DAVID LINCICUM

Paul and the Early Jewish Encounter with Deuteronomy

Wissenschaftliche Untersuchungen zum Neuen Testament 2. Reihe 284

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For Julia

My dream thou brok'st not, but continued'st it

Preface

This monograph presents a lightly revised version of a doctoral thesis defended in the Theology Faculty at the University of Oxford in July 2009. The monograph and the underlying thesis together mark the culmination of a long process – a process that would have been impossible without the generous help of a number of people.

Without the patient and persistent guidance, challenging questions, and whole-hearted investment of my supervisor, Professor Markus Bockmuehl, the thesis would have been much poorer; he has proven to be a Doktorvater in the grand tradition. His influence is evident throughout the work in ways ranging from the subtle to the profound. In addition, I benefited from the suggestions of those who read and commented on significant sections of the thesis, including Professor Richard Bauckham, and Drs. John Muddiman and Mark Edwards. My two examiners, Professors William Horbury and Martin Goodman, posed trenchant questions for further reflection. Professor G. K. Beale kindly encouraged my first investigations of Deuteronomy in Paul. A number of colleagues at the Universities of St. Andrews, Oxford and Tübingen, where research for this thesis was carried out, deserve mention for thought-provoking conversations and friendship: Martin Bauspieß, Patrick Egan, Chris Hays, Drew Lewis, Kenneth Liljeström, R. J. Matava, Casey Strine, Tim Stone, and Seth Tarrer. Among these friends, Chris Hays deserves special mention: a fellow sojourner whose warm friendship and probing insights have strengthened me and this work in innumerable ways. Finally, the members of the Theology Faculty in Oxford have generously supported my transition from doctoral student to junior colleague with good humour and grace; my thanks especially to Markus Bockmuehl, Paul Joyce, John Muddiman, Joel Rasmussen, Chris Rowland, and Chris Tuckett.

Ideas from some portions of the investigation were aired at various scholarly meetings and conferences, to whose participants I owe thanks for challenging and illuminationg responses. Portions of Chapter 2 were presented to the 2008 "Annual Seminar on the Old Testament in the New" chaired by Professor Steve Moyise at St. Deiniol's Library. Some portions of Chapters 3 and 8 were presented as "Paul and the Temple Scroll: Reflections on Their Shared Engagement with Deuteronomy" to the Oxford New Testament Graduate Seminar, 24 January 2008 and to the "Scripture in Early Judaism and Christianity" Unit at the 2008 SBL meeting in Bos-

ton. An early version of portions of Chapter 8 was presented in January 2009 as "The Shape of Paul's Deuteronomy" to the German-English New Testament Colloquium at the University of Tübingen in conjunction with the Institut zur Erforschung des Urchristentums. For such opportunities I am grateful to organizers and participants alike.

The underlying thesis was enabled by generous financial help from a number of organizations and individuals. Grants from the Sir Richard Stapley Educational Trust, the Grinfield Bequest, the Faculty of Theology in Oxford, and an Overseas Research Student Award from the University of Oxford relieved financial anxieties and allowed me to focus on my research. A generous Scatcherd European scholarship facilitated a research stay in Tübingen for most of the 2008–2009 academic year, where I also incurred debts to Professor Hermann Lichtenberger and Dr. Scott Caulley for their hospitality and collegial discussion. In addition, I have been fortunate enough to have had significant support in one form or another from numerous friends and family members: Beth and Leon Smart, Christine and Jack Piers, Clem and Mary Lincicum, Steve and Becky Lincicum, Judy Lincicum, Amy Stephens, Brandon Lincicum, Matt and Katie Lincicum, Paul and Laura Piers, Matt Piers, Brent and Lindsay Gosnell, David and Andreea Hoover, Brandon and Denise Walsh, Carmen and Eli Foster, Devin and Larissa Vaughn, Holly and Shawn Duncan, Rick and Rebecca Prenshaw, Walt and Mercy Avra. Each name conceals a debt of gratitude which will not soon be forgotten.

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Finally, my most significant human debt is cheerfully acknowledged: Julia has borne with a distracted husband in a spirit of patient sacrifice and warm support during these nomadic years, and it is only right that my longstanding gratitude and admiration should here be publicly expressed.

Oxford, Good Friday 2010 David Lincicum

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Abbreviations

Abbreviations follow *The SBL Handbook of Style* (Peabody, MA: Hendrickson, 1999). In addition, note the following:

BDAG	W. Bauer. 2000. *A Greek-English Lexicon of the New Testament and other Early Christian Literature*. English editions by W.F. Arndt, F.W. Gingrich, and F.W. Danker. 3rd ed. Revised and Edited by Frederick William Danker. Chicago: University of Chicago Press.
BDF	F. Blass, F. and A. Debrunner. 1961. *A Greek Grammar of the New Testament and Other Early Christian Literature.* Translated and revised by Robert W. Funk. Chicago: University of Chicago Press.
CCSL	Corpus Christianorum Series Latina
CIJ	*Corpus Inscriptionum Iudaicarum*
CPJ	*Corpus Papyrorum Judaicarum*
DJD	*Discoveries in the Judaean Desert*
ESV	English Standard Version
ET	English translation
EVV	English versions
HT	Hebrew text
IJO	*Inscriptiones Judaicae Orientis*
JIGRE	*Jewish Inscriptions of Graeco-Roman Egypt*
JIWE	*Jewish Inscriptions of Western Europe*
LCL	Loeb Classical Library
LSJ	Henry George Liddell, Robert Scott and H. S. Jones with R. McKenzie. 1996. *A Greek-English Lexicon*. 9th ed. Oxford: Clarendon.
MAMA	*Monumenta Asiae Minoris Antiqua*
MS(S)	Manuscript(s)
MT	Massoretic text
NRSV	New Revised Standard Version
OTP	J. H. Charlesworth, ed., *The Old Testament Pseudepigrapha*. 2 vols. Garden City, NY: Doubleday.
PG	J.-P. Migne, *Patrologia Graeca*
SEG	*Supplementum Epigraphicum Graecum*
Str-B	H. Strack and P. Billerbeck. 1926–28. *Kommentar zum Neuen Testament aus Talmud und Midrasch*. 6 vols. Munich: Beck.
TDNT	G. Kittel, and G. Friedrich, eds. 1964–76. *Theological Dictionary of the New Testament*. Translated and edited by G. W. Bromiley. 10 vols. Grand Rapids: Eerdmans.

Chapter 1

Introduction

> Because all the generations which arose before us forever even until now stand here with us this day before the Lord our God, and all the generations which are to arise after us stand here with us this day.
>
> *Targum Neofiti* Deut 29:14

1.1. Inferring an Icon: Paul, Scripture and the Jews

In the twelfth and thirteenth centuries, a number of ornately illustrated Bibles were commissioned by members of the wealthy European aristocracy. In keeping with the practice of the day, the manuscripts were supplied with intricately executed pictures at the beginning of each work, the Pauline epistles being no exception. Striking, however, is the clarity of the statement these historiated initials urge: Paul's letters are a profound repudiation and confutation of Judaism. One twelfth century manuscript, in the initial of Romans, depicts Paul standing victoriously on a vanquished Lady Synagoga, herself blindfolded and despondent.[1] Other manuscripts, especially of the so-called *Bibles moralisées*, repeat in variation scenes in which a nimbed and sainted Paul stands over against his Jewish adversaries, the latter clearly identified by their pointed hats: Paul is perceived as already fundamentally other than his benighted Jewish contemporaries.[2] Insofar as the law figures in these illustrations, it is a symbol of a vain Jewish literalism in opposition to the liberating Christian gospel, at best of use to Paul in refuting culpably pedantic Jewish interpreters, though not in any true sense a source of constructive reflection for the apostle.

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[1] Boulogne, Bibl. Mun., MS 2, Vol. II, fol. 231; see Eleen 1982: 69 and fig. 120; see also her fig. 328. For other roughly contemporaneous portrayals of Synagoga as blinded, see Blumenkranz 1966: 61–66.

[2] See, e.g., Eleen 1982, figs. 245–48. On these manuscripts, note esp. Eleen 1982: 118–49; Lipton 1999, who calls them "an unprecedented visual polemic against the Jews" (1). What is more, in an ironic twist, Lipton suggests that the monarch may have had the manuscript made for himself in keeping with the laws of the King in Deuteronomy 17 (10–11).

Iconographic illustrations often function in manuscripts of the Pauline epistles as heuristic statements through which the epistle is to be read, that is, as a sort of holistic indication of what to look for in the letter, a visual act of interpretation.[3] Clearly, to the degree that contemporary scholarship on Paul may be said to operate with its own implicit "iconography" of the apostle, it stands at a far remove from these medieval examples. The guiding images that led readers to hear the Corpus Paulinum in a certain way also contributed to the mistreatment and abuse of actual and not just iconographic Jews – though we should be clear that the images are probably symptom more than cause of the underlying political and religious malaise. Nonetheless, the contemporary reader of Paul's letter collection feels rightly chastened by the tragic events of the 20th century: in the shadow of the holocaust, we are more aware than ever that hermeneutical construals of Jews and Judaism can have devastating political consequences. After the *Judenfrage* hinted at by these images was answered so horrifically in the last century, we have rightly abandoned such iconography as interpretative guides. Perhaps equally importantly, and as the argument of this investigation can be taken to suggest, these images do not do justice to the nature of the Pauline epistles themselves. Paul, Scripture, and the Jews: the constituent subjects of the iconography remain the same today, but they have been drastically re-configured with reference to one another.

Of course, now it is *de rigueur* (if also something of a truism) to say that Paul himself is among the Jews and operated within the time before a clear distinction between Judaism and Christianity. This is so whether one chooses to describe the early Christian movement as one form of "Middle Judaism" (so Boccaccini 1991), as a sibling locked in rivalry with an emerging Rabbinic Judaism (so Segal 1986; similarly Hengel 2005), or as a movement engaged on a journey whose "way" has not departed from that of other Jewish movements (so, e.g., Becker and Reed 2003; cf. Boyarin 2004). Now, however, when we are accustomed to hearing of the sheer pluriformity of Second Temple Judaism, the precise form of Paul's debt to his ancestral tradition may yet be susceptible to further definition. If we wish to describe this Jewish apostle to the Gentiles, we might do worse than to begin with the presupposition of Paul's Jewish identity (firmly established especially over the past 30 years or so) and seek further specificity in one aspect of this identity. Answering this desideratum, the present study offers a reading of Paul as a Jewish interpreter of Deuteronomy among other Jewish interpreters of Deuteronomy.

[3] See Eleen 1982: 45–46, 149, etc. The evidence Eleen marshals of the influence of the so-called Marcionite prologues on Pauline iconography in biblical manuscripts supports this hermeneutical function.

1.2. Paul and Deuteronomy

Presented as a series of Moses' final speeches to Israel as she is about to cross the Jordan and "inherit" the land of promise, Deuteronomy already represents itself as a re-visioning of the law and rings with a contemporizing quality that seeks to collapse the distance between generations in its telescopic address. A broad tradition of subsequent interpretation and reappropriation of Deuteronomy was virtually assured in light of two factors: Deuteronomy served as a fundamental and normative text expressing the will of God, and the conditions in which Deuteronomy later came to be read and heard no longer aligned with those to which it originally addressed itself.[4] Thus, if Brevard Childs is correct in claiming that Deuteronomy "instructs future Israel on the manner in which past tradition is properly made alive in fresh commitment to the God of the covenant" (1979: 224), it is equally true that the manner in which these instructions were followed varied widely among those who considered themselves addressed as Israel. We might say that Deuteronomy was therefore encountered as both constraint and possibility – as constraint, in that its normativity was granted as binding; as possibility, in that its very consciousness of resourcing posterity lent itself to multiple and irreducibly diverse interpretations.

This dual aspect of Deuteronomy's reception, therefore, makes possible the comparative venture of the present investigation. If all interpreters agree on the sheer givenness of Deuteronomy's authority as Torah, the precise interpretative goals with which they approach the end of the Pentateuch differ in intriguing ways. This study seeks to delineate the range of approaches to the "last book of Moses" in Jewish literature spanning from approximately the third century BCE to the third century CE, with a special focus on the relief into which such delineation casts the apostle Paul. The nature of this question, then, naturally entails a consideration of the construal of texts as wholes. What it might mean to look for a holistic rendering of a text will, I hope, become apparent as we proceed.

To be concerned with Deuteronomy as in some sense a whole corresponds in important ways to the *realia* of its encounter in antiquity (see § 2

[4] Cf. Fishbane 1985: "…the two following factors which may be isolated as necessary *historical* components in the development of post-biblical Jewish exegesis: on the one hand, authoritative texts or teachings whose religious-cultural significance is fundamental; on the other, conditions to which these texts or teachings do not appear to be explicitly pertinent" (3; cf. also 15). Fishbane's student, B. Levinson (1997), suggests that Deuteronomy itself has already performed an act of hermeneutical transformation in appropriating and refining earlier traditions, though he casts this in much more agonistic form than Fishbane (e.g., 148–53, etc.), sometimes, however, by means of extreme suspicion.

below). Nevertheless, at one time it was perhaps customary, at least in certain circles of English-speaking scholarship, to blithely dismiss Paul's scriptural quotations as mere flights of atomistic imagination. Paul, it was argued, seized upon the wording of individual verses that could perpetuate his argument, wrenched them from their context, and smuggled the fragments into his letters in an act of hermeneutical baptism – in the best light, an embarrassing, if also perhaps apostolically authorized, indiscretion which we sensible modern readers would do best to avoid. After all, hadn't Paul indicated his contempt for context when he wondered aloud, "What does God care for oxen?" And it has to be conceded that, judged according to historical-critical standards, Paul showed nothing like the modern exegete's concern to understand Scripture in its original historical setting.

Nevertheless, if this position, admittedly overdrawn here, could once claim something like a consensus, all that has now changed. Following on from the work of C. H. Dodd in the 1950s, and especially in the wake of Richard Hays's epochal 1989 study, *Echoes of Scripture in the Letters of Paul*, an increasing number of voices in recent scholarship has claimed the apostle Paul as a consummate interpreter of Scripture. Much of this work has drawn on insights from literary and theological criticism to suggest that Paul and other early Christian authors approached Scripture with reading strategies that, while certainly not akin to modern historical criticism, display their own internal logic and respect for context. Some examples of this trend, to be sure, tend to abstract Paul's reading of Scripture from his own historical situation, and critics have highlighted this a-historical tendency. But it is clear that we have seen a significant shift in emphasis: exit Paul the purveyor of pithy, free-floating axioms, enter Paul the reader. While much of the interest in seeing Paul as engaged in some form of holistic biblical interpretation has so far centered on his appropriation of Isaiah, increasing attention is also being paid to the other books in his functional canon – and Deuteronomy features among Paul's favorites. Nevertheless, consideration of Paul's recourse to Scripture in terms of such holistic construals has not often been undertaken.

Elsewhere I have offered a more detailed history of research on the question of Paul's recourse to Deuteronomy, and it need not be repeated *in extenso* here.[5] Nevertheless, this work stands indebted to the several significant studies that have recently addressed aspects of the role Deuteronomy plays in Paul's letters. Individual monographs have been largely or wholly devoted to Paul's engagement with Deuteronomy in Galatians 3 (Wisdom 2001), 1 Corinthians 8 (Waaler 2008) and Romans 10 (Bekken 2007). Some have proposed that Paul operates within a Deuteronomic pat-

[5] See Lincicum 2008a; note also 2008c. To the works there surveyed should be added esp. Moyise and Menken 2007; Bekken 2007; Waaler 2008.

tern of thought (e.g., Scott 1993a; 1993b), though this position has not gone unchallenged (e.g., Waters 2006). The roles played by the Song of Moses (Bell 1994) and Deut 27–30 and 32 more broadly (Waters 2006) in Paul have also been subjected to enlightening scrutiny. Others have examined Paul's ethical teaching in light of his appeals to Deuteronomy (Rosner 1994; Perona 2005). As this brief paragraph is already sufficient to suggest, however, most major studies have been concerned *either* with Paul's ethical appeals to Deuteronomy *or* with his theological readings.[6] The major exception, and thus the most important study to mention in this regard, is Francis Watson's *Paul and the Hermeneutics of Faith* (2004), which concludes that the two aspects are fundamentally incompatible.[7] In light of the significance of his work and the fact that my own conclusions differ from his, it is worth here considering how Watson views Deuteronomy as functioning in Paul's letters.[8]

Watson's discussion of Deuteronomy is found in the final chapters of his study of Paul's engagement with Scripture. Paul, as an exegetical theologian, Watson argues, had a comprehensive scriptural hermeneutic by which he read the Pentateuch as a complex narrative unity – a narrative unity that both discloses and resolves major tensions in its own self-presentation as law and promise. The metaphor of a three-way conversation is key to Watson's presentation: Paul engages with Scripture, but also engages with his fellow Jews who likewise read the sacred text – even when that engagement must be characterized as tacit (2004: 78–79). In a series of juxtaposed readings, Watson presents Paul as an exegete who reads Scripture in light of God's action in Christ and God's action in Christ in light of Scripture, and so definitively stresses "the hermeneutical priority of the promise" (2004: 15 n. 5 and *passim*). Watson labors to demonstrate that "Paul cites individual texts not in an *ad hoc* manner but on the

[6] The other four major conclusions of the survey in Lincicum 2008a are: (1) Compared to the relatively high number of studies concerned with the reception of Isaiah in Paul, Deuteronomy has received little attention. While some of this can surely be attributed to the greater frequency of Isaiah citations in Paul, Deuteronomy also functions as an important theological and ethical resource for the apostle, and should be examined accordingly. (2) Recent studies on the *Vorlage* of Paul have set the stage for a more intensive investigation of the types of engagement Paul makes with individual books and sections of Scripture. (3) Many contributors have suggested that Paul's understanding of the 'curse of the law' is explicable by recourse to Deuteronomy, but there is as yet no agreement as to either how much of Deuteronomy provides the context for the assertion or what theological import recourse to Deuteronomy has for one's construal of the 'curse of the law'. (4) Systematic study of Paul's ethical engagement with Deuteronomy has not been carried out beyond 1 Corinthians 5–11.

[7] In response to Watson, note also Martyn 2006; Engberg-Pedersen 2006; Campbell 2006; Stanley 2006; Watson 2006a, 2006b, 2007; Hays 2007.

[8] The following paragraphs largely rely on Lincicum 2008a: 53–56.

basis of a radical construal of the narrative shape of the Pentateuch as a whole, highlighting and exploiting tensions between Genesis and Exodus, Leviticus and Deuteronomy" (2004: 3).

Having argued that Paul's doctrine of justification functions as a hermeneutical key to scripture, and that his doctrine, in turn, is derived from a reading of Hab 2:4 in its context and in light of Christ, Watson turns to construe the shape of Paul's narrative reading of the Pentateuch. In the end, from Paul's perspective, so Watson argues, readings of the law fall on either side of the fault line of human agency: does the Torah ultimately teach the way to live righteously before God in faithful fulfillment of the covenant commandments, or does it rather (as Watson's Paul believes), in a complex narrative, ultimately subvert human agency to suggest that only divine action in fulfillment of the promise can bring life?

Deuteronomy, Watson proceeds to argue, bears for Paul a dual function in this complex narrative: on the one hand, he can cite its commandments as precepts for the Christian community to follow; on the other hand, he reads the book as both disclosing and resolving the second great tension in the Pentateuch. As alluded to above, Watson devotes a mere ten pages to the former category before dismissing the problem of Paul's appeal to the law he is criticizing:

> There is a striking discrepancy between this parenetic use of texts from Deuteronomy and the motif of 'the curse of the law', which likewise appeals to Deuteronomy. How can it be that laws which continue to guide individual and communal conduct are at the same time the bearers of a curse? This is one of the more obvious examples of a real 'contradiction' within Paul's understanding of the law (Watson 2004: 425; note Watson's explicit agreement with H. Räisänen's position: 426 n. 24).

Paul's main theological appeal to Deuteronomy, Watson suggests, is twofold: in chs. 27–30, the curse of the law is set forth – not simply as a contingent possibility, but in the fusion of horizons as a historical actuality realized within Israel's history (as told in the deuteronomistic history) and in Christ's death. This historical actuality effectively eviscerates an appeal like that of the author of Baruch for a return to the law with renewed zeal. Secondly, then, Paul reads the Song of Moses (Deut 32) as foretelling the failure of the law, the future inclusion of the Gentiles, and the ultimate salvation of Israel by divine action – thus foreshadowing the victory over the curse of the law. In questioning the adequacy of the law, Paul in this respect demonstrates an affinity to the author of *4 Ezra*. With this, Watson has completed his creative reconstruction of Paul's reading of Torah.

The scope and penetration of Watson's reading of Deuteronomy are exemplary. The overall thesis of his work blends creativity, boldness, and theological concern – unfortunately less common than it should be in Pauline exegesis. On the whole, his contention that "Paul engages with

these texts by way of representative narratives and individual texts which are supposed to articulate the fundamental dynamics of the Torah as a whole" (2004: 275) must be regarded as having received solid substantiation.

At times, however, one wonders whether Watson oversteps the evidence. Occasionally Watson appears to present Paul almost as a proto-deconstructionist reader, subverting the dominant interpretation of the Torah by looking for the *aporiai*, reading at the margins of the Pentateuch, finding and exploiting the loopholes like Gen 15:6 in the Abraham narrative or the death associated with the giving of the law in Exodus. This is fine in so far as it goes – we know that Paul's readings were forged in controversy. Watson's construal, however, focuses almost exclusively on the theological instances in Paul's citations, but marginalizes Paul's *ethical* appeals to the law as a source of ongoing moral formation for the Christian church (so rightly Eastman 2006). While it is a crucial corrective for Watson to argue that "Paul's 'view of the law' is his reading of a text" (2004: 514 and *passim*), the text which Paul reads in turn makes both moral and existential demands. These demands are not reducible to suggestions under the loose guidance of the Spirit, but still perceived as, in some sense, commands reflecting the will of God, and so sharing something in common with ethical appeals to the law by other Jews of the period. We noted above, for example, Watson's dismissal of Paul's ethical appeals to Deuteronomy (2004: 416–26) and his quick recourse to the category of "contradiction" to explain these. Watson's approach deserves to be supplemented by approaches that focus on the use of Scripture in ethical contexts and the presence of halakhic argument in Paul's letters. We might ask whether Paul has a "second" reading of the law, beyond the curse, given back to the church through Christ's death and resurrection and the presence of the Spirit, so that Christians now "fulfill" the law (e.g., Rom 8:1–4).

Clearly one of the strongest points of Watson's presentation, and one of the most promising for future investigation, is his attempt to produce a "big-picture," holistic reading of Paul's reception of Deuteronomy. While his reading is less integrated and so less comprehensive than is ideal (so Hays 2007: 130), he has demonstrated the value of examining the presence of Deuteronomy in Paul, even as others have done for Isaiah in Paul. Incidentally, it is striking to note Watson's complete silence with regard to Isaiah in Paul (Hays 2007; but see Watson 2007: 136), as well as a number of other specific texts that do not fit within Watson's proposed schema (see also Stanley 2006: 359).[9] The fundamentally antithetical nature of the

[9] While this will be an issue for any account purporting to give the shape of Paul's overall hermeneutic, it is especially problematic for such a strong reading as Watson's

reading of the Pentateuch he posits, moreover, does not do justice to the texture of the apostle's thought. Though this claim must be borne out in the course of subsequent study, we here note that where Watson may be correct that Paul discovers two major tensions in the Torah, namely, "between the unconditional promise and the Sinai legislation" and "between the law's offer of life and its curse" (2004: 23), any such tensions are arguably resolved *diachronically* for the apostle – in the unfolding story of the old covenant and the gospel (2004: 24). At times Watson transposes this into starkly synchronic categories to posit an absolute dichotomy between law and promise. This also partially explains why Watson never explores precisely *why* the law failed in Paul's view, beyond stating the law's claim to be operative at the level of human agency (though note 2004: 518).

In short, Watson has offered a rich and stimulating presentation of Paul as a holistic interpreter of the Pentateuch in general, and Deuteronomy in particular. Nevertheless, such a strong thesis inevitably overlooks important evidence, and the results of this investigation seek, *inter alia*, to query the adequacy of the polarizing excesses to which Watson's Paul tends.

1.3. Locating the Present Study's Approach

Scholarship on Paul and Scripture is, like other areas of New Testament study, marked by a plurality of irreconcilable methods. This is not necessarily a lamentable state, and each method lays claim to the fruit borne from its unique perspective.[10] I wish neither to suggest that the approach of the current study represents the only valid approach to Paul and Deuteronomy, nor to engage in that *forschungsgeschichtliche* temptation to portray all predecessors as thieves and robbers, or, to change the metaphor, as mired in the darkness of ignorance only now to be dispelled by the light of my own conclusions. I do suggest, however, that an approach to Paul via the broader effective history of Deuteronomy draws attention to an overlooked aspect of Paul's engagement with Scripture. The following specific elements serve to locate the approach of the present investigation in the spectrum of current approaches.

(see, e.g., Hos 1–2 in Rom 9; the Adam-Christ parallels in Rom 5 and 1 Cor 15; the catena at 2 Cor 6:16–18; Ps 112:9 in 2 Cor 9:9; Exod 16:18 in 2 Cor 8:15; Prov 25:21–22 in Rom 12:20; and all of the major prophets and the writings).

[10] So also, e.g., Moyise 2008a, and more fully, with a sort of *sic et non* approach, in 2008b.

1.3.1. The Search for Holistic Construal

To lend more precision to the question at hand, it is worth pausing first to consider in more depth what it might mean to ascertain the shape of an author's construal of a particular biblical book. In speaking of such a construal, I rely on a point made by David Kelsey in his examination of "the uses of Scripture in modern theology."[11] He writes, "Close examination of theologians' actual uses of scripture in the course of doing theology shows that they do not appeal to some objective text-in-itself but rather to a text construed *as* a certain kind of whole having a certain kind of logical force" (1999: 14).[12] In this case, we are interested not in Scripture as a whole but in the book of Deuteronomy. Even to pose the question is to acknowledge that Deuteronomy is not always the same Deuteronomy to each of its readers, but that one can speak meaningfully of Josephus's or the Temple Scroll's or the Gospel of Matthew's Deuteronomy as much as Paul's Deuteronomy. In this sense, the shape of a particular author's construal of the book must be ascertained differentially and deictically, and so inevitably in a somewhat discursive fashion. At the beginning of Part II, I will propose a set of questions to put to the texts under investigation in order to ascertain aspects of their approach to Deuteronomy. Here it should be noted that intertextuality, one of the dominant *modi operandi* of studying Paul's engagement with Scripture, makes only a partial contribution to the task.

1.3.2. On Intertextuality and Effective History

The term intertextuality (*intertextualité*) was apparently first coined by Julia Kristeva,[13] before being developed by Roland Barthes and Harold Bloom, among many others. The most influential proponent of intertextuality in the study of Paul and Scripture has arguably been Richard Hays. He employs a "soft" version of intertextuality in his work *Echoes*, more strongly influenced by John Hollander's work on the figure of echo than the post-structuralist notion of intertextuality *per se*.[14] But intertextuality,

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[11] Kelsey (1999 [1975]), though in fact there may be certain analogues in the patristic notion of the σκοπός of Scripture, whether in its entirety or in discrete parts (on this notion, see Young 1997). Francis Watson's work, *Paul and the Hermeneutics of Faith* (2004) makes use of a similar concept (he himself makes reference to Kelsey), though my application of it differs from his.

[12] In contrast to the claim of Vanhoozer (2008: 191–92), Kelsey does in fact allow for theologians to have multiple interlocking construals of Scripture, but focuses on one for the sake of his presentation (1999: 15–16).

[13] See Kristeva 1969: 143–73 (originally written in 1966); ET, 1980: 64–91; 1986: 34–61. Cf. also Kristeva 1974: 57–61; ET 1984: 57–62; 1986: 109–112.

[14] Note Hays 2005: 174, where Hays distances himself from an ideological application of intertextuality and writes, "Nothing is at stake for me in the use of the term."

at least in its most theorized versions, is not so much a theory of literary influence as it is a theory of the semiotic construction of all our perceptions of reality – and to claim that the genealogical pedigree of 'intertextuality' has no bearing on its subsequent meaning is surely not without irony.[15] In this vein, Kristeva complains in her later writing that intertextuality "has often been understood in the banal sense of 'study of sources'" (1986: 111). It is admittedly most often employed in Pauline studies in this latter, more "banal sense,"[16] but even in this under-theorized form it tends toward an abstraction from history. By approaching Paul's encounter with Scripture as the interplay of two texts, one is sometimes presented with a Paul who bears a strange resemblance to his narrative critics, engaged in a virginal act of interpretation apart from the pesky prejudices of corporeality and temporality as a first-century Jew. One may also sense a certain interpretative exhaustion as the quest for fainter and fainter echoes of Scripture in Paul's letters is met with diminishing returns. Intertextual interpretation of Paul and Scripture has yielded unmeasured gains in our recovery of Paul as a thoughtful appropriator of Israel's sacred texts, but such an approach deserves to be supplemented by more historical considerations. In this context, I suggest that approaching Paul from the horizon of Deuteronomy's broader effective history[17] may go some way toward redressing the imbalance in intertextual presentations of the apostle and answering the question of how Deuteronomy as a whole is (or is not) perceived and (re)appropriated.

There can be no question of an absolute or fundamental contrast between these approaches, but the differences in emphasis are significant. Where intertextuality tends to approach the issue from Paul's stance as an interpreter, an effective-historical approach may consider Paul as one instantiation of Deuteronomy's broader effects, and so restore a sense of the productive temporal and historical distance between Paul and Deuteronomy. This distance, however, should be conceived not as an isolating factor but as an aspect enabling a richer understanding of Deuteronomy.[18]

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[15] Note the remarks by Culler 1981: 100–18 on the plasticity of the term. In further critique, note Irwin 2004 and within biblical studies, Tuckett 1997: 3–6; Rese 1997 (though Rese overstates the atomistic nature of early Christian exegesis); Hatina 1999.

[16] For example, Berkley 2000 recognizes the tension in appealing to intertextuality in a historical study, but persists in adopting a position like that of Hays, which he calls a "minimalist intertextuality" (48–49).

[17] On "effective history" (*Wirkungsgeschichte*) note also Luz 1985; 1994; Räisänen 1992b; Bockmuehl 1995, esp. 57–63; Gnilka 1998; etc. All of this work is ultimately indebted to H.-G. Gadamer (see, e.g., Gadamer 1989: 277–307; 2006).

[18] "Understanding is to be thought of less as a subjective act than as participating in an event of tradition, a process of transmission in which past and present are constantly mediated" (Gadamer 1989: 290, italics removed).

Deuteronomy itself is a book that opens into the future – a future, indeed, that it has a hand in shaping. In this sense, Deuteronomy in the very contemporaneity of its address functions for those who later come to encounter it as both a resource and a challenge for subsequent reflection and "use". Without the long tradition of viewing Deuteronomy as divinely authorized Torah, recited in synagogue, affixed to one's very body in the *tefillin* and the doorposts of one's house in the *mezuzah*, debated in scribal circles, actualized for legal guidance, supplying lenses for the interpretation of Israel's history – without some consideration of the long pre- and post-history of Paul's encounter with Deuteronomy, we are bound to miss what is distinctive in the apostle's reception of the book. Within the contours of this broader history, then, to note the aspects of Deuteronomy that are significant for each author is an illuminating procedure and supplies the differentiation I suggested was important for ascertaining an author's construal of a book. This, in fact, aligns with what Steven Fraade has recently suggested ought to be undertaken. He writes,

> in addition to considering discrete interpretive traditions, we need to look more broadly at which biblical books, or parts of books, attracted the interpretive attentions of different interpretive authors/communities (even if only at the editorial level of the extant texts). Presumably, such differences of scriptural focus do not simply reflect differences regarding what was considered to be canonically authoritative, but also which parts of shared scriptures were of particular significance to the rhetorical/ideological self-defining interests of the respective authors and their textual communities (Fraade 2007: 104).

Perhaps somewhat fancifully, then, we might conclude that the characteristically German concern for history (*Wirkungsgeschichte*) must supplement and correct the French fascination with theory (*l'intertextualité*). More to the point, the interpretative solipsism toward which theories of intertextuality sometimes tend can be redressed with reference to the long communal tradition of receiving Deuteronomy in liturgy as a message divinely addressed to the present: the authors considered in this study considered themselves part of the Israel whose response to the delivery of the law was, "We will hear and we will do it" (Deut 5:27).

1.3.3. A Polyphonic Conversation

Therefore, in focusing on the broader effective history of Deuteronomy, this study seeks to sketch a succession of engagements with Deuteronomy, ranging chronologically from Tobit and the Temple Scroll to the Targums. This line of interpreters effectively comprises an ongoing conversation with Deuteronomy and, implicitly, with one another – a metaphor that Watson has helpfully suggested. In contrast to Watson, however, it may be urged that to some degree the partners whom one chooses to include in the conversation will bias the voices one comes to hear. Watson contrasts

Paul's appeal to Deuteronomy with that of Baruch, and compares it to 4 Ezra, and so ends up with a Paul who effectively rejects the law as a failed project. No doubt such choices are based on prior judgments about the type of interpretative endeavor in which Paul is engaging, and the same charge could be leveled at this study. Nevertheless, in seeking to broaden the conversation as much as possible, this study investigates in turn those who evince a significant interest in the interpretation or use of Deuteronomy. Inevitably the choice will be somewhat subjective, and some may complain that by selecting authors who display a holistic construal of Deuteronomy the interpretative strategy of Paul has been determined in advance. To some degree, of course, this is a fair charge. But it is also worth suspending judgment to see whether interesting results are achieved from proceeding on a supposition that Paul's recourse to Deuteronomy is not incommensurable with that of his Jewish contemporaries. Thus, in order to chart the polyphonic conversation over Deuteronomy, each major text will be examined on its own ground before rushing to comparison. This may in fact provide some intriguing gains that are screened out when comparisons are limited to individual verses or interpretative traditions. In this sense, like the almost mythical category of scholastic commentaries on Aquinas's commentary on Aristotle, the present study could be described as a meta-commentarial endeavor – a study of the study of Deuteronomy.[19]

1.3.4. Is It Legitimate to Isolate Deuteronomy?

Deuteronomy is, of course, the final book of the Pentateuch, the last fifth of the "five fifths of Torah" known from Rabbinic literature. Is it legitimate to isolate Deuteronomy and consider its interpretation as a separate book?[20] Is not to do so to run the risk of distortion? Clearly Deuteronomy is not independent of the preceding books of Torah, nor do its ancient interpreters ignore the constant connections (and contradictions) with what has come before. But, in fact, Deuteronomy stands in some relief from the preceding books, and the question might be more severe for other "fifths" of Torah than for Deuteronomy. As Rolf Rendtorff writes, "it is obvious that Deuteronomy is a separate book. It is clearly framed by a new beginning and a definite end; it has its own style, its own topics, and its own

[19] Although in fact most of the texts to be examined are not strictly speaking in commentary format (the works of Philo and the *Sifre* perhaps being exceptions). Cf. Fraade: "Although today we might take for granted the commentary form as a way of interpreting a text, especially of Scripture, in postbiblical but prerabbinic varieties of Judaism, if we may judge from the extant literary evidence, it does not appear to have been the favored mode of scriptural interpretation" (1991: 2).

[20] Cf. Rendtorff 1996 who poses the question to Mary Douglas, "Is it possible to read Leviticus as a separate book?"

theology" (1996: 24). Indeed, the sheer distinctiveness of its tone and repetitive vocabulary often enable one to identify its presence in other works.[21] Even in the heyday of source-critical approaches to the Pentateuch, the individuality of the "D" source was recognized.[22] As I shall suggest, in antiquity the distinctive character of Deuteronomy was recognized as well.[23] What is more, the fact that the work was most likely encountered as a single scroll may also have contributed to a recognition of its self-standing character. So we shall proceed by limiting ourselves chiefly to the role played by Deuteronomy, but aware of the hermeneutical pressure exercised by the other books of Torah as well.

1.3.5. Some Matters of Definition

Before proceeding to the reception of Deuteronomy, we must first clarify a few matters of definition. First, in this study the adjective "Deuteronomic" is used to denote that which relates to the book of Deuteronomy itself, while "Deuteronomistic" is reserved for that which relates to the so-called Deuteronomistic History (Judges–2 Kings) and the tradition flowing from it.[24]

A more disputed area of definition, however, concerns how one describes the various levels of textual engagement seen in a range of Second Temple Jewish interpreters. There have been repeated and prolonged terminological discussions, some of which have genuinely advanced our ability to describe and recognize strategies of textual engagement.[25] Without endorsing the need for a universally agreed upon vocabulary, in the present study the following categories are employed. A quotation or explicit quotation is a verbatim repetition of a scriptural text that is also marked for the reader or hearer with an introductory formula or interpretative comments

[21] Note esp. Weinfeld 1972: 320–65 for a list of Deuteronomic phraseology.

[22] See Nicholson 1998. Of course, there have also been arguments to distinguish between various levels of redaction of Deuteronomy, notably between the Deuteronomic Code (Deut 12–26) and later exilic or post-exilic frame narratives, though these do not substantially alter the individuality of the book as a whole.

[23] In addition to the evidence garnered for the distinctiveness of Deuteronomy throughout this investigation, note also the titles used for Deuteronomy in antiquity, discussed in Cohen 1997b; 2007; Berthelot 2007.

[24] Thus, no attempt is made to distinguish a Deuteronomistic redaction of Deuteronomy itself, nor does this study concern itself with the existence or possible effects of a "Deuteronomic school" – to which has been ascribed, it should be noted, an ascending amount of redactional activity (for a critical response to this phenomenon of "pan-Deuteronomism," see esp. Schearing and McKenzie 1999).

[25] See, e.g., Koch 1986: 11–20; Hays 1989: 29–33; Stanley 1992: 33–37; Porter 1997b, 2006, 2008; Moyise 2008; Ciampa 2008; cf. also the related discussion in Thompson 1991: 28–36.

signaling the presence of a foreign body of text.[26] An implicit citation supplies a verbatim or near verbatim section of a scriptural text but without the introductory formula or interpretative comments to signal its presence to the reader or hearer. An instance of paraphrase or rewriting occurs when the substance of the original scriptural account is rendered in other words.[27] Allusions and echoes both refer to a scriptural precursor text in a manner that is less explicit than a citation, the difference between them being a matter of assertorial weight and intention – though distinguishing between them is not always possible or necessary.[28] Finally, it may occasionally be possible to discern the presence of scriptural concepts or ideas which are not directly supported by a high volume of verbal resonance.[29]

These categories clearly operate along a sliding scale of explicitness, and most of the engagements with Deuteronomy that will concern us in this study function at the more explicit end of the scale. Nevertheless, it should also be kept in mind that arguments for the presence of less explicit reminiscences of Deuteronomy (echoes, allusions, concepts) are cumulative and probabilistic in nature. The fact that an author elsewhere explicitly cites and interprets other texts from Deuteronomy renders more likely, though not ineluctable, a proposed reference to Deuteronomy that is less explicit. This suggests a certain dis-analogy to the comparisons sometimes offered between the influence of Shakespeare's language and phraseology on modern English speech and writing, and the influence of the language of Scripture on Second Temple Jewish speech and writing. While no doubt

[26] This especially follows Koch 1986 and Stanley 1992.

[27] See also the discussion of "rewritten Bible" in § 3.2.2 below. Here it should be stressed that the paraphrase or rewriting need not be of a narrative text, as is sometimes suggested.

[28] This corresponds roughly to Porter's five categories: "formulaic quotation; direct quotation; paraphrase; allusion; and echo" (2008: 29). Without entering into the discussion here, I take it that Hays's well-known seven criteria for discerning an echo, while not intended to be scientifically rigorous (note Wagner 2002: 11 and n. 44), provide a helpful set of guidelines for evaluating the presence, though not necessarily the import, of a proposed echo.

[29] Compare Ciampa 2008: "Concepts and ideas are more likely to be 'scriptural' if: (1) Paul and/or other early Jewish or Christian authors associate them with scriptural quotations, allusions, and/or echoes elsewhere in their writings; (2) they have a distinctive background in the Jewish Scriptures and are typically introduced in Jewish (and early Christian) discourse as Jewish or scriptural concepts; (3) they reflect dissimilarity (in some significant aspect) to Greco-Roman ideas or concepts while also demonstrating similarity to a distinctive (generally known) Jewish concept that has roots in Scripture; or (4) they reflect dissimilarity (in some significant aspect) to Greco-Roman and Jewish ideas or concepts but are explicable in terms of new or alternative interpretations of Scripture inspired by Jesus or by the context and needs of the early church (especially if explicit scriptural support is given for the idea within early Christianity)" (48).

such influence is sometimes purely stylistic in nature, each instance needs to be evaluated on a case-by-case basis.

Finally, it will be noted that these categories of inquiry locate the present study's interest in a relatively "author-oriented" direction, or at least in the direction of an implied or constructed author. This is not to deny the usefulness of studies that concentrate their energies on the rhetorical effects of quotation or on consideration of the original audience's capacity to understand and evaluate the presence of Scripture in Paul's letters or other texts.[30] It is, however, to recognize that what we might call authorial effects comprise precisely the sort of information that is most available to us.[31]

1.4. The Plan of the Present Study

Standard dissertation format has long been to proceed in a two-step fashion: first, survey works of the Second Temple period as "Jewish background" to Paul; second, background now firmly in hand, address (the implicitly Christian) Paul himself. While of course this approach retains certain merits, recent discussion of the Jewishness of Paul has in fact problematized this method. If it is possible to see Paul as in some sense a radical Jew, then the line separating the background from the foreground appears more arbitrary. Paul is not a later Christian author who has rejected Judaism and yet has some shadowy obligations to a now-distant past. Rather, he is a Jew among Jews, standing as one member of a spectrum, one particular instantiation of one particular people. Simply identifying Paul as Jewish, however, does not yet say very much, for it is clear that Paul must be sought in a particular dynamic of radicalism and fidelity with reference to his ancestral tradition.

Compare the incisive comments of Peter Schäfer, offered in honor of Martin Hengel but with a broader applicability:

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[30] Most notably, this has been undertaken by Stanley 2004. The chief problem in this type of study is the speculative nature of the conclusions. In response, see Lincicum 2006; Abasciano 2007 (who, however, may overstate the reader competence of Paul's first audiences).

[31] This should not be confused with the now universally defamed quest for an authorial intention, at least if conceived as a mental intention standing behind the text. In the time after the high days of Theory, however, we may be returning to a certain "rehumanization of the humanities" that makes the question of an author once more congenial – though not of course susceptible to naïve description. See, e.g., Cunningham 2002; Eagleton 2003; Zimmerman 2004.