

# Conjuring Paul and Judaism

## Forty Years After *Paul and Palestinian Judaism*

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*Imagine there's no Sanders  
It's easy if you try  
No covenantal nomism  
With Weber we all comply<sup>3</sup>  
Imagine all Paul scholars  
Lamenting Jewish legalism.*

*Imagine there's no Sanders  
It isn't hard to do  
No Paul and Palestinian Judaism  
No reason for us to argue<sup>4</sup>  
Imagine all Paul scholars  
Living life in peace.*

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<sup>3</sup> That is, Ferdinand Weber, *Jüdische Theologie auf Grund des Talmud und verwandter Schriften* (Leipzig: Dörrfling & Franke, 1897).

<sup>4</sup> The 2017 SBL program book indicates just how diverse the field of Pauline studies is. From a quick perusal, I found the following program units related to the study of Paul: Paul and Politics, Pauline Epistles, Disputed Paulines, The Historical Paul, Paul within Judaism, Scripture and Paul, Pauline Theology, and Pauline Theology in the Making. Add to that list other units, such as the Theological Interpretation of Scripture unit, which frequently focus on Paul's letters, and it is clear that there is no shortage of disagreement over Paul. There are proponents of the so-called Lutheran reading of Paul, the new perspective on Paul, the radical new perspective on Paul, and the apocalyptic school of Paul. And I imagine there are a good number of people who would not align themselves with any of these four camps. In part, this diversity is a reflection of the influence Sanders has had on the field. A survey of the variety of approaches to Paul can be found in Magnus Zetterholm, *Approaches to Paul: A Student's Guide to Recent Scholarship* (Minneapolis: Fortress, 2009).

Contrary to these words that John Lennon never wrote about the current state of Pauline studies, I *do* find it hard to imagine that there is no E. P. Sanders or *Paul and Palestinian Judaism*, since I was born in July of 1977, just one month after the publication of Sanders's groundbreaking book. To be sure, and I ask that you not judge them too harshly for their negligence, my parents did not read *Paul and Palestinian Judaism* to me every night before bed. Nonetheless, the very first religious studies course I took at university was taught by a professor who frequently referred to Jewish covenantal nomism. As a result of that course, I bought and read *Paul and Palestinian Judaism* and decided that I wanted to pursue a Ph.D. in biblical studies, possibly under the direction of Sanders himself. So I went to Oxford, but unfortunately missed him by thirteen years. Then I entered into the doctoral program at Duke and missed him again, this time by mere months due to his 2005 retirement. Because I was never able to study under him, I did the next best thing: I imitated him by joining the Department of Religious Studies at McMaster University where he taught for almost twenty years (1966–1984). While I have never studied under Sanders, virtually the entirety of my graduate education occurred in places where he has left his fingerprints on the study of early Judaism and Christianity.

### **Sanders and the Conjuring of Judaism**

My reflections on both *Paul and Palestinian Judaism* and the current state of Pauline studies are influenced by the words of Margaret Mitchell. She states:

Pauline interpretation is fundamentally an artistic exercise in conjuring up and depicting a dead man from his ghostly images in the ancient text, as projected on a background composed from a selection of existing sources. All these portraits are based upon a new configuration of the surviving evidence, set into a particular, chosen, framework.<sup>5</sup>

Mitchell emphasizes that interpreters of Paul do not merely exegete the way the words run on the page. Instead, we make numerous choices along the way that make our readings feel inevitable, when they are anything but. *We conjure* and *we depict*. *We project* a background, and we do so from existing sources that *we select*. *We configure* evidence and *we set* it all into a larger framework that *we choose*. Simply put, we have significantly greater agency and responsibility than we sometimes admit.

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<sup>5</sup> Mitchell, *The Heavenly Trumpet: John Chrysostom and the Art of Pauline Interpretation* (Louisville: Westminster John Knox, 2002), 428.

One of the central points that Sanders makes in *Paul and Palestinian Judaism* is that Pauline scholars not only conjure up an image of Paul in their work, but also inevitably conjure up an image of ancient Judaism at the same time. Building on George Foot Moore's work,<sup>6</sup> Sanders shows how New Testament scholarship has frequently been guilty of conjuring up a Judaism that is little more than a foil for its hero, Paul. For Sanders, this realization became most forceful as he methodically worked through Jewish literature on his own.

This leads to a second central point, characteristic of all of Sanders's scholarship: the need to study primary sources for one's self, instead of depending upon someone else's conjuring of ancient Judaism. As he puts it in his autobiographical remarks, "you really know what you learn for yourself by studying original sources. I would never have come to my understanding of the rabbis by reading secondary literature."<sup>7</sup> Repeatedly Sanders demonstrates the danger of learning this primary literature in a brokered fashion — consulting Strack and Billerbeck or even reading *Paul and Palestinian Judaism* is at best insufficient, and at worst dangerous. Without the same careful and systematic study of primary sources that Sanders models in *Paul and Palestinian Judaism* and throughout all of his scholarship, interpreters will read Paul through someone else's framework, a framework that arises out of someone else's presuppositions. To be sure, we can never be free of our own presuppositions, but immersing ourselves directly in ancient literature, both that which is familiar to us and (perhaps most especially) that which is not, can help us see some of our presuppositions for what they are: modern and foreign to ancient writers, including those writers whom we may most cherish and revere. The solution to the danger of conjuring a Paul that conforms to modern sensibilities is not just to read his letters more carefully, but to read other ancient literature that we are not so beholden to in order to help us see how ancient people thought and reasoned.<sup>8</sup> For Sanders, firsthand study of early Jewish texts undermined the dominant conjuring of ancient Judaism that made a particular reading of Paul's letters seem inevitable. No longer was it obvious that Paul's letters were attacks

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<sup>6</sup> George Foot Moore, "Christian Writers on Judaism," *HTR* 14 (1921): 197–254.

<sup>7</sup> Sanders, "Comparing Judaism and Christianity," in *Comparing Judaism and Christianity: Common Judaism, Paul, and the Inner and the Outer in the Study of Religion* (Minneapolis: Fortress, 2016), 1–27 (13).

<sup>8</sup> On this need to defamiliarize in order to understand rightly, see Jonathan Z. Smith, *Imagining Religion: From Babylon to Jonestown* (Chicago: University of Chicago Press, 1982), xiii.

against Jewish legalism. In short, Sanders was able to conjure a Paul not set in opposition to some considerable moral or religious failing organic to Judaism because he deliberately and systematically made himself sensitive to the constructed nature of such backgrounds to Paul.

Related to the firsthand study of ancient sources is a third, central point we learn from Sanders: any effort to distill a religion to an essence inevitably results in caricature and such caricatures are rarely benign. As he puts it:

A briefly stated essence can never do justice to an entire religion. Further, when Judaism and Christianity have been so compared by Christian scholars, the point of the comparison has been polemical in intent. The point is universally to show how Paul (or Jesus or Christianity in general) is superior to Judaism. Such a contrast may be made even when there is no real intention to denigrate Judaism, but only the desire to set off sharply what appears to be distinctive about Paul (or Jesus or Christianity).<sup>9</sup>

Forty years later we must continue to resist the temptation to distill either Judaism or Christianity to such essences. Of course, one might be tempted to use Sanders's terminology of "covenantal nomism," as well as his later efforts to describe a common Judaism, to provide such an essence.<sup>10</sup> Perhaps this is one reason why I generally sympathize with Jacob Neusner's arguments about early Judaisms (although, with Sanders, I reject the idea that each Jewish document represents a unique and complete worldview).<sup>11</sup> I fear that to do otherwise is to pave the way for essentializing approaches to ancient Jews. Sanders guards against this danger, though, by providing distinct treatments of different Jewish texts, refusing to lump them together as evidence of some monolithic Judaism that can then be simplistically compared and contrasted to Paul.<sup>12</sup>

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<sup>9</sup> Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977), 13.

<sup>10</sup> Sanders, *Judaism: Practice and Belief (63 BCE–66 CE)* (London: SCM, 1992).

<sup>11</sup> E.g., Jacob Neusner, *Judaism: The Evidence of the Mishnah* (Chicago: University of Chicago Press, 1981), 20.

<sup>12</sup> On the problem of comparative religious studies in general, see the work of Jonathan Z. Smith, especially *Drudgery Divine: On the Comparison of Early Christianities and the Religions of Late Antiquity* (CSHJ 14; Chicago: University of Chicago Press, 1990).

### **The Continuing Discussion of Paul, Judaism, and Grace**

In light of Sanders's impassioned efforts to convince his readers that this unhistorical and derogatory use of Jewish sources must stop, where are we forty years later? The two major camps of Pauline scholarship today, the so-called Lutheran reading of Paul and the so-called new perspective reading of Paul, frequently, if not always, continue to perpetuate this usage of early Judaism. Their conjurings of Paul share much in common, even as they attack each other over the few things upon which they disagree. Most importantly, they share the impulse to create a fundamentally deficient Judaism as a background for Paul. Many in the first camp continue to depict Judaism as a religion of works righteousness that, contrary to God's will, seeks to earn its way into God's good graces.<sup>13</sup> And, while the major proponents of the new perspective on Paul give voice to their indebtedness to Sanders, they nonetheless continue to use Judaism as a foil. Rejecting the supposition that Judaism was a religion of works righteousness, they feel compelled to find something else wrong with the Judaism of Paul's day. And, behold, they find it! Paul's criticism of Judaism is that it is ethnocentric, a criticism that serendipitously coincides with modern sensibilities about imperialism, colonialism, and racism.<sup>14</sup> The so-called *new* perspective on Paul, then, continues to share the same *old* and tired structural approach to the question of Paul and Judaism that more traditional interpretations exhibit. To use Mitchell's language: while the hues may have changed slightly, the background to rightly reading Paul remains a repugnant, deficient Judaism. Something is inherently wrong with Judaism, and Paul and his gospel provide the antidote. Legalism, ethnocentrism, or whatever -ism one

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<sup>13</sup> E.g., Richard H. Bell, *The Irrevocable Call of God: An Inquiry into Paul's Theology of Israel*, (WUNT 184; Tübingen: Mohr Siebeck, 2005), 146, avers that "if the Jew fulfils the law from A to Z, that is one of the gravest sins he could commit. For the pious Jew then boasts in his performance and feels he has a claim upon God."

<sup>14</sup> For instance, on a number of occasions, James D. G. Dunn compares Jewish zeal for the law and exclusivism to the Holocaust and ethnic conflicts in South Africa, Rwanda, and the former Yugoslavia. See "Noch Einmal 'Works of the Law' The Dialogue Continues," in *Fair Play: Diversity and Conflicts in Early Christianity: Essays in Honour of Heikki Räisänen*, ed. Ismo Dunderberg, Christopher Tuckett, and Kari Syreeni, (NovTSup 103; Leiden: Brill, 2002), 273–90 (278), and *The New Perspective on Paul*, rev. ed. (Grand Rapids: Eerdmans, 2008), 35, and 205. Similarly, N. T. Wright (*The Climax of the Covenant: Christ and the Law in Pauline Theology* [Minneapolis: Fortress, 1992], 194, 247) thinks Paul differs from Judaism in preaching "grace, not race."

can think to provide becomes central to the essence of Judaism.<sup>15</sup> And its opposite becomes central to the essence of Christianity, or at least Pauline Christianity. As noted above, Sanders had already warned us of this danger.

In the remaining pages, I would like to focus neither on the Lutheran reading of Paul nor on the new perspective on Paul, but on John Barclay's *Paul and the Gift*.<sup>16</sup> I do so for a number of reasons. First, Barclay repeatedly positions his book as an effort to build upon and improve Sanders's observation that Judaism was a religion of grace. Second, *Paul and the Gift* is an admirable effort to synthesize the strengths of both the Lutheran and the new perspective readings of Paul. Third, for a book on Judaism, Paul, and grace, *Paul and the Gift* is remarkably free of anti-Jewish caricature. It models what I have emphasized about Sanders's *Paul and Palestinian Judaism*: the fact that scholars inevitably conjure a Judaism when they conjure Paul and that they will be more likely to avoid summoning a caricature if they attend carefully to ancient Jewish literature directly. In short, Barclay's book *merits* careful consideration.

There is much that is deeply commendable in this book and I find myself repeatedly thinking of Barclay's sophisticated and helpful discussion of six different ways in which one can perfect the idea of gift/grace: superabundance, singularity, priority, incongruity, efficacy, and non-circularity. Further, his effort to describe different nuances in diverse authors' conceptions of grace without making normative claims about whose conception of grace is correct and whose is incorrect or deficient is praiseworthy and exemplary for all scholars. As Barclay puts it:

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<sup>15</sup> Sanders, *Paul and Palestinian Judaism*, 57: "The supposed legalistic Judaism of scholars from Weber to Thyen (and doubtless later) serves a very obvious function. It acts as the foil against which superior forms of religion are described. It permits, as Neusner has said, the writing of theology as if it were history. One must note in particular the projection on to Judaism of the view which Protestants find most objectionable in Roman Catholicism: the existence of a treasury of merits established by works of supererogation. We have here the retrojection of the Protestant-Catholic debate into ancient history, with Judaism taking the role of Catholicism and Christianity the role of Lutheranism." Later Sanders notes that such arguments are simply "that Judaism should be like Christianity. Since it is not, it is inadequate at best" (216). Such a scholarly impulse was endemic to the founding of the academic study of religion as documented by Tomoko Masuzawa, *The Invention of World Religions: Or, How European Universalism Was Preserved in the Language of Pluralism* (Chicago: University of Chicago Press, 2005).

<sup>16</sup> John M. G. Barclay, *Paul and the Gift* (Grand Rapids: Eerdmans, 2015).

When two different authors speak of divine benevolence or grace, but disagree on its meaning and its implications, this may be not because one *emphasizes* grace more than the other, or grasps its “true” meaning while the other does not, but simply because they are *perfecting different facets of grace*. As we shall see, Pelagius held firmly to the superabundance of divine grace, which was prior to all human activity; but (for theological reasons) he could not accept Augustine’s perfection of the incongruity of grace.... Augustine did not believe in grace *more* than Pelagius; he simply believed in it *differently*.<sup>17</sup>

The first three chapters of *Paul and the Gift* are essential reading, especially for Christian scholars who might still need to be convinced that ancient Jews thought that their God was gracious. Although Barclay agrees with Sanders’s insistence that Judaism was a religion of grace, he seeks to provide a greater degree of precision to this claim: “Grace is,” he states, “everywhere in Second Temple Judaism but not everywhere the same.... Paul stands in the midst of this diversity. His theology of grace does not stand in antithesis to Judaism, but neither is there a common Jewish view with which it wholly coincides.”<sup>18</sup> This acknowledgement of diversity of Jewish thought is important. To paraphrase something Paula Fredriksen once wrote: “Judaism... did not have views of [grace]; Jews did.... [and these views on grace are something] we can reconstruct from the various literary and epigraphical evidence only with difficulty.”<sup>19</sup> Barclay works diligently to avoid essences and caricature, and he is successful due to his careful attention to primary sources. He also emphatically places Paul “in the midst of,” not in contrast to, Second Temple Judaism.<sup>20</sup>

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<sup>17</sup> Barclay, *Paul and the Gift*, 77. In fact, here Barclay improves upon Sanders, to my mind, since Sanders at times makes a theological assessment about Jewish conceptions of grace. For instance, Sanders states (*Paul and Palestinian Judaism*, 97): “the Rabbis seem thus far to have kept the indicative and the imperative well-balanced and in the right order.” There simply is no *right* view, historically. Of course, the study of Paul is infused with theological interest and stakes for many.

<sup>18</sup> Barclay, *Paul and the Gift*, 6.

<sup>19</sup> Fredriksen, “Judaism, the Circumcision of Gentiles, and Apocalyptic Hope: Another Look at Galatians 1–2,” *JTS* 42 (1991): 532–64 (533–34).

<sup>20</sup> Again, Barclay (*Paul and the Gift*, 565): “Paul stands *among* fellow Jews in his discussion of divine grace, not *apart from* them in a unique or antithetical position.”

*Paul and the Gift* demonstrates that Paul repeatedly highlighted the incongruity between the recipient of God's grace and the value of God's grace. This is no doubt true! And Barclay rightly notes that Paul is not the only ancient Jew to stress the element of incongruity, especially looking at the *Hodayot*. For instance, in beginning his discussion of the *Hodayot*, Barclay states, "The Qumran hymns thus place divine grace and human worth in the starkest possible contrast (quite the opposite of Philo), and in this regard they create a polarity more extreme than can be found in any Second Temple text other than the letters of Paul."<sup>21</sup> So, while Barclay can say that the incongruity of grace is distinctive to Paul, he does not mean by this term "unique," but, rather, "characteristic." Incongruity is distinctive to the *Hodayot* as well.<sup>22</sup> In other words, some Jews, including Paul, stress the incongruity of grace; others do not.

But Mitchell's words continue to haunt me. What sort of Paul does Barclay conjure? Perhaps it is only my own mind's work, but *Paul and the Gift* summons up for me a Paul that is a quintessential theologian,<sup>23</sup> projected against the background of other central theologians such as Augustine, Luther, and Calvin. And the Judaism that *Paul and the Gift* conjures also depicts key ancient Jews as, to use Barclay's terminology, "theologian[s] of grace."<sup>24</sup> If this language is only meant in the sense that anyone who speaks of the divine is a theologian, then I suppose it is not inaccurate, but it nonetheless opens the door to conjurings of Paul that *situate* him and his contemporary Jews within more modern (and more systematic) debates about grace.

Further, such terminology and framing flatten out the very real differences between these authors. We are not often in a place to compare like to like: Paul's letters are not straightforwardly comparable to the *Hodayot* or

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<sup>21</sup> Barclay, *Paul and the Gift*, 239–40.

<sup>22</sup> Barclay (*Paul and the Gift*, 262): "What is distinctive and central in 1QH<sup>a</sup>, however, is the *incongruity* of divine mercy, its pointed contrast with its human object, which is defined with relentless negativity as weak, mortal, polluted, and mean." For more on this incongruity and its relation to Paul, see the fascinating study by Nicholas A. Meyer, *Adam's Dust and Adam's Glory in the Hodayot and the Letters of Paul: Rethinking Anthropogony and Theology* (NovTSup 168; Leiden: Brill, 2016)

<sup>23</sup> The repeated use of the anachronistic term "Christian" to refer to Paul and his followers contributes to this conjuring. To be sure, Christ followers evolved into Christians, but to call them that is as misleading as calling *Homo erectus* a *Homo sapiens* on the basis of the fact that (some members within) *Homo erectus* eventually evolved into the modern human.

<sup>24</sup> Of Philo, Barclay, *Paul and the Gift*, 238.



rabbinic literature. The different genres of these works place very real constraints on their different authors.<sup>25</sup> For instance, Paul and Philo were first-century Jews who wrote in Greek, often about Jewish sacred texts, and so in this way they are comparable. But their writings are not. They are not, like Matthew and Luke, two writers dealing with the same subject matter, the life of Jesus. Neither are they systematic theologians. Consequently, they cannot be compared with the same ease with which Barclay compares, say, Martin Luther and John Calvin. Luther and Calvin were consciously trying to hash out the particulars about grace, and were doing so with reference to their shared assumption of the authoritativeness of Paul's writings. In contrast, neither Paul nor Philo were focusing on the concept of grace.

To be sure, Barclay repeatedly states that we cannot conclude that one definition of grace is correct and another incorrect, but I nonetheless worry that most Christians reading his book will not be able to resist the temptation of testing *both* later Christian theologians *and*, more problematically, Paul's contemporary Jews against the way that Barclay constructs Paul's definition of grace. In other words, I fear that Barclay's book, despite all his careful work and best intentions, may still function to confirm for modern readers that any ancient or modern Jew who does not clearly perfect the incongruity of grace with the recipient of that grace must have had a deficient view of grace. If one conclusion that one may draw out of Barclay's book is that many or even most ancient Jews thought that there needed to be a congruity between the gift given and the worth of the recipient, is this much different than saying that most ancient Jews believed that they needed to *merit* God's grace or salvation?

If this is historically true, then a historian needs to say it, regardless of Protestant theological sensibilities. But is it historically true? I think that we need to interrogate the conclusion that most Jews did not perfect the incongruity between God's grace and those who received it. While Paul repeatedly stresses this aspect of grace in ways not frequently seen in other early Jewish literature, might there be a particular historical reason for this fact? To my mind, there is. What other Jewish writer addresses (a) a gentile audience<sup>26</sup> and (b) the gentile

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<sup>25</sup> Again, Mitchell ("Gift Histories," 310–12) raises this precise issue: when are such "perfections" a matter of rhetoric and when are they evidence of abstract theology?

<sup>26</sup> The two Pauline letters that Barclay examines, Galatians and Romans, both address gentile audiences. In Galatians, Paul is trying to convince his readers not to undergo circumcision, something that no Jewish Christ follower would consider doing since they already had! Romans, on the other hand, has a long history of being read as addressed to a mixed audience of Jews and gentiles, but the epistolary bookends would have made it

condition apart from Israel's God in the sustained way that Paul does? Despite a previous generation's eagerness to find numerous examples of Jewish missionary literature amongst the literary remains of Second Temple Judaism, we simply have no work that is particularly comparable to Paul's writings. No Jewish writing focuses on the single most central question driving Paul, both in his life and in his writings: how Israel's God is saving gentiles and what this salvation means for their present behavior.<sup>27</sup> No Jewish writing specifically addresses gentiles who are thinking about or have already adopted Jewish practices. That is no small thing, as Barclay acknowledges.<sup>28</sup> Only by universalizing *both* Paul's letters *and* contemporaneous Jewish writings can one avoid the ethnic specificity of these writings and thereby skirt the issue of how difficult it is to compare Paul to the writings of other Jews. It is precisely here that we have a fundamental difference between Paul and every other Jewish writing in the ancient world and one that goes some way to explaining Paul's emphasis upon incongruity.

Again, the words of Mitchell help in thinking about this question of incongruity: our conjurings of Paul occur "on a background composed from a selection of existing sources." What existing sources does Barclay select in

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apparent to ancient readers that Paul's implied audience was gentile. See, e.g., Jeffrey A. D. Weima, "Preaching the Gospel in Rome: A Study of the Epistolary Framework of Romans," in *Gospel in Paul: Studies in Corinthians, Galatians and Romans for Richard N. Longenecker*, ed. L. Ann Jervis and Peter Richardson (JSNTSup 108; Sheffield: Sheffield Academic, 1994), 337–66 (355). Cf. idem, "The Reason for Romans: The Evidence of Its Epistolary Framework (1:1–15, 15:14–16:27)," *RevExp* 100 (2003): 17–33. Consequently, Sanders (*Paul and Palestinian Judaism*, 487) is wrong in claiming that "the *Sitz im Leben* of Romans is *not* some imagined situation in the Roman church, but Paul's own thinking on the question of the Jews and the law in light of his impending visit to Jerusalem."

<sup>27</sup> That Paul is concerned about his fellow Jews is made clear in Romans 9–11. Tenuous as their situation has become, it is not because they are unworthy of God's grace in the same way that gentiles are. As Matthew V. Novenson ("The Self-Styled Jew of Romans 2 and the Actual Jews of Romans 9–11," in *The So-Called Jew in Paul's Letter to the Romans*, ed. Rafael Rodríguez and Matthew Thiessen [Minneapolis: Fortress, 2016], 133–62 [161]): "there is nothing at all about [Israel's] transgression in Romans 9–11. The reproach of Israel in Romans 9–11 has to do entirely with the apostolic announcement, the gospel: 'Some did not obey the gospel' (Rom 10:16)." And, as it turns out, Paul basically absolves them of this fact: it was the divine will to harden his fellow Jews with regard to the Messiah so that the gospel could go to the gentiles.

<sup>28</sup> Barclay, *Paul and the Gift*, 328.

thinking about grace?<sup>29</sup> Barclay makes no claim to being exhaustive, only representative, in his treatment of Jewish writings. I would have found it beneficial to see Barclay include at least one other Jewish Christ follower, such as Matthew, where we find the concept of congruity more fully expressed.<sup>30</sup> In this way, readers could see that Jewish Christ followers also exhibit the same diversity of thought that Barclay sees in other Jewish writings. Doing so would have the additional benefit of guarding against readers concluding that Paul's definition of grace is the "Christian" definition of grace. Or what if he had selected other texts like the Prayer of Manasseh, which perfects the incongruity between God's treatment of Manasseh and Manasseh's sinfulness. While the author does not use *charis* or *dōron* language, he does use the language of mercy (*eleos*) to stress the incongruity of God's treatment of Israel (or, at times, all humanity) and Israel's (or humanity's) worthiness. At the same time the author appears to think that certain people *are* congruous with God's giving: Abraham, Isaac, and Jacob (8). How does one map such a work onto the categories of incongruity and congruity?

Consider Philo of Alexandria.<sup>31</sup> Barclay argues that the one who receives a gift in Philo's thought must be worthy of that gift: "Although there are limits to this rule, especially if 'worth' suggests comparability with God or human causation of the gift, Philo is *not* generally concerned to perfect the *incongruity* of the gift."<sup>32</sup> I do not deny that such passages exist in Philo's

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<sup>29</sup> In fact, Margaret Mitchell ("Gift Histories," *JSNT* 39 [2017]: 304–23 [309]) raises this precise question with regard to which subsequent interpreters of Paul Barclay treats, and which he does not (e.g., Pelagius, John Chrysostom).

<sup>30</sup> See here Nathan Eubank, *Wages of Cross-bearing and Debt of Sin: The Economy of Heaven in Matthew's Gospel* (BZNW 196; Berlin: de Gruyter, 2012). And, more broadly with regard to early Jewish and Christian literature, Gary A. Anderson, *Sin: A History* (New Haven: Yale University Press, 2009), and idem, *Charity: The Place of the Poor in the Biblical Tradition* (New Haven: Yale University Press, 2012).

<sup>31</sup> Barclay (*Paul and the Gift*, 212) suggests that Philo might have a gentile audience in mind in some of his writings. Such a claim accords with Peter Dalbert, *Die Theologie der hellenistisch-jüdischen Missionsliteratur unter Ausschluss von Philo und Josephus* (TF 4; Hamburg: Herbert Reich, 1954). In contrast, see Martin Goodman, *Mission and Conversion: Proselytizing in the Religious History of the Roman Empire* (Oxford: Clarendon, 1994). I remain unconvinced that Philo intended to address gentiles, but, if so, that does bring some of his works closer to Paul's letters.

<sup>32</sup> Barclay, *Paul and the Gift*, 237. Barclay (*Paul and the Gift*, 228) helpfully qualifies this by noting that for Philo, "the notion of 'worth' is dangerous if it challenges God's sole

writings, but I am unconvinced that this description is entirely accurate.<sup>33</sup> In fact, Barclay treats briefly a passage which undermines this summary of Philo's thought. In his discussion of Noah's finding favor (*charis*) with God (cf. Gen 6:8 LXX), Philo makes this broader claim that were God to choose to judge humanity without mercy (*χωρίς ἐλέου*), he would condemn everyone since no one is without fault (*Deus* 74–75). This is a clear expression of the incongruity of God's treatment of *all* humans: ultimately, no one merits his kindness.

Further, in his discussion of the virtues, Philo claims that when a gentile adopts the Jewish law, he undergoes a considerable change in character. Such people move “from ignorance to knowledge of things which it is disgraceful not to know, from senselessness to good sense, from lack of self-mastery to self-mastery, from injustice to justice, from timidity to boldness” (*On the Virtues* 180, LCL slightly modified).<sup>34</sup> For Philo, the Jewish law effects a remarkable, one might say miraculous, transformation within a person. Apart from the Jewish law, a person is marked by vice. Once one adopts the law, one's life becomes congruous with the gift of the law in a way that it was formerly not:

[Upon adopting the Jewish law], foreigners/proselytes (*οἱ ἐπηλύται*) become at once temperate, self-mastered, modest, gentle, kind, humane, serious, just, high-minded, truth-lovers, superior to wealth and pleasure, just as conversely the rebels from the holy laws are seen to be incontinent, shameless, unjust, frivolous, petty-minded, quarrelsome, friends of falsehood and perjury, who have sold their freedom for dainties and strong liquor and delicacies and the enjoyment of another's beauty, thus ministering to the delights of the belly and the organs below it—delights which end in the gravest injuries to body and soul. (*On the Virtues* 182, slightly modified from LCL)

The structure of Philo's thought seems extraordinarily similar to the way in which Barclay describes Paul's thinking. Unworthy people receive

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causation of the good, including his causation of human virtue. But within that boundary, it is acceptable, indeed integral, to Philo's discourse.” See also Orrey McFarland, *God and Grace in Philo and Paul* (NovTSup 164; Leiden: Brill, 2016).

<sup>33</sup> Barclay, *Paul and the Gift*, 212–38.

<sup>34</sup> Philo identifies the universal natural law here with the Jewish law. See Hindy Najman, “The Law of Nature and the Authority of Mosaic Law,” *SPhiloA* 11 (1999): 55–73, and eadem, “A Written Copy of the Law of Nature: An Unthinkable Paradox?,” *SPhiloA* 15 (2003): 54–63.

something from God that can only be described as a gift (even if Philo does not use this precise language in this context). There is an efficacy to this gift that is seemingly inexorable and therefore makes the formerly unworthy recipient into someone who becomes congruous with the gift given. I see no difference between Philo and Paul here except on one crucial issue: *what* this efficacious gift is. For Philo, as for other Jews, such as the author of 4 Maccabees, the Jewish law is God's gift and solution to immorality and vice.<sup>35</sup> It leads to a virtuous life. Speaking of Romans 5, Barclay says that the Christ-Adam comparison enables Paul "to highlight the extraordinary incongruity of a gift that neither matches the worth of its recipients, nor simply passes over their unworthiness: it positively reverses their condition."<sup>36</sup> This statement applies to Philo and his view of the law: in *On the Virtues*, Philo highlights "the extraordinary incongruity of a gift [in this case, the Jewish law] that neither matches the worth of its recipients, nor simply passes over their unworthiness: it [the divinely given law] positively reverses their condition."

It is a truism within the field of New Testament scholarship that when trying to reconstruct Paul's theology, we are really only left with a few fragments of Paul's mind. It is impossible, then, to achieve fully what Sanders set out to do in *Paul and Palestinian Judaism*: "What is clearly desirable, then, is to compare an entire religion, parts and all, with an entire religion, parts and all."<sup>37</sup> We simply do not and never will have enough data to reconstruct, let alone compare, Paul's "religion" to the "religion" of any other Jew.<sup>38</sup> Our work can only be tentative and incomplete when comparing Paul's thought to the thought of others. This tentativeness pertains to any aspect of Paul's thought, like the concept of grace, let alone efforts to compare the whole of Paul's thinking! But it also pertains to ancient Judaism.

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<sup>35</sup> See David C. Aune, "Mastery of the Passions: Philo, 4 Maccabees and Earliest Christianity," in *Hellenization Revisited: Shaping a Christian Response within the Greco-Roman World*, ed. Wendy E. Helleman (Lanham, MD: University Press of America, 1994), 125–58, and Maren Niehoff, *Philo on Jewish Identity and Culture* (TSAJ 86; Tübingen: Mohr Siebeck, 2001), 75–110, as well as the discussion of the broader Greco-Roman world in Martha C. Nussbaum, *The Therapy of Desire: Theory and Practice in Hellenistic Ethics* (Princeton: Princeton University Press, 1994).

<sup>36</sup> Barclay, *Paul and the Gift*, 494.

<sup>37</sup> Sanders, *Paul and Palestinian Judaism*, 16.

<sup>38</sup> On the problematic nature of modern conceptions of religion, see Carlin A. Barton and Daniel Boyarin, *Imagine No Religion: How Modern Abstractions Hide Ancient Realities* (New York: Fordham University Press, 2016).

One could go through Jewish writer after Jewish writer to show where we might find some evidence of the belief that God's treatment of Israel or humanity was incongruous with its worth.<sup>39</sup> Instead, I would like to apply an argument Sanders makes about covenantal nomism to this question of incongruity.<sup>40</sup> Responding to criticisms of *Paul and Palestinian Judaism*, Sanders provides two key reasons why he is confident that early Jews held to covenantal nomism even when they did not make this concept explicit in their writings. First, and perhaps most importantly, the idea of covenantal nomism — God's prior election of Israel, followed by the giving of the law — is found throughout Jewish scriptures. While there was no fully formed biblical canon,<sup>41</sup> what we call the Pentateuch was authoritative for most, if not all, early Jews. So even if an ancient writer does not explicitly mention covenant or God's prior elective grace, surely such a writer assumed it. (To think otherwise would be akin to a Christian visiting a local church for one Sunday, only to conclude that the minister did not believe in Jesus's resurrection because the sermon made no mention of it. Given the central role of resurrection in Christian scripture and later church tradition, surely the burden of proof lies upon the person who concludes that this minister rejects the resurrection. It might be true, but one sermon is hardly a great sample size!)

Second, and not unrelated, these same sacred texts stress the possibility of rectifying sin when the law was broken: the whole temple complex with its sacrificial system emphasizes election and the means to maintain covenant, even as it acknowledges the inevitable imperfection of the people of Israel. Unless certain Jews rejected the sacrificial system entirely, and note here I do not mean that they criticized problems with the temple apparatus and therefore abstained from it, we must assume that they again held to covenantal nomism.

These same two points help us assess Barclay's claim that not all Jews emphasized the incongruity between God's gift and the worthiness of its recipients. I would suggest that even where there is silence in a given Jewish writer on the topic of incongruity we should *not* read that silence as evidence that such a writer believed there to be a congruity between gift and recipient

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<sup>39</sup> To be clear, I make no claim here that the one doing so would necessarily be successful in finding incongruity everywhere.

<sup>40</sup> E. P. Sanders, "Covenantal Nomism Revisited," *JSQ* 16 (2009): 25–55.

<sup>41</sup> On the lack of a Jewish canon and the problems of anachronistically speaking of the Bible or even books, see Eva Mroczek, *The Literary Imagination in Jewish Antiquity* (Oxford: Oxford University Press, 2016).

*unless* we have strong evidence both that this Jewish writer cared little for sacred texts like the Pentateuch *or* that such a writer also rejected the idea that Israel could or might need to make atonement for its sins. Unless Jews rejected this rather central symbol and system, it seems implausible to me that any silence on their part signals a rejection of the belief that there is an incongruity between what God has done for Israel and Israel's worth (how much more so for the incongruity between what God has done for gentiles and gentiles' worth!).

### Conclusion

I have learned much from Barclay's work. I think it helpfully provides more precise argumentation for two things that Sanders had already taught us. First, ancient Jews knew that their God was gracious. Second, and Barclay's treatment of Galatians and Romans repeatedly notes this fact, where Paul and other early Christ followers differed from their fellow Jewish contemporaries is in defining *what* one of these gifts was. For early Christ followers Israel's God had given a gift of unrivaled worth in the person of Jesus and in the subsequent reception of the sacred *pneuma*. For Paul, this ability to experience what Sanders calls "real participation in Christ" is beyond compare.<sup>42</sup> As Sanders put it in 1977, Paul's problem with Judaism was that "it [was] not Christianity!"<sup>43</sup> Following much modern scholarship, I would avoid contrasting "Judaism" and "Christianity" when talking about Paul, but I agree with Sanders's underlying sentiment. This is where *the key difference* lay: in the *concrete* identity of the superlative divine gift, not in a series of sliding scales of *abstract* perfections of grace. In other words, Paul's problem with Jews who did not believe that Jesus was Israel's Messiah was just that: they did not believe that Jesus was Israel's Messiah!

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<sup>42</sup> Sanders, *Paul and Palestinian Judaism*, 522. On what this real participation consists of, see Caroline Johnson Hodge, *If Sons, Then Heirs: A Study of Kinship and Ethnicity in the Letters of Paul* (New York: Oxford University Press, 2007), and Stanley K. Stowers, "What Is 'Pauline Participation in Christ'?", in *Redefining First-Century Jewish and Christian Identities: Essays in Honor of Ed Parish Sanders*, ed. Fabian E. Udoh et al., Christianity and Judaism in Antiquity 16 (Notre Dame: University of Notre Dame Press, 2008), 352–71.

<sup>43</sup> Sanders, *Paul and Palestinian Judaism*, 552.