



In this account it is pertinent that the Pharisees raised a question relative to Sabbath breaking but did not accuse Jesus directly at this point. However, Jesus is acting as a rabbi so even if he didn't break the law himself he did not correct his disciples which would make him guilty as well if they were breaking the law. There are other incidents of alleged Sabbath breaking and instructing others to break the Sabbath rules, e.g. lifting up a mat. Furthermore, in the Matthew account he proceeds to enter into the synagogue of the Pharisees and heal a man on the Sabbath which further magnified his "guilt":

**Matthew 12:9** Then Jesus left that place and entered their synagogue. **12:10** A man was there who had a withered hand. And they asked Jesus, "Is it lawful to heal on the Sabbath?" so that they could accuse him. **12:11** He said to them, "Would not any one of you, if he had one sheep that fell into a pit on the Sabbath, take hold of it and lift it out? **12:12** How much more valuable is a person than a sheep! So it is lawful to do good on the Sabbath." **12:13** Then he said to the man, "Stretch out your hand." He stretched it out and it was restored, as healthy as the other. **12:14** But the Pharisees went out and plotted against him, as to how they could assassinate him.<sup>3</sup>

Furthermore, in Luke's account and in Matthew's as well in the Old Syriac<sup>4</sup>, Jesus' disciples not only picked some heads of wheat but they rubbed them in their hands before they ate them which may magnify the offense:

**Luke 6:1** Jesus was going through the grain fields on a Sabbath, and his disciples picked some heads of wheat, rubbed them in their hands, and ate them. **6:2** But some of the Pharisees said, "Why are you doing what is against the law on the Sabbath?"<sup>5</sup>

***These charges are based on written and oral Torah:***

**Exodus 20:**<sup>10</sup> but the seventh day is a sabbath of the LORD your God: you shall not do any work—you, your son or daughter, your male or female slave, or your cattle, or the stranger who is within your settlements. <sup>11</sup>For in six days the LORD made heaven and earth and sea, and all that is in them, and He rested on the seventh day; therefore the LORD blessed the sabbath day and hallowed it.<sup>6</sup>

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<sup>3</sup> IBID. (Mt 12:9–14).

<sup>4</sup> Magiera, J. (2005). *Aramaic Peshitta New Testament Translation* (47). Truth or Consequences, NM: LWM Publications.

<sup>5</sup> IBID. (Lk 6:1–2). Biblical Studies Press.

<sup>6</sup> Jewish Publication Society. (1985). *Tanakh: The Holy Scriptures* (Ex 20:10–11). Philadelphia: Jewish Publication Society.

**Deuteronomy 5:13** Six days you shall labor and do all your work, <sup>14</sup>but the seventh day is a sabbath of the LORD your God; you shall not do any work—you, your son or your daughter, your male or female slave, your ox or your ass, or any of your cattle, or the stranger in your settlements, so that your male and female slave may rest as you do. <sup>15</sup>Remember that you were a slave in the land of Egypt and the LORD your God freed you from there with a mighty hand and an outstretched arm; therefore the LORD your God has commanded you to observe the sabbath day.<sup>7</sup>

**Exodus 34:21** Six days you shall work, but on the seventh day you shall cease from labor; you shall cease from labor even at plowing time and harvest time.<sup>8</sup>

Although the written Torah itself does not provide specific legal details for every case, Sabbath rules can be very strict and the Mishna section on the Sabbath gives specific quantities relative to food measures:

**m. Shabb 7:4**

- A. He who takes out a quantity of (1) straw sufficient for a cow's mouthful; (2) pea stalks sufficient for a camel's mouthful; (3) ears of grain sufficient for a lamb's mouthful; (4) grass sufficient for a kid's mouthful; (5) garlic or onion leaves, ([if] fresh, a dried fig's bulk), [and if] dry, sufficient for a kid's mouthful—
- B. [Supply: he is liable,]
- C. and they do not join together with one another [to form a quantity sufficient for culpability],
- D. because they are not subject to equivalent measures.
- E. He who takes out foodstuffs [for a human being] in the volume of a dried fig is liable.
- F. And they do join together with one another [to form a quantity sufficient for culpability],
- G. because they are subject to equivalent measures,
- H. except for their (1) husks, (2) kernels, (3) stalks, (4) coarse bran, and (5) fine bran.
- I. R. Judah says, "Except for the husks of lentils, which are cooked with them."<sup>9</sup>

Since rulings of the rabbis vary the issue is one of authority. Christians, including Sabbatarians challenge the rabbis and claim Jesus as Lord of the Sabbath with ultimate authority:

<sup>7</sup> JPS. (1985). *Tanakh: The Holy Scriptures* (Dt 5:13–15). Philadelphia: Jewish Publication Society.

<sup>8</sup> IBID. (Ex 34:21).

<sup>9</sup> Neusner, J. (1988). *The Mishnah : A new translation* (188). New Haven, CT: Yale University Press.

“ ‘ Some rabbis even discouraged walking through a grainfield if the grain was even at ankle height; if one’s ankle accidentally knocked off the grain by stepping on it, it would be considered threshing. Jesus and His disciples not only walked through the grainfield, but they harvested, threshed, and ate . . . ’ the issue at hand is how the Sabbath should be observed, and who has the authority to make that determination.”<sup>10</sup>

According to the above position, Seventh Day Adventists maintain the same Sabbath Day as the Jewish Shabbat but believe Jesus set new standards for Sabbath keeping.

The majority of Christians are not Sabbatarians and they take the position that the Sabbath rules have been made null and void under a New Covenant. However, Christian scholars acknowledge the rulings of the rabbis. The following is an example of commentary on Matthew 12 relative to the Mishna (Shabb 7:4) and the defense Jesus used in his reference to I Samuel 21:1-6:

“The Mishna says that ‘[he is guilty] who takes . . . ears of grain equal to a lambs ‘mouthful’ (Shabbath 7:4) . . . To pluck was technically to ‘reap,’ and to rub away the husk was technically to ‘thresh.’ Thus the disciples broke two of the thirty-nine sabbath prescriptions, and consequently the fourth commandment . . . the defense offered by Jesus has striking features . . . Jesus thus raises and meets the whole issue of law versus life.”<sup>11</sup>

The purpose of this case study is to obtain a rabbinic opinion rather than a Christian interpretation of rabbinical thought. The challenge is that there is a wide range of rabbinical thought that could be applied to this case. Considering the setting and Jesus’ approach, it may be helpful if we consider Jesus’ response as part of rabbinic thought rather than an antinomian position of a new religion, i.e. Christianity since Christianity per se came much later.

Jesus’ references to I Samuel 21:2-7 and Hosea 6:6 indicate that:

“Jesus is not doing away with the Sabbath at all; he is merely giving an explanation as to why he and his disciples are violating the Sabbath ordinance against reaping grain. . . . giving his interpretation of *halacha*, not trying to abrogate the Law of the Torah. As a matter of fact, this very argument comes up in the Talmud, that all of the commandments of the Torah (with the exceptions of idolatry, murder, and incest, cf. *Sanhedrin 74a*),

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<sup>10</sup> Andrews University Press. (2010). *Andrews Study Bible* (footnotes on Matthew 12:2,8) Berrien Springs: Andrews University Press (1265).

<sup>11</sup> Abington Press. (1951). *The Interpreter’s Bible*, Vol VII. (commentary and footnotes on Matthew 12). New York: Abington Press (391-392).

including reaping on the Sabbath, can in fact be laid aside in times of extreme personal danger. The example from Scripture the Talmud uses for this ruling is none other than the story of David eating the showbread when he is eluding Saul (*Menachot 96a*).

“However, for Christian theologians to show that Jesus was giving a Talmudic explanation for violating Sabbath Laws would undermine their teaching of him doing away with the law.

“Even when Jesus says that Son of man is lord of the Sabbath, this is, in fact, a Pharisee maxim (cf. *Yoma 85b*). This in itself shows Jesus’s familiarity with the Oral Law. It also shows that, far from ‘doing away with the Torah,’ he is in fact using the Oral Law, the ‘tradition of the scribes and the elders’ as he often called them, to prove a point.”<sup>12</sup>

### **The Defense:**

Evidence/sources

Jesus’ rebuttal in <sup>Matthew 2:3</sup> He said to them, “Haven’t you read what David did when he and his companions were hungry—<sup>12:4</sup> how he entered the house of God and they ate the sacred bread, which was against the law for him or his companions to eat, but only for the priests? <sup>12:5</sup> Or have you not read in the law that the priests in the temple desecrate the Sabbath and yet are not guilty? <sup>12:6</sup> I tell you that something greater than the temple is here. <sup>12:7</sup> If you had known what this means: ‘*I want mercy and not sacrifice,*’ you would not have condemned the innocent. <sup>12:8</sup> For the Son of Man is lord of the Sabbath.”<sup>13</sup>

### ***Defenses based Torah and Ketuvim:***

Jesus defends his disciples by citing the incidence of David in the Tanakh. There is a legal principle that human need overrides the law and this may allow a more liberal interpretation, i.e. because the disciples were hungry and evidently had no food, they were permitted to pick the food to eat:

**I Samuel 21:1** David then went his way, and Jonathan returned to the town. <sup>2</sup>David went to the priest Ahimelech at Nob. Ahimelech came out in alarm to meet David, and he said to him, “Why are you alone, and no one with you?” <sup>3</sup>David answered the priest Ahimelech, “The king has ordered me on a mission, and he said to me, ‘No one must know anything about the mission on which I am

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<sup>12</sup> Cecil, A. (5769/2009). *The Noachide Guide to Matthew*. Estero, FL: Academy of Shem Press. (96).

<sup>13</sup> Biblical Studies Press. (2006). *The NET Bible First Edition; Bible. English. NET Bible.; The NET Bible* (Mt 12:3–8). Biblical Studies Press.

sending you and for which I have given you orders.’ So I have directed [my] young men to such and such a place. <sup>4</sup>Now then, what have you got on hand? Any loaves of bread? Let me have them—or whatever is available.” <sup>5</sup>The priest answered David, “I have no ordinary bread on hand; there is only consecrated bread—provided the young men have kept away from women.” <sup>6</sup>In reply to the priest, David said, “I assure you that women have been kept from us, as always. Whenever I went on a mission, even if the journey was a common one, the vessels of the young men were consecrated; all the more then may consecrated food be put into their vessels today.” <sup>7</sup>So the priest gave him consecrated bread, because there was none there except the bread of display, which had been removed from the presence of the LORD, to be replaced by warm bread as soon as it was taken away.—<sup>14</sup>

The above actions of the priest and the nature of the consecrated bread are based on written instruction in the Torah:

**Leviticus 24:5** You shall take choice flour and bake of it twelve loaves, two-tenths of a measure for each loaf. <sup>6</sup>Place them on the pure table before the LORD in two rows, six to a row. <sup>7</sup>With each row you shall place pure frankincense, which is to be a token offering for the bread, as an offering by fire to the LORD. <sup>8</sup>He shall arrange them before the LORD regularly every sabbath day—it is a commitment for all time on the part of the Israelites. <sup>9</sup>They shall belong to Aaron and his sons, who shall eat them in the sacred precinct; for they are his as most holy things from the LORD’s offerings by fire, a due for all time.<sup>15</sup>

It is important to note that some rabbis may take the position that the above defense does not apply because of the position that David did not break the commandment.<sup>16</sup>

The written Torah also differentiates between harvesting and gleaning:

**Deuteronomy 23:25** When you enter another man’s vineyard, you may eat as many grapes as you want, until you are full, but you must not put any in your vessel. <sup>26</sup>When you enter another man’s field of standing grain, you may pluck ears with your hand; but you must not put a sickle to your neighbor’s grain.<sup>17</sup>

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<sup>14</sup> Jewish Publication Society. (1985). *Tanakh: The Holy Scriptures* (1 Sa 21:1–7). Philadelphia: Jewish Publication Society.

<sup>15</sup> IBID. (Le 24:5–9).

<sup>16</sup> Credit is given to Rabbi F. Nebel of the Midwest Torah Center for his strict Torah view in his critique of this case.

<sup>17</sup> IBID. (Dt 23:25–26).

According to some scholars, “Torah does not prohibit picking and eating grain on Shabbat.”<sup>18</sup> However, not all rabbis accept this.

### *Defenses based on Mishna:*

The 39 prohibitions of labor that include harvesting seem to be intended for “major occupations” which would prohibit reaping but not plucking to immediately eat:

#### **m. Shabb. 7:2**

- A.** The generative categories of acts of labor [prohibited on the Sabbath] are forty less one:
- B.** (1) he who sews, (2) ploughs, (3) reaps, (4) binds sheaves, (5) threshes, (6) winnows, (7) selects [fit from unfit produce or crops], (8) grinds, (9) sifts, (10) kneads, (11) bakes;
- C.** (12) he who shears wool, (13) washes it, (14) beats it, (15) dyes it;
- D.** (16) spins, (17) weaves,
- E.** (18) makes two loops, (19) weaves two threads, (20) separates two threads;
- F.** (21) ties, (22) unties,
- G.** (23) sews two stitches, (24) tears in order to sew two stitches;
- H.** (25) he who traps a deer, (26) slaughters it, (27) flays it, (28) salts it, (29) cures its hide, (30) scrapes it, and (31) cuts it up;
- I.** (32) he who writes two letters, (33) erases two letters in order to write two letters;
- J.** (34) he who builds, (35) tears down;
- K.** (36) he who puts out a fire, (37) kindles a fire;
- L.** (38) he who hits with a hammer; (39) he who transports an object from one domain to another—
- M.** lo, these are the forty generative acts of labor less one.<sup>19</sup>

The rabbis recognize that it is allowable to break Sabbath laws for health reasons, e.g. hunger and illness because these supersede the Shabbat and that seems to be Jesus’ point relative to his reference to David:

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<sup>18</sup> Roth, A. G. (2008). *Aramaic English New Testament*. (32). Jerusalem:Netzari Press.

<sup>19</sup> Neusner, J. (1988). *The Mishnah : A new translation* (187–188). New Haven, CT: Yale University Press.

### Yoma/Kippurim 8:6

- A. He who is seized by ravenous hunger— they feed him, even unclean things, until his eyes are enlightened.
- B. He who was bitten by a crazy dog—they do not feed him a piece of its liver’s lobe.
- C. And R. Mattiah b. Harash permits doing so.
- D. Further did R. Mattiah b. Harash say, “He who has a pain in his throat—they drop medicine into his mouth on the Sabbath,
- E. “because it is a matter of doubt as to danger to life.
- F. “And any matter of doubt as to danger to life overrides the prohibitions of the Sabbath.”<sup>20</sup>

Note that Yoma 8:6d, e, and f seem to indicate that the Pharisaic sect was more strict than what was allowed in the oral law in accusing Jesus.

The following is from Jacob Neusner regarding the debate about healing a man with a withered hand on the Sabbath (Mark 3:1-2, 4; Matt. 12:9-10, 12; Luke 6:6-7,9):

"The basic principle, namely that the saving of life overrides the Sabbath, is crystal clear in rabbinic teaching (Mekh. Exod. 31:12; b Yoma 85b); it is obviously integral to Jesus' outlook too. The rigorists among lawyers no doubt distinguished between life-threatening and less grave illnesses, but the more liberal wing of the rabbis classified any healing as ultimately belonging to life-saving. For instance they declared it permissible to treat someone with laryngitis even if it entailed 'work': 'If a man has a pain in his throat they may drop medicine into his mouth on the Sabbath, since there is doubt whether life is in danger, and whenever there is doubt whether life is in danger this overrides the Sabbath' (in Yoma 8:6). . . . The fact that Jesus and the later rabbis, especially the more generously-minded school of Hillel the Elder, represented the same doctrinal trend places a large question mark after the evangelists' statement (Mark 3:6; Matt. 12:14; Luke 6:11) that the Pharisees who had witnessed this healing were of the opinion that Jesus had committed a capital crime."<sup>21</sup>

Jewish writings contain a wide range of viewpoints. For example, in regard to Luke 6:5, Robinson writes the following regarding *pikuakh/nephesh/saving a soul*: “the rabbis of the Gaonic period cautioned: there is nothing more important, according to the Torah, than to preserve human life . . . Even when there is the slightest possibility that a life may

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<sup>20</sup> IBID (278).

<sup>21</sup> Neusner, J. (2003) *The Authentic Gospel of Jesus*. London: Penguin Books, 2003 (47)



be at stake one may disregard every prohibition of the law.”<sup>22</sup> It is a fundamental principle that the Sabbath is given to people and not the other way around. This is portrayed by Jesus in the preaching of Mark: <sup>Mark 2:27</sup> Then he said to them, “The Sabbath was made for people, not people for the Sabbath. <sup>2:28</sup> For this reason the Son of Man is lord even of the Sabbath.”<sup>23</sup> Very much like Jesus in Mark 2, Matthew 12:1-14, Luke 6:5-10, Rabbi Simeon B. Mensya indicated that the words “given to you” or “unto you” imply that the Sabbath is given to you and you are not given to Sabbath.<sup>24</sup>

According to the rabbis, there are other allowances for reaping:

**Pesachim 4:8**

- A.** Six rules did the men of Jericho make.
- B.** For three, [sages] reproveed them, and for three they did not reprove them.
- C.** These are the three for which they did not reprove them:
- D.** (1) they grafted palms [on the fourteenth of Nisan] the whole day; (2) they did not make the prescribed divisions in the *Shema*; and (3) they reaped and stacked [wheat] before the [offering of] the *omer*—
- E.** and they did not reprove them.
- F.** And these are the three for which they reproveed them:
- G.** (1) they permit use of Egyptian figs [from stems which had been] dedicated to the Temple; (2) they eat on the Sabbath fruit which had fallen under a tree; and (3) they leave over the corner of the field [*peah*] in the case of vegetables —
- H.** and sages did reprove them.<sup>25</sup>

***Additional Comments:***

<sup>25</sup> "When you enter your neighbor's standing grain, then you may pluck the heads with your hand, but you shall not wield a sickle in your neighbor's standing grain. - Deuteronomy 23:25-NAU

The Torah allows the disciples to pluck grain in another's field to satisfy hunger. They can NOT however take a sickle to it or put it in a basket.

The Pharisees however, admit this is fine but they have another issue. Because it was the Shabbat, they contended that this plucking of grain was work. The word for work here in Hebrew is MELACHA and it relates to MALAKA, or MALKUT (kingdom).

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<sup>22</sup> Robinson, G., (2000) *Essential Judaism*. New York:Simon & Shuster (86)

<sup>23</sup> Biblical Studies Press. (2006). *The NET Bible First Edition; Bible. English. NET Bible.; The NET Bible* (Mk 2:26–28). Biblical Studies Press.

<sup>24</sup> Mek. Ki Tissa [to Ex. 31]

<sup>25</sup> IBID (236).

The Rabbis have a dispute about if this is "work". Beit Hillel, which was the dominant school, would have said that even if this was "work", preventing starvation would suspend Shabbat. They would point out that food preparation is exempt from the regular MELACHA, per Exodus 12:16.<sup>26</sup> Rabbis accusing Jesus would say the disciples were not really starving.

There is no reason NOT to apply this standard to the weekly Shabbat as Pesach's commencement was a HIGH SHABBAT, as was its last day. So there is a distinction in the Torah between MELECHA AVODAH (servant work) being prohibited save food prep and KOL MELECHA (all work) prohibited on a day like Yom Kippur, when you are supposed to fast anyway. Shammai--the more conservative school--would argue the Pharisees' position here. If the disciples are absolutely not starving to death, don't have them "work" the fields at all on Shabbat. They might also argue that Jesus and his disciples travelled too far on the Shabbat as well, but that's another story.

This argument comes up frequently. When we read "If an animal falls in a pit, will you not pick it up on the Shabbat day?" Jesus knows MOST Rabbis WOULD, but the most conservative would not. The Essenes would not even lift a man out of a hole on Shabbat!

Jesus was influenced more by Hillel than Shammai, except in matters of marriage where he took an even stricter view than Shammai did. But the ruling he makes is perfectly consistent within the mainstream rabbinic discourse of First Century Israel. All might not have agreed of course, but most probably would have, and it is not reasonable to expect universal agreement on these matters in Judaism. Hillel the Elder absolutely would have endorsed Jesus' position on plucking grain on Shabbat, so long as they didn't stay and harvest the field on Shabbat or eat to excess. But just ate to satisfy hunger—a "kosher ruling"<sup>27</sup> and did not go further.<sup>28</sup>

### **Additional Background Information:**

Pharisees are an elitist group that looked down on other groups. The **Pharisees** (Latin *pharisæus*, -i; from Hebrew פִּרְיִשִׁים *pērûshîm*, pl. of פִּרְיִשׁ *pārûsh*, meaning "set apart", Qal passive participle of the verb פָּרַשׁ *pārāsh*, through Greek φαρισαῖος, -ου

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<sup>26</sup> "On the first day you shall have a holy assembly, and *another* holy assembly on the seventh day; no work at all shall be done on them, except what must be eaten by every person, that alone may be prepared by you."

<sup>27</sup> "The Sabbath is given into man's hands, not man into it's hands."--Hillel the Elder (ca. 10 BCE)

<sup>28</sup> Credit is given to Andrew Gabriel Roth for comments in this section which were provided to the author within several emails in October, 2012.

*pharisaios*) were at various times a political party, a social movement, and a school of thought among Jew during the Second Temple period beginning under the Hasmonean dynasty (140–37 BCE) in the wake of the Maccabean Revolt.<sup>29</sup> During the time of Jesus there were more than 6,000 Pharisees who refused to swear allegiance to Augustus and Herod.<sup>30</sup> This was a small percentage (.24%) of the Judean population and Jesus probably encountered only a small number from this group.<sup>31</sup> Not all of the Pharisees opposed him.<sup>32</sup>

So, the Pharisees were a relatively small separatist group and they would not immediately respect an outsider. This would be particularly true of a non-Judean from rural Galilee who was attracting attention and challenging the Pharisees but was not considered part of their elite group even though he thought several of their doctrines, e.g. angels, resurrection, etc. According to Johnson the Pharisees:

. . . despised the *am-ha-aretz* as sinners for their failure to observe tithes and purity regulations. . . the vast majority of Jews, the *am-ha-aretz*. Undoubtedly many of them were pious and devoted to Torah and the cult. So far as the Pharisees were concerned, however, they were ignorant, untrustworthy, and not fully par of the people (cf. Mishnah Demai 2:3; Gittin 5:9; Pirke Aboth 2:6; 5:10).<sup>33</sup>

Piety and sophistication are differentiated from crudeness in Jewish writings. Here are the citations from Pirke Avot:

2:6 He used to say: The crude do not fear sin, and the ignorant cannot be models of piety. The bashful do not learn, and the short-tempered cannot teach. And not all who succeed in business are wise. In a place where there is no person to make a difference, strive to be that person.<sup>34</sup>

5:10 Seven things mark the crude, and seven the wise. The wise do not speak before one who is greater in wisdom, nor interrupt the words of his colleague, nor rush to reply. Their questions are relevant, their answers to the point. They speak of first things first, and last things last. Of things they have not understood they say, “I do not understand,” and they acknowledge the truth. The opposites mark the crude.<sup>35</sup>

Some rabbis maintain that the Zealots and not the Pharisees were those that despised outsiders but this is not the prevalent view. They also question the New Testament as suspect without historical authority.

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<sup>29</sup> <http://en.wikipedia.org/wiki/Pharisees>

<sup>30</sup> Josephus, *Antiquities* XVII (41-45).

<sup>31</sup> Rhodes, D. “Why Jews Don’t Believe in Jesus.” Audio lecture at [www.midwesttorah.org](http://www.midwesttorah.org)

<sup>32</sup> Gospel of John, Chapter 3

<sup>33</sup> Johnson, L. T. (1999). *The Writings of the New Testament*, (47, 53-54). Minneapolis: Fortress Press.

<sup>34</sup> Berkson, W., & Fisch, M. (2010). *Pirke Avot: Timeless Wisdom for Modern Life: Translation* (First edition) (189). Philadelphia, PA: The Jewish Publication Society.

<sup>35</sup> IBID. (205).

With the above background in mind it is not surprising that some of the Pharisees in Jerusalem would challenge “Jesus” since he was an unsophisticated Galilean, not part of their group and he was teaching his disciples to follow the teachings of the Pharisees but not to follow their example in behavior. He openly referred to them as hypocrites. This is seen clearly in the preaching of Matthew:

<sup>23:1</sup> Then Jesus said to the crowds and to his disciples, <sup>23:2</sup> “The experts in the law and the Pharisees sit on Moses’ seat. <sup>23:3</sup> Therefore pay attention to what they tell you and do it. But do not do what they do, for they do not practice what they teach. <sup>23:4</sup> They tie up heavy loads, hard to carry, and put them on men’s shoulders, but they themselves are not willing even to lift a finger to move them. <sup>36</sup>

Jesus also was accused on many other occasions of violating Torah even though he taught his disciples to keep Torah. Here is an example from the preaching of John in which Jesus is accused of instructing a man to break the rules of Shabbat:

#### *Healing a Paralytic at the Pool of Bethesda*

<sup>John 5:1</sup> After this there was a Jewish feast, and Jesus went up to Jerusalem. <sup>5:2</sup> Now there is in Jerusalem by the Sheep Gate a pool called *Bethzatha* in Aramaic, which has five covered walkways. <sup>5:3</sup> A great number of sick, blind, lame, and paralyzed people were lying in these walkways. <sup>5:5</sup> Now a man was there who had been disabled for thirty-eight years. <sup>5:6</sup> When Jesus saw him lying there and when he realized that the man had been disabled a long time already, he said to him, “Do you want to become well?” <sup>5:7</sup> The sick man answered him, “Sir, I have no one to put me into the pool when the water is stirred up. While I am trying to get into the water, someone else goes down there before me.” <sup>5:8</sup> Jesus said to him, “Stand up! Pick up your mat and walk.” <sup>5:9</sup> Immediately the man was healed, and he picked up his mat and started walking. (Now that day was a Sabbath.)

<sup>5:10</sup> So the Jewish leaders said to the man who had been healed, “It is the Sabbath, and you are not permitted to carry your mat.” <sup>5:11</sup> But he answered them, “The man who made me well said to me, ‘Pick up your mat and walk.’” <sup>5:12</sup> They asked him, “Who is the man who said to you, ‘Pick up your mat and walk?’” <sup>5:13</sup> But the man who had been healed did not know who it was, for Jesus had slipped out, since there was a crowd in that place.

<sup>5:14</sup> After this Jesus found him at the temple and said to him, “Look, you have become well. Don’t sin any more, lest anything worse happen to you.” <sup>5:15</sup> The man went away and informed the Jewish leaders that Jesus was the one who had made him well.

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<sup>36</sup> Biblical Studies Press. (2006). *The NET Bible First Edition; Bible. English. NET Bible.; The NET Bible* (Mt 23:1–4). Biblical Studies Press.

### *Responding to Jewish Leaders*

<sup>John5:16</sup> Now because Jesus was doing these things on the Sabbath, the Jewish leaders began persecuting him. <sup>5:17</sup> So he told them, “My Father is working until now, and I too am working.” <sup>5:18</sup> For this reason the Jewish leaders were trying even harder to kill him, because not only was he breaking the Sabbath, but he was also calling God his own Father, thus making himself equal with God.

<sup>5:19</sup> So Jesus answered them, “I tell you the solemn truth, the Son can do nothing on his own initiative, but only what he sees the Father doing. For whatever the Father does, the Son does likewise. <sup>5:20</sup> For the Father loves the Son and shows him everything he does, and will show him greater deeds than these, so that you will be amazed. <sup>5:21</sup> For just as the Father raises the dead and gives them life, so also the Son gives life to whomever he wishes.<sup>37</sup>

### **Summary & Verdict:**

There are many questions raised in this case study. Did Jesus break the law? Did he instruct or allow others to break the law? Did he follow a valid rabbinical approach? Were his actions valid relative to the Torah, rabbinical authority, and within the range of legal interpretations valid within rabbinic Judaism (of his time)? Were the Pharisees too strict with him in making their accusations? Did they have another motive beyond being protectors of the law? There are many other questions.

However, we want to focus on the incident in the grainfields. So, the questions we present today are these: since Jesus was in Eretz Israel in 1<sup>st</sup> century CE and he voiced respect for rabbinical authority in his teachings but allowed his disciples to pick and eat grain on Shabbat, (1) did Jesus violate written Torah? (2) Did he violate oral Torah?

Conclusions on this case may vary:

1. Jesus didn't break Sabbath but his disciples did.
2. Although Jesus didn't directly break Sabbath, he broke the Torah by allowing his disciples to break Sabbath. He should have stopped them. The same would apply to allowing the lame man to pick up his mat and take it out. In this case, Jesus could have given first aid for a serious condition but not treat the man for a chronic condition since he could have done this the following day. It is not lawful to heal except to give basic pain relief.
3. Jesus didn't break Sabbath because his disciples were hungry and some rabbis interpret the Torah more liberally.

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<sup>37</sup> IBID. (Jn 5:1–21).

Note the basic principle that “the Sabbath keeps us. It is not that we keep the Sabbath.”

It is important to note that most Orthodox rabbis may enjoy a healthy skepticism on the New Testament and Jesus, but as long as people are respectful many of them will be fine with a free and fair exchange of the traditions at least. Many rabbis may quietly admit that Jesus was one of them....a Pharisaic teacher largely from the House of Hillel, but again, Jesus' authority was his own when he taught (Matthew 7:29) his disciples and not from the other rabbis.

There is however a small and vocal minority of extremists that do NOT want Gentiles doing Torah. If Gentiles do it anyway, those from this school of thought often want to lock them under Oral Law and/or under their authority. Anything short of that invites scorn. They pride themselves over Gentiles who present the New Testament accounts. We must honor the rabbis when they are following the written Torah (Matthew 23:1-2). We should also honor their rabbinical authority and the oral Torah when it is not used for malicious purposes.

My first presentation of this case was with an orthodox rabbi. He indicated his opinion was that Jesus did break the law by allowing and/or instructing others to break the Sabbath. He also indicated that his opinion was that Jesus did not follow a valid rabbinical approach and that his actions were not valid relative to the Torah, rabbinical authority, and within the range of legal interpretations valid within rabbinic Judaism (of his time). He did not agree that the Pharisees were too strict with him in making their accusations or that they had another motive beyond being protectors of the law.

Regarding the specific incident in the grainfields, our opinion is that since Jesus was in Eretz Israel in 1<sup>st</sup> century CE and according to the New Testament accounts he voiced respect for Torah and rabbinical authority in his teachings but allowed his disciples to pick and eat grain on Shabbat, and that he did not violate written Torah or the oral Torah according to the teachings of Beit Hillel.

What is your opinion?