

## Idol Food, Same-Sex Intercourse, and Tolerable Diversity within the Church

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*Proposing that Paul permitted idol food and respected fallible conscience, Kathryn Reinhard has argued that homosexual practice constitutes tolerable diversity within the church. Reinhard's vision of interdependence and embodied difference is laudable. Problematically, she omits Paul's disciplining of sin from her explanation of toleration, and mischaracterizes the relationship of the "strong" and "weak." Contesting assumptions about idol food, this essay argues that Paul never abandoned scripture or Judaism, and explores how Reinhard's conclusions are based on four conditions, showing that if any one of them were to change, they would invalidate Reinhard's argument.*

Kathryn L. Reinhard has argued that the dispute within the Anglican Communion over homosexuality should be relocated from the realms of "sin" or "rights" to that of "conscience."<sup>1</sup> To do this she intentionally prioritizes Paul's ecclesiology when discussing food offered to idols (1 Cor. 8–10) over his apparently different ecclesiology when discussing sexual behavior (1 Cor. 5).<sup>2</sup> Here I examine her argument and what the implications might be if any of four of Reinhard's assumptions were altered: (1) if *syneidesis* is translated "consciousness" instead of "conscience" in 1 Corinthians; (2) if the weak of 1 Corinthians 8–10 were polytheists instead of Christ-believers; (3) if Paul did not allow Christ-believers to knowingly consume idol food;

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<sup>1</sup> Kathryn L. Reinhard, "Conscience, Interdependence, and Embodied Difference: What Paul's Ecclesial Principles Can Offer the Contemporary Church," *Anglican Theological Review* 94, no. 3 (Summer 2012): 403–428.

<sup>2</sup> Reinhard, "Conscience," 406.

and (4) if Paul taught and agreed with the apostolic decree. I first lay out Reinhard's argument. Next I comment on her statements about embodied difference, interdependence, and homosexuality. Following, I argue for seeing Paul within Judaism. Then I discuss in turn why each of the four assumptions about idol food is questionable, the support for an alternative assumption, and what the change would imply for the church's response to homosexuality today.

### *Reinhard on Tolerating Idol Food and Homosexuality*

Reinhard identifies three core principles of Paul's ecclesiology: conscience, interdependence, and embodied difference. She argues that, for Paul, ecclesial unity is not a concept that precludes difference in identity or in practice. Paul did not articulate a concept of sin in the abstract so much as examine sin in specific rhetorical and pastoral situations.<sup>3</sup> The ecclesial principles that Reinhard discovers offer guidelines for the church today, but cannot of themselves be used to diagnose "acceptable diversity" and "transgressive sin."<sup>4</sup> Following C. K. Barrett, she finds that Paul places idol meat within acceptable diversity because—against the apostolic decree—he distinguishes between eating idol meat and the actual practice of idolatry.<sup>5</sup> Paul agrees with the "strong" of Corinth (who come from the upper class) that an idol has no real existence (1 Cor. 8:4). The higher-status Christians had difficulty avoiding idol meat because they wished to accept dinner invitations where idol meat would be served. The "weak" (who came mainly from the lower class) opposed eating such meat because they considered it participation in idolatry.<sup>6</sup>

Paul's concept of conscience differed from the modern one. Reinhard characterizes the Pauline conscience by reference to Stoic philosophy. For Paul, the conscience was part way between the modern "internal moral compass" and the ancient "internal conviction of past misdeeds." It is socially conditioned and fallible.<sup>7</sup> However, Paul is committed to letting one follow the judgments of one's conscience, however incorrect they might be.<sup>8</sup>

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<sup>3</sup> Reinhard, "Conscience," 406.

<sup>4</sup> Reinhard, "Conscience," 406–407.

<sup>5</sup> Reinhard, "Conscience," 407.

<sup>6</sup> Reinhard, "Conscience," 408.

<sup>7</sup> Reinhard, "Conscience," 410.

<sup>8</sup> Reinhard, "Conscience," 411.

Paul recognizes that both strong and weak are harming the Corinthian church. He advises the strong to refrain from eating idol meat in the presence of the weak (1 Cor. 10:28–29), and the weak not to inquire too deeply about the origins of the meat (1 Cor. 10:25–27).<sup>9</sup>

Interdependence in the church is, for Paul, like the interdependence of the human body parts. While Greeks used this image to solidify class hierarchies, Paul argues that interdependence makes all body members equal in status. He consistently upholds embodied difference with regard to Jew and Gentile, slave and free, married and single.<sup>10</sup>

In Romans, Paul advocates the unconditional welcome of Gentiles (Rom. 15:7). God welcomes and justifies humans, who are all equally sinful (Rom. 3:22–24). Paul's welcome of diversity includes racial/religious and ideological difference. One should even bless those who curse you (Rom. 12:14). Paul's advice to use sober judgment according to the measure of faith (Rom. 12:3) and not to violate one's internal standards for diet (Rom. 14:14–15) seems consistent with the principle of conscience espoused in 1 Corinthians.<sup>11</sup> Unlike in Corinthians, in Romans Paul does not advise the strong to make any behavioral modifications for the weak.<sup>12</sup>

Debate in the Anglican Communion has focused on whether non-celibate homosexual persons should be ordained and whether homosexual relationships should be blessed as marriages. The language of conscience has been invoked by the *Manhattan Declaration*, which sought to define marriage as necessarily heterosexual; by Archbishop Rowan Williams, to characterize the consecration of a partnered lesbian to the office of bishop despite the requested moratoria on such consecrations; by the *Windsor Report*; and by the proposed *Anglican Covenant*.<sup>13</sup> Reinhard finds the language of "sin" unhelpful in the debate over homosexuality. Such language denies that "liberals" are concerned for repentance and holiness, and that "conservatives" are concerned for justice as demonstrated in the life of Jesus. Yet,

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<sup>9</sup> Reinhard, "Conscience," 413.

<sup>10</sup> Reinhard, "Conscience," 415.

<sup>11</sup> Reinhard, "Conscience," 420.

<sup>12</sup> Reinhard, "Conscience," 417.

<sup>13</sup> Reinhard, "Conscience," 422, 426, notes 71, 72, 76, 77.

since the conscience is fallible, it is subject to sin. Reinhard calls on the church to wait for God's eschatological confirmation of truth.<sup>14</sup>

Is it conceptually coherent to insist on both self-examination and holiness, and to affirm homosexuality as a matter of conscience, "admissible of an acceptable diversity of opinion and practice"? Yes, Reinhard answers, on the assumption that homosexuality *per se* (either as orientation or practice) is no more inherently sinful than heterosexuality *per se*. Even if readers cannot accept this argument, Reinhard appeals to Pauline teaching about interdependence within the reality of embodied difference.<sup>15</sup>

### *Response to Reinhard*

#### *Homosexual Intercourse, Interdependence, and Embodied Difference*

Reinhard rightly lifts up Paul's vision of embodied difference. I agree that Paul's rule in all the churches (1 Cor. 7:17) and the decision of the apostles (Acts 15) is to validate Gentiles as Gentiles.<sup>16</sup> But neither the other apostles nor Paul validate all aspects of Gentile life.

The interdependence of gay and straight Christians within the body of Christ is also a fine vision (1 Cor. 12). Gay Christians seeking to serve the Lord are encouraged to discern their gifts and calling.<sup>17</sup> The church should be a place of friendship.<sup>18</sup>

The characterization of homosexuality is not a major topic of Reinhard's essay, but she implies that conservatives err in applying biblical prohibitions today. She asserts that Romans 1:26–27 does not

<sup>14</sup> Reinhard, "Conscience," 420.

<sup>15</sup> Reinhard, "Conscience," 427.

<sup>16</sup> Jon C. Olson, "Pauline Gentiles Praying among Jews," *Pro Ecclesia* 20, no. 4 (Fall 2011): 411–431.

<sup>17</sup> Oliver O'Donovan, *A Conversation Waiting to Begin: The Churches and the Gay Controversy* (London: SCM Press, 2009); Jon C. Olson, "The Jerusalem Decree, Paul, and the Gentile Analogy to Homosexual Persons," *Journal of Religious Ethics* 40, no. 2 (June 2012): 360–384; John Perry, "Vocation and Creation: Beyond the Gentile-Homosexual Analogy," *Journal of Religious Ethics* 40, no. 2 (June 2012): 385–400.

<sup>18</sup> In 2012, Wesley Hill and Ron Belgau, two celibate gay Christians with theological training, started the blog *Spiritual Friendship*; <http://spiritualfriendship.org>. Kent Dunnington, *Addiction and Virtue: Beyond the Models of Disease and Choice* (Downers Grove, Ill.: IVP Academic, 2011), provides a critical appreciation of twelve step groups, which are skilled at friendships because they demand people enter into friendships and mentoring relationships that are structured toward certain ends.

self-evidently describe the origins of anything which resembles current conceptions of homosexual desire.<sup>19</sup>

There are two differences between homosexuality in the ancient Greco-Roman world and modern homosexuality in the West. First, the proportion of homosexual acts which are coercive is lower today than in the past. Second, the world has never seen a phenomenon like the contemporary gay consciousness.<sup>20</sup> But there are also two similarities. First, Paul probably knew of loving, non-coercive homosexual relationships. Second, Paul cites Leviticus, opposing homosexual intercourse because it violates the sexual complementarity of male and female based in creation.<sup>21</sup> These similarities establish the contemporary relevance of the biblical prohibition of same-sex intercourse. Biblical opposition to same-sex intercourse is consistent, absolute, severe, and counter-cultural. Thus the analogy between idol food and same-sex intercourse does not yield the results Reinhard intends. Both are sinful and forbidden in the Bible.

Like Reinhard, I find some generalizations about homosexuality too broad. Reinhard proposes that homosexuality *per se* is no more inherently sinful than heterosexuality *per se*. I clarify her statement as follows. Temptation to sinful behavior is not sinful *per se*. Temptation is an opportunity to grow by choosing to resist sin. Homosexual persons and heterosexual persons are moral agents. But same-sex intercourse is more inherently sinful than heterosexual intercourse, since the former is inherently sinful and the latter is not.

Even apart from the four assumptions that I will challenge later, Reinhard's argument is problematic. First, her proposal cannot account for Paul's explicit indication (1 Cor. 5) that some sexual sins are outside the boundaries of acceptable diversity. Her omission is not legitimate if what Paul condemned about homosexual intercourse is present in same-sex intercourse today. Second, she neglects an important relationship between the strong and weak in 1 Corinthians and Romans.

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<sup>19</sup> Reinhard, "Conscience," 421.

<sup>20</sup> O'Donovan, *A Conversation Waiting to Begin*, 114.

<sup>21</sup> Robert A. J. Gagnon, *The Bible and Homosexual Practice: Texts and Hermeneutics* (Nashville, Tenn.: Abingdon Press, 2001); Jon C. Olson, "Paul Employing Leviticus: Same-Sex Intercourse Considered Amongst Torah Commandments," *Keshet* 27 (2013); <http://www.keshetjournal.com/Issue-27-2012/Paul-Employing-Leviticus-Same-Sex-Intercourse-Considered-Amongst-Torah-Commandments>. See also [www.robagnon.net](http://www.robagnon.net).

Paul asks the strong to forego certain foods that they would typically eat when apart from the weak, to avoid scandalizing the weak, who consider eating it a sin. "It is good not to eat meat or drink wine or do anything that makes your brother or sister stumble" (Rom. 14:21). By refraining from the activity, the strong imitate the behavior of the weak. Thus I disagree with Reinhard's statement, based on Robert Jewett, that in Romans Paul does not advise the strong to make behavioral changes for the sake of the weak.

The context of Reinhard's proposal is that the Instruments of Unity in the Anglican Communion are broken. The *Windsor Report* requested in 2004, for the maintenance of communion, that the Episcopal Church USA not consecrate another bishop who is living in a same-gender union until some new consensus in the Anglican Communion emerges. The report also opposes unilateral authorization of public rites of blessing for same-sex unions.<sup>22</sup> Since that time, both events have occurred, the Anglican Church in North America has formed for Anglicans who do not accept bishops from within the Episcopal Church USA, and many Anglican bishops refuse to take communion with bishops from the Episcopal Church USA. The proposed *Anglican Communion Covenant* was ratified by few provinces and appears to have failed.<sup>23</sup>

In Reinhard's analogy from Paul, the strong do not adopt the renunciation of the weak. Nor are those scandalized and those whose consciences require respect necessarily the same groups. Instead, potentially scandalized people refrain from objecting to (homosexual) behavior that others engage in with clear consciences. Reinhard thus claims Paul's support for tolerating those who disobey Paul's directions for tolerating diversity. However, the moratoria proposals likely offend those who regard them as diminishing the dignity of gays and lesbians. If Paul uses "strong" and "weak" to denote who has political power and who does not,<sup>24</sup> in the worldwide Anglican Communion (though not within the Episcopal Church USA) the conservatives are in the position of the strong and should make concessions.

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<sup>22</sup> The Lambeth Commission on Communion, *The Windsor Report* (London: The Anglican Communion Office, 2004); [www.anglicancommunion.org/windsor2004/](http://www.anglicancommunion.org/windsor2004/).

<sup>23</sup> The text for the *Anglican Communion Covenant* may be found at <http://www.anglicancommunion.org/commission/covenant/final/text.cfm>.

<sup>24</sup> Reinhard, "Conscience," 406.

On the other side, Reinhard wants those who support same-sex marriage and the consecration of non-celibate gays and lesbians to tolerate those within the Anglican Communion who think those actions are sinful. She does not elaborate if toleration is expressed through behavior change. In her reading, Paul asks the weak not to inquire too closely into the source of food sold in the market or served at a dinner party (1 Cor. 10:24–28). If liberals today see themselves as the “weak,” perhaps they should observe the moratoria of the *Windsor Report* without inquiring closely into whether the moratoria harm human dignity. If conservatives today see themselves as the “weak,” perhaps they should accept the bishops placed over them without inquiring closely into the fitness of those bishops. Perhaps liberals and conservatives who see themselves as “weak” should operate under benign assumptions about the “strong,” until those assumptions are disproved. But 1 Corinthians 10:28 is clearly Paul’s advice to the strong, not the weak, and reasonably the preceding verses are addressed to the strong as well. The best Pauline support for Reinhard is the argument from interdependence.

An apparently moderate policy is for both sides to make concessions so as to tolerate one another. The *Windsor Report* offers suggestions for behavior modification so that no one side offends the other’s conscience.<sup>25</sup> However, in some matters any action will offend one side or another. Liberals and conservatives are unable to make concessions to protect conscience on the other side because the concessions would violate their own conscience. Rather, Reinhard’s proposal implies respect for the consciences of those one is learning to walk apart from.

People and institutions fall short of their ideals, and Christ offers forgiveness to people who seek it. From the view of those who consider same-sex intercourse sinful (or who consider refusing to endorse same-sex marriage sinful) and a potentially church-dividing issue, it is relevant what the persons permitting and blessing sinful behavior know. But framing the dispute as differences of knowledge is too simple. One is not free to choose readily against the dominant culture.<sup>26</sup>

With or without support from Paul, Reinhard’s motive is an admirable one. Schism is sin; on the other hand, communion implies

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<sup>25</sup> Reinhard, “Conscience,” 426.

<sup>26</sup> Willard M. Swartley, *Homosexuality: Biblical Interpretation and Moral Discernment* (Scottsdale, Pa.: Herald Press, 2003). 83.

fundamental agreement in the gospel.<sup>27</sup> Oliver O'Donovan would commit to addressing disagreement with an opponent who is sincerely committed to the church's authorities, scripture chief among them.<sup>28</sup> For this task, Paul's notion that the conscience is fallible supplies a crucial corrective to the modern belief that the conscience is inherently trustworthy.<sup>29</sup> Christians who commit to the authority of Paul as Reinhard understands him might meet O'Donovan's criteria. But Paul, as Reinhard sees him, might not himself meet those conditions for together addressing disagreement. For her, Paul "often privileged the situation of the community over even the guidelines of Scripture and church consensus."<sup>30</sup> I instead maintain that Paul was within the Jewish and Christian consensus against idol food.

### *Paul within Judaism*

Paul shared many Jewish attitudes about idolatry and sexual immorality, and taught them in the churches that he founded.<sup>31</sup> Paul expected Gentiles to turn from idols to serve the living God and to shun sexual immorality (1 Cor. 6:18; Gal. 5:19–20; 1 Thess. 1:9). I argue below that Paul continued to observe the Torah (Law). If this is true, it is almost certain that he shared Jewish attitudes toward idolatry and sexual immorality that are recorded in the Talmud, and that some or all of my four proposals below are also true. I present several Pauline texts that have been interpreted to support the view that Paul had abandoned major aspects of Jewish observance, and offer differing interpretations. The subject is treated more fully elsewhere.<sup>32</sup> However, my proposals are plausible even without accepting the argument that Paul observed the whole Torah.

Paul was sent as apostle to the Gentiles (Gal. 2:9; Rom. 1:5). Yet, he was a Hebrew born of Hebrews, formerly a persecutor of the

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<sup>27</sup> O'Donovan, *A Conversation Waiting to Begin*, 30.

<sup>28</sup> O'Donovan, *A Conversation Waiting to Begin*, 33.

<sup>29</sup> Reinhard, "Conscience," 411, 424.

<sup>30</sup> Reinhard, "Conscience," 407.

<sup>31</sup> James W. Thompson, *Moral Formation according to Paul: The Context and Coherence of Pauline Ethics* (Grand Rapids, Mich.: Baker Academic, 2011).

<sup>32</sup> Jon C. Olson, "Paul within Messiah, Torah, and Judaism," *Keshet: A Journal of Messianic Judaism* 26 (2012): www.keshetjournal.com; Todd A. Wilson, "The Supersession and Superfluity of the Law? Another Look at Galatians," in David Rudolph and Joel Willitts, eds., *Introduction to Messianic Judaism: Its Ecclesial Context and Biblical Foundations* (Grand Rapids, Mich.: Zondervan, 2013), 235–244.

church, later himself persecuted because he did not circumcise Gentiles who turn to God through Jesus (Gal. 5:11). Paul was once a Pharisee beyond reproach (Gal. 1:13; Phil. 3:3–6), and perhaps remained a Pharisee (Acts 23:6), even if whatever he had gained he counted as loss for the sake of knowing Christ (Phil. 3:7–8). The gospel he preached upheld the Law (Rom. 3:31). That Paul was repeatedly punished by Jewish authorities (2 Cor. 11:24) proves that they considered Paul within the Jewish community, and that he continued to associate with the Jewish community.

Paul believed that his circumcision-free ministry to Gentiles was profoundly scriptural.<sup>33</sup> The Servant of God is sent as a light to the Gentiles (Isa. 49:5–6; 51:4). At the end of days many peoples will seek to walk in God's ways (Isa. 2:2–4; 56:6–8), without becoming Jews. The wealth of the Gentiles will flow into Jerusalem (Isa. 60:5–16; 61:6). Paul's collection from among the Gentiles, destined for Jerusalem (Rom. 15:16, 25–27; 1 Cor. 16:1–4), illustrates his belief. The fullness of the Gentiles (Rom. 11:25), prophesied in scripture, was unfolding through Christ.

Paul sees the Jesus movement fulfilling God's promise to make Abraham the father of many nations (Rom. 4; Gal. 3). God who is one is God of both Jews and Gentiles (Rom. 3:29–30). Like many Jews, Paul believed that masses of Gentiles would turn to God at the end of days and associate with Israel. The role of Israel as a light to the nations was so Jewish that Paul expected some of his non-Christ-believing compatriots to be jealous of his ministry (Rom. 11:13–14). Unlike most Jews, Paul believed that Jesus was the Messiah and that the messianic era had come (1 Cor. 10:11). His polemic against the Law was in the service of the equality of Gentiles and Jews within the *ecclesia*.

In the midst of passionate argument against Jesus-believing Gentiles converting to Judaism, Paul uses the fact of his own Torah observance to argue against Gentile observance. "I testify to every man who lets himself be circumcised that he is obliged to obey the entire Law" (Gal. 5:3). The logic requires Paul himself to be observant.<sup>34</sup>

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<sup>33</sup> Lionel James Windsor, *Paul and the Vocation of Israel: How Paul's Jewish Identity Informs his Apostolic Ministry, with Special Reference to Romans*, Ph.D. dissertation, Durham University, 2012; <http://etheses.dur.ac.uk/3920/1/LionelWindsorPhDThesis.pdf>.

<sup>34</sup> Mark D. Nanos, "The Myth of the 'Law-Free' Paul Standing Between Christians and Jews," *Studies in Christian-Jewish Relations* 4, no. 1 (2009).

Otherwise readers might retort that they could be circumcised without being obligated to the Law—just like Paul.

At 1 Corinthians 7:19, Galatians 5:6, and Galatians 6:15, Paul declares that circumcision is nothing, while keeping the commandments, faith working through love, or a new creation count. Paul's valuation of Jewish rites can be determined by comparison with other passages where he uses hyperbole. Neither he nor Apollos are anything, but only God who gives the growth (1 Cor. 3:5–7). This means that relative to God's work, their work is inconsequential. But it is not really nothing. Paul is not inferior to the super-apostles, even though he is nothing (2 Cor. 12:11). Again, Moses' ministry had a real splendor, but compared to the ministry of the Spirit in Paul's day, it was as if it had no splendor (2 Cor. 3:6–11).<sup>35</sup>

Paul referred to whatever he had gained as a Jew as rubbish (Phil. 3:8). However, Paul could mean that, without abandoning the covenant, he had left behind a form of Pharisaic Judaism that included violent persecution of the *ecclesia* (Gal. 1:13; Phil. 3:6), the Pharisaic interpretation of ritual purity laws, and separation from Gentile sinners.<sup>36</sup> His earlier life included advancing in Judaism beyond many of his own age in the traditions of his people. These gains were actually something (Rom. 3:1–2), yet they were nothing by comparison with knowing Christ.

In 1 Corinthians 7:17–24, Paul describes circumcision and uncircumcision as divine callings. Elsewhere, he avers that the gifts and calling of God are irrevocable (Rom. 11:28–29). Paul likely emphasizes “keeping the commandments of God” (1 Cor. 7:19) because the commandments differ for Jews and Gentiles, just as their callings differ. The point of the circumcision/uncircumcision illustration may be that Paul wants the Corinthians to consider marriage and celibacy each as good callings.<sup>37</sup>

Further evidence of Paul's Torah observance is his legal reasoning. In his letters, Paul uses *halakha* (legal rulings) from Jesus (1 Cor. 7:10; 9:14; 14:34; 11:23–25), from apostolic sources (1 Cor. 7:39; 11:2–16), and from the wider Jewish world (Gal. 5:3; 1 Thess. 4:6; 1 Cor. 14:16; 5:1; 7:2; 9:9), and possibly formulates a *halakha* himself

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<sup>35</sup> David J. Rudolph, *A Jew to the Jews* (Tübingen: Mohr Siebeck, 2011), 28–30.

<sup>36</sup> Rudolph, *Jew to the Jews*, 44–46.

<sup>37</sup> Rudolph, *Jew to the Jews*, 75–88.

(1 Cor. 10:25–27). Peter Tomson notes, “Pervasiveness of halakha in thought logically implies observance of halakha in life.”<sup>38</sup>

Paul wrote that he became all things to all people (1 Cor. 9:22). This has been interpreted—despite Paul’s denial of cunning in 2 Corinthians 4:2—that Paul acted Torah observant around Jews but not Gentiles, eating forbidden food, or not, if it helped him to evangelize. Such behavior raises ethical questions about Paul. Furthermore, it appears impossible to behave opposite ways in one locale. If Paul drew in people under false pretenses, it seems unlikely they would remain in a Pauline church after learning the truth. E. P. Sanders considered “a Jew to the Jews” hyperbole, and supposed that Paul was observant only when in Jerusalem.<sup>39</sup> However, it is not necessary to read 1 Corinthians 9:19–22 under the assumption that Paul had abandoned Torah observance.

Paul adopts the premises of people to whom he is addressing the gospel. This is a rhetorical strategy in the Greek and Jewish philosophical traditions of Paul’s time.<sup>40</sup> Luke gives an example of this strategy. Paul in the synagogue argues from the scriptures about the Messiah (Acts 17:2–3). Paul among Athenians mentions the altar to an unknown god whom they already worship (17:16–34). In 1 Corinthians 8, Paul “becomes as” the strong by quoting their arguments that “all of us possess knowledge” (8:1) and “no idol in the world really exists” (8:4). But Paul modifies what he seemed to agree to. “Knowledge puffs up, but love builds up” (8:1). Not all have the knowledge of the strong (8:7).

It is possible that Paul adjusted his behavior during meals, since a guest follows the custom of his host,<sup>41</sup> while remaining Torah observant

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<sup>38</sup> Peter J. Tomson, *Paul and the Jewish Law: Halakha in the Letters of the Apostle to the Gentiles* (Minneapolis, Minn.: Fortress, 1990), 264.

<sup>39</sup> E. P. Sanders, *Paul, the Law, and the Jewish People* (Philadelphia, Pa.: Fortress, 1983), 185–186.

<sup>40</sup> Nanos, “The Myth of the ‘Law-Free’ Paul,” 15; Mark D. Nanos, “Paul’s Relationship to Torah in Light of His Strategy to ‘Become Everything to Everyone’ (1 Corinthians 9:19–22)” in *Paul and Judaism: Crosscurrents in Pauline Exegesis and the Study of Jewish-Christian Relations*, ed. Reimund Bieringer and Didier Pollefeyt (New York: Continuum, 2012); Rudolph, *Jew to the Jews*, 131; Mark S. Kinzer, *Postmissionary Messianic Judaism: Redefining Christian Engagement with the Jewish People* (Grand Rapids, Mich.: Brazos, 2005), 85–88.

<sup>41</sup> Rudolph, *Jew to the Jews*, 142–46, citing Luke 10:8 (Jesus), *Tosefta Berachot* 2:21 (Hillel), Josephus, Philo, the *Testament of Abraham*, and Abraham’s hosting of three angels (Gen. 18).

among both Jews and Gentiles. If the three clauses of 1 Corinthians 9:20–21 refer to three groups, this avoids the redundancy caused by equating ‘Jews’ and those “under the Law.”<sup>42</sup> Perhaps “Jews” includes those who are not particularly observant, while those “under the Law” may be Jews most scrupulous in observing the Law.<sup>43</sup> Those “without the Law” are Gentiles. Paul himself is not without the Law; as a Jew he remains observant (1 Cor. 7:17–20). Yet Paul’s Torah lifestyle follows the example of Jesus in table fellowship. He “becomes as” regular Jews, Pharisees, or Gentiles by receiving hospitality from all.<sup>44</sup>

Paul identifies himself in Romans 14–15 with the strong when urging them to respect the dietary sensibilities of the weak. This has been taken to mean that the strong are Jesus-believers who live free of the Law, while the weak cling to observance of the Law. Mark Nanos instead argues that the strong have faith in Jesus, while the weak do not.<sup>45</sup> The Septuagint uses a word for “weak” to translate the Hebrew for “stumbling.” In Romans 9:30–33, Paul refers to non-Jesus-believing Jews as “stumbling.” In Romans 14:21 he uses the same term. Thus, the weak may be non-Jesus-believing Jews.

Paul’s observation that “one distinguishes a certain day above the other, but another distinguishes every day” (Rom. 14:5, Tomson’s translation) recalls Shammai and Hillel who, respectively, held such positions.<sup>46</sup> Paul, like Hillel, evinces a toleration influenced by Cynico-Stoic ideals. What Paul meant by “nothing is unclean in itself” (Rom. 14:14) was the same thing that Rabbi Yochanan ben Zakkai meant when he said that a corpse would not defile, and water would not cleanse—only it is a decree of God.<sup>47</sup> Unclean foods were not unclean intrinsically, but unclean for Jews because God had so commanded. Such a position is implied by the biblical law that leavened bread is forbidden during Passover but permitted at other times.

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<sup>42</sup> Rudolph, *Jew to the Jews*, 203.

<sup>43</sup> Rudolph, *Jew to the Jews*, 154–57; see Philippians 3:5.

<sup>44</sup> Rudolph, *Jew to the Jews*, 149–65, 173–208.

<sup>45</sup> Mark D. Nanos, *The Mystery of Romans: The Jewish Context of Paul’s Letters* (Minneapolis, Minn.: Fortress, 1996), 85–165. The possibility that the weak are non-Christ-believing Gentiles with prior connection to the synagogue (Windsor, *Paul and the Vocation of Israel*, 168) would not damage my argument.

<sup>46</sup> Tomson, *Paul and the Jewish Law*, 246.

<sup>47</sup> See Nanos, “The Myth of the ‘Law-Free’ Paul,” and Jon C. Olson, “Which Differences Are Blessed? From Peter’s Vision to Paul’s Letters,” *Journal of Ecumenical Studies* 37 (Winter 2000): 3–4, 455–60.

If, contrary to Nanos, one assumes that the weak in Romans 14–15 are Jesus-believing Jews, the situation is as follows. Paul identifies himself with the strong because he wishes to influence them, but he does not agree with them in all matters.<sup>48</sup> The weak believe that foods are clean or unclean intrinsically. Paul, like the strong, and like some Pharisees, believes the purity of foods derives only from the divine command. The weak may avoid wine handled by a Gentile, fearing association with idolatry. Paul assumes that Jesus-believing Gentiles are free of idolatry. The weak may reject the decision of the apostles that Gentiles do not have to observe the whole Torah. The strong, but not Paul, may reject the stipulations of the decree for Gentile behavior. Paul instead urges his readers not to despise Jewish sensibilities. Paul urges his readers to pursue what makes for mutual upbuilding (Rom. 14:19), and each one to please their neighbor (Rom. 15:2).

The weak may object to using permitted food if it is near forbidden food, or if inadvertently mixed with a small quantity of forbidden food (see Matt. 23:24). Either would happen at times, especially if people with different dietary restrictions were eating together. But in Mishnaic and Talmudic Judaism, which here resembles the strong of Romans, dead insects smaller than a lentil do not make food impure. Cold, dry non-kosher food is nullified if unintentionally mixed with a larger quantity of kosher food. For foods that are cooked or blended together, the non-kosher food can be eaten if it is less than one sixtieth of the whole.<sup>49</sup> Therefore, a learned Jew can eat food that contains pork if so nullified, because food is not intrinsically clean or unclean. In Leviticus 11:37–38 a seed becomes impure when a forbidden carcass falls upon it only if water was put on the seed. The Pharisees deduced from the biblical language that only water intentionally applied was meant, and generalized this principle to all food. Here is another instance where a “weak” person without Pharisaic training (unlike Paul) might be overly cautious, eating only vegetables.

There is nothing sinful about abstaining from some foods, out of conscience, due to fear of sin. This is not analogous to partaking in sexual activity as a matter of conscience, due to lack of fear of sin.

Paul’s discussion of idol food is often read as demonstrating his distance from Judaism. I will offer a different reading in the four proposals below.

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<sup>48</sup> Kinzer, *Postmissionary Messianic Judaism*, 76–82.

<sup>49</sup> Rudolph, *Jew to the Jews*, 36–39.

*Translating Syneidesis in 1 Corinthians*

In the New Testament, *syneidesis* can bear several meanings, including “conscience” and “consciousness.”<sup>50</sup> I agree with Reinhard that *syneidesis* means “conscience” in Romans 2:15, 9:1, and 13:5. But John Chrysostom understood Paul’s discussion of eating food as really offered to an idol, in 1 Corinthians 8:7, as being about “mental aim,” that is, consciousness.<sup>51</sup> Not just Chrysostom, but Stoic thought, and Jewish responses to idolatry (which were also influenced by Stoicism) are sources for understanding Paul’s use of *syneidesis* in 1 Corinthians.

Rabbinic literature discusses what a Jew can conclude about Gentile beliefs either *a priori* or from Gentile behavior. One rabbi said that the usual intention of the Gentiles was toward idolatry. Other rabbis opined that Gentiles of their day were not true idolaters, but merely following the customs of their ancestors. If a Jew could conclude that the Gentiles did not believe in an idol, the formerly or doubtfully cultic object was permitted to the Jew to use.<sup>52</sup> One rabbi said that if a Gentile sold an idol, he had nullified it, but other sages disagreed (mAvodah Zarah 4:5).

Rabban Gamaliel used to attend a bathhouse outside of which was a statue of Aphrodite. Gamaliel reasoned that the statue was not being treated as a divinity, but merely as a decoration. The rabbi therefore had no hesitation about using the bathhouse (tAvodah Zarah 5:6).<sup>53</sup>

The Mishnah gives a ruling that assumes a Jew is hosting a meal for a Gentile. The Gentile’s idolatrous belief, if not verbalized, was no barrier to table fellowship. However, if while the host was absent from the table the guest made a libation to another deity, the wine so consecrated would become unfit for the Jew to use (mAvodah Zarah 5:3). Without embarrassing his guest by asking questions, the Jew must not use the wine from the main table. However, wine from the side table could be drunk, since guests could be expected not to have made a libation over it.

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<sup>50</sup> Frederick William Danker, ed., *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, third edition (Chicago, Ill.: University of Chicago Press, 2000).

<sup>51</sup> See Tomson, *Paul and the Jewish Law*, 267, for parallel Jewish *halakhic* terms and the connection to Stoic thought.

<sup>52</sup> Yair Furstenberg, “The Rabbinic View of Idolatry and the Roman Political Conception of Divinity,” *Journal of Religion* 90, no. 3 (2010): 335–366.

<sup>53</sup> Furstenberg, “The Rabbinic View of Idolatry,” 359.

Paul likely shared the Jewish attitude that idols have reality only in the minds of their devotees, but that does not loosen the prohibition against using things connected with idolatry. Rather, it leads one to examine the consciousness of pagans. According to Barrett, Paul is nowhere more un-Jewish than at 1 Corinthians 10:27, where he instructs Christ-believers to eat without raising questions about conscience.<sup>54</sup> Yet from the above Mishnah passage it is evident that Jews ate among Gentiles without verbalizing questions about the consciousness of those Gentiles. Rather, they made inferences from the circumstances. E.P. Sanders therefore thought that Paul's attitude had a place somewhere in Judaism.<sup>55</sup>

When arguing that "undesigned" pagan food may be eaten, Paul claims the support of scripture. "The earth is the Lord's, and everything in it" (Psalm 24:1; 1 Cor. 10:26). In rabbinic tradition (tBer 4:1), the same Psalm verse was interpreted to mean that one should bless everything before using it. Tomson suggests that Paul may have paraphrased Hillel with "whether you eat or drink, or whatever you do, do all for the glory of God" (1 Cor. 10:31; mAvot 2:12).<sup>56</sup> Thereby Jews and Gentiles counter the idolatrous estrangement of creation from its Creator<sup>57</sup> by making a benediction to God.

Psalm 24 continues, "Who shall ascend the hill of the Lord? And who shall stand in his holy place? One who has clean hands and a pure heart, who does not lift up his soul to what is false" (Psalm 24:3–4). The Targum renders "a pure heart" as "a clear intention," linking consciousness to idol offerings.<sup>58</sup> Rabbi Shimon said that if three have eaten at one table and not spoken words of Torah, they are like eating sacrifices to the dead, but if they have spoken words of Torah, it is as if they had eaten at the table of the Holy One, blessed be He (mAvot 3:3).

Read in the context of rabbinic connections between the topics of food offered to idols, blessing the Creator, and consciousness, Paul's connection of these first two topics in 1 Corinthians 10:25–31 makes it

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<sup>54</sup> Rudolph, *Jew to the Jews*, 101, quoting C. K. Barrett, "Things Sacrificed to Idols," *New Testament Studies* 11, no. 2 (January 1965): 138–153.

<sup>55</sup> Rudolph, *Jew to the Jews*, 101, quoting E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies* (London: SCM, 1990).

<sup>56</sup> Tomson, *Paul and the Jewish Law*, 255.

<sup>57</sup> "They exchanged the truth about God for a lie and worshiped and served the creature rather than the Creator, who is blessed forever! Amen" (Rom. 1:25).

<sup>58</sup> Tomson, *Paul and the Jewish Law*, 256.

reasonable there to translate *syneidesis* as “consciousness,” the third topic. Eat whatever is sold in the market without raising questions on the grounds of consciousness (the possible idolatrous consciousness of the seller). For “the earth is the Lord’s.” If someone invites you to dinner and you wish to go, eat what is served without raising any question on the ground of consciousness. But if someone says, “This has been offered in sacrifice,” then out of consideration of the consciousness of the one who informed you, do not eat it.

Reinhard is correct that both sides in the Anglican dispute about homosexuality perceive their actions in terms of conscience. But if *syneidesis* is translated “consciousness” rather than “conscience” in 1 Corinthians, her argument collapses.

### *The Weak Person in Pauline Treatment of Idol Food*

According to the standard modern reading of 1 Corinthians, the weak persons are Christ-believers who believe that to eat idol food constitutes idolatry. The strong or knowledgeable believe that the weak should not object to eating idol food. Apart from mitigating circumstances treated in his letter, Paul agreed with the strong that idol food is indifferent.<sup>59</sup> This view implies that all the church fathers would have been considered weak by Paul, since they forbade the eating of idol food, based on their interpretation of 1 Corinthians.<sup>60</sup>

Paul describes the weak person as a brother for whom Christ died (1 Cor. 8:11). Paul also calls non-Jesus-believing Jews his brethren (Rom. 9:1). Fictive kinship language is common in Paul, elsewhere in the New Testament, in Second Temple literature, and in Greek and Roman literature.<sup>61</sup> Paul presupposes that his audience interacts with pagans (1 Cor. 7–11, 14). At 1 Corinthians 10:27 Paul mentions that an unbeliever may invite a Christ-believer to dinner. Nanos therefore understands the one hitherto accustomed to idols (1 Cor. 8:7) as a polytheist idolater with an impaired sense of what is right. Paul calls him a brother because he wishes to win him for Christ. Paul contrasts this impaired one with his readers, who are knowledgeable (“strong” is never used). It is not clear that Paul addresses the weak in the let-

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<sup>59</sup> Mark D. Nanos, “The *Polytheist* Identity of the ‘Weak,’ And Paul’s Strategy to ‘Gain’ Them: A New Reading of 1 Corinthians 8:1–11:1,” (January 15, 2008): 4–8; <http://www.marknanos.com/Polytheist-Corinth-1-15-08.pdf>.

<sup>60</sup> Nanos, “The *Polytheist* Identity of the ‘Weak,’” 12.

<sup>61</sup> Nanos, “The *Polytheist* Identity of the ‘Weak,’” 26.

ter. Paul tells his readers to associate with the immoral of the world, but not to associate with one who bears the name of brother if he is an idolater (1 Cor. 5:9–11).

If the impaired are polytheists, they are accustomed to knowingly eating idol food. Paul is worried that they may never turn away from idolatry, not that they will revert to it. In 1 Corinthians 10:27, an unbeliever is mentioned. According to the traditional interpretation, the person in the next verse who says that the food had been offered in sacrifice is by contrast a Christ-believer hesitant to eat. Instead he may be a polytheist with no intention of abstaining. He mentions the status of the food to see what the Christian will do.

There are several possible ways that the knowledgeable could sin against the impaired by eating idol food, causing the polytheists to fall and be destroyed. First, the latter may not understand that Christ makes exclusive claims. “You cannot drink the cup of the Lord and the cup of demons” (1 Cor. 10:21). Second, idolaters may conclude that since Christ-believers are unwilling to risk the wrath of the gods or social opprobrium, neither should the idolaters. Third, if Christ-believers do not practice what they preach, non-Christians may dismiss them as lacking integrity.<sup>62</sup>

If the weak person in 1 Corinthians is not a Christ-believer, it would only be appropriate to apply Paul’s instructions about idol food to contemporary non-Christian gay persons, not homosexual Christians.

### *Does Paul Permit Idol Food?*

Reinhard assumes that Paul permits Christ-believers to eat food which has been offered in sacrifice to an idol, as long as no weak Christian is endangered by it. This is because Paul believes that eating idol meat is not actual idolatry. I disagree.

David Rudolph lays out the scholarly consensus as follows. Paul discusses four places in which his readers would encounter food offered to idols: (1) in the temple of an idol (1 Cor. 8:10); (2) at the “table of demons” (10:21); (3) at the meat market (10:25); and (4) in the home of an unbeliever (10:27). Paul prohibited eating idol food in

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<sup>62</sup> Nanos, “The *Polytheist* Identity of the ‘Weak,’” 15–16.

the first two situations, and meat in the unbeliever's home was probably purchased in the meat market.<sup>63</sup>

In common with Greek-speakers such as Origen and Chrysostom, Rudolph argues that Paul was concerned about both idolatry and the weak person. The most plausible explanation why he permitted food from the market was that a connection to idolatry was not certain. Eating food of unknown origin is not equivalent to eating idol food. Neither is unknowingly eating idol food the same as knowingly eating it.<sup>64</sup> Knowingly eating idol food is idolatry and hence forbidden. To eat after being told the food had been offered to an idol would strengthen the idolatrous consciousness of the impaired person.

Paul probably advocated a minority and lenient position among Jews, similar to that of Rabbi Judah ha-Nasi. Rabbi Judah held that food offered to idols did not have to be explicitly desecrated by the idolater to become permissible; it was enough if an idolater implicitly desecrated the offering by knowingly selling the food to a person who did not believe in the idol.<sup>65</sup> Selling consecrated food at the market (1 Cor. 10:25) to one who was known not to believe in idols would be just such a desecration.

If Paul did not allow idol food to be eaten knowingly, but ruled on what constitutes idolatry, by analogy the contemporary church could issue guidelines on what constitutes *porneia* (illicit sexual behavior). Advice should balance the goal of contextualizing the gospel (1 Cor. 9:22) with discerning the consciousness of persons. Views that personal identity is properly constituted around sexual orientation, and that sexual urges are irresistible, are examples of consciousness that should not be strengthened. One could conjecture that if Paul agreed with Rabbi Judah ha-Nasi about the implicit desecration of idol food, by analogy there may be ways by which a candidate for ordination implies they do not approve of same-sex intercourse, and so need not be questioned directly.

Reinhard writes that the ecclesial guidelines that she finds in Paul cannot be used to distinguish allowable diversity from transgressive sin. Instead, her view that eating idol food is allowable diversity performs this function, implying that homosexual opinions and practice

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<sup>63</sup> Rudolph, *Jew to the Jews*, 93.

<sup>64</sup> Rudolph, *Jew to the Jews*, 94.

<sup>65</sup> Tomson, *Paul and the Jewish Law*, 276–281.

are matters of conscience and of acceptable diversity.<sup>66</sup> But if Paul did not allow eating idol food, Reinhard's argument collapses.

*Paul and the Apostolic Decree*

The apostolic decree (Acts 15:29) prohibits blood, idolatry, *porneia*, and meat from strangled animals.<sup>67</sup> If Paul allowed idol food he contravened the decree. In the previous section I argued that Paul did not permit idol food. Instead, he instructed on how to act in situations of uncertainty.

According to Acts, Paul was entrusted with delivering the decision of the Jerusalem Council and the apostolic decree to Gentile Jesus-believers in Asia Minor (Acts 15:22–16:5).<sup>68</sup> The decree was widely observed in the early church, and the church fathers thought Paul's teaching was consistent with it. Paul's rule that Jews should remain Jews and Gentiles should remain Gentiles (1 Cor. 7:17–20) is equivalent to the decree, which implements the decision that Gentiles need not become Jews or obey the whole Torah, and implies that Jews remain Jews and continue to obey the whole Torah.<sup>69</sup> Perhaps Paul did not overtly mention the decree in 1 Corinthians because his teaching is already a kind of commentary on the decree.<sup>70</sup>

Many people believe that the Antioch Incident (Gal. 2) demonstrates Paul's refusal to accept the apostolic decree. However, that dispute was not over food, but about whether Jewish and Gentile Jesus-believers could dine together.

Several plausible explanations for the Antioch Incident assume Torah observance by Paul and Peter. Peter was accused of living like a Gentile both when he ate with Gentiles and after he separated from eating with them. "Peter was Hellenistic not because he had given up Jewish piety, but because his life stood for the inclusion of the Gentiles before the dawn of the age to come."<sup>71</sup> Or, from the Phari-

<sup>66</sup> Reinhard, "Conscience," 406–407.

<sup>67</sup> Isaac Wilk Oliver, *Torah Praxis after 70 C.E.: Reading Matthew and Luke-Acts as Jewish Texts*, Ph.D. dissertation, University of Michigan, 2012, 462–471; [http://deepblue.lib.umich.edu/bitstream/handle/2027.42/93865/ioliver\\_1.pdf?sequence=1](http://deepblue.lib.umich.edu/bitstream/handle/2027.42/93865/ioliver_1.pdf?sequence=1).

<sup>68</sup> David J. Rudolph, "Paul's 'Rule in All the Churches' (1 Cor. 7:17–24) and Torah-Defined Ecclesiological Variegation," *Studies in Jewish-Christian Relations* 5, no. 1 (2010).

<sup>69</sup> Rudolph, *Jew to the Jews*, 97–98.

<sup>70</sup> Rudolph, *Jew to the Jews*, 99.

<sup>71</sup> George Howard, *Paul: Crisis in Galatia*, second edition (Cambridge: Cambridge University Press, 1990), xxii.

saic perspective Paul knew intimately, Peter's standard of ritual purity is inadequate.<sup>72</sup> But Peter has not violated the Torah by eating with Gentiles and by other than Pharisaic rules.

Additional dietary considerations are relevant. Antioch was considered by some Jews as possibly part of the land of Israel, so that laws against eating untithed produce were applicable there.<sup>73</sup> Tomson alternately suggests that after the apostolic decision in Jerusalem regarding Gentiles (Western Text), a longer version of the decree, including the ban on meat from strangled animals, arose that Paul had not agreed to. "Paul's apology in Gal 2 is based on the assumption that James did support him. . . . It would follow that the requirements forwarded at Antioch by James' emissary transcended that basic Apostolic agreement."<sup>74</sup> Perhaps the people from James could not believe that the Gentile Christ-believers in Antioch were really free of idolatry, especially if they continued some sociopolitically motivated involvement in the Greco-Roman cult.<sup>75</sup> Or, the "circumcision faction" (Gal. 2:12) were non-Christ-believing Jews in Antioch. These may have caused the Jesus-believing Jews to withdraw from Jesus-believing Gentiles because treating them on par with Jews threatened the boundaries of Jewish identity.<sup>76</sup>

Paul nowhere disagrees with the decree in the Western version. It may even be that Paul means the decree by "the obedience of faith" (Rom. 1:5, 16:26) and "the teaching" (Rom. 6:17, 16:17) that he supports.<sup>77</sup>

Reinhard agrees with Margaret Mitchell that what makes one variance in practice and belief acceptably diverse and another transgressively sinful is highly situational in Paul.<sup>78</sup> Reinhard's argument requires Paul to disagree with the apostolic decree, for to have

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<sup>72</sup> Rudolph, *Jew to the Jews*, 51.

<sup>73</sup> Markus Bockmuehl, *Jewish Law in Gentile Churches* (Grand Rapids, Mich.: Baker Academic, 2000), 49–83.

<sup>74</sup> Tomson, *Paul and the Jewish Law*, 152, 274.

<sup>75</sup> Magnus Zetterholm, "Purity and Anger: Gentiles and Idolatry in Antioch," *Interdisciplinary Journal of Research on Religion* 1 (2005): 1–24.

<sup>76</sup> Mark D. Nanos, *The Irony of Galatians: Paul's Letter in First-Century Context* (Minneapolis, Minn.: Fortress, 2002), 147–154, 168.

<sup>77</sup> Nanos, *The Mystery of Romans*, 166–238.

<sup>78</sup> Reinhard, "Conscience," 406.

unanimity might fix homosexual intercourse as always forbidden. Reinhard wants to hold that judgment open.<sup>79</sup>

If Paul taught and implemented the apostolic decree, that would firstly imply that Christians today should follow the decree, including the ban on *porneia* which derives from Leviticus and includes same-sex intercourse. Secondly, the decree's rulings for Gentiles, and Paul's instructions to Gentiles, could also be treated by analogy to homosexual persons.<sup>80</sup>

### *Conclusion*

Based on her assumption that Paul permitted the eating of idol food and respected fallible conscience, Kathryn Reinhard argues that homosexual practice constitutes tolerable diversity within the church. She develops themes of tolerance, interdependence, and embodied difference.

I applaud Reinhard's vision of interdependence and embodied difference, but critique her argument for its internal problems. Among these problems are displacing Paul's disciplining of a man engaged in sexual sin (1 Cor. 5) from her explication of the limits of toleration, and overlooking Paul's call for the "strong" to change their behavior for the sake of the "weak." I contest her assumptions about Paul and idol food, after first arguing that Paul never abandoned a Jewish way of life. I explore how Reinhard's conclusions would fare if (1) *syneidesis* is translated "consciousness" instead of "conscience" in 1 Corinthians; (2) the weak of 1 Corinthians 8–10 were polytheists instead of Christ-believers; (3) Paul did not allow Christ-believers to knowingly consume idol food; and (4) Paul taught and agreed with the apostolic decree. I conclude that if any of these conditions were true, they invalidate Reinhard's argument from idol food that homosexual behavior is tolerable diversity within the church. I affirm Oliver O'Donovan's willingness to address disagreement through shared commitment to scripture.

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<sup>79</sup> Reinhard, "Conscience," 420.

<sup>80</sup> Olson, "The Jerusalem Decree, Paul, and the Gentile Analogy to Homosexual Persons."

