

Chapter 11

The Power of Binding and Loosing

And Jesus said to him, "Blessed are you, Simon Barjona, because flesh and blood did not reveal *this* to you, but My Father who is in heaven. I also say to you that you are Peter, and upon this rock I will build My church; and the gates of Hades will not overpower it. I will give you the keys of the kingdom of heaven; and whatever you bind on earth shall have been bound in heaven, and whatever you loose on earth shall have been loosed in heaven."¹

If your brother sins, go and show him his fault in private; if he listens to you, you have won your brother. But if he does not listen *to you*, take one or two more with you, so that BY THE MOUTH OF TWO OR THREE WITNESSES EVERY FACT MAY BE CONFIRMED. If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly I say to you, whatever you bind on earth shall have been bound in heaven; and whatever you loose on earth shall have been loosed in heaven.²

The Roman Catholic View

To review, based on the documents of Vatican II and the official catechism of the Roman Catholic Church quoted in chapter 1, the position of Roman Catholicism on the keys and the power of binding and loosing can be summarized as follows:

- The keys of the kingdom of heaven were given to Peter alone and thus to his successors, the Roman Pontiffs.

1 Matt. 16:17-19.

2 Matt. 18:15-18.

- The power of binding and loosing given to Peter in Matthew 16:19 was also granted to the college of apostles in Matthew 18:18 and thus to their successors, the order of bishops.
- The "power of the keys" designates the authority to govern the house of God, which is the Church.
- The power to "bind and loose" is the authority to absolve sins, to pronounce doctrinal judgments, and to make disciplinary decisions in the Church.³

Does the Power of Binding and Loosing Represent One Use of the "Keys"?

The first issue to address is whether there is a connection in Matthew 16:19 between the power of the keys and the power of binding and loosing. Specifically, does binding and loosing represent one use of the keys?

If the links between Isaiah 22:22, Matthew 16:19, and Revelation 3:7 have been established, as chapter 10 argued, then at least a prima facie case can be made for an affirmative answer. The language of Isaiah 22:22 indeed sounds quite similar to that used for the power of binding and loosing, which was also granted by Jesus to Peter:

Then I will set the key of the house of David
on his shoulder,
When he opens no one will shut,
When he shuts no one will open.⁴

I will give you the keys of the kingdom of heaven;
and whatever you bind on earth shall have been bound
in heaven, and whatever you loose on earth shall
have been loosed in heaven.⁵

3 The term *sacerdotalism* is used to describe the belief in Roman Catholic theology that ordained priests have sacramental power, that is, the authority to administer certain sacraments. One of these sacraments is the Sacrament of Penance, in which the priests, as "collaborators" of the bishops through the Sacrament of Holy Orders, can also forgive or absolve sins. See the citations from the *Catechism of the Catholic Church* in the first section of chapter 13.

4 Isa. 22:22.

5 Matt. 16:19.

The parallelism, however, is not exact. "Binding and loosing" represent one metaphor, while a "key" represents a different metaphor. Delitzsch sees this as significant:

There is a resemblance, therefore, to the giving of the keys of the kingdom to Peter under the New Testament. But there the "binding" and "loosing" introduce another figure, though one similar in sense; where here [in Isa. 22:22], in the "opening" and "shutting," the figure of the key is retained.⁶

It is argued in this chapter that the figures "binding" and "loosing" reflect Rabbinic usage during the time of Jesus. Thus it is unlikely they refer to the power symbolized by "the key to the house of David" in Isaiah 22:22. The figures are quite distinct, and chapter 10 has already presented a plausible interpretation of the keys of the kingdom of heaven that describes the nature of that metaphor and the use of those "keys" by Peter. Therefore, Jesus grants to Peter two distinct privileges, and the power of binding and loosing does not represent one of the uses of the keys.

Alford draws the same conclusion: "...the expressions, ο αν, ο εαν, clearly indicate *something bound* and *something loosed*, and not merely the power of the keys just conferred."⁷

The Verb Tenses

The tenses used for the verbs "bind" and "loose" in the second clause of each statement are very rare, not only in the New Testament, but also in the LXX and even in classical Greek. The text that describes the binding reads as follows:

ὁ εαν δησης⁸ επι της γης εσται δεδεμενον εν τοις

6 Delitzsch, *The Prophecies of Isaiah*, I:402.

7 Alford, *The Greek Testament*, I:174; emphasis original. Not all scholars, of course, draw this conclusion. For example, Carson, *Matthew*, p. 373, states, "Inevitably the assignment involves them [the *ekklēsia*, "the people of God"] in using the keys to bind and loose." France, *Matthew: Evangelist & Teacher*, p. 245, seems to assume the same view.

8 2nd person singular 1st aorist active subjunctive of δεω, *to bind* or *to tie*.

ουρανοις

Leaving the difficult verb untranslated for now, the literal translation is, "whatever⁹ you bind on the earth ἔσται δεδεμενον in the heavens." ἔσται δεδεμενον (*estai dedemenon*) is the *crux interpretum* of this statement. The following points summarize the morphological analysis (the form of the verbs):

- ἔσται (*estai*) is the 3rd person singular future indicative of εἰμι (*eimi*), *to be*.¹⁰
- δεδεμενον (*dedemenon*) **in form** is a neuter nominative singular perfect passive participle of δεω (*deō*), *to bind* or *to tie*.
- These two words together form a *periphrastic tense*, that is, a tense formed by the combination of the verb *to be* (εἰμι) together with a participle.¹¹

The New Testament has a number of examples of periphrasis formed by tenses still in use, often with little difference in meaning.¹² However, Turner draws attention to

the principle that when a grammatical form tends to disappear, having lost its characteristic force, the language will find a substitute; often that substitute is a periphrasis.¹³

This is an important observation for the two examples of

9 ὃς is subjunctive mood, and ὃ is the neuter accusative singular relative pronoun, whose basic meaning is *who* or *which*. One use of the subjunctive form of a verb is in clauses introduced by a relative pronoun that is not intended to refer to a specific person or thing. In such clauses *αν*, or sometimes (as here) *ἕαν*, is placed after the pronoun to underscore the element of indefiniteness in the clause; it is usually untranslatable. Hence here ὃ ἕαν translates best as *whatever*. See J. W. Wenham, *The Elements of New Testament Greek* (Cambridge: Cambridge University Press, 1965), p. 160.

10 The verb εἶναι, *to be*, does not have voice.

11 These tenses are called *periphrastic* because the word comes from φράζω, *to explain*, and the preposition περί, *about, around*; that is, a tense that shows its meaning in a roundabout way.

12 See Wenham, *The Elements of New Testament Greek*, pp. 156-157. Examples include the *periphrastic imperfect*, formed by the imperfect of εἰμι and a present participle as in Mark 10:32; the *periphrastic future*, formed by the future of εἰμι and a present participle as in Luke 5:10; and the *periphrastic perfect*, formed by the present of εἰμι and a perfect participle as in Eph. 2:5.

13 Turner, *Syntax*, p. 88.

periphrasis in Matthew 16:19 because the *future perfect tense* had by then all but disappeared and is not found in the New Testament.

A. T. Robertson in his discussion of the perfect indicative tense points out that originally Greek had a *present perfect tense*, a *past perfect tense*, and a *future perfect tense*.¹⁴ However, future perfect indicatives always were rare,¹⁵ and even in classical Greek both the future perfect active and passive indicatives were expressed periphrastically by using the present perfect participle combined with εἶμι.¹⁶ As already noted, the future perfect tense is not used in the New Testament. However, although rare, its substitute, the *periphrastic future perfect*, is used in both active and passive voice. The *periphrastic future perfect passive* is formed by the *future indicative* of εἶμι and the *present perfect passive participle* of the main verb. That is what Matthew used in 16:19 and 18:18.¹⁷

Since the future perfect tense does not occur in the New Testament and the past perfect tense is generally called the pluperfect tense,¹⁸ the relatively common present perfect tense is generally called simply the *perfect tense*. For emphasis, however, I continue to use "present perfect tense."

All the perfect tenses in a sense combine the present¹⁹ and aorist²⁰ tenses to mean *the continuance of a completed action*.²¹ Thus the first point to note is this:

14 A. T. Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research*, 4th ed. (Nashville: Broadman Press, 1934), pp. 360-361. When not making this historical observation, the *present perfect tense* is normally called simply the *perfect tense* in NT Greek grammars.

15 Ibid., p. 361.

16 F. Blass, A. Debrunner, and Robert W. Funk, *A Greek Grammar of the New Testament and Other Early Christian Literature* (Chicago: University of Chicago Press, 1961), p. 179.

17 The only other example of the periphrastic future perfect passive is Luke 12:52; there is a periphrastic future perfect active in Heb. 2:13.

18 Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research*, p. 361, does not think this is a good name, but it does seem to be the prevailing choice.

19 Views the action as continuous in present time; see footnote 24 in this chapter.

20 Views the action as punctiliar in past time; see footnote 24 in this chapter.

21 Blass, Debrunner, and Funk, *A Greek Grammar of the New Testament*, p. 175. Cf. Maximilian Zerwick, *Biblical Greek* (Rome: Scripta Pontificii Instituti Biblici, 1963), Imprimi Potest: Romae,

- The *present perfect tense*, or simply the *perfect tense*, can describe *the continuance in the present of a completed action*.²²

According to Robertson, the basic meaning of the *future perfect tense* is *perfect action in future time*.²³ Here, then, is the second point:

- The *future perfect tense* can describe *the continuance in the future of a completed action*.

However, the (present) perfect tense is not always so cut-and-dried. Both Turner and Blass-Debrunner-Funk point out that the perfect tense can have the same meaning as the present tense or the aorist tense individually.²⁴

Blass-Debrunner-Funk specifically cite Matthew 16:19 and 18:18 as examples of "where the [perfect-tense] notion of a *continuing condition* recedes into the background."²⁵ They do not offer a translation, but it would seem that the intent in Matthew 16:19 is more likely the aorist. What is left, then, would be simply *punctiliar or completed action in future time*.

How, then, does this interpretation of the tense effect the meaning and translation of Matthew 16:19 and 18:18? First, note that Peter is not "binding" anything in the present, that is, the time at which Jesus makes this statement. He will bind something in the future, implied by ὃ ἔαν, "whatever." Therefore, the tense of ἔσται δεδεμενον in the passive voice implies the following

Imprimatur: E. Vicariatu Urbis, p. 97: "The use of the perfect in the NT thus shows that the author has in mind the notion of a state of affairs resultant upon the action."

- 22 Cf. the definition given by Wenhham, *The Elements of New Testament Greek*, p. 139: "a present state resulting from a past action." For example, γεγραπται, 3rd person singular perfect passive indicative: "it stands written."
- 23 Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research*, p. 906.
- 24 Turner, *Syntax*, p. 82, 85, and Blass, Debrunner, and Funk, *A Greek Grammar of the New Testament*, p. 176-177. The kind of action (*Aktionsart*) of the present tense is generally *durative* (*linear* or *progressive*), while the kind of action of the aorist tense is generally *punctiliar* (*momentary*); see Blass, Debrunner, and Funk, p. 166.
- 25 Blass, Debrunner, and Funk, *A Greek Grammar of the New Testament*, p. 179.

translation:

- ο ἅν δῆσῃς ἐπὶ τῆς γῆς = "whatever you bind on the earth [at some point in the future]"
- ἔσται δεδεμενον ἐν τοῖς οὐρανοῖς = "[at that future point] will [already] have been bound in the heavens"

Note that the verb in the second phrase denotes *completed action in future time*. In addition, though the action of both verbs occurs in the future, the action of the second verb **precedes the action of the first verb**.²⁶

The *New American Standard Bible* translates the Greek at Matthew 16:19 and 18:18 as described above:

Whatever you bind on earth shall have been bound in heaven, and whatever you loose on earth shall have been loosed in heaven.

Note that if this translation represents the correct original intent for these verbs, then the support offered by this text for the Roman Catholic view of the power of binding and loosing is greatly decreased. The actions performed through this authority will only reflect what has already been done in heaven.

However, the *NASB* is one of the few major versions to translate the verbs as periphrastic future perfect passives, the substitute for the obsolete *future perfect passive indicative*. By contrast, most of the English versions as well as some commentators take Matthew's periphrastic use of the (present) perfect passive participle to be equivalent to the simple *future passive indicative tense*. For example, the *NIV* has the following translation:

Whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.

²⁶ Merrill C. Tenney, *The Gospel of John*, in *The Expositor's Bible Commentary*, 12 vols., gen. ed. Frank E. Gaebelein (Grand Rapids: Zondervan, 1984), IX:194, in commenting on Matt. 16:19, summarizes succinctly: "its action [the action of the second verb] precedes that of the first verb in each sentence [the sentence for binding and the sentence for loosing]."

The KJV, ASV, RSV, NEB, NKJV, and ESV all translate the verbs the same way; the NIV, NKJV, and ESV give the translation as future perfects in the margin.

However, France makes a strong case against taking the verbs as equivalent to simple future passives and argues for translating them according to their form as periphrastic future perfects. First, he offers an interpretation of the verbs that brings out the meaning of the future perfect passive indicative tense for which this periphrastic tense had become a substitute:

The 'authority', both of Peter and of the ἐκκλησια...is described as that of 'binding' and 'loosing' on earth that which will also prove to have been 'bound' and 'loosed' in heaven.²⁷

Next, he provides an extensive footnote that argues the case for this view of the tense as used by Matthew:

I have deliberately reproduced the rather clumsy, and therefore noticeable, future perfects of Matthew 16:19 and 18:18, which are more normally rendered into English by a simple future passive, 'will be bound', 'will be loosed'. Despite frequent statements of commentators that perfect forms in *koine* Greek do not always carry a perfect sense, I remain convinced that the choice of verb form is significant here. If Matthew had wished to use *future passives* he could have done so; his choice of the *periphrastic future perfect form*, consistently maintained for the two relevant verbs in both passages [Matt. 16:19 and 18:18], suggests that he wished to say something rather different. It is sometimes suggested that this tense could be understood to indicate that *things bound on earth will subsequently be found in heaven to have been bound* (by means of their binding on earth). But this interpretation would differ little from the sense of a *simple future passive*. It would be more appropriate to the future perfect form to understand that *things bound on earth will already have been bound in heaven* prior to the earthly decision; and since this offers a meaning more clearly distinct

27 France, *Matthew: Evangelist & Teacher*, p. 247.

from that of the simple future passive which Matthew avoided, it seems more likely that this was what he intended. In that case he has used the periphrastic tense to avoid the idea that there is an automatic heavenly rubber stamp on any decision made on earth; on the contrary, the authority of the earthly pronouncement consists precisely in the fact that it is passing on a decision which has already been made in heaven.²⁸

D. A. Carson presents a similar argument, and France evidently based his argument on Carson:²⁹

Where questions dealing strictly with Greek syntax are asked, it seems impossible to reach a firm conclusion, because there are too many clear instances where perfects, whether finite or participial, have something other than perfect force. But where paradigmatic questions are asked--Why was this word or syntax used instead of something else?--we can make some progress....The perfect participles in the periphrastic constructions of Matthew 16:19; 18:18 are based on the two verbs *lyō* ("I loose") and *deō* ("I bind"). Evidence regarding the latter is ambiguous...But the former is unambiguous. *Lyō* has a full range of forms, and it is difficult to see why Matthew did not use either the future [tense] or the present participle in a periphrastic future if that was all

28 Ibid., p. 247, n. 11; emphasis added. Albright and Mann, *Matthew*, p. 197, make this statement: "It is the Church on earth carrying out heaven's decisions, communicated by the Spirit, and not heaven ratifying the Church's decisions." By contrast, Hendriksen, *Exposition of the Gospel According to Matthew*, p. 651, argues against taking the verbs in this sense: "Notice the use of perfect passive participles δεδεμενον and λελυμενον, after the copula εσται in each clause [of Matt. 16:19]. To read these forms as periphrastics and then to interpret them as meaning that such beliefs and actions...shall have been *previously* "bound" or "loosed" in heaven yields a very difficult and unnatural sense" (emphasis original). I have difficulty seeing what is unnatural about the view of France. In his own interpretation of the statement, Hendriksen tries to mix the simple future with the perfect-tense idea of "continuance": "whatever Peter...looses on earth shall be and definitely remain loosed in heaven." It was stated earlier that according to Blass-Debrunner-Funk, the "continuing condition" may not be present at all (see footnote 25 in this chapter). That would leave Hendriksen with only a simple future as in the majority of English translations.

29 France cites Carson at the end of his footnote 11.

he meant. This result spills over onto *deō* ("I bind"), since the two verbs are so tightly linked in these verses.³⁰

As Carson points out, however, there are difficulties in interpreting the meaning and significance of the power here delegated by Jesus regardless of which interpretation of the tense is taken.

If the tense is translated as a future ("shall be bound"), the passage can be taken to justify some form of extreme sacerdotalism without unambiguous defense elsewhere in the NT. But if it is translated as a future perfect ("shall have been bound"), it can be taken to support the notion that the disciple must therefore enjoy infallible communication from God in every question of "binding and loosing," a communication that is the role of the so-called charismatic gifts...But in neither case do these conclusions *necessarily* follow. More moderate interpretations of both grammatical options are possible. But the extremes must be noted, especially because some give the impression that if the Greek is rendered as an English future perfect, we have eliminated sacerdotalism. The truth is that sacerdotalism will neither stand nor fall by these texts alone, though it may be helped or hindered by them. Meanwhile, a future perfect rendering is itself not without theological problems.³¹

It is correct that sacerdotalism will not fall if the verbs are taken in the sense of future perfects. However, its case would definitely be weakened. Moreover, the evidence presented here argues strongly for taking the verbs as true future perfects.

Now that the grammatical construction of this statement by Jesus has been analyzed, the question of the nature of this power of binding and loosing can be addressed. Does it, in fact, require some sort of "infallible communication from God"?

30 Carson, *Matthew*, p. 372. Tenney, *The Gospel of John*, p. 194, in commenting on Matt. 16:19, agrees: "Generally it [the periphrastic future perfect passive] is explained as an alternative for the simple future passive, having lost its original force. Apparently, however, in this instance it may retain the meaning of the future perfect..."

31 Carson, *Matthew*, p. 371; emphasis original.

The Meaning of Binding and Loosing

The Rabbinic Usage

As with everything else in Matthew 16:17-19, the background for "binding" and "loosing" is Jewish. Büchsel writes,

Behind the δεῖν καὶ λύειν [*to bind and to loose*] of Mt. 16:19; 18:18, there unquestionably stands the Heb. אָסַר [Qal perfect *to bind*] and הִתִּיר [Hiphil perfect of נָתַר, *to loose*]³² or the Aram. אָסַר and שָׂרַא of the Rabbis.³³

Is the Rabbinic use of these words relevant to their use in Matthew 16:19? Nothing but an affirmative answer is possible. As Edersheim points out,

In interpreting such a saying of Christ to Peter, our first inquiry must be, what it would convey to the person to whom the promise was addressed. And here we recall, that no other terms were in more constant use in Rabbinic Canon-Law than those of 'binding' and 'loosing.'³⁴

So what was the Rabbinic use of these terms? There were actually two senses in which the rabbis used them.

First, the terms have this more common use:

The **customary** meaning of the Rabbinic expressions is equally incontestable, namely, to declare forbidden [bound] or permitted [loosed], and thus to impose or remove an obligation, by a doctrinal decision. The only question is whether this **normal** Rabbinic meaning applies here [in Matt. 16:19] or not.³⁵

32 Note that this is post-biblical Hebrew; the perfect tense does not occur in the Hiphil stem for this verb in the OT.

33 Friedrich Büchsel, "δεω (λυω)," *TDNT*, II:60.

34 Edersheim, *The Life and Times of Jesus the Messiah*, II:85.

35 Büchsel, "δεω (λυω)," *TDNT*, II:60; emphasis added. Note Bruce, *The Hard Sayings of Jesus*, p. 144: "'Binding' and 'loosing' were idiomatic expressions in rabbinical Judaism to denote the

Of course, the rabbis did not always agree when they exercised their assumed power of binding and loosing. According to Robertson, rabbis of the school of Hillel "loosed" many of the things that the rabbis of the school of Schammai "bound."³⁶ Yet, somewhat similar to Jesus' statement about corresponding decisions made in heaven, the rabbis at times made a similar claim:

In the view of the Rabbis heaven was like earth, and the questions were discussed by a heavenly Sanhedrin. Now, in regard to some of their earthly decrees, they were wont to say that 'the Sanhedrin above' confirmed what 'the Sanhedrin beneath' had done.³⁷

Second, the terms might also have the following, though less common, use:

On the other hand, it is only rarely that אָסַר [to bind] and הִתִּיר or שָׂאָה [to loose] mean **to impose or remove a ban, to expel from or receive back into the congregation**. Nevertheless, this meaning is attested, and must therefore be considered as the true sense of δεῖν καὶ λύειν [to bind and to loose, respectively] in Mt. 16:19; 18:18....It would also enable us to see a parallel in Jn. 20:23...³⁸

promulgation of rulings either forbidding or authorising various kinds of activity." Also France, *Matthew: Evangelist & Teacher*, p. 247: "The verbs [binding and loosing] are customarily, and surely rightly, explained in the light of the frequent rabbinic usage of 'binding' in the sense of declaring what is required or forbidden by law."

36 Robertson, *Word Pictures in the New Testament*, I:134. As an example, the Mishnah tractate *Terumoth* 5.4 relates this difference of opinion: "If a se'ah of impure terumah fell into one hundred [se'ah] of pure terumah produce, the School of Shammai prohibit [bind] [it all], but the School of Hillel permit [loose] [it all]."

37 Edersheim, *The Life and Times of Jesus the Messiah*, II:85.

38 Büchsel, "δεῖν (λύειν)," *TDNT*, II:61; emphasis added. Morris, *The Gospel According to John*, p. 850, n. 66, makes a similar comment: "Among the Rabbis the 'binding' and 'loosing' referred primarily to forbidding and permitting. But the terms were also used with respect to excommunication, when they meant, 'excommunicate' and 'receive into communion.' It is possible that this latter is what is meant in the present passage [John 20:23]." Morris' comment helps draw the important distinction between the two different Rabbinic uses of these terms. Moreover, as is noted in chapter 13, I agree that the Rabbinic terminology stands behind the authority granted by Jesus to

Edersheim calls the first use of these two terms a **legislative power**, in which the objects of the binding or loosing were **things or acts**, and the second a **judicial power**, in which the objects were **people**:

No other terms were in more constant use in Rabbinic Canon-Law than those of 'binding' and 'loosing.' The [Greek] words are the literal translation of the Hebrew equivalents *Asar* (אַסַּר), which means 'to bind,' in the sense of prohibiting, and *Hittir* (הִתִּיר from נָתַר) which means 'to loose,' in the sense of permitting. For the latter [term, *Hittir*, to loose] the term *Shera* or *Sheri* (שָׂרָא³⁹ or שָׂרִי) is also used. But this expression [*Shera*] is, both in Targumic and Talmudic diction, not merely the equivalent of permitting, but passes into that of remitting, or pardoning. On the other hand, 'binding and loosing' referred simply to things or acts, prohibiting [binding] or else permitting [loosing] them, declaring them lawful or unlawful. This was one of the powers claimed by the Rabbis...If this [binding and loosing] then represented the *legislative*, another pretension of the Rabbis, that of declaring 'free' or else 'liable,' i.e., guilty (*Patur*⁴⁰ or *Chayyabh*), expressed their claim to the

remit or retain sins in John 20:23, but in his explanation of the verse, Morris connects this Rabbinic background with the traditional Protestant view of "declaring" sins forgiven. In chapter 13 I propose a different interpretation of John 20:23. With regard to the rabbis themselves, it is of interest to note that Josephus has a comment about the power of binding and loosing assumed by the Pharisees during the reign of Alexandra (76-67 B.C.): "These Pharisees artfully insinuated themselves into her favour by little and little, and became themselves the real administrators of the public affairs: they banished and reduced whom they pleased; they bound and loosed at their pleasure" (*Wars of the Jews*, Book I.5.2). It is difficult to determine here whether Josephus is attributing to the Pharisees the exercise of both senses of binding and loosing or simply that of imposing the ban, as suggested in a footnote by the translator, William Whiston.

39 This is the Aramaic form of the Hebrew שָׂרָה to let loose (BDB, pp. 1056, 1117).

40 From the Hebrew פָּטַר, to separate, to remove, to set free (BDB p. 809).

judicial power. By the first of these they 'bound' or 'loosed' acts or things; by the second they 'remitted' or 'retained,' declared a person free from, or liable to punishment, to compensation, or to sacrifice.⁴¹

Edersheim does not always display perspicuity in his writing. His description of the first sense in which the rabbis used binding and loosing is clear enough, but his description of the second, less common sense is somewhat misleading. The rabbis did not believe they had the power to remit or retain sin,⁴² and therefore I do not believe that Edersheim here was saying that they did.

P. H. Menoud summarizes the two Rabbinical uses of אָסַר (*to bind*) and הִתִּיר (*to loose*) quite concisely as follows, thus elucidating Edersheim's use of certain terms:

The terms "to bind" and "to loose" translate the Greek δεῖν and λυεῖν [respectively], which doubtless represent the Aramaic אָסַר and שָׂרָא (Hebrew אָסַר and הִתִּיר) [respectively]. In the rabbinic literature these verbs have two distinct senses. First, they mean "forbid" and "permit" and express the verdict of a teacher of the law who declares some action "bound" (forbidden) or "loosed" (permitted). Second, they are used in reference to the imposition ["bind"] or the removal ["loose"] of the ban, meaning "condemn" or "absolve" respectively.⁴³

To summarize:

41 Edersheim, *The Life and Times of Jesus the Messiah*, II:85; emphasis original. Büchsel, "δεῖν (λυεῖν)," *TDNT*, II:61, cites H. L. Strack and P. Billerbeck, *Kommentar zum NT aus Talmud und Midrasch* (1922), to show "that in Rabbinic usage persons as well as things can be the object of אָסַר and הִתִּיר (שָׂרָא)."

42 Kaufmann Kohler, "Binding and Loosing," *Jewish Encyclopedia* (New York: Funk & Wagnalls Co., 1901-1906).

43 Philippe H. Menoud, "Binding and Loosing," *IDB*, I:438.

- Characteristics of the Rabbinic legislative power of binding and loosing:
objects: **acts or things**
action: prohibiting [binding] or permitting [loosing] them
- Characteristics of the Rabbinic judicial power of condemning and absolving [from binding and loosing, respectively]:
objects: **people**
action: imposing [condemning] or removing [absolving] a ban from the congregation

So now the question raised earlier by Büchsel must be addressed. Which of these two Rabbinic uses of the words stands behind Jesus' use in Matthew 16:19 and 18:18?

Since the future Gentile contingent of the Messianic קהל (*qāhāl*) or *ἐκκλησία* (*ekklēsia*) would not answer to the Torah, much less to "the tradition of the elders,"⁴⁴ it is unlikely that Jesus conferred exactly the same power the rabbis had assumed in the application of the Mosaic law. However, there must definitely be an analogy. The power conferred by Jesus must be similar to one of these two Rabbinic powers. What power, then, did he confer? Was it similar to the more common "legislative" use or the less common "judicial" use of the terms "binding" and "loosing"? That is, are the objects of the binding and loosing taken to be **things/acts** or **people**?

Several factors must be considered in choosing between these two options.

- First, in the only two places where *ἐκκλησία* is used in Matthew and the gospels in general, namely, Matthew 16:19 and 18:18, both passages also mention the power of binding and loosing in the following

⁴⁴ See, e.g., Matt. 15:2. A strong case can be made that these "traditions," with perhaps some modifications, were eventually codified by Rabbi Judah the Prince around A.D. 200 to form the Mishnah. See Chapter 11 Appendix 1, "The Tradition of the Elders and the Mishnaic *Halakhah*" at the end of this chapter.

verse.

- Second, the pronouns for "you" in Matthew 16:19 are singular while the pronouns for "you" in 18:18 are plural.
- Third, the objects of the binding and loosing ("whatever") in both Matthew 16:19 and 18:18 are neuter.⁴⁵
- Fourth, Matthew 18:15-18 does prima facie appear to deal with a ban from the congregation.

Note that both the first and second points raise the question of whether the power of binding and loosing was given to Peter alone, the apostles, or the entire ἐκκλησία. Separating the various related questions to be addressed into logical steps is difficult, but the following sections might help.

Binding and Loosing Things or Acts

Edersheim is a representative of this view and connects Matthew 16:19 with the more common Rabbinic use of the terms for binding and loosing. Thus he concludes that "'binding' and 'loosing' included all the legislative functions for the new church"⁴⁶ and cites Acts 15:22,23 as an example of the exercise of this power.⁴⁷ Beyond this he gives no information about the nature of these legislative functions, although he limits the power to the apostles alone.

Other scholars press this point further in two ways. For example, both R. T. France and David Stern argue that the power to bind and loose is the power to make **halakhic pronouncements** for the new Messianic community.⁴⁸ Moreover, the church has this power today. It is this view that is discussed in the remainder of this section.

45 Matt. 16:19: ὃ is the neuter accusative singular form of the relative pronoun and with ἐάν means *whatever* or *whatever thing*; 18:18: ὅσα is the neuter accusative plural form of the adjective ὅσος and with ἐάν means *whatever things*.

46 Edersheim, *The Life and Times of Jesus the Messiah*, II:85.

47 Ibid., II:645.

48 France, *Matthew: Evangelist & Teacher*, pp. 247, 249, and Stern, *Jewish New Testament Commentary*, p. 57.

Such activity is evidently intended to be analogous to what took place within the Jewish nation in the development of its own halakhic pronouncements. Therefore, in order to evaluate the view of France and Stern, it is important to review briefly the Jewish concept of *halakhah*.

Jewish Halakhah

By subject matter, the content of Rabbinic literature, and thus Jewish theology as a whole, is broadly classified either as *halakhah*⁴⁹ or *haggadah*.⁵⁰ According to Jewish scholar Jacob Neusner, *halakhah* means "law, how things are done."⁵¹ Thus the *halakhot* (plural) are statutory precepts--the laws, rules, and practices that regulate conduct and behavior within the Jewish community. *Haggadah*, again according to Neusner, means "narrative or story."⁵² It is often concerned with the illustration of biblical texts and with edification.⁵³

The Mishnah⁵⁴ is the basic halakhic document of Rabbinic literature. Neusner describes it as "a philosophical law code."⁵⁵ It is the written collection of the *halakhot* compiled by Rabbi Judah Ha-Nasi⁵⁶ ca. 200 A.D.⁵⁷ However, he did not write these *halakhot*, and the origin and

49 The Hebrew noun הַלְכָה (*halakhah*) comes from the verb הָלַךְ, to walk (BDB, p. 229), thus meaning *the path* or *the way of walking*. By extension, the idea becomes *walking according to the law* or simply *law*. According to Jewish scholar Isidore Epstein, "Halachah," *IDB*, II:512, this use of the noun is based on Exod. 18:20: "Then teach them the statutes and the laws, and make known to them the way in which they are to walk and the work they are to do."

50 The Hebrew noun הַגְדָּה (*haggadah*) comes from the verb נָגַד, to tell or to declare (BDB, p. 616), thus meaning *telling, declaration, or explanation*. By extension, the idea becomes *lore, narrative, or story*.

51 Jacob Neusner, "Talmud," *ISBE*, IV:720.

52 Ibid.

53 Richard N. Longenecker, *Biblical Exegesis in the Apostolic Period* (Grand Rapids: William B. Eerdmans Publishing Co., 1975), p. 23.

54 The Hebrew noun מִשְׁנָה (*Mishnah*) comes from the verb שָׁנָה, to repeat or to do again (BDB, p. 1040). In post-biblical Hebrew it came to mean to *teach* or to *learn by repetition* that which was not transmitted in writing but orally. See Isidore Epstein, "Talmud," *IDB*, IV:512, and "Mishnah," *Jewish Encyclopedia*, (1906).

55 Neusner, "Talmud," *IBSE*, IV:717.

development of this material is debated.

What is not open to debate, however, is that there have been three consequences of the concept of *halakhah* in Judaism.

(1) Traditional Judaism has come to believe that the *halakhah* was divinely inspired and was actually revealed to Moses at Mt. Sinai. Neusner summarizes the belief as follows:

At Sinai, Judaism maintains, God revealed the Torah in two media--writing and memory. The written Torah corresponds to the Hebrew Scriptures [the five books of Moses]...The memorized, or oral, Torah was orally formulated and orally transmitted for many centuries, from Moses to Joshua to prophets and sages and ultimately to the authorities who composed the Mishnah...the Mishnah constitutes a statement of the oral, or memorized, Torah of Sinai.⁵⁸

(2) However, not only does traditional Judaism believe that the origin of the *halakhah* was by divine revelation

56 Or "Judah the Prince." In biblical Hebrew the noun נָשִׂיא (*nasi*) means *one lifted up, a chief or a prince* (BDB, p. 672). In post-biblical Hebrew it came to be used for the position that today might be called "president" of the Sanhedrin. In modern Hebrew it means *president* as the term is used today.

57 Earlier compilations of the *halakhot* were begun by Rabbi Akiba (ca. A.D. 17-ca. 137) and Rabbi Meir (ca. 110?-ca. 175?), a student of R. Akiba, but R. Judah (ca. A.D. 135-217) produced the Mishnah. See Adin Steinsaltz, *The Essential Talmud*, trans. Chaya Galai (New York: Bantam Books, 1976), pp. 30, 36-37.

58 Neusner, "Talmud," *ISBE*, IV:717. This is the chain of transmission claimed in the Mishnah tractate *'Aboth (Fathers)*. Of course, not all Jewish scholars hold to this view. Epstein, "Halachah," *IDB*, II:512, states that the Halachah "embraces the whole body of Jewish teaching, legislation, and practices which have proceeded from the interpretation and reinterpretation of the laws of the Bible through an unbroken succession of generations of Jewish teachers *from Ezra onward*" (emphasis added). The contemporary Christian response to this view is put quite simply by Hermann L. Strack, "Talmud," *Old ISBE*, V:2005: "Entirely untenable also is the claim of the traditionally orthodox Jews, that ever since the days of Moses there had been in existence, side by side with the written Law, also an oral Law, with all necessary explanations and supplements to the written Law." For a detailed critique of the traditional Jewish view of two Torahs delivered to Moses at Mt. Sinai, see Michael L. Brown, *Answering Jewish Objections to Jesus*, vol. 5: *Traditional Jewish Objections* (San Francisco: Purple Pomegranate Productions, 2009), pp. 4-84.

to Moses, it also considers the Oral Torah to be of more significance than the Written Torah (the Pentateuch).

The first place must here be assigned to those legal determinations [*halakhot*], which traditionalism declared absolutely binding on all--not only of equal, but even greater obligation than Scripture itself. And this not illogically, since tradition was equally of Divine origin with Holy Scripture, and authoritatively explained its meaning; supplemented it; gave it application to cases not expressly provided for, perhaps not even foreseen in Biblical times; and generally guarded its sanctity by extending and adding to its provisions, drawing 'a hedge' around its 'garden enclosed.'⁵⁹ Thus in new and dangerous circumstances, would the full meaning of God's Law, to its every tittle and iota, be elicited and obeyed.⁶⁰

(3) For the Jewish people, the use of *halakhah* produced the most thoroughgoing legalistic system imaginable.

They [the *halakhot*] provided for every possible and impossible case, entered into every detail of

59 This concept of a "hedge" or "fence" is quite important. The first paragraph of the first chapter of the Mishnah tractate *Aboth* has the statement, "Make a hedge around the Torah." Thus the Written Torah was surrounded by a multitude of additional rules and regulations that protected it from even the remotest possibility of being transgressed. For example, in Lev. 18:19 a husband and wife are not allowed to have sexual intercourse during her menstrual period. So to protect this law, additional laws were erected that prohibited even embracing, kissing, and sleeping under the covers together during this time. From the Jewish perspective, this strategy is explained as follows by A. Cohen, *Everyman's Talmud* (New York, E. P. Dutton & Co., 1949), pp. "To 'make a fence around the Torah' was a corollary of the desire to live by its precepts. If a person kept too close to its letter, he might inadvertently be led to transgress it. As a cultivated field had to be hedged round to prevent even innocent trespass, so the sacred domain of the Torah must be enclosed by additional precautionary measures for the purpose of avoiding unintentional encroachment."

60 Edersheim, *The Life and Times of Jesus the Messiah*, I:97-98. The logic to which Edersheim refers is quite clear. If the *halakhah*, itself of divine origin, gave legal statutes that specified in detail how to obey the Written Torah, then it is more important than the Written Torah itself. He goes on to state that "traditionalism went further, and placed the oral actually above the written Law. The expression, 'After the tenor of these words I have made a covenant with thee and with Israel' [Exod. 34:27], was explained as meaning, that God's covenant was founded on the spoken, in opposition to the written words" (emphasis original).

private, family, and public life; and with iron logic, unbending rigour, and most minute analysis pursued and dominated man, turn whither he might, laying on him a yoke which was truly unbearable.⁶¹

Michael Brown gives a few examples:

[Rabbinic law made] final and binding decisions concerning what time we were supposed to rise in the morning, or how we were to wash our hands, or what words we should say as we prayed, or what kind of hairbrush we could use on the Sabbath, or the intimate details of what a husband and wife could do alone in their bedrooms--to give just a few examples out of hundreds and even thousands of rabbinic laws....

Where does the Bible teach that a "complex infrastructure of Halachah" is necessary to support prayer? And where does the Bible teach that, from the bedroom to the bathroom, God has specific laws for your life, even to the point of telling you what prayers you are exempted from reciting on your wedding night?⁶²

Critique of David Stern's View

In view of this review of Rabbinic *halakhah*, two objections can be made against the view suggested by David Stern.

The *first objection* is this: since these have been the result of a system of *halakhah*, at least for Judaism, what is the likelihood that God would provide a means through the power of binding and loosing for the church to create its own system of "New Covenant *halakhah*" for Christianity? Yet this appears to be what David Stern wants to create:

Yeshua [Jesus], speaking to those who have authority

61 Edersheim, *The Life and Times of Jesus the Messiah*, I:98.

62 Brown, *Answering Jewish Objections to Jesus*, vol. 5, pp. 142, 199. See also Edersheim's discussion of the elaborate rules and disputations regarding the blessing at a meal. "Such and similar disputations, giving rise to endless argument and controversy, busied the minds of the Pharisees and Scribes" (*The Life and Times of Jesus the Messiah*, II:206).

to regulate Messianic communal life ([Matt. 18] vv. 15-17), commissions them to establish New Covenant *halakhah*, that is, **to make authoritative decisions where there is a question about how Messianic life ought to be lived.**⁶³

Brown gives a somewhat humorous example of what halakhic rules traditional Jews might require in order to obey the command in Ephesians 5:19. It gives insight into what issues "New Covenant *halakhah*" would have to resolve in order to know "how Messianic life ought to be lived":

Let's take an exhortation from the New Testament like, "Speak to one another in psalms, hymns and spiritual songs. Sing and make music in your heart to the Lord" (Eph. 5:19). If this was Torah law, traditional Jews would say, "How can we possibly understand what this means? There must be further interpretation that we can deduce from the text, or we must have further traditions [*halakhah*] telling us exactly how to keep this law. What psalms and hymns are we to speak? What is the exact meaning of spiritual songs? How loudly should we speak? How often? What exactly is meant by 'one another'? Does that mean family members? Members of the community? The same members each day? And what exactly should we sing in our hearts? What kind of music? You see, it's clear that God could not have given this law without further specifications."⁶⁴

63 Stern, *Jewish New Testament Commentary*, p. 57; emphasis added. It is of interest to note that Stern is part of Messianic Judaism. In commenting on the "Torah-observant" segment of this movement, Rich Robinson, *The Messianic Movement: A Field Guide for Evangelical Christians* (San Francisco: Purple Pomegranate Productions, 2005), p. 100, writes, "Perhaps without their realizing it, Torah-observant groups must either depend on rabbinic tradition, which is distinctly post-biblical, or must construct their own tradition."

64 Brown, *Answering Jewish Objections to Jesus*, vol. 5, p. 119. Brown is not exaggerating here. Steinsaltz, *The Essential Talmud*, pp. 124-25, gives a number of examples of the rules set up for Yom Kippur. "The Yom Kippur fast was also closely examined by the scholars since the phrase employed in the Torah: 'And you shall afflict your souls' (Numbers 29:7) lends itself to numerous extreme interpretations...The halakhic tradition, which specified abstinence from food and drink (and, on a lesser level of stringency, from washing, sexual intercourse, and wearing shoes), established the boundaries of mortification. The talmudic debate was concentrated on determining precise definitions, which are as necessary here as elsewhere. To what degree is eating forbidden? Does the obligation to fast apply to the entire congregation without exception?...halakhic tradition exempts small children, although it

Would these specifications be supplied by "New Covenant *halakhah*"?

Yes, one can see some humor here. However, what Stern proposes raises a very serious problem. According to him, there are "those who have authority to regulate Messianic communal life" and "to establish New Covenant *halakhah*," which means "to make authoritative decisions...about how Messianic life ought to be lived." That is an astonishing statement in view of the result when the Jewish religious leaders constructed a binding system of "authoritative decisions" about "how Messianic life ought to be lived."

The danger is that the end result of any such system of binding "regulation" and "authoritative decisions...about how life ought to be lived" is externalism, an "arid and sterile religion...of codified tradition, regulating every part of life by a halachah."⁶⁵ Edersheim makes the following comment in contrasting Christianity and Rabbinic Judaism:

recommends limited participation for educational purposes...the sick, whose lives would be imperiled by fasting, are exempted from fasting. Various yardsticks were established for determining the age of maturity and defining sickness." Steinsaltz continues by discussing rules that determined whether a fast should be made if a physician and patient disagreed on whether or the fast would be dangerous to him. Steinsaltz concludes with, "These rulings again raised questions: for example, what if two physicians gave conflicting opinions? Each case was examined separately."

65 Matthew Black, "Pharisees," *IDB*, III:781, on the Pharisees and Rabbinic Judaism. Note also J. E. H. Thomson, "Pharisees," *Old ISBE*, IV:2363: "The great defect of Pharisaism was that it made sin so purely external." Edersheim, *The Life and Times of Jesus the Messiah*, II:210-11, includes these observations in his comments on Jesus dining with the Pharisee without first washing (Luke 11:37-41): "Indeed, the controversy was long and bitter between the Schools of Shammai and Hillel, on such a point as whether the hands were to be washed *before* the cup was filled with wine, or *after* that, and where the towel was to be deposited...A religion which spent its energy on such trivialities must have lowered the moral tone. All the more that Jesus insisted so earnestly, as the substance of his teaching, on that corruption of our nature which Judaism ignored, and on that spiritual purification which was needful for the reception of His doctrine, would He publicly and opening set aside ordinances of man which diverted thoughts of purity into questions of the most childish character...All this, as well as the terrible contrast between the punctiliousness of Pharisaism in outward purification, and the inward defilement which it never sought to remove, must have lain open before Him who read the inmost secrets of the heart..." (emphasis original).

[There is a] terrible contrast existing side by side: Hebrewism and Judaism, the Old Testament and traditionalism...[The cause of the contrast is] the absence [in Judaism] of that element of spiritual and inner life which Christ brought. Thus as between the two--the old and the new--it may be fearlessly asserted that, as regards their substance and spirit, there is not a difference, but total divergence, of fundamental principle between Rabbinism and the New Testament, so that comparison between them is not possible. Here there is absolute contrariety.⁶⁶

The *second objection* to Stern's view is derived from the direct confrontation between Jesus and the Pharisees as recorded in the gospel records.

Matthew and Mark both draw attention to the Pharisees and "the tradition of the elders" promoted by them as laws to be obeyed by the Jewish people.⁶⁷ A strong case can be made that this Pharisaic tradition grew into the Mishnaic *halakhah*.⁶⁸ Therefore, any criticism by Jesus made against this Pharisaic tradition would ipso facto indict the whole enterprise of creating *halakhah* whether to "define right conduct" for the Jews⁶⁹ or to show Christians "how Messianic life ought to be lived."⁷⁰

One of the confrontations Jesus had with the Pharisees is recorded in Mark 7:5-8:

The Pharisees and the scribes asked Him, "Why do Your disciples not walk according to the tradition of the elders, but eat their bread with impure hands?" And He said to them, "Rightly did Isaiah prophesy of you hypocrites, as it is written:

'THIS PEOPLE HONORS ME WITH THEIR LIPS,
BUT THEIR HEART IS FAR AWAY FROM ME.
'BUT IN VAIN DO THEY WORSHIP ME,
TEACHING AS DOCTRINES THE PRECEPTS OF MEN.'

66 Edersheim, *The Life and Times of Jesus the Messiah*, I:107.

67 Matt. 15:2, 3, 6; Mark 7:3, 4, 5, 8, 9, 13.

68 See Chapter 11 Appendix 1, "The Tradition of the Elders and the Mishnaic *Halakhah*" at the end of this chapter.

69 Cohen, *Everyman's Talmud*, p. xxxiv.

70 Stern, *Jewish New Testament Commentary*, p. 57.

Neglecting the commandment of God, you hold to the tradition of men."

D. Edmond Hiebert makes the following comments on this passage:

The development of these traditions was motivated by the commendable purpose to preserve the integrity of the Mosaic law by guarding against any violations thereof. The tradition was built up as "a fence around the Law." The intention was to keep the actual law from being broken by adding many minute stipulations around it which must be observed.⁷¹

However, despite the original motivation, the result was disastrous:

Worship acceptable to God must be based on His own requirements, not human arrangements which replace the divine requirements...

What they [the Pharisees and scribes] adhere to is simply humanly devised tradition. By placing their humanly devised fence around the divine law and assigning binding authority to their human additions, they were in reality displacing the law of God. Whenever any human interpretation is substituted for the word of God itself as the authoritative standard, the same evil appears. Jesus categorically rejected the binding character of their tradition.⁷²

In commenting on this passage, Stern writes,

Many Christians think Yeshua's [Jesus'] answer to the question of v. 5 condemns all Pharisaic tradition. In fact, he objects only to those

71 D. Edmond Hiebert, *Mark: A Portrait of the Servant* (Chicago: Moody Press, 1974), p. 173.

72 *Ibid.*, p. 176. Note that this passage gives a glimpse of one part of the "fence" erected around the Written Torah, namely, the requirement to ceremonially rinse the hands before eating a meal. In the OT the priests were to bathe before performing certain functions (Lev. 16:4, 24, 26, 28; 22:6; Num. 19:7, 8, 19), and under specified conditions the law prescribed hand-rinsing for the people in general (Lev. 14:8, 9; 15:5-27; Deut. 21:6). But nowhere did the Written Torah require ceremonial hand-rinsing for everyone before every meal.

practices of the *P'rushim* [Pharisees] that place **human tradition** above **God's command** (v. 8). He is not opposed to tradition as such, but to **your tradition** (vv. 9, 13)--the operative word is "your," as shown by his example (vv. 10-12), where "tradition" is allowed to nullify the fifth Commandment...⁷³

It is difficult to see how Jesus does not condemn "all Pharisaic tradition" but only "your tradition," where "the operative word is 'your,'" which refers to the Pharisees.⁷⁴ However, be that as it may, the problem with this view is what Hiebert articulated: to erect manmade binding regulation as "tradition" ostensibly to keep written, Scriptural commands from being violated ipso facto displaces God's commands. I suggest his logic is correct.⁷⁵

73 Stern, *Jewish New Testament Commentary*, p. 92; emphasis original.

74 Stern's comments on Mark 7:5-13 also include the claim that in John 7:37 "we have an example of Yeshua honoring a tradition spoken of in the Mishna but nowhere in the *Tanakh* [Old Testament]." He refers to the water ceremony on each day of Sukkot (the Feast of Booths or Tabernacles), but especially on the last day called *Hoshanna Rabbah* (*Great Hosanna*). In his comments on John 7:37, he adds, "From this passage we also learn that Yeshua and his *talmidim* [disciples], like other Jews, observed at least portions of the Oral *Torah* and did not utterly reject it as 'traditions of men'...since the water-drawing ceremony is specified not in the *Tanakh* but in the Mishna" (p. 179). However, several points should be noted. (1) There is nothing surprising about Jesus observing Sukkot, one of the three yearly pilgrimage feasts for which it was required that each male present himself before Yahweh (Deut. 16:16). (2) There is no indication in the text that Jesus or his disciples took part in the water ceremony itself, that is, in following the priest down to the Pool of Siloam for the water and then back to the Temple or in the chanting of the great Hallel. (3) There is also no statement in the text that Jesus endorses, approves, or accepts the binding nature of water ceremony. The Sadducees, of course, did not accept the water ceremony precisely because it was not specified in the Pentateuch. As a point of interest, however, Rabbi Akiba did argue that it was prescribed in the Written Torah (Edersheim, *The Life and Times of Jesus the Messiah*, II:159, n. 1). Points (2) and (3) imply that "Jesus used the event to proclaim His message" (Mitch Glaser and Zhava Glaser, *The Fall Fests of Israel* [Chicago: Moody Press, 1987], p. 174) because "all would understand that His words must refer to the Holy Spirit, since the rite was universally regarded as symbolical of His outpouring" (Edersheim, II:160). (4) Most significant of all, however, is Tenney's point: Jesus in verses 37 and 28 "was requiring an individual response of faith rather than a collective observance of a ritual," part of which belonged to "the tradition of the elders." See Tenney, *The Gospel of John*, p. 86. Thus there is no evidence in this passage that Jesus is in any way "honoring a tradition spoken of in the Mishna but nowhere in the *Tanakh*."

75 Gershon Nereel makes a similar point. Richard Harvey, *Mapping Messianic Jewish Theology* (Milton Keynes, UK: Paternoster, 2009), p.

Stern goes on:

In fact, traditions are necessary to life. A state cannot be run by a constitution without legislation. Likewise the Jewish nation could not be run by the Written *Torah* alone, without the orderly application of it and addition to it implied in the concept of tradition.⁷⁶

His first sentence is correct. However, the "tradition of the elders" was believed to be binding laws that had equal divine authority to the Written *Torah*. It was not this kind of "tradition" that the Jewish nation needed to run properly. However, Stern also sees examples of a developing tradition within the early church and cites 1 Corinthians 11:2, 2 Thessalonians 2:15; 3:6 as examples.⁷⁷ Is this tradition binding on the church? Sterns states,

It seems clear that in passing on traditions Sha'ul [Saul=Paul] expected them to be observed, so that in a sense he was establishing a kind of Oral *Torah* for the Messianic congregations.⁷⁸

An Oral *Torah* for the church? *Torah* is binding revelation. In all three of these passages, the "tradition" was vouchsafed to the two congregations by an apostle. As such, Paul did have authority to set down binding rules. Some of it was delivered to them orally. Has any of this been passed on from generation to generation to be obeyed today, as with the Jewish Oral *Torah*? There is no Oral *Torah* for the church today, and anything that was to remain binding on the church in post-apostolic times was incorporated in the written Scriptures of the New

149, cites Nerel, "Torah and *Halacha* Among Assemblies of Jewish Yeshua-Believers," in *How Jewish Is Christianity? 2 Views on the Messianic Movement*, ed. Louis Goldberg (Grand Rapids: Zondervan Publishing House, 2003), pp. 152-65: "Messianic Judaism, by constructing *halacha*, 'replaces the message of the Kingdom of God' and Messianic Judaism 'becomes an aim in itself', threatening to 'take the place of the teachings of Yeshua Himself'."

76 Ibid.

77 Ibid., pp. 92, 473, 630. Note that A. I. Baumgarten, "The Pharisaic *Paradosis*," *Harvard Theological Journal* 80 (1987):66 n. 10, also cites 1 Cor. 11:2 and 2 Thess. 2:15 as examples of Christian *paradosis*, presumably somewhat similar to Pharisaic *paradosis*. David Stern is a Messianic Jew, and Albert Baumgarten is a Jewish scholar. This indeed is a curious convergence of views.

78 Stern, *Jewish New Testament Commentary*, p. 473.

Testament.

"Traditions" are necessary to life, as Stern states. But he confuses "tradition" in the colloquial sense and "binding tradition." With regard to the former, it is certainly clear that in the context of the church, it would be difficult to have an orderly church service without traditions, for example standing during the reading of Scripture. However, this is not a binding regulation, and no one has the authority to make it one. The church does not have the authority to make binding "legislation"--unless, of course, the power of binding and loosing in Matthew 16:19 and 18:18 gives it that power. The previous two objections to Stern's view make this conclusion unlikely. Specific argumentation against this interpretation of Matthew 16:19 and 18:18 occupies most of the remainder of this chapter. Suffice it to say here that if that interpretation founders, then with the passing of the apostles, the power and authority to legislate remains the exclusive prerogative of written Scripture, both Old and New Testaments, because it alone has divine authority.⁷⁹

The View of R. T. France

The initial point to make in presenting this view is the following statement by France:

The "authority," both of Peter and the ἐκκλησία ["church"] which we have been considering [in Matthew 16:19] is described as that of "binding" and "loosing" on earth that which will also prove to have been "bound" or "loosed" in heaven. The verbs are customarily, and surely rightly, explained in the light of the frequent rabbinic usage of "binding" in the sense of declaring what is required or forbidden by law. These terms thus refer to a teaching function, and more specifically one of making halakhic pronouncements which are to be "binding" on the people of God...The authority in view here is more immediately one of teaching than

79 There is an astonishing similarity between the Jewish Oral Torah and the Sacred Tradition of the Roman Catholic Church. See Chapter 11 Appendix 2, "Roman Catholic Sacred Tradition" at the end of this chapter.

of disciplinary judgment.⁸⁰

In this statement France makes it clear that he takes the terms אָסַר (*asar, to bind*) and הִתִּיר (*hittir, to loose*) in the first sense as used by the rabbis, namely, a *legislative power* where the objects of the binding and loosing are *things or acts* rather than a *judicial power* where the objects are *people*.⁸¹ With this decision, however, France faces the problem of explaining Matthew 18:18, where it would seem that the power of binding and loosing is indeed applied to "disciplinary judgment" in the sense of imposing or removing the ban on someone in the congregation. His explanation is as follows:

The objects of the 'binding' and 'loosing' in 18:18 no less than in 16:19 are expressed as *neuter* pronouns, whereas if the focus had in fact shifted to the binding and loosing of *people* in chapter 18 one might have expected masculine pronouns. In rabbinic usage it is things (rules, prohibitions, etc.) that are bound onto people, not people who are bound, and Matthew's neuter pronouns suggest the same idea. The context in chapter 18 does indeed indicate that these authoritative pronouncements will affect the coherence and membership of the disciple community, but the actual terminology of binding and loosing seems still to be used in the 'rabbinic' way.⁸²

The question of the neuter pronouns is addressed in the section "Binding and Loosing People" to follow. Note, however, that France takes no notice whatsoever of the second sense in which the Rabbinic terms "binding" and "loosing" can be used.

What, then, is the exact nature of these "halakhic pronouncements which are to be 'binding' on the people of God"? According to France, the power or authority to make these pronouncements include "the right to declare what is or is not the will of God"⁸³ and "what is right or wrong."⁸⁴ This characterization would seem to be similar to

80 France, *Matthew: Evangelist & Teacher*, pp. 247.

81 See the section, "The Rabbinic Usage" earlier in this chapter.

82 France, *Matthew: Evangelist & Teacher*, p. 248; emphasis original.

83 Ibid.

84 Ibid., p. 249.

Stern's "authority to regulate Messianic communal life" and "make authoritative decisions where there is a question about how Messianic life ought to be lived." However, perhaps France's concept of "halakhic pronouncements" is not as strong or as widely encompassing as Stern's.

General Critique of Stern and France

Some objections have already been advanced against the view of David Stern. However, there remains to be stated the fundamental argument against the views of both Stern and France. First, note the points of similarity:

- Both the "halakhic pronouncements" of France and the "New Covenant *halakhah*" of Stern represent binding legislation on "the people of God" or "Messianic Community."
- Both France and Stern take the power of binding and loosing thus defined to be granted not just to Peter or the apostles, but to the entire church.

I suggest the argument that makes this legislative view of binding and loosing untenable is the periphrastic future perfect tense of the verbs in both Matthew 16:19 and 18:18. In a previous section of this chapter, "The Verb Tenses," it is argued that the meaning must be this:

- ο ἅν δησης ἐπι της γης = "whatever you bind on the earth [at some point in the future]"
- ἔσται δεδεμενον ἐν τοις ουρανοις = "[at that future point] will [already] have been bound in the heavens"

France himself was cited as offering a vigorous defense of this view of the tense, but taking the tense in this sense creates an obvious problem for the views of Stern and France on binding and loosing: how can decisions made by fallible men infallibly reflect decisions already made in heaven as implied by the future perfect passives? It is simply impossible that such a guarantee can apply to the legislative decisions of the church.

France recognizes this problem:

It looks dangerously like a *carte blanche*. Does Matthew intend by this formula to confer unquestionable authority on the decisions of fallible members of the disciple community?⁸⁵

There is an inevitable tension between these two factors, the frightening responsibility of passing on the decrees of heaven and the all too clear fallibility of the actual people to whom this responsibility is delegated. Matthew does not offer a direct resolution of this tension.⁸⁶

France's own attempt to resolve this tension is unsuccessful. On the basis of the two verses following Matthew 18:18, he states that this power to bind and loose is a

dynamic authority which derives from a living and continuing relationship with the Lord of the church...The ideal of the clear communication of the will of heaven through the presence of Jesus among his people must always be balanced by the fallibility and self-interest to which those people continue to be prone, and the recognition that it is not always easy in practice to discern where the true people of God is to be found...⁸⁷

This statement explicitly leaves the problem unresolved. Every church committee of "two or three" will pray and seek the Lord's will on whatever matter they must make a decision. However, "the ideal of the clear communication of the will of heaven through the presence of Jesus" clearly will not always be met. By contrast, when the real power of binding and loosing granted by Jesus is exercised, the periphrastic future perfect tense of the verbs guarantees that every decision to bind or loose will have already been made in heaven. No exceptions are allowed.

Stern does not address this problem explicitly and simply states the guarantee:

Yeshua [Jesus], speaking to those who have authority

85 Ibid., pp. 249-250.

86 Ibid., pp. 250-251.

87 Ibid., p. 251.

to regulate Messianic communal life ([Matt. 18] vv. 15-17), commissions them to establish New Covenant *halakhah*, that is, to make authoritative decisions where there is a question about how Messianic life ought to be lived. In [Matt. 18] v. 19 Yeshua is teaching that when an issue is brought formally to a panel of two or three Messianic Community leaders, and they render a halakhic decision here on earth, they can be assured that the authority of God in heaven stands behind them.⁸⁸

Few such panels will feel this assurance, and Stern's statement, of course, does not address the problem implied by his "assurance."

Therefore, it remains the case that the periphrastic future perfect tense of the verbs precludes both these views. If so, the whole attempt to construct binding oral tradition or *halakhah* for the church collapses. There is no other support for it.

Even apart from this argument, for non-Catholic groups there are numerous other problems that arise with the legislative views of binding and loosing. Are halakhic decisions binding only locally? Is a local decision binding on a whole denomination? Is the decision of one denomination binding on all denominations? Can two independent panels or committees of "two or more" make contradictory halakhic decisions? If so, how can both have the guarantee required by the periphrastic future perfect tense of the verbs?

Binding and Loosing People

Büchsel argues that rather than binding or loosing things or acts, the power conferred by Jesus could be that of binding or loosing people. As already quoted, he pointed out that although the Rabbinic אָסַר (*to bind*) and הִתִּיר (*to loose*) are rarely used in connection with imposing ("binding") or removing ("loosing") a "ban" (expel from or receive back into the congregation, respectively), such usage is attested, making binding and loosing applicable as well to people. Arguing on the basis of Matthew 18:17-

88 Stern, *Jewish New Testament Commentary*, p. 57.

18, Büchsel concludes that "the weight of probability is definitely in favor of the interpretation [of Matt. 16:19 and 18:18]: 'to impose or remove the ban.'"⁸⁹ This view has several advantages.

First, if the ban is indeed the Rabbinic background from which Jesus drew in making his announcement to Peter, then the power of binding and loosing is limited and does not confer a *carte blanche* authority to make "halakhic pronouncements" on matters of "what is or is not the will of God" and of "how Messianic life ought to be lived."

Second, when this power is mentioned again in Matthew 18:18, the only other explicit reference to it in the New Testament, it is specifically in the context of expelling someone from the Messianic congregation.

If your brother sins, go and show him his fault in private; if he listens to you, you have won your brother. But if he does not listen *to you*, take one or two more with you, so that BY THE MOUTH OF TWO OR THREE WITNESSES EVERY FACT MAY BE CONFIRMED. If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly I say to you, whatever you bind on earth shall have been bound in heaven; and whatever you loose on earth shall have been loosed in heaven.⁹⁰

Third, there are several possible examples in the New Testament of the exercise of such power: Acts 5:1-11 (Ananias and Sapphira), 8:9-24 (Simon the sorcerer), 1 Corinthians 5:1-5 (the man living with his father's wife), and 1 Timothy 1:20 (Hymenaeus and Alexander).

Nevertheless, there are also two problems with this view.

First, the problem of the future perfect tense remains: how can a decision by the church to ban from the congregation or accept back into the congregation carry the guarantee that it reflects a decision already made in heaven? This problem is discussed in the section, "On Whom

89 Büchsel, "δεω (λω)," *TDNT*, II:61. Menoud, "Binding and Loosing," *IDB*, I:438, agrees: "Both [Rabbinic] meanings [of the two verbs] have been applied to the texts of Matthew. In fact, the second should be preferred."

90 Matt. 18:15-18.

Was the Power of Binding and Loosing Conferred," later in this chapter.

Second, what about the neuter gender for the objects of the binding and loosing in both Matthew 16:19 and 18:18? Proponents of the legislative view of binding and loosing argue that the neuter gender used not only in Matthew 16:19 but also in 18:18 implies that the objects of the binding and loosing are things or acts, not people.⁹¹ However, Carson points out that "Greek often uses the neuter of people for classes or categories rather than for individuals,"⁹² and Büchsel cites John 6:39; 10:29; and 17:2, 24 as examples of the use of neuter pronouns for people.⁹³ In this context, the "class" or "category" of people would be those on whom a ban is placed or lifted.

Therefore, the decision between the legislative and judicial views awaits the remainder of this chapter to be made.

Roman Catholic View of Binding and Loosing

The Catholic view can be defined by the following statements from the official documents.

Just as, by the Lord's will, St. Peter and the other apostles constituted one apostolic college, so in a similar way the Roman Pontiff as the successor of Peter, and the bishops as the successors of the apostles are joined together....

The order of bishops is the successor to the college of the apostles in teaching authority and pastoral rule; or, rather, in the episcopal order the apostolic body continues without a break. Together with its head, the Roman Pontiff, and never without this head, the episcopal order is the subject of supreme and full power over the universal Church. But this power can be exercised only with the consent of the Roman Pontiff. For our Lord made

91 Matt. 16:19: ὃ is the neuter accusative singular form of the relative pronoun and with ἐάν means *whatever* or *whatever thing*; 18:18: ὅσα is the neuter accusative plural form of the adjective ὅσος and with ἐάν means *whatever things*.

92 Carson, *Matthew*, p. 372.

93 Büchsel, "δεω (λω)," *TDNT*, II:61.

Simon Peter alone the rock and keybearer of the Church (cf. Mt. 16:18-19), and appointed him shepherd of the whole flock (cf. Jn. 21:15 ff.).

It is definite, however, that *the power of binding and loosing, which was given to Peter (Mt. 16:19), was granted also to the college of apostles, joined with their head (Mt. 18:18; 28:16-20).*⁹⁴

Thus the keys of the kingdom were given to Peter alone and his successors, the Roman Pontiffs, but the power of binding and loosing was given to all the apostles and their successors, the Catholic bishops. The official catechism defines the power of binding and loosing:

Jesus entrusted a specific authority to Peter: "I will give you the keys of the kingdom of heaven, and whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven" [Matt. 16:19]. The "power of the keys" designates authority to govern the house of God, which is the Church. Jesus, the Good Shepherd, confirmed this mandate after his Resurrection: "Feed my sheep" [John 21:15-17]. The power to "bind and loose" connotes the authority to absolve sins, to pronounce doctrinal judgments, and to make disciplinary decisions in the Church. Jesus entrusted this authority to the Church through the ministry of the apostles [Matt. 18:18] and in particular through the ministry of Peter, the only one to whom he specifically entrusted the keys of the kingdom.⁹⁵

Later in the catechism the third power listed above is defined in more detail:

The words *bind* and *loose* mean: whomever you exclude from your communion, will be excluded from communion with God; whomever you receive anew into your communion, God will welcome back into his. *Reconciliation with the Church is inseparable from*

94 *The Documents of Vatican II* (New York: Guild Press, 1966), Nihil Obstat: Felix F. Cardegna, Imprimatur: Lawrence Cardinal Shehan, pp. 42-43.

95 *Catechism of the Catholic Church* (Vatican: Urbi et Orbi Communications, 1994), Imprimi Potest: Joseph Cardinal Ratzinger, paragraphs 551-553, p. 142.

reconciliation with God."⁹⁶

Therefore, in the Catholic view, the binding and loosing consists of the following powers:

- To absolve sins
- To pronounce doctrinal judgments
- To make disciplinary decisions in the church (excluding or receiving into communion)

The power to absolve sins was never assumed by the rabbis. Including it in the list of what is meant by binding and loosing explicitly makes John 20:23 an example of binding and loosing.⁹⁷ My view of Matthew 16:19 in this chapter and John 20:23 in chapter 13 makes no connection between these two verses.

However, authority to pronounce doctrinal judgments is clearly analogous to the rabbinic authority to make legislative judgments, while the authority to exclude (excommunicate) or receive into the Catholic church is just as clearly analogous to the Rabbinic authority to impose or remove the ban. Therefore, the Catholic view of the power of binding and loosing includes *both* Rabbinic uses of the Hebrew terms.

Note, however, that the Catholic view specifically links the power of bishops to bind and loose to the doctrine of apostolic succession. Without that doctrine, this view of binding and loosing, like that of France and Stern, becomes inconsistent with the periphrastic future perfect tense of the verbs "bind" and "loose" in Matthew 16:19 and 18:18. For Catholic theology, it stands or falls with the doctrine of apostolic succession.

In response to the claim to apostolic succession, consider these points.

First, there is no indication anywhere in the New Testament of such a concept, either by example or

⁹⁶ *Catechism of the Catholic Church*, paragraph 1445, p. 363; emphasis original.

⁹⁷ A number of Protestant scholars also connect Matt. 16:19 with John 20:23, e.g., Buchsel and Morris; see footnote 38 in this chapter.

instruction.

- There is no example where the apostles appointed successors with full and equal apostolic powers and authority. Likely occasions would have been Paul's charge to the Ephesian elders⁹⁸ and his last interactions with Timothy and Titus. However, no appointment to the apostolic office occurred.

There is no evidence that the apostle ordained them [Timothy and Titus] as successors to his office. The New Testament shows the elders and bishops taking the place of the apostles, but precisely as elders and bishops and not apostles. They succeed apostle, but in a fundamentally different position.⁹⁹

- There are no instructions given to define and regulate the procedure by which succession would work. This point is quite telling when the Old Testament is taken into account. In Israel there was indeed a ministry that had a well-defined succession, namely, the Aaronic priesthood. There were "explicit instructions concerning its establishment and continuity."¹⁰⁰

Second, the office of apostolate is unique to the New

98 Acts 20:25-31.

99 Robert L. Saucy, *The Church in God's Program* (Chicago: Moody Press, 1972), p. 110. The only verses cited to support this doctrine that I could find in either *The Documents of Vatican II* or the *Catechism of the Catholic Church* were Matt. 28:20 and Acts 20:28, both in the catechism (paragraphs 860-62, pp. 228-29). Matt. 28:20 was cited for the line, "Therefore...the apostles took care to appoint successors." This verse is part of the great commission and says nothing about the apostles appointing successors: "...teaching them to obey everything I have commanded you. And surely I am with you always, to the very end of the age." Acts 20:28: "Keep watch over yourselves and all the flock of which the Holy Spirit has made you overseers. Be shepherds of the church of God, which he bought with his own blood." Verses like this one could be multiplied, but they are counterproductive for Catholic theology. Appointing pastors as shepherds of the flock in no way implies the appointment of an order of bishops that have apostolic powers and authority equal to the apostles themselves. Culver, *Systematic Theology*, p. 845, characterizes the situation as follows: "Rome had difficulty at the time of the Reformation in finding support for the succession of Peter's power in the successive popes and likewise for apostolic succession in the bishops of the hierarchy. The Roman Church has simply assumed the authority of Apostles promised by Jesus (John 14-16) resides in the church's hierarchy and rests their practice upon dogmatic pronouncements."

100 Ibid., p. 109.

Testament apostles. There is good evidence that there are two fundamental requirements of an apostle:

- To have been directly commissioned by Jesus himself¹⁰¹
- To have been a direct witness of the resurrected Jesus¹⁰²

Paul in defending his apostleship argued that he possessed both of these requirements.¹⁰³

Third, one of the confirming "signs of a true apostle" (necessary though not sufficient) was the ability to work "signs and wonders and miracles."¹⁰⁴

Fourth, the theory of apostolic succession does not appear in the writings of the church fathers before A.D. 170-200. It is a significant argument against this doctrine that there was no mention of the concept during the first two centuries of the Christian era.

The bishop, as an authoritative teacher, preserved the apostolic tradition. He was also a guardian of the apostolic Scriptures and the creed. In a generation when the last links to the apostles were fast dying out this emphasis on apostolic teaching and practice was natural. In the third century the emphasis changed from the *open* succession of teachers to the bishops as the *personal* successors of the apostles. This development owed much to the advocacy of Cyprian, Bishop of Carthage (248-58).¹⁰⁵

The apostles left three things behind them: (1) the churches they founded, (2) the various ministers they appointed for shepherding these churches, and (3) the New Testament Scriptures. These ministers appointed by the apostles could not be apostles in the original sense of the term.

101 Acts 1:1-8.

102 Acts 1:22.

103 1 Cor. 9:1; 15:7-9; Gal. 1:11-12.

104 2 Cor. 12:12.

105 Richard E. Higginson, "Apostolic Succession," *BDT*, p. 60. See Saucy, *The Church in God's Program*, p. 110, for additional discussion of the argument from history.

The real successor to the apostles is the NT itself, since it continues their ministry within the church of God. Their office was incommunicable.¹⁰⁶

If, then, Roman Catholic bishops do not have apostolic authority, they cannot have the power of binding and loosing defined in Matthew 16:19 and 18:18 using the periphrastic future perfect tense for verbs.

On Whom Was the Power of Binding and Loosing Conferred?

The question raised earlier in this chapter is still open: which of the two Rabbinic senses of binding and loosing stands behind the power conferred by Jesus? Was it the *legislative authority* to prohibit (bind) or allow (loose) certain *things or acts*, or was it the *judicial authority* to impose (bind) or remove (loose) a *ban* on an individual by expelling him from or receiving him back into the congregation? As might be expected, the resolution of this issue is closely tied to the question addressed in this section.

The Three Choices

The possible answers to this question are (1) Peter, (2) all the apostles, or (3) the entire Messianic community (the "church") down to this day. The answers chosen by commentators vary.

It seems most unlikely that the power of binding and loosing was granted exclusively to Peter. Peter is addressed with the singular pronoun "you" in Matthew 16:19, but Matthew 18:18 uses the plural "you" in otherwise virtually identical statements. The clear implication is that Matthew 18:18 attributes this power to a broader base than just Peter, namely, the disciples.¹⁰⁷

¹⁰⁶ Ibid. Culver, *Systematic Theology*, p. 846, makes the same observation: "There has been no personal power on earth equal to theirs since [them,] except as present in the Holy Scriptures which they left behind."

¹⁰⁷ Note that the Roman Catholic position also agrees with this point and likewise bases that conclusion on Matt. 18:18. *The Documents of Vatican II*, p. 43: "The power of binding and loosing, which was given to Peter (Mt. 16:19), was granted also to the college of

Therefore, in Matthew 16:19, Jesus was addressing Peter as representative of the twelve disciples,¹⁰⁸ as *primus inter pares*.¹⁰⁹

On the other hand, a number of scholars expand the power of binding and loosing to the entire church down to today.¹¹⁰ The problem with this view, whether attached to the legislative or judicial sense of the power itself, is the periphrastic future perfect passive tense of the verbs. There is no way any decision of any body within the post-apostolic church can have the guarantee that it has already been made in heaven--apart from the Roman Catholic doctrine of apostolic succession. The arguments against this doctrine are presented in the preceding section, "Roman Catholic View of Binding and Loosing."

I suggest, therefore, that the best view is to limit the power of binding and loosing to the apostles alone.¹¹¹ This

apostles, joined with their head (Mt. 18:18; 28:16-20)."

108 As noted by Edersheim, *The Life and Times of Jesus the Messiah*, II:85.

109 France, *Matthew: Evangelist & Teacher*, pp. 245, 246. *Primus inter pares* is Latin, *first among equals*.

110 In addition to Stern and France as discussed in the previous section, one could cite, e.g., Carson, *Matthew*, p. 373-74, Hendriksen, *Exposition of the Gospel According to Matthew*, p. 651, and Robert L. Saucy, *The Church in God's Program* (Chicago: Moody Press, 1972), pp. 64 and 120. Menoud, "Binding and Loosing," *IDB*, I:438-439, rejects the idea that the power was granted to the entire church, but believes that it is still operative today through the church "ministry": "The power to bind and loose was entrusted first to Peter as the leader of the disciples, and then to the other disciples (Matt. 18:11 [sic])--i.e., to the Twelve (John 20:23), and not to the church. Similarly, at the end of the apostolic age this power was transmitted to the ministry and not to the community (II Tim. 2:24-26; Tit. 3:10)." While I think his first sentence is correct, the last point made by Menoud, that this power was "transmitted to the ministry," is highly questionable. In the texts cited by him, 2 Tim. 2:24-26 and Titus 3:10, the actions of Timothy and Titus recommended by Paul hardly carry the force of Paul's own authority and action as exercised in 1 Cor. 5:1-5. Paul was simply giving "advice" to two pastors.

111 Menoud is not a Roman Catholic, but his view here coincides with the Catholic view. Just as Menoud states that "at the end of the apostolic age this power was transmitted to the ministry," presumably the church leaders and officers, so the Catholic position asserts that "the order of bishops is the successor to the college of the apostles in teaching authority and pastoral rule" (*The Documents of Vatican II*, p. 43). Note, however, the view I take and the views of Menoud and the Catholic church all agree in one particular: during the period of the apostles, only the apostles themselves possessed the power of binding and loosing.

seems to be the conclusion drawn by Edersheim as well.¹¹² With the death of the last apostle, then, the power of binding and loosing on earth ceased.

The Case for Limiting This Power To the Apostles Alone

Limiting this power to the apostles is clearly consistent with the tense of the verbs. The fallibility of the apostles did not prohibit them from writing Scripture, so it need not have prohibited them from making "binding and loosing" decisions under that same influence of the Holy Spirit, which was uniquely theirs. The decision was made in heaven, and the apostles were subsequently divinely moved to make the same decision on earth. The problem with extending the power of binding and loosing to the church as a whole is the difficulty in explaining how a church or its leaders in post-apostolic times can fulfill the requirements demanded by the periphrastic future perfect tense of the verbs. In making such an extension of this power, it must be explained how every such non-apostolic decision has already been made in heaven.

Though curiously lacking in France and Stern, a variety of possible explanations are offered by those who do expand the power to the church as a whole.

Culver describes the picture in Matthew 18:18 as "a local *ekklēsia* 'gathered together' *in prayer* and exercising discipline over its members."¹¹³ Is it reasonable to think that the prayer of elders before making a decision about excommunication is sufficient to guarantee that their decision will have already been made in heaven?

Albright and Mann suggest that the verb tense is satisfied in this way: "It is the Church on earth carrying out heaven's decisions, *communicated by the Spirit*, and not

112 Edersheim, *The Life and Times of Jesus the Messiah*, II:645, after defining the power as a legislative function: "The power of 'binding' and 'loosing' had been primarily committed to the Apostles, and exercised by them in connection with the Church....The Apostles alone could exercise legislative functions..." Note also Jacob W. Kapp, "Bind," *ISBE*, I:511: "That this power was not conferred on Peter alone is evident from Mt. 18:18, where clearly it is given to all the apostles."

113 Culver, *Systematic Theology*, p. 846; emphasis added.

heaven ratifying the Church's decisions."¹¹⁴ The last part of the statement is correct. But what form does this communication by the Spirit take? Divine revelation?

Hendriksen, whose view of the periphrastic future perfect renders an explanation almost unnecessary,¹¹⁵ nevertheless provides one: "Such authority over faith and morals, and consequently also over the membership, can be exercised *only when this is done in thorough harmony with the teachings of Jesus*, or, phrasing it differently, with the Word of God."¹¹⁶ Again, the question arises: how can anyone without apostolic authority make decisions always in harmony with the teachings of Jesus? Or are the decisions authoritative, with corresponding decisions in heaven, *only when* they are in harmony with the teachings of Jesus? If that is the case, it would then seem difficult to explain the "whatever" in both Matthew 16:19 and 18:18. Clearly the implication is that every decision reflects the decision already made in heaven.

No, all these explanations fail utterly. The problem persists: there would seem to be no way to extend the power of binding and loosing to the whole church in a way that is consistent with the periphrastic future perfect tense of the verbs. By contrast, limiting this special power to the apostles alone guarantees that when exercised by them, whatever decision they make will have already been made in heaven.

However, if the limitation of this power to the apostles is correct, how is the reference to "the church" in Matthew 18:17 to be explained? I grant that this is a problem with the view suggested here, but I consider it a smaller problem than explaining how a legislative or excommunication decision made by a church without benefit of apostolic input always carries the guarantee that it has already been made in heaven. So regarding "the church" in Matthew 18:17, consider the following points.

First, note that the entire pericope of verses 15-18 is addressed not to "the church" but to the disciples. In particular, verse 18 is addressed to them using the second person plural personal pronoun *υμιν*: "Truly I say to

114 Albright and Mann, *Matthew*, p. 197; emphasis added.

115 See footnote 28 in this chapter.

116 Hendriksen, *Exposition of the Gospel According to Matthew*, p. 652.

you..." Also, the verb δεσητε¹¹⁷ is in the second person: "Whatever you bind..." To address the church would have required the pronoun and verb in the third person or the explicit use of the word "church."

Second, no violence is done to the text of Matthew 18:15-18 in assuming that its purview intended by Jesus was the church while under the leadership of the apostles. That, after all, was the situation immediately on the horizon for those Jesus was addressing. Thus a dispute might be brought before "the church," but the apostles alone would have the power to bind and loose with the attendant guarantee that the same decision had already been made in heaven.

The case in 1 Corinthians 5:1-5 of the man living with his father's wife might provide an example. Paul implies in verse 2 that the church indeed should have come together to remove that man from the congregation under its own authority. However, it is Paul the apostle in verse 3 who presumes the power to judge this man and in verse 5 to deliver him over to Satan. Again, it does no violence to the text to assume that only Paul's judgment carried the guarantee that the decision had already been made in heaven. There is little doubt that at least on some issues, Paul exercised his apostolic authority in connection with the Corinthian church.

For even if I boast somewhat further about our authority, which the Lord gave for building you up and not for destroying you, I will not be put to shame...

For this reason I am writing these things while absent, so that when present I *need* not use severity, in accordance with the authority which the Lord gave me for building up and not for tearing down.¹¹⁸

The authority mentioned by Paul is apostolic authority. Charles Hodge makes the following observation in his commentary on this text:

The authority in question was given when he was

117 2nd person plural 1st aorist active subjunctive of δεω, to bind or to tie.

118 2 Cor. 10:8; 13:10.

constituted an apostle, with not only a commission to exercise dominion, but a grace, or inward gift of the Spirit, rendering him infallible as a teacher and investing him with supernatural power.¹¹⁹

I would argue that part of this apostolic authority was the power of binding and loosing.

The Apostolic Power of Binding and Loosing

Once the conclusion is drawn to limit the power of binding and loosing to the apostles, the question of which Rabbinic sense of these terms Jesus used when conferring this power can again be addressed.

The question is difficult because one can find apparent examples of the apostles using each of them--making legislative decisions and banning someone from the congregation. On the other hand, if the power is limited to the apostles, the power Jesus conferred on them might easily be either or both.¹²⁰

Taking the power granted by Jesus to be the authority to make legislative declarations does have the advantage of corresponding to the much more common use of the Rabbinic terms אָסַר (*to bind*) and הִתִּיר (*to loose*) at the time Jesus

119 Charles Hodge, *An Exposition of the Second Epistle to the Corinthians* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1973; original publication date, 1859), p. 239.

120 Perhaps 1 Cor. 7:12 and 11:23 could be cited as examples of the apostles exercising legislative authority, with 1 Cor. 5:1-5 and 1 Tim. 1:20 as examples of imposing the ban. Edersheim, *The Life and Times of Jesus the Messiah*, II:645, cites Acts 15 as a possible example legislative authority. However, the action of the Jerusalem council is at best ambiguous in such a role. Further, it is at least a question whether James, who makes the final decision, was even an apostle, although F. F. Bruce *The Acts of the Apostles* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1952), p. 296, concludes that he likely was an apostle: "Whether he was counted an apostle or not is not quite clear from Gal. 1. 19 (though it seems more likely that he was); although not one of the Twelve, and indeed not a believer until the Resurrection, he had apostolic qualifications as a witness to the risen Christ." Eusebius, *Church History*, called him merely a "bishop" (Book II, Chapter 1) and the first bishop of Jerusalem (Book IV, Chapter 5) (trans. Arthur Cushman McGiffert, in vol. I, *Eusebius*, pp. 104, 176, in *A Select Library of Nicene and Post-Nicene Fathers of the Christian Church: Second Series*, 14 vols., eds. Philip Schaff and Henry Wace [Grand Rapids: Wm. B. Eerdmans Publishing Co., 1979]).

spoke. However, if this option is taken, I would still recommend against using the phrase "halakhic pronouncements." The word *halakhah* simply carries with it too much negative baggage. On the other hand, the apostles seem clearly to have made legislative decisions. The only question remaining is whether that activity is what Jesus meant by the power of binding and loosing in Matthew 18:19. Regardless of whether it was or was not what he meant, none of these apostolic, legislative decisions became "Oral Torah" or "Sacred Tradition." The only regulatory decisions permanently binding on the church have become part of written Scripture.

Conclusions

Although no view is without its problems, I propose the following conclusions:

- The power of binding and loosing was committed to the apostles alone.
- The power of binding and loosing conferred on the apostles by Jesus might have consisted of the authority to make legislative decisions, the authority to impose or remove the ban on individuals (expelling from or receiving back into the congregation), or both. Since the apostles did make both types of decisions, perhaps the best conclusion is that Jesus incorporated both Rabbinic senses in his conferral.
- However this power is defined, it was a power exercised by apostolic authority under the infallible influence of the Holy Spirit and therefore wholly consistent with the demand of the periphrastic future perfect passive verbs.
- There is no evidence anywhere in the New Testament that any apostolic power or authority was granted to successors of the apostles. The office of the apostolate and all power and authority unique to it ceased with the death of the last apostle.

These conclusions do not imply that pastors or even churches cannot exclude from fellowship and from congregational membership those who engage in known sin.

There is precedent for this in 1 Cor. 5:2 and probably in 2 Timothy 2:24-26; 3:5; Titus 2:15; 3:10. Neither do they imply that church boards and denominational ruling bodies cannot make decisions about what they consider correct doctrine or proper Christian behavior. They simply mean that such decisions do not carry the assurance of having already been made in heaven.

Chapter 11 Appendix 1

The Tradition of the Elders and the Mishnaic *Halakhah*

Did the "tradition of the elders" promoted by the Pharisees eventually become the basis of the *halakhah* codified in the Mishnah? If it did, then it is possible to see what Jesus thought of the development of "Old Testament *halakhah*" as part of the critique in this chapter of the development of "New Covenant *halakhah*."

To make the connection between "the tradition of the elders" and the Mishnah, the following points should be observed.

First, the word *halakhah* was first used by the Tannaitic sages,¹²¹ the Jewish teachers of the Oral Law from about A.D. 10 to 220.¹²² Therefore, another name for this body of legal precepts must have been used prior to that period.

Second, the name used by the Pharisees for their legal precepts was "the tradition [παράδοσις, *paradosis*] of the elders" (πρεσβυτεροι, *presbuteroi*).¹²³ Josephus describes the Pharisaic ordinances in similar language.¹²⁴

121 תנא, *Tanna*, (singular) and תנאים, *Tannaim* (plural), is from the Aramaic verb *to repeat* and thus means *repeaters* or *teachers*.

122 Judah the Prince, himself one of the Tannaim, brought the period to a close with his codification of the Mishnah ca. A.D. 200.

123 An interesting term is used by the Pharisees in Mark 7:5. The Pharisees and scribes ask Jesus, "Why do Your disciples not walk according to the tradition of the elders?" The Greek verb translated "walk" is περιπατεω. The equivalent Hebrew verb would be הלך, from

which the noun הלכה or *halakhah* comes. So in the view of the Pharisees, the general purpose of their "tradition" (παράδοσις, *paradosis*) is to "walk" (i.e., "live") in the manner prescribed by "the elders." Therefore, this manner of describing this tradition may have led to the use of *halakhah* in the later Tannaim period.

124 *Antiquities of the Jews*, XIII.10.6: "What I would now explain is this, that the Pharisees have delivered to the people a great many observances by succession from their fathers, which are not written in the law of Moses; and for that reason it is that the Sadducees reject them, and say that we are to esteem those observances to be obligatory which are in the written word, but are not to observe what are derived from the tradition of our forefathers."

Third, the Mishnah tractate *'Aboth* "is the account of the origin and authority of the Mishnah,"¹²⁵ and the core of its first chapter is an old Pharisaic document.¹²⁶

Fourth, the schools of Hillel (died A.D. 10) and Shammai (died A.D. 30) were both Pharisaic schools,¹²⁷ and they begin the period of the Tannaim.¹²⁸ After many generations, the "House of Hillel" prevailed.¹²⁹ The Tannaitic period then comes to an end with Judah the Prince and his codification of the Mishnah. Thus it seems evident that the Pharisaic "tradition of the elders" eventually grows into the Mishnaic *halakhah*.

Scholars generally seem to agree that the Pharisaic tradition (παράδοσις, *paradosis*) was the foundation for the Mishnaic and Talmudic *halakhah*. For example:

(1) Matthew Black: "Pharisaism is the immediate ancestor

125 Neusner, "Talmud," *ISBE*, IV:717.

126 Baumgarten, "The Pharisaic *Paradosis*," p. 67 (see also n. 16). Baumgarten makes two other interesting points about *'Aboth*. (1) Mark in verse 7:4 states with regard to this tradition that "there are many other things which they [the Pharisees] have received [παρελάβον] in order to observe" (*NASB*). Baumgarten demonstrates from two Greek translations of the Old Testament (Septuagint and Theodotion) that the Hebrew roots behind παράδοσις (*tradition*) and παραλαμβάνω (*to receive*) are מסר (*msr*) and קבל (*qbl*), respectively.

That is significant because in the first chapter of *'Aboth* "the roots *msr* and *qbl* are predominant as technical terms for the process of transmission of Pharisaic Torah" (p. 67). (2) Baumgarten also points out that "scholars going back as far as Maimonides [Rabbi Moshe ben Maimon, A.D. 1135-1204; also called by the Hebrew acronym Rambam] have seen the opening of *m.'Aboth* I as an answer to charges that the Pharisees were following laws of their own invention, as an attempt to attach the questionable to the unassailable" (p. 73), namely, that these laws had been given by God to Moses at Mt. Sinai as the Oral Torah. Baumgarten also points out that there are other possibilities for how the Pharisees might have answered charges against their laws; see pp. 73-75.

127 Robert J. Wyatt, "Pharisees," *ISBE*, III:826. Note in this connection that Edersheim calls Hillel "the father of Halakic study" (*The Life and Times of Jesus the Messiah*, I:12. Cohen, *Everyman's Talmud*, p. xxii, said "Hillel exemplified the Pharisaic standpoint at its best." As an interesting historical note, Edersheim also has this to say about Hillel: "We remember that, in his extreme old age and near his end, he may have presided over that meeting of Sanhedrin which, in answer to Herod's inquiry, pointed to Bethlehem as the birthplace of the Messiah. We think of him also as the grandfather of that Gamaliel, at whose feet Saul of Tarsus sat" (I:129).

128 Steinsaltz, *The Essential Talmud*, pp. 24.

129 *Ibid.*, p. 25.

of rabbinic (or normative) Judaism."¹³⁰

(2) From "Pharisees," *Jewish Encyclopedia* (1906):

In King Agrippa (41-44) the Pharisees had a supporter and friend, and with the destruction of the Temple the Sadducees disappeared altogether, leaving the regulation of all Jewish affairs in the hands of the Pharisees. Henceforth Jewish life was regulated by the teachings of the Pharisees; the whole history of Judaism was reconstructed from the Pharisaic point of view, and a new aspect was given to the Sanhedrin of the past. A new chain of tradition supplanted the older, priestly tradition (Abot i. 1). Pharisaism shaped the character of Judaism and the life and thought of the Jew for all the future.

(3) J. E. H. Thomson: "The Talm [Talmud] was written, both Mish [Mishnah] and Gemara, by the descendants of the Pharisees...It may thus be said that Judaism became Pharisaism, and the history of the Jews became that of the Pharisees."¹³¹

(4) William J. Moulder: "The Gospels' accounts of Jesus before the Sanhedrin involve several deviations from the pharisaic rabbinic Halakah as codified in the Mishnah."¹³²

(5) Jewish scholar Isidore Epstein could also be added to the list:

The Mishna [sic] of Rabbi Judah the Prince...presents a digest of the whole legal system governing Jewish life and action as taught and developed in the schools of Palestine throughout the period of the Soferim, Zugoth, and Tannaim up to the beginning of the third century that followed the rise of Christianity.¹³³

In view of the likely origin of the Pharisees¹³⁴ and of the

130 Black, "Pharisees," *IDB*, III:781.

131 J. E. H. Thomson, "Pharisees," *Old ISBE*, IV:2361-62.

132 William J. Moulder, "Sanhedrin," *ISBE*, IV:334.

133 Isidore Epstein, "Talmud," *IDB*, IV:512.

134 The Pharisees were probably the successors of the Hasidim ("pious ones") (Wyatt, "Pharisees," *ISBE*, III:826; Black, "Pharisees," *IDB*, III:776; Harold W. Hoehner, "Hasideans," *ISBE*, II:621). The Hasidim played a major supportive role in the Maccabean revolt (168-165

schools of Hillel and Shammai during the Tannaitic period, the "schools" referred to by Epstein would be essentially Pharisaic.¹³⁵

Other scholars, however, caution against making a direct link between the Pharisaic *paradosis* and the Oral Law of the Mishnah.

(1) A. I. Baumgarten notes that there are "a number of questions concerning the *paradosis* which, while much discussed, do not seem susceptible to definite answers, e.g., what is the precise relationship between *paradosis* and oral law?"¹³⁶

(2) Robert Wyatt argues that the sense in which the Pharisees were the predecessors of the rabbis is neither simple nor direct: "No clear historical picture shows either where pharisaism ends and rabbinic Judaism begins or what changes and alterations of tradition this transition brought."¹³⁷

Since there are no extant Pharisaic documents in which they themselves describe the full content of their "tradition" (*παραδοσις*, *paradosis*), the point must be granted that there would be great difficulty, if not impossibility, in determining from the Mishnah "what changes and alterations of tradition this transition brought." There probably were changes, alterations, and even additions. After all, the schools of Hillel and Shammai were no doubt refining and developing new halakhic decisions through the generations of Tannaim from the Pharisaic period to the codification of the Mishnah. However, these were Pharisaic schools. Therefore, the

B.C.) and are mentioned in 1 Maccabees (e.g., 2:42; 7:10-18). The earliest point in history where the Pharisees appear is during the reign of John Hyrcanus I (135-104 B.C.) taking part in an event referred to by Josephus, *Antiquities of the Jews*, Book XIII.10.5 (Thomson, "Pharisees," *Old ISBE*, IV:2362; Black, "Pharisees," *IDB*, III:779; Wyatt, "Pharisees," *ISBE*, III:826; Merrill C. Tenney, *New Testament Times* [Grand Rapids: William B. Eerdmans Publishing Co., 1965], p. 92).

135 Note that in tracing the contents of the Mishnah back to the Sopherim (scribes, a class of professional teachers of the law generally thought to have their beginning with Ezra, cf. Ezra 7:6; Matthew Black, "Scribe," *IDB*, IV:246), the origin of the Pharisaic tradition may possibly go back that far. However, it is probably best to say with Strack that "who made these [ordinances] we do not know" ("Talmud," *Old ISBE*, V:2905).

136 Baumgarten "The Pharisaic *Paradosis*," p. 66, n. 11.

137 Wyatt, "Pharisees," *ISBE*, III:825.

generalization still seems accurate: the *halakhah* of the Mishnah is essentially the Pharisaic tradition.

Black, after making his statement cited above, goes on to state,

Pharisaism is the immediate ancestor of rabbinical (or normative) Judaism...In Jesus' time, no doubt with certain differences, the broad picture of Pharisaism cannot have been so far removed from that of rabbinical Judaism of the post-Jamnia period, the Judaism of the Tannaites.¹³⁸

138 Black, "Pharisees," IDB, III:781.

Chapter 11 Appendix 2

Roman Catholic Sacred Tradition

There is an astonishing similarity between the Jewish Oral Torah and the Sacred Tradition of the Roman Catholic Church. Vatican II defined its view of revelation in the second document, "Dogmatic Constitution of Revelation." In Chapter II, "The Transmission of Divine Revelation," the following is stated:

Hence there exist a close connection and communication between sacred tradition and sacred Scripture. For both of them, flowing from the same divine wellspring, in a certain way merge into a unity and tend toward the same end. For sacred Scripture is the word of God inasmuch as it is consigned to writing under the inspiration of the divine Spirit. To the successors of the apostles, sacred tradition hands on in its full purity God's word, which was entrusted to the apostles by Christ the Lord and the Holy Spirit. Thus, led by the light of the Spirit of truth, these successors can in their preaching preserve this word of God faithfully, explain it, and make it more widely known. Consequently, it is not from sacred Scripture alone that the Church draws her certainty about everything which has been revealed. Therefore both sacred tradition and sacred Scripture are to be accepted and venerated with the same sense of devotion and reverence.

Sacred tradition and sacred Scripture form one sacred deposit of the word of God, which is committed to the Church.¹³⁹

The points of similarity are evident:

- As the Oral Torah came through Moses at the constitution of Israel as a nation, so the Sacred Tradition came through Jesus and the apostles at the establishment of the Holy Catholic Church.

139 *The Documents of Vatican II* (New York: Guild Press, 1966), *Nihil Obstat*: Felix F. Cardagna, *Imprimatur*: Lawrence Cardinal Shehan, p. 117.

- As the Oral Torah came through divine revelation, so the Sacred Tradition came through divine revelation.
- As the Oral Torah is of equal authority to the Written Torah, so the Sacred Tradition is of equal authority to the written Scripture.

However, Roman Catholic Sacred Tradition is only indirectly related to the subject of this chapter. As far as I have been able to determine from the Vatican II documents and the catechism, it is not directly related to the Catholic position on the power of binding and loosing, which is discussed earlier in this chapter.

In response to the Catholic claim to "Sacred Tradition," consider the points made by Henry Ellison.¹⁴⁰

First, it is conceded that Scripture itself is clear that portions of the information in it must have been passed down orally for some period of time (see 1 Cor. 11:23).

Second,

This does not give tradition any authoritative coexistence with Scripture. As soon as Holy Scripture has come into existence by divine inspiration, all tradition left outside it, even if it could be proved to be factually true, has to bow to the authority of Scripture and be interpreted by it. It [the tradition] could, theoretically, illustrate the truth; it cannot interpret it.¹⁴¹

Third, if the Ante-Nicene fathers are consulted for light on difficult New Testament passages, one finds the most divergent views. "There is clearly no authoritative theological tradition linking the apostles with the second century."¹⁴²

Perhaps even more significant are the comments offered by John Van Engen.¹⁴³ The important points can be summarized as follows.

140 Henry Leopold Ellison, "Tradition," *BDT*, pp. 526-27.

141 *Ibid.*, p. 527.

142 *Ibid.*

143 John Van Engen, "Tradition," *EDT*, pp. 1104-05.

First, between the first and fourth centuries, a number of anonymous manuals were written that claimed to contain the apostles' teaching. However, these were not set above Scripture but rather "constituted the means by which the living church carried forward its witness."¹⁴⁴

Second, during the fourth and fifth centuries, the church fathers distinguished between tradition and Scripture more clearly "but not antithetically. Tradition was understood as the church's enrichment and interpretive reflection on the original deposit of faith contained in Scripture."¹⁴⁵

Third, the most damaging fact is this:

In the fourteenth century the realization that certain doctrines (Christ's absolute poverty, e.g., or Mary's immaculate conception) could not be proved even remotely from Scripture, together with theologians' increased sophistication about their sources, inspired several of them to posit tradition as a separate, unwritten *source* handed down by apostolic succession, especially through an infallible papacy. The Protestant revolt against all tradition transformed this view, despite protest, into the church's official position at the Council of Trent: The truths and discipline of the gospel are contained in written Scripture *and* in unwritten traditions given to the church by Christ or the Spirit through the apostles, and both deserve *equal* respect.¹⁴⁶

I suggest the simple statement of this history represents a significant argument against the Catholic view of a Sacred Tradition.

144 Ibid., p. 1105.

145 Ibid.

146 Ibid. (emphasis original).