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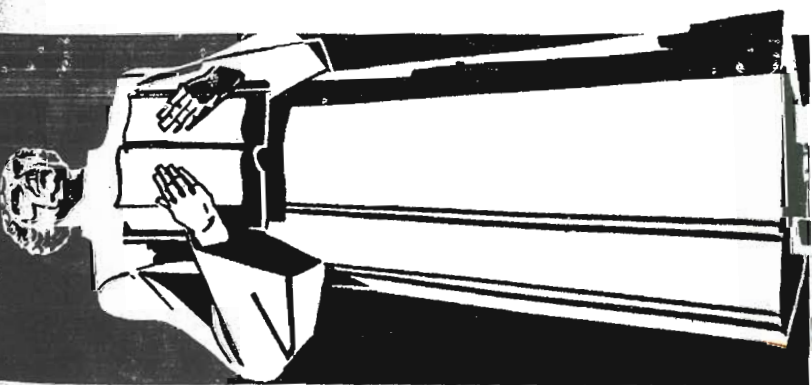
Paul's Concept of Justification, and
Some Recent Interpretations of
Romans 3:21-31

WALTER A. MAIER

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Paul's Concept of Justification, and Some Recent Interpretations of Romans 3:21-31

WALTER A. MAIER

IN ROM. 3:21-31 Paul expands upon the theme of his epistle to the Romans as previously announced in 1:16-17, namely, "The Righteousness of God Revealed in the Gospel, Through Faith, For Faith." The eleven concluding verses of chapter 3 provide a full statement of the apostle's teaching concerning that righteousness, designated there as "the righteousness of God through faith in Jesus Christ for all who believe" (verse 22). This is the Pauline doctrine of justification by faith.

Lutheran theology has traditionally (compare the Lutheran Confessions) emphasized the forensic force of the verb *dikaioō* as employed by Paul in Romans (for example, in verses 24, 26, 28, and 30 of chapter 3) and other epistles. This sense of the verb is demonstrated clearly, in a neutral, non-soteriological context, in 3:4; in a soteriological, in 4:5. Gottlob Schrenk in Gerhard Kittel's *Theological Dictionary of the New Testament* discusses the legal aspect of the term *dikaioō* as used by Paul. He says:

In Paul the legal usage is plain and indisputable. The opposite of *dikaion* is *katakrinein* (Rom. 8:34). For Paul the word *dikaion* does not suggest the infusion of moral qualities, a *justum efficere* in the sense of the creation of right conduct. It implies the justification of the ungodly who believe, on the basis of the justifying action of God in the death and resurrection of Christ. To be sure, the *dikaiousthai* is an act of grace rather than of retribution according to works. Yet this act of grace in the cross can be called forensic because in the *hilastērion* judgment is executed on all sin in the Substitute. . . . The most distinctive use of *dikaion* is in R. 4:5ff. (of Abraham): *pisteuonti de epi ton dikaiounta ton asebeē*. The opposite is the *dikaiōsai dikaion* of civic justice. . . . Here the inconceivable factor of an act of grace is consciously contrasted with ordinary legal procedure. This *dikaion* is the judicial acquittal which takes place in the saving present.

Schrenk states that the essence of justification is "that God helps the sinner to the position and status of one who is righteous in His eyes."¹ God "declares" or "accounts" righteous every sinner who believes in Christ and his redeeming work. The sinner, for Christ's sake, is regarded as in the right relationship with God; as possessing the purity and perfection of Jesus Himself. Rom. 4:6-7 indicates that the divine reckoning of righteousness, or justification, is equivalent to the forgiveness of sins. Justification brings with it the gift of spiritual and eternal life (Rom. 1:17; 5:17-21) and the other blessings of salvation (Romans 6-8).

The *dikaïosunē theou* (in 1:17; 3:21-22) is also obtained apart from law, from obedience to legal precepts, from all works done in the effort to gain the divine approbation. Schrenk notes that

Righteousness is forensically ascribed to the believer. It is imparted to him as a new quality before God. The judgment of God achieves the *dikaïosunē* of all believers by remission. . . . Forensically does not mean "as if" he were righteous, since the sovereign sentence of God is genuinely pronounced. Nor does it mean that moral rectitude is attained. What it does mean is that the man who has *dikaïosunē* is right before God.²

Rudolf Bultmann speaks of the forensic sense in which *dikaïosunē* is used, when it "denotes the condition for (or the essence of) salvation." He explains:

It does not mean the ethical quality of a person. It does not mean any quality at all, but a relationship. That is, *dikaïosynē* is not something a person has as his own; rather it is something he has in the verdict of the "forum" (= law-court—the sense of "forum" from which "forensic" as here used is derived) to which he is accountable. He has it in the opinion adjudicated to him by another. A man has "righteousness," or is "righteous," when he is acknowledged to be such, and that means, in case such acknowledgment of him is in dispute: when he is "right-wised," "pronounced righteous" (cf. the parallelism between "righteous before God" and *dikaïōthēsontai*—"be pronounced righteous"—in Rom. 2:13). Specifically, the "righteous" one is that one in a legal action (*krinesthai*; note the parallelism between "be justified" and "prevail"—win out—in Rom. 3:4), who wins his case or is acquitted. Normally, therefore, he is the "innocent" one—but he is "righteous" not to the extent that he may *be* innocent, but to the extent that he is *acknowledged* innocent. "Righteousness" then is the "favorable standing" that a person has in the eyes of others. . . .³

Paul says in 1 Cor. 1:30 that God made Christ Himself (among other things) our "righteousness"; in 2 Cor. 5:21, that we (believers) become the "righteousness of God" in Christ. For this reason the Lutheran Confessions assert that, when a man is declared righteous, this is "on account of the righteousness of another, namely, of Christ, which righteousness of another is communicated to us by faith."⁴ The genitive *theou* in the phrase *dikaïosunē theou* is best understood as a genitive of author (or origin, or source), as is suggested by the phrase *tēn ek theou dikaïosunēn* in Phil. 3:9.⁵ The righteousness of God is one originated and prepared by God, through Christ.⁶

The Pauline concept of the righteousness of God had its roots in the Old Testament. The apostle says in Rom. 3:21 that the law and the prophets bear witness to it. E. R. Achtemeier, writing on the topic, "Righteousness in the OT," points out that righteousness is a covenant concept. On the one hand, God is portrayed as righteous, when He fulfills his side of the covenant relationship He has estab-

lished with Israel, the obligations to which He has bound Himself in regard to his people. God pre-eminently fulfills these requirements, as the later chapters of Isaiah clearly reveal,

by justifying Israel, by imputing righteousness to her who has no righteousness, by delivering her who has no right to be delivered (46:12-13). . . . In God's righteousness, Israel will be established (54:14); in his salvation of her, she shall be declared *sdya* (45:24-25). Despite her failure to do the right, despite her lack of faith, Yahweh, the creator, the king, the judge of all the earth, will decide in her favor.⁷

On the other hand, Israel is righteous, when the people perform their covenant responsibilities; when they believe the covenant-promises of the Lord and obey his commandments as set forth in the covenant. Walter E. Roehrs writes:

How does man enter this [covenant-] relationship so that he, the unrighteous, is right with God? What does he do to remain in this relationship? He must enter it on the terms that God has established if it is to exist. He must take God at His pledged word, trust God's covenanted grace, and cling to His promises of mercy and forgiveness. This unquestioning confidence in God, this steadfast appeal to God's faithfulness, is the Old Testament's way of saying that Israel believed in God.

A clear example of this justification through faith in the Old Testament is Abraham. By taking God at His word, by clinging to the promises made in God's covenant with him, by believing, he is credited with the right relationship with God, that of righteousness.⁸

This is the same forensic righteousness from God of which Paul speaks in Romans and other epistles. From it, in both Old Testament and Pauline theology, flows the (covenant-required) righteousness of life, which he who is in a right relationship with God manifests.⁹

Paul's concept of the righteousness of God differed in marked particulars from Judaism's conception of the *dikaiosunē theou*. In both Pauline and Jewish thought the *dikaiosunē theou* was a forensic term, and one that had eschatological implications.¹⁰ The contrast, however, consisted in this, that pious Jews expected God's justifying verdict and righteousness to be provided exclusively in his eschatological judgment, whereas Paul taught that the divinely declared justifying righteousness was already imputed to a man (a believer in Christ) in the present. "What for the Jews is a *matter of hope* is for Paul a *present reality*—or, better, is also a present reality."¹¹ A second point of contrast concerns the condition upon which the bestowal of the righteousness of God, the pronouncement of the divine justifying verdict, was regarded as contingent. Jewish piety took it for granted that this condition was the keeping of the law;¹² Paul, taking the diametrically opposing view that justification came "without works of law" (Rom. 3:28), declared that God's righteousness was granted as a gift of divine grace through faith in Christ, "for all those be-

lieving" (Rom. 3:22). It was against the Jewish misconception—that justification and salvation came as a reward for works done in obedience to the law and for the purpose of gaining merits which would be favorably recognized by God—that Paul contended extensively, particularly in the epistles of Galatians and Romans, as well as in passages of his other letters.

A PRE-PAULINE, CHRISTIAN FORMULA AT 3:24-26A?

It is held by numerous scholars today that the statement of Paul's teaching concerning the righteousness of God and justification in Rom. 3:21-31 appears to be "constructed around a pre-Pauline formula, a confession of faith, which was perhaps employed liturgically in Hellenistic-Jewish Christianity."¹³ This idea was first advanced by Bultmann as a possibility in a 1936 research report¹⁴ and then with more certainty, under "The Kerygma of the Earliest Church," in his *Theologie des Neuen Testaments*¹⁵ in 1948. His views were endorsed and undergirded by Ernst Kaesemann in 1950.¹⁶ The chief points of the Bultmann-Kaesemann theory are conveniently summarized, discussed, and further developed by John Reumann in an essay titled "The Gospel of the Righteousness of God,"¹⁷ which appeared in 1966. The discussion of the next paragraphs has employed the latter presentation as a principal source.

According to Bultmann and Kaesemann, Paul is presumed to have incorporated an earlier Christian formula at the very center of his presentation concerning the righteousness of God in Romans, namely in 3:24-26a. Evidence in support of this assumption is offered as follows. First, 3:24-26a is said to be intrusive in its context. Verse 24, beginning with a participle instead of with an expected indicative and conjunction, is supposed not to carry on the thought and construction of verse 23 as they ought to be. Secondly, the repetition in verse 26b of a phrase from verse 25 ("for the demonstration of his righteousness") is held to mark the introduction of a Pauline comment appended to a previous citation. Thirdly, according to the form critics,

the section from 3:24 to 3:26a contains several linguistic features such as are found in other examples of New Testament creedal formulas. There is, for example, the participial construction in verse 24 (*dikaïoumenoi*; compare Phil 2:7; I Peter 3:18, 22). There is the use of a relative pronoun at the start of a clause, *hon* in verse 25.¹⁸ There is throughout an overlaid style, full of genitive constructions and prepositional phrases, the sort of style which Percy (and earlier, Norden) pointed out to be characteristic of the Near Eastern hymnic and liturgical tradition.

Fourthly, Rom. 3:24-26a is regarded as not characteristic of Paul himself, because it is seen to contain "terms which occur either nowhere else in Paul or only rarely and (on these occasions usually) in passages he is quoting" and also "terms which seemingly have a different meaning here than elsewhere in Paul." The force of this argument is presumed to be undergirded with the observation:

It can be countered, of course, that a *hapax* in Paul or an odd usage of a word may be of no significance, since we do not have all his writings, let alone evidence of his habits in speaking; and it must be admitted that not every Greek word occurring just once in Paul is borrowed from a pre-Pauline source. However, the concentration of so many examples in so few verses is impressive.

The words which are singled out are these: in verse 24, *apolutrōsis* (which occurs, however, also in Rom. 8:23; I Cor. 1:30; Col. 1:14; Eph. 1:7, 14; 4:30); in verse 25, *hilastērion* and *paresis* (both words found only here in Paul); *endeixis* (occurring twice here, and in Phil. 1:28 and 2 Cor. 8:24); *anochē* (which occurs also at Rom. 2:4); *protithēmi* (which occurs also at Rom. 1:13 and Eph. 1:9); *dia* with the accusative ("rare in Paul"); the plural *hamartēma* ("unusual," though occurring also at 1 Cor. 6:18; "Paul himself prefers the singular *hamartia*"); the participial form *progegonotōn* (from a verb found only here in the New Testament); *haima*, for the blood of Christ (found also at Rom. 5:9, and at 1 Cor. 10:16 and 11:25, 27, which record "words about the Lord's Supper . . . again from pre-Pauline tradition"; *haima* "is not Paul's usual term for referring to Jesus' death; he prefers 'cross' "). The word *dikaio-sunē* is also to be included in this listing, because

the sense of *dikaio-sunē* (*theou*) in verse 25 seems different from the meaning of the phrase at other places in Paul, notably in verse 26 of this same passage. While the precise meaning of "(God's) righteousness" in Paul continues to be debated . . . more than a few exegetes have agreed with Kaesemann that in verse 25 an attribute or characteristic of God is meant, whereas in verse 26 the same term denotes the eschatological salvatory-transaction, God's saving righteousness. One must concur when Bultmann declares the notion, in verse 25, "of the divine righteousness demanding expiation for former sins" to be "otherwise foreign" to Paul.

A fifth and final argument offered in support of the incorporation of a pre-Pauline fragment in the Romans text at 3:24-26a is the one pressed by Kaesemann to the effect that great difficulties have always attended the exegesis of these verses, when it is not recognized that Paul is citing and commenting on an earlier Christian formula. Examples of unsatisfactory interpretations are given, and then the opinion is expressed that

many of these exegetical difficulties are solved, and justice is done to the linguistic and other observations, by recognizing that 3:24-26a is possibly an early Christian formula which Paul quotes and then amplifies upon, beginning with the words of 26b, "for the showing of his righteousness. . . ." To take just one example at this point: if 26b begins Paul's comment, then **he is not guilty of senseless repetition in 25f., as some charge,** nor is he presenting an antithesis between past and present ages. Rather, the same present revelation is the topic in both

verses . . . but seen from different standpoints. Verse 25 speaks of the meaning of Jesus' death in one set of terms, and verse 26bc provides a Pauline comment on the same topic in different terminology.

It should be noted that Bultmann and Kaesemann theorize that Paul interpolated certain characteristic phrases into the formula he is presumed to have quoted, so as to have this material give expression to his own theological emphases (or, "reinterpretation"). Bultmann believes these insertions to be the phrases *dorean tē autou chariti* in verse 24 and *dia pisteōs* in verse 25. Reumann contributes the thought that perhaps *dorean* belonged originally to the quoted fragment and that *tē autou chariti* may be Paul's appended comment on *dorean*. It is also Reumann's suggestion that Paul may have altered the reference to Jesus in verse 24 "by means of his own phrase *en Christō Iēsou* . . . dropping some clarifying noun after *hilastērion*."

Reumann characterizes the formula supposedly quoted by Paul, in this manner:

This statement from the earliest church presents in cultic, Old Testament, Septuagintal terms a description of Jesus' death as completed expiatory sacrifice. God is the one acting, it must be noted, to effect redemption; as with Israel in the Exodus, so now in Jesus. Redemption here means forgiveness. As in Jewish texts, there is a connection involving righteousness, forgiveness, and patience, but the reference to Jesus' death distinguishes this formula, of course, from any text in late Judaism. The language suggests a renewing of the covenant (compare *hilastērion*, "in his blood"), and the corollary would be a covenant people. Thus the passage thinks of Yahweh's action as "keeping covenant," as fidelity to the covenant, and as in continuity with the past. Former generations broke the covenant; God has renewed the relationship by an expiatory sacrifice. His forbearing, "passing over" of sins, is now explained in the Cross. God's characteristic righteousness is vindicated by this sacrifice, and we are freely declared righteous and stand in the restored covenant.

If we ask when this statement with its theology of "covenant renewal" arose, the answer is, sometime prior to the fifties. The place is somewhere in Hellenistic-Jewish Christianity. . . . One can also make a guess as to the *Sitz im Leben* for such a formula in the Christian community; the setting usually given is the Lord's Supper (for use of "covenant," "blood," compare Mark 14:24). If *hilastērion* has something to do with the "mercy seat" of the ark, and thus the Day of Atonement, might it be suggested that the formula went back to (annual?) Lord's Supper celebrations on Good Friday, the Christian Day of Atonement?

Paul is presumed to have found this early Christian, confessional formula useful for the presentation of his own Gospel about the righteousness of God, since it forcefully sets forth the expiatory

death of Jesus Christ as the central event in God's saving activity in behalf of his people (also a principal Pauline emphasis). The purpose of the apostle's interpolation of his own characteristic phrases into the formula is held to be his desire to stress that divine, saving power is now, as a result of Christ's completed redemption, available for the whole world of men. According to Reumann,

Paul corrects this formula not only in that he works in his characteristic emphases *sola fide* and *sola gratia*, but also in the fact that he regards the *dikaïosunē theou* as more than fidelity to the Old Covenant—for him it is a universal eschatological act. This change is seen in the view of God's righteousness as a salvation-bringing power for all men. The scope of its operation is not just Israel and its covenant people from Moses on, but men of all sorts from Abraham on, indeed the whole fallen world of Adam which has come under God's wrath. Hence Paul emphasizes the righteousness available for "any man," however sinful he be; God is "he who justifies the impious" (4:5). In Paul's view, God's righteousness is to be seen effecting its results precisely in "the present age," and not only as a demonstration once that God is righteous, but a demonstration now that he declares righteous sinful men. His view of God, *dikaion* and *dikaïounta* is of One who, in Kaesemann's phrase, "is alive and makes alive."

As a reaction to the Bultmann-Kaesemann theory concerning an incorporation of a pre-Pauline Christian formula in the text of Romans at 3:24-26a, it may be stated that, while Paul certainly could have cited a portion of an early confessional statement in his presentation of justification at the end of chapter three, there is a question as to whether the arguments adduced in support of the supposition that he did are sufficiently cogent to require its acceptance. With regard to the fourth point made in the above indicated series, note should be taken of the fact that only three words in 3:24-26a are *hapax legomena* in the Pauline literature—*hilastērion*, *paresis*, and the verb of which *progegonotōn* is a participle. The use of these three words here is required by the particular subject matter Paul treats in his discussion at this point in Romans; the brief interpretation of 3:21-31 which will be offered below will make this clear. There is no good reason to suppose that Paul could not have drawn, or did not draw, these words from his own vocabulary for the expression of his thought here. All the rest of the terms from 3:24-26a designated as occurring rarely in Paul *do* nevertheless appear elsewhere in the Pauline writings. The question may well be asked: how often must words be employed by the apostle before they can be considered his own? There is, actually, no good reason for not regarding *all* the words in 3:24-26a, used in the way and in the sense in which they are employed in this context, as genuinely Pauline. Otto Kuss, who has considered Bultmann's arguments for the rejection of various terms in 3:24-26a as Paul's own,¹⁹ observes:

In jedem Falle wird jedoch das rein Hypothetische eines solchen

Vorschlags ebensowenig uebersehen werden duerfen wie die Tatsache, dass es schliesslich zahlreiche andere Formulierungen gibt, die sich innerhalb der paulinischen Hauptbreife nur ein einziges Mal finden, ohne dass man sie deshalb, was ihren Ursprung angeht, dem Apostel schon absprechen muesste and dass Paulus an dieser zentralen Stelle ohne jeden Zweifel theologische Saetze vortraegt, die er sich in ganz besonderem Masse zu eigen gemacht hat, wenn sie ihrer konkreten Praegung nach etwa wirklich nicht sein Eigentum sein sollten.²⁰

As for the other points in the above listing, which are offered in behalf of the formula-quotation thesis, the third, it may be asserted, appears to be extremely weak; and, according to another exegetical treatment of 3:23-26, the difficulties referred to in points one and five can be resolved, without having to resort to an assumption that Paul is citing an earlier Christian confession in verses 24-26a. The same exegesis will indicate that the phrase "for the demonstration of his righteousness" in verse 26b need not be regarded as a repetition of the similar phrase in verse 25, as the second point in the above series suggests. What is such a preferable interpretation of the verses in question, which lie at the heart of the Pauline teaching in Romans 3 concerning justification and the righteousness of God?

The apostle begins the second major division of his letter to the Romans (at 3:21) with the mention of the second great advantage of possession of the oracles of God (3:2). As the first benefit was shown to be that possession of the divine Word brings with it exposure to the convicting power of the law-portion of that Word and the working of the full realization of sin (3:10-20), so the second blessing of having the divine oracles is, correspondingly, the opportunity of exposure to the "righteousness-bestowing," saving, life-sustaining power of the Gospel-portion of the Word (3:21-31; and 1:16-17). Paul states that apart from law of any kind the righteousness of God, that is, the status of "rightness" before (or, the right relationship to) the deity which God forensically provides has been, and stands (objectively) revealed (namely, in the Gospel;²¹ compare 1:17). To that righteousness the entire Old Testament ("the law and the prophets") bear witness (compare Romans 4). This righteousness is granted by God through faith—a faith which has Jesus Christ as its object and contents—to all those who believe. For there is no difference (among *believers*); for all (believers) have sinned and lack the acknowledgement (or, approbation) of God—they (the believers) being justified (all along as they come to faith initially; and continually as they remain in faith) freely by his (God's) grace through the redemption in Christ Jesus (the factor which makes it possible for God to act with his saving power among men and to declare his justifying verdicts). This Christ Jesus God set forth for Himself (God being both the subject and the object of the redemption) as a "mercy-seat," (effective) through faith, in connection with his blood (for two purposes): (first) for the demonstration of his righteousness on account of the passing over the sins (of believers)

committed in the past (during the time before Christ, the Old Testament period) in the forbearance of God; (and secondly) for the demonstration of his righteousness in the present period (the New Testament era), that He might be just, and (this when) justifying him who is of (that is, whose spiritual being is derived from) faith in Jesus.

Then, in verses 27-31, Paul asks and answers a number of questions suggested by the Jewish and Christian advantage of possessing the oracles of God, and the law and Gospel power in the divine Word; what he says particularly serves to highlight facets of the doctrine concerning the righteousness of God and justification about which the apostle has been speaking. The advantage of the possessors of the Word, which gives access to the righteousness of God, is nevertheless one which explicitly shuts off all boasting on their part: for, when justification takes place, this occurs only through faith—apart from all works of law, that is, works done in obedience to law with a view to gaining divine, justifying approval. Furthermore, in the matter of justification, no restriction of nationality applies: Jews and Gentiles alike are simply justified *by faith*. Finally, in the process of the bestowal of God's righteousness through faith and apart from any works of law, it should be borne in mind, however, that God's law is not abrogated. On the contrary, this law is established by believers (in several ways, but principally because they accept by faith the Christ who had perfectly kept God's law, and thus this faith supports the law's holy requirements; because the law serves Christians as a mirror and rule after their conversion; and because those who are justified can and do keep commandments of God's law, thus fulfilling the final purpose of their redemption and justification).

It will be seen that the foregoing interpretative rendering of 3:21-26 provides a solution, consistent with the analogy of faith and other traditional principles of Lutheran hermeneutics, for various exegetical difficulties which have been found in the Biblical text. A number of observations may be made. This interpretation regards the *pantas tous pisteuontas* of verse 22, the *pantes* of verse 23, and the *dikaiousmenoi* of verse 24 as standing "in series," all expressions referring to believers in Christ.²² the point of 22c-24a, according to this view, is that there is no distinction in the ranks of believers—some, perhaps, having qualities which render them more pleasing in the eyes of the deity and on this account eliciting his justifying verdict. No, all among the believing have sinned, but all are alike justified freely by divine grace. Understood this way, the participle *dikaiousmenoi* carries the thought along in a smooth and intelligible manner; and the material of verses 24-26 which it introduces need not be considered intrusive in its context. It may be added that, in having the participle of verse 24 refer to believers, the doctrine of justification *by faith* (the only justification of which Paul knows in Romans) is safeguarded.²³

In the rendering of 3:25-26 just presented, the twice mentioned *tēs dikaiosunēs autou* is to be understood as the inherent righteousness of God, the divine attribute and activity of righteousness.²⁴

In an interesting turn of thought in the context, Paul states that from God's point of view a chief purpose for which He set forth Christ as a mercy-seat was for the demonstration of his own righteousness in his past activity of passing over the sins committed in the past, that is, by believers in the Old Testament period (God could not, and did not, pass over, or pass by, the sins of the unbelieving wicked in the Old Testament period). He had not punished the faithful for their transgressions during century after century of history gone by. How could the Holy One of Israel do this consistently with his justice? The time had to come, when the substitutionary sacrifice of the Messiah would be made. Then the divine activity in passing over the sins of those who trustingly awaited the Messiah's coming would be vindicated. Thus it is that God set forth Christ for the demonstration of his righteousness. In a similar way, the same setting forth of Jesus provided a demonstration of the divine righteousness in the pronouncement of a justificatory verdict upon believer after believer in the New Testament period (*en tō nun kairō*). This motif, of God's desiring not only to be but also to be seen (by men and angels) as inherently righteous, has appeared previously in Romans at 2:5 (*en hēmera . . . apokalypseōs dikaiokrisias tou theou*) and 3:4.

Given the thoughts the apostle wished to express in 3:25 and 26, it can be readily understood, furthermore, how he might light upon the (perhaps infrequently used) participle *progegonotōn* as a useful modifier of the word *hamartēmaton*. As for Paul's employment of the term *paresis* in verse 25, R. C. H. Lenski's comment is illuminating:

Paul writes *paresis*, that God passed over the sins of these Old Testament believers. This does not mean that he could not have written *aphesis*, "remission" (forgiveness), that God pardoned their sins. The Old Testament uses this very word again and again with reference to the Old Testament saints (for instance Ps. 32, 1-2). Paul's "passing over" is used for the sake of exactness in the present connection. What actually took away the sins of the Old Testament saints was Christ's blood. Until that blood was actually shed all *aphesis* was, to be exact, a *paresis*; all "remitting" a "passing over." The final reckoning with the sins of the Old Testament believers was, as it were, postponed until the true Mercyseat was set forth. In this way the Old Testament saints had their "remission," it was in the form of a "passing over." No wonder all of them longed for Christ to come (Matth. 13, 17; John 8, 56). Not that this "passing over" was no "remission," or only an uncertain thing. The very contrary. God's promise of Christ's coming could not fail; in fact, as far as God was concerned the Lamb was slain already from the foundation of the world (Rev. 13, 8), and time does not hamper God. And yet, after all, the advance certainly rested on the actual historical act of our High Priest entering into the Holy of Holies of heaven with his own blood (Heb. 9, 12 and 24). For this reason Paul writes "passing over."²⁵

What may be said about Paul's use of the term *hilastērion* (the third of the "Pauline *hapax legomena*") in verse 25, which the foregoing rendering has translated "mercy-seat" (meaning the lid of the Ark of the Covenant)?²⁶ By applying the term *hilastērion* to Christ and thus designating Him as the great Antitype of the cover-lid of Israel's physical ark, Paul desired vividly to portray the meaning of Jesus' redemptive work to his Roman readers. What the blood-besprinkled ark typified on the Day of Atonement (see Lev. 16:1-16) occurred when Jesus became the bloody Christ of Calvary. On the cross Jesus shed his own expiatory, sin-atonement blood in the presence of the Father, so that when his bloody sacrifice is apprehended through faith by those who come to trust in Him, Jesus, He may become effective for them as a propitiatory Mercy-seat—as a cover for their transgressions, hiding them from the sight of the Father and thus appeasing his wrath against them for the sins they have committed; as a cover, hiding the tables of the law with its accusations against the people of God on account of their iniquities. To speak of Christ as *hilastērion* here in Romans 3 served Paul's purpose well in his extended presentation of the doctrine of justification. That the apostle did not choose to use the same figurative designation of Jesus in other epistles is entirely his prerogative. Certainly the absence of the term *hilastērion* in the rest of Paul's writings is not a proof that for it to appear in Romans 3 a citation of non-Pauline material had to occur.

The interpretation of Rom. 3:21-26 provided in the preceding paragraphs suggests that Paul is the author of all the material presented in these verses and shows that an adequate exegesis of this Scripture section can be offered without introducing the supposition that Paul in verses 24-26a is quoting and adapting for his purposes an earlier, Christian, confessional formula.²⁷

*Is "Justification" in Pauline Theology
Both "Forensic" and "Effective"?*

Attention may be called to the view held by some scholars that the justification of which Paul speaks in Rom. 3:21-31 and elsewhere in his writings is not only a forensic action but includes also a bestowal of actual righteousness (as a real possession) upon the individual believer justified. Karl Kertelge writes, for example, in a comment on 3:24:

In V. 24 sind die beiden adverbialen Bestimmungen *dōrean* und *tē autou chariti* von Paulus eingefuegt, um die Rechtfertigung, die von Gott an den Suendern (V. 23) vollzogen wird, als eine geschenkwiese mitgeteilte, allein in seiner Gnade begruendete Tat zu charakterisieren. Hiermit wird ein doppelter Aspekt des paulinischen Rechtfertigungsgedankens sichtbar, der in den V. 21 und 22 noch nicht so ausdruuecklich erschien. Die Rechtfertigung geschieht am Suender (vgl. auch 4, 5) als eine unverdientbare Tat der Gnade Gottes (vgl. 4, 4.16). Dass der Mensch gerade als Suender, und nicht wie im AT und Judentum als Gerechter, von Gott gerechtesprochen wird, ist allerdings eine Tatsache, die nur von der *charis* Gottes her

verstanden werden kann. Auch *dōrean* bringt an dieser Stelle den Gnadencharakter der Rechtfertigung zum Ausdruck. Zugleich wird hiermit die dem Suender zuteilwerdende Gerechtsprechung als Gabe bezeichnet. Denn *dōrean* ist adverbial gebrauchter Akkusativ von *dōrea*. Jedoch darf der Gabencharakter der Rechtfertigung nicht gegen deren forensische Struktur ausgespielt werden so dass diese gegenueber der von Gott dem Menschen mitgeteilten Gabe der Gerechtigkeit ganz gelugnet oder doch als ganz in sie uebergehend gedacht wird. Die Spannung von forensischer Rechtfertigung, also Gerechtsprechung, die dem Menschen aus der unverfuegbaren Gnade Gottes zukommt, und Gabe der Gerechtigkeit, die dem Menschen mitgeteilt wird und ihn zu einem neuen Menschen umwandelt, darf nicht verkuerzt werden, sondern sie muss als fuer das denken des Apostels charakteristisch angenommen werden. Im Sinne der These Kaesemanns, die Gerechtigkeit Gottes sei Macht und Gabe zugleich, laesst sich die Gabe der Rechtfertigung, die niemals von ihrem Geber loszuloesen ist, als im Gerechtfertigten sich entfaltende Macht Gottes verstehen. Bestaetigt wird der Machtcharakter der Gnade, die in der Rechtfertigung des Suenders wirksam wird, durch Paulus in Roe 5, 20f: "Wo sich aber die Suende mehrt, ist die Gnade ueberstroemend geworden, damit, wie die Suende durch den Tod geherrscht hat, so auch die Gnade durch Gerechtigkeit herrsche zum ewigen Leben durch Jesus Christus, unsern Herrn."²⁸

Again he states: "Das Urteil Gottes hat schoepferische Kraft. Die Gerechtsprechung des Suenders hat nicht nur forensische, sondern als forensische auch 'effektive' Bedeutung."²⁹ Once more Kertelge makes his position clear, in these words:

Die Gerechtsprechung des Suenders laesst einen neuen Menschen erstehen. Das verfuegende Handeln Gottes bedeutet also eine Neuschaffung, so dass die Gottlosigkeit des Suenders durch eine ihm eingestiftete neue Beziehung zu Gott ueberwunden wird. In diesem Sinne ist der Gerechtfertigte "neue Schoepfung," "in Christus."

Der forensische Charakter des Rechtfertigungsbegriffs, wie er vom Judentum auf Paulus gekommen ist, ist also in einem eindeutigen Sinne neugepraegt: Er bedeutet nicht mehr die Anerkennung der Gerechtigkeit, die der Mensch aus eigener Kraft hat, auch nicht einfach die Imputation einer fremden Gerechtigkeit, naemlich der Gerechtigkeit Christi, sondern die den alten Menschen neuschaffende Verfuegung Gottes mit dem Resultat einer echten Gerechtigkeit aus Gnade, die zum "Besitz" des gerechtgesprochenen Menschen wird, ohne damit in dessen eigenmaechtige Verfuegung einzugehen. Rechtfertigung heisst also: Der Suender laesst sich von Gottes Gnadenwirken ergreifen und neugestalten. Sie findet ihren Ausdruck in der Beziehung zwischen Gott und den Gerechtfertigten,

die durch den Gehorsam des Gerechtfertigten dargestellt wird, die aber durch die vogaengige Gnade Gottes schon Wirklichkeit ist. Diese wird somit am besten als Beziehungsrealitaet verstanden.³⁰

In response to Kertelge's views it must simply be asserted that a careful study of all the Pauline passages dealing with "justification" by faith and the saving "righteousness of God" reveals that in the apostle's usage the terms *dikaioō* and *dikaioῦnē* have an exclusively forensic force. Now, according to Paul's theology, the sinner who is justified by faith immediately becomes a "new creation" (*kainē ktisis*), 2 Cor. 5:17, but this newness is connected explicitly (in the text) with his being "in Christ," and not with justification. The first eleven verses of Romans 6 speak of what divine *grace* (not the righteousness of God), reigning powerfully *through* forensically applied righteousness (5:21; 6:14), effects in the lives of persons who come to faith. Through baptism *eis Christon lēson* they are joined to Christ in his death and burial; their old man is crucified with Christ. In baptismally established union with Christ they also participate with Him in a resurrection like his and become alive unto God; they put on the new man, who is "created after the likeness of God in true righteousness and holiness" (Eph. 4:24, Revised Standard Version). This is the actual righteousness of the new man who is brought into being when a person comes to be "in Christ"; it is the righteousness of the new man in connection with which the Christian is provided with motive and strength to overcome sin and its oppressive power, in his behavior (6:12-14).³¹ The sixth chapter of Romans is, however, in the "effects section" of the epistle (chapters 5-8), in which Paul sets forth the results of justification by faith (as discussed in 3:21-4:25). Since the union of the believer with Christ and the new creation of the inner man occur in (immediate) consequence of exclusively forensic justification, it is better, in the interest of exactness and fidelity to Pauline teaching, not to speak of this justification itself as having a "creative" or "effective" power bestowing actual righteousness in the form of a "gift" or "possession" upon the justified—as Kertelge proposes. Justification and the reception of forensic righteousness in the apostle's theology ought rather be viewed as laying the basis for the creation "in Christ" of the new man and his actual righteousness.³²

FOOTNOTES

1. Gottlob Schrenk, "*dikaioō*," *Theological Dictionary of the New Testament*, edited by Gerhard Kittel, Gerhard Friedrich, and Geoffrey W. Bromiley, translated from the German by Geoffrey W. Bromiley (Grand Rapids: William B. Eerdmans Publishing Company, c.1964), II, 215-216.
2. Schrenk, "*dikaioῦnē*," *Theological Dictionary*, II, 204.
3. Rudolf Bultmann, *Theology of the New Testament*, translated from the German by Kendrick Grobel (New York: Charles Scribner's Sons, 1951), I, 272.
4. "Apology," III, 184-185, *Concordia Triglotta*, edited by F. Bente, English translation by F. Bente and W. H. T. Dau (St. Louis: Concordia Publishing House, 1921), pp. 205, 207. Cf. XXIV, 12, p. 387, and many other statements in the Confessions.

5. Cf. Bultmann, *Theology*, I, 285: "The reason why 'righteousness' is called 'God's righteousness' is just this: Its one and only foundation is God's grace—it is God-given, God-adjudicated righteousness (Rom. 1:17; 3:21f., 26; 10:3). The meaning of this phrase (i.e. the classification of the genitive as a genitive of the author) is unequivocally determined by Rom. 10:3: 'For, being ignorant of the righteousness that comes from God, and seeking to establish *their own*, they (the Jews) did not submit to God's righteousness,' and Phil. 3:9: 'not having a righteousness of *my own*, based on law, but that which is through faith in Christ, the righteousness from God that depends on faith.' As 'their own' or 'my own' means the righteousness which man exerts himself to achieve by fulfilling the 'works of the Law,' so 'God's righteousness' means the righteousness from God which is conferred upon him as a gift by God's free grace alone."
6. It may be noted in passing, at this point, that the righteousness of God referred to in 3:25 and 26 (*tes dikaiousunes autou*, occurring twice; and *eis to einae auton dikaiou*) is not the imputed righteousness the believer receives from God, but the inherent righteousness of the deity—God's acting in conformity with his own justice, specifically (in context) in the process of forensically justifying believing sinners. This righteousness of God will be further discussed in the short exegetical treatment of Rom. 3:21-31 provided later in this paper (see pp. 256-257 and also footnote 24).
7. E. R. Achtemeier, "Righteousness in the OT," *The Interpreter's Dictionary of the Bible*, edited by George A. Buttrick, et al. (New York: Abingdon Press, 1962), IV, 85. Cf. Walter E. Roehrs, "Covenant and Justification in the Old Testament," *Concordia Theological Monthly*, XXXV (October 1964), 596: "Israel can dare to invoke this righteousness of God in its behalf only because it rests its case on the promise of God that He will do the right thing in keeping His part of the covenant. God entered into an agreement with His people on the basis that He would not let justice prevail in His relationship to them but be merciful and gracious, forgiving transgression and sin. The person who has no right has, as a covenant partner with God, the right to hold God to His agreement to be righteous, that is, to acquit him. The righteousness of God is the covenant God in action; He 'practices steadfast love, justice, and righteousness' (Jer. 9:24). Because He keeps the covenant His righteousness never ceases: 'My righteousness shall be forever, and My salvation from generation to generation.' (Is. 51:8)"
8. Roehrs, p. 598. Cf. Gen. 15:6; Hab. 2:4.
9. See Roehrs, pp. 598-599; Achtemeier, p. 82.—For an elaboration of the idea that the Pauline concept of righteousness presumes a covenant relationship, see P. J. Achtemeier's article, "Righteousness in the NT," *Interpreter's Dictionary*, IV, 91-99.
10. Bultmann, *Theology*, I, 272-273.
11. *Ibid.*, p. 279.
12. Cf. Schrenk, "*dikaiousune*," who declares in his discussion of "Righteousness in the Synagogue" (Kittel-Bromiley, II, 196) that "The Synagogue does not speak of the righteousness of God in the sense of R. 3:21" and writes (II, 197): "Some brief indication should be given of the basis of the Rabbinic view . . . Every fulfillment of the Law *miswah*, carries with it a merit: *zakut*, which the Israelite earns before God. *Zakut* itself originally means 'righteousness,' and the verb *zkh* 'to be righteous,' 'to be worthy,' 'to merit,' 'to have merit.' The amassing of fulfillments, i.e., of merits, is the goal. Of help are alms, works of charity, the merit of the fathers and other fulfillments of the Law. Standing before God is in exact accordance with the predominance of merits or transgressions. The justifying sentence of God in the last judgment will be for the Israelite if his merits predominate. He will then stand before God as righteous. The purpose of the last judgment is to see whether merit or transgression is the greater."
13. John Reumann, "The Gospel of the Righteousness of God," *Interpretation*, XX (October 1966), 432. Some of the scholars accepting (as well

as rejecting) this view are named in footnote 2 on the same page of Reumann's article.

14. Rudolf Bultmann, "Neueste Paulusforschung," *Theologische Rundschau*, VIII (1936), pp. 11-12.
15. Rudolf Bultmann, *Theologie des Neuen Testaments* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1948, pp. 47-48). (English translation, *Theology*, I, 46.)
16. Ernst Kaesemann, "Zum Verstaendnis von Roemer 3, 24-26," originally in *Zeitschrift fuer die Neutestamentliche Wissenschaft*, XLIII (1950/51), pp. 150-154; reprinted in the collection of Kaesemann's writings, *Exegetische Versuche und Besinnungen* (unaltered 2nd edition; Goettingen: Vandenhoeck und Ruprecht, 1960), I, 96-100.
17. Reumann, pp. 432-452.
18. Reumann in footnote 10, p. 436, invites comparison with "the use of *hos* at Phil. 2:6; Col. 1:15, perhaps 1:13; I Tim. 3:16, I Peter 2:23, and Rom. 4:25, all in the nominative." He adds: "The use of the relative pronoun in the accusative at Rom. 3:25 seems unparalleled in other credal formulae, but the point stands that the relative pronoun style occurs here. Perhaps the use of *hon* is evidence that 3:25 could not have been the beginning of the quotation."
19. Bultmann, *Theology*, I, 46.
20. Otto Kuss, *Der Roemerbrief* (Part 1; Regensburg: Verlag Friedrich Pustet, 1957), p. 160.
21. Cf. C. H. Dodd, *The Epistle of Paul to the Romans in The Moffatt New Testament Commentary* (New York: Harper and Row, [1932], p. 49).
22. This is the association of expressions in these verses which is preferred by William Sanday and Arthur C. Headlam, *A Critical and Exegetical Commentary on the Epistle to the Roman*, in *The International Critical Commentary* (Eleventh edition; New York: Charles Scribner's Sons, 1906), pp. 85-86.
23. The view that an "objective" justification of the world of sinners is here spoken of is to be rejected.
24. John Murray, *The Epistle to the Romans*, in *The New International Commentary on the New Testament* (Grand Rapids: William B. Eerdmans Publishing Company, c.1959), I, 118-119, writes: "There are compelling reasons for thinking that the righteousness of God in this case is the attribute of justice, as in verse 5. . . . In verse 26 Paul returns to this same consideration and informs us specifically of the end to which this demonstration of righteousness is directed; it is to the end 'that he may be just and the justifier of him who is of the faith of Jesus.' This intimates that the exigency in view is the justice of God in the justification of sinners. In the provisions of propitiation two things cohere and coalesce, the justice of God and the justification of the ungodly. This justice of God implied in the expression, 'that he might be just,' cannot be the righteousness of God that is operative unto and constitutive of our justification. The form of the expression shows that it is the inherent righteousness of God that cannot be violated on any account and must be vindicated and conserved in the justification of sinners. This shows that the righteousness contemplated in the demonstration in verse 25, as well as in verse 26, is the inherent justice of God."

Cf. Schrenk, "*dikaioσune*," *Theological Dictionary*, II, 204: "God both is and demonstrates Righteousness. The *dikaioσune theou* makes it plain that God is righteous, that righteousness is proper to Him: R. 3:25 f.: *eis endeixis tes dikaioσunes autou*—*eis to cinai auton dikaion*. This statement, however, does not imply a static quality. It is grounded in the demonstration of the *endeixis* of His judicial action. *Dikaioσune* is an expression of grace, but of such a kind that the justice of God is also displayed. The *endeixis* prevents misunderstanding of the *paresis* and is thus given concrete form in an act of atonement. Cf. the conjoining of the thought of judgment with the divine action at the cross in Gl. 3:13; 2 C. 5:21; R. 8:3. Nevertheless, the *endeixis* is also a declaration of the pardon which brings salvation. We thus have duality, justice and

grace being conjoined. Judaism had striven in vain to relate the goodness of God to His justice That God's clemency was greater than His strict equity was only a flickering hope. From the saving act of the cross Paul gathers assurance of faith that the justice and grace of God are here united for all time and on the deepest level. This means that the antinomian misunderstanding of laxity and feeble compromise is unconditionally excluded. Forgiveness is an act of judgment in which the justice of God is fully vindicated. It thus means redemption in sacred purity and with an uncompromising No against evil. If the nomistic Pharisee says that the commanding righteousness of God is revealed in the Law, Paul, the Pharisee who has been apprehended by Christ, goes on to say that the judicial and gracious righteousness of God is declared in the act of salvation."

25. R. C. H. Lenski, *The Interpretation of St. Paul's Epistle to the Romans* (Columbus: Lutheran Book Concern, 1936), p. 265. Cf. T. Fahy, *New Testament Problems* (Dublin: Clonmore and Reynolds, 1963), pp. 44-53.
26. The Revised Standard Version renders *hilasterion* as "expiation"; the King James Version, as "propitiation." A principal reason for the writer's preference for the rendering "mercy-seat" may be briefly stated as follows: in the LXX *hilasterion* is a technical term, translating the technical Hebrew term *Kapporet* and referring throughout to the physical lid of the ark of the covenant. *Hilasterion* in the LXX may be given the English translation "mercy-seat." ("Mercy-seat" is the English term used both by the RSV and the KJV to translate the Hebrew *Kapporet*; cf., e.g., Ex. 25:17-22.) As the LXX was the "Bible" to most of Paul's Roman Christian addressees, it would be natural for them, when *hilasterion* was mentioned, to think immediately of the lid for the ark. It is not likely that Paul would use a technical term like this other than in the sense of the LXX for his readers. Had Paul meant at 3:25 to signify something other than the ark's lid, he doubtless would have given some indication of this in the context, in connection with the use of the term *hilasterion*. With *hilasterion*, Paul designates Christ as the great Antitype of the cover-lid of the physical ark.

In the final analysis, of course, either of the translations for *hilasterion*, "mercy-seat" or "propitiation," conveys an identical ultimate significance in its application to Christ. Because of the presence of the following *dia pisteos* the translation "expiation," however, is inadequate. Christ was an "expiation" (an expiatory, redeeming Sacrifice) regardless of whether men receive Him in faith or not. On the other hand, He is a Propitiation or Mercy-seat only for those who believe.—Anders Nygren is representative of scholars who prefer to render *hilasterion* as "mercy-seat"; see his *Commentary on Romans*, translated from the Swedish by Carl C. Ras-mussen (Philadelphia: Muhlenberg Press, 1949), pp. 156-158.

27. Charles H. Talbert in an article titled "A Non-Pauline Fragment at Romans 3:24-26?" *Journal of Biblical Literature*, LXXXV (September 1966), pp. 287-296, contends that a traditional fragment is to be found at Rom. 3:25-26 rather than at verses 24-25. He also expresses the view that 3:25-26 is not integral to Romans but is a later interpolation into the epistle. The arguments presented by Talbert are no more convincing than those adduced in support of the Bultmann-Kaesemann theory. For the idea that 3:25-26 are a later interpolation there is not a shred of manuscript evidence.
28. Karl Kertelge "Rechtfertigung" bei Paulus (Muenster: Verlag Aschen-dorff, 1967), pp. 80-81. For the elaboration of Kaesemann's thesis, referred to by Kertelge, see the former's essay "The Righteousness of God' in Paul," in *New Testament Questions of Today*, translated from the second German edition by W. J. Montague (Philadelphia: Fortress Press, 1969), pp. 168-182.
29. *Ibid.*, p. 123.
30. *Ibid.*, pp. 158-159. For a similar view, cf. Joachim Jeremias, *The Central Message of the New Testament* (New York: Charles Scribner's Sons, 1965), p. 64.

31. For a detailed study of the significance of the Christian's baptismally established union with Christ, see the present writer's unpublished Master's Thesis titled "The Christian Under Grace, According to Romans 6:1-14," Concordia Seminary, St. Louis, 1967.
32. The Lutheran Confessions emphasize the same thought, when discussing, e.g., the distinction between the terms "justification" and "regeneration," as employed in the confessional writings. The Formula of Concord declares: "Concerning the righteousness of faith before God we believe, teach, and confess unanimously, in accordance with the comprehensive summary of our faith and confession presented above, that poor sinful man is justified before God, that is, absolved and declared free and exempt from all his sins, and from the sentence of well-deserved condemnation, and adopted into sonship and heirship of eternal life, without any merit or worth of our own, also without any preceding, present, or any subsequent works, out of pure grace, because of the sole merit, complete obedience, bitter suffering, death, and resurrection of our Lord Christ alone, whose obedience is reckoned to us for righteousness.

"Accordingly, the word *justify* here means to declare righteous and free from sins, and to absolve one from eternal punishment for the sake of Christ's righteousness, which is imputed by God to faith, Phil. 3,9. . . .

"However, since the word *regeneratio*, regeneration, is sometimes employed in the confessions for the word *iustificatio*, justification, it is necessary that this word be properly explained, in order that the renewal which follows justification of faith may not be confounded with the justification of faith, but that they may be properly distinguished from one another.

"For, in the first place, the word *regeneratio*, that is, regeneration, is used so as to comprise at the same time the forgiveness of sins for Christ's sake alone, and the succeeding renewal which the Holy Ghost works in those who are justified by faith. Then, again, it is [sometimes] used *pro remissione peccatorum et adoptione in filios Dei*, that is, so as to mean only the remission of sins, and that we are adopted as sons of God. And in this latter sense the word is much and often used in the *Apology*, where it is written: *Iustificatio est regeneratio*, that is, Justification before God is regeneration. St. Paul, too, has employed these words as distinct from one another, Titus 3, 5: *He saved us by the washing of regeneration and renewal of the Holy Ghost*. As also the word *vivificatio*, that is, *making alive*, has sometimes been used in a like sense. For when man is justified through faith (which the Holy Ghost alone works), this is truly a regeneration, because from a child of wrath he becomes a child of God, and thus is transferred from death to life, as it is written: *When we were dead in sins, He hath quickened us together with Christ*, Eph. 2, 5. Likewise: *The just shall live by faith*, Rom. 1, 17; Hab. 2, 4. In this sense the word is much and often used in the *Apology*.

"But again, it is often taken also for sanctification and renewal, which succeeds the righteousness of faith" "The Formula of Concord, Thorough Declaration," III, 9, 17-20, *Concordia Triglotta*, pp. 919, 921.