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THE USEFULNESS OF SPEECH ACT THEORY FOR INTERPRETING MATTHEW
5:38-42

Questions should and are being raised as to the value of SAT as a regular tool for Bible interpretation. Robert Plummer of Southern Baptist Theological Seminary (Louisville) offers the following cautionary comparison of speech act theory to the more time-worn discipline of rhetorical criticism:

First, scholars often do not agree on the rhetorical labeling of the text. . . . Second, scholars not engaged in rhetorical criticism are in general agreement that the rhetorical approach has produced little, if any, new insights into the text. . . . Third, where insights have come through rhetorical critics' careful attention to the biblical author's argumentation, those insight often have been obscured by the overly technical vocabulary of rhetorical criticism. . . . Intelligibility and relevance will determine whether speech act theory is a passing fad or of lasting use in the study of Scripture.¹

Vern Poythress of Westminster Theological Seminary is also cautionary:

Speech act theory has been employed by some to throw light on biblical interpretation. I am grateful for this light. Focusing on the human purposes (and also divine purposes) that are manifested in various pieces of text is one legitimate kind of focus, and it may succeed many times in drawing our attention to a dimension of textual communication that we have previously overlooked. This danger of overlooking confronts "professional" interpreters as much as anyone else, precisely because the methodical and self-conscious approach of the professional pushes him strongly in the direction of paying attention *only* to those things to which his method and his self-conscious reflection tell him to pay attention.

On the other hand, speech act theory, or genre theory, or any other theory, is not comprehensive in its attentiveness. So the danger arises that it too may over-

¹ Robert L. Plummer, *Forty Questions about Interpreting the Bible* (Grand Rapids: Kregel, 2010), 209.

optimistically be used as if it were the key to understanding, rather than a reminder of one more dimension in communication.²

Richard Young, on the other hand, is optimistic concerning the benefits of SAT for Bible interpretation. He argues the following regarding the exegesis of conditionals in the Greek NT:

The meaning of any utterance cannot be understood apart from the speaker's intent, the situational and linguistic context, as well as the linguistic form. Speech act theory provides objective criteria to help the exegete integrate these elements. When applied to conditional sentences, speech act theory yields more meaningful results than traditional approaches. . . . The assumption that the meaning of conditional sentences can be determined solely by surface structure features, such as tense, mood, and particles, severely restricts the exegetical task.³

However, it seems that the interpretation of Koine Greek conditionals represents one of the few islands within the field of NT exegesis, in which it has traditionally been claimed that authorial intent is fully communicated by grammatical markers. There may be few other such areas within Bible exegesis, for which SAT's insistent focus upon clues to the intended meaning from every and all sources will appear to "break new ground."

This paper begins from the moderating stance that any potential interpretational tool, new or otherwise, that is both amenable to biblical inerrancy and supportive of the cruciality of authorial intent, merits consideration by Bible hermeneuticians. This paper offers an evaluation of speech act theory as a tool for interpreting one challenging passage found within the Sermon on the Mount, Matthew 5:38–42.

² Vern S. Poythress, "Canon and Speech Act: Limitations in Speech Act Theory, with Implications for a Putative Theory of Canonical Speech Acts," *Westminster Theological Journal* 70 (Fall 2008): 343.

³ Richard A. Young, "A Classification of Conditional Sentences Based on Speech Act Theory," *Grace Theological Journal* 10 (Spring 1989): 29.

Benefits of Speech act Theory to Conservative Evangelicalism

Speech act theory (SAT) is helpful to any Bible hermeneutician desiring to defend in simple terms the cruciality of determining authorial intent. SAT argues that every utterance is fundamentally, unavoidably, an “act” that is *intended* to accomplish something. More important, SAT shows that it is impossible for the text itself, or the reader, to be the entity intending the speech act: The sample comment “Boy, is it cold!” typically acts as, or carries the “force” of, either a direct weather observation or an indirect request for a sweater, but in every case the force or intention originates from the speaker, never from the text itself or from the hearer.⁴ SAT also shows straightforwardly how the author’s intent was successfully, permanently encoded within ancient texts, rather than “buried with the author”: by virtue of being an *action*, every utterance includes an *illocution* element, the force or intent of the author, in addition to carrying a content element (the *locution*) and a desired-response element (the *perlocution*).⁵

SAT is equally valuable to the bibliologist defending “plenary inerrancy”⁶ because of the distinction now being voiced within evangelicalism between propositional and non-propositional utterances.⁷ SAT can surface the presence of propositional

⁴ Text by itself cannot “intend” anything. The hearer could attach his own intent by repeating or pointing to the comment, but now he has become the author of a new utterance incorporating the same words. Encoded intent always lies with the author.

⁵ See Appendix C for a fuller overview of speech act theory.

⁶ “Plenary inerrancy” is used simply to refer to the inerrancy of all utterance types, *versus* the inerrancy of statements of fact alone.

⁷ Millard Erickson states in his systematic theology, “The question arises, does inerrancy have any application to moods other than the indicative? The Bible contains questions, wishes, and commands as well as assertions. These, however, are not ordinarily susceptible to being judged either true or false. Thus inerrancy seems not to apply to them” (Millard J. Erickson, *Christian Theology* [Grand Rapids: Baker, 1992], 234).

The fourth item of the Summary Statement in “The Chicago Statement on Biblical Inerrancy” reads, “Being wholly and verbally God-given, Scripture is without error or fault in *all its teaching*, no less in *what it states* about God’s acts in creation and the events of world history, and about its own literary

elements in even the most “non-propositional” biblical utterances, such as divine questions, wishes, and musings. In doing so, SAT shows that every biblical utterance is susceptible to the characterization and measure of inerrancy. By way of SAT, the conservative bibliologist is not limited to the passive claim that the divine, non-propositional utterances in Scripture are defensible as inerrant (only) because they have been inerrantly recorded—one can argue that all divine utterances are fully defensible as inerrant in terms of content.⁸

The Usefulness of Speech act Theory for Interpreting the Sermon on the Mount as a Whole

The Sermon on the Mount presents multiple challenges to the interpreter committed to discerning the authors’ intended meaning. First, one must deal with the reality of multiple speakers/authors and multiple targeted recipients for the Sermon. In terms of the *spoken* Sermon, discerning the intended meaning shared between speaker and hearers relates to the speaker Jesus and his immediate, “pre-Crucifixion” hearers

origins under God, than in its witness to God’s saving grace in individual lives” (emphasis mine, “The Chicago Statement on Biblical Inerrancy,” *JETS* 21, no. 4 [December 1978]: 290.).

Article XI adds, “We deny that it is possible for the Bible to be at the same time infallible and errant *in its assertions*” (emphasis mine; *ibid.*, 291). It is true that Article XII states that “We affirm that Scripture *in its entirety* is inerrant, being free from all falsehood, fraud, or deceit” (*ibid.*, 291–92). However, here fields of knowledge, not kinds of sentences, are in view—the argument is being made that the Bible’s teaching regarding history and science are not to be excluded from the list of inerrant “fields” touched upon in the Bible. The Exposition section states, “Similarly, *inerrant* signifies the quality of being free from all falsehood or mistake and so safeguards the truth that Holy Scripture is entirely true and trustworthy *in all its assertions*” (second emphasis mine; *ibid.*, 295). Kevin Vanhoozer states, “God’s Word invariably accomplishes its purpose (infallibility); and when this purpose is assertion, the proposition of the speech act is true (inerrancy)” (“The Semantics of Biblical Literature,” in *Hermeneutics, Authority, and Canon*, eds. D. A. Carson and John D. Woodbridge [Grand Rapids: Zondervan, 1986], 95).

⁸ Gregg Allison (“Speech Act Theory and Its Implications for the Doctrine of the Inerrancy/Infallibility of Scripture,” *Philosophia Christi* 18 [Spring 1995]: 25) defended the inerrancy of divine “expressives,” divine declarations, and indirectly divine “commissives” (promises, predictions). This writer (“Contributions of Speech Act Theory to the Defense of Biblical Inerrancy” [a paper presented at the Second Council on Dispensational Hermeneutics, Clarks Summit, Penn., Fall 2009]) defended directly the inerrancy of divine commissives and divine directives.

sitting on the mount, an audience that likely began with committed followers but expanded to include mixed crowds by sermon's end. Discerning additional clues from the context of the *spoken* Sermon entails identifying the *chronologically*-adjacent events and dialog, complicated by the ironic reality that the chronological context is least clear in the fullest Sermon account (Gospel of Matthew). In terms of the *written* Sermon, discerning the intended meaning shared between writer and readers relates to the two transcribers or editors, Matthew and the Holy Spirit, and their targeted "*post-Crucifixion*" readers, likely involving unbelieving Jews plus the young church of Jewish and Gentile believers. Discerning additional clues from the context of the *written* Sermon entails identifying the *literarily*-adjacent passages in Matthew (and perhaps secondarily in Luke). One could further distinguish between the Sermons in Matthew and Luke and therefore posit two different spoken sermons with two sets of *listening* audiences and two sets of adjacent chronological contexts, as well as two different *written* sermons with two sets of reading audiences and two sets of literary contexts, potentially doubling the number of shared meanings attached to the sermon(s) by their communicators.

In the effort to establish the Sermon's speaker, writers, hearers, readers, and contexts, it appears that the tenets of SAT will be helpful only to the degree to which the interpreter has minimized these factors.⁹ SAT will continuously "drag back" the

⁹ The clarity SAT provides concerning the importance of discerning intent for all speakers and writers behind an utterance is also of no value when one cannot identify what each speaker and writer has contributed. Rhetorical criticism is a discipline that usually, though not necessarily, operates from the presumption, undefended, that such is the case with the Sermon. Its adherents usually presume that the Sermon represents an amalgamation of competing, sometimes contradictory, and unclear contributions by Jesus, *Q*, *Didache*, *The Gospel of Thomas*, and the Matthean and Lukan redactors. See for examples the work of Walter Wink, Professor Emeritus of Biblical Interpretation at Auburn Theological Seminary, New York City and prolific writer on the Sermon, and Richard Horsley, Distinguished Professor of Classics and Religion, Emeritus, at the University of Massachusetts and another well-known writer on the Sermon (Walter Wink, "Neither Passivity nor Violence: Jesus' Third Way [Matt. 5:38-42 par.]," in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley, Studies in Peace and Scripture

interpreter to the necessity of determining the Sermon originators' intent, but that is of value only to the degree that the interpreter is not "already there." The traditional, grammatical-historical approach to Bible interpretation emphasizes already the need to identify speakers, hearers, writers, readers, context, and their impacts upon the intended meaning of any utterance.¹⁰ Another limit to the benefits from SAT for this process of discerning authors derives from the reality that SAT at its current level of development is attuned to examining brief utterances, rather than single or multiple paragraphs. SAT recognizes the importance of context, but usually considers only what Bible hermeneuticians would consider an incomplete glance at "immediate context," involving

[Louisville: Westminster, 1992], 102–25; Richard A. Horsley, "Ethics and Exegesis: 'Love Your Enemies' and the Doctrine of Non-Violence," *JAR* 54 [Spring 1986]: 3–31; Richard A. Horsley, "Response to Walter Wink, 'Neither Passivity nor Violence: Jesus' Third Way,'" in Swartley, *The Love of Enemy and Nonretaliation in the New Testament*, 126–32), both of whom see their task as tracking down the intended meaning of Jesus' partially-visible contribution to the larger Sermon that was finally enshrined by the Matthean and Lukan redactors into the extant Gospels.

The following disagreement between Wink and Horton highlights the degree of subjectivity among redaction critics regarding discerning the verbal contribution of Jesus to the Sermon, an obvious obstacle to attending to SAT's concern that authorial intent is identified. From Wink: "For this saying (Matt. 5:38–42), in fact, *Didache* preserves the best and quite possibly earliest version extant: (1) he specifies the right cheek, following Matthew; (2) yet he follows Luke (correctly) in the order "cloak/shirt"; and (3) he agrees with Matthew against Luke by including the saying about the second mile" ("Neither Passivity nor Violence," 118, n. 12). From Horsley: "Most analyses of these sayings suggest not only that Matthew imposed the form of antithesis on the material but that the Lukan arrangement is closer to *Q*, even though Matthew may have followed the *Q* wording more closely. It thus also seems more likely that Matthew inserted the saying about going the second mile than that Luke deleted it, and especially that Matthew is responsible for the presence of "Do not resist evil" as the completion of the antithesis (rather than that Luke deleted it)" ("Response to Walter Wink," 129).

Note especially how Horsley's own theory about what was contributed to the Sermon by whom leads directly to a conclusion regarding the intent of two of the contributors, Jesus and the Matthean redactor, rendering Horsley's conclusions regarding authorial intent equally theoretical: continuing the prior quote, "But that means that there is little or no reason to believe that Matthew 5:39cd, 40, and 41 were three illustrations of the principle 'Do not resist evil (violently),' all of which Jesus himself used to articulate a 'third way'" (ibid., 129).

¹⁰ For the purpose of brevity, this paper is limited to considering the interpretation of the *spoken* Sermon for its immediate *hearers*. The reasonableness of this limitation is premised upon the conviction that the spoken Sermon was not appreciably revised by its "co-t/Transcribers" Matthew and the Holy Spirit. Any changes in intended meaning between the spoken and transcribed Sermons would arise from differences between the *chronological* context for Jesus' spoken Sermon and the *literary* context for Matthew's transcribed version, and should be minor. This writer would argue that any differences in meaning between the spoken and transcribed Sermons will be dwarfed by differences in the proper application of either form of the Sermon for responders living "pre-Crucifixion" or "post-Crucifixion," due to the dispensational changes emanating out of the Crucifixion.

the couple of sentences bracketing a sentence-long utterance. SAT as a hermeneutical strategy will not encourage a study of broader contexts currently.

A second challenge to the Sermon interpreter arises from the necessity in the view of many (this writer excluded) to read some of Jesus' Sermon instructions as figurative. Typically those interpreters understand the proposed non-literal instruction clauses to be hyperbolic, employing deliberate exaggeration for dramatic impact. This view is different from the equally-popular views that some or all of Jesus' instructions are either "representative" or "focal" commands. The former view understands the Sermon instruction to be a literal command that is representative of similar, literal commands—Jesus' instructions are literal, but not exhaustive. The latter view understands the instruction to be an extreme-yet-literal command, serving as an attention-getting species from a non-verbalized genus of literal instructions that are generally less-dramatic than the one verbalized.¹¹ Neither of these approaches involves however the more extreme claim from the "hyperbolic camp" that the command uttered is actually *not* to be obeyed, in that it is an indirectly-representative instruction that stands altogether *outside* the genus of literal, non-verbalized instructions that actually are to be obeyed.¹² If hyperbolic command clauses are present in the spoken Sermon, the interpreter will face this second

¹¹ R. C. Tannehill, "The 'Focal Instance' as a Form of New Testament Speech: A Study of Matthew 5:39b–42," *JR* 50 (1970): 372–85; Craig L. Blomberg, "The Most Often Abused Verses in the Sermon on the Mount," *SWJT* 46 (Summer 2004): 9.

¹² Blomberg uses different terms to arrive at the same view, stating that Jesus' instructions are "Christian ideals" that could and should be literally carried out only in the "consummated kingdom," less so in the less-perfect faith community, and even less so in the world (*Matthew*, The New American Commentary, vol. 22, electronic ed., Logos Library System [Nashville: Broadman & Holman, 2001, c1992], 95).

challenge of discerning which of the Sermon instructions are exaggerated and therefore not intended to be obeyed as a literal reading would suggest.¹³

As with the prior interpretive issue, SAT could be helpful, but only to the degree that the interpreter is minimizing the import of discerning figurative language. SAT does demand consideration of the presence of non-literal language—it recognizes that, “Since meaning is conveyed through both the linguistic activity and the situational context, it follows that *there is more communicated than what is said*. ‘The words and sentences on the page are reliable clues, but they cannot be the total picture. The more pressing question is how the texts function in human interaction’ (emphasis mine).¹⁴ Thus SAT holds that some elements of a speech act are not present in the words themselves, such as tone of voice in oral utterance, courtesy rules in the culture, and context set by the prior utterances.

To its credit, SAT can explain succinctly why it is that the presence or number of figures within a communication like the Sermon is often controversial: only when the

¹³ This is not to say that there are no figures in the Sermon. It can be argued however that every time Jesus uses a figure in a Sermon *instruction* (including “indirect instructions” offered in the form of an assertion or a rhetorical question), He then explains the figure in literal terms. See examples of these “imperative figures” in 5:13, 14, 34–35, 38; 6:3, 22, 34; 7:15, 24–27. In none of these instances does Jesus’ subsequent commentary indicate the use of hyperbole in the prior instruction. As well, every alleged “hyperbolic imperative” in the Sermon would break Jesus’ explanatory pattern for imperative figures, in that none of the alleged hyperbolic imperatives are followed by guiding commentary in the subsequent verses.

The skeptic of the claim, that the presence of exaggerated commands in the Sermon can be reasonably rejected, is offered this sample, non-hyperbolic interpretation of the most popularly-alleged hyperbolic instruction, 5:29: “If (as the Pharisees wrongly teach) it were possible for the eye to will a lustful glance, then consistency would require the holder of that premise to remove his eye, as sinful glances are sending whole persons, and not just the “offending body parts,” into damnation. Given that reality, this would be an opportune time for pharisaic adherents to renounce that teaching, and instead properly attend to the actual source of damning sin, their hearts and minds—trees (hearts and minds) produce fruit (actions) (7:16–20).”

¹⁴ Young, “A Classification of Conditional Sentences”: 36. The internal quote is from H.P. Grice, “Logic and Conversation” (an unpublished lecture presented at the William James Lectures, Harvard University, 1967–8).

figure is captured in *direct speech*—meaning the presence of a figure is unmistakable from the word choices themselves because the words describe, if taken literally, a logical impossibility—will interpreters tend to agree on the presence of the figure. Where possible indicators of figurative language are not part of the “lexical activity,” but instead are part only of the “situational context,” interpretations can proliferate.

But otherwise, SAT’s handling of non-literal utterance is still to be developed. SAT discussion of non-literal speech at least in the main-stream literature has focused only upon three subcategories, metaphor, irony, and “indirect speech.” Regarding the first, SAT holds that the speaker (e.g. tone of voice, prior utterance) or life context (e.g. prior use of that metaphor in the culture generally) provides enough clues outside of word choice to indicate that the listener is to replace the literal referent with a substitute that shares in some way a parallel characteristic. For SAT pioneer John R. Searle at least, discussion of the second subcategory, irony, tends to center on the verbal device of sarcasm, in which the speaker or life context provides enough clues outside of word choice to indicate that the speaker means the opposite of what that sentence taken literally would suggest. As with metaphor, replacement is involved in sarcasm, but the replacement involves an opposite rather than a parallel of some kind. The third subcategory captures all the instances in which word choice suggests one illocution, such as assertion, but context indicates a different illocution. For example, the word choices in the clause “I wish . . .” typically indicate an assertion informing of the utterer’s personal preferences, but “I wish you’d get off my foot” carries the indirect, very different force of a request for action on the part of the listener.¹⁵

¹⁵ John R. Searle, *Speech Acts: An Essay in the Philosophy of Language* (London: Cambridge, 1969), 68. Young gives the classic example, followed by a scriptural one: “. . . the utterance ‘There is a

The hyperbolic command alleged for the Sermon is most similar to SAT's subcategory of *metaphor*. Like metaphors, hyperbole involves the speaker communicating outside of her word choices, her intent being that the hearer mentally replace some of the words with other, somewhat parallel, unspoken words in order to properly interpret the utterance; different from metaphors, the replacing by the listener always involves a mental shift from more-extreme to less-extreme words. In the case of hyperbolic instructions, the intended move is from *verbalized-but-not-prescribed*, extreme instructions to *prescribed-but-not-verbalized*, moderated instructions.

Even granting that SAT deals indirectly with hyperbole by way of its discussion of metaphor, however, SAT seems to bring no additional clarity to actually indentifying uncontroversially hyperbolic instructions in the Sermon—new ways to *describe* non-literal speech by SAT have not yet led to better ways to *identify* non-literal speech. As with the prior interpretational issue of identifying utterer and audience, SAT seems no better equipped than the traditional, grammatical-historical approach for identifying non-literal speech.

A third challenge for interpreting the Sermon can arise from an interpreter's prior commitment to a dogmatic theological system¹⁶ that specifies the relationship between

bull in the field' could either be a simple remark or a warning. It all depends on which side of the fence the person being addressed is standing! In the same way one can infer from the context and what was said that Martha's utterance ['If you had been here, my brother would not have died'] (John 11:21) has the illocutionary force of a rebuke" ("A Classification of Conditional Sentences," 39).

¹⁶ *Dogmatic* is not intended here in a general, pejorative but in the sense communicated by Louis Berkhof and others referencing systematic theologies that have an explicit church or theological tradition as their source for guiding principles of method and for doctrinal pre-understandings. Berkhof states, "Dogmatics deals with the doctrinal truth of Scripture in a systematic way, and more particularly with that truth as it is confessed by the Church" (*Introduction to Systematic Theology* [Grand Rapids: Baker, 1979], 19). Paul Enns includes the following in his survey of "dogmatic theology": Calvinistic, Arminian, covenant, dispensational, and Roman Catholic (*The Moody Handbook of Theology: Revised and Expanded* [Chicago: Moody, 2008], 8). See Carl Henry's list below for dogmatic systems, Christian and otherwise,

Jesus' followers and the Law¹⁷ that the Sermon must be understood to enforce.¹⁸ Jesus refers to both parties numerous in the Sermon, which could lead the interpreter to expect initially that the Sermon itself will clearly delineate this relationship between the Law and Jesus' listeners. However, discerning the relationship between them from the Sermon itself is complicated by the fact that Jesus seems to be saying that the relationship is now transforming in some way—it is difficult to read the clause “But/now I say to you” six times after Jesus quotes the Law (or some variation of it) throughout Matthew 5, and argue otherwise. Not surprisingly therefore, virtually every interpretation of the “case law” section (5:21–48) includes the claim that it teaches some kind of transformation for the Law or for its relationship to the Sermon's immediate hearer. Some views argue for a transformation of the Law, that is, a change in the meaning of the Law or of some of its specifics. Some views argue for a transformation of the hearer, either of their behavior by way of their renouncing with Jesus the pharisaic misapplications of the Law, or of their inner self by way of a simultaneously experienced

that may bring doctrinal dictates to the examination of the relationship of the Law to Jesus and to Jesus' followers in the Sermon and elsewhere in Scripture.

In contrast to the problematic source for pre-understandings regarding the relationship between Jesus and the Law that dogmatic theology represents, the theological truths arising from Scriptures chronologically antecedent to the Sermon (labeled *antecedent theology* and *analogy of [antecedent] Scripture* by Walter Kaiser [*Toward an Exegetical Theology* (Grand Rapids: Baker, 1981), 94, 131–48] for example) offers a productive, biblical source for a Sermon interpreter's pre-understandings regarding the relationship of Jesus to the Law.

¹⁷ The *Law* capitalized will always refer to the written Law of Moses.

¹⁸ Carl Henry (*Christian Personal Ethics* [Grand Rapids: Baker, 1957], 278) provides a helpful catalog of seven theologically-driven “appraisals” of the proper interpretation of the Sermon, which are differentiated based upon their answers to the following three diagnostic questions he attributes to Hans Windisch (*The Meaning of the Sermon on the Mount: a Contribution to the Historical Understanding of the Gospels and to the Problem of their True Exegesis* (Philadelphia: Westminster, 1951): “Does it hold that literal fulfillment of the Sermon is intended? Does it hold that such fulfillment is possible to man? Does it hold that the Sermon is relevant to the contemporary moral situation?” The seven appraisals are: humanistic, [Christian] liberal, [classic, Chaferian] dispensational, [Schweitzerian, consistent-eschatology's] interim-ethic, existential, Anabaptist-Mennonite, and Reformed. All resources used to describe the dispensational view are from 1933 or earlier, such that Henry can report for example that “the” dispensational view was eventually “repudiated” by H. A. Ironside (Henry, *Christian Personal Ethics*, 287, n. 36)!

New Covenant, or both. Some views will argue for the presence of both kinds of transformations, in that a revision of the Law's meaning naturally leads to a revision in the hearers' application of the Law.¹⁹ Even the few views which argue for transformation of neither the Law nor the immediate hearer's relationship to it, such as the classical dispensational view, argue for the transformation of something—classical dispensationalism argues for instance that Jesus has in view a transformation in *setting*, from contemporary, national Israel under apostate leadership, to national Israel flourishing in the physically consummated, davidic kingdom. Thus, significant agreement on the transformation's *presence* is unfortunately counterbalanced by significant disagreement on the transformation's *nature*, often due to theological pre-commitments foreign to the Sermon.

At this point, SAT's insistent call back to authorial intent is helpful. SAT is going to be unkind to any view that minimizes explicit, "literary data" within the Sermon regarding Jesus' intended message in favor of theological pre-commitments, and thereby can narrow the range of acceptable views regarding the relationship between Law and Sermon hearer. One type of explicit data to be highlighted was mentioned above, the multiple instances of Jesus' transitional clause "But/now I say to you..." Any theological pre-commitment that mandates the minimization of the transformation element in Jesus' Sermon therefore should be suspect.

¹⁹ Craig Blomberg sees both transformations taking place: "In the process, however, he [Jesus] contravenes the letter of several of the Old Testament laws, not because he is abolishing them but because he is establishing a new covenant in which God's law is internalized in a way that prevents it from being fully encapsulated in a list of rules and that precludes perfect obedience (cf. Heb 8:7–13). Even more fundamental to the six illustrations [in Matthew 5:21–48] is Jesus' role as sovereign interpreter of the law, as he himself fulfills it (v. 17). He alone, therefore, has the authority to declare how each part of the law will apply to his followers" (*Matthew*, 106).

A second type of explicit data for which SAT will demand due attention regarding the relationship of the Law to Jesus' immediate hearer is represented by Jesus' declaration immediately prior to the "case law" section, that whatever the transformation of that relationship, it absolutely does not involve the abrogation of the least important Law, and it absolutely does not involve an alteration in the letter of, literally the spellings within, the Law (Mt 5:17–20). Any theological pre-commitment that mandates that the Sermon's transformation of the relationship of Law to immediate hearer must involve a change in the specific instructions or specific wording within the Law therefore should be suspect. It appears for example that any theological pre-commitments would be suspect, which dictate for the Sermon a transformation in the Law by Jesus that involves revisions or deletions from details within the Law.²⁰

²⁰ This would seem to put the following, typical view among evangelicals into opposition with Jesus, as clearly, words and spellings within the Law undergo revision in the view: "Jesus here [Mk 7:1–23] not only repudiates a human tradition (vv. 1–13) by declaring all foods 'clean' (v. 19b), but reverses divine law (Lev 11) . . . 'The distinction between clean and unclean foods is as obsolete as the distinction between Jew and Gentile' [Gordon J. Wenham, *The Book of Leviticus*, in *The New International Commentary on the Old Testament*, vol. 3 (Grand Rapids: Eerdmans, 1979), 184] . . . While the whole law is *preserved*, it is just as surely *transformed* and *shaped* in the hands of Jesus and the apostles" (Knox Chamblin, "The Law of Moses and the Law of Christ," in *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments* [Westchester, Ill.: Crossway, 1988], 195, 200, emphasis his). Unquestionably, the Law has been reshaped verbally by the Apostles, if it is yet in force.

Similarly, the standard Reformed view of the Sermon is suspect, as its claim to reject a rewriting of the Law by Jesus for both immediate listeners and for all future followers, does not appear to be supported by the specifics put forward. On one hand the view holds that Jesus is not revising the Law, as the Law is an unchanging reflection of God's character and expectations for humankind. Reformed proponent Carl Henry for example aligns with this writer's view that, in the Sermon Jesus never calls for a revised meaning of the Law for his immediate hearers, but instead calls for rejection of its (mis-)application when he correctly quotes it, and calls for restoration of its verbiage when he repeats popular misquotations of it: "What he [Jesus] criticizes is not the Law itself, but contemporary formulations of the Law. This is supported by an examination of the quotations which he cites, by the verbal formula by which he introduces them, and by the contextual remarks which prepare for the discussion [5:17–20]" (*Christian Personal Ethics*, 306).

On the other hand, the Reformed view equivocates on the Jesus' clear reference to the Law as a meticulously precise, written document (5:18–19), by arguing that the Law is unchanged because Jesus reaffirms its broad moral values for the New Covenant community (all Jesus' followers, pre- and post-Crucifixion). This is a move to side-step the reality that the verbal form of the Law experiences in this view a massive revision in its details regarding ceremonial elements, among other elements. Such sidestepping of a contradiction between "no change" and "major changes" in the Law by Jesus fares best when the Sermon is discussed apart from the words of the Apostles, as by both Chamblin and Henry

A third type of explicit data for which SAT will demand due attention is represented by the fact that twice in the case law section Jesus quotes the Law accurately to introduce a law case (5:27, 38), while four times He offers some kind of Law “restatement” to introduce a law case (5:21, 31, 33, 43). In the two former instances Jesus subsequently affirms the Law and simultaneously transforms the relationship of the Law to his immediate hearers. He does the first by calling His immediate hearers to alter their misapplications of Moses to better fit Moses’ intent, as in applying the reality that the battle against adultery properly begins against lust (5:28–30). Jesus may be doing the second by calling immediate followers to “over-obey” some of the Law, to do more than Moses required.²¹

In the four latter instances of law cases in which Jesus offers some kind of Law *restatement*, Jesus subsequently critiques some contemporary “applications” of those

above—it is in the epistles that the reality of a massive, verbal revision of the Law, *if the Law is indeed still in force*, becomes difficult to hide.

In Jesus’ words in Mark 7:15 (“... there is nothing outside the man which can defile him if it goes into him; but the things which proceed out of the man are what defile the man”) Henry finds Scriptural permission for seeing Jesus’ Matthew 5 discussion of the changeless wording of the Law as actually a reference to changeless broad *principles* only: Henry chooses to connect Mark’s closing editorial comment (7:19) made to his (post-Crucifixion) *readers* that food regulations of the Law are no longer in force, back to Jesus’ immediate (pre-Crucifixion) *hearers*, then points to the resulting contradiction with Jesus’ Matthew 5 discussion of changeless details in the Law. Henry then alters the meaning of the latter passage to a discussion of changeless *principles*, not verbal details, in order to resolve the “contradiction” with Mark 7.

The Reformed reading of Jesus’ words prohibiting verbal revision of the Law’s details is made still easier by the reality that modern readers often misread Sermon terms such as “offering” and “altar” in Matthew 5:23. They often replace Jesus’ likely referents “sacrificial temple offering” and “sacrificial, temple altar in Jerusalem” with the very unlikely, modern referents “monetary gift for the church service” and “wooden table at the front of my parents’ church sanctuary.” This unconscious “updating” of the Sermon by most readers further “sanitizes” the Sermon from mosaic details likely referenced by Jesus that are inimical to a Reformed understanding of Jesus’ words.

²¹ Matthew 5:38–42 may be calling the follower of Jesus to demand *less* than equivalent restitution (e.g., nothing in return for another failing to repay a loan) when *experiencing* damage, and perhaps even to offer *more* than equivalent restitution (e.g., a tunic plus a coat in return for losing or damaging another’s tunic) when *causing* (presumably, unintentionally) damage, contra what Moses’ *LT* required. More clearly, 5:42 is calling the follower of Jesus to be more generous in giving and lending to those in need, than the Law required. These would all be examples of a call to “over-obedience” of the Law, by which, simultaneously, Jesus would be affirming the Law and calling hearers to a transformed relationship with it.

restatements as unacceptable. Jesus' critiques strongly suggest that Jesus takes the Law restatements He has quoted not to be *acceptable* summarizations of Moses, but to be *unacceptable*, probably pharisaic, misquotes of Moses that doom restatement adherents to "un-mosaic" behavior.

With this third type of explicit data which SAT highlights, any theological system that maintains pre-commitments to Jesus revising the Law in his Sermon for his immediate hearers comes into question. These theological models generally minimize the value of discerning the varying origins of Jesus' introductory quotes, making the claim to verbal revisions of the Law itself by Jesus for his immediate hearers easier to maintain.²²

The Benefits of Speech Act Theory for Interpreting Matthew 5:38–42²³

You have heard that it was said, "AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH." But I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also. If anyone wants to sue you and take your shirt, let him have your coat also. Whoever forces you to go one mile, go with

²² Blomberg sees all six quotations, not four only, receiving a revised meaning from Jesus, perhaps making the precise origin of any of the quotes *prior* to revision seem less important (*Matthew*, 95). Others will even state that the Law is always being quoted: ". . . no fewer than five times (Matthew 5:21, 27, 33, 38, 43) Jesus quotes the Law, only to contradict it, and to substitute a teaching of his own. He claimed the right to point out the inadequacies of the most sacred writings in the world, and to correct them out of his own wisdom" (William Barclay, *The Gospel of Matthew: Volume 1*, The Daily Study Bible Series, rev. ed. (Philadelphia: Westminster, 2000), 134).

Less often, evangelicals will note the distinction between accurate and revised quotations of the Law in the Sermon. Carl Henry holds that Jesus uses accurate *versus* reworded Law quotations three times, adding to this writer's list Jesus' dealing with oaths (5:33ff) as the other instance in which Jesus' opponents whom he is quoting apparently quote the Law correctly, so that Jesus discusses not both the misquoting and misapplying of Moses, but only the latter in these cases (*Christian Personal Ethics*, 308). Perhaps how one defines "misquotation" is the issue: this writer observes that though the OT quotations that Jesus repeats regarding oaths do not involve rewording the Law, they do involve a forced stringing together of statements from differing contexts so that they partially limit one another, incorrectly decreasing the intended scope of the Mosaic instructions on oaths.

²³ See Appendix A for this writer's sentence diagram of the passage.

*him two. Give to him who asks of you, and do not turn away from him who wants to borrow from you. (Mt 5:38–42.)*²⁴

In this His penultimate “case law” exercise, Jesus focuses upon the proper application of Moses’ law of retaliation or *lex talionis* (*LT*), “An eye for an eye and a tooth for a tooth.” As before, the primary benefit from SAT for interpreting the passage will be its incessant demand that the interpreter give primary consideration to the explicit, “lexical data” for discerning the speaker’s intended meaning. One lexical observation of note is that this passage provides only the second accurate quotation of the Law in the case law section. As with Jesus’ discussion of adultery (discussed above, 5:27–30), Jesus’ unwillingness to change a single letter of the written Law (5:17–20) strongly suggests that Jesus’ purpose in His subsequent discussion will not be to alter the words or the meaning of the mosaic *LT*. Rather, Jesus’ purpose will be to call for a transformation of the hearer away from misuse of the mosaic *LT*. Many commentators recognize that the root of the misuse involved wielding the *LT* not as a “regulative principle” for *limiting* retribution as intended by Moses, but rather as a “prescriptive principle” *specifying* retribution, with creativity as the only limit upon the range of applicable situations beyond what Moses specified. This writer would add that, more specifically, JC validates the *LT*’s mosaic meaning in rejecting contemporary misapplications of it,²⁵

²⁴ Unless indicated otherwise, Bible quotations are from *New American Standard Bible:1995 Update* (LaHabra, CA: The Lockman Foundation, 1995).

²⁵ Wink also notes that Jesus’ critiques within this passage do not in fact criticize the mosaic *LT*: “In the examples that follow (5:39b–42), however, Jesus does not nullify, supersede, or add to the old law. He is not even attempting to formulate new legislation. His examples assume the continuation of existing laws and customs . . .” (“Neither Passivity nor Violence,” 113). Carl Henry agrees: “What he [Jesus] criticizes is not the Law itself, but contemporary formulations of the Law. This is supported by an examination of the quotations which he cites, by the verbal formula by which he introduces them, and by the contextual remarks which prepare for the discussion [5:17–20]” (*Christian Personal Ethics*, 306).

It is true that Wink sees no attempt by Jesus to revise the *LT* because he concludes that the mosaic *LT* in the passage introduction (5:38–39a) is only a “Matthean addition” (“Neither Passivity nor Violence,” 113). Still, however, Wink agrees with this writer and with Henry that Matthew 5:39–42 does not revise

and secondly highlights the inner attitude of generosity which should motivate a restrained response when one is impinged upon by others.

A second lexical observation of note arises from the fact that the mosaic *LT* was applied by Moses only to those situations in which the damage and restitution involved *individuals*, and involved *physical* damage of person or property. The mosaic *LT* did not speak to restitution between nations, restitution between socio-economic classes, or restitution between individuals and institutions. Nor did the mosaic *LT* offer guidance for restitution for psychic damage. It would seem that Moses' law of retaliation encoded a simple, effective way for people to resolve the problems that typically arise between neighboring people and property.

This second lexical observation regarding the bounds placed on the *LT* by Moses is of note, because at least three of Jesus' four critiques reject the application of the mosaic *LT* to circumstances that are, in fact, outside these bounds as set by Moses. Each has something to say about *misapplying* the mosaic *LT*, but nothing to say about *revising* the mosaic *LT*—nowhere in this passage, nor in the rest of the Sermon, does Jesus verbally create mosaic conditions, and then call for a non-mosaic response. When Jesus proscribes applying the *LT* to the psychic damage of a public slap (5:39), Jesus is affirming the bounds of the mosaic *LT*, not revising, expanding, or criticizing its meaning. When Jesus proscribes applying the *LT* to the governmental demand for carrying a soldier's pack for a mile (5:41), he is leaving the Law unchanged, not critiquing or altering it. When Jesus proscribes applying the *LT* to private lending

the *LT* in Matthew 5:38—for Wink, the Matthean redactors' attempt to portray Jesus as revising the *LT* by inserting it prior to Jesus' words, was "not altogether successful" because while Jesus in Matthew 5:39–42 is providing strategies for the oppressed poor, the *LT* deals instead with proportional punishments for crimes (ibid., 113).

decisions that replace generosity with unlawfully inflexible repayment demands so as to sidestep *future* losses (5:42), Jesus is leaving the mosaic *LT* unchanged, not critiquing or altering it.²⁶ In the only other “case law passage” incorporating an actual, accurate Law quote, Jesus’ adultery discussion (5:27–30), Jesus likewise criticizes not the quote but its misapplication—there contemporaries are inappropriately *narrowing* the application of the adultery command to the final, physical act only. Likewise, in his *LT* discussion Jesus is criticizing not the quote but its misapplication—here contemporaries were inappropriately *broadening* the application of the mosaic *LT* to various non-mosaic “theaters of dispute” in which they could unlawfully exercise greed and litigiousness “under the cover of” Moses.

Thus, the refusal of the contemporary follower of Jesus to attempt restitution in all three cases will involve both an affirmation of the authorial intent of the mosaic *LT*, and the rejection of sloppy, over-zealous misapplications of the mosaic *LT*. Compared side-by-side, Moses and Jesus push for a similar kind of response to different yet similar situations. The situations are different in that Jesus’ are foreign to the application of the mosaic *LT*, and are similar in that both Moses’ and Jesus’ test one’s impulse to exercise generosity *versus* angry retaliation. Moses called for rational limits to restitution in

²⁶ Jesus’ other critique calls for a generous *versus* minimalist or coerced response from the legal defendant (5:40). Interpreters have presumed a wide variety of backdrops for this legal or courtroom scenario, usually with minimal support provided. Generally interpreters presume that the defendant is innocent, that the defendant is poor and in ownership of two garments only, that the prosecutor is an unjust oppressor, and that the court is moving toward an unjust verdict. Most also presume that a loan and a cloak as loan pledge are at dispute. An unanticipated outcome of these several presumptions for their progenitors is that this scenario then, like the other three Jesus offers, has something to say about *misapplying* the *LT*, but nothing to say about *revising* or abrogating the *LT*, unfortunately for the point these interpreters are generally seeking to make. Moses never offered the *LT* as a guide for defendant behavior in court, nor as a tool for pre-empting either *anticipated* damages or *legal* damages, nor as a weapon for defendants seeking to combat unjust judges.

This writer suggests other significant weaknesses to these popular interpretations in an expanded discussion of Matthew 5:40 below. See Appendix B.

specified settings, and now Jesus is calling for generosity when a misapplication of the mosaic *LT* would be tempting.

The prior comments do not minimize the fresh significance of Jesus' critiques of mosaic *LT* misapplications and misrepresentations offered in 5:39–42. Besides instructing His hearers to cease misapplying the *LT*, he highlights the importance of an internal spirit of generosity that is to spill over to a variety of situations untouched by the mosaic *LT*—generosity after psychic damage, generosity in some or all court settings, generosity under governmental demands, and generosity in lending situations. Here again is a complete parallel to Jesus' handling of the adultery law: After accurately repeating the adultery command from the Law, Jesus does not revise it but rather highlights the importance of the internal battle against lust. After accurately repeating the mosaic *LT*, Jesus does not revise it but rather highlights the internal battle between greed and generosity in dealing with others.

All of these lexical observations inspired by the SAT are of course as accessible to the traditional grammatical-historical approach to Bible interpretation. As in most of the issues related to interpreting the Sermon on the Mount discussed above, the contribution of SAT to interpreting Matthew 5:38–42 is going to be limited, realistically, to the degree to which interpreters are failing to attend to the crucialities of discerning authorial intent and of observing the lexical data. But this failure will put them in noncompliance with the grammatical-historical method as much as with any SAT-based effort at interpretation.

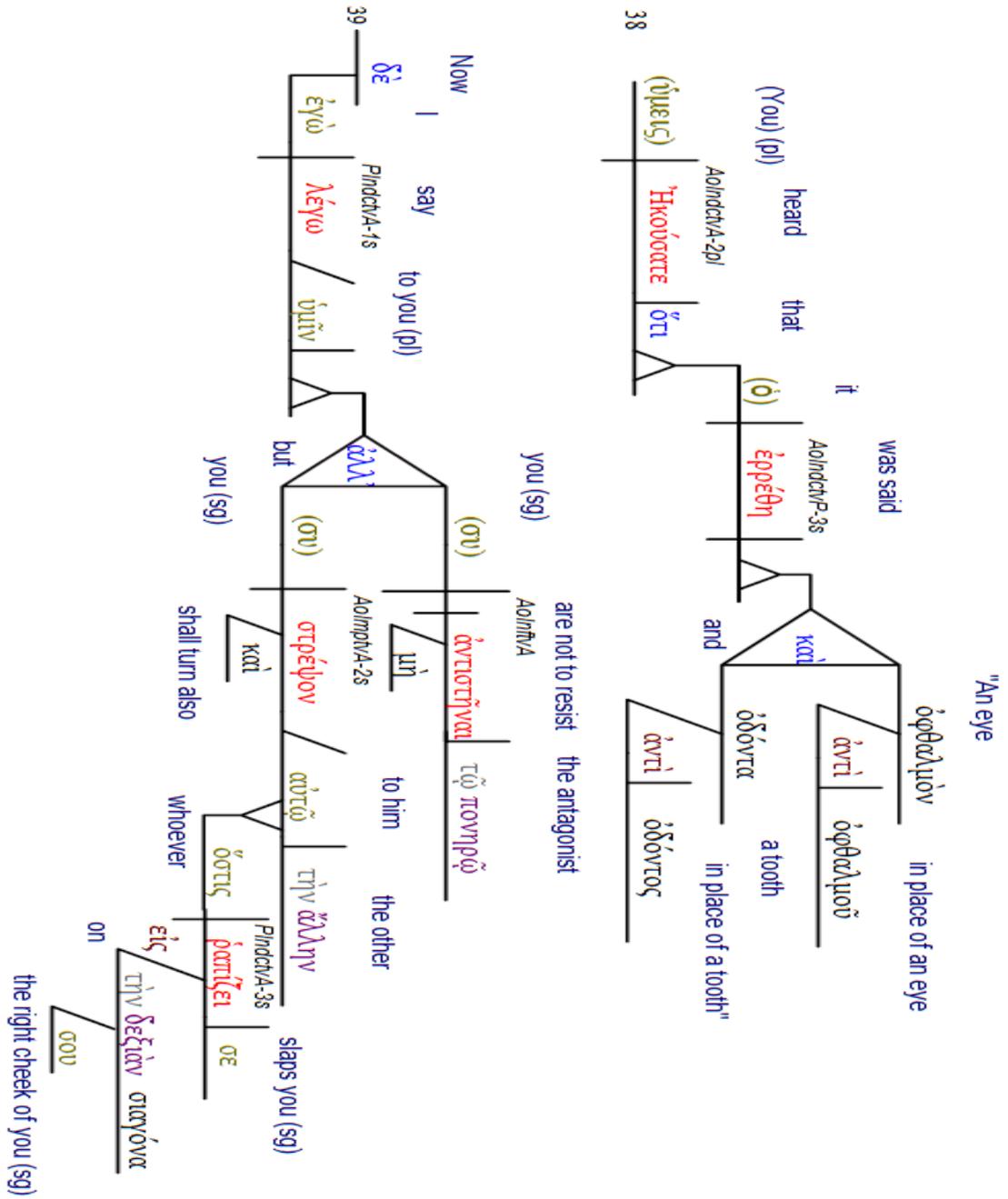
Conclusion

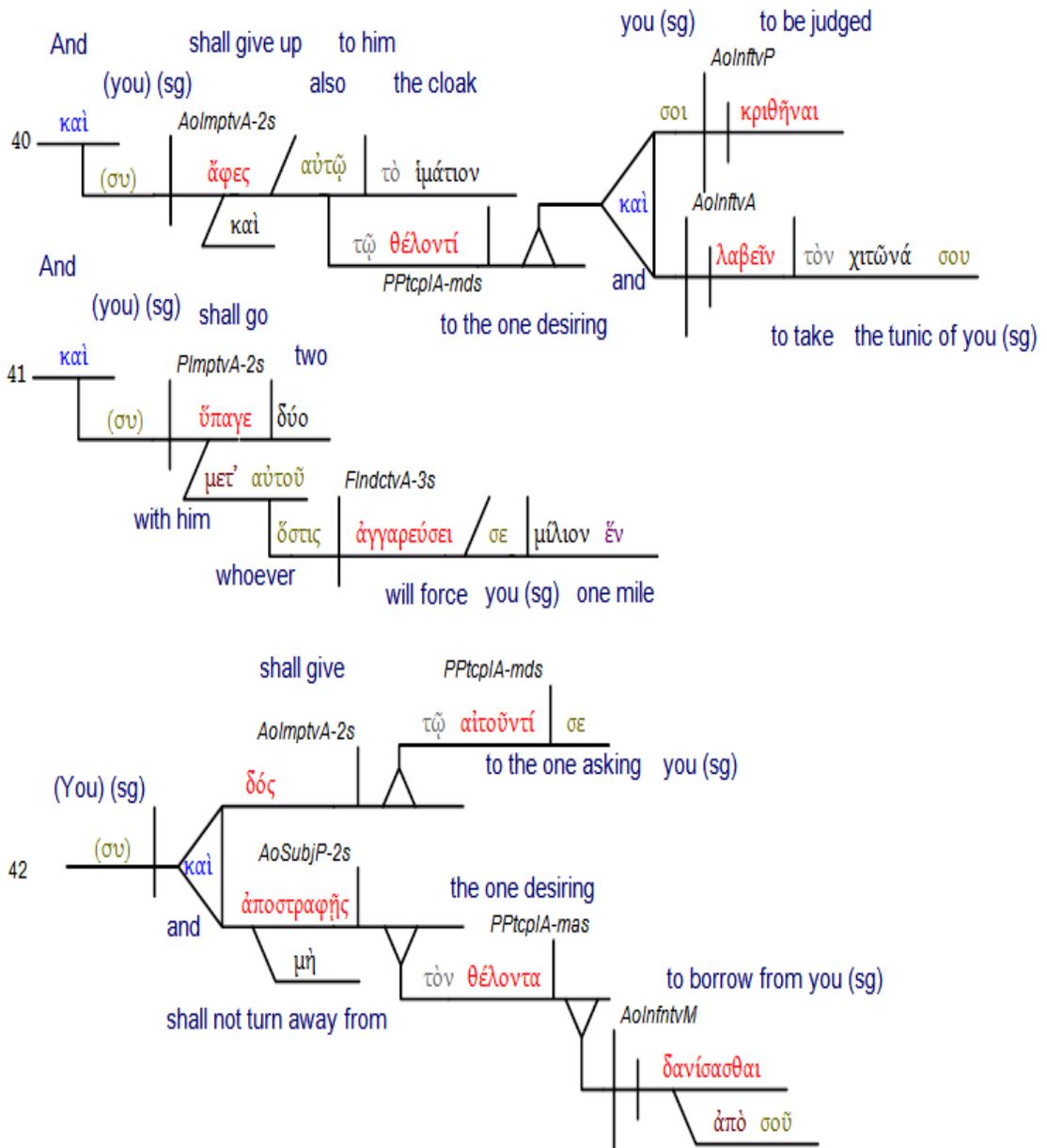
As an interpretational tool, speech act theory provides a reminder of the cruciality of ascertaining the author's intent for a valid interpretation. Outside of introducing the new terms *locution*, *illocution*, and *perlocution*, SAT does defend in a straightforward manner the reality of authorial intent being codified into every text, a characteristic perhaps most helpful to the interpreter recovering from "reader response" and other subjective approaches to interpretation.

The helpfulness of the reminder regarding the cruciality of authorial intent for proper interpretation will be in inverse proportion to an interpreter's commitment to the values and practices of the traditional, grammatical-historical method, which has always defended the cruciality of discerning authorial intent. The Matthew 5:38–42 passage sounds a cautionary note however: Bible interpreters may be vulnerable to allowing explicit, lexical data regarding the author's intent to recede behind the glare of theological pre-commitments or other agendas.

APPENDIX A

Sentence Diagram of Matthew 5:38–42, with English Glosses





APPENDIX B

Excursus: Additional Issues for Interpreting Matthew 5:40

The third of Jesus' four illustrations for countering the misapplication of Moses' *LT* is found in Matthew 5:40, dealing with the proper response of a lawsuit defendant in relationship to the *LT*. Though the sub-issues are complex, and no interpretation is without weaknesses, this verse receives egregious treatment from some popular interpretations, from the point of view of speech act theory and of the primacy of lexical data.

Constructing the backdrop for most popular interpretations²⁷ begins with presuming that the lawsuit defendant in view is the victim of an unfair demand from an oppressor, probably for an unreasonable loan repayment demand, and that the cloak mentioned is functioning as the loan pledge. Using that scenario, Jesus is intending then to instruct immediate listeners to volunteer up more than what is unfairly demanded of them, marking a repudiation of the mosaic *LT* by Jesus. Usually the commentator imagines that with this response from the victimized defendant, the oppressor will relent

²⁷ Walter Wink, Professor Emeritus of Biblical Interpretation at Auburn Theological Seminary, New York City and prolific writer on this passage, appears to be the origin for most presentations of this view during the last twenty five years. His clearest presentation may be in: Wink, "Neither Passivity nor Violence: Jesus' Third Way (Matt. 5:38-42 par.)," 102–25, the "third way" being a label for "active, nonviolent resistance" *versus* resistance or nonresistance (ibid., 103). It is a revision of a paper that first appeared in *SBL 1988 Seminar Papers* (Atlanta: Scholar's Press, 1988), 210–23. Wink's presentation appeared in popular form in "The Third Way: Reclaiming Jesus' Nonviolent Alternative," *Sojourners* 15, (December 1986), 28–33. Wink in fact deals with a single, hybrid passage rather than the Matthew 5:38–42 passage—he examines Matthew, Luke, *Q*, *Didache*, and the *Gospel of Thomas* and arrives at the "core sayings" for his study ("Neither Passivity nor Violence," 104).

in embarrassment, or if not, that at least the godly victim will have made a powerful point of some kind as he stands naked but unbowed.

The above view is as thinly supported by Scripture as it is popular. First, with this reading of Matthew 5:40, Jesus has failed to create a scenario to which mosaic restitution actually would have applied, if His intent was to critique and revise the mosaic *LT*. Moses did not offer the *LT* as the remedy for unfair treatment under a judge, nor for damage that is only being attempted rather than already past. The above view would be on more solid scriptural footing if, while continuing to assert that Jesus is describing a victim of legalized oppression, it recognized that Jesus is thus not calling for a mosaic *LT* revision, but is proscribing the misapplication of the *LT* to an invalid context in order to excuse one's parsimonious *versus* generous attitude.

Second, this view entails lexical confusion concerning the tunic and the cloak. The prosecutor in fact is not after the outer cloak, which should be the case if unlawfully gaining a loan pledge is at issue. In the passage the prosecutor is after the tunic, and the cloak is brought into play only by the defendant, with the prosecutor's counter-response unspecified by Jesus.²⁸ The view should properly be proposing a backdrop involving a prosecutor seeking a tunic, an item that bears no relationship to loans or loan pledges in Scripture.²⁹

²⁸ Luke (6:29) does reverse the order so that the cloak is now sought, and the shirt is now to be volunteered, as is fitting for a "cloak as loan pledge" backdrop. At the same time however, the lawsuit context, with its explicit "prosecutor" and "defendant" roles and implicit "judge" role, is now omitted. The immediate hearer or eventual reader provided the explicit lexical data in Luke's sermon will assume that the setting is the more typical loan transaction conducted in the marketplace rather than in the courts, though oppression or intimidation could certainly still be involved.

²⁹ Wink simply argues that Matthew is in error, and that Luke's order of *cloak* followed by *tunic* is the correct wording. But he begs the question, basing his decision on the premise yet to be established that Jesus' backdrop does indeed feature a loan pledge: "Matthew and Luke are at odds as to whether it is the outer garment (Luke) or the undergarment (Matthew) that is being seized. But the Jewish practice of giving the outer garment as a pledge (it alone would be useful as a blanket for sleeping) makes it clear that

Third, nowhere in the LXX or Greek NT (including here!), are cloaks, loan pledges, and law courts mentioned in the same discussion, such that mention of one would likely bring to mind a scenario involving all three without them being specified.³⁰ When loan pledges are discussed in these writings, the cloak is also mentioned in a minority of cases. When cloaks are discussed in these writings, the loan pledge is also mentioned in a minority of cases. Thus it is not clear at all that Jesus' reference to the "cloak" would have automatically brought to the listener's mind loans and loan pledges—not to mention the "pesky detail" that the setting for Jesus' scenario involves a lawsuit regarding a tunic, not a lawsuit regarding a cloak. Likewise, loan pledges and court settings are never linked verbally, either in this passage or elsewhere in the above documents. The only legal issue related to loan pledges that is mentioned in Scripture, whether anticipated in the Law or described elsewhere, concerns lenders holding a pledge, whether cloak or otherwise, for an illegal length of time—never does the OT or the NT describe the situation of the courts being used to force the *giving* of a pledge, unless one presumes that as the case in Matthew 5:40. The only indirectly-related example is found in Amos 2:8, a verse therefore badly "overworked" by commentators of Matthew 5:40—"On garments taken as pledges they stretch out beside every altar, And in the house of their God they drink the wine of those who have been fined" (2:8).³¹ Here the wealthy oppressors are misusing pledged cloaks, and separately getting drunk from

Luke's order is correct, even though he does not preserve the legal setting" ("Neither Passivity nor Violence," 106).

³⁰ To be more precise, "1½" of the three items are mentioned by Jesus—He mentions the item *cloak* in addition to the item *lawsuit*, but in the wrong position in His scenario (the *cloak* is in fact not sought after or even mentioned by the antagonist, but is volunteered later by the defendant in Jesus' scenario) for the cloak's involvement to support the interpreters' *cloak as loan pledge, at legal dispute* label as proper for the background to Matthew 5:40.

³¹ Horsley, "Ethics and Exegesis," 18; Wink, "Neither Passivity nor Violence," 106.

wine gained as ill-gotten legal fines.³² The passage does not state that the cloaks were gained in a court setting or even wrongly at all, but instead implies that they are unlawfully being held too long, or possibly being used to aid in idol-worship while being both gained lawfully and held lawfully. What are gained wrongly in a court setting are unlawful fines. Thus it is not clear at all that Jesus' reference to the courts and tunics would have automatically brought to the immediate listener's mind loans and loan pledges.

Fourth, the outcome in the popular scenario is a man standing in court nude or almost nude after giving up his only two garments, which doesn't fit well with the teachings of Jesus or Moses. Is the immediate listener really being challenged by Jesus to see this outcome as his goal, the endpoint to his proper response to oppression? Fifth, the conclusion that a nude person in court will shame the oppressor or the intimidated judge is naïve—the bulk of Moses' own discussions about the respectful treatment of those providing loan pledges assumes that some lenders will have no qualms with being disrespectful to borrowers.³³

Sixth, the popular view works from the unspoken assumption that, in spite of the fact that the *LT* instructs perpetrator and victim equally regarding the restitution process, and brings both parties into view, all four prescriptive illustrations from Jesus must put

³² Actually, Amos' stated problem with the wine gained as legal fines, is that it is being drunk in God's house, not that the wine was improperly gained. The claim that the fines were gained wrongly is a charitable assumption for the popular view regarding Matthew 5:40, defensible only via contextual implications from earlier in the passage.

³³ Wink even pictures a "victory parade" of neighbors following the naked man down the street, so that "the entire system by which debtors are oppressed has been publically unmasked" (Wink, "Neither Passivity nor Violence," 108). This writer wonders, however, whether an "unmasked" debt system would feel near as much discomfort as a still-penniless, now-foresore, naked man!

the Jesus-follower in the victim role only.³⁴ There are no lexical clues in the text to indicate that the defendant is innocent. Are followers of Jesus invulnerable to unintentionally damaging person or property? Do they need no direction as to what it means to be generous when they have been on the giving end of the damage? The unspoken assumption that the legal setting is only to be seen as one of unfair oppression, with the follower of Jesus never other than the oppressed, undeserving defendant, should be re-examined. It strikes this writer as more than a bit self-serving to the follower of Jesus.

Seventh, the scenario presumes that Jesus has an unjust, unlawful court setting in mind, rather than one pictured in and countenanced by the Law. Were the Law's guidelines for legal proceedings to be in mind for the listeners, which is an equally reasonable presumption given Jesus' recent endorsement of the least command of the Law (5:19), the backdrop Jesus provides takes on a very different character. Deuteronomy 19:15–21 indicates that lawsuits found to be either frivolous or false carry a great penalty to the antagonist. “Witnesses for the prosecution” that must be recruited for such a lawsuit have nothing to gain if the lawsuit succeeds and much to lose if a frivolous or false lawsuit is exposed—they gain nothing if their prosecuting friend wins, and they *each* owe to the defendant what their friend's lawsuit sought, if he loses! Given the likely rarity therefore of false or frivolous lawsuits when the Law is followed, and given the *LT* principle just reaffirmed by Jesus, the backdrop (*if* reflecting the Law) now communicates two elements: the defendant in the backdrop is presumed guilty (hopefully

³⁴ Wink states that every instruction in the passage is for “the poor and the powerless” (ibid, 103); Barbieri states that every instruction in the passage is for “the righteous” (Louis A. Barbieri, Jr., “Matthew,” in *The Bible Knowledge Commentary—New Testament*, ed. John F. Walvoord and Roy B. Zuck (Wheaton: SP Publications, 1983), 31.

unintentionally, as a follower of Jesus and Moses), and the defendant is presumed guilty of damaging or losing his neighbor's tunic. The proper response of the follower of Moses would have been to give up a tunic to his antagonist as lawful restitution, but if Jesus' backdrop presumes a lawful lawsuit, Jesus calls his immediate hearers to "over-obey" Moses by offering "over-restitution" in the form of a second, more valuable clothing item, the cloak, as well. Clearly then, the presumption within the popular scenario that a lawless lawsuit is known to be the backdrop for Matthew 5:40 requires careful support.

Eighth, the outcome of this scenario is that the godless oppressor is resourced with even more of the believer's God-given property than was unfairly demanded. This strategy seems to run directly counter to the call of Scripture for God's people to be the best stewards possible of all the resources God has given them, as in Mathew 24:42–25:46; Luke 12:35–48; 16:10–12; Romans 14:4, 12; 1 Corinthians 3:8–17; 4:1–2; and Colossians 1:7; 4:7, 17.³⁵

The one clear strength to the view is that it does have the verse illustrate living from a position of generosity, consistent with the other three prescriptive illustrations in the passage (5:39, 41, 42). Even here however, a question arises: Is it proper to characterize the offering to godless, powerful persons of more ill-gotten gain than even they are seeking, as *generosity*? Some confusion often arises at this point, when the discussion moves to the misplaced claim to "rights" for the follower of Jesus.³⁶ While it

³⁵ Some commentators pass over this issue, while others acknowledge the apparent contradiction and use the latter list of passages to limit the "hyperbole" of Jesus in Matthew 5:40. Blomberg and R. T. France are examples of the latter (*Matthew*, 114; R. T. France, *Matthew: Evangelist and Teacher* [Grand Rapids: Zondervan, 1989], 126).

³⁶ D. A. Carson comments: "What Jesus is saying in these verses, more than anything else, is that his followers have no rights. They do not have the right to retaliate and wreck their vengeance (5:39, they

is true that followers of Jesus have no rights to retaliation (5:39), to “their” possessions (5:40), and to “their” time and money (5:41,42) as God’s steward, they may also have no “right” to squander as God’s steward any of what God has placed in their care by way of misplaced “generosity.” If Jesus is in fact prescribing the giving away to oppressors more of what one has than even they demand, as this view suggests, Matthew 5:40 certainly contains the most opaque of the prescriptive illustrations Jesus has offered in the passage regarding generosity.

do not have the right to their possessions (5:40), nor to their time and money (5:41f). Even their legal rights may sometimes be abandoned” (*Jesus’ Sermon on the Mount and His Confrontation with the World* [Grand Rapids: Baker], 55).

One could ask, why would one only *sometimes* abandon their legal rights, in this line of thinking? Why does Carson hold back, contra the tenor of the passage? The depersonalizing void that would be created by abandoning *all* rights need not be hedged or moderated to maintain some modicum of respectability or “personhood.” What is lacking in this line of thinking is solved as follows: the void created by an abandoning of *all* of one’s rights, as is biblically proper contra Carson, is to be replaced by a responsibility to be a good steward of *all* that has been placed under one’s care by God. There is no need to argue for the maintaining of *some* rights, when the all-encompassing stewardship responsibilities placed by God upon believers are properly included in the discussion.

APPENDIX C

An Overview of Speech Act Theory³⁷

Richard Young is an evangelical who has written about the benefits of speech act theory for Greek exegesis. For him and others, interest in the theory has arisen from a desire to give due attention to the authorial intent that is encoded within the text:

“There needs to be more attention given to a speaker’s intent when interpreting what any utterance means. Both the propositional content of what is said and how the speaker uses the words have direct bearing on the proper understanding of an utterance. If a hearer simply decodes the propositional content in the question “Can you pass the salt?” he might respond with an affirmative answer rather than the desired action. He would not have understood what was said because he did not consider the intent of the speaker. . . . If the fellow picking daisies on the other side of the fence recognized only the propositional meaning of “There is a bull in the field,” he would probably end up being gored. He may have been able to parse every word and to look up the meanings in a lexicon, but he would have failed to understand because he missed the intent.³⁸

Young provides a concise summary of the theory:

Two pioneers of speech act theory are J. L. Austin³⁹ and John R. Searle.⁴⁰ Their basic thesis is that people actually perform acts by using speech patterns. Austin begins by saying that there are a number of utterances that are not reports about reality and therefore not subject to being true or false. Instead, these utterances are actions (e.g., “I name this ship Queen Elizabeth,” or “I bet you a dollar it will rain tomorrow”). By making the utterance the speaker is actually performing the action. Such use of language is termed “performative.” Thus, Austin theorizes, language may be used either to say something about reality (constative utterance) or to do something (performative utterance).⁴¹

³⁷ Fredrickson, “Contributions of Speech Act Theory to the Defense of Biblical Inerrancy,” 4–6.

³⁸ Young, “A Classification of Conditional Sentences Based on Speech Act Theory, 34, 39.

³⁹ J. L. Austin, *How To Do Things with Words*, 2nd ed., eds. J. O. Urmson and Marina Sbisa [Cambridge: Harvard University, 1962].

⁴⁰ Searle, *Speech Acts: An Essay in the Philosophy of Language*.

⁴¹ Young, “A Classification of Conditional Sentences Based on Speech Act Theory,” 35. Young goes on to say that “Austin himself came to reject this distinction since even statements about reality can be expressed using a performative verb, ‘I hereby state that X.’ Thus all utterances are performatives.” Young continues, “However, it is Searle’s classification of speech act types which is more commonly accepted today, but even his scheme is not without opponents. According to Searle (*Expression and Meaning* [New

Kevin Vanhoozer explains, “Austin distinguished three components of the total speech act: (a) the *locutionary act* ‘is roughly equivalent to “meaning” in the traditional sense,’ (b) the *illocutionary act* is what we do *in* saying something, and (c) the *perlocutionary act* is ‘what we bring about or achieve *by* saying something, such as convincing, persuading’.”⁴² Vanhoozer is perhaps clearer when he describes the locution of a speech act as its “propositional content.”⁴³ Greg Allison is helpful in differentiating the locution and illocution by laying out a schema of five utterances capturing a single locution but five illocutions:

1. Jesus Christ has come again.
2. Jesus Christ, come again! (God speaking)
3. I, Jesus Christ, will come again.
4. Oh! Jesus Christ has come again!
5. Jesus Christ hereby comes again. (God speaking; at this utterance, Jesus Christ returns.⁴⁴

The illocutions represented above are, in order: an assertion, a command, a promise, an “expressive,” and a declaration. Young is helpful in differentiating the illocution and the perlocution:

“Performatives can carry a certain *force* (rebuke, warning, etc) or can achieve a certain *effect* (conviction, persuasion, etc). The first is called an *illocutionary act*

York: Cambridge University, 1979] 1–29) there are five types of utterances: (1) *assertives*, which commit the speaker to the truth of the expressed proposition (e.g., assert, conclude, affirm); (2) *directives* by which the speaker attempts to get the hearer to do something (e.g., request, question); (3) *commissives*, which commit the speaker to some future course of action (e.g., promise, offer); (4) *expressives*, which express a psychological state (e.g., thanking, apologizing); and (5) *declarations*, which affect immediate changes in the state of affairs (e.g., declaring war, christening, excommunicating). B. Fraser (‘Hedged Performatives,’ in Peter Cole and Jerry L. Morgan, *Speech Acts, Syntax and Semantics*, vol. 3 [New York: Academic Press, 1975, 187–210) groups speech acts into eight categories based on speaker’s intent.”

⁴² Vanhoozer, “The Semantics of Biblical Literature,” 86. Both internal quotations are from Austin, *How to Do Things with Words*, 109, emphasis his.

⁴³ Kevin J. Vanhoozer, *Is There a Meaning in this Text* (Grand Rapids: Zondervan, 1998), 208, 218.

⁴⁴ Allison, “Speech Act Theory and Its Implications for the Doctrine of the Inerrancy/Infallibility of Scripture,” 7.

(e.g., “He urged me to shoot her”) and the second is called a *perlocutionary* act (e.g., “He persuaded me to shoot her”). If an illocutionary act fulfills all its necessary conditions, it will produce in the hearer a recognition of the intent of the utterance (emphasis mine).”⁴⁵

An example from biblical hermeneutics, of the descriptive power of speech act theory: Instructors recognize that for students to properly interpret the Psalm 2:1 text “Why are the nations in an uproar And the peoples devising a vain thing?” they must recognize that while the locution suggests a question, the illocution is that of a stern assertion, or expressive perhaps. In keeping with the tenets of speech act theory, instructors hold that the authorial intent for Psalm 2:1 has not been captured until both locution *and* illocution have been properly identified (whether or not they use such terminology). This is so much clearer an explanation than speaking of rhetorical questions as “questions that aren’t really questions,” etc. As well, speech act theory’s requirement to identify the text’s perlocution, here perhaps a repentance from self-rule, combats the tendency of both hermeneutics instructor and student to hurry past the application discussion.

⁴⁵ Young, “A Classification of Conditional Sentences Based on Speech Act Theory,” 36. As noted in footnote 40, for later Austin and for Young, “performative” describes all texts including assertions.