

MATTHEW 23:2–4:
DOES JESUS RECOGNIZE THE AUTHORITY OF THE
PHARISEES AND DOES HE ENDORSE THEIR *HALAKHAH*?

NOEL S. RABBINOWITZ*

Despite more than two centuries of scholarship, Matt 23:2–4 continues to vex many NT scholars. How can Jesus command his disciples to practice all that the scribes and Pharisees teach, while at the same time accusing the Pharisees of hypocrisy and of invalidating the word of God for the sake of their traditions? This dilemma leads Claude Douglas to conclude, “Either we must admit that here Jesus greatly exaggerates the facts or else he contradicts himself.”¹

There is, we believe, a better solution to this seeming contradiction. The purpose of this paper is to suggest that Jesus does affirm the authority of the Pharisees and that for this reason he endorses their exposition of the Torah and their halakhic teachings *in principle*. This is not a blanket endorsement of all their teachings, but a qualified affirmation of the Pharisees in their role as teachers of the Law of Moses.

I. DOES JESUS AFFIRM THE AUTHORITY OF THE PHARISEES?

Matthew 23:2 is indeed remarkable in light of the fact that throughout Matthew’s Gospel, Jesus is clearly in opposition to the Pharisees. He rebukes them for invalidating the word of God for the sake of their traditions (Matt 15:1–7) and calls them “fools” (Matt 23:17), “hypocrites” (Matt 15:6; 23:29) and “blind guides” who lead people astray (Matt 15:14; 23:16, 24).

How are we to square Jesus’ clear and unequivocal repudiation of the Pharisees and their teachings with Matt 23:2? We are faced with the difficult but important task of reconciling these two apparently conflicting realities.

1. *The “Seat of Moses.”* Our first order of business must be to determine the meaning of the phrase “the Seat of Moses” (τῆς Μωϋσέως καθέδρας). The precise meaning of the term remains a subject of much debate among scholars. Resolving this question is important, because it has direct bearing upon our understanding of the Pharisees authority and influence in Second Temple Judaism. If Jesus uses “the Seat of Moses” pejoratively, this weakens the

* Noel Rabbinowitz is a doctoral student at The Southern Baptist Theological Seminary, 2825 Lexington Rd., Louisville, KY 40280.

¹ Claude C. Douglas, *Overstatement in the New Testament* (New York: Henry Holt and Company, 1931) 90.

argument that the Pharisees exercised any real, or at least any legitimate, authority within the religious and social life of Israel. If, however, he uses the term positively, or as a statement of fact, this strengthens our conviction that the Pharisees had become the authoritative interpreters of the Torah and that their *halakhic* decisions were accepted by most people within Israel.

No less than four interpretations of “the Seat of Moses” have been proposed: (1) the Seat of Moses was an actual piece of synagogue furniture upon which authorized interpreters of the Torah sat;² (2) the expression is a metaphor referring to the fact that the Pharisees had assumed the role of being the Law’s interpreters;³ (3) “the Seat of Moses” was a specially designed chair (used as a stand) upon which the Torah scroll was placed when not in use during the synagogue service;⁴ and (4) the expression refers to the social position of the Pharisees as those who control access to the Torah.⁵

Davies and Allison conclude that it is impossible to determine what “the seat of Moses” means with any degree of certainty.⁶ In our opinion, however, this conclusion is unwarranted. The evidence seems to indicate that our first suggestion is correct—the seat of Moses was an actual piece of synagogue furniture upon which teachers of the Torah sat.⁷ Stone seats, which were positioned so that their occupant sat facing the congregation, have been found in synagogues at Chorazin, En Gedi, and Hammat Tiberias, and in Diaspora synagogues at Delos and Dura-Europos.⁸

In an important study published in 1934, Eleazar Sukenik identified the structures found at Hammat, Chorazin, and Delos as synagogues and identified the stone chairs found in their ruins as the seat of Moses referred to in Matt 23:2.⁹ Sukenik later reversed himself regarding the Delos structure, but many within the academic community remain convinced that this first-century structure was in fact a synagogue.¹⁰

² G. C. Newport, “A Note on the ‘Seat of Moses,’” *AUSS* (1990) 53–58; see also Donald A. Hagner, *Matthew 14–28* (WBC 33B; Dallas: Word, 1995) 659.

³ Craig S. Keener, *A Commentary on the Gospel of Matthew* (Grand Rapids: Eerdmans, 1999) 541.

⁴ L.Y. Rahmni, “Stone Synagogue Chairs: Their Identification, Use and Significance,” *IEJ* 40 (1990) 192–214; Cecil Roth, “The ‘Chair of Moses’ and Its Survivals,” *PEQ* 81 (1949) 100–111.

⁵ Mark Powell, “Do and Keep What Moses Says (Matthew 23:2–7),” *JBL* 114 (1995) 419–35.

⁶ W. D. Davies and Dale C. Allison, Jr., *Matthew* (ICC 3; Edinburgh: T & T Clark, 1997) 268.

⁷ E. L. Sukenik, “The Seat of Moses in Ancient Synagogues,” *Tarbiz* 1 (1930) 145–51; I. Renou, “The Seat of Moses,” in *The Synagogue: Studies in Origins, Archaeology and Architecture* (New York: KTAV, 1975) 233–38; Newport, “A Note on the ‘Seat of Moses’” 53–58; D. A. Carson, *Matthew 13–28* (EBC; Grand Rapids: Zondervan, 1995) 472.

⁸ Newport, “A Note on the ‘Seat of Moses’” 53–54.

⁹ E. L. Sukenik, *Ancient Synagogues in Palestine and Greece* (Oxford: The University Press, 1934) 57–69.

¹⁰ E. L. Sukenik, “The Present State of Ancient Synagogue Studies,” *Bulletin of the Lewis M. Rabinowitz Fund* 1 (1949) 21–53. The Delos building continues to be identified as a synagogue by such scholars as G. Foerster, “A Survey of Ancient Diaspora Synagogues,” in *Ancient Synagogues Revealed* (ed. Lee I. Levine; Jerusalem: Israel Exploration Society, 1981) 166; E. R. Goodenough, *Jewish Symbols of the Greco-Roman Period* (New York: Pantheon, 1965) 2.71–75; and L. Michael White, “The Delos Synagogue Revisited: Recent Fieldwork in the Graeco-Roman Diaspora,” *HTR* 80 (1987) 133–60.

The discovery of these three chairs, in addition to the two unearthed at En Gedi and Dura-Europos, bolsters our conviction that the "Seat of Moses" was a physical seat upon which the Pharisees sat. While the archaeological evidence is modest, it nevertheless supports a literal interpretation of Jesus' statement.

This view is, of course, not without its critics. Cohen disputes the identification of these stone chairs as physical symbols of Pharisaic authority. He points out that few of these objects have been found and notes that they all post-date Matthew's Gospel by at least 150 years.¹¹ In our opinion, these arguments do not cast sufficient doubt upon the evidence.

All archaeological evidence for synagogues of this period is minimal.¹² In addition to the fact that later building projects destroyed many of the buildings from this period, the synagogues of this era were likely housed in unadorned rooms. Moreover, the Seat of Moses, along with the Torah shrine and the rest of the synagogue's furniture, was probably made of wood. It is unlikely that any of these objects would have survived the test of time.¹³

The fact that only a handful of chairs have been discovered does not disprove that many of them existed in the first century. The white limestone chair discovered at Hammat-Tiberias no longer exists. Sukenik himself suggested that the chair be removed from the synagogue and preserved. No action was taken, however, and the chair has since vanished.¹⁴ It is reasonable to assume that many such chairs met a similar fate.

The second proposal disregards the archaeological evidence and concludes that the Seat of Moses is simply a metaphor used to express the fact that the Pharisees have assumed Moses' teaching authority.¹⁵ Keener writes that the Pharisees having seated themselves in Moses' seat probably means, "that they have adopted the role of the law's interpreters, since instructors sat to teach."¹⁶ Roth assigns a very negative connotation to the metaphor and asserts that to sit in the seat of Moses was "a symbol of intellectual arrogance."¹⁷ Viviano suggests that the seat of Moses is "veiled allusion" to the rabbinic academy of Yohanan ben Zakkai at Yavneh.¹⁸

¹¹ Shaye J. D. Cohen, "Were the Pharisees and the Rabbis the Leaders of Communal Prayer and Torah Study in Antiquity? The Evidence of the New Testament, Josephus, and the Early Church Fathers," in *Evolution of the Synagogue: Problems and Progress* (Harrisburg, PA: Trinity Press International, 1999) 95.

¹² Zvi Ma'oz, "The Synagogue of Gamla and the Typology of Second-Temple Synagogues," in *Ancient Synagogues Revealed* 35; E. Yamauchi, "Synagogue," in *DJG* 783.

¹³ Ma'oz, "The Synagogue of Gamla" 35.

¹⁴ E. L. Sukenik, "The Seat of Moses in Ancient Synagogues," *Tarbiz* 1 (1930) 148, n.; Rahmani draws attention to this fact ("Stone Synagogue Chairs" 193, n. 14).

¹⁵ Carson, *Matthew* 473.

¹⁶ Keener, *Gospel of Matthew* 541.

¹⁷ Cecil Roth, "The 'Chair of Moses' and Its Survival," *Palestine Exploration Quarterly* 81 (1949) 110.

¹⁸ Benedict T. Viviano, "Social World and Community Leadership: The Case of Matthew 23:1-12, 34," *JSNT* 39 (1990) 11.

Whether a statement of fact or a sarcastic barb, the expression remains a metaphor for Pharisaic authority. Views one and two are therefore compatible in that they both take “the Seat of Moses” to refer to the authority of the Pharisees as teachers of the Torah.¹⁹

The third suggestion maintains that the Seat of Moses was actually a receptacle for the Torah scroll.²⁰ Roth cites a custom employed by the large Jewish community in Rome during the sixteenth century. When not in use during the synagogue service, the Torah scroll was placed in a “chair” which he identifies as the Seat of Moses. Holes were drilled into the seat of the chair, and the staves of the Torah scroll were inserted into these holes to secure the Torah firmly in place. To this evidence Roth adds the description of an eighteenth-century Chinese synagogue said to contain a similar “seat of Moses.”

Roth notes that the Hammath synagogue chair also has holes drilled into its seat. He therefore suggests that this chair was used to hold the Torah scroll in precisely the same way as the Roman and Chinese synagogue chairs.

This evidence, however, is not substantial.²¹ There is no evidence linking these much later chairs with the large stone chairs in question. Roth himself concedes that the Roman chairs are small and not wide enough to seat a person comfortably.²² More importantly, only the Hammath chair actually contained these all-important holes. Compounding this problem is the fact that these holes were not evenly spaced, thus making Roth’s theory all the more unlikely.²³

Three holes occur in a row across the width of the seat’s surface with two smaller holes located near the first hole on the right hand side. A sixth hole occurs on the front edge of the seat’s lip.²⁴ The depth of each hole is unknown. While we do possess a drawing of the chair, no photograph was taken of the chair before its disappearance. This, of course, compounds our difficulty. Nevertheless, even from the drawing it is clear that the chair was in bad condition and had undergone substantial decay. The holes appear more like large pockmarks than they do holes intentionally drilled into the seat’s surface.²⁵ These observations lead us to believe that chair’s holes were probably unintentional and very likely occurred as a result of either direct damage to the seat’s limestone surface or simply erosion due to the passage of time. Moreover, into which of three larger holes would the staves of the scroll have been inserted? While all suggestions remain speculative at best,

¹⁹ Mark Powell, “Do and Keep What Moses Says (Matthew 23:2-7),” *JBL* 114 (1995) 430.

²⁰ Roth, “The ‘Chair of Moses’ and Its Survivals” 110–11.

²¹ Newport, “A Note on the ‘Seat of Moses’” 57.

²² Roth, “The ‘Chair of Moses’ and Its Survivals” 104.

²³ Renov, “The Seat of Moses” 236.

²⁴ For the drawing of the chair, see Sukenik, *Ancient Synagogues* 59. The drawing also appears in Rahmani’s study along with an extremely detailed description of the chair (“Stone Synagogue Chairs” 192–97).

²⁵ I am indebted to Prof. Joel Drinkard for his insightful remarks to me regarding these holes in light of the archaeological evidence.

it is very unlikely that the seat discovered at Hammath-Tiberius was a stand used to hold the Torah.

Such seats may very well have existed in the third and fourth centuries. However, even Rahmani, who eruditely defends this theory, concedes that they would have existed in only a small number of congregations. Even if such seats of Moses did exist, their use does not preclude the existence of an altogether different kind of “Seat of Moses.”

The final suggestion proposed by Powell seems even less likely. He also believes that “the Seat of Moses” is a metaphor used by Jesus to describe the Pharisees’ role within the synagogue. He concludes, however, that the expression refers not to their authority to interpret the Torah but “to their social position as people who control accessibility. They are the ones who possess copies of the Torah and are able to read them. They are the ones who know and are able to tell others what Moses said.”²⁶

This view is intriguing, but somewhat implausible. It is unlikely that Matthew’s messianic community would be *completely* dependent upon the Pharisees for their access to the Scriptures. Furthermore, the reading of the Torah did not take place in a vacuum. The synagogue was a focal point of Jewish life. It is therefore inconceivable that a person could hear the Torah read without being influenced by its exposition as well. In addition, there is (at times) a fine line between what constitutes “reading” and what constitutes “interpreting” the text of Scripture.

In support of his thesis, Powell points out that most people were illiterate and that copies of the Torah were not plentiful. It is difficult to believe, however, that the disciples fit into this category. Matthew, as well as John and Peter, were clearly literate, and each demonstrates a thorough knowledge of the Torah. Would Jesus leave the first community of believers in the hands of those who had no direct access to the Scriptures?

We return to our earlier assertion that the Seat of Moses was a physical piece of synagogue furniture upon which authorized teachers of the Torah sat. We have discussed this subject at length because of its importance to our investigation. With this knowledge, we are better equipped to understand the meaning of this passage in its historical context.

2. *The meaning of Matthew 23:2.* We have established that the Seat of Moses was a concrete object representing Pharisaic authority—but what precisely does Jesus mean when he states that the scribes and Pharisees “sit” (ἐκάθισαν) in that seat? The Seat of Moses may have represented the authority of the Pharisees as teachers of the Torah, but was this authority legitimate?

Does Jesus affirm their authority or does he repudiate them for their presumption and arrogance? Is he stating a simple historical fact or are we to read between the lines and understand this as a biting attack on the Pharisees’ self-appointed role within Second Temple Judaism? To determine these answers, we must ultimately examine this verse in relation to its larger context.

²⁶ Powell, “Matthew 23:2–7” 419–35.

We are faced with a number of exegetical possibilities. As we shall see, however, very few of these options provide a sufficient explanation as to how Jesus can command the disciples to do what the Pharisees command and then issue a blistering vitriol against them for their hypocrisy and false teaching.

Due to the limitations of space, we shall restrict our discussion to three important interpretations.

a. *Past authority view.* Allen argues that the aorist tense of καθίζω (“I sit”) is used to indicate that the Pharisees sat in the seat of Moses in the past rather than the present: “Formerly, the scribes and Pharisees used to sit in the seat of Moses.”²⁷ Jesus’ instruction to do what the Pharisees command would, however, make little if any sense if he bases this command on the fact that the Pharisees used to have authority.

Opponents of a past authority view further point out that the aorist of this verb is translated as a present five additional times in the NT (Mark 16:16; Heb 1:3; 8:1; 10:12; Rev 3:21). In each of these passages Jesus is described as “sitting.” Were these verbs not translated as presents, the theology of these passages would be significantly affected.²⁸ This critique is addressed below under the presumption view.

b. *Presumption view.* This view maintains that the Pharisees acted with great presumption and assumed the mantle of Moses’ teaching authority illegitimately. The NASB translates ἐκάθισαν in precisely this fashion: “The scribes and Pharisees *have seated themselves* in the chair of Moses.”

Carson contends that Jesus is simply mocking the Pharisees (using bitter irony) in verse 2 and continues to do so into verse 3. He does not accept the argument of Garland and others regarding the aorist use of καθίζω in those verses which refer to Jesus as “sitting.” Carson argues that the point of these passages is not that Jesus is still sitting but “the fact that as a result of his triumph *he sat down*. The aorist does not require that the action be at one point in time; it is the context that in each of these presupposes it.”²⁹ Carson therefore translates this verse, “The teachers of the law and the Pharisees *sat down* in Moses’ seat” (italics his). He interprets this to mean that, “The Jewish religious leaders have ‘presumed’ to sit in Moses’ seat.”

By Carson’s own admission, however, this translation is based upon a pre-supposed context. Furthermore, to say that the Pharisees “presumed to sit in the Seat of Moses” does not resolve the apparent contradiction before us. The problem in fact becomes more pronounced: Jesus is instructing his disciples to obey those who he concedes have no legitimate authority to teach.

This view provides even less reason for Jesus to say what he does in verse 3. If Jesus is indicating that the Pharisees have usurped their authority

²⁷ W. C. Allen, *A Critical and Exegetical Commentary on the Gospel According to St. Matthew* (3d ed.; ICC; Edinburgh: T & T Clark, 1912) 244.

²⁸ David E. Garland, *The Intention of Matthew 23* (Leiden: E. J. Brill, 1979) 47–48.

²⁹ Carson, *Matthew* 473.

from Israel's true teachers, it defies all logic for him to then instruct his disciples to obey their *halakhic* teaching. In a situation such as this, we would expect Jesus to counsel "resistance rather than submission."³⁰

c. *Establish culpability view.* Garland writes that Matthew has "provided the grounds for the greater culpability of the Pharisees as the watchman who failed in their care of the sheep and in their task of leading men to the kingdom of heaven because they failed to acknowledge who Jesus was" (22:41–46).³¹ Hare draws the same conclusion and adds that verse 2 does not negate Matthew's prior rejection of Pharisaic teachings. To say that the Pharisees sit upon the Seat of Moses "merely establishes the level of accountability to which the Pharisaic teachers must be held."³² In acknowledging the ordained authority of the scribes and Pharisees Jesus sets the stage for their impeachment.³³

Banks argues that the emphasis of verse 3 lies in its closing half. The emphasis is not upon "do and keep whatever they say" but upon "do not do according to their works." The first half of the verse functions as a "rhetorical preparation,"³⁴ as a sort of foil for the charges that appear in the second half of the verse.³⁵

This view also fails sufficiently to account for verse 3a.³⁶ God does hold spiritual leaders especially accountable for their actions—but this does not explain why Jesus instructs his disciples to do what the Pharisees say, only to excoriate them afterwards for their hypocrisy and false teachings. To simply argue that verse 3a is a "rhetorical preparation" for verse 3b is inadequate. Even if it is rhetorical, it still contains a command to submit to Pharisaic authority.³⁷

I submit that each of the views described above is deficient and should be abandoned. For the most part, these interpretations are driven by a set of unwarranted and negative presuppositions about Pharisaic Judaism. Furthermore, these interpretations fail to provide a logical basis for the commands in verse 3. We still do not know why the disciples should observe whatever the scribes and Pharisees tell them.

Our investigation has thus far suggested a more straightforward reading of verse 2 to be in order. We know that the Seat of Moses was an actual chair in the synagogue where authorized teachers of the Torah sat. When Jesus states that the Pharisees sit in the seat of Moses, he means this both literally and figuratively. Taken at face value, and when read in conjunction

³⁰ Powell, "Do and Keep What Moses Says (Matthew 23:2–7)" 424.

³¹ Garland, *Matthew* 23 54.

³² Douglas R. A. Hare, *Matthew* (IBC; Louisville: John Knox Press, 1993) 265.

³³ Garland, *Matthew* 23 55.

³⁴ Robert Banks, *Jesus and the Law in the Synoptic Tradition* (Cambridge: Cambridge University Press, 1975) 176.

³⁵ R. T. France, *The Gospel According to Matthew* (TNTC; Grand Rapids: Eerdmans, 1985) 324.

³⁶ Powell, "Do and Keep What Moses Says (Matthew 23:2–7)" 426.

³⁷ Also contra Garland, *Matthew* 23 54.

with verse 3a, this verse seems to suggest that the scribes and Pharisees were the authorized and legitimate teachers of the Torah.

In this context, ἐκάθισαν functions like a Semitic stative perfect and should therefore be translated with a present stative meaning: “they sit on the Seat of Moses.”³⁸ Blass-DeBrunner’s Greek grammar states, “the effect need not always be expressed even if present.”³⁹ Thus, the scribes and Pharisees have sat down and *they are still sitting there*.

II. DOES JESUS ENDORSE THE HALAKHAH OF THE PHARISEES?

We have established that scribes and Pharisees were the authorized teachers of the Torah—but does this mean that Jesus endorses their legal interpretations of Scripture, their *halakhah*? What exactly does Jesus mean when he instructs the disciples to do whatever the Pharisees tell them?

1. *The meaning of Matt 23:3a.* Steve Mason argues that verse 3a is in fact a sweeping endorsement of Pharisaic authority.⁴⁰ The tension created by such a blanket affirmation of Pharisaic authority juxtaposed against scathing indictments that follow compels Mason to conclude that Matt 23:2–3 is a pre-Matthean tradition.

A careful analysis of this passage, however, provides us with an alternative to Mason’s solution. To resolve this dilemma we must answer three questions. The first question concerns the inference (οὖν) drawn from verse 2. We have already examined the question of why Jesus commands his disciples to obey the teachings of the Pharisees, but we now encounter it here directly. What is the basis for Jesus’ command to obey the teaching of the Pharisees?

The second question concerns the meaning of πάντα . . . ὅσα ἐν ἑπιρωσιν (“all things whatever they say”). Is this statement to be interpreted as literal or figurative? The third question arises out of the second and has to do with what “all things” encompasses. Does πάντα mean “all things” regarding Pharisaic *halakhah* or does it mean “all things” regarding only the Torah?

2. *The basis of Jesus’ command to obey the Pharisees.* Many scholars interpret verse 3 to be a concession to the reality of Pharisaic dominance and authority in Second Temple Judaism. Saldarini writes that Matthew “acknowledges the authority of the scribes and Pharisees, but he then undercuts it with attacks on their titles, laws, and intentions and proposes an alternative model of community leadership.”⁴¹ This view has some merit, and

³⁸ Buist M. Fanning, *Verbal Aspect in New Testament Greek* (Oxford: Clarendon Press, 1990) 278–81.

³⁹ BDF 176, §§342.1.

⁴⁰ Steve Mason, “Pharisaic Dominance Before 70 CE and the Gospel’s Hypocrisy Charge (Matt 23:2–3),” *HTJ* 83 (1990) 375.

⁴¹ Anthony J. Saldarini, *Matthew’s Christian-Jewish Community* (Chicago: The University of Chicago Press, 1994) 47–48; *idem*, “Delegitimation of Leaders in Matthew 23,” *CBQ* 54 (1992) 668–70. I agree with Saldarini that Matthew “seeks specifically to delegitimize rival Jewish leaders and legitimate himself and his group as the true leaders of Israel” (“Delegitimation of Leaders” 661). At the same time, there is a tension here. It must be acknowledged that Jesus recognizes

as Powell points out, Saldarini offers us an important insight overlooked by many NT scholars: “acknowledgement does not necessarily imply endorsement.”⁴² Jesus does not merely acknowledge the authority of the Pharisees, however; he instructs his disciples to obey them. Saldarini’s proposal ultimately fails to resolve the dilemma of Jesus’ command to do what the Pharisees say.

Viviano’s suggestion is equally ineffective. He takes ἐκάθισαν as an aorist perfect: “they took their seat and still sit.” However, due to his conviction that the seat of Moses is a metaphor for post-70 Yavneh, he translates the verb as “they sat [in the seat of Moses]” rather than “they sit [in the seat of Moses].”⁴³ He believes this solution resolves the problem of how Matthew can instruct his readers to practice and keep whatever the Pharisees say, while then proceeding to denounce them. “[The Pharisees] have preserved the teaching of the Old Testament and in this Christians are their heirs and disciples, but now we move in a different direction.”⁴⁴ This interpretation still does not explain why Jesus instructs his listeners to obey the teachings of the Pharisees *now*. Moreover, Jesus’ endorsement of Pharisaic *halakhah* concerning the tithing of garden herbs (Matt 23:23) can hardly be construed as moving in a different direction.

Lightfoot maintains that Jesus’ command refers to civil as opposed to doctrinal authority: “Christ here asserts the authority of the magistrate.”⁴⁵ This argument must be rejected, however, due to the fact that the division of civil and religious authority is a concept foreign to the world of first-century Judaism. To be sure, there were no “Pharisaic ‘Torah Police’ who continually monitored whether the law was being kept.”⁴⁶ Nevertheless, it can no longer be argued that the Pharisees were a powerless “food club.” Josephus indicates that the Pharisees dominated Judaism during this period.⁴⁷ Mason’s critical study of Josephus confirms that Josephus in no way sought to ingratiate the Pharisees to the Roman authorities by exaggerating their power.⁴⁸

Furthermore, there is now clear evidence that Pharisaic *halakhah* flourished in Judaism prior to AD 70 and that it was mediated through the institution of the synagogue.⁴⁹ The proliferation of numerous *miqva’ot*, the use of stone vessels to prevent the transmission of cultic impurity, and the reburial

the legitimacy of Pharisaic authority and their *halakhah*. Saldarini’s explanation of why Jesus accepts Pharisaic tradition regarding ritual purity and the tithing of herbs is not completely satisfying. See our discussion below.

⁴² Powell, “Matthew 23:2–7” 425.

⁴³ Viviano, “Social World and Community Leadership” 11–12.

⁴⁴ *Ibid.* 12.

⁴⁵ John Lightfoot, *A Commentary on the New Testament from the Talmud and Hebraica, Matthew–I Corinthians, vol. 2: Matthew and Mark* (Grand Rapids: Baker, 1979 [reprint from 1859 edition]) 289–90.

⁴⁶ Martin Hengel and Roland Deines, “‘Common Judaism,’ Jesus, and the Pharisees,” *JTS* 46 (1995) 34.

⁴⁷ Josephus, *Ant.* 13.298, 400–401; 18.15, 17.

⁴⁸ Mason, “Pharisaic Dominance” 370.

⁴⁹ Hengel and Deines, “Common Judaism” 34.

of bones in ossuaries all attest to the fact that Jewish life was dominated by Pharisaic *halakhah*.⁵⁰

A concession argument does have some merit and cannot be dismissed as easily as some would have us believe. This said, it must be conceded that this interpretation does not resolve the tension posed by Jesus' mandate to obey those who sit in the Seat of Moses. Simply conceding their position of authority does not explain why Jesus then instructs his disciples to obey those whose authority he rejects. If there were any one violation of *halakhah* that would have drawn the ire of community leaders, it would have been the issue of Sabbath *halakhah*—an oral tradition Jesus intentionally breaks to provoke a confrontation.

The separation of the Jewish world into civil and religious spheres is artificial and cannot be sustained. A better solution is to interpret Jesus' command to do what the Pharisees teach to mean simply that—the disciples are to recognize the teaching authority of the scribes and Pharisees because they sit in the Seat of Moses.⁵¹

Many scholars find this thesis unacceptable and (as will be discussed below) insist that Jesus is not issuing a sincere command. Jesus' choice of words seems to make this conclusion unlikely, however. His command to do what the Pharisees teach invokes Deut 17:11, the very text upon which the authority of the Sanhedrin, the Sages, and later rabbis is based.⁵² In verse 11, Moses instructs the Jewish people to submit to the legal rulings of the priest or the judge of each generation:

⁵⁰ Ehud Netzer, "A Synagogue from the Hasmonean Period Recently Exposed in the Western Plain of Jericho," *IEJ* 49 (1999) 203; Volmar Fritz and Roland Deines, "Catalogue of the Jewish Ossuaries in the German Protestant Institute of Archaeology," *IEJ* 49 (1999) 222–41; J. F. Strange, "Galilee," *DNTB* 395–96 (Section 6, "Synagogues and Ritual Purity"); see also general discussion by Hengel and Deines, "Common Judaism" 34.

⁵¹ Because of their position, Hagner argues that one is to respect that Pharisees and follow their teachings, but he limits this to their exposition of the Torah (*Matthew 14–28* 659). See my discussion below.

⁵² *b. Ber.* 19b; *b. Rosh HaSh.* 25a–b; *Sifre Deut.* 153–54; *Pesiq. R.* 3.1; Maimonides, *Sefer Ha-Mitsvot*, positive commandment 174. See the English translation, *The Book of Divine Commandments (The Sefer Ha-Mitsvot of Moses Maimonides)*, vol. 1: *The Positive Commandments* (trans. Charles D. Chavel; London: Soncino, 1940) 24. The *Pesikta Rabbati* was compiled around the ninth century AD and Maimonides's *Sefer Ha-Mitsvot* dates to the twelfth century AD. We are not here retrojecting late rabbinic and talmudic texts back into first-century Judaism. On the contrary, these texts demonstrate how clearly the authority of the sages and rabbis in Judaism is based upon the mitzvah of "Lo Tasur" (do not turn).

The ramifications of this fact cannot be overstated. It is on the basis of this text that *halakhic* rulings were accepted as legitimate. See Jeffrey H. Tigay, *Deuteronomy* (JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1996) 165, 374 n. 46. The subject of rabbinic authority is addressed in a special issue of the Orthodox journal *Tradition* 27 (1993). See especially the essays by Aaron Cohen, "The Parameters of Rabbinic Authority" 100–130; Yonason Sacks, "The Mizvah of 'Lo Tasur'" 49–60; and Eli Turkel, "The Nature and Limitations of Rabbinic Authority" 80–99. These studies do not limit their discussion to Deut 17:11, but it is the starting point of each essay. I wish to express my thanks to Michael Rydelnik and Stuart Dauermann who drew this biblical text to my attention.

According to the terms of the law which they teach you, and according to the verdict which they tell you, you shall do; you shall not turn aside from the word which they declare to you, to the right or the left.

Jesus' command to do and keep whatever the Pharisees say clearly resembles this passage and it is unlikely that his choice of words was merely coincidental. If Jesus did not intend for his listeners to take his command seriously, it is unlikely that he would have used language invested with such legal and binding authority. To have done so would have certainly confused Jesus' listeners.

3. *"All things": A literal or figurative expression?* What precisely does πάντα ὅσα mean in this context? This is the crucial question upon which our discussion inevitably turns. If "all things" is a literal statement, then one of two things is true: either Matthew included a pre-Matthean tradition which he did not realize (or did not care) contradicted his own position, or Jesus did utter the statement but he did not mean for *the command* to be interpreted literally. If "all things" is not a literal statement, we have the difficult task of determining precisely what Jesus means by "all things."

Several scholars take Jesus' words in verses 2–3 to be ironic. Irony implies that a statement is fundamentally false or the opposite of what is true. Therefore, when Jesus says that the Pharisees sit in the seat of Moses and he instructs his disciples to do what they say, he in fact means precisely the opposite—he is contradicting both the authority of the Pharisees and their *halakhah*.

Jeremias adopts this interpretation and thus classifies Matt 23:2–3 as exaggerated irony.⁵³ According to Carson, the only way to make sense of this passage is to follow Jeremias "and see in verses 2–3 an instance of biting irony, bordering on sarcasm."⁵⁴ In his survey of critical responses to this text, Powell also groups irony and exaggeration into the same argument.⁵⁵

These scholars, however, have failed to make an important distinction between the concepts of irony and exaggeration. While the distinction can blur, fundamentally irony and exaggeration are not analogous concepts. Irony implies the opposite of that which is stated to be true. Exaggeration, on the other hand, assumes that the statement is *essentially* true.

For instance, to call an obese person thin is irony. The opposite is in fact true. However to call a thin person "the skinniest person in the world" is an exaggeration. The person may be slim but they are probably not *the skinniest* person in the world. Nevertheless, the statement is not false—it is essentially true but an exaggeration.

Can Carson's assertion that verses 2–3 are "biting irony" be sustained? Carson agrees that the NASB's translation of ἐκάθισαν ("have seated

⁵³ Joachim Jeremias, *New Testament Theology: The Proclamation of Jesus* (trans. John Bowden; New York: Charles Scribner's Sons, 1971) 210.

⁵⁴ Carson, *Matthew* 473.

⁵⁵ Powell, "Do and Keep What Moses Says (Matthew 23:2–7)" 425.

themselves”) is somewhat of an overstatement, but he nonetheless agrees that it essentially conveys the right idea.⁵⁶ The Pharisees have “presumed” to sit in Moses’ seat. Therefore, when Jesus instructs his disciples to do whatever the Pharisees say, he is not sincere. He uses “biting irony” to mock the Pharisees and to convey the fact that their authority is illegitimate and that their *halakhah* should not be obeyed.

I wish to suggest that both Jeremias and Carson are wrong on this point. The parable of the wicked tenants (Matt 21:33–45) concerns the transfer of leadership in the kingdom from Israel’s “unfruitful” leaders to the “fruitful” leaders of Matthew’s Jewish-Christian community.⁵⁷ In Matt 21:43 Jesus declares that “the kingdom of God will be taken from you and given to a community (ἐθνεί) producing the fruit of it.” The chief priests and Pharisees understand that Jesus is speaking about them (Matt 21:45).

“The kingdom of God taken from you” (ἀρθήσεται ἀφ’ ὑμῶν ἡ βασιλεία τοῦ θεοῦ) means that those who were invested with the authority to rule over God’s people would be stripped of that privileged position. Carson himself states that, “Up to this time the Jewish religious leaders were the principal means by which God exercised his reign over his people.”⁵⁸

If this is true, this means that the Pharisees were not mere usurpers who “presumed” to sit in Moses’ seat. Granted, the Pharisees were about to be stripped of that position but this does not change the fact that God established them as Israel’s religious leaders. I suggest therefore that Matt 23:2–3 cannot be an example of “biting irony.” The Pharisees were guilty of false teaching and hypocrisy but they were not guilty of usurping their position as Israel’s authoritative teachers. It is unlikely therefore that Jesus’ declaration of Pharisaic authority should be construed as mocking or ironic.

Stein and Snodgrass offer a more probable suggestion and classify “all things, whatever they say” as exaggeration⁵⁹ and hyperbole.⁶⁰ Jesus means that the disciples are to obey the teachings of the Pharisees, but to do so circumspectly and with caution.

⁵⁶ Carson, *Matthew* 473.

⁵⁷ David L. Turner, “The kingdom of God will be taken away from you’: Matthew 21:43 and the Future of Israel” (paper presented at the annual meeting of the Evangelical Theological Society, Nashville, TN, 15 November 2000) 19.

⁵⁸ Carson, *Matthew* 454.

⁵⁹ Robert H. Stein, *Difficult Sayings in the Gospels: Jesus’ Use of Overstatement and Hyperbole* (Grand Rapids: Baker, 1985) 39–40.

⁶⁰ Klyne Snodgrass, “Matthew and the Law,” *SBLSP* (1998) 549; *idem*, “Matthew’s Understanding of the Law,” *Int* 46 (1992) 375–76; Davies and Allison also interpret πᾶς as hyperbole but argue that its function here is rhetorical. In this sense, their position is similar to the position of Banks’s establish culpability view and the exaggerated irony view of Jeremias and Carson (though they would likely stop short of suggesting that this is an example of “biting irony”). Davies and Allison write, “Do what they preach’ is less practical imperative—although it does presuppose continued contact with Jewish teachers—than proof of a bad character which cannot be excused by ignorance.” To simply argue that the command is “less practical imperative” than it is “proof of bad character” still leaves us with the problem of why Jesus instructs his disciples to obey the Pharisees. Even if it is rhetorical, it still contains a command to submit to Pharisaic authority. The authors acknowledge this at least in part when they write, “the scribes and Pharisees know the truth and often teach it” (*Matthew* 3.270).

In view of the fact that Matthew routinely declares the teachings of the Pharisees to be wrong or hypocritical, we should assume (unless we have good reason to conclude otherwise) that Jesus' command to do "whatever they say" is an exaggeration. To press πάντα to mean every single word of Pharisaic *halakhah* is exegetically unsound.⁶¹

The disciples are to follow the teachings of the Pharisees *in principle*, but they are not to follow a particular teaching that clearly contradicts the expressed or implied intent of Scripture. The "point" Matthew wishes to make is that the multitudes and disciples should practice what the Pharisees tell them, *but they should not practice all that the Pharisees actually do.*

4. "All things": *The Torah and the halakhah of the Pharisees?* When Jesus said to practice what the Pharisees taught, did he say this in reference to their teachings regarding the Torah or was he referring to Pharisaic *halakhah* as well?⁶² Banks is emphatic that Jesus does not here refer to *halakhah* and oral tradition. He argues that Matthew draws a sharp dichotomy between the Torah and Pharisaic *halakhah* and presents Jesus in "unrelieved opposition to it."⁶³ He concludes that "it was the nature of Pharisaic legalism and casuistry that rendered such an attitude necessary."⁶⁴

Stein states that disciples were to practice what the Pharisees taught regarding the OT but not regarding their "oral traditions."⁶⁵ We must ask, however, is such a bifurcation possible? Can exegesis be so neatly separated from application and practice? As Stein himself acknowledges, this command is grounded in the fact that the Pharisees sit in the Seat of Moses. If they bore such authority, would their practical interpretation and application of the text be so easily dismissed? Moreover, Jesus did not say, "practice what they say about *what is written*"; he said "practice what they *say*."

Jesus' own observance of oral tradition creates a very strong argument that "all things" includes at least some *halakhic* traditions.⁶⁶ Even though Matthew is unrelenting in his criticism of the Pharisees, he nevertheless presents Jesus as adhering to the *halakhah* of his day. Contra Banks, Moo is

⁶¹ Contra Carson, *Matthew* 472.

⁶² Acknowledging that this verse stands in tension with Matt 16:11–12 and several other passages, Davies and Allison list ten possible ways to interpret Matt 23:3. They leave unresolved the question of whether or not "all things" refers to Torah as well as *halakhah* or to Torah alone. In either case, the authors doubt Matthew intended this command to be taken literally, arguing that, "It is unlikely that any group of early Christians ever acknowledged without further ado the authority of non-Christian teachers." On the other hand, they insist that "the extra-canonical halakhah on tithing is neither dismissed nor belittled but affirmed" (*Matthew* 3.269–70, 295).

⁶³ Banks, *Jesus and the Law* 238.

⁶⁴ *Ibid.*

⁶⁵ Stein, *Difficult Sayings* 39–40; Hagner adheres to a similar position and argues that insofar as "the Pharisees expound the Mosaic Torah, one is to follow their teaching." However, passages such as Matt 12:1–2; 10–4; 15:1–20 and 16:11–12 lead him to conclude that Matthew has "distanced himself markedly" from their *halakhic* teachings (*Matthew* 14–28 659).

⁶⁶ Samuel S. Cohen, "The Place of Jesus in the Religious Life of His Day," *JBL* 38 (1929) 92–93; Bennett Harvie Branscomb, *Jesus and the Law of Moses* (New York: Richard R. Smith, 1930) 126–28.

most certainly correct when he states that “the verdict that there is no evidence that Jesus kept *any* of the oral law cannot be sustained.”⁶⁷

To cite but a few important examples, in Second Temple Judaism the synagogue was more than simply a community house for public meetings—it functioned as place of worship and teaching. However, we find no mention of the synagogue in the Hebrew Scriptures. Whatever the synagogue’s precise origin, its further development and regulation were strictly the product of oral tradition.⁶⁸ This is completely consistent with Josephus’ declaration that “the Pharisees have delivered to the people a great many observances by succession from their fathers, which are not written in the Law of Moses.”⁶⁹

Jesus regularly attended the synagogue and participated in its worship service (Luke 4:14–21; cf. Matt 4:23; 13:54; Mark 1:21, 39; 6:2) When Luke states that Jesus entered the synagogue on the Sabbath “as was his custom,” this refers to the fact that he regularly attended the synagogue. It does not mean that he ministered *as was his custom* whenever (and however rarely) he entered a synagogue.⁷⁰

It should also be noted that Luke 4:16–21 contains a very clear example of Jesus participating in the Prophets reading section of the synagogue service. Critics continue to accuse the NT of retrojecting formal patterns of synagogue practice back to the time of Jesus.⁷¹ This charge is unwarranted, however, as there is clear evidence that the Torah and the Prophets were read publicly in the synagogue on the Sabbath during the time of Jesus. Josephus states that Jewish people assembled each Sabbath “for the hearing of the law and learning it exactly.”⁷²

Very soon after AD 70, the basic structure of the Torah reading service is firmly in place within Judaism.⁷³ This fact confirms our belief that the reading of the Torah (along with many of its liturgical procedures) was already well established within “Pharisaic/rabbinic circles” long before the Temple’s destruction.⁷⁴ Jesus’ participation in the life of the synagogue supports our thesis that he maintained a positive relationship to traditional *halakhah*.

The Passover meal—the very meal Jesus used to institute the Lord’s Supper—contains some of the most striking examples of Jesus following *halakhah*. In accordance with oral tradition, Jesus said grace *after* the meal (Matt 26:26) and recited a blessing over the wine (Matt 26:27–28). After the meal, he and his disciples recited the Hallel (Mark 14:26).

The limitations of space do not permit us to cite additional examples. Our goal is merely to present some evidence that Jesus did in fact adhere to

⁶⁷ Douglas J. Moo, “Jesus and the Authority of the Mosaic Law,” *JSNT* 20 (1984) 5 (italics his).

⁶⁸ *m. Meg* 3:1–4:10. See also Branscomb, *Jesus and the Law* 34.

⁶⁹ Josephus, *Ant.* 13.10.6.

⁷⁰ Robin Nixon, “Fulfilling the law: The Gospels and Acts,” in *Law, Morality, and the Bible* (ed. Bruce Kaye and Gordon Wenham; Downers Grove, IL: InterVarsity, 1978) 60.

⁷¹ Howard Clark Kee, “The Transformation of the Synagogue After 70 C.E.: Its Import for Early Christianity,” *NTS* 36 (1990) 18.

⁷² Josephus, *Ant.* 16.2.3.

⁷³ *m. Meg* 4:1–2.

⁷⁴ Lawrence H. Schiffman, “The Early History of the Public Reading of the Torah,” in *Jews, Christians, and Polytheists in the Ancient Synagogue* (New York: Routledge, 1999) 54.

some *halakhic* principles. Banks's claim that the blessing over meals, the recitation of the Passover Hallel, and the wearing of Jewish garments have nothing to do with oral tradition is simply wrong.

The evidence does seem to suggest that Jesus accepted and practiced some *halakhic* regulations. Matthew does not give "blanket approval" to Pharisaic *halakhah*, but neither does he utterly reject it. It seems reasonable to conclude therefore that "all things" does not refer exclusively to what the Pharisees teach regarding the Torah, but also includes some elements of oral tradition. While he does not give blanket approval to *everything* they say, Jesus does endorse the *halakhah* of the Pharisees *in principle*.

Now it may be argued that Jesus was simply following customs common to all of Judaism and that he did so without any intent of specifically endorsing Pharisaic traditions. The combined weight of the evidence mitigates against this conclusion, however. First, we are reminded that the Pharisees wielded a great deal of authority during this period of time and were viewed by most as the legitimate heirs of Mosaic authority. As Hengel and Deines observe, "The crucial concept for understanding the Pharisees as well as their authority with the people is the *παράδοσιν τῶν πατέρων*."⁷⁵ And it is this authority and these traditions with which Jesus interacts and demands reprioritization. The very fact that Jesus even engages Pharisaic *halakhah* implies that it possessed a certain legitimacy in contradistinction to other traditions. He acknowledges the authority of the Pharisees but rebukes them for violating the very law they claimed to protect (Matt 15:1–6). Jesus does not reject Pharisaic purity laws concerning the eating of food (Matt 15:10–11) or the washing of vessels (Matt 23:24–25), but he does excoriate the Pharisees for their moral and ethical failure to understand the Law's true intent. Likewise, he upholds Pharisaic *halakhah* regarding the tithing of herbs but repudiates the Pharisees because they have stressed that point and neglected the Law's emphasis upon justice, mercy, and faithfulness (Matt 23:23).

Secondly, assuming our exegesis to be correct, the text itself indicates that Jesus considers the Pharisees to be the legitimate interpreters of the Torah and that he instructs his disciples to obey their teachings for this very reason. We must also remember that Jesus grew up in the synagogue, a Pharisaic institution.⁷⁶ Matthew also reminds us that Jesus went throughout Galilee "teaching in their synagogues." Taken as a whole, this

⁷⁵ Hengel and Deines, "Common Judaism" 36.

⁷⁶ See the classic work by George F. Moore, *Judaism in the First Centuries of the Christian Era: The Age of the Tannaim* (Cambridge: Harvard University Press, 1950). Traditionally, Pharisaic dominance of the synagogue has been a basic presupposition of most NT scholars. Recent scholarship, however, has challenged this position. See Shaye J. D. Cohen, "Were the Pharisees and the Rabbis the Leaders of Communal Prayer and Torah Study in Antiquity? The Evidence of the New Testament, Josephus, and the Early Church Fathers," in *Evolution of the Synagogue: Problems and Progress* (Harrisburg, PA: Trinity Press International, 1999) 89–105; Lester L. Grabbe, "Synagogues in Pre-70 Palestine: A Re-Assessment," *JTS* 39 (1989) 401–10. Despite the current trend to minimize the role of the Pharisees in Second Temple Judaism, several scholars remain convinced that the Pharisees exercised a great deal of power or influence in the synagogue. See Mason, "Pharisaic Dominance" 363–81; Hengel and Deines, "Common Judaism" 29–35.

evidence suggests that Jesus accepted the *halakhah* of the Pharisees as normative.

We return therefore to our earlier assertion that Jesus practiced some Pharisaic traditions and that this evidence suggests he accepted their *halakhah* in principle. If this suggestion is correct, how are we to make sense of those instances in which Jesus so clearly repudiates the traditions of the Pharisees? Jesus does more than simply call the Pharisees fools and hypocrites—he deliberately violates Pharisaic *halakhah* (Matt 12:1–14), dismisses their teachings as commandments of men (Matt 15:9), and explicitly instructs his disciples to beware of the teachings of the Pharisees and scribes (Matt 16:11–12). To resolve this question, we must first determine the meaning of verses 3b–4. Having accomplished this task, we will be in a better position to evaluate how Jesus can, on the one hand, endorse Pharisaic *halakhah*, and on the other, reject it.

III. THE SCRIBES AND PHARISEES DO NOT PRACTICE WHAT THEY TEACH

Jesus instructs his listeners to not do what the Pharisees do because (γάρ) they do not do the very things they tell others to do. The NIV aptly translates this phrase, “for they do not practice what they preach.” Our presuppositions about 23:2–3a dramatically shape our interpretation of verse 3b. If, as we have suggested, Jesus does recognize the authority of the Pharisees, this statement is a counterbalance to that authority: one must avoid imitating their behavior when it is inconsistent with their teaching.⁷⁷

If, however, Jesus is mocking the Pharisees when he commands his listeners to do what they say, this phrase must mean something entirely different: “Do not do according their deeds” is a sincere command countermanding the previous insincere command to “do and keep whatever they say to you.” Jesus is not merely criticizing the Pharisees for not living according to the traditions they confess (i.e. hypocrisy), he is criticizing them altogether—their authority is illegitimate and their teachings are false.⁷⁸

How can we determine the correct meaning of this command? On the one hand, we may argue that the weight of our exegesis thus far compels us to interpret this clause in the following manner. If, in verses 2–3a, Jesus recognizes the legitimate authority of the Pharisees and therefore commands his listeners to obey their teaching, he cannot now be contradicting that command in verse 3b.

A second avenue is to examine the clause containing the reason or ground (γάρ) for the command in 3b and the relationship of that clause to verse 4. As Carson points out, the real question regarding verse 4 is whether (1) verse 4 contrasts verses 2–3 or whether (2) verse 4 simply illustrates verse 3b.⁷⁹ When Jesus states that the Pharisees place heavy loads on men’s shoulders

⁷⁷ Craig Blomberg, *Matthew* (NAC; Nashville: Broadman, 1992) 341.

⁷⁸ See Davies and Allison, *Matthew* 3.271. The authors argue that precisely the opposite is in fact true—the Pharisees are criticized for their hypocrisy, not their oral tradition.

⁷⁹ Carson, *Matthew* 473.

but are unwilling to move them, does he say this in repudiation of verses 2–3a or is he merely offering an illustration of how the Pharisees “teach but do not practice” in verse 3b? This question is not a minor one, for it shapes our entire understanding of this chapter.

Concomitantly, does verse 4 mean that the scribes and Pharisees placed burdensome rules on people which they themselves were unwilling to obey or does it mean that they were unwilling “to lift so much as a finger” to help those who had collapsed under the weight of the rules that they had imposed?

Were the scribes and Pharisees guilty of hypocrisy or were they guilty of making the Law an unbearable burden? Scholars remain divided on this question. If emphasis is placed upon the fact that the scribes and Pharisees “teach but do not practice,” the first suggestion seems more probable. If emphasis is placed on the *αὐτά* (which refers back to *φορτία βαρέα*), the focus of the clause shifts to the latter option.⁸⁰

According to Manson, the second interpretation is in fact more likely: the Pharisees increased “the number of ways in which a man may offend God,” but they did nothing to enable a man to please God.⁸¹ Carson touches on the larger ramification of this interpretation when he writes that “[verse 3b] shows how the Pharisees are by their teaching doing more harm than good.”⁸²

I wish to suggest that by demanding an “either/or” interpretation of this statement one cannot arrive at the most likely meaning of this text. The Pharisees were at times guilty of hypocrisy but they were also at times guilty of making the law a crushing and unbearable burden. However, neither one of these actions was ever the original intent of Pharisaic Judaism. Nixon astutely writes, “The original good intention of the Pharisees in the oral traditions was to make the law relevant to all various situations of daily life under different social conditions from those which applied when the law was given.”⁸³

How this “good intention” was corrupted cannot be explained with a simple black-and-white answer. Three facts seem to support our assertion that the Pharisees cannot be painted in such extreme colors. Our first observation concerns the fact that the Pharisees were enormously popular among the common people. Josephus states that when it came to matters of public opinion, “the Pharisees have the multitude on their side.”⁸⁴ Josephus tells us that Hyrcanus earned the hatred of the multitude by abolishing the *halakha* (i.e. the traditions not written in the Law of Moses) that the Pharisees had established for them.⁸⁵

If the Pharisees were as overbearing and as inhumane as some scholars suggest, it is doubtful that they would have retained such an enormous power

⁸⁰ Davies and Allison observe that the *αὐτά* refers back to *φορτία βαρέα* and therefore interpret this statement to mean that the Pharisees were unwilling to help those whose lives had been weighed down by their many traditions (*Matthew* 3.272).

⁸¹ T. W. Manson, *The Sayings of Jesus* (London: SCM, 1971) 101; see also Garland, *Matthew* 23 51.

⁸² Carson, *Matthew* 473.

⁸³ Nixon, “Fulfilling the Law” 63.

⁸⁴ Josephus, *Ant.* 13.10.6.

⁸⁵ *Ibid.*

base among the common people. We are reminded that the Pharisees possessed no official power. They were influential primarily because of the popularity of their *halakhic* teachings. Schaper correctly writes that “[t]he common people adhered to the Pharisees because their halakhah appealed to them.”⁸⁶

Our second observation concerns evidence from the Dead Sea Scrolls and the Qumran community’s attitude toward the Pharisees. The admonition section of the Damascus Document contains a list of legal transgressions. In CD 4:19–20 (4Q266) the Pharisees are alluded to as those who have committed these transgressions and are described as the “builders of the wall.” This appellation is apparently a jibe against Pharisaic (rabbinic) Judaism’s practice of “building a fence around the Torah.”⁸⁷ Schiffman notes that Tannaitic sources considered the fence a positive feature of rabbinic *halakhah*, whereas the Qumran covenanters considered the custom entirely unbiblical. The Qumran community therefore rejected the Pharisaic practice of expanding the biblical commandments.⁸⁸

The Qumran community also accused the Pharisees of hypocrisy and called them דורשי חלקות *halakot*, a word play on הלכות (the plural form of *halakhah*), meaning “seekers of smooth things.”⁸⁹ In Peshar Nahum, the “seekers of smooth things” are hypocrites, “those who walk in lies and falsehood.” The “seekers of smooth things” are those who “lead Ephraim astray, who lead many astray through their false teaching, their lying tongue, and deceitful lips—kings, princes, priests, and people, together with the stranger who joins them.”⁹⁰

The Qumran community’s characterization of the Pharisees as “builders of the wall” and “seekers of smooth things” harmonizes with our suggestion that Matt 23:4 can mean the Pharisees were guilty of both hypocrisy and making the Law a heavy burden. The Qumran community objected to the concept of building a fence around the Torah—but it was by this fence that the Pharisees sought to safeguard the Torah and to make it relevant for a new generation. Left unchecked, however, that goal was easily distorted and the Torah turned into a heavy burden.

It is a short journey from legalism to hypocrisy. There were clearly Pharisees who were “seekers of smooth things.” Such individuals could easily impose on others in the name of piety what they themselves were unwilling to lift “so much as even a finger” to do.

⁸⁶ Joachim Schaper, “The Pharisees,” in *The Cambridge History of Judaism: The Early Roman Period*, vol. 3 (ed. William Horbury, W. D. Davies, and John Sturdy; Cambridge: Cambridge University Press, 1999) 412.

⁸⁷ *m. Abot* 1:1. Compilation of the Mishnah was completed in AD 200. *Abot*, however, contains some much earlier material dating back to the third century BC. *Abot* 1:1–2 links the prophets with the men of the great assembly, and the men of the great assembly with the pre-70 Pharisees.

⁸⁸ Lawrence H. Schiffman, “New Light on the Pharisees: Insights from the Dead Sea Scrolls,” *BibRev* (June 1992) 32. It should be remembered that the Qumran community’s rejection of Pharisaic *halakhah* did not prevent them from applying their own creative methods of exegesis to the existing biblical text.

⁸⁹ *Ibid.*

⁹⁰ 4Q169 (I:7, II:8–9).

Our final observation concerns rabbinic Judaism's own critique of Pharisaic hypocrisy. Weinfeld demonstrates that Jesus' accusations of Pharisaic hypocrisy are identical to charges of hypocrisy leveled against the Pharisees in the rabbinic material. To cite but one example, the rabbinic literature condemns the arrogant demonstration of piety by the Pharisees. Regarding the midrash on Eccl 4:1, we find the following condemnation of "Pharisaic peacocking":⁹¹

R. Benjamin interpreted the verse of one who pretends to have a knowledge of Torah. Everybody thinks he is a Bible-scholar but he is not, or a Mishnah-scholar but he is not. He wraps himself in his *tallith* and has the phylactery on his head. AND BEHOLD THE TEARS OF SUCH AS WERE OPPRESSED, AND THEY HAD NO COMFORTER: the Holy One, blessed be He, spake, 'It is for Me to punish them,' as it is stated, Cursed be he that doeth the work of the Lord deceitfully (Jer. XLVIII, 10).⁹²

Ecclesiastes Rabbah probably originated in Israel but dates only to the eighth century AD (possibly the sixth or seventh century). Nevertheless, it is instructive for our study and reveals that Judaism was not oblivious to the danger and consequences of hypocrisy.

The evidence from Josephus, the Dead Sea Scrolls, and the rabbinic literature (and the NT itself) demonstrate the Pharisees cannot be drawn as one-dimensional characters. The picture that emerges of the Pharisees is one in which they sought to make the Law relevant and frequently succeeded. Unfortunately, however, that accomplishment was marred when they distorted the Law's intent or when they used the Law to place burdens on the backs of others which they themselves were unwilling to bear.

I suggest therefore that Carson and Garland's assessment of verses 3b-4 is wrong. Verse 4 is in fact an illustration of how the Pharisees teach but do not practice what they teach (verse 3b). Carson's claim that the Pharisees are by their teaching doing more harm than good is incorrect. Jesus condemns the Pharisees for their hypocrisy, but he does not reject their authority outright.

IV. TITHING ACCORDING TO PHARISAIC *HALAKHAH*

Matthew 23:23 presents us with a clear example of an instance in which Jesus upholds Pharisaic *halakhah* while at the same time chastising the Pharisees for their deep ethical failure. He endorses their practical teachings regarding the tithing of mint, dill, and cummin ("these are the things you should have done") but rebukes them because they have failed to grasp the essence of the Torah and keep "the weightier matters of the Law"—justice, mercy, and faithfulness.⁹³

⁹¹ Moshe Weinfeld, "The Charge of Hypocrisy in Matthew 23 and in Jewish Sources," *Immanuel* 24/25 (1990) 57.

⁹² *Eccl Rab* 1:9.

⁹³ Davies and Allison provide an especially valuable discussion of this verse. They write, "Against most modern commentators we see no reason to label this line 'difficult' or to diminish its vitality. The extra-canonical halakhah on tithing is neither dismissed nor belittled but affirmed. . . . Tithing

Saldarini acknowledges that Jesus does not reject Pharisaic regulations concerning the tithing of herbs or the observance of ritual purity laws but argues that he “relativizes their importance and changes their meaning. The contributing of tithes to the temple, even on herbs, is affirmed but subordinated to ‘the weightier matters of the law, justice and mercy and faith.’”⁹⁴ We must ask, however, in what sense has Jesus changed the meaning of these traditions? While it is true that the Pharisees had become obsessed with the minutiae of the Law to the neglect of the Law’s core values, the rabbinic literature does demonstrate that Judaism made a distinction between commandments of greater and lesser importance.⁹⁵ In the Tosefta, we find the remarkable statement that “[c]harity and deeds of loving-kindness outweigh all other commandments in the Torah.”⁹⁶ This is a statement with which Matthew would surely agree. The Pharisees should have done “these things” without neglecting the Torah’s greater commandments of love and mercy.

Hare insists that Jesus’ admonishment to do “these things” is really hyperbolic and subordinate to the ethical concerns that are attached to verse 24.⁹⁷ Hare is correct that Jesus’ comments about tithing are subordinate to his remarks about justice, mercy, and faithfulness. This subordination, however, does not render practical questions regarding how or what to tithe unimportant or irrelevant.

Jesus does indeed excoriate the Pharisees for their hypocrisy and legalism in verse 24, but this does not alter his assertion in verse 23 that they should have done the greater things (demonstrate justice, mercy, and faithfulness) while *still doing* the lesser things (tithing according to *halakhic* principles). Moreover, in what way is Jesus’ statement hyperbolic? Jesus’ words are straightforward and without exaggeration: the Pharisees should have fulfilled *halakhic* regulations concerning the tithing of herbs without neglecting the Torah’s core values of justice, mercy, and faithfulness.

To the modern reader, *halakhic* regulations regarding minute aspects of the Law may indeed seem legalistic and onerous. This perception, at least in part, arises out of the fact that the Torah is no longer the central structure around which we organize our daily lives. We no longer ask the all-important question, “How do I fulfill these commandments today?” But for

is not undone by the weightier matters of the law but subordinated to them” (*Matthew* 3.295); Hagner’s discussion of this verse is also helpful but he seems to imply that the issue is more one of toleration than necessity. He acknowledges that Jesus sanctions the *halakhic* extension of the command to tithe to include even garden herbs but interprets the logic behind Jesus’ reasoning to be: “If the Pharisees wish to tithe even the smallest of herbs, well and good—let them, as long as they give attention to the most important matters of the law . . . (*Matthew* 14–28 670). There is more tension in this situation than simply this, however. If the Pharisees really do speak with authority regarding the words of Moses, their interpretation and practical application of the Torah to the present carries enormous weight.

⁹⁴ Saldarini, “Delegitimation of Leaders” 54.

⁹⁵ Davies and Allison, *Matthew* 3.294–95.

⁹⁶ *t. Pe’ea* 4:19.

⁹⁷ Douglas R. A. Hare, “How Jewish is the Gospel of Matthew?” *CBQ* 62 (2000) 271.

the messianic Jews of Matthew's Gospel, this was a very real and very practical question.

V. RECONCILING MATT 23:2–4 WITH MATT 16:11–12 AND OTHER TEXTS IN WHICH JESUS REJECTS PHARISAIC HALAKHAH

We are now in a better position to consider those texts that suggest that Jesus rejects the teaching authority of the Pharisees. Foremost among these is Matt 16:11–12, which appears to stand in sharp contrast to Matt 23:2–4. In Matt 16:12, Jesus warns his disciples to beware of “the teaching of the Pharisees and Sadducees” (τῆς διδαχῆς τῶν Φαρισαίων καὶ Σαδδουκαίων). At first glance, this statement does seem to challenge our conviction that Jesus recognizes the authority of the Pharisees and endorses their *halakhah*.

The solution to this problem lies in resolving the apparent “error” in Jesus’ statement. The Pharisees and Sadducees were rival parties and disagreed with each other over many doctrinal issues. Matthew, however, links the two parties and seems to suggest that they shared the same theological convictions. This statement has led such scholars as John P. Meier to conclude that Matthew displays a profound lack of knowledge about Judaism and Jewish customs.⁹⁸

The fact that Matthew links the Pharisees and Sadducees does not prove that he is unaware of their doctrinal differences. Matthew is aware of the fact that the Sadducees do not believe in the doctrine of the resurrection (22:23–33). How, then, are we to make sense of the fact that Matthew links these two parties, and how are we to interpret Jesus’ statement regarding the teaching of the Pharisees and Sadducees in Matt 16:12?

Carson concedes that the problem is complex, but he provides a reasonable solution.⁹⁹ Even though Φαρισαίων and Σαδδουκαίων are governed by one definite article, this does not mean that Matthew equates the two parties in every respect and implies that they share a common set of teachings.¹⁰⁰ Secondly, Carson suggests that Matthew may be linking the Pharisees and Sadducees together in this manner to underscore a common mission rather than a common theology. The Pharisees and Sadducees were bitter rivals over many issues. Both parties, however, perceived Jesus to be an even greater threat and as a result were willing to work together against him.¹⁰¹

⁹⁸ John P. Meier, *The Vision of Matthew: Christ, Church, and Morality in the First Gospel* (New York: Paulist, 1979). Meier calls attention to the grammar of the Greek text in which the two nouns are joined by one definite article (τῶν Φαρισαίων καὶ Σαδδουκαίων). Based on this construction, Meier argues that Matthew treats the two groups as one and stresses the teaching the two groups held in common. In other words, Matthew refers to “the teaching” of the Pharisees-and-Sadducees. This leads Meier to conclude that, “Matthew shows himself ignorant of the doctrinal conflicts which separated the Pharisees and Sadducees into two rival parties” (p. 20).

⁹⁹ D. A. Carson, “The Jewish Leaders in Matthew’s Gospel: A Reappraisal,” *JETS* 25 (1982) 161–74.

¹⁰⁰ Carson cautions against the abuse of the Granville Sharp rule. Citing A. T. Robertson, he writes, “When two or more groups are governed by one article, the separate groups ‘are treated as one for the purpose in hand,’ not assumed to be identical in every respect” (ibid. 168).

¹⁰¹ Ibid.; see also Hagner, *Matthew 14–28* 460; Davies and Allison, *Matthew* 2.592.

The scribes and the Pharisees were of one mind in their opposition to Jesus' messianic claims. This is the "teaching of the scribes and Pharisees" to which Jesus refers. He is not actually criticizing Pharisaic *halakhah per se*. Of course, the tension here is clear. One cannot divorce what the Pharisees taught about *Torah* from what they taught about *Jesus*. The significance of this fact cannot and should not be minimized.

Nevertheless, in our zeal to harmonize the Gospel, we must avoid the impulse to reject the teaching authority of the Pharisees altogether. Because they rejected Jesus, the nation's leaders would eventually be stripped of their position of authority (Matt 21:43). At the same time, however, the *halakhic* traditions laid down by the Pharisees remained valid and provided Matthew's community with practical ways to obey the *Torah*.

Despite the tensions that exist between Jesus and the Pharisees, he basically accepts their *halakhic* rulings. However, in cases where the Pharisees neglect the "weightier matters of the Law," Jesus criticizes or countermands their rulings without hesitation. This is precisely why Jesus countermands Pharisaic *halakhah* in Matt 12:1–14. Why is it legal to violate the Sabbath and do that which "is not lawful to do"? Citing Hos 6:6, Jesus chides the Pharisees and reminds them that God desires "compassion and not sacrifice" (Matt 12:7). The Pharisees have failed to appreciate that while Sabbath observance is important, acts of mercy are more important. It is for this same reason that Jesus heals the man with a withered hand in Matt 12:8–13.

In Matt 15:1–14, Jesus issues a devastating indictment against the Pharisees because they have replaced God's commandments with their commandments. When the Pharisees question Jesus about the transgression of *halakhah* by the disciples (15:2), he responds by asking them, "Why do you transgress the commandment of God for the sake of your tradition?" (15:3). Pharisaic *halakhah* concerning the *Korban* released a person from the responsibility of providing for their parents and thus nullified the biblical commandment to honor father and mother (Deut 5:16). The very traditions that were supposed to safeguard God's commandments had become the source of their violation (15:5–6). Jesus therefore denounces the Pharisees in the harshest terms possible and declares that Isaiah prophesied concerning them and their hypocrisy (15:7–9).

In view of this encounter, how is it possible to maintain that Jesus has any respect for the Pharisees and their *halakhah*? Two observations are in order. First, as Hanger astutely comments, it would be a mistake to allow this chapter "to dominate our assessment of the Pharisees and Judaism in general."¹⁰² The Pharisees were genuinely committed to the *Torah* and sought to integrate its righteous demands into every aspect of daily life. The fact that Jesus tells the disciples in Matt 5:20 that their righteousness must exceed *by far* the righteousness of the scribes and Pharisees is a compliment, albeit a backhanded one. Moreover, it is clear from the rabbinic literature that Judaism did prioritize mercy and justice over the fastidious observance of every detail of every commandment: "Charity and deeds of loving-kindness

¹⁰² Hagner, *Matthew 14–28* 433.

outweigh all other commandments in the Torah."¹⁰³ Hillel states, "What is hateful to you, do not do to your neighbor: that is the whole Torah; all the rest is commentary."¹⁰⁴ Hillel's statement is in keeping with the words of Jesus in Matt 7:12: "Therefore, whatever you want others to do for you, do so for them, for this is the Law and Prophets." The issue in Matt 15:1–14 is not so much the teachings of the Pharisees as it is the hypocritical motivations that undergirded those *halakhic* rulings. And as was suggested earlier, the failure of the Pharisees to live up to their own standards does not go unnoticed in the rabbinic literature.¹⁰⁵

Second, we must take into account the fact that Matthew wishes to legitimate his form of Judaism in contradistinction to all other forms of Judaism.¹⁰⁶ This is not a sudden reversal of all that has been argued thus far, but rather an acknowledgment of the complexity of the theological and sociological world in which Matthew and his community of Jewish believers in Jesus lived. On the one hand, Matthew (and his community) are a part of the larger fabric of Jewish society. On the other hand, however, Matthew subscribes to a sectarian worldview in which only believers in Jesus constitute the elect remnant of Israel (Matt 7:13–14; 13:14–16; 22:14).

Matthew's harsh polemics against the Pharisees are a product of that sectarian worldview. Although I disagree with some of Saldarini's conclusions about Matthew 23, I find his basic assumptions to be correct:

The origin, structure, and tone of the attack on the Pharisees and scribes strongly support the thesis that the author of Matthew is engaged in lively and serious controversy with the dominant leadership group in his Jewish community and that this leadership is strongly influenced or partly constituted by a rival reform movement which was on its way to becoming rabbinic Judaism. Matthew's text is filled with tension concerning the correct interpretation of biblical law and with attempts to justify his particular interpretations of Jewish tradition against those other groups.¹⁰⁷

Saldarini's interpretation of Matt 23:3 does not really resolve the problem of why Jesus instructs his listeners to obey the Pharisees. Nevertheless, he is correct that Matthew perceives "Christian" Judaism as the only legitimate form of Judaism. Matthew therefore delegitimizes the Jewish leaders by accusing them of "bad faith, misunderstanding of Scripture, malfeasance in their duties, and finally murder."¹⁰⁸ Does this mean that Matthew has

¹⁰³ *t. Pe'a* 4:19.

¹⁰⁴ *b. Sabb.* 31a.

¹⁰⁵ *Ecl Rab* 1:9.

¹⁰⁶ In addition to his essay on Matthew 23, see Saldarini, *Matthew's Christian-Jewish Community* (Chicago: The University Press of Chicago, 1994); *idem*, "The Gospel of Matthew and Jewish-Christian Conflict," in *Social History of the Matthean Community* (ed. David L. Balch; Minneapolis: Fortress, 1991) 38–61; J. Andrew Overman, *Matthew's Gospel and Formative Judaism: The Social World of the Matthean Community* (Minneapolis: Fortress, 1990); *idem*, *Church and Community in Crisis: The Gospel according to Matthew* (The New Testament in Context; Valley Forge: Trinity Press International, 1996); David C. Sim, *The Gospel of Matthew and Christian Judaism: The History and Social Setting of the Matthean Community* (Edinburgh: T & T Clark, 1998).

¹⁰⁷ Saldarini, "Delegitimation of Leaders" 665.

¹⁰⁸ *Ibid.* 668.

exaggerated Jesus' hostility toward the Pharisees? We would argue that he has not done so. As Hagner observes, Matthew's narrative provides an accurate account of "the Jesus of history." However, it is also true that the degree of harshness expressed by Matthew against the Pharisees "is to some degree heightened by the evangelist who, in addition to writing a historical narrative, is also addressing his Jewish-Christian community in their debate with the synagogue, the contemporary manifestation of Judaism."¹⁰⁹ If our conviction is correct that Matthew presents "Christian" Judaism as the only legitimate form of Judaism, Hagner's observation is all the more true.

To sum up, the key to reconciling Matt 23:2–4 with passages such as Matt 12:1–14 and Matt 15:1–14 is (in reverse order) twofold. First, we must remember that Matthew wishes to present messianic/Christian Judaism as the only legitimate form of Judaism. Matthew subscribes to a sectarian worldview in which only believers in Jesus constitute the elect remnant of Israel. He therefore paints the Pharisees in very negative terms as those who have led the nation astray and rejected the Messiah of Israel.

Second, we must hold this truth in tension with the fact that Jesus does recognize the teaching authority of the Pharisees but repudiates their hypocrisy and legalism. And in truth, the Pharisees did aspire to make the law relevant to the daily life of a new generation. They did uphold the righteousness of the Torah, and they did understand that the Lord places a higher priority on mercy and justice than on the commands of lesser importance. More often than not, however, hypocrisy and legalism perverted and invalidated the Pharisees' good intentions. Traditions intended to safeguard God's commandments became the source of their violation. And it is for this reason that Jesus rebukes the Pharisees and accuses them of nullifying the word of God for the sake of their traditions. We find, therefore, that passages such as Matt 12:1–14 and 15:1–14 are in fundamental agreement with our interpretation of Matt 23:2–4, 23.

VI. CONCLUSION

In this essay I have suggested that the Pharisees legitimately occupied the Seat of Moses, an actual chair in the synagogue and a symbol of their legitimate authority. This is why Jesus commanded his followers to do whatever the Pharisees say.

Because of the fact that Jesus attacks the Pharisees for their hypocrisy and for their corrupt teaching in so many other biblical passages, many scholars find this interpretation completely unacceptable. I have argued, however, that this apparent contradiction can be resolved by understanding that Jesus did not mean for his disciples to literally do "all" that the Pharisees taught. He meant rather that they were to obey their teachings regarding the Torah and *halakhah in principle*, a fact supported by Jesus' own basic observance of oral tradition.

¹⁰⁹ Hagner, *Matthew 14–28* 433.

Lastly, I have suggested that Jesus' condemnation of Pharisaic hypocrisy cannot be reduced to a black-and-white rejection of their authority. Jesus rebuked the Pharisees, not because of their *halakhah*, but because they had forsaken the greater commandments of justice, mercy, and faithfulness.

On one level, the Pharisees did genuinely wish to keep the Law. By means of oral tradition, they labored to keep the Torah at the center of Jewish life and worship. As those who sat in the Seat of Moses, the Pharisees provided the Jewish people with practical answers and specific instructions regarding how one actually fulfilled the commands of the Torah.

On a deeper level, however, the inner motives of the Pharisees often betrayed them, and their zeal for the Torah frequently became self-serving. When Jesus rebukes the Pharisees in the woes section of Matthew 23, he reveals that their wrong teachings were a manifestation of their wrong motives. In their heart, these Pharisees yearned for the praise of people, but in their minds, they believed they honored God. They meticulously paid their tithe of dill and cummin, but they neglected the weightier provisions of the law of justice, mercy, and faithfulness (Matt 23:23).