



# The Maximian Perspective on Paul: A Reconstruction of the “Works of the Law” in Maximus the Confessor

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**Abstract:** In Paul’s *“Works of the Law”* in the *Perspective of Second-Century Reception*, Matthew J. Thomas argues that the “Early Perspective on Paul” (EPP) resembles the New Perspective on Paul (NPP) more closely than the Old Perspective on Paul (OPP). Thomas’ conclusion is based on three questions that he poses to the second-century sources; namely, what the works of the law are, what their purpose is, and why are they not necessary to Christians. This article applies Thomas’ question to the most important exegetical works of one of the greatest Byzantine theologians, Maximus the Confessor, and constructs the “Maximian Perspective on Paul.” Maximus’ perspective on Paul is largely similar to Thomas’ reconstruction of the EPP. Interestingly, however, in contrast to the NPP and the EPP, Maximus’ understanding of the works of the law resembles the OPP, since the “works of the law” can refer to all outward works, not just some of the precepts of the Mosaic law.

**Keywords:** Maximian Perspective on Paul, Early Perspective on Paul, works of the law, Maximus the Confessor, Matthew J. Thomas

Since the publication of E.P. Sanders’ ground-breaking study *Paul and Palestinian Judaism* in 1977 (Sanders 1977), the Pauline doctrine of justification has been under serious debate. The debate has been framed as one between two schools of Pauline interpretation: the New Perspective on Paul (NPP) started by Sanders, and the Old Perspective on Paul (OPP) represented by the Protestant reformers.<sup>1</sup> Although there are disagreements between both camps, the representatives of the NPP usually share some common characteristics which separate them from the OPP. One of the most significant of these is the difference in the interpretation of the phrase “works of the law.” The representatives of the NPP tend to claim that the “works of the law” refer, at least primarily, to the boundary-marking precepts of the Mosaic law, such as circumcision, the keeping of the Sabbath, and dietary laws.<sup>2</sup> These laws were meant

<sup>1</sup> Stephen Westerholm (2004; 2013) is one of the most notable modern advocates of the OPP.

<sup>2</sup> I state that representatives of the NPP understand the “works of the law” *primarily* as the boundary-marking precepts of the Torah, because not all scholars within this loose movement share the same interpretation of the term. For instance, Dunn has emphasized that he does not intend to limit the meaning of “works of the law” to merely the boundary-marking aspects of the Mosaic Law. According to Dunn, “works of the law” encompass all works prescribed by the Torah. However, he also argues that in Paul’s context, the phrase refers primarily to the specific laws that served to set Israel apart from the Gentiles. See Dunn 2005, 22–26.

to separate the Jews from the Gentiles. Thus, when the apostle Paul excludes works of the law from justification, he claims that a Gentile does not first have to become a Jew to become a Christian. According to the representatives of the OPP, however, when Paul excludes all works from justification, he rejects any human effort of earning salvation.

Recently, in *Paul's "Works of the Law" in the Perspective of Second-Century Reception* Matthew J. Thomas has made an important contribution to the debate. His examination of the second century patristic interpretations of the Pauline term "works of the law" demonstrates that the early patristic view on justification (EPP) is closer to the NPP than the OPP. He comes to this conclusion by posing three questions to the patristic sources: first, to what works do the works of the law refer; second, what is the purpose of these works; third, why are these works not necessary for Christians (Thomas 2020, 4–5). The patristic answers to the first two points resemble the NPP. Similar to the NPP, the second-century fathers believed that "works of the law" refer not to all works but to the boundary-marking precepts of the Mosaic law. They also maintained that the purpose of these works was to serve as identity markers that separate Jews from Gentiles and include an individual in the Jewish nation. Contrary to the OPP, in the second-century sources, there are no indications that the Christians objected to the Jews' insistence on works in general or their efforts of trying to earn salvation (Thomas 2020, 25–26, 271–72, 282–83).

On the question of why the works of the law are no longer necessary, Thomas lists five primary reasons from patristic sources: first, the law and covenant of Christ replace the Mosaic law; second, the Hebrew Scriptures testify to the cessation of the works of the law; third, the new covenant is universal and confirmed by Gentiles receiving God's grace without becoming Jews; fourth, the transformation of humanity that Christ caused makes the laws given to Israel unnecessary; fifth, the example of Abraham and the patriarchs testify that one can be accepted by God without circumcision and the Mosaic law. Thomas notes that of the three theologians he recognizes as representatives of the NPP; namely, Sanders, James Dunn, and N.T. Wright, only Wright's explanation of why the works of the law are no longer necessary aligns with the early perspective on Paul. According to Wright's covenantal reading of Paul, three factors that explain why the works of the law are no longer necessary are the universality of the covenant promises in the new covenant, the inability of the Torah to deal with human sinfulness, and the fulfillment of salvation history in Christ. Wright differs from the early patristic witness by emphasizing the Abrahamic covenant while the church fathers stress the importance of the new covenant (Thomas 2020, 272–73, 283–85).

Thomas' focus on the second-century sources is motivated by the importance of the early reception history for the understanding of ancient sources. In emphasizing the importance of reception history, Thomas relies on Markus Bockmuehl's study *Seeing the Word: Refocusing New Testament Study* (Thomas 2020, 5–9). According to

Bockmuehl, a period of living memory continued for 150 years beyond the New Testament, since there were Christians who had been in personal contact with the apostles and their disciples (Bockmuehl 2006, 168, 170). This period of 150 years motivated Thomas to focus on the second-century witness since the theologians of that period still lived during the time of the living memory of the apostles and their teaching. Although Thomas does not claim that the second-century witness demonstrates that Paul was closer to the NPP than the OPP, the reception history provides substantial support for the NPP's interpretation of Paul as the more accurate one (Thomas 2020, 7–10, 285–89).

Instead of focusing on the early sources, this article examines the Pauline doctrine of justification in the works of one of the greatest Byzantine theologians, Maximus the Confessor (c. 580–662). Having lived centuries after Paul, Maximus provides no insight into the original context of Paul's letters, however, his interpretation of the Pauline doctrine of justification gives us some insight into the development of the patristic interpretation of Paul. Moreover, Maximus's doctrine of justification is ecumenically promising. We shall see that his interpretation of the works of the law shares more commonalities with the OPP than Thomas' reconstruction of the EPP. In this way, Maximus can serve as a bridge between those Protestants who still adhere to the OPP and the Protestants, Roman Catholics, and Eastern Orthodox Christians who interpret Paul's letters more along the lines of the NPP.

Unfortunately, there is very little in the Maximian corpus that relates directly to Paul's teaching on justification. To my knowledge, there is, e.g., no single instance in the Maximian corpus in which he uses the term "works of the law" in the context of justification. Nevertheless, Maximus the Confessor offers a wealth of material on his understanding of the law and its relationship to Christians and so, by a close examination of his writings, we can reconstruct his perspective on the "works of the law." By paying attention to Maximus' theology of the law and asceticism, we can avoid the problem of anachronism that might arise from comparing his views to those of the OPP, NPP, or EPP without adequately accounting for the peculiarities of his own thought. In fact, a comparison of Maximus with these "schools" of Pauline interpretation, enables us to uncover the characteristic emphases of Maximus' understanding of the works of the law.

In the following, with the application of Thomas' three questions to the Maximian corpus; namely, what are the works of the law, what is their purpose, and why are they not necessary to Christians, we reconstruct the "Maximian perspective on Paul" concerning the role of the works of the law in justification. The main exegetical works of Maximus, *Quaestiones ad Thalassium* and *Quaestiones et Dubia*, serve as the primary sources for this article. We will also introduce some insights into Maximus' theology of the law from his *Ambigua ad Iohannem*.

## 1. Maximus and the “Works of the Law”

We begin our study with the question of how Maximus would interpret the exclusion of the “works of the law” from justification. I believe the best way we can construct Maximus’ understanding of the “works of the law” is to examine his theology of the law. By examining Maximus’ idea of the law, we can infer how he would interpret the key Pauline term. A helpful starting point for our examination is to provide a short presentation of the three general laws that Maximus refers to quite often in his works. The three laws are the law of nature, the written law, and the law of grace, which he equates with the spiritual law (*Ad Thal.* I, 39; CCSG 7, 259; *Ad Thal.* II, 64; CCSG 22, 233, 235). In the deliberations of Maximus, the three laws are related but, at the same time, each has its own peculiar characteristics. Let us delve into studying the three laws by beginning with the natural law.

Maximus can use the terms φυσικός νόμος or νόμος τῆς φύσεως in various ways. Practically speaking, however, he almost always uses these terms to refer to God’s “voluntary intentionality for creation” (Harper 2019, 154, 180–181). This intentionality is tied to Maximus’ idea of the logoi, since Maximus identifies the natural law with the uncreated logoi (Harper 2019, 191). The logoi are intelligible principles that exist in the Logos (Blowers 1991, 107). God created every being according to these principles and through them keeps beings in their differentiated existence and defines their proper ends (τέλτοι) (Blowers 2016, 208–10; Lollar 2013, 236–40). Since the logoi define not only our being but also our end, by conforming ourselves to the logoi that are proper to our being, we advance towards meeting our creaturely destiny. Consequently, if we live according to our logoi, according to God’s intention for us, we exist according to the divine law written in our nature (Harper 2019, 156; Tollefsen 2008, 21–23). Since the natural law represents divine intentionality for our nature to which we can either conform our mode of existence or not, the natural law is associated with creaturely potential the actualization of which requires our effort (Harper 2019, 191).<sup>3</sup>

A helpful starting point for understanding Maximus on the written law is his remark in *Ambiguum* 10:18 (PG 91, 1129b) that the content of the natural law and of the written law is identical. Thus, if one conforms to the natural law, one follows the written law and vice versa. Because the content of the laws is the same, we may wonder what the purpose of the written law is. In *Ad Thalassium* I, 41 (CCSG 7, 279, 281), Maximus enumerates six “husbands” of human nature: the law in paradise, the law given after the fall, the law given during the flood in the time of Noah, the law of circumcision given to Abraham, the offering of Isaac, and the Mosaic law. God gave these husbands to our nature so that it would be virtuous, but she rejected

<sup>3</sup> Christiaan Kappes (2022) has written a helpful overview of the natural law tradition in Byzantium, which pays particular attention to Maximus. See also Babie 2017, 44–50.

the first five of them because she was fruitless in respect to virtue. Neither did she really have the Mosaic law as her husband because she did not perform the righteousness described in it (*Ad Thal.* I, 38; CCSG 7, 255; *Ad Thal.* I, 41; CCSG 7, 281). We see then that God provided laws to guide human beings to virtue, but these laws were rejected. Clearly, the purpose of these laws was to help human beings follow the divine will which is already expressed in nature.

Of these laws mentioned in the Bible, the only one provided in written form is the Mosaic law. It helped the Israelites follow God's will by stating the law clearly in writing. The peculiarity of the written law is that it restrains our disordered impulses with the fear of the punishments it describes (*Ad Thal.* II, 64; CCSG 22, 235). Notably, when Maximus enumerates the husbands of our nature and describes the Mosaic law as one of them, he does not distinguish the ceremonial aspects of the Mosaic law from its other aspects. This could indicate that the "works of the written law" cover all the precepts contained in the Mosaic law. If this was the case, Maximus' perspective on the works of the law would differ from the EPP, which equates works of the law with the ceremonial laws of the Mosaic law.

The need for the written law and the rejection of the six special promulgations of the law indicates that there is something in human nature that is prone to rejecting the divine will expressed in creation and therefore, through the six special promulgations which culminated in the proclamation of the written law, the law of Moses. We shall return to the human problem with God's will in the next section, but, at this point, it is necessary to briefly present the last of the three laws: the law of grace, or the spiritual law.

Due to the juxtaposition of nature and grace, and law and grace in much of Western theology,<sup>4</sup> one could be tempted to conclude that the law of grace is antithetical to the two other laws. However, this is not the case in Maximus' thought.<sup>5</sup> Although it is easier to find instances in Maximus' oeuvre where he ties together the natural law and the written law, the law of grace is hardly distinguishable from the two other laws. This is because of the Christological character of Maximus' ethics. For Maximus, the incarnated Christ is both the beginning and the end of rational creatures. The world was created with Christ's incarnation in mind and, consequently, our calling is to conform our lives to Christ who is imprinted in the logoi of creation. Because our creaturely end is the conformity with the incarnated Logos, it is beyond our created nature. In contrast to the law of nature and the written law, the law of grace stresses that our τέλος is beyond our nature (Harper 2019, 179–83, 187–90; Juurikkala 2019, 186–89). Maximus' teaching on the law of grace also emphasizes the inner, properly motivated, fulfilment of God's commandments in contrast to

<sup>4</sup> This western tendency is also reflected on some classical Maximus studies. See von Balthasar 1961, 63–66.

<sup>5</sup> Demetrios Harper (2019, 137–202) has recently made a brilliant case against nature–grace juxtaposition in Maximus.

their mere outward obedience, which is a characteristic of the written law (*Ad Thal.* I, 19; CCSG 7, 119). Nonetheless, the content of the law of grace is the same, as the three laws are instances of activities of the one Law, the incarnate Logos. Thus, there is no real distinction between the laws (Harper 2019, 187–88, 190; Blowers 1991, 118–19).

The three general laws are about Christ. The exclusion of their works from justification cannot mean that they comprise anything fundamentally wrong. It is typical of Maximus to emphasize the necessity of following God's will in ways that are problematic for the OPP; for instance, he states that faith must be realized by the practice of God's commandments and he defines faith as accepting God's commandments (*Ad Thal.* I, 48; CCSG 7, 339; *Ad Thal.* I, 54; CCSG 7, 461; *Ad Thal.* II, 64, *schol.* 17; CCSG 22, 243). More precisely, Maximus defines faith as the foundation on which our spiritual life ought to be constructed through our works (*Ad Thal.* I, 36; CCSG 7, 243; *Ad Thal.* I, 51, *schol.* 5; CCSG 7, 409, 411; see also QD 21); to be salvific, faith must be actualized by our works (*Ad Thal.* I, 9; CCSG 7, 79; *Ad Thal.* I, 33; CCSG 7, 229; *Ad Thal.* I, 33, *schol.* 1; CCSG 7, 231). Hence, both faith and works are indispensable for our salvation.<sup>6</sup> Clearly, Maximus' position differs significantly from the OPP, since he does not see a necessary juxtaposition between faith and works in our salvation. Nevertheless, from the Maximian perspective, obedience to the law can be problematic when it is approached from the wrong perspective. This is demonstrated well in *Ad Thalassium* I, 18 which is the only text in all of Maximus' corpus that directly addresses Paul's doctrine of justification. It reads as follows:

#### Question 18

If according to Saint Paul: "It is the doers of the law who will be justified," how is it that he later says: "Whoever has been justified by the law has fallen away from grace?"

#### Response

18.2. It is not simply the doers of the law who will be justified, but rather those who in spirit practice the spiritual law understood spiritually according to the inner man. Those who so practice do not fall away from grace insofar as the Word has passed into the depth of their souls through their purification. Those, on the other hand, who corporeally serve the outer aspects of the law [κατὰ τὸ φαινόμενον τοῦ νόμου σωματικῶς λατρεύοντες] completely fall away from divine grace, for they are ignorant of the perfection of the spiritual law, which through grace purifies the intellect from every stain, and whose perfection is Christ. (*Ad Thal.* I, 18 [Maximus 2018, 137]; CCSG 7, 117)

<sup>6</sup> Maximus' difference from OPP is well illustrated also, e.g., by his equation of faith and love (*Ad Thal.* II, 62; CCSG 22, 121, 123); his claim that we possess a new birth through virtues (*Ad Thal.* II, 63, *schol.* 7; CCSG 22, 183); and his assertion that faith based on hope constitutes perfect love for God (*Ad Thal.* II, 62, *schol.* 3; CCSG 22, 139).



Keeping in mind that the spiritual law is synonymous with the law of grace, we see here a prime example of Maximus relating the law of grace to the fulfillment of the law at the inner level. He juxtaposes those who “serve the outer aspects of the law” to those who fulfill it according to their inner man. Therefore, the problem is not the law or its fulfillment but merely settling for outward obedience to the law. Apparently, what God requires from Christians is the “perfection of the spiritual law” which purifies the intellect, or the mind, from all stains. We will return to this topic shortly. At this point of our analysis, we may conclude that the Maximian interpretation of the “works of the law” could mean a mere corporeal observance of the law. A person who believes that he or she is justified by such obedience to God has fallen away from grace (cf. Gal 5:4).

Although, in the context of justification, Maximus defines the “law” as mere outward obedience to God’s will, one may still ask whether Maximus specifically excludes the corporeal observance of the ceremonial aspects of the Mosaic law from justification. Thus far, we have treated works of the three general laws. There are, however, instances in Maximus’ works where he clearly defines the “law” as the Mosaic law in particular, and emphasizes its ritual aspects. For example, in *Ad Thalassium* II, 64, he asserts that the ritual observance of the law was abrogated and abolished. He calls ritual laws “carnal laws.” This expression emphasizes that the Jews stressed their corporal observance (*Ad Thal.* II, 64; CCSG 22, 223, 225; QD 63; 184). Perhaps the most important section of Maximus’ works that deals with the question of Christians and the Mosaic law, however, is *Ad Thalassium* I, 27. It explains why Peter needed a revelation concerning the evangelization of the Gentiles even though Christ had already given the great commission to the apostles after His resurrection (*Ad Thal.* I, 27; CCSG 7, 191):

27.2. The leader of the apostles, the all-holy Peter, had great need of a divine revelation concerning the nations, since he did not realize that, with respect to the faith, there is no distinction to be made between circumcision and non-circumcision. Neither was he certain that the Lord said to “make disciples of the nations” without the external cultic service prescribed by the law [τῆς κατὰ νόμον φαινομένης λατρείας]. He did not clearly understand any of these things until the mystery of the ineffable counsel was manifested to him through a revelation, persuading him through the example of the sheet, as well as through the grace of the Holy Spirit—which was given equally to him and to the nations according to faith alone [κατὰ μόνην τὴν πίστιν]—that in the worship of Christ “there is no distinction between Jew and Greek.” The other apostles in Jerusalem were likewise ignorant of this and criticized him, until they too learned the hidden treasure of divine goodness that had been lavished on all mankind. For the grace transmitted by the preaching of the Gospel was at once the introduction of divine life and new service (in contrast to the service of the law) [καινῆς λατρείας παρὰ νομικὴν ἐπεισαγωγὴν]. (*Ad Thal.* I, 27 [Maximus 2018, 182–83]; CCSG 7, 191)

This quotation is highly significant for three reasons. Firstly, Maximus speaks about the reception of God's grace by "faith alone," but in a different sense than the representatives of the OPP. For Maximus, faith alone means that the Gentiles can become disciples of Christ without subjecting themselves to the cultic service prescribed by the Mosaic law<sup>7</sup>; as far as faith is concerned, there is no difference between a circumcised and an uncircumcised believer. Secondly, the law is here clearly identified as the Mosaic law, and its ritual legislation is brought to the fore. Thirdly, the new service of the gospel is juxtaposed with the service of the law, which indicates that Christians are not under the jurisdiction of the Mosaic law.

Based on these passages, we see that the ritual aspects of the Mosaic law are no longer binding to Christians. If one were to demand their observance as a prerequisite for justification, according to Maximus, this would contradict the Pauline doctrine of justification. From the perspective of Maximus' theology of the law, Paul excludes from justification both the corporeal observance of the ritual law and the mere outward observance of any law regardless of whether it is ritual or not. This Maximian interpretation of the "works of the law" has commonalities with the OPP, the NPP, and the EPP. With regard to the OPP (and even some representatives of the NPP) Maximus does not necessarily restrict works of the law only to the ritual precepts of the Mosaic law; any law must be excluded from justification when it is observed only outwardly. Along the lines of NPP and EPP, however, he particularly emphasizes the temporary nature of the ritual laws and their irrelevance for Christians. The Maximian perspective harmonizes the OPP with the NPP/EPP, because demanding the observance of the ritual laws as a prerequisite for justification contradicts Maximus' emphasis on inner righteousness, or inner fulfillment of the law, as being the one that counts before God.

## 2. The Purpose of the Works of the Law

Having reconstructed how Maximus would understand the exclusion of the works of the law from justification, we proceed to examine the purpose of the works of the law in his thought and suggest how he would have conceived the purpose of Paul's opponents as regards imposing the law on Gentile believers. We previously discovered that the "works of the law" can be interpreted in two ways; either generally as external works of the three general laws or more specifically as works of the ritual law. In this section, the relationship between outward works and virtues is first presented, enabling us to understand how works are related to inner righteousness. Then we proceed to an examination of how vices affect our approach to the creation and

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<sup>7</sup> On the Gentiles being saved by faith, see also *Ad Thal.* II, 65; CCSG 22, 263.



Scripture. This examination will help us understand the most important topic of this section, which is Maximus' fierce critique of "the Jewish approach" to the law. Finally, a comparison is made between Maximus' understanding of the purpose of the law to the theories of the OPP, the NPP, and the EPP.

According to Maximus, when our obedience to God is not only corporal, the Word passes into the depths of our soul (*Ad Thal.* I, 18; CCSG 7, 117). However, there is something that makes it difficult for the Word to penetrate into our depths. Maximus believes that, due to our fall into sin, our mind is stained by passions which makes us unable to receive the Word. Thus, our mind needs to be purified so that we may participate in Christ. The stains of our mind are unnatural passionate thoughts. Maximus believes that due to our fall into sin, our nature is stained by various passions, the main one being φιλαυτία, self-love, which is an irrational love for the body.<sup>8</sup> The purification of the mind requires the practice of virtues,<sup>9</sup> which are realizations of the logoi inherent in our nature (Harper 2019, 173). For instance, we can fight against thoughts that entice us to carnal passions by fasting, vigils, and working hard; we can conquer the temptation of anger by disdaining reputation and material things; we may defeat grudges by praying for those who have wronged us (*Car.* 3.13; PG 90, 1020d). These examples demonstrate that the acquisition of virtues; the inner and spiritual righteousness that God desires from us, requires works from us. As fasting, vigils, and hard work are outward works, outward obedience to God's law is clearly an essential precondition for inner participation in Christ.

Maximus does not assume that our inner righteousness must be perfect for our outward righteousness to be pleasing to God. What is crucial is that our outward obedience is motivated by spiritual reasons. In Maximus' mind, there are three proper motives for good works: fear of divine punishment, hope of eternal rewards, and love for God. Although the latter is the most noble of the motives, God accepts obedience motivated by any of these three reasons (*Ad Thal.* I, 10; CCSG 7, 87). What Maximus rejects, however, is an outward obedience to God which arises from hedonistic motifs or the pleasing of men (*Car.* 2:23; 41; PG 90, 992a; *Ad Thal.* I, 47; CCSG 7, 317, 319; *Ad Thal.* II, 56; CCSG 22, 9, 11, 13). He believes that such obedience is characteristic of the Jews. Nonetheless, before we examine Maximus' critique of the "Jewish approach" to the divine law, we first need to acquaint ourselves more thoroughly with the proper working of the mind and the effects on it of the φιλαυτία.

Maximus considers the mind (νοῦς) the highest faculty of the soul which enables us to contemplate the divine logoi in the creation and Scripture. Maximus believes that when the mind functions correctly it penetrates the surface level of the creation and Scripture and accesses the divine logoi that are inscribed in them (Bergman 2022, 161–62, 170–71). In *Ambiguum* 10:18, Maximus portrays both the creation and

<sup>8</sup> On φιλαυτία in Maximus' and his predecessors' thought, see e.g., Thunberg 1965, 244–62.

<sup>9</sup> On Maximus and the purification of the mind through virtues, see Aquino 2013.

Scripture as books. Like Scripture, the creation has its own letters, the outward shapes and forms of created beings (*Amb.* 10:18; PG 91, 1128d-1129b). A well-functioning mind is able to read the meanings, the logoi, inscribed in the creation and Scripture. The virtues enable the mind to function correctly, since they subject the concupiscible and irascible appetites to the natural ordering of the soul, which is characterized by the rule of reason.<sup>10</sup> The vice of φιλαυτία, however, prevents our mind from functioning in accordance with its divinely instituted purpose. Due to φιλαυτία, our mind has been taken captive by various passions which reside in the concupiscible and irascible parts of the soul (Bergman 2022, 164, 166–67). This captivity results in ignorance of God as the source of all good (*Ad Thal.* I, 32; CCSG 7, 225). Due to this ignorance the mind treats the creation as God; a mind captured by passions looks at God’s creation from a self-serving perspective, and seeks to obtain pleasure from it (*Ad Thal.* I, *intr.*; CCSG 7, 31; *Ad Thal.* II, 63; CCSG 22, 153, 155, 157). By restricting the mind to surface appearances, the passions prevent the transition (διάβασις) from the visible to the invisible (*Ad Thal.* II, 58; CCSG 22, 33, 35).<sup>11</sup>

Φιλαυτία, self-love, similarly affects our relationship to the written revelation. An earthly mind stained by passions limits its perspective to the letter of Scripture, to its literal meaning, and is incapable of grasping spiritual meanings concealed in the text. As with the contemplation of nature, if we are enslaved by sensual pleasure, we read the law solely from the perspective of how, by fulfilling it outwardly to the letter, we may gain sensual rewards (*Ad Thal.* I, 50; CCSG 7, 381; *Ad Thal.* II, 65; CCSG 22, 255, 257; *Ad Thal.* II, 65; CCSG 22, 287, 289, 291). It becomes a means for us to worship our body (*Ad Thal.* I, 14; CCSG 7, 99; *Ad Thal.* I, 50, *schol.* 3; CCSG 7, 391). Therefore, our passions restrict us to the “surface level” of God’s revelation. In the sensible world, we see only the figures and shapes of created beings and in Scripture we grasp only the literal meaning of a given text. Consequently, we do not “read” God’s will which is inscribed in them but only think about how we can instrumentalize them to serve our passions.

For Maximus, the Jews are a prime example of a group of people who are enslaved to passions. *Ad Thalassium* especially, contains a critique of the Jews and their interpretation of Scripture. Considering the effects of the φιλαυτία on the mind, we can realize that, in Maximus’ polemics against the Jews, the problem of φιλαυτία is prominent, though he does not often mention the vice explicitly. He not only asserts that Jews reject natural contemplation by binding themselves to the letter of the law and its corporal observance (*Ad Thal.* II, 64; CCSG 22, 265, 267, 273, 293, 295, 303, 305; *Ad Thal.* I, 50, *schol.* 2; CCSG 7, 391); he claims numerous times as well that their interpretation of Scripture arises from earthly and sensual motives (*Ad Thal.* I, 53,

<sup>10</sup> The virtues gradually illuminate the mind (*Ad Thal.* I, 5; CCSG 7, 65, 67; *Ad Thal.* I, 55, 59; CCSG 7, 489, 491; *Ad Thal.* II, 65; CCSG 22, 287, 289, 291).

<sup>11</sup> On διάβασις in Maximus, see Blowers 1991, 112–17. See also Lollar 2013, 206–8.

*schol.* 3; CCSG 7, 439; *Ad Thal.* II, 63; CCSG 22, 151, 153; *Ad Thal.* II, 64; CCSG 22, 221, 223; *Ad Thal.* II, 65; CCSG 22, 253, 259, 261, 263, 265, 287, 289, 291, 303, 305; *Ad Thal.* II, 65, *schol.* 38; CCSG 22, 321; QD 95). To provide an example, in *Ad Thalassium* I, 50, Maximus writes:

He [anyone who wants to receive Scripture within his soul] must, however, be concerned with the exact understanding of what has been written, and not strive in a Jewish manner [οὐκ Ἰουδαϊκῶς] simply to drag down the sublimity of the Spirit [ὑψος τοῦ πνεύματος] to the level of the body and the earth, limiting the divine and pure promises of spiritual good things to the corruption of what is fleeting and transitory. (*Ad Thalassium* I, 50 [Maximus 2018, 298]; CCSG 7, 381)

The Jews' desire for earthly and temporary goods gives rise to other passions. For Maximus, these passions explain why the Jews rejected Christ; it was because of their pride and vainglory that they could not see beneath the letters of Scripture and identify Jesus of Nazareth as the Messiah, as the Logos. Ultimately, their ignorance caused by the passions led them to crucify Christ and stain their hands with His blood (*Theo.* 1:71; PG 90, 1109b; *Ad Thal.* II, 64; CCSG 22, 221, 223).

Although Maximus primarily emphasizes the Jews' carnal motifs for following the Mosaic law, in one instance he also claims that the Jews followed the law as a social custom (QD 146). This is perhaps the closest he comes to claiming that the purpose of the Mosaic law was to separate the Jews from the Gentiles. Unfortunately, he does not elaborate on the social significance of the law, neither does he relate it to justification. He merely mentions, in general terms, that the Jews followed the law merely out of custom. For soteriology, another instance is more intriguing: Maximus argues that the Jews not only hold God inferior to carnal pleasure but believe that one has to be "descended in the flesh from Jacob" in order not to be alienated from the Creator. Because of this belief, they think that murdering Christians is pleasing to God (*Ad Thal.* II, 64; CCSG 22, 221, 223). Here, it is notable that Maximus does not state that the Jews think we must be circumcised or follow the ritual legislation of the Mosaic law in order to know God. Instead, the Jews stress their descent in the flesh from Jacob as the key to not being alienated from the Creator. Such a position, however, would easily lend itself to the view that the "works of the law" were meant to differentiate the Jews from the Gentiles; one could argue that circumcision of the flesh would make one a child of Jacob in the flesh.

Maximus' position on the Jews' understanding of the purpose of the law leaves us with little explicit evidence on how the Judaizers would have conceived the purpose of the law. But let us assume that, from the Maximian perspective, the Judaizers had the "Jewish notion of the purpose of the law" presented above. Thus, the Judaizers were filled with carnal passions and followed the law merely outwardly in the hope of receiving earthly rewards; let us assume as well that they believed that the Gentiles

were alien to God because they were not biological descendants of Jacob. With these two assumptions, it would make no sense to demand the circumcision of the Gentiles. Why would the Judaizers insist that the Gentiles need to follow the Mosaic law to gain earthly rewards if, due to their ancestry, they were to remain strangers to God? If we assume that the Judaizers were affected by the “Jewish beliefs,” I believe there is only one credible interpretation of how they could have conceived the purpose of the law; namely, they would have restricted communion with God to the Jewish nation, but they would have made the concession that through circumcision even a Gentile could become a descendant of Jacob.

We may say then that Maximus’ descriptions of the Jewish understanding of the purpose of the law do not highlight the ritual aspects of the law as a means of differentiating the Jews from the Gentiles. As Maximus wrote centuries after Paul and in a context where the difference between Christianity and Judaism was already settled, the question of whether one must become a Jew before becoming a Christian was not of interest to him. Instead of highlighting the works of the law as boundary markers, Maximus focuses on the enslavement to passions and earthly motives of the Jewish observance of the law.<sup>12</sup> In this respect, Maximus’ position resembles neither the OPP nor the NPP. Nevertheless, he is closer to the NPP and the EPP than the OPP in so far as his portrayal of the Jewish beliefs emphasizes being a Jew as a prerequisite of knowing God. Moreover, his portrayal of the Jews shows no indication of the Jews believing that the law is a means of earning salvation and eternal life. The Maximian perspective on the purpose of the law is primarily characterized by an ascetical approach to the Bible. In this view, the Jews serve as a paradigmatic example of those who follow the law outwardly out of wrong motives, without possessing inner righteousness. Maximus inherited his ascetic reading of the Bible from the Alexandrian and monastic exegetical traditions, which were formative for him as an interpreter of Scripture.<sup>13</sup> Thus, we can see how later developments of the Christian tradition are reflected in his exegesis.

### 3. Why the Law Is No Longer Necessary?

We now turn to our last question, which is why the works of the law are unnecessary for Christians? Earlier we noted that Thomas’ analysis of the second-century sources

<sup>12</sup> Speaking of Maximus’ context, perhaps Maximus’ critical depiction of the Jewish observance of the law reflects the political situation of his day. In 632, Emperor Heraclius (c. 575–641) instigated the forced baptism of Jews in some territories of the Byzantine empire. Maximus was concerned that the intrusion of unbelieving Jews into the Church could lead to a horrible apostasy. Regarding Maximus and the forced baptism of Jews, see Blowers 2015, 21.

<sup>13</sup> On the influence of the two traditions on Maximus, see Blowers 2015, 253–56.

answers the question with five arguments: first, the Mosaic law was replaced by the law of Christ; second, the Old Testament, in particular its prophecies, indicates that the works of the law are no longer necessary; third, the universality of the new covenant and Gentiles receiving grace without becoming Jews refutes the necessity of the works of the law; fourth, the transformation of humanity Christ has brought about makes them unnecessary; fifth, the examples of Abraham and other patriarchs witnesses that God can accept one without circumcision and the Mosaic law. The five answers of the EPP will guide our analysis of the Maximian corpus. However, although we previously argued that the “works of the law” may refer to mere outward obedience to the law in Maximus’ thought, here we will understand them to refer to the ritual legislation of the Mosaic law. This is because although the ritual and civil legislation of the Mosaic law have been excluded, the works of the law are still necessary to Christians, even though works cannot justify a person without inner righteousness.

Let us begin with the EPP’s first argument as to why the ceremonial works of the law are no longer necessary: the law of Christ has replaced the Mosaic law. Notably, however, the theologians of the EPP argue that the law of Christ retains some of the Mosaic law’s precepts and even intensifies others by, e.g., extending the commandments not to commit adultery, not to kill and not to indulge in lust and anger (Thomas 2020, 273). Maximus does not use the term “the law of Christ.” Thus, he nowhere explicitly juxtaposes the Mosaic law and the law revealed by Christ. Nevertheless, he presents three juxtapositions that reflect the EPP’s juxtaposition between the Mosaic law and the law of Christ.

First, Maximus juxtaposes the law and the gospel, claiming that the latter is higher than the former. Maximus asserts the superiority of the gospel over the law in *Quaestiones et Dubia* 7 when he answers the question of why it is customary for Christian bishops not to marry even though the priests of the Old Covenant married (QD 7). The superiority of the gospel over the law is witnessed elsewhere more implicitly: in contrast to the law and its outward observance, the gospel teaches a holistic rejection of carnal life and acceptance of spiritual life (*Ad Thal.* I, 7; CCSG 7, 73, 75).

Second, Maximus claims that the preaching of the gospel introduced divine life and new service in contrast to the old service of the law. Maximus makes this claim while explaining how the apostles came to know that there is no distinction between Jew and Greek in the New Covenant. The new service of the gospel makes the Mosaic law unnecessary for Christians; circumcision and other ritual laws are not prerequisites for receiving grace from the Holy Spirit in order to enter the New Covenant (*Ad Thal.* I, 27; CCSG 7, 191).

Third, Maximus often juxtaposes the types and shadows, which are the (Mosaic) law’s regulations, to their fulfillment in Christ and the Christian life. Maximus argues that Christ abrogated the corporal observance of the law, meaning outward observance of the ritual legislation, because He no longer wanted it to conceal the truth; he

contrasts Christ's shadowy presence in the (Mosaic) law with His incarnated presence (*Ad Thal.* I, 20; CCSG 7, 121; *Ad Thal.* I, 36; CCSG 7, 243, 245; QD 184). Moreover, he opposes the old religion of shadows and types with the new and mystical religion (*Ad Thal.* I, 15; CCSG 7, 101). As the incarnation is the fulfillment of the shadows and types, there is no longer any need for them and, thus, Christians need not follow the ritual legislation.

All these examples demonstrate that the new covenant is higher than the old and, therefore, the Christians are not obliged to fulfill the commandments that are peculiar to the Mosaic law. While it is notable that even though Christ abrogated the outward observance of the ceremonies of the law, in another sense, the ritual legislation is still relevant when it is understood, not according to its letter, but according to its spirit. By contemplation, a Christian can understand that the laws symbolically describe spiritual truths that are relevant to them. Maximus' interpretations of some of the "boundary-marking" precepts of the law are illustrative:

... from the localized position of the circumcised part, we are taught to undertake voluntarily the circumcision of the impassioned disposition of the soul, since it is by such a disposition that the inclination of the will is trained to adapt itself to nature, correcting the impassioned law of its acquired mode of birth. This is because mystical circumcision is the complete removal of the intellect's impassioned relation to the mode of generation that was subsequently added to it. The Sabbath, on the other hand, is the complete inactivity of the passions and the universal cessation of the intellect's movement around created realities, and the perfect passage [διάβασις] toward the divine. (*Ad Thal.* II, 65 [Maximus 2018, 534]; CCSG 22, 279)

Maximus asserts boldly that the written law was not given primarily to the Jews, because they were barely able to understand the deeper meanings of its ordinances. The Christians are the true recipients of the law because Christ perfected the law, that is, he showed the true, spiritual meaning of its various rituals (*Ad Thal.* I, 36; CCSG 7, 243, 245).<sup>14</sup> In addition, Maximus shares the EPP's understanding that some of the moral commandments of the Mosaic law acquired more depth because of Christ's ministry. Christ showed through His words and life that, for instance, the fifth commandment not only forbids physical murder but every passion that stains our nature (QD 63; 148; *Ad Thal.* II, 64; CCSG 22, 235, 237). According to Maximus, "in the time of the corporeal observance of the law [ἡ σωματικὴ τοῦ νόμου λατρεία] ... the dearth of spiritual knowledge remained undiagnosed, but rather was recognized in the time

<sup>14</sup> Here, Maximus' bold claim that the Mosaic law belongs to Christians stands in fascinating contrast to Irenaeus' total denial of the Torah's relevance to them, which he attributes to the superiority of the gospel. Maximus' allegorical reading of the Old Testament legislation allows for a more positive approach to it compared to the second-century father. On Irenaeus' denial of the relevance of the Torah, see Thomas 2020, 251, 260–62.



of the Gospel of grace.” (*Ad Thal.* I, 65 [Maximus 2018, 528]; CCSG 22, 267) Formerly the law and its corporeal observance was glorious and reigned, but Christ revealed the path to true spiritual nourishment by showing how the law can be understood and followed spiritually (*Ad Thal.* II, 64; CCSG 22, 197, 199; *Ad Thal.* II, 65; CCSG 22, 269, 271).<sup>15</sup>

Concerning the second argument why the works of the law are unnecessary, Maximus does not cite testimonies from the Old Testament that would indicate the temporal nature of the Mosaic law. Nevertheless, he mentions in passing that those who adhere solely to the letter of Scripture will not only reject the logoi of nature but also the mystical calling of the Gentiles proclaimed by the prophets (*Ad Thal.* II, 65; CCSG 22, 263). It is true that he does not explicitly state that the prophets announced that the ritual law had ceased; his phrasing only indicates that the Gentiles would be called to be a part of God’s chosen people. It is, however, to be presumed that “the mystical calling of the Gentiles” implies that the Gentiles do not have to become Jews before becoming Christians. During Maximus’ time, it was self-evident that conversion to Christianity did not require circumcision. This interpretation is supported by the fact that the representatives of the EPP considered the testimony of the prophets as an argument against the necessity of the ritual law. Maximus is only faithfully presenting the tradition adopted from the earlier fathers.

We already touched on the most important passage that relates to the third argument, *Ad Thalassium* I, 27, where Maximus explains why Peter needed revelation from God to understand that the gospel belongs to the Gentiles as well. Maximus explicitly states that the episodes recounted in Acts 10 and 11 demonstrate that the cultic service of the law is no longer necessary. In Maximus’ mind, the account of Gentiles receiving God’s grace demonstrates the universality of the gospel and, thus, implies that God’s grace does not require circumcision. Hence, the episodes recounted in Acts demonstrate that the works of the law are not necessary for Christians (*Ad Thal.* I, 27; CCSG 7, 137; *Ad Thal.* I, 27, *schol.* 2; CCSG 7, 143). The Book of Jonah is also an important witness to the universality of the new covenant and the abolition of the Mosaic law when interpreted spiritually. Maximus believes Jonah who laments that God did not punish Nineveh is a type of Jew who is jealous of the universality of the gospel (*Ad Thal.* I, 23; CCSG 7, 149, 151; *Ad Thal.* I, 53; CCSG 7, 431, 433; *Ad Thal.* II, 64; CCSG 22, 197, 199, 213, 215, 217, 219).

In Maximus’ understanding, the fourth argument of the EPP is closely tied to the notion that the Old Testament contains types that find their fulfillment in the New Testament. According to Maximus, the types and shadows of the law were necessary in order to bring about the development of maturity in the Israelites so that they

<sup>15</sup> Elsewhere Maximus assumes that even during the Old Covenant there were some who practiced virtues and expected restoration of the corrupted world (*QD* 60). Therefore, it seems that Maximus is generalizing when he claims that during the Old Covenant the (mere) outward observance of the law prevailed.

could receive the higher revelation of the gospel. Maximus makes a juxtaposition between the Jews and their infantile thinking and those who are able to grasp mystical knowledge (*Ad Thal.* I, 36; CCSG 7, 243, 245). Consequently, their religion focused on outward obedience to the law. The purpose of the types and shadows of the law was to train the people of the Old Covenant to receive a more immaterial form of worship. They were meant to gradually mature in their understanding so that they could advance to a form of worship that has a more spiritual character (*Ad Thal.* I, 5; CCSG 7, 65, 67). With such a view, Maximus follows a narrative of the maturation of the people of God that was already presented in the works of the early church fathers, such as Justin Martyr (*Dial.* 16–22) who believed that the Mosaic law was given as pedagogue (cf. Gal 3:24) to the immature people of Israel.<sup>16</sup>

The process of maturation in itself is not, however, sufficient for the people of God to grasp higher forms of worship. Maximus asserts that Christ had to restore our nature in order that human beings may attain spiritual knowledge and worship (*Ad Thal.* I, 21; CCSG 7, 127, 129; *Ad Thal.* I, 40; CCSG 7, 267). *Ad Thalassium* I, 20 makes most clearly the connection between the redundancy of the ritual law due to the transformation of human nature that Christ brought. Maximus claims that Christ had to redirect our nature “toward immaterial and cognitive worship in the Spirit.” (*Ad Thal.* I, 20 [Maximus 2018, 140]; CCSG 7, 121) Only the grace brought by Christ enabled Christians to acquire a righteousness of the law, which Israel was unable to attain by adhering to the types and shadows of the law. As Christ redirected human nature and demonstrated the path to true righteousness, Christians do not need to follow the shadows and figures of the law embodied in the ritual legislation of the Mosaic law (*Ad Thal.* I, 20; CCSG 7, 121, 123). Elsewhere Maximus states clearly that Christ transformed or restored our nature, but he does not conclude from this belief that we are not bound to follow the ceremonies of the Mosaic law (*Ad Thal.* I, 54; CCSG 7, 455, 457, 459; *Ad Thal.* I, 54, *schol.* 27; CCSG 7, 479; *Ad Thal.* II, 61; CCSG 22, 91, 93; QD 60; 62).<sup>17</sup> Therefore, Maximus’ teaching again reflects a different context than that of the EPP. For Maximus, there is no need to stress the redundancy of the ritual law, because it was not a burning issue during his lifetime.

There is hardly anything that relates to the fifth argument in Maximus’ works. Maximus claims that anyone who has a faith with the same character as the faith of Abraham, Isaac, and Jacob belongs to the true Israel (*Ad Thal.* I, 23; CCSG 7, 149).<sup>18</sup> This assertion, however, is not the same as the claim that the example of Abraham and the patriarchs demonstrates one does not need to follow the Mosaic law. Nevertheless, it is important to note that Maximus argues that one can belong to Israel

<sup>16</sup> On the immaturity of Adam and Eve in Paradise see Fairbairn 2003, 18–19; Steenberg 2004.

<sup>17</sup> To be precise, Christ provided the potentiality for our nature to be transformed but its activation requires virtues from us. See e.g., *Ad Thal.* I, 35; CCSG 7, 241.

<sup>18</sup> Even elsewhere, Maximus tends to present the faith of the Old Testament saints as virtuous (*Ad Thal.* I, 47; CCSG 7, 313, 315).

without circumcision if one's faith matches that of the patriarchs. Maximus implies that an individual does not become a child of the patriarchs by circumcision but by the same faith as them. Hence, his argumentation presupposes the redundancy of the ritual law for being a member of the New Covenant. His position is in line with the EPP and the NPP, even though he does not use, e.g., the justification of Abraham in Gen 15 as an argument against the necessity of the ritual law for Christians.

To conclude our exposition of the five arguments, it has become clear that Maximus' thoughts on the lack of necessity of the works of the law resemble the EPP. He seldom presents the exact arguments that the earlier fathers used to argue that Christians are not bound to the Mosaic law. Despite this, the study of his works demonstrates that Maximus utilized themes that were, if not the same, at least similar to the ones used by the second-century fathers against imposing the Mosaic law on Christians. In contrast to the EPP, however, Maximus very seldom discusses the relationship of Christians to the ritual legislation of the Mosaic law. During his time, there was no longer any controversy on the matter and, thus, he did not need to present arguments against Judaizers who demanded that the Christians to follow the Mosaic law.

## Conclusion

Taking our cue from Thomas' *Paul's "Works of the Law" in the Perspective of Second-Century Reception*, we have shown that Maximus' theology of the works of the law fits quite well with the EPP, though there are some notable differences. I will briefly recap on these differences.

On the question of the definition of the term "works of the law," Maximus provides no explicit answer, presumably because the controversies that characterized the Pauline context, particularly those surrounding the need for Gentiles to follow the Mosaic law, had largely subsided. However, Maximus aligns with the EPP by denying that it is necessary for Christians to follow the works of the Mosaic ritual law. He further broadens this understanding by maintaining that all outward works are excluded from justification if they are not properly motivated by and combined with inner righteousness. Since there is no indication that Maximus understood "works of the law" as a technical term referring only to certain laws of the Mosaic law, we are justified to conclude that he understood the "works of the law" as referring to all works performed merely outwardly and without the correct motivation.

Maximus believes that the purpose of the works is to be a means of spiritual growth. Maximus argues that the Jews erred when they restricted their interpretation of Scripture solely to its literal sense and followed the outward commandments of the Bible in the hope of earthly rewards. Maximus seems to presume that the Jews

believed that one must become a Jew in order to enter into communion with God. In this respect, his position resembles the perspectives of the NPP and EPP. Generally, however, his understanding of the purpose of the law is characterized by his ascetical theology.

Concerning the question of why Christians are not obligated to follow the Mosaic law, Maximus's position resembles the EPP. He sees no OPP-like juxtaposition between the law and the gospel. Instead, Maximus tends to emphasize the superiority of the gospel in comparison to the Mosaic law, to argue that the old law symbolically anticipated the gospel (the new law) and to claim that Scripture itself shows that the Mosaic law had only a temporary function.

The Maximian perspective on Paul that we have reconstructed is in many aspects a clear continuation of the EPP point of view. Therefore, our findings further support the claim that the patristic authors' position on justification is closer to the NPP than the OPP. Nevertheless, our examination of Maximus' exegetical works indicates that some of his views could at least moderate the differences between the NPP and the OPP, the best example being Maximus' exclusion of all merely outward works from justification. From such a perspective, fixation on the boundary-marking precepts of the law is only a manifestation of the broader problem of not treating the law as a means of fostering inner righteousness. From an ecumenical perspective, Maximian theology would easily render itself in opposition to late medieval "mercantile mindscape"<sup>19</sup> which the Reformation opposed. A form of piety that focuses merely on external works, such as buying indulgences in the hope of salvation, would clearly contradict Maximus' emphasis on inner righteousness as the one that counts before God.

More research is needed to estimate the peculiarity of the exclusion of all works from justification made by Maximus. Much depends on the theology that was produced between the second and the seventh centuries and the accuracy of Thomas' reconstruction of the EPP. Interestingly, Thomas' latest work on early Christian views of justification suggests that Maximus' position has clear historical precedence. Not only Augustine but many other early Christian theologians viewed (initial) justification as a renewal that excludes all human works. Consequently, they would agree with Maximus that true righteousness is not grounded in any external works of our own. Augustine aligns even more closely with Maximus than earlier thinkers do by arguing, against the Pelagians, that the "works of the law" can refer to all works performed without God's grace. Like Maximus, Augustine extends the apostle Paul's argument against the works of the law to a different context, thereby broadening the category of such works. However, while Maximus is motivated by his ascetic theology, Augustine's motivation stems from the Pelagian controversy.<sup>20</sup>

<sup>19</sup> Ronald K. Rittgers (2004, 24, 32–33) has elucidated the "mercantile mindscape" of the late Middle Ages.

<sup>20</sup> For early Christian views on justification up to Augustine, see Thomas 2023.

As a final note, it is to be acknowledged that there are still theologians who claim that the fathers of the first and second centuries understood the doctrine of justification along the lines of the OPP.<sup>21</sup> Therefore, although Thomas' interpretation of the early Christian understanding of justification is currently the most prominent one, the debate on the patristic reception of Paul's doctrine of justification is far from resolved. As a consequence, the significance of Maximus within the broader context is yet to be fully decided.

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<sup>21</sup> The most notable recent example of this trend is perhaps Brian J. Arnold (2017). See also Cooper 2013.

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