

# Brief on Legitimate vs. illegitimate dispute regarding Mosaic laws<sup>1</sup>

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Until the Council of Jerusalem in AD 50, most if not all of the Christian Jews observed the Mosaic laws regarding circumcision and unclean meats.<sup>2</sup>

A dispute arose as to whether Christian Gentiles also must observe the Mosaic laws regarding circumcision and unclean meats. St. Paul and others were on the side that they were not bound to these laws, and others took the opposing side:

“And some coming down from Judea, taught the brethren: That except you be circumcised after the manner of Moses, you cannot be saved. And when Paul and Barnabas had no small contest with them, they determined that Paul and Barnabas, and certain others of the other side, should go up to the apostles and priests to Jerusalem about this question.” (Acts 15:1-2)

The Council of Jerusalem settled the dispute by decreeing that Christian Gentiles were not bound to these Mosaic laws but must still observe the Mosaic laws that banned the eating of blood and strangled animals:

Decree from the *Council of Jerusalem*, AD 50: “And when there had been much disputing, Peter, rising up, said to them: Men, brethren, you know, that in former days God made choice among us, that by my mouth the Gentiles should hear the word of the gospel, and believe... For it hath seemed good to the Holy Spirit and to us, to lay no further burden upon you [Christian Gentiles] than these necessary things: That you abstain from things sacrificed to idols, and from blood, and from things strangled, and from fornication; from which things keeping yourselves, you shall do well. Fare ye well.” (Acts 15:7, 28-29)

However, the council did not tell the Christian Jews that they must no longer observe the Mosaic laws regarding circumcision and unclean meats. Hence many continued to observe these laws. However, some Christian Jews did not observe the law regarding unclean meats because of St. Peter’s vision in AD 39 in which God told him that all meats are clean:

“And on the next day whilst they were going on their journey and drawing nigh to the city, Peter went up to the higher parts of the house to pray, about the sixth hour. And being hungry, he was desirous to taste somewhat. And as they were preparing, there came upon him an ecstasy of mind. And he saw the heaven opened and a certain vessel descending, as it were a great linen sheet let down by the four corners from heaven to the earth, wherein were all manner of four footed beasts and creeping things of the earth and fowls of the air. And there came a voice to him: Arise, Peter, kill and eat. But Peter said: Far be it from me, for I never did eat any thing that is unclean and polluted. And the voice spoke to him again the second time: That which God hath cleansed do not thou call unclean.” (Acts 10:9-15)

But St. Peter never bound the Christian Jews to this new law that all meats are clean as he did with the Christian Gentiles at the Council of Jerusalem. As a result, some Christian Jews believed that the Mosaic laws regarding unclean meats applied to them but not to Christian Gentiles. But in opposition to the decree of the Council of Jerusalem, others believed that these laws also applied or at least should apply to the Christian Gentiles.

After the Council of Jerusalem, the Christian Jews who believed that these laws still applied to the Christian Gentiles violated the council’s decree. What, then, was their sin? The Mosaic law regarding clean and unclean animals is a disciplinary law and hence not a dogmatic law; consequently, those who knowingly violated this law were not heretics but were guilty of the sin of disobedience, either mortal or venial.

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<sup>1</sup> RJMI’s Briefs are Long Commentaries contained in the end of *The Catholic Bible*, revised by RJMI.

<sup>2</sup> See Long Commentaries: The New Covenant replaced the Old Covenant.

However, the Christian Jews who believed that these laws *should* apply to the Christian Gentiles after the Council of Jerusalem did not violate the council's decree because they did not try to impose their opinion on the Christian Gentiles and thus upheld the council's decree even though they did not agree with it. While upholding the decree, they were appealing to the same pope, St. Peter, or a future pope to abolish the disciplinary law that allowed Christian Gentiles to eat all meats. This happens many times with disciplinary laws. A believer who disagrees with a valid disciplinary law but still upholds it does not sin at all; he upholds the valid law in submission to the lawmaker and to prevent a sinful schism on his part.<sup>3</sup>

For example, in the early days of the Catholic Church, the disciplinary law that determines when Resurrection Day should be celebrated was greatly disputed. Before the dispute was settled by a papal decree, there were two opinions and two practices. After the dispute was settled, there were still two opinions. Some on the losing side obeyed the decree and thus did not sin while still holding their opinion that contradicted the decree while they worked to overturn the decree. But others did not obey the decree and thus were guilty of a sin of disobedience, mortal or venial. The reason some leeway was given and thus some were guilty of venial sin only and not mortal sin is because long standing customs die hard, especially when they are enshrined in holy religious laws, such as the Old Covenant disciplinary laws. As long as the customs are not intrinsically sinful, they are many times allowed to die hard.

Four years after the Council of Jerusalem, in AD 54, St. Paul refers to certain Christian Jews as weak in the faith for believing that Christian Gentiles should also be bound to the Old Covenant laws regarding unclean meats and certain fasting days:

“Now him that is weak in faith, take unto you: not in disputes about thoughts. For one believeth that he may eat all things: but he that is weak, let him eat herbs.”  
(Rom. 14:1-2)

St. Paul is saying that if Christian Jews who still observed the Mosaic laws regarding unclean meats were eating with Christian Gentiles and the only meat served was unclean according to the Mosaic law, then let them eat herbs instead. By calling them weak, St. Paul shows that he holds the opinion that Christian Jews should not observe these laws, as he says in Verse 14:

“I know, and am confident in the Lord Jesus, that nothing is unclean of itself; but to him that esteemeth any thing to be unclean, to him it is unclean.” (Rom. 14:14)

Hence St. Paul is teaching that no meat is intrinsically unclean but only made so by the law. Therefore it is the violation of the law and not the meat itself that causes sin. And he gives his opinion that under the New Covenant all meats are clean not only for Christian Gentiles but also for Christian Jews. But the Christian Jews who held the allowable opinion that it was a sin for them to eat unclean meats, according to the Mosaic law, must not eat it under pain of sin.

“All things indeed are clean: but it is evil for that man who eateth with offence... For he who eateth and doubteth is condemned because [he eateth] not in faith. For all that is not of faith is sin.” (Rom. 14:20, 23)

Because in good faith these Christian Jews held the opinion that they were still bound to the Mosaic laws regarding unclean meats, they were bound to keep these laws under pain of sin.

St. Paul is teaching that the Mosaic laws regarding circumcision and unclean meats are disciplinary laws and not dogmatic laws because they can be abolished or modified, as they indeed were at the Council of Jerusalem regarding the Christian Gentiles. St. Paul could have also added the fact that all meats were clean from the time of Adam and Eve until the time God gave Moses the law which declared certain meats unclean. Hence under the New Covenant, God abolished the laws regarding unclean meats and once again declared all meats clean. And St. Paul is making the case that the law that all meats are clean, which God gave to St. Peter in AD 39 before St. Peter baptized Cornelius and his family and friends, also applied to Christian Jews.

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<sup>3</sup> Even doctrines that deal with faith or morals can be disputed but only if they have not yet been infallibly defined. After they are infallibly defined, there can be no legitimate opposition to them ever and in any way.

The legitimate disputes, then, between those who upheld the decrees of the Council of Jerusalem are as follows:

1. All meats are clean for Christian Gentiles but not for Christian Jews.
2. All meats should also be unclean for Christian Gentiles, just as for the Christian Jews. While this opinion disagreed with the council's decree, those who held it did not impose it upon the Christian Gentiles and thus upheld the decree.
3. All meats are clean both for Christian Gentiles and Christian Jews, not because of the decree of the council which did not apply to Christian Jews, but because of St. Peter's vision. St. Paul held this opinion.

There was also a legitimate dispute regarding fasting days:

"For one judgeth between day and day: and another judgeth every day: let every man abound in his own sense." (Rom. 14:5)

Because these were legitimate disputes, St. Paul warned opposing sides not to impose their opinion on others:

"Let not him that eateth, despise him that eateth not; and he that eateth not, let him not judge him that eateth." (Rom. 14:3)

"He that regardeth the day, regardeth it unto the Lord. And he that eateth, eateth to the Lord: for he giveth thanks to God. And he that eateth not, to the Lord he eateth not, and giveth thanks to God." (Rom. 14:6)

And St. Paul warns that when eating together, those who eat all meats should not eat meats that others believe are unclean:

"It is good not to eat flesh, and not to drink wine, nor any thing whereby thy brother is offended, or scandalized, or made weak. Hast thou faith? Have it to thyself before God. Blessed is he that condemneth not himself in that which he alloweth." (Rom. 14:21-22)

The sinful and thus unallowable opinion which hence did not uphold the decree of the Council of Jerusalem was that Christian Gentiles were bound to the Mosaic laws regarding unclean meats. Hence those who held this sinful opinion tried to impose their opinion on the Christian Gentiles. These were the Christian Jews who were Judaizers whom St. Paul vehemently opposed and condemned. See Galatians 3:1-3 as an example of how the Christian Judaizers tried to impose the Old Covenant rituals (such as circumcision) and disciplinary laws (such as regarding unclean meats) on the Christian Gentiles. And see Galatians 2:1-4 and Titus 1:10-5 for other examples regarding the Christian Judaizers.

Even though Justin Martyr was an apostate, he teaches the truth in this regard:

Apostate Justin Martyr, *Dialogue with Trypho the Jew*, 2nd century: "And Trypho again inquired, 'But if someone, knowing that this is so, after he recognizes that this man is Christ, and has believed in and obeys him, wishes, however, to observe these [institutions], will he be saved?'"

"I said, 'In my opinion, Trypho, such an one will be saved, if he does not strive in every way to persuade other men, I mean the Gentile [converts] ...to observe the same things as himself, telling them that they will not be saved unless they do so. This you did yourself at the commencement of the discourse, when you declared that I would not be saved unless I observe these institutions.'

"Then he replied, 'Why then have you said, 'In my opinion, such an one will be saved,' unless there are some who affirm that such will not be saved?'"

"'There are such people, Trypho,' I answered; 'and these do not venture to have any intercourse with or to extend hospitality to such persons; but I do not agree with them. But if some, through weak-mindedness, wish to observe such institutions as were given by Moses, from which they expect some virtue, but which we believe were appointed by reason of the hardness of the people's hearts, along with their

hope in this Christ, and [wish to perform] the eternal and natural acts of righteousness and piety, yet choose to live with the Christians and the faithful, as I said before, not inducing them either to be circumcised like themselves, or to keep the Sabbath, or to observe any other such ceremonies, then I hold that we ought to join ourselves to such, and associate with them in all things as kinsmen and brethren. But if, Trypho,' I continued, 'some of your race, who say they believe in this Christ, compel those Gentiles who believe in this Christ to live in all respects according to the law given by Moses, or choose not to associate so intimately with them, I in like manner do not approve of them. But I believe that even those, who have been persuaded by them to observe the legal dispensation along with their confession of God in Christ, shall probably be saved. And I hold, further, that such as have confessed and known this man to be Christ, yet who have gone back from some cause to the legal dispensation, and have denied that this man is Christ, and have repented not before death, shall by no means be saved. Further, I hold that those of the seed of Abraham who live according to the law, and do not believe in this Christ before death, shall likewise not be saved, and especially those who have anathematized and do anathematize this very Christ in the synagogues, and everything by which they might obtain salvation and escape the vengeance of fire. For the goodness and the loving-kindness of God, and his boundless riches, hold righteous and sinless the man who, as Ezekiel tells, repents of sins; and reckons sinful, unrighteous, and impious the man who falls away from piety and righteousness to unrighteousness and ungodliness. Wherefore also our Lord Jesus Christ said, 'In whatsoever things I shall take you, in these I shall judge you.' " (c. 47)

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