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JUSTIFICATION BY FAITH:

THE OLD TESTAMENT AND RABBINIC ANTICIPATION

WHEN the Psalmist prayed, "Enter not into judgment with thy servant: for in thy sight shall no man living be justified" (Ps. cxliii. 2), he was regarding justification as the result of a process of judging, and in doing so he was conforming to the pattern of Old Testament thought which sees in justification essentially the issue of a legal process. Justification is specially connected with legal actions in many passages, typical being the instruction to the judges in Dt. xxv. 1, "If there be a controversy between men, and they come unto judgment, that the judges may judge them; then they shall justify the righteous, and condemn the wicked", while we can see the same basic conception underlying the use of the term in a very different context when the Servant of the Lord exclaims: "He is near that justifieth me; who will contend with me? let us stand together: who is mine adversary? let him come near to me." (Isa. l. 8.) Here the thought is that the Lord God is about to give His Servant a verdict of acquittal, and in this glorious prospect the Servant throws out a challenge to his enemies to engage against him in legal controversy. Similar passages could be adduced in great numbers, and even then the whole story would not have been told, for such passages as Zech. viii. 16 clearly regard judgment as part of the righteousness conception, although none of the righteousness words actually occurs in this verse. From such considerations it is plain that the justification words are bound up with legal processes, and it will be well accordingly to examine the concept of law in the Old Testament.

I. LAW IN THE OLD TESTAMENT

(a) *God and Men.* Controversies in modern times over the relationship between God's righteousness and His love have made us hesitant about speaking of law in connection with His activities. But men of the Old Testament had no such hesitation, and they stress that God works by the method of law. We see this in the confidence of Abraham, "Shall not the Judge of all the earth do right?" (Gen. xviii. 25), where it is important to notice that God is designated by the legal term "Judge", and that the question expresses the patriarch's certainty that He would act in accordance with moral law. This marks through

all the subsequent ages a fundamental superiority of Hebrew religion to that of the nations round about—the gods of the heathen were capricious beings whose reactions were completely unpredictable, but Jehovah was a God who could be relied upon, and even though men might not fully understand His ways (Isa. lv. 8–9), yet they were sure that He always acted in accordance with ethical laws, “all his works are done in truth” (Ps. xxxiii. 4).

Thus we frequently find processes of law invoked to illustrate God’s dealing with His people. Sometimes this is in connection with deliverance, as when David exclaims, “Blessed be the Lord, that hath pleaded the cause of my reproach from the hand of Nabal” (1 Sam. xxv. 39), but more often Jehovah appears in the role of an accuser: “Hear ye, O mountains, the Lord’s controversy, and ye strong foundations of the earth: for the Lord hath a controversy with his people, and he will plead with Israel” (Mic. vi. 1). So frequently does this sort of thing appear that it is difficult to dismiss it as simply a piece of imagery, and we must feel that law was understood by men of the Old Testament as a serious description of the way in which God deals with men.

It is in this context that we must understand the Mosaic law. It was not something arbitrary, but a revelation from God expressing His will for His people; it was the law that they must follow. The law was regarded as an integral part of the covenant (itself a legal conception) which governed the relationships between God and men, as we see from the account of the institution of the covenant with the nation (Ex. xxiv. 3, 7), and from later references (cf. the connection of “statute” with “covenant” in Dt. v. 1–2; Jos. xxiv. 25, etc.).

(b) *God and Nature.* But it is not only with men that God deals on the basis of law. Many times in the Old Testament it is said that He regulates the phenomena of nature by way of law. Thus Job can speak of His making “a decree for the rain” (Job xxviii. 26), and Jeremiah speaks of God as saying He has “placed the sand for the bound of the sea by a perpetual decree, that it cannot pass it” (Jer. v. 22), and again the orderly movement of day and night can be spoken of as due to a covenant with the Lord (Jer. xxxiii. 25–26). It was characteristic of the Hebrew view of the world that it saw the hand of God in all of nature, and further, that it regarded God’s control as

exercised by law, and not in some arbitrary fashion (although this did not rule out the possibility of unusual divine intervention by way of miracle). The importance of this for our present inquiry is that it extends the sphere of law beyond God's regulating of men's conduct, and prepares us for the thought that law is inherent in the very being of God.

(c) *God and Law.* It seems clear that the Hebrews regarded law as integral to God, rather than as simply His accommodation to the affairs of men and nature. Thus we read that "the stork in the heaven knoweth her appointed times; and the turtle and the crane and the swallow observe the time of their coming; but my people know not the judgment of the Lord" (Jer. viii. 7), which implies that judgment is as natural to the Lord as the movements of the birds are to them. So, too, when we read, "I am the Lord which exercise loving-kindness, judgment, and righteousness, in the earth: for in these things I delight" (Jer. ix. 24), we cannot but conclude that judgment and righteousness express the essential nature of the Lord. This is implied also in the description of Jehovah as "the Lord God of recompences" (Jer. li. 56), and in those passages which think of judgment, etc., as persisting in eternity (Ps. ix. 7; Jer. xxxi. 35, and all those which speak of the last judgment).

The Old Testament does not conceive of anything outside God which can direct Him, and we must not postulate a law which was over Him. But the Lord was thought of as inherently righteous, so that the law of righteousness might be regarded as part of His very being, and thus He works by the method of law. In particular He demands that men live in conformity with His law, He inevitably punishes wrong-doing and rewards righteousness. So consistently is this held that Canon H. G. G. Herklots can say of the God of the Old Testament "He was *law*".¹ Thus as we approach the subject of justification in the Old Testament it is important that we realize that we are not dealing with an isolated forensic expression, but that the idea of law in relation to God runs through and through the ancient Scriptures.

¹ *A Fresh Approach to the New Testament* (S.C.M., 1950), p. 18. Cf. also the comment of G. Quell, "For Old Testament piety with all its variation it is an unsurderable concept that *God determines the right and as the righteous God is bound to right*" (*Theol. Wört. N.T.*, ii. 178, 5 ff.).

II. JUSTIFICATION IN THE OLD TESTAMENT

It must be borne in mind that in both Hebrew and Greek "justification" and words like "righteous", "righteousness", etc., come from the same root, so that our net must be widely cast. So frequent are these words that it will not be possible in a brief examination to do more than glance at a few passages, but we trust that these are representative.

(a) *Justification.* The basic significance of the Hebrew root *ts-d-q*, from which the righteousness and justification words take their origin, has been the cause of much discussion, the derivations receiving most support being those which see the essential idea in the notions of hardness and straightness. We cannot here enter into a discussion of the merits of the various suggestions put forward, and can only lay it down that such considerations as those adduced by Snaith¹ seem to indicate that the latter is the idea to be preferred, and that the word group points us to the thought of a standard. "*Tsedeq*, with its kindred words, signifies that standard which God maintains in this world. It is the norm by which all must be judged. What this norm is, depends entirely upon the Nature of God."² If this is so, then the idea of righteousness is conformity to God's standard, and justification will be a process in which this conformity is either attained, or declared to be attained.

When we turn to those passages where the verb "to justify" occurs, there can be no doubt that the meaning is to declare rather than to make righteous. Thus in Dt. xxv. 1 we find a direction that the judges "shall justify the righteous, and condemn the wicked", where the forensic background is unmistakable and the verb can only mean "to declare righteous" or "to acquit". The same usage is seen in Ex. xxiii. 7, "I will not justify the wicked" and in Isa. v. 23 with its woe to them that "justify the wicked for reward", while the legal content of the term is brought out from another angle when we read, "let them bring forth their witnesses, that they may be justified" (Isa. xliii. 9), where legal proof based on the testimony of witnesses is the ground for justification.

¹ *The Distinctive Ideas of the Old Testament* (London, 1944), pp. 72 ff.

² *Op. cit.*, p. 77.

These are typical passages, and although there are places where the forensic note is not so strong they do not invalidate our conviction that the basic idea is one of acquittal. Both in Hebrew and Greek the verb in question is capable of being used in a variety of non-legal contexts, quite like our verb "to judge". But again, like this verb, the Hebrew and Greek verbs in question remind us of processes of law, and take their essential meaning from those processes of law. That a declaratory process rather than a making righteous is meant is clear from the fact that the verb is applied to Jehovah (Ps. li, 4), for it is an impossible thought that He should be "made righteous" in any other sense than "made righteous before men" or "declared righteous".

Finally, let us notice the important words of the Psalmist: "enter not into judgment with thy servant: for in thy sight shall no man living be justified" (Ps. cxliii, 2). Here we are face to face with the ultimate question in religion, and the conclusion is that it is impossible for any man to have confidence in his standing before God on the grounds of his deeds.

(b) *The Righteousness of Men.* When we turn to the noun and the adjective from this root we find the same essentially forensic significance. The righteous are those acquitted at the bar of God's justice, and righteousness is the standing of those so acquitted. Thus Skinner explains his view that in the Old Testament "the forensic element preponderates" in the idea of righteousness by saying, "what is meant is that questions of right and wrong were habitually regarded from a legal point of view as matters to be settled by a judge, and that this point of view is emphasized in the words derived from *ts-d-q*. This, indeed, is characteristic of the Hebrew conception of righteousness in all its developments: whether it be a moral quality or a religious status, it is apt to be looked on as in itself controvertible and incomplete until it has been confirmed by what is equivalent to a judicial sentence."¹ The Hebrew concept is not grasped by making a facile equation with the Greek *δικαιοσύνη* or the English "righteousness"; it is not an ethical term, but a religious. It takes its origin in the forensic sphere and makes its home in the law of God.

¹ *Hastings' Dictionary of the Bible*, vol. iv, p. 273.

The forensic background to the concept is seen clearly in such a passage as Isa. v. 23, which pronounces a woe upon them that "take away the righteousness of the righteous from him", for obviously a moral quality cannot be taken away from a man. What is meant is that wicked judges will, for the sake of gain, give the verdict to the wrong party, thus depriving the innocent of the status of acquittal which is his due. This is the sin which is described in Pr. xvii. 15 as "condemning the just" (or righteous), while in Pr. xxiv. 23-4 saying to the wicked "Thou art righteous" is apparently an illustration of the saying, "It is not good to have respect to persons in judgment". An instructive passage along similar lines is Dt. xvi. 18-20, where words from the *ts-d-q* root ("just", "righteous") are freely intermingled with legal terms ("judges", "judgment", etc.).

Such intermingling is far from being rare, and indeed "to do judgment and justice"¹ is by way of being a stock Old Testament phrase, while we also find references like that to "violent perverting of judgment and justice" in Eccl. v. 8. In the same category we must place Amos's impassioned plea "let judgment run down as waters, and righteousness as a mighty stream" (Amos v. 24).

The forensic use of words from this root is often found in the book of Job, as when the patriarch says, "Behold now, I have ordered my cause; I know that I shall be justified" (Job xiii. 18), where he can only mean that he will be declared righteous as by a judge giving sentence in a law suit. So also, when the Lord says to Job, "Wilt thou also disannul my judgment? wilt thou condemn me, that thou mayest be righteous?" (Job. xl. 8), the forensic note of the passage and the opposition of condemning to being righteous shows that "righteous" here means something very like "declared righteous legally". It is this which gives us the background against which we must understand the question thrice repeated with slight changes: "How should man be just with God?" (Job. ix. 2, and see xv. 14, xxv. 4). In each case it is standing

¹ It must be borne in mind that neither in Greek nor Hebrew are there two words to express the ideas of "justice" and "righteousness", the one word being patient of either translation. This very fact helps us to see the essentially forensic connotation of the term.

with the Lord that is in question, and the implication is that man is completely unable of himself to attain such right standing.¹

(c) *The Righteousness of God.* The Old Testament consistently thinks of Jehovah as a just (or righteous) God, and for example He is depicted often as a Judge: "the heavens shall declare his righteousness: for God is judge himself" (Ps. l. 6); "he cometh to judge the earth: he shall judge the world with righteousness" (Ps. xcvi. 13); "the Lord of hosts shall be exalted in judgment" (Isa. v. 16), and many another passage. It is clear that the men of the Old Testament delighted to view God in His capacity as Judge.

An interesting insight into the way these men viewed their God is to be found in an expression in the Song of Deborah. With reference to recalling the great deliverance wrought by the Lord the singer says: "there shall they rehearse the righteous acts (mg. righteousnesses) of the Lord" (Judges v. 11). The actions in question were displays of power, but the thing which appealed to the Hebrew mind was that they were not simply displays of power, but evidence of the righteous nature of their God. "The righteous Lord loveth righteousness" (Ps. xi. 7). Nor is this regarded as a temporary manifestation but as a permanent element in God, for the prophet gives the word of the Lord as: "my righteousness shall not be abolished . . . my righteousness shall be for ever" (Isa. li. 6, 8).

Implied in the thought that God is the righteous Judge is the idea that He demands right living on the part of men, and this is expressed so often in the Old Testament that it is superfluous to make quotations to prove it. It is fundamental that the Lord has set His law before men and that He expects them to walk therein.

A very interesting feature of Old Testament teaching on the righteousness of God is the fact that it is often linked up with salvation, as when the Psalmist says, "The Lord hath made known his salvation: his righteousness hath he openly showed" (Ps. xcvi. 2), or when the prophet gives the words of the Lord: "my salvation shall be for ever, and my righteousness shall not

¹ It is true that there are passages where "righteous" has an essentially ethical meaning, but it has not been possible to discuss them in such a short treatment. All that we can do is to point out that such a meaning develops naturally enough out of the original forensic idea.

be abolished" (Isa. li. 6). This connection is met with sufficiently often for us to think that it is not accidental—righteousness included a salvation aspect. But it is always a salvation in accordance with ethical laws, a salvation which accords with righteousness. It is a deliverance of the people of God—who are proper objects of such deliverance because they *are* the people of God—and in this the best Old Testament teaching falls short of that in the New Testament where "the righteousness of God" brings salvation (and salvation in a fuller sense) to sinners.

(d) *Imputed Righteousness.* In view of the importance of the concept of imputed righteousness for New Testament doctrine we must notice its occurrence in the Old Testament, although it cannot be thought of as a leading Old Testament idea. It is found in the case of Abram, who "believed in the Lord; and he counted it to him for righteousness" (Gen. xv. 6), and Phinehas: "Then stood up Phinehas, and executed judgment: and so the plague was stayed. And that was counted unto him for righteousness unto all generations for evermore" (Ps. cvi. 30 f.). In both cases the meaning would seem to be that the men are brought into right relationship with God: they are given the status of being "right" with Him. In the case of Phinehas there is an action that is applauded, but the motive was important, as we see from Num. xxv. 11; "he was zealous for my sake among them." These two examples, and especially that of Abram, are important as showing that men might be reckoned as righteous before God on grounds other than that of having lived meritorious lives.

III. FAITH IN THE OLD TESTAMENT

Since we can hardly think of the New Testament doctrine of justification without adding "by faith", it is worth our while to inquire whether this has roots in the Old Testament, or whether it was a completely new thought in New Testament times. Certainly Paul did not think he was enunciating an entirely novel doctrine, for he speaks of Abraham as being justified in the same way as Christians of his own day, namely, by faith; and indeed he used the example of that patriarch as a means of showing to men of his day that God has always worked on the principle that men are justified by faith.

First of all we must notice that there is no formal statement of the doctrine in the Old Testament, and if we look for a complete enunciation of this truth we shall be disappointed; for that we must wait until New Testament days. But the essence of the doctrine is there nevertheless. If we understand justification by faith to include this at least, that man is ultimately accepted in the sight of God not on the grounds of what he himself has accomplished, but on account of the divine mercy shown in forgiving love, there are many passages which may be cited. So, too, if we are seeking indication that the proper attitude on the part of man is trust in God and not in his own deeds we shall not have far to seek.

Thus as regards acceptance on the grounds of the divine mercy we might notice Isa. lv, where in the first verse we find God's gift represented as completely unearned: "Ho, every one that thirsteth, come ye to the waters, and he that hath no money; come ye, buy, and eat; yea, come, buy wine and milk without money and without price"—while in verses 6-7 men are clearly accepted on the grounds of God's mercy and not of their deeds: "Seek ye the Lord while he may be found: call ye upon him while he is near: let the wicked forsake his way, and the unrighteous man his thoughts: and let him return unto the Lord, and he will have mercy upon him; and to our God, for he will abundantly pardon." Again, Micah can say: "Who is a God like unto thee, that pardoneth iniquity, and passeth by the transgression of the remnant of his heritage? he retaineth not his anger for ever, because he delighteth in mercy. He will turn again, he will have compassion upon us; he will subdue our iniquities; and thou wilt cast all their sins into the depths of the sea" (Mic. vii. 18-19)—while his next verse, "Thou wilt perform the truth to Jacob, and the mercy to Abraham, which thou hast sworn unto our fathers from the days of old", takes us back to the patriarchal age quite in the manner of St. Paul, as though he would say: "God deals with men in mercy and has always dealt with them so."

These are great passages and express great thoughts. We might continue for long without exhausting the supply of such, for the mercy of God is one of the leading conceptions of the Old Testament. It is integral to Israel's faith that the Lord is a God of mercy—"his compassions fail not; they are new every morning" (Lam. iii. 22-3)—and accordingly this merciful nature of God is recognized as man's only hope wherever men

are occupied with a profound sense of sin. "If thou, Lord, shouldest mark iniquities, O Lord, who shall stand? But there is forgiveness with thee. . . . I wait for the Lord, my soul doth wait, and in his word do I hope" (Ps. cxxx. 3-5). So is it with the prayer of Dan. ix, where the sin of the people is stressed (verses 5 ff.), but where there is nevertheless an atmosphere of hope, for "to the Lord our God belong mercies and forgiveness" (verse 9), and "we do not present our supplications before thee for our righteousnesses, but for thy great mercies" (verse 18).

This conception almost carries with it the other point that man's right attitude to God is one of trust, for if acceptance is due to God's mercy then man obviously cannot rely on what he himself does, and must rest his faith elsewhere. It is this which underlies Hab. ii. 4, "the just shall live by his faith". The Hebrew word *'emunah*, as Gifford notes,¹ usually conveys the thought of fidelity rather than trust, of "the faith which may be relied on, rather than the faith which relies". But, for a Hebrew, faithfulness under difficult circumstances could only arise from reliance on Jehovah, so that the two thoughts are not really so far apart, and we may feel that the Greek versions are justified when they render the word by *πίστις*, and the English versions when they translate "faith". But, however we translate, the thought of the verse is that the righteous will live by his constant reliance on God.

Be that as it may, there is no lack of passages indicating the importance of trust in the Lord. Thus the Psalmist sings, "I have trusted in thy mercy; my heart shall rejoice in thy salvation" (Ps. xiii. 5), while nothing could more fully express the attitude of humble dependence upon God than the words of another Psalm: "Our soul waiteth for the Lord: he is our help and our shield. For our heart shall rejoice in him; because we have trusted in his holy name. Let thy mercy, O Lord, be upon us, according as we hope in thee" (Ps. xxxiii. 20-22). There are many similar passages in the Psalms, but the conception is by no means confined to them. Thus Nehemiah thinks of Abraham's acceptance with God and says, "Thou . . . foundest his heart faithful before thee" (Neh. ix. 8), while the prophet expresses his confidence in the words, "Behold, God is my salvation; I will trust, and not be afraid: for the Lord Jehovah is my strength and my song; he also is become my

¹ Comm., *in loc.*

salvation" (Isa. xii. 2). Again we find passages like "Thou wilt keep him in perfect peace, whose mind is stayed on thee; because he trusteth in thee. Trust ye in the Lord for ever: for in the Lord Jehovah is everlasting strength" (Isa. xxvi. 3-4). This too is a list which might be continued almost indefinitely, for trust in the Lord is evident throughout the Old Testament. But enough has been said to indicate the position, and we close this section by drawing attention to the fact that this attitude of trust is connected now and then with one or other of the words from the *ts-d-q* group, as in Ps. lxiv. 10, "The righteous shall be glad in the Lord, and shall trust in him," or Ps. xxxi. 1, "In thee, O Lord, do I put my trust; let me never be ashamed: deliver me in thy righteousness."

IV. JUSTIFICATION AND FAITH IN JUDAISM

The forensic meaning which we have seen to lie at the basis of justification in the Old Testament is, if anything, intensified in the Rabbinic writings. There is a lively interest in the whole subject, and it is everywhere assumed that being righteous means being accepted with God because acquitted by His judgment.

The judgment of God is thought of in several ways. There is the conception of a judgment being worked out now, and thus we are told that "on New Year's Day all that come into the world pass before Him like legions of soldiers",¹ while the thought is quite common that every year on New Year's Day God weighs the merits and demerits of men, assigning rewards and punishments, but that He then gives them until the Day of Atonement to repent of their misdoings before His decree becomes unalterable.² But upon them who do not repent He visits His wrath, and thus we get the conception of temporal punishments.

But the judgment in the world to come is more important, and there are many references to it. 1 Enoch i-v is taken up with a description of this judgment, and there is a well-known passage in Wisdom which describes how the righteous only "seemed to have died. . . . For even if in the sight of men they be punished, their hope is full of immortality; and having borne a little chastening, they shall receive great good. . . . But

¹ Mishnah, *Rosh Ha-shanah*, i. 2.

² See for example Babylonian Talmud, *Rosh Ha-shanah*, 17a, b.

the ungodly shall be requited, etc.” (Wisdom iii. 2–10, R.V.), and again: “They shall come, when their sins are reckoned up, with coward fear” (iv. 20, R.V.). This final judgment will be with complete justice: “Thou hast judged well, Thou hast condemned well, well provided Gehenna for the wicked, and Paradise for the righteous.”¹

The very nature of this judgment presupposes that man is able to acquire merit in the sight of God by his own efforts, and we find this assumed throughout the Rabbinical literature. If we may take a typical statement:

When R. Eliezer fell ill, his disciples went in to visit him. They said to him: “Master, teach us the paths of life so that we may through them win the life of the future world.” He said to them: “Be solicitous for the honour of your colleagues, and keep your children from meditation, and set them between the knees of scholars and when you pray know before whom you are standing and in this way you will win the future world.”²

As R. Eliezer is dated *c.* A.D. 90 we have a statement of the Jewish view not far removed from New Testament times, and it shows us clearly that the Judaism of that time took it as an axiom that man is able to acquire merit in God’s eyes, the only question being how it was to be done. Many answers are given to this question, and in general we may say that ultimately good deeds rest on some law of God, merit being acquired by keeping His commandments, the study of the Torah and the doing of almsdeeds being mentioned especially often.

Every good deed was thought of as having a certain quantum of merit attached to its performance, while similarly every evil deed incurred a corresponding portion of demerit. The final judgment represented a weighing up of the merits and demerits acquired by a man during the course of his lifetime, and this is often represented as a weighing in the scales. If the good deeds outweighed the bad, then the man was adjudged righteous, and entered into blessedness, whereas if the bad deeds predominated Gehenna was his portion. This is very important for our study, because the writers of the various books of the New Testament were for the most part pious Jews, and we should be clear that first-century Judaism thought of the righteous not so much as

¹ Babylonian Talmud, *Erubin* 19a (Soncino translation, p. 129).

² Babylonian Talmud, *Berakhoth* 28b (Soncino translation, p. 173).

those possessed of certain moral qualities, as of those who obtained the verdict at the tribunal of God. "Righteous" was a forensic term.¹ Of course it is possible that the Christian writers repudiated this as they did much of the Jewish system, but we shall require evidence for this, and cannot merely assume it.

Certain consequences follow from the Jewish system. One of them is that there is no place for assurance. No matter how well a man may have lived, it is always possible for him to slip into some bad sin which will outweigh all his merits, hence the dictum of Hillel: "Trust not in thyself until the day of thy death."² Also man does not know the precise amount of merit attached to each good deed, and so cannot know where he stands. *Berakhoth* 28b gives us a moving picture of an aged Rabbi who, although a good man, was facing death with alarm, not knowing whether he was bound for Paradise or Gehenna. Such uncertainty seems inevitable if the Rabbinic presuppositions are taken seriously, and it forms a striking contrast with the Christian's assurance of salvation.

Also it leaves little place for the mercy of God. It is true that the Rabbinic writings delight to dwell on the mercy of the Lord, but they leave little room for this mercy to operate. It has some scope, as for example when a man's merits and demerits are equal, and God presses down the merit side of the scales, but on the wider view man ultimately decides his own eternal destiny by his own deeds, and the function of God is that of a just Judge.

Finally we must mention briefly that Judaism attached importance to faith. But the faith meant was rather a species of intellectual belief than what Christianity knows as faith, and it was regarded as itself one of the many meritorious works, so that he who exercised it acquired merit before God. There is nothing in Judaism to match the enthusiastic allegiance to and committal of oneself to a person which means so much for the Christian idea of faith.

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¹ On this point see Strack-Billerbeck, *Kommentar zum Neuen Testament* (München, 1922-8), iv. 3-19.

² *Aboth*, ii. 5.