

JESUS, JUDAISM AND THE COVENANT

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ABSTRACT

This article seeks to illuminate Jesus' Jewishness by introducing the perspective of covenant and a new concept, covenant *path searching*. The concept reflects a phenomenon discernible in all Judaism of the time: the activity of trying to find out how to keep faithful to the covenant. The analysis suggests that Jesus refrained from such an activity thus remarkably departing from the contemporary covenant thinking. This does not necessarily mean detachment of Jesus from Judaism or that he should be pictured as an antinomian. The so-called eschatological covenant of later Old Testament prophetic books could offer an explanation. The texts foretell an inner knowledge of God's will which renders pursuing questions of covenant loyalty futile.

Key Words: Covenants, 'Judaisms', methodology, Jesus and the law, covenant path searching, new covenant, Jesus' Jewishness, eschatology

1. *Introduction*

In current historical Jesus research, one can hardly find a more burning issue than the question about Jesus' relation to the Judaism of his time. There is, of course, no more controversy about the fact that Jesus was a Jew, a statement once heavily disputed.¹ Instead, scholars are now wrestling with the problem of

1. For instance, W. Grundmann (*Jesus der Galiläer und das Judentum* [Veröffentlichungen des Instituts zur Erforschung des jüdischen Einflusses auf dem kirchlichen Leben; Leipzig: Wigand, 2nd edn, 1941], pp. 165-200) argued that Jesus' teaching is not Judaism at all. In Galilee Jesus had come into contact with Parsism and Hellenism, which explains his independence of Judaism. In addition, since Galilee had from 150 BCE onwards been practically free from Jews, it is very possible that Joseph and Mary were not Jews. In fact, Aryan tribes had long populated Galilee. See also, for example, G. Kittel, 'Neutestamentliche Gedanken zur Judenfrage', *Allgemeine evangelisch-lutherische Kirchenzeitung* 39 (1933), pp. 903-907.

defining what kind of Jew Jesus was, and what the epithet 'Jewish' means with respect to him.² The main reason for the rise of this problem is to be found in the developments of the past three decades in the study of early Judaism. The evolved picture of the Judaism of the time as an extremely diverse and heterogeneous religion³ has turned the formerly disputed statement into a platitude. The import of Jewishness and what it meant to be a Jew at that time cannot be explained in simple and obvious terms. Therefore, having affirmed Jesus' Jewishness one has not said very much; one needs to specify what *his* Judaism was like.⁴

The aim of this article is to participate in the discussion of the problem of Jesus' Jewishness by introducing a theme that, rather surprisingly, has so far received only cursory attention in Jesus studies: the covenant belief,⁵ the belief that there is a special kind of relationship between the one God and the Jewish people.⁶ The theme comes with some promising characteristics with the view of the problem of Jesus' Jewishness. In early Judaism both uniting and dispersing factors centered around the covenant.⁷ The covenant was the basic, fundamental

2. W.R. Telford, 'Major Trends and Interpretative Issues in the Study of Jesus', in B. Chilton and C.A. Evans (eds.), *Studying the Historical Jesus: Evaluations of the State of Current Research* (NTTS, 19; Leiden: Brill, 1994), pp. 33-74 (55).

3. See, for instance, G.G. Porton, 'Diversity in Post-biblical Judaism', in R.A. Kraft and G.W.E. Nickelsburg (eds.), *Early Judaism and its Modern Interpreters* (The Bible and its Modern Interpreters, 2; Philadelphia, PA: Fortress Press, 1986), pp. 57-80; H. Maccoby, *Judaism in the First Century* (Issues in Religious Studies; London: Sheldon, 1989); A.I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation* (JSJSup, 55; Leiden: Brill, 1997).

4. D.J. Harrington, 'The Jewishness of Jesus: Facing Some Problems', in J.H. Charlesworth (ed.), *Jesus' Jewishness: Exploring the Place of Jesus within Early Judaism* (Shared Ground among Jews and Christians, 2; New York: Crossroad, 1996), pp. 123-36 (127-31, 136).

5. While scholars sometimes more or less in passing refer to Jesus' understanding of the covenant, prior to the monograph of the present writer (see T. Holmén, *Jesus and Jewish Covenant Thinking* [BibInt Series, 55; Leiden: Brill, 2001]) no investigation purposely devoted to the theme had—to my knowledge—been advanced (some short estimations: E. Grässer, 'Jesus und das Heil Gottes', in E. Grässer, *Der Alte Bund im Neuen: Exegetische Studien zur Israelfrage im Neuen Testament* [WUNT, 35; Tübingen: Mohr, 1985], pp. 183-200 [194-98]; D.C. Allison, 'Jesus and the Covenant: A Response to E.P. Sanders', *JSNT* 29 [1987], pp. 57-78; K. Backhaus, 'Hat Jesus vom Gottesbund gesprochen?', *Theologie und Glaube* 86 [1996], pp. 343-56).

6. For this basic definition see, for instance, A.F. Segal, *Rebecca's Children: Judaism and Christianity in the Roman World* (Cambridge, MA: Harvard University Press, 1986), p. 4; G.E. Mendenhall and G.A. Herion, 'Covenant', *ABD*, I (1992), pp. 1179-1202 (1201); H.-D. Neef, 'Aspekte alttestamentlicher Bundestheologie', in F. Avemarie and H. Lichtenberger (eds.), *Bund und Tora: Zur theologischen Begriffsgeschichte in alttestamentlicher, frühjüdischer und urchristlicher Tradition* (WUNT, 92; Tübingen: Mohr, 1996), pp. 1-23 (1).

7. Segal, *Rebecca's Children*, pp. 4-5; R.A. Oden, 'The Place of Covenant in the Religion of Israel', in P.D. Miller (ed.), *Ancient Israelite Religion* (Festschrift F.M. Cross; Philadelphia,

belief of the people, cherished in the Scriptures and evoked in daily worship,⁸ but debated as to its actual meaning and application. This dual character of the covenant belief should make it exceptionally suitable for marking out the distinctively Jesuanic way of conceiving Judaism. Jesus, whose ‘thought was shaped by the dynamic currents within...Judaism’,⁹ would probably not have remained unaffected by the covenant idea, ‘the dominant theme’¹⁰ of the time. On the other hand, since Jesus was also ‘both symptom and a result’ of ‘the radical pluralization of Judaism’,¹¹ covenant belief would, as a center of debates, be the likely place where his views and special theological emphases would have taken expression.

If these statements can be sustained, the next step is to consider in what ways the covenant belief could have influenced Jesus’ teaching, and more crucially, what traces of the influence it is possible for a critical reading of the Jesus tradition to discern and seize. The Last Supper texts, as known, report of Jesus talking about the covenant (cf. Mk 14.24 par. Mt. 26.28; Lk. 22.20; 1 Cor. 11.25). However, this single account of the word ‘covenant’ in the whole Jesus tradition is weak as a starting point. The historicity of the account has been denied as often as it has been affirmed.¹² In addition, clinging to the account would only lead to drawing far-reaching conclusions on the basis of a solitary

PA: Fortress Press, 1987), pp. 429-47 (437-38); E. Zenger, ‘Die Bundestheologie—ein derzeit vernachlässigtes Thema der Bibelwissenschaft und ein wichtiges Thema für das Verhältnis Israel—Kirche’, in E. Zenger (ed.), *Der neue Bund im alten: Studien zur Bundestheologie der beiden Testamente* (Quaestiones disputatae, 146; Freiburg im Breisgau: Herder, 1993), pp. 13-49 (25-26).

8. Deut. 6.4-5; 1QS 10.10; *m. Ber.* 1.1-3. Cf. also, for example, *Shemoneh Esreh*, *m. Ta’an.* 4.3; *m. Tam.* 4.3-5.1.

9. Charlesworth (‘Preface’, in J.H. Charlesworth [ed.], *Jesus’ Jewishness: Exploring the Place of Jesus within Early Judaism* [Shared Ground among Jews and Christians, 2; New York: Crossroad, 1996], pp. 13-17 [16]) delineated the consensus among Jewish and Christian historians.

10. C. Rowland, *Christian Origins: An Account of the Setting and Character of the Most Important Messianic Sect of Judaism* (London: SPCK, 6th edn, 1994), p. 27.

11. B. Chilton, *The Temple of Jesus: His Sacrificial Program within a Cultural History of Sacrifice* (University Park, PA: Pennsylvania State University Press, 1992), p. 181.

12. Against the authenticity of the account are, for example, F. Lang, ‘Abendmahl und Bundesgedanke im Neuen Testament’, *EvT* 35 (1975), pp. 524-38 (527-29); H. Merklein, ‘Erwägungen zur Überlieferungsgeschichte der neutestamentlichen Abendmahlstraditionen’, *BZ* 21 (1977), pp. 88-101, 235-44 (237); B. Kollmann, *Ursprung und Gestalten der frühchristlichen Mahlfeier* (Göttinger theologische Arbeiten, 43; Göttingen: Vandenhoeck & Ruprecht, 1990), pp. 240-41; for the authenticity of the covenant account argue, for instance, J. Jeremias, *Die Abendmahlsworte Jesu* (Berlin: Evangelische Verlagsanstalt Berlin, 3rd edn, 1963), pp. 186-88, 217-18; I.H. Marshall, *Last Supper and Lord’s Supper* (Exeter: Paternoster Press, 1980), pp. 91-93; E.P. Sanders and M. Davies, *Studying the Synoptic Gospels* (London: SCM Press, 1989), p. 329.

saying, a procedure much too often resorted to in investigations into the teaching of Jesus. Instead, a more comprehensive, overarching type of analysis would be preferable, a more holistic reading of the data.

Conveniently, then, already here the covenant concept affords a new kind of perspective and approach. The covenant's character as the basic belief comes to expression precisely in its being the undercurrent, the foundation of all discussion about the various beliefs and practices of Judaism. It can be seen as forming the basis for all believing, interpreting and actualizing the Jewish tradition.¹³ What I would like to propose, therefore, is to observe more closely how the covenant belief worked in Judaism. For in this way a perspective opens to us that will enable the desired approach of a more comprehensive reading of the Jesus tradition.

In the following I shall first discuss the contemporary covenant thinking suggesting as a result a new way of looking at the teaching of Jesus. Applying this reading, I shall then review a number of Jesus traditions and consider what they imply about his understanding of the covenant and Judaism.

2. *The Approach*

I shall make my point of departure a phenomenon that was integral to the Jewish religiosity of Jesus' time and that was always attached to believing in the covenant: the activity of trying to find out how in particular to keep faithful to the covenant. I have elsewhere termed the activity covenant *path searching*.¹⁴

13. Thus, I am affiliated with the scholarly tradition sustained, for instance, by H.A.A. Kennedy, 'The Significance and Range of the Covenant-Conception in the New Testament', *The Expositor* 10 (1915), pp. 385-410 (391); E.P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (London: SCM Press, 1977), pp. 419-23; J. Neusner, *Major Trends in Formative Judaism. III. The Three Stages in the Formation of Judaism* (Chico, CA: Scholars Press, 1985), pp. 31-32; A.F. Segal, 'Covenant in Rabbinic Writings', *SR* 14 (1985), pp. 53-62 (55-56); N.T. Wright, *The New Testament and the People of God* (Christian Origins and the Question of God, 2; Minneapolis, MN: Fortress Press, 1992), p. 262; J.J. Scott, *Customs and Controversies: Intertestamental Jewish Backgrounds of the New Testament* (Grand Rapids, MI: Baker Books, 1995), p. 273; J.D.G. Dunn, *The Partings of the Ways: Between Christianity and Judaism and Their Significance for the Character of Christianity* (London: SCM Press, 2nd edn, 1996), pp. 21-31, 28. I am *not* hereby urging the 'omnipresence' of the covenant idea (see Zenger, 'Die Bundestheologie', p. 16). Debates about, for instance, certain questions of the law were not veiled discussion about the covenant; the explicit subjects of discussion are not reducible to covenant (correctly M. Vogel, *Das Heil des Bundes: Bundestheologie im Frühjudentum und im frühen Christentum* [Texte und Arbeiten zum neutestamentlichen Zeitalter, 18; Tübingen: Francke, 1996], p. 26). Nonetheless, this should not lead us to deny their covenantal relevance. See further in section 2 below.

14. Holmén, *Jesus and Jewish Covenant Thinking*, pp. 39-50.

Taking a cue from this term, the activity could be described as searching for answers to the many questions where one's belief in the covenant could be actualized, searching for the right path to living in the covenant with God. A somewhat more precise description of the activity of path searching is perhaps in order.

In a key position lies the endeavor to loyalty operative in some form in all Judaism of the period. Belief in the covenant, however conceived in particular, entailed the response of obedience on the part of the people.¹⁵ To all who supposed themselves to belong to the covenant people of God it was clear that their duty was to live faithfully according to the covenant. Importantly, the way of Judaism to seek to realize this covenant loyalty was not a discussion pursued in abstract terms. There was no 'ecumenical' kind of conversation, no concept or abstract idea of the covenant which all set out to elaborate. Instead, individual themes, concrete questions of the life of the people were contemplated.¹⁶ The endeavor to live according to the covenant was realized by focusing on the individual practices and beliefs of the Jewish faith. From the one overarching question of how to be loyal to the covenant came thus numerous concrete questions concerning being loyal to these individual issues.¹⁷ People tried to find out how to keep faithful to them and then adjust their lives accordingly. In this way, the extensive discussing, contemplating and inquiring that emerged all reflected the desire to learn how to correctly keep the covenant.

15. Kennedy, 'The Significance and Range of the Covenant-Conception', p. 392; E.P. Sanders, *Judaism: Practice and Belief 63 BCE—66 CE* (London: SCM Press, 2nd edn, 1994), p. 263; R. Rendtorff, *Die 'Bundesformel': Eine exegetisch-theologische Untersuchung* (SBS, 160; Stuttgart: Verlag Katholisches Bibelwerk, 1995), p. 85; Scott, *Customs and Controversies*, p. 273. See also, for instance, Neusner, *Major Trends*, p. 31; G.W.E. Nickelsburg with R.A. Kraft, 'Introduction: The Modern Study of Early Judaism', in R.A. Kraft and G.W.E. Nickelsburg (eds.), *Early Judaism and its Modern Interpreters* (The Bible and its Modern Interpreters, 2; Philadelphia, PA: Fortress Press, 1986), p. 21; Segal, *Rebecca's Children*, pp. 4-5. Thus E.L. Fackenheim (*What is Judaism? An Interpretation for the Present Age* [New York: Summit Books, 1987], p. 47) gives the traditional answer to the question of who is a Jew: 'A Jew is one obligated to the covenant that God made with Israel.'

16. The concrete nature of early Judaism is commonly acknowledged; see D.E. Aune, 'Orthodoxy in First-Century Judaism? A Response to N.J. McEleney', *JSJ* 7 (1976), pp. 1-10 (2); E. Ferguson, *Backgrounds of Early Christianity* (Grand Rapids, MI: Eerdmans, 1989), p. 425; J.H. Charlesworth, 'The Foreground of Christian Origins and the Commencement of Jesus Research', in J.H. Charlesworth (ed.), *Jesus' Jewishness: Exploring the Place of Jesus within Early Judaism* (Shared Ground among Jews and Christians, 2; New York: Crossroad, 1996), pp. 63-83 (68).

17. Sanders, *Paul and Palestinian Judaism*, p. 421; J.D.G. Dunn, 'Judaism in the Land of Israel in the First Century', in J. Neusner (ed.), *Judaism in late Antiquity. II. Historical Syntheses* (Leiden: Brill, 1995), pp. 229-61 (256). 'Covenant is not an "idea" to be embraced in the mind... Covenant is an "enacted reality" that is either manifested in the concrete choices individuals make, or not' (Mendenhall and Herion, 'Covenant', p. 1201).

Scholars have often pointed out the great diversity manifested by this endeavor to keep loyal to the covenant. The highly suggestive import of the covenant idea attracted the various groupings of early Judaism to create their own interpretations of what the covenant means in practice, to bring the common core to expression each in their own ways.¹⁸ Similarly, it has been noted how even seemingly minor differences of interpretation surfacing in the loyalty endeavor could lead to confrontations.¹⁹ The discussion became heated at times because its ultimate purpose, keeping the covenant, was experienced as being of major importance.

However, no further notice has been given to yet another highly significant aspect about all the diverse contemplating, discussing and expounding of the loyalty questions of the covenant: *the engagement itself* in such discussions. One's engagement in this pursuit signaled that one, on the whole, regarded the covenant as important. With respect to various religious figures of the time, in whom Jesus would also be included, being occupied with finding out how to keep faithful to the covenant was a kind of *sine qua non* of upholding covenant loyalty. The mere occupation would probably not have justified any religious figure in the eyes of one's peers. The interpretations one gave of the various practices and beliefs naturally also mattered. But certainly without any interest in engaging the loyalty questions, a person's whole commitment to the covenant could be questioned.

It is this activity that I have wanted to focus on with the concept of covenant path searching: contemplating, discussing, expounding the various practices and beliefs of the Jewish faith, the aim in doing so being to learn, to find out how in particular to keep faithful to the covenant. I shall present some concrete examples of this activity in connection with the analyses of Jesus traditions below.²⁰ As should be clear from the above reflections, however, by inquiring about one's *engagement* in the activity, that is, in path searching, we approach the very rudiments of one's affiliation to the covenant belief.

Therefore, a good first step in considering the question of the Jewishness of Jesus from the viewpoint of the covenant belief would be to find out *whether Jesus, too, participated in path searching*. This approach would not only offer

18. See, e.g., G.W. Buchanan, *The Consequences of the Covenant* (NovTSup, 20; Leiden: Brill, 1970), p. xvi, *passim*; D. Hartman, *A Living Covenant: The Innovative Spirit in Traditional Judaism* (New York: Free Press, 1985), pp. 204-28; Segal, *Rebecca's Children*, p. 12.

19. Nickelsburg with Kraft, 'The Modern Study of Early Judaism', p. 18; J.D.G. Dunn, 'Jesus and Purity: An Ongoing Debate', *NTS* 48 (2002), pp. 449-67 (454).

20. See pp. 10, 13-14, 18-20. For a more thoroughgoing evidencing of the activity of path searching, see Holmén, *Jesus and Jewish Covenant Thinking*, pp. 50-79. One hindrance in studying the phenomenon in all its aspects is evidently the fact that we have access only to its literal practice representing perhaps the more conscious and versed efforts. On the other hand, this should actually do quite well with respect to Jesus who was a public religious character.

access to the basics of his Judaism, it would also enable the more comprehensive and holistic analysis of the material. Ascertaining Jesus' engagement in path searching is not dependent on determining his interpretation of some specific issue(s). On the contrary, the (non)engagement would be discernible everywhere where he addressed the various practices and beliefs of the Jewish faith. For this reason, every single analysis of whatever genuine Jesus tradition will, in principle, function as suggesting an answer to the question about his engagement in the activity of path searching. It hereby becomes possible to perform a series of alternative inquiries, a number of individual analyses that will each work as probing the same matter, and so the conclusions that are drawn can be made to rely on wider and more variable material. It is only due to the requirements of space that the treatment here must be limited to some selected cases. The current treatment should therefore be regarded as exemplary of what can be executed on a much larger scope of material.

One further point should be mentioned. The analyses by which one aims to probe path searching in the Jesus tradition entail a particular way of viewing the teaching of Jesus. A reading in terms of the question whether Jesus was for or against the various practices and beliefs, often exercised in scholarly treatments, will not prove relevant here. In fact, the main interest will not altogether lie in what his assessments of the various issues were. Instead, the focus will be on studying his *attitude to assessing* the issues. We ask: Is he trying to find out how to keep faithful to them? The space will allow six analyses performed on different types of material.

3. Analysis

The 'Sabbath disputes'²¹ of the Gospels give us the first glimpse of analyzing path searching in Jesus traditions. The history of research of the disputes displays an outspoken dichotomy in explaining Jesus' disposition. Some scholars, a clear majority, have proposed that Jesus transgressed against the Sabbath.²² Some, again, have suggested that he acted in conformity with it and that he never opposed the law on this point.²³ The terse alternative 'for or against' is,

21. 'Disputes' reflects the main character of the Sabbath accounts in the Gospels.

22. E.g., J. Roloff, *Das Kerygma und der irdische Jesus: Historische Motive in den Jesus-Erzählungen der Evangelien* (Göttingen: Vandenhoeck & Ruprecht, 1970), pp. 52-88; J. Jeremias, *Neutestamentliche Theologie. I. Die Verkündigung Jesu* (Gütersloh: Gütersloher Verlagshaus G. Mohn, 1971), pp. 198-202; S. Westerholm, *Jesus and Scribal Authority* (Lund: LiberLäromedel/Gleerup, 1978), pp. 92-103; B. Schaller, *Jesus und der Sabbat* (Franz-Delitzsch-Vorlesung, 3; Münster: Institutum Judaicum Delitzschianum, 1994).

23. E.g., D. Flusser, *Jesus in Selbstzeugnissen und Bilddokumenten* (Reinbek bei

however, inappropriate with respect to the present concerns. Whether Jesus can be said to have ‘accepted’ the Sabbath or whether he should rather be characterized as having ‘opposed’ it, is not the question that will reveal his engagement in path searching. Consider the following characteristics of contemporary Sabbath discussion.

In early Judaism diverging solutions regarding how to correctly keep the Sabbath were put forward. For instance, the Sadducees are said not to have approved the *erub* system of joining domiciles within a courtyard, while the Pharisees accepted it.²⁴ Again, for the Essenes the Sabbath-day journey was 1000 cubits, but the Pharisees had created ways to go 2000 cubits.²⁵ In both comparisons the Pharisees appear more lenient in their demands of what can and cannot be done on a Sabbath day. However, this in no way downplays their eagerness to keep the Sabbath. On the contrary, all the groups were each in their own way keenly engaged in trying to learn how to faithfully fulfill the Sabbath commandment. The lenient interpretations of the Pharisees merely display what they had obtained as a result of their path searching, what they had come upon in trying to find out the correct way to keep faithful to the Sabbath. But their endeavor in learning this can itself hardly be described as lenient.²⁶ All these interpretations attest to intensive involvement in path searching, which, thinking of the significance of the Sabbath commandment to Judaism, is only to be expected.

As can be gathered from this consideration, the alternative ‘for or against’ is grievously misplaced with regard to the nature of the contemporary discussions. The natural assumption of everyone was (sticking to expressions of a single word) that one was ‘for’ and that this would be visible through one’s interest and attempts in finding out ‘how’.²⁷ The question relevant to unraveling Jesus’ path searching is therefore whether comparable interest and involvement can be discerned in his dealings with the Sabbath commandment. This will be our objective now and—*mutatis mutandis*—in all subsequent analyses. Before going into the texts, a note on the problem of authenticity is due.

Hamburg: Rowohlt, 1968), pp. 43-63; E.P. Sanders, *Jesus and Judaism* (London: SCM Press, 1985), pp. 245-69.

24. *m. Erub.* 6.1-2. Cf. also CD 11.7-9.

25. CD 10.21; *m. Yoma* 6.4-5 and the comments of L. Schiffman, *The Halakhah at Qumran* (SJLA, 16; Leiden: Brill, 1975), pp. 95-96.

26. The desire to concentrate on following the law as accurately as possible is often given as a specially Pharisaic virtue; see A.I. Baumgarten, ‘The Name of the Pharisees’, *JBL* 102 (1983), pp. 411-28 (416-17); Josephus, *War* 2.162; *Ant.* 17.41.

27. In the heat of the debates, opponents could of course be accused of being ‘against’. However, this is obviously not the way Jesus’ being ‘against’ something is conceived in scholarship.

Always in the quest for the historical Jesus there is the problem of how to reach from the Jesus of the tradition to the Jesus of history. With respect to the Jesus traditions concerned with the Sabbath, it is possible to apply a somewhat unusual procedure. There is a scholarly consensus—justified *inter alia* by the multiple attestations of the theme²⁸—that the phenomenon of the Sabbath disputes cannot as a whole be a fabrication of the early Church.²⁹ Therefore, as will be shown below, it suffices in this particular case to make a short inventory of all different parts of the Sabbath disputes material, reviewing whether they reflect the kind of interest and engagement that would count as path searching.³⁰

The story about disciples plucking heads of grain on a Sabbath day, Mk 2.25-26, certainly does not display such an interest. Here Jesus not only abstains from countering the accusation put forward by his opponents, namely that he (or his disciples)³¹ is doing something that is not lawful to do on the Sabbath. In fact, he refers in his defense to an act of David expressly stating that even this was against the law. The sayings in Mk 2.27 and 2.28 can be interpreted in compliance with Mk 2.25-26. In v. 27 Jesus silently accepts the accusation of having done something that is not lawful. In v. 28 he puts forward that the mastery of the Son of Man over a commandment of God authorizes him to disregard it. If taken as isolated sayings, again, the verses can be used to argue for almost anything. As to v. 27, scholars display quite a perplexity in determining what exactly the meaning of the individual saying is.³² As to v. 28, one may speculate about its correspondence with the thought of ‘master of the house’ as dedicated to

28. Cf. the independent attestations in Mk 2.23-28; Mt. 12.11 par. Lk. 14.5; and Lk. 13.10-17. For the criterion of multiple attestation as an index of authenticity see, for example, J.P. Meier, *A Marginal Jew: Rethinking the Historical Jesus*. I. *The Roots of the Problem and the Person* (ABRL; New York: Doubleday, 1991), pp. 174-75; Holmén, *Jesus and Jewish Covenant Thinking*, pp. 32-34.

29. S.-O. Back, *Jesus of Nazareth and the Sabbath Commandment* (Åbo: Åbo Akademis Förlag, 1995), pp. 2-13.

30. The one exclusion that should be made is Mt. 12.5-7(8) which is a clear editorial addition to the Sabbath dispute in Mk 2.23-28 (par. Mt. 12.1-8/Lk. 6.1-5). See R.H. Gundry, *Matthew: A Commentary on His Handbook for a Mixed Church under Persecution* (Grand Rapids, MI: Eerdmans, 1994), pp. 223-24; Back, *Jesus of Nazareth*, p. 105; U. Luz, *Das Evangelium nach Matthäus*. II. *Mt 8-17* (EKKNT, 1.2; Solothurn: Benziger, 2nd edn, 1996), p. 229.

31. The teacher was of course held responsible for the behavior of his disciples. See, for instance, D. Daube, ‘Responsibilities of Master and Disciples in the Gospels’, *NTS* 19 (1973), pp. 1-15 (4-5).

32. See the discussion in F. Neiryneck, ‘Jesus and the Sabbath: Some Observations on Mk II, 27’, in J. Dupont (ed.), *Jésus aux Origines de la Christologie: Nouvelle édition augmentée* (BETL, 40; Leuven: Peeters, 1989), pp. 227-70 (246-54); Back, *Jesus of Nazareth*, pp. 96-101; cf. the assessments of E.K.-C. Wong, ‘The Matthaean Understanding of the Sabbath: A Response to G.N. Stanton’, *JSNT* 44 (1991), pp. 3-18 (7): the saying is anti-Jewish; and Schaller, *Jesus und der Sabbat*, pp. 12-20: it is Jewish.

protecting the house.³³ Should the saying be interpreted from this perspective, it would stand in explicit contradiction to the argument in Mk 2.25-26. The point is therefore that there is no context for the saying in which the idea of observing the Sabbath would be pertinent and the idea of disregarding it would not, while the idea of disregarding the Sabbath seems to fit in every available context but the idea of its observation does not fit well into any.

In Mk 3.1-6, a healing of a man's hand, Jesus appears at first to participate in the discussion of what one is, and is not, allowed to be done on the Sabbath day. However, it is not difficult to see the irony behind his question: 'Is it lawful to do good on the Sabbath, or to do evil?' (Mk 3.4). Who would claim that one should not do good but rather harm on the Sabbath? The question is clearly rhetorical. It constitutes the response part in an objection story.³⁴ Accordingly, the reply-question of Jesus in v. 4 aims to disprove some basic assumptions behind the objection, which in v. 2 is stated as looming in the situation. Though using the ἔξεστιν expression, Jesus does not actually take a stance on how the Sabbath should be kept. He criticizes the regulation that in this particular case makes doing good being suspected of being wrong, that is, *the* regulation of Sabbath keeping, the command not to do any work³⁵—and heals the man. E.P. Sanders (*inter alia*) has argued: 'Talking is not regarded as work in any Jewish tradition, and so no work was performed.'³⁶ Perhaps,³⁷ but then the story as a whole becomes so unintelligible that the only possibility is to ascribe its creation to someone who could not see how implausible a situation he was picturing.³⁸ Hence, the alternatives here are that the story either attests to something

33. G. Schwarz, *Jesus 'der Menschensohn': Aramaistische Untersuchungen zu den synoptischen Menschensohnworten Jesu* (BWANT, 6.19; Stuttgart: Kohlhammer, 1986), p. 165.

34. See R.C. Tannehill, 'Introduction: The Pronouncement Story and its Types', *Semeia* 20 (1981), pp. 1-13 (8-9).

35. Back, *Jesus of Nazareth*, pp. 114-15.

36. E.P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies* (London: SCM Press, 1990), p. 21; see also Sanders, *Jesus and Judaism*, p. 266 (with reference to Lk. 13.13). Similarly, for example, Flusser, *Jesus in Selbstzeugnissen*, p. 48.

37. However, there is no evidence to substantiate this claim of Flusser and Sanders; see Westerholm, *Scribal Authority*, pp. 149-50; Schaller, *Jesus und der Sabbat*, pp. 11-12. In rabbinic tradition, probably even in the Pharisaic halakhah (see Back, *Jesus of Nazareth*, pp. 46-49), healing—irrespective of how the healing is said to have been done, the story indeed records such an act—was considered to override the Sabbath commandment if somebody's life was in danger. But this is not the case in the Gospel stories where all persons involved suffer from chronic illnesses.

38. Consequently, J.P. Meier, *A Marginal Jew: Rethinking the Historical Jesus. II. Mentor, Message and Miracles* (ABRL; New York: Doubleday, 1994), p. 683, holds the Markan story as inauthentic. Cf. also Back, *Jesus of Nazareth*, p. 47: 'The picture makes sense only if we suppose that the adversaries regarded healing [though with mere words] as בל אברה'.

approximating Jesus' indifference to the pivotal regulation of Sabbath keeping, which rules out path searching, or then the story is inauthentic.³⁹

All in all, granted that current scholarship is right in its view that the Sabbath disputes material cannot entirely be dismissed as a secondary fabrication, we must accept the core of either Mk 2.25-28 or Mk 3.1-6,⁴⁰ or both of them, as relating reliable information about Jesus' attitude toward the Sabbath. Therefore we can state that path searching is not manifest in any part of the extant, valid evidence on Jesus' dealings with the issue of the Sabbath; Jesus did not engage in discussing how to correctly keep the issue. And note, this stands irrespectively of how one wishes to decide the alternative 'for or against', that is, whether Jesus is seen to have accepted or opposed the Sabbath commandment. Even if it were true—as I think it is—that the teaching of Jesus does not display any calculated, in principle opposition to the commandment, no clear interest in learning faithfulness can be discerned here.

A similar situation can be established with respect to tithing. Tithing appears more or less marginal in the Gospels but was in first-century Judaism widely seen as important. Consequently, it also gave rise to intensive path searching. The Maccabean heroes Judas and Jonathan put forward the example of not ceasing to give tithes though a war was being fought and the Temple lay in ruins.⁴¹ The conniving Judith deludes Holophernes into believing that God was angry with the Jews and will not therefore stand by them in war. This she accomplishes by lying that the people had kept for themselves food products that were meant for tithing.⁴² For Tobit as well as for the author of the Jubilees tithing is 'an ordinance for ever'.⁴³ Ben Sira encourages the pious person to dedicate his tithes with gladness.⁴⁴ The Pharisees were committed to at least two non-obligatory duties as regards tithing. They gave tithes of herbs,⁴⁵ and, more significantly, tithed what they had purchased.⁴⁶ The Temple Scroll, as well, elaborates detailed rules for carrying out the tithes.⁴⁷

39. This conclusion applies, with the requisite alterations, also to Lk. 13.10-17 and 14.5.

40. Applicable here are also Lk. 13.10-17 and 14.5.

41. 1 Macc. 3.49.

42. Jdt. 11.9-13.

43. Tob. 1.6; *Jub.* 13.25-27; 32.10.

44. Sir. 35.9.

45. However, a tendency to include not only the foods mentioned in the law but all agricultural products in general can already be seen in Tob. 1.7; see J.C. Wilson, 'Tithe', *ABD*, VI (1992), pp. 578-80 (580).

46. Westerholm, *Scribal Authority*, pp. 57-58; Sanders, *Jewish Law*, p. 48.

47. 11QT 43.2-17; 60.6-11; cf. J.M. Baumgarten, 'The First and Second Tithes in the Temple Scroll', in A. Kort and S. Morschauser (eds.), *Biblical and Related Studies Presented to Samuel Iwry* (Winona Lake: Eisenbrauns, 1985), pp. 5-15; see also 4QOrd^a.

Hence, the correct practice of tithing was contemplated, the ideal of meticulous tithing was upheld, and some religious groups in fact tried to live up to the ideal. In general it also seems that people rather faithfully gave the tithes. In *Life* 63 we have Josephus's account lending support to the view that priests authorized to receive payments of tithes had no difficulties in collecting them from the people. Similarly, Philo refers to a central store of tithed products from which supplies were distributed to priests.⁴⁸ These facts reveal the role of the tithing practice in expressing devotion to God. It showed that 'we will not neglect the house of our God'.⁴⁹ In a situation where economic distress was caused by a Gentile people, the attitude of God's people towards tithing was strongly indicative of a belief in God and his ability to keep the covenant promises.

As to Jesus' attitude towards tithes, we shall concentrate on the woe in Mt. 23.23/Lk. 11.42.⁵⁰ The clause τὰ βαρύτερα τοῦ νόμου (Mt. 23.23c; 'the weightier things of the law') is generally seen as a Matthean addition.⁵¹ The expression fits the Matthean tendency to uphold νόμος⁵² and interest in the question of what is essential in it.⁵³ Here there is an obvious interpretation pertaining to tithing: in fact, Matthew explains, Jesus only wants to emphasize the more important issues of the law, not to belittle the practice of tithing as such. Similarly, the ending sentence (Mt. 23.23d/Lk. 11.42d; 'it is these you ought to have practiced without neglecting the others'), deriving from Q,⁵⁴ has

48. *Spec.* 1.152. Cf. also J.M. Baumgarten's ('First and Second Tithes', p. 10) comment on 11QT 60. The drastic social consequences of the taxation described by some scholars may thus be exaggerated; B. Holmberg, *Sociology and the New Testament: An Appraisal* (Minneapolis, MN: Fortress Press, 1990), pp. 50-51. Inability to pay tithes was probably not especially widespread.

49. Neh. 10.40.

50. The final effect of Lk. 18.9-14 where Jesus also mentions giving the tithes, converges with the outcome here.

51. See G. Barth, 'Das Gesetzesverständnis des Evangelisten Matthäus', in G. Bornkamm, G. Barth and H.J. Held (eds.), *Überlieferung und Auslegung im Matthäusevangelium* (WMANT, 1; Neukirchen: Neukirchener Verlag, 1960), pp. 54-154 (74-75); S. Schulz, *Q: Die Spruchquelle der Evangelisten* (Zürich: Theologischer Verlag, 1972), p. 100; D. Zeller, *Kommentar zur Logienquelle* (Stuttgarter kleiner Kommentar. Neues Testament, 21; Stuttgart: Katholisches Bibelwerk, 2nd edn, 1986), p. 66; J.Ma. Asgeirsson and J.M. Robinson, 'The International Q Project: Work sessions 12-14 July, 22 November 1991', *JBL* 111 (1992), pp. 500-508 (504).

52. D. Kosch, *Die eschatologische Tora des Menschensohnes: Untersuchungen zur Rezeption der Stellung Jesu zur Tora in Q* (NTOA, 12; Göttingen: Vandenhoeck & Ruprecht, 1989), pp. 114-15.

53. E. Schweizer, *Matthäus und seine Gemeinde* (SBS, 71; Stuttgart: KBW Verlag, 1974), pp. 44-51; K.R. Snodgrass, 'Matthew's Understanding of the Law', *Int* 46 (1992), pp. 368-78.

54. So most scholars according to J.S. Kloppenborg, *Q Parallels: Synopsis, Critical Notes & Concordance* (Foundations and Facets Reference Series; Sonoma, CA: Polebridge Press, 1988), p. 112.

been added to the original woe. The sentence is best seen as an attempt to balance the view to tithes implied in the core tradition.⁵⁵ It does not continue with the complaint, but actually retreats; it almost takes the sting out of the criticism in the core tradition.⁵⁶ Even here there is a distinct idea of what one should do with the tithes, an idea well compatible with that in the Matthean clause.

We thus notice how the core tradition has been experienced as difficult by the bearers of the tradition. They are occupied (a) with trying to figure out how this all relates to the law and (b) in putting forward the remark that Jesus still did not want to ‘neglect’ the law. Further, we can notice that all this has bothered both Matthew as well as the one (those) behind the addition of the ending sentence already found in Q. Moreover, we may observe Matthew’s vexation, which is prompted by the fact that, despite the text he had at his disposal already being provided with a balancing notion, he felt it necessary to add yet one more qualifying account. This amounts to a clear case for the criterion of dissimilarity to Christianity speaking for the authenticity of the core tradition.⁵⁷

Deprived of the interpretative additions, then, the core tradition comes as being rather ambivalent with respect to what in Jesus’ view is the meaning of tithes. In particular, the question of whether Jesus’ assessment of the tithes displays an opposition to or an agreement with the issue, receives no definite answer. Those scholars who want to emphasize Jesus’ partial departure from traditional Jewish piety, can point out that he clearly remained indifferent to the practice of tithing. Those again, who wish to picture him as not challenging Judaism, can stress the fact that Jesus still in no way rejected giving the tithes.

However plausible these two understandings would appear, they do miss the point. Pressing the ‘for or against’ question is irrelevant to conceiving Jesus’ views in the contemporary context. Regardless of which of the understandings one wishes to stand behind, it cannot be denied that Jesus does not engage in finding out about the correct way of giving tithes.⁵⁸ As may be noticed, while the woe’s list of mint, dill, cummin, rue and other herbs does not properly paraphrase the command to tithe, there still follows no account of more important

55. C.M. Tuckett, ‘Q, the Law and Judaism’, in B. Lindars (ed.), *Law and Religion: Essays on the Place of the Law in Israel and Early Christianity* (Cambridge: James Clarke & Co., 1988), pp. 90-101 (94).

56. H. Schürmann, *Das Lukasevangelium. II.1. Kommentar zu Kapitel 9,51-11,54* (HTKNT, 3.2.1; Freiburg im Breisgau: Herder, 1993), p. 314.

57. For the criterion of dissimilarity as an index of authenticity see, for example, Meier, *Marginal Jew*, I, pp. 171-74; T. Holmén, ‘Doubts about Double Dissimilarity: Restructuring the Main Criterion of Jesus-of-History Research’, in B. Chilton and C.A. Evans (eds.), *Authenticating the Words and Activities of Jesus*, I (NTTS, 28.1; Leiden: Brill, 1999), pp. 47-80.

58. W.D. Davies and D.C. Allison, *A Critical and Exegetical Commentary on the Gospel According to Saint Matthew. III. Commentary on Matthew XIX–XXVIII* (ICC; Edinburgh: T. & T. Clark, 1997), p. 293.

(weightier) products. Jesus does not intend to show that some particular way of tithing is erroneous. Consequently, he does not suggest a better one. On the contrary, it seems that precisely the endeavor of trying to find out the correct way of being faithful here, that is, the activity of path searching, was irrelevant to him.⁵⁹

Let us now view these two issues, the Sabbath and the tithes, considering how Jesus' attitude would have been deemed by contemporaries concerned for the people's loyalty to the covenant. They would not have sighed with contentment, pointing out that Jesus did not altogether oppose the Sabbath or the practice of tithing. Instead, through his abstinence from path searching Jesus would in their eyes have failed to exhibit the appropriate kind of concern for the issues. By not being interested in discussing and contemplating the correct way of keeping the issues, Jesus was apparently, *as it seemed*, running counter to covenant loyalty.⁶⁰ He was not even proposing to live according to the covenant; he was not even trying to be loyal. This was alarming especially for a figure who did not make his appearance as an apostate or even as one of the common people, but as a teacher.

One might try to relativize the above suggestions by noting that the two examples represent traditions where Jesus tends to relax the requirements of the law and that his non-engagement in path searching could belong together with such instances. As known, there are also traditions with a contrary tendency, radicalization of the demands of the law.⁶¹ Maybe these traditions will reveal Jesus as having engaged in trying to find out how to be faithful.

One such 'radicalizing tradition' is Jesus' total prohibition of divorce and remarriage.⁶² As to the authenticity of the prohibition we are first referred to its apparent difficulty, which is manifest, for instance, through the Matthean exception clauses.⁶³ Paul also includes some qualifications after repeating what the Lord commanded about divorce, thus in his own way struggling with the

59. 'Tithing is unimportant and to be regarded as an optional extra' (Tuckett, 'Q, the Law and Judaism', p. 94).

60. Another matter is whether this is what Jesus was really aiming at. I shall return to this question in the Conclusions.

61. For this 'ambivalence' with respect to the law in the teaching of Jesus see, for instance, G. Theissen and A. Merz, *Der historische Jesus: Ein Lehrbuch* (Göttingen: Vandenhoeck & Ruprecht, 1996), pp. 321-32.

62. Mt. 5.31-32 par. Lk. 16.18; Mk 10.2-12; 1 Cor. 7.10-11.

63. The 'exception clauses' in Mt. 5.32a and 19.9 (μὴ ἐπὶ πορνείᾳ, 'except on the ground of unchastity'), not appearing in the other sources, are most probably both (that is even in 5.32a; the clause in 19.9 is certainly redactional) due to Matthean redaction (Schulz, *Q*, pp. 116-17; see also the exhaustive list for proponents of this view in R. Laufen, *Die Doppelüberlieferungen der Logienquelle und des Markusevangeliums* [BBB, 54; Bonn: Hanstein, 1980], pp. 573-74).

obviously harsh consequences that could be drawn on the occasion of the total prohibition.⁶⁴ It is therefore unlikely that the strenuous proscription itself was a later invention only secondarily ascribed to Jesus.

Despite the way the statement is put in Mt. 5.31-32 ('it was also said... but I say to you'), Jesus probably did not intend his words to oppose the law.⁶⁵ The common assumption is that, as to their antithetical form, only the first, second and fourth of the antitheses in the Sermon on the Mount are pre-Matthean.⁶⁶ Further, there is no actual commandment on the issue of divorce to be opposed, but the acceptability of divorce under certain conditions is simply assumed in the Torah (cf. Deut. 24.1). Still, the prohibition put forward by Jesus cannot be taken as merely interpreting the law either.⁶⁷ On the contrary, the prohibition dissolves any attempt to speculate about sufficient conditions for divorce.⁶⁸ As stated by Sanders, observing Jesus' statement would not have led to transgressing the law.⁶⁹ However, the important point is that according to the very statement, observing the law (here at least) could lead to sin. Accordingly, in Jesus' view, to ask how to keep faithful here is simply not the right question.⁷⁰ Anyone who divorces, no matter how he (or she) has figured out the question of the sufficient conditions, would still be doing something that one should not do.

Hence, though the tendency here is contrary to that of the first two examples, that is, more is required than is presupposed by the law, we arrive at a similar conclusion: the pursuit of learning how to keep loyal when divorcing is rendered

64. Cf. 1 Cor. 7.12-16.

65. J.-W. Taeger, 'Der grundsätzliche oder ungrundsätzliche Unterschied', in I. Broer (ed.), *Jesus und das jüdische Gesetz* (Stuttgart: Kohlhammer, 1992), pp. 13-35 (18).

66. H. Merklein, *Jesu Botschaft von der Gottesherrschaft: Eine Skizze* (SBS, 111; Stuttgart: Katholisches Bibelwerk, 3rd edn, 1989), p. 105. It is also controversial how much the contrast in this form actually involves contradiction. Cf., for instance, J. Levison, 'A Better Righteousness: The Character and Purpose of Matthew 5.21-48', *Studia Biblica et Theologica* 12 (1982), pp. 171-94 (176), who argues for the continuative function of $\delta\epsilon$ in the antitheses: 'and I say to you'.

67. Merklein, *Jesu Botschaft*, p. 114; W.D. Davies and D.C. Allison, *A Critical and Exegetical Commentary on the Gospel According to Saint Matthew. I. Commentary on Matthew I-VII* (ICC; Edinburgh: T. & T. Clark, new edn, 1997), p. 508.

68. One can compare especially the discussion reported between the houses of Shammai and Hillel. The dispute centered around the exact meaning of the words in the phrase דבר עוררה ('something objectionable') in Deut. 24.1 expressing the proviso. For Shammai the word עוררה was decisive whereas Hillel stressed the word דבר דבר being much more general than עוררה , almost anything could be seen to justify divorce. (See *m. Git.* 9.10.) Further on corresponding discussions, see T. Holmén, 'Divorce in CD 4:20-5:2 and 11QT 57:17-18: Some Remarks on the Pertinence of the Question', *RevQ* 71 (1998), pp. 397-408.

69. Sanders, *Jesus and Judaism*, p. 260. Scholarship's tendency to approach the texts with the 'for or against' question is noticeable even here.

70. Davies and Allison, *Saint Matthew*, I, p. 508.

futile. Clearer than in the earlier cases it now also comes to the fore that the pursuit can even be misleading. Jesus not only himself refrains from path searching but insinuates that it should not be practiced by others either.

The above estimations are supported by another 'radicalizing tradition', Jesus' prohibition of all swearing.⁷¹ According to the Torah, God himself made oaths,⁷² most importantly when cutting the covenant with Israel.⁷³ Further, the Torah urges 'not [to] swear falsely by my name, profaning the name of your God'.⁷⁴ Thus it is understandable that there appears no regulation completely forbidding swearing in Jewish literature before or after 70 CE.⁷⁵ On the contrary, Jewish traditions richly attest to path searching provoked by the issue, that is, discussion about how to swear correctly. Here basically two ways were taken. Whereas in some branches of Judaism swearing became increasingly infrequent, others tended to multiply forms and types of swearing.

Rabbinic traditions contain some examples of the latter practice. An oath sworn by heaven and earth was not regarded as binding.⁷⁶ There was some discussion about the obligating character of the oath made 'by the life of thy head'.⁷⁷ Accepted substitutes for Yahweh were, for example, the Almighty, the Temple, this house (= the Temple), the Temple service, the altar, the covenant, the Torah and even Moses.⁷⁸ This was not necessarily against what is advised in Sir. 23.9-11 which dissuades from 'uttering the name of the Holy One'. The circumlocutions for Yahweh created a convenient way out for strengthening one's speech by swearing without risking taking God's name in vain.

However, the intention of the writer of Sir. 23 was, to be sure, to cause a reduction in making oaths in general. Shunning oaths is attested also elsewhere in early Jewish literature. In describing the Essenes' avoidance of swearing,

71. Mt. 5.33-37; Jas 5.12.

72. See, for instance, Gen. 22.16; Jer. 44.26; Amos 4.2; 6.8; Ps. 89.36.

73. See, for instance, Deut. 1.34-35; 28.9. The actual covenant-making in Deut. 24.1-8 (cf. also Deut. 27.26), too, can be described as taking an oath. See further, for example, *Jub.* 6.17-31; *Ass. Mos.* 1.9; 11.17.

74. Lev. 19.12.

75. See G. Strecker, 'Die Antithesen der Bergpredigt (Mt 5 21-48 par)', *ZNW* 69 (1978), pp. 36-72 (60); cf. also C.G. Montefiore, *Rabbinic Literature and Gospel Teachings* (The Library of Biblical Studies; New York: Ktav, 1970), p. 50; W.D. Davies, *The Setting of the Sermon on the Mount* (BJS, 186; Atlanta, GA: Scholars Press, repr., 1989), pp. 240-41; see even S. Ruzer, 'The Technique of Composite Citation in the Sermon on the Mount (Matt 5:21-22, 33-7)', *RB* 109 (1996), pp. 65-75 (74).

76. *m. Schebu.* 4.13. Instead, heaven alone, as a metonym for God, was considered as such (H.L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch. I. Das Evangelium nach Matthäus* [München: C.H. Beck, 1922], p. 334).

77. *m. Sanh.* 3.2.

78. For these and further examples see Strack and Billerbeck, *Kommentar*, pp. 334-36.

Josephus perhaps means the use of the name of God and its substitutes when making oaths.⁷⁹ For, Josephus tells us, the Essenes, too, used oaths to seal covenantal-like commitments.⁸⁰ Still, they were discriminating even in the use of these.⁸¹ In the Qumran scrolls, swearing constitutes an essential part of becoming and being a member of the sect. CD 15 explains that the one to be initiated into the order shall make an oath by ‘the curses of the covenant’,⁸² which are probably those mentioned in the description of the yearly covenant renewal act in IQS 1–2.⁸³ Further, Philo also favored avoiding oaths. He has, nonetheless, nothing in principle against swearing, but seems to oppose especially light-hearted multiplying of oaths.⁸⁴ He underlines the severity of an oath sworn by God and offers a number of substitute expressions.⁸⁵

Hence, efforts were not spared in trying to resolve how not to transgress when swearing. All such labor in searching for the right path to loyalty now appears both futile and misleading in the light of Jesus’ ban on every oath.⁸⁶

79. L.H. Schiffman, ‘The Law of Vows and Oaths (*Num.* 30,3–16) in the Zadokite Fragments and the Temple Scroll’, *RevQ* 15 (1991), pp. 199–214 (208). See *War* 2.135–42; cf. also Philo’s *Prob.* 84.

80. See *War* 2.139–42, which converges with IQS 1–2 and CD 15.

81. See *Ant.* 15.368–72.

82. CD 15.1–3.

83. But in CD 9.8–12 and 16.6–12 other kinds of oaths are regarded as acceptable. Cf. further 11QT 53.9–54.7.

84. B. Kollmann, ‘Das Schwurverbot Mt 5,33–37/Jak 5,12 im Spiegel antiker Eidkritik’, *BZ* 40 (1996), pp. 179–93 (185). Cf. *Decal.* 84–85: ‘To swear truly is only, as people say, a “second best voyage”... But, if necessity be too strong for him, he must consider in no careless fashion all that an oath involves, for that is no small thing, though custom makes light of it.’ See also 86–92; *Spec.* 2.9–15.

85. In *Leg.* 3.207–208 Philo does not claim that every oath made by man should be regarded as a sign of his impiety (against G. Dautzenberg, ‘Ist das Schwurverbot Mt 5,33–37; Jak 5,12 ein Beispiel für die Torakritik Jesu?’, *BZ* 25 [1981], pp. 47–66 [54]). Only an oath sworn by God has that effect; see S. Belkin, *Philo and the Oral Law: The Philonic Interpretation of Biblical Law in Relation to the Palestinian Halakah* (Cambridge, MA: Harvard University Press, 1940), pp. 140–43. Instead, Philo proposes (with a reference to Moses’ practice), one should swear by ‘His Name’. In *Spec.* 2.2–5 he gives substitutes such as father, mother, their good health or, if they are dead, their memory, earth, sun, stars, heaven, the whole universe, or even breaking of the oath formula and uttering only ‘νὴ τόν’ or ‘μὰ τόν’.

86. The absolute character of the prohibition is put forward in both lines of tradition, in Matthew through the expression μὴ ὁμόσαι ὅλως (Mt. 5.34; ‘do not swear at all’), in James by the exclusion μήτε ἄλλον τινὰ ὄρκον (Jas 5.12; ‘or by any other oath’); see F. Mußner, *Der Jakobusbrief* (HTKNT, 13.1; Freiburg: Herder, 4th edn, 1981), p. 215; E. Baasland, *Jakobsbrevet* (Kommentar till Nya Testamentet, 16; Uppsala: EFS-förlaget, 1992), p. 165; L.T. Johnson, *The Letter of James: A New Translation with Introduction and Commentary* (AB, 37A; New York: Doubleday, 1995), p. 328; cf. P.H. Davids, *The Epistle of James: A Commentary on the Greek Text* (NIGTC; Exeter: Paternoster, 1982), p. 190. A further argument here is that the first accounts of the prohibition outside the New Testament attest unanimously

Indeed, the authenticity of the tradition is mainly supported by its striking coherence with the aforementioned thrust of the prohibition of divorce and remarriage: the teaching does not guide to transgressing the law but implies that observing the law can lead to sin.⁸⁷ In fact, through his ban on oaths Jesus puts those who strived at learning about loyalty *vis-à-vis* swearing, on the same level with unobservant people who cared less or even disregarded the issue. And we may again consider how such an innuendo would have been taken by the contemporaries who tried to uphold the importance of keeping the covenant.

Finally, two more examples from material with mainly haggadic implications. Jesus' command to love one's enemies in Mt. 5.44-45/Lk. 6.27-28, 35 has evoked much scholarly discussion. Corresponding views have been located in the Hellenistic world, especially in Stoic and Cynic thought.⁸⁸ In the Old Testament, too, scholars have pointed out how one is ordered to help one's enemy;⁸⁹ and later Jewish accounts also come close to the command.⁹⁰ Still, the tradition in Mt. 5.44-45/Lk. 6.27-28, 35 is generally seen as coming with an angle which distinguishes it from its background.⁹¹ Comparable contemporary thoughts

to both texts being understood in an absolute manner (U. Luz, *Das Evangelium nach Matthäus*. I. Mt 1-7 [EKKNT, 1.1; Zürich: Benziger, 3rd edn, 1992], p. 286). This fact appears more impressive when it is recognized that the interpreters often find the absolute prohibition of oaths somewhat embarrassing (see, for example, 2 En. 49.2-9 [a Christian interpolation]; *Ps. Clem. Hom.* 3.55.1).

87. For the criterion of coherence as an index of authenticity see, for example, Meier, *Marginal Jew*, II, pp. 176-77; S.E. Porter, *The Criteria for Authenticity in Historical-Jesus Research: Previous Discussion and New Proposals* (JSNTSup, 191; Sheffield: Sheffield Academic Press, 2000), pp. 79-82.

88. L. Schottroff, 'Gewaltverzicht und Feindesliebe in der urchristlichen Jesustradition', in G. Strecker (ed.), *Jesus Christus in Historie und Theologie* (Festschrift H. Conzelmann; Tübingen: Mohr, 1975), pp. 197-221 (204-13); L.E. Vaage, *Galilean Upstarts: Jesus' First Followers According to Q* (Valley Forge, PA: Trinity Press International, 1994), pp. 47-54.

89. Exod. 23.4. But cf. Deut. 22.1.

90. Cf. *Jub.* 20.1-2; *T. Iss.* 7.6.

91. See, for instance, Schottroff, 'Gewaltverzicht und Feindesliebe', p. 205 n. 39; J. Piper, 'Love Your Enemies': *Jesus' Love Command in the Synoptic Gospels and in the Early Christian Paraenesis: A History of the Tradition and Interpretation of its Uses* (SNTSMS, 38; Cambridge: Cambridge University Press, 1979), p. 64; W. Huber, 'Feindschaft und Feindesliebe', *Zeitschrift für evangelische Ethik* 26 (1982), pp. 128-58 (137-39); F. Neugebauer, 'Die dargebotene Wange und Jesu Gebot der Feindesliebe: Erwägungen zu Lk 6,27-36/Mt 5,38-48', *TLZ* 110 (1985), pp. 865-76 (868-69); J. Nissen, 'The Distinctive Character of the New Testament Love Command in Relation to Hellenistic Judaism: Historical and Hermeneutical Reflections', in P. Borgen and S. Giversen (eds.), *The New Testament and Hellenistic Judaism* (Aarhus: Aarhus University Press, 1995), pp. 123-50 (127). This is notably pointed out especially by Jewish scholars; see references in A. Nissen, *Gott und der Nächste im antiken Judentum: Untersuchungen zum Doppelgebot der Liebe* (WUNT, 15; Tübingen: Mohr, 1974), pp. 316-17; and Holmén, *Jesus and Jewish Covenant Thinking*, p. 261. To see here a difference

pertain more suitably to the theme of retaliation. The goodness to be shown to the enemy consists of individual and concrete things which tend to demand what is realistic, what can reasonably be required. Likewise, the aim of the goodness is often to persuade the enemy to repent. In contrast, the Jesus tradition holds no utilitarian motive.⁹² It depicts no realistic model for peaceful co-existence, no guidance on how to remain calm and composed when faced with the evil of this world, nor does it try to play down the discrepancy between the bad and the good in the sense ‘we are all brothers’.⁹³ The tradition is realistic about the evil of the world and the people one can call enemies.⁹⁴ But it is plainly unrealistic about the actual accomplishment of the command to love one’s enemies. Mt. 5.44-45/Lk. 6.27-28, 35 is ‘a utopian standard’.⁹⁵ There is no consideration how this kind of wisdom could be lived up to, how life could continue this way. The command actually presupposes—somewhat like the prohibition of divorce—a *change of realities*, a change of human being and the world he or she is living in.⁹⁶

Hence, as such the command put forward by Jesus puzzles all attempts to learn how to keep it. The command’s realization simply lies beyond what a human being can think of accomplishing, which makes path searching with respect to the command appear as a frustrating pursuit even before one has

between the Gospels’ and, for instance, Jewish teaching does not of course mean that the one is promoted as superior to the other.

92. W. Klassen, ‘The Authenticity of the Command: “Love Your Enemies”’, in B. Chilton and C.A. Evans (eds.), *Authenticating the Words and Activities of Jesus*, 1 (NTTS, 28.1; Leiden: Brill, 1999), pp. 385-407 (399).

93. In the Gospels’ teaching, the love is there, not because of the underlying nobility of all human beings, but despite their true miserableness; J. Becker, ‘Feindesliebe—Nächstenliebe—Bruderliebe: Exegetische Beobachtungen als Anfrage an ein ethisches Problemfeld’, *Zeitschrift für evangelische Ethik* 25 (1982), pp. 5-18 (8). Cf. Epictetus, *Diss.* 3.22.54-55.

94. Schottroff, ‘Gewaltverzicht und Feindesliebe’, p. 216; Huber, ‘Feindschaft und Feindesliebe’, p. 137; Vaage, *Galilean Upstarts*, p. 47; cf. D. Lührmann, ‘Liebet eure Feinde (Lk 6, 27-36/Mt 5, 39-48)’, *ZTK* 69 (1972), pp. 412-38 (432). As pointed out by Neugebauer, ‘Die dargebotene Wange’, pp. 868-69, and H. Meisinger, *Liebesgebot und Altruismusforschung: Ein exegetischer Beitrag zum Dialog zwischen Theologie und Naturwissenschaft* (NTOA, 33; Göttingen: Vandenhoeck & Ruprecht, 1996), p. 44 n. 86, included here is also the aggressive enemy, not only the enemy in need.

95. S. Zeitlin in foreword (p. xxv) to G. Friedlander, *The Jewish Sources of the Sermon on the Mount* (New York: Ktav, repr., 1969).

96. One might put the same idea also like this: ‘This command of Jesus is an invitation to a real world beyond the world of hatred and anger and war which surrounds us’ (Klassen, ‘“Love Your Enemies”’, p. 403). Or: ‘Utopian ethics can be practiced only in a utopian world’ (S. Zeitlin in foreword [p. xxv] to Friedlander, *The Jewish Sources*). See further, for example, J. Maier, ‘Liebe’, in J. Maier and P. Schäfer (eds.), *Kleines Lexikon des Judentums* (Bibel, Kirche, Gemeinde, 16; Konstanz: Christliche Verlagsanstalt, 1981), pp. 189-90 (189); A.E. Harvey, *Strenuous Commands: The Ethic of Jesus* (London: SCM Press, 1990), p. 107; Meisinger, *Liebesgebot und Altruismusforschung*, p. 50.

engaged in pursuing it.⁹⁷ More important, however, is the observation that the command also obscures the Torah commandment to love one's neighbor in Lev. 19.18. In the thinking induced by the Torah commandment, love is seen as the force that strengthens the inner bond of the people.⁹⁸ Hate in particular is not commanded to be shown to enemies.⁹⁹ Yet, it is clear that to outsiders an attitude quite different from love is demanded. As love of one's neighbor *ties* the people together, some attitude *separating* the people from those outside should be adopted. The other way around, while hating the neighbor is generally considered a violation of the Torah commandment, loving the enemy constitutes an irrational idea. It means stretching the boundaries of friendship and alliance to those who markedly do not belong within them: love, strengthening the inner bond of the people, is to be pursued *vis-à-vis* the enemy, the one against whom the people is strengthened. This oxymoron of the Jesuanic command utterly confuses keeping the Torah commandment. It perhaps does not directly oppose the commandment but seizes its inherent idea and turns it inside out thus turning path searching on the point of the commandment into a puzzle.

A similar impact is given by one of the most conspicuous elements of Jesus' mission and message, his companionship with outcasts.¹⁰⁰ E.P. Sanders has argued for the historicity of the element on the following grounds: (a) the extent of the material having a bearing on this question is large; (b) the multiple attestation in forms: 'parables, other sayings, flat declarations of purpose, reports of Jesus' activity, and reported accusations against him'; and (c) a high tolerance of sinners is dissimilar to the practice of the early Church as we know it.¹⁰¹

Generally in Judaism, one was not supposed to accompany dubious people, not to speak of engaging in table-fellowship with them.¹⁰² Jesus, however, not

97. Vaage, *Galilean Upstarts*, p. 43, describes the command with phrases like 'it makes no sense' and 'quite impossible'. The psychological restraints of the command have been widely noted; see Luz, *Matthäus*, I, pp. 316-17.

98. For the following remarks, see Holmén, *Jesus and Jewish Covenant Thinking*, pp. 251-58.

99. See, however, 1QS 1.9, 10. See also 1QS 1.4.

100. The criticism that arose on occasion of Jesus' company with people designated ἀμαρτωλοί in the Gospels cannot be explained away as some special grouping's quarrel about proper company at table. Rather, they were people whom Jews in general regarded as not belonging to the faithful and whom those hoping to be faithful should shun. Cf. οἱ τελωῶναι, the common adherent of the designation 'the sinners'. See further, Holmén, *Jesus and Jewish Covenant Thinking*, pp. 200-201.

101. Sanders, *Jesus and Judaism*, p. 174. For the authenticity of this motif see also, for instance, Meier, *Marginal Jew*, II, pp. 149-51; D.E. Smith, 'Table Fellowship and the Historical Jesus', in L. Bormann, K. Del Tredici and A. Standhartinger (eds.), *Religious Propaganda and Missionary Competition in the New Testament World: Essays honoring Dieter Georgi* (NovTSup, 74; Leiden: Brill, 1994), pp. 135-62.

102. Table fellowship entailed fellowship in all aspects of life and brought people into

only accepted their company at the table but even ascribed them the legitimacy of having part in God's kingdom.¹⁰³ It is not difficult to see how frustrating this must have appeared to people engaged in path searching. What use was there of all the labor in trying to learn better to keep the covenant if one could be a conscious sinner and still inherit the kingdom?

For practical reasons, the analysis must end here, though in principle it could continue on with a larger scope of material. However, already the restricted number of reviews shows the strengths of the present way of reading the data. We have avoided the situation where the outcome is reliant on a few peculiar sayings alone. In addition, someone might doubt the authenticity of one or two of the traditions discussed above, however, this would not harm the overall case. For all analyses individually work as probing (and attesting to) one and the same matter even permitting a number of failures. And as stated, more analyses could be included.

Moreover, there is the diversity of the material which the outcome can be based on. All in all, Jesus appears to have refrained from the activity of path searching; in other words, trying to find out how to keep faithful to the various practices and beliefs of the Jewish faith appears not to have been important to Jesus. And this applies irrespectively of whether Jesus' interpretations of the issues can be characterized as displaying Torah relaxation or Torah radicalization,¹⁰⁴ whether the issues themselves pertain to ritual (human-to-God relationship) or moral (human-to-human) matters,¹⁰⁵ or whether they have haggadic or halakhic implications.¹⁰⁶ Finally, we can observe that the reviewed material is not only diverse but displays many prominent and central issues, both with respect to contemporary Judaism and the teaching of Jesus.

close contact with each other; A.W. Jenks, 'Eating and Drinking in the Old Testament', *ABD*, II (1992), pp. 250-54 (252); D.E. Smith, 'Table Fellowship', *ABD*, VI (1992), pp. 302-304 (302); G. Feeley-Harnik, *The Lord's Table: The Meaning of Food in Early Judaism and Christianity* (Washington: Smithsonian, 1994), p. 86.

103. For a recent re-evaluation of the historicity of the table fellowship as Jesus' means of imparting his message about the kingdom, see D.-A. Koch, 'Jesu Tischgemeinschaft mit Zöllnern und Sündern: Erwägungen zur Entstehung von Mk 2,13-17', in D.-A. Koch, G. Sellin and A. Lindemann (eds.), *Jesu Rede von Gott und ihre Nachgeschichte im frühen Christentum: Beiträge zur Verkündigung Jesu und zum Kerygma der Kirche* (Festschrift W. Marxsen; Gütersloh: Gütersloher Verlagshaus Mohn, 1989), pp. 57-73. Sharing the table was a cheerful happening suitable for a cheerful message.

104. Cf. the Sabbath and tithing vs. divorce and swearing.

105. Cf. the Sabbath and tithing vs. companionship with outcasts. To be sure, tithing, for example, comprises both ritual and moral aspects.

106. Cf. the command to love one's enemies and companionship with outcasts vs. the other issues.

4. Conclusions

The aim of this article has been to introduce the theme of the covenant into the discussion about the historical Jesus. In particular, the concern has been to see whether the covenant idea could assist in determining characteristics of Jesus' Jewishness, of the way Jesus conceived Judaism. The analysis was out of necessity restricted to some swift reviews. Consequently, what follows does not claim to be more than a first step in considering the issue. The reviews clearly suggest, however, that Jesus did not participate in covenant path searching, that is, in the activity of discussing and contemplating the questions of loyalty. Now we need to ask what this entails. What does Jesus' non-engagement in path searching mean with respect to his understanding of the covenant and Judaism?

I have tried to show what conclusions would probably have been drawn by Jesus' contemporaries. His refraining from endeavoring to find out how to correctly keep faithful to the covenant, in so many prominent issues, would most likely have made him seriously suspect of being at variance with the covenant belief as a whole. Should we concur with such an assessment? In effect, this would mean that our scrutiny has resulted in the formerly fashionable picture of Jesus as radically standing out from Judaism. This is the inevitable verdict if he is seen as having dissociated himself from the basic belief of his time. There is, however, another possibility to interpret the outcome of the above analyses. Jesus' non-engagement in trying to learn about loyalty could, in fact, result from a peculiar view of the covenant. This would be a view that inherently *excluded* the activity of finding out about the various practices and beliefs of the Jewish faith.

The suggestion may sound rather imaginative. Yet, such a view of the covenant can be found in the Jewish tradition itself. We should recall a feature that grants the so-called eschatological covenant of the later Old Testament prophetic books its distinctiveness: No one needs to be taught how to keep the covenant, for God has 'implanted' the knowledge and wisdom of this within man. Jer. 31.34 after the announcement of the 'new covenant' says: 'No longer shall they teach one another, or say to each other, "Know the Lord," for they shall all know me, from the least of them to the greatest.'¹⁰⁷ Moreover, God himself causes people to live faithfully according to the covenant, he makes it so that no one will ever miss the covenant loyalty.¹⁰⁸

As can be seen, this vision actually renders all labor in learning about the questions of covenant loyalty useless. In other words, the vision thwarts covenant path searching. Compared to the God-given knowledge imparted within,

107. Cf. Deut. 6.7-9.

108. Jer. 32.40; Ezek. 11.19-20; 36.27; 37.24.

any other means of gaining knowledge and comprehension about his will must be regarded as shallow and errant.¹⁰⁹ Therefore, the vision would indeed account for a covenant belief void of any specific interest in trying to find out about faithfulness to the various practices and beliefs of Judaism. Jesus' non-engagement in path searching should hereby not be taken as resulting from an antinomian attitude or his general disinterest in loyalty. He 'merely' would not have construed the path to knowledge about covenant loyalty in the conventional way.¹¹⁰ There is also another peculiarity about the vision that brings it in connection with Jesus' message.

The Jeremian (and Ezekielian) prophecy seeks to solve the problem of disloyalty. The solution it offers is characteristically utopian. It is one of those typically unrealistic prophetic statements whose future realization is not thought of to any greater extent.¹¹¹ The later rabbis, who despite the Christian reflections on the 'new covenant' could appropriate the prophecy, were taken by its utopian savor. Accordingly, they attributed the vision of the inner knowledge of God's will to the 'World to Come'¹¹² and described the instituting of the new covenant as a messianic act.¹¹³ Jesus' proclamation contains an element that can be seen to create circumstances corresponding to the Old Testament texts' utopia and the rabbis' supermundane attribution: the message of the kingdom of God. Indeed, even in the present, short study we have come across teachings of Jesus that put forward utopian thoughts, thoughts that seem to presuppose a change of this-worldly realities.¹¹⁴

The evidence of early Jewish covenant thinking that can be gathered suggests that the Jeremian (and Ezekielian) vision was not actualized in the Judaism of Jesus' time.¹¹⁵ We can make note of the few occurrences of the phrase 'new

109. Cf. *Eccl. Rab.* 2.1: 'All the Torah which you learn in this world is "vanity" in comparison with Torah [which will be learnt] in the World to Come; because in this world a man learns Torah and forgets it, but with reference to the World to Come what is written there? "I will put My law in their inward parts".'

110. It remains to be studied how, on what grounds, or according to what principles (if any) Jesus eventually drew conclusions about the covenant loyalty.

111. R.P. Carroll, *Jeremiah: A Commentary* (OTL; London: SCM Press, 1986), p. 612.

112. *Eccl. Rab.* 2.1.

113. H. Lichtenberger and S. Schreiner, 'Der neue Bund in jüdischer Überlieferung', *TQ* 176 (1996), pp. 272-90 (281-82).

114. Cf. the assessments of the prohibition of divorce and remarriage and the command to love one's enemies.

115. Common wisdom has it that the earliest Jewish interpretations of the Jeremian (and Ezekielian) vision appear, as referred to above, in later rabbinic writings. R.S. Sarason, 'The Interpretation of Jeremiah 31:31-34 in Judaism', in J.J. Petuchowski (ed.), *When Jews and Christians Meet* (Albany, NY: State University of New York Press, 1988), pp. 99-123; Lichtenberger and Schreiner, 'Der neue Bund in jüdischer Überlieferung', pp. 272-74, 279; W. Gross, *Zukunft für Israel: Alttestamentliche Bundeskonzepte und die aktuelle Debatte um den Neuen*

covenant' in the intertestamental literature (CD 6.19; 8.21; 19.33; 20.12; cf. also 1QpHab 2.3). While it remains controversial whether the phrase in these places really refers to the Jeremian passage 31.31-34 and to the notion of the eschatological covenant, it is clear that it is not used to connote the idea of the inner knowledge of God's will.¹¹⁶ If Jesus is thus to be seen as having revived an otherwise unrevived idea of the common Jewish heritage, this can be seen but as a good example of the radical pluralization of the Judaism of the time. Perhaps because of his vision of the kingdom, Jesus could actualize the Jeremian (and Ezekielian) vision that even later in Judaism was projected to future, utopian times. The Last Supper account of the covenant appearing in the context of kingdom proclamation (cf. Mk 14.25) can now be studied from an enhanced vantage point.

Many questions, of course, require further research. The full Jesuanic view of the covenant and all its consequences to understanding Jesus' Judaism cannot be spelled out in this study. Nonetheless, the few fundamental insights that have been obtained suggest that Jesus was rather detached from the covenant thinking of his contemporaries. As much as the basis of all contemporary discussion was the covenant belief, then, the detachment would also have become manifest in recurrent situations. In fact, we could here be dealing with the basic disharmony that could explain why there arose an opposition against Jesus, an opposition that ultimately led to his crucifixion.¹¹⁷ Perhaps something of this dissension has already come to the fore in the analysis section that showed that even if having opposed no single point of the law, Jesus' way of dealing with the issues would have caused him trouble.

Further, the actualization of the Jeremian (and Ezekielian) vision of the inner knowledge of God's will would suggest that the visions of the great restoration of Israel, put forward by the major prophet books, were in general of importance to Jesus. Indeed, the actualization implies that he saw his mission as coinciding

Bund (SBS, 176; Stuttgart: Verlag Katholisches Bibelwerk, 1998), p. 157. See also Hartman, *A Living Covenant*, pp. 213-14.

116. R.F. Collins, 'The Berith-Notion of the Cairo Damascus Covenant and its Comparison with the New Testament', *ETL* 39 (1963), pp. 555-94 (574-75); C. von Wolff, *Jeremia im Frühjudentum und Urchristentum* (Texte und Untersuchungen zur Geschichte der altchristlichen Literatur, 118; Berlin: Akademie-Verlag, 1976), pp. 124-25; K. Jeppesen, 'Den nye pagt i Det gamle Testamente og den antike jødedom', in S. Hidal (ed.), *Judendom och kristendom under de första århundradena: Nordiskt patristikerprojekt 1982-1985* (Stavanger: Universitetsforlaget, 1986), pp. 68-84 (80); Lichtenberger and Schreiner, 'Der neue Bund in jüdischer Überlieferung', p. 278; Vogel, *Das Heil des Bundes*, pp. 309-10; Gross, *Zukunft für Israel*, p. 156.

117. E.P. Sanders has, correctly in my estimation, underlined that no particular violation of the law or clash between some particular branch of Judaism can be singled out as the only cause. Though the Temple incident is to be mentioned in this connection, it features as the immediate reason, as the catalyst for the death. At the bottom, however, there was some sort of more basic disagreement. See Sanders, *Jesus and Judaism*, pp. 270-81, 318.

with the eschatological visions becoming reality. What comes as most intriguing is, however, the idea that the renewal of human being and his or her relationship to God, presupposed by the Jeremian (and Ezekielian) vision,¹¹⁸ is already taking place somehow. It is difficult to escape the impression that to Jesus this must have entailed major revisions as to what the religion had formerly thought of arranging the relationship.

All in all, however, the model of explanation offered here means no detachment of Jesus from Judaism or the covenant belief as such. On the contrary, Jesus remains by the common roots; he relies on Jewish traditions through and through. Confrontations and changes in former paradigms such as what has briefly been delineated here were a natural part of the dynamic, 'formative'¹¹⁹ character of the Judaism of the time.¹²⁰ There is therefore no question that Jesus regarded himself and his proclamation as properly Jewish. Through the particular view of the covenant, however, his Judaism received a definitely original imprint.

118. See M. Weinfeld, 'Jeremiah and the Spiritual Metamorphosis of Israel', *ZAW* 88 (1976), pp. 17-56.

119. See, for instance, J. Neusner, *Formative Judaism: Religious, Historical, and Literary Studies*, II (BJS, 41; Chico, CA: Scholars Press, 1983), pp. 1-6.

120. See Nickelsburg with Kraft, 'The Modern Study of Early Judaism', p. 18; the quotation of Chilton, *The Temple of Jesus*, p. 181, above on p. 5. Cf. also H.-D. Betz, 'Wellhausen's Dictum "Jesus was not a Christian, but a Jew" in Light of Present Scholarship', *ST* 45 (1991), pp. 83-110 (100-101): 'all...movements were in some way unique, controversial, contentious, and convinced of their "orthodoxy".'

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