

ARTICLE

The Enigma of the Antitheses

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Abstract

While it is easy to interpret the first and second of the Matthean Antitheses (5.21–30) as intensifications of the Mosaic law, it is difficult to interpret the remaining Antitheses (5.31–48) in this manner. In the history of interpretation, two main strategies have been adopted for dealing with these later Antitheses, the ‘rejected interpretation’ hypothesis and the revocation hypothesis. The ‘rejected interpretation’ hypothesis, however, is only plausible for the last Antithesis (5.43–8), which appends ‘and hate your enemy’ to the Levitical exhortation to love one’s neighbour; in all other instances, the ‘thesis’ statement is either a biblical citation or a close paraphrase of one or more biblical passages. Although the revocation hypothesis has often been deployed in an anti-Jewish way, there is nothing intrinsically anti-Jewish about it; indeed, both biblical authors, such as the Deuteronomist and Ezekiel, on the one hand, and some rabbis, on the other, explicitly revise prior biblical laws while at the same time claiming to be changing nothing. Matthew does something similar when he introduces the revisionist Antitheses with a programmatic statement about the unchangeableness of the Law (5.17–20). The Matthean Jesus, then, is not ‘seconding Sinai’ but correcting it.

Keywords: Matthew; Sermon on the Mount; Torah; Law; Antitheses

1. The Problem

Despite many attempts to crack the code of the Matthean Antitheses (Matt 5.21–48), their enigma remains.¹ This section of the Sermon on the Mount is immediately preceded by a

¹ The most influential treatments in the past generation have been in the magisterial commentaries of Ulrich Luz, *Matthew: A Commentary*, (Hermeneia; 3 vols.; Minneapolis: Fortress Press, 1989–2005), 1.226–94 and W. D. Davies and Dale C. Allison, *A Critical and Exegetical Commentary on the Gospel According to Saint Matthew*, (ICC; 3 vols.; Edinburgh: T. & T. Clark, 1988–97), 1.504–71. See also, more recently, Karl-Wilhelm Niebuhr, ‘Die Antithesen des Matthäus. Jesus als Toralehrer und die frühjüdische weisheitlich geprägte Torarezeption’, in *Gedenkt an das Wort. Festschrift für Werner Vogler zum 65. Geburtstag*, ed. Christoph Kähler, Martina Böhm, and Christfried Böttrich (Leipzig: Evangelische Verlaganstalt, 1999), 175–200; Matthias Konradt, ‘Die vollkommene Erfüllung der Tora und der Konflikt mit den Pharisäern im Matthäusevangelium’, in *Das Gesetz im frühen Judentum und im Neuen Testament*, ed. Dieter Sänger and Matthias Konradt, (SUNT 57; Göttingen: Vandenhoeck & Ruprecht, 2006), 288–315; Reinhard Neudecker, *Moses Interpreted by the Pharisees and Jesus: Matthew’s Antitheses in the Light of Early Rabbinic Literature*, (Subsidia Biblica 44; Rome: Gregorian & Biblical Press, 2012); Klaus Wengst, ‘Keiner “Antithesen”, sondern Auslegung der Tora. Zu Mt 5,17–48’, *Zeitschrift für Neues Testament* 36 (2015), 12–21; Yair Furstenberg, ‘Die zweite Tora. Die “Antithesen” Jesu innerhalb des jüdischen Diskurses über die schriftliche Tora des Mose’, *BK* 4 (2017), 248–57; Francois Viljoen, *The Torah in Matthew*, (Theology in Africa 9; Wien: LIT Verlag, 2018), 132–69; John Kampen, *Matthew Within Sectarian Judaism*, (AYBRL; New Haven/London: Yale University Press, 2019), 85–112.

programmatic statement affirming the eternity and irrevocability of the Law and Jesus' own consonance with it (5.17–20). He comes not to destroy but to fulfil (5.17), and not a jot or tittle will pass from the Law until 'all things' come to pass (5.18). Therefore, whoever 'loosens one of the least of these commandments' will be called least in the kingdom of heaven, whereas those who practise and teach them will be called great (5.19)—for Jesus' disciples must surpass the scribes and Pharisees in righteousness (5.20).² It is difficult to imagine a stronger affirmation of the continuing validity of the Torah. While Jesus opposes the way in which the 'scribes and Pharisees' interpret and practise it, he seems to agree with the default Jewish principle that the Torah is the centre of God's revelation and the jumping-off point for human ethical inquiry.³

It comes as a shock, then, that the immediately subsequent verses, the Antitheses (5.21–48), seem at several points to challenge the Torah itself.⁴ Their very structure—'You have heard that it was said' + citation of the Torah... + 'but I say to you' + command of Jesus—is easily construed as qualification, if not revocation, of the Torah passages cited.⁵ Moreover, the content of at least the third, fourth, and fifth Antitheses is hard not to read as contradictory to the Torah. The Torah itself implicitly allows male divorce, since it specifies how it is to be accomplished (through the husband giving the wife a certificate of divorce: Deut 24.1); Jesus, however, forbids not only male divorce (except in cases of fornication) but also marriage with a divorced woman, a veto apparently unprecedented in ancient Judaism (5.31–2).⁶ The Torah does not forbid swearing oaths, but only swearing false ones (Lev 19.12), and, by specifying that oaths made 'to the Lord' are to be carried out (Num 30.3; Deut 23.33), implicitly endorses the practice; Jesus, however, says, 'Don't swear at all' (5.33–7).⁷ The Torah endorses the principle of retaliation against evil-doers, 'an eye for an eye and a tooth for a tooth' (Exod 21.23–35; Lev 24.19–20; Deut 19.21), whereas Jesus commands non-resistance to evil (5.38–42). It is true, as Karl-Wilhelm Niebuhr demonstrates, that parallels can be found in Second Temple Jewish paraenesis for most of the things Jesus positively endorses, such as restraining anger and lust;

² Unless otherwise specified, all translations of ancient texts are my own, though biblical citations often take the RSV as a point of departure.

³ On this principle, see Solomon Schechter, *Aspects of Rabbinic Theology* (New York: Schocken, 1961 [1909]), 116–69; George Foot Moore, *Judaism in the First Centuries of the Christian Era* (2 vols.; New York: Schocken, 1971 [1927–30]), 1.263–80; Ephraim E. Urbach, *The Sages: Their Concepts and Beliefs*, Publications of the Perry Foundation (Jerusalem: Magnes Press, Hebrew University, 1979), 1.286–314.

⁴ Because I will refer to the Antitheses by number in what follows, I enumerate them here: No.1, on murder (5.21–6); No. 2, on adultery (5.27–30); No. 3, on divorce (5.31–2); No. 4, on oaths (5.33–7); No.5, on retaliation (5.38–42); No. 6, on loving neighbour (5.43–8).

⁵ It is possible to read the δέ in ἐγὼ δὲ λέγω ὑμῖν as additive rather than adversative, as Wengst, 'Keiner Antithesen', 13–15 argues at length (cf. Davies and Allison, *Matthew*, 1.507). This reading would work for the first two Antitheses, on murder and adultery (5.21–6, 27–30), but, as shown below, it is difficult to maintain for the final four.

⁶ See Davies and Allison, *Matthew*, 1.532.

⁷ Davies and Allison, *Matthew*, 1.507, citing E. P. Sanders, *Jesus and Judaism* (Philadelphia: Fortress, 1985), 256–7, rightly note that the Torah does not command divorce or oath-swearing, but just takes these institutions for granted; therefore, they argue, Matt 5.31–7 does not overthrow OT commandments. It remains true, however, that the Torah *allows* divorce and oaths, whereas Jesus in Matt 5.31–7 *forbids* them. Similarly, on the same page Davies and Allison note that '[a]nyone who followed the words of Jesus in 5.21–48 would not find himself in violation of any Jewish law'. This is true, but it is also true, as they recognise, that the rhetoric of the Antitheses suggests a contrast with the Torah. Cf. below, p. 16, on Christine Hayes's distinction between overruling negative biblical law (permitting what the Bible forbids) and over ruling positive biblical law (forbidding what the Bible permits). The latter, which is what is going on in Antitheses Nos. 3–4, is a more conservative assertion of authority over against the Bible than the former, but it is nevertheless an assertion of a revisionary prerogative.

avoiding divorce, oaths, and retaliation; and showing benevolence to enemies.⁸ But it is also true, as Niebuhr notes, that the form adopted by Matthew itself suggests that these positive exhortations, which *could* have been linked with the Torah,⁹ are here framed as contradictory to it.¹⁰

2. Source-Critical Solutions

Exegetes have adopted various strategies for dealing with the tension between the Programmatic Statement in 5.17–20 and the Antitheses in 5.21–48. In the heyday of source criticism, it was often suggested that the Programmatic Statement and the Antitheses come from different levels of tradition. Thus the Programmatic Statement (or at least its middle portion, 5.18–19) could be seen as a relic of a bygone era in the history of the Matthean community, when it lived under the Law and saw its mission as restricted to Jews (cf. 10.5–6); the Antitheses, on the other hand, reflect the Matthean present, in which the community has opened up to gentiles and sees itself as bound only by the new law of Jesus (cf. 28.19–20).¹¹ Davies and Allison reverse this chronology; for them, the Programmatic Statement is not an old tradition but a redactional creation that Matthew has prefixed to the Antitheses to show that no matter how much the latter may seem to stretch the Torah, they do not abrogate it.¹²

Neither hypothesis, however, provides a satisfactory answer to the question of how Matthew himself understands 5.17–48—a section that includes *both* the Programmatic Statement *and* the Antitheses. The mystery deepens if we join the consensus of scholarship in thinking that Antitheses 1, 2, and perhaps 4 are pre-Matthean, but that at least 3, 5, and 6 have been given their antithetical shape by Matthew.¹³ As Ulrich Luz puts it: ‘Why

⁸ Niebuhr, ‘Antithesen’, 181–98.

⁹ Niebuhr, ‘Antithesen’, 195 notes that Lev 19.34 already widens the exhortation from Lev 19.18 to love the neighbour as oneself to include ‘the stranger who dwells in your midst’ (cf. Deut 10.19), and that this is related to other Torah exhortations to show benevolence to foreigners and even military enemies, such as Exod 23.4–5 (cf. Philo, *On the Virtues* 116–20) and Deut 20.19–20 (cf. Josephus, *Apion* 2.212; 4 Macc 2.14). Similarly, Furstenberg, ‘Zweite Tora’, 252 notes the similarity between Deut 15.1–11 and the Matthean exhortation to lend without expecting repayment (Matt 5.42).

¹⁰ Cf. Luz, *Matthew*, 1.231; also Michael Winger, ‘Hard Sayings’, *ExpT* 115 (2004), 267: ‘The most striking difference between Matthew and Luke is probably that in Matthew, Jesus first specifies the general wisdom which he rejects, and indeed specifies that this is not merely general wisdom, but the *Law*, which only a few verses earlier he has enjoined upon his followers (Matt. 5.17–20)...The [antithetical] form does not make Jesus’ commands more difficult, but it underscores their difficulty—indeed, flaunts it.’

¹¹ Luz, *Matthew*, 1.223 characterises 5.18–19 in this view as ‘a piece of traditional Jewish Christian baggage that, although the evangelist transmitted it, actually had no meaning for him’. See, for example, Rolf Walker, *Die Heilsgeschichte im ersten Evangelium*, (FRLANT 91; Göttingen: Vandenhoeck & Ruprecht, 1967), 135, who says that 5.20–48 shows Matthew to be a “radikalen Antinomisten”, der 5.18f. durchaus nicht wörtlich nimmt.’ Luz (212–13, 221–2) thinks this view is belied by the evidence that Matthew himself reworked 5.18–19 (the two ‘until’ clauses in 5.18, and Matthean vocabulary such as ‘kingdom of heaven’, ἄνωθρονος, οὐτως, and anaphoric οὕτως in 5.19). He also dismisses the view of E. Wendling, ‘Zu Matthäus 5, 18, 19’, *ZNW* 5 (1904), 253–6 that the verses are an interpolation. Cf. Viljoen, *The Torah in Matthew*, 69 on the insistence of recent redaction critics that 5.17–20 must be taken seriously as part of the argumentative flow of Matthew 5.

¹² Davies and Allison, *Matthew*, 1.501; cf. Luz, *Matthew*, 1.221.

¹³ Rudolf Bultmann, *History of the Synoptic Tradition* (New York: Harper & Row, 1963 [1921]), 114–16 influentially argued that Matthew inherited Antitheses 1, 2, and 4 (5.21–6, 27–30, 33–7), but that he himself turned the Q sayings in Luke 16.18 and Luke 6.27–36, which are *not* contrastive in form, into Antitheses 3, 5, and 6 (5.31–2, 38–42, 43–8). Luz, *Matthew*, 1.227 calls this the ‘normal hypothesis’, and Davies and Allison, *Matthew*, 1.504–5 embrace it. But Konradt, ‘Vollkommene Erfüllung’, 295 argues strongly that Antithesis 4, on swearing (5.33–7), which has a non-contrastive form in James 5.12, may be redactional as well. It is significant that, if this analysis is correct, only Antitheses 1 and 2—the least contrastive ones—are pre-Matthean. Davies and Allison, *Matthew*, 1.505 n. 1 think

did Matthew even add to the number of antitheses when in vv. 17–19 he had to protect them against a misunderstanding?¹⁴

Eschewing solutions that fail to take one part or the other of 5.17–48 seriously, most recent exegetes have sought to interpret the Antitheses in ways that reconcile them with the Programmatic Statement. The two major ways of doing so have been a) to treat the Antitheses as intensifications of the Mosaic law and b) to treat them as polemics not against the Law itself but against competing interpretations of it.

3. The Intensification Hypothesis

It is easy to see the first two Antitheses (5.21–6, 27–30) as intensifications of the Torah: the Decalogue proscribes murder and adultery (Exod 20.13–14//Deut 5.17–18), but Jesus also proscribes the emotions that lead to them, thus in effect making ‘a fence around the Law’ (cf. m. ‘Abot 1.1).¹⁵ It is hard, however, to make the intensification hypothesis work with the remaining Antitheses,¹⁶ though some have tried.¹⁷ It has at times been asserted, for example, that the purpose of the *lex talionis* in the Old Testament legislation was to limit retaliation: instead of prescribing disproportionate retribution, as was allegedly common among Israel’s neighbours, Exod 21.22–5 limits the sanctioned retribution to *one eye for an eye, one tooth for a tooth, one life for a life*. Jesus merely goes further along this path of forbearance by instructing his disciples not to strike back at all.¹⁸

these two Antitheses probably go back to Jesus. Luz, however (ibid.), refers to the assumption that it is precisely the secondary Antitheses that invalidate the Torah as ‘probably mistaken but widespread’.

¹⁴ Luz, *Matthew*, 1.232.

¹⁵ On the applicability of the Mishnaic language about the סיג לתורה, see Davies and Allison, *Matthew*, 1.507 n. 2 and Neudecker, *Moses Interpreted*, 47–8. There are also striking rabbinic parallels to these two Antitheses, for example, *Derekh Eretz Rabbah* 11.13, ‘R. Eliezer said, the one who hates his associate, behold, he belongs to the shedders of blood’ (השונא את חברו הרי זה משופכי דמים) and *Lev. Rab.* 23.12: ‘Resh Lakish said, “The one who commits adultery with his eyes is called an adulterer”’ (נואף בעיניו נקרא נואף); trans. altered from Neudecker, *Moses Interpreted*, 53, 60).

¹⁶ This distinction among the Antitheses was already noted in the second century; see Ptolemy, ‘Letter to Flora’ (Epiphanius, Panarion 33.4.4; 33.6.1–2), who treats Antitheses 1, 2, and 4 as intensifications, but Antitheses 3 and 5 as revocations.

¹⁷ See, for example, W. D. Davies, *The Setting of the Sermon on the Mount* (Cambridge: University Press, 1966), 102: ‘[W]e cannot speak of the Law being annulled in the antitheses, but only of its being intensified in its demand, or reinterpreted in a higher key’, and Davies and Allison, *Matthew*, 1.508: Jesus’ demands ‘surpass those of the Torah without contradicting the Torah’.

¹⁸ See already Tertullian, *Marcion* 4.16 and Augustine, *Commentary on the Sermon on the Mount* 1.19.56; cited with approval by Luz, *Matthew*, 1.276; Davies and Allison, *Matthew*, 1.542; and Neudecker, *Moses Interpreted*, 99. Tertullian, of course, was trying to refute Marcion, who pointed to the ‘eye for an eye’ statute as evidence that the cruel God of the Old Testament was different from the compassionate God of Jesus (cf. 2.18), and Augustine’s remarks were probably directed against Marcion’s successors the Manicheans (cf. the reference to ‘heretics who are opposed to the Old Testament’ a few paragraphs later, in 1.20.65). In general, the shadow of Marcion (and the Holocaust) hangs heavily over much recent debate about the Matthean Antitheses. Nathan Eubank, *Wages of Cross-Bearing and Debt of Sin*, (BZBW 196; Berlin/Boston: De Gruyter, 2013), 77 n. 60, citing Hans Dieter Betz, *The Sermon on the Mount: A Commentary on the Sermon on the Mount, Including the Sermon on the Plain (Matthew 5:3–7:27 and Luke 6:20–49)*, (Hermeneia; Minneapolis: Fortress Press, 1995), 200 even asserts that ‘it was Marcion who first called 5:21–48 “antitheses”’. This is a stronger claim than Betz actually makes, however, and the passages he refers to in his footnotes do not support Eubank’s assertion.

Neudecker, *Moses Interpreted*, 40, 100–104 notes the rabbinic tendency to take the ‘eye for eye’ statute as a reference to financial compensation (see, for example, m. *B. Qam.* 8.1; b. *B. Qam.* 83b–84a) and suggests that Matt 5.38–42 is a similarly humane reinterpretation of the biblical law (cf. Davies and Allison, *Matthew*, 1.540 n. 48; Bernard M. Levinson, ‘The Hermeneutics of Tradition in Deuteronomy: A Reply to J.G. McConville’, *JBL* 119.269–286 [2000], 284). For more detail about the monetary interpretation of Exod 21.23–4, which according to rabbinic sources was embraced by all the sages except Eliezer b. Hyrcanus, see Isaac Kalimi, ‘Targumic and

One can see the theological attractiveness of this interpretation: it prevents a Marcionite wedge from being driven between Jesus' teaching and the Old Testament law. But it puts considerable exegetical strain on the source text, Exod 21.22–5, since here the *lex talionis* seems not to limit retaliation but to make it more severe. The passage specifies that, if two quarrelling men strike a pregnant woman and cause her to miscarry, they need only pay a fine, but if harm comes to the woman herself, they need to recompense 'eye for eye, tooth for tooth, life for life, burn for burn, wound for wound, stripe for stripe' (RSV). The *talio* here does not represent a limitation but an escalation over the fine just mentioned.

As for the alleged contrast with the harsh justice meted out by Israel's neighbours, Isaac Kalimi cites as his premier example of the 'wild vengeful laws in some ancient Near Eastern codes' a Hittite provision that, if anyone kills a person in a quarrel, he must give up four persons in recompense (Hittite Laws §1).¹⁹ This, however, is not a case of killing four people in retaliation for the murder of one, as Kalimi seems to think, but of propitiating a murder victim's family with a gift of four slaves.²⁰ In effect, then, the Hittite law is an example of substituting economic compensation for talionic execution—the same sort of substitution that Kalimi praises in the later rabbis as 'progressive'.²¹ His conclusion that 'the *lex talionis* was in effect an enormous advance in ancient legal practice and a far-reaching step in human progress' thus appears to be motivated by apologetic rather than exegetical concerns.²² And even if he were right about the humaneness of the ancient Israelite practice in comparison to the institutions of its neighbours, it would still be a question how knowledge of this putative pagan background could

Midrashic Exegesis in Contradiction to the *Peshat* of the Biblical Text', in *Biblical Interpretation in Judaism and Christianity*, (ed. Isaac Kalimi and Peter J. Haas, Library of Hebrew Bible/Old Testament Studies; New York: T&T Clark, 2006), 15–18.

¹⁹ Kalimi, 'Targumic and Midrashic Exegesis', 1, citing Ephraim Neufeld, *The Hittite Laws: Translated Into English and Hebrew with Commentary* (London: Luzac, 1951), 1.

²⁰ On Hittite Laws §1 as a reference to enslavement, see Fiorella Imparati, *Le leggi ittite* (Roma: Edizioni dell'Ateneo, 1964), 187 n. 4; Neufeld, *Hittite Laws*, 130–1; and Harry Angier Hoffner, *The Laws of the Hittites: A Critical Edition* (Leiden/New York/Köln: Brill, 1996), 168. Imparati specifically refutes the idea that the four people transferred to the family of the murder victim are meant to be killed. The purpose of the transfer is to compensate the family economically for the loss of the murder victim, which would not be accomplished if the gifted persons were killed; besides, slaves in Hittite law retained rights, including, presumably, the right to live when they had done nothing wrong. See also the discussion of Ancient Near Eastern homicide laws, including this one, in Samuel Greengus, *Laws in the Bible and in Early Rabbinic Collections: The Legal Legacy of the Ancient Near East* (Eugene: Cascade Books, 2011), 160–70. Greengus shows that the Hittites were actually famous for their avoidance of capital punishment, even in cases of murder, and that talionic punishment was the severest form of retribution for murder in Ancient Near Eastern codes in general. More often Ancient Near Eastern legists (like the later rabbis; see above, n. 18) opted for financial compensation. Cf. the Old Hittite Telipinu Proclamation (§49) cited by Hoffner, *Laws*, 165: 'This is the procedure for homicide (lit. blood): (as for) him who commits homicide, (it is) what only the "lord of the blood" (i.e. representative of the victim) says. If he says, "Let (the accused) die!", then let him die. But if he says, "Let (the accused) make compensation!", then let him make compensation.'

²¹ See above, n. 18. By pointing out that Hittite Laws §1 prescribes the transfer of four slaves to the victim's family rather than the execution of four members of the perpetrator's family, and by referring to this transaction as economic compensation, I am not of course endorsing the institution of slavery or the reduction of people to property.

²² Kalimi also claims that Gen 4.24 reflects 'a traditional tribal practice' in which sevenfold or even seventy-sevenfold revenge was customary; he does not explain why he thinks the numbers in the Cain and Abel story are anything other than the extravagant hyperbole characteristic of the antediluvian narratives. Even less relevant is his citation of biblical instances in which restitution is to be made twofold, four- or fivefold, or sevenfold for theft (Exod 21.37; 22.6–8; 2 Sam 12.6; Prov 6.30–1). How does showing that one biblical law is less disproportionate than another demonstrate the leniency of biblical law?

have been passed down from Old Testament times to first-century Jews such as Jesus or Matthew.²³

4. The 'Rejected Interpretation' Hypothesis—Pharisees

Far more popular than the intensification hypothesis as a way of dealing with the relation between the theses and antitheses in Matthew 5 is the assertion that, in the Antitheses, Jesus is opposing not biblical laws but contemporary interpretations of them. Because an exhortation to exceed the righteousness of the scribes and Pharisees immediately precedes the Antitheses (5.20), the rejected interpretations are usually understood to be Pharisaic.²⁴ But because of the paucity of sources about Pharisaic views on the issues at stake in Matt 5.21–48, scholars have often filled the gaps by turning to the literature of the post-70 CE rabbis, who saw themselves as the successors of the pre-70 Pharisees. Some exegetes consider the use of such late sources methodologically suspect, but others argue that rabbinic traditions can be employed in a responsible and nuanced way to help sketch out possible early trajectories of interpretation.²⁵

One rabbinic parallel that has been cited to support the 'rejected interpretation' has to do with the form of the Matthean Antitheses. In his 1956 book *The New Testament and Rabbinic Judaism*, David Daube pointed out the similarity between Matthew's ἀκούσατε ('you have heard') and rabbinic traditions in which שומע אני (lit., 'I hear') means 'I might interpret' and introduces an overly literal exegesis of a biblical passage. Daube noted that, in at least one instance (*Mek., Yitro Bachodesh* 9 [Lauterbach, 2.344]), the correct interpretation is then introduced by אמרת (lit. 'you said'), which in the context means 'you must rather say'. This makes the parallel to the Matthean antithesis formula ('you have heard...but I say') more striking, though the more frequent introductory formula for the proper exegesis is תלמוד לומר, 'the correct interpretation says'.²⁶

²³ Kalimi is not concerned with demonstrating continuity between the biblical *lex talionis* and Matt 5.38–9, which he mentions only glancingly (p. 14, n. 4), but with showing the humaneness of the biblical law and the rabbis' further movement in a 'progressive' direction.

²⁴ Luz, *Matthew*, 1.228–9 characterises the 'rejected interpretation' approach as the classic Protestant approach to the Antitheses, whereas the mediaeval church and post-Reformation Catholics tended to see the Antitheses as representing the contrast between the old Law of the Jews and the new Law of Jesus. While the Catholic approach was often tainted by anti-Judaism, the Protestant approach was often in effect anti-Catholic, since the Reformers tended to identify the biblical Pharisees with the 'papists' (see Ian Boxall, *Matthew Through the Centuries* [Hoboken: John Wiley & Sons, 2019], 336). In recent scholarship, as Furstenberg, 'Zweite Tora', 250 points out, the subtext is often different: the 'rejected interpretation' approach goes along with an apologetic attempt to associate Jesus with 'normative' (i.e., Pharisaic) Judaism and to protect him from charges of antinomianism. This subtext is clear in the case of Neudecker, *Moses Interpreted* and Wengst, 'Keiner Antithesen'.

The polemic against the 'scribes and Pharisees' in 5.20 makes implausible the thesis of David Flusser, 'Die Tora in der Bergpredigt', in *Entdeckungen im Neuen Testament. Band 1: Jesusworte und ihre Überlieferung*, (ed. Martin Majer; Neukirchen-Vluyn: Neukirchener, 1987 [1973]), 21–31 that Jesus' criticism was directed at the Sadducees.

²⁵ See, for example, E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977), 59–75; Anthony J. Saldarini, 'Comparing the Traditions: New Testament and Rabbinic Literature', *BBR* 7 (1997), 195–204; William Horbury, 'The New Testament and Rabbinic Study: An Historical Sketch', in *The New Testament and Rabbinic Literature*, (ed. Reimund Bieringer, et al; Supplements to the Journal for the Study of Judaism 136; Leiden/Boston: Brill, 2010), 1–40. Horbury shows that the debate over the relevance of rabbinic traditions for understanding the New Testament goes back to the earliest Christian centuries, with Origen and Jerome as early proponents of their relevance.

²⁶ David Daube, 'Ye Have Heard--But I Say Unto You', in *The New Testament and Rabbinic Judaism* (New York: Arno, 1973 [1956]), 55–66. While noting these parallels, however, Daube also (p. 58) recognizes differences, including the more polemical atmosphere of the Matthean Antitheses: 'The tone is not academic but final, prophetic, maybe somewhat defiant.'

These rabbinic parallels, however, while superficially attractive, do not stand up to careful scrutiny. With regard to Daube's to אַי שׁוֹמֵעַ אַי formula, Eduard Lohse already pointed out in 1973 that the analogy with Matthew is inexact, since אַי שׁוֹמֵעַ אַי introduces a possible misinterpretation, whereas ἡκούσατε introduces the words of scripture itself.²⁷ Daube, then, must read into his argument its most important and least obvious step: the contention that, although Jesus cited only scripture, he was actually referring to an unvoiced interpretation of scripture.²⁸

A much more powerful piece of evidence for the 'rejected interpretation' approach is Matt 5.43, where 'you shall love your neighbour' is from Lev 19.18, but 'and you shall hate your enemy' is not drawn directly from any biblical text,²⁹ certainly not from Lev 19.18 in its immediate context.³⁰ This being the case, it is possible to see 5.43b as a reference to a particular way of interpreting Lev 19.18³¹—one, perhaps, that limits the 'neighbour' to the fellow-Israelite.³² Some scholars have argued that this is only a short step away from enjoining hatred for outsiders; Luz, for example, asserts that '[f]or all practical purposes hating enemies is what happens when one understands the love command in a particularistic...sense'.³³ And there are, indeed, some rabbinic traditions that interpret Lev 19.18 in this sort of contrastive manner; a Tannaitic midrash, for example, comments on the first half of the verse ('You shall not take revenge and you shall not bear a grudge

²⁷ Eduard Lohse, 'Ich aber sage euch', in *Die Einheit des Neuen Testaments. Exegetische Studien zur Theologie des Neuen Testaments* (Göttingen: Vandenhoeck & Ruprecht, 1973), 75–7.

²⁸ Cf. Neudecker, *Moses Interpreted*, 40, who claims that, in the Antitheses, the biblical passages cited by Jesus are followed by '[a]n interpretation, legislation, or practice of the Scribes and Pharisees which in most cases is not fully spelled out or has to be supplied completely' (emphasis added). This is at least up-front about its eisegesis. Cf. below, pp. 9–11, for a similar criticism of John Kampen.

²⁹ There are numerous biblical passages that enjoin fierce opposition to national enemies (see, for example, Deut 7.2; 20.16; 23.3–7; Ps 137.7–9) or express hatred for sinners within the camp (see, for example, Pss 26.5; 139.19–22). Perhaps the closest we come to an injunction to hate the enemy is Deut 23.3–7, where the instruction not to abhor the Edomite (לֹא תִחַבֵּ אֶדְמוֹנִי) is played off against the instruction not to seek the peace of the Ammonite or Moabite. By implication, the latter are objects of abhorrence.

³⁰ The word 'hate' is in fact used in the immediate context, but for what one should *not* do, namely hate one's brother in one's heart (Lev 19.17). Davies and Allison, *Matthew*, 1.550 argue that Matthew has taken the words 'hate' and 'enemy' from Q (Luke 6.22, 27, 35) and has turned them 'into a negative qualification in order to bring home the limitation of an OT directive in contrast to the all-encompassing word of Jesus'. This last assertion underplays the extent to which Matthew has actually altered the Old Testament directive, if he has Lev 19.17–18 in mind. See above, n. 17, for 'intensification' as Davies and Allison's essential paradigm for interpreting the Antitheses.

³¹ Luz, *Matthew*, 1.288 writes, 'In no other antithesis is there so much support for the classic "Protestant" thesis that the antitheses are directed not against the Old Testament but against its Jewish interpretation'; cf. Davies and Allison, *Matthew*, 1.548.

³² Cf. Luke 10.27–9, where Jesus cites Lev 19.18 and his scribal interlocutor asks him, 'And who is my neighbour?' On the history of the interpretation of Lev 19.18 in ancient Judaism, see Andreas Nissen, *Gott und der Nächste im antiken Judentum. Untersuchungen zum Doppelgebot der Liebe*, (WUNT 15; Tübingen: Mohr Siebeck, 1974).

³³ Luz, *Matthew*, 1.288; cf. Davies and Allison, *Matthew*, 1.550. The ellipsis in the Luz quotation contains the words 'or popular ethical'; I am not sure what a 'popular ethical sense' is. Similar to Luz, but in a more expansive and philosophical vein, is Winger, 'Hard Sayings', 271: 'Love is what we reserve for those near to us, our family or friends. It is a focusing of our attention and care, which means to narrow them; who can focus on everything? To love one's neighbour seems entirely natural and inevitable: loving one's family, one's kind, one's friend and companions. Hating one's enemy is only the obverse side of this coin; to speak of loving one's neighbour implies that there are those one does not love, namely one's enemies. Indeed, we might say that to speak of love implies hate.' Cf. n. 8 on the same page: 'The idea of *neighbour* carries with it the idea that not everyone is a neighbour; otherwise the term is meaningless.' I wonder, though, whether the non-neighbour must perforce be an enemy; is not some sort of intermediate status possible, on the analogy of non-aligned nations during the Cold War?

against the children of your people:’) by saying, ‘[but] you shall take vengeance and bear a grudge against others’ (*Sipra Qedoshim* 2.4.12).³⁴

It seems doubtful, however, that in Matt 5.43–8 the Matthean Jesus is opposing an ethnocentric Pharisaic interpretation of Lev 19.18. While rabbinic interpreters (like Leviticus itself) generally assume that the רע of Lev 19.18 is a fellow-Israelite,³⁵ they usually do so without drawing exclusivist conclusions. The most common use of the verse in the Babylonian Talmud, for example, is to provide a proof-text for giving victims of capital punishment a ‘good’ (i.e., easy) death.³⁶ There are also scattered instances in which rabbis interpret the verse universalistically³⁷ or otherwise qualify its particularism. *Sipra Qedoshim* 3.8.4, for example, points out the parallel between the injunction to love the neighbour in Lev 19.18 and the injunction to love the sojourner (גר) in Lev 19.34,³⁸ and *y. Ned.* 9:4 (41c) ascribes to the Tannaitic sage Ben ‘Azzai the opinion that Lev 19.18 is trumped by the reference to ‘the generations of Adam’ in Gen 5.1.³⁹ These traditions preserve the default identification of the רע in Lev 19.18 with the native-born Israelite but link the passage with other biblical texts that widen the circle of benevolence to include the sojourner (whom the rabbis understood as the convert) or humanity in general.

Even if one uses rabbinic traditions to supplement our sparse evidence for the pre-70 Pharisees, then, there does not seem to be strong support for the theory that the default Pharisaic position was that ‘you shall love your (Jewish) neighbour as yourself’ implied, ‘you shall hate your (non-Jewish) enemy’.

5. The ‘Rejected Interpretation’ Hypothesis—Qumran

Where we do find a sharp contrast between the treatment prescribed for insiders and that prescribed for outsiders is in the Qumran literature. One famous instance occurs in the very first column of a foundational text, the Community Rule. Here the author, probably quoting the sect’s induction ceremony, declares his purpose to be to instruct the community member ‘to love (לאהורב) all the sons of light, each according to his lot in God’s plan, and to hate (לשנוא) all the sons of darkness, each according to his guilt’ (1QS I, 9–11, García Martínez trans. alt.; cf. IX, 21–2).⁴⁰ The ‘sons of light’ here are the members of the Qumran community, the ‘sons of darkness’ all outsiders, whether Jewish or non-Jewish. In accordance with this redrawing of the lines of demarcation, in the Qumran literature the ‘neighbour’ of Lev 19.18 is no longer the fellow-Israelite in general but the ‘brother’, the member of the elect community.⁴¹

³⁴ לא תקום ולא תטור את בני עמך: נוקם אתה ונטור לאחריים; cf. *Leqah Tov* 54a, 5 and Neudecker, *Moses Interpreted*, 109, from which the translation is taken. In n. 2 Neudecker quotes Claude Montefiore, who referred to this as a ‘painful passage’. Cf. also Dale C. Allison, *Constructing Jesus: Memory, Imagination, and History* (Grand Rapids: Baker Academic Press, 2010), 355, who refers to ‘Abot R. Nat. A 16, which juxtaposes Lev 19.18 with the passage about ‘perfect hatred’ of God’s enemies in Ps 139.21–2, and *Gen. Rab.* 55.3, which invokes Nah 1.2 and Num 31.2 to limit the application of Lev 19.18 to Israel and call for vengeance against God’s enemies, the gentiles.

³⁵ See Davies and Allison, *Matthew*, 1.550: ‘The text, however, understands neighbor as fellow Israelite...’

³⁶ See *b. Pes.* 75a; *b. Ketub.* 37b; *b. Soṭah* 8b; *b. B. Qam.* 51a; *b. Sanh.* 45a, 52a–b, 84b; *b. Nid.* 17a.

³⁷ ‘Abot R. Nat. A 16.5 seems to ascribe to R. Šim‘ōn b. ʿEl‘azar the opinion that Lev 19.18 applies to every person created by God.

³⁸ Cf. *Leqah Tov Qedoshim* 55a.

³⁹ Cf. *Sipra Qedoshim* 2.4.12.

⁴⁰ This is similar to Josephus’ description of the Essene induction ceremony, where the initiate swears oaths to be benevolent to humanity in general but to hate the unrighteous forever (μισήσειν δ’ ἅει τοὺς ἀδίκους; *J.W.* 2.139). On the relation between the Qumran sect and the Essenes, see Jodi Magness, *The Archaeology of Qumran and the Dead Sea Scrolls*, (Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids: Eerdmans, 2002), 39–43.

⁴¹ See CD VI, 20–VII, 3, where ‘to love his brother as himself’ echoes the language of Lev 19.18b but substitutes ‘brother’ for ‘neighbour’, and ‘to not bear a grudge [against his brother] from day to day’ echoes Lev 19.18a

Davies and Allison, in their 1988 commentary, already weigh the theory that Matt 5.43 is 'a polemical barb aimed right at the Essenes'⁴² but find it wanting since it makes 5.43–8 anomalous among the Antitheses: none of the previous paragraphs seems to target the Essenes directly.⁴³ John Kampen, however, has recently disputed this, contending that, on the contrary, *all* of the Antitheses are directed precisely at Qumranian interpretations of Pentateuchal laws.⁴⁴ Kampen's analysis reflects a trend in recent scholarship to view the Matthean community as one sectarian group struggling against others in the variegated religious landscape of late first-century Judaism.⁴⁵

In the specific case of the Antitheses, Kampen supports this idea of a background in sectarian conflict by referring to the similarity in form between Matt 5.21–48 and 4QMMT, where 'we' Qumranians reprove 'you' Jerusalem authorities for mistaken halakhic conclusions.⁴⁶ Kampen's hypothesis that something similar is going on in the Antitheses is based on his premise that both sides in the dispute, the Qumranians and the Matthean Messianists, thought they were 'seconding Sinai', that is, disclosing things that had been imparted in the original revelatory event but that had somehow been omitted from the version of the Torah enshrined in the Pentateuch (cf. Jubilees 1–2 and 11QTemple).⁴⁷ Therefore, when the Matthean Jesus quotes the biblical laws and exhortations in his 'thesis' statements ('You shall not kill', 'You shall not commit adultery', 'An eye for an eye', etc.), he is not really referring to these passages in their Pentateuchal form, but to the way in which the Qumranians were 'seconding Sinai' by interpreting them; Jesus responds in the Antitheses with his own interpretations, his own version of 'seconding Sinai'.⁴⁸ For Kampen, then,

(cf. CD VIII, 5–6); see also CD IX, 2–3, where Lev 19.18a is directly quoted and applied to 'those who have come into the covenant' (באי הברית).

⁴² Early promulgators of the theory include Walter Grundmann, *Das Evangelium nach Matthäus*, (THKNT 1; Berlin, 1968), 176–77; Hans Hübner, *Das Gesetz in der synoptischen Tradition* (Witten: Luther-Verlag, 1973), 97–107; Joachim Gnilka, *Das Matthäusevangelium*, (HTKNT; 2 vols.; Freiburg/Basel/Wien: Herder, 1986–88), 1.190. It was already contested by Flusser, 'Tora' 22 n. 3.

⁴³ Davies and Allison, *Matthew*, 1.549–50.

⁴⁴ Kampen, *Matthew*, 85–112; cf. his earlier treatment in John Kampen, 'The Sectarian Form of the Antitheses Within the Social World of the Matthean Community', *DSD* 1 (1994), 338–63. On pp. 359–65 of the latter, Kampen argues that although the Qumran settlement was destroyed in the Jewish Revolt in 68 C.E., the sectarian movement of which it was a part continued to be influential after the war, and thus could be the target of Matthew's polemic. The evidence, however, is at best circumstantial.

⁴⁵ Kampen, *Matthew*, 38–47 traces this 'major shift in the study of the first gospel' back to a conference at Southern Methodist University in 1989 and cites Andrew Overman, Anthony Saldarini, and David Sim as pioneers of the approach in the 1990s. Besides Kampen's book, see also *Matthew Within Judaism: Israel and the Nations in the First Gospel*, (eds. Anders Runesson and Daniel M. Gurtner, ECL 27; Atlanta: SBL Press, 2020).

⁴⁶ Kampen, *Matthew*, 93 also mentions m. Yad. 4.6–7, where Pharisees and Sadducees denounce each other's halakot, again pitting 'you' against 'us'.

⁴⁷ Kampen, *Matthew*, 88–9 takes the phrase 'seconding Sinai' from Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism*, (JSNTSup 77; Leiden/Boston: Brill, 2003), who begins her work with a study of Deuteronomy (pp. 1–40). Here she specifically opposes the view of Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997) that the author of Deuteronomy intended to revise and replace the Covenant Code (Exodus 20.22–23.33); for Najman, rather, he intended to supplement and offer an authoritative interpretation of it. Similarly, according to Najman, Jubilees and the Temple Scroll claim authoritative status for themselves without trying to replace the legislation of the Pentateuch. As Kampen puts it, 'In this reappropriation of the text the readers are transported back to Sinai rather than being engaged in a heated debate with the original texts' (p. 89). For a critique of Najman's views, see further below, n. 70.

⁴⁸ In line with this theory, Kampen, *Matthew*, 96–7 interprets the ἀρχαίοι of 5.21, 33 as the 'sectarian predecessors [of the Qumran group] who understood that they had received their law from Mount Sinai', pointing to the use of רשענים in CD I, 4 and IV, 10 (a mistake for either III, 10 or IV, 8–9). Because of the Matthean context, however, in which the reference to the ἀρχαίοι precedes a Pentateuchal quotation or paraphrase, most interpreters take ἀρχαίοι as an allusion to the Sinai generation itself. (The rabbinic passages from S-B 1.253–4

the Matthean Jesus is not so much a new Moses⁴⁹ as ‘a contemporary spokesperson for the Mosaic tradition’, in the mould of the authors of Jubilees and the Temple Scroll.⁵⁰

τί οὖν ἐροῦμεν πρὸς ταῦτα; The idea that, for Matthew, the word νόμος—which does not appear in 5.21–48—may have a wider meaning than just the Pentateuchal legislation in its present form is interesting and suggestive, and we will return to it at the end of this article. And Kampen does, in some instances, find Qumran passages that might provide plausible background for the ripostes in the Matthean Antitheses, for example, his treatment of 11QTemple LXI, 11–12 and Jubilees 4.31–2, which call for a strict interpretation of the ‘eye for an eye’ passage.⁵¹ But plausibility is not probability, and, in view of 5.20, it seems more probable that, if the biblical interpretations of any Jewish sect are being engaged in 5.21–48, they are those of the Pharisees.⁵² One could easily compile a list of rabbinic traditions that would provide equally if not more plausible background for the Matthean Antitheses—in fact, Billerbeck has done so, and it runs to over 150 pages!⁵³ And in some instances Kampen’s case is no more than the assertion that, in line with his hypothesis, the background *must* be an interpretation of the biblical passage Jesus cites rather than the biblical passage itself—a classic example of begging the question.⁵⁴

For the fatal weakness in Kampen’s approach, and in all ‘rejected interpretation’ approaches, is that, outside of 5.43, there is absolutely no indication in the Antitheses that Jesus is disputing anything other than the biblical text itself. Jesus does not say, for example, ‘You have heard that it was said, “An eye for an eye, and a tooth for a tooth”, and some people are interpreting this in a harshly literal manner; but I say to you that you should interpret it more leniently.’ With the single exception of the last Antithesis, it is the Bible itself, rather than a Qumranic (or, for that matter, Pharisaic) interpretation of it that Jesus quotes or paraphrases, then intensifies or overrules.⁵⁵ Kampen, like Matthias Konradt, tries to get around this inconvenient fact by asserting that the wording in the thesis statements (5.21, 27, 31, 33, 38) does not correspond precisely to any known biblical text.⁵⁶ But such variation is exactly what we

that Luz, *Matthew*, 1.230 cites to support this identification, however, do not actually help, since both of the key words in these passages, ראשונים and ירמים, have a variety of connotations in their contexts: the patriarchs [*Lev. Rab.* 2.11]; the contemporaries of Moses, Joshua, David, and Hezekiah [*Lev. Rab.* 2.11]; those who saw the destruction of the First Temple [*b. Yoma* 9b]; and Ezra and later scribes [*Cant. Rab.* 7.4]). A survey of all the Qumran usages of ראשונים shows that the term sometimes refers to the founders of the sect or its earliest members (CD XX, 31; 1QS IX, 10; 4QD^a [4Q266] 2 I, 20) but more often to the Sinai generation (CD I, 4; III, 10; VI, 2; 1QH^a IV, 18; 4QD^a [4Q266] 2 I, 9; 4QpapDibHam^c [4Q506] 131–2 12; 6QD [6Q15] III, 5), while several cases are ambiguous (CD I, 16; IV, 8–9; VIII, 17; XIX, 29; XX, 8; 4QD^a[4Q266] 3 I, 2–3; 4Q269 4 I, 3).

On Kampen’s interpretation of ἐπρέθη, another key term in the citation formula, see below, n. 77.

⁴⁹ Cf. Dale C. Allison, *The New Moses: A Matthean Typology* (Edinburgh: T & T Clark, 1993).

⁵⁰ Kampen, *Matthew*, 91; cf. p. 111: the Sermon on the Mount ‘identifies Jesus as the authoritative spokesperson for the will of God by patterning him after Moses’.

⁵¹ Kampen, *Matthew*, 107.

⁵² Though Kampen, *Matthew* mentions 5.20 several times in his section on the Sermon on the Mount (pp. 87, 91–2, 110), he never really deals with the problem it poses for his thesis that the Qumranians are the primary interlocutors in the Antitheses.

⁵³ S-B, 1.253–386.

⁵⁴ See, for example, the discussion in Kampen, *Matthew*, 101 of the citation of ‘You shall not commit adultery’ in Matt 5.27: ‘While there is no additional phrase here indicating the envisaged problem, it is reasonable to postulate that in the opinion of the author there is something amiss in the manner in which it is understood.’ But the only reason to postulate this is Kampen’s overall theory! Cf. the similar criticism of Daube and Neudecker above, p. 7 and n. 28.

⁵⁵ Cf. Furstenberg, ‘Zweite Tora’, 250–1: ‘[U]nternimmt Jesus keine Anstrengungen, um seine Gedanken als Interpretationen der Schrift darzustellen—und zwar in einem Ausmass, dass er an einigen Stellen in offenen Widerspruch zur Schrift tritt.’

⁵⁶ Kampen, *Matthew*, 95–6; cf. Konradt, ‘Vollkommene Erfüllung’, 295–303. This is not entirely true, since 5.27b corresponds exactly to Exod 20.14 LXX = Deut 5.18 LXX. The OT reference in 5.21 is a combination of Exod 20.13

would expect, given the fluidity of the scriptural text⁵⁷ and the looseness of citation methods in the first century,⁵⁸ and in every instance except 5.43, the thesis is either a close rendering of a biblical passage or passages (as in 5.21a, 5.27, 5.31, 5.33a, and 5.38) or a recognisable paraphrase (as in 5.21b and 5.33b).⁵⁹ To repeat what was said in criticism of Daube above, then, the most crucial step in the argument—the assertion that we are dealing with interpretations rather than quotations or paraphrases of the Bible—is read into the evidence rather than emerging from it, and indeed most of the evidence contradicts it.⁶⁰

This applies especially to Kampen's comparison of Matt 5.21–48 with 4QMMT. As Niebuhr points out, the Qumran document cites scripture in order to support what 'we say/think' over against what 'you' opponents say;⁶¹ in Matt 5.21–48, on the contrary, Jesus' 'but I say to you' stands over against what was said in scripture.⁶² Scripture, in other words, functions in completely opposite ways in these two polemical texts: as a buttress for the approved position in 4QMMT, where the opposing stance is never accorded a scriptural warrant; as a foil for the approved position, which is never backed up by appeal to scripture, in Matt 5.21–48.⁶³

6. Towards the Beginning of a Solution: Inner-Biblical Parallels

We are left then with the paradox with which we began this study: the Matthean Jesus affirms his consonance with the Mosaic Torah (5.17–20) but also qualifies or denies it (5.21–48). How can this contradiction be resolved—or, if not resolved, explained?

LXX = Deut 5.17 LXX with the import of Exod 21.12 = Lev 24.17; Num 35.12; Deut 17.8–13. The reference in 5.31 is 'a brief summary of the procedure set forth in Deut 24.1–4'. The reference in 5.33 'presumably summarizes OT teaching as found in such places as Exod 20.7; Lev 19.12; Num 30.3–15; Deut 23.21–3'. The reference in 5.38 follows Exod 21.24 LXX; Lev 24.20 LXX; Deut 19.21 LXX except for the added 'and' and the accusative case. (Quotations and analysis here from Davies and Allison, *Matthew* ad loc.)

⁵⁷ Emanuel Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress Press; Assen: Royal Van Gorcum, 2001), 181–97.

⁵⁸ Cf. Niebuhr, 'Antithesen', 181 on the scriptural citations in 4QMMT: 'Vergleicht man die mit der Wendung כְּכֹחַ eingeführten Sätze mit dem Wortlaut des (masoretischen) Pentateuch, dann zeigt sich, dass dieser nie wörtlich zitiert wird, gelegentlich Ausdrücke aus verschiedenen Bibelstellen zu einer neuen Aussage zusammengesetzt sind, in der Regel biblische Gebote oder Aussagen nur summarisch oder in Anspielungen begegnen und manchmal überhaupt keine Beziehung zu biblischen Geboten herzustellen ist.' Cf. Elisha Qimron and John Strugnell, *Qumran Cave 4. V: Miqsat Ma'ase Ha-Torah*, DJD 10 (Oxford: Clarendon Press, 1994), 140–1.

⁵⁹ Davies and Allison, *Matthew*, 1.506: '5.27 ("You shall not commit adultery"), 5.31 ("Whoever divorces his wife, let him give her a certificate of divorce") and 5.38 ("Eye for eye, tooth for tooth") in particular resist being labelled "interpretation".'

⁶⁰ Davies and Allison, *Matthew*, 1.506 muster additional arguments against the 'rejected interpretation' approach: 1) Matt 5.17–20 anticipates, and argues in advance against, the view that 5.21–48 shows Jesus abolishing the Law and the Prophets—not Jewish interpretations. 2) In the Antitheses, Jesus himself never appeals to scripture, which would have been expected if he were disputing others' interpretations of it (cf. the next paragraph). 3) The antithesis formula is 'you have heard that it was said' (past tense), 'but I say to you' (present tense), a distinction most naturally interpreted as referring to authorities separated in time, such as Moses and Jesus, rather than interpreters contemporary with each other, such as Jesus or Matthew and the Qumranians.

⁶¹ See 4Q394 3–7 (4QMMT^a) II, 14; 4Q396 (4QMMT^c) 2 III, 6, 10; 2 IV, 5–6; 4Q397 (4QMMT^d) 14–21 IV, 6, 11–12; 4Q398 (4QpapMMT^e) 11–13 4; 14–17 I, 5.

⁶² Niebuhr, 'Antithesen', 181.

⁶³ Reinhart Hummel, *Die Auseinandersetzung zwischen Kirche und Judentum im Matthäusevangelium* (München: C. Kaiser, 1966), 74 notes the virtual absence of scriptural citations in the Antitheses (in contrast to the controversy-stories which are full of them); the only exceptions he recognizes are in the fourth Antithesis (5.33–7) and perhaps in the generalizing 5.48. Even these possible exceptions, however, are not marked as scriptural citations.

The first thing to note is that it is not unusual for legists in traditional societies both to revise inherited laws and customs and to insist that they are not changing a thing. In fact, that is exactly what a legist needs to do if his society operates with the idea of a once-and-for-all revealed divine law.⁶⁴ All societies change, and with these changes comes the need to change the law, but how does one do that if the law, coming from a divine source, is deemed eternal and hence irrevocable? One answer is to affirm that the law has not changed, but has merely revealed a previously hidden aspect of itself⁶⁵—has been, to use Matthew’s word, fulfilled.⁶⁶

A paradigmatic example of this sort of revisionism occurs in Deuteronomy, which restricts sacrifice to one locality, ‘the place that Yahweh will choose’ (Deut 12.14; cf. 12.5, 14.25; 15.20; 26.2). This revokes the previous Israelite practice of sacrificing anywhere, which is enshrined in the Covenant Code of Exodus 20.22–23.33.⁶⁷ As Bernard Levinson has pointed out, the Deuteronomistic text shows signs of being a self-conscious revision, since God in Exodus promises that he will bless the worshipper who sacrifices ‘in every place’ (בכל־המקום) where the divine name is mentioned (Exod 20.24),⁶⁸ but the Deuteronomist rephrases this as a warning *against* sacrificing ‘in every place’ (בכל־מקום); rather, one is to sacrifice only ‘in the place (במקום) that Yahweh will choose’ (Deut 12.13–14). The use here of the phrase ‘in every place’ in a context having to do with sacrifice conjures up the Exodus text, yet in a way that reverses its sense. Astonishingly, however, a few lines after this drastic revision, the author adds a stringent warning to keep the law exactly as it was delivered once-and-for-all to Moses, neither adding to nor subtracting from it (Deut 13.1 [ET 12.32]).⁶⁹ The author, then, revises the Exodus text in a striking way, even prodding attentive readers to notice the revision by employing its

⁶⁴ Not all ancient societies, however, operated with this sort of concept; see, for example, Levinson, *Deuteronomy*, 146 on the Hittite laws, which, ‘when it became necessary to amend older laws, explicitly qualified them as obsolete and as now superseded by a new penalty’; cf. Bernard M. Levinson, *Legal Revision and Religious Renewal in Ancient Israel* (New York: Cambridge University Press, 2008), 28–32.

⁶⁵ This dynamic does not just apply to legal revisionism but to canonical revision in general. Cf. Bernard M. Levinson, ‘The Human Voice in Divine Revelation: The Problem of Authority in Biblical Law’, in *Innovation in Religious Traditions*, (ed. Michael A. Williams, Collett Cox, and Martin S. Jaffee; *RelSoc* 31; Berlin: De Gruyter, 1992), 36, who cites Gershom Scholem’s insight that, in Jewish intellectual history, ‘each successive transformation of tradition presents itself, and understands itself, already to be latent within the original revelation: to be implicit in, rather than a departure from, the canon...As such, exegesis often uses the language of passivity—in order dialectically to maintain the authority of the fixed canon while yet also legitimating new cultural developments by presenting them as implicit in that canon...The canon’s strictures against innovation are thus exegetically honored even as they are exegetically subverted’.

⁶⁶ On this interpretation of πληρωσαι in Matt 5.17, which combines elements of continuity with elements of discontinuity, see John P. Meier, *Law and History in Matthew’s Gospel: A Redactional Study of Mt. 5:17–48*, (*AnBib*; Rome: Biblical Institute Press, 1976), 73–82. The same combination is visible in the Matthew’s ‘fulfilment citations’ (1.22; 2.15, 17, 23; 4.14, etc.); would anyone, for example, have been able to predict that ‘out of Egypt I have called my son’ from Hos 11.1 (a reference to the exodus) would be ‘fulfilled’ by the return of the Christ child with his family from their (fictional) sojourn in that country? The element of surprise, moreover, is implied in the usages of the verb in 3.13–15, where John the Baptist is shocked by Jesus’ suggestion that he should baptize him; in 13.35, where Jesus’ parables reveal things hidden since the creation of the world; and in 26.52–4, where Jesus’ refusal to invoke angelic aid and use force to destroy the arresting party contradicts the sorts of expectations often associated with a Messiah.

⁶⁷ The revision is usually associated with the Josianic reform described in 2 Kings 22–3, where the High Priest Hilkiyah claims to have found in the Temple a ‘book of the Law’ whose promulgation leads to an alteration of cultic practices.

⁶⁸ On the use of the definite article here, see Levinson, *Deuteronomy*, 32 n. 18.

⁶⁹ Aaron D. Panken, *The Rhetoric of Innovation: Self-Conscious Legal Change in Rabbinic Literature*, (*Studies in Judaism*; Lanham/Boulder/New York/Oxford: University Press of America, 2005), 124–8 shows that this verse, along with Deut 17.11, became central to rabbinic discussions of whether or not rabbinic revisions of the Torah were justifiable. Panken, citing Levinson, notes the irony that ‘both these texts come from

key phrase, at the same time that he insists on the Law's unchangeableness.⁷⁰ The Matthean Jesus, similarly, revokes the Pentateuchal edicts on divorce, oaths, and retribution, yet insists that he is not altering a jot or tittle of the Law.⁷¹

Levinson's other premier example of inner-biblical revisionism also has interesting parallels with the Matthean Antitheses. As part of the earliest biblical version of the Second Commandment, Yahweh warns that he is 'an impassioned God...visiting the iniquity of the fathers upon the children, to the third and fourth generation of those who hate me, but showing steadfast love to thousands of those who love me and keep my commandments' (Exod 20.3–5).⁷² This warning is substantially repeated in Deuteronomy's version of the Second Commandment (Deut 5.9–10), but the author appears to have been uneasy with the idea of transgenerational punishment, and two chapters later he repeats the warning but alters its terms, saying that Yahweh 'does not delay' but requites the sinner 'to his face' (Deut 7.9–10). Although the language recalls that of the Second Commandment, both 'to his face' and 'he does not delay', coupled with the omission of the reference to the sinners' progeny, subvert the notion of transgenerational retribution and substitute the idea of immediate punishment of the sinner. As Levinson puts it, '[T]he homily so fundamentally transforms the original as to revoke it',⁷³ yet does so in such a way that the revocation presents itself as 'a studied series of annotations to the original doctrine'.⁷⁴ Just so, those Matthean Antitheses that revoke Pentateuchal regulations and principles present themselves as a series of annotations to the Torah, which Jesus fulfils rather than destroys.

An even more radical rejection of the Decalogue principle of transgenerational punishment occurs in Ezekiel 18.1–4. Here the prophet quotes a proverb (משל) that, according to him, is being bandied about in Israel: 'Fathers eat sour grapes and their children's teeth are set on edge.' Ezekiel rejects this proverb, declaring that henceforth it will have no further currency in the land; rather, 'The soul that sins, [only] it shall die!' (Levinson trans. alt.). Although most of the language is different, the proverb seems to echo the Second Commandment, since the two traditions share not only the principle of transgenerational punishment but also the resonant vocabulary of 'fathers' and 'sons'.⁷⁵ But a radical distancing is also being accomplished, since a core biblical principle is not only being rejected

Deuteronomy, long considered the latest part of the Torah by critical scholars, and a major source of legal change itself" (p. 124).

⁷⁰ As noted above (n. 47), Najman, *Seconding Sinai*, 1–40 criticises Levinson for his conclusion that the author of Deuteronomy intended to replace the Covenant Code. But, as Justin Dombrowski, 'Review of Hindy Najman, *Seconding Sinai*', *WTJ* 67 (2005), 180–1 points out, Najman's alternate proposal that Deuteronomy was intended as an accompaniment to the Covenant Code is asserted rather than argued, and it does not grapple with passages in which there is a clear contradiction between the two codes, such as in the present instance and the instructions for preparation of the Passover lambs in Exod 12.9 and Deut 16.7. Maxine L. Grossman, 'Beyond the Hand of Moses: Discourse and Interpretive Authority', *Prooftexts* 26 (2006), 298 notes Najman's unexamined assumption that, if Levinson were right that pseudepigrapha such as Deuteronomy were meant to replace their sources, that would imply that they were 'unhistorical, morally tainted, and undeserving of the authority they have enjoyed' (Najman, *Seconding Sinai*, 6).

⁷¹ Levinson, 'Hermeneutics of Tradition', 284 links the two passages in a brief side-glance at Matthew 5.17–20: 'In his rhetoric, this Mosaic-prophetic Jesus...assiduously complies with the pentateuchal requirement to heed the law by neither adding to nor taking away from it in any way (Deut 4.2; 12.32 = 13.1 Hebrew). Precisely this assertion of consistency with Torah, however, grants Jesus the legitimacy to challenge the authority of Jewish law. In redactional terms, it strategically introduces the series of six antitheses whereby the Matthean Jesus validates his transformation of Torah as itself authoritative Torah (Matt 5.21–48).'

⁷² The translation combines the RSV with the JPS rendering of אֵל קִנָּה.

⁷³ Levinson, *Legal Revision*, 74.

⁷⁴ Levinson, *Legal Revision*, 79.

⁷⁵ Levinson, *Legal Revision*, 62. The rabbis recognized the connection; see below, p. *35.

but also ‘devoiced’ by demotion to the status of a proverb.⁷⁶ Similarly, in the theses of Matt 5.21–48, Jesus repeats Mosaic commands but does not identify them as such; they are simply things that were ‘said’ (ἐπρέθη) to ‘the ancients’—it is not said by whom—and seem no longer to be definitive.⁷⁷

How close are these Old Testament parallels to the Matthean Antitheses, and what do they suggest about Matthew’s purpose? Levinson refers to the ‘rhetoric of concealment’ in the revision of earlier traditions by Deuteronomy and Ezekiel.⁷⁸ The author of Deuteronomy hides his true identity under the pseudonym of Moses, pretending that he is not adding anything to or subtracting anything from the Mosaic Torah when he is actually changing it a lot. Ezekiel adopts a different sort of concealment, suggesting that the principle he is reversing was never actually part of the Torah but only an outmoded bit of folk wisdom. Matthew adopts similar strategies of concealment in the Antitheses, subtly undermining the divine credentials of the Torah passages he wants to relativise (‘you have heard that it was said’) and at the same time affirming that everything he says is in line with the Torah (‘no jot or tittle...not to destroy but to fulfil’).

One wonders how well such a policy of concealment would have worked. Perhaps better for some members of Matthew’s audience than for others. After all, ‘confirmation bias’ is a powerful force,⁷⁹ and many members of Matthew’s community probably would have been predisposed to see Jesus’ pronouncements as being in line with the Law laid down by Moses. For such community members, Jesus’ statement about the irrevocability of the Torah in 5.17–20 would have provided a comforting gloss. Moreover, they may not have remembered, or perhaps never knew, that lemmas such as ‘an eye for an eye’ were part of the Torah rather than just traditional lore, any more than they knew that the command to love the neighbour lacked a codicil about hating the enemy.⁸⁰

⁷⁶ Levinson, *Legal Revision*, 60–3. In the opening of the prophet’s complaint, both the noun משל and the participle משלים reduce the biblical passage to the status of a piece of traditional wisdom, and an invalid one at that.

⁷⁷ ‘As it has been said’ (שנאמר) is the commonest biblical citation formula in rabbinic literature (see Wilhelm Bacher, *Die exegetische Terminologie der jüdischen Traditionsliteratur* [Darmstadt: Wissenschaftliche Buchgesellschaft, 1965 [1897]], 6), and this is closer to Matthew’s formulation than instances in the Qumran literature that use the root אמר in biblical citation formulas but in the active voice; see Joseph A. Fitzmyer, ‘The Use of Explicit Old Testament Quotations in Qumran Literature and in the New Testament’, in *Essays on the Semitic Background of the New Testament* (Sources for Biblical Study; Missoula: Scholars, 1971 [1961]), 10–12. Matthew elsewhere uses ἐπεῖν (‘to say’) in the passive voice to refer to scripture positively, especially in the ‘formula citations’ that are so important for establishing continuity between Jesus and the Old Testament (1.22; 2.15, 17, 23; 3.3; 4.14; 8.17; 12.17; 13.35; 21.4; 27.9; cf. 22.31; 24.15). But it is striking that, in all the other Matthean instances in which passive forms of ἐπὶ are used to refer to scripture, an agent of the speaking is specified (either a name such as Jeremiah or Isaiah, or a vaguer term such as ‘the prophet’). Almost always (22.31 is the exception), this agent is referred to as the one ‘through whom’ the word was spoken, presumably because the real speaker was God. The absence in the Antitheses of this formula, and even of Moses’s name, is therefore striking, suggesting an attempt at erasure, especially in combination with the implication of time-boundedness in ἀρχαίως.

Kampen, *Matthew*, 95–6, noting that the Antitheses are the only section of Matthew in which the form ἐπρέθη occurs, uses this as an argument for his theory that here we are dealing with biblical interpretations rather than biblical citations. He does not present an argument as to how ἐπρέθη indicates a biblical interpretation in particular, and he cites no parallels (e.g., from the Qumran literature or rabbinic traditions) in which ‘it was said’ functions in this way. His suggestion, then, is *ad hoc*; it has nothing going for it except that it helps his overall theory.

⁷⁸ See Levinson, *Legal Revision*, 48.

⁷⁹ On confirmation bias, see Charles C. Lord, Lee Ross, and Mark R. Lepper, ‘Biased Assimilation and Attitude Polarization: The Effects of Prior Theories on Subsequently Considered Evidence’, *Journal of Personality and Social Psychology* 37.11 (1979), 2098–2109 and Brendan Nyhan and Jason Reifler, ‘When Corrections Fail: The Persistence of Political Misperceptions’, *Political Behavior* 32 (2010), 303–30.

⁸⁰ This is similar, perhaps, to the way in which Deut 12.14 radically changes the valence that ‘in every place’ had in the Covenant Code. Some hearers may have recognised that this was a traditional phrase without remembering the precise way in which it had formerly been used.

But others in Matthew's audience, such as the 'scribes disciples by the kingdom' (13:52), probably would have recognised the source of Matthew's quotations and the extent of his revisions. For such elite readers, the 'rhetoric of concealment' may have been a thin veil that was *meant* to be penetrated.⁸¹ These readers may have recognised that, through the point-counterpoint of the Antitheses, an audacious claim was being advanced: Jesus was a *new* Moses, not just a spokesman for the old one, and he was promulgating a new, eschatological Torah from a new mountain.⁸²

7. Rabbinic Parallels

Such audacity, however, is not unique to Matthew in Jewish history. There are striking parallels in the literature of the rabbis, who also struggled with the issue of how to change the Torah while affirming its continuity.⁸³ Indeed, it is ironic that many New Testament scholars are nervous about affirming that Jesus or Matthew (or Paul or Mark) abrogated the Torah, but some ancient rabbis had no qualms about speaking positively about its abrogation either by the Old Testament prophets or by themselves. One example occurs in a Talmudic passage discussing Ezekiel's reversal of the Second Commandment, which was analysed in the previous section:

R. Jose ben Ḥanina [a second-generation Amora] said, "Our master Moses decreed four sentences against Israel, but four prophets came and annulled them (ביטלוּם)... Moses said, "visiting the iniquity of the fathers upon the children." But Ezekiel came and annulled it (ביטלה): "The soul that sins, [only] it shall die!" (*b. Mak. 24a*)⁸⁴

Other rabbinic traditions use a different vocabulary, speaking of rabbis who 'uprooted' (עקר) or 'enacted against' (התקין על) the Torah by their 'enactments' (תקנות).⁸⁵ A classic example is the *prozbul* of Hillel, an early first-century Pharisee and founder of the most influential proto-rabbinic 'house'. In Hillel's time, the provision of Deut 15.1–2 that a person must remit the debts of 'his neighbour, his brother' in the sabbatical year was impeding the flow of credit, since creditors were refusing to lend money as the seventh year approached. By means of a legal fiction, Hillel transferred these loans temporarily to the courts, so that the money was no longer owed to a 'brother' and thus did not fall under the purview of the Deuteronomic regulation. Creditors, then, could lend money

⁸¹ Cf. Leo Strauss, *Persecution and the Art of Writing* (Westport CN: Greenwood Press, 1973 [1952]).

⁸² Cf. Hummel, *Auseinandersetzung*, 74. Of course, in a certain sense Matthew is also practising concealment by attributing his own views to Jesus (see above, n. *13, on the redactional nature of the more radical Antitheses).

⁸³ Furstenberg, 'Zweite Tora', 254–6 argues that there was a widespread consensus among Second Temple period elites that the written Law itself was inadequate to address the new questions and conditions that the changes in society had produced. Of the major sects described by Josephus, only the Sadducees thought the written Law by itself was adequate for purposes of jurisprudence. The Pharisees relied on oral tradition, which according to Furstenberg later morphed into Oral Law, as an additional source of authority, and the Essenes, as shown by Jubilees 1–2 and the Temple Scroll, believed that other documents had an authority co-equal with that of the written Law.

⁸⁴ Trans. alt. from Levinson, *Legal Revision*, 63 n. 8. The other revocations are of Deut 33.28 by Amos 7.5–6, of Deut 28.65 by Jer 31.1, and of Lev 26.38 by Isa 27.13.

⁸⁵ For an inventory of the תקנות, see Panken, *Rhetoric*, 111–246. For an illuminating study of the phenomenon, see Christine Hayes, *What's Divine About Divine Law? Early Perspectives* (Princeton/Oxford: Princeton University Press, 2015), 292–306. In a chapter significantly entitled 'The Flexibility of the Torah', Hayes argues that tannaitic and early Palestinian sources often assert a rabbinic prerogative to overturn biblical law, whereas later Palestinian and Babylonian sources tend to dial back these assertions. For a list of the relevant passages, see p. 293, nn. 11–12.

without fear that the debts would be wiped out by the sabbatical year.⁸⁶ The Mishnah describes Hillel's promulgation of the *prozbul* as

one of the matters that Hillel the Elder enacted (התקין). When he saw that people were refraining from lending and violating what is written in the Torah, "Beware lest you harbor the base thought [‘the seventh year, the year of release is approaching,’ so that you are hostile to your needy brother and give him nothing” (Deut 15.9)], Hillel enacted (התקין) the *prozbul*. (*Šebi‘it* 10.3, Hayes trans. alt.)

The Deuteronomic law of sabbatical debt forgiveness (Deut 15.1) is thus vitiated, but in the name of another part of the same law, the warning against harbouring a ‘base thought’ against the ‘brother’ (Deut 15.9). There is a certain similarity here to the dual rhetoric of the Matthean Jesus, who invalidates portions of the Torah in the name of fulfilling its central intent, which Matthew elsewhere summarises as love of neighbour (Matt 22.39–40; cf. 7.12).⁸⁷

These are radical acts of legal revision, comparable to what we saw in the previous section in the cases of Deuteronomy and Ezekiel. But radicality has its limits. Christine Hayes points out that there is a distinction between overturning positive biblical laws (i.e., forbidding what the Bible permits) and overturning negative biblical laws (i.e., permitting what the Bible forbids). The latter is a far more radical exercise, and is relatively rare even in tannaitic sources and the Yerushalmi, not to mention the more conservative Bavli.⁸⁸ Similarly, the Matthean Jesus never abrogates a negative biblical regulation; rather, Antitheses 3 (on divorce), 4 (on oaths), and, in a way, 5 (on retribution) overturn positive laws, that is, forbid what the Torah permits. Even more significantly, Matthew elsewhere elides the one clear instance in which the Markan Jesus abrogates a negative biblical law (Mark 7.14–23, which annuls the laws of *kashrut*).⁸⁹

Still, the most significant point is that both the rabbis and the Matthean Jesus assert an authority to annul the letter of the Mosaic law, even if they often do so in convoluted ways that require careful attention to perceive the annulment. The issue between the Matthean ‘scribes disciplined by the kingdom of heaven’ and the proto-rabbinic ‘scribes

⁸⁶ According to Aaron Rothkoff, ‘Prozbul’, in *EncJud*, 2nd Ed. (New York: Macmillan, 2007), 16.586–7, פרוסבול or לורבול is an abbreviation for πρὸς βουλῆ βουλευτῶν, ‘before the assembly of counselors’, a reference to the court officers to whom the debt was transferred.

⁸⁷ This, of course, is also close to the famous story in *b. Šabb.* 31a about the pagan who impudently asked Hillel to convert him to Judaism while he stood on one foot; Hillel responded, ‘What is hateful to you, do not do to your neighbor; this is the whole Torah, the rest is commentary—go and learn!’

⁸⁸ See Hayes, *What’s Divine*, 292–3, 306 for the statistics.

⁸⁹ Matthew 15.10–20 reduces the issue to rabbinic handwashing customs. This is where the debate begins in Mark (7.1–13), but in 7.14–23 it opens out onto the more basic question of *kashrut*.

It may be asked whether the Matthean Jesus revises the biblical Sabbath laws in such a way as to annul them. Here the evidence is mixed. As David Novak, *Talking with Christians: Musings of a Jewish Theologian*, Radical Traditions (Grand Rapids/Cambridge UK: Eerdmans, 2005), 50–2 points out, Matt 12.1–8 begins with a halakhic dispute about a debatable subject (whether or not it is permissible to pluck and eat grain on the Sabbath), but ends with Jesus asserting the superiority of love to cult (‘I desire mercy and not sacrifice’) and his messianic authority over the Sabbath laws (‘the Son of Man is lord of the Sabbath’). In the eschatological discourse, however, he revises the Markan warning not to flee during the winter (Mark 13.18) by adding ‘or on the Sabbath’ (Matt 24.20), thus taking a position that is fairly rigorist in the Jewish spectrum of responses to emergency situations (on the issue of breaking the Sabbath to save life, cf. 1 Macc 2.32–41; *m. Yoma* 8.6; *b. Yoma* 85a–b; cf. E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies* [London/Philadelphia: SCM/Trinity Press International, 1990], 13; Novak, *Talking with Christians*, 50 n. 8; Daniel R. Schwartz, *Leben durch Jesus versus Leben durch die Torah. Zur Religionspolemik der ersten Jahrhunderte. Franz-Delitzsch-Vorlesung 1991* [Münster: Institutum Judaicum Delitzschianum, 1993]).

and Pharisees', therefore, was probably not whether or not the Torah could be overruled, but who had the authority to overrule it, and why. The Pharisees claimed the right to do so on the basis of their oral tradition, the power of which rested on their acknowledged position as the most popular and influential Jewish sect (cf. Josephus, *J.W.* 1.110–12; 2.162, 166; *Ant.* 13.288; 13.400–1; 18.15).⁹⁰ The Matthean Jesus claims the right to do so on the basis of his eschatological, messianic authority, which restores the pristine intention of the divine Law, which Moses had (inadvertently?) obscured (see Matt 19.4–9). In the mind of Matthew, then, the Antitheses are not an instance of 'seconding Sinai' but of correcting it.⁹¹

Competing interests. The author declares none.

⁹⁰ The collective authority of the Pharisees' successors, the rabbis, forms the backdrop to the humorous rabbinic story of the dispute over Akhnai's oven, in which even a voice from heaven cannot overturn the decision of the majority of the sages, and God laughingly approves their 'defeat' of him (b. B. Meš. 59b).

⁹¹ On 'seconding Sinai', see above, n. 47. For the idea of correcting the Mosaic revelation in other ancient Jewish Christian and adjacent literature, see Patricia A. Duncan, *Novel Hermeneutics in the Greek Pseudo-Clementine Romance*, (WUNT 395; Tübingen: Mohr Siebeck, 2017), 79–83 (on the Pseudo-Clementines) and Holger Michael Zellentin, *The Qur'ān's Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013), 165–74 (on the Didascalia and the Qur'ān).

Cite this article: Marcus J (2023). The Enigma of the Antitheses. *New Testament Studies* 69, 121–137. <https://doi.org/10.1017/S0028688522000352>