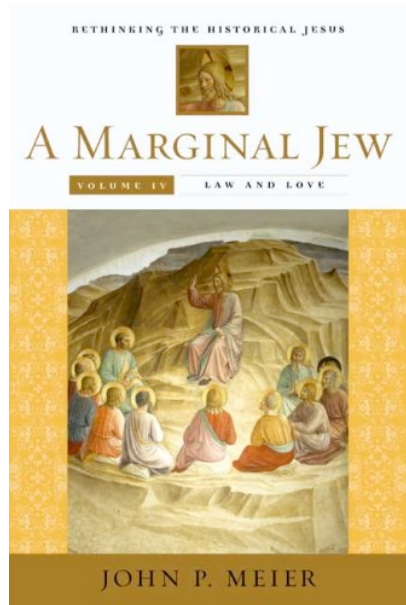


RBL 04/2010



Meier, John P.

***A Marginal Jew: Rethinking the Historical Jesus,
Volume 4: Law and Love***

Anchor Yale Bible Reference Library

New Haven: Yale University Press, 2009. Pp. xiii + 735.
Hardcover. \$55.00. ISBN 0300140967.

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“Every other book or article on the historical Jesus and the Law has been to a great degree wrong” (2). This is John Meier’s bold claim in his introduction to the long-awaited fourth and penultimate volume of his detailed discussion of the historical Jesus. Steering between Sanders’s positive assessment and those claiming that Jesus rejected Torah, Meier argues for a differentiated approach that explains how Jesus could both affirm the law “and yet in individual cases or legal areas (e.g., divorce and oaths) teach and enjoin what is contrary to the Law” (3). The introduction is replete with observations on the complexity of the Jewish material, not least the Qumran material from Cave 4, the Pseudepigrapha, Philo and Josephus, caution about use of later (rabbinic) sources, and the difference between historical reconstruction employing well-established criteria and faith-based portrayals. It also discusses the range of meaning of Torah and the phenomenon that incidental allusions (divorce) and ad hoc rulings (Sabbath warfare) could later be deemed commands of Torah.

On divorce, Meier notes that, despite the sparseness of biblical references and the incidental allusion in Deut 24:1–4 concerned with defilement, it should be seen as a widely used male prerogative and as broadly permissive—as reflected in the textual tradition of Mal 2:16 and in Philo and Josephus. He notes, though gives too little weight

to, Philo's moral qualification and repeats the valid observation that Qumran literature also assumes the validity of divorce, despite very different conclusions drawn when not all of the material was available. Multiple attestation of a prohibition of divorce in Paul, Q, and Mark and in the Markan anecdote and its lack of parallel and significant precedent support seeing here a stance of the historical Jesus. Meier rejects locating it in the context of debate between the houses of Shammai and Hillel on the grounds of uncertain dating, although early rabbinic discussion of the wording of the divorce certificate may suggest that the issue was alive in Jesus' day. I am not convinced that one should make as much of the use of "command" and "permit" in the anecdote as he does, where "permit" refers to divorce and "command" to the certificate. What he sees as Jesus' unthinkable, absolute prohibition of divorce does not warrant the claim that Jesus abrogated or annulled Mosaic law but, he argues, calls for explanation. He mentions but does not develop the observation that others, too, radically rewrote biblical law, and notes that others, too, appealed to Genesis. Instead, Meier opines that Jesus' self-understanding as an eschatological prophet may explain his stance. Meier is confident that the exception clauses in Matthew are the author's or his tradition's mollification of the original. Discussion of Roman law mandating divorce would have been helpful here, and some treatment of the phenomenon reflected already in Deut 24:1-4, that intercourse with another rendered a woman unclean for her husband, attested also in Jub. 33:9; Test. Reub. 3:15; and Genesis Apocryphon 20.15, and probably assumed also in the infancy narrative of Mary and Joseph. Arguably, the exception clause simply spells out what all assumed.

Next Meier makes the case that the prohibition of oaths, doubly attested in Matt 5:34-37 and Jas 5:12, derives from Jesus and has no parallel in Judaism of the time. It is his second piece of evidence that Jesus "presumed to revoke some institution or command of the Mosaic Law" (205), explaining it again as "probably another example of the eschatological prophet proclaiming the rules of conduct binding on those who already live proleptically in the kingdom of God" (206). He asks whether we find Jesus "revoking the Law in other areas" (206). The term "revoking" is unfortunate but follows Meier's preference for depicting Jesus as revoking laws rather raising them to a higher level of strictness, which necessarily sets some provisions aside. Although he notes them, Meier attributes too little significance to the report in Josephus on Essenes who having sworn an oath to enter their community then disdained oaths, regarding them as worse than perjury (*B.J.* 2.135). There is no evidence that rejecting oaths shocked anyone in Jesus' setting, let alone was a marker of Jesus' stance toward Torah, because, as Meier acknowledges, many in the movement, including Paul, continued using oaths. This even raises questions of credibility that, unlike the prohibition of divorce, it derived from Jesus at all.

Meier's extensive discussion of Jesus and the Sabbath concludes that we have little of Jesus' halakah on Sabbath. Earlier in his multivolume work he argued that the anecdotes

about healing on the Sabbath were secondary (except those in John, but originally with no link to the Sabbath). Evidence of Jewish legal issues about healing on the Sabbath are late. The sayings now secondarily included in anecdotes (Matt 12:11 // Luke 14:5; Luke 13:15) may, he suggests, reflect a Jesus keen to protect ordinary people from extreme restrictions of Essenes or some Pharisees. He finds the core of Mark 2:23–28 in 2:23–26 with its muddled allusion to David at Nob in 2:25–26 and what he sees following Sanders as its unbelievable opening scene (especially for Midwest Americans, I think), as unlikely to be authentic. Then he concludes that 2:27, to “be understood as a ‘dialectical’ or ‘relative’ negation typical of Semitic speech” (284), is a likely addition but possibly authentic and that 2:28, the christological trump card matching 2:10, reflects Christian hands. Seeing 2:27 as the original response to 2:23–24, which was not about hunger, supplemented by the biblical proof in 2:25–26 and capped by 2:28, I still find more convincing.

The discussion of purity necessarily focuses on Mark 7:1–23 and 7:15 in particular. Meier follows a careful discussion of types of purity law with an exegetical treatment of the passage, deconstructing its parts. The attack on abuse of corban could well be authentic; the rest, he argues, is not. That includes 7:15, which he conjectures must be a Christian creation some time after Rom 14:14 in the context of conflict over food laws. Making historical sense of an absolute rejection of food laws is scarcely possible in Jesus’ own context and all the more difficult given his disciples’ subsequent uncertainty about how to handle the issue. The alternative, which I consider more probable, is that we apply to 7:15 what Meier applies to 2:27, namely, that it reflects what was originally an inclusive contrast, along the lines of saying that not so much what comes in as what comes out makes one unclean, with a possible playful allusion to the literal. His grounds for ruling this out are not convincing. Dismissing possible historicity behind the dispute rests in part on rejecting explanations proffered thus far based on later rabbinic tradition especially by Booth about how hands might contaminate food. More attention needs to be given, however, to what recent archaeology shows us about the proliferation of concern about washing reflected in immersion pools but also in the abundance of stone jars in settlements of lower Galilee. Like those in the Cana anecdote in John, they probably provided water for such needs as ritual washing before eating. Meier’s discussion expands to include a range of other purity issues, including the possible role of corpse impurity (reflected albeit metaphorically in Matt 23:27–28 // Luke 11:44; Matt 23:25–26 // Luke 11:39–41), female genital flow (Mark 5:35–34), menstruation, seminal emission, and so-called leprosy. For Jesus these were “not an issue at all” (415), though one might add that flouting such concerns is also scarcely credible. Meier concludes again that Jesus’ stance is best understood as that of a charismatic prophet who “knows what he knows because he has, as it were, a direct pipeline to God’s will” (415).

The final chapter, on the love commandments, argues the case that the juxtaposition of Deut 6:4–5 and Lev 19:18b word for word in Mark 12:28–34 (using what would later become known as the method of *gēzērâ šāwâ*) is without precedent and parallel in Jesus' world and has a strong claim to reflect Jesus' own creative exposition of Torah. I think he somewhat miscues in declaring the passage an “odd duck” (484) within the Jerusalem cycle, perhaps because he does not pick up the passage's connections with the temple theme that runs through Mark 11–13. Similarly, Meier's reading that Mark wants to say one and only one scribe came forward does not convince. The extensive discussion of contemporary sources is important, though he misses the echo of Deut 6:4–5 in Jub. 1:15–16 and in discussing the Testament of the Twelve Patriarchs overlooks Test. Naph. 8:7–9, which has both commandments and emphasizes their sequence (but quite possibly under Christian influence). He sees both the dialogue and its setting as historically plausible. A similarly detailed review of extant sources accompanies discussion of the terse “Love your enemies” and the Golden Rule. The latter, he demonstrates, predates Jesus. It is uncertain that Jesus ever used it, and it falls short of his teaching on love. The closest to the command to love enemies is the common advice to leave vengeance to God, but this is not at all the same as what Jesus demands here.

Meier's conclusion begins by deploring the lip service given in recent accounts by fellow Americans to the recognition of Jesus as a Jew, a theme that scholars such as Vermes, Charlesworth, Sanders, and Neusner “have hammered [an overused word throughout] home” since the 1970s. He declares: “No halakic Jesus, no historical Jesus” (628). This seems like overreaction, given that material at hand is “distressingly sparse and scattered” (652) and that much of what the tradition preserved shows halakic objections to Jesus' deeds as intrusive distractions. He rightly cautions against imposing a system of ethics from Matthew on Jesus—or even imposing one on Matthew. Not everything in Jesus can be reduced to kindness—especially the prohibitions of divorce and oaths. But nor am I convinced that we can depict Jesus as primarily the charismatic whose “Amen I say to you” carries the tone “it's so because I say it is so” (655). Meier signals what is to come in future volumes in what seems initially as a highly speculative construction of Jesus that sets him in the frame of Elijah to come.

Perhaps in the next volume we will find attention to Jesus' attitude toward the temple, which some see as proof par excellence that Jesus set Torah aside by dismissing the temple or at least its cult. A complete discussion must include Jesus' attitude toward the temple cult, since it is a major theme of Torah. Similarly, more discussion of what Jesus did in his ministry and its bearing on Torah and Jesus' interpretation of it would enrich the account. There might be more networks of coherence than Meier's valid deconstruction of systems imposed on history has allowed. It may show a Jesus more acceptable within the margins of Judaism as an advocate of enhanced strictness in core obedience than

Meier's image of one whose teaching on divorce and oaths allegedly so shocked and upset his contemporaries as revoking parts of Torah, for which response we lack evidence. Evidence is more forthcoming when people are deemed to advocate lenience, as subsequent history and tradition (about Sabbath, circumcision, and food laws) make clear.

Not as right as his opening bold claim asserts, Meier's volume on Jesus and the law is a rich discussion, providing a major resource for some of the main issues, and continues an immense work of scholarship that will benefit scholars and students alike for decades to come.