

## ***How is the Christian to Construe Old Testament Law?***

ELMER A. MARTENS  
MENNONITE BRETHREN BIBLICAL SEMINARY

*The essay shows how a biblical theology approach can be helpful in delineating OT ethics for the Christian. Using the exemplar of Leviticus 19, the legal regulations are set in spiraling contexts of law generally, covenant, story, and Jesus/the NT. From the conceptual context, specific guidelines are suggested for Christian ethics: paradigm (deriving from story), principles (based on law), and precedent (following Jesus and the NT).*

*Key words: Leviticus 19, exegesis, law, covenant, biblical theology, ethics, Trinity, hermeneutics*

The governing question in this essay is: by what exegetical and theological method are the moral regulations found in the OT determined as normative for the Christian? Put another way: How is the Christian to construe OT law? Leviticus 19 with its collage of commandments ranging from the spiritual injunction "Love your neighbor" to the culturally strange prohibition not to mar the edges of the beard highlights the issue of interpretation and application. Clues from an exegesis of this chapter along with a biblical theological method can point the way for a Christian application of OT ethical material.<sup>1</sup>

*Author's note:* A version of this paper was presented in the Biblical Law Study Group at the Evangelical Theological Society in Colorado Springs in November, 2001. The author is grateful for feedback there, from colleagues Allen Guether, Nzash Lumeya, Jon Isaak, and from Olga-Maria Cruz, V. Athithan, and Dwight Acomb.

1. Other scholars also have anchored their discussion in Lev 19. Richard Bauckham, *The Bible in Politics: How to Read the Bible Politically* (Louisville: Westminster/John Knox, 1989); C. S. Rodd, *Glimpses of a Strange Land: Studies in Old Testament Ethics* (T. & T. Clark, 2000), 5.

## CLUES FROM AN EXEGESIS OF LEVITICUS 19

Given our topic, pertinent observations from a set of exegetical steps beginning with the *formal structure* of the chapter follow.<sup>2</sup>

First, the prohibitions and directives are punctuated with a self-identification refrain, usually in the short form, "I am Yahweh" (אֲנִי יְהוָה *'ānī YHWH*) but sometimes in the longer form "I am the Lord your God" and once in the expanded form "I am the Lord your God who brought you out of Egypt." The self-identification formula occurs 14 times, 7 times in each of the two sections (19:2-18; 19:37). Notably, the identification of the speaker as "Yahweh" occurs as an *inclusio* in the Yahweh speech (19:2 and 19:37). The formula "I am Yahweh" functions, some say, to emphasize the authority that lies back of the command.<sup>3</sup> Others say that it is a shorthand way of reminding listeners (readers) that the one giving the law is holy.<sup>4</sup> There is truth in each, but more fundamental is the nuance that these laws are the expression of a person, one who is God and not human.

At the least this refrain means that there is a framework that informs the specific injunctions. It is not strictly deontological (i.e., ethics as duty), nor is it utilitarian (consequentialist ethics), nor is it virtue-based (Aristotle's notion of excellence) ethics. The governing factor for the directives in this speech is the person of God. These are statutes that are not impersonal, like municipal codes, but directives that are expressive of a person—God.

Second, the lead-in statement "you shall be holy" is matched by a resumptive of sorts in the second half, "you shall keep my statutes" (חֻקֹּתַי *huqqōtay*; 19:19a). What follows in each half are apodictic exhortations cast both negatively ("you shall not . . .") and positively ("you shall . . .") with the negative outnumbering the positive in a ratio of 3:2. The five case laws set within these directives deal with circumstances mostly germane to life within the promised land: sacrifice, agriculture, fruits, sexual matters within a master /slave relationship, and aliens.<sup>5</sup>

2. See the appendix. For other attempts at structure, see G. J. Wenham, *The Book of Leviticus* (Grand Rapids: Eerdmans, 1979), 263-64; J. Milgrom, *Leviticus 17-22* (AB 3A; New York: Doubleday, 2000), 1596-97; J. Hartley, *Leviticus* (WBC; Dallas: Word, 1992), 307-8; and Jonathan Magonet, "The Structure and Meaning of Leviticus 19," *HAR* (1984): 151-67.

3. Hartley, *Leviticus*, 292.

4. Mark E Rooker, *Leviticus* (Nashville: Broadman Sz Holman, 2000), 251.

5. A helpful summary, with due acknowledgment to Albrecht Alt of the two types of law, apodictic law and casuistic law, is given in R. N. Whybray, *Introduction to the Pentateuch* (Grand Rapids: Eerdmans, 1995), 110-15. Another summary of Alt's 1934 article is found in Bruce C. Birch, *Let Justice Roll Down: The Old Testament, Ethics and the Christian Life* (Louisville: Westminster/John Knox, 1991), 159-60. An English translation of

One must conclude that the distinctions between cultic, moral, and civil regulations are, if not artificial, certainly extraneous to Hebrew thought.<sup>6</sup> In this single speech the stipulations about refraining from image-making (cult), insisting on truth-telling (moral), and prescribing compassionate treatment for aliens (civil) tumble about in chaotic confusion. As a grid for sorting out the way Christians deal with OT law, the classification of "cultic, moral, civil" is not helpful.

Third, explicitly-stated reasons for obeying the Torah are few. The initial general stipulation "You shall be holy" is motivated by the assertion "because I the Lord your God am holy," קדש (19:2b; cf. 19:8b). The only other specific motivation is for compassionate treatment of the alien because (כי) "you were aliens in the land of Egypt" (19:34c).

The root קדש, "holy," is sermonically defined as "set apart," a partial but inadequate definition.<sup>7</sup> More central to קדש is the notion of purity and cleanness, as John Gammie has helpfully demonstrated.<sup>8</sup> In an absolute way the descriptor "holy" is true only of God, who by virtue of this quality is "different" from all else (Exod 15:11). Attributes of Yahweh such as justice and steadfast love (חסד; *hesed*) are on the order of function, whereas קדש is intrinsic to the person of Yahweh. C. S. Rodd notes, "It [holiness] might almost be regarded as the 'godness' of God."<sup>9</sup> Holiness is cleanness; a derivative and secondary meaning is "set apart." Additionally, holiness has to do with wholeness and completeness.<sup>10</sup> In short, holiness has to do with a way of being. This way of being is one of cleanness and completeness. W. Kaiser is on solid ground when, drawing on texts such as Lev 19:2, he avers, "Here, then, is the central organizing feature of Old Testament ethics: holiness."<sup>11</sup>

Alt's article "The Origins of Israelite Law" is given in *Essays on Old Testament History and Religion* (trans. R. A. Wilson; Oxford: Blackwell, 1966), 79-132.

6. An advocate of the threefold classification is W. C. Kaiser, Jr., *Toward Old Testament Ethics* (Grand Rapids: Zondervan, 1983), 44-48. A critic is J. Daniel Hays, "Applying the Old Testament Law Today," *BSac* 158 (2001): 21-35.

7. John Hartley comments, "Separation does not get at the essential meaning of holiness, neither in reference to God, the Holy One, nor in reference to the variety of items described as holy, for it fails to provide any content to the concept of being holy" (in a forthcoming dictionary article, "Holy, Holiness, Sanctification, Clean/Unclean").

8. John Gammie, *Holiness in Israel* (Minneapolis: Fortress, 1989). Cf. J. A. Naude, "קדש," *NIDOTTE* 3:877-87.

9. Rodd, *Glimpses*, 7. See "Holiness is his [God's] quintessential nature," Milgrom, *Leviticus*, 1712.

10. Wenham, *Leviticus*, 23-25, summarizing Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (London: Routledge and Kegan Paul, 1966); cf. now Allan Coppedge, *Portraits of God: A Biblical Theology of Holiness* (Downers Grove: InterVarsity, 2001).

11. Kaiser, *Toward OT Ethics*, 139. The claim is in direct contrast to Rudolph Otto's contention that "holy" had no ethical connotations. Rudolph Otto, *The Idea of the Holy* (London: Oxford University Press, 1928), 1-7.

In *relating the parts* of the structure, more than in excavating vocabulary, one discovers the meaning of its message. The stipulations and the "case laws" are an exposition of what it means to be "holy."<sup>12</sup> Holiness, as the immediately subsequent directives make clear, has to do with attitude ("you shall each reverence mother and father," 19:3) and with overt activity ("you shall observe my sabbaths," 19:3). In chiasmic format the first section (19:1-18) begins with disposition (respect parents, 19:3) and concludes with disposition (love neighbor, 19:18b). Attention to attitudes surfaces repeatedly: "you shall fear your God" (19:14, 32), "you shall not hate in your heart anyone of your kin . . . or bear a grudge against any of your people" (19:17-18).

Other directives, however, are concerned with more overt matters (e.g., "do not . . . make cast images," 19: 4a; "you shall not lie one to another," 19:11). Clearly, biblical morality addresses both attitude and disposition as well as specific actions. Character matters. Morality is about action and observable behavior, but it is not only about these. Ethics is also about interiority, the set of the soul's compass.

The range of human experience on which these instructions impinge is wide: cult, occult, agriculture, business, family, social behavior, respect for property, speech (testimony, slander), dietary matters, sexual conduct, and personal appearance. There are specifics about cultic matters (keep Sabbath, no images, no resort to the occult, 19:4, 26b, 30); and about societal matters (respect and courtesy for the physically challenged, respect for property, treatment of the poor and aliens, 19:13, 14, 33). The injunctions are clearly selective but deal with vocational and environmental matters (farming, seeding of mixed grains, fruit growing, 19:9, 19b, 23) and with personal matters of diet (no eating of blood, 19:26), clothing (no admixtures, 19:19c), appearance (no gashings, tattoos, 19:27, 28), and sexual irregularities (sex between master/slave, 19:20-22; prostitution, 19:29). Instruction is offered on how to relate to God, neighbor, oneself, and the environment. A straightforward conclusion is that these examples are but selective. Holiness is germane to all of life—to social ethics and to personal ethics. A veritable way of being is at issue.

We might like matters more tidy. What are the timeless principles? True, there are a number of them (e.g., "love your neighbor," 19:18). But other regulations (e.g., not to mar the beard, 19:27) are resistant to "principlism," though the resistance to "principlism" will not deter the intrepid. One method, known as the "ladder of abstraction," is premised on taking a particular instance of legislation valid in an ancient time, sorting it out for an abstract principle that under-

12. Milgrom holds that subsuming both ethics and ritual to divine holiness is unique to Israel (*Leviticus*, 1400).

lies it, and then raising that abstract principle to an invisible apex.<sup>13</sup> The application is then made by "walking down the ladder" to find an instance in current life affected by the principle.

However, if it were by principles alone that Christians were to appropriate the OT, then, it seems the Bible should be written articulating those principles. The search for principles ignores the storied setting and is in danger of ending up with abstractions detached from the person of God. One suspects that it is our enlightenment ethos, the penchant to make everything reasonable, that leads to this kind of hermeneutic. Besides, what principle *does* lie behind the ruling not to gash the body?

A one-sentence *summary* of Lev 19 might read: Yahweh instructs the congregation of Israel on dos and don'ts through specific stipulations as well as through circumstantial cases in areas ranging widely from cult to agriculture to business to personal appearance, and covering both matters of disposition and action, all premised on his call for Israel to be holy since he, Yahweh, is holy. Put more concisely (abstractly): Yahweh instructs his people on ethics within a framework of ontology.

#### CLUES VIA A BIBLICAL THEOLOGICAL METHOD

Within the framework of ontology there is yet another framework that derives from attention to biblical theology. Ethical norms for the believer are not generally fixed by moving from a single biblical text to a current situation. "Principlization" is a proposed "middle level." My thesis is that the context, specifically the biblical theological context, offers the "middle level" in the move from ancient law to current application.<sup>14</sup> Specifically, this move entails giving attention to the spiraling contexts: the narrative context, the covenant context, the context of legal codes generally, and finally the "Jesus" context of the NT. C. Westermann's study of Lamentations is exemplary. He first offers

13. W. C. Kaiser, Jr., "How Can Christians Derive Principles from the Specific Commands of the Law?" *Toward Rediscovering the Old Testament* (Grand Rapids: Zondervan, 1987) 156-66; repr. in David K. Clark and R. V. Rakestra (eds.), *Readings in Christian Ethics, Volume 1: Theory and Method* (Grand Rapids: Baker, 1994), 192-201. A proponent of "principlism" is Hays, "Applying OT Law."

14. Janzen thinks of middle level as that which stands between the will of God and the explicit written laws as texts (*Ethics*, 70-75). He suggests that the middle level for Dale Patrick, *Old Testament Law* (Atlanta: John Knox, 1985) is "unwritten law," including a communal sense of justice and right. Janzen himself proposes paradigms, specifically the familial paradigm, as the middle level. My proposal is that biblical theology be that middle level, that lens by which to see the will of God transmuted into texts. Even more to the point, it is biblical theology that stands once again as the middle level between the legal text and its application to the believer.

an exegesis, then presents the theology of lament within the OT, compares this with the NT, and finally draws practical applications.<sup>15</sup>

### *The Narrative Context*

The injunctions of Lev 19 are set within a story, a story of God and Israel, whose defining moment is the exodus. The goal of God's gracious deliverance is a people living in freedom before God and with God. The instructions are an extension of this purpose and are to be viewed, not as bringing a people into a new kind of slavery, but as leading them into an abundant life.

Story has primacy over law, as stressed by both Janzen and Birch.<sup>16</sup> As Janzen explains, even in general society, laws are the expression of society's values, values embedded in stories. For the biblical story it is the character of God that stands behind the laws, a character that we first come to know through story. The effect of this "demotion" of law to second place is that law is never free-standing or to be interpreted in isolation. The biblical understanding of law cannot therefore primarily be of law as universal principle, for to so construe law is to be in danger of removing God, the chief actor in the story, from the law.

Further, the narrative context has the immediate effect of particularizing the stipulations applicable to an Israel in an agrarian economy. For example, the injunctions to leave the gleanings when harvesting (Lev 19:9) or to refrain from picking fruit for home consumption until the fifth year (Lev 19:23-25) are specific to "when you come into the land." Such directives are expressive of God's concern (i.e., for the poor, for godly stewardship) and as such apply to the believer. But the specifics, quite as a matter of common sense, do not apply to the Nebraska farmer or the California fruit grower. The biblical regulation is situation-conditioned.<sup>17</sup> The storied context of the "laws," then, makes clear (1) the particularity of the instruction to a certain people at a certain point in history, (2) the communal setting for the injunctions, and (3) the dominating figure of a holy God.

15. C. Westermann, *Lamentations: Issues and Interpretation* (Minneapolis: Fortress, 1993).

16. Janzen, *Ethics*, 7-25, 55-86; Birch, *Let Justice Roll Down*, 71-197. Cf. John Barton, "Ethics and Story," in *Ethics and the Old Testament* (Harrisburg: Trinity, 1998), 19-36; also ethicist Stanley Hauerwas, *The Peaceable Kingdom* (Notre Dame: University of Notre Dame Press, 1983).

17. David A. Dorsey, "The Law of Moses and the Christian: A Compromise," *JETS* 34 (1991): 325-27, cites extensive texts to show how the regulations were germane to a particular climate and a particular historical milieu and so would be inapplicable outside that world.

*The Covenant Context*

More particularly, the instructions are within a covenant context, the gist of which is given in Exod 19-24. The Ten Commandments (each, it is said, is reiterated in Lev 19)<sup>18</sup> are prefaced with the theologically and interpretively significant self-introduction: "I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery" (Exod 20:2; Deut 5:6-7). The stipulations are post exodus, post redemption. They are given, not first, to inaugurate a covenant relationship, but after, to maintain a covenant relationship.

From ancient suzerainty-vassal treaties we have a clearer understanding of the place of law or stipulations within covenant. Stipulations were to be viewed, not as so many hurdles for a partner to surmount, but as the delineations of the suzerain's will and as expositions of what loyalty to the suzerain entailed. At issue in Israel's covenant relationship with God was loyalty—not so much the observing of every detail, but walking in God's way with the intent to guard (שמר) themselves in their devotion to God. Because of the connection of covenant with ethics, the relational dimension is critical. God in grace supplies a sampling of instructions to profile how he desires his people to live. The covenant has "body" to it. It is made by a God who is holy. It is made for a people from whom loyalty is expected. The stipulations then look in two directions, bonding God and Israel. Ethics becomes more than asking, "What shall I do?" Ethics becomes a matter of asking, "What kind of person ought I to be?"

The covenant holds a theological primacy over law, even as story holds a genetic primacy over law. Recognition of the covenant context means that, to the extent that some laws served to demarcate an ethnic Israel, they are not directly incumbent on people of the New Covenant. Certain laws (food laws, circumcision, Sabbath-keeping) were explicitly given for the purpose of marking off Israel as God's chosen people. The Sabbath (mentioned in both sections, 19:3b; 30), is said elsewhere to be a sign of the covenant (Exod 31:13, 17). Keeping of the Sabbath, like the eating of only certain foods, was a badge-marker, a clear way of distinguishing Israel from its neighbors. As such, the Sabbath was distinctively Israel-connected and on that basis is not normative for today's believer. However, the Sabbath was also invested with significance stemming from the creation (rest from work); Christians will respect the injunction but for reasons other than covenant.

The setting of laws within covenant returns us to the acknowledgment that back of the laws is the covenant, back of the covenant

18. The correlation is charted by Hartley, *Leviticus*, 310.

is God's salvific act, and back of this salvific act is God himself, whose intrinsic holiness colors whatever is said about covenant obligations.

### *The Legal Codes Context*

Beyond the covenant setting for law, more needs to be said about law. Leviticus 19 is set within the so-called holiness code and so takes its place alongside other legal codes in the OT, such as the Ten Commandments or the covenant code (Exod 20:22-23:32). The Ten Commandments have in focus the head of a household.<sup>19</sup> The Covenant Code is targeted toward the clan. The Holiness Code and the Deuteronomic code are addressed more broadly to the entire congregation of Israel. But beyond such classifications, one must ask, what is the biblical theology of law?

Two elaborations—one about law's origin and the other about law's purpose—are germane for the question of the law's continuing normativity. As to origin and character, ancient Near East law codes, while given by a king, as in Hammurapi's code, are essentially a set of impersonal laws. By contrast the Mosaic law is the expression of a personal will. Leviticus 19 with its 14 uses of "I am the Lord" wants to emphasize, not only the authority that stands behind these injunctions, but especially the personality that promulgates these injunctions.

This person-centered nature of biblical law means that the regulations are not iron-clad statutes, unchangeable. Proof of the claim for some flexibility is in Lev 19 itself. Elsewhere the law makes clear that in an instance of adultery both parties, the man and the woman, were to be put to death (Deut 22:23-24). Here, however, framed as a casuistic law, the instruction—certainly strange in the light of other laws—is for the man guilty of sexual intercourse with a slave to pay damages (Lev 19:20).<sup>20</sup> Given that sexual relations between a man and a slave are wrong, the man is to make a guilt offering (19:21-22). The law of capital punishment for adulterers is here suspended. The same God who specifies the punishment of death for a given sin is the God who commutes that punishment.<sup>21</sup> The God who makes the rules can also make exceptions to the rules. To be inordinately fixated on the letter of the law, therefore, and to read these OT laws as applicable directly in every instance, even to the Israelite, goes against

19. Janzen, *Ethics*, 96-99.

20. "Damages must be paid"; so Wenham, *Leviticus*, 262. Contrast NRSV, "an inquiry shall be held." Compare with "there shall be an inquest," Milgrom, *Leviticus*, 1595.

21. Compare David's sin of adultery, even murder (1 Sam 11), where the law of capital punishment is not applied. R. Bauckham, *Politics*, 33-37, sees matters differently: the ruling in Lev 19:20-22 covers a situation not addressed elsewhere. Cf. Milgrom, *Leviticus*, 1665-77.

precept and precedent. The will of the Lawgiver, God, is the critical component in sorting out how the law is normative.

That there should be a certain latitude, even flexibility, in interpreting and implementing the "laws" does not mean that God is inconsistent. Rather, as lawgiver, God has the right to alter his directives. A mother is not inconsistent when at one moment she sharply instructs her children not to cut the flowers in the flower garden, yet moments later asks a daughter to cut some flowers for a table bouquet. In short, so complex is human behavior and so varied the circumstances that no number of verbal propositions could cover all life's exigencies. The ethics for the Israelite, as for the Christian, centers first not on laws but on the lawgiver, God, who is known for his justice (Isa 61:8) and operates out of holiness (Lev 19:2).

The recognition that God's personal will determines Christian ethics underscores the importance of cultivating a "God-fearing" attitude (Lev 19:14, 32). The devoted God-fearer is one who has "ingested" the "rules" but who has a higher aim than to live by the rules. His or her intent is to conform to the one who said, "Be holy, for I the Lord am holy." So understood, the law is clearly doable (Deut 30:11-14). Doing the law consisted of coming over to God's side and walking in God's way, but hardly in perfectionist behavior—no more than an embrace of Christ could be defined as living faultlessly (Matt 5:48).

Through laws, but also through stories, the Bible delineates "what a God-fearer looks like." Janzen, in pointing to the limitations of propositions as guidelines for ethical conduct, calls attention to the importance of paradigm. Janzen explains that with respect to drivers of automobiles, we carry within us an image of a good driver, an image developed from observation of a parent, a friend, or a driving instructor.<sup>22</sup> For that matter, the good driver may, in the interest of safety, suspend traffic rules he or she would otherwise observe. Similarly, the theology of law calls for a paradigm of a God-fearer who will be intent on knowing the divine "laws" but who as God-fearer is not immobilized by these laws.

A second pertinent point about the theology of law concerns its function(s). To be sure, the "law" reveals something about God; it also orders the life of the community, and its *telos* is a character of holiness. Even more, the law is life-giving, life-enhancing. "You shall keep my statutes and my ordinances; by doing so one shall live: I am the Lord" (Lev 18:5; for the purpose of this paper we can bracket out whether this promise of "life" entails "eternal life"<sup>23</sup>). An understanding of the law as life-giving, life-enhancing calls at once for the

22. Janzen, *Ethics*, 28.

23. For an affirmative answer, see my "Embracing the Law: A Biblical Theological Perspective," *BRR* 2 (1992), 1-28; cf. W. C. Kaiser, Jr., who nuances the text toward

Christian of the NT dispensation to take a sympathetic stance toward OT laws. Moreover, the Christian must recognize in them the potential of applicability to his or her own faith journey. It is in this vein that Paul instructs the Roman Christians about the definition of love that includes observing portions of the commandments, which he then lists (Rom 13:8-10). Rules (call them principles) about murder, theft, and coveting are applicable to the Christian; observing them makes for a good life.

Specifically, while the regulation about abstinence from certain foods is no longer binding on a Christian, there may be instances, as in the situation where a weak believer stumbles on these matters, that one abides even by such strictures (Rom 14:15). Paul insists on both freedom and sensitivity. He is not slavish about close adherence to the minutia of law, for he will not be dominated by law-keeping (cf. "all things are lawful for me," 1 Cor 6:12). Neither, however, does he ignore it. He will not dismiss the law wholesale as irrelevant, but on occasion invoke it as relevant. This principle of recognizing that certain instructions take on relevance at given moments is illustrated also by Jesus. He says to one who would follow him, "Sell your possessions" (Luke 12:33). This is hardly a command for every follower, however, for he also instructs to lend to the poor (Luke 6:34, 35), a teaching impossible to implement for one with a total property sell-out.

We may expect that certain "laws," even the "strange ones," might take on relevance at different points in differing cultures. Certain behaviors are unbecoming for God-fearers because the general culture weights them with special meaning. For example, ear-piercings by males in our culture at one point symbolized an unbiblical lifestyle.<sup>24</sup> If the Bible was given as a book for the ages, then might not the Levitical prohibition about body-piercings become relevant, its observance not only prudent, but—as determined by a Spirit-led community intent on reverencing God—even mandatory? More germane is attention to social ethics, to marginalized people and to social systems, that either continue to oppress or serve to enhance their well-being.<sup>25</sup>

A holistic biblical theology of "law" will not rule out the OT instructions as obsolete, nor will it resort to casuistry, nor will it in the-

sanctification rather than salvation, "Leviticus 18:5 and Paul: 'Do This and You Shall Live' (Eternally?)," *JETS* 14 (1971): 19-28.

24. Wenham holds that "this law conforms to other holiness rules which seek to uphold the natural order of creation and preserve it from corruption (cf. 19:19; 18:22-23; 21:17ff)" (*Leviticus*, 272). Hartley points to laceration as part of the rites of Baalistic fertility worship (*Leviticus*, 321). Also marking the body (e.g., body-painting) was a pagan practice. On tatoos, Milgrom notes the Egyptian custom of branding devotees of a god with the name of that god (*Leviticus*, 1694).

25. Cf. J. David Pleins, *The Social Visions of the Hebrew Bible: A Theological Introduction* (Louisville: Westminster John Knox, 2001).

onomist fashion seek to order all of life through the strict adherence to detailed injunctions. However, it will make for a God-fearing attitude, discerning that certain propositions, such as love of God and love of neighbor, have permanent claim in governing conduct. It will also discern that other laws—even the particularistic ones—must, as directed the Spirit, be allowed legitimacy.

*Jesus and the New Testament as Context*

We have already reached into the NT but, working with a panbiblical theological framework, we now ask more pointedly: what bearing does the coming of Jesus (and the consequent NT) have on the interpretation of the Torah?<sup>26</sup> Several theses can serve as a skeleton answer to the question.

*Jesus Fulfills the Law and Does Not Abrogate It.* Jesus' claim to fulfill the law (Matt 5:17) is best understood as saying that he filled out, extended it (as it were), and fleshed out the OT law. The law to love neighbor in Lev 19:18 is already extended in the same chapter to the alien (Lev 19:34), with the implication that "the principle has no limit."<sup>27</sup> Jesus extended it to include the needy of whatever stripe (Luke 10:29-37) and even to include enemies (Matt 5:44-47). Propositions are at best but a limited expression of God's will, for no number of propositions could represent the full intention of Yahweh. But in Christ's person, that fuller expression of God's will was disclosed both by instruction and by modeling.

Jesus nowhere denigrates the law or dismisses it. Those who conclude from Jesus' statement on fulfilling the law that Jesus supersedes the law in the sense of setting it aside have it wrong, as Jesus' further exposition makes clear (Matt 5:18-48). Especially in the face of the Pharisaical challenge, an interpretation that stressed the minutia of law-keeping, Jesus impressed upon his hearers the attitudinal aspects of the law. Not murder only but the anger leading to murder is sin. Being (character) as well as doing (decision) is critical, a point already hinted at in Lev 19. There is every indication from the life of Jesus that "the law holds,"<sup>28</sup> in the sense that it cannot be dismissed. Granted, it needs interpretation.

26. For recent works stressing a Christological reading of the OT see R. W. L. Moberly, *The Bible, Theology, and Faith: A Study of Abraham and Jesus* (Cambridge: Cambridge University Press, 2000); Francis Watson, *Text and Truth: Redefining Biblical Theology* (Edinburgh: T. & T. Clark, 1997); and Sidney Greidanus, *Preaching Christ from the Old Testament: A Contemporary Hermeneutical Method* (Grand Rapids: Eerdmans, 1999).

27. Bauckham, *Politics*, 39-40.

28. Allen Verhey, *The Great Reversal: Ethics and the New Testament* (Grand Rapids: Eerdmans, 1984), 83.

*Jesus Interpreted the Law.* Not all injunctions carry the same moral freight. There is a hierarchy within the laws; some laws, such as those about justice, mercy, and faith, are weightier than laws about tithing mint, dill, and cummin (Matt 23:23). For our Leviticus text, this means that the prohibition about certain haircuts is not on a par with the command to love one's neighbor.

Jesus pointed his listeners, as in the divorce discussion, to the intention behind the law (Matt 19:3-9). Rather than quibble casuistically about possible interpretations, he referred his listeners to story. He was also clear about the nonapplicability of food laws: "Thus he declared all foods clean," Mark 7:19).<sup>29</sup> The Sabbath law, so critical to the Pharisees, was at least partially relativized. There were values larger than obedience to strict sabbath observance.<sup>30</sup>

*Jesus, like God in the Old Testament, Stands over the Law.* Jesus stands over the law of Sabbath observance. The Sermon on the Mount is punctuated with "but I say unto you," which is to say that he stands in authority over the specific law and every law (e.g., Matt 5:32; cf. 12:8). This refrain is like the refrain in Lev 19:4, "I am the Lord your God." Both Matt 5 and Lev 19 fairly scream the message: a personal lawgiver stands behind the injunctions, which means that a personal will is more determinative than any verbal proposition. Torah propositions are legitimate expressions of the divine will, but they are not the sum of the divine will. They are injunctions of importance, but more important than the propositions is the lawmaker himself. So, while the figure of Moses appears on the Mount of Transfiguration, the voice from heaven instructs, "This is my Son, the Beloved. . . . Listen to *him*." And how does this listening happen now? It happens by hearing Jesus in the NT and by attending to the Spirit of God in the church.

*The Spirit of God Is the Ethical Director for the Christian.* The reality of the Spirit as freshly underscored in the NT is the teacher—not least the teacher regarding ethical behavior. Paul, upon speaking about the filling of the Spirit, launches immediately into prescribing appropriate ethical behavior between spouses, parents and children, and employers and employees (Eph 5:18-6:9). The Holy Spirit is to help Christians please a holy God.

29. Compare "What God has made clean, you must not call profane" (Acts 10:15). Paul's teaching on food laws coheres with Jesus' (Rom 14:1-23; 1 Cor 8:1-13; 10:23-11:1; Gal 2:11-14).

30. A short survey of the Sabbath question along with bibliography is given in Thomas R. Schreiner, *The Law and Its Fulfillment: A Pauline Theology of Law* (Grand Rapids: Baker, 1993), 169-70. His conclusion that "Paul does not see the sabbath as normative for believers" requires modification, however.

In short, with the coming of Jesus we have the benefit of his interpretation of the Torah, and with the coming of the Holy Spirit the church has the existential leadership of the Spirit on the sometimes less-than-clear application of OT Torah to the immediate situation. One may think of the Spirit of God's giving guidance in a special circumstance as a NT corollary to the case laws in Lev 19.<sup>31</sup>

With the mention of the Holy Spirit, I have invoked the third person of the Trinity. From the larger context of the NT, the pace-setting statement "you shall be holy . . . I am the Lord your God" (Lev 19:2) must now be variously nuanced. We may hear it say: "I, God the Father, am the Lord your God, who have laid out my will in propositions through Moses." We hear it say, "I, Jesus Christ the Son, am the Lord your God, who in my incarnate person have revealed God's will in a fuller way through flesh and blood and have demonstrated how the propositions are to be understood." We hear Lev 19:2 say, moreover: "I, the Spirit of God, am the Lord your God, who will direct the church and individuals in all things, including the shape and implementation of God-pleasing character and conduct." Our hermeneutic is a biblical theological hermeneutic—among other things, a trinitarian hermeneutic.

The outcome of our textual and contextual study of Lev 19 as it bears on ethical practice is to assert:

1. The law-maker himself, represented in "I am the Lord," understood from the canonical context as Father, Son, and Holy Spirit, is the dominant consideration for Christians' ethical appropriation of the OT. Christian ethics is not primarily about conceptual gymnastics, seeking warrant for certain behaviors, but about obedience to the Sovereign God.
2. A corollary to the assertion about the Trinity as the key factor in hermeneutics is to acknowledge some latitude in applying both patterns and propositions to everyday living, inasmuch as a personal will rather than propositions is fundamental.
3. Holiness remains the operational word in Christian ethics. Moral behavior is not governed primarily by duty, as though rules are determinative (deontology; cf. Kant). Aristotle was in some ways closer than Kant to the biblical orientation by insisting on character and virtue.<sup>32</sup> Still, his discussions on the

31. The suggestion comes from Professor Dwight Acomb (private communication). An impressive correlation between Lev 19 and James is offered by L. K. Johnson, "The Use of Leviticus 19 in the Letter of James," *SBL* 101/3 (1982): 391-401.

32. Virtue ethics rather than deontic ethics (duty, obligation) has been advocated as an approach to Christian ethics by Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press,

importance of character do not approach the biblical emphasis on either ethics as a form of cultivating a personal relationship or holiness as a criterion in imitating God. In philosophical terms, conformity to God's character and way is the "end" for ethics.

4. Holiness has body to it. What is intended by holiness is specified through story (paradigms) and through propositions. Holiness means proper attitudes and actions relative to God, other persons, and nature.
5. Interpretive decisions on ethics require attention to the biblical theological context, namely: (1) story, (2) covenant, (3) law, and (4) the Christ-event. In other words, in regard to laws, covenant trumps laws, story trumps covenant, and Jesus Christ trumps all.

#### THE "NORMATIVIZING" OF OLD TESTAMENT LAWS

More immediately and practically, the route toward what is normative entails attention to paradigms (as with story and covenant), principles (as with some forms of the law), and precedents (as with Jesus' interpretations).

Regarding the word *paradigm*, following C. J. H. Wright, I refer to its function in grammars, where a paradigm is a model for the way in which other verbs or nouns of similar type are formed: "a paradigm is not so much imitated as applied."<sup>33</sup> The regulations about gleaning are to be treated as a paradigm (Lev 19:9-10). To be sure one can abstract a principle from this regulation, namely, the duty to assist the poor. But this is to evacuate considerable meaning from the gleaning instruction. Its paradigmatic significance is that in one's vocation one is to find ways of helping the poor and disadvantaged. The down-to-earth paradigm both wraps into itself something of the quality of holiness (compassion) and points the way toward achieving it.

Is the California vineyard owner or the vine grower in central India still bound by the injunction not to strip his vineyard bare but to

---

1981). Cf. J. J. Kotva, *The Christian Case for Virtue Ethics* (Washington, D.C.: Georgetown University Press, 1996). For a critique of virtue ethics as Christian ethics, see Harry Bunting, "Ethics and the Perfect Moral Law," *TynBul* 51 (2000): 234-60.

33. C. J. H. Wright, *An Eye for an Eye: The Place of Old Testament Ethics Today* (Downers Grove: InterVarsity, 1983), 43 = *Living as the People of God* (Leicester: InterVarsity, 1983). See Wright's elaboration of paradigm in *Walking in the Ways of the Lord: The Ethical Authority of the Old Testament* (Downers Grove: InterVarsity, 1995), 59ff. The extremely helpful material by Wright and Janzen, *Ethics*, is here both assumed and endorsed.

leave gleanings (Lev 19:9-10)? The answer for the Californian is "no"; Californians have other provisions in place for aiding the poor. But for the farmer in India? Possibly, if this culture so cares for its poor. But the biblical paradigm forces the Californian to examine the social system that either cares or does not appropriately care for its poor.

The paradigm approach means that there is both a certain freedom from and a certain obligation to the specific regulation. For example, the regulation about mixtures in clothing, inasmuch as it is given within a covenant of God with Israel, is not directly incumbent on the believer. Still, as a paradigm about boundaries, such a regulation is not to be dismissed as irrelevant. It is quite within the realm of the probable that, given the Holy Spirit's guidance in the church, such a Scripture should on occasion be invoked as direction-setting. Precedent here is the early church's struggle with law-keeping for the Gentiles. The Spirit brought to James's mind Amos 9, which pointed the way that the church should go (Acts 15:13-21). Is it not conceivable that, when believing ethicists wrestle for example with the current practice, especially in Europe, of mixing plant and animal genes, guidance might come to them from a text about admixtures?<sup>34</sup>

Injunctions such as "love your neighbor" are unambiguous principles though the implementation may not always be clear. By principles I mean the kind of statement that shows no limitation to territory or time, that exists without qualification, and that is incumbent on a moral agent as foundational duty. Jesus pointed to principles when he announced the two greatest commandments: "Love God," "love neighbor" (Matt 22:37-39). But, because the injunctions are given within story and covenant, they are paradigms—as much as if not more than principles—that delineate the meaning of the principles, and thus are formative for Christian ethics.

It is inadequate to say, as do G. Fee and D. Stuart, that "only that which is explicitly renewed from the Old Testament law can be considered part of the New Testament 'law of Christ' (cf. Gal. 6:2)."<sup>35</sup> Their exposition turns largely on stated principles and propositions, and to this extent their appropriation of the OT is to be endorsed. However, such a hermeneutic, which limits application to principles, is faulted by its selectivity. The OT case laws, as paradigms or molds cannot so summarily be dismissed, for they continue to represent something of God's holiness and so are pedagogically informative to illustrate how, for example, the principle of neighbor love is to be practiced.

34. I owe this example to Olga-Maria Cruz.

35. Gordon Fee and Douglas Stuart, *How to Read the Bible for All Its Worth* (Grand Rapids: Zondervan, 1982), 139.

The clearest *precedent*, apart from OT illustrations, for dealing with ethics arising out of law is given by Jesus Christ. Jesus' verdict on the food laws renders the food laws nonbinding on the believer, though they continue to instruct us (at a minimum) that even the eating of foods falls into the "holiness" zone. Regulations about sacrifice (Lev 19:5-8) are *instructive* for the believer but, as Bauckham notes, such regulations are not *instructions* to us.<sup>36</sup> The straightforward regulation about divorce is qualified by attention to God's original intention. Jesus therefore calls attention to the law-giver. Where rationale is given, as in the treatment of the alien, the rationale is determinative also for related matters.

### CONCLUSION

In appropriating "legal" texts such as Lev 19 for the Christian, care is needed lest Scripture be employed selectively or, even worse, suppressed.<sup>37</sup> Overall, any OT injunctions must be understood within a world view in which God, who has initiated the journey of a people in close personal relationship to him (as in covenant), expresses his personal will.<sup>38</sup> God's intent is for his people to be holy. The Scripture makes clear that, above all, ethics is teleological: the goal is conformity in character to a holy God.

And if this preoccupation with conformity to God as holy raises hosts of questions about details in taking action, well and good. Critics might chant, "But this way of viewing ethics lacks precision." Precisely! Ethical decisions are too complex to be disentangled with a single or even multiple hermeneutical rules. The very engagement of the church with the OT will force the issue of the shape of holiness and how this holiness can be represented. In seeking answers the inquirer will be pushed back to God himself, the Holy One, and thereby come within the zone of holiness.

Biblical theology is *one important* hermeneutical tool for the Christian church in appropriating OT law. Christians will give foremost attention to the larger ethical framework, a world view in which God's people have a storied identity; operate in a covenantal

36. Bauckham, *Politics*, 3-19.

37. Compare with "Religion, then, must do some very careful selecting and suppressing when it goes to the scriptures for direct statements about morality." John B. Gabel, Charles B. Wheeler and Anthony York, *The Bible as Literature: An Introduction* (4th ed.; Oxford: Oxford University Press, 2000), 298.

38. See the chapter headings (e.g., "Ethics and Covenant," "Ethics and Journey," "Ethics and Law") in J. Gary Millar, *Now Choose Life: Theology and Ethics in Deuteronomy* (Grand Rapids: Eerdmans, 1986); and David Dorsey, "The Use of Old Testament Law in the Christian Life: A Theocentric Approach," *EvQ* 17 (1999): 1-18.

relationship with. God, and hence know the function of "law"; and most of all, come to internalize (as a community and as individuals) the significance of the Christ event.

## APPENDIX: STRUCTURAL OUTLINE OF LEVITICUS 19

I. Introduction	vv. 1-2a	
II. Message	vv. 2b-37	
A. Stipulation	v. 2b	"You shall be holy"
B. Apodictic Instructions	vv. 3-4	
1. Directives	v. 3a+b	Reverence parents/Sabbaths
*Self-Identification (basic)	v. 3c	
2. Prohibitions	v. 4a+b	Idols/images
*Self-Identification (basic)	v. 4c	
C. Case Law I (sacrifices)	vv. 5-8	
1. Circumstance	v. 5a	"When you sacrifice . . ."
2. Directives	vv. 5b-7	Acceptable, time, left-overs
3. Punishment for violation	v. 8 a, c	Wrongful eating, cut off
4. Motivation	v. 8b	Profaned YHWH's holiness
D. Case Law II (harvest)	vv. 9-10	
1. Circumstance	v. 9a	"When you harvest . . ."
2. Prohibitions	vv. 9b-10a+b	Not all corners; not fully
3. Directive	v. 10c	"Leave them for the poor"
*Self-Identification (basic)	v. 10d	
E. Apodictic Instructions	vv. 11-19	
1. Prohibitions	vv. 11-12b	Property, testimony, oath
*Self-Identification (abbrev.)	v. 12c	
2. Prohibitions	vv. 13-14	Neighbor (defraud, steal, wages) Handicapped (deaf, blind)
3. Directive	v. 14c	"Fear your God"
*Self-Identification (abbrev.)	v. 14d	
4. Prohibition	v. 15a-b	Partiality in judgment
5. Directive	v. 15c	Judge righteously
6. Prohibitions	vv. 16a+b	Not slander/exploit neighbor
*Self-Identification (abbrev.)	v. 16c	
7. Prohibition	v. 17a+b	Neighbor: no hatred/no reproof
8. Directive	v. 18a+b	Neighbor: no vengeance/love
*Self-Identification	v. 18c	him
F. Stipulation	v. 19a	"You shall keep my statutes"
G. Apodictic	v. 19b-e	
1. Prohibition	v. 19b-e	No cross-breeding/sowing fields No mixed fabrics
H. Case Law III (master/slave)	vv. 20-22	
1. Circumstance	v. 20a+b	"If a man has sexual relations..."
2. Directives	v. 20c+d	Hold inquiry/no capital punishment
3. Motivation	v. 20e	She has not been freed
4. Directives	vv. 21-22	Bring an offering
I. Case Law IV (fruit)	vv. 23-25	
1. Circumstance	v. 23a	"When you . . . plant all kinds
2. Directives	vv. 23b-25a	When to take fruit
*Self-Identification (basic)	v. 25b	

J. Apodictic	vv. 26-32	
1. Prohibitions	vv. 26-28b	No Blooded foods No divination/no magic No trimming facial hair/beards No gashes/no tattoos
*Self-Identification	v. 28c	
2. Prohibitions	v. 29a+b	No prostitution/no depravity
3. Directives	v. 30a+b	Keep Sabbath/revere sanctuary
*Self-Identification (abbrev.)	v. 30c	
4. Prohibitions	v. 31a+b	No prophecy for dead/no favors
*Self-Identification (basic)	v. 31c	
5. Directives	v. 32a+b v. 32c	Revere the aged/honor elderly Reverence God
K. Case Law V (aliens)	vv. 33-34	
1. Circumstance	v. 33a	"When an alien lives with you..."
2. Prohibition	v. 33b	Do not oppress him
3. Directive	v. 34a+b	Treat him with care/love him
4. Motive	v. 34c	You were aliens
L. Apodictic	vv. 35-37	
1. Prohibition	v. 35	You shall not cheat in measuring
2. Directives	vv. 36a	Honest measures
*Self-Identification (expanded)	v. 36b	
M. Stipulation	v. 37a+b	Observe statutes/do judgments
*Self-Identification (abbrev.)	v. 37c	