Paul’s Letter to the Romans, the Ten Commandments, and Pagan “Justification by Faith”

For Alan Segal ז"ל

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E. P. Sanders’s *Paul and Palestinian Judaism* (1977) challenged the utility of the phrase “justification by faith” as a key to anything other than Lutheran scholarship. This note argues that the phrase does offer us insight into the historical Paul, provided we interpret it within its native context, an apocalyptic stream of first-century Hellenistic Judaism that took its message to pagans. Noting that *dikaiosynē* functioned commonly as a code for the Second Table of the Law, and that *pistis* in the first century meant not “belief” or “faith” but “conviction, steadfastness, loyalty,” the argument concludes that the pagans’ *dikaiōthentes ek pisteōs* indicates these people’s pneumatically granted ability to act toward one another in community according to the dictates of the Ten Commandments.

E. P. Sanders’s *Paul and Palestinian Judaism* (1977) revolutionized NT studies. Credited with initiating the “new perspective on Paul,” Sanders no less initiated a new perspective on Paul’s native religious context. Unabashedly exposing the deep and defining anti-Judaism of so much Christian scholarship, Sanders radically undermined the old, theologically generated caricature of Judaism as a “legalistic” system of works righteousness pitted against Paul’s liberating message of “justification by faith.” That latter concept, he argued, might serve as a key to understanding Lutheran scholarship, but it had little application to the historical Paul.


2 See especially Sanders’s critical bibliographical review in *Paul and Palestinian Judaism*, 33–59, 434–42.

3 In place of this model of Judaism and “works righteousness,” Sanders proposed what he called “covenantal nomism,” a pattern of religion resting on grace, faith, and obedience. God
As a slogan, “justification by faith” powerfully synopsizes many foundational Christian ideas: the priority of grace, the theology of the cross, the universality of sin (in its Catholic iterations, of original sin). Many of these ideas were definitively shaped in the course of much later arguments: Augustine’s against Pelagius, Young Man Luther’s against Renaissance Rome. “Justification by faith” has served conceptually and polemically as a lodestar of Lutheran tradition, and of NT scholarship more broadly. In these contexts, it presents a sharp contrast between (Christian) “faith” and (Jewish) “law.”

Despite its doctrinal freightedness, however, some NT scholars have continued to insist on the phrase’s historical utility as a key to understanding Paul. These scholars may be right, but not for the reasons they think. To understand what Paul means by “justification by faith” and how it functions specifically within his εὐαγγέλιον ἐν τοῖς ἔθνεσιν, we need to place the phrase back into its originary social context: committed communities of apocalyptically minded late Second Temple Jews and pagans. Like the Purloined Letter, our clue word for guiding us in this effort has been hiding in plain sight. What is meant, in this Jewish context, by δικαιοσύνη?

I. Piety and Justice: The Ten Commandments

Let us begin where the historical core of Jesus of Nazareth’s story begins, on the banks of the River Jordan. This is Josephus’s description of John the Baptist in Antiquities 18:

John exhorted the Jews to practice ἀρετή [“virtue”], to practice δικαιοσύνη [“justice”] toward their fellows and εὐσέβεια [“piety”] toward God, and in so doing to join in immersion.… The immersion was for the purification of the flesh once the soul had been cleansed through δικαιοσύνη [“right conduct”]. (A.J. 18.116–19)

The “virtue” or “moral excellence” that Josephus’s John urges on his Jewish hearers here is defined as “justice” and “piety.” These two words are not moral abstractions: they signal a core tradition of the biblical covenant, the Ten Commandments. The first five commandments, the First Table of the Law, concern relations with God, coded here as εὐσέβεια (“piety”). The next five, or Second Table, regulate relations between people, δικαιοσύνη (“justice” or “righteousness”). Thus:

graciously chose Israel from among the nations, binding Israel to himself in a covenanted relationship. Israel’s grateful response to God’s gracious election was to live faithfully according to the covenant’s commands. “Obedience maintains one’s position in the covenant, but it does not earn God’s grace as such” (Sanders, Paul and Palestinian Judaism, 420; see too 75, 81–85).

4 Stephen Westerholm offers an up-to-date review of current discussion (Justification Reconsidered: Rethinking a Pauline Theme [Grand Rapids: Eerdmans 2013]).
According to Josephus, then, the Baptizer’s call to repentance (הנש [tĕšûbâ] in later rabbinic idiom, “turn”) meant, precisely, returning to God’s commandments as revealed in the Torah. Similarly, Josephus’s contemporaries, the Synoptic evangelists, portray a Jesus who, like John, summoned fellow Jews to repentance (“Μετανοεῖτε!” Mark 1:15; Matt 4:17). Asked what were the greatest commandments, Mark’s Jesus replies by citing Deut 6:4. “Hear O Israel, the Lord our God, the Lord is one. And you shall love the Lord your God with all your heart, and with all your soul, and with all your might”—in other words, εὐσέβεια, the First Table of the Law. And “you shall love your neighbor as yourself”—that is, δικαιοσύνη, the Second Table of the Law (Lev 19:18; Mark 12:29–31; Matt 22:34–40; Luke 10:25–28). In brief, Mark’s passage encodes the Ten Commandments. Elsewhere, his Jesus invokes them directly: “You know the commandments: ‘You shall not murder; you shall not commit adultery; you shall not steal; you shall not bear false witness; you shall not defraud; honor your father and your mother’” (Mark 10:19). Matthew’s Jesus repeats and reinforces this message in his Sermon on the Mount (Matt 5:21–22, against murder; vv. 27–30, against adultery; vv. 31–37 against lying/“swearing

5 The Bible arranges these commandments variously: see Exod 20:1–17 and Deut 5:6–21. Sanders notes that “these two words [εὐσέβεια and δικαιοσύνη] were used very widely by Greek-speaking Jews to summarize their religion” (The Historical Figure of Jesus [London: Penguin 1993], 92). The words εὐσέβεια and δικαιοσύνη also appear in Philo’s summary of the law’s two chief principles or κεφάλαια (kephalaia; Spec. 2.63; cf. Decal. 19, on “honoring parents” within the law’s First Table). David Flusser surveys the variety of twofold summaries of Torah (love of God and of neighbor; piety and justice) from Jubilees to Lactantius in “The Ten Commandments and the New Testament,” in The Ten Commandments in History and Tradition (ed. Ben-Zion Segal; Publications of the Perry Foundation for Biblical Research, the Hebrew University of Jerusalem; Jerusalem: Magnes, 1990), 219–46. Similarly, b. Mak. 24a runs the numbers down from 613 commandments to two ( Isa 56:1) to one (Hab 2:4, the righteous man will live by his faith, “strength” or “steadfastness”; cf. Paul’s ἐκ πίστεως ζήσεται [Gal 3:11]). On not as “faith” but as “firmness, steadfastness, fidelity,” see BDB, 53. I thank Avraham Isaacs and Jay Pomrenze for walking me through selected biblical and rabbinic Hebrew texts with this term. This same tendency to streamline moral teachings appears in the philosophical epitomes of contemporary Greco-Roman culture (Epicurus’s Kyriai Doxai, Epictetus’s Encheiridion); see Hans Dieter Betz, The Sermon on the Mount: A Commentary on the Sermon on the Mount, Including the Sermon on the Plain (Matthew 5:3–7:27 and Luke 6:20–49) (Hermeneia; Minneapolis: Fortress, 1995), 76–79, with notes to the key literature.
falsely”). The Jesus of Synoptic tradition, in other words, like Josephus’s Baptist, foregrounds the Ten Commandments.

II. PAUL AND HIS PAGANS

What about Paul? Paul’s circumstances differed pointedly from those of the Baptist and of Jesus. His “mission field” was the cities of the eastern empire. His hearers were not Jews but pagans. And these he called to repent not of “Jewish” sins (i.e., breaking the commandments) but of “pagan” sins (most especially idolatry and its perennial rhetorical companion, πορνεία, “fornication”). Nonetheless—and despite Paul’s insistence that pagans-in-Christ not “convert” and assume Jewish practices, thus Jewish law9—these pagans’ religious reformation went hand in hand

6 See Sanders’s comments on this Matthean passage (Historical Figure, 210–12); see also Flusser, “Ten Commandments,” 234. Cf. Luke 11:42, another coded reference, where neglecting “judgment” (τὴν κρίσιν) indicates neglecting justice. Emphasis on the Ten Commandments in mid-first-century Palestinian Judaism is perhaps reflected as well in tefillin from Qumran. The later tractate γ. Ber. 9b comments that, while the Ten Commandments used to be recited every day in the temple, they no longer are “on account of the ἔθνικοι [‘sectarians’],” who hold that no other commandments were given on Sinai. See Ephraim Urbach, The Sages, Their Concepts and Beliefs (2 vols.; Jerusalem: Magnes, 1975), 2:844 n. 75.

7 Modern English uses two words, “pagan” and “gentile,” where the Greek has only one, ἔθνος. “Pagan” refers to religion: the person referred to is neither a Jew nor a Christian. “Gentile” refers to ethnicity: the person referred to is not a Jew. In Paul’s day, however, with few exceptions, pagans were Gentiles and Gentiles were pagans: relations between humanity and divinity were commonly configured along ethnic lines. Despite the anachronism of the term, then—“pagan” is a fourth-century Christian coinage—I have kept “pagan” as my translation of ἔθνος to signal to the reader that these non-Jews were intrinsically in relationship with their gods. See, too, in defense of this term, C. P. Jones, “The Fuzziness of ‘Paganism,’” Common Knowledge 18 (2012): 249–54. On the existence of all gods in antiquity, even in the view of “monotheists” like Jews and Christians, see P. Fredriksen, “Judaizing the Nations: The Ritual Demands of Paul’s Gospel,” NTS 56 (2010): 232–52, esp. 235–36. All of my own articles cited here are available in PDF on my Boston University web page: www.bu.edu/religion/faculty/fredriksen.


9 In so doing, Paul assumed a normative Jewish stance: Jews did not hold non-Jews responsible for and to Jewish ancestral custom. Accordingly, we can infer nothing about Paul’s own personal level of Jewish observance from the fact that he tells pagans that they do not have to be observant. See my articles “Judaizing the Nations,” 241–44; “How Later Contexts Affect Pauline Content, or, Retrospect Is the Mother of Anachronism,” in Jews and Christians in the First and Second Centuries: How to Write Their History (ed. Peter J. Tomson and Joshua Schwartz; CRINT 13; Leiden: Brill, 2014), 17–51; “Paul, Practical Pluralism, and the Invention of Religious Persecution in Roman Antiquity,” in Understanding Religious Pluralism: Perspectives from Religious Studies and Theology (ed. Peter C. Phan and Jonathan Ray; Eugene, OR: Wipf & Stock, 2014),
with their social/ethical reformation, and their living according to Jewish law precisely indexed this reformation. Keeping which Jewish law? Keeping what Jewish laws? Sabbath excepted (for good reason: see just below), their keeping nine of the Ten Commandments.

The word εὐσέβεια, which signaled the First Table of the Law, appears nowhere in Paul. We can only speculate why not. Perhaps Paul avoided referring directly to the Law’s First Table because Sabbath observance featured in that list, and Paul had argued heatedly against his missionary competition that pagans-in-Christ were not obligated to Jewish ancestral practices. Or perhaps Paul conceived of these pagans’ new piety in a special way, since it had been brought about not through their own efforts (ἐξ ἔργων, “by works”), but rather by eschatological fiat of God through Christ (χάριτι, “by grace”). Their new orientation toward God, however, conformed precisely to the mandates of Jewish worship, in accordance with the Law’s First Table: No other gods, and no idols.10


For further discussion of the inclusion of the nations in Israel’s redemption, with primary references, see Joachim Jeremias, Jesus’ Promise to the Nations (London: SCM, 1952), 46–75; E. P. Sanders, Jesus and Judaism (Philadelphia: Fortress, 1985), 212–21; James M. Scott, Paul and the Nations: The Old Testament and Jewish Background of Paul’s Mission to the Nations, with Special Reference to the Destination of Galatians (WUNT 84; Tübingen: Mohr Siebeck, 1995), especially for the (traditional) Jewish phrasing of “the nations and all Israel”; and more broadly, Terence L. Donaldson, Judaism and the Gentiles: Jewish Patterns of Universalism (to 135 CE) (Waco: Baylor University Press, 2007).

10 What does Paul mean by “law”? The secondary literature, enormous and factious, cannot be reviewed here. Paul’s orientation toward the temple, though, is positive (Rom 9:4; 15 passim), and he seems to envisage the integration of his pagans in its cult, on which see esp. F. W. Horn, “Paulus und die Herodianische Tempel,” NTS 53 (2007): 184–203; Fredriksen, “Judaizing the Nations,” 244–49. Where Paul does speak negatively about law/Torah, however, he speaks to pagans and refers to Jewish ancestral custom configured as circumcision, Sabbath, and food laws (though this last is complicated too) as “works of the law” (Gal 2:16; Rom 3:20). For this reason, I would take him to speak against performance of these “works of the law” by non-Jews.

Do Jews, then, also need to be “justified by faith in Christ”? Much Pauline scholarship, “new perspective” and otherwise, says yes; the Sonderweg scholars say no: see, e.g., John G. Gager, Reinventing Paul (Oxford: Oxford University Press, 2004); before him, Lloyd Gaston, Paul and the Torah (Vancouver: University of British Columbia Press, 1987); Stanley K. Stowers, A Rereading of Romans: Justice, Jews, and Gentiles (New Haven: Yale University Press, 1994). Both sides make good points, and we have no statement from Paul about the Jewish observance of Jewish ancestral practices one way or the other. It does seem to me, however, that de minimis Paul expects some sort of vindicating final acknowledgment on the part of his “kinsmen according to the flesh” (currently non-Christ-following Israel) that his views on messiah and on the impending end were correct: Rom 10:3–4 (Christ as law’s τέλος); Rom 11:25–27 (directed to πᾶς ἱσραήλ, “all Israel”). Such acknowledgment, however, implies no derogation of Torah.
and unlike Jesus of Nazareth, Paul had seen the risen Christ (1 Cor 9:1; 15:8; Gal 1:16). This eschatological event convinced him of the rightness of Jesus’ urgent prophecy: the kingdom truly was at hand; indeed, within the ἐκκλησία, on the evidence of Christ’s resurrection, it had in some sense already begun. Transformed by this vision from opponent to apostle (sometime around 34 c.e.), Paul undertook his mission, convinced by that same vision that he knew what time it was on God’s clock. Some twenty-odd years later, he reaffirmed this conviction. “Salvation is now nearer to us,” he told Christ-following pagans in Rome,11 “than when we ἐπιστεύσαμεν” (Rom 13:11; I will translate the verb below).

In the ever-shortening meanwhile, Paul called his pagans from the worship of their own gods to an exclusive commitment to the one true god, Paul’s god, the god of Israel. These people were not returning to their native god and their native ancestral laws (the Jewish meaning of μετάνοια), but turning to him for the first time (ἐπιστρέφω in various forms, e.g., 1 Thess 1:9).12 “Indeed there are many gods and many lords,” Paul writes to his community in Corinth, “yet for us there is one god, the Father … and one lord, Jesus Christ” (1 Cor 8:5–6). Of course Paul, and Paul’s pagan assemblies, had then to cope with the anger of these lower gods, who lashed back.13 But they were fortified by holy πνεῦμα communicated to them through immersion into Christ’s death and resurrection (Rom 8:9–17); enabled by that spirit to utter prophecies, to speak in tongues, to heal, and to discern between spirits (1 Cor 12:1–11); validated in their apocalyptic convictions by these very charisms. In πίστις, they awaited Christ’s imminent return, his defeat of these hostile powers, the transformation of the quick and the dead, and the redemption of

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11 I assume that Paul’s letter addresses Christ-following pagans in Rome (Rom 1:6; cf. 11:13), not a mixed assembly of Jews and pagans both.

12 On ἐπιστρέφω as “turning” as opposed to “converting,” see Fredriksen, “Judaizing the Nations,” 242–44.

13 The θεὸς τοῦ αἰῶνος τοῦτου (“the god of this age”) had blinded the minds of unbelievers (2 Cor 4:4; pagans? Jews?). The ἄρχοντων τοῦ αἰῶνος τοῦτου (“the rulers of this age”), if by this phrase Paul intends astral powers, have crucified the son of Paul’s god (1 Cor 2:8). The divinities formerly worshiped by his congregations in Galatia, he says, are not “gods by nature” but mere cosmic lightweights, στοιχεῖα (“elements”) unworthy of fear or worship (Gal 4:8–9: note that Paul demeans their status but does not deny their existence). Such gods, in fact, are mere δαιμονία, subordinate deities, “demons” (1 Cor 10:20–21). “Indeed, there are many gods and many lords,” he tells his pagans in Corinth (1 Cor 8:5–6); but soon these lower powers, currently worshiped through images, will themselves acknowledge the God of Israel when Christ defeats them and establishes the kingdom of his father (in 1 Cor 15:24–27, these powers are “destroyed”; in Rom 8:38, they are liberated). In the end, these beings, wherever they are—above the earth or upon the earth or below the earth—will also bend their knees to Jesus (Phil 2:10).

For the definition of ἄρχον as a subordinate and evil divine entity, see BAGD (1979), definition 3; δύναμις, definition 6; ἐξουσία, definition 4.β; στοιχεῖα, definitions 3 and 4. For Paul’s many references to other gods, see James D. G. Dunn, The Theology of Paul the Apostle (Grand Rapids: Eerdmans, 1998), 33–38, 104–10.
creation (including, perhaps, of these lower gods). Scripture had foreseen that God would δικαιοῖ τὰ ἔθνη ἐκ πίστεως (Gal 3:8, “justify the Gentiles by faith” [NRSV]), and now, through Christ, he had. In the brief time remaining, infused with holy spirit, these pagans ἐν Χριστῷ were enabled by and through their πίστις in Christ, and through God’s (or Christ’s) πνεῦμα, to fulfill the law and to conduct community life in accordance with it (e.g., Gal 5:13–25). They were δικαιωθέντες ἐκ πίστεως (Rom 5:1). What does Paul mean by this phrase?

### III. Pneuma, Steadfastness, and Doing Justice

Here the connotations of our modern English words impede translation of our ancient Greek texts, which depend on nuanced construals of πίστις, εὐσέβεια, and δικαιοσύνη. Our word “faith,” for example, refracted through the prism of a long Christian cultural history that runs at least from Tertullian (credo quia absur­dum) to Søren Kierkegaard, has come to imply all sorts of psychological inner states concerning authenticity or sincerity of “belief.” In antiquity, πίστις and its Latin equivalent, fides, connoted, rather, “steadfastness,” “conviction,” “loyalty.” For this reason, I would translate Rom 13:11, cited above, as “Salvation is nearer to us now than when we first became convinced” (cf. RSV: “than when we first believed”). So too with “piety.” Less about religious sentiment than about showing respect (a synonym for εὐσέβεια was φόβος, “fear”), εὐσέβεια and its Latin equivalent, pietas, indexed a respectful attentiveness in the execution of inherited protocols of worship—what we call “religion” but what ancient authors, Paul included, thought of as a kind of family patrimony, “ancestral custom.” And Paul’s use of δικαιοσύνη and its related verbal forms presents daunting challenges to English, which lacks much-needed precision.

Alert to these problems, how can we translate Paul without anachronism?

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14 For redemption of creation, including these beings, see Rom 8:18–39; perhaps of lower gods, Phil 2:10 (all those superhuman knees, cf. Ps 97.7), though cf. 1 Cor 15:24 (these beings are “destroyed”).
15 Hence Paul’s use of “obedience” with “commitment” or “conviction” or “steadfastness” (cf. “faith”—not “the” faith, as RSV Rom 1:5).
17 Cf. the concepts of mos maiorem, fides patrum, παράδοσεις τῶν πατρικῶν (Gal 1:14), τὰ πατρικὰ ἔθη, οἱ πάτριοι νόμοι. According to Benjamin Isaac, “In the Roman world, religion and ethnic loyalties were inseparable” (The Invention of Racism in Classical Antiquity [Princeton: Princeton University Press, 2005], 500).
18 Sanders offers a lengthy consideration of the defects of English for translating Paul’s δικαιοσύνη and similar words in Paul, A Very Short Introduction (Oxford: Oxford University Press, 1991), 52–90; see esp. 54–55. I will adopt his awkward neologism “righteoused” above, since it is preferable to “justified.”
I suggest that we navigate by the Ten Commandments. As our passage from Antiquities 18 indicates, δικαιοσύνη signals the Second Table of the Law, just as εὐσέβεια does the First. And while Paul never uses εὐσέβεια, δικαιοσύνη, by comparison, appears frequently: thirty-six times in Romans alone.

When Paul’s pagans, then, adhered steadfastly to the good news brought by his message (“believed in the gospel”), they ceased worshiping their own gods and committed themselves to the god of Israel through his son (the cluster of ideas around πιστεύω). Made right by God toward God, they were likewise punitively enabled to make right toward each other by acting rightly toward each other, “not like the ἔθνη who do not know God” (1 Thess 4:5; cf. Rom 1:18–32). Their πίστις in Christ (confidence that he had died, had been raised, and was soon coming back) righteously them (through the giving of πνεῦμα, which also effected adoption19) so that they could “fulfill the law,” specifically, the Law’s Second Table, δικαιοσύνη.20 Thus, in the same place where Paul reviews the sins of the flesh that Christ-following pagans have left behind (Rom 13:13–14), and where he speaks urgently of the impending end (13:11–12), he also lists the commandments of the Second Table (13:9–10). “Righteoused” pagans, spirit-filled, enabled by their commitment to Christ and, through him, to God, act “righteously” toward others in community.

This is what Paul meant by “justification by faith.”

19 Paul’s use of adoption here conforms to quotidian culture: Roman adoption customarily entailed assuming responsibility for gods not inherently one’s own. It also conforms to antiquity’s view that gods and humans form family groups. If pagans now worship Israel’s god, then they are adopted into that god’s family. (God, not Abraham, is whom they call “Abba”; Rom 8:15; Gal 4:6.) The pagans’ adoption is not κατὰ σάρκα but κατὰ πνεῦμα: the ethnic distinction between Israel and adopted pagans continues, albeit in an attenuated way, in the kingdom (Rom 15:9–12) (Fredriksen, “Judaizing the Nations,” 243–44). On the fixity and fluidity of Paul’s ethnic reasoning on this point, see further Caroline Johnson Hodge, “The Question of Social Interaction: Gentiles in Pauline Communities as Gentiles—but Also Not,” in Nanos and Zetterholm, Paul within Judaism.

20 Does “being righteoused”/justification enable and lead to “righteousness,” or does “being righteoused”/justification constitute righteousness? I wonder whether this is a distinction that Paul would draw, or even see: it is, however, a hallmark issue for Protestant theology. Translating δικαιοσύνη (back) into Hebrew, would we distinguish (in meaning in addition to part of speech) between צדק (righteousness), ציוו (the state of being right or righteous), and צדיק (the one who is righteous)? How much weight would and could such distinctions bear? I thank Larry Hurtado for thinking over these questions with me.