

4QMMT and Paul: Justification, ‘Works,’ and Eschatology

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The Question

The topic of justification has been central, and often divisive, in many debates throughout church history. Though recent ecumenical documents have a more eirenic tone, and mutual understanding may have improved, it is not clear that there has been significant progress in understanding what Paul himself, to whom everyone appeals, was talking about. Meanwhile, Pauline scholarship has gone its own way. Released from the straitjacket of post-reformation controversy, discussion has focussed on other issues. No major advance has been made, within the so-called ‘new perspective’, on the question of what Paul meant by ‘justification’.¹

Insufficient attention has been given in this area to the Dead Sea Scrolls. A few fragments found in a cave might seem a small rudder with which to turn the large ship of Paul’s theology, but careful consideration of one text in particular gives support for a way of reading Paul that locates him within the world of second-Temple Judaism, gives depth and coherence to some of his key passages, and provides food for thought on wider issues. I am delighted to offer these reflections in honor of a friend and colleague whose work at the interface between the New Testament and second-Temple Judaism has been influential and inspirational.

In some of the best-known translations of the Dead Sea Scrolls, ‘justification’ features prominently:

¹ On the history of the doctrine see above all A. E. McGrath, *Iustitia Dei: A History of the Christian Doctrine of Justification* (Cambridge: Cambridge University Press, 1986). Among recent ecumenical products cf. *Salvation and the Church: An Agreed Statement by the Second Anglican-Roman Catholic International Commission (ARCIC II)* (London: Church House Publishing/Catholic Truth Society, 1987). The major work on Paul that changed the climate of opinion (not with universal approval) was E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress; London: SCM, 1977). My own post-Sanders discussion of justification is in N. T. Wright, *What St Paul Really Said: Was Paul of Tarsus the Real Founder of Christianity?* (Oxford: Lion; Grand Rapids: Eerdmans, 1997), ch. 7, and at various points in *Paul: Fresh Perspectives* (London: SPCK; Minneapolis: Fortress, 2005). This last work must serve in place of interaction with the secondary literature of the last three years, for which my current duties have left me no time.

As for me,
my justification is with God.
In His hand are the perfection of my way
and the uprightness of my heart. [p. 105]
He will wipe out my transgression
through his righteousness. . .

As for me,
if I stumble, the mercies of God
shall be my eternal salvation.
If I stagger because of the sin of flesh,
my justification shall be
by the righteousness of God which endures for ever. . .

He will draw me near by His grace,
and by His mercy will He bring my justification.
He will judge me in the righteousness of His truth
and in the greatness of His goodness
He will pardon all my sins.
Through His righteousness He will cleanse me
of the uncleanness of man
and of the sins of the children of men,
that I may confess to God His righteousness,
and His majesty to the Most High.²

The word for ‘justification’ here is regularly משפט not some cognate of צדק as one might have imagined if the language was to prefigure Paul’s use of the δικαιοσύνη root in Romans and elsewhere. This, however, is not a problem. משפט is often translated as ‘judgment’, but in the Hebrew lawcourt ‘judgment’ is given not only against the person who loses the case (as the English word sometimes implies) but in favour of the person who wins. It is thus a positive decision by the court, leaving the winner ‘vindicated’ (not necessarily ‘acquitted’, since the same word describes a successful plaintiff as well as an acquitted defendant). These texts, then, remain important for understanding Paul’s background; and this reflection reminds us of an important

² 1QS 11.2–3; 12; 13–15. Tr. Geza Vermes, *The Complete Dead Sea Scrolls in English* (5th ed.; Harmondsworth: Penguin, 1997 [1962]), 115f. The Qumran hymns (1QH, etc.) are full of similar sentiments. On all this see now M. Bockmuehl, ‘1QS and Salvation at Qumran,’ in *Justification and Variegated Nomism, Volume I: The Complexities of Second Temple Judaism*, ed. D. A. Carson, P. T. O’Brien, and M. A. Seifrid (WUNT, 140, 2nd series; Tübingen: Mohr Siebeck; Grand Rapids: Baker, 2001) 381–414.

theme, namely the way in which such language functions within an ancient Hebrew lawcourt context, actual or metaphorical.³

[106] These texts have been known since the early days of Qumran studies. It has become commonplace to point them out as partial parallels to Paul – partial in that, though they attribute ‘justification’ to the grace and righteousness of God, and reveal nothing of the self-righteous and boastful ‘legalism’ which used to be thought characteristic of Jews in Paul’s day, they clearly envisage a justification only for those who belong to an extreme and highly disciplined sect within Judaism, not to a group of people from the ungodly Gentiles. Now, however, we have a scroll which provides more material for reflection both on the similarities and dissimilarities between Paul’s thinking and that of the Scrolls, and on the meaning of Paul when seen within this context. I refer to 4QMMT, or MMT for short.⁴

MMT became notorious for non-academic reasons even before it was published.⁵ Subsequent discussions have concentrated on the identity of the sender and recipient(s), the sectarian groupings to which they belonged, the historical situation and dating of the document, and the nature of the halakhah at Qumran in general and in this text in particular.⁶ The Scrolls belong within the world of second-Temple Judaism; anchoring them there is a primary task.

[107] This can be undertaken, moreover, without much reference to early Christianity. However, most editors and commentators on MMT have noted that it appears to offer a striking

³ Not a modern courtroom, as Mark A. Seifrid (*Christ, Our Righteousness: Paul’s Theology of Justification* [Leicester: Apolllos, 2000] 59) curiously criticizes me for suggesting. The passage he cites (*What St Paul Really Said* 96–99) makes the point very clear.

⁴ ‘MMT’ is the transliterated acronym of the phrase “some of the works of the law”, מקצת מעשי התורה (C27). MMT is reconstructed from six Qumran fragments, none of them complete (4Q394–399). It seems to be a letter, written in the mid-second century BCE, from the leader of the Qumran group to the head of a larger group, of which the Qumran sect was once a part. For the text, translations, and preliminary discussions, cf. Elisha Qimron and John Strugnell, *Qumran Cave 4 V: Miqsat Ma’ase Ha-Torah* (DJD 10; Oxford: Clarendon, 1994); Geza Vermes, *Dead Sea Scrolls in English* 220–28; Michael Wise, Martin Abegg Jr., and Edward Cook, *The Dead Sea Scrolls: A New Translation* (San Francisco: HarperSanFrancisco, 1996), 358–64; Florentino García Martínez, *The Dead Sea Scrolls Translated: The Qumran Texts in English* (Leiden: E.J. Brill, 1994), 77–85. The latter translation is modified, not least in the passage studied here, in *The Dead Sea Scrolls Study Edition*, Volume Two (4Q274—11Q31), ed. F. García Martínez and E. J. C. Tigchelaar (Leiden: Brill, 1998), 790–805.

⁵ The Biblical Archaeology Society (Washington DC) was sued by the Israeli scholar Elisha Qimron for copyright infringement when its publication, *Biblical Archaeology Review*, reprinted a page from a Polish journal that contained a photocopy of a tentative reconstruction of MMT that Qimron had handed out at an academic conference. The Israeli court found in favour of Qimron, and the Israeli Supreme Court upheld the decision, following an appeal, in late summer 2000.

⁶ See Y. Sussmann, ‘The History of the Halakha and the Dead Sea Scrolls,’ in Qimron and Strugnell, *Qumran Cave 4 V*, 179–200 (a shortened form of an earlier article); J. Strugnell, ‘MMT: Second Thoughts on a Forthcoming Edition,’ in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls*, ed. E. Ulrich and J. Vanderkam (Christianity and Judaism in Antiquity Series 10; Notre Dame, Ind: University of Notre Dame Press, 1994), 57–73; and, among many other studies, J. Kampen and M. J. Bernstein, eds., *Reading 4QMMT: New Perspectives on Qumran Law and History* (Atlanta, Ga.: Scholars Press, 1996).

comparison with a central aspect of Pauline theology. In the penultimate line of the document the writer declares that those who follow the halakhah he sets out will have this activity ‘reckoned’ to them ‘as righteousness’:⁷

²⁶Now, we have written to you ²⁷some of the works of the Law, those which we determined would be beneficial for you and your people, because we have seen that ²⁸you possess insight and knowledge of the Law. Understand all these things and beseech Him to set ²⁹your counsel straight and so keep you away from evil thoughts and the counsel of Belial. ³⁰Then you shall rejoice at the end time when you find the essence of our words to be true. ³¹And *it will be reckoned to you as righteousness*, in that you have done what is right and good before Him, to your own benefit ³²and to that of Israel.⁸

It is stating the obvious to say that this looks like precisely the sort of thing that Paul was opposing in his doctrine of justification by faith *apart from* ‘works of the law’. Several scholars simply make this point, and pass on. I intend here to go further.⁹ I want to examine the meaning, in its present context, of C31, already quoted, compare this with some Pauline discussions of justification, and see what emerges.¹⁰ I shall presume a wider discussion of the Pauline passages, for which there is limited space in this article.¹¹

⁷ ויחשבה לו) C31. This phrase, of course, echoes the well-known passages in Genesis 15.6 (ויחשבה לו) and Psalm 106.31 (ותחשב לו לצדקה), referring to Abraham,) and Psalm 106.31 (ותחשב לו לצדקה), referring to Phinehas).

⁸ MMT C26–32 (the conclusion of the text), from the translation of Wise, Abegg and Cook, 364. Italics added. I find this translation in certain respects superior to that of Qimron and Strugnell: see below.

⁹ In line, e.g., with S. J. Hafemann, ‘The Spirit of the New Covenant, the Law and the Temple of God’s Presence: Five Theses on Qumran Self-Understanding and the Contours of Paul’s Thought,’ in *Evangelium, Schriftauslegung, Kirche: Festschrift für Peter Stuhlmacher zum 65. Geburtstag*, eds. J. Ådna, S. J. Hafemann, and O. Hofius (Göttingen: Vandenhoeck & Ruprecht, 1997), 172–89; J. R. Wagner, *Heralds of the Good News: Isaiah and Paul ‘In Concert’ in the Letter to the Romans*, (NovTSup 101; Leiden: Brill, 2002) 166, 256f.

¹⁰ A start was made on this investigation by P. Grelot, ‘Les oeuvres de la Loi (A propos de 4Q394—398)’, *RevQ* 16, (1994) 441–448; Martin Abegg, ‘Paul, “Works of the Law”, and MMT’, *BAR* November/December 1994, 52–55, 82; D. Flusser, ‘Die Gesetzeswerke in Qumran und bei Paulus,’ in *Geschichte – Tradition – Reflexion (Fs. M. Hengel, vol. 1: Judentum*, ed. P. Schäfer (Tübingen: Mohr Siebeck, 1996), 395–403; J. Kampen, ‘4QMMT and New Testament Studies,’ in *Reading 4QMMT* 129–44, at 138–43; J. D. G. Dunn, ‘4QMMT and Galatians’, *NTS* 43 (1997) 147–53; M. Bachmann, ‘4QMMT und Galaterbrief, מעשי התורה und ΕΡΓΑ ΝΟΜΟΥ,’ in *ZNW* 89 (1998) 91–113 (with copious bibliography, including other works by Bachmann himself). Subsequent references to these authors without further annotation refer to these articles. The present paper was researched independently; though there are some obvious points of convergence, I reach significantly different conclusions about the nature of justification in Qumran and Paul. I am grateful to Professor Bachmann, and others in the Society for New Testament Study ‘Qumran and the New Testament’ seminar for stimulating discussions on this topic at the meeting in Copenhagen in August 1998. In what follows I am also in dialogue with Ithamar Gruenwald, ‘4QMMT: its Significance for the Study and Understanding of Ancient Judaism and Early Christianity’, paper presented at the SNTS seminar in Copenhagen. A heavily abbreviated version of one part of the present article was published as ‘Paul and Qumran’, *BR* October 1998, 18 & 54. Another parallel investigation is that of B. Witherington, *Grace in Galatia: A Commentary on St Paul’s Letter to the Galatians* (Edinburgh: T & T Clark, 1998), 351–54.

¹¹ See my commentary on Romans in the *New Interpreters Bible* vol. 10 (Nashville: Abingdon, 2002), especially the comments on 10.5–13. Earlier versions of the present article were presented at the Center of Theological Inquiry

Preliminary Observations

Putting 4QMMT alongside Paul raises general questions about the relationships between different second-Temple Jewish groups. There has been intensive debate over the identification of sender, recipients, and also the other Jews, adhering to neither group, to whom the text refers (e.g. C7, ‘the multitude of the people’). Several scholars see these ‘others’ as at least including the Pharisees; attempts to identify the recipients of the letter themselves as Pharisees are probably to be resisted.¹² The sender seems to assume some degree of authority over the recipient, even if this assumption is a rhetorical ploy rather than indicating any official relationship. It is therefore unlikely that they belong to completely different parties, or that they were already at loggerheads.

All this forms an interesting parallel with the situation between Paul and his addressees, who must likewise be mapped within the broad cartography of second-Temple Judaism. Paul writes, he claims, with apostolic authority; but when writing to churches he founded himself, like that in Galatia, the authority is more marked. When writing to those he had not himself founded, like that in Rome, he adopts a rather different tone, not too far removed, I suggest, from that of MMT. What is interesting in the parallel, of course, is that none of the four groups so far mentioned – author and recipients of MMT, author and recipients of Paul’s letters – can be identified as Pharisees. Paul was at most an ex-Pharisee, and the degree of differentiation implied by that ‘ex-’ is controversial. Paul’s readers were not Pharisees, though some of [109] them may have come under the influence either of Pharisees or of Pharisaically inclined Jewish Christians, that too being a matter of dispute.

This introduces some necessary caution into the discussion of parallels. Even if MMT is in some ways parallel to Paul, it will not necessarily be the case that it states exactly the sort of thing Paul had believed before his conversion, or the sort of beliefs or practices his converts were being pressed to accept (or which Paul thought they were being pressed to accept). It might be the case that MMT’s doctrine of ‘justification by works’ (if that is what is being offered in section C; see below) corresponded to that held by a wider band within second-Temple Judaism, including the Pharisees but excluding Pauline Christians. It might be the case that what differentiated Pharisees from MMT and its recipients was not a belief in justification by works per se, but the precise definition of which ‘works’ it was that justified. But, equally, it might not. Since there is no evidence that either MMT or its recipients represented a branch of second-Temple Judaism which Paul knew at first hand, we cannot assume without more ado, as some

(Princeton, NJ) and at the Biblical Archaeological Society’s annual meeting, both in November 1998. I am grateful to participants at both meetings for their comments.

¹² For all this, see Qimron and Strugnell *Qumran Cave 4 V*, 109–21; and, recently, R. Deines, ‘The Pharisees Between “Judaisms” and “Common Judaism”,’ in Carson et al., *Justification and Variegated Nomism* 443–504, at 461–74. Even if this identification is accepted, Deines’ claim (474) that MMT thus offers ‘important, early and decisive . . . evidence for the popularity of that position which generally is identified as Pharisaic’ seems very slim.

scholars seem to, that, just because this text speaks of justification by works of the law, it must mean the same thing as Paul means when he speaks of the same thing (e.g. when he describes his own past in Philippians 3.2–11). The question, then, of the relationship between section C of MMT and Paul’s polemic on justification and ‘works’ demands more detailed investigation.

Before we proceed with this, some brief observations are in order on passages in MMT which awaken echoes in the mind of a reader of Paul.

Section A consists of calendrical instructions, listing special sabbaths and festivals. These might be the sort of thing that Paul had in mind when complaining to the Galatians that they ‘observed days and months and seasons and years’ (4.10) – an activity which made Paul fear that he had laboured over them in vain (4.11).¹³ But it is actually more likely that the observances which Paul declared indifferent (as in Romans 14.5–6) were simply the regular Jewish feasts and fasts, the Sabbath in particular. There is no suggestion in Galatians or elsewhere that Paul’s converts were being urged to accept a particular sectarian calendar with detailed local variations. Nor does MMT mention ‘seasons and years’.

Section B opens with purity regulations, relating specifically to the avoidance of gentile grain, gentile vessels for sacrifice, and gentile sacrifices themselves (B3–5; B5–8; B8–9). It is of course axiomatic for Paul that, since the true people of God consists of both Jews and Gentiles who believe in Jesus as Messiah, such laws are now not only irrelevant but actually damaging to Christian fellowship, to the unity of the body of Christ. This is *[110]* what is at stake, among other things, in Galatians 2.11–21, an important observation for our purposes since this is the first Pauline passage to discuss justification. Other regulations designed to protect the ethnic or familial purity of Israel are found in B39–49.

Already some important caveats are in order. ‘Works of the law’ in Paul are not, as is often supposed, wrong in themselves; Paul has no objection to people obeying the law. The problem is, notoriously, that one cannot be justified by such works (Romans 3.20; Galatians 2.16). What then does he mean? J. D. G. Dunn has pioneered the view that the ‘works of the law’ to which Paul was opposed were those which distinguished Jews from Gentiles – that is, sabbath, food laws, and circumcision.¹⁴ Some of the ‘works’ referred to in section B fit with this (e.g. the avoidance of gentile grain and the abhorrence of gentile sacrifice, B 3–9), but others emphatically do not (e.g. regulations about streams of liquids, B 53–58); most of them serve to separate one group of Jews from another, a very different thing.¹⁵ There is no reason, either, to suppose that the Galatian Christians had come under pressure to obey detailed regulations of the sort found in MMT.¹⁶ Further (against Bachmann in particular), Paul was not opposing ‘halakhah’ (the detailed post-biblical elaboration of biblical law), but the insistence on what

¹³ So Dunn, ‘4QMMT,’ 152.

¹⁴ See now J. D. G. Dunn, *The Theology of Paul the Apostle* (Grand Rapids: Eerdmans, 1998), 359–66, with references to his earlier works.

¹⁵ Dunn, *Theology*, 358 notes this in passing but does not see it as a weakness in his case.

¹⁶ So, rightly, Witherington 353f.

appeared to be biblical law itself: circumcising Gentile converts, and the maintenance thereby of the Jew/Gentile divide within the church. ‘Halakhah’, insofar as the word is not anachronistic in the second century BCE, consists of detailed oral explication and application of precepts in the written Torah. The halakhah of MMT is of course, written down, not oral; the writer seems innocent of the later (and, by the way, Pharisaic) sharp distinction of ‘written’ and ‘oral’ Torah (this might in itself be an extra argument against the recipients being Pharisees, if such were needed). What Paul was objecting to was the imposition upon his converts of practices which are mandatory in scripture itself. All these are significant points to which we shall return.

There follow some regulations concerning unlawful sexual unions. Here Paul, in giving similar instructions, seems to take a comparable line to MMT. Though, for him, the ‘holy people’ are redefined, no longer by race but by grace, he is still strongly in favour of the holy people not intermarrying with *[III]* those outside (2 Corinthians 6.14—7.1).¹⁷ However, just as in MMT the conclusion seems to be that the offspring of illicit unions are to be considered genuine Israelites, so Paul argues that the children of a Christian/nonChristian marriage are ‘holy’.¹⁸

Though Paul would disagree strongly with the author(s) of MMT on the two questions of who the ‘holy people’ were, and what behaviour constituted ‘holiness’, he would have been just as insistent that ‘holiness’, once redefined, mattered vitally for the ‘holy people’, once redefined. That, indeed, is one of the main reasons why 1 Corinthians was written. But what is the place of the halakhah (if that is the best term for it) within MMT, and indeed in Qumran as a whole? Does Paul, giving practical instructions to his churches, accord these instructions the same theological place that the Qumran halakhah (if that is what it is) seems to have occupied?

In order to answer this question, we must turn it round and set it in a wider context. How did Paul’s ‘ethics’ relate to his teaching on justification? And how does this compare with the relation in Qumran between justification and ‘works’? This leads us to the main focus of this article, namely, the point raised at the end of MMT section C. What did the writer of C31 mean by saying that when his hearers followed his halakhah, it would be ‘reckoned to them as

¹⁷ Assuming with most commentators, against H.-D. Betz (‘2 Cor 6:14—7:1: An Anti-Pauline Fragment?’ *JBL* 92 (1973) 88–108), that this is indeed pauline and not an anti-pauline passage which has found its way into Paul’s text.

¹⁸ MMT B75f.: *לְיִשְׂרָאֵל קֹדֶשׁ מִשְׁכָּתוֹב קוֹדֶשׁ יִשְׂרָאֵל*. The lacuna leaves some doubt as to the meaning: I follow Wise, Abegg and Cook (‘concerning the fornication which has been done in the midst of the people, their children are holy. As it is written, Israel is holy’), and García Martínez (‘and concerning the fornications carried out in the midst of the people: they are members of the congregation of perfect holiness, as it is written, “Holy is Israel”’), against Qimron and Strugnell (who paraphrase the key passage as ‘[this practise exists] despite their being sons of holy seed’). For Paul cf. 1 Corinthians 7.14: *ἡγίασται γὰρ ὁ ἄπιστος ἐν τῇ γυναικὶ καὶ ἡγίασται ἢ γυνὴ ἢ ἄπιστος ἐν τῷ ἀδελφῷ· ἐπεὶ ἄρα τὰ τέκνα ὑμῶν ἀκάθαρτά ἐστιν, ὡς δὲ ἅγια ἐστιν*. This parallel may perhaps even strengthen the case for the translation (and meaning) which I have followed: literally, ‘they are sons of the holy seed, as it is written, Israel is holy’.

righteousness'? How does this relate to Paul's views on the same topic? And what light does this throw on what Paul actually meant?¹⁹

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The Context of Justification: Eschatology and Covenant in MMT and Paul

Let me state my proposal at the outset in six propositions, for which I shall then argue. The first and third form the heart of my contention.

(1) The context within which the key line C31 may best be understood is explicitly *covenantal* and *eschatological*.

(2) The halakhic precepts offered in the text are intended to function as indicators, boundary-markers, of God's eschatological people; this is the meaning of "justification by works" in the *present* time, anticipating "the end of time".

(3) Paul, arguably, held a version of the same covenantal and eschatological scheme of thought; but in his scheme the place MMT gave to 'works of Torah' was taken by 'faith'.

(4) Paul's doctrine, like that of MMT, was not about 'getting in' but about *community definition*.

(5) The Pauline halakhah, if that is what it is, plays a quite different role within his community definition to that which halakhah plays in MMT.

(6) MMT is written neither by nor for Pharisees. Just as the 'works' it prescribes are not those of the Pharisees, so we cannot assume that the form and structure of its doctrine of justification are identical, or even similar, to that of the Pharisees, or of the Galatian 'agitators', or of Peter in Galatians 2.

I shall now elaborate each of these.

(1) The context within which the key line C31 may best be understood is explicitly *covenantal* and *eschatological*. The writer has in mind a sequence of historical events, promised in advance in scripture, leading to a foretold climax (hence 'eschatological' in that sense), through which the covenant between God and Israel was now being renewed. 'Justification' and 'works' form part of this scheme of thought. This is my central contention in the present article.²⁰

¹⁹ Remarkably little attention has been given to this question; even the recent 600-page volume on justification in second-Temple Judaism (Carson et al., *Justification and Variegated Nomism*) never addresses it head on. M. Seifrid ('Righteousness Language in the Hebrew Scriptures and Early Judaism,' in *ibid*, 415–42, here at 433) describes MMT C31 as 'now-famous', but does not discuss it, let alone its wider context. The other articles in this book, too, manage to avoid any discussion of this text, which is the more strange considering that the book's stated purpose is to map out the Jewish context of Paul's theology of justification by faith apart from works, and that MMT provides the one clear instance in all second-Temple literature of 'works of the law', and of justification in relation to such works.

²⁰ Dunn ('4QMMT'), by separating his discussion of MMT's eschatology from his discussion of justification, fails in my view to observe, and hence to discuss, the integration of these themes both in Qumran and in Paul.

In the early and fragmentary section C6–9, the writer reminds his readers that ‘we’ (his own group? his group and that of his readers?) have separated themselves from the multitude of the people and their impure **[113]** practices. They are, that is, a sect: a community within Israel believing themselves to be the people with whom the one God is now renewing the covenant.²¹

The writer then repeats an earlier exhortation to study the scriptures (C10). The scriptures he has in mind are the covenantal passages from the end of Deuteronomy (30—31), in which the blessings and the curses of the covenant are invoked upon those who keep or reject Torah. But these passages are not merely covenantal; they are also to be read (as, arguably, they ask to be read) historically and eschatologically.²² They do not merely hold out a timeless blessing and a timeless curse to anyone, anywhere, who keeps or does not keep Torah. They offer a historical sequence, which Israel as a nation will follow through, first experiencing blessing, then pulling down on herself the curses, and then, at the end of days, discovering the way to blessing once more:

¹¹And in the book (of Moses) it is written [... ..] not ¹²[...] and former days [...] And it is written that [you will stray] from the path (of the Torah) and that calamity will meet [you]. And it is written ¹³‘and it shall come to pass, when ¹⁴all these things [be]fall you’, at the end of days, the blessings ¹⁵and the curses, [‘then you will take] it to hea[rt] and you will return unto Him with all your heart ¹⁶and with all your soul’, at the end [of time, so that you may live] ¹⁷[It is written in the book] of Moses [and in the books of the Prophets] that there will come [...] ¹⁸ [the blessings have (already) befallen in ...] in the days of Solomon the son of David. And the curses ¹⁹[that] have (already) befallen from the days of Jeroboam the son of Nebat and up to when Jerusalem and Zedekiah King of Judah went into captivity ²⁰that He will bring them [...]. And we know that some of the blessings and the curses have (already) been fulfilled ²¹as it is written in the bo[ok of Mo]ses. And this is at the end of days when they will return to Isra[el] ²²[forever ...] and not be cancelled, but the wicked will act wickedly, and [...] ²³

This is the true ‘Deuteronomistic view of history’: an interpretation of the hundreds of years between Moses and the writer’s day in terms, not of individuals or individual generations being either obedient (and so blessed) or disobedient (and so cursed), but of a single historical sequence from Moses to the eschaton, within which blessing is followed by curse, and **[114]** eventually curse by final blessing.²⁴ Thus C12–16 quotes from Deuteronomy 31.29 and 30.1–2 to

²¹ It is important to note, with Bockmuehl (‘1QS and Salvation’ 390f.), that the Scrolls use ‘Israel’ to refer to the nation as a whole, seeing the sect not as a replacement ‘true Israel’, but a representative remnant. See too B. F. Meyer, *The Aims of Jesus* (London: SCM, 1979) 233.

²² So, rightly, Dunn ‘4QMMT’ 149. Dunn does not, however, follow through on this suggestion in his subsequent interpretation.

²³ MMT C 11–22, tr. Qimron and Strugnell 59–61.

²⁴ Against Deines 454, 495, who dehistoricizes the ‘Deuteronomistic view of history’ into something which any individual, or any generation or group, could as it were tap into at any time. Similarly M. Abegg, ‘Exile and the Dead Sea Scrolls’, in *Exile: Old Testament, Jewish, and Christian Conceptions*, J. M. Scott, ed., (JSJSup 56; Leiden: Brill, 1997), 111–25, at 122f.: Abegg suggests that the lacuna at the end of C22 should be filled with a threat that the wicked will once again be taken into captivity. When he says ‘it is logical to assume that the writer warned his reader that the pattern for the “Last Days” would be the same: the wicked would again be exiled from the land of

establish the following sequence of events: first, Israel will turn from the path, and evil will befall her; then, in the last days,²⁵ she will return to her God with all her heart and soul, and will find life.

Before the fatal turning away from the path, however, the initial covenant blessings had already come upon Israel. In C17 Solomon is cited, not as an ‘example’ of a person who at some time or other happened to obey Torah and thus to receive Deuteronomically promised blessing, but as the king in whose days the promised blessing of Deuteronomy was first fulfilled.²⁶ Immediately after the days of Solomon, however, came Jeroboam, cited frequently in subsequent Judaism, biblical and nonbiblical, as the great sinning king who brought trouble upon Israel.²⁷ From his days onwards, says C18–20, the promised curses have come as a result; and the climax of this curse, as in Deuteronomy 28–31 and the Deuteronomistic history, was of course exile, mentioned explicitly in C19 in connection with Zedekiah. Again, the kings listed here are not merely examples of good or evil persons [115] who, as individuals, reaped blessing or curse as a result, but rather historical markers, showing the times when the Deuteronomic prophecy (first blessing, then curse) was fulfilled.²⁸

The writer draws two lessons from this historical/prophetic scheme. First, in C20, he deduces that the promised blessing and curse have already come upon Israel: this must mean, he supposes, that it is nearing the time for Deuteronomy 30.1–2 (cited as we saw in C15) to be

promise’ (122), the ‘logic’ in question assumes that Deuteronomy is being cited to support a repeated pattern rather than, as appears to be the case, a single historical sequence towards the eschaton.

²⁵ באחרית הימים, C14; cf. C16, C21, C30 (“the end of time” באחרית העת). “In the last days” in C14 is the writer’s explanatory gloss on Deut. 30.1, making it clear that the text is to be understood, despite anticipatory fulfillments such as that in the case of David (C25f.), as prophecy for the time of eschatological fulfilment, which the writer sees as being inaugurated in his own days.

²⁶ Against e.g. Wise, Abegg and Cook *The Dead Sea Scrolls* 364, in their structural division and headings for the passage.

²⁷ The story of Jeroboam is in 1 Kings 11.26–14.20; his sins are already seen as the provocation for YHWH’s wrath in 15.30, as his children copy him (15.26, 34; 16.2, 7, 19, 26, 31); this is repeated like a proverb thereafter (21.22; 22.52; 2 Kings 3.3; 9.9; 10.29, 31; 13.2, 6, 11; 14.24; 15.9, 18, 24, 28; 17.21, 22). Rabbinic legend has Jacob brought up short, when about to bless Ephraim, because the Holy Spirit enables him to see his descendent Jeroboam seducing Israel to sin (L. Ginzberg, *The Legends of the Jews* (Baltimore: Johns Hopkins University Press, 1998 [1920]), vol. 2, 136, with refs.; cf. vol. 4, 180–83. On the later traditions see esp. M Aberbach and L. Smolar, ‘Jeroboam and Solomon: Rabbinic Interpretations,’ *JQR* 59, 1968, 118–32; C. D. Evans, ‘Naram-Sin and Jeroboam: The Archetypal *Unheilsherrscher* in Mesopotamian and Biblical Historiography,’ in *Scripture in Context II: More Essays on the Comparative Method*, ed. W. W. Hallo, J. C. Moyer, and L. G. Perdue (Winona Lake, Ind: Eisenbrauns, 1983) 97–125.

²⁸ For a positive view of Zedekiah see 4Q470, with the introduction of Wise, Abegg and Cook 402f.; in one rabbinic tractate, “the generation of Zedekiah” are the cause of judgment, but Zedekiah himself mollifies the divine wrath (bArakin 70a). Josephus, in *Ant* 10.120 (not 6.213 as Wise etc. 403), describes Zedekiah as ‘kind and just’ – despite having earlier (10.103) declared that he was ‘contemptuous of justice and duty’. This still leaves MMT, to my knowledge, as the sole witness to a second-temple tradition in which Zedekiah is the marker of the time when the curse was finally implemented.

fulfilled ('when these things come to pass. . . then the fulfillment will occur'). Second (C21f.), what must now happen is the Return: 'at the end of days they will return in Israel, and will never turn away again'.²⁹ This locates the writer's own intended position within an eschatological scheme, prophesied in Deuteronomy, as follows: (a) blessings under Solomon; (b) curse from Jeroboam to Zedekiah, climaxing in exile, which is still continuing; (c) the return to God and to Israel, now being inaugurated.

The exhortation is thus aimed at persuading the readers to join those who are, in the present time, turning to God with all their heart, and so experiencing the eschatological covenant blessing, the real return from exile promised in Deuteronomy. This eschatological blessing was, importantly, anticipated by the righteous kings of old (C23–25), and especially by David (C25–26). It is important to stress that these kings are, once again, not ahistorical moral examples, or isolated examples of a merit-and-reward system, but markers within a historical and eschatological sequence.

Within this scheme, the writer intends his readers to hold fast to the particular precepts of Torah as he understood it. It should now be clear that **[116]** this is not because of a theologically or historically detached moralism. The point is not that by keeping these precepts the readers will show that they are morally or ethically superior to other Jews, or that they have gained more merit by moral effort. Rather, it is because *these works of Torah will mark them out in the present time as the true, returned-from-exile, covenant people of Israel*. These 'works' will not *earn* them membership in God's eschatological people; they will *demonstrate* that they are God's people. The key line here is C30, in the context of C28–29:

²⁸ . . . Consider all these things and ask Him that He strengthen ²⁹your will and remove from you the plans of evil and the device of Belial ³⁰so that you may rejoice at the end of time, finding that this selection of our practices is correct.³⁰

In other words, if through prayer and the moral strength which God supplies (C28–29) you keep these precepts, you will rejoice at the end of time, in finding that the advice given herein, this selection of commands, was on the right track. That is when (C31) 'it will be reckoned to you as righteousness when you perform what is right and good before him'. 'Righteousness', in context here as in the biblical passages quoted, must mean more than simply 'a moral or virtuous deed.' The whole point of MMT is that those who keep the precepts it urges are thereby marked out as

²⁹ The translation is made problematic by a lacuna, but the reference back to the already-cited Deut. 30.1–2, with its prophecy of a returning to God and thus a return from exile, is clear enough. Dunn 148 is right to stress, despite some earlier translations such as Qimron and Strugnell 61, that the text says 'in Israel' ([בישראל]אל), not "to Israel", but the Deuteronomic context and allusion makes it clear that "the return" does indeed indicate "the return from exile", following the curse which consists precisely in exile itself (despite Qimron and Strugnell 87, who say that the meaning cannot be determined because of the lack of context). In Deut. itself and in the numerous texts dependent on it, "turning" or "returning" regularly refers both to "returning to the Lord with all your heart" and "returning from exile". The text probably means that "people who belong to Israel" will "return" in both these senses.

³⁰ Tr. Qimron and Strugnell 61, altering 'some of our practices are' to 'this selection of our practices is' (see below).

God's covenant people, part of the true, returned-from-exile, eschatological community.³¹ The practice of Torah according to this interpretation, will signify, in the present time, that the practitioners are 'righteous' in this sense: they are the people with whom Israel's God is in covenant, the people who, like David, have their sins forgiven. This is what MMT has to say on the subject of 'justification'.³²

[117] (2) We now come to a critical point in the discussion – critical not just for understanding MMT and its relation to Paul, but for a true understanding of 'justification' itself. In using the term 'justification' in this context we have seen that it refers to something other than its normal referent in mainstream Christian theological discussion, not least since the Reformation.

In that tradition, 'justification' refers to the event or process by which people come to be Christians, sometimes conceived in a narrower sense, sometimes in a broader. But the 'reckoning of righteousness' in this text is not about how someone comes to be a member of the sect. It is the recognition, the indication, that one is already a member. It is what marks someone out as having already made the transition from outsider to insider, from (in the sect's eyes) renegade Jew to member of the eschatological people.

Of course, in the case of one who had not practiced these 'works' before, starting to do so might be a sign of the beginning of one's membership. But *the language of C31 is not about entry into the community, but about being demonstrated to be within it*. In the terminology made famous by E. P. Sanders, the works of Torah here are about 'staying in', not 'getting in'; they are not designed as ways of entering the covenant, but as ways of being confirmed as members of it. 'Works of the law' function here, in other words, *within* the broader covenantal and eschatological scheme which has been set out. They cannot be abstracted from it either into a more generalized system of timeless halakhah or into a wider 'legalism' to which Paul's doctrine of justification, in its traditional Reformation sense, could then be opposed.

The halakhic precepts included in MMT are by no means exhaustive. They are, it seems, intended to clear up disputed points within a much larger assumed scheme. The writer did not suppose that anyone who kept only the somewhat recondite precepts listed here, and ignored the rest of Torah, would be counted a true Jew. These are indeed 'some' of the precepts of Torah,

³¹ Vermes 228. García Martínez's earlier translation ('it shall be reckoned to you as in justice', 79) has been changed in the Study Edition (see n. 3 above) to 'reckoned to you as justice'. Qimron and Strugnell 63 offer 'and this will be counted as a virtuous deed of yours', and Gruenwald 11 gives 'this will be counted as an act of righteousness on your part'; these are clearly possible linguistically, but, in view of the deliberate scriptural resonances on the one hand, and the whole sequence of Deuteronomic thought I have been exploring on the other, they are far less likely than a covenantal meaning.

³² Gruenwald (10) rightly stresses that 'Halakah constitutes a language. . . [and] reflects the shared identity that sets any meaningful disputation in the context of diverging configurations'. These patterns of behaviour mark out the sect as the true people of God: 'the practice of rituals becomes the major discourse in articulating the differences that are at stake.' On ritual boundary-markers see E. J. Christiansen, *The Covenant in Judaism and Paul: A Study of Ritual Boundaries as Identity Markers*, (AGJU 27; Leiden: Brill, 1995), which seems to have been completed before MMT was available.

implying a much longer and fuller potential list.³³ Why these ones were to be highlighted is a matter of continuing historical speculation concerning [118] the identity and context of the author and the recipients. What is clear is that they were regarded as the key *differentia* of the sect.³⁴

The ‘works’ commended in MMT, then, are designed to mark out God’s true people *in the present time*, the time when the final fulfillment of Deuteronomy has begun but is not yet concluded. They are designed (C30) ‘so that you may rejoice *at the end of time*, finding these words of ours to be true’. These extra-biblical commands will thus enable the sect to *anticipate* the verdict of the last day, when it will be clearly revealed that those who follow this particular halakhah are indeed the true, renewed people of God.

(3) This brings us to the key comparison between MMT and Paul. Paul, arguably, held a version of the same covenantal and eschatological scheme of thought as MMT; but, in his scheme, the place taken by ‘works of Torah’ in MMT was taken by ‘faith’. Paul, like MMT, believed (a) in a coming ‘last day’ when all would be revealed, and (b) that the verdict of that last day could be anticipated in the present when someone displayed the appropriate marks of covenant membership. For him, though, the appropriate marks were not ‘works’, either of the biblical Torah or of post-biblical halakhah, but faith: more specifically, faith in the God who raised Jesus from the dead.

Like the author of MMT (and the Qumran writers in general – and, for that matter, much of second-Temple Judaism), Paul believed that he and his contemporaries were living, not as historically isolated individuals attempting to enter into or sustain a relationship with God that bore no relation to Israel’s long story and the prophecies that shaped it, but as Jews within a continuing saga of prophesied history. They were part of a story, a drama: the drama of promise and fulfillment, and more particularly of exile and (at least potential) restoration.

This point remains, it seems, contentious in some quarters of New Testament studies, though in my experience most scholars intimate with Jewish apocalyptic and sectarian texts recognise it.³⁵ The perspective of MMT is exactly that of CD 1.5–8: the emerging sect is the advance guard

³³ Following Wise, Abegg and Cook in the last phrase. Qimron and Strugnell, García Martínez, and Vermes, translate מִקְצֵת as ‘some’; but in English this would carry a different connotation, implying that only some of the precepts would turn out to be correct – which we may safely say is not what the writer intended. So, rightly, Abegg 1994, 52, suggesting ‘some important’ or ‘pertinent’ as a translation in C27. This will not work in C30, however, where the point could be expressed ‘finding that this selection of our precepts [sc. “like the rest, of course,”] are on the mark.’

³⁴ On particular halakhoth as the key to sectarian differentiation, cf. Qimron, in Qimron and Strugnell, 175f.; Sussmann, *ibid.* 197–9.

³⁵ I have argued the case in various places; e. g. in ‘In Grateful Dialogue,’ in *Jesus and the Restoration of Israel*, ed. C. C. Newman (Downers Grove, Ill.: InterVarsity, 1999), 244–77, at 252–61. Among much other relevant literature, see in particular Scott, *Exile*; within this, cf. e.g. James C. Vanderkam, ‘Exile in Jewish Apocalyptic Literature’ (89–109); e.g. at 94: ‘A common portrait of exile in the apocalyptic literature envisages it as a state of affairs that began at some point near the end of the kingdom of Judah and continued to the author’s day and even beyond’. A

of the real ‘return’, which implies both that the ‘exile’ has continued up to the [119] present moment and that the rest of Israel is still experiencing it. The objection frequently raised (that many Jews were living in the land, worshipping in the Temple, etc., and so could not have thought of themselves as ‘in exile’) misses the point, which is that ‘exile’ had become an all-embracing metaphor, and indeed controlling narrative, expressing the deeply-held and widespread belief that, despite the geographical ‘return’ and the rebuilding of the Temple, Israel had not yet in fact been ‘redeemed’ from the fate she had suffered at the time of Zedekiah. The curse of Deuteronomy was still operative. As Ezra declared (Ezra 9.9; Nehemiah 9.36–7), the Jews were still slaves, even though they were back in their own land. The language and concept of ‘exile’ functioned as a theological metaphor to *denote* a continuing socio-political reality and to *invest it* with its theological, particularly its covenantal, significance. What slaves needed was of course a new Exodus, a new redemption. Those who described the condition of Israel in terms of slavery were thereby expressing, also, the undying hope that Israel’s God would soon act to accomplish this new and greater liberation at last, in line with the classic promises of Isaiah and the other prophets.

The real objection to this construal, I have begun to think, comes from those who are unwilling (for whatever reason) to face the prospect that many second-Temple Jews saw the whole history of Israel as a single great story, and understood ‘salvation’ not as an individualistic rescue *from* history, nor even as an event within history for which there were detached historical precedents and foreshadowings, but as the great coming act whereby God would bring the entire history of Israel to its climax. Since this seems to be exactly Paul’s perspective (e.g. Romans 10.4 as the explosive climax of the story that began with 9.6), it seems to me that we can neither ignore it as a genuine second-Temple viewpoint nor marginalise it when fitting Paul into that context.³⁶

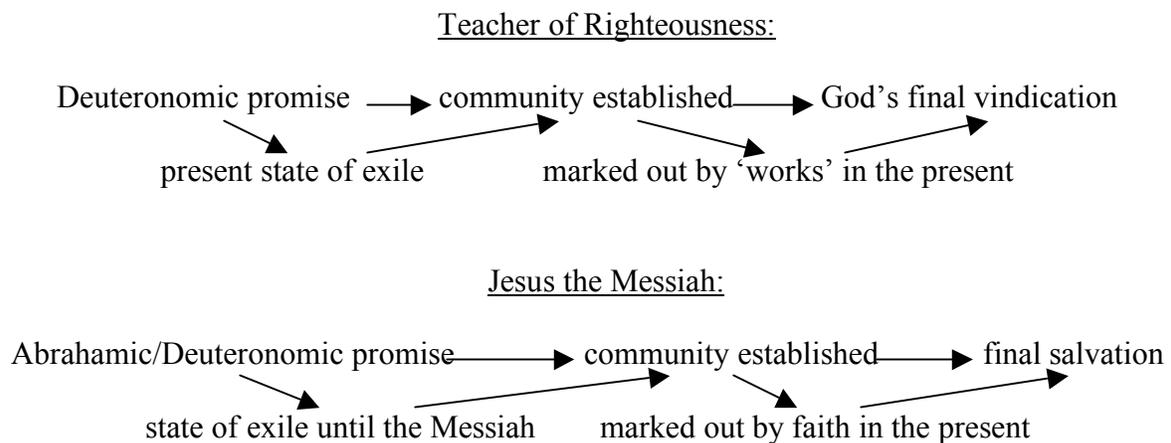
For the Qumran community, the story of God and Israel had reached its turning-point, in all probability, with the work of the Teacher of Righteousness. For Paul, the covenantal story of God and Israel had reached its climax with the life, death and resurrection of Jesus the Messiah. The new age had now dawned, the time when the promises were at last to be fulfilled – though not in the way he, as the pre-Christian Saul of Tarsus, had anticipated. There was a ‘last day’ yet to come, at which final judgment would take place (Romans 2.1–16). However, since the Messiah, Jesus of Nazareth, had been raised, inaugurating the new age but not yet bringing it to full conclusion (the point Paul sets out at length in 1 Corinthians 15), the [120] verdict of the last day could already be known in the present (Romans 3.21–26). The sign that marked out in the present those to be vindicated at the future judgment was nothing more nor less than faith: faith in the God who raised Jesus, the God who had made promises to Abraham and had now, in the Messiah, kept those promises (Romans 4).

recent attack on this perception is that of D. A. Carson ‘Summaries and Conclusions’ in *Justification and Variegated Nomism*, 505–548, at 546, though it is not clear to me that Carson has understood the position he is criticizing.

³⁶ For further reflections on the narrative context of second-Temple Judaism and Paul cf. *Paul: Fresh Perspectives* (above, n. 1), esp. chs. 1–3.

This is exactly the context within which Paul himself quotes the phrase used in MMT C31: Abraham believed God, *and it was reckoned unto him as righteousness* (Romans 4.3, quoting Genesis 15.6). He alludes to this phrase, and repeats it, several times in the chapter (vv. 6, 9, 11, 22–4). Similar things could be said about the quotation of the same text in Galatians 3.6, which likewise dominates the chapter which then follows. Paul’s view is that when people believe in the gospel of the Messiah, Jesus, they are for that reason assured in the present time of that membership in the covenant family promised to Abraham whose identity will be publicly revealed, as MMT would put it, ‘at the end of days’. The verdict of the last day – God’s vindication of the eschatological people, the people of the renewed covenant – has, in their case, been brought forward into the present.

The shape of the scheme is the same, the content different. We may set this out in a diagram as follows:



Paul’s doctrine has exactly the same *shape* as that of MMT. Justification (to use the shorthand term which MMT does not employ, and which Paul uses only rarely) is God’s verdict,³⁷ the verdict of the last day. This verdict can be brought forward into the present, and thus known ahead of time, when certain identity markers are present. In other words, with this evidence you can tell in the *present* who will be justified in the *future*. For MMT, that **[121]** evidence is the adoption of a particular halakhah. For Paul, it is faith in Jesus Christ.

Though Paul could use a wide range of scriptural exegesis, echo and allusion to make this point and tell this story, he could and did use the explicitly Deuteronomic scheme highlighted in MMT. It becomes thematic above all in Romans 9—10. This is a vital passage, not yet brought into the discussion of MMT and Paul; attention has focussed, for some reason, only on Galatians.

³⁷ For which, of course, מְשַׁפֵּת would be a suitable Hebrew term: see the discussion near the start of this article.

To recognise the Jewish exegetical context of Romans 9—10 may, indeed, help us towards a fuller understanding of that dense argument.³⁸

The key passage is 10.5–10:

⁵Moses writes, of the righteousness of the law, that ‘the one who does them shall live in them’. ⁶But the righteousness of faith says, ‘Do not say in your heart, who will go up into heaven?’ (that is, to bring the Messiah down), ⁷‘or, Who will go across the great deep?’ (that is, to bring the Messiah up from the dead). ⁸But what does it say? ‘The word is near you, in your mouth and in your heart’ – that is, the word of faith which we preach: ⁹for if you confess with your mouth Κύριος Ἰησοῦς, and believe in your heart that God raised him from the dead, you will be saved. ¹⁰For with the heart one believes unto righteousness, and with the mouth one confesses unto salvation.³⁹

Having told the story of Israel from Abraham, to the exile, and to the Messiah in Romans 9.6—10.4, leaving Israel as a whole in the disobedience which Deuteronomy had envisaged,⁴⁰ Paul here expounds Deuteronomy 30.9, 12–14 in such a way as to indicate that the new covenant membership which it holds out as a promise, to those who turn back to Israel’s God with all their heart, is to be claimed not by those who observe Torah (or any particular interpretation thereof), but by those ‘who confess with their lips that Jesus is Lord, and believe in their hearts that God raised him from the dead’ (10.9, summing up 10.6–8).

The details of how Paul arrives at this exegesis are not my present concern. My point is simply that Romans 10.6–9, like MMT C12–16, reads Deuteronomy 30 as a promise about the real return from exile, to be accomplished in the writer’s own day at the end of the period of blessing and (particularly) of curse, the curse of ‘exile’. That is the story which Paul has set out in 9.6–29. But, whereas the sign of such a ‘returned’ community was for MMT obedience to specific precepts of (extra-biblical) Torah, for Paul the sign was faith in Jesus the Messiah as the risen Lord. And the immediate corollary is of course that, whereas for MMT ‘the precepts of Torah’ meant **[122]** drawing carefully and tightly the boundary lines between Israel and the Gentiles, and more particularly between the true Jews and those who, though Jewish, did not obey this set of precepts, for Paul this ‘faith’ was open to all, Jew and Gentile alike (10.11–13). Paul’s theology, like that of MMT, is covenantal and eschatological in form. But within the form there is radically different content.

Interestingly, the other obvious place where Deuteronomy 30.11–14 is used in second-Temple Jewish literature lends clear support to the same point. Baruch 1—3 is an extended meditation on continuing ‘exile’, written quite possibly in the second century BC.⁴¹ It makes extensive use of the closing chapters of Deuteronomy, which supply the clue to what this still-

³⁸ See my Romans commentary in *NIB* vol. 10, 658–666.

³⁹ My translation.

⁴⁰ 10.19, quoting Deuteronomy 32.21 to re-emphasize the point of 9.31–3, 10.2–3.

⁴¹ See too Ps Sol 9.4–5, in an explicit context of exile (9.1) and the hope of return (9.10) – a context ignored, for instance, by M. Seifrid, *Justification by Faith: The Origin and Development of a Central Pauline Theme* (NovTSup 68; Leiden: Brill, 1992), 120.

exiled Israel needs: Torah, in the form of ‘wisdom’ (3.9–37), unattainable by humans going up into heaven or across the sea (3.29–30), but offered freely by God ‘to Jacob his servant, and Israel his beloved’ (3.36). MMT and Baruch, for all their differences of style and content, reflect similar understandings of how God is at work in Israel’s history, and what is required to be a faithful, true Jew at this moment. Both take Deuteronomy 30 as pointing to what will happen when God restores the fortunes of Israel after exile. MMT urges a particular halakhic intensification of Torah; Baruch encourages his readers to seek the divine wisdom which embodies Torah. Both see this as the way to attain the end of ‘exile’, the ‘salvation’ in that sense, which God long ago promised would succeed the time of desolation and devastation. Together they create a second-Temple context of meaning within which Paul’s fresh understanding, generated by his understanding of the Christian gospel, makes sense.

There is a final point in which the parallel between MMT and Paul needs to be nuanced and modified. MMT presupposed obedience to the biblical Torah itself, and added extra commands as a further interpretation of how precisely one should keep Torah. Paul, by placing ‘faith’ at the crucial point of community definition, clearly intends that neither possession nor practice of either Torah itself or particular sectarian halakhoth would be of any importance in defining the eschatological covenant community. For Paul, in other words, faith is not something which is simply added on to existing Torah-observance; it supplants Torah-observance, denying it any importance. At the same time, as Romans 3.31, 8.3–7 and other passages indicate, Paul does believe that when someone exhibits this faith, that person is in fact fulfilling the Torah in an extended or theological sense, even though he or she may *[123]* neither possess nor observe the written Torah itself. This is exactly the point of Romans 10.5–10.⁴² At this level, the structural parallel holds between the ‘works’ commanded in MMT and the faith sought by Paul: both provide the key interpretative grid which explains what Torah really wanted. The fact that in the one case ordinary Torah-observance is presupposed, and in the other it is not required, stands in tension with this parallel, a tension to be explained exactly by the difference between MMT’s and Paul’s visions of the new community and the events through which it was founded.

(4) If ‘faith’ for Paul does the job within his scheme of thought that ‘works’ does in MMT, does not this raise the spectre, so well known in discussions of justification, of ‘making faith a work’, treating faith as something one must ‘do’ in order to earn justification? No: because Paul’s doctrine of justification, like that of MMT, is not about ‘getting in’, not about ‘qualifications’ or ‘achievement’, but about *the eschatological definition of the true community*. Of course, if someone who has not previously believed the gospel comes to do so, that event (caused, Paul would be quick to say, by the power of the Spirit at work through the preaching of the gospel⁴³) forms a beginning, an entry point. But the language of ‘justification’ itself does not, for Paul, describe or denote that entry, but rather the definition of the community that has thereby come about. That is why, in Galatians 2.11–21, the first place where the issue is raised in his letters, what is at stake is not ‘how someone becomes a Christian’, but ‘who one is allowed to eat

⁴² It stands, too, almost oxymoronically, behind such statements as 1 Corinthians 7.19: neither circumcision nor uncircumcision matters, since what matters is keeping God’s commands!

⁴³ Cf. Rom 1.16; 1 Cor 12.3; Eph 2.8–10; 1 Thess 1.4–5; 2.13.

with'. Faith is not, in other words, the thing one 'does' in order to earn acceptance with God. It is the gift of God, and it forms the badge – the one and only legitimate badge – of membership in the true family of Abraham.

Nowhere does Paul, in his exposition of this scheme, mention Solomon, Jeroboam, or Zedekiah. He does, though, mention David, in a very similar fashion to MMT C25f. In Romans 4.6–8, he cites David in support of his primary contention, that the family of Abraham is marked out by faith, not works of Torah. David, he says, speaks of the blessing that comes on one to whom God 'reckons righteousness apart from works', and he quotes Psalm 31.1 (LXX) to prove the point: in the Psalm, David speaks of forgiveness, of God not 'reckoning' or calculating one's sin. Forgiveness is mentioned in MMT C24–26 in connection with righteous kings in general and with David in particular. They were forgiven, says the writer, because of their works. No, says Paul; despite their lack of works. Once again the point Paul is driving at [124] is the polar opposite of the central concern of MMT. Instead of highlighting legal precepts which define Israel over against the Gentile world, or which mark out one group of sectarian Jews over against another, he claims to have found the way in which the biblical promises themselves marked out the family of Abraham, making room as they did so for that family to include believing Jews and believing Gentiles side by side (e.g. Romans 4.9).

What, then, is Paul attacking under the label 'works of the law'? Not, we must insist, what one might call proto-Pelagianism, the belief that one must earn one's justification and salvation by unaided good works. (Of course, had Paul met Pelagians, real or proto-, he would have given them short shrift. But there is no evidence that he did.) Nor, we note, is he attacking the idea that true religion is about outward observances rather than inward attitudes. That caricature of Paul has become so popular that Paul is still sometimes criticised as though he had anticipated Luther, or even Kant.⁴⁴ But nor, more importantly for the present discussion, is he attacking the sort of extra-biblical *halakoth* which feature in most of MMT: detailed commands concerning animal fetuses, observing certain purity laws relating to streams of liquid, and so on. These go beyond anything in the written Torah, and serve to define one group of Jews over against all others. Rather, Paul is denying that the basic biblical commands, which in his day were the most obvious defining marks of Israel over against the nations, are of any continuing relevance in defining the true people of God, the people in and for whom the promises of Deuteronomy, and for that matter the promises to Abraham, were now coming true.

We should note in the same breath, of course, that for Paul the basis of this critique of 'the works of Torah' is not that the Torah, or its commands, were evil, stupid, wrong-headed, demonic, or any of the myriad other things that Paul has been thought to say about the law (often by those in the Reformation or Enlightenment tradition who wanted him to say such things about 'law' in general, about medieval catholic superstitions, or whatever). Rather, the basis for the critique is *eschatological*. Torah has done its primary job, a job designed for the period before

⁴⁴ Gruenwald ("4QMMT" [note 10], 10), speaking of halakah as 'the Judaic concomitant of ritual', envisages arguments against it as coming 'in the wake of Paul, Kant, and modern enlightenment and secularism'. On the post-enlightenment misunderstandings of Paul's gospel and the appropriate response see my article, 'Freedom and Framework, Spirit and Truth: Recovering Biblical Worship', in *Studia Liturgica* 32, 2002, 176–95.

the time when Deuteronomy 30 would be fulfilled. Now, in the new age ushered in by Jesus' death and resurrection, Torah is relativized, and in particular is of no *[125]* use, as it stands, when it comes to defining the eschatological people of God.⁴⁵

The same point can be made if we observe that MMT's regulations have to do primarily with the Jerusalem Temple and its purity. (This makes sense if, as most imagine, both writer and readers were priests.) This relates only very obliquely to the issues addressed by Paul. The agitators in Galatia may have claimed authority from the Jerusalem apostles. Certainly Paul distances himself not only from the city but also from the Christian leaders based there (Galatians 1.15–21; 4.25–6). But neither he nor his opponents mention the Temple itself in this context, or the purity codes required for its proper functioning. Indeed, by calling the Jerusalem apostles 'pillars' (Galatians 2.9), Paul downgrades the physical Temple in favour of the newly constituted Christian community. This move is unlike anything envisaged in MMT, although the Qumran sect did see itself as in some sense a replacement for the Temple, thus forming a partial parallel with Paul's view of the Christian community.⁴⁶ But the point remains: Paul is not attacking that which MMT is urging.

It is therefore clear, despite previous studies, that in Paul's sustained expositions of justification and/or the law – in Galatians, Romans, Philippians 3 and 2 Corinthians 3 – he is not attacking the 'works' that MMT is commending. From a historical point of view, things were just not that simple. Insofar as there is a parallel between MMT and Paul it concerns the way in which both were seeking to define, in the present time, the newly-inaugurated *covenantal* and *eschatological* community that would be manifest 'at the end of time'. The point of contact between Paul and MMT is to be found in the form and structure of their respective eschatological *[126]* schemes, not in the 'works' that the one was urging and in the 'works' that the other was resisting.

(5) What place, then, does Paul give to what may be called 'halakhah'? It has become commonplace in some circles to say that Paul, too, has a halakhah; and a strong case can of course be made out.⁴⁷ Qimron and Strugnell, in their edition of MMT, suggest that, just as MMT

⁴⁵ True, Paul sees Christian faith itself, and thereafter Christian love, as in some sense 'fulfilling Torah': see Rom. 2.27; 8.3–8; 10.5–10; 13.8–11, on all of which see my commentary in *NIB*.

⁴⁶ Most works on Qumran deal with the sect's Temple-based self-understanding: see e.g. Bertil Gärtner, *The Temple and the Community in Qumran and the New Testament*, SNTSMS 1 (Cambridge: CUP, 1965), and the suggestive discussion of R. J. Bauckham, 'James and the Jerusalem Church,' in *The Book of Acts in its First Century Setting*, Volume 4: *Palestinian Setting*, ed. R. J. Bauckham, 415–80, at 442–50. For Paul's Temple-based ecclesiology cf. e.g. 1 Cor. 3.16; 6.19; 2 Cor. 6.16; Eph. 2.11–22; and (not so often recognised) Rom. 8.5–11 (where the exposition of the 'indwelling' Spirit owes much to Jewish 'Shekinah' theology). It is misleading, however, to suggest that a major difference between the Galatian 'agitators' and MMT is that the former wanted close ties with Jerusalem while the latter wanted to break them (so Witherington, *Grace in Galatia*, 353f.). MMT appears to come from a period when the sect not only were still in touch with the Temple authorities, but were concerned for the purity regulations that obtained there. They do not appear to have written it off.

⁴⁷ cf. e.g. Peter J. Tomson, *Paul and the Jewish Law: Halakha in the Letters of the Apostle to the Gentiles* (CRINT section III: Jewish traditions in early Christian literature, vol. 1; Assen: Van Gorcum; Minneapolis: For-

moves from one topic to another within section B by means of the opening phrase על הַאֲרָיָה, so Paul lists different topics by means of his περὶ δὲ τῶν.⁴⁸ The key point to be made, though, is that halakhah plays no part in *Paul's theology of justification*. He does not give rulings on contentious issues in order thereby to define the community ethnically or in any other way. He gives rulings in order to persuade those who are already defined by their faith as members of the eschatological covenant community that this membership carries with it an obligation, and a new possibility, to behave in a particular way. But this behaviour, this halakhah, is never linked to justification.⁴⁹

It might be thought that this is simply a Qumran-sensitive way of making the point traditionally flagged in Reformation theology as the *tertius usus legis*. There is, of course, a formal analogy. But two points must be made. First, since I have argued for a new understanding of Paul's doctrine of justification, not as 'entry terminology' ('how someone becomes a Christian') but as 'community definition' ('how you can tell who belongs to the community of God's eschatological people'), the other questions that circle around justification all need consequent realigning, at which we can only glance here. It is sufficient to note that for Paul neither the written Torah nor the post-biblical halakhah had any role either in a person's becoming a member of the community in the first place or in the ratification of that status. That is why, for instance, Romans 14 insists on mutual recognition within a community in which different halakhoth seem to obtain (some observe food laws, others don't; some keep sabbaths, others don't). Second, however, it is true that when in 1 Corinthians Paul wrestles with (what we might call) ethical issues, some of which threaten to break the community [127] apart, he lays down severe and boundary-defining regulations which have to do not with faith but with behaviour. The best example is, perhaps, 1 Corinthians 5.9–13: those who transgress in the matters listed there are to be ejected from the community. One must not eat with them (5.11). And the key text is taken from Deuteronomy: 'drive out the wicked person from your midst'.⁵⁰

How then might Paul reconcile what may still appear to some an inconsistency, namely that, even when justification has been redefined as I have suggested, he is capable of backing off from 'faith alone' as the definition of the community and replacing it with some kind of 'works'? I suspect (on the basis of the rest of 1 Corinthians, not least chapter 6) that Paul would insist that we are still working with inadequate categories. For him, the point of faith is its object; and the object of true faith, for Paul, was Christ. To say that faith defines the community is really to say that Christ defines it, since Christ is the object of faith; and, if Christ defines the community, then that which is incompatible with Christ is incompatible with faith, and so with community

truss, 1990); and especially M. Bockmuehl, *Jewish Law in Gentile Churches: Halakah and the Beginning of Christian Public Ethics* (London: T & T Clark/Continuum, 2000; Grand Rapids: Baker Academic, 2003).

⁴⁸ *DJD* 113f. Qimron and Strugnell overstate the point: this is a feature largely of 1 Corinthians, and is not particularly frequent even there (7.1, 25; 8.1; 12.1; 16.1; cf. 2 Cor 9.1; 1 Thess 4.9; 5.1). The discussions that follow, also, are quite unlike MMT's halakhic rulings in form as well as in content.

⁴⁹ The question of *final* judgment is a separate issue: see below.

⁵⁰ Deut. 17.7, quoted in 1 Cor. 5.13.

membership.⁵¹ Though from one point of view, as we have seen, this Christ-faith is in a sense a fulfilment of Torah, what Paul has in mind is not halakhah in the MMT sense, a scheme of Torah-commanded behaviour which defines one as a Torah-observant Jew, separate from Gentiles and from non-observant, or differently-observant, Jews. As far as Paul is concerned, it is the exploration of the new covenant community, defined by Jesus Christ and hence manifested by the faith through which one is joined to him.⁵²

(6) Does MMT nevertheless correspond in outline – in form, if not in content – to that which Paul was arguing against? Here we must distinguish two issues: Paul’s rejection of the position he had held as a Pharisee, and his opposition to the ‘agitators’ in Galatia. (His opposition to Peter in Antioch, [128] the subject of Galatians 2.11–21, is related to the latter, but may not be identical with it.) Each must be considered on its own merits.⁵³

Although MMT is written neither by nor for Pharisees, the shape of its doctrine of justification (covenantal and eschatological) may well have been similar to that of the Pharisees, since, as we have seen, it corresponds closely at a structural level to that which Paul expounds, and Paul may well have retained the shape of Pharisaic thinking while filling it with new content. The difference between MMT’s view and that of the Pharisees would then be at the level, not of form or theological structure, but of detailed content. Both would have believed in something Paul would have recognised (and rejected) as ‘justification by works’, namely the definition of the eschatological people of God in terms of particular halakhah; but they would have disagreed with each other on what precisely those works were to be.

However, a caveat must be entered at this point. We do not know if the Pharisees held any form of inaugurated eschatology corresponding to that which MMT assumes for Qumran. We do not know, in other words, if the Pharisees believed that they themselves were the already-inaugurated new covenant people of Israel’s God, or, if so, what defining event (corresponding to the founding of the Qumran community, or at least its refounding by the Teacher of Righteousness) had brought such a movement into being. It may be that the Pharisees believed that adhering to their interpretation of Torah constituted them as such a renewed community, but

⁵¹ cf. e.g. 1 Cor. 6.15.

⁵² I cannot here go into the question of πίστις Χριστοῦ, though my sympathies are with those who see the phrase as referring to “the faithfulness of the Messiah” rather than “faith in the Messiah” (see e.g. R. B. Hays, *The Faith of Jesus Christ: The Narrative Substructure of Galatians 3:1–4:11*, 2nd edn. (Grand Rapids: Eerdmans, 2002 [1983]), Appendix 2 (272–97); B. W. Longenecker, *The Triumph of Abraham's God: The Transformation of Identity in Galatians* (Edinburgh: T. & T. Clark, 1998), ch. 5. This does not mean, of course, that there is no room for the individual believer’s ‘faith’ as the appropriate, and indeed defining, response to God’s action through the messianic faithfulness of Jesus; rather the reverse. It means that this response, when it occurs, is already marked as ‘messianic-type faithfulness’. It occurs ‘in Christ’. Paul’s exposition of the ‘new covenant’ in 2 Cor. 3 is linked to several other passages in his writings, e.g. Rom. 2.25–9, indicating that, despite the comparative scholarly neglect, this constitutes a major theme.

⁵³ On the Pharisees see *The New Testament and the People of God* 181–203; Deines, ‘The Pharisees’. On the ‘agitators’ cf. e.g. J. L. Martyn, *Galatians: A New Translation with Introduction and Commentary*, (AB33; New York: Doubleday, 1997), 117–26.

we have no clear evidence for saying so. Neither Hillel nor Shammai was regarded in Paul's day as having brought a new age into being, even secretly or partially. The fact that Paul the Christian, with his own form of inaugurated eschatology, rejects his former self-understanding and that of the agitators in Galatia (who we have no reason to think held views identical or even similar to Paul's own pre-Christian ones), does not mean that either he (before his conversion) or the 'agitators' held an inaugurated eschatology.

What about the 'agitators' themselves, then? They most likely did believe that Jesus was the Messiah, so to that extent they may have believed that the new age had been inaugurated, though the prominence Paul gives to 'deliverance from the present evil age' through Jesus (Galatians 1.4) may indicate that they did not. One way or the other, though, it is important not to jump to conclusions. Paul, MMT, the Pharisees (including the pre-Christian Paul), Peter in Antioch, and the 'agitators' may well all have held significantly [129] different positions, and the differences may have extended to form as well as to content.

In particular – the point that needs to be stressed – there is no reason whatever to suppose that either Paul in his pre-Christian days, or Peter in the Antioch incident, or the Galatian 'agitators', had ever encountered the particular halakhoth which MMT is at pains to lay down.⁵⁴ Nor can we be sure that they encountered, let alone commended, MMT's basic theology of justification. The pre-Christian Saul of Tarsus certainly believed that God's true people would be vindicated at the last day, and that the way in which this true Israel was to be known in the present time was by keeping the whole biblical Torah (Gal 5.3). The 'agitators' were of course keen on getting the Galatians to embrace certain works of biblical Torah, circumcision in particular, with a similar motive, defining them as true children of Abraham. But none of this adds up to more than a vague and loose parallel to what we find in MMT. Paul the Pharisee might have added non-biblical halakhoth to the observance of Torah; according to Galatians 1.14 he was an expert in such matters. But he at least claims that the 'agitators' did not do so; he suggests that they were not requiring the whole written Torah (Galatians 5.3), and even that they were not observing it themselves (6.13).

To be precise. The problem Paul meets in Galatia is not that a particular extra-biblical halakhah is being taught, to which he objects as one sectarian Jewish group might object against another ('your halakhah says this, my halakhah says that'). Nor is it that he regards the 'agitators' as teaching a moralistic 'self-help' soteriology, or a reliance on religious ritual rather than inner spirituality (the classic protestant view of what Paul's protest was about). The fundamental issue is Paul's eschatological claim that Israel's God has now acted in Jesus, demonstrating him through the resurrection to be Israel's Messiah (Romans 1.4), and so declaring that the new age has been inaugurated, the age promised in Deuteronomy 30, the age of 'return' in which Gentiles will now come in to full membership in God's renewed people. The true people of God are now, as a result, no longer definable in terms of Torah, the peculiar possession of Israel, but only in terms of faith – not a general religious faith, either, but the very

⁵⁴ Dunn is therefore wrong to conclude that 'MMT preserves the sort of theological attitude and halakhic practice which in the event determined the attitude and action of Peter' ('4QMMT' 152, cf. 153).

specific faith in Jesus as Lord and in God's raising of him from the dead (Romans 4.24–5; 10.6–10). All who have this faith, Paul declares, belong equally in God's family, no matter what their racial origin. What he objects to in the agitators' attempt to redefine the Christian community (and in Peter's implicit attempt to do the *[130]* same thing, as in Galatians 2.14) is not that they are trying to impose on the converts a particular halakhah, a special set of sub-topics defining the written Torah more closely. He is objecting to their attempt to get ex-pagan Galatians (still-pagan Galatians, in the agitators' view!) to submit to the most basic and Israel-defining precepts of the written Torah itself: sabbath, food laws, circumcision.

Now, insofar as MMT (particularly section B) is designed to make the boundary between Israel and the Gentiles more precise and sharply defined, it belongs loosely alongside the theology of the agitators – though the agitators, as we have seen, not only may not have held an inaugurated eschatology, but also were not interested in imposing even the complete biblical law, let alone extra halakhoth. In particular, the 'works' which MMT commends were designed to mark out one group of Jews from the rest, whereas the agitators' 'works' were designed to mark out Jews from pagans. For Paul, it is 'faith' that marks out God's true people *both* from unbelieving Israel *and* from idolatrous paganism. 'Works of Torah' of either sort – those works that define Jew against Jew, or those that define Jew against pagan – cannot do this.

What MMT adds to the discussion, apart from a strong reinforcement of a covenantal and eschatological understanding of justification, is the fact that 'justification by works of Torah', in the broad sense described, was not just a Pharisaic doctrine, nor simply something that the Galatian 'agitators' were urging. It characterized sectarian Judaisms of various sorts, and perhaps mainstream Judaism (insofar as there was such a thing) as well. Once we understand how such sectarian Judaism functioned, within a prevailing eschatological scheme in which the inaugurated 'last days' were in the process of bringing about the real return from exile, the real forgiveness of sins, the renewed covenant, this is not surprising.⁵⁵

Conclusion: Justification in Qumran and Paul

What is surprising, perhaps, is that, if it has taken a remarkably long time for MMT to see the published light of day, it has taken a lot longer for scholars, even those committed to understanding early Christianity in terms of its Jewish contexts, to grasp the thoroughly Jewish, covenantal, and eschatological nature of Paul's doctrine of justification. Perhaps those writers *[131]* who in their own day would have remained implacably opposed to one another may today join forces to reveal, both by their mutual incompatibility and by their family resemblance, that the history of religions concerns confrontation as well as derivation, critique and innovation from within as well as polemic from without. In that hope, some brief conclusions are in order.

⁵⁵ Interestingly, neither MMT nor the 'agitators' seem to have taught the de-eschatologized halakhah which we find in the Mishnah. To explore this would take us too far away from our present topic, as would the question whether the pre-70 Pharisees would have been in line with the Mishnah on this point or whether the Mishnah represents a de-eschatologization precisely of pre-70 Pharisaic belief.

When all has been said and done in distancing Paul and his controversies from those visible within MMT, we are left with substantial support for the view I have argued elsewhere, namely that Paul's discussions of justification are to be seen within a *covenantal* and *eschatological* framework. The God of Israel had now, at last, unveiled his covenant plan, a point Paul expresses in 'apocalyptic' language: *δικαιοσύνη θεοῦ ἀποκαλύπτεται* (Romans 1.17). Israel's God has now fulfilled his covenantal promises, specifically those to Abraham and in Deuteronomy. The promises were initially fulfilled, in some sense, in David; but then, as it were, they ran underground through the time of Israel's desolation and exile (itself part of God's fulfillment of the covenant, this time of which the covenant had warned⁵⁶), to emerge into the light again in God's new messianic day.⁵⁷

Within the covenantal and eschatological structure of Paul's justification-theology, the metaphor of the lawcourt, to which I referred near the start of this article, comes into its own. This metaphor has usually been the dominant one in Christian theological discussions of 'justification', and it is important that it be given its due *within the proper context*, which I have now amply illustrated through MMT. Indeed, all the foregoing discussion can be seen in a sense as a roundabout way of insisting that, though the lawcourt metaphor is vital within justification, it is neither the only nor the controlling universe of discourse within which the subject is to be understood – if, that is, we are to retain any contact with the second-Temple Jew called Paul whose writings are the regular court of appeal in Christian discussions of justification.

The comparison and contrast between Paul and MMT, in short, highlights for us today the way in which Paul's writing on justification belongs firmly within its Jewish context, and the significance of the new thing Paul was saying precisely within that context – exactly the sort of point **[131]** for which Earle Ellis has become famous. On the one hand, we only understand Paul if we see that, like the author of MMT, he was making the comprehensible second-Temple Jewish point that the eschatological moment had arrived, that the community of the new covenant had been established, and that the proper definition of this community in the present was a matter of the utmost urgency. On the other hand, by contrasting Paul with MMT we can see the difference it made when the eschatological event in question consisted of the crucifixion and resurrection of the Messiah. No longer would the new covenant community be defined in terms of a sub-set of ethnic Israel, marked out by 'works of Torah', defined this way and that with a developing halakhah. The new covenant community formed through the death and resurrection of the Messiah, and the gift of the eschatological Spirit, would be known by the faith which that same Spirit evoked through the gospel, the faith that acknowledged Jesus as the risen

⁵⁶ Deut 28.15–68; 29.10–29; Ezra 9.13; Neh 9.33; Dan 9.11–14.

⁵⁷ It should be noted that in thus characterising Paul's theology in terms of 'the climax of the covenant' I do not mean at all the covenant focussed on the Sinai law and revelation, but rather that made with Abraham. I should have thought this was too obvious to need saying, were it not for the remarkable misunderstanding perpetrated by Philip F. Esler, *Galatians* (London: Routledge, 1998), 190–1. Paul, after all, specifically distinguishes between the Abrahamic and the Mosaic covenants, framing his major theological problem in terms of the one being apparently blocked by the other (Galatians 3.10–14).

Messiah and Lord. And that meant that the community was open to all. Herein lies the deep Jewishness of Paul, and his greatest innovation.