Obedience to the Law of Christ. An inquiry into the function of the Mosaic law in Christian ethics from a Mennonite perspective
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Chapter 3

Exegetical foundations for a biblical ethics: the letter of James

§ 12. Faith obeying the Mosaic law

It is a matter of consensus that the letter from James consists of a number of exhortations which show no clear order or principle of organization. Because of this, and the lack of a formal ending, the “letter” is actually thought to belong to the genre of paraenesis, which has no equivalent in the New Testament apart from sections in other letters but is well attested as a genre in Jewish literature. As is well known, Luther doubted its belonging to the canon on the basis of dogmatic considerations: the letter does not speak about Jesus’ cross and resurrection, indeed mentions Him only twice. And above all, as Luther understood it, the letter teaches justification by works and not by faith. His critique echoed early misgivings. Only as late as A.D. 382 was the letter accepted, under Greek influence, as canonical in the Roman Church, as it had already been by the Greek Church in A.D. 360.

The origin of the letter is clouded in mystery, particularly because there is no trace of it in 2nd-century Christian literature. On grounds of canon history and its reception in the Church, it is obvious that the letter and its piety did not play a great role in 2nd-century theology. But still, it does make one wonder that a letter that so obviously contradicts a central theme of Paul’s theology was given a place in the canon at all. Did it take so long to devise a way to harmonize James and Paul? Or was there some kind of anti-Paulinism that needed to establish itself first and then produced the letter to give itself a canonical basis? It might have grown in stature during the Marcionite controversy to serve as a counterweight to the excessive Paulinism of that faction. That would mean its inclusion in the canon was in response to an internal debate and not due to its apostolic origin nor its widespread use in the Church.

It is held by many, especially in the Bultmann school, that the letter of James is an early example of the moralizing teachings of the post-Apostolic Church. That picture is simple and alluring. The historical framework in which the letter is put provides a ready-made explanation for its contents. It can then be seen as a pseudepigraphical work of a Jewish-Christian faction that made use of Jewish parenetical material which it put into a Christianized context. Historically, that explanation runs somewhat like this: the era of the proclamation of the gospel of the risen Lord Jesus Christ, the kerygma, intended to elucidate the divine act of deliverance in Christ with a view to His imminent return, was then followed by a period of consolidation and adaptation of the Church to the cultural environments in which it settled. With the expectation of Christ’s return fading, a new imperative and morality came to be added to a gospel originally free from law and moral prescriptions, mostly adapted from Jewish sources. Traces of such a “re-Judaization” were detected in Matthew and the Catholic letters, which also betrayed Greek and Roman influences. The conclusion was drawn that this was a development that threatened the original gospel. The kerygma of the Cross became overshadowed by a moralist didache, by legalist ethical teachings, by an increasing regulation of Church life and the growth of authoritarian institutions, and at about the same time by apologetics, whereby the gospel was “located” in the philosophy of the surrounding culture and took on philosophical shapes alien to Paul’s message.

Against this appraisal we might argue that such a connection between salvific narrative and moral law, each having some measure of independence, is not without precedent, and there is sufficient exegetical argument to see moral paraenesis as more than a postscript to Paul’s theology. The pattern we find here was already firmly established in the Old Testament, where
salvation history and commandments are intertwined in such a way that the redemptive act is remembered in order to provide a foundation for ethical response, while at the same time the ethical response puts the redemptive history into action. The commandments always referred back to the conditions that made them possible and meaningful to obey, which is what the two first commandments (it is better to speak of the “words” according to Jewish custom) of the decalogue actually do explicitly. By proclaiming himself as the God that had liberated slaves from Egypt to be a free nation before Him, God laid the perpetual foundation for the fulfilling of those commandments that safeguarded the life of the nation as a liberated people. Because the commandments of the Decalogue are based on the liberty of those who accept them as commandments and are not forced to do so, and on liberty, in the sense in which shalom, perfect peace, and righteousness bring it about, as a goal of community life, it might be said that the liberating imperative followed the indicative of having-been-liberated. The foundation of the covenant was there, in the act of deliverance and the fulfillment of the promise, before the covenant-commitment.

That pattern of connection between salvation and ethics can be seen in the New Testament as well. In the New Testament, Christ’s propitiatory sacrifice on the Cross in a similar language and imagery lays the foundation for a new covenant. The analogy between the Sermon on the Mount and the giving of the law, which both constituted a new community and a new covenant-commitment, is obvious and intentional. The higher righteousness of the followers of Christ is at once of the same kind as that of Israel, and of a different nature because of the imminence of the Kingdom, i.e., the presence of the Messiah. There is an eschatological tension given to obedience to the commandments, but it is obedience to them, and not directly to Himself, that Christ is demanding. However, in Paul’s theology it is not the freedom of the Christian to obey, but the power of Christ in which the Christian participates, that seems to have become of pivotal importance. Paul’s gospel did not try first and foremost to elucidate the duties of man under this new Covenant, since to him this Covenant was of a completely new nature. This in fact breaks away from the schematics. Paul seems not so much to have grounded the imperative on the indicative, but to take up all imperatives within the space of the actual work of the Spirit, synthesizing both into one single thought: the indicative of God’s triumph over sin and death.

So what does this picture of Paul’s ethics imply for such works as the letter of James? The moral teachings of the 2nd-century Church are then not seen as the corollary of salvation according to the pattern of the Decalogue or the Sermon on the Mount; they are not seen as the imperative consequence of the salvific indicative, but as a means of escaping from its consequences. There is a tendency, originating in Paul himself, and enhanced by the 16th-century Reformed reading of his letters, to view the moral and exhortatory statements in the New Testament as outside the context of salvation, as a possible relapse into a Judaism that was abrogated by Christ. It is thought that one of the basic characteristics of the new covenant is redemption out of slavery to the law, the very same law that was described in Exodus 19 as the way of life of the liberated community. On that basis, the strategy was developed to subsume all exhortatory and parenthetical passages under the doctrine of justification, making the latter to function as the ground and context of the former.

It is very much in the center of Pauline theology (in Bultmann’s view, e.g.) to identify the deliverance that Christ brought with deliverance from the judgment of the law. The law that formerly epitomized the road to liberty has now, in the eschatological judgment, become its deadly enemy. Paul’s teachings at one stage emphatically opposed the very form of the external and written imperative, as we will see in our discussion of Galatians. But it must be asked: why did he oppose the imperative, which one, and to what purpose? It does seem to be the case that Paul denied a specific way of obedience, a specific reduction of the Torah to an inventory of concrete commandments. Each of the commandments would be done because of
one's fear of judgment, or, positively, in one's striving for salvation. Salvation by works of the law, no matter whether we read that as emphasizing the covenant markers (James Dunn stresses both circumcision and purity laws), or the ceremonial and moral commands as single duties (mitzvoth), that scheme of salvation is rejected by Paul in no uncertain terms, both in Galatians and in Romans.

But the result of our analysis in the chapters on Paul's letters will be different from what we find in the traditional Reformed view, which attributes the expression “works of the law” to the Jewish (Pharisaic) mode of obedience to God. In the classical view, there could hardly be a greater antithesis than that between Paul’s teaching on ethics and early Judaism. The life of the Spirit is not a life where we freely bind our will to the express will of God, i.e., it is not about formal obedience at all. In fact, the whole idea of striving to perfection by submitting to rules is seen by Paul, in this interpretation, as equal to aspiring to salvation “by works of the law,” while in fact abrogating God’s salvation offer thereby. If we deny, with the Lutheran Reformation, the possibility of obedience, all law is abrogated. Law then can only be seen as “legalist,” i.e., as rules pertaining to outward behavior, and as such it still has a negative purpose. The motivation to “evangelical” obedience must then be sought elsewhere. The law, however, is outside of the “perfection of Christ,” and we have to obey laws only because redemption has not yet been realized and because it is proper for a Christian, while awaiting the Return of Christ, to obey the government under which he happens to be living.

But that is not all that must be said. The same Reformation as it evolved in Calvinism had other things to say about obedience and sanctification, and there was another side to Paul to back it up. For Paul, too, righteousness and sanctity are the defining traits of the new life in the Spirit. The contents of righteousness in Paul are still derived both from his Jewish training in the law and from Jesus’ messianic teachings on the law and the pattern of Christ’s life. There is ample evidence of Paul’s referring to Christ’s teachings in a way that is peculiar to Jewish tradition, i.e. as a halakah. So Paul is certainly providing a vision of righteous behavior above and beyond duty to secular government and compliance with dominating social virtues. But righteousness in Paul’s view is not “done” by acting in conformity with rules, but acquired through grace in a life of contemplation of Christ, by participating in the drama of His life, death and resurrection, in a change of our attitudes that leads to a change of behavior from the inside out. Sanctification for Paul was more a matter of participation and transformation in the efficacy of the Spirit and the Church than of abiding by a set of rules.

All of which leaves us with the difficult problem of what to do with the undeniable presence of moral and legal (halakhic) teachings within the Pauline corpus, and indeed in the whole of the New Testament. The most common solution is the dominant attitude we began with: the kerygma explains what salvation is about, the moral teachings describe, indicative, not imperative, the life of faith that results from hearing the kerygma and submitting to its power. But it seems wrong to simply discard the exhortatory parts of Paul’s writings as inconsequential to the nature of his doctrine. That doctrine is explained not in a theoretical discourse and as standing on its own, but in a specific pastoral context in which the nature of a particular Christian community is at stake. The doctrine is given in order to establish a proper view of the practical life, and the exhortation therefore is at the summit of Paul’s texts. Paul wants obedience to Christ’s commandments, for which the entire body of doctrine serves as preparation. So we must delve again into the nature and grounds for the exhortatory elements in Paul’s letters and not decide in advance that commandment and imperative in Paul are secondary and the indicative is by default.

To take this supersession of indicative over imperative as our basic principle has consequences also for the criteria we use to evaluate the historic development of these moral teachings. The closer they seem to a Jewish attitude of “works of righteousness,” the closer they are either to a pre-Christian level, or to a post-Pauline Judaization movement that sig-
naled a return to these previous attitudes. If the imperative does not appeal to conscious (and by modern standards autonomous) liberty but can be interpreted as a descriptive rather than a prescriptive rule, it seems closer to Paul, and therefore to the "original" gospel. If it conforms to the structure of a commandment, if it in any way deals with obedience in a strict sense or implies a condition for salvation, it is branded as possibly legalistic, a relapse into Judaism, a moralizing attitude, in contrast to the gospel of deliverance.¹⁴¹

In that manner, a schematics of what we feel the historic development must have been, based upon our understanding of the polemics between Paul and Judaism in Romans, takes precedence over the actual labor of exegesis. It betrays a monolithic view of what constitutes the revelation in the New Testament, even if worked out so subtly as in the search for the core message of the gospel as canon within the canon, the "center" of the New Testament. We must respectfully resist this tendency to find a single harmonious picture of the one truth of the gospel. Such a procedure must inevitably lead to a distortion of the picture of conflicting voices within the body of the New Testament and to our ignoring the vast amount of moral exhortation that is present in Paul: a procedure that can hardly be called satisfactory. How would we deal with the contradiction between our reconstructed Paul's emphasis on the indicative of God's acting in Christ and the perspective of "salvation by works" that is present in James? First we have to remove the layers of Paulinism that James's letter has accrued, in order to read and evaluate the text as formally equal to Paul in apostolic authority and as connected to Paul's theology through its inner contents.

§ 13. The Paulinist framework

A standard solution has been to harmonize the conflicting statements,¹⁴² in this case the letter of James with what was considered Paul's central doctrine of justification. To illustrate this procedure we could briefly examine the commentary of C. Leslie Mitton.

Paul, for instance, in Rom. 3:28 wrote: "We hold that a man is justified by faith apart from works of law"; whereas James in 2:24 writes: "You see a man is justified by works and not by faith alone."

Since this issue is of such vital importance, especially to those who represent the evangelical tradition within the Church, we must begin by trying to clarify the meaning of these three words in the New Testament, and inquiring how far James and Paul use them in precisely the same sense or with some variation of meaning. What superficially appears to be a blatant contradiction between Paul and James, may arise from a difference in the meaning [italics mine] they assign to these words.¹⁴³

So the harmony between the two conflicting statements is sought by examining how these words are used. Of course, such an examination will be based largely on the interpretation already present of the conflicting sentences to begin with, and on the presupposition that there could never be a real conflict. Some remarks are in order. In the first place, the meaning of a word does not depend solely on the dictionary. The context needs to be considered. And if it is already decided that Paul's letters provide the framework for the whole of New Testament theology, that will provide the context in which the meanings of the words in James are being examined.

Furthermore, if it can be found that Paul and James used the expressions "justification" and "works of the law" with different meanings, this of course does not automatically mean that they are not contradictory. If James was written in a time when justification by faith and not by works had become a Church slogan, the intentional variation of the meaning and scope of application could be construed as a form of criticism in itself. Precisely if James had a different view on the matter, he would use the same words with a different meaning, for to use different words would have implied the harmony or addition that those that represent the evan-
gelical tradition would be so keen on finding. But even if we agree that the difference of usage would imply a possible harmony between James and Paul, the question remains what kind of difference we are talking about. Is it indeed at least partially a difference because of the context in which Paul and the writer of James stood? At one moment, Leslie Mitton does incorporate into his examination the very important empirical background and context of the letters, but decides to take Paul’s letter as a polemic against an already identified Jewish-Christian heretical opponent:

A further consideration must be borne in mind, which will at any rate partly explain the discrepancy. The kind of error Paul is seeking to correct in Romans and Galatians is very different from the error which James is resisting, and our statement of a truth varies according to the error we are opposing. If we ourselves were arguing against antinomians, who believed that moral conduct in a Christian was of little importance, our arguments would be very different from those we should use if our opponents were “legalists” who believed that good conduct alone secured all the benefits of religion. So we must remember that in general Paul is urging his case against Judaizers, who believed salvation depended, in part at any rate, on doing the works of the law, whereas James was ranged against antinomians who believed that inward faith was all that mattered. 144

But this argument is circular. It presupposes that we can first of all “invent” the audience that James and Paul were talking about by referring to our own theory of the developments in the early Church, and that on that basis we can then argue how Paul and James must have applied the words that we are interested in so passionately (implying that we for the time being forget our own doctrinal interests in the matter). The distinction between antinomians and legalists is already a product of a reading of Paul, since that kind of opposition is peculiar to a mixed Jewish and pagan Church where the issue of the continuing validity of the law is alive. If James is writing to Jewish Christians who have only marginally been in contact with Paulinist teachings, the issue could not have been stated in that manner at all. So then Leslie Mitton can arrive at the following conclusion:

The apparent difference between Paul and James, therefore, can be explained largely as a difference in the use of terms.

For Paul justification is God’s present act in Christ of setting right the relationship with Him that man has broken. The faith he commends through which this takes place is the total committal of life, in trust and obedience, to God in Christ. The works, whose futility for putting us right with God he criticizes, are the detailed observance of rules governing ritual actions as well as moral behavior.

For James the “works” he commends are acts of love and charity to our fellows in obedience to the Spirit of Christ. The faith whose inadequacy he exposes is just an intellectual assent to an article of belief, though it calls itself faith. Justification is not just God’s immediate act of restoring man to right relationships with Him, but involves also the final verdict on a man’s life. 145

But, not surprisingly, this notion of “works” that Mitton derives from James is what the Paulinist writer of Ephesians had in mind when writing about “good works.” The rest of Paul’s reference to “works” is taken as short hand for “works of the law.” And so on the basis of a few occurrences of a positive use of “works” in the Pauline corpus, Leslie Mitton, with obvious relief, comes to the conclusion that this must be the sense in which James used it. It must be, indeed, if James and Paul are to be harmonized. But why would they need to be? If it is argued that such “works” could never mean obedience to “ritual” requirements or to straight rules of behavior, they would then have to refer to general attitudes of love and mercy and to spontaneous acts arising from these. The harmonization then is complete when Paul and James can be seen as two sides of the same coin:

Paul’s emphasis is this: A man is justified by faith in Christ, and this cannot but produce in
him good works, that is loving actions to others. James’s emphasis is: True faith by which a man is justified proves itself in Christ-like conduct towards others, and if such conduct fails to appear, what claims to be faith is shown to be not faith at all. The emphasis varies because the two apostles are addressing themselves to different kinds of errors.

Another kind of solution is to affirm the contradiction, but, by denying antiquity to the letter of James, to deny also its authority. That was in essence the attitude to the letter that Luther had, and it obviously posits the primacy of the Pauline theology. So we need not go into that now. A third option can be to bring out the antithesis but simply declare that Paul’s doctrine is “much deeper”, which does not do anything but explain what moral theory the speaker is adhering to. Or again, one could soften the antithesis by accepting that James’s teaching on salvation was diametrically opposed to a “popular” and misunderstood Paulinism, but then defend the idea that James attacks these misunderstandings of Paul’s doctrine of justification along the lines that Paul himself had to contend with in Romans 6. Of course, all of these reading strategies are based on reflections about the reconstructed historical situation and not directly on the internal evidence. All of this originates in the basic presupposition that only doctrines that move away from Judaism, as it was understood in the pagan Church after the 2nd century, are evidence of Christian authenticity. This attitude can be illustrated easily too. To quote one more commentary, E.C. Blackman put it like this:

James stands much closer to the Jewish tradition than Paul does, though he has not reflected upon its teaching very profoundly. His cast of mind was not reflective, and that is why his statements about faith lack precision. He attempts no definition of faith such as we have at the beginning of the classic chapter in Hebrews: FAITH IS THE ASSURANCE OF THINGS HOPEFUL FOR, THE PROVING OF THINGS NOT SEEN [emph. Blackman’s] (Heb. 11.1). We are left to infer from James 2 that faith for James means (a) a general belief in God (v. 19), (b) the basic confession or loyalty of Christians (v. 1). Paul, who had also been much influenced by the Jewish tradition, and at deeper levels of his own being, was a much more independent thinker and he developed further away from Jewish presuppositions. This is nowhere clearer than in his teaching about faith and righteousness. His clear distinction between faith and works, and his depreciation of the latter, was a new departure. For most Christians this was too advanced doctrine. It could so easily be made to imply that moral effort did not matter. Paul defends himself against this misunderstanding in Rom. 6 and elsewhere, but certainly did not carry all Christians with him. James is a spokesman of the anxiety the majority felt.

Such a passage is first of all riddled with unproved assumptions about the nature of James’s teaching, his audience and that of Paul, a moral evaluation of their respective doctrines based upon contemporary ethical ideals (and some of it is mere guesswork): that the majority (where and of what?) would have felt themselves ill at ease with Paul’s conception of grace alone reflects the author’s ecclesial experience of the 20th or even 16th century more than it fits 1st-century realities. But this passage is highly informative on the framework within which James and Paul are being read. James is considered to be imprecise, closer to Judaism and not reflecting on it. So there we have the standard: to have a precise doctrine as to what divides Christianity from Judaism is the mark of Christianity, and Paul, who is then by default taken as being the most non-Jewish writer of the New Testament, is the champion of that type of Christianity.

Up to now, the only framework we have encountered involves the distinction between kerygma and didache, between the indicative of redemption and the imperative of gratitude. James’s paraenesis is subsumed under what is supposed to be Paul’s un-Jewish position on works and obedience. In this chapter we will have to get a closer look at this problem of the relationship between kerygma and didache. Let us start by reviewing part of Bultmann’s analysis.
§ 14. Casuistry and moralism

The third section of the third part of Bultmann’s Theology of the New Testament is entitled: “The Problem of the Christian Way of Life.” It contains three paragraphs numbered 59-61, which deal with, successively: The understanding of the imperative, The contents of the demand and its relationship to different areas of life, and Discipline. It looks like a promising place to begin our investigation of the specific shape of Christian obedience as depicted by James. There are good reasons to include Bultmann’s description of James in our study. Bultmann shows a decisive interest in the Pauline version of the gospel, in fact makes it into the defining expression of it. That is an approach that is congruent with major strands of Reformed tradition.

To Bultmann, the basic problem of Christian ethics as it was defined by Paul was that of the tension between the indicative of the new life and the imperative of the old world. As long as the new life must be lived within the conditions of the old world, the imperative was (or seemed to be) necessary. The new life in itself and as such is therefore supposed to be beyond any imperatives. According to Bultmann, it was Paul who solved this problem by his new understanding of Christian freedom. It meant being freed from the power of sin and death and receiving the gift of the Spirit as a “wonderful force” that secondarily becomes a standard of Christian life. Because we live the new life, a Christian is freed from all human conventions and values of a social or a moral nature, including the Jewish law. So the Christian lives the indicative of the new life, while still having to deal with the old imperatives, of which he knows, however, that they are void and without force. Now, this may be in accordance with Paul’s gospel as explained in Galatians and Romans, and we will deal with the thesis regarding Paul later on, but was it also in accordance with the gospel of Christ? Bultmann apparently thought so, since he took some pains to show that Jesus said approximately the same thing.

We must raise the question of whether Bultmann ascribes to Jesus what apparently was his own conviction, grounded in his reading of Paul, that the Torah was merely a human institution. He makes Jesus say that the only positive element of God’s will is the demand of love, which surpasses all legal demands, specifically those of a negative, prohibitive nature. We will discuss later whether that was the solution Paul indeed gives us in Galatians. What concerns us now is the fact that Bultmann apparently thought that Jesus would have agreed. All of the cultic and ritual prescriptions of the law had been abolished by Jesus. Because Jesus’ preaching resulted from the unity of the eschatological and moral kerygma, making the expectation of the Kingdom into a present attitude, the fulfillment of God’s law could never be a real condition for participation in the coming redemption. Obedience to that law while awaiting a new and universal condition of life could only be called a provisional situation, soon to be changed.

Bultmann meets with objections by arguing, e.g., that although Jesus does speak of the condition of obedience to enter the Kingdom, He at the same time confirms that this condition has an inner relationship to the gift of redemption. That is to say, Jesus’ ethical demand is not just meant for those who await the Kingdom while they are waiting, it is not a demand that we follow that will be without validity when the Kingdom arrives. It expresses the real commitment to the coming Kingdom as if it were realized here and now, which is the Kingdom where love will reign supreme, by demanding now what will be universally realized then. It is an ethos of anticipation, an effort to act under specific circumstances “as if” that Kingdom had already arrived. It is emphatically not meant as a code of commandments for everyday life as such. Its relevance therefore is limited to what we might call inspired situations. Only those who encounter God’s demand in the specific circumstances where they meet their neighbor and then respond to that demand are prepared for the coming Kingdom. The keeping of the
law, or any other rule of behavior, has no place whatsoever in this scheme of things because it too belongs to the old order of imperatives. Any rule which by its nature can be considered a demand for obedience under threat of judgment, which is given to my autonomous freedom to obey it or discard it, belongs to the old world. Precisely in that sense, Bultmann thinks, Jesus came to abrogate the law.

This picture of Jesus’ relationship to the law is harder to defend now than it was when it was conceived. James Dunn has argued that Jesus’ apparent criticism of the law in the gospel of Matthew “was well within the range of the then acceptable debate regarding the interpretation and application of the law.” Dunn makes a convincing effort to portray Jesus’ preaching as now dealing primarily with the issues of inclusion and exclusion concentrated in matters of ritual purity and table fellowship, and he indicates that Jesus took issue with the law as far as it could be used factionally, to separate the sinners and the righteous in terms of social belonging instead of the real concerns of the law.

There are problems connected with this view also. The gospel records how Jesus did not lift the restrictions between Jews and gentiles: his disciples should not go among the gentiles nor the Samaritans (Matt. 10:5-6) and His mission was only to the lost sons of Israel (Matt. 15:24). With regard to the major identity markers in Jewish law: Sabbath, circumcision, and dietary laws, we find Jesus disputing only how Sabbath should be observed, not disputing that it was to be observed, not arguing about circumcision at all, and perhaps arguing only for a deeper understanding of what the symbol of food laws actually refers to (cf. Dunn, 1991, 114). But even if we were to decide differently on such issues, it is inescapable that Dunn and others are right in stating that Jesus did not abrogate the law, and indeed saw His mission as the fulfillment of the law.

Bultmann is right only in this sense, that to Jesus one of the major social effects of the law, the demarcation between the righteous and the sinners in Israel, becomes relocated with reference to the actual doing of the will of God. It is not enough to belong to the good party or family. But Jesus never removed the demarcation between people that arises from obedience to the moral side of the law, even as He crossed these lines to reach people who had been marginalized, nor did he abrogate the cultic and ritual elements of the law. And, according to Dunn, Jesus did not lift the even more important demarcation between Israel and the gentiles. So, in effect, to be part of Israel and not of the gentile nations still mattered to him.

Of course Bultmann did not need to have Jesus say what a Paulinist understanding of the gospel demanded, since to Bultmann a theology of the New Testament is not about Jesus’ teachings at all. It exists because Jesus Christ is the object of a kerygma that became the foundation of the Church. The historical Jesus is merely a presupposition of Christian faith because it is a presupposition of the New Testament itself. He therefore did not need to devise a harmonization strategy.

We need to keep this in mind, because we have here a pattern of exegesis that is quite dominant in many modern forms of Protestant thought. Starting from an understanding of the Pauline gospel, Jesus must be shown to lay the foundations for it. Differences are explained either by referring to Jesus’ ethics as a “moral code for the interim-period” (which Bultmann rightfully rejects, but apparently without accepting its ongoing validity as commandments, as logic would seem to dictate), or by taking the Sermon on the Mount as a radicalization of the law to impress upon men that they are unable to keep it, or by arguing that Jesus’ message was to point out the discontinuity of God and human values in order to relativize all of them. We will return to this issue later, but we will concentrate now on a further question: on the basis of Bultmann’s full acceptance of the Pauline gospel as the standard of the message of the entire New Testament, how does he view the elements of a more “moralizing” tradition in the New Testament? We have seen how he reinterpreted Jesus’ message in the gospels as in line with Pauline theology, but how does he view other witnesses?
For Bultmann this question must be rephrased. The question should be whether the Church was able to hold on to the Pauline solution. Let’s quote Bultmann here in full to get a grasp of how he approaches this matter:

The question was whether this understanding was held on to; whether Christian freedom was understood as the freedom to obey and obedience itself as gift of grace or of the Spirit, or that obedience was seen as an achievement and therefore as a condition to be met in order to acquire salvation and the imperative would again receive the character of a law in the sense in which Paul’s doctrine of justification had destroyed it, the character of a way to salvation.\[156\]

We must look carefully at the way the dilemma is set up. Of course it is obvious that it presupposes the Pauline solution. Bultmann develops Paul’s theology to show that a life in the spirit was inconsistent with any kind of obedience, because obedience implies an achievement of the will of some kind. The Reformation teachers developed their anthropological notions with the aid of the concepts of merit, the fall, predestination; Bultmann, in a more modern fashion, speaks about self-centeredness and egotism. Both presuppose that the reception of God’s grace and the activity of obedience are incompatible, unless obedience itself can be seen as a gift from God. The frame of mind necessary for obedience as such is both impossible (because man is unable to conquer sin and death on its own) and contrary to the gospel, because the latter’s essence is about what God sovereignly has done for man. Furthermore, it is presupposed that the advocates of obedience must necessarily also hold that it is a condition of salvation, lying outside it, as Bultmann stated in his reflection on Jesus’ teaching, and that their position has been successfully refuted by Paul’s doctrine, even if the gospels should attribute to Christ an emphasis on obedience.

Let us look a little closer at one specific issue. It is one of Bultmann’s contentions that the commandment to love one’s neighbor “according to its essence does not allow explicitly formulated positive determinations, unless it becomes law again.” It would therefore provide a prime example of the difference between Christ’s moral exhortation, based on the indicative of God’s actions in history, and the attitude that strives for obedience to rules and commandments. The inability to come up with a casuistry is taken as an indication that we deal with a major moral command, and it is argued that such moral commands are the core essence of Christian ethics. Bultmann gives the following reasons:

(1) Matthew 5:43-48 shows that there are no limits as to the identity of the neighbor: it includes also enemies. No limits means: no casuistry is needed to define them.
(2) There is no limit to forgiveness, as is shown by the injunction to forgive 70 times 7, i.e., always, according to Matt. 18:21. So here as well no casuistry is needed to define exactly how much forgiveness must be given.
(3) No advance knowledge is needed to determine the situation in which it must be applied, in every instance where the need of the brother shows itself, one can know what to do, as in the Parable of the Good Samaritan. And if we do not have to understand the nature of the specific context within which we practice this commandment, casuistry is out also on this third count.

So would a positive determination of the commandment to love imply a limitation as to who my neighbor is, how many times I should forgive him, or define the range of situations in which I should and others in which I should not come to his aid? Now that of course represents a valid position insofar as we are talking here about a moral demand. In Judaism there are commandments that have “no measure” also, and therefore are not interpreted through casuistry to define their limits. Far from being an element of anti-Jewish thought, this is what Christianity took over from Judaism. The commandment to love thy neighbor has no casuistry
attached to it in that sense, and is not limited to the “brother.”

But Bultmann’s position at the same time exaggerates this characteristic. It does not mean that the commandment has no inner determinations as to application and universality whatsoever that would define it as a character trait or as a virtue. The commandment is not given without a determining context, and it can still have the character of a rule of behavior, exemplified through the paradigm, as is the case, e.g., with the parable of the good Samaritan. In the first place, the commandment states: love your neighbor as thyself. This “as thyself” surely implies that a limitation is present that is not present in the first of the two great commandments, which is to love your God with all thy heart, with all thy soul and all thy strength. It means that I should make the well-being of my neighbor count for as much as my own, based not on the personality of this neighbor but on the very fact that God commanded me to do so (“I am the LORD” is the motivational clause at the end of the verse in Leviticus 19:18). The love for that God and the full acceptance of His sovereignty over all people is then a precondition of the practical caring love for one’s neighbor, because it allows me to be motivated toward showing loving-kindness even to neighbors that I do not love in the sense that there is some kind of sympathetic harmony between them and me. In that way, both the motivational clause and the addition “as oneself” imply an internal qualification of the commandment, even beyond the qualifiers that are in the context. The same goes for the contextual meaning of the passage in Leviticus, since one may argue that all the prohibitions before it are summarized in Lev. 19:18b. The commandment in Jesus’ context therefore implies a halakah, a behavioral strategy for expressing one’s identity as a follower of Christ, and not a general moral virtue without any context.

Let us take an even closer look. That the commandment to love is without any limiting determination in this sense is also a Jewish concept, as we have stated. That is perfectly clear with regard to the practical side of its execution, which is called: charity or loving-kindness. In the Mishnah tractate Peah it is stated:

These are the things which have no fixed measure (she’ur), the corners of the field, and the first fruits, and the three festival offerings brought on appearing before the Eternal, and charity [gemilut chasidim, i.e., practical help with money or personal service to all men of all classes – RAV] and the study of the Torah.157

Charity is mentioned immediately after that as something “the fruit of which a man enjoys in this world and the stock of which remains for him in the world to come.”158 No one therefore can state that he complied with the demand of charity in full, there is no limit to it.

The first element, that of universal application, is not so clearly present as it is in Lev. 19:18. Since the same verse speaks about the “sons of your people,” the neighbor might be the Jewish neighbor. This impression is strengthened by the fact that 19:33-34 speaks about love for the resident stranger, which might indicate that the categories of neighbor and stranger were mutually exclusive. In later times as well, the commandment was seen to refer in principle only to fellow Jews, but there are striking examples of a more universal application of this verse in the early commentary on Leviticus called the Siphra.159 Most importantly, the verse could be construed that way in a 1st-century environment. We must note, however, that the concept of neighbor still refers to someone who comes into contact, who is nearby. To love thy neighbor can never mean: to love all mankind, or to love humanity. That degree of universality would make it quite meaningless and abstract.

Furthermore, such qualifying determinations were possible because the basic concept was not that of “love” in a modern sense of the word. The verse in its Hebrew form suggests that practical aid was intended, since it does not say love thy neighbor (ahavta et re’eicha) but act charitably toward thy neighbor (ahavta le-re’eicha) which indicates a practical service in connection with the specific needs of this neighbor. Sometimes the concern for the welfare of non-Jews is expressed in connection to the promotion of peace among men, maybe as an ex-
tension of Lev. 19:9, 10 and 23:22, cf. Peah 1:2: making peace between a man and his fellow (chaver). Jesus mentions the commandment of Lev. 19 in three places with the express purpose of defining the intent of the law (Matt. 19:19, 22:37-40; Mark 12:29-31), though it is not clear from the treatment in Luke 10 that Jesus did in fact choose to define "neighbor" beyond the restriction to the Jewish neighbor that seems implicit in Lev. 19.

We must not forget that, even there, the commandment to love the neighbor seems to sum up morally what has been determined legally, and in the form of prohibitions before that. The positive form of the moral command does not need to exceed on its own the scope of the commandments and prohibitions in which it was expressed in a more legal fashion and context. In other words: only on the assumption that all casuistic determinacy is in itself incompatible with the very nature of a moral command can it be said to be prima facie evident that the moral form excludes any determinacy in rules of behavior. There might be another reason that we have the explanation of neighborly love in this paradigmatic fashion.

That Jesus used the example of the Samaritan is not that surprising, considering what we learned from Dunn: that Jesus was intent on erasing the boundaries between the different social groups within Israel. So the Samaritan, who is excluded from the life of Israel as a sectarian but does not have the same status as a non-Jew, has certainly been taken up into the definition of the neighbor against that exclusivist tendency. But we must conclude that neither the Torah, nor 1st- and 2nd-century Judaism, nor the text of the gospels applies love for the neighbor in the sense of the boundless and indeterminate universal love for mankind that Bultmann credits it with. Love for the neighbor, within Jesus' ethics, is the kingdom strategy of doing works of kindness to enemies that erases enmity and restores the unity of God's people. The love for the neighbor does not transcend but presupposes a living community for which it became a strategy of responding to outsiders. To Israel, this meant a response to enemies from without; for the Church that consisted of Jews and gentiles, it remained a strategy for dealing with non-believers. The status aparte of the community as the defining ethical situation is not lifted or changed.

So we contend we have no direct evidence that Jesus extended the principle of Lev. 19 to include all men. On the contrary, there are old traditions that reflect Jesus' reluctance to transcend the boundary of Israel. Luke (7:1-10=Matt. 8:5-13,Q) makes it clear that a certain amount of persuasion was necessary to get Jesus to go to the centurion's house to cure his slave, who might have been himself a Jew. The meeting with the Syro-Phoenician woman in Mark 7:24-30 also shows a reluctance on Jesus' part to reach out to the gentiles.

Nevertheless, we do find a possible universal scope in Jesus' commandment to love one's enemy (Luke 6:27) which implies practical and personal service again, since we have an easily detectable Hebrew parallelism here: "Love your enemies, do good to those who hate you." The enemy here, however, is not simply the Roman occupier, but all those who stand outside one's social circle, unlike the resident stranger (ger toshav) who has a status within it. So in the commandment to love the enemy, is Jesus moving beyond any particularism into the kind of universalism that Bultmann expects? But there is a provision under Torah which gives the basis for that. In Ex. 23:4, 5 we read:

If thou meet thine enemy's ('oiev) ox or his ass going astray, thou shalt certainly bring it back to him. If thou see the ass of him that hateth thee (shonei) lying under its burden, thou mayest not allow thyself to leave it to him, but must forsake everything and hasten to its aid.

The translation of 'oiev, indicating someone who in deeds has done you real harm or belongs to a group that has done so. In the more specific circumstances mentioned here of a possibility of damage to the enemy's livelihood, help is required, even to the point of "forsaking everything." This is of course a positive qualification to the commandment to "love" one's neighbor: if the neighbor is an "enemy" (socially or nationally defined) his well-being is in your care in those circumstances where you have actually have come to be in the
position that ordinarily would be filled by the friends and family of your enemy.

Can we say that Jesus’ commandment in Luke 6 goes beyond that? It does sound like an extension of the commandment of Ex. 23:4-5 in the sense that it contains more than actions on behalf of the enemy’s property, even when his livelihood depends upon it. The specific acts mentioned in Luke 6 define specific circumstances in which this love for the enemy is to be executed.

To him that smites thee on the cheek, offer also the other, to show that you do not play the game of violence, ending the spiral of force and thereby disarming the situation, changing it from a war into a human encounter. The specific situation here of course is that of an outright challenge by the enemy.

And from him that would take away thy garment, forbid not the body-coat also, a strategy intended to make a theft into a voluntary act of assistance on your part. Resisting the thief with violence would start a conflict which would probably end up with greater harm than implied in the theft. The voluntary act of assistance disarms the whole situation and possibly shames the assailant. Here the situation is that of an enemy who acts out of his/her own needs and because of that harms your property directly and you indirectly.

To everyone that asks of thee, give, since possessions are there for the purpose of serving others. The situation here is that of the enemy behaving himself as a “neighbor” in asking your assistance. By affirming him in that role and lending the required assistance, he might very well become a “neighbor.” Jesus is here giving the same command as in Ex. 23:4, but now as applied to specific circumstances of the 1st century in the perspective of the coming Kingdom. The intent is now not only to behave “properly” toward the enemy by showing that in principle his well-being is your concern, but to act in such a way that the animosity is actually transformed into brotherly relations. Jesus explains and uses the Torah as a messianic tool without transcending its meaning.

There is, we contend, no necessity to maintain that Jesus here abrogated the law or exceeded it in its contents. The commandment to love one’s neighbor is explained by Jesus very much in keeping with the Torah and its provisions, and certainly as allowing for positive determinations as to the scope and method of its application. It is the eschatological situation that changes the way the commandment is applied. But its application follows ordinary hermeneutic principles nonetheless. Bultmann’s third point: that there is no knowledge needed as to the situations in which it is applied, is therefore incorrect in principle. In all of this, a precise grasp of the intent of the rule and the specific circumstances is necessary. It is not a matter of simply responding to someone’s needs, nor of showing sympathy and concern to all others without qualifications. Such a commandment would be considered too general, and even beyond human capability. Bultmann’s assertion that the negative merely helps us understand the purely positive and universal nature of the commandment is untenable, in particular because it rests on the assumption that the purpose of the law is for judgment only, and that it therefore must make excessive demands. Other examples show this as well. Paul’s statement in Romans 13:10 (Love does not harm the brother) is without meaning if no thought is given to the situation to which it applies and the conditions of it.

Bultmann maintains that the Pauline solution is still present, though weakened, in Colossians, Ephesians, and 1 Peter, and even more weakened in the other letters and early patristic literature. Everywhere he sees a return to legalism (with the exception of Ignatius who shows the first traces of sacramentalism). Legalism does still incorporate the doctrine of extrinsic salvation to an extent; it still accepts that grace is a necessary condition for ethics. But instead of affirming that grace is all-sufficient and thereby reducing ethics to participation in the life, death and resurrection of Christ, it considers the latter to be a renewal of man, who becomes capable of acquiring future redemption by way of his own obedience to law. Grace then restores man’s capacity for ethics instead of replacing it. Legalism fails to see that grace is a
sufficient condition for ethics because, in it, the new situation of man under evangelical obedience is defined. It fails to go beyond acceptance of grace as a necessary condition.

Bultmann sees the cause of this development in a weakening of the Church’s understanding of the radical power of Sin over man as compared to Paul’s. Salvation is now understood as the acquisition of a proper understanding of God by the heathens, or as redemption from Death. He then goes on to enumerate the loss of specific Pauline concepts that contributed to it: the notions of sin and flesh as personified powers, the opposition of spirit and flesh, righteousness primarily as an attribute of God, to which might be added the notion of faith (pistis) as a force coming from outside of man (if faith is considered a gift of God, Phil. 1:29, and not the act of faithful obedience, as in Rom. 1:8). After Paul, faith became the entrance to a life of moral pursuits. “The Church is under way to slide into a religious moralism” (ThdNT, 555). It begins to express the newness of Christian life as living under a “New law” that sets demands of righteousness (dikaioomata). The next question must be: what then are these demands of righteousness for the Christian in the post-Pauline theology of the early Church? And is Bultmann’s diagnosis correct, that this development represents a loss of the original gospel?

Bultmann discusses this matter in par. 60 of the TdNT, called “The Contents of the Demand.” First of all, the Church’s late 1st-century ethics is determined by the awareness of participating in the Church, of not being of this world. (It seems to be axiomatic in Bultmann that this affirmation of a separate, redeemed community is a return to Jewish legalism.) That is why the ethical demand is primarily phrased in the negative. New converts are called upon to purify and sanctify themselves and to flee from all worldly and fleshly desires. This gave rise to a parenetical and catechismal literature that sometimes followed the synagogue example of the Two Ways, describing what is commanded to those who follow the Way of Life and what belongs to those who follow the Way of Death. The prime example of such a literature is the Didache, which is thought to have incorporated a Jewish text of that nature. The letter of James is mentioned as presenting examples of such parenetical texts, dealing as it does with the sins of the tongue, mercantile concerns, and exhortations to the rich. All of these subjects would belong to parenetical homily and not to the heart of Christian theology. The common denominator of these texts is the demand for sanctification on the basis of participation in the Christian community.

Still, the “ecclesial purity” is not expressed (yet) in specific actions or goals that might constitute a counterpart of the Jewish Torah and its oral tradition. Bultmann emphasizes that we find here mostly negative virtues: the exhortation is aimed at combating egotistical drives, and in that sense it is purely formal. It is the “perfect corollary of the primary commandment of love, that by its nature does not allow positively phrased determinations” (ThdNT, 562). If it could be expressed otherwise, the commandment would again have the nature of “law.” Behavior under such a moral law is not directed at a specific achievement of the human will, determined by the application of a rule of behavior to specific circumstances governed by its provisions and worked out in the manner of casuistry, and then performed as a submission of the human volition to an obligation that is understood. In short, such compliance with the negative expression of the commandment of love is not an “ergon,” a work, at all. It is directed not at an achievement, but at the needs and concerns of the neighbor in my community. A Christian is supposed to judge without the aid of written laws what God wants him to do. He is ordered to “discern” the will of God (cf. the expression dokimadzeit in Rom. 12:2 and our discussion in chapter 5).

We find this a problematic approach. The problem is that the criterion for this distinction is based on a modern, Kantianist appraisal of the ethical situation. The contradiction between rule of behavior and commandment on the one hand, and freedom, moral spontaneous action, and discernment on the other hand, is a modern issue. We found that already in Mishnaic Judaism the commandment to love the neighbor was seen as a “general” commandment, to be-
come specific in the situation of the day. It was not limited in its measure, but perhaps limited
to the Jewish neighbor in practice. Most of all, it was not a “work,” a defined task. In short, it
was a mitzvah and not a moral principle.

We must conclude from the above that Bultmann’s appraisal of the letter of James is con­
nected with, if not based on, his Kantianist-Lutheran reading of Paul and his insistence on
Paulinism as the heart of New Testament doctrine. What he attributed to Paul are modern no­
tions of humanity as the universal community, and thereby he overlooks the ecclesiological
and Jewish background of the commandments that Jesus had taught.

If that is so, we cannot overlook the significance of the letter of James. Its closeness to the
parenetical material in the gospels and its obvious exhortatory character can not be seen as
evidence of its late origin, nor can its basic viewpoint eo ipso be characterized as a departure
from the “pure” gospel.

§ 15. James’s debate with Paulinism

So what is James all about then, taken by itself and read from its own internal context? We
might develop from this letter another kind of evaluation of the parenetical elements in the
New Testament. If it cannot be argued that the commandment to love the neighbor in its very
form refutes any kind of moral reasoning and reflection on conditions and situations that
positively determine its meaning, then Bultmann’s “slide into religious moralism” could very
well be indicative of something else. We would lose the necessity to approach Christian eth­
ics as a version of the antithesis between good works (as casuistry about rules of behavior)
and works of gratitude (the indicative of the Christian life, following on God’s redemptive
action). As we have seen, it is precisely the closeness of Jesus’ teachings about love of neigh­
bor to not only the literal meaning of Torah, but also to the formal structure of the argument
as it is known from Rabbinic sources, that prevents us from reducing the commandment to a
legalistic perversion of a moral expression of the will of God, to be responded to on the spur
of the moment. But if the letter of James cannot then be regarded as a return to Jewish moral­
ism, what does it represent, and how is it related to both the Christ of the gospels and Pauline
doctrine?

The theological high point of the letter is the short discourse about faith in ch. 2:14-26.
14 What doth it profit, my brethren, if a man say he hath faith, but have
not works? can that faith save him? 15 If a brother or sister be naked and in lack of daily
food, 16 and one of you say unto them, Go in peace, be ye warmed and filled; and yet ye give
them not the things needful to the body; what doth it profit? 17 Even so faith, if it have not
works, is dead in itself. 18 Yea, a man will say, Thou hast faith, and I have works: show me
thy faith apart from thy works, and I by my works will show thee my faith. 19 Thou believest
that God is one; thou doest well: the demons also believe, and shudder. 20 But wilt thou
know, O vain man, that faith apart from works is barren? 21 Was not Abraham our father jus­
tified by works, in that he offered up Isaac his son upon the altar? 22 Thou seest that faith
wrought with his works, and by works was faith made perfect; 23 and the scripture was ful­
filled which saith, And Abraham believed God, and it was reckoned unto him for righteous­
ness; and he was called the friend of God. 24 Ye see that by works a man is justified, and not
only by faith. 25 And in like manner was not also Rahab the harlot justified by works, in that
she received the messengers, and sent them out another way? 26 For as the body apart from
the spirit is dead, even so faith apart from works is dead. (American Standard Version)

The main thesis, expressed in the rhetorical question of 2:14, is: the expression of faith
without works cannot save. It seems to be the same kind of argument as in 1:22, where James
states that we should be doers of the word and not only hearers of it. There is no “hearing”
without “doing,” and then also no faith without works. In 15-17 the analogy is made between
faith and neighborly love. A neighborly love that expresses itself merely in words is not real love. The same goes for a faith that is only efficient in words and not in deeds. It comes close to the faith of demons, who resist in practice the authority of what they believe in. So faith that merely relies on its assertion cannot save. By reading the text like this, we avoid any conflict with the Pauline understanding of justification by faith.

The problem with this interpretation is that we presuppose that we know what the expression “works” means here, and that we also find here an antithesis between the profession of faith (if someone says...) and the actual deeds of the believer. In Schlatter’s view e.g., the issue would then be that someone who describes himself as a believer, but has no works to prove it, makes a vain statement. By being without works, he confesses that he believes that his faith alone will save him! The statement that I have faith as a matter of fact is then opposed to the actual doing of works as a proof of faith. Only the statement of faith (in Christ) with the reality of it, in works of love, can be called faith in the Pauline sense of the word.

If that is indeed the aim of the passage, we could easily find support for the traditional thesis that faith in itself, as our subjective faith, cannot save anyway. We believe in Christ, because He saves, and our faith itself is not the saving power at all. That would be in full agreement with (traditional) Paul. But the text obviously does not address the point that the content of faith is Christ as the savior. The One who is able to save and condemn is called lawgiver and Judge in 4:12, and it is obviously God and not Christ that is the subject of that verse. It is not about the contents of faith, but about the commitment that is involved in its confession.

Let us take a closer look. The traditional interpretation states that James must be arguing against people who think that a mere statement of subjective faith has redeeming power. Now first of all it is hard to see who such people could be in the 1st-century Church other than Paul himself, and only the spread of the gentile Church with such a kind of gospel could explain why it was necessary to select such a position for this polemics. If it is against the mere profession of faith, a (vulgarized) Paulinism must have been the opponent. There are indeed compelling grammatical reasons in the text to stress an opposition between the profession of faith and the doing of works. Strictly speaking this is what the text reads literally:

what is the use if someone states (λεγει) states, confesses to have faith and [if he] has (eχει) no works [and implies that this is enough for salvation]

The interpretation can then run like this: The statement of faith all by itself, being not corroborated by practical works, though as a confession implying precisely that, is useless for salvation. Then we might say: faith is not about making statements, so James is only arguing against a pretended faith. The emphasis would then fall on the word “says” and faith would be taken in the meaning of assent to a doctrine. Corroboration of that might be found in the fact the demoniacal faith in vs. 19 also believes in something (as the case is, believes in the oneness of God), but obviously does not obey. One other argument in favor of this interpretation is the very fact that James wrote λεγει and not εχει, which would mean confession of faith rather than the faith in itself. But we would affirm already with Dibelius, that this usage indicates that a human being that cannot express his faith in works, needs words to do so. And that would mean that the whole expression of “says that he has faith” is as such the perfect opposition to “has works”.

But we might consider other alternatives. We think there are two other possibilities that fit the context better, even if they do not seem to follow the grammatical pattern of the verse. We can either (1) stress the notion of λεγει to encompass the idea of confession in the sense of commitment above a mere verbal “profession,” or (2) weaken its meaning even further to contrive a different and stronger antithesis. Let us consider the two possibilities.
The problem we find in the classic reading is that we find in the context no corroboration of this reduction of faith to a statement. A profession of faith without works is not called a mere falsehood, as we would expect, but a dead faith: it is still there as faith, but it is not "working."

What we do find is a reference to a specific kind of confession of faith that goes beyond verbal profession, which we know to have implied in Judaism the assumption of ethical responsibility. The reference to the shema in vs. 2:19 then serves as the defining element in the context. If someone confesses his commitment to faith, implying ethical responsibility, then the fact that he does not obey the law that is part of the contents of that faith is a contradiction of that statement.

We could then read like this: if someone confesses his faith in the sense of showing his faith-commitment to obedience and shows no evidence of compliance with the law in the form of works, then that faith remains meaningless and was not confessed truthfully. Then James would be saying that the effective element in faith with regard to salvation is the obedience in it that produces works, which is implied in its confession as a commitment. The problem is, however, that James is actually allowing for the possibility that even the demons affirm the confession of God's unity in the shema, while obviously disobeying that same God.

(2) the opposition between having and not having works.
We might also construe the passage like this,

what is the use
if someone has faith, (he says)
and has no works
[and implies that this is enough for salvation]

In that case, we take the \( \varepsilon \chi \varepsilon \iota \upsilon \) to be closer to \( \varepsilon \chi \varepsilon \iota \upsilon \) than the formally correlated \( \lambda \varepsilon \gamma \eta \). Then we have the contradiction between "having faith" and "not having works", or put positively, the equation that having faith implies having works.

The sense is then in the first case the incompatibility between two statements. Someone claims to have faith even without doing the works of the law. Such a statement is then considered a paradox because faith must imply obedience and the doing of works. In the second case the issue is about the impossibility of two conditions being present at the same time. Having faith without having works is impossible.

It is much harder in our opinion to maintain the opposition between the idle statement of faith and the doing of works even if the grammar and "simple reading" would imply it. \( \varepsilon \chi \varepsilon \iota \upsilon \lambda \varepsilon \gamma \eta \) is not necessarily construed as an antithesis to the \( \varepsilon \rho \gamma \alpha \delta \varepsilon \mu \eta \varepsilon \chi \iota \upsilon \) according to the sense, even though grammatically \( \lambda \varepsilon \gamma \eta \) and \( \varepsilon \chi \iota \upsilon \) correspond with each other. To sum up, the opposition is between two kinds of faith: the one is divorced from works (of the law) at least with respect to salvation, the other is intrinsically connected to works, and these are seen not as implied in any Paulinist sense (working faith, faith as source of spontaneous acts of love) but as visible result (faith that does works is alive in obedience to the law). Only taking the \( \lambda \varepsilon \gamma \eta \) as having to refer solely to an assertion of faith and construing the passage with heavy emphasis on the grammatical structure without taking note of the context allows for this particular harmonization with Paul.

But even if we were to read in the traditional way, the problem is not fully solved. After all, even if it primarily does refer to a verbal confession, it creates a dissonance with Paul precisely because it then changes the meaning of "faith" that Paul attributes to it and views it
with reference to what can be seen experientially of such a faith. The text then implies that a profession of faith along the lines of Paulinism disconnects faith from works and thereby empties the content of “faith.” Both avenues of interpretation therefore lead to an affirmation that a debate with Pauline theology is intended. But in the traditional reading, these works are a response to faith, and in our alternative reading, the works are an intrinsic part of faith.

So in what sense is “faith” used here, if it is not the (profession of) a faith that has works implied in it, but in any case a commitment of obedience to works of the law? Is law-obedience an intrinsic part of faith or a response through faith? The comparison in vss. 15 and 16 must give the solution. The analogy is first described in vs. 15 as a matter of poverty and need. In vs. 16 we find an expression that is analogous to a faith without works. Someone says: “go in peace, be ye warmed and filled” (KJV). That statement is of no use to the one who is poor and without clothes and food. The statement will not help at all, even though it is an expression of sympathy and acceptance of the situation. The comparison runs like this: the believer is like the admonishing brother or sister and faith is like the exhortation to get warm, go in peace and eat well. Faith is then like an admonishment that remains on the outside but does not change reality on the inside, a reminder of what is good and should be done, that lacks the reality. It is “dead” because it does not “work,” or better, does not produce works, but only expresses the need to work. Faith and works are congruent in contents, faith implies the necessity of obedience; works is the actual deed that shows compliance with God’s will. As in the metaphor: the content of feeding and clothing someone is correlated to the statement that it is good to get fed and be clothed. But such a faith, while telling us what to do, will not help us to do it. It does not show us what to do either. Faith is there, where the obedience of faith is operative.

The mention of a content in vs. 19, to believe that God is One, is more than an example of a doctrinal profession to illustrate the general principle of truthful speech. On this we have based our contention that the statement of faith is actually a confession of faith implying a full commitment to a life of obedience. One might objectively “believe” that God is one, as one can objectively believe that Christ is savior. But the importance of that basic confession in Judaism is the acceptance of the yoke of the law, something which is in effect only visible in the doing of the law. And in James’s Christianity it is no different. The acceptance of the messianity of Christ implies obedience as well. Faith in the sense of our commitment to obeying God or Christ is not faith at all if the reality of that obedience is lacking. Faith is therefore in itself a pragmatic resolve to act in obedience, but it still needs the effective deed to be real. Otherwise the confession deteriorates into “just” a statement.

What then is a real expression of a “real” faith? The first mention of faith in 1:3-6 mentions “faith” in the sense of trust that drives away all doubt. Faith, being put to the test, grows in endurance when it is acted upon. Such an experiential life of faith becomes the foundation of certainty. Anyone who prays with steadfastness, without being divided within himself as to the nature of a giving God (1:5), will receive from the Lord. Faith here is seen as the recognition of who God is as the one whom we obey and who judges our act in conformity with the law, and as trust in such a God for the things that are necessary to live the Christian life, summarized as the wisdom we need. In 2:1, then, faith can even become close in meaning to the “life of faith” when James states that we should keep our faith free from all acceptance of the person. That acceptance in question, the preference for the rich above the poor, is considered to be an infringement of the law in its most vital expression: the commandment of neighborly love. So “faith” is here the practice of the divine law which becomes compromised by the acceptance of the rich above the poor. By making such distinctions we reject the universality of the neighbor, and in doing so we compromise our faith on which this obedience is based. But obviously faith and compliance with the law are here thought of as equivalents.

So faith is a recognition of God’s sovereignty, visible in practical obedience to the written
The statutes of God’s will, embedded in a practice of endurance under persecutions, leading to trust in a giving God amidst the circumstances of our life, and committed to neighborly love as the essence of the law. Such a faith cannot be deemed to be expressed properly if it is merely “claimed” to be there; in fact, such a claim makes no sense at all. James is not arguing that it could be claimed, but that there are those who are familiar with the attitude and the resolve to obey that is essential to it, but simply do not comply. A faith cannot be existent in that sense without the works of faith; it is not simply a faith that would be lacking in works, it would be “dead”.

The issue of faith takes a new turn, however, in the next two arguments James derives from Scripture. Up to now, one might argue that the sense of faith is the experiential side of the same concept of faith that Paul has, merely because the contents of such a faith are not mentioned, and it cannot be concluded with certainty that James is talking about a moral commitment within faith. The contextual argument seems decisive but is counterweighted by grammatical considerations. We might argue that Paul centers faith around the efficacy of Christ’s faithfulness, the trust in God’s power to redeem on the basis of our acceptance of Christ. His theology centers around the evocation of the content of faith, and James obviously shows no interest in developing that side of the matter. It is therefore also correct to say that though the slogan of salvation by faith even without works is a derivation from Paulinism, it is not Pauline in essence, so James is not directing his attack toward Paul himself. But the matter becomes different when we consider the passage 2:21-25.

Here James takes on the issue of justification with reference to two passages from scripture, of which the first figures prominently in Paul’s discussion of the issue. James makes the following statements:

1. Faith is present in works and never without them, because that would make faith a mere declaration, or better: would imply that it is without life. (2:18)
2. Even if the content of faith is correct (in the example: the idea that God is one, when uttered as confession, equals the resolve to obey God), this in essence is part of practical life, if it combines with disobedience, it is similar to demoniacal faith (2:19). The opposition between living and dead faith is here superseded by the opposition between committed and demoniacal faith.
3. Faith without works is not effective with regard to salvation; works from faith are effective (2:20) and not merely “proof” of the effectiveness of faith all by itself.

These statements might still be harmonized into agreement with Paul’s doctrine, as if James expressed the experiential side of faith where Paul emphasizes the contentment and new reality it brings. We would have to emphasize, though, some slight changes of meaning. The opposites in James do not harmonize well with Paul’s usage. E.g., the notion that dead faith is non-existent faith, and only faith that effectuates itself in works can properly be called so, shows that faith is taken as the practical attitude of submission to God in works of obedience as well as in suffering. But then again, if read slightly differently with emphasis on the phrase: “someone says,” we get an opposition between the profession of faith and real faith that is closer to Paul, as we showed above. But even if there were full congruence between these elements in James and Paul, we would still have to contend with these further elements.

1. Proof: Abraham was not justified by his faith, but by a faith that worked together with his works. His faith in God became perfect because he acted on it in obedience (2:22). Note here that James does allow for the notion that faith can be discussed in theory apart from works.
2. So Abraham’s faith was reckoned as righteousness in Genesis 15 because of what Abraham did in Genesis 22: the sacrifice of Isaac. Now Genesis 15 is a proleptic statement, a prophesy that became fulfilled in Genesis 22 when Abraham acted righteously. So the
distinction between faith and its product can be made only in conversation! The real act of faith and the real ground for justification is now Genesis 22 and not 15.

Conclusion: a human being is justified on the basis of works (of faith) and not only on the basis of faith (without works). Only the living, committed faith that acts in obedience makes God justify a man.

There seems to be yet another way out, however. Does all of this perhaps mean that the dynamics of (subjective) faith led Abraham to act in accordance with (objective) faith? That would place James in full accordance with Paul. Schlatter maintained this:

"Abraham’s faith did not consist in words alone and did not exist merely in the fact that he said he had faith; in fact, Abraham’s faith created the deed; because he obeyed the divine command and put his son on the altar." 164

But Schlatter misses the point here. James does not state that Abraham was justified on the basis of his faith in Genesis 15 and that proof of the efficacy of that faith was given by his obedience in Genesis 22. James is saying that the justification depended not on the faith in itself at all, but on the deed of obedience, of which faith as act of commitment was merely the condition. The deed of obedience showed the fullness of faith in and as obedience. Faith in Abraham was a practice of obedience that prepared Abraham for the ultimate act of obedience, and that obedience in faith was the prerequisite of justification. The statement of Gen. 15:6 in that sense is proleptic, and was, as James puts it, fulfilled in the sacrifice of Isaac. To James, the meaning of that faith is not exhibited in Abraham’s acceptance of the character of God who promises life beyond death. Abraham’s faith is not explained, as Paul does in Rom. 4:17, as a faith that accepted God’s ability to act beyond death or His sovereignty in declaring even the ungodly righteous. It is not faith in the promises of God, but faith as the ability to obey beyond and against the circumstances and our natural inclinations while affirming the sovereignty of God at the same time. It is the faith of the shema! Obedience as shown in concrete acts of submission to the divine will is therefore the perfection of faith, i.e., its inner essence shown outward. In other words, faith is the corollary of obedience as well as its condition.

We could try now, on the basis of the above, to reconstruct the debate between James and Paul on the issue of justification. In Romans 3:27-30 Paul states the issue of justification in terms of the antithesis between faith and works of the law. Man is justified by faith, without works of the law. Blackman prefers to understand the “works” as “deeds” which undoubtedly makes it easier to harmonize with Paul, if we read e.g. Paul’s statement in Ephesians 2:10 that we were created in Christ Jesus “to do the good works that God has prepared for us before”. So we have received faith (not on the basis of works – Eph. 2:9a) in order to do the good works. Schlatter also contended that James dealt with an approach of faith that separated it from all works, not specifically the works of the law. 165 But did James mean that? We must understand that in general, the Jewish concept of “good works” was divided into two sets of deeds, the requirements of the Torah (that had a fixed measure) and other duties, that could not be measured or legislated like the commandment to do charity or to give alms. The first is referred to by the Hebrew term mizvot and the second by the term tsedakah. Either one of these could be referred to by the phrase maâsim tovim, or “good deeds/works. When James uses the simple term “erga” in Greek, is it not possible that he meant the “good deeds” and specifically the duties without fixed measure? To him, these would certainly be part of the legislation in the Torah, but they would be lifted from any restriction as was detailed out e.g. in those parts of the law that dealt with the tension between Israel and the nations or had a clear boundary-marker quality like circumcision and dietary laws or the sanctity of the Temple. We need not therefore construe the word to mean anything like the “moral deeds” in a specific Christian sense, and oppose that to any kind of Torah-obedience. On the contrary. In
this case prescribed duties can be meant, that are e.g. expressed in the decalogue or the sections on social laws within the Torah.

James’s reply to the traditional Paulinist objection that justification has no basis in human acts can be found in 2:18, where he states that there cannot be a faith without works. I.e., it may be perfectly true that those commandments that regulate entry into the covenant will not suffice, but that does not mean that obedience has become superfluous. On the contrary, all of the law has to be obeyed (2:10, 11). And here we might say that the new image of Paul that Dunn has provided might give us an opportunity to see the harmony between Paul and James after all, because Paul is equally adamant that the purpose of Christ’s coming into this world is that “the rightful demand of the law will be fulfilled in us” (Rom. 8:4). For James this connection between faith and law can be more directly expressed. Faith cannot exist without works, and what those works are can be determined only by studying the law of freedom (the Torah in its liberating, messianic shape) and judging oneself by it (1:25). Only then can we be blessed (in our doing [ibid.]). James is not arguing that the works demanded of Christians are the “works of the law” in the specific sense that Paul is thinking of. But he is obstructing the interpretation that since justification is not based on specific demands of the law pertaining to membership in the Covenant, we may drop the law as such. As the law of freedom, it is still the source of our obedience.

Can we find the harmony now between Paul and James? At this moment we have not yet given the full argument for our new reading of Paul, so the following must be seen in the context of what we will deal with later on. But the harmony between the “new” Paul and James is indeed obvious. In Romans 3:29-30 Paul mentions the importance of the Jewish creed that God is One. If He is, then there is one and only one way to relate to him, though there are distinctions. Both gentiles and Jews, however, will be justified on the same principle of faith, though the manner in which faith is present as principle may differ. To justify the circumcised by faith means that faith is the actual immanent principle of the covenant of Israel. Abrahamic faith redeems those in the Covenant of circumcision as is now shown through Christ, even if part of Israel does not subjectively accept it. Gentiles, however, without entering the Jewish covenant first, are justified by “the” faith, i.e., the fullness of the Abrahamic faith as now expressed in the gospel of Jesus Christ. James mentions the belief that God is one in a different argument, however, when he addresses Jews by stating that faith in God’s uniqueness is not sufficient either. Jewish faith, in the unique relationship between the one God and His unique people, will not in itself suffice to escape judgment. James is, from another angle, giving weight to the same principle that Paul is using.

To both, Abraham is a test case. Paul quotes Genesis 15:6: Abraham believed God and it was reckoned unto him for righteousness. In Paul’s explanation several things happen. (1) The statement that Abraham believed is transformed into a statement about faith itself. Faith then becomes the subject in Rom. 4:5b, where Paul states that “his faith is reckoned as righteousness.” (2) The quotation from Psalm 32 is used to imply that this “reckoning of righteousness” means forgiveness of sins. Paul thereby confronts the Jewish notion that Abraham was without sin. (3) Paul inquires into the circumstances of Abraham when justification occurred. Since Abram was at that time not circumcised, and since his faith is a type of the faith, justification can occasion a forgiveness of sins outside the covenant for those who are not circumcised. (4) That grounds the statement, made almost in passing in the introduction of Psalm 32, that God justified the ungodly, i.e., those who are outside the Covenant.

It seems clear that James does not deny the principle that justification is on the basis of faith. But he rejects all efforts to separate that faith from works, i.e., obedience to what the law demands. The discursive separation of faith and obedience, justification and sanctification, to widen our horizon for a moment, is denied here on the basis of their very real and experiential interconnection. In James 2:21, James emphasizes that Abraham was justified on the
basis of works when he in full obedience to God put his son Isaac on the altar. Note that Abraham was at that moment circumcised, and that James does not deny the element of faith. He is merely stating that faith became perfect from works: obedience in a visible act actually made faith, i.e., trust in God, complete and apparent. James 2:23 then takes Gen 15:6 as a prophecy that was fulfilled in the akeidah or “Binding” of Isaac. Paul, on the other hand, does speak about Abraham’s faith in accepting the promise of the birth of Isaac in Romans 4:19-22. What James would call a still imperfect faith, a trust in God that needed a work of obedience to be fulfilled and be effective in the here and now, is to Paul the single most important basis (cf. Rom. 4:22) for justification. James’ maximalist view does oppose Paul’s contention that the simple affirmation of Christ’s efficacy already constitutes saving faith, even if he allows for and actually emphasizes the fuller richness of such a faith in a life in the Spirit.

The grounds for justification in Paul is simply the acceptance of God’s promise. It invites the idea that acceptance of the resurrection of the new Isaac, i.e., the objective contents of faith, is the reason for faith to be accepted by God. Paul is however merely postponing, or distinguishing in conversation, what he will later bring together in the chapter on the Spirit’s work within the believer. I.e., the grounds for justification is faith, but the work of justification is not faith alone but the enabling of real obedience. In James this very same faith in God’s oneness or promise or trustworthiness is not enough for salvation, but should be made perfect in acts of concrete obedience to the law. If we accept this as the full concept of faith, then we can see that though Paul discusses various elements of faith under different headings and in different contexts, the whole treatment of faith throughout Romans is actually in accordance with James on the issue of the connection between faith and works. The remaining difference is that Paul sees the unique nature of the commitment of faith as obedience in the attitude toward Christ as the new Isaac, and James directly takes up Abraham’s obedience as an example of faith. The midrashic and experiential context of Paul and James may vary, but the basic concept of faith as obedience remains the same.

Paul and James are in agreement, against Judaism, that justification is not about “works of the law” in the sense that belonging to the Covenant community is the sole basis for justification. To repeat Israel’s confession of faith (the Shema expresses the oneness of God in connection with Israel and Torah) is not enough for James either. But the Abrahamic principle of faith, which Paul sees as the basis for both gentiles and Jews to be justified, is to James insufficient. Paul’s eschatological midrashic context is denied by James. Faith should be understood as obedience to the law (of Christ), becoming a reality in acts of compliance with the commandments, not by judging each other with the law to establish who is in and who is out, but by judging oneself with it, using it as a mirror and a source of wisdom.

One other objection to this description must be noted here. One might say that, to Paul, there is a distinction between justification in the present and the judgment in the future. To James, judgment and justification are not distinguished temporally like that: both are in the future, as we can see in 4:21. Paul would have agreed with the idea that in the future, our judgment will still be about our works (cf. Rom. 2:6; 5:19). Because Paul makes the distinction, he can speak with regard to the present about justification by faith alone. But we will see in our discussion of Romans that Paul did not make this distinction in such a sharp fashion. The future tense of Rom. 5:21 is already present reality, as is the case in 5:19, where the “many are constituted righteous.” The eschatological kingdom is already realized here and now, though it will be manifested fully only in the future when Christ’s reign will be a reality.

But more importantly, the argument does not help at all, because as soon as James identifies faith with obedience and accepts “works” rather than baptism or confessional statements as the self-expression of such a faith, then the present condition becomes eschatological in another sense. In such obedience in faith, the kingdom has arrived in very much the same manner as it is already present to Paul because of the indwelling of the Spirit – granted, though,
that to Paul the behavior of the believers is more of a sign of the presence of the Spirit. James could never have made that kind of distinction between behavior as fruit of the Spirit and the indwelling itself, precisely because he rejects faith as anything other than concrete obedience. In that sense, the believers can be called the first-born in 1:18. This new possibility of obedience is the sign of the entrance of the Kingdom in this world.

Again, an objection can be raised. If James had the mizvoth in mind and argued against a faith without them, it looks still possible to contract an opposition with Paul who uses the term erga to refer to any kind of action under law? But does Paul do so indeed? Against the traditional reading we could follow here James Dunn. In his view, Paul wanted to say primarily that justification is more than being part of and remaining within the covenant community. The works that the law demands to remain within the covenant (epitomized in circumcision, levitical purity, and kashrut but not restricted to them) do not really justify in the sense that they make a man stand righteous in the final judgment. God will justify both gentile and Jew, not by looking at the covenant boundaries, but only on the basis of real performance. That view is indeed expressed in Romans 2:6. But since the law shows us that in that respect nobody achieves the perfect standard, to be in the covenant will not by itself be of any use. Only faith in God’s promise will justify both gentile and Jew, because that faith will enable them to obey the commandments of God (cf. Romans 8 and our discussion in chapter 5). There is a difference, when Paul opposes precisely the doing of the Torah out of faith to the seeking for righteousness under the law by the “works” — those works are then the mizvoth in their segregating effect.

First of all, the expression “doers of the word” is used in ch. 1 in antithesis to “hearers (of the word).” Because of the expression in 1:21, “the implanted word,” a doer of the word is someone who takes the Torah as the expression of the divine will. The passage obviously refers to Jeremiah 31, where it is the law that is engraved upon the heart. But the expression “works” is also explained by the context of our passage, the reference first to Abraham and then to Rahab. In what sense can it be said that Abraham’s sacrifice of Isaac is a “work”? Not only because it is in a general sense compliance with the divine will. Abraham obeyed God by presenting his son as a sacrifice. But there is something else. The offering of Isaac in Judaism is seen as the essence of obedience to Torah, not so much because it portrays total submission, but because it portrays the principle of radical obedience that is presupposed in the commandments of the Sinai. Both the cultic law, in its role of dedication of the whole human person to God in the symbolic act of animal sacrifice, and the moral law, as obedience to the specific divine commandment that expresses righteousness, are revealed in the offering of Isaac. In this sense, James does speak about obedience under the Mosaic law (against Goppelt, 541), both in his reference to Abraham and in the reference to the shema, as well as in the “doer of the word” passage. Faith is the prerequisite of a life of obedience to the commandments, which allows full obedience to the divine will and neighborly love to be its summary principle.

So it is our contention that “works” in James does not necessarily mean the “good works” of Eph. 2. The doer of the word “does” the works, the work is connected to the principle of total obedience and connected to neighborly love as the summary of law. The works of James are the works one does in obedience to the law on the basis of trust in the lawgiver. But is it connected also to mizvoth, to specific commandments? And is the reference to law in James a reference to the Mosaic law or to some kind of Christian usage of it? Obviously, if we could establish that James’s reference to “works” is a reference to mizvoth, the commandments of the Torah, the issue of what the expression “law” means in James would be settled from the beginning, as would be the opposition to Paul’s rejection of justification by works of the law, if taken in its traditional and universal sense of “all” works that can be demanded. Now there seem to be several arguments to accept this translation.
First of all there is the outcome of research into the usage of the word in the Septuagint. Many words which denote conduct in general are used together with ἔργα (ergon). Though the specific meaning of ἔργα is decided by the context or the accompanying terms, the phrase erga nomou, works of the law), was well known. It translated the expression ma’asei mizvoth or ma’asei Torah, and, as in Hebrew, νόμου could be left out. So it is highly probable that ἔργα used on its own, was understood to refer to ma’asim, which was a shortened version of the Hebrew expression for works of the law. So by ἔργα we are most often referring to works, activities by man that are required by God (TdNT, II, 646-647). The fact that erga also refers to the activity of man, and can even be used in partem malem, is important also. In Koheleth we find a reference to the work of the righteous and the work of the wicked. (Koh. 8:14) But even more general: everything that is called an ergon in the life of man is sin. The opposition is then made between what God demands of man as the “works of God” and what man does on his own as the “works of man.” The point therefore is not so much the splitting up of the single divine command into many obligations, leading to a casuistry of a codified law, but the question of whether the demand came from God or not. At stake is the theonomous nature of obedience to the Mosaic law over against its sectarian, “secular” use as a code for separatism and nationalist pride.

Secondly, we can see in the previous passage that the commandments of the law are viewed as single tasks. The idea that breaking one single commandment implies breaking the whole of the law means that the whole of Torah hangs on any single “work.” Usually, though, it is used to make the assertion that not the single commandment but only the “whole” of man and his “whole” attitude is demanded by God. Though this is true, it is obvious also that in James’s way of thinking there is no opposition between keeping the individual commandments and, in doing so, keeping the whole of it. There is nothing to support the idea that an attitude that strives for obedience to the “whole” could on that basis dismiss itself from a single commandment, which is the strange result of the reasoning that stresses the “whole.” That this whole is not a sum of disparate commandments is as true as that this whole is present, as the will of God, in each and every one of them. We will discuss later in a different context whether the dual Great Commandment to love God and the neighbor can be seen as a reduction of the divine demand to these two principles of ethical behaviour or as the hermeneutic framework of finding the correct way of obeying all of the Mosaic law.

§ 16. James and the early Catholicism of Clement

That this way of looking at Abraham, with the emphasis on his obedience, was present in the early Church beyond the confines of the New Testament points to two possibilities. James’s disagreement with Paulinism is found in his tendency to stress obedience in a concept of faith that he does share with Paul, and it might also at the same time reflect a strong tradition, unhindered by the apparent tendency of the Pauline letters, that the concept of obedience to Christ’s law belongs to the center of faith. To give just one example of that “strong tradition,” we will briefly compare James with the first letter of Clement to the Corinthians (written around 96 AD). Clement, in ch. 10, states the following with regard to Abraham:

“Abraham, styled “the friend,” was found faithful, inasmuch as he rendered obedience to the words of God [it. mine]. He, in the exercise of obedience, went out from his own country, and from his kindred, and from his father’s house, in order that, by forsaking a small territory, and a weak family, and an insignificant house, he might inherit the promises of God. For God said to him, “Get thee out from thy country, and from thy kindred, and from thy father’s house, into the land which I shall show thee. And I will make thee a great nation, and will bless thee, and make thy name great, and to be blessed. And I will bless them that bless thee, and curse them that curse thee; and in thee shall all the families of the earth be blessed.” [...]
And again [[the Scripture] saith, “God brought forth Abram, and spake unto him, Look up now to heaven, and count the stars if thou be able to number them; so shall thy seed be. And Abram believed God, and it was counted to him for righteousness.” On account of his faith and hospitality, a son was given him in his old age; and in the exercise of obedience, he offered him as a sacrifice to God on one of the mountains which He showed him [italics mine].]

The passage is completely Jamesian, especially where it states that Abraham was found faithful “inasmuch” as he rendered obedience. Apparently the notion that faith was reckoned unto him for righteousness, which is supposed to ground the Pauline doctrine of justification by faith alone, is not experienced as contradictory at all. In fact, the faith of Abraham is connected in this passage to the promise of the seed, as in Paul, but the word obedience obviously has precedence over faith as distinct from that. In fact, the blessing of Abraham is attributed to “righteousness and truth(fulness)” that he worked through faith (1 Clem. 31:2). Still, without any doubt, Clement accepted the general doctrine of justification by faith and not by works where he states:

All these, therefore, were highly honored, and made great, not for their own sake, or for their own works, or for the righteousness which they wrought, but through the operation of His will. And we, too, being called by His will in Christ Jesus, are not justified by ourselves, nor by our own wisdom, or understanding, or godliness, or works which we have wrought in holiness of heart; but by that faith through which, from the beginning, Almighty God has justified all men; to whom be glory for ever and ever. Amen. (1 Clem. 32:3, 4)

The way Clement uses this general idea is noteworthy. If we believe in Christ, then we should be ready and zealous in good works (34:4). The logical connection is apparently based on a link between such a belief and moral action. But of what nature is this connection? Is it intrinsic in the sense that faith by itself leads to good works, or extrinsic because faith acknowledges Christ’s sovereignty and we therefore obey, perfecting our faith as James had taught? In modern terms, is the conclusion based on an analytical or a synthetic judgment? Clement answers our question like this: “We ought to do all things in good order that the Master commanded us to perform at appointed times” (40:1). Let him who has love in Christ perform the commandments of Christ (49:1), taking up the position of obedience (63:1). So the external motivation for obedience is Christ’s Lordship, His sovereignty. “Let us then be obedient to his most holy and glorious name, and escape the threats which have been spoken by wisdom aforetime to the disobedient, that we may tabernacle in confidence on the most sacred name of his majesty”(58:1). It is clear: the connection between faith and ethics is extrinsic in nature in this sense, that faith is the affirmation of Christ’s sovereignty leading to the attitude of obedience to Christ’s specific commandments; not the inner “flow” of the heart toward doing “good.”

Nevertheless, Clement stresses that the Church in Corinth had the commandments and ordinances of the Lord “written on the tables of your heart” (2:8). Have we now found a contradiction? Because obeying on the principle of authority and obeying from the inner impulse, seen as being transformed according to God’s intent, are not identical modes of obedience in faith. Clement, after having first established the concept of external authority, now resorts to a procedure in which he lessens this externality and redefines obedience to become an inner submission, or growth of character. Formally, we have lost that shape of obedience as complying to the will of another whom I acknowledge as Sovereign Lord over my life which was the basic view of James. Still, when we look for the contents of these commandments, we find that they are called “the things or deeds of sanctification,” and even though they are expressed as virtues, mixed up with proverbial statements in the wisdom tradition, they are still to be considered acts of compliance. Without instruction from the law of Moses, in a different frame of thought than was developed in Pharisaic Judaism, the insistence on obedience toTo-
rah in James and early Jewish Christianity turned into the Stoic appeal to humility and virtuous living; it moved away from obedience to commandments to the general style of inner submission and humility; it replaced intelligent analysis of situations in terms of values and inferred rules of behavior by the general mode of moral awareness without external guidance. What we are witnessing here is a moralizing and indeterminate use of Jamesian motifs. But despite this “hellenizing” tendency, the reference to “works,” as demanded by God and transformed by stress on the inner change of individuals, maintains an essential link to the notion of obedience. Even if “commandments” are not seen as such anymore, the grounds for compliance is the external reality of God’s will, not, as in Stoicism, the human spirit or any immanent principle of rationality.

The development beyond canonical James into the domain of 1 Clement also shows that the opposition between faith and works was no longer felt in the same way at the end of the first century, and maybe had never been there in the first place. The kind of argument that Paul contended with in Romans 6, that implied that a law-free gospel brought immorality with it as a consequence, was repeated in 1 Clement in a weakened form, this time to ensure that nobody would forget to add good works to faith. But, in general, Clement mirrors a general view on faith: that faith and obedience to commandments go together, and that this is what faith had always meant in scripture. So it cannot be maintained that James is merely arguing against an unjustified claim to faith and would have agreed with Paul on a “faith that could be separated from works” as the basis of salvation. As soon as we read Paul with the emphasis on sola fide, we lose all possibility of harmonizing him with James. Why? Because James argues against the statement that justification is dependent on faith in itself, because, to him, faith, no matter what its contents, is merely one of the conditions of obedience, and it is obedience (specifically in the form of compassionate, neighborly love) that will justify and survive the judgment in 2:13. Works are not added to faith to make a perfect Christian life, but faith is developed and grows to maturity in and as obedience. Clement’s “spiritualizing” and “moralizing” tendencies did, however, obscure the major emphasis in James: that it is the law that guarantees the external nature of this compliance with the will of God, and that the “works of faith” cannot be found without a direct use of Scripture as their source. What then is the status of the Mosaic law in James?

§ 17. Law and obedience as constituents of faith

We need to turn now to James’s treatment of the concept of “law.” We have found that the major difference between James and Clement lies in James’s emphasis that the external nature of obedience is grounded in the written source for understanding the external will of God. The law as “written in the heart” came to represent an “inner” morality of the heart in the 2nd century instead of a specific kind of cognition, as in “knowing it by heart.” That is the meaning of the expression “writing on the heart” in Jeremiah 31, as we will show later. It is also the reason that Paul opposed knowledge of the law as “written,” i.e., as something to be taught to others in an abstract manner and as a goal in itself instead of being applied to particular circumstances by the reader. So now the question must be how James views the role of the written law.

The exhortation in 1:19-27 makes a threefold mention of the law. It is called the implanted word in vs. 21, very much in the tradition of statements concerning the new covenant. Again, twice it is called simply the word in vss. 22 and 23, and more directly the perfect law of freedom in vs. 25. That “word” and “law” are identical is easy to see from the end of vs. 25, where the doer of the law is mentioned on an equal footing with the doer of the word in vs. 22. The word that can save us in vs. 21 is equal to the law that frees us in vs. 25. In the passage 2:8-13, this same law is called the Royal law, the only direct indication that James is
thinking of the law of Christ. So it seems as if James is identifying the Torah of Moses with, or rather sublating it in, the will of Christ. The messianic Torah is the law that frees us. Christ and Torah are seen in direct congruity with each other, though it must be obvious that the liberation and freedom of the law must have been seen as a consequence of Christ's life and death. However, there are several ways to bypass this conclusion and this reference to the Mosaic law:

(1) One might argue that these concepts refer only to a part of the law that could be adopted by Christians without compromising their law-free gospel: the ten commandments as they were incorporated into the ethical discourse of the Church.

But then it surely would be odd to speak about the Royal law in vs. 8, because that expression gives to the whole of the law the status of being an expression of divine sovereignty. And then it must be a reference to the totality of the law seen under a double perspective: first of all formally, that this law has now become the rule of life within the Kingdom. It would need no mention that Christ is the appointed King of that kingdom. The Lord Jesus Christ is already mentioned in vs. 1 with this sovereign attribute. Secondly, in a material sense, the law should be "fulfilled," i.e., maintained, kept, observed, "according to," in conformity with the principle of its exegesis that Christ instituted. Christ is the sovereign of the law as well. Neighborly love is here not the "fulfillment" of the law, in the sense that the law could be reduced to it (in seeming opposition to Paul in Rom. 13:8: whosoever has loved his brother, has fulfilled the law). The entire law should be fulfilled, and as "Royal" law it could be fulfilled in accordance with the ways of the Messiah by doing it completely because of and in accordance with the principle of love.

(2) One might argue that it is the law only in this one element of neighborly love. The other commandments mentioned can of course be understood as flowing forth from this one central commandment. The status of the law would then be equivalent to Paul's statements in Galatians 5, e.g., where the "fulfillment" of the law is in obedience to the commandment of "love thy neighbor."

It is hard to see, however, how this could be called a "work" and a "law." The qualifications of "freedom and "royal" would not be enough to take away the implications of "law" as a commandment demanding observance and obedience.

(3) One might argue that here we see evidence that the letter was composed of elements of Jewish parenetical teaching to which elements were added to make the letter Christian. The reference to the law was an element of Judaism that was kept, unfortunately.

But then again, insofar as the letter of James functions within the Christian New Testament, even if the sources of the letter were Palestinian Judaism, the meaning of it in the Church today would not be bound to such a historical reconstruction. If there were Jewish sources, this rather strengthens the notion that in some circles, at least, the gap between Judaism and Christianity was not yet seen as unbridgeable. Even so, the expression "Royal" law, and the reference to neighborly love as the essence of the law, sound more Christian than Jewish. If there was a Christian reception of the entire Jewish law and the principle of obedience that goes along with it, it is most certainly expressed here.

It is hardly possible to understand James's reference to law as meaning anything else but the Mosaic law, though he refers to it in its "messianic" mode. We must of course see how the references to it are qualified. Primarily by the use of the term: law of freedom. Some have argued that this in fact is a decidedly Christian usage and would prove a reference to some concept of the "law" of Christ in distinction to the Mosaic law. Nothing could be more wrong than this assumption. In Judaism, the notion that only the observance of the law made a man
free was widespread, and it became reinforced by the Stoic notion that only those who acted in conformity with the underlying principle of reality (the logos which was identified with Torah in Philo) could be called free, in the sense of having freedom from their desires. The law of freedom can be called perfect, because the Mosaic law actually makes people free from the domination of anyone else but the God of Israel. It sets those who obey it and belong to its domain outside of the sphere of influence and power of the earthly rulers. They are bound only by the authority of the God of the Exodus, i.e., a God who liberates and who, in order to enhance and safeguard that liberty, gives His divine will in the form of instruction, Torah. After all: “None is your freeman but he who is occupied with the study of the Torah” (Pirkei Avot, 6:2).

So we can conclude not only that the Christianity of James is very much centered around obedience, but that this obedience is structured along the lines of obedience to Torah. There is a multiplicity of divine commandments that man is obligated to do. The Torah as a whole is the incarnate wisdom of God. Faith (which remains somewhat ambiguous: is it faith in Christ? in God?) is the condition or the corollary of that obedience and has no meaning on its own. Its content is the resolve to submit to God’s will; its existence lies there where man responds to God by doing His will. The Torah remains the standard for that, though with a reservation: it is the Torah as it emerged from the reinterpretation of the Messiah. It is now called the Royal law, since it is the way of life in the Kingdom that Christ has brought. It is to be done in difficult circumstances, which demand endurance, wisdom and patience. It is to be an expression of the same depth of trust and submission that Abraham showed in the sacrifice of his son; with the same kind of allegiance that was shown by Rahab. How do all of these other elements come to play a part in James’s Torah-centered ethics?

If we want to find out about the ethics of James, it is not enough to confine ourselves to those elements of exhortation or those doctrinal statements regarding the law that we usually connect to ethics in a modern sense. We must instead look at everything that defines the Christian way of life. In James’s letter it is not so much faith, or even obedience to Torah, that defines the Christian life, though these belong very much to the center of it, but suffering and temptation on the one hand, and the reversal of the relationship between the poor and the rich on the other.

The letter opens with the issue of temptation in 1:2 and returns to it in 1:12 after mention of wisdom (1:5) and the contrast between rich and poor (1:9ff.). Then at the end James speaks about the Coming of the Lord and its attendant suffering. An important observation to be made in connection with this letter is the fact that salvation is referred to three times, not counting the references to justification in 2:14-26 (1:12, blessed; 4:12, God as the Giver of the law is able to save and condemn; 10:20, to return a brother from his erring ways means saving him from death), the first time in connection with endurance under temptation, the second time connected to God’s attribute of justice, and the third time in connection with repentance.

So what can we glean from this with respect to the Christian way of life? James views that way of life as being constantly on trial. The circumstances of Christian life are such that obedience to the messianic Torah brings with it a real temptation to choose the wrong path in order to avoid suffering. There is opposition in this world when Christ’s disciples try to obey their Master. In suffering, therefore, there is temptation: to avoid the suffering by becoming disobedient. In his temptation and suffering in the wilderness, Christ demonstrates His identity by enduring temptation. Perseverance, and not “certainty” (to be without doubt means to be of one mind, i.e., resolved), becomes the characteristic of a faith that has been put to the test.

It is also clear, then, that a life of faith, according to James, is far removed from being motivated by obedience to the state. In fact, if we consider the connection between the three passages on salvation, the “erring brother” can only be the one that has succumbed to temptation
and has acted in conformity with the rules of society, and thereby has become disobedient to Christ. The royal law obviously implies a different set of rules with regard to Christian behavior than is prevalent in society.

To James, the Christian is a follower of Christ by taking up the yoke of the law and applying it as the will of God in a pure sense: without discriminating between rich and poor, by following it against the dictates of society, in the conviction that trials and temptations are part of a life that obeys God above men. It is obedience to law that will bring redemption when God enters the stage of history as Judge, for this obedience is not only the sign but the reality of faith. Everything short of that is a mere assertion, a hollow statement of faith without basis. To James, the coming of Christ changed the circumstances of this obedience to Torah. It announced the imminence of the Judgment, it instituted the reign of Torah, it purified life under Torah from social distortions and obsession with social and religious distinctions, and it showed that a life of obedience in this world is necessarily a life under trials and distress. But, not insignificantly, "faith" as a possibility of obedience to God's commandment was, to James, changed in shape by the coming of the messianic Ruler.