

INTERPRETING LAW: JESUS, THE LAWYER, AND THE PARABLE OF THE GOOD SAMARITAN

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Alan Watson's remarkable range of interests and insights includes his studies in law and the gospels. His is a unique voice in the world of scholarship and it is a privilege to address a topic in biblical law in acknowledgment of the incalculable benefits that Alan's major works have conferred on so many scholars and lawyers worldwide.

Biblical law should particularly appeal to law students, not necessarily for any ethical, legal, or religious value it may possess, but for the way in which its rules came to be formulated. The method on display is similar to how American law students are taught to uncover rules from cases. In an excellent introduction to the study of American law, the jurist Karl Llewellyn urges law students when first handling cases to knock their ethics into temporary anesthesia and immerse themselves in the cases. "Dig beneath the surface, bring out the story, and you have dramatic tales that stir, that make the cases stick, that weld your law into the whole of culture."¹ By absorbing themselves in the issues that turn up in the cases and making judgments on them, law students learn the relevant rules and their refinements. When we deal with biblical law, dramatic tales served up in the biblical texts provide the cases, and digging beneath their surface brings out the issues on which the lawgivers render judgment.² I shall illustrate this process at work by

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¹ KARL LLEWELYN, *THE BRAMBLE BUSH: ON OUR LAW AND ITS STUDY* 128 (1951).

² For something of a parallel in another ancient culture, see David Daube, *Greek Forerunners of Simenon*, 68 CALIF. L. REV. 301–05 (1980), reprinted in *COLLECTED WORKS OF DAVID DAUBE: ETHICS AND OTHER WRITINGS* 193–202 (Calum Carmichael ed., 2009) (arguing that because of the overthrow of the tyrants in Greek-speaking Sicily in the fifth

focusing on two famous stories in the Bible: the Joseph story in the Book of Genesis in the Old Testament and the parable of the Good Samaritan in the Gospel of Luke in the New Testament. The Genesis narrative about Joseph, the ancestor of the Samaritans, is fundamental to the parable's meaning. The link which connects story and parable, not hitherto noticed, is the rule in *Leviticus* 19:18 about loving one's neighbor, the central point of discussion in Luke's parable. That this law was itself formulated to encapsulate a major aspect of the Joseph story has gone unrecognized and the parable's assessment about the neighbor in the rule proves in turn to be a miniature version of the Joseph story.

First, I will provide some brief remarks about the nature of biblical law. With the exception of the deity's postdiluvian communication of rules about killing animals and humans,³ and his delivery of the Decalogue at the founding of the Israelite nation,⁴ biblical rules issue from the legendary lawgiver Moses. In reality, the text is a production of anonymous writers who look back and reflect on events (be they mythical, fictional, or historical), recount in narratives, and make judgments about matters of concern. These judgments are expressed by Moses and God, who speak as seers or prophets able to anticipate the future. In a notable example, Moses' rule about kingship foresees the institution that came into existence long after his time. The rule prohibits a monarch from multiplying horses, wives, silver, and gold. Moses anticipates, well before the event, King Solomon's unacceptable actions.⁵

We are in the dark about the authors, formulators, or compilers of the laws. We can think of these fundamentally important but unknown persons as working in the context of scribal schools. There is little point in speculating about their education, attachments, or standing in society. What we can say is that their rules belong to the world of instruction in wisdom and rhetoric. Familiar with legal rules and customs extant in their own time and place, the authors would have woven that knowledge into rules articulated in the biblical text. Their purpose was not, as is commonly thought, to set down a law code to govern functioning society, although some rules may well have done so. Instead, in the interest of bolstering national identity, probably in the exilic period after the loss of the monarchy, they fashioned laws that contained ethical and religious judgments in

century BCE, when "old-accustomed notions of criminality proved inadequate," Sophocles in *OEDIPUS THE KING* and *OEDIPUS AT COLONUS* explores similar legal and ethical issues in the Greek myths about origins).

³ *Genesis* 9.

⁴ *Exodus* 19–20.

⁵ *Deuteronomy* 17:14–20; *1 Kings* 10–11.

response to problems in the nation's legendary past. The aim was to furnish ideal laws, commitment to which held out a promise of a future time of peace and rest from enemies. The laws convey a spirit that is nationalistic and universalistic at the same time: foreign nations will "hear all these statutes, and say, surely this great nation is a wise and understanding people."⁶

Love of neighbor rule: To begin a discussion of the parable of the Good Samaritan we must start by looking at the rule in Leviticus concerning love of one's neighbor. In an abbreviated form the rule that "[y]ou shall love your neighbor as yourself" is central to the discussion between Jesus and a lawyer in *Luke* 10:25–27 when Jesus, responding to the lawyer's inquiry about who his neighbor is, relays the incident about the Good Samaritan.

The original rule in *Leviticus* 19:18 reads: "You shall not avenge, nor bear any grudge against the sons of your people, but you shall love your neighbor [who is] like yourself: I am Yahweh." There is a puzzle in comprehending the rule. If it had read "you shall be kind to a neighbor," then little or no problem would exist except that we would want to know what prompted a moral injunction hardly needing to be stated. But to be commanded to love—yes, the emotion of love—a neighbor, rather than to befriend or reach out or some milder emotional stance, is odd.⁷ The added requirement to love the neighbor as one loves oneself just adds to the bewilderment. It is difficult to imagine that back in the biblical period the author of the injunction would have in mind a notion of self-esteem, although it is common these days to read the rule this way. A typical contemporary comment on its appearance in the parable of the Good Samaritan is: "One is to have the same esteem and care for a neighbor that one would have for oneself."⁸ The notion of self-love is a product of the therapy culture of recent times but not one to be attributed to ancient sources such as the Old and New Testaments. No doubt there is something in this common view but it fails to take seriously the rule's emphasis on the emotion of love and how the positive injunction is tied to the preceding prohibition against another emotion, vengefulness.

The original formulation of the rule in Leviticus presents obvious problems. Why does the injunction read "who is like yourself"? On syntactical grounds alone, *lere'aka kamoka* means "your neighbor who is

⁶ *Deuteronomy* 4:6.

⁷ *Contra* JACOB MILGROM, *THE HARPERCOLLINS STUDY BIBLE* 182 (Wayne A. Meeks ed., 1993) (demonstrating a common tendency by commentators to weaken the verb to mean to reach out or befriend, and arguing that "[l]ove here is not an emotion").

⁸ JOSEPH A. FITZMYER, *THE GOSPEL ACCORDING TO LUKE X–XXIV*, at 880 (1985).

like yourself,” that is, an Israelite.⁹ Because Moses addresses the rule to the Israelites, and because the first part is explicitly about “the sons of your people,” the second part must also refer to a fellow Israelite. The repetition of the idea, however, about a kindred Israelite (“like yourself”) seems redundant, an example of apparently unnecessary emphasis that is therefore puzzling. In the time of Jesus, in keeping with its original focus, the rule was largely taken to exclude non-Jews, for example, in the Damascus Covenant 6:20–7:1.¹⁰ Why also would one counsel someone to counter the emotion of vengefulness and the bearing of a grudge with the raw emotion of love? As a general piece of moral advice the injunction seems quite unrealistic.

The rule becomes transparent when we consider how ancient lawmakers typically formulated legal or ethical rules. In the earliest sources of law (of which the Bible is one) a lawgiver’s inclination was to focus on a specific case and to formulate a rule in response to it. The lawmaker avoided articulating a larger principle that might cover a number of cases but went from one set of circumstances that trigger consideration to another and recorded his differing judgments.¹¹ What then was the set of facts that the Leviticus lawgiver scrutinized in his rule about replacing vengefulness with love? They came directly, I submit, from the Joseph story.

The situation under review in the rule pertains to a climactic development in the story. The relationship between the brothers and Joseph is one in which the emotions of hatred and love are entangled, but in the end love trumps hatred. The initial part of the rule concerning vengefulness focuses on how Joseph acts on a grudge and pays back his brothers for their evil treatment of him. When the brothers come to Egypt to buy food to relieve the famine back in their own country of Canaan, they do not recognize Joseph, who is now governor in Egypt. Bearing a grudge and taking vengeance, Joseph puts his brothers through experiences that echo the hateful act they had perpetrated against him when he ended up in Egypt as a foreign slave. The following constitute these experiences: the brothers had concealed the true nature of Joseph’s fate by having their father believe what his eyes told him, namely, that Joseph’s bloodstained coat signified that he had been killed by a wild beast. Joseph, in turn, accuses the brothers of

⁹ Takamitsu Muraoka, *A Syntactic Problem in Lev. xix. 18b*, 23 *J. SEMITIC STUD.* 291–97 (1978).

¹⁰ See JOACHIM JEREMIAS, *JERUSALEM IN THE TIME OF JESUS* 252–58 (1969) (discussing the application of the rule to fellow Jews only).

¹¹ See generally PETER STEIN, *REGULAE JURIS: FROM JURISTIC RULES TO LEGAL MAXIMS* (1966) (emphasizing this feature of ancient law, among the Roman classical jurists for instance); CALUM CARMICHAEL, *THE BOOK OF NUMBERS: A CRITIQUE OF GENESIS* (2012) (laying out the latest exposition of the thesis that the cases the laws in the Pentateuch take up are to be found in the biblical narratives).

offending with their eyes: they are spies who have come to view “the nakedness of the land.”¹² Again, the ten brothers caused their father grief over the loss of his favored younger son Joseph. This son now causes them anguish by insisting that they bring the remaining, youngest son Benjamin to Egypt. By being pressured to do so, the brothers will burden themselves by once more causing their father great pain. Yet again, the brothers had sought but did not in fact receive money for selling Joseph as a slave. He now torments them through the use of money. By surreptitiously slipping money into their sacks of grain after they have already paid for it, he causes consternation among them. The money represents the payment they never received for trying to sell him.¹³ In these different ways Joseph keeps alive the memory of the brothers’ offense against him and in doing so exhibits a vengeful attitude.¹⁴

Vengefulness, however, is not the only emotion at work in the story. Although Joseph certainly pursues grudges against his brothers, affection for them also wells up in him. When the brothers in the presence of a disguised Joseph interpret what is happening to them in Egypt as retribution for what they had done to him, Joseph turns aside and weeps. Later, when Benjamin comes to Egypt, Joseph “yearned upon his brother, and he sought where to weep, and he entered into his chamber, and wept there.” When, climactically, Joseph reveals his true identity to his brothers, “he wept aloud” and “kissed all his brethren, and wept upon them.” Lurking behind Joseph’s vengeful hounding of his brothers is his genuine warmth for them. He is one of them, intimately bound to them as a member of the same family.¹⁵ In this narrative about hatred within the first family of Jacob-Israel, Joseph is portrayed as wanting nothing more than to be part of it. Feelings are very much on display. The narrative is about vengefulness and love—the same striking combination of emotions in the law. In light of the rule’s background inspiration, the reference to the emotion of love in the rule should not be toned down. In most situations it is not realistic to counsel against vengefulness by requiring that love be put in its place. The situation within Joseph’s family, however, presents precisely this juxtaposition of the

¹² See RON PIRSON, *THE LORD OF THE DREAMS: A SEMANTIC AND LITERARY ANALYSIS OF GENESIS 37–50*, 94 (2002). Joseph’s “rather preposterous charge of their [the brothers] being spies (when all the world is coming to Egypt) is hard to explain.” The storyteller’s aim, however, is to suggest a *par pro pari* because of the ruse with the bloodstained garment.

¹³ See *id.* at 69–79 (providing decisive arguments that the brothers did not sell Joseph).

¹⁴ *Genesis* 37:31–33, 42:9–16, 25–36; see also BARUCH LEVINE, *LEVITICUS: THE TRADITIONAL HEBREW TEXT WITH THE NEW JPS TRANSLATION/COMMENTARY* 130 (1989) (noting the use in *Lev.* 19:18 of the term *natar*, “to keep, guard, retain,” and paraphrasing, “[o]ne ought not to keep alive the memory of another’s offense against him”).

¹⁵ *Genesis* 42:21–24, 43:29–30, 45:1–9.

two opposite emotions. We shall note that Luke's parable is about *khesed* (loving kindness), a term that is a variant of *'ahavah* (love) and, as one critic underlines, a spontaneous, natural emotion.¹⁶

Why, seemingly redundantly, does the rule speak of loving a neighbor who is an Israelite like oneself? Joseph becomes an Egyptian, marries an Egyptian woman, has children by her, and dresses as an Egyptian. He is so Egyptian, in fact, that he cannot even sit down at a meal with his visiting brothers because of the food rules observed by Egyptians.¹⁷ Yet when the brothers turn up in Egypt from the neighboring country of Canaan, Joseph instinctively feels kinship with these neighbors. Overcome with affection despite what they did to him, he recognizes how powerful the tie is that binds him to them. Not only does Joseph wish to restore fraternal relations, but he goes on to insist that they bury him with his and their forefathers.¹⁸ Love of his brothers replaces the grudges he had borne and leads him to shed his Egyptian identity for his previous one and to renew the bond with his fellow countrymen. In a foreign land Joseph's brothers are Israelites like him and Joseph is an Israelite like them—hence the rule's notion of a neighbor being like oneself, namely, an Israelite.¹⁹

The rule about love of neighbor in *Leviticus* 19:18 concludes with the assertion: "I am Yahweh." In the story, Joseph attributes to Yahweh the entire series of life-affirming events in Egypt. Yahweh, he claimed, brought good out of evil,²⁰ which was an affirmation of Yahweh's providential guidance and beneficence. In Luke's parable, love of God is affirmed as conferring life.

The Good Samaritan: The parable reads as follows:

And, behold, a certain lawyer stood up, and tested him, saying, Master, what shall I do to inherit eternal life? He said unto him, What is written in the law? how readest thou? And he answering said, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbour as thyself. And he said unto

¹⁶ J. DUNCAN M. DERRETT, *LAW IN THE NEW TESTAMENT* 223–24 (1970).

¹⁷ *Genesis* 41:41–52, 43:32.

¹⁸ *Genesis* 50:25.

¹⁹ See Robert A. Kugler, *Joseph at Qumran: The Importance of 4Q372FRG. 1 in Extending a Tradition*, in *STUDIES IN THE HEBREW BIBLE, QUMRAN, AND THE SEPTUAGINT PRESENTED TO EUGENE ULRICH*, 101 *VETUS TESTAMENTUM SUPPLEMENT* 264 (Peter Flint, Emanuel Tov & James VanderKam eds., 2006) (noting that Joseph's commitment to his Israelite identity in a foreign setting is made much of in *Joseph and Asenath*, a Pseudepigraphal work possibly from around the time of Luke's gospel).

²⁰ *Genesis* 45:5–9, 50:20.

him, Thou hast answered right: this do, and thou shalt live. But he, willing to justify himself, said unto Jesus, And who is my neighbour? And Jesus answering said, A certain man went down from Jerusalem to Jericho, and fell among thieves, which stripped him of his raiment, and wounded him, and departed, leaving him half dead. And by chance there came down a certain priest that way: and when he saw him, he passed by on the other side. And likewise a Levite, when he was at the place, came and looked on him, and passed by on the other side. But a certain Samaritan, as he journeyed, came where he was: and when he saw him, he had compassion on him, And went to him, and bound up his wounds, pouring in oil and wine, and set him on his own beast, and brought him to an inn, and took care of him. And on the morrow when he departed, he took out two pence, and gave them to the host, and said unto him, Take care of him; and whatsoever thou spendest more, when I come again, I will repay thee. Which now of these three, thinkest thou, was neighbour unto him that fell among the thieves? And he said, He that shewed mercy on him. Then said Jesus unto him, Go, and do thou likewise.²¹

Jesus recounts the parable in a conversation with a lawyer about the two fundamental commandments: loving God and loving a neighbor as oneself. The discussion is primarily taken up with the interpretation of the law, the Torah. Of all the questions that could be asked, the lawyer asks who his neighbor is. Jesus responds with the story about the man who goes from Jerusalem to Jericho and encounters thieves. They strip him of his raiment, wound him, and leave him half dead. Of three passersby only a Samaritan gives aid. In answer to Jesus's question as to which of the three acted as neighbor to the victim, the lawyer replies: "He that showed compassion to him." Jesus tells him to do likewise.

One of the major questions that arises is why the priest and the Levite are singled out in Luke's parable. The question is the central focus of a study by Michel Gourgues.²² Gourgues readily disposes of a common explanation that these temple officials feared levitical defilement.²³ He focuses on why an Israelite has not been added to the other two estates to signify what he

²¹ *Luke* 10:25–37.

²² Michel Gourgues, *The Priest, the Levite, and the Samaritan Revisited: A Critical Note on Luke 10:31–35*, 117 *J. BIBLICAL LITERATURE* 709–13 (1998).

²³ *Id.* at 709–10.

claims is the standard division of the Jewish people.²⁴ He argues that the omission of a lay Israelite as an actor in the story is deliberately intended by Jesus to cause the lawyer surprise when instead a Samaritan turns up.²⁵ Gourgues thinks that the substitution of a Samaritan for an Israelite constitutes a reversal of roles with the effect that a Samaritan becomes the model of neighborly love.²⁶ A good deal more has to be said about the Samaritan. He stands for Joseph, the first ancestor of the Samaritans. The priest and Levite are significant as a pair because they stand for Joseph's brother, Levi, the eponymous ancestor of the priestly caste in ancient Israel. The juxtaposition of the Samaritan on the one hand and the priest and the Levite on the other represents the then extant religious division between the Samaritans who affirm the Mount Gerizim temple and the Jews who adhere to the Jerusalem temple. A reversal of another kind also underlies the parable, one that relates back to Joseph's change of attitude to his brothers.

The conversation preceding the communication of the parable is, as already noted, between Jesus and a lawyer. The discussion is therefore not for a general audience but presumably confined to those familiar with modes of interpreting law back then. The conversation might not seem to be a technical one but when the lawyer asks to "justify" his question about who his neighbor is, a specialized inquiry is indicated: a fuller, sharper comprehension is sought.²⁷ Surprisingly from our viewpoint, the discussion comes down to Jesus's presentation of an incident about the victim of an attack. What, we might ask, has this response to do with legal hermeneutics? A good deal is the answer.

For the story to communicate its message, we do not really need to be given the identities of three of the players, the priest, the Levite, and the Samaritan. The fact that we are indicates the importance of the information. One aim of the story would appear to be to show up the two members of the priestly tribe of Levi.²⁸ The victim's identity is not given, as we might have expected, and this absence also appears to be significant. What is clear is that the larger, primary aim of the discussion is to test Jesus's knowledge of the nature and contents of the law about loving one's neighbor as oneself. As Derrett points out, the question Jesus puts to the lawyer, "[h]ow readest

²⁴ *Id.* at 712.

²⁵ *Id.*

²⁶ *Id.* at 713.

²⁷ See J.M. CREED, *THE GOSPEL ACCORDING TO ST. LUKE* 152 n.29 (1930) (emphasizing that the seemingly simple question requires interpretation before it can be acted on); see also JAMES HOPE MOULTON, *THE VOCABULARY OF THE GREEK TESTAMENT* 162-63 (1914) (discussing the more technical legal associations of Greek *dikaioō*, "to justify").

²⁸ Each serves in the temple, where the priest enjoys a higher standing than the Levite, but the distinction in status has no relevance to the story's intent.

thou [the rule]?” is about how to interpret a biblical rule because the conversation is primarily concerned with the interpretation of the Torah, “the ethical and practical ‘law’ (which is the business of a *nomikos*).”²⁹ Derrett refers to Jesus as a legislator in the matter and speaks of the parable as “a highly scientific piece of instruction clothed in a deceptively popular style.”³⁰ Because the law, as we have observed in detail, is a distillation of the Joseph story, I propose that the test requires Jesus to provide a comparable story that reveals his awareness of the law’s origin and how the law applies to his time and culture—in a word, Jesus must demonstrate his expertise in comprehending the inner character and formation of the Torah. As one learned in the law, he has to prove to be a *nomikos* too.

What indications might point to the parable as an encapsulation of the Joseph story? We should first note that in line with its definition, a parable (“from *paraballein*, to throw alongside”³¹) is the juxtaposition of a story, in this instance the one about the Samaritan, alongside another story, the Joseph story, as I claim.³² Here are some insights regarding the role of the Joseph story. One, the victim of the thieves’ attack in Luke recalls Joseph as a victim at the hands of his brothers: each is assaulted in inhospitable terrain, each is stripped of his coat, and each is likely to die if no one intervenes. Thievery, moreover, also plays a major role in Joseph’s plight, for his brothers sought to sell him to merchants. Why is the victim in the parable given no identity, especially since the other players enjoy one? It might first be pointed out that after Joseph had been attacked and thrown into a pit, stripped of identifying features (the coat), taken out of the pit and sold, he became as anonymous as the poor fellow on the road to Jericho. The victim, as presented in the parable, could easily belong to any one of the tribes (or none for that matter). The larger explanation for his non-identity is that in light of developments in the Joseph story, the victim in the parable stands for any Israelite, any son of Jacob. The crucial observation here is that Joseph was initially the victim in the Genesis narrative, but the other brothers became victims like him because the disguised Joseph in Egypt initiated actions against them that mirrored their hostility to him. (Perhaps Benjamin should be excepted, although it is true that Jacob feared that this son’s fate would be that of Joseph.³³) What links all of the brothers as casualties is the role of vengeance in the story: the brothers gang up against Joseph and he

²⁹ DERRETT, *supra* note 16, at 223.

³⁰ *Id.* at 222–24, 227.

³¹ *Parable*, COLLINS ENGLISH DICTIONARY – COMPLETE & UNABRIDGED (10th ed. 2009).

³² DERRETT, *supra* note 16, at 208 (highlighting that we are dealing with a parable, it being far from obvious what the other coded, juxtaposed story is).

³³ *Genesis* 43:13–14.

pays them back in kind. Vengeance is a central feature of the rule about the love of neighbor (“You shall not avenge, nor bear any grudge against the sons of your people”), and that rule, we saw, is derived from the Joseph story.³⁴

Two, in the parable a priest and a Levite, each of whom is descended from Joseph’s brother Levi, ignore the victim’s fate. These two temple officials represent Joseph’s brothers (including Levi) who callously pay no heed to Joseph’s calls for help.³⁵ Why, however, if ten of the brothers were involved in the assault on Joseph, is the brother Levi solely represented in the parable? The explanation is that his two descendants in the parable represent one side of the divisiveness between Jews and Samaritans prevailing at the time. That tension centered on their deeply conflicting views about the proper site of the temple. For the Jews it was Jerusalem, but for the Samaritans it was Mount Gerizim.³⁶ Tellingly, the antagonism comes out in Luke’s gospel just before Jesus relays the parable. He and his disciples pass through a Samaritan village but the local population refuses them hospitality.³⁷ Why? Because “his face was set toward Jerusalem,” that is, the place of a temple repugnant to the Samaritans.³⁸ Two of Jesus’ disciples, the brothers James and John, wish to call down fire on them—fire is heaven’s way of dealing with evildoers—but Jesus rebukes them. The intergroup conflict between the Samaritans and the Jews, represented by Jesus and his disciples in this context, is a version of the first ever ancestral conflict involving Joseph and his brothers (among whom Judah, the ancestor of the Jews, played a dominant role as the one seeking to sell Joseph). The priest and the Levite are consequently singled out in the parable because they represent the Judean temple, the focus of intense discord between the two groups of Israelites.³⁹

Three, the Samaritans traced their origin to Joseph. Indeed, in biblical texts as well as in the Dead Sea Scrolls, a mention of Joseph can serve as a

³⁴ *Leviticus* 19:18.

³⁵ *Genesis* 42:21.

³⁶ See Menachem Mor, *The Persian, Hellenistic and Hasmonaean Period, in THE SAMARITANS* 16–17 (Alan D. Crown ed., 1989) (arguing that the division between the two groups is primarily attributable to the existence of the two temples).

³⁷ *Luke* 9:51–53.

³⁸ *Id.* at 9:53.

³⁹ See Kugler, *supra* note 19, at 272–77 (pointing out that during this time period, the Dead Sea community at Qumran saw itself as living out Joseph’s story in their antagonism to the Jerusalem temple). Josephus describes the disturbing incident when Samaritans cast human bones on the site of the temple in Jerusalem. FLAVIUS JOSEPHUS, *JEWISH ANTIQUITIES* 18.29–.30 (1965).

veiled reference to the Samaritans.⁴⁰ At the outset of the Genesis narrative the ancestor of the Samaritans, Joseph, needed rescuing from his plight, and the brothers in turn needed rescuing from theirs because a disguised, vengeful Joseph visited hostility on them similar to what he had experienced at their hands. Like Joseph when he was a victim of kidnapping and about to be sold into the anonymity of slavery, the brothers were treated by Joseph as persons with no identity in a foreign land, indeed in the spying incident as captive slaves. The ten brothers, like the two members of the tribe of Levi in the parable, offered no assistance to the victim of an offense. Contrastingly, despite Joseph's acts victimizing his brothers in Egypt he does in the end move to rescue them from the troubles he caused them and from the prevailing famine. His acts restore their mutual identity as sons of Jacob/Israel. The Samaritan in the parable is reminiscent, then, of his ancestor Joseph helping his brothers in their grim situation. But if the emphasis in the parable is on the Samaritan as Joseph, initially as victim, then on rescuing this victim, the dual identification seems strange. What we must take into account, however, is the curious problem of loving a neighbor as oneself. Joseph made his brothers victims because they had made him a victim. The rule requires the overcoming of vengeful feelings with compassion and that is exactly what Joseph achieved. In subjecting his brothers to suffering, he recognized their plight and recalled his suffering at their hands. The anonymous victim in the parable stands for any such unfortunate among the sons of Jacob/Israel. Attending to him, the Samaritan recalls the example of the first son of Israel, his ancestor Joseph, which instructs the Samaritan to give aid to fellow victims of misfortune.

Four, Preston Sprinkle also views the Joseph story as providing raw materials (chiefly linguistic) for the parable of the Good Samaritan.⁴¹ An important link he brings out is when Jesus says to the lawyer, after the latter recites the two commandments about love of God and love of neighbor, "[t]his do, and thou shalt live" (*Luke* 10:28). The remark is intended to recall Joseph's exhortation to his brothers when he tells them that they must bring Benjamin to Egypt if they wish to live (*Genesis* 42:18, 43:8).⁴² If they do not

⁴⁰ See Preston M. Sprinkle, *The Use of Genesis 42:18 (not Leviticus 18:5) in Luke 10:28: Joseph and the Good Samaritan*, 17 *BULLETIN FOR BIBLICAL RESEARCH* 193, 205 n.46 (2007) (citing 4Q372 frag. 1:10b–15a). He also draws attention to the Hebrew additions to the *Testament of Naphtali*, in R.H. CHARLES, *THE APOCRYPHA AND PSEUDEPIGRAPHIA OF THE OLD TESTAMENT* 2.361–363 (R.H. Charles ed., 1913). Sprinkle cites Josephus in *Jewish Antiquities*, *supra* note 39, at 9.291: "When they [the Samaritans] see the Jews prospering, call them their kinsmen, on the ground that they are descended from Joseph and are related to them through their origin from him." See also DERRETT, *supra* note 16, at 219.

⁴¹ Sprinkle, *supra* note 40, at 193–205.

⁴² *Id.*

bring Benjamin, their brother Simeon will remain permanently in prison and no food will again be provided them to relieve starvation back in their own country. They respond, I would point out, by recalling in the presence of the disguised, victimizing Joseph the very incident of his ordeal in the pit: "And they said one to another, We are verily guilty concerning our brother, in that we saw the anguish of his soul, when he besought us, and we would not hear; therefore is this distress come upon us."⁴³ In the parable, the initial attack on the victim evokes the young Joseph's fate, and the right thing to do is to attend to the wounded man because the law about loving a neighbor as oneself, which is observed by the mature statesman Joseph, is the model.

Five, the treatment of the victim in the parable is modeled on an incident in 2 *Chronicles* 28:8–15, a narrative that is itself a reprise of the Joseph story. On the counsel of the prophet Oded, four Samaritan chieftains treat their captive Judeans (Jews) well. The saga is written so as to illustrate that Joseph's descendants during the period of the monarchy behave like him. Joseph had been initially hostile to his kin in Egypt, but eventually he was compassionate. These Samaritans first attack their kin, the Judeans, and take them captive, but then care for them, in the end treating them as brother Israelites, sons of Jacob-Israel.⁴⁴ Specifically, the Samaritans bind up the wounds of their Judean victims and take them to safe haven in Jericho, a city bordering the territories of Samaria and Judea. The Samaritan in Jesus' parable in turn imitates his ancestors written about in 2 *Chronicles* 28:8–15. He binds up the victim's wounds and takes him to safe haven in Jericho. It has been well observed that the Lukan parable incorporates previous biblical material about Samaritans and Jews.⁴⁵

Once we observe the crucially important and hitherto unrecognized link between the rule in Leviticus and the Joseph story, the parable turns out to be an updated version of that story, and thus the telling of the parable as an explanation of who is one's neighbor makes sense. The abbreviated form of the rule, "you shall love your neighbor as yourself," moreover, proves particularly revealing. To turn back again to the Genesis saga: recall that Joseph, the first Samaritan, eventually becomes the rescuer of his brothers when in Egypt he subjected them to circumstances similar to those that he

⁴³ *Genesis* 42:21.

⁴⁴ 2 *Chronicles* 28:11.

⁴⁵ See DERRETT, *supra* note 16, at 210–11 (listing the likely links with other biblical texts and arguing that little in the story suggests an independent, imaginative composition because biblical history has contributed so much to its contents). The view is contrary to that of JOACHIM JEREMIAS, *THE PARABLES OF JESUS* 203 (1963) ("The story . . . has . . . probably arisen out of an actual occurrence."). See also Sprinkle, *supra* note 40, at 193–205 (emphasizing the link with the Joseph story).

had experienced at their hands. The parable recapitulates the Genesis story. In helping the wounded man, the Samaritan represents the Joseph who helped his family in the time of famine in Canaan and Egypt. The wounded man, in turn, represents the Joseph who fell victim to abuse by the brothers. The victim and the Samaritan are two aspects of the same figure, Joseph. The principle, loving a neighbor as oneself, encapsulates what happens in the parable. The victim and the Samaritan who cares for him both represent the same person—hence love of self.

Luke's use of the abbreviated form of the original Leviticus rule is especially intelligible in the context of the discussion between Jesus and the lawyer. Jesus knew that the formulation of the rule about the love of neighbor was tied to the Genesis story. He points his questioner, the lawyer, to the rule's starting-point, the wounding of Joseph by his brothers. In Luke, both the lawyer and Jesus are testing each other's knowledge of the Torah. By evoking the Genesis saga, the parable provides the correct context for understanding the rule about loving a neighbor as oneself. Being well educated in matters of law and tradition, the lawyer is directed by means of an equivalent story to the original link between the rule and the Genesis narrative.

Not long before the time of the New Testament, interpreters related other biblical rules to Genesis narratives. The *Testament of Gad* 6:1–5 in the Pseudepigrapha (probably second century BCE) connected an injunction in *Leviticus* 19:17 to the Joseph story.⁴⁶ The rule, “thou shalt not hate thy brother in thine heart: thou shalt in any wise rebuke thy neighbour, and not suffer sin upon him,” precedes the rule in *Leviticus* 19:18 about the love of neighbor. In the document, Joseph's brother Gad explicitly links the rule to the relationship between Joseph and his brothers.⁴⁷ Jesus elsewhere again ties a biblical rule, about divorce, to a Genesis narrative. He directs his audience of Pharisees to the stories of creation in Genesis to detect a prohibition of divorce there.⁴⁸

The recapitulation of a story in Genesis is a feature of the material that immediately precedes the Good Samaritan parable. Jesus gives directions to seventy of his followers about a mission that will initiate the end-time

⁴⁶ JONAS CARL GREENFIELD, MICHAEL EDWARD STONE & ESTHER ESHEL, *THE ARAMAIC LEVI DOCUMENT 19* (2004) (arguing that because we can date the Testament of Levi to the third or very early second century BCE, the other testaments, including the Testament of Gad, fall within this time period).

⁴⁷ CHARLES, *supra* note 40, at 341, 292–93; *see also* James L. Kugel, *On Hidden Hatred and Open Reproach: Early Exegesis of Leviticus 19:17*, 80 *HARV. THEOLOGICAL REV.* 49–61 (1987); CALUM CARMICHAEL, *LAW, LEGEND, AND INCEST IN THE BIBLE LEVITICUS 81–82* (1997) (arguing on other grounds for a link between the Joseph story and *Leviticus* 19:17).

⁴⁸ *Genesis* 1:27, 2:24; *Deuteronomy* 24:1–4; *Mark* 10:2–12; *Matthew* 19:3–12.

process of gathering together all the nations of the earth.⁴⁹ Inspiration for the instruction is the story in *Genesis* 10 of the seventy nations spread abroad on the earth after the flood. Also, when Jesus goes on to pronounce doom on Chorazin and Bethsaida and contrasts their future fate with that of Tyre and Sidon, he is recalling the doom of Sodom and Gomorrah in *Genesis* 19.⁵⁰ Like the parable of the Good Samaritan, not only do the contents of *Luke* 10 evoke *Genesis* narratives, *Luke* makes them relevant to current matters.⁵¹

In sum, if we assume knowledge of biblical texts on the part of the characters, as we certainly should, the parable will have evoked the Joseph story, especially the initial dramatic event of the assault on Joseph, which triggers all the following ones: the indifference of observers, his brothers, to his plight; the direction (“this do and you will live”) of the disguised Joseph to bring Benjamin to Egypt; and the ultimately merciful attitude of Joseph, the ancestor of the Samaritans, to his fellow-Israelites (including Levi). A message of the parable is that the lawyer, like his fellow Israelites, the priest and the Levite, should affirm the example of the Samaritan because the rule about loving a neighbor as oneself expresses the marvelous outcome of the first Samaritan’s conduct at the nation’s origin. God transformed the ruin planned for Joseph into welfare for all, and in doing so had Joseph love his brothers as Israelites like himself. Loving God and loving a neighbor as oneself prove to be the two life-giving commandments. In telling the parable Jesus is not, as commonly thought, affirming an ethic of universal love.⁵² His focus is more parochial. The disputing Samaritan and Jewish factions of his time should embrace the kind of forgiveness and reconciliation on display at the climax to the Joseph story and show compassion to one another because they are brother Israelites, sons of Jacob. Fundamentally, however, the discussion is about the formation of the rule and how someone skilled in jurisprudence furnishes an updated version of it in a demonstration of legal hermeneutics.

⁴⁹ *Luke* 10:1–24.

⁵⁰ *Id.*

⁵¹ See CREED, *supra* note 27, at 144, 146 (linking *Luke* 10:1–24 with *Genesis* 10 and 19); see also Thomas Louis Brodie, *Greco-Roman Imitation of Texts as a Partial Guide to Luke’s Use of Sources*, in *LUKE–ACTS: NEW PERSPECTIVES FROM THE SOCIETY OF BIBLICAL LITERATURE SEMINAR 23–26* (Charles H. Talbert ed., 1984) (detailing the enormous role of the reworking of ancient texts in both Jewish and Greco-Roman literature at the time).

⁵² See, e.g., FITZMYER, *supra* note 8, at 884–85 (referring to *Luke*’s “universalism”).