

The Origins of Oral Torah: A New Pauline Perspective

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Abstract

This article proposes to rethink the genealogy and origin of the rabbinical terms Oral Torah and Written Torah. The terms appear for the first time in Tannaitic literature, yet scholars have attempted to ascribe to them an earlier date and to present them as a Second Temple, specifically Pharisaic, distinction. This article problematizes the existing genealogies and considers neglected evidence found in Paul's Letter to the Romans that advances our understanding of the Oral Torah/Written Torah distinction in the first century CE. According to my rereading of Rom 10:5-13 and 3:19-31, Paul has a notion of double-nomos within scripture, and his twofold torah is presented as oral and written. Apart from rabbinic literature, it is only in Paul that we find the use of an Oral Torah/Written Torah distinction. This evidence affects both how the history of the rabbinic terms is understood and how Paul is configured in his Jewish matrix.

Keywords

Oral Torah – rabbinic literature – tannaitic literature – Paul – New Testament – Second Temple – Pharisees

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1 Introduction

The distinction between Written Torah (תורה שבכתב) and Oral Torah (תורה שבעל פה) is considered to be one of the defining markers of rabbinic culture, and scholars have been occupied with the question of its origin. The terms appear explicitly for the first time in Tannaitic literature, but many understand them to reflect a late Second Temple and specifically Pharisaic concept. This early dating is achieved by mapping the Tannaitic terminology onto other terms used in earlier sources. Those who conversely understand Oral Torah/Written Torah to be a later—Tannaitic—distinction have usually relied on a different reading of the same limited body of evidence.

This article argues that we must approach the history of Oral Torah/Written Torah in a new way that problematizes the question of origin. Torah² is pluriform in antiquity, and this pluriformity also applies to the way the very category of torah is conceptualized in various frameworks: Jewish texts in antiquity debate what torah *is* and how it should be conceived. Within this debate we find texts—such as Jubilees, Philo, and 4 Ezra—that introduce a variety of two-torot distinctions as a way of negotiating the continuing relevance of scripture to a contemporary context. The Tannaim also participate in the discourse of two-torot and propose several configurations of torah, one of them being the division between Written Torah and Oral Torah. I will argue that Paul's letters also present a concept of twofold-torah that has been overlooked by scholars but should be considered within this wider Jewish discourse.

The new reading of Paul I introduce in this article contributes to our understanding of the history of Oral Torah/Written Torah in the following way: I argue that Paul conceives of torah as a double-torah, one oral and the other written. No other source prior to Tannaitic literature presents such a distinction. Nevertheless, since Paul's configuration does not coincide with the Tannaitic conception of scripture, the Pauline evidence compels us to develop a non-linear history of the formation of the rabbinic distinction that is more nuanced than the histories proposed by scholars thus far.

2 Defining "Torah" for the purposes of this article is a difficult task contingent upon the texts that are discussed. I use "torah" to speak of ancient Jewish texts (in whatever medium) that are understood or claim to be of divine origin. These texts might be presented as Sinaitic or Mosaic, or simply claim the name "torah" or an equivalent of it. In this article I capitalize "Torah" only when it clearly denotes the Pentateuch. Similarly, I capitalize "Oral Torah" and "Written Torah" when I speak of the Tannaitic categories. Otherwise, I have attempted to minimize the use of capitalization. The distinction between torah/Torah applies only to English usage and in any case are not reflective of the ancient concepts in Hebrew or in Greek.

2 Background

It is more methodologically and historically sound to move away from the question of the origins of Oral Torah/Written Torah, which implies a singular and traceable moment of birth from which Oral Torah/Written Torah linearly developed. There are two main reasons for this.

First, scholars rely on limited and disputable Second Temple evidence to ascribe an early date to the Oral Torah/Written Torah distinction, namely, *Ant.* 13.297. Josephus describes the Pharisees as having a *paradosis* apart from the Torah of Moses, a position that the Sadducees, who held to the authority of the Torah alone, rejected. Those who rely on *Ant.* 13.297 to establish an early date for the distinction,³ do so by triangulating Josephus' description with some rabbinic sources that attribute the terms to Second Temple sages.⁴ But they mainly refer to the Scholion to Megillat Ta'anit, which speaks of a disagreement between the sages and the Boethusians⁵ about the permissibility of writing halakhah in a book.⁶ This cluster of sources is then used to establish a genealogical link between the Pharisees and the Tannaim and to mark a continuity between the Josephan terminology and the Tannaitic terms.

Josephus' account in *Ant.* 13.297 is the only Second Temple source used by these scholars to establish an early date for the Tannaitic Oral Torah/Written Torah. Yet, Josephus' description can hardly be identified with or translated into the Tannaitic distinction. Indeed, Martin Goodman, Steve Mason, Martin Jaffee and Steven Fraade have separately rejected any such identification. Instead, these scholars attribute other meanings to the Pharisaic *paradosis* and ascribe a later date—within Tannaitic culture—to the Oral Torah/Written Torah distinction.⁷ Fraade has gone further and describes the Tannaitic Oral Torah/Written Torah distinction as a radical departure from Second Temple varieties of Judaism.⁸ Josephus in *Ant.* 13.297 speaks of "regulations" (*nomima*)

3 Baumgarten, "Pharisaic Paradosis"; Noam, *Megillat Ta'anit*, 206-15; Werman, "Oral Torah"; Sussman, "Oral Torah"; Schäfer, "Dogma"; Safrai, "Oral Tora"; Urbach, *Sages*, 254-78; Rosental, "Oral Torah"; Sagiv, *Studies*, 57.

4 In Tannaitic literature Sifre Deut §351 (ed. Finkelstein, 408).

5 On the identification of the Boethusians as Sadducees, see Regev, *Sadducees*, 32-58.

6 For a comprehensive assessment of scholarship and some of the misrepresentations of the Scholion to *Megillat Ta'anit* on 4th Tamuz, see Noam, *Megillat Ta'anit*, 206-15.

7 Goodman, *Judaism*, 118, explains the Pharisaic *paradosis* in Josephus as "traditional behavior rather than traditional teachings." Jaffee's in his study of "Torah in the mouth" concludes that while many Jews—the Pharisees among them—transmitted their ancient traditions orally in Second Temple Judaism there was not yet a concept of "Torah in the Mouth." See Jaffee, *Torah*, 39-61. See also Fraade, *Legal Fictions*, 372-74; Mason, *Pharisees*.

8 Fraade, *Legal Fictions*, 372-74.

that the Pharisees received as tradition from the fathers that were not written in the laws of Moses. Mason has shown that Josephus is not claiming that these observances were transmitted orally (only that they are not written in the laws of Moses).⁹ Furthermore, when Josephus speaks of Pharisaic *nomima*, he should not be understood as presenting them as another Torah of Sinaitic origins, but rather, as “observances” or “regulations.”¹⁰ Only later sources, such as the Scholion of Megillat Ta’anit, present the Second Temple sages as speaking of an “unwritten Torah” alongside the Written Torah,¹¹ but this formulation should not be retrojected onto the account in *Antiquities*.

Second, within rabbinic literature (both Tannaitic and Amoraic) Oral Torah/Written Torah is only one configuration of torah among several others. The discourse of “origins” in scholarship often assumes Oral Torah/Written Torah to be the solidified endpoint of an evolutionary process, and presents the distinction as rabbinic “dogma,”¹² “doctrine,”¹³ or “theology.”¹⁴ These borrowed terms overshadow the fact that within rabbinic literature itself we find variegated, pluriform conceptions of torah. In a well-known source, the Tannaim explicitly debate whether there are two *Torot*, one Torah or indeed many:

“These are the statutes (הַחֻקִּים) and ordinances (הַמִּשְׁפָּטִים) and laws (וְהַתּוֹרוֹת) (Lev 26:46): “statutes” these are the *midrashim*, “ordinances” these are the deductions, “laws”—this teaches us that two *Torot* were given to Israel, one in script and one in the mouth. Said Rabbi Akiva: were (only) two *Torot* given to Israel? Many *torot* were given to them! As it says: “This is the ritual (literally: torah) of the burnt offering” (Lev 6:2); “This is the ritual (literally: torah) of the sin offering” (Lev 6:14); “This is the ritual (literally: torah) of the grain offering” (Lev 6:7); “This is the ritual (literally: torah) of the sacrifice of the offering of well-being” (Lev 7:11); “This is

9 Mason, *Pharisees*, 243. See also Fraade, *Legal Fictions*, 373.

10 These are either legal traditions that are transmitted orally, as per Jaffee, *Torah*, 39–61, or are traditional behaviors (rather than teaching) as per Goodman, *Judaism*, 118; See also, Fraade, *Legal Fictions*, 373.

11 The sages present a *derasha* to the Boethusians: “it is said: ‘in accordance with these words (עַל פִּי הַדְּבָרִים הָאֵלֶּה) I have made a covenant with you and with Israel’ (Exod 34:27) ‘According to the law (עַל פִּי הַתּוֹרָה) which they shall teach thee’ (Deut 17:11)—this teaches that one should not write [*halakhot*] in a book” (Scholion to *Megillat Ta’anit* on 4th Tamuz, see Noam, *Megillat Ta’anit*, 206). Exodus speaks explicitly of Torah in this verse. And so by citing this verse this tradition presents the *halakhot* that should not be written down as Torah.

12 Schäfer, “Dogma.”

13 Fraade, “Concepts,” 35.

14 Jaffee, “How Much,” 59.

the law (literally: torah) when someone dies in a tent" (Num 19:14); "This is the torah that the Lord established between himself and the people of Israel on Mount Sinai through Moses" (fused verses from Deut 4:44 and Lev 26:46)—this teaches you that the Torah, halakha, their details and interpretations were given through Moses in Sinai.¹⁵

The discussion in the Sifra shows that the distinction between the two *Torot*, Written and Oral, was disputed in the second century CE. According to the first, anonymous, opinion in the Sifra, written scripture is one Torah and oral another. Yet Rabbi Akiva uses the multiplicity of *torot* mentioned within scripture to promote the singularity of Torah and its interpretation. In other words, Rabbi Akiva argues against the dual-Torah terminology. Other Tannaitic sources share this view of a single Torah with Rabbi Akiva.¹⁶ The distinction between Oral Torah/Written Torah appears only once more in Tannaitic literature,¹⁷ and in the Mishnah it does not appear at all.¹⁸ Categories that are used more frequently in Tannaitic literature divide the realm of torah in other ways. The Tannaim most often use the terms *mikra* and *mishnah*. Terminology matters: the *mikra/mishnah* distinction does not present an understanding of two *Torot* of equal standing—*mishnah* is not presented as torah at all. Moreover, the terms cannot be straightforwardly mapped onto the polarity of Oral Torah/Written Torah,¹⁹ since *mikra* and *mishnah* often appear not as a pair but rather as part of a list (such as: *mikra, mishnah, halakhah* and *aggadot*). Even when

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- 15 Sifra Behuqotai 2, 7 (112, 3). In his discussion of this homily, Sagiv (*Studies*, 56–60) suggested that Rabbi Akiva's opinion does not represent a view of multiple *Torot*, but his argument is not compelling.
 - 16 "When the speech came out of God's mouth, Israel saw it and learned from it. And they knew how much *midrash* was in it, how much *halakhah* was in it, how many inferences *a minore ad maius* were in it and how many lexical analogies in it" (Sifre Deut §313, ed. Finkelstein, 355).
 - 17 "And Israel Thy law (ותורתך)" (Deut 33:10)—this teaches you that two *Torot* were given to Israel, one by mouth and one by script. Agnitos the Hegemon asked Rabban Gamliel and said to him: How many *Torot* were given to Israel? He said to him: Two. One by script and one by mouth." (Sifre Deut §351, ed. Finkelstein, 408). Additionally, the Scholion to Megillat Ta'anit discussed above, does not present the explicit categories, though it seems to assume them.
 - 18 It seems that the chain of transmission in Mishnah Avot speaks not of the Torah given publicly at Sinai but rather of another Torah, passed from Moses to Joshua, i.e., the Torah that is passed by tradition. But there are no two *Torot* in this chain of transmission: the terminology is not used (this torah is not presented as "Oral Torah") nor does the duo appear (Oral Torah/Written Torah).
 - 19 Though scholars often tend to present these categories as equivalent. See, e.g., Rosental, "Oral Torah," 455–56.

the terms Oral Torah/Written Torah eventually become more prominent (in Amoraic literature), the sages still repeatedly debate their borders, and some sages do not think that *mishnah* is torah in the same way that *mikra* is.²⁰

The rabbinic concept of Oral Torah/Written Torah is part of a wider conversation about what torah is in antiquity, and we find several variations on a double-torah notion. Some of these speak of a double revelation of written scripture. According to Jubilees, Moses received two *torot*, one written by God on tablets (Jub. 1:1) and one written by Moses, dictated to him by an angel reading from heavenly tablets (Jub. 1:4-27). Cana Werman claims that Oral Torah/Written Torah were Pharisaic concepts,²¹ and interprets Jubilees as adopting, reworking and countering a Pharisaic twofold-Torah solution that was already prevalent and popular.²² But as there is no evidence for Oral Torah/Written Torah before the Tannaim, we must understand Jubilees as preceding the Oral Torah/Written Torah distinction, not as responding to it.²³ Philo also seems to hold a specific notion of double law. As Hindy Najman has shown,²⁴ Philo speaks of two divinely legislated laws, the law of nature and law of Moses. Najman exposes a paradox inherent to Philo's conception: The law of nature cannot be written and can only be embodied in the lives of sages, nevertheless

20 Rosental has exemplified this point with regards to Talmudic usage of the terms, and the Amoraic debate regarding what is the "Torah" in terms of the requirement of a benediction of the Torah (ברכת התורה). In the Babylonian Talmud the disagreement surrounds the question of whether one should say the blessing only on the Written Torah (מקרא) or also on the Oral Torah (Mishnah/Talmud/Midrash), see b. Ber. 11b and compare y. Ber. 1:8 (3c). This legal disagreement should be taken as one of the practical ramifications of a variegated view of how the literary world of Torah is mapped in rabbinic sources. See Rosental, 476-75.

21 Werman, "Oral Torah," 181.

22 According to Werman, 184, "The claim to authority raised by Jubilees, that of a second written Torah given at Sinai, is comprehensible only in light of the opposing claim of an authoritative oral Torah, likewise given at the desert mount."

23 Though Sussmann understands Oral Torah/Written Torah to be a Pharisaic concept, he understands the polemic to work in this direction. He explains the rise of the distinction between two *Torot*, Oral and Written as a response to other Jewish attempts to continue to write scriptural/prophetic works. The Written Torah is sealed, while the Oral Torah expands and evolves. I disagree with his early dating, but the logic of the polemic as Sussmann lays it out is correct: "The creation of a closed framework of 'holy scriptures' and the abstinence from writing the Oral Torah are two sides of a single coin—the complete canonization of the Written Torah and the abstinence from writing of the Oral Torah go hand in hand. The strict distinction between the holy scriptures and the words of scribes, between Moses's Torah ('hakativ') and the Torah she-be-'al Peh ('halakhah') is foundational to the rabbinic concept of two *Torot*." Sussman, "Oral Torah," 372-73. Translation my own.

24 Najman, "Written Copy."

the law of Moses is, according to Philo, a written copy of the law of nature. Najman solves this riddle by showing that Philo holds that the patriarchs and Moses were followers of the unwritten law before the law was put to writing, and that the laws of Moses are copies, “expressions of the ‘actual words and deeds’ of sages.”²⁵ Najman herself, and other scholars, have rightly claimed that Philo’s unwritten law of nature does not parallel the Tannaitic Oral Torah, and that they should be understood as conceptually independent.²⁶ Fourth Ezra depicts Ezra as a new Moses, who receives a divine revelation of scripture resulting in the writing of ninety-four books, twenty-four of which were given and revealed to the public, and the remaining seventy of which were intended solely for the “wise among your people.”²⁷ According to this narrative, the torah of Ezra is the product of a new instance of writing that replaces the Mosaic Torah. Fourth Ezra, like Jubilees, stresses the act of writing as crucial.²⁸ For Philo, the law of nature is unwritten but paradoxically copied in the Mosaic Torah.

To this mix I wish to add Paul, who, I will argue, also voices a concept of a double-torah that has so far been overlooked. Israel Yuval has attempted to make a similar claim, but the textual path he takes is unconvincing.²⁹ According to Yuval, Paul is “the first one to speak in a clear manner of two divine laws: the Law of Moses (which he refers to by the word “Law,” without modification), and the law of Christ.”³⁰ Yuval understands Paul in 1 Cor 9:20-21 as abrogating the Law of Moses that is a text, and subjugating himself and others to the law of Christ, that is: “not a text, but rather the living teaching which Paul disseminates to the Gentiles through his epistles and his sermons—in other words, it is an oral teaching or Torah.”³¹ But there are several problems with this proposal. First, Paul cannot be understood as abrogating the Law and turning away from the Torah of Moses as a text, when only a few passages earlier he says about a citation from Deuteronomy: “does he not speak entirely for

25 Najman, 61.

26 That Philo’s *agraphos nomos* does not present a parallel to the terms has been thoroughly argued. See Urbach, *Sages*, 291-92; Kister, “Some Aspects,” 575 n. 15; Najman, *Seconding Sinai*, 130-31; Fraade, *Legal Fictions*, 373.

27 Najman, *Losing the Temple*, 150-53.

28 On Jubilees in this regard see Najman, *Seconding Sinai*, 117-26. See especially her argument against F. García Martínez who claimed for an analogy between the rabbinic notion of Oral Torah and Jubilees’ idea of heavenly tablets. See also Crawford, *Rewriting Scripture*, 80-82; Mroczek, *Literary Imagination*, 139-56; and the slightly overstated claim by Lambert, “Torah of Moses.”

29 Yuval, “Orality.”

30 Yuval, 239. With reference to 1 Cor 9:21.

31 Yuval, 239.

our sake? It was indeed written for our sake.”³² Viewing Paul as negating Torah renders his rhetoric—so deeply immersed in scripture in all of his letters—completely senseless: Paul speaks his gospel with and through verses from the Pentateuch, Prophets and Writings. Second, nowhere do we find the “law of Christ” presented as oral, or as anti-text.

But a double-*nomos* is found elsewhere in Paul’s writing. It has so far gone unnoticed, perhaps because of the persisting image of Paul as antinomian. Scholars, mainly of the New Perspective on Paul school, have repeatedly and justifiably criticized the representation of Paul as antinomian and as such, preaching a law-free or Torah-free gospel.³³ Nevertheless, according to Paula Fredriksen: “This Paul—anti-Jewish, antiritual, anti-Torah—continues to flourish in academic publications, not least of all because he is so usable theologically. Indeed, this theological usability (hardly an accident, given the intellectual and social genealogy of Western Christendom) is sometimes even held up as a criterion of successful historical reconstruction.”³⁴ The prevalence of the anti-Torah Paul, generated misreadings that prevented scholars from comparing his *nomos* with other conceptualizations of torah in Jewish antiquity.³⁵ As I will argue below, scholars who identify with the New Perspective on Paul school have also been unable to recognize the two *nomoi* in Paul because they have been committed to minimizing the difference between faith/works that is inextricably tied to Paul’s double-*nomos*. But when read more accurately, Paul’s concept of torah can help to establish an early date for the Oral Torah/Written Torah distinction, as well as to present a new, albeit non-linear, genealogy of the terms.

3 Romans 3:19-31 and the Double-*Nomos*

19 Now we know that whatever the law says, it says to those who are under the law, so that every mouth may be silenced and the whole world held accountable to God. 20 Therefore no one will be declared righteous in God’s sight by the works of the law; rather, through the law we become conscious of our sin. 21 But now apart from the law the righteousness of

32 1 Cor 9:9-10.

33 Gager, *Origins*, 197-247; Gaston, *Paul*, 76-79; Fredriksen, *Paul*, 110, 227 n. 29; Donaldson, *Paul*, 169-73.

34 Fredriksen, *Paul*, 109.

35 In this regard Yuval’s article is the exception, presenting Paul as antinomian and at the same time as sharing a conception of Torah with Judaism around him, particularly rabbinic culture.

God has been made known, to which the Law and the Prophets testify. 22 This righteousness is given through faith in Jesus Christ to all who believe. There is no difference between Jew and Gentile, 23 for all have sinned and fall short of the glory of God, 24 and all are justified freely by his grace through the redemption that came by Christ Jesus, whom God put forward for himself as a hilastērion (lit. “conciliation”), through faithfulness in his blood, in order to reveal his justice because of the passing over of errors already committed, in God’s forbearance,³⁶ 26 he did it to demonstrate his righteousness at the present time, so as to be just and the one who justifies those who have trust in Jesus. 27 Where, then, is boasting? It is excluded. Because of what law? The law of works? No, because of the law of trust. 28 For we maintain that a person is righteous by trust apart from the works of the law. 29 Or is God the God of Jews only? Is he not the God of gentiles too? Yes, of gentiles too, 30 since there is only one God, who will justify the circumcised by faith and the uncircumcised through that same faith? 31 Do we, then, nullify the law by this faith? Not at all! Rather, we uphold the law.³⁷

In Rom 3:19-31 Paul presents the concepts of righteousness by trust/deeds and lays out their relationship to the scriptures. Torah, as νόμος τῶν ἔργων (Rom 3:27), is portrayed as addressing only the Jews (vs. 19), and as such, presents an ineffective path of righteousness for gentiles.³⁸ It is through a different *nomos*, the *nomos* of *pistis* that righteousness is available to them.

The meaning of these two instances of *nomos* has been a source of much writing and disagreement in scholarship. In supersessionist readings Paul’s gospel is “law-free” and accordingly law and Christ/gospel are antithetical.³⁹ This framework generates serious problems in understanding Rom 3: when *nomos* and *pistis* are thought to be antithetical, then the term “law of faith” is a true puzzle, often presented as a paradox. Scholars have produced in recent decades a variety of interpretations in order to solve the conundrum, explain the term and still keep *nomos* and *pistis* separate. Several scholars have opted to interpret the *nomos* in *nomos pisteōs* as “principle.” According to Heikki Räisänen, the “law” in “law of faith” is only used metaphorically or as word play, and is not a law at all, but an “order” or “principle.”⁴⁰ This interpretation

36 Translation of this verse from Glaim, *Reciprocity*, 176.

37 Citations from Paul are based on NRSV, with occasional adjustments.

38 Rom 3:19-20.

39 See on this Fredriksen, *Paul*, 110, 227 n. 29.

40 Räisänen, “Word-Play.” See also Moo, *Romans*, 247-50.

has been adopted by several prominent scholars.⁴¹ Other scholars understand *nomos pisteōs* to denote the “Law of Moses,” but are invested in the Law/Christ antithesis and therefore claim that the “law of faith” is the love command (Lev 19:18).⁴² Both of these explanations are far from satisfying, because they represent Paul as anti-Torah: Marking *nomos pisteōs* as the opposite of the Torah or law of Moses (the result of interpreting *nomos pisteōs* as “principle of faith”) or as a single commandment within the laws of Moses does not fit with Paul’s expansive reliance on and use of scripture in Rom 3:19–31 itself, as elsewhere.

Interpreting *nomos pisteōs* as the Torah of Moses should be preferred. Several scholars have taken this route,⁴³ yet they either minimize the scope of this torah (as including merely the love command) or neglect to unfold the hermeneutical implications of equating *nomos pisteōs* with torah, perhaps because of a theological focus.

Nomos is indeed best understood as “torah,” and Rom 3 should be read not only as an argument against boasting, but as an argument against the claim that Paul is nullifying Torah (vs. 31). This formulation has vast hermeneutical implications. The terms “torah of deeds” and “torah of trust” should both be understood as referring to scripture, that is, to different facets of Torah itself. According to Rom 3, after the coming of Christ, scripture has two distinct voices: (1) the torah of works, prescribing ordinances to the Jews; (2) the torah of faith, speaking to “all.” As Rom 3:21 clearly states: “But now apart from the law, the righteousness of God has been made known, to which the Torah and the Prophets testify,” both of these paths are within scripture.

This reading also explains how Paul “upholds” the Torah (Rom 3:31). Torah is upheld by making it meaningful to his gentile audience, a goal he achieves with the notion that scripture contains a double-*nomos*: the “*nomos* of works” which is for the Jews and ineffective or even futile for gentiles-in-Christ, according to Paul, and *nomos pisteōs* which is the torah that speaks to and of gentile Christ followers. And so, after what seemed to be a blatant rejection of scripture in Rom 3:19–26, Paul follows with the very establishment of the authority of Torah in vs. 31 and then actively continues to ground “righteousness by trust” in scripture in the Abraham pericope in Rom 4.

41 Westerholm, *Israel’s Law*, 122–26; Donaldson, *Paul*, 335 n. 68; Kruse, *Romans*, 195–200.

42 Furnish, *Love Command*.

43 See, e.g., Friedrich, “Gesetz”; Dunn, *Romans 1–8*, 186–87; Cranfield, *Romans*, 218–20. For an overview and summary of this trend and its implications for other Pauline texts, see also Wilson, “Law of Christ.”

Perhaps because Rom 4 presents a reading of an Abrahamic narrative, Richard B. Hays has claimed that in the scriptural manifesto of Rom 3 Paul rejects the law and embraces narrative in its place.⁴⁴ Yet nowhere does Paul say that the “torah of trust” is generically different from the “torah of works,” and this is also not his practice when he uses scripture to present his gospel to the gentiles. Paul uses scripture to teach his audience how to act and behave within the community,⁴⁵ and so Rom 3 should rather be taken plainly: scripture holds, according to Paul, two *nomoi*, and it is through the torah of trust that he speaks to his community. It is the first step of Paul’s hermeneutics to extract, select and interpret the words which “speak” his gospel, the words that testify to the righteousness by trust.

4 The Hermeneutics of Paul’s Double-*Nomos*

Paul’s two *nomoi* function hermeneutically elsewhere in Romans. He writes in Rom 10:5-13:

5 Moses writes concerning the righteousness that comes from the law,
that “The person who does these things will live by them” [Lev 18:5]
6 But the righteousness by trust⁴⁶ says, “Do not say in your heart,
[Deut 9:4] ‘Who will ascend into heaven?’” that is, to bring Christ down
7 “or ‘Who will descend into the abyss?’” that is, to bring Christ up from
the dead. 8 But what does it say? “The word is near you, in your mouth
and in your heart” [Deut 30:13-14] that is, the word of trust that we pro-
claim; 9 because if you confess with your lips that Jesus is Lord and be-
lieve in your heart that God raised him from the dead, you will be saved.
10 For one trusts with the heart and so is justified, and one confesses with
the mouth and so is saved. 11 The scripture says, “all who have trust in him
will not be put to shame” [Isa 28:16] 12 For there is no distinction between

44 Hays, *Echoes*, 156-58.

45 For example: Should they cover their head in the assembly? (1 Cor 11:7, cf. Gen 1:26-27; 1 Cor 11:8, cf. Gen 2:21-23); What can they eat? (1 Cor 10:25, cf. Ps 23:1); Why they must financially support his apostleship? (1 Cor 9:9, cf. Deut 25:4).

46 *Pistis* means “trust,” “steadfastness,” and/or “confidence” and not “faith” or “belief,” the more common modern (and protestanized) translations, and is so translated in this study. In order to avoid confusion, I often leave the word untranslated completely. See on this Fredriksen, *Paul*, 36; Morgan, *Roman Faith*, 2015. For a critique of Morgan’s view and her rebuttal see a recent volume of *New Testament Studies*: Watson, “Roman Faith”; Seifrid, “Roman Faith”; Morgan, “Roman Faith.”

Jew and Greek; the same Lord is Lord of all and is generous to all who call on him. 13 For, “Everyone who calls on the name of the Lord shall be saved” [Joel 2:32/3:5].

In Rom 10:5-13 Paul says that Moses wrote about the righteousness that is by the law the words from Lev 18:5. He then grants “righteousness by trust” a speaking voice using the classical trope of *prosopopeia*, speech in character.⁴⁷ It is perhaps a “Judaized” version of this classical trope, as righteousness by trust speaks redacted and intertextualized scriptures, the fused words of Deut 9:4 and Deut 30:2, followed by redacted fragments from Deut 30:12-14.⁴⁸ In the context of Rom 10 it is a feature unique to her speech, as in contrast, the scriptures cited in verses 6, 15 and 16 are straightforward quotations, only slightly amended. Romans 10:6-13 presents the scriptural speech of righteousness by trust, established by a plethora of rhetorical and exegetical operations: decontextualization, recontextualization, intertextualization, and reformulation of the language of scripture.⁴⁹

The relationship between “righteousness that is by the law” and “righteousness that is by trust” and their respective expressions in scripture in Rom 10:5-13 has been a source of both scholarly disagreement and puzzlement. The weighty exegetical questions surrounding Rom 10:4 and the meaning of Christ as the *telos* of the law have intensified the difficulty. In recent decades, pushing against a supersessionist reading of Rom 10:4 according to which Paul held to

47 See Stowers, *Rereading*, 309; Jewett, *Romans*, 622.

48 How are the scriptures spoken by “righteousness by trust” manufactured? (1) By intertextual fusion and replacement: Paul fuses “do not say in your heart,” taken from Deut 9 with verses from Deut 30. (Indeed, the “heart” is of importance in Deut 30, and is especially relevant to Paul’s reading in Rom 10). We find another intertextual replacement in Paul’s use of Deut 30. In order to “fit” the citation from Deuteronomy with his christological theme Paul replaces the Deuteronomy phrase “Nor is it beyond the sea” with a wording similar to that of Ps 106/7:26, and the sea is replaced by the abyss. (2) By omission: In Rom 10:5-13 Paul omits all references to the law and the commandments from Deut 30. The inserted words “do not say in your heart” replace the explicit subject-matter of Deut 30: the commandment (ἐντολή). Not only does Paul drop the theme of the law from this citation, but also the auditory nature of the law. All these omissions serve Paul’s purposes and are clearly intended to bring Deut 30 closer to Paul’s notion of righteousness by trust.

49 Scholars have explained the differences between Paul’s language and the Septuagint in Rom 10:6-8 by arguing that Paul did not cite scripture at all, but was merely paraphrasing it, and placing it in the mouth of “righteousness by trust” see Sanday and Headlam, *Romans*, 287; Longenecker, *Biblical Exegesis*, 114; Ellis, *Paul’s Use*, 123. Yet the work of Stanley shows that in the case of Rom 10:6-8, Paul clearly reworks the language of scripture intentionally and that he should therefore be understood as citing manipulated scripture. See Stanley, *Language of Scripture*, 128-33.

a Christ/Torah dichotomy, scholars have argued that Rom 10:5-13 should not be understood as contrasting the two types of righteousness.⁵⁰ Besides formulating a broad theological critique of the Christ/Torah and works/faith dichotomies, these scholars have pointed out the absence of the μέν-δέ structure in Rom 10:5-13 and subsequently argued that the δέ of verse 10:6 is used by Paul in the accumulative sense.⁵¹ Many scholars have nevertheless argued strongly for the antithesis between *erga* (works) and *pistis* (trust) in Rom 10,⁵² mainly for (historically questionable) theological concerns, but most persuasively in light of Paul's thorough reworking of Deut 30:12-14, understood to "dissociate the citation from the theme of law,"⁵³ that can hardly be explained without the *erga/pistis* antithesis.

The question of how to read Rom 10:5-13 is often debated within the context of much broader theological concerns about Paul and the Torah, or faith and works. Hays contended that Rom 10:5 and 10:6 "must not stand in antithesis to one another ... The efforts of some commentators to drive a wedge between these two texts as though they represented radically different conceptions of righteousness have wrought disastrous consequences for Christian theology."⁵⁴ In light of this overarching theological concern, he presents a reconstruction in which Rom 10:5 and 10:6 are not antithetical but "synonymous." Stanley Stowers in his rereading of Romans similarly understands vs. 5 and 6 as in continuity rather than in opposition, and argues against a supersessionist reading of these verses which contrasts *doing* and *believing*.⁵⁵ Others have rejected such readings and prefer to read the δέ connecting vs. 5 and 6 as adversative.⁵⁶

50 Discussed in further detail below. See, e.g., Hays, *Echoes*, 76; Stowers, *Rereading*, 308-12.

51 See for example Badenas' reading: "The context does not compel us either to interpret these two quotations as antithetical, opposing Scripture against Scripture. By jeopardizing the unity of Scripture and by discarding a part of it as 'wrong' in its teachings, Paul not only would have been very unconvincing in his argument with the Jews and Jewish Christians to whom, at least indirectly, this passage was addressed (cf. 9.1-4 and 10:1), but he would have worked against his main argument." Badenas, *Christ*, 123.

52 This is the common reading in scholarship predating the New Perspective on Paul school of thought, or in scholarship that does not identify with their readings. For some examples see, Watson, *Paul*, 32-42; Käsemann, *Romans*, 284-88; Dodd, *Romans*, 164-66; Koch, *Schrift*, 153-60; Belli, *Argumentation*, 239-48; Ito, "NOMOS."

53 The words of Koch, *Schrift*, 131. But see also Käsemann, *Romans*, 284; Stanley, *Language of Scripture*, 130.

54 Hays, *Echoes*, 76.

55 See Stowers, *Rereading*, 308-12. For other interpretations of "doing" as "believing," albeit with different results, see Bring, *Christus*, 54; Wagner, *Heralds*, 160; Heil, "Christ," 488.

56 For some examples, see Schreiner, "Paul's View"; Moo, *Romans*, 645-50; Dewey, "Re-Hearing," 116; Watson, *Paul*, 303-4, 324 n. 34.

In what follows I wish to suspend the question of Paul and the commandments and focus on the hermeneutical aspect instead. Those who played down the antithesis between Rom 10:5 and 10:6 have often supported their reading by questioning the possibility that Paul would pit scripture against itself.⁵⁷ While this question does not successfully support discounting the antithesis between the two types of righteousness in Rom 10, it is nonetheless a reasonable question from the perspective of the history of hermeneutics, and very much worthy of our consideration. If indeed Paul actively generates Deut 30:12-14 through the reformulation of its scriptural language as antithetical to Lev 18:5, then it is curious—and in the wider context of scriptural exegesis of the first century, truly exceptional—that this antithesis is not presented as one that calls for resolution.⁵⁸

In light of the Jewish hermeneutics of antiquity, it is outstanding that Paul would generate an antithesis within scripture and then leave it unresolved. For the Dead Sea Scrolls,⁵⁹ Philo (and Alexandrian exegetes before him),⁶⁰ and the Tannaim after them,⁶¹ scriptural incompatibilities are elementary exegetical incentives. We have countless instances in which these texts raise two conflicting verses in order to harmonize tensions and generate new scriptural meanings. Scripture, and specifically the Pentateuch, is filled with such incompatibilities and we find all genres of Jewish literature in antiquity repeatedly addressing them and smoothing them out. This has been understood to imply

57 See, e.g., Fuller, *Gospel and Law*, 67-69; Badenas, *Christ*, 123; Davies, *Faith*, 194; Campbell, "Christ," 78; Cranfield, *Romans*, 2:521-22.

58 Compare Dunn, who says: "the argument that Paul would not set scripture against scripture cannot stand. Rather we should say he follows good Jewish hermeneutical precedent in consulting different scriptures to see if he can resolve the difficulty he now perceives in the characteristic Jewish understanding of Lev 18:5." Dunn, *Romans 9-16*, 602. Dunn then proceeds to explain how Paul solves the contradiction between the verses, in what seems to be a farfetched interpretation, see 613. I therefore follow Dunn in his first statement, but depart from the last. Paul does set scripture against scripture in Rom 10, but in this, rather than following good Jewish hermeneutical precedent, he *differs* from contemporary Jewish hermeneutics. Paul *does not* reinterpret Lev 18:5 so as to harmonize it with his rewritten Deut 30—as would be the common exegetical custom in Jewish texts from antiquity—rather, the tension between the verses stands in Rom 10.

59 On scriptural harmonization in the Temple Scroll see Schiffman, "Deuteronomistic Paraphrase"; Weinfeld, "God Versus Moses"; Knohl, "Bible Reworked," 157-58; Milgrom, "Qumran's Biblical Hermeneutics"; Werman and Shemesh, *Revealing*, 64-65. On harmonization in the Damascus Document and other Qumran works see Bernstein and Koyfman, "Interpretation," 80-85.

60 Niehoff, *Jewish Exegesis*, 139-45; Calabi, *Language*, 102.

61 See for example, Kahana, "Halakhic Midrashim," 8, 14 n. 55; Henshke, "Studies"; Henshke, "Rabbis' Approach"; Yadin-Israel, "Shnei Ketuvim."

that all of these literatures share a common conception of scripture as unified and divine, and as such unequivocal and consistent. When scripture is equivocal and inconsistent these literatures are hermeneutically invested in generating consistency.⁶² Yet in Rom 10:5-13 it is a mere textual reality that two polarized types of righteousness both exist within scripture and that within the context of Paul's gospel to the gentiles one is preferred to the other. Why does Paul not solve the tension between Lev 18:5 and the redacted passages from Deut 30? My reading of Rom 3 presents us with the possibility of answering this question.

The notion of the double-torah as unfolded in Rom 3 explains and legitimizes the pitting of scripture against scripture and the unresolved antithesis in Rom 10. A profound tension exists between the scriptural textuality of the righteousness by deeds and that of the righteousness by trust, and Paul is invested in extracting and interpreting the latter. Paul laboriously establishes the textuality of the righteousness by trust: it is produced by intertextualization, decontextualization and recontextualization. Paul's dissociation of Deut 30 from the theme of the law is in fact a sophisticated textual maneuver: he extracts the "torah of trust" from within the "torah of deeds." In this case then, the very same text contains both *nomoi*, and Paul, as presenter of scripture to his gentile audience, draws out and amplifies the voice of the torah of trust from within it.⁶³

5 The Twofold Torah, Oral and Written

If my reading of Rom 3 as establishing a twofold-torah within scripture is correct, then the distinction between the "torah of trust" and the "torah of deeds" is allied in Rom 10 with a distinction between the written and the oral. Moses writes about the righteousness by deeds, whereas the righteousness by trust speaks. Some scholars have trivialized the distinction, yet I side with those who have argued for its centrality.⁶⁴ Paul in Rom 10 scripturalizes the righteousness

62 Kugel, *Traditions*, 15-19.

63 Watson has also pointed out that for Paul "righteousness by faith" and "righteousness by works" both exist within Deut 30: "contending with one another like Esau and Jacob in their mother's womb." Though he does not tie Rom 10 and 3 together as this study does, he does point out Paul's hermeneutical work to generate the "Strange new voice that avails itself of the words of Deuteronomy." See Watson, *Paul*, 314.

64 Kelber, *Oral*; Käsemann, *Romans*, 287. Though I disagree with other, Lutheran, aspects of their interpretations, they have rightly pointed to the theme of orality in Rom 10. See also Dewey, "Re-Hearing."

by trust and he generates its textuality as speech. If the only difference was between the introductory formulae (*graphei* vs. *legei*), the distinction would have indeed been weak, for as we know *graphei* and *legei* are used in Paul (and in other ancient texts) more or less interchangeably. But in Rom 10 there is a connection between the introductory formula and what is included and omitted from Deut 30. The words of the righteousness by trust are *about* speech:

The word is near you; **it is in your mouth and in your heart**, that is, the message concerning faith that we **proclaim**: If you **declare with your mouth**, “Jesus is Lord,” and believe in your heart that God raised him from the dead, you will be saved. For it is with your heart that you believe and are justified, and it is with **your mouth that you profess** your trust and are saved.

What is omitted from Deut 30 is not only the theme of law, as scholars have recognized, but also the oral nature of that law. Deuteronomy says about the commandment:

It is not in heaven, that you should say, Who shall go up for us to heaven to bring it to us, **that we may hear it, and do it?** Nor is it beyond the sea, that you should say, Who shall go over the sea for us, and bring it to us, **that we may hear it and do it?**

And so, when Paul extracts the textuality of the righteousness by faith, he leaves out any auditory or oral attribute of the law.⁶⁵ Paul actively generates the scripture of righteousness by deeds as written, and the scripture of righteousness by trust as spoken. When Rom 3 and Rom 10 are read together: the torah of trust can be understood as an oral torah and the torah of deeds as written, and in the context of Paul's gospel to the gentiles, one is preferred to other.

There are other manifestations of the preference for the spoken word to the written in Paul's letters that support my reconstruction of Paul's oral *nomos*. Judith Newman has persuasively pointed out Paul's preference for living speech that she contextualizes in a general preference in Graeco-Roman antiquity for

65 This claim should also be considered broadly, against the backdrop of the rise of writing into prominence in ancient Israel, and the role the notion of writing played in the history of scriptural interpretation, specifically, in the book of Jubilees. On this see Najman, *Past Renewals*, 3-38.

oral teaching.⁶⁶ Paul's gospel is an oral message to be proclaimed, and his letters should be generally be understood on a continuum with oral practices.⁶⁷ The oral is preferred to the written also in the letter/spirit divide in 2 Cor 3:2-6:

You yourselves are our letter, written on our hearts, known and read by everyone. You show that you are a letter from Christ, the result of our ministry, written not with ink but with the Spirit of the living God, not on tablets of stone but on tablets of human hearts ... He has made us competent as ministers of a new covenant—not of the letter but of the Spirit; for the letter kills, but the Spirit gives life.

The letter/spirit distinction in 2 Cor 3 has been largely over-played in scholarship and read as a testament to Paul's rejection of Torah. But as has been already established, this claim is unfounded and cannot guide our reading.⁶⁸ 2 Corinthians 3 accords with Paul's concept of torah in Rom 10 and Rom 3. In both Rom 10:5-13 and in 2 Cor 3 we find a devaluation of writing, the latter case more poignant. But the devaluation of writing is not a rejection of scripture in general: in Rom 10:6-13 the preference for the oral is creatively utilized in the manufacturing of a written (!) authoritative text. The "theoretical" distinction between letter and spirit in 2 Cor 3 is in Rom 10 internal to scripture itself, not as a distinction between textual/non-textual but as a dual aspect of scripture.

Paul's strategy in Rom 10 and 3, as I have reconstructed it here, is to make a division within scripture that allows him to marginalize many commandments with regards to the salvation of gentiles, while embracing and promoting other scriptures for them, re-presented as oral and living teaching.

66 Newman ("Speech and Spirit") compares Paul's preference for the oral to the figure of the *maskil* in the DSS, and points out the centrality of oral teaching in Ben Sira (*Before the Bible*, 44-45). In both of these cases she argues, following Loveday Alexander, that credible teaching was performed by a teacher in antiquity. In Graeco-Roman antiquity a living teacher was preferred to written texts. Ben Sira, the Hodayot and Paul participate in this practice, but none of these texts use oral teaching to supersede written texts.

67 See Becker, *Letter Hermeneutics*, 37-38.

68 See similarly, Newman, "Speech and Spirit," 260.

6 Integration and Reassessment: Double-Torah in Jewish Antiquity

Could Paul be used to reconstruct a linear development of Oral Torah/Written Torah? Building on Paul's Pharisaism (Phil 3:5-6),⁶⁹ two such linear genealogies come to mind: (1) The (Tannaitic) Oral Torah/Written Torah terminology is indeed of Pharisaic origin, and Paul reworked it for his own needs. (2) That Paul conceived of the Oral Torah/Written Torah distinction as a way to produce a distinction within written scripture. The Tannaim adopted and reworked it in order to distinguish between their oral teachings and written scriptures and by and by mark both as Torah.

Yet, the current state of the historical evidence makes both of these narratives impossible to prove. After discounting *Ant.* 13.297 as attestation of a Pharisaic Oral Torah, there is no evidence that such a concept existed before Paul or the Tannaim. We cannot attribute Oral Torah/Written Torah to the Pharisees by reading it into *Antiquities* and then align Paul with these reconstructed Pharisees. The second possibility is equally difficult to support as we have no evidence for Paul's letters circulating in Roman Palestine before 230 CE.⁷⁰

The differences between the various terminologies should lead the way instead. There are no two *torot* (Pharisaic or other) in Josephus. Jubilees, Philo, and 4 Ezra all present variations on a double-torah in different ways, occupied primarily with the authority of the written text. Jubilees and 4 Ezra, as scholars have shown, clearly participate in a long tradition that values the written

69 It is unclear how this Pharisaism of which Paul writes should be understood. *Acts* presents an extended account of his time in Judea, but it is an unreliable source for Paul's biography (see Baur, *Paulus*; Knox, *Chapters*; Sanders, *Paul, the Law*; Lüdemann, *Paul*, 21-23; Jewett, *Dating*, 23; Dunn, *Beginning*, 500-501; Phillips, *Paul*, 67, 73; Gager, *Origins*; Fredriksen, *Paul*, 61-62; Barrett, "Historicity"; Marguerat, *Paul*), and from the chronology in Galatians it appears that he did not receive any serious education in Judea. See Knox, *Chapters*, 18, 22. See also Schnelle, *Apostle Paul*, 68-69. Sanders follows John Knox, concluding that "the primary evidence is Paul's letters. Acts should be disregarded if it is in conflict." Sanders, *Paul, the Law*, 181. In Philippians, this Pharisaism refers to a specific orientation toward the law and its commandments, Perhaps implicitly tied in Galatians to a zealotry regarding ancestral traditions (Gal 1:14, without the explicit use of "Pharisee"). These descriptions might coincide with Josephus' description of the Pharisees as having a *paradosis*, *Ant.* 13.297-298.

70 See on this Rosen-Zvi, "Pauline Traditions," 175. Rosen-Zvi and Ophir dealt with a similar situation in their study of the goy: something of the uniquely Tannaitic goy is already found in Paul. See Ophir and Rosen-Zvi, *Goy*, 140-78. Perhaps as more such evidence accumulates, we will be able to draw stronger conclusions.

text *qua* written text.⁷¹ Philo's distinction between the law of nature and the Law of Moses presents a different configuration of torah, intended to establish the consistency of the Law of Moses with the universal law of nature. Though Philo's law of nature is an unwritten law, nowhere does he prefer the oral to the written.⁷² In contrast to these Second Temple models, Paul's discourse is embedded in a preference of speech, and he conceives of scripture relevant to his gospel as speaking. I have argued that Rom 3 introduces a double-*nomos*, that in Rom 10 is implicitly attached to a discourse of orality. Paul, like some of the Tannaim, thinks of a double-torah, spoken and written. Though their concepts are different, Paul nevertheless provides us with a conceptual precedent for the Tannaitic configuration and allows us to date an Oral Torah/Written Torah distinction to the mid-first century CE. The Pauline evidence compels us to move away from historical reconstructions that present the appearance of the Tannaitic terms as radically departing from all previous concepts of torah/torot: "Although several antecedents to rabbinic Judaism express the idea of a two-fold revelation, not one differentiates between written and oral components."⁷³ Indeed, the Tannaim were not the first and only ones to conceptualize Torah as written and oral.

But the evidence from Paul also shows that the distinction between Oral Torah/Written Torah is a common name for different literary solutions that are meant to solve different cultural problems. For Paul, the distinction between the two *nomoi* is used to present (parts of) scripture as living teaching that speaks directly to his gentile audience and guides them. Yet, from a rabbinic perspective, both of Paul's *nomoi* would fall under the category of written scriptures. For the Tannaim, the twofold Torah is used to claim Sinaitic authority for the living traditions of the *beit midrash*, thereby allowing Torah to be simultaneously ancient (from Sinai) and continuously growing, expanding and evolving. The division between two Torot, oral and written, is a single solution within a wider rabbinic discourse that promotes other, competing, literary divisions that map and define torah differently.

71 Najman writes: "Lurking beneath every aspect of the book of Jubilees is its fascination with the importance and authorizing power of sacred writing." Najman, *Past Renewals*, 41.

72 See Najman, *Seconding Sinai*, 132.

73 Fraade, *Legal Fictions*, 372.

Bibliography

- Badenas, Robert. *Christ the End of the Law: Romans 10.4 in Pauline Perspective* (London: Bloomsbury, 1987).
- Barrett, Charles Kingsley. "The Historicity of Acts." *The Journal of Theological Studies* 50 (1999), 515-34.
- Baumgarten, Albert. "The Pharisaic Paradosis." *Harvard Theological Review* 80 (1987), 63-77.
- Baur, Ferdinand Christian. *Paulus, der Apostel Jesu Christi: Sein Leben und Wirken, seine Briefe und seine Lehre* (Stuttgart: Becher & Müller, 1845).
- Becker, Eve-Marie. *Letter Hermeneutics in 2 Corinthians: Studies in "Literarkritik" and Communication Theory* (London: T&T Clark, 2004).
- Belli, Filippo. *Argumentation and Use of Scripture in Romans 9-11* (Rome: Gregorian & Biblical Press, 2010).
- Bernstein, Moshe J., and Shlomo A. Koyfman. "The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods." In *Biblical Interpretation at Qumran*, ed. Matthias Henze (Grand Rapids: Eerdmans, 2005), 61-87.
- Bring, Ragnar. *Christus und das Gesetz* (Leiden: Brill, 1969).
- Calabi, Francesca. *The Language and the Law of God: Interpretation and Politics in Philo of Alexandria* (Atlanta: Scholars Press, 1998).
- Campbell, W.S. "Christ the End of the Law: Romans 10:4." In *Studia Biblica III: Papers on Paul and Other New Testament Authors* (Sheffield: JSOT Press, 1978), 73-81.
- Cranfield, C.E.B. *A Critical and Exegetical Commentary on the Epistle to the Romans* (Edinburgh: T&T Clark, 1979).
- Crawford, Sidnie White. *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008).
- Davies, Glenn N. *Faith and Obedience in Romans: A Study in Romans 1-4* (Sheffield: JSOT Press, 1990).
- Dewey, Arthur J. "A Re-Hearing of Romans 10:1-15." *Semeia* 65 (1994), 109-27.
- Dodd, Charles Harold. *The Epistle of Paul to the Romans* (London: Hodder and Stoughton, 1932).
- Donaldson, Terence L. *Paul and the Gentiles: Remapping the Apostle's Convictional World* (Minneapolis: Fortress, 1997).
- Dunn, James D.G. *Romans 1-8* (Dallas: Word Books, n.d.).
- Dunn, James D.G. *Romans 9-16* (Dallas: Word Book, 1988).
- Dunn, James D.G. *Beginning from Jerusalem*. 2 vols. (Grand Rapids: Eerdmans, 2009).
- Ellis, Edward Earle. *Paul's Use of the Old Testament* (Eugene: Wipf and Stock, 2003).
- Fraade, Steven D. *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarials and Sages* (Leiden: Brill, 2011).

- Fraade, Steven D. "Concepts of Scripture in Rabbinic Judaism: Oral Torah and Written Torah." In *Jewish Concepts of Scripture: A Comparative Introduction*, ed. Benjamin D. Sommer (New York: New York University Press, 2012), 31-46.
- Fredriksen, Paula. *Paul: The Pagans' Apostle* (New Haven: Yale University Press, 2017).
- Friedrich, Gerhard. "Das Gesetz des Glaubens Röm. 3, 27." *Theologische Zeitschrift* 10 (1954), 401-16.
- Fuller, Daniel P. *Gospel and Law: Contrast Or Continuum?: The Hermeneutics of Dispensationalism and Covenant Theology* (Grand Rapids: Eerdmans, 1980).
- Furnish, Victor Paul. *The Love Command in the New Testament* (Nashville: Abingdon, 1972).
- Gager, John G. *The Origins of Anti-Semitism: Attitudes toward Judaism in Pagan and Christian Antiquity* (Oxford: Oxford University Press, 1983).
- Gaston, Lloyd. *Paul and the Torah* (Vancouver: University of British Columbia Press, 1987).
- Glaim, Aaron. *Reciprocity, Sacrifice, and Salvation in Judean Religion at the Turn of the Era*, Dissertation (Brown University, 2014).
- Goodman, Martin. *Judaism in the Roman World: Collected Essays* (Leiden: Brill, 2007).
- Hays, Richard B. *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1989).
- Heil, John Paul. "Christ, the Termination of the Law (Romans 9:30-10:8)." *The Catholic Biblical Quarterly* 63 (2001), 484-98.
- Henshke, David. "Studies in the Method of Two Verses Which Contradict Each Other." *Proceedings of the World Congress of Jewish Studies* 11, no. 1 (1993), 39-46 [Hebrew].
- Henshke, David. "The Rabbis' Approach to Biblical Self-Contradictions." *Sidra* 10 (1994), 39-55 [Hebrew].
- Ito, Akio. "NOMOS (ΤΩΝ) ΕΡΓΩΝ and NOMOS ΠΙΣΤΕΩΣ: The Pauline Rhetoric and Theology of NOMOS." *Novum Testamentum* 45 (2003), 237-59.
- Jaffee, Martin S. "How Much 'Orality' in Oral Torah?: New Perspectives on the Composition and Transmission of Early Rabbinic Tradition." *Shofar: An Interdisciplinary Journal of Jewish Studies* 10, no. 2 (1992), 53-72.
- Jaffee, Martin S. *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE to 400 CE* (Oxford: Oxford University Press, 2001).
- Jewett, Robert. *Dating Paul's Life* (London: SCM, 1979).
- Jewett, Robert. *Romans: A Commentary* (Minneapolis: Fortress, 2007).
- Kahana, Menahem I. "The Halakhic Midrashim." In *The Literature of the Sages: Second Part*, ed. Shmuel Safrai, Zeev Safrai, Joshua Schwartz, and Peter J. Tomson (Assen: Van Gorcum, 2006), 3-105.
- Käsemann, Ernst. *Commentary on Romans* (Grand Rapids: Eerdmans, 1994).

- Kelber, Werner H. *The Oral and the Written Gospel: The Hermeneutics of Speaking and Writing in the Synoptic Tradition, Mark, Paul, and Q* (Bloomington: Indiana University Press, 1997).
- Kister, Menahem. "Some Aspects of Qumranic Halakhah." In *The Madrid Qumran Congress*, ed. Julio Trebolle Barrera and Luis Vegas Montaner (Leiden: Brill, 1992), 571-88.
- Knohl, Israel. "The Bible Reworked at Qumran: The Temple Scroll and 4QReworked Pentateuch." In *The Qumran Scrolls and their World*, ed. Menahem Kister (Jerusalem: Yad Ben-Zvi, 2009), 1:157-68 [Hebrew].
- Knox, John. *Chapters in a Life of Paul* (New York: Abingdon-Cokesbury, 1950).
- Koch, Dietrich-Alex. *Die Schrift als Zeuge des Evangeliums* (Tübingen: Mohr Siebeck, 1986).
- Kruse, Colin G. *Paul's Letter to the Romans* (Grand Rapids: Eerdmans, 2012).
- Kugel, James L. *Traditions of the Bible: A Guide to the Bible as It Was at the Start of the Common Era* (Cambridge, MA: Harvard University Press, 1998).
- Lambert, David. "How the 'Torah of Moses' Became Revelation: An Early, Apocalyptic Theory of Pentateuchal Origins." *Journal for the Study of Judaism* 47 (2016), 22-54.
- Longenecker, Richard N. *Biblical Exegesis in the Apostolic Period* (Grand Rapids: Eerdmans, 1999).
- Lüdemann, Gerd. *Paul, Apostle to the Gentiles: Studies in Chronology* (Philadelphia: Fortress, 1984).
- Marguerat, Daniel. *Paul in Acts and Paul in His Letters* (Tübingen: Mohr Siebeck, 2013).
- Mason, Steve. *Flavius Josephus on the Pharisees* (Leiden: Brill, 1991).
- Milgrom, Jacob. "Qumran's Biblical Hermeneutics: The Case of the Wood Offering." *Revue de Qumrân* 16/63 (1994), 449-56.
- Moo, Douglas J. *The Epistle to the Romans* (Grand Rapids: Eerdmans, 2015).
- Morgan, Teresa. *Roman Faith and Christian Faith: Pistis and Fides in the Early Roman Empire and Early Churches* (Oxford: Oxford University Press, 2015).
- Morgan, Teresa. "Roman Faith and Christian Faith." *New Testament Studies* 64 (2018), 255-61.
- Mroczek, Eva. *The Literary Imagination in Jewish Antiquity* (Oxford: Oxford University Press, 2016).
- Najman, Hindy. "A Written Copy of the Law of Nature: An Unthinkable Paradox." *The Studia Philonica Annual* 15 (2003), 54-63.
- Najman, Hindy. *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (Leiden: Brill, 2003).
- Najman, Hindy. *Past Renewals: Interpretative Authority, Renewed Revelation, and the Quest for Perfection in Jewish Antiquity* (Leiden: Brill, 2010).

- Najman, Hindy. *Losing the Temple and Recovering the Future: An Analysis of 4 Ezra* (Cambridge: Cambridge University Press, 2014).
- Newman, Judith H. "Speech and Spirit: Paul and the Maskil as Inspired Interpreters of Scripture." In *The Holy Spirit, Inspiration, and the Cultures of Antiquity: Multidisciplinary Perspectives*, ed. Jörg Frey and John R. Levison (Berlin: De Gruyter, 2014), 241-64.
- Newman, Judith H. *Before the Bible: The Liturgical Body and the Formation of Scriptures in Early Judaism* (Oxford: Oxford University Press, 2018).
- Niehoff, Maren R. *Jewish Exegesis and Homeric Scholarship in Alexandria* (Cambridge: Cambridge University Press, 2011).
- Noam, Vered. *Megillat Ta'anit: Versions, Interpretation, History* (Jerusalem: Yad Ben-Zvi, 2003) [Hebrew].
- Ophir, Adi, and Ishay Rosen-Zvi. *Goy: Israel's Multiple Others and the Birth of the Gentile* (Oxford: Oxford University Press, 2018).
- Phillips, Thomas A. *Paul, His Letters, and Acts* (Grand Rapids: Baker Academic, 2009).
- Räisänen, Heikki. "Paul's Word-Play on Nomos: A Linguistic Study." In *Jesus, Paul and Torah: Collected Essays* (Sheffield: JSOT Press, 1992), 69-94.
- Regev, Eyal. *The Sadducees and their Halakhah: Religion and Society in the Second Temple Period* (Jerusalem: Yad Ben-Zvi, 2005) [Hebrew].
- Rosental, Abraham. "Torah She'Bapeh ve Torah Me'Sinai—Halakhah u'Ma'asaeh." *Mehqerei Talmud* 2 (1993), 448-89.
- Rosen-Zvi, Ishay. "Pauline Traditions and the Rabbis: Three Case Studies." *Harvard Theological Review* 110 (2017), 169-94.
- Safrai, Shmuel. "Oral Torā." In *The Literature of the Sages: First Part*, ed. Shmuel Safrai and Peter J. Tomson (Assen: Van Gorcum, 1987), 35-119.
- Sagiv, Yonatan. *Studies in Early Rabbinic Hermeneutics as Reflected in Selected Chapters in the Sifra*, Dissertation (Hebrew University of Jerusalem, 2009).
- Sanday, William, and Arthus Headlam. *A Critical and Exegetical Commentary on the Epistle to the Romans* (Edinburgh: T&T Clark, 1902).
- Sanders, E.P. *Paul, the Law, and the Jewish People* (Philadelphia: Fortress, 1983).
- Schäfer, Peter. "Das 'Dogma' von der mündlichen Torah im rabbinischen Judentum." In *Studien zur Geschichte und Theologie des rabbinischen Judentums* (Leiden: Brill, 1978), 153-97.
- Schiffman, Lawrence H. "The Deuteronomic Paraphrase of the 'Temple Scroll.'" *Revue de Qumrân* 15/60 (1992), 543-67.
- Schnelle, Udo. *Apostle Paul: His Life and Theology* (Grand Rapids: Baker Academic, 2005).
- Schreiner, Thomas R. "Paul's View of the Law in Romans 10:4-5." *Westminster Theological Journal* 55 (1993), 113-35.

- Seifrid, Mark A. "Roman Faith and Christian Faith." *New Testament Studies* 64 (2018), 247-55.
- Stanley, Christopher D. *Paul and the Language of Scripture: Citation Technique in the Pauline Epistles and Contemporary Literature* (Cambridge: Cambridge University Press, 1992).
- Stowers, Stanley K. *A Rereading of Romans: Justice, Jews, and Gentiles* (New Haven: Yale University Press, 1994).
- Sussman, Ya'aqov. "'Oral Torah' in Its Literal Sense." *Talmudic Studies* 3 (2005), 209-384.
- Urbach, Ephraim E. *The Sages: Their Concepts and Beliefs* (Jerusalem: Magnes, 1975).
- Wagner, J. Ross. *Heralds of the Good News* (Leiden: Brill, 2001).
- Watson, Francis. *Paul and the Hermeneutics of Faith* (London: Bloomsbury T&T Clark, 2004).
- Watson, Francis. "Roman Faith and Christian Faith." *New Testament Studies* 64 (2018), 243-47.
- Weinfeld, M. "God Versus Moses in the Temple Scroll." *Revue de Qumrân* 15/57-58 (1991), 175-80.
- Werman, Cana. "Oral Torah vs. Written Torah(s): Competing Claims to Authority." In *Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls*, ed. Steven D. Fraade, Aharon Shemesh, and Ruth Clements (Leiden: Brill, 2006), 175-97.
- Werman, Cana, and Aharon Shemesh. *Revealing the Hidden: Exegesis and Halakha in the Qumran Scrolls* (Jerusalem: Bialik Institute, 2011) [Hebrew].
- Westerholm, Stephen. *Israel's Law and the Church's Faith* (Grand Rapids: Eerdmans, 1988).
- Wilson, Todd A. "The Law of Christ and the Law of Moses: Reflections on a Recent Trend in Interpretation." *Currents in Biblical Research* 5 (2006), 123-44.
- Yadin-Israel, Azzan. "Shnei Ketuvim and Rabbinic Indetermination." *Journal for the Study of Judaism* 33 (2002), 386-410.
- Yuval, Israel Jacob. "The Orality of Jewish Oral Law: From Pedagogy to Ideology." In *Judaism, Christianity, and Islam in the Course of History: Exchange and Conflicts*, ed. Lothar Gall and Dietmar Willoweit (Munich: Oldenbourg, 2011), 237-60.