

PRESTON M. SPRINKLE

# Law and Life

*Wissenschaftliche Untersuchungen  
zum Neuen Testament 2. Reihe*

241

---

**Mohr Siebeck**

Wissenschaftliche Untersuchungen  
zum Neuen Testament · 2. Reihe

Herausgeber / Editor

Jörg Frey (München)

Mitherausgeber / Associate Editors

Friedrich Avemarie (Marburg)

Judith Gundry-Volf (New Haven, CT)

Hans-Josef Klauck (Chicago, IL)

241





Preston M. Sprinkle

# Law and Life

The Interpretation of Leviticus 18:5  
in Early Judaism and in Paul

Mohr Siebeck

PRESTON M. SPRINKLE, born in 1976; B.A. in Biblical Studies at The Master's College (California), MDiv in Biblical Exegesis from The Master's Seminary (California), PhD in New Testament from Aberdeen University (Scotland); currently Assistant Professor of Biblical Studies in the School of Biblical and Theological Studies at Cedarville University (Ohio, USA).

e-ISBN PDF 978-3-16-151584-2

ISBN 978-3-16-149531-1

ISSN 0340-9570 (Wissenschaftliche Untersuchungen zum Neuen Testament, 2. Reihe)

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

© 2008 by Mohr Siebeck, Tübingen, Germany.

This book may not be reproduced, in whole or in part, in any form (beyond that permitted by copyright law) without the publisher's written permission. This applies particularly to reproductions, translations, microfilms and storage and processing in electronic systems.

The book was printed by Laupp & Göbel in Nehren on non-aging paper and bound by Buchbinderei Nädele in Nehren.

Printed in Germany.

*For Christine*

My best friend – my treasured wife



## Acknowledgments

This book represents a slight revision of my Ph.D. dissertation, written under the supervision of Dr. Simon J. Gathercole (now at Cambridge University) and submitted to Aberdeen University in March, 2007. Choosing a dissertation topic is one of the most important decisions a young scholar will make. One might be a bit confused, perhaps perturbed, therefore, that I chose to spend three years researching half a verse in the Hebrew Bible – Lev 18:5b! Indeed, at times I have found it difficult to answer the question often asked: “So what are you working on in your Ph.D.?” The facial expressions I received upon hearing my topic have ranged from the standard blank stare to the token “ah yes;” a courtesy gesture of course. I have found that the quickest way to vindicate the relevance of my topic is with the analogy that Lev 18:5 was the “John 3:16 of Early Judaism.” Paul seems to believe, moreover, that this passage was diametrically opposed to his own “John 3:16,” namely, Hab 2:4 (cf. Gal 3:11–12). Sometimes this explanation would quicken the blank stare or elicit another, perhaps more genuine, “ahhh yes,” bringing a certain amount of reassurance that I did not travel half way around the world to examine a very small tree in a very large forest. In any case, Moses has not let me down! This project has been a joyful journey into the world of Second Temple Judaism, Paul’s view of the law, and the relationship between early Jewish and Pauline soteriology – areas of biblical research that all carry a great amount of relevancy. And I have many to thank for this rich endeavor.

I first wish to thank Dr. Simon J. Gathercole, my supervisor, mentor, and friend, who devoted countless hours to my research. His perceptive eye and demand for precision, while painful at times, have caused me to rethink and rewrite almost everything that passed his desk. All remaining mistakes are, of course, my own. I would also like to thank my Ph.D. examiners, Dr. R. Barry Matlock (Sheffield) and Dr. Lena-Sofia Tiemeyer (Aberdeen), who offered both encouraging and challenging remarks concerning this work, and Prof. Jörg Frey, the editor of the WUNT II series, for accepting this thesis for publication. Next, my thanks goes to Joey Dodson and Ben Reynolds who read through a vast portion of this book, and whose fellowship during my studies (sometimes when we should have been *studying!*) was as rich and memorable as one could ask for. Many other fellow students – especially the



“boys at Cambridge” – made the ivory tower a quite fun place to be: Justin Hardin, Joel Willetts, Charles Anderson, Dan Gurtner, Steve Witmer, Brian Lugiyo, and others. Many other readers need to be thanked including, Dr. Peter J. Williams, Prof. I. Howard Marshall, Dr. Michael F. Bird, Dr. Tim Gombis, Dr. Todd A. Wilson, and my brother-in-law, Benjamin Foreman. I also benefited much from late night walks with Dr. Richard Bell, who (re)acquainted me with the theological depth of Martin Luther, and Dr. Douglas Campbell, who took many hours of his time to walk me through a Barthian reading of Paul. Email correspondence with Prof. John M. G. Barclay, Prof. David Winston, Prof. Alan Mendelson, Dr. J. Ross Wagner, and Prof. C. E. B. Cranfield (via post), to name only a few, all helped shape various portions of this book. Lastly, I thank Prof. Tom Schreiner who first suggested this topic to me, and who has exemplified what it means to be a *Christian* biblical scholar.

Along quite different lines, I also wish to thank my family for their continual support: my mother, my father, and my in-laws all offered constant encouragement in their own unique ways. A special thanks to my three daughters, Kaylea, Aubrey, and now Josie, who was born just five days before I submitted my Ph.D. thesis. You have all kept me real and provided the much needed love and laughter. My greatest source of encouragement and joy has come from my wife, Christine, who made the move from California to Scotland and never ceased to believe in me. You sacrificed time, money, and many other earthly treasures to run with me in this journey. To you I dedicate this book.

Above all, I thank my Lord Jesus Christ, “who loved me and gave himself up for me” (Gal 2:20), and whose grace sustained me during these years of research. May the pages that follow be a satisfying aroma.

Cedarville (Ohio), November 2007

Preston M. Sprinkle

## Table of Contents

Acknowledgements .....	VII
Notes.....	XV
<b>Chapter 1: Introduction .....</b>	<b>1</b>
1.1 Introduction to Leviticus 18:5.....	1
1.2 History of Research .....	1
1.2.1 Research on Paul and the Law .....	1
1.2.2 Research on Leviticus 18:5 .....	6
1.3 Method and Procedure .....	14
1.3.1 Criteria for Detecting an Allusion to Leviticus 18:5.....	14
1.3.2 Procedure and Approach.....	20
1.3.3 Definitions.....	22
1.4 Overview.....	23
<b>Part 1: Leviticus 18:5 in Ancient Judaism.....</b>	<b>25</b>
<b>Chapter 2: The Use of Leviticus 18:5</b>	
<b>in Leviticus, Ezekiel, Nehemiah, and the Septuagint .....</b>	<b>27</b>
2.1 Leviticus 18:5 in Its Literary Context.....	27
2.1.1 The Meaning of Leviticus 18:5b.....	28
2.1.1.1 הַאָדָם – the person.....	28
2.1.1.2 יַעֲשֶׂה אֹתָם – will do them .....	30
2.1.1.3 וַחַי בָּהֶם – will live by them.....	31
2.1.2 Summary .....	34
2.2 Leviticus 18:5 in Ezekiel .....	34
2.2.1 Allusions to Leviticus 18:5 in Ezekiel 18, 20, and 33 .....	35
2.2.2 Leviticus 18:5 in the Literary Framework of Ezekiel.....	37
2.2.3 Summary .....	40

2.3 Leviticus 18:5 in Nehemiah 9:29.....	40
2.3.1 The Function of Leviticus 18:5 in Nehemiah 9:29 .....	41
2.3.2 Summary .....	44
2.4 The Septuagint Translation of Leviticus 18:5.....	45
2.4.1 Introduction to LXX Leviticus, Ezekiel, and Nehemiah.....	45
2.4.2 LXX Leviticus 18:5.....	46
2.4.3 LXX Ezekiel.....	49
2.4.4 Leviticus 18:5 in 2 Esdras 19:29.....	50
2.4.5 Summary .....	50
 Part 2: Leviticus 18:5 in Early Judaism .....	 53
 Chapter 3: The Use of Leviticus 18:5 in the Damascus Document.....	  55
3.1 Introduction.....	55
3.2 Leviticus 18:5 in the Damascus Document (CD) III, 15–16 .....	56
3.2.1 CD II, 14–III, 20: The Restoration of the Faithful Remnant .....	57
3.2.2 Leviticus 18:5: Its Form and Biblical Source .....	58
3.2.3 The Interpretation of Leviticus 18:5 in CD III, 15–16.....	60
3.2.3.1 The meaning of אֵל (‘‘them’’) and יִחְיֶה (‘‘will live’’) .....	60
3.2.3.2 Leviticus 18:5 as a reversal of the death-bringing ‘‘guilty inclination’’.....	62
3.2.3.3 Leviticus 18:5, Deuteronomic theology, and the restoration of the faithful remnant .....	63
3.2.3.4 E. P. Sanders on grace and works in CD III.....	66
3.2.4 Summary .....	68
3.3 Leviticus 18:5 in 4Q266 .....	68
3.3.1 The Setting of the Expulsion Ceremony .....	69
3.3.2 Leviticus 18:5 and the Prayer of Expulsion.....	71
3.3.2.1 Its form and biblical source .....	71
3.3.2.2 Leviticus 18:5 and divine and human agency .....	72
3.3.2.3 Meaning of יִחְיֶה (‘‘will live’’).....	73
3.3.2.4 Crossing the boundaries and forfeiting life .....	74
3.3.3 Summary .....	75

Chapter 4: The Use of Leviticus 18:5 in	
Words of the Luminaries (4Q504).....	77
4.1 Introduction.....	77
4.2. Deuteronomic Theology and Its Scriptural Foundation .....	79
4.3 Leviticus 18:5 and the Sunday Prayer .....	81
4.3.1 Its Form and Biblical Source .....	81
4.3.2 Wilderness Rebellion and the Forfeiture of Life .....	82
4.3.3 The Deuteronomic Blessing of Life.....	83
4.4 Summary.....	85
 Chapter 5: The Use of Leviticus 18:5 in	
the Psalms of Solomon .....	87
5.1 Introduction.....	87
5.2 Theological Outlook .....	89
5.2.1 Eschatology in the Psalms of Solomon.....	89
5.2.2 The Obedience of the Righteous and the Mercy of God.....	90
5.3 Leviticus 18:5 in Psalms of Solomon 14:2–3 .....	93
5.3.1 Establishing the Allusion .....	93
5.3.2 Leviticus 18:5 and Eschatological Life.....	94
5.3.3 Obedience, Mercy, and Leviticus 18:5 .....	97
5.4 Conclusion .....	100
 Chapter 6: The Use of Leviticus 18:5 in	
Philo’s De Congressu 86–87.....	101
6.1 Introduction .....	101
6.2 Encyclical Education in Philo and De Congressu .....	102
6.3 De Congressu 1–88.....	103
6.4 Philo’s Use of Leviticus 18:5.....	105
6.4.1 The Form of the Text .....	105
6.4.2 Leviticus 18:5 and the True Life.....	105
6.4.3 Is Philo Also among the Covenantal Nomists?.....	110
6.5 Conclusion .....	114

Chapter 7: The Use of Leviticus 18:5 in Pseudo-Philo's <i>Liber Antiquitatum Biblicarum</i> .....	115
7.1 Introduction.....	115
7.2 Deuteronomic Theology and the Irrevocable Covenant of God.....	117
7.3 L.A.B.'s Use of Leviticus 18:5 in Joshua's Address (23:10) .....	120
7.3.1 The Context of L.A.B. 23 .....	120
7.3.2 Establishing the Allusion .....	121
7.4 The Interpretation of Leviticus 18:5 .....	123
7.4.1 Leviticus 18:5 and Eternal Life.....	123
7.4.2 Leviticus 18:5 and Unconditional Mercy.....	123
7.4.3 Potential Objection: Judgment According to Obedience in L.A.B.? .....	125
7.5 The Function of Leviticus 18:5.....	128
7.6 Conclusion .....	129
 Part 3: The Use of Leviticus 18:5 in Paul.....	 131
 Chapter 8: The Use of Leviticus 18:5 in Galatians 3:12.....	 133
8.1 Introduction.....	133
8.2 The Citation of Leviticus 18:5 in Galatians 3:12.....	134
8.2.1 The Form of Leviticus 18:5.....	135
8.2.2 Paul's Argument in Galatians 3:11–12 .....	136
8.2.3 Leviticus 18:5 and Habakkuk 2:4 as Antithetical Soteriologies.....	138
8.3. Review of Approaches to the Use of Leviticus 18:5 in Galatians 3:12.....	142
8.3.1 "Dogmatic" Approach.....	143
8.3.2 Nomological Approach .....	145
8.3.3 Salvation Historical Approach .....	147
8.3.4 Anthropological Approach.....	148
8.3.5 Divine and Human Agency Approach .....	150
8.3.6 Summary .....	151

8.4 Leviticus 18:5 in View of	
Divine and Human Agency in Galatians.....	153
8.4.1 The Theological Shape of Galatians 1 and 2 .....	153
8.4.2 Galatians 3:2–5: Works of Law and the Flesh.....	156
8.4.3 Habakkuk 2:4 and Leviticus 18:5 in Galatians 3:11–12:	
Depictions of Divine and Human Agency .....	160
8.4.4 Summary .....	164
8.5 Conclusion .....	164
Chapter 9: The Use of Leviticus 18:5 in Romans 10:5.....	165
9.1 Introduction.....	165
9.2 Review of Approaches.....	168
9.2.1 Antithetical Approach.....	168
9.2.2 Correlative Approach.....	169
9.2.3 Arguments for an Antithetical Approach.....	170
9.3 Paul’s Interpretation of Leviticus 18:5 in Romans 10:5 .....	173
9.3.1 Running, Seeking, and Doing the Law:	
Divine and Human Initiative in Romans 9:6–10:8.....	177
9.3.2 Deuteronomy 30:12–14 as Antithetical to Leviticus 18:5 .....	179
9.3.2.1 The Prohibited Quest.....	181
9.3.2.2 The Elimination of the “Doing” Language .....	182
Excursus 1: Deut 30:12–14 in Baruch and Philo .....	183
Excursus 2: The Law unto Life – Or Death? Romans 7:7–8:11 .....	185
9.4 Conclusion .....	189
Part 4: Summary and Comparison.....	191
Chapter 10: Comparison and Conclusion .....	193
10.1 A Comparison of	
Second Temple Interpretations of Leviticus 18:5 .....	193
10.1.1 The Relative Importance of	
Leviticus 18:5 in Paul and Early Judaism .....	193
10.1.2 Leviticus 18:5 and Eschatological Life.....	195

10.1.3 Leviticus 18:5 in View of Divine and Human Agency.....	196
10.1.4 Leviticus 18:5 and the Blessings and Curses of the Covenant.....	199
10.2 Implications for Paul and the Law .....	200
10.2.1 Paul and Judaism on Grace and Obedience .....	200
10.2.2 Challenges to the New Perspective .....	203
10.2.3 Paul, Judaism, and the Law: Conflicting Paradigms of Restoration .....	206
Bibliography .....	209
Primary Sources and Reference Works .....	209
Secondary Sources .....	210
Index of Sources .....	229
Old Testament .....	229
New Testament .....	232
Apocrypha and Pseudepigrapha .....	235
Dead Sea Scrolls .....	236
Philo of Alexandria .....	238
Rabbinic Literature .....	239
Index of Modern Authors .....	241
Index of Subjects and Key Terms .....	243

## Notes

Citations and abbreviations in this monograph follow the style given in P. H. Alexander et al. (eds.), *The SBL Handbook of Style: For Ancient Near Eastern, Biblical and Early Christian Studies*. The NA<sup>27</sup> convention is followed of excluding accents where manuscript variants are cited. Biblical references are in the form of *chapter:verse*.





## Chapter 1

# Introduction

### 1.1 Introduction to Leviticus 18:5

This study will examine the interpretation of Lev 18:5 in early Jewish and Pauline literature. Leviticus 18:5 says: “So you shall keep my statutes and my judgments, *which the person shall do and live by them.*” The last half of this passage is referred to in later OT literature (Ezek 20:11, 13, 21; Neh 9:29), in various Jewish texts in Second Temple Judaism (e.g., *Pss. Sol.* 14:2–3; CD III, 15–16; *L.A.B.* 23:10; Philo, *Congr.* 86–87), and in Paul (Gal 3:12; Rom 10:5). It became one of the most popular biblical passages in early Judaism, capturing as it does the axiom that obedience to the Mosaic law will lead to life (see also Deut 30:19). For the apostle Paul, however, it seems that this passage is not so highly esteemed. For him, Lev 18:5 means that the law is antithetical to righteousness by faith (esp. Gal 3:11–12). Our study will seek to understand the theological significance of Lev 18:5 in early Judaism and in Paul, and how their respective interpretations of this passage compare with each other.

In this introduction, we will give a brief account of the current discussion on Paul and the law (§1.2.1), examine previous work done on Lev 18:5 (§1.2.2), lay out our method and procedure for the task (§1.3), and conclude with a brief overview of our project (§1.4).

### 1.2 History of Research

#### *1.2.1 Research on Paul and the Law*

In Gal 3:12, Paul cites Lev 18:5 as a description of the Mosaic law: “The law is not of faith, but [it is] ‘the one who does these things will live by them.’” Whatever Paul found wrong with the law is contained *in nuce* in his understanding of Lev 18:5. Such a fundamental assertion by Paul, then, locates this present study in the general context of the debate concerning Paul’s view of the law. A brief review is necessary.

In 1977, E. P. Sanders published his watershed book, *Paul and Palestinian Judaism*,<sup>1</sup> in order to correct the aberrant caricature of early Judaism as a religion of meritorious works-righteousness.<sup>2</sup> Sanders challenged many assumptions about first century Judaism, and the implications of this challenge have proved seminal for Pauline theology. Responses to Sanders, both supportive and critical, are legion.<sup>3</sup> On the supportive side, James D. G. Dunn has developed Sanders's basic thesis into what is now called the "new perspective" on Paul. The last twenty-five years have witnessed numerous books and articles by Dunn that have challenged traditional (Lutheran and Reformed) views on justification by faith in Paul, early Jewish soteriology, and, of course, Paul's view of the Mosaic law.<sup>4</sup> On the critical side, Robert Gundry,<sup>5</sup> Mark Seifrid,<sup>6</sup> Tom Schreiner,<sup>7</sup> and Seyoon Kim<sup>8</sup> – to name just a few – have (re)read the material quite differently, supporting more or less a traditional understanding of Paul.

---

<sup>1</sup> Subtitle: *A Comparison of Patterns of Religion* (Minneapolis: Fortress, 1977); see too, idem, *Paul, the Law, and the Jewish People* (Minneapolis: Fortress, 1983).

<sup>2</sup> For previous works that sought to correct this caricature, see my, "The Old Perspective on the New Perspective: A Review of Some 'Pre-Sanders' Thinkers," *Themelios* 30 (2005), 21–31.

<sup>3</sup> Recent reviews of the discussion since Sanders can be found in Stephen Westerholm, *Perspectives Old and New on Paul: The "Lutheran" Paul and His Critics* (Grand Rapids: Eerdmans, 2004), 178–248; idem, "The 'New Perspective' at Twenty-Five," in *Justification and Variegated Nomism* (vol. 2; ed. D. A. Carson, Peter T. O'Brien, and Mark A. Seifrid; Tübingen: Mohr-Siebeck, 2004), 1–38; Andrew H. Wakefield, *Where to Live: The Hermeneutical Significance of Paul's Citation from Scripture in Galatians 3:1–14* (SBLDS 14; Atlanta: SBL, 2004), 23–56.

<sup>4</sup> Dunn's pre-1990 articles are collected in James D. G. Dunn, *Jesus, Paul, and the Law: Studies in Mark and Galatians* (Louisville: Westminster/John Knox, 1990). Articles from 1990–2004 are collected in idem, *The New Perspective on Paul* (WUNT 185; Tübingen: Mohr-Siebeck, 2005). See also his *The Theology of Paul the Apostle* (Grand Rapids: Eerdmans, 1997), and his commentaries on Romans (*Romans 1–8, 9–16* [WBC 38a–b; Dallas: Word, 1988]) and Galatians (*Epistle to the Galatians* [Peabody, Mass.: Hendrickson, 1993]). N. T. Wright is often viewed alongside Dunn as a primary advocate of the "new perspective," and indeed Wright's views do come close to Dunn on many points (see esp. his, *What Paul Really Said* [Oxford/Grand Rapids: Lion/Eerdmans, 1997]). However, Wright himself argues for a "fresh perspective" on Paul (see note 9) as distinct from the "new perspective."

<sup>5</sup> "Grace, Works, and Staying Saved in Paul," *Bib* 66 (1985), 1–38.

<sup>6</sup> *Justification by Faith: The Origin and Development of a Central Pauline Theme* (Leiden: Brill, 1992); idem, *Christ, Our Righteousness: Paul's Theology of Justification* (Downers Grove, Ill.: InterVarsity, 2000); idem, "The 'New Perspective' on Paul and Its Problems," *Themelios* 25 (2000), 4–18.

<sup>7</sup> *The Law and Its Fulfillment: A Pauline Theology of Law* (Grand Rapids: Eerdmans, 1993); idem, "'Works of Law' in Paul," *NovT* 33 (1991), 217–44.

<sup>8</sup> *Paul and the New Perspective: Second Thoughts on the Origin of Paul's Gospel* (Grand Rapids: Eerdmans, 2002).

Recently, the discussion is moving forward. New questions are being asked; different solutions are being proposed; these combining both new and old perspectives abound.<sup>9</sup> Of particular importance is the relationship among election, grace, obedience, salvation, and judgment in early Judaism and Paul. Several recent works along these lines are worthy of mention since it is in the general purview of these issues that the interpretation of Lev 18:5 may be placed. Kent Yinger examines the motif of judgment according to deeds in his published doctoral dissertation, *Paul, Judaism, and Judgement According to Deeds*.<sup>10</sup> Yinger agrees with Sanders that early Judaism was not a religion of works-righteousness and that entrance into the covenant was by grace alone. One's obedience to the covenant stipulations was a response to God's prior grace, and it maintained one's status as a covenant member. On judgment day, the deeds of the righteous "confirm or reveal one's fundamental loyalty to God,"<sup>11</sup> but they do not make one righteous before God. In turning to Paul, Yinger finds the relationship between grace and obedience largely the same.<sup>12</sup> In fact, both patterns of religion view grace and obedience synergistically. Obedience is not a condition for entry into the covenant, but only a condition for maintaining one's status. Why then do Judaism and Paul have radically different views on Lev 18:5? Although Yinger never discusses this text, we may suppose that it is not the "doing" that Paul found problematic, for Paul and Judaism exhibit the same understanding of the role of obedience. It is "these things" (the law), rather, that Paul opposes; the law has been replaced by Christ and faith as the new identity markers.

Simon Gathercole, a few years after Yinger, takes up a similar subject but comes to different conclusions.<sup>13</sup> For one, he critiques Yinger for understanding Paul to be just as synergistic as his Jewish contemporaries.<sup>14</sup> While agreeing with Sanders and Yinger that entrance into the covenant was

---

<sup>9</sup> Some different approaches to Paul include, A. Andrew Das's "newer perspective" (*Paul, the Law, and the Covenant* [Peabody, Mass.: Hendrickson, 2001]; idem, *Paul and the Jews* [Peabody, Mass.: Hendrickson, 2004]), N. T. Wright's "fresh perspective" (*Paul: Fresh Perspectives* [London: SPCK, 2005]), and the so-called "apocalyptic approach" taken by J. Louis Martyn (*Galatians: A New Translation with Introduction and Commentary* [New York: Doubleday, 1997]; idem, *Theological Issues in the Letters of Paul* [Nashville: Abingdon, 1997]) and Douglas Campbell (*The Quest for Paul's Gospel: A Suggested Strategy* [JSNTSup 274; New York: T & T Clark/Continuum, 2005]).

<sup>10</sup> (SNTSMS 105; Cambridge: CUP, 1999).

<sup>11</sup> Yinger, *Paul*, 285.

<sup>12</sup> Yinger notes the following differences between Paul and Judaism: 1) the Christ-event replaces the law in defining one's membership in the people of God; 2) the role of the Spirit in enabling obedience among Christians, "while not absent, is certainly heightened significantly in Paul" (*Paul*, 289).

<sup>13</sup> *Where is Boasting? Early Jewish Soteriology and Paul's Response in Romans 1–5* (Grand Rapids: Eerdmans, 2002).

<sup>14</sup> *Boasting*, 14–15.

by God's grace and election, Gathercole argues, moreover, that vindication of individual Jews at the final judgment was conceived in terms of both divine election and human effort. But in Paul, while obedience is necessary for the final vindication of the Christian, Paul's conception of Christian obedience "is radically different from that of his Jewish contemporaries." Gathercole argues that "for Paul, divine action is both the source and the continuous cause of obedience for the Christian."<sup>15</sup> Early Jewish views on obedience, however, lack both Paul's radically pessimistic anthropology and explicit ascription of covenantal obedience to divine empowerment.<sup>16</sup> For Gathercole, then, as we will see below, Paul's opposition to Lev 18:5 runs deeper – the "doing" itself as a precondition to blessing, and not just the law as an outdated identity marker, is problematic for Paul's understanding of the gospel.

In dialogue with Yinger, Gathercole, and Sanders, Chris VanLandingham understands the relationship among election, obedience, justification and final judgment differently.<sup>17</sup> With Yinger, VanLandingham argues for much continuity between Paul and Judaism on these matters. But against Yinger (and Sanders), he stresses the priority of obedience, not unconditional election or God's grace, for final justification. VanLandingham criticises Yinger for downplaying the notion that believers receive eternal life on the basis of their deeds.<sup>18</sup> In fact, even God's election of Abraham was a response to Abraham's obedience, establishing a pattern for divine and human relation.<sup>19</sup> In early Judaism, "God's covenant with the Jewish people does not determine one's eternal destiny; that, rather, depends on one's behavior."<sup>20</sup> Likewise in Paul, "Appropriate reward and punishment result respectively in either eternal life or damnation, with one's behavior forming the *sole criterion*, though for Paul, salvation comes only to one who is a believer."<sup>21</sup> We may say, therefore, that according to VanLandingham and Yinger, there is no fundamental difference between Judaism and Paul regarding divine and human agency in matters of justification, preservation, or final judgment.<sup>22</sup>

---

<sup>15</sup> *Boasting*, 264. While Yinger notes the role of the Spirit in enabling behaviour in Paul's view of obedience, Gathercole goes beyond Yinger in that the Christ event itself is a source of divine empowerment ("Paul's theology of empowerment is not merely pneumatological . . . but Christological;" *Boasting*, 133).

<sup>16</sup> *Boasting*, 132–34. For an assessment of Paul's pessimistic anthropology, see Timo Laato, *Paul and Judaism: An Anthropological Approach* (trans. T. McElwain; Atlanta: Scholars Press, 1995).

<sup>17</sup> *Judgment & Justification in Early Judaism and in Apostle Paul* (Peabody, Mass.: Hendrickson, 2006).

<sup>18</sup> *Judgment*, 5–6.

<sup>19</sup> *Judgment*, 18–65.

<sup>20</sup> *Judgment*, 17.

<sup>21</sup> *Judgment*, 17 (emphasis mine).

<sup>22</sup> "The Last Judgment is not a judgment over the work of Christ or even over what the Holy Spirit has done in the believer; it is a judgment over the individual and what he or she

These studies demonstrate that the discussion regarding the relationship between Paul and Judaism is becoming less polarised (e.g., Paul stressed grace while Judaism stressed works). Now, the questions that arise concern the nature of Jewish and Christian obedience, the relationship between initial and final justification, the different conceptions of what grace actually means in each pattern of religion, and the priority of divine and human action. Does God respond to prior human action, or do humans respond to God's prior action – and does it matter? Does one enter into the covenant (God's favour) solely through grace or do works play a part? Is Paul just as synergistic as his Jewish contemporaries? And what exactly does synergism *mean*?

Francis Watson's *magnum opus* on Paul addresses many of these issues in light of Paul's interpretation of Scripture.<sup>23</sup> Both Paul and his contemporaries draw their theologies from the same body of texts; therefore, the way to assess the theology of Judaism and Paul is to examine the similarities and differences in their readings of Scripture. On the whole, Watson is critical of Sanders, Dunn, and others, who draw too much continuity between Paul and Judaism in their understanding of divine and human agency. While being sensitive to the variegated strands of Judaism represented by Second Temple literature, Watson sees in Paul a radical emphasis on divine agency. Paul's theological construct is drawn from Scripture and shaped by God's saving action in Christ. So for Watson, "there does appear to be a distinction between a reading of the torah that lays all possible emphasis on the promise to Abraham of unconditional divine saving action, worldwide in its scope," such as in Paul, "and a reading centred upon the demand emanating from Sinai for specific forms of human action and abstention,"<sup>24</sup> which Watson finds evident throughout the different bodies of Jewish literature.

One final work that addresses the relationship between divine and human agency is the recent collection of essays, *Divine and Human Agency in Paul and His Cultural Environment*.<sup>25</sup> The book consists of eight articles that compare Paul to Judaism, several of which are relevant to our topic. John Barclay, for instance, examines the concept of grace in Paul and Philo and concludes that Paul has a heightened sense of divine agency; grace is conceived in the sense of divine empowerment, which was central to Paul's understanding of Christian obedience.<sup>26</sup> Phillip Alexander believes that the Qumran community was radically predestinarian – God "is the cosmic

---

has done" (*Judgment*, 335). But could Paul possibly conceive of the believer's behaviour as somehow separate from the work of Christ or the Spirit?

<sup>23</sup> *Paul and the Hermeneutics of Faith* (London: T & T Clark/Continuum, 2004).

<sup>24</sup> *Hermeneutics*, 29.

<sup>25</sup> (ed. John M. G. Barclay and Simon J. Gathercole; LNTS 335; London: T & T Clark/Continuum, 2006).

<sup>26</sup> "By the Grace of God I Am What I Am": Grace and Agency in Philo and Paul," in *Divine and Human Agency*, 140–57.

puppet-master who pulls everyone's strings."<sup>27</sup> Stephen Westerholm, however, points out that Paul's anthropology was much more pessimistic than his contemporaries.<sup>28</sup> Simon Gathercole suggests that God even "shapes human disobedience so that it serves . . . the purpose of revelation," according to Paul.<sup>29</sup> Francis Watson again takes up the relation between divine and human agency as witnessed in the interpretation of Scripture in 4QMMT, 4 Maccabees, and Galatians.<sup>30</sup> All of these Second Temple interpreters read Scripture with a different set of presuppositions. For Paul, the Christ-event has re-shaped his reading of Scripture and his thinking on the relation between divine and human agency.

While our subject matter (Lev 18:5) is different from these previous studies, the very formulation, "the one who does these things will live by them," is naturally related to the same field of ideas. The topic at hand concerns a central theological formulation that, as we will argue, renders eschatological life as conditioned upon obedience to the law. Many Second Temple Jewish texts incorporate Lev 18:5 into their own conception of the life-giving power of the law. But the apostle Paul does not. For him, the law leads to death, while life is found through faith in Christ. In the light of our survey of literature above, several questions arise in regard to Jewish and Pauline views of Lev 18:5. What does Paul find wrong with Lev 18:5? Does the Leviticus formulation suggest perfect obedience, or self-righteous legalism? Does Lev 18:5 conflict with Paul's view of grace and divine agency? How does Paul's understanding of grace, obedience, and salvation compare with his early Jewish contemporaries as seen in their interpretations of Lev 18:5? Does Paul's opposition to Lev 18:5 mean that he has *ipso facto* rejected the law? Or does Paul actually oppose Lev 18:5? And, apart from the Pauline issues: How was Lev 18:5 understood on its own terms in the literature of Second Temple Judaism? These are just some of the questions that we will seek to answer in light of the current soteriological interests in Paul's view of the law.

### 1.2.2 Research on Leviticus 18:5

Many of the vast number of books on Paul and the law, along with commentaries and studies on Romans and Galatians, frequently make

---

<sup>27</sup> "Predestination and Free Will in the Theology of the Dead Sea Scrolls," in *Divine and Human Agency*, 27–49 (48).

<sup>28</sup> "Paul's Anthropological 'Pessimism' in Its Jewish Context," in *Divine and Human Agency*, 71–98.

<sup>29</sup> "Sin in God's Economy: Agencies in Romans 1 and 7," in *Divine and Human Agency*, 158–72 (171).

<sup>30</sup> "Constructing an Antithesis: Pauline and Other Jewish Perspectives on Divine and Human Agency," in *Divine and Human Agency*, 99–116.

reference to Lev 18:5 and note its importance.<sup>31</sup> But this was not always the case. In fact, references to Lev 18:5 are virtually absent in E. P. Sanders's *Paul and Palestinian Judaism* – a striking fact in light of the subject matter and sheer size of the book.<sup>32</sup> Sanders's second book on Paul and the law exhibits the same neglect.<sup>33</sup> Likewise, N. T. Wright only devotes one page to Lev 18:5 in his *Climax of the Covenant*, a study of “Christ and the Law in Pauline Theology,” and his recent commentary on Romans contains only a few lines on Lev 18:5 in Rom 10:5, while devoting no less than seven pages to Deut 30:12–14 in Rom 10:6–8.<sup>34</sup> More recently, however, interest in Lev 18:5 has increased. James Dunn discusses Lev 18:5 often in his recent works,<sup>35</sup> noting that in the Durham-Tübingen symposium on Paul and the law in 1994, the interpretation of Lev 18:5 “was only beginning to come to the surface.”<sup>36</sup> Gathercole, in his recent book on Paul and Jewish soteriology, includes several extended discussions on Lev 18:5.<sup>37</sup> Friedrich Avemarie believes that Lev 18:5 is “one of the most important OT texts in early Jewish reflection on the torah.”<sup>38</sup> This recent interest in Lev 18:5 suggests that there is a need for a thorough study of the interpretation of this passage in early Judaism and in Paul.

Studies of this passage have not been entirely lacking from previous scholarship, however. In 1971, Walter Kaiser wrote an essay discussing Paul's use of Lev 18:5 in the context of the unconditional (Noahic, Abrahamic, Davidic) and conditional covenants (Sinaitic).<sup>39</sup> Kaiser contends that all covenants have elements of both demand and grace, and that the latter

---

<sup>31</sup> B. Longenecker, *The Triumph of Abraham's God: The Transformation of Identity in Galatians* (Nashville: Abingdon, 1998), 119–22, 135–36, 164–65; Charles H. Cosgrove, *The Cross and the Spirit: A Study in the Argument and Theology of Galatians* (Macon, GA.: Mercer, 1988), 58–61, 90–91; Das, *Paul*, 253–56, 262–65; Wakefield, *Where to Live*, 159, 167–72, 174–77.

<sup>32</sup> The Scripture index only lists four pages where Lev 18:5 is referred to and his only discussion of the text occurs in a footnote (*Palestinian*, 483 n. 37).

<sup>33</sup> Again, only four references are listed and there is very little discussion (*Paul*, 40, 53 n. 23, 54 n. 30, 67).

<sup>34</sup> N. T. Wright, *The Climax of the Covenant* (Minneapolis: Fortress Press, 1991), 149; idem, “The Letter to the Romans,” in *New Interpreter's Bible Commentary* (vol. 10; ed. Leander Keck; Nashville: Abingdon Press, 2002), 658–64.

<sup>35</sup> See in particular, Dunn, *New Perspective*, 65–66; idem, *Theology*, 152–53, 374–75; cf. idem, “‘Righteousness from the Law’ and ‘Righteousness from Faith’: Paul's Interpretation of Scripture in Romans 10:1–10,” in *Tradition and Interpretation in the New Testament: Essays in Honor of E. Earle Ellis for His 60<sup>th</sup> Birthday* (ed. Gerald F. Hawthorne and Otto Betz; Grand Rapids: Eerdmans, 1987), 216–28.

<sup>36</sup> Dunn, *New Perspective*, 65.

<sup>37</sup> *Boasting*, 66–67, 100–102, 121–23.

<sup>38</sup> Private conversation, July 2004.

<sup>39</sup> “Leviticus 18:5 and Paul: Do This and You Shall Live (Eternally?),” *JETS* 14 (1971), 19–28.



precedes the former. In fact, Kaiser comes close to the conclusions of E. P. Sanders several years later: “[The covenant] does not depend upon merit nor favouritism, but only God’s grace and his election for *service*.”<sup>40</sup> With this in view, Kaiser examines Paul’s use of Lev 18:5 in Rom 10:5 in light of its original context in order to show that the verse refers neither to legalistic law-observance, nor to perfect behaviour.<sup>41</sup> In fact, Paul does not place Lev 18:5 (Rom 10:5) in opposition to Deut 30:12–14 (Rom 10:6–8); rather, Lev 18:5 is “Moses’ authoritative and revealed description of true righteousness, which is near to every one of them, i.e., it is the same thing as the word of faith which Paul preached.”<sup>42</sup> Kaiser’s article, while very thin on its actual treatment of Lev 18:5,<sup>43</sup> anticipates many later interpreters who approach Rom 10:5–8 in the same manner, understanding Leviticus and Deuteronomy as correlative not antithetical citations. Paul, then, according to Kaiser, has no problem with Lev 18:5. Needless to say, his article failed to take into account the references to Lev 18:5 in Jewish literature, later OT tradition, and even Paul’s use of the text in Gal 3:12.

In the same year, Nils A. Dahl published an article dealing with Paul’s hermeneutical procedure in solving the scriptural contradiction between Hab 2:4 and Lev 18:5 in Gal 3:11–12.<sup>44</sup> “The Bible is full of contradictions,”<sup>45</sup> says Dahl, and Gal 3:11–12 is only one of many passages where “Paul deals with contradictory passages in Scripture.”<sup>46</sup> Dahl examines Hab 2:4 and Lev 18:5 in Gal 3:11–12 in order to illustrate Paul’s familiarity with the later rabbinic method of resolving contradictions in Scripture as represented by Hillel’s 13<sup>th</sup> *middah*: “Two scriptural passages which correspond to one another yet conflict with one another, should be upheld in their place until a third passage comes and decides between them.”<sup>47</sup> As with the rabbis, Paul sees one text as more fundamental (Hab 2:4) and the other (Lev 18:5) as a contradiction. This contradiction must be resolved by showing how the opposing text is “upheld in its place.” That is, Paul must show how Lev 18:5 fits into the scheme of Hab 2:4 so that both texts maintain their scriptural

---

<sup>40</sup> Kaiser, “Leviticus 18:5,” 23 (emphasis original).

<sup>41</sup> Kaiser draws on George E. Howard who argued this point in an article on Rom 10, “Christ the End of the Law,” *JBL* 88 (1969), 331–37.

<sup>42</sup> Kaiser, “Leviticus 18:5,” 27.

<sup>43</sup> Kaiser spends roughly one page on Lev 18 and another page on Paul’s actual citation of Leviticus in Rom 10.

<sup>44</sup> “Widersprüche in der Bibel, ein altes hermeneutisches Problem,” *StTh* 25 (1971), 1–19; reprinted and translated as, “Contradictions in Scripture,” in Nils A. Dahl, *Studies in Paul: Theology for the Early Christian Mission* (Minneapolis: Augsburg, 1977), 155–77.

<sup>45</sup> “Contradictions,” 159.

<sup>46</sup> “Contradictions,” 161.

<sup>47</sup> *Mekilta Pisha* 4 on Exod 12:5; *Sifre Num* 58 on Num 7:89, cited in Dahl, “Contradictions,” 162.

validity. “Rightly understood the Law is in harmony with the promises. It had a subordinate function which contributed to the realisation of the promises.”<sup>48</sup> Therefore, to uphold the validity of the law *after* the promise has been realised in Christ is to misunderstand the true intention of the law itself. Dahl’s seminal study on Paul’s hermeneutical procedure has evoked many responses, as we will see. As with Kaiser, however, Dahl did not take into account any of the OT or early Jewish allusions to Lev 18:5, nor, in contrast to Kaiser, did he address Paul’s use of Leviticus in Rom 10:5.

In response to Dahl, Johann Vos deals with Paul’s citation of Lev 18:5 in both Romans and Galatians.<sup>49</sup> He discusses Paul’s interpretation of Lev 18:5 along similar lines as Dahl, but shows that Paul demonstrates closer affinities to Hellenistic rhetoric. Against Dahl, and much of the rabbinic material that Dahl evokes, Vos says that it is better to see Hab 2:4 and Lev 18:5 as passages representing two opposing *halachot* presented by two different parties, not simply as two Scripture passages understood by one party to be contradictory.<sup>50</sup> Thus, the real contradiction is between the *halachah* of his opponents and Paul’s (scriptural) doctrine of faith-righteousness. In order to win the argument, Paul shows in Gal 3:19–25 that the law actually contributes to the realisation of the promise, proving that the agitators have misunderstood the true intention of the law.<sup>51</sup> Vos then cautiously approaches Rom 10:5–8, aware of the possibility that Paul actually correlates Lev 18:5 with Deut 30:12–14. Nevertheless, Vos argues that, as in Galatians, Paul opposes not so much Lev 18:5, but his opponent’s *halachah* which this text was used to support. While Vos’s study is the first major treatment of Lev 18:5 in both Gal 3:12 and Rom 10:5, as with the previous treatments he does not examine the OT or early Jewish writings that allude to Lev 18:5.

Alain Gignac has written a lengthy article on Paul’s use of Lev 18:5 in Galatians and Romans.<sup>52</sup> In it, he interacts extensively with Dahl and Vos.<sup>53</sup> On the whole, Gignac agrees with both of their approaches, though he tends to give more credence to Dahl.<sup>54</sup> With both Dahl and Vos, Gignac agrees that

<sup>48</sup> “Contradictions,” 174.

<sup>49</sup> “Die hermeneutische Antinomie bei Paulus (Galater 3.11–12; Römer 10.5–10),” *NTS* 38 (1992), 254–70.

<sup>50</sup> Vos points out that Paul was not primarily concerned with resolving the apparent contradiction between two passages of Scripture, but to resolve the tension between law and promise (“Antinomie,” 257).

<sup>51</sup> “Antinomie,” 266.

<sup>52</sup> “Citation de Lévitique 18,5 en Romains 10,5 et Galates 3,12: Deux lectures différentes des rapports Christ-Torah?” *Église et théologie* 25 (1994), 367–403.

<sup>53</sup> “Citation,” 369–70, 372–76, 386–87. Gignac’s third dialogue partner is Chris Stanley (“‘Under a Curse’: A Fresh Reading of Galatians 3.10–14,” *NTS* 36 [1990], 481–511).

<sup>54</sup> “Vos minimize l’influence juive chez Paul, les procédés rhétoriques juifs ayant été modelés selon lui au contact de la rhétorique hellénistique,” Gignac, “Citation,” 369. Other

Paul solves the apparent contradiction between Hab 2:4 and Lev 18:5 in Gal 3:12 by subordinating the latter to the former.<sup>55</sup> Gignac then goes beyond any previous study on Lev 18:5 by considering the intertextual relationship between Hab 2:4 and Lev 18:5.<sup>56</sup> He says that Paul's citations of Habakkuk and Leviticus reflect the original context of the citations (whether "consciement ou non")<sup>57</sup> and argues that Paul's interlocutors would have felt the impact of Paul's exegesis on this deeper level. Therefore, Paul argues on two levels. First, he is directing his argument to his Gentile audience, to whom "Le texte de la Septante ne résonne pas à leurs oreilles dans toutes ses subtilités." To this audience, Paul's Hellenistic rhetorical techniques would suffice in order to persuade. Second, with his intertextual argument, Paul "s'adresse à un auditoire averti, en ce qui concerne l'Écriture," namely, his judaizing opponents.<sup>58</sup> As such, Gignac can hold together the validity of both Paul's Hellenistic rhetorical techniques (following Vos; cf. Stanley) directed to the Gentile Galatians, and his Jewish hermeneutical procedure (following Dahl) aimed at his Jewish opponents. Gignac's study on Galatians is intriguing, but his most challenging conclusion comes in his study on Rom 10:5–8. Unlike previous studies that assume Paul is using Lev 18:5 the same way in both places, Gignac believes that Paul views Lev 18:5 and Deut 30:12–14 *synthetically*. "Galates n'est pas le brouillon ou la copie-carbone de Romains;"<sup>59</sup> in each letter, Paul is dealing with different issues.<sup>60</sup> Gignac's study is unfortunately neglected in scholarship, though it is the most thorough treatment of Lev 18:5 to date. One major lacuna in this article, along with every previous study thus far, is an examination of the early Jewish literature. Moreover, while dealing with the original context of Lev 18, Gignac fails to take into account the use of Lev 18:5 in Ezekiel and Nehemiah.

J. Louis Martyn, who draws heavily on Vos, represents one of the more unique approaches to Paul's use of Lev 18:5 and Hab 2:4 in Gal 3:11–12.<sup>61</sup>

---

disagreements include: Vos's endorsement of judicial rhetoric in Galatians, whereas Gignac (with Stanley) says that it is closer to deliberative rhetoric ("Citation," 370), and Vos's attempt to see both Rom 10:5–11 and Gal 3:11–12 as portraying an antinomy, while Gignac reads Rom 10 synthetically ("Citation," 370).

<sup>55</sup> "Citation," 387.

<sup>56</sup> "Citation," 379–86.

<sup>57</sup> "Citation," 386.

<sup>58</sup> "Citation," 386.

<sup>59</sup> "Citation," 402.

<sup>60</sup> "Dans un cas, il se demande: qu'est-ce qui sauve? (Galates); dans l'autre cas, il se demande: pourquoi les Juifs ne suivent-ils pas le Christ? (Romains). Par conséquent, la réponse à la première question pose l'antithèse entre foi et Loi, entre Ha 2,4 et Lv 18,5, et la réponse à la seconde question pose la complémentarité entre Loi et foi, entre Lv 18,5 et Dt 30,12–14" ("Citation," 402).

<sup>61</sup> *Galatians*, 328–334.