

The Law of Retaliation

📖 Matthew 5:38-42

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📅 September 17, 2014

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Alright, we need to be firm on the overall approach we are taking to the Sermon on the Mount. What's the name of the approach we are taking? The covenant approach. Why do we call it the covenant approach? Because it's built on a proper understanding of the Abrahamic and Mosaic Covenants and their relationship to the coming kingdom. This is, as far as I know in the literature, a unique approach, not in all the particulars of interpretation such as the beatitudes, salt and light, etc...but in the overall approach it is unique. What did the Abrahamic Covenant promise? It promised the believers within the nation Israel that they would ultimately enjoy the land, the seed and the global blessing. What did the Mosaic Covenant promise? The Mosaic covenant promised enjoyment of the land for obedience and cursing and exile from the land for disobedience. The trouble for many is seeing the relationship of these two. How can the nation Israel enjoy ultimate blessing in the land if the ultimate blessing is conditioned on obedience. The answer is that one generation of Israel must learn obedience to the Mosaic Covenant and when they do then the Abrahamic Covenant promises will be realized in the coming of the kingdom from heaven to earth. What do we mean when we say one generation must learn obedience to the Mosaic Covenant? Do we mean absolute perfection? No. We mean learn loyalty as a son would learn loyalty to a Father. We mean the nation must learn to walk after God their Father and desire Him and humble themselves before Him and demonstrate a practical righteousness before Him. We mean a practical righteousness like that of David, Daniel and Nehemiah. When one generation of those types of Israelites comes along who live in true conformity to the righteousness of the Mosaic Covenant then the blessing under the Abrahamic Covenant will come in the form of the kingdom coming from heaven to earth.

Look at the Sermon on the Mount again. What's the key verse that points up this approach? 5:20, "For I say to you that unless your righteousness surpasses that of the scribes and Pharisees, you will not enter the kingdom of heaven." The scribes and the Pharisees had a righteousness but it was not the quality of righteousness needed for that generation to enter the kingdom. My approach to this verse is not common. What's a common approach? That 5:20 is pressing the point that if an individual is not more

righteous than a scribe and Pharisees then that individual will not be in the kingdom. And the point of that approach would be to impress upon the individual that if the scribes and Pharisees were not righteous enough then their only hope was to trust in Jesus Christ for His righteousness. So a common approach is that verse 20 is trying to get the individuals in the nation to realize that they need to believe. While it's true that an individual needs to believe I don't think that at all is the subject of verse 20. What's the biggest problem with that approach? The people Jesus is instructing are already believers! Peter, Andrew, James and John had already trusted in Him and He had already called them to be His disciples and appointed them to be salt and light to the nation. He's training them to be fishers of men and the ultimate catch would be for that generation to repent of the teaching of the scribes and the Pharisees and follow Jesus' teaching. So 5:20 is pressing the point that that generation needed a practical righteousness in keeping with the true intent of the Mosaic Covenant in order to enter the kingdom that was 'at hand'. It's not looking at individual entrance, that was and is always by faith. It's looking at national entrance, for a generation of Israel to enter is conditioned on obedience to the Mosaic Covenant (Deut 30:11-16). Only one generation of Israel is going to meet that righteous requirement and when they do the kingdom will come from heaven to earth. What did that righteousness look like? It's not an imputed righteousness; it's a practical righteousness that surpasses that of the scribes and the Pharisees. What kind of righteousness did the scribes and the Pharisees teach and display? An external righteousness; it was all about the letter of the Law. What kind of righteousness was Jesus referring to? An internal righteousness; it was all about the spirit of the Law. Are these necessarily opposed to one another? No, but the spirit of the Law goes deeper than the other and gets to the real issues that underlie the external acts. So only if the righteousness of that generation was according to the spirit of the Mosaic Covenant would they enter the kingdom. That's what I think 5:20 is all about.

What is Jesus doing in 5:21-48? He's taking six examples from the Law to illustrate the difference in interpretation promoted by the scribes and the Pharisees and the true interpretation of the Law. So the primary difference Jesus is showing is interpretation. Who were the expert interpreters in the 1st century? The scribes in the main and they were a subset of the Pharisees who taught the scribal interpretations in the synagogues to the people. So the people followed what the scribes and Pharisees taught. That's what we see six times when Jesus says, "You have heard that the ancients were told...but I say to you." He's going to contrast His interpretation with theirs and He's doing so with authority and not as the scribes. Not as the scribes meaning what? Not quoting rabbi after rabbi after rabbi who had said this or that is the right interpretation of the Law. Instead he was saying on His own authority, "This is what the Law means." Was Jesus in a position to do that? Absolutely. He was the lawgiver at Mt Sinai so I think He knows what it means. Was He then abolishing the Law? No. He was abolishing the scribal and Pharisaic interpretation of the Law and by giving His interpretation He was establishing the Law.

Was it clear what the Law meant? I mean, should the scribes and Pharisees have known what it actually meant? Should they have known what He was teaching? Absolutely. The text was clear. What was the problem then? They had not done due diligence in their study of the Law. The scribes studied the rabbi's interpretations of the law more than the Law itself and in fact what the scribes said was more authoritative than the Law. But the chief problem was that the scribal interpretation of the Law only went as far as the letter of the Law, it governed external behaviors but did not reach into the internal thoughts and attitudes that underlie the external behaviors. And what the Law was really aiming at all along was the heart. It is the hand that murders but it is the heart that hates behind the hand; it is the body that commits adultery but it is the heart that lusts underneath the body. So there was a quantitative difference in the righteousness of the scribes and the Pharisees vs what the Law really intended and when we get through with these six contrasts we'll summarize the true principles of the Law and what that generation needed to exemplify in order to enter the kingdom.

Tonight in the Sermon on the Mount we come to the fifth contrast and this one contains one of Jesus' more controversial sayings, "turn the other cheek" and just exactly what does He mean by "turn the other cheek." Was Jesus teaching that if an armed attacker tries to kill you and your family you should let him kill you? Was he teaching that a believer should not enter into his nation's military and fight in a defensive war? In other words, was he teaching a stance of passive, non-retaliation for the believer? The Amish and Mennonites claim that "turning the other cheek" in this sense is the essence of what it means to be "a peacemaker" and therefore Jesus is teaching us not to defend ourselves or take up arms in our nation's military in a defensive war.

Before we get lost in the details what is the big point? To contrast the teaching of the scribes and the Pharisees with Jesus' teaching on a point of the Law. So to interpret you have to know the Law and you have to know what the scribes and Pharisees said the Law meant. Otherwise you'll be subject to reading into the text. What did the scribes and Pharisees teach? Verse 38, **You have heard that it was said, 'AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH.'** Is that an accurate summary of what the OT Law taught? Yes. It is an accurate statement in an abbreviated form of what the OT Law taught. Note in your margin several passages that this abbreviated idea comes from. What are the passages? Exod 21:22-25; Lev 24:20 and Deut 19:18-21. Those passages all contain the principle eye for an eye, tooth for a tooth. What is the name of this law as it has come down to us? We've seen the Law of Murder, the Law of Adultery and so forth... what is this Law? The Law of Retaliation, what came to be known in the Latin as *lex talionis*. Jesus quotes the abbreviated form, **AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH** which the Pharisees stated in synagogue. Let's turn to Exod 21:22 to see a full form of this law. This is an interesting and controversial case of two men fighting and in the midst of the scuffle a woman with child gets involved. We dealt with this case in our Exodus series years ago and at the conclusion of this case in verse 23 the Lord says through Moses, "life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn,

wound for wound, bruise for bruise.” In other words, if there was some physical injury as a result of that scuffle to either the woman or the child then there was a law of retaliation that stated in effect that the same physical injury would be returned on the attacker. This is the fullest form of the law of retaliation we have in the Law and what essentially is the principle of this law? Measure for measure. If someone gouged out your eye then the penalty was their eye would be gouged out. If someone burned you then they would be burned. That’s the idea and it’s trying to maintain just compensation.

Turn to Lev 24:19. Here we see the same Law of Retaliation. “If a man injures his neighbor, just as he has done, so it shall be done to him: fracture for fracture, eye for eye, tooth for tooth; just as he has injured a man, so it shall be inflicted on him.” Again, it seems to be setting out the principle of measure for measure as the standard for just compensation.

Finally Deut 19:18, in the context of a false witness. In this case, verse 18, “The judges shall investigate thoroughly, and if the witness is a false witness and he has accused his brother falsely, then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you. The rest will hear and be afraid, and will never again do such an evil thing among you. Thus you shall not show pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.” Here we see that a man was falsely accusing someone and if this was found out then the accusation would turn on his own head. So for a third time we see the principle of measure for measure in order to meet the standard of just compensation but there is one note here worth pointing out. Who did the case go before? Verse 18, “the judges” and there was a thorough investigation carried out in order to acquire all the evidence. So the Law of Retaliation was not a justification for personal vengeance; it was a matter that was carried out in a court of law. If someone gouged your eye out you couldn’t go over and carry out personal vengeance by gouging their eye out. It had to go to a court of law. This is what the Law taught and it is very important for our text in Matthew 5 to realize that the Law did not authorize personal vengeance.

Those are your three passages that make up the Law of Retaliation and stand behind Jesus’ statement in Matt 5:38, **You have heard that it was said, ‘AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH.’** Two points however, need to be remembered. First, was this always carried out in the literal sense? In other words, if someone gouged out an eye did the courts then assign someone to gouge out the other person’s eye? No. There is no evidence that this took place. And you can imagine if they did you’d have a lot of people going around without eyes or hands or feet. No. There was another passage. Turn to Num 35:31. This is in the context of murder but you will notice something in this instruction by way of implication with respect to crimes outside of murder. “Moreover, you shall not take ransom for the life of a murderer who is guilty of death, but he shall surely be put to death.” In other words, there was the possibility of ransom for crimes which fell short of murder. Only in the case of murder could there not be a ransom assigned. What’s the concept of a ransom? It’s the concept of just compensation, some monetary fine

that could be assigned by the courts. So, for example, if someone instigated a fight with you and knocked your tooth out the court would say, "Alright, the penalty for a tooth is a tooth, so what is just compensation for a tooth?" And they would deliberate and come to a decision and fine the instigator. This was the ransom and it was made for all the physical injuries except one. Which one? Life for life. Why? Because Gen 9:6, "Whoever sheds another man's blood, By man his blood shall be shed, For in the image of God He made man." The value of human life is so valuable that there was no ransom possible. All the money in the world could not be a just compensation. So the only just penalty for murder was 'life for life' and therefore they held to the death penalty. So when you see the Law of Retaliation in these texts, 'life for life, eye for eye, tooth for tooth, burn for burn, foot for foot, etc...' understand that the only one that was taken literally was 'life for life,' the others could be assigned a just compensation by the court of law.¹ That is very important to understand in Jesus' statements in the Sermon on the Mount.

The second point to be remembered: Was there to be any personal grudge held after the court decision? In other words, how were you to act toward the offender after the court had made its decision and just compensation dealt? Turn to Lev 19:17-18. It seems that that was to be the end of it and no grudge was to be held. "You shall not hate your fellow countryman in your heart; you may surely reprove your neighbor, but shall not incur sin because of him. You shall not take vengeance, nor bear any grudge against the sons of your people, but you shall love your neighbor as yourself; I am the LORD." What the Law is saying is there should be no personal vengeance taken. You should not take the law into your own hands. What the courts have decided should be the end of it. Therefore the spirit of the Law was an attitude of graciousness to the offender and this was to cultivate love to your neighbor and good relations in the nation Israel (i.e. not form family grudges).

Alright, that's what the Law taught. To understand what Jesus is teaching about the Law we have to understand with precision what the scribes and Pharisees had done with the law of retaliation such that their interpretation and application of it did not produce a righteousness that was befitting that generation's requirement for kingdom entrance. What did the scribes and Pharisees teach about the law of retaliation? There are several points here. First, the scribes and Pharisees interpreted the Law to mean strict adherence to the law. As Martin Lloyd Jones says, they "regarded it...as a matter of right and duty to have 'an eye for an eye, and a tooth for a tooth.' To them it was something to be insisted upon rather than something which should be restrained." In other words, they really missed the true intent of the Law. The intent of the Law of Retaliation was to ensure a limit on the amount of punishment; it was not to ensure that the full punishment was ordered by the court. It was really to protect the attacker so that the punishment did not exceed the crime. Inghram says, "...the law of retaliation was given to ensure that the punishment did not exceed the injury, not to ensure punishment was administered."² So the law was given to protect the guilty party against the tendency for the punishment to go too far.

What the scribes and Pharisees took the law to mean was that exact punishment must be administered. This was a distortion of the law. Second, the scribes and Pharisees also held that the law of retaliation gave an individual the right to personal revenge. "The Jewish leaders had so expounded this precept as though God had given permission for each individual to take the law into his own hands and avenge his own wrongs." This was just flat contrary to Scripture. As Hendriksen notes, "The OT repeatedly forbids personal vengeance: "You shall not take vengeance, nor bear any grudge against the children of your people; you shall love your neighbor as yourself; I am Jehovah" (Lev 19:18). "Do not say, I will repay evil. Wait for Jehovah, and he will save you" (Prov 20:22). "Do not say, as he has done to me so will I do to him; I will pay the man back according to what he has done" (Prov 24:29)."³ The Law did not at all permit personal vengeance, it denied personal vengeance. It put it all in the hands of the courts. Therefore the scribes and Pharisees had interpreted the Law to mean that if the courts did not exact full punishment then it was up to the person to enact vengeance for the remainder that was due. This seems to be what Jesus is rejecting.

With that background let's look at Matt 5:38, **You have heard that it was said, 'AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH.'** In other words, strict and full punishment was required and if not met by the courts then personal vengeance was authorized. There is a principle here that they were missing and it was the main ingredient in all of these dealings. Can anyone see what it is? I will admit that this is not easy to see. What I've tried to do in the Law is make it as easy to see as possible but I admit it's still difficult. The principle that the Law was communicating was to be gracious in your dealings with individuals, not to insist on strict justice but to practice gracious justice and no personal vengeance. Let's look at Jesus' response in verse 39, **But I say to you, do not resist an evil person.** That is the core teaching of Jesus concerning the Law of Retaliation. The four illustrations that follow are examples of what this expression means. What does this expression mean? The Greek word **resist** is *ανθιστημι* and means "to be in opposition to, *set oneself against, oppose.*" He seems to be saying do not set up a personal grudge in one's heart. This is what the Law said when it stated do not set up a grudge in your heart, do not store up personal hate; accept the decision of the court, which decisions should be tempered by grace, especially in minor offenses and take no personal vengeance. So I would say what Jesus means by the statement **do not resist an evil person** is "do not set yourself against that evil person" but rather have a gracious attitude toward them.

The four examples given are all minor offenses and each seems to be illustrating the importance of gracious dealings with others rather than the strictness of the scribes and Pharisees. To take any one of these four beyond that core teaching is dangerous misinterpretation of the text. The first illustration of gracious dealings is **but whoever slaps you on your right cheek, turn the other to him also.** A slap on the right cheek can only be achieved with the back of the dominant hand, which for most people is the right hand. What is being referred to then is a backhanded slap. Ridderbos agrees saying, "Jesus

specifically mentions the right cheek here, even though a blow from a right-handed person would normally fall on the left cheek. This probably means that the blow is delivered with the back of the hand, since then it would indeed fall on the right cheek."⁴ Such a slap is not intended to physically injure but to humiliate. Inghram says, "Although a backhand slap could be seen as a stroke of less force than a forehand stroke thereby resulting in an incident of reduced physical harm, historically, a backhand slap to someone in the Jewish or Mid-Eastern culture was to perpetrate an extreme insult."⁵ Keener remarks that this "backhanded blow to the right cheek did not imply shattered teeth (tooth for tooth was a separate statement); it was an insult, the severest public affront to a person's dignity." In other words, a slap on the right cheek is a figure of speech known as idiom whose meaning is not predictable from the meaning of the actual words. It refers to a public insult. What is clear then is that Jesus is not talking about a civil offense such as punching, kicking, clubbing, stabbing or shooting. The incident is limited to a backhanded slap which would have been understood by a 1st century Jew as an act of public insult and humiliation. What is Jesus teaching? That when publically humiliated they should "turn the other cheek," that is, be gracious in dealing with the person and accept the insult without taking him to court or exercising personal vengeance. Such a minor insult is, in the grand scheme of things, a minor offense. True righteousness according to the Law taught one to be gracious to such evil people and not insist on making a federal case out of it or taking personal vengeance, i.e. **turn the other cheek**. Therefore this phrase should not be understood as inviting another slap (more wrongdoing) but simply as not retaliating against personal insults by taking them to court or taking the law into one's own hands.

By application, what about punching, kicking, stabbing or shooting? How should we respond if someone attacks us in such manner? Many take this text as support for passive, non-resistance. The Amish, Mennonite and some Brethren have taken this view. They hold that we should not fight back. However, this is taking the words literally and missing the point of the idiom. The idiom is referring to a backhanded slap which was intended to humiliate not physically injure. The text simply does not address civil crimes such as someone punching you or kicking you or shooting you. The concern is minor personal insults. However, if someone attacks you to physically harm you the appropriate response at the moment is to defend yourself with the force necessary to turn away the attacker.

What about police work? The text again does not address this issue. The concern is only a personal insult, not civil authority of a police officer. Such a profession and those like it are completely valid in this era. Police are government officials and God gave human government. They are ministers of His divine institution and their office and profession should be respected and honored. There is nothing sinful about serving in the police force or killing someone in the line of duty. We live in an evil world and civil crimes must be resisted by those who truly desire to see law and order. All Jesus is addressing here is minor personal insults.

What about service in the military and fighting in a defensive war? The concern again is simply a personal insult, not national defense. Standing armies are necessary in this present era to protect the national interests and culture against enemy threats. God divided the nations and languages in order to keep nations separate in order to curb sin. Soldiers are fulfilling a God-ordained right to protect their nation from the evils of others. They should be honored and respected. There is nothing sinful about serving as a soldier or killing someone in combat. We live in an evil world and protecting national self-interest is proper for those who desire to suppress evil. Jesus is not addressing that issue at all here. He is addressing how an individual should react when he is personally insulted!

His teaching concerning a slap on the right cheek and turning to him the other also is plain; be gracious when someone insults you, in the grand scheme it is a minor insult, deal with it and move on, do not personally retaliate by making a federal case out of it or taking personal vengeance. Let it go.

The second illustration is verse 40, **If anyone wants to sue you and take your shirt, let him have your coat also.** The Greek for **shirt** refers to the inner garment and for **coat** refers to the outer garment. The illustration is drawing from the OT system where if you loaned someone some money you would take their coat as security. The Law went on to say that if the person was poor then you were to return the coat to him before the sun set so that he could stay warm at night because God was gracious and they should be gracious.

Here we have someone who is insistent on taking and keeping the garment and they are willing to take you to court over it. Ridderbos says that “disagreements could easily have arisen” with creditors desiring to go to court to secure a poor person’s coat as security. In such a case Jesus said in effect, “My goodness, if they want to make a federal case out of it just give them your coat also!” This, of course, is hyperbole, an exaggeration, to teach the principle that they should do whatever they can to avoid minor legal entanglements. The scribes and Pharisees insisted on taking every minor detail to court! Jesus is saying just be gracious and do whatever you can to avoid being taken to court over such minor material items. Since it is hyperbole (exaggeration) Jesus is not saying take all your clothes off and give them to someone else. His point is to simply emphasize the importance of being gracious over trying to secure material items.

The third illustration of being gracious is verse 41. **Whoever forces you to go one mile, go with him two.** The custom behind this practice is clarified by Pentecost where he says, “Palestine was occupied by Roman armies. In order to transport goods from one place to another, a Roman soldier had the right to requisition a person to carry his things. But to protect the conquered citizens from injustice, the Roman law said that a soldier could compel one to carry his burden for only one mile. But Christ said if one is conscripted to carry a burden, righteousness will compel him to carry it two miles (Matt. 5:41).”⁶ They were to be gracious and go the extra miles even when the law only required them to go so far.

The fourth illustration of being gracious is verse 42, **Give to him who asks of you, and do not turn away from him who wants to borrow from you.** The Law in Exod 22:25 taught that Jews were to lend to their fellow Jews without interest. Jesus does not say anything different here than what the Law originally said. What is He addressing them? Probably the reluctance of Jews to lend to other Jews because of fear they wouldn't get repaid. Jesus is encouraging them to be gracious givers and not reluctant.

The point of all these illustrations is to explain the true principle of the Law which Jesus summarizes in verse 39, "do not resist an evil person." This expression means "not to be antagonistic to an evil person but rather to be gracious to them in personal matters. The scribes and Pharisees insisted on taking others to court for minor personal matters and pressing for the full punishment of the Law. If such punishment was not meted out then there was room left for personal vengeance. Jesus insists that this is a distortion of the Law and that the whole tenor of the Law was to be gracious in such personal matters. If someone insulted you turn the other cheek, let it go, be gracious, don't make it a big deal. If someone wanted to sue you to keep your shirt for security on a loan, just be gracious and give them your coat also, don't get involved in minor legal entanglements; if a Roman soldier conscripted you to go one mile be gracious and go two miles, and if someone poor asks to borrow money don't be reluctant to give but be gracious and ready to provide for his needs. This is the kind of righteousness Jesus was looking for in that generation and which His disciples were to teach and display before the world in order to lead the nation to repentance in preparation for the kingdom.

¹ The penalty for manslaughter, which was accidental murder, was different than for deliberate, malicious murder. Those who committed manslaughter were not subject to the death penalty but were assigned to one of the six refuge cities spread throughout Israel until the death of the high priest. As long as they remained in that refuge city they were safe from any vengeance by a member of the injured party.

² Dan Inghram, *Turn the Other Cheek*, Ph.D. Thesis Capital Bible Seminary, p 35.

³ Hendricksen, *Matthew*, p 103.

⁴ Inghram, *Ibid.*, p 51.

⁵ Inghram, *Ibid.*, p 51.

⁶ Dwight Pentecost, *The Words and Works of Jesus Christ*, p 181.