

JASON WENDEL

Luke and the Law

*Wissenschaftliche Untersuchungen
zum Neuen Testament 2. Reihe*
658

Mohr Siebeck

Wissenschaftliche Untersuchungen
zum Neuen Testament · 2. Reihe

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Jason Wendel

Luke and the Law

A Defence of Christian Law-Observance

Mohr Siebeck

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ISBN 978-3-16-200139-9 / eISBN 978-3-16-200140-5
DOI 10.1628/978-3-16-200140-5

ISSN 0340-9570 / eISSN 2568-7484
(Wissenschaftliche Untersuchungen zum Neuen Testament, 2. Reihe)

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliographie; detailed bibliographic data is available on the Internet at <https://dnb.dnb.de>.

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Printed on non-aging paper.

Mohr Siebeck GmbH & Co. KG, Wilhelmstraße 18, 72074 Tübingen, Germany
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To my mother,
my first and favourite teacher

Preface

This monograph is the revised version of a thesis which was accepted for the degree of Doctor of Philosophy by the University of Cambridge. I gladly record my gratitude to the Kirby Laing Foundation and the Canadian Social Sciences and Humanities Research Council for financially supporting me throughout my course of study. The privilege of studying at Cambridge would not have been possible without this generous funding.

In the writing of this book, however, I incurred many debts which, though not financial, are no less substantial. Of these, I have only space to name a few. I begin by thanking my doctoral supervisor, Simon Gathercole, whose shrewd criticism, lively debate, and timely encouragement made the PhD as enriching as it was enjoyable. His example of careful scholarship will always be the bar to which I strive (in vain) to attain. My examiners, James Carleton-Paget and Markus Bockmuehl, helped remove errors from the thesis and made key suggestions for its improvement. I am also grateful to the editors at Mohr Siebeck, both for their acceptance of this monograph and also for their support in bringing it to this published form. I must also thank my father, Bruce Wendel, who kindly agreed to help me edit the final proofs – a tedious job! With such great support along this journey, I alone must be blamed for any remaining faults and weaknesses.

Readers familiar with Lukan studies will perceive a certain ‘family resemblance’ when it comes to my reading of Luke-Acts. My mother, Susan Wendel, not only read the scriptures to and with me for as long as I can remember, but was also my first New Testament professor. Since taking that first class on the gospels in 2013, we have spent countless hours discussing the New Testament, Early Judaism, and, of course, Luke-Acts. While she has yet to read any part of this project – I thought it best to keep it from her until it was finished – my work inevitably bears the marks of this ongoing apprenticeship. Hopefully, this book does credit to my teacher by showing, however imperfectly, the benefit of her instruction.

Several others have contributed to my intellectual development. During my undergraduate and MA, Wes Olmstead, David Miller, Eric Ortlund, and Samuel Hildebrand were especially influential in shaping my approach to biblical texts. During my doctoral studies, George van Kooten and Jonathan Linebaugh generously gave of their time to discuss both my project and the field of New

Testament studies more generally, even though I was not their student. I am grateful to countless others at Tyndale House and the New Testament Graduate Seminar at Cambridge for their willingness to discuss Luke-Acts over coffee, tea, or (best of all) a pint.

From among the many friends with whom I had the pleasure of sharing my time at Cambridge, I must single out Judson Greene and Nicholas List. The combination of warm camaraderie, critical dialogue, and spiritual encouragement we shared was more than I could have hoped for and so rare that I do not anticipate experiencing anything so exquisite a second time – unless, of course, we have the good fortune of crossing paths again.

Last, and most of all, I want to thank my wonderful wife, Julie. We embarked on our educational ‘UK adventure’ together, and she has been closely involved in my research at every step of the process. No one has listened to more of my vaguely-formed thoughts, read more of my rough drafts, or made as many helpful suggestions as Julie. Her love, support, and encouragement are what made this project possible; I cannot even contemplate how I might have done this without her. I take comfort in the fact that, of all the people enumerated here, to Julie I will have the best chance of returning the favour as we continue to walk this journey together.

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Introduction

An Orderly Account of Luke's View of The Law?

It is virtually impossible to construct a consistent pattern from this evidence The variety of Lucan material on the law and the absence of any clear signs of reflection on it, in marked contrast to Matthew and Mark, suggest that the question of Jesus' attitude towards the law was not a problem for Luke and his readers (Wilson 1983, 57).

Thus argued S.G. Wilson in his classic study, *Luke and the Law*, which is by far the most influential exposition of the subject in the last fifty years. As we shall see, the core of Wilson's thesis – that Luke's treatment of the Law is inconsistent – has remained dominant in scholarly discussion of the subject throughout the last four decades, albeit in various modified forms.

In the present study, I challenge this hypothesis. I contend that (1) it is possible to construct a consistent pattern from Luke's writings, (2) which evinces a clear rhetorical goal of portraying the nascent Christian movement as faithful to the Law, and (3) thus suggests that correct interpretation and observance of the Law was significant for Luke and his readers. Many authors have attempted to revise and update Wilson's thesis over the past four decades, yet by accepting and promulgating core elements of this hypothesis, they continue to misconstrue Luke's treatment of the Law.

This introductory chapter unfolds in three parts. First, we consider the history of the scholarship relating to 'Luke and the Law' before the publication of Wilson's work. This customary exercise is perhaps especially important in the present case, since more recent studies of the subject exhibit a remarkable amnesia concerning the origins of the arguments they advance. Second, we chart the way this scholarly conversation has progressed in recent decades, contextualising the goals of the present study. Finally, we will outline our method and plan of study.

1. Why is Luke-Acts so 'Jewish'? The Origins of the Argument for 'Inconsistency'

When Wilson and those after him contend that the material concerning the Law in Luke and Acts is inconsistent and contradicting, they are (unwittingly?) re-prising long-held ways of understanding Luke's relationship to Judaism and Jewish symbols like the Law. At the time of his writing, Wilson noted that there

were very few scholarly works dedicated specifically to the 'Law in Luke-Acts' as such (1983, 54), but this does not mean the topic was unimportant or unaddressed by previous critics. Instead, the subject was subsumed under the more general category of 'Jewishness' or 'Judaism'.¹ As long as scholars have critically examined the books of Luke and Acts, the 'Jewish' features of the texts – most notably, a strong emphasis on and respect for the Law – have been clear. Scholars do not disagree about the presence of such features, but in how they choose to explain their significance for Luke's writings.

1.1 F.C. Baur and the Tübingen School

Over a century earlier than the publication of Wilson's book, F. C. Baur and his students were already discussing what they considered the 'Jewishness' of the Gospels (including Luke) and Acts, signified by particulars such as messianism and respect for the Law. Indeed, distinguishing the presence of the 'Jewish features' of Luke and Acts was of critical importance for this group of scholars, who became known as the Tübinger Schule.² Baur and his students detected inconsistency between what the texts appeared to claim in various places, on the one hand, and what these scholars considered to be the essence of the gospel as taught by Paul, on the other hand. Such a discrepancy demanded an explanation. In the case of Jesus's teaching in the Gospels, 'Jewishness' was

¹ Although the older generation of scholars I survey here unfortunately conceive of 'Jewishness' (marked by respect for the Law) as an unambiguously *negative* feature of the texts, they are not necessarily wrong to conclude that the importance of the Law of Moses to an author is a useful tool for assessing the 'Jewishness' of that author. For a more sympathetic and nuanced treatment of the subject, see Oliver (2013, 5–10). On observance of the Mosaic Law as a mark of Judean identity, cf. note 56 below.

² Baur and his students are commonly referred to as the Tübingen school (Tübinger Schule). It is customary to trace ideas back at least as far as the Tübingen school because of the immense influence this group had on the course of later scholarship (even if much of that 'influence' took the form of later scholars defining their work over against the Tübingen school). I do not intend to give the impression that these ideas were entirely *new* even then. Indeed, as Matt Jackson-McCabe has masterfully illustrated, many of the core commitments of the Tübingen scholars, which I outline here, were articulated a century earlier by the Englishman Thomas Morgan and even others before him (McCabe 2020, 21–76). Morgan helpfully summarizes his position near the end of his work, *The Moral Philosopher* (a position which we will see reproduced by the Tübingen scholars): "no two Religions in the World can be more inconsistent and irreconcilable, than *Judaism* and *Christianity*; and yet if a Man reads the *New Testament* as a plain, historical, and uncorrupted Account of Things, without critical Remarks upon the State of Religion, and the Circumstances of that Time, he might be tempted to imagine, that *Judaism* and *Christianity* are both one and the same Religion, or at least have a necessary Dependence on, and Connexion with each other." (1995, 441). It is this perceived 'problem' – namely, the apparent 'Jewishness' of the New Testament texts that is evident to any careful reader – that faced generations of critical scholars who found something different in the NT than what they believed to be the essence of true religion.

explained as a necessary “concrete form” in which the spiritual contents of his teaching were clothed so that he could be understood. Baur explains:

Here, however, we shall do well to attend to the two elements which we found in the person of Jesus, and to their relation to each other. First, there was the moral universal in him, the unconfined humanity, the divine exaltation, which gave his person its absolute significance. On the other side there was the cramping and narrowing influence of the Jewish national Messianic idea. The latter was the form which the person of Jesus was obliged to assume if the former element was to have a point of vantage from which to go forth into the stream of history, and to find the way on which it could pass into the general consciousness of mankind (Baur 1878, 49).³

For Baur, it is only with Paul that the “essence of Christianity” is first properly “distinguished from Judaism” (1878, 49), whereas Jesus’s words were couched in ‘Jewish’ form. Thus, for Baur and his Tübingen school, the tension one perceives in the teachings of Jesus results from the necessity of Jesus’s universal message entering history at a particular point. The interpreter should distinguish between the form (narrow Jewishness) and the substance (moral universal) in Jesus’s teaching.

Perhaps even more influential was Baur’s well-known conception of the history of the early Church as a conflict between Petrine (Jewish) and Pauline (Gentile) factions. From within this framework, Baur understood Acts as a Pauline author’s apologetic attempt to bring the two together by presenting Peter as ‘Pauline’ and Paul as ‘Petrine’.⁴ Eduard Zeller, a student of Baur, summarizes the Tübingen school’s understanding of Acts succinctly:

Unsere Schrift ist der Friedensvorschlag eines Pauliners, welcher die Anerkennung des Heidenchristenthums von Seite der Judenchristen durch Zugeständnisse an den Judaismus erkaufen und in diesem Sinn auf beide Partheien wirken will (1854, 363).⁵

Zeller saw this compromise most clearly in both the Apostolic Decree, which assumes Jewish observance of the Law and even imposes a few legal requirements on Gentiles, as well as the presentation of Paul as personally law-observant in the latter half of Acts (especially Acts 21). But for Zeller, as for Baur, this attempted compromise with ‘Jewish Christianity’ was unhistorical, since it

³ Sometimes Baur defines ‘Judaism’ in terms of ‘Messianism’, as in the section quoted above. At other times, its distinguishing feature is the Law: “Thus Judaism is nothing more than the religion of the law in contradistinction to Christianity, which is the religion of the spirit” (1878, 58; cf. 54–55). Baur even speculates about whether Jesus’s teaching about the Law is given a “Judaistic colouring” by the Gospel writers, which is not original (30–32).

⁴ See Baur (1838, 142) for a brief overview of this perspective.

⁵ As cited in Gasque (1975, 49). Author’s translation: “Our writing is the peace proposal of a Pauline who wants to buy the acknowledgement of Gentile Christianity from the Jewish Christians through concessions to Judaism and in this sense wants to affect both parties.” Overbeck also notes this section in his re-write of Wilhelm Martin Leberecht de Wette’s commentary (1870, XXIX). (I would like to thank Dr. Christoph Hammann for double-checking my German translations and offering helpful feedback.)

conflicted with the historical Paul's teachings as evinced by his letters (1854, 275–279). The inconsistency between historical fact and Luke's record arises from Luke's conciliatory attempt to appease Jewish Christians.

Matthias Schneckenburger, a student of Baur who was less directly associated with the Tübingen school, disagreed that Luke's presentation of Paul necessarily conflicted with historical fact. Nevertheless, he agreed that Luke's portrayal of Paul as law-observant was an apologetic directed towards Jewish Christians:

Es zeigte sich uns 5) der dem Paulus in den Mund gelegte Lehrinhalt überhaupt so wenig ausgeführt, und so wenig in der sonst bekannten paulinischen Eigenthümlichkeit ausgeprägt, daß es aus ihm allein nicht möglich wäre, eine Vorstellung von den paulinischen Hauptlehren zu gewinnen; dagegen das apologetische Element in seinen meisten Reden so vorherrschend, und diese apologetischen Reden so ausschließlich gleichsam als das Resultat des Ganzen mit dem Schluß des Buches verwoben, daß eine apologetische Abzweckung desselben, so weit es sich mit Paulus beschäftigt, das einzig Wahrscheinliche sein kann. Alle aus den Briefen des Apostels bekannten Einwürfe der Judaisten wider ihn und seine Wirksamkeit zeigten sich auf eine für den judaistischen Standpunkt selbst berechnete Weise widerlegt (1841, 152).⁶

For Schneckenburger, unlike the members of the Tübingen school, this apologetic presentation of Paul was a matter of Luke's emphasis and not an outright creation, but he still sees it as an attempt to assuage Jewish Christian readers who might be offended by Paul.

1.2 Revisions of the Tübingen Thesis

Later authors such as Adolf von Harnack and Franz Overbeck concurred with the Tübingen school in their basic assessment of the evidence in Luke-Acts – that is, the 'Jewish features' of Luke and Acts were unharmonious with the essence of Jesus's and Paul's teaching. Yet these authors revised their explanation for why Luke wrote this way. In the case of Jesus's teaching, Harnack advances a very similar metaphor to Baur:

What was kernel here, and what was a husk, history has itself showed with unmistakable plainness Husk were the whole of the Jewish limitations attaching to Jesus' message Without doing violence to the inner and essential features of the Gospel – unconditional trust in God as the Father of Jesus Christ, confidence in the Lord, forgiveness of sins, certainty of

⁶ Author's translation: "The teaching put into Paul's mouth was so little developed, and so little developed in the otherwise well-known Pauline peculiarities, that it would not be possible to get an idea of the main Pauline teachings from it alone; on the other hand, the apologetic element is so predominant in most of his speeches, and these apologetic speeches were woven exclusively, so to speak, as the result of the whole with the end of the book, that an apologetic purpose of it, as far as Paul is concerned, is the only probable explanation. All the accusations of the Judaizers against him and his effectiveness known from the apostle's letters were refuted in a way calculated for the Judaistic standpoint itself."

eternal life, purity and brotherly fellowship – Paul transformed it into the universal religion, and laid the ground for the great Church (Harnack 1912, 182–183).

Harnack's "husk" and "kernel" give new words to Baur's idea of "form" and "content." While Jesus's teaching necessarily came couched in 'Jewish' form, it was the great work of Paul and the other apostles to separate out the pure kernel.

When it comes to Acts, however, Harnack disagrees with Baur and the Tübingen school and explains Luke's ostensibly high view of the Law in a different way. Harnack believed Luke was a travel companion of Paul and that they themselves held an inconsistent, conflicting view of the Law.⁷ On the one hand, Harnack valorizes Paul for breaking away from the Law and Judaism: "It was Paul who delivered the Christian religion from Judaism It was he who confidently regarded the Gospel as a new force abolishing the religion of the law" (Harnack 1912, 179–180). On the other hand, Harnack admits that Paul remained a 'Jewish Christian' and, as such, had certain personal limitations:

In allen diesen Beziehungen erschien die Haltung, die Paulus eingenommen hatte, noch unbefriedigend. Sie mußte notwendig weiter treiben. Befriedigend war nur das *fait accompli* – der Universalismus, und daß man los und ledig vom Gesetz war. Aber die notwendigen Konsequenzen schienen von Paulus noch nicht gezogen zu sein (1908, 212).⁸

Thus, ambivalence towards the Law lies within the apostle Paul himself, who grasped the fullness of the Gospel and set the trajectory for Christianity as a universal religion *sans law*, yet did not realize the full implications of that vision himself. Luke's account of Paul, then, is correct – he exhibits the same 'early' perspective as Paul from a time when Jewish Christianity exerted significant influence in the Church. Yet, paradoxically, Luke's perspective is even more 'Jewish' than Paul's:

Lukas, obwohl selbst geborener Heide, steht dem Gesetz näher als Paulus; man könnte daher auch seine Haltung „altertümlicher“ nennen; denn sie ist natürlich nicht als Rückschlag zu beurteilen, sondern ist Reflex eines geschichtlichen Zustandes, in welchem die Judenchristen noch eine sehr große Rolle spielten und die Heidenchristen die Devotion vor der *religio antiqua Judaeorum* noch nicht verloren, ein dezidiertes Selbstbewußtsein ihr gegenüber noch nicht gewonnen hatten (1908, 214).⁹

⁷ Harnack argues for this perspective throughout *Die Apostelgeschichte*, but see especially his first excursus (1909, 199–206).

⁸ Author's translation: "In all these respects, the attitude that Paul had adopted still seemed unsatisfactory. It had to continue. Only the *fait accompli* was satisfactory – universalism, and that one was free from the law. But Paul did not seem to have drawn the necessary conclusions yet."

⁹ Author's translation: "Luke, although himself a Gentile by birth, is closer to the law than Paul; one could therefore also call his attitude 'more ancient'; for it is of course not to be judged as a setback, but is a reflection of a historical situation in which the Jewish Christians still played a very important role and the Gentile Christians had not yet lost their

What was a later concession to 'Jewish Christianity' (Petrine Christianity) for the Tübingen school, Harnack takes to be the result of the actual historical situation for Paul and Luke in the first century. From his perspective, 'Judaism' still had a lingering (negative) influence on how these authors understood the gospel, and it is not until the later apologists (and Marcion)¹⁰ that the full implications of Christianity – such as complete freedom from the Law – are realized. Luke's inconsistent view of the Law, then, is the result of the mixture of the gospel with the last vestiges of Judaism in the worldview of the author.¹¹

Franz Overbeck was similarly interested by the positive view of the Law espoused in several places throughout Luke and Acts, but offered yet another explanation for that evidence.¹² Overbeck did not accept the Tübingen school's idea that Luke was making an appeal to 'Jewish Christianity', since much of the book of Acts, from his perspective, was antagonistic toward the Jewish people (1870, XXX–XXXI).¹³ He proposed, instead, that Luke only speaks of the Law in such positive terms because he writes at a later date, when the Church had become predominantly Gentile:

Nichts kann vielmehr evidenten sein, als dass die AG. das jüdische Christenthum als solches preisgibt und auf einem Standpunkt geschrieben ist, welchem das Heidenchristenthum als das in der Gemeinde durchaus vorherrschende Element gilt. Hieraus ergibt sich, dass die AG. sich nicht begreifen lässt als eine zwischen die urchristlichen Parteien des urapostolischen Judenchristenthums und des paulinischen Heidenchristenthums sich stellende Schrift. Ihr Heidenchristenthum ist freilich nicht das paulinische, aber noch weniger ist ihr Judaismus der urapostolische und lässt sich, was an ihr judaistisch ist, aus der Absicht sich auf den Standpunkt des ursprünglichen und eigentlichen Judenchristenthums zu stellen erklären (1870, XXXI).¹⁴

devotion to the *religio antiqua Judaeorum* and had not yet gained a dedicated self-assurance towards it."

¹⁰ See, for example, Harnack's *History of Dogma* (1901, 266–281).

¹¹ For Harnack, these vestiges of Judaism did not last long: "Diese Haltung des Lukas in bezug auf das Gesetz und das jüdische Volk ist sehr altertümlich, ein Ausdruck zeitgeschichtlicher Verhältnisse, wie sie im Zeitalter des Paulus bestanden, aber sich schwerlich lange nachher noch erhalten haben" (1908, 215).

¹² My arrangement here is not chronological: Overbeck wrote mostly before Harnack, and Harnack writes in response to both Overbeck and the Tübingen scholars (see, for example, Harnack, 1908, 215–216). I narrate the history this way because Overbeck's revision of the Tübingen hypothesis was more substantial than Harnack's and more influential for later scholarship.

¹³ Overbeck in his rewrite of de Wette's commentary (1870, XXX–XXXI).

¹⁴ Author's translation: "Nothing can be more evident than that Acts reveals Jewish Christianity as such and is written from a point of view in which Gentile Christianity is seen as the certainly predominant element in the community. From this it follows that the Acts cannot be understood as a writing that stands between the early Christian parties of early apostolic Jewish Christianity and Pauline Gentile Christianity. Its Gentile Christianity is of course not the Pauline one, but its Judaism is even less the original apostolic one, and what is

From Overbeck's perspective, Luke attempts to make sense of the original Jewish roots of the Christian movement retroactively, from a time and social location far removed from the original Pauline setting.¹⁵ But writing from this distant, 'Gentile' vantage point, Luke naively gives up the essentials of Paulinism, because he does not understand the importance of Paul's rejection of the Law (1870, XXXI–XXXII). For Overbeck, this leads to an unprincipled approach to the Law in Luke's writings, which rightly recognizes freedom from the Law (Acts 13:39 and 15:10) but wrongly imposes conditions on this freedom in the Apostolic Decree and assumes the obligation of Jewish Christians to the Law.¹⁶ This inconsistency emerges from Luke's failure to understand and strictly hold to Paul's absolute abolition of the Law in Luke's attempt to explain the Jewish roots of Christianity to fellow Gentiles.

Ironically, then, the same evidence that impressed the Tübingen school enough to conclude that Luke was writing an apology to 'Jewish Christians' led Overbeck to conclude that Luke wrote from an uninformed, Gentile perspective and wrote for a Gentile audience.¹⁷ Whereas the Tübingen school saw inconsistency between Luke's apologetic goals (a compromise with Jewish/Petrine Christianity) and the genuine gospel, Overbeck thought Luke's unprincipled approach to the Law was the result of a later Gentile author writing without fully comprehending the importance of the legal debates in Paul's time. Despite this disagreement, both the Tübingen scholars and Overbeck share a fundamental conviction. For all these authors, the Law-positive material in Luke-Acts is an unambiguously *negative* feature of the text, which requires interrogation and explanation. The logic appears to run as follows: since Luke includes ostensibly 'Law-positive' material, then he *must* be inconsistent, because this 'Jewish' aspect of the text contradicts Christian teaching, which Luke elsewhere expounds. No attempt is made to construct a consistent account of Luke's perspective that maintains a positive assessment of the Law.

1.3 The Dominance of Overbeck's Appraisal: Luke is Inconsistent

It was Overbeck's proposal that dominated subsequent scholarship. Some authors continued to advance Overbeck's proposals more or less unchanged. For

Judaistic about it can be explained by the intention to take the standpoint of the original and actual Jewish Christianity."

¹⁵ Cf. Overbeck-de Wette (1870, XXXI). Bruno Bauer (1850, 121) had come to a similar conclusion, but his work has been far less influential than that of Overbeck.

¹⁶ On Luke's "unprincipled" approach to the Law, see especially Overbeck's famous paper, "Über das Verhältnis Justins des Märtyrs zur Apostelgeschichte" (1872).

¹⁷ For Overbeck, this inconsistency is explicitly negative: it reveals the ongoing corrupting influence of "Judaism" within the Gentile Christianity of Luke's day – a corruption that eventually culminates in the emergence and dominance of "die altkatholische Kirche" (1870, XXXII). The same framework appears in Adolf Jülicher's *Einleitung in das Neue Testament* (1894, 263).

example, in an extremely influential essay written in the mid-twentieth century, Philip Vielhauer repeats Overbeck's conclusion almost verbatim:

As a Greek and Gentile Christian Luke had never experienced the law as a way to salvation and therefore did not understand the Pauline antithesis law – Christ. Paul's question regarding the law as a way of salvation, regarding good works as the condition of salvation – the whole problem of the law – was entirely foreign to Luke. Paul's biographer was no longer troubled by a question which of necessity confronted Paul: 'Is the law sin?' Either Luke no longer knew the basic nature of the battle over the law, or else he did not wish to acknowledge it because this battle had long ago been fought out (1966, 42).¹⁸

Vielhauer cites Overbeck directly, affirming and reasserting his ideas, and many later scholars have encountered Overbeck's proposals through his work.

But beyond this kind of straightforward restatement, a key factor for the success of Overbeck's scheme was its further development among authors writing in the intervening years between his works and Wilson's monograph. These authors married his ideas about Luke's inconsistent approach to the Law with another prominent hypothesis within Lukan scholarship – Luke-Acts as a political apologetic. Johannes Weiss was one of the early adopters of this newer explanation for the 'Jewish features' of Luke-Acts. Weiss concurred with Overbeck that the book of Acts was too antagonistic towards the Jewish people to suspect, as Baur and his students believed, that it was written as an apologetic for 'Jewish Christians'. He argued, on the contrary, that the focus on the Law evinced a ploy to garner respect and political protection within the Roman-governed world (1897, 54).¹⁹ In his hugely influential monograph, *The Making of Luke-Acts*, Henry Cadbury made the same point, albeit very tentatively:

It may well be supposed that Luke intended especially to show the legitimacy of Christianity from both the Jewish and the Gentile standpoint. For the former we can quote not merely the fulfillments of Scripture, but the conformity of the protagonists' conduct in both volumes to the Jewish law and practices The close conformity to Old Testament prediction of this transition combined to give the story a good apologetic value in meeting Jewish criticism. How consciously the author was using his material for this end we cannot know. He is at least aware of serious charges of apostasy from Moses, but he is at pains to show that his characters have been good Jews It may be conjectured that his Jewish apologetic had as its aim the satisfaction of Rome's demand that foreign religions must be licensed to be permitted. If Judaism was a *religio licita* and Christianity was not, it was important to show that Christianity was only a legitimate form of Judaism and could shelter under the Jewish name (1927, 307–308).

Cadbury recognizes that Luke's portrayal of his protagonists' law-observance would have good apologetic value among the Jewish people – an argument

¹⁸ This citation is from the English version of a paper published almost two decades earlier (Vielhauer, 1950).

¹⁹ A similar view is advanced by F. J. Foakes-Jackson and Kirsopp Lake (1922, 179–87). They do not focus as specifically on respect for the Law as the main evidence for this apologetic, so I do not engage with them directly.

which is strikingly similar to the proposals of the Tübingen school – but he cautiously conjectures that this Jewish emphasis might be subsumed to another purpose – a political apologetic directed toward Rome. While Cadbury was careful and circumspect with this possibility, later authors were not, and the idea that the Jewish features of Luke-Acts could be accounted for as part of a Gentile's apologetic to the Roman world quickly spread through the pens of scholars such as Burton Scott Easton (1936)²⁰ and Ernst Haenchen (1955). Although the language and categories of *religio licita/illicita* have been discarded as a misrepresentation of Rome's religious/political policy (Cadbury himself renounced this terminology; see Cadbury, 1958, 215–216), the idea that Luke engaged in political (or at least cultural) apologetics has lived on.²¹

This was not entirely new, of course. Even members of the Tübingen school admitted that Luke may orient some of his work toward addressing the concerns or accusations of pagan opponents. Zeller notes the similarity between some of the material in Acts and the arguments of the Christian apologists (1854, 367), but he understands this apologetic functioning primarily in an inner-ecclesial, legitimizing way (furnishing Christian readers with defensive arguments):

Die nächstliegende Vermuthung wird in diesem Fall immer die sein, dass der Verfasser die Anschuldigungen heidnischer Gegner zurückweisen wolle, und man wird nicht sagen können, dass diese Absicht seinen christlichen Lesern gegenüber undenkbar sei, denn theils konnte es ihm zweckmässig scheinen, diesen eine Antwort auf heidnische Anklagen an die Hand zu geben (1854, 367–368).²²

But Zeller views this as a secondary purpose to the main apologetic directed toward Jewish Christianity. Indeed, noting that most of the civil charges against Christians in Acts are put into the mouth of Jews (not Roman officials), he contends that part of what Luke intends to provide is assurance for Jewish Christians that their belief in the Messiah would not result in persecution.²³ For Zeller, the political apologetic was merely a part of the intra-ecclesial apologetic.

²⁰ This work was initially published in 1936, but I interact with the 1955 version below.

²¹ See the introduction to Cowan's recent work on the 'argument from antiquity' in Luke-Acts (2019, 9–17), where he explains how these older arguments take new shape in the latter part of the twentieth century. Wilson appears to come to his conclusions under the influence of Haenchen especially.

²² Author's translation: "The most obvious assumption in this case will always be that the author wants to reject the accusations of pagan opponents, and one cannot say that this intention is inconceivable to his Christian readers, because in some cases it might seem expedient to him to give them an answer to pagan accusations."

²³ Pace Yoder (2014, 9) and Cowan (2019, 4), it was not Cadbury who introduced the terms *religio licita* and *religio illicita* to the dynamics of Luke's apologetic. Zeller uses this language to describe what the Jews accuse the Christians of, citing it as if it is almost common knowledge even at the time of his writing.

The real novelty achieved by Weiss, Cadbury, Easton, Haenchen, and many others, was combining the hypothesis that Luke, as a Gentile writing to Gentiles, was unsystematic in his approach to the Law (so Overbeck), on the one hand, with the idea that Luke was engaged in socio-political apologetics, on the other. Bringing these two ideas together gave critics a new way of accounting for the perceived inconsistency created by Luke's positive appraisal of the Law. In this way, these scholars could subsume this 'Jewish aspect' of Luke's writing under the wider political apologetic which was his primary motive. This is the inverse of Zeller's hypothesis.

Crucially, however, the same operating assumption lies at the heart of both the Tübingen school's understanding of Luke-Acts and those who take a more Overbeck-like approach. Namely, these scholars believe there is a contradiction between Luke's ostensibly positive remarks concerning the Law at various points throughout Luke-Acts and the heart of the gospel preached by Jesus and Paul (or Luke). For example, Easton's remarks in *The Purpose of Acts* could just as easily have been written by Baur or Harnack:

Now, let it be admitted at once that in the controversy at stake Paul was profoundly right. If Christianity was to become a world religion, it must shake itself free from the trammels of Judaism. If the full implications of Jesus' teaching were to be realized, a continuance of the Law was an impossibility. Paul saw this with perfect clarity, and the battle he fought was the turning point of religion for all time (1955, 102–13).

It is because of Easton's conviction that the teachings of Jesus and Paul mean "continuance of the Law was an impossibility" that he must explain why Luke does not appear to accord with this thesis (or at least not with the desired level of emphasis and consistency). Tübingen scholars had explained this discrepancy as the result of an overly accommodative compromise to Jewish Christianity; Harnack had described the inconsistency as resulting from residual 'Jewish' influence on Luke and Paul; Overbeck had described it as resulting from Gentile naïveté; and a later generation explained it as resulting from a political apologetic toward Roman rulers. In each case, seeking an explanation for why Luke includes so much Law-positive (i.e., 'Jewish') material in his account of the life of Jesus and the Early Church becomes the impetus for finding inconsistency in Luke-Acts. Luke does not simply hold a positive view of the Law, nor do his writings suggest an ongoing role for the Law within the Christian community, even though they appear to. Instead, Luke is found to be inconsistent in matters of the Law, and thus the law-positive material is either included without careful reflection or is subservient to some larger purpose.

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