

**CONFERENCE PROCEEDING***Christological Torah*

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The question of the status of the Mosaic Law has a unique history within Christian theology. It was, of course, the stuff of some of the very earliest Christian theology, and, indeed, the focus of the Jerusalem Council, the first known meeting of the leaders of the emerging Church. Gradually—although it likely did not happen as quickly and easily as is often supposed<sup>1</sup>—a consensus did emerge regarding such central questions as whether gentile converts to Christianity should be required to be circumcised, and, by the end of the early Christian era, the question of the nature of Christian observance of the Law seems to have moved into the category of a settled question. Sixteenth-century battles over “the Law” raised new questions in new ways, although these heated conflicts did not disturb certain long-settled answers such as that regarding circumcision. Now, the events of the twentieth century—especially Nazi atrocities and the Church’s responses to them—have called for profound rethinking of the matter, bringing even those early questions to the surface again.

As the Church has wrestled through its response to the Holocaust (*Shoah*) the discussion has been articulated predominantly in terms of supersessionism, or “replacement.”<sup>2</sup> In its most primary sense, supersessionism refers to the claim that the Church has come to replace the Jews as the chosen people of God. This, of course, also implies that God has revoked the original covenant with Israel. An increasing number of Christian scholars have come to the conviction that this is a stance that not only wounds Jewish-Christian relations, but also does violence to some of Christianity’s own deepest convictions, above all, the conviction that God keeps his promises.<sup>3</sup>

The discussion, though, has continued to evolve and become more complex, and further questions have been raised about the concept of supersessionism itself. We find, for example, the claim of the Jewish thinker Michael Novak that even those who affirm God’s ongoing election of Israel may still hold a form of supersessionism that he calls “soft supersessionism.”<sup>4</sup> “Soft super-

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<sup>1</sup> Cf. Stephen Wilson, *Related Strangers: Jews and Christians*. (Minneapolis: Augsburg Fortress Press, 1997). James D.G. Dunn, ed., *Jews and Christians: The Parting of the Ways, A.D. 70 to 135*. (Grand Rapids: Eerdmans, 1999).

<sup>2</sup> Bruce Marshall describes the proposal that “Christians should reject their long-held supersessionist interpretation of their relationship to the Jewish people” as being “[t]he ‘theological point of departure for our [the twentieth] century’s critical reassessment of the Church’s relation to the Jewish people.’” *The Cambridge Companion to Christian Doctrine*, ed. Colin Gunton, “Christ and the Cultures: Jewish People and Christian Theology,” (Cambridge: Cambridge University Press, 1997). George Hunsinger puts it this way: “For Christian theology the discussion has focused in particular on the question of ‘supersessionism’—a term at once descriptive and pejorative.” *For the Sake of the World: Karl Barth and the Future of Ecclesial Theology*, Introduction, George Hunsinger, (Grand Rapids: Eerdmans 2004).

<sup>3</sup> Peter Ochs notes that “the most significant Christian theologies of Judaism in the past decade promote”, among other things, “Jewish-Christian theological dialogue as a practice of Christian theology *per se*....,” “Judaism and Christian Theology,” in *The Modern Theologians*, ed., David Ford, Rachel Muers. (Malden, MA, Blackwell Publishing, 2005).

<sup>4</sup> David Novak, “The Covenant in Rabbinic Thought,” in *Two Faiths, One Covenant?: Jewish and Christian Identity in the Presence of the Other*, ed. Eugene B. Korn (Lanham, MD: Rowman & Littlefield, 2004), 65-80.

sessionism,” according to Novak, is the claim that “Jesus came to fulfill the promise of the old covenant,” such that not only are some Gentiles initiated into that covenant, but also that Jews already initiated into the covenant only come to its fulfillment through Jesus.”<sup>5</sup> For Novak, this is still supersessionism because those Jews who do not accept Jesus as messiah, while they remain in the original covenant are nevertheless “out of step with the fulfillment of the covenant which Jesus began... and which he shall return to totally complete.”<sup>6</sup> On this definition, it is perhaps not difficult to see why Novak says, “Christianity must be generically supersessionist,” and “I question the orthodoxy of any Christian who claims he or she is not supersessionist at all.”<sup>7</sup>

Novak, then, argues that it is possible for Christians to renounce supersessionism in its most essential sense, but to affirm another form of supersessionism; it is possible to insist that the Church has not simply replaced Israel, and that Jews remain in covenant with God, while also insisting that, in living out that covenant, a central focus on Christ has replaced a central focus on Torah, so that most Jews are now “out of step.” And, in fact, Novak offers his own judgment that this combination is the best that Christian theology can do vis-à-vis Judaism.

For Christian supersessionists of this sort, Novak goes on, “living the covenant is the celebration of the birth, ministry, death, and resurrection of Jesus,” while “the Torah and Jewish traditions are now past memories, rather than living norms.”<sup>8</sup> “After all,” Novak notes, “if the Church teaches that Gentiles reborn into the covenant...do not require circumcision and Torah observance, then Christianity can no longer require them of *any* Christian.”<sup>9</sup> In other words, a crucial component of Novak’s “soft supersessionism” is the way in which it moves the focus from the identity of the people of God to the nature of the divine economy and the appropriate response to it. Novak’s soft supersessionism is a stance that sees God’s *work in Christ as replacing Torah*, and faith in Christ as *replacing* observance of the ceremonial law.

This question of the way in which Christianity understands the change in the divine economy brought about by Christ is, in fact, precisely the issue raised recently by two other Jewish thinkers: the well-known scholar, Michael Wyschogrod and relative newcomer, Mark Kinzer. Although they do not use the term, both address Novak’s category of soft supersessionism, and both suggest that the ongoing discussion of a Christian relationship to Torah ought to include a crucial distinction: the distinction between Christians who are Jews and Christians who are Gentiles.

Wyschogrod’s best-known work in this regard involves a public letter, in which he pleads with a Jew who has become a Christian at least to continue to keep the Law. In his letter, Wyschogrod notes that the decision of that earliest of Christian councils, the Jerusalem council, was specifically a decision regarding Christians who were Gentiles and not Christians who were Jews. Where then, he asks, is the justification for a Jew to turn away from commandments given by God himself? “But if I am right,” he asks, “are you not, from a Christian point of view, obligated to lead a Torah observant life because, as they say, you are a Jew? Are you not obligated to obey the dietary laws, the sabbath, the Jewish festivals, etc.?”<sup>10</sup>

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<sup>5</sup> Novak, 66.

<sup>6</sup> Novak, 66.

<sup>7</sup> Novak, 67.

<sup>8</sup> Novak, 71.

<sup>9</sup> Novak, 71.

<sup>10</sup> This letter, along with responses to it, appeared in *Modern Theology* 11/2 (1995), 165-71. Although unnamed there, the intended recipient of Wyschogrod’s letter was Jean-Marie Lustiger, who after his conversion to Catholicism rose to the position of Archbishop of Paris (and Cardinal). During his lifetime, Lustiger stirred significant controversy by his

Kinzer, who has introduced the scholarly world in a powerful way to the reality of Messianic Judaism, argues in a similar ways. Working carefully through New Testament texts, Kinzer argues that these texts actually affirm the ongoing validity and importance of Jewish practice for all Jews, including those who become Christians. Not only, then, is it permissible for Jews to continue their Torah practice if they become Christians: it is, in fact, commanded by God.<sup>11</sup>

Both Wyschogrod and Kinzer, then, challenge Novak's claim, (shared by almost all Christians) that "if the Church teaches that Gentiles reborn into the covenant...do not require circumcision and Torah observance, then Christianity can no longer require them of *any* Christian."<sup>12</sup> They thus press at least for qualification of his claim that Christianity, in order to be true to itself, must endorse soft supersessionism. How then might the conversation move forward from here?

What Novak has offered, with helpful candor, is the possibility that there may be elements within positions labeled as supersessionist that Christians, *qua* Christians, are simply unable to renounce. As we try to tease these elements apart from others, however, the matter can become complicated indeed. This essay sets aside the question of classic supersessionism, or "hard supersessionism," assuming it to be incompatible with Christian faith and unsupported by either Scripture or authoritative church teaching. The questions pursued here are the nature of God's salvific work, asking whether and how what Novak has called "soft supersessionism" is the stance that Christians should espouse.

Rather than setting out to negotiate a new definition or qualification of supersessionism, however, it is the conviction of this writer that it is actually most helpful to lay aside entirely the category of supersessionism, or replacement. The practical questions raised here are important ones, but as the questions become more subtle, and as they move from the identity of God's people to the nature of God's work, thinking within the framework of supersessionism becomes less and less helpful. Drawing upon certain elements in the work of St. Thomas Aquinas, I shall sketch the most basic contours of what I believe is a quite different sort of account of the relationship of the Law and Christ, and of Christians to the Law.

Because I believe this is a conversation that is important to have in close connection to Scriptural texts, I want also to note briefly the direction this approach would suggest in interpreting certain key Pauline passages. Finally, I will return to the matters raised above in order to suggest what the practical implications of such an account might be for these questions of practice of the Law. Would this account require, or even allow, uninterrupted Torah practice by the Jew who becomes a Christian?

Now, Thomas Aquinas will seem to some an unlikely source. All of the thinkers mentioned above—Novak, Wyschogrod and Kinzer—specifically mention Aquinas, and they all find him wanting. They, along with many others note especially Aquinas's most troubling claim: that obedience to the Mosaic ceremonial law after Christ is a mortal sin. All three focus on the implications, not for Jews in general, but for those Jews who have become Christians. Wyschogrod wonders whether Aquinas has simply not considered the possibility that obligation to obey Torah

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claim that he did, in fact, remain a Jew. Some of Lustiger's reflections of the relationship of Judaism and Christianity are recorded in a work published posthumously, *The Promise* (Eerdmans, 2007).

<sup>11</sup> Mark S. Kinzer, *Post-Missionary Messianic Judaism: Redefining Christian Engagement with the Jewish People* (Grand Rapids: Brazos Press, 2005).

<sup>12</sup> Novak, 71.

may very well remain in place for Jews, even if they are baptized.<sup>13</sup> Kinzer goes even a bit further, suggesting that Aquinas has simply begun with the assumption that the ceremonial law must be deadly and then looked for an argument to justify that claim.<sup>14</sup>

At this point, I will simply say that I believe some of the broad strokes of Aquinas' account to be immensely valuable as we try to go forward on this issue. Even so, I shall suggest that it is possible to prescind, in the end, from his claim that obedience to the Mosaic ceremonial law after Christ is a mortal sin. I have said that we cannot frame this conversation in terms of supersessionism, that we cannot begin by attempting to determine whether and to what extent Christ *replaces* Torah. The problem is that even phrasing the question in this way treats the Law and Christ as if they are two separable phenomena, which may therefore be seen as competitive. Looking through the lens of Aquinas's thought, however, we see rather a complex reality in which Law and Christ are profoundly intertwined. In fact, if we think along with Aquinas, we travel in two corollary directions: (1) we must see Christ in terms of the Law, and (2) we must see the Law in terms of Christ.

### Christ in Terms of the Law

First, then: to see Christ and his salvific work, in terms of the Law. Many have in recent days sought to recover the "Jewish Jesus,"<sup>15</sup> and much valuable historical work has been done in this regard.<sup>16</sup> In important ways, this kind of scholarship has revolutionized the picture of Jesus that we hold in the present day. The theological implications for understanding Jesus in the context of the Law have not, however, yet been fully imagined. In particular, we might note that the traditional Christian claim that Jesus is perfectly righteous must be read in the first place in terms of the specifics of the Law. The New Testament, of course, already records disputes over whether Jesus did, in fact, keep the law. But Aquinas, typical of traditional Christian theologians, insists that he did. Aquinas, in fact, goes to some trouble on this point. Let me give a bit of background on Aquinas's thought.

The most relevant part of Aquinas's work in this area is that part of his *Summa* commonly called the treatise on the Law. Mark Jordan has noted: "No section of the *Summa* has been abused so regularly as the discussion on law, and no abuse of it is so regular as the refusal to see the discussion whole and in place."<sup>17</sup> This essay, given practical constraints, will fail again to give an account of the treatise on the Law *in place* in the larger *Summa*, but perhaps a little background here that will allow some sense of the *whole*.

This section of the *Summa* includes discussion of "Law" in four forms: (1) eternal law, (2) natural law, (3) human law, and (4) divine law. The eternal law is wisdom within God. It is a name for God's own "reason"<sup>18</sup> and it is, indeed, Aquinas says, "not distinct from [God] Himself."<sup>19</sup> The

<sup>13</sup> Wyschogrod, 170.

<sup>14</sup> Kinzer, 207.

<sup>15</sup> Cf. especially David Flusser, *Jesus in Selbstzeugnissen und Bilddokumenten* (Hamburg: Rowohlt, 1968); Geza Vermes, *Jesus the Jew: A Historian's Reading of the Gospels*. (London: Collins, 1973); and E. P. Sanders, *Jesus and Judaism* (Minneapolis: Augsburg Fortress, 1987).

<sup>16</sup> We have foundational work from Jewish scholars Geiger, Flusser, Vermes; additional work from Christian scholars such as John Meier and N.T. Wright; and, most recently, Amy-Jill Levine's highly engaging *The Misunderstood Jew*. Amy-Jill Levine, *The Misunderstood Jew* (San Francisco: HarperSanFrancisco, 2006).

<sup>17</sup> Mark Jordan, *Rewritten Theology*, (Malden, MA: Blackwell Publishing, 2006), 57.

<sup>18</sup> "*Et ideo ipsa ratio gubernationis rerum in Deo sicut in principe universitatis existens, legis habet rationem.*" *ST* I-II, 91, 1, *corp.* St. Thomas Aquinas, *Summa Theologiae*, Blackfriars ed. (Westminster, MD: Christian Classics, 1948). (Hereafter, "*ST*")

natural law is the participation of rational creatures in the eternal law—more precisely, the participation of humanity’s practical reason in the good. Human law is a flexible form of law, in which particular precepts governing a particular community are derived from natural law. Divine Law, the form particularly relevant for our purposes here, is that form of law by which humanity is moved beyond natural faculties, expressed in the natural and human laws, and directed toward its final end, the vision of God, or “friendship with God.”<sup>20</sup> The Divine Law is twofold: it exists as the Old Law—the Law as given to Israel—and the New Law, a form of Law initiated by Christ’s appearance, by which Law is written by the Holy Spirit on human hearts.

Relevant for our purposes here is the fact that Aquinas devotes the most space to discussing the Divine Law, and, within that, he gives the clear majority of space to the “Old Law.” The articles dealing with the “ceremonial law” are, in fact, some of the longest of the whole *Summa*.<sup>21</sup> It is true that Aquinas believes that the ceremonial law is no longer to be practiced, but he does not seem therefore to believe it is irrelevant.

Equally crucial is Aquinas’s claim that the New Law is, most properly speaking, simply a new form of the Old Law. In explaining the relationship between the two, Aquinas turns several times to a quotation from the Epistle to the Hebrews: “The priesthood being translated, it is necessary that a translation also be made of the Law.”<sup>22</sup> This “translation” for Aquinas, is not a change in substance, but rather a teleological progression from a less perfect to a more perfect form. Thus, he claims that the New is “in” the Old “as the [full-grown] corn is in the ear.”<sup>23</sup> The New is to the Old, in other words, as a full-grown plant is to a seed. They are, in essence, the same thing; one, however, exists at a stage of later maturity.

Quite logically, then, Aquinas insists that Jesus *never* turns away from the demands of the “Old Law.” “Christ,” he says, “fulfilled the precepts of the Old Law both in His works and in His doctrine.”<sup>24</sup> Even at those points where he is accused of breaking the Law, Aquinas, says, Jesus is actually either (1) extending the Law to explain its true sense; (2) prescribing even stricter courses of action, to avoid any infraction of the Law; or (3) intensifying the Law.<sup>25</sup> In reading the gospel accounts, for instance, Aquinas insists that Jesus did not break the Sabbath, but rather violated “the superstitious interpretation of the Pharisees, who thought that man ought to abstain from doing even works of kindness on the Sabbath, which was contrary to the intention of the Law.”<sup>26</sup>

Here, it is crucial to pause and to note the import of Christ’s obedience to the Law. Claims regarding the nature of Christ’s righteousness speak not only of Christ, but of the soteriological dynamic which is humanity’s hope. It is true that Aquinas sees Christ’s Passion as absolutely central; nevertheless, for Aquinas, all of Christ’s actions constitute a part of his whole, saving work. His perfect observance of the Law, in other words, is more than the background of Jesus’ salvific action. It is, in an important and irreducible sense, a part of the substance, or the text, of

<sup>19</sup> “*nec eius lex est aliud ab ipso.*” *ST* I-II, 91, 1, *ad* 3.

<sup>20</sup> “*amicitiam hominis ad Deum...*” *ST*, I-II, 99, 2, *corp.*

<sup>21</sup> *ST*, I-II, 102, 3 includes 14 objections and responses; *ST*, 102, 5 runs to more than 8,000 words.

<sup>22</sup> “*Translatio sacerdotio, necesse est ut legis translatio fiat.*” Cf. Hebrews 7:12.

<sup>23</sup> “*Sic igitur est lex nova in veteri sicut fructus in spica.*” *ST*, I-II, 107, 3, *corp.*

<sup>24</sup> “*Praecepta vero veteris legis adimplevit Christus et opera, et doctrina.*” *ST*, I-II, 107, 2, *corp.*

<sup>25</sup> *ST*, I-II, 107, 2, *corp.*

<sup>26</sup> “*Sed videbatur solvere secundum superstitiosum intellectum Pharisaeorum, qui credebant etiam a salubribus operibus esse in die sabbati abstinendum: quod erat contra intentionem legis.*” *ST*, I-II, 107, 2, *ad* 3. For a fuller, fairer account of the Pharisees, we must turn to other sources.

that action. If, then, the righteousness of individual Christians depends upon the righteousness of Christ, as has been an essential claim of Christianity, then it is the *Torah-observance* of Christ upon which the salvation of Christians—both Jewish and Gentile—rests.

This in turn would mean, following Aquinas's logic to its end, that it is impossible fully to understand the character of Jesus' righteousness without understanding Torah. Perhaps this is why Aquinas devotes so much space to the "Old Law," including the ceremonial law.

A further possible implication, one not pursued by Aquinas, is even more provocative. Torah, of course, is a reality that is ultimately not simply written, but lived. Here, we see the problem for the Gentile Church, which no longer either knows or practices many of the elements of the Mosaic Law. Jesus' salvific work, we might say, is expressed in a language that the Church no longer speaks. Now, in order to understand and to proclaim Christ fully, they must rely on native speakers. The Torah lived in the Jewish community is a crucial key to understanding the Gospel itself. For the majority of the Church, then, Gentiles who have never kept, and would not know how to begin keeping the whole Torah, this would require admitting that an understanding of the lived Torah is crucial to their faith, and then granting this expertise to the Jewish community.

Given all this, it is not hard to see that we find ourselves dealing with a central issue. It is not possible first to describe one's relationship to Christ and then to describe one's relationship to the Law. On this account, *they are the same thing*. To be baptized into Christ is specifically to be related to Christ's Torah-observance. The implications begin to emerge with relationship to Wyschogrod's challenge. There is nothing, Wyschogrod has noted, that any Jew can do that will revoke her or his own obligation to Torah-observance. Given this account, however, Torah-obligation is indeed impinged upon in the connection to Christ experienced by those who belong to him. Simply put, seeing Christ in terms of the Law means that, for those who are related to God via Christ's perfect righteousness, relatedness to the Law necessarily happens in and through Christ.

### The Law in Terms of Christ

But, if Christ's righteousness is understood in terms of obedience to the Torah, an important question remains: why shouldn't all those who follow Christ keep Torah, not out of obligation, but voluntarily? Why, we could ask, if Christians are grounded in the righteous Torah-observance of Jesus, do they divide the Law into various parts and then imitate Jesus only in what they call the "moral law" and not in what they call the "ceremonial law"?

Here, it is important to note the second of the broad claims made above: the Law must be understood in terms of Christ. This, of course, is not a point often explored by contemporary thinkers (and it is the relative unfamiliarity of the claim that prompts the title of this essay). Although it sounds strange to our ears, Aquinas insists that the Law itself possesses a Christological character. This is not to say simply that the Law points forward toward Christ, but also that the Law is already, in a certain sense, inherently Christological.

Recall the taxonomy of "Law" in Aquinas's treatise on the Law. Old and New Law are, in an important sense, a single thing: Divine Law. And the substance of the Divine Law, Aquinas says is: *Christ*. Indeed, at every point, as he compares Old and New, Aquinas insists that the "substance" of the New Law is not new at all, but is entirely "in" the Old.<sup>27</sup> We see why it is that

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<sup>27</sup> *Sed quantum ad ipsam substantiam praeceptorum Novi Testamenti, omnia continentur in Veteri Testamento...* ST, I-II, 107, 3, ad 2.

Aquinas goes so far as to say “the law that is instilled in the heart is common to those who are in the New Testament and to those who are in the Old Testament.”<sup>28</sup>

In I-II, 106, 4, Aquinas deals with the issue in a more speculative and Trinitarian way. The Old Law, he says, is appropriated to the Father and the Son, while the New Law is appropriated to the Son and the Spirit.<sup>29</sup> Christ’s centrality becomes obvious. This schema of “double appropriation” could be explained in a much more elaborate way, but it is easy to see the main point: the move from Old Law to New Law is not, as some might suppose, a move from a reality appropriated to the Father into a reality appropriated to the Son. Both New *and* Old are understood as the work of the Son.

Of course, if this is right—if the Law is and always has always been inherently Christological in nature—talk about the “replacement” of the Law with Christ is just too simplistic. It is impossible to replace a thing, unless with something different. It is for this reason that even talk of “soft supersessionism” can be misleading.

The move from the Old Law to the New Law, then, is not truly a move from a Torah-shaped engagement by God to a Christologically shaped engagement by God. If Christ is truly understood in terms of Torah, and *vice versa*, it becomes clear that, both in the Old and in the New, God is engaging His people in a work that is always simultaneously constituted both by Torah and by Christ. The claim of the New is that Christ’s appearing allows the new possibility of participation in his perfect Torah-observance.

#### Rereading Paul with Aquinas

It will be a natural question as to whether such an account might assist in interpreting the most foundational Christian texts on the matter: the canonical writings of St. Paul, and especially those dealing with the Law. Although current scholarship on this matter is voluminous enough to deter forays into these texts, it is nevertheless desirable, therefore, to consider how such an account might serve the task of interpretation. Aquinas is not, of course, necessarily a guide to the original *Sitz im Leben* of these texts, or to grammatical considerations of the Greek. He is, however, a voice revered within the Christian tradition, and so it is appropriate that we explore the contribution he makes to the ongoing, communal task of interpretation.

Without giving a full context of recent scholarship on Paul, or “the new perspective on Paul,” or, simply, “the new Paul,” we might therefore consider just a few of the most crucial Pauline passages in light of this Thomistically inspired account.

First, we might consider the way in which this position allows a highly plausible, if uncommon, reading of the controversial Galatians 3:28: “There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; for you are all one in Christ Jesus.”<sup>30</sup> It is clear

<sup>28</sup> “*Sed lex indita communis est et eis qui sunt in novo testamento, et eis qui sunt in veteri testamento*” ST, I-II, 106, 1, obj. 3.

<sup>29</sup> Attested in the west at least since Augustine, the theological practice of appropriating certain names, attributes, or operations to one of the persons of the Trinity, does not nevertheless exclude the cooperation of all three Persons of the Trinity. In Aquinas, cf. ST. 1, XXIX, 8).

<sup>30</sup> Revised Standard Version. The scholarship on this single verse is vast. One scholar noted recently: “Watson E. Mills, *Bibliographies for Biblical Research*, NT Series 9, *Galatians* (Lewiston, NY: Mellen, 1999), 38-45, lists 42 entries published on just the verse, with another 23 on the pericope. Since Mills’s (incomplete) listing, another 12 items on the verse and five more on the pericope have appeared, per my count via NTA. Items overlooked by Mills include 11 on the verse and one on the pericope. When contributions doubtlessly overlooked by all are added, the total publications

that Paul's claim that within the Christian community "there is neither Jew nor Greek," cannot be taken to describe a wholesale erasure of all differences. The tendency of most recent scholarship has been to endorse (or contest) the claim that what Paul is addressing here is differences in status among members of the young Church—and the tendency of some to discriminate others.<sup>31</sup>

The context of Galatians, however, does not suggest differences in status or the dangers of discrimination. The book of Galatians, and especially its third chapter, deals rather specifically with one particular, practical issue: the obligation to keep Torah and how it has changed with the coming of Christ. Taking our cue from this context, we can read all of the pairs mentioned here (not only "Jew-Greek," but also "slave-free," and "male-female") not simply as pairs who are distinguished by basic, ontological difference, or as pairs potentially distinguished by status, but rather as pairs that can be distinguished precisely in terms of their Torah-obligation.<sup>32</sup> What the verse suggests more specifically is that the differing burdens placed on different groups have been transformed by a greater commonality: "in Christ Jesus, you are all children of God through faith. As many of you as were baptized into Christ have clothed yourselves with Christ."<sup>33</sup> In other words, if we are speaking in terms of obligation to obey Torah, we must now say that there is a common experience of being "clothed in Christ" that provides the context within which individual obligation must be understood.<sup>34</sup>

Or, we can see how the account sketched here might lead us to interpret the radical claim of St. Paul in Romans 7:4. "You have died to the law," he tells his readers, "through the body of Christ, so that you may belong to another, to him who has been raised from the dead in order that we may bear fruit for God."<sup>35</sup> The remarkable claim that those to whom he writes have died to the Law is clearly premised on the phrase that follows: "through the body of Christ." A transformation of Torah-obligation so radical that it can be called "death" happens only and precisely "in Christ." This makes sense if we consider the position, as described above, that Christ's righteousness is fundamentally constituted as Torah-observance. It is not, then, that the Law has been abrogated or spiritualized—it is fulfilled in a primary sense "through the *body* of Christ."<sup>36</sup> The fundamental obligation *has been kept* by "another" to whom these readers now "belong."<sup>37</sup>

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on this verse may well come to a hundred items." Walden, Wayne. "Galatians 3:28: Grammar Observations," *Restoration Quarterly*, 51 no 1, 2009, 45.

<sup>31</sup> The focus is often gender as in Paul King Jewett's groundbreaking *Man as Male and Female: A Study in Sexual Relationships from a Theological Point of View* (Grand Rapids, MI: Eerdmans, 1975) Jewett refers to the verse as "The Magna Carta of Humanity." More recently, the same argument has been made regarding the Jew/Gentile divide: Cf., e.g., Mark Nanos, "The Myth of the 'Law-Free' Paul Standing between Christians and Jews," *Studies in Christian-Jewish Relations*, Volume 4, Issue 1, 2009, 4.

<sup>32</sup> Admittedly, seeing the precise ways in which Torah-obligation varies between these pairs requires us to look to the Mishnah and other later rabbinic sources, which involves a degree of conjecture.

<sup>33</sup> Galatians 3:26-27.

<sup>34</sup> Aquinas himself understands Paul to be here insisting that no one, whatever his or her prior state, is to be barred from baptism into Christ. St. Thomas Aquinas, *Commentary on Saint Paul's Epistle to the Galatians*, (Albany, NY: Magi Books) 1966), pp. 105-106.

<sup>35</sup> Revised Standard Version.

<sup>36</sup> Cf. Matthew Levering, *Christ's Fulfillment of Torah and Temple: Salvation according to Thomas Aquinas* (Notre Dame, IN: Notre Dame Press, 2002), especially Chapter Three.

<sup>37</sup> I myself am in agreement with those contemporary scholars who believe that the Epistle to the Romans was written (as this verse would seem to suggest) to an audience that included Jews. The line of thinking presented here could still hold, though, for those who believe that the recipients of this letter in Rome were only Gentiles. Whomever he was addressing, Paul's language of "dying to the Law" necessarily implies some previous state (historical or theoretical) or being "alive to the Law," and a movement out of that state "through the body of Christ." This interpretation goes beyond Aquinas's own comments on the verse, and yet his reading seems to support it. Christians have died to the

Or, finally, consider the reading of Philippians 3:9 that is now made possible. Paul describes himself as “not having a righteousness of my own that comes from the law, but that which is through faith in Christ—the righteousness that comes from God and is by faith.” Myriad arguments have been posed as to the structure and parallelism that may be present in this verse.<sup>38</sup> The account sketched out in this essay, however, suggests that the crucial opposition is not that between righteousness that “comes from the law” and righteousness that comes “through faith in Christ.” The whole phrase is needed; what is problematic is a righteousness of *my own that comes from the Law*, as opposed to something completely different: a radical new relationship to the Law that rests upon being connected to Christ.

One phrase in particular from this passage has played no small part in “the new perspective on Paul.” What is translated “faith in Christ” above is, in the Greek, πίστις Χριστού. The question of how to translate this phrase has been raised regularly in New Testament studies for the last several decades, posed as a choice that must be made between two options: the objective genitive reading ('faith in Christ') or the subjective genitive reading ('the faith of Christ').<sup>39</sup>

In others words, if we follow those who push for a subjective genitive reading of πίστις Χριστού, the English translation might better read: “not having a righteousness of my own that comes from the law, but that which is through the faith of Christ—the righteousness that comes from God and is by faith.” Now, fully exploring what is the “faith of Christ” is a serious undertaking, but, it is helpful to note that, for our purposes here, moving in the direction of the subjective genitive only pushes more clearly in the direction suggested above. It is not a question of whether the believer has a righteousness that comes from *her obeying the Law* or from *her having faith in Christ*. It is rather a question of whether, in the most fundamental theological sense, it is the believer or Christ who has accomplished this obedience.

### Practical Implications

Here, we must return to the very practical questions raised at the outset of this paper. Again, if Torah-obligation is radically re-situated in connection to Christ, why shouldn't all those who follow Christ keep Torah, not out of obligation, but voluntarily? Why, we could ask, if Christians are grounded in the righteous Torah-observance of Jesus, do they imitate him in what they call the “moral law” and not in what they call the “ceremonial law”? Or what about the possibility raised by Wyschogrod and by Kinzer: the ceremonial law is not relevant for gentile Christians, but it remains in effect for Jews, whether they should become Christian or not. What does the account sketched here—an account that operates on broadly Thomistic lines and that sees Christ defined by the Law and the Law defined by Christ—have to say to these concrete questions?

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Law, he argues, “in the sense that the obligation of the Law ceases in you.” Thomas Aquinas, “Lectures on the Letter to the Romans”; available from <http://www.aquinas.avemaria.edu>; Internet. Translation by Fabian Larcher. Chapter 7, Lecture 1.

<sup>38</sup> Cf. “The Rhetoric of πίστις in Paul: Galatians 2.16,3.22, Romans 3.22, and Philippians 3.9,” R. Barry Matlock, *JSNT* 30.2 (2007) 173-203.

<sup>39</sup> Cf. R. Hays, *The Faith of Jesus Christ: An Investigation of the Narrative Substructure of Galatians 3:1-4:1, Number 56 in the Society of Biblical Literature Dissertation Series*, (Scholars Press, 1983); M. D. Hooker, “Pistis Christou” in *From Adam to Christ: Essays on Paul* (Cambridge University Press, 1990), pp. 165-186. , J.D.G. Dunn “Once More Christus Pistou,” *SBL Seminar Papers 1991* (Atlanta: Scholars Press, 1991), pp. 730-44.; P. Pollard, ‘The “Faith of Christ” in Current Discussion’, *Concordia Journal* 23 (1997), pp. 213-28; J. Dunnill, ‘Saved by whose Faith? The Function of πιστις Χριστού~ in Pauline Theology’, *Colloquium* 30 (1998), pp. 3-25.

First, what becomes clear in this account is that such divisions are not intended to indicate that some parts of the Law are *relevant*, while others are *not*. They rather indicate that various commandments are *related to Christ* in different ways.

What Aquinas suggests is that, for those united to Christ, the ceremonial law serves above all as a pointer to Christ. In his lengthy treatment of the ceremonial law, Aquinas explains that the ceremonial commandments are those that are related directly to the worship of God. “All ceremonies,” he says, “are professions of faith.”<sup>40</sup> Aquinas believes that observance of the ceremonial commandments serves specifically as professions that Christ—the substance of the Law—is yet to come. Here we see a further specification of Aquinas’s claim that the Law is already inherently Christological. The ceremonial law is, for Aquinas, we might say, *the embodied affirmation that this is true*. The ceremonial law is the place at which Christians acknowledge the momentousness of Christ’s earthly appearance, the place at which they acknowledge that this is the One who has always been the “substance” of the Law.

Here, then, is the other half of the logic that insists that Torah-observance cannot be understood or negotiated separately from the reality of one’s union with Christ. Torah-observance is already inherently Christological in nature; it would be strange were it untouched in the lives of those who have become united to Christ.

Now, for Aquinas, this is precisely the reason that the ceremonial law becomes not only unnecessary, but forbidden. The commandments that Christians call “ceremonial” are not the points at which they follow Christ in Torah-observance; rather, the very act of abstaining from them constitutes worship of Christ. In *not* keeping the ceremonial law, Christians honor Christ’s unique place, and display their primary reliance upon him and his Torah-observance. This, above all, is what motivates Aquinas’ denouncement of the ceremonial Law—he imagines the continued practice of the ceremonial law to function as embodied rejection of these central affirmations about Christ.

But is Aquinas right about this? What we can say about the possibility suggested by both Wyschogrod and Kinzer: that Jewish Christians should keep not only the moral, but also the ceremonial Law?

First, in the account laid out here, wherein Christ is defined by Torah, and Torah by Christ, the unavoidable conclusion is that those united to Christ cannot simply keep the Torah in precisely the same way as those who are not united to Christ. For those who are united to Christ, relatedness to the Law happens in and through Christ. Here, the “immovable object” of Christology remains just that.<sup>41</sup>

With regard to this most central claim, furthermore, this account cannot make sense of a fundamental differentiation between Gentile and Jew. Seeing Christ defined in terms of Torah and seeing Torah as defined in terms of Christ means that any distinction between Jewish Christians and Gentile Christians must be rooted in a more radical similarity. Both are necessarily related to the Law, and both are necessarily related to the Law in Christ.

A question remains, though, about concrete practice. What about Aquinas’ more controversial claim: that observance of the ceremonial law in fact constitutes mortal sin? What about the plea of Wyschogrod, the argument of Kinzer? Is it possible that Jewish Christians could, in fact,

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<sup>40</sup> *ST*, 103, 4, *corp.*

<sup>41</sup> Cf. Wyschogrod. “Christology: The Immoveable Object.” *Religion and Intellectual Life* 3 (1986).

practice the ceremonial law as Christians? Is it possible that, even given radical similarity, distinction between Jewish Christian and Gentile Christian might exist?

Here, we could remain completely consistent with Aquinas and say, “No”: no Christian may ever observe the ceremonial law. Jewish Christians who light the Sabbath candles or eat according to kosher dietary guidelines do so to their own damnation. Or, we could ask whether the Thomistically inspired account, above, could allow for a precisely Christian form of observance of the ceremonial law. For Aquinas, the ceremonial law can, by its nature, only point *forward* to Christ, and not *back*. But, if we prescind from Aquinas at this particular point, we might allow for such a thing.

Michael Wyschogrod, in fact, presses this question in the light of Aquinas’ claim: Imagining a Jew who has become a Christian, he asks, “Could adherence to the Mosaic Law not be interpreted much more benevolently, as love of God and his commandment, as fidelity to a holy way of life out of which...the Redeemer was born? If the commandments before Christ predicted him, could they not after Christ celebrate the predictions that came true and point to the final fulfillment that both Jews and Christians await?”<sup>42</sup>

If this could be allowed, then a sense of Torah and Christ as deeply interrelated would yield this crucial question: *what would a specifically Christ-honoring form of ceremonial observance look like?* This is exactly the sort of thing for which both Wyschogrod and Kinzer seem to be calling. And yet Kinzer’s account, which explores the matter in much more detail than does Wyschogrod, leaves the impression that the Torah-observance of those Jews who turn to Jesus ought not only to continue, but may continue undisturbed and unchanged. Given the Thomistically inspired account above, that is impossible. On this account, any righteous act must be seen and lived as grounded in Jesus’ own righteousness, since, for Thomas, the second person of the Trinity is not simply a moment in the divine economy. Christ, rather, is the foundational form of every moment of the divine economy. Practically speaking, then, it would not make sense simply to add Gentile Christian practices to Jewish ones. What is needed is rather a robust account of a form of whole-Torah-observance that is *transformed as it is united to Christ*. What is needed is a practice that is at once precisely Jewish and precisely Christian.

At least one positive argument for such practice is suggested above. It would create the possibility, via a new, living experience of Torah within the Church, for a renewed recognition of the Gospel’s meaning and power.

There would, of course, be many, many further practical questions that would have to be addressed regarding this practice. Halakhic practices are virtually impossible to carry out as individuals or even as single families. They require community. How would Jewish Christian communities be constituted? How would they be related to the broader Church? Would they welcome gentile Christians who feel inspired to join their ranks? And how could a Church divided by issues of ritual purity live out visible unity? There do seem to be those, already, who understand themselves to be living just such a life—including Messianic Jews, and others.<sup>43</sup> Perhaps

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<sup>42</sup> Michael Wyschogrod, “A Jewish Reading of St. Thomas Aquinas on the Old Law,” in *Understanding Scripture*, ed. Clemens Thoma and Michael Wyschogrod (New York: Paulist Press, 1987), 136.

<sup>43</sup> Only recently, the visit of the Pope to Jerusalem prompted media coverage of Jewish converts to Catholicism such as Fr. Gregorz Pawlowski, who says Mass for his small Polish community in Jaffa and also fasts on Yom Kippur, and Fr. David Neuhaus, a Jesuit priest who continues to attend a Reform Synagogue regularly and celebrate Jewish holidays such as Succot and Hanukka. *The Jerusalem Post Magazine*, May 9, 2009.

in dialogue with these and others, these difficult practical questions, not so different than the ones with which the Church began, are the ones to lead us forward now.