



“Make an Effort to Get Loose”: Reconsidering the Redaction of Q 12:58-59

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Abstract

This article reflects on Kloppenborg’s significant theory of the stratification of the Sayings Gospel Q. In *The Formation of Q*, Kloppenborg identifies three redactional layers in the Sayings Gospel Q: the “formative stratum” (or Q¹), the “main redaction” (or Q²), and the “final recension” (or Q³). He ascribes the saying about avoiding the courts in Q 12:58-59 (Matt 5:25-26 // Luke 12:58-59) to the main redaction. As an alternative, it is argued here that this logion belongs to the formative stratum. As part of arguing the latter case, the realistic socio-historical context of the logion in first-century Palestine will be considered with new and unprecedented interest.

Keywords: redaction, Q, socio-historical setting, court, debt.

Introduction

In the history of Q research, a number of scholars attempted to identify the different layers that constitute the Sayings Gospel Q. Names worth mentioning in this regard are Siegfried Schulz (1972), Arland Jacobson (1978; 1992), Dieter Lührmann (1969) and Migaku Sato (1988). However, it was the proposal of John S. Kloppenborg that ultimately won over scholarship and enjoyed widespread approval. No doubt, Kloppenborg was heavily influenced by the work that preceded him, but he also went beyond these previous efforts in significant ways (see Howes 2015:45-52, 61-68). Kloppenborg applies form-critical and redaction-critical methods to identify the layers that make up Q. In *The Formation of Q*, Kloppenborg identifies three redactional layers in the Sayings Gospel Q: the “formative stratum” (or Q¹), the “main redaction” (or Q²), and the “final recension” (or Q³). He ascribes the saying about avoiding the courts in Q 12:58-59 to the main redaction (Kloppenborg, 1987:101, 102, 166, 169; 2000:144). As an alternative, it will presently be argued that this logion belongs to the formative stratum. As the foregoing sentences reveal, this article accepts the stratigraphy of Q proposed by Kloppenborg in 1987, thereby using it as a basis for further study. A number of other scholars have done the same (e.g. Vaage, 1994:7, 107; Cotter, 1995:117; Arnal, 2001:5; Rollens, 2014:94-95, 105, 109-113; Oakman, 2015:100). The present author has defended his acceptance and approval of Kloppenborg’s stratigraphy of Q at length elsewhere (see Howes, 2015a:61-89, 151). As one can surmise from the foregoing, established exegetical techniques are used in this article, especially form-criticism and redaction-criticism, to argue that Q 12:58-59 belongs in the first redactional layer of the Sayings Gospel Q.

There is widespread scholarly agreement that the primitive saying about avoiding the courts in Matthew 5:25-26 and Luke 12:58-59 featured in the Sayings Gospel Q (Burkett, 2009:144).¹ The International Q

¹ E.g. Marshall, 1978:546; Davies & Allison, 1988:519, 521; Funk & Hoover, 1993:142, 344; Sato, 1994:160, 173; Luz, 2007:233, 234; cf. Hunter, 1964:82, 121; Carlston, 1982:110, 113, 115; Kloppenborg, 1987:152; 1995:309; 2000:194; 2001:165; Piper, 1989:105-107; 1995:60-61; 2000:250; Jacobson, 1992:201-203; 1994:114; Catchpole, 1993:150;



Project provides the following reconstruction and translation of Q 12:58-59 in their Critical Edition of Q (Robinson, Hoffmann & Kloppenborg, 2000:394-399; 2002:128-129):

[[While]] you «go along» with your opponent on the way, make an effort to get loose from him, lest [[the opponent]] hand you over to the judge, and the judge to the assistant, and [[the <assistant>]] throw [[you]] into prison. I say to you: You will not get out of there until you pay the last [[penny]]!

[[ἕως ὅτου]] ... μετὰ τοῦ ἀντιδίκου σου ἐν τῇ ὁδῷ, ὃς ἐργασίαν ἀπηλλάχθαι ἀπ' αὐτοῦ, μήποτε σε παραδῶ [[ὁ ἀντίδικος]] τῷ κριτῇ καὶ ὁ κριτῆς τῷ ὑπηρέτῃ καὶ [[ὁ <ὑπηρέτης>]] σε]] β[[α]]λ[[εῖ]] εἰς φυλακὴν. λέγω σοι, οὐ μὴ ἐξέλθῃς ἐκεῖθεν, ἕως τὸ [[ν]] ἔσχατον [[κοδράντην]] ἀποδῶς.²

Kloppenborg's analysis

Kloppenborg (1987:152-153) acknowledges that Q 12:58 used to be a sapiential admonition, but argues that verse 59 “is more typical of a prophetic judgment statement.”³ According to him, the formula λέγω ὑμῖν (σοι)· οὐ μὴ ... ἕως/μέχρις⁴ occurs predominantly in apocalyptic and prophetic announcements (cf. also Fleddermann, 2005:657). Moreover, the first part of this formula (λέγω ὑμῖν/σοι⁵) often “serves as an assertive introducing [a] solemn statement concerning punishment, reward and judgment” (Kloppenborg, 1987:153; cf. Luz, 2007:241). According to Kloppenborg, the adverb ἐκεῖθεν (“from there” or “out of there”) indicates that verse 59 could not have circulated independently, but must have been conceived with verse 58 in mind. Hence, a saying that used to be a straightforward admonition (verse 58) was turned into an apocalyptic-prophetic logion when a climactic exclamation (verse 59) was subsequently added to it (cf. Carlston, 1982:110, 112-113, 114-115; Kirk, 1998:238). Kloppenborg (1987:153) continues to argue that verse 59 must already have been added to verse 58 before the logion was incorporated into Q, since the addition of verse 59 was motivated by “the theme of judgment and punishment which runs through [Q] 12:39-56” (cf. Koester, 1997:143, 145, 147). Hence, Kloppenborg (1987:101, 102, 166, 169; cf. 2000:144; 2001:165) finds that Q 12:58-59 belongs with the material on apocalyptic judgment in Q's main redaction (cf. Jacobson, 1994:114). More than anything, this finding relies on a prophetic-apocalyptic reading of verse 59 (Howes, 2015a:75).

Kloppenborg is in all likelihood correct that Q 12:58-59 was a complete saying when it was added to Q. Whether or not verse 58 ever existed without verse 59 is more difficult to determine. There is no reason why Q 12:58-59 could not have existed more or less as it appears in Q from inception (Davies & Allison, 1988:519). The forceful climax to the logion would then be a way of emphasising the horrific conclusion of a process that started with going to court, thereby supporting the central command not to go to court

Bultmann, 1994:26, 27, 30; Cotter, 1995:127; Horsley, 1995b:40, 43-45; Robinson, 1995:273; 1998a:240; 1998b:135; Vaage, 1995:89; Tuckett, 1996:433; Allison, 1997:26; Koester, 1997:143, 145, 147; Kirk, 1998:238-241; Arnal, 2001:94, 171, 173, 194; Denaux, 2001:432; Fleddermann, 2005:652-658; 2014:160; Johnson-DeBaufre, 2005:103-104; Valantasis, 2005:174-176; Joseph, 2012:29, 86; Batten, 2014:82; Park, 2014a:77; 2014b:4; Rollens, 2014:93-113; Zimmermann, 2014:11, 28; Bazzana, 2015:308; Oakman, 2015:xi, 72, 75, 81; Ra, 2016:224-225. For the opposite minority position that Matthew 5:25-26 and Luke 12:58-59 do not derive from Q, see e.g. Bock, 1996:1189-1190.

² In Q reconstruction, double square brackets (i.e. [[...]]) indicate a probability of {C}, which is lower than {A} or {B}, but higher than {D} or {U}. Pointed brackets (i.e. <...>) indicate some measure of conjecture, but with reference to the Matthean and Lukan texts. Guillemets (i.e. «...») indicate phrases that seem to have originated in Q, but for which it is impossible to produce a verbatim or close-to verbatim reading with any degree of certainty. For a more detailed description of the application of these sigla, see Robinson, Hoffmann and Kloppenborg, 2000:563-564; 2002:153-155.

³ Kloppenborg assumes that verse 57 also featured in Q. Whether or not it did has little impact on the content of his case. This article follows both the Critical Edition of Q and the majority of scholars in viewing verse 57 as a Lukan addition (e.g. Jacobson, 1992:202; Amon, 1997:318; Johnson, 1997:319).

⁴ My translation of the “formula”: “I say to you [singular or plural]: ‘certainly not ... until [ἕως/μέχρις]’.”

⁵ “I say to you [singular or plural].”



(cf. Betz, 1995:228-229). If so, there is reason to doubt the prophetic and eschatological nature of verse 59 in the first place, which in turn would jeopardise the finding that this logion belongs in Q's main redaction (see below). Kloppenborg is correct that the theme of eschatological judgment features strongly in the preceding Q material, but according to his own stratigraphical model this material was only added during the main redactional process. If Q 12:58-59 was a unit when incorporated into Q, and if the logion is not particularly prophetic, then the saying could easily have featured in the formative stratum before being incorporated into the main redaction. In this regard, it is important to notice that Q 12:58-59 appears on the border between Q¹ and Q² material. The two sayings that follow Q 12:58-59 belong to the formative stratum (Q 13:18-19, 20-21).

Kloppenborg further fails to consider the Matthean placement of this logion. Matthew situates the logion between Q 16:17 and Q 16:18 in his Gospel. If this is correct, there would be little reason to regard Q 12:58-59 as a prophetic logion (Howes, 2015a:75, 113). It is true that the two logia that would probably have preceded Q 12:58-59 directly in this context, namely Q 16:17 and Q 16:16, belong to the final recension and the main redaction respectively, according to Kloppenborg's stratigraphy (see Kloppenborg, 1987:112-115; 2000:152-153). Out of these two, Q 16:16 in particular discusses a prophetic and/or eschatological subject. It is worth mentioning, though, that the placement of Q 16:16 is itself in question, with some scholars preferring its Matthean position after Q 7:24-28 (see Kloppenborg, 1987:112-114). More importantly, most of the sayings that surround Q 12:58-59 in this context are wisdom logia that belong to the formative stratum (e.g. Q 14:26, 27; 17:33; 14:34-35; 16:13, 18; 17:1-2), including those sayings that would have followed Q 12:58-59 directly (i.e. Q 16:18; 17:1-2). In other words, Q 12:58-59 is also in this literary context on the border between Q¹ and Q² material. Furthermore, the same argument made above with regard to the Lukan placement applies in this context as well: if Q 12:58-59 was a unit when incorporated into Q, and if the logion is not particularly prophetic, then the saying could easily have featured in the formative stratum before being incorporated into the main redaction (cf. Horsley, 1999:65).

These difficulties should warn one against appealing to the literary context of Q 12:58-59 when trying to determine whether it belongs to the formative stratum or the main redaction. The position of this logion in Q is not entirely certain, and in the case of both its Matthean and Lukan placement, the logion is on the border between Q¹ and Q² material. Instead of an appeal to the literary context of Q 12:58-59 in the Sayings Gospel, the remainder of this article will appeal to Kloppenborg's own criteria for distinguishing between Q's formative stratum and main redaction, namely "characteristic forms," "characteristic motifs" and "implied audience."

Characteristic forms

Q 12:58-59 has often been taken as a parable about eschatological judgment (e.g. Weiß, 1878:452; Bultmann, 1968:96, 149; Marshall, 1987:551, 552; Bock, 1996:1190; Amon, 1997:318-319; Zimmermann, 2015:102, 215). If this were true, the sapiential nature of the saying would be immediately evident, since parables were above all sapiential small forms, even if they at times happened to discuss prophetic, eschatological and/or apocalyptic motifs (cf. Edwards, 1976:74; see Kirk, 1998:234, 246-248; Howes, 2015a:203, 220, 292-293). On the other hand, the Sayings Gospel seemingly had a propensity for turning sapiential parables into eschatological material (cf. Carlston, 1982:112-113).⁶ It follows that if Q 12:58-59 were indeed a parable, an eschatological interpretation might already have been bestowed upon it by the time the evangelists found it in Q (Carlston, 1982:112-113, 114-115). Despite the fact that these arguments cancel each other out, they should also be disregarded simply because Q 12:58-59 is not a parable (Luz, 2007:234; Foster, 2014:261, 278; Wright, 2015:81-82; cf. Kloppenborg, 1995). Rather than invite contemplation by comparing God's kingdom (or something else) to some corporeal

⁶ Cf. e.g. Q 12:42-46; 13:24-29; 14:16-18, 21, 23; 19:12-13, 15-24, 26. See Howes, 2014:54-75; 2015a:203, 220, 292-293; 2015b:478-484; 2015c:321-350; 2016a:479-506; 2016b:18-54.



reality in daily life, the saying tries to convince through logic and argumentation. In the words of Foster (2014:278): “The situation envisaged in this tradition is presented more as a hypothetical possibility, than the type of fictionalized reality that is often assumed in the narrative world of certain types of parables.” More crucially, the imperative mood of the verb *δοῦς* immediately disqualifies Q 12:58-59 as a parable. As a rule, verbs never appear in the imperative mood in the narrative of a parable.⁷ The only exception is when a character within the parable gives a command (e.g. Q 13:27; 14:23; 19:24). In such cases, the command with the imperative verb is separated from the rest of the narrative by featuring as part of direct speech. It is only with the (secondary) parable applications that the *narrator* of a parable might use an imperative verb. Supporting these observations is the fact that very few contemporary parable scholars actually consider Q 12:58-59 to be a parable (see Foster, 2014:255-285, esp. 275, 281; cf. Kloppenborg, 1995).⁸

Few would protest the fact that Q 12:58-59 is a sapiential admonition (cf. Zeller, 1977:66-67; Piper, 1989:102, 106, 157; Jacobson, 1992:202; Allison, 1997:42; Kirk, 1998:238; Luz, 2007:234). Taken literally, the saying is an unadulterated piece of advice to make amends with one’s legal opponent before going to court (Kirk, 1998:238; Valantasis, 2005:175; Foster, 2014:261; Wright, 2015:81-82; cf. Luz, 2007:241). The saying consists of a temporal clause,⁹ a central command in the imperative mood¹⁰ and a lengthy final or motive clause (cf. Zeller, 1977:65; Jacobson, 1992:202; Kirk, 1998:238 Fleddermann, 2005:656, 657).¹¹ The emphatic statement of verse 59 functions to underline and strengthen the force of the foregoing motive clause, thereby providing additional support to the central command.¹² Causality is central to the rhetorical approach of the logion, which argues that if you fail to make amends with your legal opponents (the cause), you will be at the mercy of the legal system and end up in prison (the effect) (Valantasis, 2005:175; cf. Jacobson, 1992:202). Once set in motion, the judicial process is unstoppable, and the outcome inevitable (Nolland, 2005:234; Rollens, 2014:105; cf. Dodd, 1958:138; Robinson, 1995:273). Verse 59 is the emphatic finale to this cause-and-effect chain of reasoning (cf. Marshall, 1978:551; Betz, 1995:226, 228). Such rhetoric is intrinsically sapiential, and particularly at home with instructional wisdom (cf. Howes, 2015a:230). In all, the saying uses logic and argumentation to convince its audience. These features are all conventional for a sapiential admonition (cf. Kirk, 1998:92).

Despite the instructional nature of the logion, it still has a gnomic application, much like a maxim (cf. Kirk, 1998:238). In other words, although the saying is technically presented as a command, it is intended as a piece of sapiential advice (cf. Hunter, 1964:82; Betz, 1995:227; Valantasis, 2005:175; Luz, 2007:241). As Kirk (1998:92) explains, the line between a maxim and an admonition is easily crossed, and often merely an aspect of technical classification. Taken at face value, Q 12:58-59 is a sapiential admonition that addresses the typical and commonsensical subject of avoiding (at all costs) any form of judicial procedure (cf. Edwards, 1976:129; Marshall, 1978:551; Kloppenborg, 1987:152-153; 2000:194; Piper, 2000:250; Luz, 2007:241; Foster, 2014:261; see Kirk, 1998:238-239; Piper, 1989:105-107). Significantly, there are logia from contemporary sapiential texts that are not merely comparable,

⁷ Bultmann (1968:96) acknowledges the problem of the imperative, but continues to treat Q 12:58-59 as a parable; or a similitude, in his case.

⁸ It has been suggested that Q 12:58-59 is a special kind of parable, namely an “aphoristic parable,” which presupposes a fictional narrative, but lacks the formal features of a parable (e.g. Crossan, 1992:148; Rollens, 2014:105, esp. n. 32). This suggestion, apart from being entirely unhelpful in classifying the logion, is in fact little more than an acknowledgement that the saying fails to conform to the formal features of a parable.

⁹ “[While] you «go along» with your opponent on the way” ([ἔως ὅτου] ... μετὰ τοῦ ἀντιδίκου σου ἐν τῇ ὁδῷ).

¹⁰ “make an effort to get loose from him” (δοῦς ἐργασίαν ἀπηλλάχθαι ἀπ’ αὐτοῦ).

¹¹ “lest [the opponent] hand you over to the judge, and the judge to the assistant, and [the <assistant>] throw [you] into prison” (μήποτε σε παραδῶ [ὁ ἀντίδικος] τῷ κριτῇ καὶ ὁ κριτῆς τῷ ὑπηρέτῃ καὶ [ὁ <ὕπηρέτης> σε] β[[α]]λ[[εῖ]] εἰς φυλακίην).

¹² “I say to you: You will not get out of there until you pay the last [penny]!” (λέγω σοι, οὐ μὴ ἐξέλθῃς ἐκεῖθεν, ἕως τὸ [v] ἔσχατον [κοδράντην] ἀποδῶς).



but remarkably similar to Q 12:58-59 (Piper, 1989:106; Betz, 1995:228, esp. n. 248; Luz, 2007:237, 241).¹³

As we saw, Kloppenborg (1987:152-153) acknowledges that verse 58 used to be a sapiential admonition, but argues that verse 59 “is more typical of a prophetic judgment statement.” According to him, the formula λέγω ὑμῖν (σοι)· οὐ μὴ ... ἕως/μέχρις occurs predominantly in apocalyptic and prophetic announcements (cf. also Fleddermann, 2005:657). Yet, none of the texts held up by Kloppenborg as examples of this prophetic and/or apocalyptic “formula”¹⁴ match the phrase in Q 12:59 word for word. Kloppenborg argues further that λέγω ὑμῖν/σοι¹⁵ commonly introduces a statement about punishment, reward and judgment (cf. Luz, 2007:241). Yet, while discussing a different occurrence of the phrase λέγω ὑμῖν in Q (12:4-5), Kloppenborg (1987:210, esp. n. 164) admits that it occurs frequently in sapiential material. In fact, during his discussion of Q 6:27-30, Kloppenborg (1987:178-180) argues fiercely *against* the notion that the phrase λέγω ὑμῖν in verse 27¹⁶ functions as a prophetic formula, maintaining instead that the formula introduces a sapiential admonition, and calling the idea that the logion is prophetic “entirely conjectural.”¹⁷ Other examples could have been added (e.g. Kloppenborg, 1987:209-210, 218-219).

Betz (1995:228) sees the phrase λέγω σοι as evidence that Matthew 5:26 (i.e. Q 12:59) derives from “a proverb taken out of the oral tradition of wisdom sayings.” In general, the Sayings Gospel Q uses the phrase λέγω ὑμῖν in both the proverbial logia of the formative stratum¹⁸ and the prophetic-eschatological *chreia* of the main redaction.¹⁹ This observation is particularly significant in the current case, where the sapiential nature of the isolated logion is so apparent (see above). As it stands, Q 12:59 does not need to be read as a prophetic or eschatological saying at all (cf. Schulz, 1972:423; Zeller, 1977:66-67; Piper, 1989:106; Howes, 2015a:113; see Foster, 2016:161-162). Davies and Allison (1988:488), who are generally prone to eschatological readings, view Q 12:59²⁰ as a saying that does “not directly pertain to eschatology.”

To be sure, Q 12:58-59 lacks all the formal features of prophetic, apocalyptic and eschatological small forms, including prophetic introductory formulas, a threatening tone, and the features of the so-called “eschatological” or “prophetic correlative” (cf. Horsley, 1999:65; see Edwards, 1969:9-20; 1976:41, 142; Schmidt, 1977:517-522). More importantly, the logion is not introduced as a *chreia*. In other words, there is no narrative introduction that contextualises the logion as an anecdote. It is further significant that the verb “get out” (ἐξέλθης) is in the aorist tense and subjunctive mood, not the future tense and indicative mood as one would expect from a prophetic or eschatological saying. The subjunctive mood fits better with logical reasoning and rhetorical argumentation. One could perhaps point to the adjective ἔσχατος (“last” or “final”) in verse 59, which is the Greek word from which the English term “eschatology” derives, but its usage here is purely coincidental, functioning in the syntactical context as a description of the noun κοδράντης (“penny”) (*pace* Fleddermann, 2005:657). Given these considerations, it is certainly justified to conclude that Q 12:58-59 is an admonition (cf. Luz, 2007:234).

¹³ Cf. Prov 6:1-5; 25:7-10; Sirach 8:14, 19-20; 22:24; 34:21-22; 2 Enoch 44:3; Didache 1:5; 3:2; Qumran Scrolls 4Q416 2, II:4-6; *idem.* 4Q417 1, II:6-8; *idem.* 4Q418 8:3-5; *Sent. Sextus* 39; Eliezer ben Hyrcanus, *Derek Eres* 10.

¹⁴ I.e. Mark 9:1; 13:30; 14:25; Matt 5:18; Luke 13:35.

¹⁵ “I say to you [singular or plural].”

¹⁶ Although the phrase “but I say to you” (ἐγὼ δὲ λέγω ὑμῖν // ἀλλ’ ὑμῖν λέγω) appears in both the Matthean (5:44) and Lukan (6:27) versions of this text, the International Q Project chose not to feature it in the Critical Edition of Q (6:27).

¹⁷ Quotation from page 178.

¹⁸ Cf. Q 11:9; 12:22, 27; 15:10.

¹⁹ Cf. Q 3:8; 7:26, 28; 10:12, 24; 12:44; 13:35; 17:34.

²⁰ They mistakenly reference Q 12:59 as “Mt 5.26 = Lk 12.29”.



Characteristic motifs

Q 12:58-59

On the surface of the literal text, no mention is made of the eschatological end. Particularly conspicuous is that neither God nor the Son of Man fulfil the function of “judge” (Piper, 1989:106-107; cf. Bazzana, 2015:308). Instead, the judge appears to be a human person. Moreover, the direct subordinate of the judge is a human “assistant” (ὕπηρέτης),²¹ not the celestial being one would expect in an apocalyptic-type saying. It is true that angels are also at times referred to as ὕπηρέτης, especially in the writings of Church Fathers, but these descriptions are fashioned after earthly courts. The present text makes no attempt to identify the ὕπηρέτης as anything other than a human being. The punishment is prison (φυλακή), as opposed to eternal damnation. Piper (1989:106) summarises these observations well when he says that the warning in this logion “remains couched in the imagery set by the saying as a whole, dealing as it does with an accuser, a judge, an officer. It never emerges into a direct identification of the addressees or into a direct confrontation, such as would be more characteristic of prophetic speech.” The logion’s message is to reconcile with your legal opponent, before ending up in jail, where you will not leave before your obligation has been met (see Prov 6:1-5; cf. Piper, 1989:106; Luz, 2007:241; Foster, 2014:261). Considered on its own, Q 12:58-59 fails to treat apocalyptic, eschatological or prophetic motifs (see Foster, 2014:261-262). Neither are there any features that could be described as “polemical” (Piper, 1989:106, 114; cf. Horsley, 1999:65). Although verse 59 might surreptitiously condemn juridical injustice (see below), the saying is not formulated as criticism directed at the powers that be, but rather as advice directed at the powerless (Rollens, 2014:102, 105, 107, 108; cf. Horsley, 1995b:43; Park, 2014b:4-5).

The absence of any ethnic references indicates that both hypothetical parties were probably understood to be Jewish. The Sayings Gospel Q typically points out the ethnicity of someone if that person is not Jewish (Howes, 2015a:250; e.g. Q 7:3; 11:30-32). The clause “until you pay the last penny” (ἕως τὸν ἔσχατον κοδράντην ἀποδῶς) in verse 59 contextualises the legal proceedings of verse 58 as pertaining specifically to the issue of debt or indebtedness (Jacobson, 1992:202; Valantasis, 2005:175; Oakman, 2008:225; 2015:xi, 72; Howes, 2015a:257; cf. Dodd, 1958:138; Hunter, 1971:90; Davies & Allison, 1988:521; Betz, 1995:226; Robinson, 1995:273; Kloppenborg, 2000:200; Arnal, 2001:94, 173; Fleddermann, 2005:657; Luz, 2007:241). In the Lukan context, the term πράκτωρ (“bailiff,” “court official” or “officer of the court”) confirms that the saying has to do with some economic or financial dispute, since this office was associated with a debtors’ prison (Marshall, 1978:551; Bock, 1996:1199; cf. Oakman, 2015:xi; see below). This indicates that the ἀντίδικος (“legal opponent”) of verse 58 should be understood as a creditor (Piper, 2000:250; Howes, 2015a:257; Oakman, 2015:81; cf. Hunter, 1971:90; Jeremias, 1972:43; Reiser, 1990:278; Kloppenborg, 2006:126; Luz, 2007:241; cf. Luk 18:2-5). Likewise, the addressee (represented by the second person singular throughout the logion) should be understood as a debtor (Marshall, 1978:551; Jacobson, 1992:202; cf. Hunter, 1971:90; Davies & Allison, 1988:521; Reiser, 1990:278; Piper, 2000:250; Kloppenborg, 2006:126; Luz, 2007:241). These observations are supported by the clause “make an effort to get loose from him” (δοῦς ἐργασίαν ἀπηλλάχθαι ἀπ’ αὐτοῦ). On the one hand, the verb translated here as “get loose” (ἀπαλλάσσω) could in legal contexts refer specifically to forgiving or discharging debt (Liddell & Scott, 1996:176). On the other hand, the clause as a whole indicates that the addressee would have been under the control of the ἀντίδικος, as would indeed have been the case if the addressee owed him a substantial amount of money. The likelihood that they are going to an urban court suggests that the debt must have been substantial (see below).

In general, the noun ἀντίδικος could refer either to a plaintiff or to a defendant (Liddell & Scott, 1996:155), but the context of indebtedness suggests that the ἀντίδικος of Q 12:58 would have been the plaintiff, while the addressee would have been the defendant (cf. Blair, 1896:286; Klostermann, 1909:190; Rengstorf, 1936:168). The clause “make an effort to get loose from him” (δοῦς ἐργασίαν ἀπηλλάχθαι ἀπ’

²¹ Luke has πράκτωρ (Marshall, 1978:551; Davies & Allison, 1988:520; Bock, 1996:1199).



αὐτοῦ) supports the identification of the ἀντίδικος as the plaintiff. If the addressee were the plaintiff, he²² would not have needed to make any effort in this regard; he could simply have cancelled the debt and dropped the lawsuit. Conversely, the defendant would have been the one needing to make a real effort to avoid court, since he would have been bound by the debt and incapable of simply dropping the charges. In any case, it seems logical to suppose that the creditor would have been the plaintiff (cf. Blair, 1896:286).

A number of factors indicate that the court of Q 12:58-59 is envisioned as an urban court (cf. Kloppenborg, 2000:256; Reed, 2000:193; Joseph, 2012:86; Zimmermann, 2014:11; Howes, 2015a:256, esp. n. 239): (1) the description of being summoned to court as being “handed over to the judge” (παραδῶ τῷ κριτῇ); (2) specifically calling the arbiter a “judge” (κριτής); (3) the result of being thrown into “prison” (φυλακή); and (4) the specific context of indebtedness, since matters of indebtedness between the underclass and elite were resolved in higher-level urban courts, even if local disputes involving lending and borrowing between underlings were handled by local courts. It has sometimes been argued that the ὑπηρέτης of Matthew 5:25 was a Jewish official in the synagogue during the first century CE, whereas the πράκτωρ of Luke was an official of the Greco-Roman court during that time (e.g. Jeremias, 1972:26-27, esp. n. 10). Marshall (1978:551) has indicated, however, that “ὑπηρέτης was a term used in Hellenistic practice as well as Jewish to describe the court official who executed the sentence imposed by the court, while πράκτωρ had the more restricted sense of the official who dealt with debts and was in charge of the debtors’ prison” (cf. Bock, 1996:1199; Fleddermann, 2005:655). “Hellenistic” here implies not only Greek, but also Roman influences and institutions. Egyptian papyri likewise show that both terms were used in Roman provinces of the time (Kloppenborg, 2006:345-346, esp. n. 264; cf. *P.Col.Zen* 1.54.47). Even if ὑπηρέτης is compatible with a Jewish setting, both terms are compatible with a Hellenistic setting.²³

Scholars are in agreement that a Hellenistic court is in view here, since imprisonment for debt was not a feature of Jewish law (Marshall, 1978:551; Davies & Allison, 1988:520; Nolland, 2005:234; Luz, 2007:241; cf. Oakman, 2015:35, 75). Betz (1995:226-227) follows Jackson (1972:144) in pointing out that the description of the plaintiff “handing over” (παραδίδωμι) the defendant to the judge probably reflects a Roman court. A Hellenistic setting is further indicated by the fact that the two legal opponents meet in advance, since legal procedure in the ancient Greco-Roman world enabled creditors to coerce their debtors to accompany them to court (Kloppenborg, 2006:345; cf. Rollens, 2014:105). This is supported by the Lukan version of the saying, which uses the verb κατασύρω (“drag” or “carry off”) to describe the act of being taken to court, instead of Matthew’s παραδίδωμι (“hand over” or “deliver up”), thereby denoting coercion and possible violence (cf. Louw & Nida, 1993a:205; Liddell & Scott, 1996:915; Fleddermann, 2005:655). Bock (1996:1199) translates this word as being “dragged by force” (cf. Marshall, 1978:551). Since Q 12:58-59 originated somewhere in Palestine, and Hellenistic courts were almost exclusively concentrated in Palestinian *cities*, the court can confidently be identified as an urban court.

As far as the verb κατασύρω is concerned, there are in fact reasons to favour this Lukan word for Q over Matthew’s παραδίδωμι. The lexeme κατασύρω is a *hapax legomenon* in the New Testament. More importantly, it correctly portrays the act of taking a debtor to court as one of coercion and violence (cf. Louw & Nida, 1993a:205; Liddell & Scott, 1996:915; Batten, 2014:82). Matthew could have softened the imagery to suit his context of brotherly reconciliation (cf. Matt 5:21-24; cf. Dodd, 1958:136-139; Hunter, 1964:82). On the other hand, the verb παραδίδωμι could also presuppose violence, since it was sometimes in antiquity used to describe the act of handing someone over to authorities or even enemies for severe punishment, including the act of handing over a slave for torture (Louw & Nida, 1993a:485; Liddell & Scott, 1996:1308). However, the violence would in this case follow after being handed over,

²² The defendant would in all likelihood have been male, taken to court as head and representative of his family.

²³ It follows that if Luke was responsible for changing ὑπηρέτης to πράκτωρ, it was probably not to Hellenise the saying, but rather to identify the legal post with greater specificity (cf. Marshall, 1978:551; Fleddermann, 2005:655). Luke might have had a better knowledge of the urban court system than those responsible for Q.



and not as part of the process of being handed over. In any case, the most common usage of the verb παραδίδωμι did not suggest violence or coercion (see Liddell & Scott, 1996:1308). By contrast, κατασύρω was a monolithic term that always denoted force and possible violence. If Matthew replaced κατασύρω with παραδίδωμι, the multiple meanings of the latter term would have allowed him to stay true to both his source and his literary context at the same time (cf. Kirk, 2016:112, 117). It is true that Luke also features the verb παραδίδωμι as part of the next clause,²⁴ but the two different actions of the legal opponent (κατασύρω) and the judge (παραδίδωμι) might be reflective of ancient practice, and therefore explicable on the level of Q. Fleddermann (2005:655) argues that Luke introduced κατασύρω to reflect a Hellenistic setting, but the current analysis has shown that the Q saying already presupposed a Hellenistic urban court. Luke could, however, have been responsible for introducing the verb to provide a more accurate description of actual practices.

It should be obvious at this stage that an unequal relationship between the two participants is assumed by the logion, with the debtor lower and the creditor higher on the socio-economic scale (cf. Piper, 2000:250; Arnal, 2001:173; Batten, 2014:82). Although the logion does not specify the vocation of either party, an involvement in agriculture seems most likely in both cases (cf. Kloppenborg, 2000:194; Howes, 2015a:257). It was typical for eighty to ninety percent of agrarian societies like first-century Palestine to be involved in agriculture. The creditor was in all likelihood a wealthy landowner who resided in the city (Howes, 2015a:257). That he was wealthy is indicated not only by the fact that he had a significant amount of money to lend in the first place, but more so by the fact that he had recourse to a higher level court (cf. Batten, 2014:82). That he was a landowner is suggested by his wealth, since control over land was the primary means of wealth creation in antiquity (Arnal, 2001:102, 139). That he resided in the city is indicated by his appeal to an urban court. It was typical for wealthy landowners to be largely absent from their farms (Freyne, 2000:99, 195; see Kloppenborg, 2006:279-280, 314-316). These landowners mostly lived in the city and owned multiple estates (Herzog, 1994:156; Kloppenborg, 2006:300). Palestinian landowners, especially those who owned the most fertile land, therefore resided in cities like Tiberias, Sepphoris and Jerusalem (Freyne, 2000:52, 99, 195; Oakman, 1986:78; Park, 2014a:85). These observations are further supported by the description of the plaintiff “handing over” (παραδίδωμι) the defendant to the judge. This act betrays not only the immense socio-economic superiority of the plaintiff, but also the existence of an established relationship with the urban judge of this higher level court (cf. Valantasis, 2005:175). If the logion featured κατασύρω (see above), there would be even more reason to accept these findings.

The debtor was in all likelihood from the lower echelons of society (cf. Arnal, 2001:173; Batten, 2014:82; Rollens, 2014:107, 108, 113). He was also probably involved in agriculture (cf. Kloppenborg, 2000:194; Howes, 2015a:257). His relationship with a wealthy creditor makes more sense on the assumption of agriculture than some other vocation. Due to unreasonable demands from above, peasants were much more likely to borrow from wealthy creditors than people from other backgrounds, like fishermen or potters (cf. Horsley, 1999:222). What is more, an overwhelming majority of Q’s audiences were from the lower segments of society, including especially the peasantry.²⁵ In ancient Palestine, especially in the first century under Roman occupancy, significant percentages of agricultural goods were taken from the peasantry through various kinds of taxes, tithes and rents, and were then redistributed among the rich to use as they saw fit (Herzog, 1994:161; Van Eck, 2011:5, 7; Park, 2014a:85, 86; cf. Horsley, 1999:222-223; see Howes, 2015a:137-138; 2016b:23-25). If Oakman’s (1986:72) estimations are correct, taxes and rents could amount to between one half and two thirds of a peasant’s overall harvest, leaving much less produce for daily survival. If a peasant was unable to meet existing obligations, that peasant was forced to borrow from wealthier individuals (Horsley, 1995a:215, 219; Oakman, 1986:72; 2008:24; Van Eck, 2011:7).

²⁴ Matt 5:24 // Luke 12:58 (ESV): “and the judge to the guard” (καὶ ὁ κριτὴς τῷ ὑπηρέτῃ) // “and the judge hand you over to the officer” (καὶ ὁ κριτὴς σε παραδώσει τῷ πράκτορι).

²⁵ There is widespread agreement on this: cf. Oakman, 1986:100; Kloppenborg, 1987:251; Douglas, 1995:120; Piper, 1995:63-64; Reed, 1995:19; Tuckett, 1996:360, 365; Freyne, 2000:206; Arnal, 2001:150, 173, 188; see Horsley, 1995b:44; 1999:260-261, 269, 296-298; Kloppenborg, 2000:198-199; Reed, 2000:136-137; Rollens, 2014:96.



In antiquity, borrowing from wealthy individuals initiated a patron-client relationship between the two parties, which was skewed in favour of the patron, and typically resulted in foreclosure on land due to the client's inability to pay off debts (Herzog, 1994:161). In fact, debt accumulation was the primary means by which the wealthy confiscated ancestral land from peasants (Oakman, 1986:149; 2008:33). Consistent indebtedness was therefore very important to the economic goals of the largescale landowner, but was diametrically opposed to the reciprocal economic values of the peasant, who sought to cancel out debt as soon as possible. To ensure lasting indebtedness, the affluent charged excessive and usurious interest rates on debt. The content of contemporaneous loan documents indicate that foreclosure was the chief motivating factor behind lending (Arnal, 2001:140). Some landowners in Jerusalem made use of debt contracts for the sole purpose of squeezing and wresting land from peasants (Oakman, 1986:75). As a result, many peasants were forced into indebtedness, which initiated a downwards spiral of control by creditors, loss of land, starvation and ending up as day-labourers, beggars or bandits (Arnal, 2001:139-140, 146; Freyne, 2000:205; Horsley, 1995a:60, 215-216, 219; 1995b:43; Moxnes, 2003:150; Oakman, 2008:21, 25, 224). Some of these peasants were allowed to remain on their smallholdings as tenant farmers, with ownership of the land and its produce reverting to the landlord.

Given this state of affairs, foreclosure was a much more likely result than imprisonment for peasants being summoned to court by a creditor (see Oakman, 2015:35-36). This circumstance seems to be contradicted by the content of Q 12:58-59, where imprisonment is put forward as a foregone conclusion (cf. Dodd, 1958:138; Kloppenborg, 2000:194; Rollens, 2014:107). Hence, the inevitability of imprisonment might speak against the identification of the logion's addressee as a small-scale farmer. If this is correct, should we rather view him as a beggar, bandit, day-labourer or tenant farmer? Debtors without land as security could be sold as slaves or wind up in prison if they were unable to repay their loans (Oakman, 2008:27; 2015:36; cf. Matt. 18:23-35). The options of beggar and bandit may be eliminated by virtue of the fact that the debtor was successful in borrowing from the creditor in the first place (cf. Oakman, 2015:35-36). The option of tenant farmer also seems unlikely, given the verdict of imprisonment. For the sake of profitability and convenience, the landowner would presumably not have desired the imprisonment of someone who farmed on one of his plots. The inevitability of imprisonment rather seems to suggest that the debtor could have been a farm worker. He would then have worked either as a day-labourer or on a more permanent basis. This would make him one of "the poor," which constituted all those ranked below the peasantry, including women without patriarchs, children without parents, and families without land. It is even possible that he laboured as a mere worker on the smallholding that he used to own, and probably grew up on. This would imply that the debtor incurred the debt when he still had a smallholding, but that the smallholding was eventually seized in partial repayment of the debt. Without a smallholding, the debtor was unable to repay the rest of his debt, despite working as a farmhand on his former or a different smallholding, and was eventually imprisoned for his outstanding debt (cf. Oakman, 2015:35-36).

However, it is also possible to read the inevitability of imprisonment differently. Q's Jesus could merely be holding up the worst possible outcome as an inevitability to support his argument that courts should be avoided at all costs (cf. Rollens, 2014:107). Stated differently, Q's Jesus could be exaggerating the consequences of going to court in order to drive home his point that the courts should be avoided (cf. Davies & Allison, 1988:520). This interpretation is supported by the programmatic opening clause "I tell you" (λέγω σοι) at the beginning of verse 59. In the Sayings Gospel Q, the clause "I tell you"²⁶ often precedes an outlandish, exaggerated, subversive and/or implausible statement by Q's Jesus, as if the audience needs convincing of the claim's validity (Howes, 2015d:94; see Smith, 2006:104-108).²⁷ This observation supports the earlier case that verse 59 was never intended as a prophetic or eschatological exclamation. Instead, the function of the clause λέγω σοι in the context of the isolated logion is to lend credence to the outlandishly subversive claim that going to court will necessarily result in imprisonment

²⁶ Albeit in the plural: λέγω ὑμῖν.

²⁷ Cf. Q 7:26, 28; 10:12, 24; 11:9, 51; 12:22, 27, 44, 59; 13:35; 15:7, [10]; 17:34.



(cf. Smith, 2006:105, 106). The credibility of the claim in verse 59 is supported by the authority of Jesus (cf. Davies & Allison, 1988:490; Carruth, 1995:98-115, esp. 108-110). Even if the final supporting argument in verse 59 might seem exaggerated or incredible, the authority of Jesus is invoked to legitimise its inherent accuracy. If verse 59 is understood in this sense, it remains possible (and probable) to view the debtor of this logion as a peasant or tenant farmer (cf. Kloppenborg, 2000:194).

Urban courts were biased and geared towards the servicing of wealthy and “respected” citizens against the lower classes (Horsley, 1996:120; Kloppenborg, 2000:194; 2006:126; Rollens, 2014:108; cf. Robinson, 1995:273; Oakman, 2015:75). Traditional Jewish law forbade the charging of interest and demanded that all debts be released during the Sabbath year (Deut 15:1-2) and Jubilee (Lev 25) (cf. Tuckett, 1996:430; see Bazzana, 2015:177-180). As such, ancestral lands were traditionally regarded as the permanent properties of the historical clans and, if sold, had to be redeemed during Jubilee (Lev 25) (Oakman, 2015:74). By the first century, however, Jewish aristocrats and landlords controlled the courts and manipulated the law, bypassing these “outdated” commandments in order to grant loans against immovable property, enforce the foreclosure thereof, and so obtain land from the peasantry (see Arnal, 2001:140-141; Oakman, 2008:139-140, 225-227; 2015:72-74).²⁸ Since the courts were controlled by the rich, land foreclosure was a near certainty (cf. Robinson, 1995:273; Horsley, 1995b:45; 1996:120; Oakman, 2008:139). Some Jerusalem elites even bypassed *Roman* law, and defrauded peasants out of their land (Oakman, 2008:24). It is no wonder that lower-level citizens were mostly suspicious of higher-level courts (Horsley, 1995b:45; 1996:120; Rollens, 2014:107, 108). The interests of the peasantry and poor were not protected by these judges and lawmakers (see Garnsey, 1970; cf. Robinson, 1995:273; Kloppenborg, 2000:194; 2006:126; Oakman, 2015:75). In a word, ancient courts were merciless (Funk & Hoover, 1993:344). We saw above that the verb παραδίωμι (or κατασύρω) implies an existing relationship with the judge on the part of the plaintiff. The presumed existence of such a relationship is confirmed by the inevitability of the guilty verdict (cf. Dodd, 1958:138; Robinson, 1995:273; Valantasis, 2005:175; Rollens, 2014:105). The assumption of a guilty verdict further supports the likelihood that the debtor was from a low social location (Rollens, 2014:107, 108; cf. Robinson, 1995:273).

It is noteworthy that the debtor is not advised to settle his debt, but rather to “make an effort to get loose from him” (δοῦς ἐργασίαν ἀπηλλάχθαι ἀπ’ αὐτοῦ). We saw that the verb translated here as “get loose” (ἀπαλλάσσω) could in legal contexts refer specifically to forgiving or discharging debt, but it could also in legal contexts mean to “throw up one’s case,” or “give up a prosecution” (Liddell & Scott, 1996:176). What is more, in more generic terms the same verb could also mean to be “liberated” or “released” or “delivered” or “set free” from something (Liddell & Scott, 1996:176). Given the description of the two parties being “on the way” (ἐν τῇ ὁδῷ) to court, it is likely that the verb here denotes the legal case being dropped. Yet, in light of the reference to money in verse 59, it is at the same time also likely that, on a secondary level, the verb denotes the debt being forgiven (cf. Jacobson, 1992:202). The one would anyway presuppose the other, since there would be no reason to drop the lawsuit if the creditor had no intentions of forgiving the loan, or vice versa. Finally, on a third semantic level, the verb probably connotes its more generic meaning of liberation. In other words, the advice to “make an effort to get loose from him” (δοῦς ἐργασίαν ἀπηλλάχθαι ἀπ’ αὐτοῦ) means to petition the creditor to jettison the lawsuit by forgiving the debt, which would completely liberate the debtor from the creditor’s control (cf. Luz, 2007:241). Such advice coheres with everyday practice at the time. Papyrus contracts from antiquity indicate that people typically made contractual arrangements outside the law, and attempted to resolve matters between themselves before going to court (see Piper, 1995:61).

Evidence from Egypt in fact shows that people from the lower classes only appealed to the courts as an absolute last resort, and that such appeals only happened when former attempts at arbitration and coercion had been unsuccessful (Kloppenborg, 2000:194). It is, however, questionable to what extent the elite would have done the same, especially if their ultimate goal was foreclosure. Yet, if foreclosure

²⁸ See Rabbi Hillel’s prozbul in Mishnah tractate *Shebi’it* 10.



was not their ultimate goal, they might have been motivated to settle out of court in the hope of actually getting repaid (see below). The imprisonment of a debtor would not have guaranteed repayment of the loan (by the debtor's family and/or friends), but would instead have rendered such repayment more difficult and less likely (Luz, 2007:241; see below). Also, the act of relinquishing one's legal rights was a norm of contemporary Jewish ethics (Betz, 1995:227-228). On the other hand, imprisonment pressurized the debtor's family to somehow come up with the outstanding amount, and impelled the debtor to fork over hidden currency or treasure (Oakman, 2015:36, 75, 78-80; cf. Josephus, *War* 2.273).

The particular phrasing of the clause "make an effort to get loose from him" (ὄδς ἐργασίαν ἀπηλλάχθαι ἀπ' αὐτοῦ) is interesting (cf. Bock, 1996:1199). The part that says "make an effort" (ὄδς ἐργασίαν) qualifies the act specifically as an *attempt*, implying that the attempt would in all likelihood be unsuccessful. Such pessimism squares well with the desperate situation of Palestinian peasants in the first century CE. Once caught up in the cycle of indebtedness, peasants were extremely unlikely ever to escape. As we saw, the saying implies that the creditor forced the debtor to appear in court. We also saw that those from the lower classes tended to only go to court as a last resort, suggesting that the scenario depicted in Q 12:58-59 represents the end of a lengthy process (Kloppenborg, 2000:194; Rollens, 2014:104). Under such circumstances, it is unlikely that any attempt at convincing the creditor to write off the debt would have been successful. The pessimistic tone is sustained throughout the saying, which depicts the peasant being handed over from one person to the next, totally at the mercy of other role players (Betz, 1995:226; Rollens, 2014:102; cf. Kloppenborg, 2000:194; Nolland, 2005:234). Pessimism reaches its pinnacle at the conclusion of the saying (cf. Funk & Hoover, 1993:344). The peasant ends up in prison, where he is told: "you will not get out until you pay the last penny!" (οὐ μὴ ἐξέλθης ἐκεῖθεν, ἕως τὸν ἔσχατον κοδράντην ἀποδῶς). The debtor might have reckoned that at least he had some chance of reprieve during the juridical proceedings (cf. Piper, 1995:64). There is documentary evidence from the first two centuries AD to show that the lower classes at times petitioned the "chief magistrate" (στρατηγός) and other ancient administrators (Piper, 1995:61; see Rollens, 2014:101-105).²⁹ In this regard, the saying in Q 12:58-59 is a reality check and wake-up call, expressing the view that a debtor is much more likely to end up in prison than receive any form of clemency when going to court (Kloppenborg, 2006:126; cf. Betz, 1995:226). In fact, the saying articulates the conviction that a guilty verdict, followed by imprisonment, would be inevitable (cf. Robinson, 1995:273; Kloppenborg, 2000:194; Rollens, 2014:105, 107). Better to avoid the risks involved by attempting to settle out of court (Marshall, 1978:551; Funk & Hoover, 1993:344; Betz, 1995:228; Bock, 1996:1199; Piper, 2000:250; Valantasis, 2005:175; Foster, 2014:261; cf. Nolland, 2005:234; Oakman, 2015:35). Although there is documentary evidence of the non-elite petitioning the courts (see above), there is also documentary evidence of the non-elite attempting to evade the courts altogether, usually by hiding at the time of the trial (see Rollens, 2014:106-107).³⁰

The closing statement is steeped in irony. The debtor is expected to repay his debt from prison (Jacobson, 1992:202; Bock, 1996:1199; Rollens, 2014:108; cf. Valantasis, 2005:175; Oakman, 2015:75). The adjective "last" (ἔσχατος) in verse 59 indicates that settling the entire debt was the only possible avenue that would enable release from prison (cf. Ra, 2016:225). Rollens (2014:107) explains: "Prisons in antiquity, as papyri indicate, often functioned as holding cells until certain obligations were met instead of a punishment or ultimate sentence."³¹ Although the temporal conjunction "until" (ἕως) suggests that the prisoner could look forward to someday being released from prison, the condition that follows indicates that such release was practically impossible. In the first place, peasants who incurred debt with wealthy patrons typically remained in debt forever. In the second place, it would be practically impossible for a peasant to produce a harvest, make payments towards his debt, or work off his debt while in prison (cf. Rollens, 2014:107, 108; cf. Egyptian papyrus *P.Cair.Zen* 3.59520). In the ancient world generally, there was virtually no hope of being released from a debtors' prison (Bock, 1996:1200).

²⁹ E.g. *P.Tebt.* 2.278; *SB* 4.7376; *P.Mich.* 3.173.

³⁰ E.g. *P.Mich.* 1.57; 9.534; *P.Tebt.* 1.5; *P.Col.* 10.266.

³¹ Rollens (2014:107 n. 43) holds up Egyptian papyrus *P.Cair.Zen.* 4.59628 as an example.



The final exclamation is in effect a death sentence. The peasant will never be able to settle his debt, which means that he will never be released from prison. Adding insult to injury, imprisoned debtors were often physically beaten to incentivise their families and friends to settle their debts (Bock, 1996:1200). In addition to torture, the poor conditions in ancient prisons meant that death was a likely outcome; and not as a result of old age (Rollens, 2014:107; cf. Egyptian papyrus *P.Mich.* 1.85).

The logion is therefore an ironic portrayal of the plight of peasants in the first century (cf. Park, 2014b:4; Oakman, 2015:75). It further highlights the link between the ancient judicial system and the struggle of the average peasant to secure and preserve food and clothing (cf. Horsley, 1995b:43-44). The saying exposes the ancient judicial system for what it really is: a means of stealing the livelihood of the peasantry by facilitating their exploitation. This is supported by the conditional temporal clause “until you pay the last penny” (ἕως τὸν ἔσχατον κοδράντην ἀποδῶς), emphasising that the main concern of both the creditor and the court is to extract as much money as possible from the debtor. One should also not forget that the women and children who formed part of the peasant’s extended family were also faced with hardships and starvation because of the actions of ancient creditors, lawmakers and judges (see Oakman, 2015:76-83). As a piece of social commentary that exposes the status quo, Q 12:58-59 can be viewed as satire; only that the saying is not funny, but dead serious.

The formative stratum

The motifs implied and treated by Q 12:58-59 are characteristic of Q’s formative layer. Q 12:58-59 has thematically a lot in common with Q 6:29-30 (cf. Piper, 1989:107; 2000:250; Horsley, 1999:96; Arnal, 2001:194; DeBaufre, 2005:104; Kloppenborg, 2006:126; Batten, 2014:82; Park, 2014b:4; Rollens, 2014:93-94, esp. n. 3, 108-109; Howes, 2015a:256, esp. n. 239).³² In the inaugural sermon, Q 6:29-30 follows directly after the programmatic instruction to love one’s enemies and pray for one’s persecutors (Q 6:27-28, 35), providing practical examples of how to achieve this daunting task in everyday life (Piper, 1989:111; Horsley, 1992:184; Allison, 2010:316; Ra, 2016:34; cf. Tuckett, 1996:303; Fleddermann, 2005:329; Howes, 2015a:243, 245, 258; see Kirk, 1998:159-160). The second example in verse 29 suggests that if someone threatens to take you to court to get your “shirt” or “tunic” (χιτῶν), you should offer him your “coat” or “cloak” (ἱμάτιον) as well. The tunic was a fairly inexpensive inner garment, while the cloak was an expensive outer garment (Piper, 1995:57; see Rollens, 2014:102-103). This example probably has strictly Jewish partakers in mind (Howes, 2015a:250; cf. Horsley, 1999:220-223). The text presupposes a debtor’s trial, during which it was customary for a creditor to demand the debtor’s tunic as collateral to ensure repayment (Piper, 1995:57; Luz, 2007:272; cf. Catchpole, 1993:24-25, 110; Betz, 1995:290; Tuckett, 1996:304; Batten, 2014:82; Rollens, 2014:100; Oakman, 2015:102; Ra, 2016:34). Documentary papyri from Egypt confirm not only that garments were often used as surety against loans, but also that garments were often retrieved by legal force (see Rollens, 2014:101-105).³³ According to traditional Jewish law, a tunic taken from a poor debtor as security had to be returned to him before nightfall so that he would have something to sleep in (Piper, 1995:57; Horsley, 1999:221; Kloppenborg, 2000:194, 199; Ra, 2016:34; cf. Catchpole, 1993:24-25, 110; Tuckett, 1996:304; cf. Deut 24:10-13, 17; Exod 22:24-27).³⁴ Whether this regulation was followed in practice is impossible to know, but the regulation itself does presuppose the existence of poverty and exploitation (Rollens, 2014:101 n. 21). That the debtor only had clothing to offer as collateral indicates that he must have counted amongst the

³² The Critical Edition of Q 6:29, [Matt 5:41], 30 (Matt 5:39-42 // Luke 6:29-30): “²⁹[[The one who slaps]] you on the cheek, offer [[him]] the other as well; and [[to the person wanting to take you to court and get]] your shirt, [[turn over to him]] the coat as well. ^{Matt 5:41}[[«And the one who conscripts you for one mile, go with him a second.»]] ³⁰To the one who asks of you, give; and [[from the one who borrows]], do not [[ask]] back [[«what is»] yours.” (²⁹[[ὁστις]] σε [[ραπίζει]] εἰς τὴν σιαγόνα, στρέψον [[αὐτῷ]] καὶ τὴν ἄλλην· καὶ [[τῷ θέλοντί σοι κριθῆναι καὶ]] τὸν χιτῶνά σου [[λαβεῖν, ἄφες αὐτῷ]] καὶ τὸ ἱμάτιον. ^{Matt 5:41}[[«καὶ ὅστις σε ἀγγαρεύσει μίλιον ἕν, ὑπάγε μετ’ αὐτοῦ δύο.»]] ³⁰ τῷ αἰτοῦντί σε δός, καὶ [[ἀπὸ]] τ[οῦ] δανιζομένου> τὰ] σ[ὺ] μὴ ἀπ[αίτει].)

³³ E.g. *P.Tebt.* 2.331; 3.1.784, 802; *SB* 4.7376; *P.Duk.Inv.* 739; *P.Mich.* 3.173.

³⁴ It is interesting that the two examples of verse 29 also appear together as examples of serious insults in Jewish literature (Catchpole, 1993:25, 111; Tuckett, 1996:305; i.e. *m. B. Qam.* 8:6).



poor (Kloppenborg, 2000:194; Ra, 2016:35; cf. Batten, 2014:82; Rollens, 2014:100-101, 104, 113). This corresponds to the opening beatitudes in Q 6:20-21, which overtly address “the poor” (οἱ πτωχοί) and “the hungry” (οἱ πεινῶντες) (Ra, 2016:35; cf. Cotter, 1995:120; Horsley, 1992:184, 186; 1995b:43; 1999:223; see Kloppenborg, 2001:183-184).

It is unlikely that a wealthy urban creditor would have gotten involved in lending to such a poor person. However, the debt might still have been left over from previous dealings, when the debtor was in a better situation. Hence, the creditor could have been from any superior social location, including the peasantry or the elite, with the latter being more probable (cf. Piper, 2000:250; Batten, 2014:82). Egyptian papyri indicate that garments were typically taken by the elite from lower class citizens (see Rollens, 2014:99-105; cf. esp. *P.Tebt.* 2.278). Whatever the case, the relationship between the creditor and the debtor was an unequal one (cf. Piper, 2000:250; Batten, 2014:82; *pace* Valantasis, 2005:59). The supposition of inequality corresponds to the programmatic statement in Q 6:27-28, where the persecuted are instructed on how to treat their persecutors (cf. also Q 6:22-23; see Kloppenborg, 2001:183-184; cf. Horsley, 1992:184).³⁵ According to Rollens (2014:104), the imagery of Q 6:29 is symbolic of exploitative injustice, and “would have had particular resonance with an especially vulnerable part of society” (cf. Robinson, 1993:1-2; Kloppenborg, 2001:183-184; Park, 2014b:4-5).

Hence, Q 6:29 advises someone with only the clothes on his back, who is asked to give up his tunic as collateral for a loan, to sacrifice both his tunic and his much more expensive cloak just to avoid going to court (Kloppenborg, 2000:194; 2006:126; Piper, 2000:250; Arnal, 2001:194; Valantasis, 2005:59-60). Such advice would have been counter-intuitive and unconventional, especially considering the evidence from documentary papyri that people often formally petitioned for the return of their garments (see Rollens, 2014:101-105, esp. 104; cf. Funk & Hoover, 1993:145).³⁶ Following such advice would leave the debtor naked (Funk & Hoover, 1993:144; Betz, 1995:291; Horsley, 1999:222). The suggestion seems like poor legal advice, and might be an example of exaggeration (see Funk & Hoover, 1993:144-145). But why exaggerate? I suggest that the reason is to underline the importance of avoiding the ancient legal system entirely. Q 6:29 is not merely about avoiding court, but about doing so at all costs (Piper, 1995:60; Kloppenborg, 2000:194, 199). The suggestion to give the creditor much more than what he is asking for relates to the suggestion in Q 12:58 to “make an effort to get loose from him.” The purpose of both is to avoid going to court at all costs (Kloppenborg, 2000:194; see Piper, 1995:60-61).

In all likelihood, Matthew 5:41 stood in Q between verses 29 and 30 (see Robinson, Hoffmann & Kloppenborg, 2000:60-65; 2002:84-85; cf. Funk & Hoover, 1993:145).³⁷ The verb ἀγγαρεύω (“conscript”) has a very specific reference (comparable to French *corvéé*), denoting the authority of Roman soldiers in first-century Palestine to force Jewish civilians to carry any type of load for a distance (Louw & Nida, 1993a:476; 1993b:2; Betz, 1995:291; Valantasis, 2005:60; Oakman, 2015:102; cf. Kloppenborg, 2000:194, 198, 235; 2001:183). The same verb is used in Mark 15:21, where Simon of Cyrene is forced by Roman soldiers to carry Jesus’ cross (Louw & Nida, 1993a:476; cf. Betz, 1995:291). The noun ἄγγαρος (“mounted courier”) derives from the same stem as the verb ἀγγαρεύω, and was sometimes used as a “term of abuse” (Liddell & Scott, 1996:7). Despite the literal meaning of ἀγγαρεύω, it is not impossible that the same verb was applied to exclusively Jewish contexts, like when a Jewish farm

³⁵ Some scholars argue for discontinuity between the two examples of Q 6:29 (as they appear in Matthew 5:40, and later in the Critical Edition of Q), since the first example (of being slapped) addresses the *offended* party, and the second example (of being sued for clothing) addresses the *offending* party (e.g. Catchpole, 1993:110; Tuckett, 1996:304-305). This is a clear example of reading the text “from above” instead of “from below” (cf. Rohrbaugh, 1993:33, 35; Van Eck, 2011:5). From a peasant perspective, the offending party would be the exploitative and litigious creditor, not the exploited and persecuted debtor (cf. Robinson, 1993:1-2). Both examples of verse 29 (as well as Matt 5:41) presuppose abusive maltreatment by a superior party, and all the examples of Q 6:29-30 reflect the everyday struggle of the peasantry and poor to live and survive in a context of subjugation (Vaage, 1994:52; Piper, 2000:250; see Ra, 2016:34-35; cf. Valantasis, 2005:59; see Rollens, 2014:99-105).

³⁶ E.g. *P.Tebt.* 2.331; 3.1.784, 802; *SB* 4.7376; *P.Duk.Inv.* 739; *P.Mich.* 3.173.

³⁷ Allison (2010:344) holds that it is not possible to reach a decision on this matter due to insufficient evidence.



worker or day-labourer was forced by a Jewish master or employer to carry something (cf. Horsley, 1999:220-223; Howes, 2015a:249-250). Important currently is that the “enforcer” or “abuser” is in all these cases protected by law. Despite running the risk of immediate (violent) retaliation by the soldier or employer, the inferior party also ran the risk of being taken to court for disobedience or even insurrection, which could result in imprisonment or death. The advice of Matthew (Q) 5:41 is therefore to do twice as much as one is compelled to do, in an effort to avoid both immediate (physical) and deferred (legal) retaliation (Valantasis, 2005:59, 60). If this is correct, part of the advice would again be to avoid the courts at all costs (cf. Piper, 1995:60; Kloppenborg, 2000:194; 2006:126). It needs to be reiterated, however, that this logion might not have featured in Q, since it appears only in Matthew (cf. Betz, 1995:291).

The example in Q 6:30 continues on the topic of debt and indebtedness (Tuckett, 1996:304; Kloppenborg, 2000:200; 2001:178, 184). Unlike Q 12:58-59 (and Q 6:29), the examples in verse 30 are from the perspective of the lender (cf. Tuckett, 1996:304; Kloppenborg, 2001:184). Even so, the two directives are in all likelihood aimed at the lower classes (Piper, 2000:254; cf. Horsley, 1992:184, 186; 1999:220). The fact that the lender instead of the borrower is addressed need not imply that the lender was socially well off, especially since the amount is left unspecified (Piper, 1995:63; 2000:250; cf. Kloppenborg, 2000:198-199; *pace* Arnal, 2001:42-43, 173). To be sure, the programmatic saying in Q 6:27-28 contextualises the examples in Q 6:29-30 as aimed at the persecuted, not the persecutors (cf. Cotter, 1995:120; Kloppenborg, 2001:183-184). The hypothetical lender can therefore not be the type of urban landowner described earlier, but is more likely to be a rural peasant or craftsman (cf. Horsley, 1999:222-223). The hypothetical borrower must therefore be lower on the socio-economic scale, or at least in a worse position than the lender, suggesting someone from the ranks of the poor, perhaps a former peasant (cf. Horsley, 1999:222-223). This is confirmed by the rest of Q, where the accumulation of wealth is frowned upon and real-life examples feature insignificant numismatic denominations (see Kloppenborg, 2000:198-199; cf. Valantasis, 2005:176; Howes, 2015a:257).³⁸ The text instructs the lender to give freely to the one who asks, without expecting anything in return (Valantasis, 2005:60). The saying therefore promotes the replacement of balanced reciprocity with general reciprocity at village level (cf. Douglas, 1995:124-125; Horsley, 1995b:43; Allison, 2010:368).³⁹ Tuckett (1996:430) points out that the verb “lend” or “give” (δανίζω / δανείζω) in Q 6:30 may presuppose the Sabbath year and Jubilee (cf. Lev 25; Deut 15; see above), in which case it promotes widespread debt remission and abolition (cf. Catchpole, 1993:113; Horsley, 1999:221; Piper, 2000:250; Kloppenborg, 2001:178; Valantasis, 2005:60; Park, 2014b:4). However, if Oakman (2015:102) is correct in translating the saying according to Luke’s version, with the verb “take away” (ἀείρω) instead of “lend” or “give” (δανίζω / δανείζω), the second instruction in verse 30 takes on an entirely different meaning: “and if anyone takes away your goods, do not ask for them again.” Instead of advocating generous giving and general reciprocity among social equals on village level, the saying would then advocate relentless economic submission to the powers that be. This actually corresponds better to the preceding logia that infer submission to a socio-economic superior. Yet, the first instruction in verse 30 would still advocate general reciprocity together with generous giving to beggars and the poor. It follows that at least the first instruction of verse 30 (but perhaps both of them) is consistent with certain sapiential traditions that likewise advocate generous giving, especially to the poor (Catchpole, 1993:112; cf. Horsley, 1999:221; cf. Ps 37:26; Prov 19:17; Sir, 20:15; 29:1-2). According to Kloppenborg (2001:184), Q 6:30 promotes activity that is “designed to overcome victimization.” Q 6:34 develops these themes further, and directs its audience to lend to anyone who asks, not just those who are in a position to repay the loan (Allison, 1997:83; 2010:320, 368; cf. Funk & Hoover, 1993:145; Kirk, 1998:161; Kloppenborg, 2001:184; Valantasis, 2005:175; Howes, 2015a:250).

³⁸ E.g. Q 12:6, 33-34, 59; [15:8-9].

³⁹ “Balanced reciprocity,” can be defined as barter and other (economic) exchanges that are characterised by expectations and/or obligations of equal return, in the spirit of fairness and justice (Horsley, 1995a:204; Oakman, 1986:66). Conversely, “general reciprocity” can be defined as barter and other (economic) exchanges that are characterised by the unilateral giving or receiving of something without any expectations and/or obligations of repayment, in the spirit of grace and benefaction (Oakman, 1986:151–152; 2008:95, 105, 138; cf. Luk 11:11).



Q 6:30 also presupposes the legal system by advising the lender not to attempt recovery of the loan if and when it defaults (Piper, 1995:59; 2000:250; Kloppenborg, 2000:194). In other words, verse 30 advises the lender not to appeal to the legal system to recuperate a defaulted loan. Whereas verse 29 advises the *debtor* or potential defendant to avoid a court hearing at all costs, verse 30 advises the *creditor* or potential plaintiff to avoid legal action as well (Piper, 1995:60, 61; 2000:250; Kloppenborg, 2000:194; Arnal, 2001:194). Like Q 12:58-59, the examples in Q 6:29-30 deal with the intersection and interdependence of three social phenomena, namely the problem of indebtedness, the ancient legal system and the corporeal survival of the lower classes (cf. Horsley, 1995b:43-44). In all cases, the advice seems to be to avoid going to court, whatever it takes (Kloppenborg, 2000:194; cf. Arnal, 2001:194). Piper (1995:60, 63, 66; 2000:250) is undoubtedly correct that these texts “reflect at least a profound lack of confidence among the Q people regarding the social and judicial institutions active in their sphere.”⁴⁰ Such a lack of confidence squares well with the attitude of pessimism detected in Q 12:58-59 (Kloppenborg, 2000:194; Piper, 2000:250; Rollens, 2014:108). Rollens (2014:108) finds that a crucial connective between Q 6:29-30 and Q 12:58-59 is “a shared perception of injustice in the world” (cf. Park, 2014b:4-5).

The second text that deserves scrutiny in the current context is the Lord’s Prayer in Q 11:2-4.⁴¹ In Q’s version of this famous prayer, the petitions “give us today our day’s bread” (τὸν ἄρτον ἡμῶν τὸν ἐπιούσιον δὸς ἡμῖν σήμερον) and “cancel our debts for us” (ἄφες ἡμῖν τὰ ὀφειλήματα ἡμῶν) once again associate the issues of corporeal survival and indebtedness (Horsley, 1999:219, 278; Kloppenborg, 2000:195; 2001:176-177; Oakman, 2008:104; 2015:71; Rollens, 2014:97; Bazzana, 2015:187; cf. Joseph, 2014:21; Park, 2014a:77; 2014b:4). Scholars are in overwhelming agreement that Matthew’s “debt” (ὀφείλημα) should be preferred over Luke’s “sin” (ἁμαρτία) in Q 11:4 (see Carruth & Garsky, 1996:145-155; cf. Bazzana, 2015:166; e.g. Funk & Hoover, 1993:149; Fleddermann, 2005:458-459).⁴² Perpetual indebtedness at the hands of wealthy aristocrats is probably at issue here (cf. Park, 2014a:77, 87). Owing your fellow peasant a few coins or a measure of wheat would presumably not have been urgent enough to require mention in a prayer. This is particularly true for Q’s version of the Lord’s Prayer, which contains only three requests related to the needs of the petitioners, or “we” (ἡμεῖς) requests, in addition to the two requests related to the kingship of God, or “you” (σύ) requests (Kloppenborg, 2001:175, 176; Fleddermann, 2005:469, 470; Bazzana, 2015:167; cf. Oakman, 2015:50-51). In fact, the term ὀφείλημα denoted not only private debt owed to individual creditors and landlords for loans and leases, but also public debt owed to the royal treasury for taxes, leases and rents (Bazzana, 2015:168).

Bazzana (2015:167-180) argues that the Lord’s Prayer presupposes political debt relief by the royal house. Considering the reference to God’s “kingdom” or “kingship” (βασιλεία) in verse 2, this seems likely (cf. Oakman, 2015:80-81; Van Eck, 2016:176). Such officially-sanctioned debt acquittals were not uncommon in the ancient world, including ancient Israel (see Bazzana, 2015:176-180; Van Eck, 2016:173, 175-176, 180). Bazzana (2015:170, 174) explains that these political pardons included also the absolution of debts between private individuals (cf. Van Eck, 2016:175, 181). As we saw, this was also true for ancient Israel, who traditionally commanded debt abolition during the Sabbath year and

⁴⁰ Quotation from Piper, 1995:60. Piper (1995:60) argues further: “It can hardly be accidental that the next section of the Q sermon (Q 6:37-38) continues the very vocabulary of warning against judicial procedures” (cf. Kloppenborg, 2000:194). I agree that the motif of “judgment,” understood in its broadest possible sense, might link Q 6:29-30 with Q 6:37-38, but I have argued at length elsewhere that Q 6:37-38 presupposes not judicial or eschatological judgment, but moral-sapiential judgment (see Howes, 2015a:221-283, esp. 258-259).

⁴¹ The Critical Edition of Q 11:2-4 (Matt 6:9-13 // Luke 11:2-4): “²[[When]] you pray, [[say]]: Father – may your name be kept holy! – let your reign come: ³Our day’s bread give us today; ⁴and cancel our debts for us, as we too have cancelled for those in debt to us; and do not put us to the test!” (²[[ὅταν]] προσεύχ[η]σθε [[λέγετε]]· πάτερ, ἁγιασθήτω τὸ ὄνομά σου· ἐλθέτω ἡ βασιλεία σου· ³τὸν ἄρτον ἡμῶν τὸν ἐπιούσιον δὸς ἡμῖν σήμερον· ⁴καὶ ἄφες ἡμῖν τὰ ὀφειλήματα ἡμῶν, ὡς καὶ ἡμεῖς ἀφήκαμεν τοῖς ὀφειλέταις ἡμῶν· καὶ μὴ εἰσενέγκῃς ἡμᾶς εἰς πειρασμόν.)

⁴² It is true that the Aramaic word underlying the Greek “debt” (ὀφείλημα) was sometimes used as a metaphor for “sin” (Robinson, 1995:155), but it is debatable the extent to which this etymology has any bearing on the Q text (*pace* e.g. Joseph, 2014:21; Ra, 2016:70).



Jubilee (see above). The clause “and proclaim liberty throughout the land to all its inhabitants”⁴³ in Leviticus 25 indicates that debt abolition was supposed to be sanctioned and decreed by the political authorities during Jubilee, even if it might only have been an informal, non-official arrangement or expectation during other Sabbath years (cf. Deut 15:1-2). Joseph (2014:21) deliberately links Q 11:4 with Jubilee, and Kloppenborg (2001:177; cf. 179) describes Q 11:4 as pertaining to “a sabbatical or jubilee debt release.”⁴⁴ Oakman (2015:75) observes that the verb “cancel” (ἀφίημι) in Q 11:4 features also in Deuteronomy 15:3, discussed above in connection with sabbatical debt release. Interestingly, the verb “cancel” (ἀφίημι) has very similar semantic options as the verb “get loose” (ἀπαλλάσσω) in Q 12:58-59. While one of the most prominent meanings of ἀπαλλάσσω is to “get loose,” one of the most prominent meanings of ἀφίημι is to “loose” or “let go” (Liddell & Scott, 1996:290). Like ἀπαλλάσσω, ἀφίημι could refer in legal contexts to being acquitted or released from debt (Liddell & Scott, 1996:290). Like ἀπαλλάσσω, ἀφίημι carried the more general meaning of being liberated, with translation possibilities like “set free,” and connotations of manumission (Liddell & Scott, 1996:290). Bazzana (2015:170-177) shows from documentary papyri that the verb ἀφίημι implies debt relief in the Lord’s Prayer, especially considering its appearance with ὀφείλημα in the text.⁴⁵

The second “we” petition qualifies the request with the following clause: “as we too have cancelled for those in debt to us” (ὡς καὶ ἡμεῖς ἀφήκαμεν τοῖς ὀφειλέταις ἡμῶν). Oakman (2015:75) distinguishes between the two clauses as the “vertical” and “horizontal” aspects of the petition. Even if the main (vertical) clause references unequal indebtedness, it is likely that the subordinate (horizontal) clause has small debts between lower-level equals in mind (cf. Horsley, 1999:267). It is unlikely that someone praying for release from debt in the context of daily survival would have been wealthy enough to subdue others by lending them significant amounts of money. As such, this petition is reminiscent of the parable of the Unmerciful Servant in Matthew 18:23-35 (cf. Oakman, 2015:xi, 34-36, 72). The forgiveness of a massive debt by a vastly superior role player motivates the recipient to apply the same grace to his equals by also forgiving their debts (cf. Kloppenborg, 1987:206; 2000:190; Valantasis, 2005:118; Van Eck, 2016:181-182). Like the parable, the petition in Q 11:4 encourages its audience with *imitatio Dei* logic to treat others with the same forgiveness and grace that they receive from God (cf. Kloppenborg, 1987:206, 241; Robinson, 2001b:39-40; 2003:38; Fleddermann, 2005:470).

Like the parable, this saying promotes general reciprocity at village level, while beseeching God for relief from perpetual indebtedness (cf. Valantasis, 2005:118; Ra, 2016:70; Van Eck, 2016:181-182). In fact, the comparative preposition “like” (ὡς) assumes that the Q people are *already* forgiving each other’s debts, and perhaps even the debts of outsiders (Howes, 2016c:21; see Valantasis, 2005:118-120, 175). As such, it features an *imitatio Dei* argument “in reverse,” depicting the Q people as already practicing general reciprocity, and asking God to do the same (Howes, 2016c:21; see Valantasis, 2005:118-120, 175). Petitioning God for relief from economic debt should not be seen as strange, since the ancient Jewish notion of a theocratic monarchy qualified political debt relief as a decree from God (Bazzana, 2015:177; cf. Valantasis, 2005:117-118). Knowledge of political debt relief in antiquity further informs the association in the Lord’s Prayer between “bread” and “debt,” since royal pardons were seemingly often accompanied by the provision of foodstuffs, especially during times of hardship (Bazzana, 2015:189-191). If private individuals were expected to write off existing debt during political pardons, they might also have been expected at such times to provide nourishment to those in need. Such benefaction was certainly not unprecedented in antiquity (see Bazzana, 2015:191-193; Lampe, 2016:1-28; Van Aarde, 2016:150-175).

The Critical Edition of Q translates the last request in the Lord’s Prayer as follows: “and do not put us to the test” (καὶ μὴ εἰσενέγκῃς ἡμᾶς εἰς πειρασμόν). Bazzana (2015:194-199) considers the use of the word πειρασμός (together with πείρα and πειρά[ζ]ομαι) in the Septuagint, Ben Sirach and documentary papyri, arguing that it should here be understood as an educational, intellectual and/or moral test. His

⁴³ ESV; MT: וְקָרָאתֶם דְּרוֹר בְּצִוְיִי לְכָל־יְשֻׁבְיָהּ; LXX: καὶ διαβοήσετε ἄφεσιν ἐπὶ τῆς γῆς πᾶσιν τοῖς κατοικοῦσιν αὐτήν.

⁴⁴ Kloppenborg (2001:177) relates the forgiveness of debts to the forgiveness of sins, appealing to intertexts from Qumran (i.e. 1Q22 III:5-7; 11Q13 II:1-6).

⁴⁵ Bazzana’s investigation focuses on two papyri, namely SB 20.14106 and P.Koeln 7.313.



analysis is intended to dispel the scholarly notion that the word denotes eschatological temptation or violent persecution in the midst of dangerous (apocalyptic) events (cf. Valantasis, 2005:119). Although his case against these latter avenues of interpretation is commendable and convincing, Bazzana's own interpretation is questionable. It seems implausible that the prayer would move from tangible, corporeal issues like subsistence and indebtedness to an abstract, generic issue like moral-intellectual assessment (cf. Horsley, 1995b:44; 1999:266-268; Oakman, 2015:81, 84).⁴⁶ Bazzana (2015:199-202) attempts to show that his understanding fits the rest of Q, looking specifically at Q 4:1-13, but ultimately his interpretation is discordant with the material concerns of the Lord's Prayer and most of the formative stratum. More crucially, his interpretation of the final petition is incongruous with his own analysis of the Lord's Prayer, which correctly reads the passage as pertaining to the provision of actual nourishment and the relief of actual debt (cf. Horsley, 1999:266-268; Oakman, 2015:81, 84). In my view, interpreters like Oakman (2008:104; 2015:84) and Horsley (1995b:45; 1999:271-272, 297) are closer to the truth, reading the noun *πειρασμός* as a reference to actual judicial trials (cf. Howes, 2015a:257, 281). Like the English word "trial," Greek words with the stem *πειρα* could denote not only an evaluative ordeal like a test or temptation, but also a court proceeding (see Liddell & Scott, 1996:1355; Oakman, 2015:83-84; cf. Valantasis, 2005:119). The same is true of the Hebrew word *נִסָּה*, which is translated with *πειρασμός* in the Septuagint. Translation possibilities for this Hebrew noun include both "test" and "trial" (Holladay, 1971:203; Brown, Driver & Briggs, 1977:650; Swanson, 2001, domain 4999; Oakman, 2015:84; cf. e.g. Job 9:23-24).⁴⁷ Like the first two "we" petitions in the Lord's Prayer, the last one is about a tangible feature of ancient life related directly to physical survival (Oakman, 2015:81, 84; cf. Horsley, 1999:266-268). In this case, it is about judicial trials.

Like all the texts considered up to this point, Q 11:4 seems fearful and pessimistic about appearing in court, beseeching God to assist in avoiding such a conclusion. This petition is separated from the preceding one about the cancellation of debts with a semi-colon, indicating some kind of relationship between the two petitions. Likewise, the petition about indebtedness is separated from the preceding one about daily sustenance with a semi-colon. Hence, the syntax of Q 11:2-4 deliberately associates daily sustenance, indebtedness and appearance in court (cf. Horsley, 1999:219, 260, 267, 271-272, 295-296, 297; Oakman, 2015:84, 90; Howes, 2015a:257). This implies not only a link between court appearances and indebtedness, but also between court appearances and corporeal survival (cf. Piper, 1995:62; Oakman, 2008:104; 2015:84, 90; Howes, 2015a:257). Like all the foregoing texts, Q 11:2-4 deals with the intersection and interdependence of three social phenomena, namely the problem of indebtedness, the ancient legal system and the corporeal survival of the lower classes. In fact, these three motifs represent each of the three "we" petitions in the Lord's Prayer. The associations in question are further strengthened by the subsequent section (Q 11:9-13), which deals specifically with material subsistence and provision (Horsley, 1999:296; Arnal, 2001:46-47; see Catchpole, 1993:223-225; Piper, 1989:22-23; 2000:246-247; Robinson, 1998b:138-139; 1999:192; 2001a:16; 2001b:32, 49; 2003:30; 2005:117-118; Kloppenborg, 2000:125, 195; 2001:177-178; Robinson & Heil, 2001:18; Fleddermann, 2005:467-468, 473; cf. Kirk, 1998:179; Rollens, 2014:97; Howes, 2015a:281; Oakman, 2015:67; *pace* Tuckett, 1996:152-155). In addition to its obvious treatment of subsistence, a number of scholars understand Q 11:9-13 as pertaining to the issue of debt as well (i.e. Horsley, 1999:260; Kloppenborg, 2001:178; Kaden, 2014:104 n. 21; Rollens, 2014:97).

⁴⁶ This does not mean that the Lord's Prayer could not have communicated abstract ideas on a secondary level (cf. Valantasis, 2005:119, 120; Howes, 2015a:281). If it did, however, these ideas would have been subordinate to the text's primary literal inclination.

⁴⁷ In my view, *נִסָּה* should be translated as "trial" in the problematic case of Job 9:23, and not as "calamity" or "despair" (cf. Swanson, 2001, domain 5000; see most English translations). This is supported by the judicial terms and images in the literary context of Job 9:13-24.



Daily sustenance and survival⁴⁸ is arguably the most important, repeated and central topic of Q's formative stratum (cf. Kloppenborg, 1987:240-241; Piper, 1995:62, 64; Robinson, 1997:237, 238).⁴⁹ It was argued above that Q 12:58-59 is similarly concerned with issues of daily sustenance and survival. Instead of appealing to earthly courts for survival in the face of poverty and persecution, the Q people are advised to trust in God for their survival (Piper, 1995:62; 2000:234, 256; Robinson, 1995:265; 1997:238, 246; Howes, 2015a:257; cf. Kloppenborg, 1987:241; 2000:195, 372, 386; Douglas, 1995:124-125; Allison, 2000:52, 190; 2001:399; Jacobson, 2000:195; Valantasis, 2005:120; Joseph, 2014:157-158; Rollens, 2014:109). In practice, this entailed keeping their heads down and satisfying their persecutors beyond expectation in order to avoid going to court (Piper, 1995:62; 2000:250; Arnal, 2001:194; cf. Kloppenborg, 1987:252; 2000:194; Horsley, 1995b:43; Valantasis, 2005:59; Rollens, 2014:99, 104-105, 109, 110; Ra, 2016:34; *pace* Cotter, 1995:120-121). Regardless of the extent of exploitation, "redress for personal injury seems to be viewed as dangerous, counterproductive, or simply wrong" (Piper, 1995:62; cf. Arnal, 2001:194).

Another important topic for the formative stratum is the different kinds of relationships between the elite and the weaker members of society.⁵⁰ Especially relevant are those texts that expose the vulnerability of the peasantry and poor in the face of deliberate exploitation by the elite (cf. Park, 2014a:77; see Piper, 1995:61-62).⁵¹ Q 12:4-7, 11-12 indicates that persecution and repression were realities facing the Q people, and that it involved "having to appear in front of judges" (Ra, 2016:216-217, 224;⁵² Horsley, 1995b:45; 1999:147, 245, 271-272, 297; Verheyden, 2001:712; Smith, 2006:140, 142; Joseph, 2014:158; cf. Kloppenborg, 1987:232, 235; 2000:372, 386; Piper, 1989:53; Jacobson, 1992:187; Robinson, 1999:185; Fleddermann, 2005:593; Howes, 2015a:142, 256; *pace* Piper, 2001:348-349). These verses further indicate that a meeting with judicial and other authorities could well end up being fatal (Horsley, 1999:272; Fleddermann, 2005:593; Howes, 2015a:256; Ra, 2016:217; cf. Piper, 1989:53, 60; Allison, 1997:174; Kirk, 1998:208, 213; Kloppenborg, 2000:372; Valantasis, 2005:154-155, 160; Smith, 2006:121).⁵³

A link between subsistence and persecution (or exploitation) in the context of court appearances is further suggested by the position of Q 12:4-7, 11-12 directly before Q 12:22-31 in the sequence of the Sayings Gospel (Kloppenborg, 1987:250-251; 2000:195; Howes, 2015a:257; cf. Allison, 1997:23-24). Exegetes often associate Q 11:2-4, 9-13 and Q 12:22-31, mainly due to their overlapping themes of survival and subsistence (e.g. Robinson, 1995:263-265; 1997:238, 246, 248-249; 1999:192; 2001a:16; 2001b:32-33, 49; Horsley, 1999:260; Jacobson, 2000:195; Piper, 2000:234, 245, 247, 252, 256, 258; Kloppenborg, 2001:178; Robinson & Heil, 2001:18-19; Rollens, 2014:97; Howes, 2015a:118 n. 105). Less frequently recognised is the linkage between Q 11:2-4 and Q 12:4-7, 11-12 based on the theme of court appearances before authorities (Horsley, 1999:297). If the reference to "wolves" in Q 10:3 is understood in terms of its traditional association with "rulers," this passage confirms both that the Q people faced persecution by authorities, and that death was a possible outcome of meeting with these rulers (Howes, 2015a:142, esp. n. 151, 256-257; cf. Jacobson, 1982:422; Joseph, 2012:90; see Horsley,

⁴⁸ Or in the words of Schulz (1972:91), "*das notwendige Existenzminimum*" (cf. Catchpole, 1993:224).

⁴⁹ Cf. Q 6:20-21, 29-30, 34; 9:58; 10:2, 5-9, 16; 11:3-4, 9-13, 33 (see Howes, 2013a:303-332); 12:22-31, 42-44 (see Howes, 2015b:478-484); 13:18-19, 20-21, 25 (see Howes, 2016a:479-506); 14:16-19, 21, 23 (see Howes, 2015c:321-350); 15:4-5, 7, [8-10]; 19:12-13, 15-24 (see Howes, 2016b:18-54).

⁵⁰ Cf. Q 6:22-23, 27-28, 29-30; 10:3, 10-11, 21, 23 (see Howes, 2013b:148-172); 11:3-4; 12:4-5, 11-12; 12:42-44; 13:25 (see Howes, 2016a:479-506); 14:16-19, 21, 23 (see Howes, 2015c:321-350); 16:13; 17:1-2; 19:12-13, 15-24 (see Howes, 2016b:18-54).

⁵¹ I.e. Q 6:22-23, 27-28, 29-30; 10:3; 11:4; 12:4-5, 11-12; 13:25 (see Howes, 2016a:479-506); 17:1-2; 19:12-13, 15-24 (see Howes, 2016b:18-54).

⁵² Quotation from Ra, 2016:224.

⁵³ Tuckett (1996:315-320) argues at some length that the references to death and appearances before Synagogues in Q 12:4-5, 11-12 do not reflect the actual situation of the Q people, and that one should therefore not deduce from this tradition that the Q people were judicially, physically or violently persecuted. His argument has failed to convince scholars, and remains a minority opinion.



1999:96, 244-245, 249, 272; Valantasis, 2005:97-98).⁵⁴ There is an obvious conceptual overlap between the vulnerability of lower class citizens in the face of elite exploitation and the advice to avoid official systems of (in)justice (Piper, 1995:62; 2000:250; cf. Horsley, 1995b:43-45; Kloppenborg, 2000:194; Park, 2014a:77; Rollens, 2014:107, 108). In general, Q's formative stratum betrays a sustained fear of authorities, and an intrinsic suspicion of administrative procedures (Piper, 1995:63; 2000:250). More specifically, the content of Q's formative stratum reveals distrust in the institutionalised legal system, resulting in the promotion of habitual and deliberate avoidance of institutional courts (Piper, 1995:60, 63, 66; 2000:250; Kloppenborg, 2000:194, 198, 199; Rollens, 2014:110).⁵⁵ Q 12:58-59 relates directly to these matters (Horsley, 1995b:45; Kloppenborg, 2000:194; Piper, 2000:250; Howes, 2015a:257; cf. Park, 2014a:77; Rollens, 2014:107, 108, 110). In fact, Q 12:58-59 is the text *par excellence* when it comes to the topic of avoiding the ancient legal system.

It is interesting and perhaps telling that Piper (2000:250 n. 115, cf. 257), while considering largely the same thematic issues that we have considered here, adds a footnote that seems to express dissatisfaction with Kloppenborg's attribution of Q 12:58-59 to the main redaction. Likewise, it is not insignificant that Rollens (2014), in her study of justice in Q, initially follows Kloppenborg in attributing Q 12:58-59 to the main redaction (pp. 94 n. 4, 105), but later treats the same logion as part of the formative stratum (p. 110). This seems to be more than the scholarly version of a Freudian slip. According to Rollens's larger case (2014:109-113), the formative stratum presumes that the actions of people can improve the world, but the main redaction has been disillusioned to the point that it accepts divine intervention as the only means through which improvement is possible. As part of this discussion, Rollens (2014:111) claims that "some material such as Q 6,29-30 and 12,58-59 still bears markers of self-help strategies [typical of the formative stratum]." The operative word in this sentence is "still," betraying the conviction by Rollens that Q 12:58-59 was part of the formative stratum before being incorporated into the main redaction; which is exactly what the current article argues.⁵⁶

Implied audience

It is noteworthy that Kloppenborg does not explicitly invoke his own criterion of "implied audience" when considering the redactional placement of this logion in Q (Howes, 2015a:75). As indicated above, the logion's addressee ($\sigma\upsilon$) is someone from the lower classes of society. As we saw, Q's audiences were for the most part made up of people from the lower segments of society, including especially the peasantry.⁵⁷ As a sapiential instruction, Q 12:58-59 attempts to direct the behaviour of these underprivileged insiders (cf. Kloppenborg, 2006:126; Rollens, 2014:109-110; see Valantasis, 2005:174-175; *pace* Kirk, 1998:237). Its main intent is to offer practical advice for the in-group (Howes, 2015a:75, 76; cf. Horsley, 1995b:40, 43). Assuming the Lukan placement of Q 12:58-59, it presents serious problems if one reads the logion as directed against outsiders. If the "opponent" is a reference to the out-group, the saying would contradict the preceding material⁵⁸ by advocating reconciliation with outsiders. Likewise, if the fate of the person in verse 59 is symbolic of the fate of outsiders, it is not clear

⁵⁴ Cf. Prov 25:15 (LXX); Ezek 22:23-27; Zeph 3:1-3; *I Enoch* 89:13-27; *Psalms of Solomon* 8:23; 4 Ezra 5:18.

⁵⁵ Arnal (2001:194-195) argues that Q does not advocate a wholesale avoidance of legal institutions, but rather a wholesale avoidance of combative and confrontational interactions. These positions are not mutually exclusive, and both were probably advocated simultaneously. Considering the evidence for institutional and juridical exploitation from both the ancient world and the Sayings Gospel (e.g. Q 10:3; 12:4-7, 11-12, 58-59), the advice to avoid judicial proceedings as much as possible makes absolute sense.

⁵⁶ Cotter (1995:127) claims that the logion belongs in the main redaction because the directive to settle before going to court is motivated by the rationale "that it will be less expensive to do so." Not only is this claim contradicted by the text itself, where lifelong imprisonment is the ultimate consequence, but the socio-historical context of the logion considered in this article also speaks strongly against it. Clearly, Cotter's anachronistic observation is not informed by the socio-historical realities of indebtedness and judicial praxis in first-century Palestine.

⁵⁷ There is widespread agreement on this: cf. Oakman, 1986:100; Kloppenborg, 1987:251; Douglas, 1995:120; Piper, 1995:63-64; Reed, 1995:19; Tuckett, 1996:360, 365; Freyne, 2000:206; Arnal, 2001:150, 173, 188; see Horsley, 1995b:44; 1999:260-261, 269, 296-298; Kloppenborg, 2000:198-199; Reed, 2000:136-137; Rollens, 2014:96.

⁵⁸ That is, Q 12:42-46, [49], 51, 53, [54-56].



why Q's Jesus would address this hypothetical person directly in verse 58, attempting to direct his behaviour. In the remainder of Q, such instructions are reserved for the in-group. If the Matthean placement of Q 12:58-59 is followed, the function of the logion to address insiders is even more obvious, especially if the subsequent logion in Q 16:18 is taken into consideration.

In light of these factors, few would doubt that Q 12:58-59 addresses the Q people directly. The question, however, is whether or not the saying *indirectly* condemns outsiders. We saw that the saying could be understood as a veiled critique of the official legal system and those who partake in its daily operation. Yet, such critique is at most implied in a very subtle and oblique way. The saying primarily and overtly addresses those who often fall victim to the judicial system, not those who make a living (and a killing!) out of their involvement with it (cf. Piper, 1989:106; Horsley, 1995b:43; Rollens, 2014:102, 105, 107, 108). The saying is not formulated as criticism directed at the powers that be, but rather as advice directed at the powerless (Rollens, 2014:102, 105, 107, 108). The internal workings of the judicial system is exposed as a wake-up call to the recipients of this logion. Instead of condemning *people* in an *obvious* way, the saying critiques the *system* in a *clandestine* way. More importantly, the judicial system is not exposed for the sake of separating between insiders and outsiders. Lawyers, judges and other courtroom officials, though mentioned, are not identified as outsiders or condemned with eternal damnation; not even implicitly (Piper, 1989:106; cf. Horsley, 1999:65).⁵⁹ In fact, the language of Q 12:58-59 is not at all polemical (Piper, 1989:106, 114; cf. Horsley, 1999:65). The saying seems unconcerned with matters of boundary demarcation, and very concerned with the fate of its recipients (cf. Kloppenborg, 2006:126).

Conclusion

With this article, I have “made an effort to get Q 12:58-59 loose” from its fortified position in Q's main redaction. Kloppenborg's main reason for locating Q 12:58-59 in the main redaction is that he views verse 59 as a prophetic-eschatological addition that was added on the basis of the preceding Q² material. I have argued here that verse 59 featured as an intrinsic part of the logion from the beginning, underlining the importance and urgency of the sapiential directive to avoid litigation. Much weight should not be placed on the syntagmatic literary context of Q 12:58-59 when attempting to determine its stratigraphical placement, since it appears on the border between Q¹ and Q² material in both its Matthean and Lukan positions. If the logion is considered in isolation, as it should be, its proper place in Q's formative stratum is revealed. When measured against Kloppenborg's three main criteria for distinguishing between Q¹ and Q², the logion qualifies as a tradition of Q's formative stratum.⁶⁰ Like the rest of Q's formative stratum, Q 12:58-59 advocates avoiding the official legal system, mainly because of its contribution to continual indebtedness and poverty.

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⁵⁹ This is despite the fact that these people were in all likelihood outsiders, especially if scholarship is correct about the court being located in the city. Valantasis (2005:175) argues that the presumption of debt identifies the creditor as an outsider, since insiders ostensibly practiced general reciprocity; that is, if they actually followed their own teachings. Even so, the point of the saying is neither to isolate any of these people as outsiders, nor to earmark them for condemnation.

⁶⁰ This finding would remain valid even if my proposals about the vocations of the two parties were off the mark, and the background had nothing to do with agriculture.



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