faith (3:27). Hübner concludes that, while in Galatians Christ is the end of the law simpliciter, in Romans he is only the end of the legalistic misuse of the law.

On this view, then, it is impossible to harmonize all the different statements about the law in Paul's letters: one must allow for a substantial development in Paul's thinking on the matter.

(c) Perhaps the most important book in challenging standard interpretations of Paul is E. P. Sanders' Paul and Palestinian Judaism. This is a massive book, running to over 550 pages, and its length understandably daunts most students. But its size reflects the huge job Sanders hopes to achieve: to demolish entirely the prevailing consensus on the legalistic nature of Palestinian Judaism and to provide a more accurate understanding of Paul's relationship to (and critique of) Judaism. Sanders aims to give a 'holistic comparison' of the pattern of religion in Judaism and Paul, and from the start he declares his strong disagreement with the long line of Christian interpreters of Judaism who have taken Paul's contemporaries to be nit-picking legalists, concerned only with the outward observance of the law and desperately seeking to amass credit before God by their good works. Building on the work of G. F. Moore, Sanders runs through a long list of influential Protestant scholars in the last hundred years who have repeatedly caricatured Judaism as a legalistic religion seeking to appease an inaccessible God: Weber, Bousset, Schürer, Billerbeck and Bulmann all come in for devastating criticism on this score. By a careful analysis of the relevant Rabbinic literature, Sanders shows that the common assumption that Rabbinic religion was a religion of legalistic works-righteousness 'is completely wrong: it proceeds from theological presuppositions and is supported by systematically misunderstanding and misconstruing passages in Rabbinic literature. In fact, he shows, everything in Rabbinic literature depends on the covenant—God's election of his people, his provision of atonement for their sin and his promise of salvation for all faithful Israelites. Such a religion may be termed 'covenantal nomism': 'The conception is that God acts, that Israel accepts the action as being for them, that God gives commandments, that Israel agrees to obey the commandments, and that continuing to accept the commandments demonstrates that one is "in", while refusing to obey indicates that one is "out". In fact, a very similar pattern of religion can be found in other examples of Palestinian Judaism, for example the Dead Sea Scrolls and many of the Apocrypha and Pseudepigraphia (IV Ezra is an exception to this). In each case 'the "pattern" or "structure" of covenantal nomism is this: (1) God has chosen Israel and (2) given the law. The law implies both (3) God's promise to maintain the election and (4) the requirement to obey. (5) God rewards obedience and punishes transgression. (6) The law provides for means of atonement, and atonement results in (7) maintenance or re-establishment of the covenantal relationship. (8) All those who are maintained in the covenant by obedience, atonement and God's mercy belong to the group which will be saved. An important interpretation of the first and last points is that election and ultimately salvation are considered to be by God's mercy rather than human achievement.

Having established this analysis of the structure of Palestinian Judaism, Sanders proceeds to discuss Paul's pattern of religion. He discerns in Paul's letters two streams of thought: one is 'juridical', envisaging salvation as acquittal from judgment, justification and atonement for transgressions; the other is 'mystical' or 'participatory', where salvation is conceived as union with Christ, possessing the Spirit, freedom from the power of sin and belonging to the realm of Christ's lordship. For Sanders, it is the participatory categories which are 'the heart of Paul's theology. And this means that Paul's pattern of religion is really wholly different from the covenantal nomism of Palestinian Judaism. What is more, Sanders maintains that Paul's theology was not
worked out by means of analysing man’s plight and then discerning in Christ the solution to that plight. Although in Romans Paul can conduct an argument along these lines, his theology actually worked the other way round: first he grasped the salvation provided by Christ for Jew and Gentile alike and then he worked out that all men must need that salvation, Jew as well as Gentile, so that it must be impossible for a Jew to be justified by his covenant election and obedience. Thus Paul did not attack Judaism because it was legalistic (which it never was anyway) or misunderstand it as such. Rather, his new understanding that salvation came only by participation in Christ, and his work as apostle to the Gentiles, made him gain a new perspective in which the law’s role was now seen to be unnecessary and insufficient. ‘It is the Gentile question and the exclusivism of Paul’s soteriology which dethrone the law, not a misunderstanding of it or a view predetermined by his background.’ Thus Sanders’ book signals a massive challenge to a whole line of interpretation of Paul. In Sanders’ view, to interpret Paul’s critique of justification by works of the law as an attack on ‘legalism’ or man’s attempt to earn his salvation by good works is a complete misunderstanding both of Judaism and of Paul.

4. The present state of the debate

(a) I have focused attention in the last section on Stendahl, Hübner and Sanders because in their different ways they have opened up important new perspectives on Paul and the law and have sparked off most of the present lively debates on the matter. I have also spent longest describing Sanders’ thesis because it has proved provocative enough to raise a plethora of important responses. On the whole, his analysis of the structure of thought in Palestinian Judaism has been widely acknowledged as accurate and convincing. The only Jewish scholar to raise serious objections has done so not because he thinks Sanders’ analysis is incorrect, but because it emphasizes a covenantal structure which the rabbis took for granted and does not penetrate to their real concerns. Some scholars have questioned whether Sanders is right to draw such sweeping conclusions from the literature of Palestinian Judaism: the way the religion worked in practice and was perceived by its adherents could have been much more ‘legalistic’ than its official theology suggests; and in any case all the emphasis in the literature is on law, obedience and works, while grace, election and covenant are mentioned much less frequently. But it will take a major new analysis of first-century Judaism to overturn Sanders’ description of it; and since none is so far forthcoming, we will have to continue to take seriously his claim that Paul (or, for that matter, Jesus) could have had no good grounds for imagining Jews to be anxiously seeking to achieve salvation by their good works.

If this is so, we are left with two options in considering Paul’s attack on those who urged justification by works of the law: either he was deliberately misrepresenting the Judaism he knew so well, in making it out to be legalistic, or the point of his criticism is not legalism but something else. The first option, that Paul misrepresents Judaism as if obedience to the law was regarded as earning salvation, is chosen by H. Räisänen (on whom see further below). As we have seen, Sanders chooses the second option, and concludes that Paul does not criticize Judaism for being legalistic but because he now sees that salvation is only available in Christ. It is this aspect of Sanders’ book that has come in for the heaviest criticism. Many voices have been raised complaining that Sanders’ analysis of Judaism is much more convincing than his analysis of Paul, that he has misconstrued the centre of Paul’s theology, and that he has failed to grasp the real reasons for Paul’s critique of Judaism. It is therefore fortunate that Sanders has now published another book to explain and develop his views, and answer his critics.

(b) In Paul, the Law, and the Jewish People Sanders examines all the most important passages about the law in Paul’s letters and presents some distinctive theses about them. One of the points he develops in the course of the book is that Paul is on the whole a ‘coherent thinker’, holding consistently to certain basic convictions — that God gave the law, that salvation is available for all in Christ, that faith in Christ is the only means of entry into the body of the saved, and that Christians should keep or fulfil the law. On the other hand, Paul is not a ‘systematic thinker’: he does not always relate his various conclusions to one another, and he gives many diverse and inconsistent explanations of the function of the law. In fact Sanders suggests one should distinguish between the reasons why Paul holds a particular view of the law (his basic and coherent theological convictions) and the arguments he uses to support that position (which may be less than logical and may vary enormously from one text to another). Thus, for instance, in discussing the purpose of the law Paul is trapped by his two basic convictions that God gave the law (and must have done so for a purpose) and that salvation/justification comes through Christ not the law. Paul’s answer to this dilemma was to give the law a negative role in God’s plan of salvation, but he describes this negative role in a great variety of ways (to restrain us — Gal. 3; to condemn our sin — Rom. 1:3; to increase our sin — Rom. 5:20; to be exploited by sin — Rom. 7:7-13; to set the standard which sin and flesh cannot match — Rom. 7:14-25) which are not self-consistent or harmonious.

In discussing why Paul held that justification is not by works of the law, Sanders spends considerable time refuting Hübner’s analysis of Galatians (that the problem with works of the law was the impossibility of keeping them all) and conducts a running polemic against the (Lutheran) consensus that Paul was advocating believing/trusting as over against doing/earning. The supposed conflict between “doing” as such and “faith” as such is simply not present in Galatians. What was at stake was not a way of life summarized by the word “trust” versus a mode of life summarized by “requirements”, but whether or not the requirement for membership into the Israel of God would result in there being “neither Jew nor Greek”. The dispute was about whether or not one had to be Jewish. Thus when Paul criticizes those who ‘boast in the law’ or establish ‘their own righteousness’ he is not attacking individuals who boast in their own performance or self-righteousness, but Jews who boast in the special status of Israel and establish their own limited Jewish righteousness as opposed to the true righteousness of God available to Gentiles as well as Jews by faith in Christ. Thus Paul’s theology is based on Christology (salvation only by faith in Christ) and the status of the Gentiles (who do not need to take on the yoke of the law); and this involves ‘an attack on the traditional understanding of the covenant and election, according to which accepting the law signified acceptance of the covenant’. But what about those passages where Paul does talk about
Christians fulfilling the law? Here Sanders insists that there is an important distinction between the condition of entry into the people of God (by faith not by works of the law) and the type of behaviour required of those once established in the group (keeping or fulfilling the law). To these two different questions Paul gives two different answers; the relationship between faith and law changes when the topic addressed changes: when Paul opposed “faith” to “law”, the question was what is required to be a member of the group that would be saved... when the topic was how people in that group should behave, he saw no opposition between faith and law. This, for Sanders, explains why Paul is sometimes so negative about the law (Christians are dead to the law as a means of entry) and sometimes so positive (Christians fulfill the law as a pattern of behaviour). In both cases the whole law is under discussion, not one part of it or the law in one of its functions. The only exceptions to this are the law’s requirements concerning circumcision, Sabbath and food; these are not an obligatory part of the Christian’s behaviour, not because they are ‘ritual’, but because they are characteristically Jewish; ‘they created a social distinction between Jews and other races in the Greco-Roman world’.57

(c) Although Sanders’ second book has not answered all his critics, it has helped to spell out some of the implications of his theses on Paul and Judaism, and it is no exaggeration to say that his work in this area could cause something of a revolution in the interpretation of Paul. All sorts of new possibilities are emerging as scholars take up various aspects of Pauline theology and see them afresh in this light. For instance, N. T. Wright has re-examined the structure of thought in Paul’s letter to the Romans, combining a better appreciation of its specific Jew-Gentile context with some interesting theories on the role of the Messiah as the representative of Israel. As well as reinstating Romans 9-11 to a central place in Paul’s argument (as Stendahl had argued), Wright demonstrates that Paul’s critique of Israel is not directed against her legalism but her nationalism. Similarly J. D. G. Dunn has focused on a few key texts in Galatians (2:16 and 3:10-14) and has argued that “by ‘works of the law’ Paul intended his readers to think of particular observances of the law like circumcision and the food laws, which were widely regarded as characteristically and distinctively Jewish”.64 The problem with works of the law, then, is that they are ‘works’, nor that they are ‘of the law’ (Dunn maintains that Paul has nothing against the law as such). The works Paul has in mind are the observance of circumcision, food laws and Sabbath and ‘he has them in mind precisely because they had become the expression of a too narrowly nationalistic and racial conception of the covenant, because they had become a badge not of Abraham’s faith but of Israel’s boast’.65 Thus Dunn maintains that Paul can describe the law both negatively and positively according to how it is being understood and applied: Paul attacks the law ‘as fixing a particular social identity, as encouraging a sense of national superiority and presumption of divine favour’; but ‘divorced from that perspective, as the law understood in terms of faith rather than in terms of works, it can continue to serve in a positive role’.63

In both of these writers one can see the emphasis shifting from the issue of ‘legalism’ to the question of Jewish nationalism and the exclusion of Gentiles. This obviously fits very well with Paul’s sense of mission to Gentiles and it has been taken up in a radical way by F. Watson. Watson argues that the root cause of Paul’s critique of the law is sociological rather than theological: it was because the prospect of taking on the burden of the law was so unattractive to the Gentiles who heard Paul’s preaching that Paul decided to abandon its most difficult and distinctively Jewish demands. Subsequent to this very pragmatic decision, Paul built up a whole battery of theological arguments to justify his abrogation of the law. But what really determines his thought is not abstract theological consideration of law, faith and promise, but the practical problem of enabling Gentiles to accept the gospel.

(d) The final book on our topic with which we must conclude our survey is also the fullest and most provocative treatment of the subject — Heikki Räisänen’s Paul and the Law. This is a hefty book, interacting in great detail with a vast range of scholarly works, but its basic thesis can be summed up very simply: Paul’s discussion of the law is wholly inconsistent and self-contradictory. In his introduction Räisänen dismisses those like Hübner who argue for a substantial development in Paul’s thought between Galatians and Romans, and others like Conzelmann who make a virtue of Paul’s ‘dialectical’ and ‘paradoxical’ modes of expression. As far as Räisänen is concerned, glaring inconsistencies occur within each of Paul’s letters and are so serious that they reduce many of Paul’s arguments to logical absurdity: ‘contradictions and tensions have to be accepted as constant features of Paul’s theology of the law. They are not simply of an accidental or peripheral nature.67

Räisänen then proceeds to support this bold thesis with a detailed analysis of many central features of Paul’s theology of the law. He argues that it is often unclear what precisely Paul means by nomos and whether it concerns only Jews or Gentiles as well; although Paul makes no clear distinctions within the law, he sometimes seems to mean only the moral law, and it is only by such ambiguity and looseness of speech that he is able to assert for instance that he ‘upholds the law’ (Rom. 3:31). In the same way, there are irreconcilable tensions between statements that Christians have died to the law and others that urge them to love by emphasizing that love fulfils the law. Such tensions cannot be resolved: Paul ‘wants to have his cake and eat it’.68 On the other hand, Paul maintains that no-one can keep the law and that Jews and Gentiles alike are hopelessly and without exception guilty of transgression; on the other hand, he refers to himself as once blameless under the law (Phil. 3:6), describes Gentiles who keep the law (Rom. 2:14-15, 26-27) and assumes that Christians can and do fulfil it (Rom. 8:9-11; Gal. 5:16; etc.). The utter pessimism concerning the guilt of all men in Romans 1-3 is strangely exaggerated: ‘there is something strained and artificial in Paul’s theory that nobody can fulfil (or has fulfilled) the law’. It demonstrates for Räisänen (as also for Sanders) that Paul’s mind worked ‘backwards’, from the solution to the plight: ‘His point of departure is the conviction that the law must not be fulfilled outside of the Christian community, for otherwise Christ would have died in vain.’ When it comes to the origin and purpose of the law, Galatians 3:19 is at variance with other Pauline passages; and Paul seems to hold sometimes that the law is meant to lead to life (but could not because of sin), and at other times that God intended it to lead to death by inciting sin: ‘clearly these two lines contradict each other’.71

At the end of each chapter in this book Räisänen compares
Paul's perspective on the law with other first-century Christian and Jewish writers; and in each case the comparison highlights the peculiarity of Paul's position. Thus the final chapters investigate the special causes of Paul's theological problems with the law. Over against a range of other alternatives, Räisänen concludes that Paul shared the Hellenists' laxity concerning the law, and it was only when he was directly challenged by Judaizers in Jerusalem and Galatia that he was forced to work out a theological defence for his failure to impose the yoke of the law on Gentiles. But in the effort to provide such a defence Paul found himself trapped in an impossible theological dilemma: as a Jew he believed that God gave the law, but as a Christian apostle to Gentiles he was convinced it had been abrogated by Christ. 'We find Paul struggling with the problem that a divine institution has been abolished through what God has done in Christ. Most of Paul's troubles can be reduced to this simple formula. Paul tries to hush up the abolition; he never admits that he has actually rejected large parts of the law. Instead, he has recourse to the arbitrary assertion that it is his teaching that really fulfils or "upholds" the law.'

As a (Lutheran) theologian, Räisänen is fully aware of the implications of such a thesis. Since, as was mentioned earlier, he considers that Paul has conveyed a distorted picture of Judaism (as if obedience to the law was a way to salvation), he concludes that this picture has ... had a share in the tragic history of the Jews at the mercy of Christians'. More fundamentally, while we may admire Paul's intuition and missionary achievement, his continual self-contradictions show that 'it is a fundamental mistake of much Pauline exegesis in this century to have portrayed Paul as the "prince of thinkers" and the Christian "theologian par excellence".  

5. Observations and conclusions
I have deliberately restricted myself thus far to describing, as fairly as possible, some of the most important currents of literature on our topic. In this final section I wish to make a few observations interacting with some of the most significant issues raised, although I am aware that the brevity of my remarks will hardly do justice either to the scholars involved or to the topic discussed. I will return shortly to the two main areas of interest outlined at the beginning of this article; but first something needs to be said on the subject of Paul's consistency.

Logic and consistency
Räisänen's thesis about Paul's self-contradictory theology of the law represents an important swing of the scholarly pendulum back to the radical criticism of Paul which was so common in the last decades of the nineteenth and early decades of the twentieth centuries: it is no accident that he so often quotes W. Wrede and P. Wernle with approval. The movement known as 'dialectical theology', associated with men like Barth and Bulmann, was a reaction against this sort of logical dissection of the New Testament and sought to penetrate beneath the real or imagined contradictions to find the theological heart of the New Testament message. But Räisänen obviously regards his work as calling the bluff of any such theological endeavour, since he considers that Paul lacks any real theological depth. It is good to have this sort of provocative thesis laid on the table, especially as it has been so carefully researched and lucidly argued. The following, however, represent just some of the points I would like to raise in reply to Räisänen.

(i) One must ask what standards of theological logic it is right to expect from Paul's writings. Räisänen is in fact aware that his detailed logical analysis of Paul's arguments has 'a certain anachronistic touch' and may appear 'unduly pedantic'. Indeed, at many points the power of Paul's statements lies more in their rhetorical force and vivid expression than in their consistent or logical progression. This may mean that it is dangerous to treat Paul as a systematic theologian or to base one's own theological system on the 'logic' of his arguments. But it does not demolish all claims that he is a profound theologian; it only goes to show that he had a different sort of theological mind from what most scholars would feel proud to possess (or expect to find in their colleagues). Räisänen acknowledges that 'should Paul turn out to be a less consistent theologian than many have imagined, this need not a priori diminish his grandeur as a teacher in his own time and milieu'. I would submit that it also need not diminish his theological importance as a witness to the truth of the gospel, so long as his arguments are not accorded more logical value than they deserve.

(ii) One also sometimes feels that Räisänen does not allow Paul a fair defence. Often, apparently absurd statements by the apostle make good sense in their particular setting; and Räisänen's way of discussing Paul's remarks on the law occasionally fails to give due regard to their literary and theological contexts. For instance, Räisänen marvels at Paul's extreme optimism in Galatians in expecting that Christians will fulfil the law and will not fulfil the desires of the flesh (5:14, 16 - although he notes that 5:15 hints at internal strife among the Galatian Christians). He accuses Paul of painting an ideal picture of the Christian life against the background of a caricature of Jewish life. But this is hardly fair to the line of argument in Galatians 5-6: Paul does not assert that all Christians will automatically fulfil the law, but only that, if they walk by the Spirit, they can. I cannot avoid the impression that here (and elsewhere) Räisänen has exaggerated Paul's point for the sake of his thesis.

(iii) I am not convinced that Paul's theology landed him in a blatant theological contradiction, as Räisänen thinks. On the premise that 'if something is truly divine, it is hardly capable of being abrogated', Räisänen concludes, as we have seen, that Paul struggled unsuccessfully to understand the place of the law. But did Paul consider the law to be abrogated? (Surely only some parts of it in any absolute sense.) And even if he did, is the premise correct? Even the rabbis came to terms with the fact that the divinely ordained temple had been abolished, at least temporarily, in accordance with God's will; and some contemplated the abolition of parts of the law in 'the Age of Corne'. It does not seem to be a logical impossibility for Paul to argue that the God-given food laws were no longer applicable to Gentiles in Christ.

(iv) Räisänen is on stronger ground in claiming that Paul is least convincing and consistent when explaining the function of the law in relation to sin and death. There are certainly theological problems here which Hübner and Sanders have also helped to spell out. But Paul's different explanations are not always mutually contradictory: to say that the law cannot be kept because of the problem of sin and that God did not intend there to be righteousness by the law, do not seem to
me to be *incompatible* explanations of the failure of the law to provide justification.

(v) In a similar vein, Räisänen could have made more allowance for the development of Paul’s thought between the different letters, especially Galatians and Romans. Although Hübner has undoubtedly overlaid his hand in this respect, and although not all Paul’s logical inconsistencies can be explained in this way, Hübner’s arguments cannot be entirely overlooked. We should also make some allowance for the possibility that Paul uses different arguments to answer different needs or critics; his rather desperate tone and artificial use of Scripture in Galatians, for instance, is not reproduced in Romans because in the former letter he has to fight with his back to the wall and counter his opponents’ use of Scripture. While this does not remove the problems Räisänen has highlighted, it does enable us to understand and to evaluate better the types of arguments Paul uses.

In conclusion we may be grateful to Räisänen for raising difficult questions so forcefully in a book which will be a standard treatment of the problem for a long time to come. We may agree with him that Paul’s arguments are sometimes logically defective, and that they often exploit the ambiguity of the terms he uses. But for the reasons outlined above (among others) we may conclude that he has exaggerated his case and that Sanders is probably nearer the truth in talking of Paul as basically coherent but unsystematic. Paul is still worth listening to, not only as a teacher of early Christians but as a theologian of some profundity.

The meaning of the contrast between works of the law and faith in Christ

Sanders has argued his case about the character of Palestinian Judaism so effectively that it will be extremely difficult for anyone to reinstate the old consensus opinion that Jesus’ and Paul’s contemporaries were meri-earning legalists. I am also convinced by Sanders and Stendahl that the proper context for understanding Paul’s arguments about works of the law is not on the generalized level of working for one’s salvation (as opposed to trusting), but in the specific area of the necessary requirements of Jews and Gentiles in Christ. In other words, Paul is less concerned about theological issues of the sixteenth century (whether the individual is saved by faith alone or by the co-operation of faith and works) and more concerned with the theological battles of the first (whether Gentile believers in Christ need to live like Jews in doing the works of the law). Over against ‘Judaizers’ in Galatia and elsewhere Paul insisted that becoming a Jewish proselyte and living like a Jew was not a necessary requirement for Christian believers; and over against Jews in Rome and elsewhere he argued that simply being a Torah-observant Jew was not a sufficient condition for salvation either. His arguments were less about legalism and more about (Jewish) cultural imperialism. And this means that Paul’s doctrine of justification by faith has all kinds of important social implications for the church today which have hardly been explored as yet. 79

Nevertheless, Sanders’ treatment of Paul is still open to criticism at a number of points, as is also Räisänen’s charge that Paul misrepresents Judaism.

(i) Sanders has failed, in my view, to detect an important line of development in Paul’s thought whereby the issue of ‘works’ and ‘grace’ becomes increasingly generalized in Paul’s letters. In Galatians, the discussion of ‘law’ and ‘works of the law’ is wholly restricted to the question of Gentile observance of the Mosaic Torah; passages like 2:15-21, which appear more generalized, are in fact wholly determined by the sort of Jew-Gentile issues involved in the Antioch dispute (2:11-14). In Philippians 3 Jewish national pride is still the primary focus of Paul’s discussion of ‘boasting’, though the contrast of ‘my own righteousness’ with ‘the righteousness of God through faith in Christ’ indicates that Judaism has gone astray not only by excluding Gentiles but also by setting herself up in some way over against ‘God in Christ’. In Romans the discussion broadens out still further. While the primary context in chapters 1-4 is the relation of the gospel to Jews and Gentiles, and the main critique of Judaism concerns its national pride in the Torah (2:17ff.; 3:27-31), there are some points where the ‘law’ is discussed in such general terms as to include all rules (2:14; 4:14-15; even more so in chapter 7) and where ‘works’ are contrasted with ‘faith’ and ‘grace’ as if by some general theological principle (4:1-4). Similarly, in chapters 9-11 the primary topic of discussion is the failure of most Jews to believe the gospel and the contrast between their national view of election and God’s inclusion of the Gentiles in Christ; but in some verses Paul seems to appeal to a general principle which sets ‘works’ in contrast to ‘faith’, ‘calling’ and ‘grace’ (9:10-13, 30-32; 11:6). Even here Paul’s critique of Judaism does not concern its ‘legalism’ but the tragic fact that by refusing to believe in Christ many Jews have been cut off from their covenant roots; they only have their ‘works’ of Torah obedience which cannot make up for the disobedience of unbelief. Paul does not suggest that all Jews are typically unbelieving and works-orientated; in fact his anguish is heightened by the fact that their failure to believe in Christ is so unnatural since grace, faith and election are integral parts of the true Jewish tradition. But it seems to me hard to deny that in passages like these Paul begins to discuss works, law and faith in abstract terms which give some basis for later Western, and even Lutheran, theological traditions. 80

(ii) These remarks already go some way to answering Räisänen’s charge that Paul misrepresents Judaism as if it regarded law observance as earning salvation. Although Paul’s critique of Judaism has so often been taken this way (and such an interpretation has undoubtedly helped to fuel anti-Semitic sentiments), I would insist that Paul never accuses Jews of being legalists in this sense. If many Jews have ‘fallen’, this is not because Judaism is inherently legalistic but because they have failed to believe in Christ in whom God’s covenant purposes and promises find their fulfilment. When Paul criticizes those who seek ‘justification by works of the law’ he is not discussing how to be a Jew but how to be a Christian and insisting that Torah observance is neither a necessary nor a sufficient condition. 81 In this sense Sanders is right that all Paul’s soteriology, including his critique of Judaism, is determined by his prior conviction that faith in Christ is essential for Jew and Gentile alike.

(iii) But why is it that faith in Christ and full commitment to the Torah are mutually exclusive? Here Sanders is not fully convincing; for to appeal to Paul’s ‘exclusive Christology’ and to argue that ‘God intended that salvation be by faith; thus by definition it is not by law’ 82 leaves one wondering what sort of
‘definition’ is implicit in such a theology. Dunn understandably objects to Paul being made to appear so ‘arbitrary’, but his own exposition of ‘the logic’ of justification by faith is no more helpful.\textsuperscript{33} It is the failure to discover any satisfactory theological reasoning at this point in Paul’s argument that has led Räisänen to accuse Paul of being arbitrarily dogmatic and Watson to conclude that all Paul’s theology is a subsequent rationalization of a practical problem. One should by no means minimize the significance of the practical considerations in Paul’s mission to the Gentiles; but these need not exclude good theological reasoning. What is too often forgotten is that Paul appreciated the contrast between the Torah and faith in Christ even before his Damascus Road experience: why else would a Pharisee persecute Christians unless he believed that their faith and behaviour in some way flouted the Torah? What is also too often neglected is the number of times Paul associates the Christian’s break with the law with the cross (see e.g. Rom. 7:1-6; 1 Cor. 1:22-24; Gal. 2:16-21; 3:1, 13-14; 5:11; 6:12-14). Without going into detail here, I would suggest that these two factors indicate (a) that Paul appreciated the contrast between faith in Christ and the law well before the ‘Judaizer’ crisis (pace Räisänen); (b) that his theology of the cross concerns a complete break with the old aeon including the law; and (c) that the curse of the law on Christ crucified was probably an important factor in his theological reasoning (pace Sanders and Räisänen).\textsuperscript{34} Christians cannot take on the yoke of the ‘works of the law’ because God’s Spirit has fallen on Gentiles without their becoming proselytes, because Christians have died to the law by being crucified with Christ, and because the law’s curse-verdict on Christ is incompatible with their faith in him as Lord.

The Christian’s relationship to the law – Paul’s ambiguous verdict

It seems to me that scholars have so far been least successful in explaining this puzzling aspect of Paul’s theology of the law – that is, how he can talk of Christians being removed from the sphere of the law while also sometimes quoting it with approval as the law they fulfil. It has at least become clear that many of the commonly accepted explanations do not hold up under close scrutiny. To say that Paul was working with an implicit distinction between ceremonial, civil and moral parts of the law is to impose an artificial distinction not only on the Old Testament law (is Sabbath law ‘ceremonial’ or ‘moral’?) but also on Paul (in what category is food offered to idols?). To talk of a distinction between the law misused in legalism and the law rightly used as the will of God is, as Sanders has shown, wholly misleading. Both the Lutheran and Reformed approaches to this problem appear to reach a solution only by oversimplifying it and ignoring some of the awkward evidence: in Pauline ethics the law is not simply ignored and abrogated (see 1 Cor. 9:8-10), but nor are all its dictates fully obeyed (see Rom. 14). Hübner’s neat solution of a development in Paul from a negative attitude in Galatians to a more positive one in Romans runs aground in Galatians 5:14 where ‘the whole law fulfilled’ must be the Mosaic law. And Sanders’ suggestion that the two different verdicts are given in answer to two different questions does not fare much better: surely the whole thrust of Paul’s argument in Galatians is that Gentiles do not need to take on the yoke of the law either as a means of entry into God’s people or as a pattern for their subsequent behaviour.

It begins to look as if Räisänen is nearest the truth here when he concludes that Paul’s statements on this matter are inconsistent: Paul cannot bring himself to acknowledge that any part of the law is abrogated and so uses language like ‘upholding’ and ‘fulfilling’ the law while actually ignoring some important parts of it. But before we settle for such a solution we ought to bear in mind the following factors:

(i) One feature of Paul’s language which has been almost universally ignored is that he uses a specialized vocabulary of ‘fulfil’ and ‘fulfilment’ when describing the Christian’s relationship to the law (Rom. 8:4; 13:8, 10; Gal. 5:14; 6:2). Paul never uses such vocabulary of Jews and he almost never talks of Christians simply keeping, doing or observing the law (except in 1 Cor. 7:19). Such a peculiar terminology may be significant (it is not found in other Jewish literature, but cf. Mt. 5:17); it indicates that Paul is aware that the Christian’s relationship to the law is different from that of the Jew, and that the ‘fulfilment’ of God’s promises in Christ is matched by the fulfilment of his demands in the lives of those directed by the Spirit. By using this language Paul may be reaching towards some expression of the notion that the law’s basic requirements can be achieved without necessarily observing all its rules; and such terms are rich and ambiguous enough to hold together both the reality of ‘dying to the law’ and the ultimate goal of doing what is pleasing to God. In any case Paul’s consistent use of these unusual terms goes some way to correct Räisänen’s thesis of mere inconsistency.

(ii) Paul’s ambiguous approach to the law owes much to his work as the (Jewish) apostle to the Gentiles. As a Jew he could not conceive of morality except by reference to the law (or at least, the will) of God; but in his cross-cultural mission he was determined not to impose on Gentiles the features of the law which were distinctively and uniquely Jewish. As Sanders and Dunn point out, this is why Paul refuses to impose on Gentiles the Jewish food, festival and circumcision laws (not because they are ritual as such; so is baptism!). One could draw an interesting parallel here with the presentation of ethics in some Hellenistic Jewish literature (e.g. The Testaments of the 12 Patriarchs; Pseudo-Phocylides; The Letter of Aristeas; Josephus’ Against Apion): there points of similarity between the law and the best in Hellenistic morality are highlighted, while distinctively Jewish practices are omitted, downplayed, or reinterpreted in Hellenistic terms. In a similar way Paul emphasizes the moral virtues which could have been drawn from either Jewish or Hellenistic traditions (e.g. his virtue and vice lists); and the features of Diaspora Jewish morality which were most distinctive and least acceptable in a Hellenistic environment he abandons altogether. It is this cultural sensitivity and flexibility which make Pauline ethics so hard to categorize – and indeed made him feel that he was breaking out of both Jewish and Gentile categories to end up ‘in the law of Christ’ (1 Cor. 9:21: neither ‘under the law’ nor ‘without law towards God’).

(iii) Thus, to ask which parts of the law Paul considered to be relevant to Christians is to ask a question which he never consciously raised and never fully answered. We will have to be content to let Paul remain unsystematic and incomplete if we are to be fair in our representation of him. What we can say is that he usually attempted to approach each moral question from the standpoint of ‘the truth of the gospel’; and it was the new reality of the Spirit and of Christ which deter-
mined what he understood to be the abiding features of the law of God (see again 1 Cor. 9:21). Indeed, such was the impact of the Spirit that he could define and enjoin Christian behaviour in terms of being led by the Spirit without any reference to the commandments or law of God; but he could also assure his converts that such behaviour was the proper fulfilment of the law. Although we are apt to feel dissatisfied with Paul's lack of definition in this area, it may be that his very flexibility is our greatest aid: it points the way for each Christian generation to re-read the law of God in the Spirit of Christ and so work out afresh what it means to 'fulfil the just requirement of the law' (Rom 8:4).

1 Edinbugh: T. and T. Clark, 1984; this is an ET of Das Gesetz bei Paulus: Ein Beitrag zum Werden der paulinischen Theologie (Göttingen: Vandenhoeck und Ruprecht, 1978).

2 Philadelphia: Fortress, 1983; now also published by SCM.


4 E. de Witt Burton, A Critical and Exegetical Commentary on the Epistle to the Galatians, The International Critical Commentary (Edinburgh: T. and T. Clark, 1921), esp. pp. 433-460. He also makes a fine distinction in Paul's use of nomos with and without the article: but this variation has been shown to be, in most cases, unimportant (see P. Bläser, Das Gesetz bei Paulus [Münster: Aschendorffsche Verlagsbuchhandlung, 1941], pp. 1-30).


8 The importance of this distinction of 'work' and 'faith' for Luther's interpretation of Paul can be seen most clearly in his fascinating commentary on Galatians. A revised translation is available, based on the 1575 'Middletown' edition, A Commentary on St. Paul's Epistle to the Galatians (Cambridge: J. Clarke & Co., 1953).


11 C. G. Montefiore, Judaism and St. Paul. Two Essays (London: Max Goschen Ltd, 1914) concludes that Paul's Jewish background must have been a 'particular sort of cheap and poor Hellenistic Judaism'. H. J. Schoeps, Paul: The Theology of the Apostle in the Light of Jewish Thought (London: Lutterworth Press, 1961) talks of Paul's 'fundamental misapprehension' and concludes: 'Because Paul had lost all understanding of the character of the Hebraic berith as a partnership involving mutual obligation, he failed to grasp the inner meaning of the Mosaic law, namely, that it is an instrument by which the covenant is realized' (p. 218).


14 For an introduction to Luther's thought see G. Ebeling, Luther (London: Collins, 1970). Luther himself was only prepared to talk of two uses of the law: the political use (the role of law in regulating civic society) and the theological or pedagogic use (the role of law in terrifying and condemning sinners, leading them to repent and to seek grace in Christ). The Lutheran Formula of Concord added a third normative use, the role of the law instructing Christians in their behaviour. For a comparison of Lutheran and Reformed doctrine on this matter see W. Niesel, Reformed Symbols: A Comparison of Catholicism, Orthodoxy and Protestantism (Edinburgh: Oliver and Boyd, 1962), pp. 211-224.

15 For a powerful presentation of this Reformed perspective see K. Barth, 'Gospel and Law' in God, Grace and the Gospel (Edinburgh: Oliver and Boyd, 1959). The tradition is maintained by his son M. Barth in e.g. 'Die Stellung des Paulus zu Gesetz und Ordnung', Evangelische Theologie 33 (1973), pp. 496-526.


18 See e.g. C. Haufe, 'Die Stellung des Paulus zum Gesetz', Theologische Literaturzeitung 91 (1966), pp. 171-178.

19 See D. A. Carson (ed.), From Sabbath to Lord's Day (Grand Rapids: Eerdmans, 1982), especially the essay in it by D. R. de Lacy, pp. 159-195.


23 Ryhne, Faith Establishes the Law (see n.13), pp. 117-118.

24 R. Badenas, Christ the End of the Law (Sheffield: JSOT Press, 1985). This is an impressive piece of work which includes a history of the interpretation of Rom. 10:4, an exhaustive study of the use of telos in the NT and contemporary Greek literature, and a careful attempt to place this verse in its proper context in Rom. 9 - 11. Although Badenas acknowledges that telos can take on a wide range of meanings, he has cogent reasons for concluding that its normal usage and the thrust of Paul's argument in these chapters indicate that Christ is here thought of as the goal or purpose of the law (in the sense of 'the Old Testament' or Scripture). This still leaves some exegetical problems (especially the apparent contrast between 10:5 and 10:6); and it begs the wider question whether this is consistent with what Paul says in 6:1-15, 7:1-6 and 14:1-6, and what it means, in other than purely abstract terms, to call Christ the 'goal of Scripture'.

25 This was first published in English in Harvard Theological Review 56 (1963), pp. 199-215; it is now reprinted in Stendahl's book Paul among Jews and Gentiles (London: SCM, 1977), pp. 78-96 (from which all citations are drawn).

26 The Apostle Paul', p. 78.

27 Romans 7 has usually been taken as prime evidence for Paul's struggle with his conscience either before his conversion or afterwards as a Christian. The majority opinion has now swung away from regarding Romans 7 as autobiographical in any sense (see esp. W. G.
Kümmel, Römer 7 und das Bild des Menschen im Neuen Testament. Zwei Studien [München: Chr. Kaiser Verlag, 1974]). Stendahl considers that the purpose of the chapter is to exonerate the law by putting the blame on the power of sin: 'Paul is deeply aware of the precarious situation of man in this world. . . but there is no indication that this awareness is related to a subjective conscience struggle' ('The Apostle Paul', p. 94).

28 Of course, ever since historical-critical study of the NT got under way 150 years ago it has been recognized that the specific issue of Gentiles' inclusion among the sons of Abraham was the chief bone of contention in the early church. Thus scholars like F. C. Baur and W. Wrede rightly related Paul's discussion of the law to the problems of Jews and Gentiles (see Baur, Paul, The Apostle of Jesus Christ, vol. II (London: Williams and Norgate, 1875), pp. 182-211, and Wrede, Paul (London: P. Green, 1907), pp. 124-128). But the pervasive influence of the Lutheran theological tradition has ensured that this specific issue was treated as no more than an example of the general theological question of man earning his salvation or receiving it as a gift. See, for instance, G. Ebeling's essay 'Refections on the Doctrine of the Law' in Word and Faith (London: SCM, 1963), pp. 247-281. Ebeling acknowledges that almost every time Paul uses the word 'law' he means the Mosaic Torah, but he still concludes that 'the spiritual thing about the Mosaic law is only that it is light of the Gospel it has illustrated with fundamental and universal clarity the nature of the law in its antithesis to faith' (p. 279). Similarly, E. Käsemann generalizes Paul's discussion about Israel in Romans 9 - 11: 'in and with Israel he strikes at the hidden Jew in all of us, at the man who invalidates rights and demands over against God on the basis of God's past dealings with him and to this extent is serving not God but an illusion' ('Paul and Israel in New Testament Questions of Today' [Philadelphia: Fortress, 1969], p. 186). See also Käsemann's direct reply to Stendahl in 'Justification and Salvation History in the Epistle to the Romans', Perspectives on Paul (London: SCM, 1971), pp. 60-78.

29 See above, n. 1.

30 Law in Paul's Thought, p. 54.

31 Law in Paul's Thought, p. 149. There are many other interesting points of detail in Hübnner's book which it is impossible to dwell on here. For a fuller discussion see reviews by D. de Lacey in JSNT 1 (1978) and S. Westerholm in SEA 44 (1979), and my review of the English translation in JTS 37 (1986).

32 In his introduction, Hübnner points out how nineteenth-century scholars such as Ritschl and Sieffert noted the inconsistencies between Galatians and Romans and he welcomes the work by J. Orans in similar lines of development in Paul's thought (see J. Drake, Paul: Libertine or Legalist? A Study in the Theology of the Major Pauline Epistles [London: SPCK, 1975]). For another perspective on the development of Paul's mind in relation to the law see U. Wilcken, 'Zur Entwicklung des paulinischen Gesetzesverständnisses', NTS 28 (1982), pp. 154-190. (There is an abridged English version of this article called 'Statements on the Development of Paul's View of the Law' in Paul and Paulinism. Festschrift for C. K. Barrett, eds. M. D. Hooker and S. G. Wilson [London: SPCK, 1982], pp. 17-26.)


34 In fact more than three-quarters of it is taken up with Palestinian Judaism; the gist of Sanders's very important argument in this section can be gleaned by reading the first 60 pages, the Conclusion to Chapter I and Chapter IV.


36 Paul and Palestinian Judaism, pp. 33-59. Sanders even suggests that 'we have here the retrogression of the Protestant-Catholic debate into ancient history with Judaism taking the role of Catholicism and Christianity the role of Lutheran' (p. 57).

37 Paul and Palestinian Judaism, p. 233.

38 Paul and Palestinian Judaism, p. 237.

39 Paul and Palestinian Judaism, p. 422.


41 See further esp. Paul and Palestinian Judaism, pp. 511-515, in reaction to W. D. Davies' interpretation of Paul on covenantal lines. In a later article entitled 'Jesus, Paul and Judaism' (in Aufstieg und Niedergang der römischen Welt II 25.1, eds. H. Temporini and W. Haase [Berlin: de Gruyter, 1982], pp. 390-450) Sanders discusses the two strains of Paul's theology as 'covenantal' and 'participatory'. He still maintains that the second constitutes the real centre of Paul's thought, although he does admit that 'there are appreciable and significant elements of the general structure of covenantal nominalism in Paul' (p. 439).

42 Paul and Palestinian Judaism, p. 497. This is probably a better summary of Sanders' position than the statement later in the book which has often been taken to be the essence of Sanders' thesis (and heavily criticized): 'In short, this is what Paul finds wrong in Judaism: it is not Christianity' (p. 552).

43 In fact he suggests that, on the relation between God's grace and man's deeds, Paul and Judaism are wholly in agreement (Paul and Palestinian Judaism, p. 517). It is worth commenting on the ambiguity of the term 'legalism'. If this is taken to mean a concern for the exact definition and observance of laws then the rabbis may be called 'legalistic' (as may all lawyers). But if it is given a more pejorative meaning, the attempt to earn favour with God by one's good deeds, then, as Sanders has shown, this is a quite inapplicable term to use of rabbinic religion. Similar comments can be made about the repeated references in German literature to the Jewish notion of the law as a Heils Weg (way of salvation).


45 See esp. R. H. Gundry, 'Grace, Works, and Staying Saved in Paul', Biblica 66 (1985), pp. 1-38. Gundry goes on to argue that Paul's attack on justification by works of the law is an attack on an attitude of self-dependence, self-righteousness and legalism; and since Paul was closer to the Judaism and Judaic Christians he attacked than Sanders is, we must conclude that Judaism really was defective in those respects.


47 One may refer here to Räisänen's article 'Legalism and Salvation by the Law' in Die paulinische Literatur und Theologie, ed. S. Pedersen (Göttingen: Vandenhoeck und Ruprecht, 1980), pp. 63-83; and Paul and the Law, pp. 177-191. See e.g. p. 188: 'I cannot avoid the strong impression that Paul actually does give his readers a distorted picture of Judaism. He comes to misrepresent Judaism by suggesting that, within it, salvation is by works and the Torah plays a role analogous to that of Christ in Paulinism.'

48 See esp. the reviews of Paul and Palestinian Judaism by G. B. Caird in JTS 29 (1978), pp. 538-543; by N. A. Dahl in Religious Studies Review 4 (1978), pp. 153-158; by J. Murphy-O'Connor in Revue Biblique 22 (1978), pp. 122-126; and the comments by W. D. Davies in the 4th edn of his Paul and Rabbinic Judaism (see above, n. 20), pp. xxix-xxxviii. The following articles are also important: H. Hübnner, 'Paul Theologiae Proprium', NTS 26 (1979-80), pp. 445-473 (arguing that Sanders has wrongly identified the centre of Paul's theology); M. D. Hooker, 'Paul and Covenantal Nomism in Paul and Paulinism see n. 7), pp. 47-56 (arguing that the covenant is more important than Sanders had allowed); J. D. G. Dunn, 'The New Perspective on Paul', BJRL 65:2 (1983), pp. 95-122 (criticizing Sanders' failure to explain Paul's critique of Judaism).

49 See n. 2.

50 See esp. Paul, the Law, and the Jewish People, pp. 143-148. Here Sanders is partly reacting against Räisänen's more extreme arguments about Paul's complete inconsistency. Whether one can distinguish so neatly between 'coherence' and 'system' is a question usefully raised by T. Deidun's review of this book in Heythrop Journal 17 (1966), pp. 43-52.

51 See esp. Paul, the Law, and the Jewish People, p. 4; but Sanders acknowledges that 'reason and argument are not always easy to distinguish'.

52 Paul, the Law, and the Jewish People, pp. 65-91, esp. p. 81. Thus Sanders attributes the passionate expression in Rom. 7 not to Paul's personal Angst or existential plight but to the massive theological problems raised by his Christian convictions, that God's principal
redemptive activities in the past — the election and the law — could not count for salvation (pp. 78-79).

53 *Paul, the Law, and the Jewish People*, p. 159. Thus Sanders can insist that ‘the supposed objection to Jewish self-righteousness is as absent from Paul’s letters as self-righteousness itself is from Jewish literature’ (p. 156).

54 *Paul, the Law, and the Jewish People*, pp. 29-45, discussing Rom. 3 - 4, 9 - 11 and Phil. 3.
55 *Paul, the Law, and the Jewish People*, p. 46.
56 *Paul, the Law, and the Jewish People*, p. 114.
57 *Paul, the Law, and the Jewish People*, p. 102.

58 I am aware that it is possible to overestimate the personal contribution of Sanders in this matter. In one sense his books say no more about Judaism than was said by G. F. Moore and has always been said by Jewish scholars; and his work on Paul spells out the implications of previous work by K. Stendahl, N. A. Dahl and others. But in another sense his contribution has been uniquely significant in that he has presented his ideas with such force and conviction that NT scholars have been compelled to take notice and react with them. His latest book on Jesus, *Jesus and Judaism* (London: SCM, 1985) will almost certainly have the same effect on that topic.

59 The argument is worked out in his 1980 unpublished Oxford D.Phil. thesis *The Messiah and the People of God*.

61 *The New Perspective on Paul* (see n. 48), p. 107. This article by Dunn has been heavily criticized by H. Räisänen in NTS 31(1985), pp. 543-553. But Dunn pursues a similar interpretation of Paul in his article on ‘Works of the Law and the Curse of the Law (Galatians 3:10-14)’ in the same NTS issue, pp. 523-542.

62 *The New Perspective on Paul*, p. 120.
64 In an Oxford D.Phil. thesis, published by CUP in 1986 in the SNTS series under the title *Paul, Judaism and the Gentiles: A Sociological Approach*. My knowledge of this work at the time of writing this article was only partial, dependent in the main on a paper presented by Dr Watson in a recent NT conference and subsequent personal discussions.
65 See n. 3. This was published about the same time as Sanders’ *Paul, the Law, and the Jewish People* (i.e. in 1983) and the value of both books is enhanced by the fact that they were able to consult each other’s manuscripts in the course of writing.

67 *Paul and the Law*, p. 11, italics his.