Paul the Scholar: Rabbi Jacob Emden's Insight

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ABSTRACT
In 1757 Rabbi Jacob Emden (1697-1776) presented the thesis that Apostle Paul or Shliach Shaul was a "Scholar, an attendant of Rabban Gamliel" (Emden 1757) (Falk, Rabbi Jacob Emden's Views on Christianity 1982) and that Shaul and Yahushua (Jesus the Nazarene) intended to restore the religion of the sons of Noah which had been forgotten. This paper tests the hypothesis by making observations on Paul's writings by which the thesis can be tested. The paper takes a critical look at certain salient points of the thesis comparing the ideas of Boyarin (1994) on the theme. Paul's use of the term circumcision is outlined, and a further observation into Torah status of Noachides as opposed to Jews and proselytes is done. The author pursues Emden's thesis that Paul was a scholar and an attendant of Rabbi Gamaliel by observing the statements attributed to Rabban Gamaliel in the Mishnah and seeing if Paul's writing can be seen to reflect these. This paper, due to time restrictions has basically limited comparisons to the Mishnah so the results are of limited validity. Nevertheless, they are important because the Mishnah is the earliest example of Rabbinic literature and Paul's writings are the earliest example of the writing of the saints (Paul never uses the term Christian to refer to him, his "children" or brethren so we also avoid the term to avoid anachronisms.), or the Ekklesia (Church). Texts in this paper are taken in the order they appear in the Mishnah. In dealing with the writings of Paul their chronology is considered very important for reading the content in context, so dates are given but of course these are not set in stone but it is important to notice what was written earlier and what was written later. In line with Emden's thesis, the author looks at Paul's establishment batei din (Lightfoot 1889 or 1979), or courts in Corinith, then looks at the importance of Torah and mitzvot for Paul. Conclusions are drawn from there.

Keywords: Rabbi Jacob Emden, ‘Paul the Scholar’, Mishnah, Torah, Circumcision The Babylonian Talmud, Noachide Laws, Sons of Noah

INTRODUCTION
Rabbi Jacob Emden's (1697-1776) Thesis on Paul
Rabbi Jacob Emden (YaBetz, Yaacov ben Tzvi) is known for his criticism of the Zohar (Bacher, 1906). He was a critic of modern Hasidism and yet his works are respected and read among the Hasidim to this day. He is compared by historians to Maimonides because of the scope of his learning. He was writing at a time of great change in the Jewish community. It was a time of a great attack on religion. "The attack on religion, beginning in 1750 put Judaism and Christianity on the same side against a common enemy. Gradually religious Jews and religious Christians stopped worrying about each other and started worrying together about the general apathy towards religion" (Charry & Segal, 1967, p. 319). His works were respected by Jews who were a part of the enlightenment in that period also but in his investigations into the followers of the disgraced messianic pretender Shabbatai Tzvi (R. Jonathan Eybeschutz in particular) and in his fight he completed a study of the New Testament (NT). Having completed his investigation he came to a number of conclusions. These were written in his letter to the council of the four lands contained in his commentary on Seder Olam Rabbah veZuta (The Order of the World Great and Small) and published in 1757. Even though he was writing in a pre-critical period, his study of the NT is just as relevant today as is his study of the Zohar which is still studied by modern scholars (Gager, 2013; Langdon, 2010; Bacher, 1906). We will use the translation of his letter completed by Rabbi Harvey Falk (1982). The letter seems to be a response from a request to him to look into the NT documents and give a response to how the NT viewed the Torah in regard to its place among the Jews. Emden (1757) argued that Paul and Yahushua (Jesus) taught that the circumcised Jews were not allowed to leave the Torah."For it is recognized that also the Nazarene and
his disciples, especially Paul warned concerning the Torah of the Israelites, to which all the circumcised are tied[bound]. And if they are truly Christians, they will observe their faith with truth" (Emden 1757; Trans. Falk 1982). Emden's argument is based mainly on Yahushua's and Shaul's attitude to Torah, circumcision and shabbat. Regarding Torah he points out that Yahushua the Nazarene affirmed it permanent validity when he proclaimed that heaven would disappear before one stoke of a letter from the Torah could be removed (Matt 5; Luke 16). In the case of Shaul he used Shaul's teaching and practice regarding Torah and circumcision and forbidden relations as his witnesses. He alludes to Paul's teaching in Galatians 5:3, 1 Corinthians 7:17-19, and his practice in Acts 16. We may look at these points. In Galatians 5:3 Paul states, "And I testify again to every man who receives circumcision, that he is a debtor (ofeileites) to do[poiesai] the whole Torah[kolon ton nomon]"[For Emden it is clear that Paul in writing this after Yahushua had come, still asserts that a circumcised man is responsible to do the whole Torah. He extends the witness with Shaul's other teaching on circumcision in Corinthians. Shaul states "Only as God has divided to each, each as the Lord has called, so let him walk (Gk. peripateito-Hb.yithalek). So I command (diitasomat-prescribe, direct, charge, ordain) in the Churches. Was anyone called having been circumcised? Do not be uncircumcised! [me epispaspastho-]"(1 Cor. 7.17-19). Shaul repeats his ordinance in verse 18 speaking both to Jews and proselytes. "Was anyone called having already been circumcised? Do not be uncircumcised [me epispaspastho-Do not remove the marks of circumcision Shaul goes on to repeat the ordinance twice telling the community in Corinth that men should remain in the position they were in when they were called. Emden proceeds to look at the practice of Paul regarding circumcision in Acts 16. He notes that having taught that each man should remain in the position they were in when called, Paul then took Timothy and circumcised him.

Many have asked that Paul appears to contradict himself here. In the Acts of the Apostles [Acts 16], it is mentioned that Paul circumcised his disciple Timothy. And they found this very puzzling, for this act seems to contradict the other text which seems to indicate that he considered circumcision a temporary commandment until the Messiah's arrival; but this took place after the time of the Nazarene! Therefore you must realize – and accept the truth from him who speaks it – that we see clearly here that the Nazarene and his Apostles did not wish to destroy the Torah from Israel, God forbid... You may therefore understand that Paul doesn’t contradict himself because of his circumcision of Timothy, for the latter was the son of a Jewish mother and a Gentile father [Acts 16], and Paul was a scholar, an attendant of Rabban Gamaliel the Elder, well-versed in the laws of the Torah. He knew that the child of a Jewish mother is considered a full Jew, even if the father should be a Gentile, as is written in the Talmud and Codes. He therefore acted entirely in accordance with the halakha by circumcising Timothy. This would be in line with his position that all should remain within their own faith (1 Corinthians 7). Emden goes on to bring evidence that Paul was applying the seven laws of the sons of Noah to the Gentiles in Corinth in regard to the issue of fornication(forbidden relations-al gilui ariyot). In 1 Corinthians 5:1, Paul condemns a man who lived with his Father's wife. For Emden (1757) this was an act forbidden by the laws of Noah. Understanding this Emden asserts his contention that the Nazarene and the Apostle "came to establish a religion for the Gentiles from that time onward. Nor was it new, but actually ancient, they being the seven commandments of the Sons of Noah which were forgotten."(Emden 1757, Genesis Rabbah, T. Bavli, Sanhedrin 56a to 60b) (Nachman, 2012, P. 363) Emden notes this was the reason the goyim in Acts 15 were forbidden pollutions of idols, fornication, blood, and things strangled. More importantly Emden makes the point "They also forbade them circumcision and the Sabbath". Emden's thesis is very important although it has been overlooked in scholarly circles for many generations it is clearly in the resurgence as scholars look anew at the documents of the New Testament faith (Gager, 2013; Langdon, 2010; Boyarin, 1994, p. 11). However it is clear the letter he wrote is short and so cannot cover all the controversies of the issue but what it lacks in length it makes up for in depth and insight. Its focus is the Nazarene[Yeshua], his disciples, especially Paul, and their teaching on Torah for the Jews and the Laws of Noah for the Goyim. Emden sees what was always written in the NT and yet was still overlooked by the eyes of Christians and Jews to that time and until very recently. Not only was his important contribution overlooked but as
well as that the issue he addresses regarding the importance of circumcision in marking the boundary between obligation to Torah for the circumcised (Jews and proselytes)\(^1\) and the Noachide obligations. For example the thorough study of W.D. Davies on *Paul and Rabbinic Judaism*(1948, 1980) does not appear to mention Rabbi Jacob Emden at all in his bibliography and indexes and when it came to circumcision it was given two pages. The first mentioned Philo and that circumcision in his thinking might be a "sign of the excision of pleasure and all passions" (Davies, 1980, p. 96). The second considered late first century debate on what rituals the proselyte needed to go through between Rabbi Joshua and Rabbi Eliezer b. Hycanmus, this debate taking place 50 years after the debate in the Church (Acts 15). Here, Davies mentions three markers for conversion, circumcision, baptism and offerings; he then goes on to talk about baptism. Missing the importance of circumcision maybe due to Davies Christian background, he not being fully aware of it's important as Emden and Paul would have been.

**Boyarin, Paul and Circumcision**

Boyarin (1994) on the other hand although appearing to miss Emden does have more of a focus on the importance of circumcision than Davies. He makes the point that Paul's contemporary from Alexandria, Philo, allegorized and spiritualized such physical practices as circumcision (Boyarin, 1994, p. 11). The danger of the process says Boyarin is "Where physical history and physical ritual exist only to point to spiritual meanings, the possibility of transcending both is always there" (Boyarin, 1994, p. 25). Boyarin concludes that this spiritualized Judaism was a potential in Philo but actualized in Paul. "For Philo, such a spiritualized and philosophical Judaism, one in which faith is substituted for works, remains only a theoretical possibility. For Paul it becomes the actuality of a new religious formation which deprives Jewish ethnicity and concrete historical memory of value by replacing these embodied sign with spiritual signifiers" (Boyarin, 1994, p. 26). Philo in *On the Special Laws* offers four explanations and defenses of the practice of circumcision giving rational and universal reasons for circumcision. He then gives two symbolic interpretations of circumcision as noted above with Davies (Boyarin, 1994, p. 26). Boyarin reads Philo's logic as saying "that others—not only Jews—should be circumcised" (Boyarin, 1994, p. 26). For Boyarin, Paul goes further than Philo in a radical reinterpretation of circumcision (Boyarin, 1994, p.26). He explains that for Paul, baptism is the putting off the entire physical body which is replaced by the resurrection body. "Circumcision in its true meaning, *katapneuma* also means this" (Boyarin, 1994, p. 27) "I would claim, circumcision was for Paul replaced by its allegorical referent 'believer in Christ.'" (Boyarin, 1994, p. 27; Gal. 6:11-17; Col. 2:11). Boyarin reads Paul as wanting to remove circumcision from everybody, Jews, the Church and Goyim (Boyarin, 1994, p. 111). For him Paul thinks "literal observance was merely irrelevant" (ibid, 112). Since it was irrelevant "He was willing to allow Jews to continue observing such commandments if they chose to"(ibid, 112). For Boyarin, Paul's main concern was the oneness of the new Israel, all distinctions removed, which was important. So Jews were allowed to keep the Torah as long as it did not conflict with the unity, he cites 1 Corinthians 7:19 as evidence (ibid, 112). For Boyarin Paul saw two main dangers to his gospel in the Jerusalem conference we see in Acts 15. The first was "the claim of Jewish Christians that Gentiles should be circumcised (which alone counts as conversion to Judaism) in order to join the People of God" (Boyarin, 1994, p.112). This is because for Boyarin "the whole content of Paul's gospel...is that the physical observances that constitute the physical Israel as the people of God have been transmuted and fulfilled in allegorical signification in the spirit, therefore constituting the faithful gentiles as Israel in the spirit" (ibid, 113).

**Emden and Boyarin and Paul**

As can be seen Boyarin's reading of Paul is different to Emden's. Firstly for Boyarin Philo would have all men circumcised, but Paul would (in his heart) have none because physical actions have all become allegories. But Emden (1757) sees that Paul would have Jews and Proselytes circumcised and Goyim uncircumcised. Philo's position if we understand Emden correctly, and agree with Boyarin's reading of Philo, would be contrary to *halakha* because only a proselyte who is becoming a Jew or going to take

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\(^1\) In first century Jewish culture Jews were circumcised on the eighth day as we in this paper but there were three main conditions for proselytes (converts), circumcision, baptism and an offering in the Temple, see Davies(1980) below.
on the Torah as binding should be circumsised. As we noted above, it was the Sages who forbade the circumcision of the goyim, Paul just applied the halakha. Boyarin (1994) uses the example of Titus to show how important it was for Paul to show he had not given in on the issue of circumcision. But Boyarin overlooks the circumcision of Timothy which Emden picks up on so Boyarin falls into the trap of ignoring important facts or rather perhaps not giving necessary weight to their significance. Paul circumcised Timothy (Acts 16) for Emden this was the correct halakhic practice and to do it was to keep Torah because Timothy was the child of a Jewish mother. (Luke is aware of the halakha on this matter because he mentions that the Jews knew that Timothy's mother was a Jewess). But Paul did not circumcise Titus, because Titus was a Gentile through his mother and father and had no intention of keeping the Torah or converting. Therefore again this was in accordance with halakha, regarding the goyim (Emden, 1757). Because Boyarin (1994) does not give enough weight to the distinction between Torah's requirement for goyim as opposed to proselytes or Jews he has to say that Paul did not accept in his heart what he writes clearly in ink in his passionate letter to the Galatians, that he was given responsibility to bring the obedience of faith to the uncircumcised, and Peter was responsible for the circumcision (Boyarin, 1994, p.114). This is despite the fact that Paul talks in the past tense of the evidence for this fact. Jacob and Peter saw that Paul had been entrusted with the gospel to the uncircumcised (Acts 15:23-26; Acts 21:18-26; Gal 2:9; Phil 3:9-11). Boyarin (1994) misreads this as two gospels, but there was one gospel and two target groups and two leaders of the outreach, not two gospels "But on the contrary there, seeing that I had been entrusted with the gospel[my emphasis] to the uncircumcised, just as Peter had to the circumcised" (Gal 2:7). If we ignore the fact that Paul is drawing from the evidence of the experience of the outreaches and not just theorizing this, misreading is possible.

In the Mishnah tractate Sotah, the Holy Spirit was the highest level of Jewish spiritual ascension before the resurrection from the dead and was connected to Elijah (Sotah 9:15). Thus we see Yahushua in Matthew 17, talking with Elijah and Moses on a high mountain with Peter, Yacov and Yohanan present. Elijah and Moses were both a part of the last message of the prophets. Malachi prophesies of the sending of Elijah before the day of the Lord would come and that Israel should remember the Torah of Moses. After the transfiguration of Yahushua to light, the bat gol declares "This is my beloved son, listen to him"(Matt 17:5), Peter, Yacov and John have entered into the experience Yahushua had at his baptism (Matt 3:16). Chilton (2011) believes these experiences come from mystical practices like riding of the merkabah. The four return to earth and then Yahushua tells the disciples not to say anything until the Son of man is risen from the dead. The disciples then reply, "Why do the scribes say Elijah must come first?"(Matt.17) The three disciples are relating an oral tradition among the Sages that Elijah's coming would precede the resurrection from the dead. They ask this having seen Yahushua talking with Elijah in what must have been another realm where Moses and Elijah were present and into which Yahushua entered. The tradition referred to is seen in the Mishnah in tractate Sotah 9:15. The mishnah relates the words of R. Phineas Ben Yair who is a fifth generation Rabbi, dated to the end of the second century (Danby, 1933). The mishnah is a very long one and has many reflections on the consequences of certain events taking place. M.Sotah 9:15 starts by listing what was lost when certain sages died. Then we have the words of Phineas Ben Yair and Eliezer the Great. They describe the difficulties that entered the world since the Temple was destroyed. In between they make the statement "On whom can we stay ourselves? …On our Father in Heaven" (Danby, 1933, p.306). Mention is made of the footprints of Messiah and then Phineas benYair then lists a ladder of virtues each leading to the next, heedfulness, cleanliness, purity, abstinence, holiness, humility, shunning of sin, saintliness, the Holy Spirit, resurrection from the dead, "And the resurrection of the dead shall come through Elijah of blessed memory"(Danby, 1933, p. 307). We see from this that Elijah comes before the resurrection from the dead as the disciples of Yahushua noted.

Although the tradition is related after Paul's period it no doubt reflects earlier traditions since Phineas ben Yair, a apart of a community dedicated to the importance of oral tradition, is unlikely to have made it up on the spot in this Pharisaic context. The hope then of the Spirit is connected to the coming of Elijah and from thence the resurrection from the dead. Paul also sees the spirit as the
precursor to the resurrection from the dead, or as he describes "the redemption of our bodies" (Rom 8:23, Eph 1:14). In our context it begs the question, does one need to be circumcised to receive the Holy Spirit? The NT gives the answer in the negative. Peter goes to see Cornelius an uncircumcised Godfearer (Levinskaya,1996), and while Peter was sharing the gospel the Holy Spirit fell on the uncircumcised Gentile group. This was a shock to Peter and since they had got the goal of the message (the Spirit) he permitted them to be baptized with water as their teacher John the Baptist used to do (Acts 10; Jn. 2:40). John the Baptist had prophesied that he immersed with water but the one coming would immerse with the Holy Spirit and fire (Matt 3:12; Mark 1:4, 8; Luke 3:16,Acts 19:4). Yahushua came and when leaving told the talmidim to wait in Jerusalem for the promise of the Father which was the Holy Spirit (Luke 24:47-9; Acts 1:5). All the talmidim who received the level of Holy Spirit (M-sotah 9:15) were already circumcised. The closest parallel we have in the Tanakh to this outpouring of the Holy Spirit is the prophecy of Yoel (2:28-32) and the spirit on Moses being placed on the 70 elders in the wilderness (Num 11:25).So when the uncircumcised family of Cornelius received the same of Holy Spirit in the same way the early circumcised disciples did, it created what we might call a precedent. They received the Holy Spirit whilst hearing the message of the resurrection.

Here would be an appropriate time to raise the question Paul raised later- "Did you receive the Spirit by the hearing of faith or by the works of the Torah?" (Gal 3:2) Although this question may appear to be a criticism of the Torah it clearly is not because Cornelius was never obligated to keep the Torah being uncircumcised. The Torah was delivered to Moses and Israel at Sinai not to the Italians (Exod. 20). This is analogous to the situation Paul was dealing with in a group of Gentiles who had already received the spirit being told that in order to be acceptable to God you need to be circumcised. If that were the case Paul might say, how did they get the Spirit in the first place? Clearly circumcision had nothing to do with receiving the Spirit, but praying and giving alms, works of righteousness attracted God's attention and faith whilst listening to the message released the promise (Acts 10), circumcision however had everything to do with obligating a man to keep the Torah (Gal 5:3; Rom 2).

Another misreading the author attributes to Boyarin is regarding the reason Paul commanded the Jews to remain circumcised and Jewish and the Gentiles to remain uncircumcised. Boyarin(1994) believes it is just so long as their position did not go against Paul's desire for "the constitution of all Peoples in the world as the new Israel" (Boyarin, 1994, p. 112). He cites 1 Corinthians 7.19 as evidence for this point. But again this does not do justice to Paul's actual words. Paul states "Circumcision is nothing, and un-circumcision is nothing, but what matters is the keeping of the commandments of God[emphasis is mine]. Each man must remain in that condition in which he was called" (1 Cor. 7:19-20). So Paul as noted by Emden(1757) is saying just the opposite of what Boyarin is claiming. The Jew must remain a Jew and the Gentile a Gentile and from their keep the relevant mitzvoth, this is real observance not an allegorical replacement of practice of the commandments. The second evidence that Paul's words need to be read in his context is the fact that he says in Romans, "For indeed circumcision is of value if you practice Torah but if you are a transgressor of the Torah, your circumcision has become un-circumcision" [emphasis is mine] (Rom 2. 25).

**Paul's Use of Circumcision**

When Paul uses the various terms speaking about circumcision one can only understand his many and various uses if one sees him in the context of the word's use in the whole Tanakh where the term does not simply refer to circumcision of the foreskin of a male on the eighth day. The term mul circumcision occurs in the Tanakh at least 37 times. Of these, nine-that is about 25% do not refer to circumcision of the foreskin. In four cases more than 10% it refer to an inner spiritual circumcision similar to the way Paul uses the term (Deu. 10:16; 30:6; Jer. 4:4; 9:25). Two of these uses occur right at the end of the Torah of Moses itself and two in Jeremiah. When describing his call, Paul uses words reminiscent of the call of Jeremiah saying he was set apart from his mother's womb (Gal 1:5; Jer 1:5). He also saw his role among the Corinthians as following part of the model of Jeremiah. Paul was also appointed to nations and says to the Corinthians that the authority the Lord gave him was "for building up not for tearing down", and that he is a fellow worker with God and they were God's field or God building (2 Cor. 13:10; 2 Cor. 10:8; 1 Cor. 3:6-9). Like Jeremiah(Jer. 1) he is a builder and a farmer.
A fact and very important parallel with Jeremiah is that they were both proclaiming a coming judgment and it is here, in this context, where circumcision and un-circumcision means nothing, the identity is not the point, but the point is the keeping of the Torah or the keeping of the mitzvot of God. So Jeremiah makes this point-Jer 9:25 “Behold, the days come, saith YHWH, that I will punish all them which are circumcised with the uncircumcised”; Jer 9:26 “Egypt, and Judah, and Edom, and the children of Ammon, and Moab, and all that are in the utmost corners that dwell in the wilderness: for all these nations are uncircumcised, and all the house of Israel are uncircumcised in the heart”. It is here that we understand better what Paul is referring to, Jeremiah (Jer 9:26) and Paul (1 Thess 5:1-5) both saw an overriding judgment coming and men needed to do the Torah and the mitzvot not boast about them.

**Emden sees Paul as dealing with Noachides not proselytes**

Emden's position as Torah scholar of a high order and not a modern academic of course means he looks at the 613 commandments and agrees with Rabbi Simlai that they were in place at the time, which they may have been but we cannot bring any evidence to say they were because they are not mentioned in the *Tanakh*, the Dead Sea Scrolls, The New Testament, Philo, Josephus or even the *Mishna*, traditionally their first mention is attributed to the Rabbi Simlai of the third century in t.Bavli tractate Makkot 23b-24a, the tradition is also in Rabbi Simeon ben Azzai (Sifre Deuteronomy 76), Rabbi Eleazar ben Yose the Galiliean (Midrash Aggadah to Gen 15:1), Midrash Shemot Rabbah 33:7 and Yevamoth 47b and t.Bavli Tractate Sanhedrin 56b-60a. Paul appears to hold to the fact that those who were circumcised were obligated to obey the Torah, and if they did not do so they dishonored God, and would at the final judgment of the soul after death be held accountable for if they did or did not obey the Torah(Romans 2:12, 13).

One thing lacking in Emden's view is that he does not see the distinction in the roles of the apostles. Paul was an apostle to the uncircumcised or the goyim whereas Peter was apostle to the circumcised (Gal 2:7-10) Paul never wrote a single letter to the circumcised although there were circumcised people in communion with the Gentile communities he was writing too (Gager, 2000; Ruzer 2011). Gager's(2000) brilliant and insightful understanding of the apostle Paul errs at this point. In his *Reinventing Paul* he gives brilliant insight into the forms of Paul's letters and into the methods of Paul's rhetoric. He lays out two sets of Pauline ideas, the pro Israel set and the anti Israel set, which appear to contradict each other point by point (Gager, 2000, p. 7). He then gives an overview of the different academic attempts to deal with the problems and makes an important point developed from the researchers Stanley Stowers and John Lodge into Paul's writings "Their work has revealed a new law-if you miss Paul's rhetorical strategies, you will get him wrong"(Gager, 2000, p.13). Gager also makes the important point that Paul's arguments are always biblical. Gager(2000) agrees with Emden that Paul did not intend to remove the Torah obligation from Israel and that he was sent exclusively to Gentiles. He believes many of the Gentiles would have been previously connected to synagogues (Gager, 2000, p. 77). He also states "These Churches were very much Paul's congregations, brought into being by 'his' gospel. They must have been quite small. And they consisted entirely of Gentiles. When Paul writes to these congregations, he always addresses them as Gentiles"[Emphasis mine](Gager, 2000, p. 78). On the point of what the congregations consisted it is clear that Gager's position does not reflect the evidence of the Pauline texts and must be completely ignoring the eyewitness and generally reliable testimony of Luke (Bruce, 1988). It is clear not just from Acts but from Paul's writings that both Jews and Greeks were being persuaded. Although the letters and the Acts do not appear dependent on one another they have a beautiful inter-conceptuality. We do not just have Jewish believers but named Jewish believers who were persuaded that Yahushua was the Messiah for example Crispus and Sosthenes (leaders of the synagogues) (Acts 18:7; 1 Cor. 1:14, 1Cor. 1:1; Corinth).

Lastly and perhaps most importantly Emden points to areas in Shaul's teaching and practice that made him believe Shaul when he said he was a student of Rabban Gamiel. This point is important because Emden is not simply arguing that Shaul obeyed the written Torah, the examples he draws regarding knowing that the son of a Jewish mother and the Greek Father needed to be circumcised
were part of the Oral Torah. Thus in Emden the scourge of Jewish heretics in his generation risked his life in accepting that Paul kept the halakha and the codes he is saying Paul after the Nazarene had appeared to him still kept the halakha of his Pharisee forbears.

Paul at the feet of Gamaliel
Gamaliel (I) the Elder enters history first in the NT in Acts 5 and 22:3 he appears about ten times in the Mishnah in Peah 2:6, Orl. 2:12, Shek. 3:3, 6:1, R.sh. 2:5, Yeb 16:7, Sot. 9:15 Gitt. 4:2-3, Ab 1:16, and in Church sources such as the Teaching of the Apostles, The Clementine Recognitions and Homilies. He also appears in the Gospel of Nicodemus and the Acts of Pilate and in various midrashim and the later Talmudic writings(Nachman, 2012). According to Jewish tradition he succeeded his father Shimon as nasi and his grandfather Hillel. In dating the end of Hillel's life Neusner (1970J) notes:

The absolute terminus ad quem of Hillel's life appears to be in the twenties of the first century, when his son began to preside over the Pharisaic academy. This much becomes clear from the evidence of the Apostle Paul, who stated "I am a Jew, born at Tarsus...but brought up in this city [Jerusalem] at the feet of Gamaliel... (Acts 22:3)...If Paul was born about 10A.D., and went up to Jerusalem as a youth, perhaps about 25 A.D., then Gamaliel must have presided by the middle of the fourth decade of the first century"(Neusner, 1970J, p.43) He dies about 18 years before the destruction of the Temple in about 52A.D. "When Rabbi Gamaliel the Elder died, the honor of the Torah and purity and abstention died." Of course considering the importance of Gamaliel as nasi the mishnaic witness to him is very small, nevertheless we will see from the following example how Paul's discipleship with Gamaliel I is reflected in his later practice even after God revealed his son in him and called him to proclaim the Messiah among the goyim.

Gamaliel, Paul and Leaven
In Peah 2:6 there is no apparent reflection in Paul but interestingly a tradition regarding leaven and dough is preserved in Orlah 2:11-12. If common leaven or heave offering leaven fell into dough the sages said "Whether the forbidden substance fell in first or last it can never render the dough forbidden unless it sufficed of itself to leaven the dough". Yoezer of the Birah a disciple of Shammai asks Rabban Gamaliel the Elder about the issue, he is attributed the following reply."It can never render the dough forbidden unless it sufficed of itself to leaven the dough"(Danby, 1933, p. 91). Paul has leaven as part of his vocabulary and then spiritualizes it to teach the gentiles. First he uses it in 48 A.D when writing to the Galatians, Where he uses the metaphor "a little leaven leavens the whole lump", where leaven represents disobedience.

Gamaliel, Paul and Wealth Stewardship
In Shekalim 3 we see that Rabban Gamliel's disciples were focused on making sure the shekels for the terumah went exactly to where it was to go to. So they used to go into the temple with their shekel between their fingers and throw it in front of the person responsible to collect the terumah. Danby comments, "To ensure that their shekel dues should be used directly for the Temple offerings, and not be left as residue" (Danby, 1933, p. 155). This carefulness regarding the setting apart of things for specific purpose is also reflected in the statement attributed to Gamaliel I regarding tithing. "Rabban Gamliel said "Provide yourself a teacher and remove thyself from doubt, and tithe not overmuch by guesswork [al tarbeh leaser omdor]"(Avot 1:16, (Danby, 1933, p.447). Another translation is "do not make a habit of giving tithe by guesswork" (Kehati, 1984, p. 46). One purpose of this is then to remove doubt. "Here, too, the reason is to avoid uncertainty when the Torah has specified that the maaser-tithe be one tenth of the bulk" (Kehati, 1984, p.47). Again we see Paul reflects the attitude of his teacher in dealing with wealth or giving however that in relation to goyim. In about 55AD three years after the passing of Gamaliel, Paul planned an offering from the Gentile saints to the communities in Jerusalem. He took precautions to remove any doubt regarding the use of the funds by sending a
brother ahead to make the collection, and took reputable witnesses along to ensure no one could accuse his team of misusing the resources.

**Gamaliel Paul and Traditions of their Fathers**

The next appearance of Gamaliel I is in M.Shekalim 6:1. In this case the subject is that of prostrations in the temple. Most groups marched thirteen but beit Gamaliel and beit Haninah the prefect used to make 14. They made and added one opposite the wood store "for thus were the traditions among them from their forefathers, that there was the ark hidden" (Danby, 1933, p.158). Paul does not mention the 14 prostrations but as a disciple of Gamaliel this would have been one of the traditions he would have been zealous for. The language used here for beit Gamaliel is again reflected in the language of Paul. In 48A.D he wrote to the Galatian community. "I progressed in Judaism beyond many contemporaries in my race, being more a zealot of the "patrikmonoupardoseon" my fathers' traditions". The word Paul uses here occurs only once in the NT, and we are reminded of who his fathers were from his speech before the Ananias the archiereus, who Lightfoot(1889, 1979) believes is actually Hananiah the Sagan and so could be the exact same Hananiah appearing in the tradition in the Mishnah(Lightfoot, 1889, 1979). In about 60A.D Paul is attributed the following saying in a trial "I am Pharisee the son of Pharisees". As Klausner (1944) noted he was not just saying he was the son of a Pharisee but Pharisees, plural, going back generations. Paul also refers to the Torah of our fathers which connects directly with his apprenticeship with Gamaliel (Acts 22). In addition Paul handed on oral traditions to the next generations of the Church reflecting his Pharisee background. For example he says in his second letter to the Thessalonians in 52A.D, the year Gamaliel I probably died, that they should stand fast and hold traditions which he had taught either by word (that is orally) or by letter (2 Thess. 2:15). In 2 Thessalonians he connects the idea of walking according to the tradition. This word walking clearly connects to the idea of halakha. In 55A.D he praises the Corinthians for guarding or keeping the traditions as he had delivered them (1 Cor. 11:2). As Pharisees did when Paul was younger he continued to do when he had disciples learning from him.

In M.rosh hashana 2:5 Gamaliel gives a ruling regarding how far witnesses for determining Rosh hashana's beginning could walk, he decided they could walk 2000 cubits³. We do not see a parallel with Paul here although Paul is of course making ruling about various issues among the saints all the time. For example the one above about each person remaining in the status he was in when he was called.

**Paul and his Responsa on Marriage**

In m.yebamoth 16:7 we see another approach to halakha reflected in Paul's approach and particularly relevant to the situation of the first century. The issue is regarding whether or not a woman could marry after evidence from one witness that her husband was dead. Nehemiah of Beth Deli tells Rabbi Akiva that he had heard that in the land of Israel only R. Judah b. Baba permitted this and all the other Sages did not permit it. Akiva confirmed it was true. Nehardea then tells Akiva to tell the sages that he received a tradition from Rabban Gamaliel the elder that because the country was in confusion by reason of ravaging troops that they could permit a women to marry on the evidence of one witness. Akiva went and spoke to Rabban Gamaliel the grandson of Gamaliel the elder. Gamaliel II rejoices and sayd they had found a fellow[one who could support the testimony], for R.Judah b. Baba. Rabban Gamaliel remembered that certain men had been killed at Tel Arza and because of that challenging situation Rabban Gamaliel the elder had allowed them to remarry on the evidence of one witness. There are at least two aspects here in which we may see Paul reflecting his teacher's approach. Firstly in his flexibility because of the difficult circumstances people were permitted things which normally would not be permitted. Secondly the content, Paul in giving halakha to the Gentiles was giving responsa regarding the issue of marriage. Paul in 1 Corinthians 7 in about 55A.D is dealing with issues the Corinthians had written to him about. That is he is clearly giving a response. In his response he has three levels of authority. He tells(1) the commands from the Lord, (2)commands from himself and (3) advice by concession (permission) not command. In terms of the 613 mitzvoth and the model of

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³ Equivalent to a Sabbath days journey in Rabbinic tradition (Acts 1.12)
positive and negative commands, the Lord's command is negative, the wives are commanded not to leave their husbands and the husbands are not to divorce their wives (1 Cor.10). Then he goes onto to give commands in his own authority "But to the rest I say not the Lord, that if any brother has a wife who is an unbeliever, and she consents to live with him, he must not divorce her (1 Cor. 7.12, 2 Cor. 11. 17). Thus he gave commands here on two levels here. As to widows and remarriage as we saw in the case above regarding his teacher Gamaliel the Elder Paul says "But I say to… the widows(cherais) that it is good for them if they remain even as I. But if they do not have self control, let them marry, for it is better to marry than to burn"(1 Cor 7.9). We see from this that like Gamaliel the Elder, Paul was very practical. This was not a command but advice. He moves on to the situation of virgins (parthenon). "Now concerning virgins I have no command of the Lord, but I give an opinion as one who by the mercy of the Lord is trustworthy"(1 Cor. 7.20), so we see here pure advice. And here we see the connection to his teachers' flexibility due to the difficult circumstances, "I think then that this is good in view of the present distress that it is good for a man to remain as he is. Are you bound to a wife? Do not seek to be released? Are you released from a wife? Do not seek a wife. But if you marry, you have not sinned, and if a virgin marries, she has not sinned. Yet such will have trouble in this life, and I am trying to spare you." Thus we see commandments from the Lord, commandments from Paul and simple advice from Paul based on the difficult situation. Even as Gamaliel the Elder and Judah ben Baba ruled by way of concession that a widow was permitted to remarry on the evidence of one witness, Paul ruled certain things by concession. The fact that Paul was dealing with uncircumcised in this part of the letter is seen by the fact that a husband needs to seek release from a wife. In Jewish halakha only a wife would need to seek release from a husband (1 Cor 7:27). Paul also deals with the situation of a wife whose husband dies as a general principle. "A wife is bound as long as her husband lives, but if her husband is dead she is free to be married to whom she wishes, only in the Lord". Paul in his whole discussion does not go into the role of witnesses, but he does lay out his general principle regarding witnesses in another place where he says every testimony must be established at the mouth of two or three witnesses and so in this case he would side with the Sages (who require more than one witness) more than Gamaliel on this point(2 Cor 13.1). Thus we see Gamaliel's attitudes and practices reflected in his disciple's even if they were dealing with different halakhic situations. Gamaliel also held courts and we will now take a glimpse into Paul's courts and its reflection of what Emden saw.

The Court of the Lord Yahushua

On the surface it is clear that six of the seven traditional Noahide laws are covered by Paul. The precepts are related in many sources, that of tractate Sanhedrin says "Seven precepts were the sons of Noah taught-social laws (dinim), to refrain from blasphemy(al bircat hashem), idolatry(al avodah zarah), adultery(al giloy erayot), bloodshed(al shepicot damim), robbery(al hagazel), and eating the flesh from a living animal(eiver min hachai). (tbavli Sanhedrin 56b). It is clear from Paul's writings that he never mentions any specific number commandments, in addition individual Rabbis added to the seven (Tbavli San. 57b), which meant the number turned out to be rather more than seven. The Mishnah does not mention the tradition of seven laws at all although it does mention Gentiles over ninety times. Another point is that Paul does not relate to the goyim through Noah. Noah is not mentioned in the letters of Paul. Indeed Paul clearly sees YHWH relates to the goyim through the blessing of Abraham, He paraphrases Genesis words about the blessing of the nations "in you will all the nations be blessed"(Gal 3:8). For Paul this verse from the chumash which Paul calls scripture as opposed to Torah was the gospel preached in advance by the Scripture to Abraham (Gal 3). He does not call it Torah although in terms of Torah scrolls he is citing the Torah. It is here where he sees the gospel he proclaims foreshadowed. He mentions the goyim at least 55 times in his writings and he uses the word commandment entole[mitzvah] at least 18 times. Paul's overriding concern is not talking about Torah but doing Torah, not talking about mitzvot but doing mitzvot. He and Shimon Ben Gamaliel were fellow disciples of Gamliel the elder and came to very similar conclusions. Shimon is attributed the words "All my days have I grown up among the sages and I have found naught better for a man than silence, and not the expounding(midrash) [of the Law] is the chief thing but the doing of [of it]"(Avoth 1:17; Danby, 1933, p. 447).
Paul when on trial in Jerusalem says to Ananias his judge (probably a Saducee) "God is going to strike you, you white washed wall! Do you sit there to judge me according to the Torah, and in violation of the Torah order me to be struck?"(Acts 22:3). His contemporary Abba Saul ben Batnits is also attributed a problem with the violence of the priests in the first century "Woe unto me for the house of Baithus and its rods; woe unto me for the house of Hanin and its calumnious whispering; woe unto me for the house of Qatros and its pens; woe unto me for the house of Ishmael ben Phabi and its fists."(T.bavli Pesach 57a). In Roman's Paul also illustrates the importance of obedience to Torah "But if you bear the name Jew , and rely upon Torah and boast in God, and know his will and approve the things that are essential, being instructed out of the Torah, and are confident that you yourself are a guide to the blind, a light to those in darkness , a corrector of the foolish, a teacher of the immature, having in the Torah the embodiment of knowledge and truth, you therefore , who teach another do you not teach yourself? You who preach that one shall not steal do you steal? …You who boast in the Torah, through your breaking of the Torah do you dishonor God?"(Rom.2:17ff). Paul's emphasis on the Jew honoring God by keeping the Torah occurs at least nine years after he wrote the words "But before faith came, we were kept in custody under the Torah, being shut up to the faith which was later to be revealed. Therefore the Torah has become our guardian to Messiah, so that we may be justified but faith, but now faith has come, we are no longer under a guardian". The evidence that this does not mean the Torah is no longer obligatory for Jews is manifold. Firstly as noted above nine years after he made this statement he speaks of the importance of Jews honoring God by obeying as opposed to disobeying the Torah. Secondly he says that a Jew, and proselyte (who are under Torah) on judgment day (Acts 17:31) will be judged as to whether he kept the Torah or not(Rom 2.12)but those who sinned not having Torah as an obligation would perish without Torah(Rom. 2:12). His words are very particular on this point. A person not under Torah who sinned, will perish, for the Noahides the only sentence available was death (t.Sanhedrin, Vol II, 382 n1, Nachman, 2012) but a person obligated to Torah will be judged by the Torah, clearly then to be judged by Torah on judgment day means the Torah remained valid in the present age [olam hazeh](Eph 1:21) even beyond death to the day of judgment where God would judge all men in righteousness through a man he chose and proved that he chose him by raising him from the dead (Acts 17:31) the criteria of judgment being righteousness, how a man acted after he was or was not circumcised.

**Paul, Gamaliel and the Resurrection**

The importance of the resurrection of the dead for Paul and the sages cannot be overestimated. Paul understood that the twelve tribes of Israel hoped for the promise of the resurrection from the dead as they serve God day and night (Acts 26: 6-8). This was Paul's gospel. "Messiah died for our sins, according to the scripture was buried, and on the third day rose from the dead, according to the Scriptures (1 Cor 15:1-3), "If you confess with your mouth, Yahushua is Lord and believe in your heart, God raised him from the dead, you shall be saved"(Rom 10: 9), indeed if the resurrection of Messiah never took place the entire work of Paul and faith of the saints was useless "But if there is no resurrection from the dead, not even Messiah has been raised, and if Messiah has not been raised your faith is useless, you are still in your sins"(1 Cor.15:13-14) (Nachman, 2013). Paul's teacher Gamaliel is also known as a proclaimer and defender of the resurrection from the dead (t.bavli Sanhedrin 90b) For the sages the resurrection was taught in the Torah and one place in the world to come was based on if you believed the resurrection was taught in the Torah. M.tractate Sanhedrin states that to believe that the resurrection of the dead was not taught in the Torah would exclude a man from the age to come(olam haba), "All Israelites have a share in the world to come...And these are they that have no place in the world to come- he that says there is no resurrection from the dead prescribed in the Law[Torah]". The Rabbis also used similar illustration of the resurrection as Paul did before them. For example in 1 Corinthians 15 Paul answers a question "How are the dead raised? What body do they come in?"(1 Cor. 15:35), Paul answers "That which you sow does not come to life unless it dies. And that which you sow, you do not sow the body which is to be, but a bare grain, perhaps of wheat or something else. But God gives it a body just as he wished"(1 Cor 15-36-38). A very similar answer is
given to this question by Rabbi Meir using the same imagery of grain and wheat (t.bavli Sanhedrin 90b).

**Paul Use of Torah and Mitzvoth**

As Emden (1757) noted above to be circumcised meant for Paul an obligation to keep the Torah (Gal 5:3). Paul uses the term *nomos* (Torah or law or principle) at least 122 times. However he uses it in many and varied ways and not in a way necessarily recognizable to a modern reader who thinks the Torah automatically means a Torah scroll or the five books of Moses. Paul cites Isaiah and calls it Torah (1 Cor 14), he quotes Genesis (Torah) and calls it Scripture not Torah (Gal 3:8). For Paul the Torah is God speaking and he contrasts this with man speaking, but he reads the whole Tanakh, and some scholars believed in memorized it (Sanders, 2011) as authoritative. The order of his usage of the term nomos-torah is important, Galatians (32 times) in 48 AD, 1 Corinthians (9 times) 55 A.D, Romans (75 times) 57AD, Ephesians (1 time) 60A.D. Philippians (3 times) 60A.D, 1 Timothy (2 times). First we notice that Corinth unlike perhaps Philippi, Thessalonica was a mixed community of Jews and Goyim because otherwise why would Paul have to emphasis that circumcised do not remove the marks of circumcision and uncircumcised people should not be circumcised.

Secondly he talks about how Jews look for signs and Greek look for wisdom but he preached Messiah and him crucified, a stumbling block for Jews and foolishness for Greeks. Here he is referring to outsiders who have not believed but clearly it has relevance to the Corinthian community because that big city had many saints (not Christians in Paul's terms) and some were Jews, and some Greeks. This would also explain why in such a large and diverse community some might say "We are of Kephas" (1 Cor. 1). We remember that seven years earlier Paul had written that he was apostle to the uncircumcision and Kephas of circumcision but of course if they are all living in one city and all believed in one Messiah it would be difficult to keep the responsibilities separate. This must have been the case from the beginning of the right hand of fellowship. Even if Paul was only responsible for the uncircumcised, but he went to find them in the synagogues and so preached Messiah the one who rose from the dead, Shabbat after Shabbat in the synagogues (Acts 17:2), this meant at least two things. His messages were accepted by the local Jewish community for a time, and some of them would believe, Crispus and Sosthenes (Acts 18.8, 17).

The question then is what law would the Corinthians use to judge in their courts? Paul gives a list of sins which will exclude one from inheriting or possessing the kingdom of God. The kingdom of God is based on the rule of judges (1 Sam 8-10, Is. 1.26, Luk. 22). This list includes fornication (n.), idolaters (n.), adulterers (n.), abusers, homosexuals (n.), thieves (n.), covetous (t.), drunkards, revilers (n. blasphemy), swindlers (n.). As can be the there is a strong overlap with Noachide laws but also with the Torah (t.). This is not surprising because the Noahide laws are seen as being a part of the Torah. "The Israelites were given ten precepts at Marah, seven of which had already been accepted by the children of Noah (t sanhedrin 56b vol II, 384). Paul also in specific cases uses the Torah as source for his authoritative statements regarding righteousness issues (ethics). So in Ephesians, a community of goyim written 12 years after Galatians he says regarding the fourth commandment "Children obey you parents in the Lord, for this is right. Honor your father and mother (which is the first commandment with a promise (Eph. 6.1-2, Ex 20.12). He goes on to quote the promise. In 1 Corinthians 8.8 he again appeals to the Torah in 1 Cor 9.9 "I am not speaking these things according to human judgment, am I? Or does not the Torah say these things?". Thus a long time after he wrote the words in Galatians he appeals to the Torah in 1 Cor 9.9 "I am not speaking these things according to human judgment, am I? Or does not the Torah say these things?"

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and others become disciples. The question then would be, Do you teach the same thing to both groups? What was common and what was different? Paul's answer is circumcised should remain circumcised and therefore obligated to obey the Torah, and goyim should remain uncircumcised and obey those aspects of the Torah which was placed on them by the Lord through, Paul and Sosthenes or Paul and Timothy, or Paul and Silas. Paul also worked with Titus a gentile, but he and Titus never write a letter together. All Paul's writing partners were Jews. Paul's courts[batei din] then operated as a seat of Paul in Messiah. Lightfoot (1889, 1979) compares them with the batei din of the Pharisees we see described in m.tractate Sanhedrin. They judged those who sinned and would impose sentences, one harsh sentence was perhaps handing the saint over to satan for the destruction of the flesh so that his spirit could be saved for the olam haba. This sentence perhaps reflects the Pharisaic idea that a person's death atones for his sins in this life. A second sentence would be herem or cutting off from the community (1 Cor. 5.1-3), which again reflects Paul's Pharisaic culture of removing someone as in the case of Eliezer ben Hycanus who was out of order. A third sentence(censure) was keeping away from a brother but still considering him a brother (2.Thess 3:6), this was for a minor offence like laziness. These courts operated while Paul was away but when he came he would sit and at times he warned the sinners ahead to sort themselves out before he came(2 Cor 13).

Conclusion

It seems clear that although Paul may appear complex for a person who is not immersed in Rabbinic halakha, to Emden who is a Rabbinic scholar of the highest eminence, Paul was understandable. Emden's reading of Paul although missing some important elements of Paul's message (for example the resurrection) is much more reflective of Paul's own thinking of his work than for example Boyarin's. Paul clearly had an intention to teach and keep the Torah, but mainly as it was applicable to uncircumcised goyim. And yet it cannot be denied that Jews also heard and believed and in them Paul found a fellow. Paul's writings represent the only spiritual biography of the first century Pharisee, the closest to it being Josephus, and it is clear from looking at Paul's ideas in the context of halakha and the Mishnah can throw light on areas which have perplexed students for generations. I believe work on Paul as senior judge in the court system he may have established in Corinth is an area which needs further research. Paul was indeed a disciple who reflected the teaching and beliefs of his Pharisee forbears and indeed of his teacher Gamaliel.

References

2. Bacher, (1906) The Jewish Encyclopedia, "Zohar".