

The great legalism hoax

Someone: Has God indeed said, “You shall not eat of every tree of the garden?”

Woman: We may eat the fruit of the trees of the garden; but of the fruit of the tree which is in the midst of the garden, God has said, “You shall not eat it, nor shall you touch it, lest you die.”

Someone: You will not surely die. For God knows that in the day you eat of it your eyes will be opened, and you will be like God, knowing good and evil.

Man: We cannot disobey God, our Creator.

Someone: Disobey? You obviously think you can earn immortality by your works.

Woman: That’s not what he means. God made us; we can’t possibly earn eternal life. God knows what’s best for us, and He has forbidden us to eat this food. We want to honour Him by doing whatever He says.

Someone: Oh, you nitpicking, hair-splitting legalist, you. Do you think the Creator of billions of galaxies could care less about what you put in your mouth?

Man and woman: Get behind us, you purveyor of evil subtleties.

And the man and woman refused to eat of the tree in the midst of the garden, and lived.

There is a common belief in today’s Church that Judaism — whether in Paul’s day or our own — teaches salvation by works of the Law, whereas Christianity is a religion of grace. Such an understanding of Judaism is in reality far more a caricature or misrepresentation than the truth. Indeed, as one Christian scholar explains, “to the extent that we propagate this view in our preaching and our teaching, we are guilty of bearing false witness.”

Wilson, Our Father Abraham

WE HAVE LANDED ON THE MOON and returned to tell the tale. We have invented nuclear bombs, satellite phones and heart-lung machines. What can we not do when we set our collective mind to it? We cannot decipher the apostle Paul’s writings. They have weath-

ered assault after assault, study after study, investigation after investigation. Why has his attitude to law resisted all attempts to crack it? One major reason can be found in the dogged commitment held by many students of Paul to a myth — that the dragon which Paul fought so hard to slay took the form of Jewish legalism. Legalism theorists have beat their drum so loudly for so long it’s hard to hear alternative theories above the din.

The impact of the myth on understanding the New Testament is enormous, in the same way that staging “West Side Story” in rural renaissance Italy would seriously hamper comprehension. Reading Galatians, or the script of the Jerusalem conference, against the backdrop of a life-and-death struggle between Jewish legalism and freedom from law drastically distorts reality.

Some scholars have begun to expose the

legalism myth, their effort bearing fruit for understanding Paul. This chapter will explore the facts and fables about legalism in the early church.

Paul and law

Students of Paul's writings have puzzled for centuries over his seeming split personality when it comes to the law:

One of the most important and yet confusing areas in the writings of the apostle Paul is his teaching on the law. Despite the vast amount of effort that has been put into the study of this area of Pauline theology, no consensus exists (Stein 1988, p. 104).

Many authors list numerous passages from both sides of Paul's allegedly confused mind. We will restrict ourselves to one from each side:

But now we have been delivered from the law, having died to what we were held by, so that we should serve in the newness of the Spirit and not in the oldness of the letter (Rom. 7:6).

Therefore the law is holy, and the commandment holy and just and good (Rom. 7:12).

These two passages are separated by a handful of verses, proving that the apparent discrepancies cannot be due to lapses of memory between epistle writing on Paul's part.

More liberal scholars ignore the positive comments completely and dote on the negatives. In their eyes, God temporarily imprisoned Israel under law. Jesus' death provided the legal release papers. God gave Paul the key to the prison door, and he unlocked it, loudly ringing the liberty bell of freedom from law in the process. Voila. It's time this idea was sent to theological death row.

Legalism in the dock

Many other theologians, though arguing over what exactly it does, recognise the value of the law in the Christian pilgrimage. Unfortunately, their choice of legalism as Paul's *bête noire* simply does not fit the facts. This chapter is devoted to showing the weaknesses of that explanation.

Legalism is generally portrayed as the shadowy figure lurking behind the bushes of a comment Paul made to Timothy:

But we know that the law is good if one uses it lawfully (1 Tim. 1:8).

If the law is good when used lawfully, it is bad when used unlawfully. The idea that Paul was battling legalism is usually founded on this concept of the unlawful use of law. Bahnsen puts it this way:

What is this unlawful approach to the law? We find it in the attitude of the Pharisees and Judaizers who promoted self-merit before God through performing works of the law (ed. Strickland, p. 94).

Barker (ed. Blaising & Bock 1992, p. 296), a supporter of Old Testament moral law, says this:

The negative attitude toward the law in certain New Testament references is due to an unlawful use of the law... what Paul condemned in Romans and Galatians was not the law or obedience to the law but the use of the law in a legalistic manner to merit salvation or sanctification or both.

By this view, the heresy of the circumcisers consisted in urging Gentiles to try to earn their salvation by law-keeping¹. Paul wrote Galatians to combat their enticements to salvation-earning. The Jerusalem Council grappled with the issue of earning salvation through law-keeping, concluding that any such attempts would prove futile, the effort a crushing burden (Acts 15:10). By this view, Paul was opposed to circumcision because "forcing Gentiles to be circumcised might make them think that salvation must be earned" (New Geneva Study Bible, Acts 15:1).

For this view to hold water, Judaism must be shown to teach salvation by works. Classical treatments portray Jews as striving to gain a happy outcome in the judgment by accumulating a treasure-chest-full of merit pieces-of-eight, each one gained by an act of law-keeping. As long as one's merits outweighed sin's demerits, salvation was in the bag. Robertson paints a somber portrait of Jewish legalism: "By reading the law in terms of an alternative way of salvation,

¹ Many modern writers use the term "legalist" to describe anybody who keeps biblical law. They reason that obedience means the individual is either trying to earn his salvation or will inevitably become bogged down in nitpicking minutiae.

As long as one's merits outweighed sin's demerits, salvation was in the bag.

current Judaism blinded itself to the true intention of God in the giving of the law” (1980, p. 181).

Was Paul's bugbear really legalism?

At first glance, the legalism plot seems to fit the facts. Some things Jesus said (see box) and some Jewish writings do give the impression that the Rabbis tied their standing before God to their detailed and zealous observance of law. Some of the things Paul said *could* be read to suggest that circumcisers were pushing legalism:

You have become estranged from Christ, you who attempt to be justified by law; you have fallen from grace (Gal. 5:4).

Other facts militate against interpreting such passages as alluding to salvation-earning. We will consider what Scripture and recent research into Judaism show.

What Scripture shows

- Scripture nowhere contains the phrase “earning salvation” or anything similar. No allusion is made to the alleged Jewish preoccupation of accumulating merit. This silence simply does not jibe with legalism theory.
- This book has built a coherent picture of the actual goal of the circumcisers — to turn Gentiles into Jews. If that reconstruction is correct, the legalism argument falls apart.
- When Paul was informed of the rumour that he was against circumcision (Acts 21:21) he immediately consented to disproving the lie by participating in a ceremonial rite. Paul would never have consented to demonstrating support for circumcision if it was practised as a means of earning salvation.

Romans 10:1-3

What about the famous saying of Romans 10:1-3? Doesn't it show unequivocally that Paul was engaged in a life and death struggle against the fatal sin of legalism?

Brethren, my heart's desire and prayer to God for Israel is that they may be saved. For I bear them witness that they have a zeal for God, but not according to knowledge. For they being ignorant of God's righteousness, and seeking to establish their own righteousness, have not submitted to the righteousness of God.

But does the clause “seeking to establish their own righteousness” mean they were trying to earn salvation? Dunn says it “has more the sense of belonging to them, peculiar to them... is theirs and not anybody else's” (1990, p. 223). In other words, Judaism believed that God gave His good gifts, including righteousness, to Israel alone. It sought to “establish”, or fix, that righteousness by building a wall too high for Gentiles to scale around what God had given them. Boers says much the same (1994, p. 137):

The establishment of their own righteousness is their refusal to accept the intended fulfilment in Christ of the promise to Abraham that in him “all the Gentiles would be blessed”, that he would “become the father of many Gentiles”.

This passage does not back up legalism theory at all. Rather, it perfectly fits the scenario that sees Paul struggling against Jewish exclusivism, not against Jewish legalism. (Not all Jews were exclusivist; the tag applies mainly to Pharisaism. Smiles [2002, p. 293] notes that the Zealots were not concerned about Gentiles becoming Jews but about Jews apostasising.)

What history shows

Recourse to both Apocryphal and Rabbinic writings shows that Judaism did not entertain legalism. Though the law retained its elevated status as Israel's document of election and the agent of Israelites' salvation, Judaism did not tie salvation to conscientious law-keeping; rather, it believed salvation belonged to all members of the Sinai community except those who actively rejected covenant obligation.

A number of scholars, recognising this fact, have persuasively shown that portraying Judaism as a religion that believes in salvation by works amounts to false witness. The first notable shot was fired by George Moore in a 1921 “Harvard Theological Review” in which he takes Christian writers to task for misrepresenting early Judaism. He

notes that legalism had by his time become “the very definition and the all-sufficient condemnation of Judaism” (p. 252).

The baton was picked up by E. P. Sanders in his 1977 landmark work, “Paul and Palestinian Judaism”. Sanders showed that the grotesque, inaccurate, salvation-by-merit stereotype imposed by Christian theologians on Judaism dishonours its advocates. Judaism did not teach that human effort in law-keeping was the means of salvation. Rather, salvation was the gift of God who gave the law, repentance, and forgiveness as its *agents*, but not its *cause*.

After asserting that this stereotype comes from deeply-entrenched Protestant dogma, he adds, “It is this entire interpretative framework which is wrong” (p. 234). Sanders also points out that Judaism saw love of God, not self-advancement, as the right motive for obedience to law (p. 121). Protestantism’s unqualified devotion to anti-legalism is highlighted by his observation that, “To the mind sensitised to the question by centuries of Lutheranism, even repentance may appear as a legalistic performance to earn God’s mercy” (p. 176).

Wilson criticises the error of ascribing legalism to Judaism:

The Rabbinate has never considered the Torah as a way of salvation to God... all masters of the Talmud teach that salvation could be attained “only through God’s gracious love.”... Judaism does not teach that participation in the *olam ha-ba*, “the coming world,” is achieved by works, but through the gratuitous mercy of God (p. 21).

James Dunn followed in 1990 with “Jesus, Paul and the Law”, an attempt at reconstructing an authentic first-century setting for Paul’s writings. He makes a major contribution by showing that numerous peculiar Pauline phrases derived from “law”, such as “of the law” (Rom. 4:14-16, Gal. 3:18), do not refer to people in general who keep the law but are euphemisms for “Jews” as distinct from “Gentiles”. His thesis can be summed up this way:

The law as fixing a particular social identity, as encouraging a sense of national superiority and presumption of divine favour by virtue of membership of a particular people [Israel] — that is what Paul is attacking... (p. 224).

With the convincing work done by nota-

ble scholars in undermining all “salvation-by-works” depictions of Judaism, one wonders why so many other scholars still cling to this flimsy straw. Why is the fiction of Jewish legalism still propagated by many who should know better? For some strange reason, or reasons, it is thriving, like vanity often does, on a starvation diet. Does Boers have the answer?

This misunderstanding of the Jewish attitude to the Law was so universal in Christian theological circles until recently that it never occurred to scholars that it could be different. The Jewish texts which could have exposed this error were available and read, but the bias in the understanding of Judaism in New Testament times functioned as a macro-structure that prevented the texts from being read differently (p. 39).

That bias generally continues today in spite of sound scholarship to the contrary. Nevertheless, encouraging signs suggest that the old myth is slowly but surely being given its marching orders.

A new model

Having thrown the myth of Jewish legalism into the mighty Yangtze River once and for all we are left with the task of finding a new organising principle or grid to make sense of Paul’s writings. Thielman (p. 31) expresses the challenge this way:

Paul, after all, sums up the cause of Israel’s failure as its choice of “works” over “faith” (Rom 9:32) and in terms of its quest to establish its own righteousness rather than to submit to the righteousness of God (Rom 10:3)... What did Paul mean by these statements if the picture of Judaism that we find in Luther and in much of Protestant tradition is not accurate?

He calls the hunt for a solution the “Search for a New Paradigm”. Some, like Dunn, come close. Might the thesis of this book — that the invisible enemy Paul battled consisted of Jewish exclusivism and the intense efforts of its proponents to force Gentile Christians to become Jews — bring us closer still? A number of scholars would agree that conversion to Judaism was the aim of the circumcisers. Speaking of the demand that Gentiles be circumcised in Acts 15, Stern says,

The condition named for salvation is actually shorthand for something far more

comprehensive. These men from [Judah] are insisting that Gentiles must become in every sense Jews (p. 273).

Those who love Scripture should not rest content until the Apostolic Council and Paul are truly understood.

Paul among Jews and Gentiles

Once legalism is replaced by conversion to Judaism as the governing model, a coherent picture begins to emerge. The year before Sanders wrote “Paul and Palestinian Judaism”, another scholar, Krister Stendahl, had a remarkable insight that led this author into Elysian fields of discovery. In “Paul Among Jews and Gentiles” Stendahl elucidated the authentic backdrop to Paul’s writings. He saw that what gives them shape is not legalism but the unveiling of the mystery that God intends to save all, both Israelites and Gentiles, and that Gentiles are acceptable to Him as Gentiles. As apostle to heathen nations it largely fell Paul’s lot to turn that mystery into reality. As Stendahl puts it,

Paul’s arguments concerning justification by faith have not grown out of his ‘struggle with the judaistic interpretation of the law’, and are not a ‘fighting doctrine against Judaism’. Its place and function, especially in Romans, are not primarily polemic, but apologetic as he defends the right of Gentile converts to be full members of the people of God (p. 130).

When read through that filter, passages that previously eluded confident interpreta-

tion begin to slot into place. And credence is lent to the assertion that Paul’s opposition came not from legalistic salvation-earners but from those who believed that God’s saving grace was given to His amazing race. Circumcisers didn’t want Gentiles raiding Israel’s fridge.

Return to the faith once delivered

To defend the rights of Gentiles to unconditional membership in the spiritual seed of Abraham, Paul had no choice but to launch an offensive against those aspects of Judaism that either muddied the waters or opposed Gentile freedom. Judaism had strayed from the faith once delivered. Paul had to disarm two solidly entrenched dogmas used with great effect by the circumcisers:

1 That God administers His gifts through the old covenant made with Israel at Sinai. Paul argued that that covenant was in fact imposed on Israel as punishment for her rebellion in the wilderness. Sinai *prevented* God’s gifts being administered rather than facilitating it! Often called simply “the law” in Galatians, the old covenant drew a number of negative remarks.

2 That God could not accept people who had sinned all their lives; He would forgive the sins only of those who had kept the law from birth. This error is summed up under the heading “works of the law”.

The first of these two points was dealt with in an earlier chapter. The second forms the subject of the next two chapters.

Though it is true that the Bible teaches that salvation is a gift of God that is given to those who trust in Him and Jesus Christ, the parroted notion that Paul was preoccupied with struggling against “our own works save us” ideas is a figment of post-Reformation imagination. The New Testament simply has nothing to say on the issue because it was not an issue.

The Pharisee and the tax collector

Does Jesus' parable of the Pharisee and the tax collector show that Pharisees of his time believed their righteousness earned salvation?

Also He spoke this parable to some who trusted in themselves that they were righteous, and despised others: Two men went up to the temple to pray, one a Pharisee and the other a tax collector. The Pharisee stood and prayed thus with himself, "God, I thank You that I am not like other men — extortioners, unjust, adulterers, or even as this tax collector. I fast twice a week; I give tithes of all that I possess." And the tax collector, standing afar off, would not so much as raise his eyes to heaven, but beat his breast, saying, "God, be merciful to me a sinner!" I tell you, this man went down to his house justified rather than the other; for everyone who exalts himself will be humbled, and he who humbles himself will be exalted (Luke 18:9-14).

Most would agree that the point of this parable is to show that God justifies those who deeply repent rather than those who can claim good works. Neverthe-

less, don't the Pharisee's words imply that he thought he could be saved by his deeds? Not at all. Note that he gave God thanks for his condition, feeling that God, in His grace, had somehow put him in a different category from other mere mortals. Lots of people despise their fellow man. That in no way implies that they believe they are buying their way into the kingdom of God at the price of their great deeds.

Though Pharisees felt proud of their righteousness, they did not believe that all those they despised were headed for Gehenna. We have seen that Judaism believed that all but apostates from the faith were shoe-ins to the kingdom. Rather, they undoubtedly expected that they would inhabit a superior chamber in Gan Eden (see "Life after death in Jewish thought", p. 60) where they would not have to rub shoulders with mere immortals. Maybe they expected to share lodgings with Elijah and the Messiahs of David and Ephraim (Cohn-Sherbok, p. 114).

This parable does not contradict Jewish belief of that period that the law was God's gift to Israel for freely administering His saving grace to all Jews.