

# Justice in the Sermon on the Mount

## An Aristotelian Reading

Johan C. Thom  
*Stellenbosch*

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### Abstract

The frequent occurrence of the term δικαιοσύνη (“righteousness, justice”) in the Sermon of the Mount (Matt 5-7) (SM) indicates one of the main themes of the text. This impression is strengthened by the fact that the term is found in strategically important locations in the composition of the SM. This article does not, however, focus on the meaning and use of δικαιοσύνη as such. Instead, I discuss the role justice, an important component of δικαιοσύνη, plays in the SM. To help us gain perspective on how justice was popularly conceived, a brief survey of one of the most influential ancient analyses of justice, that by Aristotle in bk. 5 of his *Nicomachean Ethics*, is provided. Against this background, the way the notion of justice operates in selected passages of the SM is investigated. I try to show that the text frequently manipulates and overturns conventional conceptions of justice and that this reinforces the SM’s demand for a δικαιοσύνη exceeding popular expectations.

### Keywords

Sermon on the Mount; justice; righteousness; Aristotle; equity; Golden Rule; δικαιοσύνη; ἐπιείκεια

It is generally accepted that δικαιοσύνη (“righteousness,” “justice”) plays a crucial role in the Sermon on the Mount (Matt 5-7) (henceforth SM). Five of the seven occurrences of δικαιοσύνη in Matthew are found in the SM, namely, in 5:6, 10, 20; 6:1, and 33. (The other two instances are in Matt 3:15 and 21:32.) In the other canonical gospels, there are altogether only three instances (Luke 1:75; John 16:8, 10). The remarkable concentration of the term in the SM indicates an important theme of the SM.<sup>1</sup>

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<sup>1</sup> See, e.g., W.D. Davies and D.C. Allison, *The Gospel According to Saint Matthew I: Introduction and Commentary on Matthew I-VII* (ICC; London: T&T Clark, 1988) 499: “The word ‘righteousness’... expresses the essence of the sermon on the mount”; H.D. Betz,

This conclusion is strengthened by the fact that the term occurs in strategically important locations in the composition of the SM. Let us therefore first briefly review the composition of the SM.

Scholars are in relative agreement about the lower level units of the SM, although there is difference of opinion about the way these units are connected to one another on a macrolevel or about the overall rationale of the composition.<sup>2</sup> My own proposal (offered here as a working hypothesis without detailed argument) is that the composition of the SM may be analysed roughly in terms of the parts of an ancient speech.<sup>3</sup> The outline of the composition is then as follows:

- I. **Exordium** (Introduction)—Defining the righteous disciple: 5:3-16
  - A. Beatitudes (5:3-12)
  - B. Metaphors of salt and light (5:13-16)
- II. **Propositio** (Summary statement of theme)—The exceeding righteousness: 5:17-20
  - A. True fulfilment of the law (17-18)
  - B. The exceeding righteousness (19-20)
- III. **Probatio** (Argument)—Understanding and practising the righteous life: 5:21-7:12
  - A. δικαιοσύνη and the interpretation of the law (5:21-48)
    1. Murder (21-26)
    2. Adultery (27-30)

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*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, 1995) 130: “Within the SM, the term δικαιοσύνη occupies a place of central importance”; U. Luz, *Das Evangelium nach Matthäus. 1. Teilband: Mt 1-7* (5th ed.; EKKNT 1/1; Zürich: Benziger/Neukirchen-Vluyn: Neukirchener, 2002) 259: “das... Wort δικαιοσύνη [ist] eines der grundlegenden Leitworte der Rede.” No attempt is made to engage fully with the vast scholarship on the SM; the literature cited in this article is therefore intended to be representative rather than exhaustive.

<sup>2</sup> See the very helpful brief overview by C.H. Talbert, *Reading the Sermon on the Mount: Character Formation and Decision Making in Matthew 5-7* (Columbia: University of South Carolina Press, 2004) 21-26.

<sup>3</sup> This was first suggested by G.A. Kennedy, *Classical Rhetoric and Its Christian and Secular Tradition from Ancient to Modern Times* (Chapel Hill: University of North Carolina Press/London: Croom Helm, 1980) 39-63; see also B.L. Mack, *Rhetoric and the New Testament* (GBS.NT; Minneapolis: Fortress, 1990) 82-85. The details of my own analysis, however, differ from both Kennedy’s and Mack’s. My outline of the composition combines a rhetorical and a thematic approach.

3. Divorce (31-32)
4. Taking an oath (33-37)
5. Retaliation (38-42)
6. Love and hate (43-48)
- B. δικαιοσύνη and piety (6:1-18)
  1. Principle (1)
  2. Alms (2-4)
  3. Prayer (5-15)
  4. Fasting (16-18)
- C. δικαιοσύνη and priorities (6:19-34)
  1. Correct focus: God vs. possessions (19-24)
    - a. Treasure in heaven (19-21)
    - b. Lamp of the body (22-23)
    - c. Two lords (24)
  2. Anxiety vs. trust and obedience (25-34)
    - a. Principle (25)
    - b. Food (26-27)
    - c. Clothes (28-30)
    - d. Conclusion: correct priorities (31-34)
- D. Judgement and discrimination, actions and consequences (7:1-11)
  1. Judgement (1-5)
  2. Discrimination (6)
  3. Seeking and finding (7:7-11)
- E. Golden Rule: moral imagination (7:12)
- IV. **Peroratio** (Conclusion)—Warnings regarding words and actions: 7:13-27
  - A. Difficulty of the righteous life (13-14)
  - B. False prophets (15-20)
  - C. Claims and obedience (saying and doing) (21-23)
  - D. Parable regarding hearing and doing (24-27)
    1. Hearing and doing (24-25)
    2. Hearing and not doing (26-27)

The most significant implication of the proposed view of the composition is that the *propositio* in 5:17-20 gives an indication of the theme of the SM as a whole.<sup>4</sup> Most scholars recognize its function as an

<sup>4</sup> For the function of the *propositio* see H. Lausberg, *Handbook of Literary Rhetoric: A Foundation for Literary Study* (Leiden/Boston/Köln: Brill, 1998) 136, §289.

introduction,<sup>5</sup> but they differ as to whether it is intended as introduction to 5:21-48, 5:21-7:12, or 5:21-7:27.<sup>6</sup> As *propositio*, vv. 17-20 in fact do all of these by moving from the specific to the general: the reference to the topos of upholding and interpreting the law (5:17-19)<sup>7</sup> prepares the way for what follows immediately in 5:21-48, but v. 20 then broadens the scope of the theme by demanding of the disciples a δικαιοσύνη exceeding that of the religious leaders who interpreted and exemplified this law.<sup>8</sup> This theme is developed in the body of the SM as a whole (5:21-7:12), as can be seen from the references to δικαιοσύνη in 6:1 and 6:33, and from the fact that the Golden Rule in 7:12, generally recognized as the closing statement of the body, refers back to these verses.<sup>9</sup> Verses 17-19 thus link directly to the first part of the body of the SM (5:21-48), which has as its theme the interpretation of the law, while v. 20 points to an exceeding δικαιοσύνη as the overarching theme of the SM.

In addition to being a crucial element of the closing summary of the *propositio* in 5:20, the term δικαιοσύνη also occurs in other strategically important locations. It is found at the very beginning, the *exordium* of the SM, in 5:6 and 10, important central and closing positions of the primary series of Beatitudes. The next occurrence of δικαιοσύνη after 5:20 is in 6:1, which summarizes the principle of the second part of the body of the SM (6:1-18), namely, that δικαιοσύνη should not be practised in order to be honoured by people. If 6:1 serves as introduction to the second part, 6:33 provides a closing statement to the third part. Like 6:1 it also functions beyond its immediate context and formulates a basic principle of the SM, namely, that seeking δικαιοσύνη should be the disciples' first priority.<sup>10</sup>

<sup>5</sup> One of the few exceptions among recent scholars is R. Deines, *Die Gerechtigkeit der Tora im Reich des Messias: Mt 5,13-20 als Schlüsseltext der matthäischen Theologie* (WUNT 2/177; Tübingen: Mohr Siebeck, 2004) 429, who considers 5:20 a summary and conclusion to 5:3-19, which then also functions as a transition to the antitheses. See, however, already G. Strecker, *Die Bergpredigt: Ein exegetischer Kommentar* (Göttingen: Vandenhoeck & Ruprecht, 1984) 12.

<sup>6</sup> See Talbert, *Reading the Sermon on the Mount*, 25.

<sup>7</sup> See on the topos D.L. Balch, "The Greek Political Topos περὶ νόμων and Matthew 5:17, 19, and 16:19," in *Social History of the Matthean Community: Cross-Disciplinary Approaches* (ed. D.L. Balch; Minneapolis: Fortress, 1991) 68-84.

<sup>8</sup> The *propositio* often has such a twofold function of introducing what follows immediately in the first part of a speech, and of indicating the overarching theme of the speech. See Lausberg, *Handbook of Literary Rhetoric*, 160, §346.

<sup>9</sup> Cf. e.g. G.N. Stanton, "Sermon on the Mount/Plain," *DJG* (1992) 741, 743.

<sup>10</sup> Cf. Betz, *Sermon on the Mount*, 481: "This most important statement is the culmina-

δικαιοσύνη is thus clearly a central theme in the SM. The term occurs in strategic locations throughout the composition, often in formulations expressing general principles of the SM. In this article I do not, however, intend to focus on the meaning of δικαιοσύνη as such.<sup>11</sup> Instead, I want to consider the way justice, as an important component of δικαιοσύνη, functions within the logic of the argumentation of the SM, and to show how this, in conjunction with δικαιοσύνη, contributes to the overall meaning of the SM.

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tion of the argument. Indeed, it is not an overstatement to say that the sentence has a significance beyond the present context in which it serves as a kind of *telos*-formula ('goal'-formula)." Similarly, Deines, *Gerechtigkeit der Tora*, 441: 6:33 is a kind of summary of the message of the SM. He however understands the sentence as an exhortation to a missionary existence; ζῆτεῖτε should be understood "als *sich bemühen um die Ausbreitung und Geltung der Basileia in der Welt*, d.h. er ist Aufruf zu einer missionarischen Existenz" (*Gerechtigkeit der Tora*, 446).

<sup>11</sup> In view of Matthew and the SM's undoubted indebtedness to Judaism, most modern exegetes focus their discussion on the meaning of the *word* or *concept* δικαιοσύνη within a Jewish context. Key issues in current scholarship include whether δικαιοσύνη should be considered a Matthean redactional addition or whether it was already present in Matthew's source; whether δικαιοσύνη has more than one meaning in the SM; whether δικαιοσύνη should be understood as God's demand to live according to his requirements, as God's eschatological gift of a state of righteousness, as a just social order now or in the eschatological future, or as a combination of these; to what extent δικαιοσύνη should be understood in terms of underlying Hebrew or Aramaic terms such as קָדָשׁ, הַקְדָּשׁ, תְּכִינָה or תְּכִינָה; and to what extent the first-century Palestinian context influenced the meaning of the word. Important studies for δικαιοσύνη in the SM, all of which emphasize its Jewish background, include B. Przybylski, *Righteousness in Matthew and His World of Thought* (SNTSMS 41; Cambridge: Cambridge University Press, 1980); H. Giesen, *Christliches Handeln: Eine redaktionsgeschichtliche Untersuchung zum δικαιοσύνη-Begriff im Matthäusevangelium* (Europäische Hochschulschriften 23/181; Frankfurt/Bern: Lang, 1982); Martin Hengel, "Zur matthäischen Bergpredigt und ihrem jüdischen Hintergrund," *TRu* 52 (1987) 327-400; and recently Deines, *Gerechtigkeit der Tora*. I have not been able to consult M.J. Fiedler, "Der Begriff δικαιοσύνη im Matthäus-Evangelium, auf seine Grundlagen untersucht" (Diss. theol., Halle, 1957). See also G. Schrenk, "δικαιοσύνη," *TDNT* 2 (1964), esp. 198-199; A. Dihle, "Gerechtigkeit," *RAC* 10 (1978) 306-308; K. Kertelge, "δικαιοσύνη," *EDNT* 1 (1990-1993) 328-329; C. Spicq, "δικαίος κτλ.," *TLNT* 1 (1994) 318-347; D. Lührmann, "Gerechtigkeit III: Neues Testament," *TRE* 12 (1984), esp. 415; U. Luz, "Bergpredigt I: Neues Testament," *RGG* 1 (1998), esp. 1311; W. Klaiber, "Gerechtigkeit I: Biblisch 2. Neues Testament," *RGG* 3 (2000) 704-705. Betz is the only modern scholar who in his commentary systematically considers the Greco-Roman background of δικαιοσύνη, although he also emphasizes the "Jewish sense of the term" (*Sermon on the Mount*, esp. 130).

To gain some perspective on the SM's treatment of justice, let us first look at one of the most influential ancient analyses of δικαιοσύνη, namely, that offered in Aristotle's *Nicomachean Ethics* bk. 5.

### Aristotle's Analysis of δικαιοσύνη

Although Aristotle's ethics does not simply reflect popular morality,<sup>12</sup> he certainly takes his point of departure in common notions of justice.<sup>13</sup> Aristotle observes that there is a twofold understanding of δικαιοσύνη, namely, δικαιοσύνη as a general virtue and as a more specific virtue (*Eth. Nic.* 5.1).<sup>14</sup> In popular thought δικαιοσύνη was often considered the all-encompassing virtue, a view already formulated by Theognis (6th cent. BCE): ἐν δὲ δικαιοσύνῃ συλλήβδην πᾶσ' ἀρετή 'στι ("In justice all virtue is subsumed").<sup>15</sup> Plato, in particular, applied the evaluation "just" in relation to virtuous

<sup>12</sup> Cf. K.J. Dover, *Greek Popular Morality in the Time of Plato and Aristotle* (Oxford: Blackwell, 1974) 1-2: "If we imagined that either Plato's work or Aristotle's represented an intellectual systematization of the principles which were manifested in the moral choices and judgments of the ordinary unphilosophical Greek, it is possible that we might go badly astray." In her recent book, T. Morgan also contends that "despite some similarities, overlaps and even some shared material, the relationship between high philosophy, expressed as systematic doctrines, and popular morality is tenuous at best" (*Popular Morality in the Early Roman Empire* [Cambridge: Cambridge University Press, 2007] 333-340; quotation from p. 337). Some of the shared material is clearly an interest in justice; cf. *ibid.*, Index, s.v. "justice."

<sup>13</sup> Aristotle's method generally is to start his investigation with "what seems to be the case" (τὰ φαινόμενα) and to attempt to prove the "reputable opinions" (ἔνδοξα) (*Eth. Nic.* 7.1.1145b2-7), that is, views held by all, or most people, or at least by people with a reputation for wisdom (*Top.* 1.1.100b21-23). See R. Kraut, "How to Justify Ethical Propositions: Aristotle's Method," in *The Blackwell Guide to Aristotle's Nicomachean Ethics* (ed. R. Kraut; Blackwell Guides to Great Works; Malden, MA: Blackwell, 2006) 77-80.

<sup>14</sup> Aristotle's distinction became the norm for later authors; see R. Hauser et al., "Gerechtigkeit," *Historisches Wörterbuch der Philosophie* 3 (ed. J. Ritter and K. Gründer; Basel: Schwabe, 1974) 330.

<sup>15</sup> Theognis 147 (= Phocylides frg. 10 Diehl), quoted by Aristotle, *Eth. Nic.* 5.1.1129b30. Cf. also *ibid.*, 1129b27: πολλάκις κρατίστη τῶν ἀρετῶν εἶναι δοκεῖ ἡ δικαιοσύνη. Centuries later Cicero stills expresses the same sentiment: *iustitia, in qua virtutis splendor est maximus, ex qua viri boni nominantur* (*Off.* 1.20). For a comprehensive and relatively detailed discussion of ancient views of justice see Dihle, "Gerechtigkeit"; see also *idem*, *Der Kanon der zwei Tugenden* (Köln/Opladen: Westdeutscher, 1968), esp. 10-14. The article on justice by Ada Neschke in the *DNP* is disappointingly brief ("Gerechtigkeit/Recht," *DNP* 4 [1998] 951-953). Cf. also Schrenk, "δικαιοσύνη"; O. Höffe, "Gerechtigkeit II: Philosophisch," *RGG* 3 (2000) 705-709.

conduct in general, that is, someone may be described as “just” if he lives a principled life.<sup>16</sup> Justice as a relational concept indicating the appropriate relationship or proportionality between two entities<sup>17</sup> was therefore considered the norm for all behaviour and for all relationships.<sup>18</sup> Aristotle accepts this broad view of δικαιοσύνη as a comprehensive virtue, although he qualifies it as “the perfect virtue in relation to the other” (τελεία ἀρετὴ πρὸς ἕτερον; *Eth. Nic.* 5.1.1129b26-27), that is, the social virtue *par excellence*. In this sense, δικαιοσύνη has the wider meaning of “righteousness.”<sup>19</sup>

In the *Nicomachean Ethics* Aristotle is however more interested in “particular” justice, that is, justice that is not identical with virtue, but that forms part of it (*Eth. Nic.* 5.2.1130a14-b29). Particular justice is concerned with the equal distribution of goods which constitute good or bad fortune (ὅσα εὐτυχία καὶ ἀτυχία; *Eth. Nic.* 5.1.1129b3), that is, goods such as honour, wealth and security (τιμὴ, χρήματα, σωτηρία; 5.2.1130b2; cf. 1130b31-32).<sup>20</sup> As we shall see in a moment, Aristotle divides particular

<sup>16</sup> See M. Pakaluk, *Aristotle's Nicomachean Ethics: An Introduction* (Cambridge Introductions to Key Philosophical Texts; Cambridge: Cambridge University Press, 2005) 182-186, 188-192.

<sup>17</sup> See Neschke, “Gerechtigkeit/Recht,” 951: “[G]erechtigkeit]’ ist ein relationaler Begriff: er stellt die Angemessenheit bzw. Verhältnismäßigkeit zw. zwei Größen fest.” Cf. Aristotle, *Nic. Eth.* 5.3.1131a29-30; *Magn. Mor.* 1.23.1193b34-39.

<sup>18</sup> On the basis of this relational view of justice, Plato, e.g., was able to extend by analogy the notion of an all-encompassing justice providing order in the social community between different groups of people to the human soul: the virtue of justice ensures harmony between the parts of the soul (λογιστικόν, θυμοειδές, ἐπιθυμητικόν) and the virtues associated with them (φρόνησις, σοφία; ἀνδρεία; σωφροσύνη). In this way δικαιοσύνη acquires a coordinating role among the cardinal virtues. See Dihle, “Gerechtigkeit,” 255-258.

<sup>19</sup> See H. Rackham, trans., *Aristotle: The Nicomachean Ethics* (rev. ed.; Loeb Classical Library; Cambridge, Massachusetts: Harvard University Press, 1934) 252-253n on the problem of translating δικαιοσύνη and cognate terms in bk. 5.

<sup>20</sup> See the definition given at *Eth. Nic.* 5.5.1134a1-6: καὶ ἡ μὲν δικαιοσύνη ἐστὶ καθ’ ἣν ὁ δίκαιος λέγεται πρακτικὸς κατὰ προαίρεσιν τοῦ δικαίου, καὶ διανεμητικὸς καὶ αὐτῷ πρὸς ἄλλον καὶ ἐτέρῳ πρὸς ἕτερον οὐχ οὕτως ὥστε τοῦ μὲν αἰρετοῦ πλεόν αὐτῷ ἔλαττον δὲ τῷ πλησίον, τοῦ βλαβεροῦ δ’ ἀνάπαλιν, ἀλλὰ τοῦ ἴσου τοῦ κατ’ ἀναλογίαν, ὁμοίως δὲ καὶ ἄλλῳ πρὸς ἄλλον (“Also, Justice is that quality in virtue of which a man is said to be disposed to do by deliberate choice that which is just, and, when distributing things between himself and another, or between two others, not to give too much to himself and too little to his neighbor of what is desirable, and too little to himself and too much to his neighbor of what is harmful, but to each what is proportionately equal; and similarly when he is distributing between two other persons”; trans. H. Rackham in LCL). For a discussion of this definition see Pakaluk, *Nicomachean Ethics*, 181-182. For the scope of the goods with which justice is concerned, see also C.M. Young, “Aristotle’s Justice,” in

justice in two further forms, but once again it is clear that his analysis is based on popular conceptions. Justice was popularly defined as “to render to each his due.”<sup>21</sup> In the wisdom tradition justice was also seen to be at work in the appropriate correlation between one’s actions and their consequences (as rewards or as punishments), with the deity as the ultimate guarantor of such justice.<sup>22</sup>

Aristotle divides particular justice into “distributive” (διανεμητικόν) and “corrective” (διορθωτικόν, ἐπανορθωτικόν) justice (5.2.1130b30-1131a1; 5.4.1132a18).<sup>23</sup> Distributive justice ensures the equal distribution of goods in a common enterprise, such as a business transaction.<sup>24</sup> Aristotle takes

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*The Blackwell Guide to Aristotle's Nicomachean Ethics* (ed. R. Kraut; Blackwell Guides to Great Works; Malden, MA: Blackwell, 2006) 183.

<sup>21</sup> Cf. Plato, *Resp.* 331E: τὸ τὰ ὀφειλόμενα ἐκάστω ἀποδιδόναι δίκαιόν ἐστι (citing a saying by Simonides); Aristotle, *Rhet.* 1366b: ἔστι δὲ δικαιοσύνη μὲν ἀρετὴ δι’ ἣν τὰ αὐτῶν ἕκαστοι ἔχουσι, καὶ ὡς νόμος. (Jesus’ statement in Mark 12:17||Matt 22:21||Luke 20:25 is based on this concept of justice.) See also *Rhet. Her.* 3.3: *iustitia est aequitas ius unicuique retribuens pro dignitate cuiusque*; Cicero, *Inv.* 2.160: *iustitia est habitus animi communi utilitate conservata suam cuique tribuens dignitatem*. This notion also endured in later legal definitions such as that in Ulpian (ca. 200 CE), *Dig.* 1.1.10: *iustitia est constans et perpetua voluntas ius suum cuique tribuendi. iuris praecepta sunt haec: honeste vivere, alterum non laedere, suum cuique tribuere* (“Justice is a steady and enduring will to render unto everyone his right. The basic principles of what is right are: to live honourably, not to harm any other person, to render to each his own”). See the discussion by Dihle, “Gerechtigkeit,” 284-289.

<sup>22</sup> See Dihle, “Gerechtigkeit,” 243-246; and for the OT, E. Otto, “Gerechtigkeit I: Biblisch 1. Alter Orient und Altes Testament,” *RGG* 3 (2000) 703: “In der Weisheit wird das gemeinschaftsgemäße Tun und das daraus resultierende positive Ergehen sowie die Konkordanz von Tat und Ergehen als G. bez[eichnet]. Der Tun-Ergehens-Zusammenhang wird durch das soziale Gedächtnis der Gemeinschaft hergestellt. . . JHWH sorgt dafür, daß so die Taten auf das Haupt des Täters zurückfallen, und greift strafend dort ein, wo sich der Zusammenhang von Tat und Ergehen nicht einstellt”; J. Scharbert, “Gerechtigkeit I: Altes Testament,” *TRE* 12 (1984) 407-410; Bible in general: A. Grund, “Tun-Ergehens-Zusammenhang I: Biblisch,” *RGG* 8 (2005) 654-656. In ancient Greek thought, “the protection of justice must have been one of Zeus’ attributes from the earliest times” (H. Lloyd-Jones, *The Justice of Zeus* [Sather Classical Lectures 41; Berkeley & Los Angeles: University of California Press, 1971] 8 and *passim*).

<sup>23</sup> A similar distinction is still used by Cicero, *Off.* 1.20(7): *Sed iustitiae primum munus est, ut ne cui quis noceat, nisi lacessitus iniuria, deinde ut communibus pro communibus utatur, privatis ut suis* (“The first office of justice is to keep one man from doing harm to another, unless provoked by wrong; and the next is to lead men to use common possessions for the common interests, private property for their own”; trans. W. Miller in LCL).

<sup>24</sup> D.S. Hutchinson, “Ethics,” in *The Cambridge Companion to Aristotle* (ed. J. Barnes; Cambridge: Cambridge University Press, 1995) 222.

great pains to argue that the equality (ἰσότης) entailed in distributive justice is not a simple equality between terms (i.e., x equals y), but rather a proportionate equality between the goods and the persons involved (i.e., person A : person B :: benefit x : benefit y; or person A : benefit x :: person B : benefit y) (5.3.1131a15-b24; 5.5.1133a31-b6). A business transaction, for example, will be considered just if both persons A and B consider the goods x and y that they exchange to be equal *in value* (but not of course exactly the same, which would simply mean that they give one another the exact same items). Corrective justice entails the corrections of an inequality created through an act of injustice; it attempts to restore the “mean” (τὸ μέσον) or balance disturbed by the unjust act (5.4). This kind of justice is therefore concerned with the preservation and restoration of equality.<sup>25</sup> Aristotle argues against the notion that corrective justice simply consists in “repayment” (τὸ ἀντιπεπονθός), that is, the principle of retaliation (the *ius talionis*) (5.5.1132b21-1133a2).<sup>26</sup> Justice requires proportionate punishment, instead, just as we have a commensurable rather than an exact exchange of goods.<sup>27</sup>

Proportionate equality in both forms of particular justice implies that someone should be treated according to merit (κατ’ ἀξίαν, 5.3.1131a24-29).<sup>28</sup> The principle of merit or worth entails, amongst other things, that who one is and what one does be taken into account when justice is administered. In the Athenian democracy, for example, a free-born citizen would be treated differently from a foreigner or a slave.

Aristotle qualifies his treatment of δικαιοσύνη in a significant manner by introducing the notion of equity, that is, ἐπιείκεια (also translated “reasonableness” or “fairness”).<sup>29</sup> According to Aristotle, equity is a “superior”

<sup>25</sup> See Hutchinson, “Ethics,” 222-223; also Pakaluk, *Nicomachean Ethics*, 195-199.

<sup>26</sup> According to Aristotle, this was the Pythagorean view of justice, but it represents a common conception in antiquity; see the discussion below on Matt 5:38-42.

<sup>27</sup> See Pakaluk, *Nicomachean Ethics*, 193-194. Aristotle also attempts to express corrective justice as a mathematical proportion, but without much success; see Hutchinson, “Ethics,” 223 n. 9.

<sup>28</sup> This becomes a standard feature in later abbreviated definitions of justice; cf. [Aristotle] *Virt.* 1250a12: δικαιοσύνη δ’ ἐστὶν ἀρετὴ ψυχῆς διανεμητικὴ τοῦ κατ’ ἀξίαν; [Plato] *Def.* 411D-E: ἕξις διανεμητικὴ τοῦ κατ’ ἀξίαν ἐκάστω.

<sup>29</sup> LSJ, s.v. Despite its importance in Aristotle’s thought on how justice should be administered, his discussion of the topic is not very explicit. He has a brief chapter on ἐπιείκεια in the *Nicomachean Ethics* (5.10.1137a31-1138a3); there are also paragraphs about equity in the *Rhetoric* (1.13.1374a26-1374b23; cf. also 1.15.1375a27-33) and in the *Magna Moralia* (2.1-2.1198b24-1199a3). See the admirable review of the evidence and of recent

form of justice correcting and transcending a “strict justice” based on a literal interpretation of the law.<sup>30</sup> Aristotle refers to equity from two perspectives. The first is from the perspective of the person interpreting the law: Because a law is always a general statement intended to cover a wide variety of situations, it cannot provide for every specific case (5.10.1137b11-19). In some instances it is therefore necessary to “correct” a law in order to ensure that justice prevails. Instead of following the law to the letter, equity tries to take the purpose of the law or the intention of the lawgiver into account as it applies to specific cases (5.10.1137b19-27).<sup>31</sup> An ancient commentator on Aristotle’s *Nicomachean Ethics* therefore describes ἐπιείκεια as a form of δικαιοσύνη “aiming at [or trying to reach; στοχαστική] what is just.”<sup>32</sup>

The second perspective on equity is that of the person having a right to justice: the “equitable” or reasonable person often takes for himself less than he is rightly entitled to.<sup>33</sup> One of the reasons is perhaps that

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perspectives by J. Brunschwig, “Rule and Exception: On the Aristotelian Theory of Equity,” in *Rationality in Greek Thought* (ed. M. Frede and G. Striker; Oxford: Clarendon, 1996) 115-155. For the problematic relationship of the *Magna Moralia* to Aristotle’s other ethical works, see H. Flashar, “Aristoteles,” in *Ältere Akademie, Aristoteles, Peripatos*, vol. 3 of *Grundriss der Geschichte der Philosophie: Die Philosophie der Antike* (ed. Hellmut Flashar; 2nd ed.; Basel: Schwabe, 2004) 227.

<sup>30</sup> *Eth. Nic.* 5.10.1137b8-11: τό τε γὰρ ἐπιεικὲς δικαίου τιτὸς ὄν βέλτιόν ἐστι δίκαιον, καὶ οὐχ ὡς ἄλλο τι γένος ὄν βέλτιόν ἐστι τοῦ δικαίου. ταὐτὸν ἄρα δίκαιον καὶ ἐπιεικὲς, καὶ ἀμφοῖν σπουδαίον ὄντων κρεῖττον τὸ ἐπιεικὲς. (“For equity, while superior to one sort of justice, is itself just: it is not superior to justice as being generically different from it. Justice and equity are therefore the same thing, and both are good, though equity is the better”; trans. Rackham in LCL). For “strict justice” see ἀκριβοδίκαιος in n. 33 below. The notion that one form of δικαιοσύνη is “more” (πλεῖον) than another may be contrasted with the statement by Epictetus that there are no degrees of comparison in what is just: καθάπερ ὀρθοῦ οὐδὲν ὀρθότερον, οὕτως οὐδὲ δικαίου οὐδὲν δικαιοτέρον, “Just as nothing is more straight than straight, so nothing is more just than just” (*Gnomologium Epicteteum [e Stobaeo 3-4]* 56).

<sup>31</sup> Brunschwig, “Rule and Exception,” 150-154, points out that the interpretation and application of the kind of justice that is the province of equity, cannot be encapsulated in a general principle, precisely because this kind of justice is concerned with the individual and the accidental, that is, a level of particularity that cannot be generalized. Equity therefore requires a keen sense of discrimination (εὐγνωμοσύνη) to determine what is just and appropriate under the circumstances. See Aristotle, *Magn. mor.* 2.2; also *Eth. Nic.* 6.11.1143a19-24.

<sup>32</sup> ἐπιείκεια, δικαιοσύνη τις οὐσα, τουτέστι τοῦ δικαίου στοχαστική; *Anonymus in Eth. Nic.* p. 250.39-40 ed. Heylbut.

<sup>33</sup> Cf. *Eth. Nic.* 5.10.1138a1-2: ὁ μὴ ἀκριβοδίκαιος ἐπὶ τὸ χεῖρον ἄλλ’ ἐλαττωτικός,

the well-being of a social community depends on the benevolent involvement (φιλία) of its citizens in which the requirements of a strict justice are transcended.<sup>34</sup>

Discussion of δικαιοσύνη of course continued after Aristotle. Philosophers of the Stoa concentrate on distributive justice, but they also return to the idea of δικαιοσύνη as a general social virtue, which includes other virtues such as χρηστότης (“goodness”), εὐκοινωνησία (“good fellowship”), εὐσυναλλαξία (“fair dealing”), and εὐσέβεια (“piety”).<sup>35</sup> In the philosophical syncretism characterizing the Greco-Roman period from the first century BCE onwards we find an eclectic combination of various definitions.<sup>36</sup> Clement of Alexandria is a good example among early Christian authors of such eclecticism: δικαιοσύνη is ἀπονεμητική κατ’ ἄξίαν (*Paed.* 1.8.64.1); it creates harmony (συμφωνία) between the various parts of the soul (*Strom.* 4.26.163.4); it expresses itself in not being greedy (μὴ πλεονεκτεῖν; *ibid.*, 4.25.161.2); and it is the all-encompassing virtue (παντελής ἀρετή; *ibid.*, 7.3.17.3).<sup>37</sup>

### Justice in the Sermon on the Mount

When we now return to the SM, it has to be borne in mind that the concept of justice functions on two levels in the text, both as an explicit theme and as an implicit notion underlying much of the argumentation. I do not intend to present an exhaustive analysis of justice in the SM, but will confine my discussion to some prominent examples of how the notion of justice is used.

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καίπερ ἔχων τὸν νόμον βοηθόν, ἐπιεικής ἐστὶ (“He who does not stand on his rights unduly, but is content to receive a smaller share although he has the law on his side is equitable”; trans. Rackham in LCL, slightly adapted); *Top.* 6.3.141a16: τὴν ἐπιεικειαν ἐλάττωσιν τῶν συμφερόντων (“Equity is a lessening of what is to your advantage”); *Magn. mor.* 2.1. See Pakaluk, *Nicomachean Ethics*, 200.

<sup>34</sup> Cf. Aristotle, *Eth. Nic.* 8.1.1155a22-24; also 8.14.1163b15-19. See also Dihle, “Gerechtigkeit,” 260, 262-263; Pakaluk, *Nicomachean Ethics*, 201.

<sup>35</sup> *SVF* 3.264. See further Dihle, “Gerechtigkeit,” 266-269.

<sup>36</sup> See in general Dihle, “Gerechtigkeit,” 269-271. There are on the other hand still arguments about differing definitions of δικαιοσύνη in this period; cf., e.g., the critique of Peripatetic and Stoic definitions in the fragments from the middle-Platonist Hierax’s Περὶ δικαιοσύνης in Stobaeus 3.9.53-55.

<sup>37</sup> See Dihle, “Gerechtigkeit,” 328.

*The Exordium (Introduction): Matt 5:3-16*

As we have seen, δικαιοσύνη is mentioned twice in the Beatitudes, in 5:6, and again in 5:10. Although the composition of the Beatitudes is heavily debated,<sup>38</sup> the macarisms containing δικαιοσύνη are highlighted in several respects: (a) Verse 6a is the only macarism with two adjectives or participles (i.e. πεινῶντες καὶ διψῶντες) identifying the quality of the disciple, and 6a and 10a are in fact the longest of the eight macarisms in this series (5:3-10). The relative importance of a statement is often emphasized rhetorically by an increase in length.<sup>39</sup> (b) Verses 6 and 10 are the only two macarisms of this series referring to the same quality, namely, δικαιοσύνη. (c) The macarism in v. 10 receives further emphasis by the fact that its ὅτι clause is identical to that of v. 3. This clause differs both syntactically and as regards to the extent of its claim from the other ὅτι clauses in the Beatitudes. These verses therefore form a framing *inclusio* for the series, which appears to lift out being poor in spirit (v. 3a) and being persecuted because of δικαιοσύνη (v. 10a) as superordinate qualities to which the other qualities in vv. 4-5 and 7-9 are subordinated.

The fact that the term δικαιοσύνη occurs twice in the *exordium* is of particular importance because the introduction to the SM indicates the qualities required of a disciple. From 5:6 we learn that δικαιοσύνη is something that should continuously be desired,<sup>40</sup> while 5:10 refers to the vulnerability of those practising δικαιοσύνη. Here and elsewhere in the SM δικαιοσύνη in my view has to do with the right way of life expected of the disciples, rather than with a righteousness received as gift from God.<sup>41</sup> The *inclusio* connecting the final beatitude in 5:10 with the first

<sup>38</sup> The contentious issues include the relationship between 5:3-10 and 5:11-12, and the relationships between the various macarisms. See, e.g., H.D. Betz, "The Beatitudes of the Sermon on the Mount (Matt. 5:3-12): Observations on Their Literary Form and Theological Significance," in *Essays on the Sermon on the Mount* (Philadelphia: Fortress, 1985), 17-36; R.F. Collins, "Beatitudes," *ABD* 1 (1992) 629-631; H.B. Green, *Matthew, Poet of the Beatitudes* (JSNTSup 203; Sheffield: Sheffield Academic, 2001), esp. 37-47, 252-256.

<sup>39</sup> This is the so-called rhetorical "law of augmenting parts"; see Lausberg, *Handbook of Literary Rhetoric*, 213-214, §451.

<sup>40</sup> Note the use of the present participles. Cf. Davies and Allison, *Matthew I*, 453: "Righteousness, it is implied, must ever be sought, must always be a goal which lies ahead: it is never in the grasp."

<sup>41</sup> Thus also e.g. Przybylski, *Righteousness in Matthew*, 84, 87-89, 96-99; Spicq, "δικαίος," 331-332; Lührmann, "Gerechtigkeit," 415; U. Luz, *Matthew 1-7: A Continental Commentary* (Minneapolis: Fortress, 1989) 237-238 = *Matthäus I*, 283-284 (who also refers to

beatitude in 5:3 suggests a close relationship between being persecuted for the sake of δικαιοσύνη and being conscious of one's spiritual need.<sup>42</sup>

In addition to the explicit mention of the theme of δικαιοσύνη in vv. 6 and 10, the notion of justice is also implicitly present in the relationship between the qualities praised in the various macarisms and the rewards promised for these qualities. The Greek term for "reward," μισθός, is indeed explicitly used in this context (5:12). It is an important term closely related to δικαιοσύνη.<sup>43</sup> Six of the fourteen occurrences of this term in the gospels are found in the SM (5:12, 46; 6:1, 2, 5, 16).<sup>44</sup> What is remarkable in the Beatitudes, however, is the way the correlation between quality and reward often contradicts popular conceptions of justice, which require a just relationship between one's actions or qualities and the reward or punishment that follows, that is, that one should be treated κατ' ἄξιόν.<sup>45</sup> Although a just correlation appears to exist in, for example, 5:7 (it is only fair that those who are compassionate should also receive compassion) and in 5:8 (the pure in heart is similar to God and therefore deserve to enter into his presence), in other macarisms the normal just relationship between achievement and reward is inverted: in vv. 3, 4, and 5 it is not the meritorious that are awarded, but the needy and the vulnerable.<sup>46</sup> Need, instead of merit, provides the basis for a reward.

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early patristic interpretation); Davies and Allison, *Matthew I*, 452-453; Betz, *Sermon on the Mount*, 190 (on Matt 5:20): "The expression 'your righteousness' (ὑμῶν ἡ δικαιοσύνη) leaves little doubt that the SM, in conformity with Jewish theology, speaks of a righteousness achieved by human action, rather than a righteousness imputed by God as a gift to the faithful." For the opposite position, cf., e.g., Deines, *Gerechtigkeit der Tora*, 148-154, 424-428, 434-441, 441-446 (with a summary of previous scholars' positions on p. 154). Some scholars, as e.g., Giesen, *Christliches Handeln*, 100, understand δικαιοσύνη as both gift and demand ("Gabe und Aufgabe"). See also Kertelge, "δικαιοσύνη," 328-329.

<sup>42</sup> Cf. R.A. Guelich, *The Sermon on the Mount: A Foundation for Understanding* (Waco, Texas: Word Books, 1982) 75.

<sup>43</sup> For the relationship between δικαιοσύνη and μισθός, cf. Aristotle, *Eth. Nic.* 5.5.1134b6-7.

<sup>44</sup> The others are Matt 10:41, 42; 20:8; Mark 9:41; Luke 6:23, 35; 10:7; John 4:36. See for the NT in general C. Spicq, "μισθός," *TLNT* 2 (1994) 502-515.

<sup>45</sup> Aristotle, *Eth. Nic.* 5.3.1131a24-29.

<sup>46</sup> The disjunction between quality and reward we find in these sayings goes far beyond that found in the so-called "macarism of the wise man" to which Betz, "Beatitudes of the Sermon on the Mount, 25-36, refers. He cites in particular B. Gladigow, "Zum Makarismos des Weisen," *Hermes* 95 (1967) 404-433.

*The Propositio (Statement of the Theme): 5:17-20*

The *propositio*, as we have seen, refers to the interpretation of the law that we find in the first part of the body of the SM, but it also indicates the theme of the SM in general. The rather terse statements in 5:17-19 may be interpreted as demanding an acribic adherence to the letter of the law,<sup>47</sup> but in view of what follows it is more probable that the *propositio* refers to a *qualitatively* rather than *quantitatively* different approach to δικαιοσύνη.<sup>48</sup> Jesus's affirmation that he came to fulfil the law (v. 17a) would then refer to the interpretation and application of the law, rather than to just keeping its commandments. From the examples that follow in 5:21-48 it appears that such an interpretation of the law, going far beyond its literal meaning, requires the same kind of insight and discrimination Aristotle required of equity.<sup>49</sup>

The important summary statement in 5:20 provides a challenge to the disciples to apply δικαιοσύνη,<sup>50</sup> but little information on how to do so. Although the SM gives a negative point of comparison (the δικαιοσύνη of the scribes and Pharisees), it does not specify what an exceeding δικαιοσύνη entails.<sup>51</sup> The latter remains an open-ended goal, although the SM is presumably intended to provide some insight into what it entails.<sup>52</sup>

<sup>47</sup> Cf., e.g., Luz, *Matthew I*, 268-269 = *Matthäus I*, 318-319: Matthew follows a "Jewish-Christian tradition which demands the keeping of *all* individual commandments of the Torah"; Davies and Allison, *Matthew I*, 490-491; Betz, *Sermon on the Mount*, 182: "the text was considered binding down to its smallest letter."

<sup>48</sup> See e.g. Spicq, "δικαίος," 332; *pace* Luz, *Matthew I*, 269-270 = *Matthäus I*, 319-320, who emphasizes the quantitative difference.

<sup>49</sup> Betz, *Sermon on the Mount*, 195, suggests that Aristotle's notion of equity as a "higher" justice may have influenced "contemporary debates [on the nature of justice] within which the SM takes a position." It is not however necessary to assume some form of influence by Aristotle, however indirect, to recognize that the SM engages with common conceptions of justice also found in Aristotle's analysis.

<sup>50</sup> Cf. ποιήση καὶ διδάξη in v. 19.

<sup>51</sup> The idea that one form of δικαιοσύνη may be greater than another is also found in Aristotle's notion of equity (ἐπιείκεια); see nn. 30 and 49 above.

<sup>52</sup> Contra, e.g., Deines, for whom Jesus himself embodies and thus defines the surpassing δικαιοσύνη: "Er [sc. Matthäus] stellt keine andere Bedingung für die Zugehörigkeit zum Reich Gottes als den Besitz, d.h. die Teilhabe an der eschatologisch-überfließenden Gerechtigkeit, die Jesus verkörpert" (*Gerechtigkeit der Tora*, 430). The SM itself nowhere claims that Jesus represents the true δικαιοσύνη.

*The Argumentatio (Body): 5:21-7:12**δικαιοσύνη and the Interpretation of the Law (5:21-48)*

The first part of the Body of the SM (5:21-48) focuses on the relationship between δικαιοσύνη and the interpretation of the law. It consists of six sections, the so-called antitheses. In each antithesis a traditional commandment or precept is first cited and then interpreted in a way that is apparently in contrast to the traditional interpretation.<sup>53</sup> From the preceding statement in 5:20 the contrasting interpretation in each antithesis is obviously intended as an indication of what is meant by the exceeding δικαιοσύνη. It is not apparent why these six commandments have been selected, or why they are presented in the sequence we find in the SM. All six antitheses do however appear to deal with examples of conflict and broken relationships and the final antithesis (5:43-48) clearly forms the climax of the series.<sup>54</sup>

Because of the legal context of the antitheses, the notion of justice plays an important role in all of them. Here we will only look at the way justice functions in some antitheses.

The first antithesis, Matt 5:21-26, begins with a reference to the ultimate consequence of a broken relationship, that is, killing someone. The tradition cited in v. 21, that someone who kills will have to give an account in court, is based on conventional corrective justice: every crime should receive an appropriate punishment. The contrasting interpretation suggests that the moral problem underlying violence cannot be solved by a casuistic interpretation of the law which attempts to prescribe a suitable punishment for every transgression; the solution rather lies in healing and restoring the broken relationships that lead to violence. This is done by referring to three different contexts.<sup>55</sup>

<sup>53</sup> The contrast is clearly marked by the repetitive use of the formulae ἠκούσατε ὅτι ἐπρέθη τοῖς ἀρχαίοις and ἐγὼ δὲ λέγω ὑμῖν to introduce the traditional commandment and the interpretation in each antithesis. The first formula is variously abbreviated for the sake of rhetorical *variatio* in 5:27, 31, 38, 43.

<sup>54</sup> See the discussion in Betz, *Sermon on the Mount*, 201-205.

<sup>55</sup> The triadic structure of the composition of Matt 5:21-26 is treated at more length in J.C. Thom, "Dyads, Triads and Other Compositional Beasts in the Sermon on the Mount," in *The New Testament Interpreted: Essays in Honour of Bernard C. Lategan* (ed. C. Breytenbach, J.C. Thom, and J. Punt; NovTSup 124; Leiden: Brill, 2006) 300-307.

In the first of these (5:22) we find a rhetorical elaboration based on the formulation of the tradition itself. The latter first identifies the transgression (murder) and then the appropriate judicial response, namely, that one should give an account in court. In the rhetorical elaboration three “transgressions” are listed, each with the court to which the transgressor will be accountable. The three courts are listed in an order of increasing importance:<sup>56</sup> the first refers to a local court,<sup>57</sup> the second to the highest Jewish court,<sup>58</sup> and the third to the place of eternal punishment.<sup>59</sup> It is more problematic to determine the relationship between the different transgressions, that is, becoming angry with someone, calling someone “*raka*”, and calling someone an idiot. With the information available to us it is not possible to make a qualitative distinction between the use of the Aramaic term *raka* and the Greek term μωρός.<sup>60</sup> There is, however, clearly a great qualitative difference between the transgression of murder referred to in the tradition, and anger. Likewise, the use of pejorative terms are clearly subordinate to anger as a more comprehensive category. We thus encounter the absurd situation in v. 22 that one has to give an account of increasingly lesser transgressions in increasingly more important courts, with potentially greater punishments. Here the principle of a just relationship between transgression and punishment is deliberately overturned. By means of this paradoxical depiction of events the SM emphasizes in a hyperbolic manner that any form of aggression against

<sup>56</sup> Cf. J. Jeremias, “ῥακά,” *TDNT* 6 (1968) 975 (although he does not think the three phrases refers to different courts); Guelich, *Sermon on the Mount*, 187-188; D.A. Hagner, *Matthew 1-13* (WBC 33A; Nashville: Thomas Nelson, 1993) 116.

<sup>57</sup> See R.A. Guelich, “Mt 5 22: Its Meaning and Integrity,” *ZNW* 64 (1973): 44-47; *Sermon on the Mount*, 183-184; L&N §56.1 n. 3; BDAG, s.v., 2; also Davies and Allison, *Matthew I*, 509, 511; Betz, *Sermon on the Mount*, 218.

<sup>58</sup> See BDAG, s.v. συνέδριον 1c; Luz, *Matthew I*, 282 = *Matthäus I*, 337.

<sup>59</sup> See BDAG, s.v. γέεννα; L&N §1.21; Luz, *Matthew I*, 282 = *Matthäus I*, 337. The increasing series follows the so-called rhetorical “law of increasing members”; see Lausberg, *Handbook of Literary Rhetoric*, 213-214, §451.

<sup>60</sup> Cf. G. Bertram, “μωρός κτλ.,” *TDNT* 4 (1967) 841-842; and P. Fiedler, “μωρός,” *EDNT* 2 (1991) 450, who warn against trying to distinguish between the seriousness of the offences. For conflicting views see further Str-B 1:279; BDAG s.vv. μωρός c; ῥακά; Jeremias, “ῥακά,” 974; H.P. Rüger, “Aramäisch II: Im Neuen Testament,” *TRE* 3 (1978) 602-610; J. Lambrecht, *Maar ik zeg u: De programmatistische rede van Jesus (Mt. 5-7; Lc. 6,20-49)* (Leuven: Acco, 1983) 113; G. Mussies, “The Use of Hebrew and Aramaic in the Greek New Testament,” *NTS* 30 (1984) 424; Luz, *Matthew I*, 282-283 = *Matthäus I*, 336-337; M. Wilcox, “Raca,” *ABD* 5 (1992) 605; Hagner, *Matthew 1-13*, 116-117; Betz, *Sermon on the Mount*, 222.

another, no matter how small, is as good as murder. In terms of an exceeding *δικαιοσύνη* violence should therefore not be handled by “correcting” the crime by means of an appropriate punishment; one should rather attend to the conflict that leads to violence.

In the second passage, 5:23-24, conflict is considered from a different perspective. The situation is once again depicted in hyperbolic terms: it is not intended as an example from real life<sup>61</sup> that has to be followed literally. How likely is it that someone who probably had to travel several days to get to the temple in Jerusalem and who bought a sacrificial animal there, would be able to leave the animal with a temple official, go all the way back home in order to be reconciled with his brother, before returning to the temple to offer the sacrifice? The logistics required makes this scenario improbable.<sup>62</sup> The SM once again uses hyperbolic language to emphasize that reconciliation with one’s brother, that is, removing conflict between people, deserves priority above even important cult acts. The key concept in this passage is therefore “first be reconciled” (*πρῶτον διαλλάγηθι*).

The third passage, 5:25-26, again has an unreal, hyperbolic character. Too little information is given to determine who the guilty party is in the legal conflict and whether the opponent really has sufficient grounds to take the addressee to court. The rhetorical composition of the passage with the climax figure at the end suggests that any legal conflict may have very serious consequences. The essence of the passage is that one should deal with conflict while one still has the opportunity to do so, no matter whether one is responsible for the conflict or not. The key phrase in this case, *ἴσθι εὖνοῶν*, “be well-disposed”, indeed covers much more than required by the circumstances: it not only refers to the removal of a conflict, but to a general attitude of goodwill towards others, even those who oppose you.

We thus find a noteworthy progression between the three parts of the contrasting interpretation of the first antithesis. In the first, the addressee is angry with his brother; the brother is therefore considered the cause of the conflict. In the second, it is the brother who thinks that the addressee has done him wrong. In the third part we have a legal wrangle in which any of the two parties could be responsible for the conflict.

<sup>61</sup> Pace Betz, *Sermon on the Mount*, 222.

<sup>62</sup> Luz, *Matthew I*, 289 = *Matthäus I*, 344, also emphasizes the unrealistic and hyperbolic character of these verses. See also Davies and Allison, *Matthew I*, 518: “[O]ne cannot really imagine someone doing it.”

There is an implicit warning against anger and conflict in the first part, an emphasis on reconciliation in the second, and the requirement of a general goodwill in the last. In all three passages the issue of conventional justice or fairness is indeed suspended: it does not seem to matter whether one has just cause to be angry with one's brother in v. 22, whether one's brother has reason to have something against one in vv. 23-24, or who the guilty party is in the legal conflict of vv. 25-26. The exaggerations in all three passages contribute to an overturning of traditional principles of fairness.

The same overturning of conventional justice is also at work in the fifth antithesis (5:38-42). The section starts with a classical formulation of corrective justice, "an eye for an eye," the so-called *ius talionis* or law of retaliation requiring that there be a direct relationship between crime and punishment. The original intention of the *ius talionis* was to keep a punishment in proportion to the transgression. We have seen that Aristotle disapproved of a direct form of retaliation, but other ancient authors like Philo of Alexandria insisted upon it, because the application of this principle was the only way to ensure the equality (ἰσότης) required by justice (*Spec. leg.* 3.181-204, esp. 181-182).<sup>63</sup>

The contrasting interpretation in 5:39-42 again consists of three subsections. The first (5:39) responds directly to the principle of retaliation, but shifts the argument from a legal principle to a moral principle. Against a person's right to retaliation, the principle of non-retaliation is emphasized.<sup>64</sup> The verb ἀνθίστημι should here probably be interpreted as "taking a position against."<sup>65</sup> The command μὴ ἀντιστῆναι τῷ πονηρῷ thus implies that one should not take up a position balancing that of the one doing evil,<sup>66</sup> that is, one should not act towards him as he does towards

<sup>63</sup> See the discussion by Betz, *Sermon on the Mount*, 279-280.

<sup>64</sup> For arguments why this is the only possible interpretation in the context of the SM, see Betz, *Sermon on the Mount*, 280-293.

<sup>65</sup> Cf. LSJ, s.v., II.1: "stand against, esp. in battle, withstand"; Bauer<sup>6</sup>, s.v.: "d. in uns. Lit. vorkommenden Formen haben med. Sinn sich entgegenstellen, entgegenreten, sich widersetzen"; BDAG, s.v., 1: "be in opposition to, set oneself against, oppose"; L&N §39.1: "to oppose someone, involving not only a psychological attitude but also corresponding behavior—to oppose, to be hostile toward, to show hostility"; EDNT s.v.: "set oneself against, oppose, resist... The vb... is also used with reference to evil that one is not to resist (in the sense of defense, counteraction; e.g., Matt 5:39)."

<sup>66</sup> Betz, *Sermon on the Mount*, 280 n. 653, refers with approval to the translation of the NEB: "Do not set yourself against the man who wrongs you."

you. Instead of retaliating one should give the opponent the opportunity to do you even more injustice (5:39b). Here the text refers to the way one should respond to the *unjustified* aggression of a malicious person.

In the second part (5:40-41) the text focuses on *justified* claims, but the distributive justice on which they are based is again disturbed: in addition to the shirt one *owes* someone because of an unpaid pledge,<sup>67</sup> one should give him the more valuable cloak as well (5:40), and in addition to a soldier's *right* to compel one to carry or transport his pack for one mile,<sup>68</sup> one should allow him still another mile (5:41).

The third part (5:42) goes even further and refers to claims *in general*: one should not at all insist on either corrective or distributive rights, but freely give to anyone who requests it of one without any guarantee of repayment.

We thus find in this antithesis a radical interpretation of the law of retaliation that seems to turn it on its head. Not only should one not insist on the protection the law of retaliation provides against the aggression and unjustified claims of malicious people, one should even actively expose oneself to further aggression, offer more than may justifiably be required of one, and indeed respond positively to any demands on one's property. Both corrective and distributive justice are transcended in the process. An explicit rationale for this radical interpretation is not provided in the text.<sup>69</sup> Betz may well be correct in suggesting that the Golden Rule provides the hermeneutical key to this passage: the ethical thinking underlying the fifth antithesis attempts to anticipate violence and injustice and to prevent it from being repeated. The sort of behaviour required in this passage could contribute to breaking the vicious cycle of violence and to persuade the person committing violence to stop. The person acting in a non-retaliatory manner thus accepts the ethical responsibility for the other demanded by the Golden Rule.<sup>70</sup> Not insisting on one's rights for the sake of a higher righteousness reminds us of Aristotle's notion of

<sup>67</sup> See Davies and Allison, *Matthew I*, 546; Luz, *Matthew I*, 325-326 = *Matthäus I*, 386.

<sup>68</sup> This is the most probable connotation of ἀγγαρεύω in this context; see Davies and Allison, *Matthew I*, 547. The verb could refer to any form of compulsory service required by a government official or the army, however; see Betz, *Sermon on the Mount*, 291; Luz, *Matthew I*, 326 = *Matthäus I*, 386.

<sup>69</sup> Thus also Luz, *Matthew I*, 326 = *Matthäus I*, 387.

<sup>70</sup> See Betz, *Sermon on the Mount*, 293. However, Betz's thoughtful analysis assumes much more than may be deduced from the text.

equity (ἐπιείκεια), although equity in Aristotle's analysis does not go so far as to entail opening oneself to further abuse.

The final antithesis (5:43-48) forms the climax of the series. The passage takes as point of departure the conventional view that people should be treated according to merit (cf. κατ' ἀξίαν in Aristotle, *Eth. Nic.* 5.3. 1131a24-29): friends as friends and enemies as enemies (5:43).<sup>71</sup> In the contrasting interpretation the balance of conventional justice is again disturbed: to treat people as they deserve, that is, in relation to how they treat you, is characteristic of humanity in general (5:46-47). One should however ignore the claims of conventional justice and follow God's example by treating all people (the good and the bad, the just and the unjust) as friends and family, regardless of their actions (5:44-45, 48).

The passage also resumes the idea of a comparative δικαιοσύνη that we found in 5:19-20 (cf. esp. περισσεύση, 5:20; περισσόν, 5:47), but here the points of comparison are not the scribes and Pharisees, but the tax collectors and Gentiles. The implication is that the former's δικαιοσύνη is no more to be emulated than that of the latter. What should be emulated instead is God's perfect justice (5:48) that cares for people and provides for their needs regardless of who they are or what they do.<sup>72</sup>

We should furthermore note the expectation that such exceptional behaviour (περισσόν, 5:47) will receive a reward (μισθόν, 5:46).<sup>73</sup> This expectation is in line with a common conception of justice that entails that a good deed deserves a reward to restore the moral balance. The notion of reward is continued in the next part and indeed constitutes an important link between the two passages.

<sup>71</sup> For the identification of "neighbour" (τὸν πλησίον) as friend, see Betz, *Sermon on the Mount*, 304-305. The maxim to love friends and harm enemies was widely held in antiquity, although criticized by ancient philosophers such as Plato; cf. *Resp.* 332E; 334C; *Meno* 71E; *Gorg.* 507B. See Albrecht Dihle, *Die Goldene Regel: Eine Einführung in die Geschichte der antiken und frühchristlichen Vulgäretik* (Studienhefte zur Altertumswissenschaft 7; Göttingen: Vandenhoeck & Ruprecht, 1962) 32-33; Betz, *Sermon on the Mount*, 305-308. Cf. J.C. Thom, "'Harmonious Equality': The *Topos* of Friendship in Neopythagorean Writings," in *Greco-Roman Perspectives on Friendship* (ed. John T. Fitzgerald; SBLRBS 34; Atlanta, Georgia: Scholars, 1997) 85, 92-93, 96.

<sup>72</sup> See on God's justice in this context Betz, *Sermon on the Mount*, 317-318, 323-324. There is a similar example of God's providential care even though it is not deserved in 6:26, 28-30: the birds and the flowers do not work, but are still fed and clothed; the grass is insignificant, but this is not taken into account in God's caring.

<sup>73</sup> The connection between περισσόν and μισθόν is emphasized by the very strong parallelism between vv. 46 and 47.

*δικαιοσύνη and Piety (6:1-18)*

The second part of the body of the SM (6:1-18) explicitly deals with *practising* δικαιοσύνη. The basic principle informing this part is given in 6:1, and then illustrated by three examples taken from religious practice (i.e., δικαιοσύνη understood as piety).<sup>74</sup>

The three religious duties in which the principle is applied are performing charity (6:2-4), prayer (6:5-6), and fasting (6:16-18). These religious acts are typical expressions of piety in Second Temple Judaism and often closely connected with δικαιοσύνη.<sup>75</sup> Compared to the previous sections of the SM the notion of a proportionately balanced justice is applied in a surprisingly positive manner in these pericopes. The underlying idea in each of the three sections is the same: a good deed deserves a reward (μισθός). This view is explicitly formulated by Aristotle: δικαιοσύνη as “that which is good for others” (ἀλλότριον... ἀγαθόν) should receive a reward (μισθός) in the form of “honour and dignity” (τιμὴ καὶ γέρας).<sup>76</sup> The argument in the SM is based on distributive justice: if one receives honour from other people, one has received one’s reward in full, and the requirements of distributive justice have been met.<sup>77</sup> If, however, one avoids the honour of people by acting “in secret” (ἐν τῷ κρυπτῷ, 6:4, 6; ἐν τῷ κρυφαίῳ, 6:18), God will see to it that one receives the reward owed to one (ἀποδώσει, 6:4, 6, 18). The object should therefore be to seek one’s reward from God rather than from other people. What this reward entails

<sup>74</sup> Deines wrongly considers δικαιοσύνη in 6:1 as something that the disciples have *received*; it is for him evident “dass auch die Logik dieses Satzes wie 5,20 den Besitz der Gerechtigkeit bei den Jüngern *bereits voraussetzt*” (*Gerechtigkeit der Tora*, 434-441, esp. 437). For δικαιοσύνη as piety (εὐσέβεια) see Betz, *Sermon on the Mount*, 351; also Luz, *Matthäus I*, 421.

<sup>75</sup> Cf. Tob 12:7b-8: “Prayer with fasting is good, but better than both is almsgiving with righteousness. A little with righteousness is better than wealth with wrongdoing. It is better to give alms than to lay up gold” (ἀγαθὸν προσευχὴ μετὰ νηστείας καὶ ἐλεημοσύνης καὶ δικαιοσύνης· ἀγαθὸν τὸ ὀλίγον μετὰ δικαιοσύνης ἢ πολὺ μετὰ ἀδικίας· καλὸν ποιῆσαι ἐλεημοσύνην ἢ θησαυρίσαι χρυσίον). See also Str-B 1:454; 4:553-554; Betz, *Sermon on the Mount*, 338; Luz, *Matthew I*, 356; *Matthäus I*, 420 n. 17, 421; A. Finkel, “Gerechtigkeit II: Judentum,” *TRE* 12 (1984) 412.

<sup>76</sup> *Eth. Nic.* 5.5.1134b6-7.

<sup>77</sup> Cf. the emphatic repetition of the formula ἀμὴν λέγω ὑμῖν, ἀπέχουσιν τὸν μισθὸν αὐτῶν in 6:2d, 5e, 16e, and esp. the use of the technical terms ἀπέχω and μισθός. Betz, *Sermon on the Mount*, 346, gives a somewhat different interpretation, arguing that the principle of justice at work here is that a good deed can be rewarded only once.

is not specified, but from other statements in the SM it may be inferred that it has to do with participation in the kingdom of heaven.<sup>78</sup>

We find a further reference to a proportionate justice in the second passage on prayer (6:7-15): God is requested to cancel our debts (ὀφειλήματα, a term from distributive justice),<sup>79</sup> just as we do to our debtors (6:12). In the explanation that follows it is explicitly stated that God's forgiveness is proportionate to our willingness to forgive (6:14-15).<sup>80</sup>

### *δικαιοσύνη and Priorities (6:19-34)*

The third part of the body of the SM (6:19-34) looks at δικαιοσύνη from the perspective of one's priorities: one should make the right choices, have the right focus, the right goals in life. It concludes with the command to seek God's kingdom and his δικαιοσύνη as one's first priority (πρῶτον).<sup>81</sup> It is not clear whether "God's δικαιοσύνη" in v. 33 refers to the righteousness *exercised* by him,<sup>82</sup> or the δικαιοσύνη *required* by him.<sup>83</sup> Verse 33 again formulates a general principle of the SM:<sup>84</sup> δικαιοσύνη has to be sought continuously.<sup>85</sup> The motif of seeking returns in the next part.

### *Judgement and Discrimination, Actions and Consequences (7:1-11)*

The final part of the body of the SM loosely consists of two sections. The first has to do with judgement and discrimination (7:1-6), the second with actions and consequences (7:7-11). The first verses of chap. 7 provide a further example of conventional justice: one will be judged according to the way one judges. Despite the danger of being overly censorious, corrective judgment is nevertheless important in order to benefit others (7:5). One should at the same time use discrimination in dealing with

<sup>78</sup>) Cf. Matt 5:10, 11, 20; 6:33; 7:21.

<sup>79</sup>) Cf. also Betz, *Sermon on the Mount*, 400, 402-404.

<sup>80</sup>) Cf. Luz, *Matthew I*, 383-384 = *Matthäus I*, 452-453, with references to other Jewish texts in which this idea is found.

<sup>81</sup>) See n. 85 below.

<sup>82</sup>) Cf. Przybylski, *Righteousness in Matthew*, 89-91; Davies and Allison, *Matthew I*, 661: "God's righteousness is here the norm for human righteousness."

<sup>83</sup>) Cf. also Luz, *Matthew I*, 407; *Matthäus I*, 481: "δικαιοσύνη meint wohl... die vom Menschen geforderte Gerechtigkeit, also dasjenige Handeln, das Gott will und das seinem Reich entspricht."

<sup>84</sup>) See n. 10 above.

<sup>85</sup>) Note the use of the present imperative. If the text only wanted to say, "First seek..., and then everything will be added", an aorist imperative would have been used. Cf. also the use of the present participles in 5:6, with n. 40 above.

people; the wrong benefit to the wrong person could have dire consequences (7:6). This maxim seems to be related to the popular notion of treating people according to merit.

A more unusual application of the principle of a just relationship between action and consequence follows in 7:7-11. The mere fact of asking, seeking, knocking, that is, the willingness to express one's need, seems to be rewarded: God gives good things (δόματα ἀγαθά) to those who ask. It is the *needy*, those that seek, that are rewarded, not the *deserving*. We are reminded of the very first sentence of the SM (5:3): "Blessed are the *poor in spirit*, for *theirs* is the kingdom of heaven."

### *The Golden Rule (7:12)*

In 7:12, the so-called Golden Rule, we find a final example of what may be called the δικαιοσύνη calculus. The second sentence of v. 12 ("This is the law and the prophets") refers back to 5:17 and thus forms an *inclusio* which concludes the body of the SM. By referring back to the *propositio*, the *inclusio* at the same time reminds us of the exceeding δικαιοσύνη of 5:20. The Golden Rule thus provides a further indication of what an exceeding δικαιοσύνη entails.

At first glance 7:12 appears to be a straightforward application of the principle of proportionate justice: one should treat others as one expects to be treated oneself. By itself, this maxim could be interpreted to mean that one should ensure one's own future interest by acting in a way one hopes will later rebound in one's favour. Bultmann, for example, refers to the Golden Rule as "Moral eines naiven Egoismus."<sup>86</sup> In his classic study of the Golden Rule Albrecht Dihle contends that the rule is ultimately based on the positive aspect of the law of retaliation, the *ius talionis*.<sup>87</sup> From this perspective, the principle of retaliation serves to maintain the equilibrium between good and evil in the world.<sup>88</sup> According to Dihle's interpretation of the Golden Rule, human behaviour is based on the expectation that the other will react in an appropriate manner to restore the moral balance.<sup>89</sup> More recently, scholars have however pointed out that the Golden Rule does not have one fixed meaning, but should in

<sup>86</sup> R. Bultmann, *Die Geschichte der synoptischen Tradition* (4th ed.; FRLANT 29; Göttingen: Vandenhoeck & Ruprecht, 1971) 107.

<sup>87</sup> Dihle, *Goldene Regel*, 30-40.

<sup>88</sup> Dihle, *Goldene Regel*, 30-31.

<sup>89</sup> Dihle, *Goldene Regel*, 110. See for Matt 7:12 also Dihle, *Goldene Regel*, 109, 112; idem, "Goldene Regel," *RAC* 11 (1981) 937-938.

every case be interpreted within its context.<sup>90</sup> Within the context of the SM, especially in view of the exhortation in 5:43-48 to follow God's example in caring for people without expecting a corresponding response, the Golden Rule must have a more altruistic meaning.<sup>91</sup> The moral calculation involved here does not therefore entail finding a balance between one's present conduct and future benefit (i.e., a form of enlightened self-interest). One's conduct should rather be measured against how one compassionately imagines others would want to be treated.<sup>92</sup> Our understanding of what others *need* becomes the yardstick of our behaviour, rather than our own rights. Popular notions of justice are thus once again inverted. Focusing on the needs of others also goes far beyond Aristotle's idea of equity that does not insist on one's own rights.

### *The Peroratio (Conclusion): 7:13-27*

The SM concludes in the *peroratio* with various forms of warnings and exhortations. The need for a just correlation between words and actions, appearing and being, between who one is and what one does, is emphasized throughout. The way to life is only found with the appropriate effort (7:14). *Doing* the will of God (7:21)<sup>93</sup> and obeying the message of the SM (7:24) is the criterion of what is right, and leads to a secure life (7:25); everything else is "lawlessness" (τὴν ἀνομίαν, 7:23), and leads to ruin (7:27). Only the way of life demanded by the SM gives entry into the kingdom of heaven (cf. 7:21).

### **Conclusion: Justice and δικαιοσύνη**

Despite the cursory and selective nature of the preceding discussion it does allow us to draw some significant conclusions.

<sup>90</sup> See e.g. the various possibilities in J. Wattles, *The Golden Rule* (New York/Oxford: Oxford University Press, 1996). See for Hellenistic Judaism also the recent study by K. Berthelot, *L'Humanité de l'autre homme* dans la pensée juive ancienne (JSJSup 87; Leiden: Brill, 2004) 88-96.

<sup>91</sup> See P. Ricoeur, "The Golden Rule: Exegetical and Theological Perplexities," *NTS* 36 (1990) 392-397; Betz, *Sermon on the Mount*, 518; Luz, *Matthew I*, 425-432 = *Matthäus I*, 505-514; J.C. Thom, "Goldene Regel II," *RGG* 3 (2000) 1077.

<sup>92</sup> Cf. Luz, *Matthäus I*, 512: the Golden Rule functions here "als Einfühlungsregel und nicht als Gegenseitigkeitsregel."

<sup>93</sup> Cf. also the repetition of ποιέω in 7:17, 18, 19, 24, 26.

Aristotle's analysis of δικαιοσύνη clearly has interesting implications for our understanding of justice in the SM. If Aristotle's analysis is based on popular conceptions of justice (as I submit it is), a remarkable feature of the SM is the way such popular conceptions is used in the argumentation of the text. A popular view of justice, namely that there should be an appropriate and fair correlation between what one does and what happens to one, between what one deserves and what one may expect—in short, that everyone should be given their due—informs not only the traditions to which the SM responds, for example, the requirement that murder should be answerable in court in 5:21, the *ius talionis* in 5:38, and the precept that one should treat friends and enemies according to merit in 5:43; it also provides the logic for some of the SM's own teachings, for example, on the reward to be expected for religious acts in 6:2-6, 16-18; on forgiveness in 6:12, 14-15; and on judging others in 7:1-5. On the other hand, the logic of popular justice is frequently overturned, for example, in the SM's teachings on avoiding and resolving conflict in 5:22-26; on non-retaliation in 5:39-42; on treating all people as friends and family in 5:44-48; and the Golden Rule in 7:12. Justice as it is commonly conceived is thus both accepted and rejected in the SM. Such manipulation of expectations means that conventional justice becomes suspect as a principle of conduct.

Aristotle's notion of equity as a superior form of justice that transcends a literal interpretation of legal demands and that relativizes justice as a proportionate equality of rights and merits indicates an awareness of the need for discretion in applying justice, a need for going beyond a strict justice for the sake of the greater good. In antiquity equity was therefore interpreted as δικαιοσύνη aiming to attain what is just.<sup>94</sup> The overturning of justice found in the SM is, however, of a radically different order than Aristotle's equity.

Instead of conventional justice, we find in the SM the notion of an open-ended δικαιοσύνη that exceeds what is expected (cf. 5:20, 47), a δικαιοσύνη that always has to be attained, that is, to be sought and desired (cf. 5:6; 6:33; also 7:7-11, 14). It cannot be captured in a definition or in legal principles, but requires a new way of thinking, a moral imagination (7:12) that orients itself on God's perfect righteousness (cf. 5:45, 48; 6:26, 30, 32; 7:11).

<sup>94</sup> See the anonymous commentary cited in n. 32 above.