

2006 Annual SBL Meeting
Matthew Section: Reading Matthew in a Time of War

Turning the Other Cheek to a Perpetrator Denunciation or Upholding of Justice?

Lidija Novakovic
Bethel University, St. Paul

Introduction

Jesus' exhortations to turn the other cheek to a perpetrator, offer one's outer garment to a person who demands an undergarment, freely go another mile although only one was demanded, and openhandedly give to a person who begs or asks for a loan are in Matt 5:38-42 preceded by an introductory statement in which Jesus contrasts his demand not to resist an evil person to the *lex talionis* ("eye for eye and tooth for tooth"). This redactional framing of the core sayings¹ indicates that Matthew sees them as the illustrations of an ethical demand that should be understood within the larger framework of proportional justice. However, an observant reader will quickly notice that Matthew's redaction generated two major tensions in the text. First, the antithetical form "you have heard . . . but I say to you" suggests that the demand not to resist an evil person is opposed to the *lex talionis*. Does this mean that Jesus' teaching abolishes this maxim or, in view of the programmatic statement that Jesus came not to abolish the law but to fulfill it (Matt 5:17), that Jesus still upholds this principle as the legal basis for just relationships? Second, there is a certain tension between Jesus' call not to resist an evil person and the examples that follow. They do not provide the illustrations of how not to resist, but of how to act and challenge the offender. Also, individual perpetrators in Jesus' examples do not straightforwardly correspond to the generic designation "an evil person" in 5:39a. Only the first example describes someone who has intentionally offended another person through a "backhanded" slap. It is much less clear why a demand for pledge, reinforced in court, should turn a creditor into an evil person. A soldier who requests from a civilian to carry his equipment for one mile only uses his legal right to get a certain amount of

¹ A comparison with the parallel text in Luke 6:29-30 shows that each evangelist has chosen a different framework of Jesus' core sayings. In Luke, Jesus' injunctions are preceded (Luke 6:27-28) and followed (Luke 6:32-36) by the exhortations to love and do good deeds to the enemies. Luke also inserts the Golden Rule (Luke 6:31) between the core sayings and the additional instructions to love the enemies. In Matthew, the injunctions to love the enemies belong to the sixth antithesis that is structurally separated from the fifth, which is devised as Jesus' elaboration of the *lex talionis*. For a form-critical argument that the antitheses are Matthew's redactional creations, see M. Jack Suggs, "The Antitheses as Redactional Products," in *Essays on the Love Commandment* (Philadelphia: Fortress Press, 1978), 93-104.

free labor from a resident of an occupied territory. And it certainly remains puzzling why should the impoverished supplicants who ask for money be portrayed as evil.

This paper presumes that Matthew's redaction was deliberate and that both tensions can be resolved. I wish to demonstrate that the interpretative key of the text can be found in the particular perspective from which Matthew writes: he addresses the question of justice from the perspective of the victims in the context of asymmetrical power relationships. Matthew wants to show that even in the situation when there are no exterior guarantees of just relationships, justice can be upheld. The paper consists of two major sections. In the first part, I will compare the function of the *lex talionis* in Deut 19:15-21 and Matt 5:38 in order to show that Jesus' exhortation not to resist an evil person fulfills the law because it grasps the spirit of the law from the perspective of the injured party. In the second part, I will analyze the same exhortation with reference to the illustrations that follow. After examining each specific example, I will focus on their common features, especially the question of how the deliberate acts of the victims create the possibilities for the restoration of justice. The paper will conclude with the summary of results and a short reflection about possible areas of application of Jesus' teaching today.

The Function of the *Lex Talionis* in Deut 19:15-21 and Matt 5:38

Although the older versions of the *lex talionis* appear in Exod 21:22-27 and Lev 24:17-22, most interpreters agree that its deuteronomic version found in Deut 19:15-21 represents the scriptural text to which the Matthean Jesus refers when he quotes the *talionis* formula in Matt 5:38.² The most obvious connections between the LXX and the Matthean text are: the verb ἀντέστη (“to stand against”) in Deut 19:18, the substantive adjective τὸν πονηρὸν (“the evil one”) in Deut 19:19, and the second and third element of the *talionis* formula: ὀφθαλμὸν ἀντὶ ὀφθαλμοῦ ὀδόντα ἀντὶ ὀδόντος (“eye for eye, tooth for tooth”) in Deut 19:21.

Deut 19:15-21 begins by delineating the proper procedure that should be followed when one person testifies against another. Since in such a case one account of an event is set up against another account of the same event, it is very difficult to discern the truthfulness of the accusation. The priests and the judges, as the representatives of the community, are advised not to accept the charge unless there are two or three witnesses who will support it.

² Cf. Dorothy Jean Weaver, “Transforming Nonresistance: From *Lex Talionis* to ‘Do Not Resist the Evil One’,” in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley (Louisville, KY: Westminster/John Knox Press, 1992), 38; W. D. Davies and Dale C. Allison, *A Critical and Exegetical Commentary on the Gospel According to Saint Matthew*, vol. 1: *Introduction and Commentary on Matthew I-VIII* (Edinburgh: T. & T. Clark, 1988), 540; Robert A. Guelich, *The Sermon on the Mount: A Foundation for Understanding* (Waco: Word Books, 1982), 220.

After clarifying this general principle, the text focuses on the specific case when one person accuses another of a wrongdoing of some kind, but in the course of investigation, presumably by bringing other witnesses, it turns out that the accusation was false. The false witness, who has tried to commit a crime through the legal system by accusing an innocent person, should be punished in the same manner and degree as he intended to do to another.³ Within this context, the *lex talionis* is invoked. Its purpose, as a fear factor, is to discourage any similar deeds in the future. In this text, its execution is not optional. The judges must remove the evil person from the community (Deut 19:19)⁴ and must not show pity (Deut 19:21).⁵ Mercy has no place, because the effect on the rest of the community will be disastrous.⁶ Only the punishment that fits the offense can discourage similar deeds in the future and grant order and security of expectations.⁷

The situation envisioned by this text has two peculiar features. First, the actual crime has not really taken place but was only attempted. The punishment does not really match the offense but exceeds it. As a principle of proportional retribution that covers a wide range of offenses, from murder to lesser crimes, the *lex talionis* defies here its own purpose. Even if

³ James F. Davis (*Lex Talionis in Early Judaism and the Exhortation of Jesus in Matthew 5.38-42* [JSNT Supplement Series 281; London: T&T Clark International, 2005], 47) rightly notes that in this case, “the false accusation was intentional, premeditated and malicious.”

⁴ The so-called “removal formula” is a clear reference to capital punishment, which indicates that the offender has falsely raised murder charges against another member of the community; cf. Weaver, “Transforming Nonresistance,” 45.

⁵ In addition to Deut 19:21, the phrase “your eye must not show pity” (ולא תחוס עינך) is found four more times in Deuteronomy: Deut 7:16; 13:8; 19:13; 25:12). In all these instances, it follows the commandments that might be difficult to execute due to the feelings of compassion; see Davis, *Lex Talionis*, 47.

⁶ For an analysis of the *lex talionis* as a foundation of Jewish criminal law, see David Daube, *Studies in Biblical Law* (Cambridge: Cambridge University Press, 1947), 102-152. Daube calls the *lex* “the law of retaliation” because its primary purpose is to identify the crime and punish the offender. Yet, in Daube’s view, this regulation, which clearly belongs to criminal law, frequently conceals the idea of compensation which, as such, belongs to civil law. The concept of restitution can be discovered even in the formulations that presuppose the literal application of the talionic principle, but is especially visible in the formulations that introduce monetary compensation as an alternative to actual maiming for lesser crimes. For a comprehensive discussion of the extent to which the talionic principle was literally practiced in ancient Israel and early Judaism, see Davis, *Lex Talionis*, 37-104. Davis argues that in the Mosaic Law, the literal application of the talionic principle was intended not only in the case of murder but also for various lesser offenses. However, by the time of Mishnah and the Talmud, there are clear indications that the maiming elements of the formula have been replaced by monetary compensation. Even though Davis is somewhat hesitant to conclude that the antecedents of Mishnaic regulations existed already in the first century, such an inference has been convincingly defended by Daube, who argues that “the system of damages of Mishnah and Mekhilta is of so elaborate and subtle a nature. . . that we must allow a long time for its growth” and that “talion must have been outset by a pecuniary settlement long before the detailed provisions concerning the latter which we found in Mishnah and Mekhilta were established” (*The New Testament and Rabbinic Judaism* [Peabody: Hendrickson Publishers, 1998], 255).

⁷ For the application of the term “security of expectations,” originally developed by Talcott Parsons in *The Social System* (New York: Free Press; London: Collier Macmillan, 1951), to the Old Testament law, see Michael Welker, “Security of Expectations: Reformulating the Theology of Law and Gospel,” *JR* 66 (1986): 240-54. Welker explains that the purpose of the law is not just to exclude an evildoer from the community, but to “establish public security and a social future that can be expected” (*ibid.*, 241).

there is no actual loss of the life of the victim, the life of the accuser shall be taken.⁸ The judges “shall do to the false witness just as the false witness had meant to do to the other” (Deut 19:19). The *lex talionis* functions here as a punitive and preventive measure – as a warning to the community to not only act justly⁹ but also speak truthfully. Second, the primary role of the judges is to determine the truth. The text presumes their impartiality and integrity. If they fail to accomplish this task, an innocent person could be punished and the offender unjustly exonerated. In this scenario, an unjust act will not only remain unaddressed but injustice will be doubled. If the legal system does not work properly, it becomes a vehicle for further injustices. Thus a proper discernment of the character of the deed for which a person is accused is the basic presupposition for justice.

When we compare Deut 19:15-21 and Matt 5:38-42, several differences can be observed. The most important among them is that in Matt 5:38, Jesus’ words are directed not to the third party who should arbitrate between two conflicting parties, but directly and only to the offended party. Even though the communal aspect is still present – the Matthean Jesus addresses his disciples and, by implication, all his followers as a group by using the second person plural verb ἠκούσατε in v. 38 and the second person plural personal pronoun ὑμῶν in v. 39a – this should not be confused with the communal aspect of Deut 19:15-21. Matt 5:39a indicates that the corporate “you” should be distinguished from “the evil one.”¹⁰ Moreover, the illustrations in Matt 5:39b-42, which exemplify how individual members of the group should act when offended by others, demonstrate that the addressed group consists only of individuals who have suffered some kind of injustice. There is no indication that the evil person is a member of the group, and consequently no direction is given about how the group should secure justice in its own midst.¹¹

⁸ Because of this apparent lack of reciprocity between the crime and punishment, Daube was unable to discover the idea of compensation in the Deuteronomic version of the *lex talionis*: “It may well have appeared to the author of the Deuteronomic formula that to speak of compensation in this case was somewhat illogical, since as the accused has suffered no loss through the false witness – the latter’s plot having failed – there is no room for compensation” (*Studies in Biblical Law*, 130).

⁹ The formula “doing what is good and right” appears in Deut 6:18; 12:25, 28; 13:18 [13:19 LXX]; 21:9.

¹⁰ Cf. Weaver, “Transforming Nonresistance,” 51-52; Walter Wink, “Neither Passivity nor Violence: Jesus’ Third Way (Matt. 5:38-42 par.),” in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley (Louisville, KY: Westminster/John Knox Press, 1992), 105.

¹¹ This is quite different from Matt 18:15-20, which provides guidelines for how to solve the conflicts among Jesus’ followers. Here the offender is still called “your brother” (ὁ ἀδελφός σου), similar to Deut 19:18. The offended member of the community should approach him in private and inform him of his fault. If he refuses to listen, the same procedure should be repeated, but now in the presence of two or three witnesses. If the offender still does not recognize his fault, the church should get involved and, if needed, expel the member if he is still unrepentant. It is obvious that Matthew envisions a community which does not leave offenses in its own midst unaddressed. Its role is, similar to the role of the priests and judges in Deut 19:15-21, to intercede between the two conflicting parties. None of these features is found in Matt 5:38-42.

Also, the talionic formula is quoted only partially. Jesus repeats only the second (ὄφθαλμὸν ἀντὶ ὄφθαλμοῦ) and the third element (ὀδόντα ἀντὶ ὀδόντος) of the formula found in Deut 19:21. The most significant omission is the omission of the first element – “life for life” (ψυχὴν ἀντὶ ψυχῆς) – which is necessitated by the context and the nature of the specific examples which Matthew received from Q, none of which illustrate a threat to or an actual loss of someone’s life. The omission of the first element of the formula also indicates that by the first century, the maxim “life for life,” which continued to provide the basis for criminal law and the practice of death penalty, was separated from the rest of the formula, which became the basis of civil law and personal offenses.¹² Also, individual examples in Matt 5:39b-42 suggest that the text neither presupposes nor combats the literal application of the maiming formula “eye for eye and tooth for tooth.”¹³ In Daube’s words, “supposing for a moment the maxim ‘Eye for eye’ had then meant actual talion for mutilation and Jesus had intended to attack this principle, would the case of a slap in the face not have been an excessively weak illustration of his new position?”¹⁴ If so, the partial quotation of the *lex talionis* in Matt 5:38 points to two restrictions presupposed by the text: (a) the elimination of criminal offenses, such as murder, and the focus on civil law; (b) the elimination of the literal application of the *lex* in personal relationships regulated by civil law.

These alterations enabled Matthew to do something which would not have been otherwise possible – to juxtapose Jesus’ teaching about nonresistance to an evil person to the *lex talionis* and still maintain that Jesus fulfilled the law. Had Jesus addressed his teaching to the community which was supposed to administer justice among its members, and had he required from them to let the perpetrators in their midst go unpunished and ask the victims in their midst to suffer further injustices, his teaching would have come into a direct contradiction with the law, which, it should be recalled, did not give this option to the judges. They must show no mercy because their role is to encourage the right behavior by discouraging the bad. By omitting the introduction to the talionic formula in Deut 19:21, which charges the judges not to show pity toward the perpetrator, and by addressing the *lex talionis* to the victims, the Matthean Jesus bypasses the community in its role of arbitrator, and reinterprets the *lex* in the spirit of the law, found elsewhere, which discourages the victims from insisting on their rights or, in extreme cases, from taking the law into their own hands and retaliating.

¹² Cf. Daube, *The New Testament and Rabbinic Judaism*, 258.

¹³ Contr. 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), 278-79.

¹⁴ Daube, *The New Testament and Rabbinic Judaism*, 256.

It has been frequently pointed out that the original purpose of the *lex talionis*, whose oldest form appears in the Code of Hammurabi, was protective – to set the limits of retaliation, which would without such boundaries in many cases exceed the extent of real damage.¹⁵ It should be noted, however, that this restrictive function of the talionic principle does not surface in three Old Testament passages, which contain the formula. Neither of them addresses the victim nor allows retaliation up to the limits of injury. The analysis of Deut 19:15-21 has shown that the *lex* functions as the principle of proportional retributive justice to be implemented by the judges, not the victims themselves.¹⁶ The same applies to Exod 21:22-27 and Lev 24:17-22, which emphasize that the punishment should be equal to the offense. A similar understanding of the *lex talionis* can be found in early Jewish writings such as *Susanna*, 11QT 61.10-12, *Jub.* 4:31-32, and *T. Gad* 5:10.

This does not mean that the feelings of the injured party and the urge to retaliate were ignored. There are many passages in the Old Testament and early Jewish writings which address the victims directly, asking them to suspend personal vengeance and leave it either to the appointed authorities or to God. Lev 19:18 explicitly forbids the taking of vengeance against another member of the community, with the assumption that the punishment will be properly handled by the judges. Deut 32:35 addresses the problem of vengeance toward Israel's enemies, who are beyond the reach of her legal system. This verse explicitly declares that vengeance is God's. Similarly, Psalm 94:1-7 calls upon the God of vengeance to render judgment upon the wicked, who are identified as Israel's enemies. Prov 20:22 discourages repaying evil through personal vengeance and advises waiting for the Lord. Prov 24:29 explicitly forbids the talionic type of retaliation: "Do not say, 'I will do to him as he has done to me; I will pay the man back for what he has done.'" In 1QS 10.17-18, the author voices his decision not to repay anyone with "the reward of evil" (גְּמוּל רַע), which presumably refers to personal vengeance, and explains his resolution by confessing that "the judgment of every living being (resides only) with God, and he (alone) shall pay man his reward." 2 *Enoch* 50:2-4 encourages the reader to endure every assault, persecution, and evil word for the sake of the Lord, and to abstain from vengeance even if he has an opportunity to do so. Like other passages which discourage vengeance, this text also affirms that God is the one who will take vengeance at the day of judgment.

¹⁵ Guelich, *The Sermon on the Mount*, 219; Betz, *The Sermon on the Mount*, 275-76, 283; Michael Welker, "Gewaltverzicht und Feindesliebe," in *Einfach von Gott reden: Ein theologischer Diskurs*, ed. Jürgen Roloff and Hans G. Ulrich (FS Friedrich Mildenberger; Stuttgart, Berlin, Köln: Verlag W. Kohlhammer, 1994), 243-44.

¹⁶ Weaver ("Transforming Nonresistance," 37) perceptively notes that the *lex talionis* "was not license for personal acts of vengeance against the evildoer. Instead, this law was invoked and carried out by the court of law as an act of public justice."

In view of these recurrent advices to refrain from personal retaliation, found in various segments of the Old Testament and early Jewish writings, the citation of the *lex talionis* in Matt 5:38 could be understood as a word of warning to the victims of injustices to delimit retaliation, which is then juxtaposed to Jesus' teaching in v. 39a that his followers should not retaliate at all. The advantage of this interpretation is that it retrieves the original intention of the *lex talionis* as a restrictive measure for personal vengeance and juxtaposes it to Jesus' teaching on nonretaliation, which fulfills the intention of the law because it sets additional, more radical, restrictions to revenge.¹⁷ However, there is no evidence in the existing literature that the *lex* was interpreted as a "green light" for taking the law into one's own hands.¹⁸ Personal retaliation was encouraged neither in Judaism nor in Greco-Roman world. Paul's exhortations to the church in Rome to repay no one evil for evil (Romans 12:17) and to abstain from vengeance because vengeance is God's (Romans 12:19) show that the early church was familiar with biblical teaching on nonretaliation. Thus, even though it is conceivable that Matthew, like Paul, wanted to remind his readers not to avenge themselves when offended by others, it is more likely that the quotation of the *lex talionis* and Jesus' teaching on nonresistance share the same legal underpinning. Jesus quotes the *lex* as a legal principle which allows the victims to press charges if they were offended. Since it defines the realm of expectations of the members of a given community with regard to just punishments of the perpetrators, it encourages taking legal actions when injuries occur. To this understanding of the *lex* Jesus now juxtaposes his own teaching, which advises them not to pursue this course of action at all. In this way, Jesus' teaching does not contradict the law but fulfills it. He asks his followers to give up certain rights and practice personal restraint, which grasps the spirit of the law from the perspective of the injured party.

Restraint of Personal Rights and Active Response to Injustices (Matt 5:39-42)

This preliminary understanding of Jesus' teaching on nonresistance, which is deduced from the role of the *lex talionis* in Matt 5:38, must be further tested through linguistic analysis of the phrase μή ἀντιστῆναι τῷ πονηρῷ. Most interpreters agree that the expression τῷ πονηρῷ refers to an evil person, not evil as such.¹⁹ Much more difficult, however, is to define

¹⁷ Cf. Luise Schottroff, "'Give to Caesar What Belongs to Caesar and to God What Belongs to God': A Theological Response of the Early Christian Church to Its Social and Political Environment," in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley (Louisville, KY: Westminster/John Knox Press, 1992), 231; Betz, *The Sermon on the Mount*, 276, 285; Davies and Allison, *Commentary on Matthew*, vol. 1, 540-41.

¹⁸ Cf. Georg Strecker, *The Sermon on the Mount: An Exegetical Commentary*, trans. O. C. Dean (Nashville: Abingdon Press, 1988), 82.

¹⁹ Betz, for example, notes that "ethically, there can be no question that total nonresistance to evil constitutes an irrational and unjustifiable position incompatible with the rest of early Christian teaching and its numerous

the nature of nonresistance spoken of here. The semantic range of the verb ἀνθίστημι, whose basic meaning is the middle sense “set oneself against, oppose, resist, withstand,”²⁰ includes violent resistance, such as armed rebellion of some kind, and verbal resistance, such as testimony against another person given in court or another public setting. Both meanings are attested in the existing literature. In the LXX, ἀνθίστημι sometimes refers to military resistance (Lev 26:37; Deut 9:2; Joshua 7:13; Wis 11:3; 1 Macc 6:4; Sirah 46:6-7), while in other instances to a testimony against another person (Isa 3:9, Isa 59:12, and Jer 14:7).²¹ Josephus regularly uses this verb in the context of war or armed rebellion (*J. W.* 2.357; 3.196; 5.89, 96; *Ag. Ap.* 2.23; *A.J.* 4.89; 7.218; 11.23; 12.308; 13.371; 15.115; 17.227; 18.100). In the New Testament, ἀνθίστημι frequently refers to verbal resistance to someone’s testimony (Luke 21:15; Gal 2:11; Acts 6:10; 13:8; 2 Tim 4:15), while Rom 13:2 uses this verb to indicate an opposition to the governmental authorities.²²

On the basis of these possibilities, one could argue that Matt 5:39a prohibits a violent opposition to the Roman government. Walter Wink is probably the best known advocate of this understanding of the text. In his publications, he has consistently argued that in the pre-70 historical context, Jesus’ message served as a warning against an armed rebellion against Rome. Jesus advised his contemporaries not to violently oppose the existing oppressing structures. Yet, Wink insists, the alternative which Jesus proposed was not to passively accept oppression and injustices, but to actively resist them by taking initiative into one’s own hands. Each act of nonviolent resistance, illustrated in Matt 5:39b-42, removes the conditions for further injustices.²³

To which extent is Wink’s interpretation of Matt 5:38-42 appropriate for Jesus’ Palestinian context is a question that lies beyond the scope of this paper.²⁴ My interest lies elsewhere. In the post-70 Matthean context, an armed rebellion against the imperial Rome was no longer a viable option. The defeat suffered by the Jewish rebels has shown that this

admonitions to combat, avoid, or escape from evil” (*The Sermon on the Mount*, 280). Cf. David Hill, *The Gospel of Matthew* (NCB; London: Oliphants, 1972), 127; Guelich, *The Sermon on the Mount*, 219-20.

²⁰ BAGD, s.v. ἀνθίστημι.

²¹ These are the only three instances in the LXX which, along with Deut 19:18, translate the Hebrew verb נָנַח with ἀνθίστημι.

²² It should be noted that none of the examples of the use of ἀνθίστημι in the existing literature point to a situation of personal retaliation.

²³ Walter Wink, “Beyond Just War and Pacifism: Jesus’ Nonviolent Way,” *RevExp* 89 (1992): 197-214; idem, “Neither Passivity nor Violence,” 102-25.

²⁴ For a critique of Wink’s proposal, see Richard A. Horsley, “Response to Walter Wink, ‘Neither Passivity nor violence: Jesus’ Third Way,’” in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley (Louisville, KY: Westminster/John Knox Press, 1992), 126-132. In Horsley’s view, Jesus did not speak to those who contemplated violent resistance against Rome, but addressed his contemporaries in local villages who lived in desperate economic circumstances, in which “people are at each other’s throats, hating, cursing, and

kind of resistance does not work. A violent resistance to Rome proved to be a purely suicidal option. The Christian community, to whom Matthew wrote, was a marginalized group not only *vis-à-vis* Roman government but also Jewish synagogue.²⁵ This situation significantly narrowed down the number of options of how one can respond to various forms of injustices. If then in the Matthean setting violent resistance is ruled out, the most viable option, based on other usages of ἀντίστημι, would be verbal resistance that could be carried out through the existing legal system.²⁶ If so, the Matthean Jesus appears to advise his followers to refrain from using legal path for obtaining justice when they suffer injuries.

Had the passage ended at this point, its message would have been passivism. The victims of injustices would have been expected to endure them silently and renounce any personal claims to justice.²⁷ Paul's instruction to the church in Rome not to resist²⁸ but submit (ὑποτασσέσθω) to the governing authorities (Rom 13:1-2) indicates that the logical opposite of resistance is submission. In the context of asymmetrical relationships, submission is the most natural response of an underdog. Luise Schottroff's perceptive analysis of different life situations in which the renunciation of vengeance was practiced in antiquity²⁹ has shown that submission was expected from the inferiors. Submission to injustices was an expression of slavish mentality that was considered most appropriate for lower classes.³⁰ What should be noted, however, is that submissive behavior and acceptance of injustices were the consequences of their dependent state and represented their only way of self-preservation. Yet, the examples that follow in Matt 5:39b-42 defy this understanding because they illustrate

abusing" (Horsley, "Ethics and Exegesis: 'Love Your Enemy' and the Doctrine of Nonviolence," *JAAR* [1986]: 22).

²⁵ Cf. Gerd Theissen, "Nonviolence and Love of Our Enemies (Matthew 5:38-48; Luke 6:27-38)," in *Social Reality and the Early Christians: Theology, Ethics, and the World of the New Testament*, trans. Margaret Kohl (Minneapolis: Fortress Press, 1992), 130, 136-37.

²⁶ Cf. Stuart D. Currie, "Matthew 5:39a – Resistance or Protest?" *HTR* 57 (1964): 140-45. In support of the conclusion that Matt 5:39a refers to seeking damages in court, Currie mentions two references in Athenagoras, *Supplicatio*, which describe Christian application of Jesus' teaching of nonresistance. The passage in *Supplicatio* 1:3-4, which explains that Christians do not return blow for blow nor go to law with those who plunder and rob them, indicates that Athenagoras understood ἀντίστημι as a reference to filing a complaint against a perpetrator. Similarly, *Supplicatio* 11:3 declares that Christians do not take legal recourse against the perpetrators when they experience unjust suffering. Other advocates of this understanding of ἀντίστημι are: Hill, *The Gospel of Matthew*, 127; Guelich, *The Sermon on the Mount*, 219-20; Robert H. Gundry, *Matthew: A Commentary on His Literary and Theological Art* (Grand Rapids: Eerdmans, 1982), 94; Horsley, "Ethics and Exegesis," 14; Davies and Allison, *Commentary on Matthew*, vol. 1, 543.

²⁷ It is true that this request prohibits "normal human response" that is most likely "under ordinary circumstances" (Weaver, "Transforming Nonresistance," 54). However, Matthew writes to the community that is not living under ordinary circumstances, but experience injustices from those who hold power. In such a context, submission and self-preservation is more natural than resistance.

²⁸ In Rom 13:2, the verbs ἀντιτάσσω and ἀντίστημι are used as synonyms.

²⁹ Luise Schottroff, "Non-Violence and the Love of One's Enemies," in *Essays on the Love Commandment*, trans. Reginald H. and Ilse Fuller (Philadelphia: Fortress Press, 1978), 17-22.

³⁰ See Seneca, *De ira* 2.33.2.

neither submission nor passivism. The victims do not passively accept wrongs done to them, but actively respond by offering to endure more wrongs. Such responses are astounding because they illustrate an attitude that is neither natural nor required by the Jewish law. Without doubt “they run directly counter to all human instinct, individual or societal.”³¹ There is a clear indication that Matthew also felt that these examples stand in a certain tension with the general principle of nonresistance which they are supposed to illustrate, because he introduced them with a conjunction ἀλλά. It is therefore not surprising that, on the basis of the criterion of dissimilarity, this teaching is commonly attributed to the historical Jesus.

The first illustration envisions a situation when one person is slapped on the right cheek (ὅστις σε ῥαπίζει εἰς τὴν δεξιὰν σιαγόνα [σου]).³² Even though such an act violates the physical integrity of the offended person, the primary purpose of the perpetrator is not to inflict pain but to humiliate.³³ Daube clarifies that “a slap in the face is a case, not of mutilation, but of insult – a very different thing.”³⁴ Since in such an instance the damage is not physical but spiritual – it represents an affront on someone’s personal dignity – both the Mishnah and Roman law prescribe monetary compensation. Even though the *lex talionis* could not provide, strictly speaking, the appropriate basis for dealing with indignity,³⁵ Matthew’s text shows that in the first century, the talionic formula was still used for this purpose.³⁶ What should be also kept in mind is that in Jesus’ example, the humiliation of the victim is of an exceptionally grave nature. Unlike Luke, who speaks about a slap on a cheek in general, Matthew specifies that the slapped cheek is the right cheek. In the world where right-handedness was the norm, one could hit another person on the right cheek only with his

³¹ Weaver, “Transforming Nonresistance,” 55.

³² Luke’s version of the saying (Luke 6:29a) does not specify which cheek is slapped. The parallel in *Did.* 1:4 follows the Matthean text, while Justin, *Apol.* 1.16.1 is closer to the Lukan text. For an analysis of the relationship between *Did.* 1:4-5, *Matt* 5:38-42, and *Luke* 6:27-36 see Davies and Allison, *Commentary on Matthew*, vol. 1, 539.

³³ The Old Testament examples include: 1 Kings 22:24 (Zedekiah slaps Micaiah on the cheek in indignation), Job 16:10 (Job complains that others have slapped him on the cheek to express their contempt), Psalm 3:7 (God’s action against David’s enemies is metaphorically described as striking them on the cheek, which conveys the sense of their total humiliation), Isa 50:6 (the servant of the Lord says that he voluntarily offered his cheeks to those who wanted to humiliate him), Lam 3:30 (a person who faces tragedy should give his cheek to the smiter as a sign of acceptance of insult and reproach). Mishnah (*m. B. Qam.* 8.6-7) specifies that a person who slapped another person must pay 200 *zuz*. However, if he slapped him with the back of his hand, the punishment was doubled to 400 *zuz*. The explanation of the penalty of 400 *zuz*, found in *t. B. Qam.* 9.31, is especially telling: the punishment is required “not because it is a painful blow, but because it was a humiliating one” (Jacob Neusner, *The Tosefta: Translated from the Hebrew: Fourth Division: Neziqin [The Order of Damages]* [New York: Ktav Publishing House Inc., 1981], 58).

³⁴ Daube, *The New Testament and Rabbinic Judaism*, 257.

³⁵ In *m. B. Qam.* 8.1, the biblical basis for monetary penalties for indignity is found in Deut 25:11 – a regulation that prescribes cutting off of a hand of a woman who, caught in a fight between her husband and another man, accidentally touches the genitals of the latter.

³⁶ Cf. Daube *The New Testament and Rabbinic Judaism*, 264-65.

back hand,³⁷ which was regarded a much greater offense than a slap with the front hand.³⁸ Regardless of whether one regards the adjective “right” as Jesus’ original word or the Matthean addition,³⁹ Matthew’s version of the offense apparently assumes that this deed is committed in the context of an asymmetrical relationship – as an act of a superior over an inferior.

If so, what are the options for the injured party? A talionic type of personal revenge – slapping the other person back – was punishable by the law. One wrong cannot be made right by another wrong. Moreover, in the situation of power disbalance, as envisioned here, such revenge would be suicidal. The victim could certainly press charges against the offender and seek damages, but it is questionable whether this is really a viable option in the situation of powerlessness.⁴⁰ Passive acceptance of humiliation would, in such a case, be more natural and certainly more appropriate for the asymmetrical power relationships. Yet, Jesus advises none of these. Rather, he counsels the injured party to take initiative and turn the other cheek also.⁴¹ This surprising gesture of the victim achieves two goals. First, it shows that the victim was able to restore his injured dignity. He has refused to be humiliated. Second, he has created a new situation which forces the perpetrator to react. Wink believes that this act robs the perpetrator of the power to humiliate. If his intention was to disgrace his inferior by hitting him on the right cheek with his back hand, he can no longer do that. He would have to slap him on the left cheek with his front hand and, by doing so, recognize him as his equal.⁴² But is this really so? Will a slap on the left cheek really be a dignity restoring act? Would the perpetrator really be unwilling to hit again? He certainly could respond with generosity and kindness and refrain from further humiliation of the victim. But he could slap him again, this time on the left cheek. A slap on a cheek always humiliates. There are no guarantees that the perpetrator will not strike again, even if the next slap might be less humiliating than the first

³⁷ This does not mean that a slap with a left hand is ruled out, but also in this scenario the insult will be more humiliating than a slap with an open right hand. Cf. *1 Esdr.* 4:30, which narrates how Apame, Darius’ concubine, slapped the king with her left hand.

³⁸ The section on penalties in *m. B. Qam.* 8.6-7 (see the previous footnote) indicates that the rabbis regarded a backhanded slap twice as offensive as a frontheaded slap.

³⁹ Most commentators ascribe the term “right” to Matthew’s redaction. A different view is held by Wink (“Neither Passivity nor Violence,” 104), who thinks that Matthew preserved the original version of the saying and that Luke intentionally dropped the adjective “right.”

⁴⁰ The second illustration portrays the courts which defend the rights of the creditors, i.e. the rights of those who have economic power over the impoverished masses. Cf. also Matt 5:23-26, which also portrays a situation of debt and recommends private reconciliation with the accuser rather than a court trial, because the poor debtor might be taken to prison until the last penny is paid. Ulrich Luz (*Matthew 1-7: A Commentary*, trans. Wilhelm C. Linss [Minneapolis: Augsburg, 1989], 290) argues that this threatening description of the trial points to a Gentile rather than a Jewish court, because imprisonment for debt was unknown in Jewish law.

⁴¹ Even though this teaching is certainly unique and without parallels in Jewish writings, the idea of voluntary martyrdom was not new; see Isa 50:6, Lam 3:30.

⁴² Wink, “Neither Passivity nor Violence,” 105-6.

one. He might even understand the turning of the other cheek as a provocation and hit harder than the first time.⁴³ If he decides to hit again, injustice will be doubled.⁴⁴

The second illustration describes an impoverished debtor, whose undergarment (χιτών) is seized by the court and given to the creditor as a pledge for an unpaid debt.⁴⁵ Most interpreters note that according to Exod 22:25-27 and Deut 24:10-13, the creditor could not seize the outer garment (ἱμάτιον) of the debtor, at least not beyond the sunset of the same day. No such restriction existed for seizing the undergarment. However, the Matthean text presumes that this is an unjust act, an act of an evil person. Moreover, the formulation that Jesus uses – “the one wishing to sue you and take your undergarment” – indicates that this act of injustice takes place through the existing legal system. A demand for a pledge by the creditor is warranted by the nature of financial relationships that exist between the creditor and the debtor. Thus, the loss of the undergarment cannot be a wrongful act *per se*. It is much more likely that, like in the first illustration, the litigation of the creditor represents an insult on his human dignity, an act of humiliation.⁴⁶ It exposes his impoverishment and misery, caused by heavy taxation, to the public eye. In this case, the range of options for the victim is even narrower than in the first case. A talionic type of retaliation is not conceivable because the debtor cannot inflict the same insult on the creditor. It is equally difficult to imagine that he could win back his undergarment. Here the law protects the rights of the one who holds economic power. The most natural response would be to give up and surrender the undergarment without resistance to the creditor. However, Jesus advises none of these. Rather, he encourages the debtor to perform a courageous and provocative act – to give also his outer tunic (ἱμάτιον) and literally stay naked in front of the court. This risky behavior – because the debtor could end up in prison for exposing his nakedness⁴⁷ – could have two

⁴³ Davies and Allison offer another possibility: “having been hit on the right cheek by the weaker left hand, the disciple offers his left cheek to be hit by the even stronger right hand” (*Commentary on Matthew*, vol. 1, 543).

⁴⁴ See Schottroff, “Give to Caesar What Belongs to Caesar and to God What Belongs to God,” 231. Although Schottroff does not pay much attention to the character of the first slap as a backhanded slap that is more offensive than the openhanded slap, her analysis is still valid. The question of the degree of disgrace is irrelevant here. The main issue is that humiliation could be repeated and thus doubled. Betz’s explanations are especially helpful here. In his view, “turning to the striker the other cheek as well is a provocative invitation to receive a second strike. . . The gesture exposes the act of the offender as what it is: morally repulsive and improper. In addition, it doubles the renunciation of violence by the person insulted; and finally, it challenges the striker to react with comparable generosity. A person who would ignore the gesture and strike again would reveal that person as an uncivilized brute” (*The Sermon on the Mount*, 290).

⁴⁵ This differs from Luke’s formulation (Luke 6:29b), which presupposes a robbery, not a court trial. Also, the garments in Luke are reversed. Luke’s text presumes that a robber steals a more valuable outer garment (ἱμάτιον), and the victim is advised to give him his undergarment (χιτών) as well.

⁴⁶ Cf. Daube, *The New Testament and Rabbinic Judaism*, 258; Wink, “Neither Passivity nor Violence,” 107.

⁴⁷ Cf. Davies and Allison, *Commentary on Matthew*, vol. 1, 545. Suggestions to understand this as a merely symbolic act because it “breaks every rule of good sense” (Strecker, *The Sermon on the Mount*, 84), or in existential categories as a metaphor for our spiritual nakedness and disappearance of all certainties before God (ibid.) deprive the text of its historical particularity. On the other hand, Wink’s imaginary procession led by a

possible outcomes. The creditor could take the tunic and double the injustice, but if he does so, he would expose himself as an oppressor who exploits his subjects until they become completely impoverished. With this act, he would also violate the commandment in Exod 22:25-27 and Deut 24:10-13. On the other hand, the creditor could refuse to take the outer garment and become more conscious of the exploitive nature of the existing economic relationships.

The third illustration envisions a situation of forced labor,⁴⁸ common in the context of Roman political and military domination.⁴⁹ The one who forces someone else to go one mile is most likely a Roman soldier who was legally permitted to demand a certain amount of free service, in this case carrying his military gear for one mile, from a resident of an occupied territory. Forced labor was humiliating and was intensely resented by domestic population. A civilian asked for compulsory service did not have so many options. A talionic type of retaliation is again difficult to conceive. It is much more likely, given the circumstances, that the most natural response is to do what is required.⁵⁰ Betz notes that “the victim of such a despicable request was legally obliged to comply.”⁵¹ Yet Jesus advises his followers not only to comply but also to willingly offer to carry the equipment of the soldier for another mile. This surprising and provocative act, however, forces the soldier to make a choice. He could refuse the offer and start perceiving the exploitive nature of the forced labor. If he accepts the offer and doubles the compulsory service, he would do grave injustice to the person in question.⁵²

Many interpreters admit that it is difficult to understand the fourth illustration as a clear-cut example of injustice.⁵³ It seems that Jesus merely tells his followers not to refuse a

naked person, who explains to his neighbors what happened in the court and how he has been stripped of his last piece of clothing (“Neither Passivity nor Violence,” 107-8) is not historically plausible.

⁴⁸ This example does not exist in the Lukan parallel of Jesus’ core sayings (Luke 6:29-30), but both *Did.* 1:4 and Justin, *Apol.* 1.16.2 comprise it.

⁴⁹ The verb ἀγγαρεύω, used here, refers to compulsory service; cf. Matt 27:32 and Mark 15:21. This practice is usually traced back to the Persian custom, which was continued by the Romans; cf. F. Blass and A. Debrunner, *A Greek Grammar of the New Testament and Other Early Christian Literature*, trans. and rev. Robert W. Funk (Chicago and London: The University of Chicago Press, 1961), 6; James Hope Moulton and Gerooge Milligan, *The Vocabulary of the Greek Testament* (Grand Rapids: Eerdmans, 1982), 2-3; Hugh J. Mason, *Greek Terms for Roman Institutions* (American Studies in Papyrology 13; Toronto: Hakkert, 1974), 19.

⁵⁰ Cf. Epictetus, *Diss.* 4.1.79, which advises the civilian asked for “aggareia” to “let it happen. Do not resist and do not grumble. Otherwise you will be beaten, and will lose your donkey notwithstanding.”

⁵¹ Betz, *The Sermon on the Mount*, 291.

⁵² Wink’s vivid description of an imaginary “Roman infantryman pleading with a Jew to give back his pack” (“Neither Passivity nor Violence,” 111) lacks historical plausibility.

⁵³ Cf. Schottroff, “‘Give to Caesar What Belongs to Caesar and to God What Belongs to God’,” 232. Weaver (“Neither Passivity nor Violence,” 103) suggests that this saying may not have belonged to the original cluster of the core sayings. Davis and Allison note that this illustration “does not fit its present context well” because “in 5:42 the disciple is no longer a victim.”

person who begs for money or asks for a loan.⁵⁴ Since, however, Matthew's text presumes that these demands are inappropriate, it is customary to treat them as importunate requests.⁵⁵ Unlike Luke 6:30,⁵⁶ which adds that generosity in financial matters should also include giving up any claims for repayment, Matthew's text does not explicitly include this stipulation, even though it might be implied.

A common feature of these illustrations is that they presume that the offenders are evil persons who should be punished. Yet, it is far from being clear why a superior who slaps the inferior, a creditor who demands a pledge, a soldier who requires forced labor, and a beggar who asks for a loan exemplify wicked individuals. Betz rightly notes that "people are not called 'bad' because they are intrinsically evil but because they commit unlawful acts."⁵⁷ Thus the clue for the characterization of these individuals as evil must be sought in the character of their acts. Each illustration presupposes that the victim has suffered some kind of wrongdoing. Yet, the wrongness of the committed acts is not so apparent. The most obvious injustice is humiliation inflicted upon another through a backhanded slap. But even here the wrongness of the act might not be so clear if both the superior and inferior presume that this kind of humiliation is appropriate to asymmetrical relationships.⁵⁸ In the second illustration, the demand for an undergarment, which humiliates the debtor, is based on the right of the creditor to obtain a pledge. Injustice is built into the system of economic exploitation. Similarly, forced labor, which was condescending and humiliating for the local population, was a widespread practice built into the system of exploitation of the conquered people. Finally, constant requests for charity or loans indicate a deeply ingrained division between those who have and those who have not.

Since the text presumes that the perpetrators are not the members of the community of Jesus' followers, the latter are not in a position to correct wrongs through some disciplinary measures, such as those described in Matt 18:15-20. In this situation, the responses of the victims are the only means of addressing injustices. They enable them to restore their lost dignity and start acting not as inferiors who are forced to endure humiliation out of necessity, but as equals or even superiors who freely offer to suffer more wrongs. Furthermore, their

⁵⁴ Luz (*Matthew 1-7*, 329) notes that this saying "addresses only the one who has possessions."

⁵⁵ Weaver, "Transforming Nonresistance," 53;

⁵⁶ Cf. also Luke 6:34-35, which further expands the same idea: Jesus' disciples should expect nothing in return.

⁵⁷ Betz, *The Sermon on the Mount*, 292.

⁵⁸ Cf. the story of the unfaithful servant, found in Matt 24:45-51, which portrays a former servant who temporarily exchanges the role of a slave for that of a master and starts beating his fellow servants. Gustav Stählin notes that "striking and carousing are an enviable prerogative of masters according to the opinion of slaves" ("τύπτω," TDNT 8 [1977], 263).

readiness to suffer additional damages exposes covert injustices as injustices.⁵⁹ If so, I propose to see them as the acts which have the same purpose as the thorough enquiry of the judges, described in Deut 19:15-21 – to discern the truth.⁶⁰ In both cases, the true nature of an unjust act is concealed and must be exposed before it can be properly addressed. In Deut 19:15-21, this is the task of the judges. In Matthew 5:38-42, this is the task of the victims. Jesus' examples can be therefore understood as illustrative suggestions "of how to take on the entire system in a way that unmasks its essential cruelty and to burlesque its pretension to justice, law, and order."⁶¹ There is no other way to recognize and eventually correct injustices when they become embedded into the economic and political system, because those who perpetrate them can no longer recognize them as such.⁶² Even the victims of injustices could internalize them to such a degree that they start developing "both servile actions and a servile

⁵⁹ Cf. Betz *The Sermon on the Mount*, 290. It is not easy to discern the motivation for the behavior of the victims. Jerome Rausch ("The Principal of Nonresistance and Love of Enemy in Mt 5,38-48," *CBQ* 28 [1966]: 37), for example, believes that the motivation for nonresistance is love: "one must love the foreigner, must bless the persecutor." However, this interpretation is more appropriate for Luke's version of Jesus' sayings (Luke 6:29-30), which are preceded by a command to love the enemies and do good to the adversaries (Luke 6:27-28), and followed by similar injunctions in Luke 6:32-36. Luke also offers another motivation for Jesus' demands – the Golden Rule – which is sandwiched between the instructions to turn the other cheek, offer the undergarment in addition to the outer cloak, and give material goods to those who ask for them without expecting a return, all of which apparently presume a situation of robbery, and the additional exhortations to love the enemies. However, the Matthean text is not only structurally separated from the love command (Matt 5:43-48) but is also set up into an entirely different framework – the talionic principle. The victims of injustices in Jesus' illustrations do not do good works to their offenders. Offering the other cheek to a perpetrator, stripping oneself naked in a court, and doubling the forced labor are not good deeds or expressions of love, but challenges to the existing legal system with an unknown outcome. Another possibility is offered by Ulrich Luz, who suggests that "a motivation for the renunciation of force is lacking" (*Matthew 1-7*, 326). Yet, he also notes that these sayings contain "a piece of conscious provocation. . . . It is a matter of alienation, of shocking, a symbolic protest against the regular rule of force" (*ibid.*, 327). If so, the motivation could be found in the victims' yearn for transformation. Submission accepts the *status quo*, while conscious provocation hopes for a change.

⁶⁰ Differently Weaver, "Transforming Nonresistance," 53. Weaver believes that this is an issue where Matthew differs from Deut 19:15-21, because there is "no mention of any 'careful examination' by the judges (Deut. 19:18) to establish the guilt of the antagonist." In her view, "the character of the antagonist as 'the one who is evil' is portrayed as a self-evident 'given' of the situation." One should take into a consideration, however, that Matthew writes to a community that lives in a very different situation from the recipients of Deuteronomy. There are no longer communal guarantees of order and justice. Injustices are embedded into the system and take place through that very system. Moreover, even though it is true that the wrongness of the acts of the perpetrators is presumed, only the victims possess this insight. Yet, injustices cannot be removed unless their true nature is revealed to everybody.

⁶¹ Wink, "Neither Passivity nor Violence," 108.

⁶² Schottroff ("Give Caesar What Belongs to Caesar and to God What Belongs to God'," 233) aptly notes that "Matt 5:38-48 is applicable when one is faced with the unjust power of those in a position of power; the just power of sovereigns is unknown in the Gospel of Matthew."

mentality.”⁶³ Injustices must be seen and acknowledged as such, before any restoration of justice could take place.⁶⁴

Some scholars have suggested that the behavior of the victims of injustices should be seen as a type of prophetic judgment upon the perpetrators, which calls upon God to avenge them.⁶⁵ This interpretation seems plausible within the framework of Matthew’s gospel as a whole, which frequently speaks of the day of judgment as the time when God will finally address human wrongdoings (Matt 5:21-22; 10:15; 11:22, 24; 12:36, 41-42). For Matthew’s readers, who suffered injustices from others, such an idea must have been very comforting. It seems to me, however, that this eschatological outlook cannot completely explain the curious behavior of the victims in Jesus’ examples. They have already suffered injustices, and there is no need to willingly invite further injustices if the expectation of divine retribution is the only motivator of their behavior. It is more likely that in Matthew, the prospect of God’s eschatological judgment offers an assurance to the victims that the wrongdoings will not remain unaddressed if their present efforts to expose them fail.

To say that the readiness of the injured party to suffer further injustices creates conditions in which the unjust acts and their perpetrators can show their true nature, as proposed above, does not mean that the final outcome is in any way assured. The salient feature of Matt 5:38-42 is that it appears to be completely unconcerned with the effectiveness of this kind of response to injustices.⁶⁶ The victim’s willingness to suffer further wrongdoings could provoke further wrongdoings but could also inspire the perpetrator to respond with kindness. Gerd Theissen mentions two examples of Jewish nonviolent resistance in the first half of the first century, including their readiness to suffer for a just cause, which were quite effective.⁶⁷ The first incident took place in 26 CE during Pilate’s tenure in Judea, when the population of Jerusalem resisted his provocative attempt to introduce the images of the emperor to the city. Josephus describes how Jewish crowd surrounded Pilate’s residence in Caesarea and spent five days prostrate on the ground without moving. Pilate’s attempt to put

⁶³ Wink, “Neither Passivity nor Violence,” 111.

⁶⁴ Luz (*Matthew 1-7*, 328) argues that the responses of the victims “are the expression of a protest against any kind of spiraling of force which dehumanizes the human being and of hope for a different behavior of the person from that which is the everyday experience.”

⁶⁵ Cf. Schottroff, “‘Give Caesar What Belongs to Caesar and to God What Belongs to God’,” 231. Schottroff compares the acts of the victims in Matt 5:39b-42 to “shaking the dust of a hostile city off the feet of the messenger of God” found in Matt 10:14, or to “heaping live coals on the head of an enemy” found in Rom 12:20.

⁶⁶ Cf. Betz, *The Sermon on the Mount*, 285, 293. In Betz’s view, ethical responsibility of the victims to act justly and renounce retaliation should be distinguished from the effectiveness of their actual behavior. He notes that “there are many examples where the strategy fails; but success or failure of alternative action is not the concern of this particular argument. Neither the interpretation of the *ius talionis* nor the validity of the ethical stance is conditioned by success or failure of the strategy. Even in the case of failure, justice has been served on the part of the ethically responsible person implementing the demand of the SM” (ibid., 293).

⁶⁷ Theissen, “Nonviolence and Love of Our Enemies,” 150-53.

them under pressure, after he brought them into an arena, failed. They were ready to die rather than to disobey their ancestral laws. Josephus concludes his account by describing the success of Jewish nonviolent endeavor: “Overcome with astonishment at such intense religious zeal, Pilate gave orders for the immediate removal of the standards from Jerusalem.”⁶⁸ The second incident took place in 39 CE under Gaius Caligula, who wanted to erect his statue in the temple in Jerusalem. Petronius, the governor of Syria, was entrusted with the execution of this idea. However, he encountered the Jewish crowd that was willing to die rather than allow such a desecration of the temple. Petronius was so impressed with Jewish readiness to sacrifice themselves that he eventually decided to withdraw Caligula’s command.⁶⁹ Jewish nonviolent strategy worked again. It is quite possible that the first incident, which took place shortly before Jesus’ public appearance, contributed to an increased interest in his exhortations to be ready to suffer more wrongs. Jesus’ own message, however, was completely devoid of any concern regarding its effectiveness.⁷⁰ Instead of asking about the effects on the receiver, Jesus focuses on the effects on the doer.⁷¹ The same applies to the Matthean version of Jesus’ sayings: they are entirely focused on the victims, who are invited to shake off their slavish mentality, take the initiative in exposing wrongs, and contribute to the creation of the conditions for the restoration of justice.

Conclusions

By directing the *lex talionis* not to a council of judges, charged with the task of solving the dispute between two other members of the community, as in Deut 19:15-21, but to the offended party, Matthew was able to maintain that Jesus indeed fulfilled the law by fulfilling its underlying intention: on the one hand, a person should exercise restraint in pursuing his/her rights and, on the other hand, be ready to suffer further injustices in order to reveal their true nature and thus provide conditions for possible, though not guaranteed, transformation. At the same time, the victim’s willingness to suffer further injustices offers a chance to the perpetrator to refrain from repeating them. In this way, the conditions for the restoration of justice are created. Strictly speaking, this is an alternative way of establishing justice, which is not based on the equivalence of the offense and punishment, but on the restoration of human dignity of both the victim and the perpetrator. By publicly refusing to be humiliated and

⁶⁸ Josephus, *J.W.* 2.9.3.

⁶⁹ Josephus, *A.J.* 18.8.1-5.

⁷⁰ Cf. Davies and Allison, *Commentary on Matthew*, vol. 1, 546; Luz, *Matthew 1-7*, 327.

⁷¹ Leander E. Keck (*Who is Jesus? History in Perfect Tense* [Minneapolis: Fortress Press, 2001], 171) argues that “it is the choosings’ and the doings’ consequences for the doer that are the focus of Jesus’ concern. . . . Jesus does not hold the doer responsible for the consequences of his or her actions on others; he concentrates attention on the deed’s consequence on the doer.”

dehumanized, the victims restore their insulted dignity by taking initiative, which empowers them to freely, and somewhat provocatively, offer to do more than originally demanded. These gestures, in turn, offer the opportunities to the offenders to reconsider their unjust deeds and decide whether they should continue committing them or not. If the former, the true nature of injustices will be exposed and the offenders will be unmasked as evil persons. If the latter, the offenders will be able to restore their lost humanness and be dissociated from the previously committed injustices. The fact that the text is silent with regard to the effectiveness of this form of nonviolent resistance indicates that it is more concerned with proper attitude, i.e. ethical responsibility of an individual, than its outcome.

One of the results of the preceding analysis is a renewed recognition of its particularity. Jesus' exhortations in Matthew were addressed to the community which felt powerless over against Rabbinic Judaism and imperial Rome. In this situation, Jesus' teaching empowers the believers to act and show initiative in addressing wrongs. By encouraging the victims to challenge the existing system of embedded injustices, even when their oppressive nature is concealed, Jesus shows them a way of restoring their human dignity and the sense of worth. He assigns them the role of unmasking and exposing wrongs, which is, according to Deut 19:15-21, the task of judicial system of a given community. The silence of the text regarding the effectiveness of this method of dealing with wrongful acts does not mean that Jesus was disinterested in the outcome of his ethics, but that human acts have to have certain quality even when they do not achieve desired results. They only create the possibilities for transformation. The actual outcome entirely depends on the response of the offenders, who could respond with benevolence but also with further injustices.

This open-endedness of the text could leave the impression that, if the things take turn for the worse, injustices could prevail. This danger always exists, because human relationships are complex and unpredictable. However, it should be kept in mind that Matthew places Jesus' exhortations into the larger eschatological framework which provides assurance that no injustice will remain unaddressed at the final judgment. It is noteworthy that Matt 10:32-33 reaffirms the talionic type of divine justice: Jesus promises not only to acknowledge before his Father those who publicly acknowledge him but also to deny those who publicly deny him.⁷²

In view of the specific setting of the original recipients of the text, the question of its contemporary application should be reconsidered. Traditionally, this passage has been understood as a universal foundation of Christian ethics, which was frequently understood as the refusal of retaliation, refrain from violence, and pacifism. The above analysis suggests that

⁷² Cf. Mark 8:38; Luke 12:8-9. Another example of the so-called "sentence of holy law" can be found in 1 Cor 3:17.

Jesus' exhortations in Matthew are not directed to all people living in all circumstances, but to the defenseless community which experiences injustices and has no other means of addressing them. The refusal of retaliation and refrain from violence are certainly presupposed by the text, but do not represent its main focus. Christian pacifism, whose opposition to violent conflicts and wars often leads to passivism and acceptance of oppressive structures, does not do justice to the text, which encourages the victims to act and challenge wrongs, not just passively endure them.

I wish to conclude by offering several preliminary reflections about possible areas where a renewed appreciation of the particularity of this text could inform our Christian practice. First, its message to marginalized communities still remains valid. Christian groups that have no other recourse but suffering injustices are encouraged to willingly accept them as the means of action, not resignation. Second, Christian communities in democratic societies, which can participate in public dialogue and through their representatives influence legislature, are reminded to preserve their critical voice in unveiling and addressing wrongs. It is very easy to lose the ability of perceiving injustices, especially when they are embedded in the system and have the appearance of legality. Unlike the victims in Jesus' examples, who can expose injustices only through their actions, Christians today have both the opportunity and responsibility to address them verbally, even at the expense of personal comfort and security. Finally, even though the silence of the text regarding the applicability of the *lex talionis* to the wrongdoings committed by the members of the community might indicate that this maxim still remains valid as the basis of the legal system, the text insinuates different priorities. Rather than being interested in punitive measures, it focuses on creating new opportunities for the transformation of unjust relationships. As such, it can provide an important contribution to a dialogue about the relationship between justice and reconciliation in the processes of resolving conflicts among various groups.