COVENANT OR CONTRACT IN THE INTERPRETATION OF PAUL

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Abstract: *A number of key debates concerning Paul's interpretation began in or just before the 1980s: queries about unnecessarily introverted "Lutheran" accounts of his gospel (Stendahl); about his "legalistic" portrayal of Jews (Sanders); that two rather different notions of salvation were detectable – justification and participation (Wrede); that he spoke not infrequently of (the) faith of, rather than faith in Jesus Christ (Hays); and that he wrote all his letters, including Romans, to deal with specific circumstances (Beker; Donfried). Much of the confusion here can be eliminated, however, when it is recognized that scholars are struggling in all these debates with the difference between a fundamentally covenantal as against a contractual account of salvation (J. B. Torrance), and Paul is then reread in consistently covenantal terms. This last possibility might look unlikely. However, it is possible that scholars raised in a contractual culture unwittingly project this view into Paul's interpretation. Moreover, without grasping the distinction between a contract and a covenant clearly, which we learn from Torrance, exegetes will not even be able to evaluate these possibilities lucidly.*

Background

It is both an honor and a delight to acknowledge here the impact that James B. Torrance's work has had on my intellectual life, although I will be concentrating in what follows just on his superb essay "Covenant or Contract," published in 1970. The story of this impact begins with my education as a graduate student in 1980s, which preceded the literally life-changing encounter I had with James Torrance's distinction between covenantal and contractual accounts of salvation in the early 1990s.

Pauline Studies in the 1980s

My graduate education took place at the University of Toronto, and I ended up focusing within it on the apostle Paul, and especially on his letter to the Roman Christians, under the guidance of Richard N. Longenecker. The ostensible thesis paragraph of this letter, Romans 3:21-26, was the subject of my dissertation.[1] I returned in 1989 to a job in Religious Studies at my alma mater in New Zealand, the University of Otago. Like many recent graduate students, my head was bursting with questions and enthusiasms. But I was also confused by the scholarly agenda that I had just absorbed. Moreover, because that agenda extended into critical parts of the Bible, and into its very constructions of salvation, this confusion had a biting existential edge for me, a relatively recent convert to Christianity.

The 1980s was a wonderful time to enter Pauline studies. The field was fomenting as it struggled to respond to questions that in many respects are still with us today. Some had been inherited from the tradition of Pauline interpretation in the modern period but had been revitalized by new angles and considerations, while others were freshly arrived. Not all are relevant to this essay,[2] but five need to be articulated briefly here.

1. Since the publication of a landmark essay in 1963 by Krister Stendahl, many Pauline scholars had worried about a particular reading of Paul that he designated "Lutheran."[3] Stendahl's characterization of this construct was powerful and programmatic although not overly precise. He objected to an account of Paul's theology that was obsessive or guilt stricken, and that construed his encounter with the risen Lord on the road to Damascus as a conversion rather than as an apostolic call or commission. Stendahl went on to suggest that the obsessive, "introspective" accounts of both conversion and spirituality in Paul were too

1 D. A. Campbell, *The Rhetoric of Righteousness in Romans 3:21-26* (Sheffield: JSOT Press, 1992).

2 The sociological and ancient philosophical turns within Pauline interpretation are not so relevant here. These approaches were associated especially with Yale scholars at the time — Wayne Meeks and Abraham Malherbe respectively. Jewish apocalyptic literature was being rediscovered during this period as well. And salvation-history remained a standard topic for discussion.

3 K. Stendahl, "The Apostle Paul and the Introspective Conscience of the West," *Harvard Theological Review* 56 (1963): 199-215. See also his key collected essays, including a reprint of "Introspective Conscience," *Paul Among Jews and Gentiles, and Other Essays* (Philadelphia: Fortress, 1976).

heavily informed by later readings of Augustine and Luther.[4] Paul himself possessed a rather more "robust" conscience than his famous later ecclesial interpreters. Hence these challenges reached back behind the modern period to the construal of Paul during the Reformation and earlier, and clearly big questions were at stake. As a result, Stendahl was required reading for students of Paul in the 1980s, and remains so.[5]

2. In 1977 E. P. Sanders published *Paul and Palestinian Judaism*.[6] This powerful book also remains required reading for Pauline interpreters. It summarized definitively a minority tradition from earlier Pauline work of what we might call Jewish protest, namely, the complaint that the legalistic account Paul seems to provide for Judaism in his day in terms of "justification by works of law" (and so on) is overtly unfair when the Jewish sources themselves are consulted.[7] Sanders' book became one of the most famous New Testament works of the twentieth century, something assisted by its appearance during the 1970s, an especially propitious time for liberational statements.[8] Moreover, the Academy was just beginning to take broader account of post-Holocaust concerns.[9] But Sanders posed the question skillfully and unavoidably: why was Paul's account of Judaism, at least at times, so apparently jaundiced? Students of Paul were wrestling with this challenge in the 1980s, and still are.

3. Another long-running but unresolved debate in the 1980s, which overlapped in certain respects with the foregoing questions, concerned the question of Paul's "center" (something I tend to refer to additionally as his "gospel" and/or his "soteriology"). Scholars understandably debated different principal

4 Significantly, Stendahl also emphasized the mission to the pagans in Paul's life; the defense of this activity was the specific context for his "justification" discussions. Unfortunately, I will not have time to develop this critical insight in what follows.

5 I evaluate his work in more detail in my *The Deliverance of God: An Apocalyptic Rereading of Justification in Paul* (Grand Rapids, Mich.: Eerdmans, 2009), 172-76; 247-50; 77-83.

6 E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977).

7 In a typical scholarly irony, many scholars had made this protest earlier but had not been accorded much attention, among them my Doktorvater, Richard Longenecker, who had made much the same point in his *Paul, Apostle of Liberty* (New York: Harper & Row, 1964).

8 I am referring here (i.a.) to Liberation, Feminist, and Black theology.

9 R. Radford Ruether, *Faith and Fratricide: The Theological Roots of Anti-Semitism* (New York: Seabury, 1974).

options. We have already noted Stendahl's hostility to the Lutheran account, along with Sanders's concerns about incipient anti-Jewishness. Drawing on the work of German scholars in the late nineteenth and early twentieth century, some modern scholars advocated a more "participatory" account of Paul's salvation, differing over whether this could be comfortably juxtaposed with Lutheran categories or was in some sort of tension with them.[10] Räisänen argued, somewhat infamously, that this data suggested merely that Paul was confused.[11] Others preferred a more panoramic account of Paul's main concerns in salvation historical terms, usually pointing to Romans 9 — 11 as Paul's climactic discussion, although this option does not need to be explored so much in what follows. (It can be folded into the participatory approach very effectively.) These principal options were accompanied, however, by various more individual, idiosyncratic suggestions, and many scholars despaired of any solution and pursued different interpretative concerns altogether, generating essentially reductionist accounts of Paul's texts.

Hence, this question was clearly important but its debate was complex and confusing. Somewhat indicatively, most of the leading North American scholars of Paul undertook a collaborative discussion of Paul's theological center at the *Society of Biblical Literature*'s annual meetings through the 1980s, but failed to reach any decisive conclusions.[12]

4. Another localized but significant debate burst into prominence in the 1980s concerning the interpretation of Paul's faith language. Reviving another earlier minority position, Richard B. Hays argued in 1983, in a widely read study,[13] that various phrases in Paul were best understood as references to the "faithfulness of Jesus" as against (Christian) "faith in Jesus."[14] Hays's eloquent advocacy led to

10 Classic accounts of this view include W. Wrede, *Paul*, tr. E. Lummis (London: Green & Hull, Elsom, 1907 [1904]); A. Schweitzer, *The Mysticism of Paul the Apostle*, trans. W. Montgomery (New York: Seabury, 1968 [1931]); and J. Stewart, *A Man in Christ: The Vital Elements of St. Paul's Religion* (London: Hodder & Stoughton 1935).

11 H. Räisänen, *Paul and the Law* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1987 [1983]).

12 J. M. Bassler (ed.), *Pauline Theology. Vol. 1: Thessalonians, Philippians, Galatians, Philemon* (Minneapolis: Fortress, 1991); D. M. Hay (ed.), *Pauline Theology. Vol. 2: 1 & 2 Corinthians* (Minneapolis: Fortress, 1993); D. M. Hay and E. E. Johnson (eds.), *Pauline Theology. Vol. 3: Romans* (Minneapolis: Fortress, 1995); D. M. Hay and E. Elizabeth Johnson (eds.), *Pauline Theology. Vol. 4: Looking Back, Pressing On* (Atlanta: Scholars, 1997).

13 R. B. Hays, *The Faith of Jesus Christ: The Narrative Substructure of Galatians 3:1-4:11*, 2nd ed., (Grand Rapids, Mich.: Eerdmans, 2002 [1983]).

14 See esp. Rom 3:22, 26; Gal 2:16 (2x), 20; 3:22 (taking 3:26, following the majority

the widespread consideration of the former possibility that had previously been more marginalized than debated. But any assessment of Paul's thinking was further complicated by the potential introduction of Jesus's own faithfulness into texts that had previously been read in terms of human faith alone.

5. The final set of debates worth noting here concerned the circumstances surrounding the composition of Paul's letters, and particularly those eliciting Galatians and Romans.

Longenecker's students in the 1980s were very fortunate that he was composing his superb WBC commentary on Galatians at the time.[15] Hence they were intimately familiar with his navigation of the complex debate surrounding the occasion of that letter, Longenecker arguing ultimately for the "south Galatian" (and early) hypothesis (see pp. lxi-c). It was clear, moreover, that the results of this debate had important theological as well as historical implications. If Galatians was Paul's first extant letter then the shape of his theological project was rather different from an account that positioned 1 or even 2 Thessalonians first, Galatians rather later on, next to Romans, and most if not all of Paul's other extant letters in between these two points (notably 1 and 2 Corinthians). The language and concerns distinct to Galatians and Romans look rather less programmatic and rather more occasional if the latter biography holds good.[16]

Longenecker's students were also aware at the time, however, of the similar debate surrounding the composition of Romans. The date of this letter, along with its position in the broader sequence of Paul's letters, were not contested, however, as they were for Galatians, as much as the precise circumstances that caused Paul to compose and dispatch this unusually generalized and complex text. A "Romans debate" had been unfolding since the early and mid 1970s over this simple but important question.[17]

In short then we were taught in the 1980s at Toronto that some of the key details in Paul's biography, which affected the interpretation of some of his key letters, were being vigorously contested.[18]

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manuscript reading, to be a co-ordinate construction and hence "a false positive"); Eph 4:13; and Phil 3:9a. Various unmodified instances of faith in context are of course immediately affected as well, e.g., Rom 3:25; Eph 3:12; and Phil 3:9b.

15 R. N. Longenecker, *Galatians* (Dallas: Word, 1990).

16 See, e.g., by way of contrast, J. Knox, *Chapters in a Life of Paul* (New York: Abingdon, 1950); and R. Jewett, *A Chronology of Paul's Life* (Philadelphia: Fortress, 1979).

17 K. P. Donfried (ed.), *The Romans Debate* (Peabody, Mass.: Hendrickson, 1991 [1977]).

18 There was a pronounced emphasis at the time in Toronto on Pauline biography, primarily because of the presence there of John Hurd, although seconded by Peter

It is probably clear by now that the 1980s was an exciting decade during which to be introduced to Pauline scholarship. Acute, powerful questions were being considered concerning the nature of Paul's gospel. Was Paul's gospel being interpreted overly introspectively? Was it intrinsically anti-Jewish? Indeed, Did Paul have a coherent gospel at all? If so, what was it? What role did faith play in it? And what circumstances gave rise to the key texts in which it was ostensibly being articulated? Did different accounts of those circumstances lead to different understandings of the actual gospel in play?

It is clear then that I was fortunate to be learning my trade during this time — and from such a gifted Pauline interpreter as Longenecker. But I was also deeply unsettled. There were many complex questions circulating but few apparent answers. Indeed, the situation seemed to be fundamentally confused. And this amounted in certain respects to a crisis, although perhaps more for the church than for the academy. Paul's actual account of gospel had disappeared from view behind a welter of highly complex, entirely legitimate, but deeply difficult questions. Modern scholars could only gesture toward multiple positions and not to coherent agreements on matters as important as Christ's contribution to salvation.

However, when Alan Torrance introduced me to his father's description of covenantal and contractual models of salvation shortly after my return to the University of Otago in 1989, the proverbial light bulb went on. After reading this essay it became apparent in a flash that many of the local debates in Pauline studies were aspects of a broader and deeper collision between covenantal readings of Paul in certain texts and contractual readings of him in others. Torrance's categories consequently both illuminated many of the debates currently taking place for me definitively and pointed the way forward to their possible solution. But in order to appreciate these clarifications it will be necessary to describe briefly just what a covenant is according to James Torrance, what a contract is, and why grasping this fundamental distinction is so essential for healthy Christian theology.

A covenantal arrangement

A covenantal relationship for James Torrance is a relationship grounded in love for the other and hence one that is unconditional, permanent, and irrevocable.[19]

Richardson. See esp. Hurd's marvelous study *The Origin of I Corinthians*, rev. ed. (Macon: Mercer University Press, 1983 [1965]).

19 Torrance does not himself use language of "the other" since its widespread use has

Because the basis for the relationship is precisely this ground, of love, the covenantal actor reaches out to the other and establishes the relationship independently of any action by that party. It is therefore an unconditional and gracious act, and the relationship with the other is a gifted one. The covenantal actor has "elected" to enter the relationship and so taken the initiative. That actor has also thereby functioned "missiologically" and "incarnationally" — in the case of God literally — in stretching to the other actor's location and, if necessary, meeting them right where s/he is. Once established, moreover, this relationship then extends through time, irrevocably. It lasts as long as the love of the loving covenantal actor lasts, hence, in the case of God, through eternity. And the relationship is consequently characterized by complete loyalty and unswerving fidelity.

Describing a covenantal relationship is in fact relatively easy. The difficulties arise when interpreters introduce qualifications, or even reject covenantalism, because of anxieties about some of its potential implications. However, closer inspection suggests that these implications and their associated anxieties are unnecessary — moments where we can go beyond some of the subtle gestures in James Torrance's original account to respond to any such concerns among his later readers.

Critics of covenantal arrangements effected by God often fear first an erasure of human agency by the initial establishment of the relationship in a moment of initiative and election. If the causality of divine election is understood in mechanistic terms then it seems to eliminate human freedom in any sense, hence those wanting to emphasize human agency understandably resist this entire conception.

But Torrance would immediately suggest that nothing could be further from the truth, as the following qualifications will suggest in still more depth. If divine election is understood in Christological terms, and hence as rooted in benevolence, then, on the one hand, no one lies outside its pressure, and, on the other, it results in the establishment and the affirmation of human freedom and not in its converse. But this rejoinder will not be especially intelligible without an appropriate understanding of human agency and its implicit definition of freedom.[20]

James Torrance presupposes the Christological account of human agency in terms of correspondence as developed, i.a., by Karl Barth, in ultimate dependence on Maximus the Confessor and the struggle by certain patristic thinkers to grasp

largely postdated him, but it is useful for explicating some aspects of his thinking.

20 Barth's work is definitive here, and is almost certainly generative for James Torrance on these questions; see, regarding election, *Church Dogmatics* (hereafter *CD*) II/2; and, regarding agency, *CD* III/1 and 2, and IV/2.

the relationship between divine and human agency within Christ. The endorser of correspondence here reasons on the basis of Christ's perfect union of divinity and humanity that freedom denotes an aspect of the perfect obedience offered by Jesus's human will to the divine will. Hence this account helpfully specifies that Christ's obedience was *not* mechanical, mechanistic, or coerced in any way — or indeed his human will absent altogether — but was offered without constraint, hence, "freely." It was wholehearted, that is, a loving obedience to the leadings of the divine will offered with all of his heart, soul, mind, and strength. And in the light of this definition of human agency and freedom a number of critical clarifications to Torrance's account of the divine-human covenant become apparent.

In the first instance it becomes clear that a loving and covenanting God seeks a free partner and will create and establish the conditions that can effect this. Without this sort of freedom no authentic love is possible. Hence a covenantal God will establish and maintain the conditions *for* human freedom rather than override or erase it, provided freedom is properly understood.

Moreover, since freedom denotes an aspect of obedience to the divine will that responds to the divine initiative, it follows that free activity *requires* a prior act of initiative to respond to. Hence, (loving) election and (responding) freedom are now *correlative* and *mutually enhancing conditions*. Far from constituting the basis for a fatal objection to a covenantal arrangement then, human freedom is only intelligible and possible *within* a covenantal arrangement that establishes and maintains it. To be covenantal is to endorse and to protect human freedom precisely by way of divine initiative and election. This set of realizations leads us to a second related, and very important, clarification.

While some fear an erasure of human activity by a divine covenant, presupposing a particular inappropriate, mechanistic notion of election, others fear the opposite, namely, the establishment of an inappropriate ethical situation that is too free. The covenant is unethical because it gives humanity "free rein." That is, it is supposed that a covenant, with its irrevocable benevolence, erases the most important drivers of ethical behavior by humanity so the concern here is in certain respects the opposite of the preceding one; it is feared that covenantalism leads to a dangerous excess of human freedom! There will be no threat of permanent exclusion and no pending judgment within a covenant, it is supposed, hence there is no "accountability" either. Moreover, a covenant creates a somewhat fluid space where the determination *of* ethical behavior is difficult if not impossible. At bottom then it is feared that any activity framed by a covenantal understanding of the divine-human relationship will be shamelessly libertine. If God loves in this way people will indeed sin boldly, while God comes across as "soft on sin."

But Torrance would suggest immediately that these objections rest on further confusions about what is actually the nature of the case in a covenantal relationship. He points out repeatedly that covenantal relationships come with unconditional expectations of behavior (covenantal ones!). The expectations of the loving God who establishes the covenant are that those covenanted with will respond and behave toward one another in the appropriately benevolent and covenantal terms. The very texture of the covenantal relationship is then a source — and really *the* source — of the content of the good. Moreover, Torrance would complement this rejoinder with the observation that a covenantal relationship establishes the highest form of ethical motivation to respond appropriately to these expectations as well.

Ethical pressures generated by different, non-covenantal appeals to future states, and especially to a threatening judgment and future occupancy of an unpleasant or even frightening situation in hell, are driven at bottom by self-interest. (Such accounts can be denoted "extrinsic.") People acting in such terms are not motivated by regard for anyone else; their orientation is entirely selfish. So, for example, in these terms, a husband does not resist committing adultery because he loves his wife dearly and does not wish to shame and to hurt her, but because he does not want to be caught and punished in some way — perhaps suffering practical inconvenience and financial loss. But one result of this ethical situation is then that even when appearing to behave appropriately, such actors fail to act ethically because a particular action is, in its own terms, wicked. Adultery ought to be seen as inherently destructive to the faithfulness and trust appropriate to covenantal relationships, and as harming someone we love and wish to remain faithful to, and not as an activity that can be indulged in harmlessly when there is no possibility of being caught. Even observably righteous behavior when it is motivated in extrinsic terms tends to be deeply sinful.

But ethical activity generated by the pressure of a loving covenantal relationship places the strongest pressures on an actor, as well as the most appropriate. Such actors act out of sheer loving regard for the other, at which moment they are acting — or at least attempting to act — because such actions are inherently constructive and good in interpersonal terms as against destructive and negative. (This ethical situation can be denoted "intrinsic.") And the pressure coming from someone who loves unconditionally creates the strongest desire in its partners to act in a way that respects and affirms that love. So, to return to our earlier example, a husband ought to reason that my wife loves me *so* much, I can't bear to even contemplate behavior that would hurt such a wonderful person. Consequently, there are the highest levels of guidance, pressure, and

accountability, present within the intrinsic ethic innate to a covenant, while it is in fact the converse, namely, any countervailing and fundamentally extrinsic account of ethics, that lacks ethical pressure and accountability.

More time would allow me to develop this defense of James Torrance's covenantalism further with an appeal to the intrinsically negative dimension in inappropriate and sinful behavior that should further dissuade people from acting wrongly.[21] But enough has probably been said by this point to suggest that the objections customarily raised against a covenantal account of relationships, whether between the divine and the human or on an entirely human plane, tend to rest on misunderstandings. Covenantalism creates and sustains freedom rather than overriding it — although freedom understood in appropriately counter-cultural terms, in terms of obedience — and it creates and sustains an authentic and powerful ethic. Indeed, deeper considerations of the main objections generally raised initially to covenantalism seem only to strengthen it. But what of a contractual account? Here the opposite dynamics tend to play out.

A contractual arrangement

A contractual relationship is conditional, and consequently frequently impermanent. The relationship only exists *if* certain conditions have been met and continue to be met. If they are not then the relationship is dissolved and certain sanctions might even be activated. As a result of this, whenever human actors are involved, expectations of the relationship's longevity should probably be low. Contractual relationships between God and humanity, and within humanity, tend to have their conditions violated frequently — that is, with instances of sin — and the relationships — on this view — are consequently broken and repeatedly so. A critical confusion attending the assessment of contractual relationships should now be noted before we turn to consider some of its key dynamics in a little more detail.

A contractual relationship is conditional in a certain, quite particular sense. It refers to the fulfillment of detailed conditions by personal actors, and the specification of particular results when those conditions are or are not fulfilled. These specifications are often detailed in written texts that are then enforceable

21 Both he and I would doubtless draw on Barth's discussion of evil in this relation as articulated esp. in *CD* III/3. For a superb and rather briefer articulation of this position in conversation with Augustine, see S. Hauerwas, "Seeing Darkness, Hearing Silence: Augustine's Account of Evil," in *Working With Words: On Learning to Speak Christian* (Eugene: Cascade Books, 2011), 8-32. The implication here is that acting in a non-covenantal and hence evil way is inherently painful and damaging.

within a broader political framework — the contract. So sanctions have to be carried out in a separate act should the key contractual conditions not be met. Moreover, the specification presupposes that any relationship only holds good when the specified conditions are met. There is no necessary relationship and are no attendant obligations outside of the fulfillment of the requisite conditions.

This conception of human relations has certain quite practical results when it structures society, and they are not necessarily healthy. My green card, or resident alien, status in the U.S.A. is quite a good example of such a contract and of some of its results.

I fulfilled certain rather strenuous requirements — including paying various people and agencies what seemed like a large amount of money at the time — to obtain my current status. I came to a certain, quite specific job, which, strictly speaking, I can only leave with permission. Retaining my status is conditional on keeping a largely unblemished record in relation to most US laws. I must pay my taxes and avoid being arrested. If I am caught in some crime — and this could be quite minor or, alternatively, an act of civil disobedience against injustice — I am at risk of immediate deportation. In short, the US recognizes no obligations to me if I fail to meet the conditions of our relationship as stipulated by the US. If I fail to do so then our relationship is over, despite my past contributions to US society and culture (such as they are). My ongoing life here is consequently somewhat parlous. And I am not the only person in this situation.

It is seldom appreciated that the US constitution provides few protections to its convicted population (which is proportionally very large).[22] People who are convicted are barred from political participation, having no right to vote. Even more strangely, they have no official protection against enslavement. Hence, it is as if the contract with the US state is broken by a criminal violation, even for those born in the country. They cease to become citizens and can in fact be owned by other people and/or the results of their labor expropriated (and this last dynamic is increasingly prominent; prisoners are typically paid wages measured in cents, not dollars, for an hour's labor, and so usually earn only a few dollars a day).[23]

22 The USA makes up around four percent of the world's population but contains around twenty-five percent of the world's incarcerated population. A well-known exposé of the present situation's sinister racial dynamics is Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010).

23 So this is not technically slavery, but amounts to it; for further background see Daniel Burton-Rose and Paul Wright, *The Celling of America: An Inside Look at the US Prison-Industrial Complex* (Monroe: Common Courage Press, 1998); and James Samuel Logan, *Good Punishment? Christian Moral Practice and U.S. Imprisonment* (Grand Rapids: Eerdmans, 2008).

So the basic political relationship within the USA is contractual. There is no broad underlying covenant (although some "rights" fall into this relationship, for example, the right for those born in the USA to remain). And the results of this can be quite sinister. People classified outside the group of citizens to whom the state and much of wider society recognize obligations, can be treated shamefully and even abusively, and this frequently without compunction. They are *unprotected* and *their dignity as people* per se *is not recognized.*

This essentially personal, conditional situation, along with all its sinister implications, should be carefully distinguished, however, from an impersonal conditional situation, which is spoken of with conditional language as well but must be understood in *consequential* as against contractual terms.

The language of causality is frequently expressed conditionally but these situations are not necessarily contractual. For example, *if* I place my foot in a fire *then* it will get burnt. This situation can be expressed conditionally, but it is clearly not contractual. The fire is not punishing me for a violation of a condition stipulated in a contract! I mention this distinction here because the presence of conditional language in ethical texts can cause confusion.

It is not necessarily clear at first glance if linguistically conditional statements are functioning contractually or consequentially. Because the nature of sin is negating and destructive, any sinful behavior will result, effectively consequentially, in certain unpleasant results. Repeated chronic substance abuse will result in bodily dysfunction, dishonesty, and poverty, not to mention in shattered human relationships. "If you continue to drink then bad things will happen." But, like a foot burning in a fire, these are consequences, not punishments inflicted by alcoholism on an alcoholic, furious that a contract has been violated.

Ethical texts in the Bible often warn in conditional language against the destructive outcomes of sin. But they do not for this reason necessarily denote a contract. Frequently they simply name the appalling consequences of sin that humanity, with a recurring predilection for delusional ethical amnesia, tends to overlook. Having said this, however, many ethical appeals do set up or presuppose extrinsic narratives and overarching contracts — although hopefully it will be clear by this point from our earlier discussion of covenantal arrangements that the extrinsic approach to ethics utilized by contractual narratives is both weak and self-defeating. (It can in my view serve a limited temporary role in relation to minors.)

However, when pressed into the service of theology, numerous other problems with contractual approaches besides ethical anemia become apparent as well, and we should now briefly consider some of these because they were the insights that particularly caught my eye, at least at first, in relation to the interpretation of Paul.

Contractual approaches appear to safeguard human agency or freedom, even as covenantal arrangements might seem initially not to. However, they presuppose a fundamentally different account of human freedom from the Christological view, and this is itself ultimately problematic. Instead of an emphasis on the uncoerced and voluntary nature of responsiveness to the divine initiative implicit in a covenantal arrangement, contractual accounts tend to emphasize an account of human freedom in terms of *choice*. This activity tends to be associated with the will, which is viewed as a faculty characterized by its capacity to decide between, say, option A and option B. (Numerous subtle variations have of course been developed in this relation.) However, this account of human freedom, in terms of choice, simply builds the capacity to sin into creation, calling the judgment and capacity of the creator into question. Sin is placed on the same ethical plane as righteous or good activity, and its incoherence and unnaturalness thereby excused. An ethic is encouraged that overlooks the critical role that relationships and resourcing play in facilitating free responsive acts. Most important of all, however, is the problematization of the character of God.

The covenantal God is benevolent, elective, and missional, not to mention, enduringly faithful. However, a God whose relationship with humanity is defined by a contract is not fundamentally benevolent at all. A contractual divinity is fundamentally *just*, conceptualizing that dynamic attribute in specifically retributive and penal terms. The integrity of the contract rests on these dispositions. If the contract is broken, sanctions must follow in order to uphold the sanctity of the contract and its broader structuring of human reality, if nothing else. Hence God will not prove faithful to those who break the stipulated conditions of the contract; indeed, "he" should not and cannot. And it follows from all this that any benevolent disposition and resulting acts on God's part are circumscribed. Consequently such a God is fundamentally *disengaged*. Benevolent acts can only be conditioned into existence, through the fulfillment of the appropriate contractual conditions. And they can then only be applied to those who fulfill the demands of the requisite contract and continue to do so. So benevolent acts by God under these conditions are inevitably both *exceptional* and *limited*. These are severe qualifications of the Christian understanding of God in covenantal terms that James Torrance never rested from warning against. They are, indeed, actions by a different conception of God altogether. To advocate this God and any associated "gospel" is really to fail to advocate the Christian gospel at all — the gospel in which a God reveals "his" unconditional love for humanity by offering up his only son while that humanity is still recalcitrant and rebellious.

By this point it should be apparent that a contractual conception of the divine nature conditions its account of Christ rather being conditioned by it; the insights derived from Christology are being subsumed within a more basic contractual narrative. So it is unsurprising to observe that any account of Christ's own contribution to God's saving economy is framed by contractual terms. He will fit in to and *satisfy* the demands of a particular contract, as against defining his saving activity in its own terms — ultimately covenantally.

Much more could be said but hopefully enough has been articulated to suggest that any contractual account of the Christian God is deeply destructive to genuine, healthy, covenantal theology. So at this point someone might ask, "Why then have contractual categories exerted such a pull on so much Christian thinking?" But James Torrance addresses this aspect of the situation masterfully as well.

Contractual accounts of the gospel resonate deeply with modern Liberal culture. They fitted into the emerging narrative of the economy in the seventeenth and eighteenth centuries, and into the parallel development of a political economy, which emphasized rational citizens limiting state coercion through acts of informed consent. (The political agenda here was to limit inherited monarchical power.) Freedom was understood as a space within which choices were made, and any encroachment on that "zone" as a tyranny. (And causality was increasingly understood at the time in mechanistic terms that erased agency.)[24] These assumptions, coupled with an inability to conceive of Christian ethics in the appropriate participatory terms, led to a rejection of covenantal conceptions and an endorsement of contractual categories.

Sadly, this is a repeated story within the Christian tradition. Any Christian thinking that does not guard its reflective starting point in Christ vigilantly is vulnerable to capture by the categories embedded in its surrounding culture — a phenomenon the Bible tends to name "idolatry" — and this history has played out with vengeance as far as the influence of contractualism on appropriate Christian thinking has been concerned. Moreover, the penetration of Christian discourse by these essentially alien but profoundly intelligible categories seems to have been especially deep in the North America, where it now persists, buttressed by anti-intellectualism (which discourages the reading and learning necessary to recognize these categories), and a simplistic biblicizing exegesis (which claims to read this schema straight off of the pages of the Bible, ignorant of the role that prior interpretative commitments are playing in that act of reading).[25] Perhaps

24 See now esp. J. Begbie, "Room of One's Own? Music, Space, and Freedom," in *Music, Modernity and God: Essays in Listening* (Oxford: Oxford University Press, 2013), 141-75.

25 *Deliverance*, ch. 9, 284-309; see also, in more general terms, S. Hauerwas *After Christendom: How the Church is to Behave if Freedom, Justice, and a Christian Nation are*

it is no surprise then that having been taught how to recognize the difference between a covenant and a contract, I suddenly discerned their operation in all sorts of different ways within the modern interpretation of Paul as I had been taught that in North America in the 1980s.

Illuminations

In the first instance I realized that several of the most intractable difficulties facing Paul's modern interpreters were arising out of a fundamentally contractual reading of some of the apostle's texts. But in order to grasp this common causality it is important to appreciate that contractualism within Pauline interpretation runs in its own particular variation that we must pause to quickly introduce.

A useful text for illustrating the contractual reading of Paul is Galatians 2:16a, rendered in the NRSV ". . . we know that a person is justified not by the works of the law but through faith in Jesus Christ . . ."

This text lays out two situations that most interpreters connect together as two stages within one single progression to salvation. The first stage is characterized by "works of law," and seems as a result to be bound up tightly with Judaism. People become Christians, most interpreters suppose, by acting first within this stage. Their attempted activity there leads to several important realizations, most notably, that "all have sinned and fallen short of the glory of God" (cp. Rom 3:23) and are therefore liable to God's punitive judgment (cp. Rom 2:6-10). That is, attempted "justification" by performing "works informed by the law" clearly fails to overcome sin and only elicits God's anger. Hence, when presented with the gospel, rational individuals eagerly seize it by faith, and enter the second, saved state. The act of faith grasps on to Christ's atonement for sin, which satisfies the demands of God's judgment (cp. Rom 3:25). Individuals exercising such faith are fortunate then to be justified by faith *alone* (cp. somewhat curiously Jas 2:24, which objects to this view, or to something like it).

This interpretation of Paul's gospel is of course well known. Its popularity is doubtless due in part to the fact that it possesses certain strengths. It is clear. It is also relatively simple. It is readily comprehensible to any inhabitants of modern, fundamentally liberal, societies. It provides a simple formula for evangelism. And it apparently addresses sin and judgment seriously. God has an appropriately "hard" side,[26] although this is balanced by the apparent generosity

Bad Ideas (Nashville: Abingdon, 1991).

26 He is what George Lakoff would call "a strict authoritarian" parent; see his *Moral Politics: How Liberals and Conservatives Think* (London & Chicago: University of Chicago, 2002 [1996]).

of the second offer, made in the Gospel. Moreover, a clear account is supplied of Christ. He comes to do the work of atonement, which is achieved by his death.

But it is critical to grasp that this account of salvation in Paul, often spoken of in terms of "justification," is clearly a *contractual* account of salvation that has generated certain important rhetorical and textual advantages by arguing for a progression to Christianity in terms of *two* contracts. The first contract fails, and is really designed to do so. But the pressure generated by this failure should lead to the eager embrace by all of Christian salvation by faith, while the comparative easiness of the second contract suggests that God is fundamentally kind and generous. The collapse of the first also handily explains the abandonment of the law and of Judaism by the early church. The entire salvific progression is then very much "a tale of two contracts." And with these realizations we are finally in a position to see how various supposedly distinguishable local debates within Pauline scholarship are being generated by a single underlying reading, debates including many of those I had been struggling with since graduate school in the 1980s.

The first contractual stage, with its strenuous attempts but ultimate failure to achieve salvation through "works of law," generates Stendahl's concern with an overly guilt-ridden, obsessive, and anxious theology. This initial journey is both tortured and introverted. But the model consequently also thereby generates at least the principal dimensions of the legalistic, crassly mercantile, description of Judaism in Paul that so concerned Sanders — a Judaism characterized contractually by attempted justification through perfect law observance, along with an ongoing failure to recognize the futility of this exercise. The second contract's all-important offer of faith explains the widespread expectation among Pauline scholars that when Paul speaks of faith he is always speaking of a human activity, and hence the equally widespread resistance to the suggestion that subtle signals in some of Paul's texts indicate Jesus's fidelity. The latter reading is not only unexpected but is largely unintelligible. What role does *Jesus's* faith actually *play* in the contractual account of Paul's gospel?! And the need to read Paul's justification texts essentially systematically, as universal accounts of the generic journey to salvation, generates some of the biographical problems apparent in the field as well.

The key contractual texts occur mainly in Galatians and Romans (see esp. Gal 2:15—3:26, and Rom 1:16—5:1 and 9:30—10:17). It is helpful then if Galatians occurs early in Paul's career as his first extant letter, and, furthermore, if Acts can be introduced into Paul's biography strongly as well since Paul seems to "convert" there so emphatically and dramatically (see Acts 9:1-22; 22:4-16; 26:9-18). An

early placement of Galatians facilitates an immediate and comprehensive use of Acts. Similarly, it is helpful if Romans is a systematic treatise rather than a letter written to deal with particular circumstances at Rome; this critical text would then seem to start its body with a systematic account of salvation in terms of justification. These helpful biographical moves generate much of the tortured complexity that characterizes modern attempts to account for Paul's life — confusion over *when* Galatians was composed and *why* Romans was written. And they lead to a widespread resistance to alternative biographies.

In sum, a contractual reading of Paul, in two characteristic stages, seems to explain several of the localized debates concerning various aspects of his interpretation within the modern academy. Contractual dynamics *specifically generate these questions and/or their key dynamics*. But its presence explains a further, broader debate as well.

We have already seen that contractual and covenantal accounts of salvation are fundamentally different. Their underlying depictions of God prioritize different dispositions and activities along with, ultimately, different understandings of Christ and his saving activity. A contractual reading privileges retributive justice in the divine character and focuses on Christ's propitiating death, whereas a covenantal reading privileges divine benevolence and emphasizes a broader story about Christ running from his incarnation through his ascension. It seems obvious *a priori*, moreover, that large swathes of Paul's texts are covenantal — although this is best appreciated when the participatory dimension implicit in the covenantal account is understood, something I have not had time to emphasise here. But, if this is the case, then the reading of Paul in certain texts in contractual terms and in other texts in covenantal and participatory terms must generate a fundamental collision within his thinking as a whole. At bottom, Paul must endorse completely different understandings of salvation at different times — and frequently *within the same letters*.

It is no wonder then that scholars have struggled to identify Paul's center conclusively — a question that has been particularly overt since the work of German scholars on Paul's "comparative religious" thinking in the late nineteenth and early twentieth centuries, who identified and emphasized his participatory categories that can be explicated fairly ultimately in covenantal terms. Paul clearly has more than one center once these alternatives have been discovered. However, in view of their tension, one is justified in asking whether Paul lacks a principal center altogether and is merely confused, as Räisänen suggested more controversially but perhaps also more honestly. Hence the presence of contractualism within Pauline interpretation helps to explain one of the most important modern debates

in modern Pauline scholarship — concerning the center of his theological thought and much of its currently confused discussion.

In sum, a clear-sighted appreciation of James Torrance's work on covenantal and contractual conceptions of salvation allows the Pauline scholar to explain much of the modern academic discussion of Paul in terms that are both simple and powerful. A degree of order can be brought to a complex and even confused field. Moreover, the key issues come to light. But these distinctions do not just correlate various pressing questions together helpfully. In doing so they point the way forward to their solution.

Most of the acute problems just noted will be resolved if any contractual commitments are eliminated from Paul's thinking and he is construed more consistently in covenantal terms. Morbid introspection, legalistic Judaism, monolithically anthropocentric faith, and circumstantial opacity in relation to Galatians and Romans, will be erased, along with the massive conceptual tension between contractual and covenantal categories in Paul's account of God's saving work in Christ. But the Pauline scholar will probably immediately respond that this is all somewhat obvious but that the interpretative task, "on the ground," amongst Paul's texts, looks next to impossible; the exegetical challenge looks insurmountable. Can his contractual, which is to say, his justification, texts really be interpreted in an unconditional fashion, thereby resolving these problems?

However, the very existence of all the localized interpretative debates that we noted earlier on — concerning introspection, Judaism, faith, and provenance — suggests that the answer to this question could well be "yes"; these questions are, precisely, debated. There are alternatives. And James Torrance's work provides still further assistance at this critical juncture.

As we have already noted, one of the key dimensions in his discussion of contractual thinking in "Covenant or Contract" was his perceptive delineation of the way in which its Christian variations were informed by modern Liberal culture. He focused, understandably, on the infiltration of Scottish Presbyterianism through the eighteenth and nineteenth centuries by conditional categories in the form especially of Federal Calvinism. But Torrance's analysis is clearly transferable to other modern locations, denominations, and centuries — for example, to Protestant interpretative discourses in the USA in the late twentieth and early twenty-first centuries (and I have made some beginnings extending his work here).[27] And this set of cultural correlations raises an interesting possibility for Pauline exegetes.

They can now ask if Paul is being read contractually at certain points under the impress of these broader cultural assumptions, which have presumably often

27 See my *Deliverance of God*, ch. 9, 284-309.

penetrated church discourses, to the point that subtle countervailing signals in the relevant texts are being overridden. Such interpreters might be reading Paul anachronistically, rather than strictly exegetically. Putting things bluntly, James Torrance opens up the question acutely whether modern Pauline interpreters have constructed Paul at certain critical textual loci in their own contractual image? At the least, his demonstration of the compatibility between contractual thinking and the modern reader's context gives grounds for suspicion.

Unfortunately, it has proved strangely difficult to have a constructive conversation about these presuppositions with modern readers of Paul, presumably largely because a putative construal of the gospel, however inadvisedly, is at stake. But suffice it to say that when the hermeneutic of generosity supporting the contractual reading of Paul is stripped away, and an appropriate degree of suspicion is directed against its textual claims, it is surprisingly easy to detect textual problems that it has failed to treat, and then to generate a close reading of the key texts in different, unconditional terms. A more circumstantial account of Paul's arguments in his celebrated justification texts does indeed reorient them in a direction that is ultimately compatible with a covenantal account of his thinking as whole (and Stendahl reenters the conversation at this point)[28] — a reading that is also decidedly less anachronistic in cultural and political terms.[29]

These are important breakthroughs in Pauline interpretation for all sorts of reasons, although their communication remains a challenge. Pauline scholars have tended to drag their feet to date. However, such scholars will, I suggest, only benefit from a clear understanding of the nature of, and the differences between, covenantal and contractual accounts of salvation, notions articulated with matchless insight and clarity by James Torrance. Grasping these dynamics will allow Paul's modern interpreters to grasp an entire range of difficult localized interpretative questions in their discipline with precision, to focus on the real issues and texts at stake, and to detect unhelpful anachronistic biases in the apostle's interpretation that are distorting the construal of some of his most famous texts. And perhaps some of them will even thereby push on by way of more sensitive readings to a consistently covenantal and hence ultimately constructive construal of the Pauline gospel.[30] We have indeed then much to be grateful to James Torrance for — provided we continue to listen to him.

28 See n. 3 above.

29 See esp. my *Deliverance*, chs. 14-21, 519-930.

30 I cannot recommend the work of J. Louis (Lou) Martyn too highly in this relation: see esp. his *Galatians: A New Translation with Introduction and Commentary* (London & New York: Doubleday, 1997); and *Theological Issues in the Letters of Paul* (Edinburgh & Nashville: T & T Clark & Abingdon, 1997).