


Plucking Grain on the Sabbath

Vernon K. Robbins

 In a previous chapter, we saw how rhetorical induction in the Matthean sayings about foxes and birds and leaving the dead was reformulated into an argument containing both inductive and deductive reasoning in Luke. In the present chapter, we will explore the characteristics of judicial rhetoric in the pericopes about the Plucking of Grain on the Sabbath.

The type of interaction that occurs in the story where Jesus' disciples pluck grain on the sabbath led Dibelius to include it among paradigms,¹ Bultmann among apophthegms,² and Vincent Taylor among pronouncement stories.³ When Pharisees observe the action of the disciples on the sabbath, they assert that the disciples are engaged in unlawful activity. As Jesus begins a defense of the action of his disciples, he presents a precedent from the action of David. This approach features Jesus in a role similar to a defense attorney representing one or more clients who have had a charge launched against them. After the precedent, Jesus presents a rationale for the action of his disciples in the lordship of the Son of man. This personal grounding of the argument, which is unusual for judicial rhetoric, brings the story to an end, and, unlike a courtroom setting, there is no jury that pronounces a verdict of guilt or innocence. The story, therefore, uses judicial rhetoric in a particular way to meet the goals of the narrator. In the Markan and Lukan

1. *From Tradition to Gospel*, 43.
2. *History of the Synoptic Tradition*, 16-17.
3. *Formation of the Gospel Tradition*, 65.

versions of the story, the presentation of the personal rationale for the action of the disciples absorbs the issue of guilt or innocence. The Matthean version, in contrast, confronts the judicial issue directly and shows Jesus arguing that the disciples are guiltless of any wrongdoing. Our analysis, then, must probe not only the particular use of judicial rhetoric in the story but also the variations in rhetorical strategy among the different versions in the synoptic gospels.

A rhetorical approach to the three extant versions of the story arouses special interest in the nature of judicial rhetoric in Mediterranean culture. This type of rhetoric envisions a setting in which someone has accused someone else of doing something illegal. The official public setting for judicial rhetoric is the courtroom. This kind of rhetoric has alternatively been called forensic, *dikanic* (from the Greek *δικανικός*), legal, or judicial in English terminology. Following the lead of George A. Kennedy,⁴ we will call it judicial. The essential acts surrounding judicial rhetoric include a statement of the case, arguments, counter-arguments, and a verdict. These acts create a setting where people need to speak skillfully to influence a judge and/or jury. Rhetoricians discussed at length the nature of judicial speeches, working from the components they considered essential for speechmakers, be they prosecutors or defenders. The goal of the rhetoric was to uphold truth and justice by determining if a particular person or persons, in a particular instance, were speaking truthfully or falsely and had acted within the law or in violation of it. The means toward these ends were accusation and defense, and those who listened had the responsibility to decide, on the basis of the evidence and arguments, if the person or persons were guilty or innocent.

In accord with their knowledge of the courtroom, rhetoricians determined that there were essential parts to a judicial speech, and they discussed these under the topic of "arrangement" or *dispositio*.⁵ It was not unusual for rhetoricians to divide the speech into an introduction, statement of the case, division, proof, refutation, and conclusion.⁶ Aristotle, however, argued that a speech contains two essential parts: statement and proof. The speaker must, of course, begin a speech and end it. Therefore, a speech regularly has four parts: introduction, statement, proof, and conclusion. The introduction should compel the attention of the auditors, explain the subject of the speech, stress the importance of the subject to the auditors' personal interests, and arouse or dispel prejudice.⁷ The statement should present the facts of the case in a manner that establishes the favorable character of the speaker and the unfavorable character of the opponent(s), describe the actors in various

states of feeling, and exhibit the moral character of the persons through detail that shows them acting from conscious choice either for good or bad.⁸ The proof will demonstrate the issue of the case (customarily called *stasis*) by concentrating on fact, definition, quality, jurisdiction, or legal question. In other words, the proof will support the statement of the case through argument as follows:

The issue is one of fact if the central question is whether something was done at all, or was done by a specific person at a specific time: "Did Jesus heal on the Sabbath?" involves *stasis* of fact. The question is one of definition if the facts are admitted, but there is disagreement about the definition of the terms: "What constitutes healing?" or "Who is my neighbor?" (Luke 10:29-37). The question is one of quality if facts and definitions are admitted by all parties, but the action is justified on other grounds: "Is it right to break the law in order to heal on the Sabbath?" In *stasis* of jurisdiction a speaker rejects the right of a tribunal to make a judgment, which is perhaps implied in Stephen's speech to the Council in Acts 7. In a legal question there is an expressed doubt about a law itself, for example about the difference between its wording and intent. The law might prohibit a variety of activities on the Sabbath but not specifically mention healing: "Was it the intent of the law to prevent healing?"⁹

Refutation uses the same means as the constructive proof, so it is not given a separate place in the judicial speech by Aristotle. It is customary, Aristotle says, for constructive argument to come first, then refutation, but "if the adversary's proofs have been overwhelming, then the obstacles to the auditors' accepting our proofs must be removed by refuting first."¹⁰ After the proof, the conclusion will reinforce a favorable attitude to the speaker and an unfavorable one to the opponents, amplify the significance of the facts that are favorable to the speaker, reinforce states of feeling favorable to the speaker's case, and recapitulate the arguments.

When judicial rhetoric occurs in a pronouncement story instead of a speech, the introduction and the statement regularly emerge in narrative clauses and speech that establish the setting, and the proof and conclusion occur in response to the setting.¹¹ We will begin by looking at the rhetorical dimensions common to all the versions in the synoptic tradition. The interest at this point will be to uncover the features that have persisted through all the synoptic performances of the story. Care will be taken not to impose any feature from "one particular version" on this common tradition. The implication is that something may be learned about storytelling in the sphere of Christianity called "the synoptic

4. *New Testament Interpretation*, 19-20.

5. Cf. *Rhet. ad Her.* III.ix-x.

6. *Rhet. ad Her.* III.ix.

7. Aristotle, *Rhet.* III.xiv.

8. Aristotle, *Rhet.* III.xvi.

9. Kennedy, *New Testament Interpretation*, 18-19.

10. Hill, "Rhetoric of Aristotle," 68.

11. See Tannehill, "Introduction: The Pronouncement Story," 1 and "Types and Functions of Apophthegms," 1795.

tradition" if we look at the features common to all the stories. Second, we will analyze the rhetorical dimensions of various reconstructed versions that interpreters posit to be earlier forms of the story. Third, we will analyze the rhetorical characteristics of the Markan, Lukan, and Matthean versions individually.

1. The Common Synoptic Story

Where a story exists in triple tradition, it is good to analyze those components that have persisted throughout the three performances. This approach produces a "truly synoptic version" that, as a more neutral "common" version, can aid the interpreter in arbitrating between various "earlier" versions posited by source, form, and redaction critics and the versions that exist in Matthew, Mark, and Luke.¹² If a person constructs a "synoptic" version out of the common items in Matthew, Mark, and Luke, a basic story emerges that pictures Pharisees confronting Jesus and his disciples while they are going through grainfields on the sabbath. When we divide the story according to the parts of the judicial speech, it appears as follows:

(1) Introduction

He was going through grainfields on the sabbath, and his disciples were plucking heads of grain.

(2) Statement of the Case

And Pharisees said, "[You/they] are doing what is not lawful on the Sabbath."

(3) Refutation (Example as Precedent)

And he said to them, "Have you not read what David did, when he was hungry, and those with him: how he entered the house of God and [he/they] ate the bread of the Presence, which it is not lawful except for the priests to eat?"

(4) Conclusion (Judgment as Rationale)

"The Son of man is lord of the Sabbath."¹³

12. Cf. Hooker, *Son of Man*, 94–95 and 98.

13. The Greek text of the common version is as follows. The square brackets ([. . .]) indicate variation in person and number in a verb that all three synoptic versions use.

Introduction:

πορευ[3d sg.] διὰ σπορίμων σαββα[*dative*]
καὶ/δὲ οἱ μαθηταὶ αὐτοῦ τιλλ[] στάχυν

Statement:

καὶ/δὲ Φαρισαῖ[*plural*] εἶπαν/ἔλεγον,

The major challenges for an interpreter of this story lie in its abbreviated form, a feature characteristic of chreia composition. Presuppositions and nuances of meaning reside in compact statements that require active involvement by the auditor to understand the implications. Each part of the story, therefore, calls for special comment.

Every version of the opening statement refers to Jesus and "his disciples." This means, as Daube skillfully has shown, that the relationships between a Master and his disciples establish the social framework for the story.¹⁴ A person who is a disciple has accepted a social position of subordination for the purpose of learning through imitation and instruction. It is the responsibility of the Master to teach and encourage good actions and thoughts and to correct and discourage bad actions and thoughts.¹⁵ The introduction identifies the topic of the story (plucking of grain on the sabbath) and compels the interest of the auditor by exhibiting a difference between the action of the Master and the action of his disciples: only the disciples pluck grain. The auditor awaits the action of the Master. Will Jesus reprimand his disciples for engaging in this kind of action on the Sabbath, or will he use this occasion to teach them something distinctive about his way of life?

The next part of the story introduces Pharisees, role opposites of Jesus, who make a statement that refers to the disciples' activity as unlawful. The entrance of the Pharisees at this point in the story is likely to place them in an unfavorable position. As mentioned above, Jesus has not plucked any grain. An auditor regularly begins with a favorable disposition toward a leader who has responsibility for a group of subordinates, and Jesus has done nothing to call such a disposition into question. Therefore, the auditor is likely to begin with a positive attitude toward Jesus. Also, since Jesus has not plucked any grain but the dis-

ποιε[*plural* referring to or addressing the disciples]
ὁ οὐκ ἔξεστιν σαββα[*dative*]

Refutation:

καὶ/δὲ λέγει/εἶπεν αὐτοῖς/πρὸς
αὐτοὺς, οὐκ/οὐδὲ/οὐδέποτε ἀνέγνωτε
τί/ὃ ἐποίησεν Δαυὶδ, ὅτε/ὅποτε ἐπείνασεν
καὶ οἱ μετ' αὐτοῦ; πῶς/ὡς εἰσῆλθεν εἰς τὸν
οἶκον τοῦ θεοῦ καὶ τοὺς ἄρτους τῆς προθέσεως
ἔφαγον/ἔφαγεν ὁ/οὓς οὐκ
ἔξου/ἔξεστιν φαγεῖν εἰ μὴ τοὺς
ἱερεῖς/τοῖς ἱερεῦσιν

Conclusion:

κύριός ἐστιν τοῦ σαββάτου ὁ υἱὸς τοῦ ἀνθρώπου

14. Daube, "Responsibilities."

15. Robbins, *Jesus the Teacher*, 63–65.

ciples have, the auditor is awaiting Jesus' statement to the disciples on this day that is guided by special obligations in Jewish society. When Pharisees evaluate the actions of Jesus' disciples, they are likely to be interfering with the auditor's expectations that Jesus will speak next. Instead, the Pharisees intrude on the domain of the Master like an outsider may intrude on a parent's interaction with a son or daughter.¹⁶ Moreover, when the Pharisees focus their attention on the activity of Jesus' disciples, the auditor may view them as people who concern themselves with subordinates of another adult rather than dealing directly with the actions of adults of equal standing. The presence or absence of these dimensions will depend to a great extent on the tone with which the story is narrated. But the entrance of the Pharisees is likely to arouse prejudice against them because they enter a setting where their equal has not engaged in anything questionable, they make a statement that may be considered an intrusion on the Master's interaction with his disciples, and they involve themselves with the actions of inferiors rather than equals.

As Daube has observed, the mutual responsibilities a Master and his disciples impose on one another are somewhat different from the obligations third parties in the outside world impose on them.¹⁷ When third parties intervene, both the Master and the disciples have to decide to what degree they will be accountable for the other's actions. The Pharisees' statement against Jesus' disciples turns the attention toward the accountability of Jesus for the action of his disciples. In rhetorical terms, this shifts a potential deliberative situation between Jesus and his disciples to a judicial situation where a third party launches an accusation. When the Pharisees speak, their interpretation of the plucking of grain requires a response. It would be inconclusive for the disciples to respond, since they are simply in a learning role. Rather, the Master himself must respond. As the Pharisees speak, they exhibit a set of assumptions in a stereotypical manner characteristic of sophists and other role opposites of Socrates in Plato's *Dialogues* (e.g., The Sophist, Gorgias, Protagoras). The statement concerning "lawfulness" (*ἐξέστω*) presupposes a set of Sabbath laws either based on or deduced from Jewish Scripture. Their criticism must be met, even if they have entered the scene in a disadvantageous manner.

As the story continues in the abbreviated style characteristic of chreia composition, all the synoptic versions feature no proof by the Pharisees who state the case against Jesus' disciples. The narrator presupposes that the auditor will hear the statement as a serious charge

backed by Jewish tradition. But the absence of proof by the Pharisees leaves them in an extremely vulnerable position. As Aristotle says:

He who speaks first should state his own proofs and afterwards meet the arguments of the opponent, refuting them or pulling them to pieces beforehand.¹⁸

The narrator, however, has the Pharisees state a case without even producing the law on which the case is based, let alone applying the law to the case. Once they have stated their case, the Pharisees leave their proof unstated and allow Jesus to take the lead in the argument. When Jesus begins, then, it is not necessary for him to "first state the arguments against the opponent's speech, refuting and answering it by syllogisms . . ."¹⁹ Rather, all he needs to do is "destroy the impression made by the adversary . . . then substantiate [his] own case."²⁰ The single impression left by the Pharisees is that a law exists somewhere that makes the disciples' action unlawful. The law that lies behind this charge would not be universal, but would be a particular law from "those established by each people in reference to themselves, which again are divided into written and unwritten."²¹ It is, in fact, not entirely clear what the Pharisees would say. Deut 23:25 specifically allows a person to pluck some of a neighbor's grain: "When you go into your neighbor's grain, you may pluck the heads with your hand, but you shall not put a sickle to your neighbor's standing grain." If the concern is harvesting on the sabbath, they may quote Exod 34:21: "Six days you shall work, but on the seventh you shall rest; in plowing time and in harvest you shall rest." Reaping is the third prohibition in the Mishnah among the thirty-nine main categories of work forbidden on the sabbath,²² and interpreters regularly presuppose this to be the violation even though neither the Pharisees nor Jesus specifically say so.²³ Jesus' refutation presupposes that the Pharisees would produce, if asked, some quotation or deduction from scripture. When Jesus refers to "reading" about what David did, he attacks the impression left by the Pharisees that scripture unambiguously forbids the act performed by the disciples. The response has the following effect: if lawfulness is determined by scripture, then one must read the story about David when he and his companions ate the shewbread from the altar. But the response is not simply stated in a declara-

18. Aristotle, *Rhet.* III.xvii.14.

19. Aristotle, *Rhet.* III.xvii.15.

20. Aristotle, *Rhet.* III.xvii.15.

21. Aristotle, *Rhet.* I.xiii.1.

22. See, for example, M. Shab. VII.2 and TJ Shab. VII.2, 9c.

23. See, for example, Lohse, *σάββατον*, 20-24; Cohen, "Rabbinic Law," 91-92; and Kimbrough, "Concept of Sabbath at Qumran," 483-502.

16. Daube, "Responsibilities," 3.

17. Daube, "Responsibilities," 1-4.

tive manner. In all three versions it occurs as a question: "Have you not read what David did, when he was hungry, and those with him . . . ?" This form of response signals Jesus' establishment of stasis, a "complete stop" or stand-off:²⁴

a stasis or issue, whenever, and however it occurs, takes the form of a question which focuses the contrary views of proponents and opponents. Those presenting the better answer to the question succeed in breaking down the stasiastic impasse in their favor, and the stasis disappears.²⁵

Jesus' question establishes stasis, the "point in the proceedings at which the contesting parties [meet] 'head-on' by taking opposing positions on a question at hand."²⁶ Stasis occurs, because Jesus confronts the Pharisees with a precedent that counters the thesis that scripture is entirely on their side: scripture contains an episode where David and his companions ate bread that was unlawful for anyone but the priests to eat. How could Pharisees, who read the scriptures so carefully, have missed this story? Jesus has scored rhetorically in three ways: (1) he has cited a passage from written authority; (2) he has presented a precedent from the life of an exemplary person in Jewish heritage; and (3) he has responded in an interrogative, periodic construction that balances "*is not lawful on the Sabbath*" with a statement that David and his companions ate what "*is not lawful* except for the priests to eat."²⁷

But what kind of response is this? If the stasis or issue were one of fact, the argument may have been that the disciples looked like they were plucking heads of grain but were simply touching them. But Jesus does not dispute that they were plucking grain, nor does he dispute that it is the sabbath. If the issue were definition, the argument may have been that the plucking did not constitute work (harvesting), since they were not using a sickle. But Jesus does not address the Pharisees' presupposition that the plucking is a kind of work on the sabbath. Does the issue concern the quality of the action: that the action was allowable in a special circumstance? Is the issue jurisdiction, so that Jesus' response is a way of telling the Pharisees they have no right to make a judgment because the disciples are not their responsibility? Or is the issue a legal question: whether sabbath laws were meant to restrict certain basic activities within life? The last three possibilities must be probed as we analyze the different versions of the story.

The refutation constructed from the ingredients common to all the synoptic versions appears to address the quality of the act. But Jesus' response is not entirely straightforward. His account of the incident

destroys the impression that scripture is solely on the side of the Pharisees, but it addresses the issue with innuendo and rebuttal characteristic of epideictic rather than judicial rhetoric.²⁸ Interpreters have noticed that the Davidic incident is not a decisive precedent, since the companions of David did not procure the shewbread analogous to the disciples' plucking of grain. Moreover, the Hebrew Bible does not state that the event occurred on a sabbath, though some rabbinic traditions understood it so.²⁹ The Davidic argument is a subversion of the statement of the Pharisees rather than a decisive refutation. This is, of course, the stuff of which chreiai are made. For this reason it is important to look more closely at the argumentative use of the Davidic example. Daube has observed that the story in 1 Samuel 21 features David alone. From this observation, he suggests that the original version of the Davidic argument lacked the references to David's companions in vss 25-26.³⁰ But this approach can lead the interpreter away from the argumentative use of the example. In the Old Testament story, David goes alone to priest Ahimelech (LXX: Abimelech) and requests five loaves, or whatever is there, for young men whom he will meet to carry out the special charge with which the king has sent him to Nob (vss 1-3). The priest informs David that he has no common bread but only holy bread, and he is concerned to know if the young men have abstained from women (vs 4). David assures the priest that women are kept from all of them even when he goes on an ordinary journey, and how much more is this true on this expedition initiated by the king (vs 5). As a result of this conversation, the priest gives David the shewbread (vs 6). Daube's point is that David was alone, and this is a correct observation. The complete truth is that David never meets any young men, and he never intended to meet any. In other words, David's discussion of the young men is a ruse to get the bread. In essence, David tricked Ahimelech. But, as Bultmann has insisted, one must read the story according to principles at work in the use of scriptural passages during the first century.³¹ It appears, however, that Bultmann did not ask a fundamental question that must be asked, namely: What principle or pattern is operative in the application of the Davidic incident to the plucking incident? As James Raymond has said, "examples are, at some level, enthymemes, . . . examples are patterns inferred from one set of circumstances and applied to others."³² In other words, there is an assumption or premise underlying the use of an

28. Aristotle (*Rhet.* I.iii.4) mentions epideictic rhetoric in a setting of judicial rhetoric and a well-known example is Demosthenes' *On the Crown*. See Nadeau, "Hermogenes' *On Stases*," 376-77.

29. See, for example, BMenahoth 95B and Yalqut Shim'oni (130) to 1 Sam 21:5.

30. Daube, "Responsibilities," 4-7. And cf. Suhl, *Die Funktion*, 85.

31. Bultmann, *History of the Synoptic Tradition*, 16.

32. Raymond, "Enthymemes, Examples, and Rhetorical Method," 147.

24. See Nadeau, "Hermogenes' *On Stases*," 388.

25. Nadeau, "Hermogenes' *On Stases*," 375.

26. Nadeau, "Hermogenes' *On Stases*," 376.

27. Cf. Lane, *Gospel According to Mark*, 117.

example, and the premise that underlies the application of the David story appears to be this: the priest accepted the principle that it is appropriate for a leader whom the king has sent on a special task to insist that regular procedures be bypassed in order to provide food for the men for whom he has responsibility.³³ The priest accepted this principle when David used it with him, so the Pharisees should now accept the principle.

Identifying the principle operative in the application of the Davidic example takes the interpreter a step closer to the stasis or issue of the case. In the common synoptic version, the issue is, as mentioned above, not fact or definition, but quality. Since the stasis of quality in the common version concerns an act rather than a written law, the stasis occurs at a rational (λογική) rather than legal (νομική) level.³⁴ In other words, since the Pharisees have not cited a specific law, and Jesus does not respond to a law upon which he presupposes they have based their charge, the issue is not the intent or letter of a certain law but some matter of logic (rational stasis) concerning the act. Within this rational realm, Jesus responds with a counterproposition (ἀντίθεσις) which admits that the act was unlawful.³⁵ Jesus admits the unlawfulness when he emphasizes that David and his companions ate what was unlawful for anyone but the priests to eat. When, however, a defendant admits the unlawfulness of the act, it is natural to shift the blame on something or someone else (μετάστας).³⁶ Instead, Jesus draws attention to his own presence through an inference (συλλογισμός) from the "concept of the equal" (ἀπὸ τοῦ ἴσου).³⁷ Herein lies the feature which gives Jesus' response the rhetorical quality so well exemplified in chreiai. The response is based on an inference that the Pharisees did not register firmly enough in their minds that Jesus was there with the disciples. The response, then, is not only, "Have you never read what David did," but it implies: "Hey, you must not have seen *me* here with them." The Pharisees have presented the case that the disciples have plucked grain contrary to the law. Jesus' rebuttal implies that the situation in which the disciples acted is equal to the situation David and his companions faced. Since the priest permitted David and his companions to have the bread, the action of the disciples is also permitted, even if by definition it is

33. Cf. Lane, *Gospel According to Mark*, 117.

34. See Hermogenes 37,20 and the English translation in Nadeau, "Hermogenes' On Stases," 393.

35. See Hermogenes 38,16–18 and the English translation in Nadeau, "Hermogenes' On Stases," 394.

36. See Hermogenes 39,6–9 and the English translation in Nadeau, "Hermogenes' On Stases," 394.

37. See Hermogenes 89,16 and the English translation in Nadeau, "Hermogenes' On Stases," 418.

illegal. This is the standard function of inference as explained by Hermogenes: inference (συλλογισμός) opposes definition (ὅρος) by suggesting that the act is different from that which is not permitted by law.³⁸ Inference distinguishes, then, between "that which is illegal" and "that which is not permitted."³⁹ The disciples' act may be illegal, but, as can be seen from the Davidic incident, it is not among those items which are never permitted.

This approach to the story opens another issue. Each synoptic version concludes the story with the saying: "the Son of man is lord of the Sabbath." Why? Our analysis suggests that this saying takes the rational stasis one step further by having Jesus shift the blame⁴⁰ (μετάστας) explicitly to himself. Prior to the occurrence of the saying, a shift of blame is perhaps implicit, but the argument is that the plucking situation is equal to the Davidic situation. When the saying is present, Jesus explicitly shifts the blame from the disciples to himself, and the implication is that the blame has shifted to someone who has appropriate attributes to take the blame. In this stage of the tradition, "the Son of man" would be a third person circumlocution for a first person reference. Jesus would use the phrase "the Son of man" out of a "desire to express himself equivocally," exhibiting a conventional form of humility in a statement filled with certitude that he has the right to do what he is doing.⁴¹ The use of both the Davidic precedent and the saying that the Son of man is lord of the sabbath presupposes that a person who has special responsibilities has the right to act in special ways for his own sake and the sake of his companions.

In a number of ways, the features of the common synoptic version reflect dynamics of the Q material. The appeal to David functions as an analogy much as the appeal to Noah (Matt 24:37–39/Luke 17:26–27), Jonah (Matt 12:41/Luke 11:32), and Solomon (Matt 12:42/Luke 11:31) in Q. In addition, the use of the term κύριος is noticeable (Matt 7:21/Luke 6:46; Matt 8:8/Luke 7:6; Matt 8:21/[Luke 9:59]), and the saying that the Son of man is κύριος of the Sabbath has a tone similar to "leave the dead to bury the dead" (Matt 8:22/Luke 9:60), especially after those who have addressed him have called him κύριος. What is lacking in Q is sabbath controversy and reference to David. Solomon, the model of wisdom, attracts the attention in the Q tradition (Matt 12:42/Luke 11:31; Matt 6:29/Luke 12:27), rather than his father David who was known for his

38. See Hermogenes 60,10–12 and the English translation in Nadeau, "Hermogenes' On Stases," 404.

39. See Hermogenes 88,17–18 and the English translation in Nadeau, "Hermogenes' On Stases," 417.

40. See Hermogenes 39,6–9 and the English translation in Nadeau, "Hermogenes' On Stases," 394.

41. See Vermes, "Appendix E," 324.

military strength. Also, the Q material, at least in its "minimal" version, contains no units featuring accusation that Jesus or his disciples engage in unlawful activity on the sabbath.⁴²

It is informative to ask if there could have been a Q version of the story of the plucking of grain. There are six features shared by Matthew and Luke against Mark: (1) a statement in the initial verse that the disciples were "eating" the grain that they plucked; (2) εἶπαν ("they said") as the verb introducing the statement of the Pharisees; (3) emphatic reference to "sabbath" at the end of the Pharisees' statement; (4) εἶπεν ("he said") introducing the speech of Jesus; (5) emphatic assertion that the shewbread was for the priests "only"; and (6) word order in the final verse that places ὁ υἱὸς τοῦ ἀνθρώπου ("the Son of man") in emphatic final position. These features would bring the disciples' action one step closer to the Davidic example (they were eating the grain they plucked), emphasize "sabbath" as the issue (emphatic position in the speech of the Pharisees and Jesus), and highlight the right of David and those with him to eat something for the priests *only*. This could mean that the sabbath was the central issue rather than the Son of man. In other words, the story would take its place alongside other traditions which exhibit Jesus' authority over funerals ("leave the dead to bury the dead") and over illness ("Lord, . . . say the word and my servant will be healed": Matt 8:8/Luke 7:6-7). Along with this, the activity of the disciples will support the view that a disciple will not be above his teacher, but he will be like him (Matt 10:24-25/Luke 6:40). The conclusion of the story with the reference to the Son of man will suggest that Jesus is greater not only than Jonah (Matt 12:41/Luke 11:32) and Solomon (Matt 12:42/Luke 11:31) but also is greater than David. The Davidic incident might also suggest that just as David was freed from "holiness" restrictions when he was wandering without a home with his associates, so Jesus is free from sabbath restrictions as he travels around as "the Son of man who has nowhere to lay his head" (Matt 8:20/Luke 9:58). The Son of man and his disciples, then, lack not only the comforts available to foxes and birds, but they also lack some of the restrictions of domesticated life.

Even though it seems likely that the story existed in a Q form, it is impossible to know if it ever existed in its "common synoptic" form. At the stage in which the Son of man saying stands as a conclusion to the Davidic example the story has the nature of a controversy story that functions with christological dynamics consonant with the Q tradition.

42. Edwards, *A Theology of Q*, presents a "minimal" version of the Q material in this pericope. For those unwilling to talk about Q material, they should nevertheless explore the christological dimensions in the material that shows minor agreements between Matthew and Luke against Mark. If an interpreter discusses this material as representative of a certain "edition" of the synoptic material, he or she may still see its significance in the development of synoptic tradition.

It appears that the story with the six features shared by Matthew and Luke against Mark was present in a late edition of the Q material. If Mark did not have access to a version of the Q material, his source for the story (perhaps Mark 2:1-3:6)⁴³ evidently adapted it from an edition of Q which contained the Son of man saying.

In summary, the constituents in the "common synoptic" version point to a story that features Jesus' defense of the disciples with an incident during David's flight from Saul. The priest of the sanctuary at Nob consented to bypass the prescriptions for the shewbread when David forced his hand with a pretension that he was under a special charge from the king and that he had a group of men under his command. In this setting, David put the kind of leverage on the priest that Jesus is putting on the Pharisees. As David used an aggressive argument to justify a variation from established prescriptions, so Jesus uses an aggressive argument that implies that the plucking occasion is equal to the Davidic occasion, that the Pharisees evidently have never read the Davidic story, and that they have misjudged the importance of Jesus' presence with the disciples. His argument is a tour de force analogous to David's encounter with the priest. This kind of audacity the conclusion makes explicit: "the Son of man is lord of the sabbath." When this saying is present as a conclusion, the story contains a range of dynamics similar to units in Q tradition. From the minor agreements of Matthew and Luke against Mark, it appears that a version of the story existed in a later edition of Q material. If Mark did not get the story from an edition of Q, he evidently found it in a "controversy story" source that had adapted the story from a version of Q.

2. The Search for the Original Form

Our analysis thus far could suggest that the most original version simply featured the disciples' plucking of grain on the sabbath, a statement by Pharisees that the act was unlawful, and a response by Jesus with the analogy of David's procuring of the shewbread. This form of the story would have a chreia-like quality that would support its preservation and bring it into circles of the Jesus movement associated with the Q tradition. Without the Son of man saying as a conclusion, the stasis of the story would reside in the periodic formulation that ended with "not lawful except for the priests to eat." Roloff considers the form with the Davidic argument to be the most original form. He stresses the veiled allusion to David/Jesus typology and an inference *a minori ad maius*.⁴⁴ Without the Son of man saying, however, it would be wrong to

43. See Kuhn, *Ältere Sammlungen*, 53-98.

44. Roloff, *Das Kerygma*, 52-62.

claim that the argument is that Jesus is "greater than David." Rather, the argument would be that he is "equal to David." Only with the presence of the Son of man saying would the argument become lesser to greater, as do the comparisons with Jonah (Matt 12:41/Luke 11:32) and Solomon (Matt 12:42/Luke 11:31) in Q.

In 1832 H. A. W. Meyer observed that David's example does not explicitly refer to the sabbath. He suggested, therefore, that Jesus had responded to the Pharisees in two steps: first answering the issue about the law (Mark 2:25-26); then addressing the issue about the sabbath (Mark 2:27-28).⁴⁵ Boismard has suggested that the original story did not presuppose that the disciples plucked the grain *on the sabbath*, since Jesus' response with the Davidic example did not address the topic of the sabbath. The Pharisees, therefore, reproached the disciples simply for plucking someone else's grain, and Jesus defended their action with the Davidic example. This would mean that the Pharisees are viewed as more restrictive than the Deuteronomic prescription, and Jesus illustrated his magnanimity against the Pharisees' restrictiveness.⁴⁶ Suhl proposes the more likely thesis that the earliest form of the story was a sabbath controversy and Jesus' response with the Davidic example expanded the issue beyond the sabbath to the law itself.⁴⁷

From a rhetorical perspective, interpreters who consider the Davidic example to have been an integral part of the early form of the story see some principle of analogy at work in the earliest form of the tradition. The analogy would lie between the Davidic situation and the situation in which Jesus' disciples pluck grain. Since analogy is a form of induction, these interpreters are emphasizing an inductive form of reasoning in the earliest form that uses an example to refute the accusation by the Pharisees. Another group of interpreters reconstructs the earliest form by removing the Davidic example and accepting the unique Markan saying to arrive at an argument which contains deductive reasoning. In other words, when E. Klostermann first proposed that Mark 2:23, 24, and 27 were the original framework of the story,⁴⁸ he set the implication in motion that the earliest form of the tradition contained a logic based on deduction rather than induction. In rhetorical terms, the proposal suggests that the earliest form had the nature of an "enthymematic chreia."⁴⁹ An enthymematic chreia produces a rhetorical syllogism and has the force of a logical syllogism. In this instance the syllogism would be:

General premise: The sabbath was made [by God] for the sake [needs] of man, not man for the sabbath.

Concrete premise: The disciples plucked grain out of need [hunger].

Presupposed Conclusion: Therefore, the disciples did not violate God's purpose for the sabbath.

Here, the rationale for the action of the disciples is a deduction based on the sequence of creation and the hierarchies established with that sequence. The implication of this version is that if Jesus' view was radical for his day, at least it contained decisive logic. Bultmann takes this "enthymematic approach" one step further by proposing that Mark 2:27 was an "independently circulating saying."⁵⁰ In this form, it was free to function as the premise both for a situation where the disciples plucked grain on the sabbath and for a conclusion in an enthymematic couplet in which "Son of man" meant "man." This could mean, then, that Mark 2:27-28 would have the force of a rhetorical syllogism in which the general premise is so obvious that it would never be stated:

Presupposed General premise: That for which something was made is master over that which was made for it.

Concrete premise: The sabbath was made for man, not man for the sabbath.

Conclusion: Therefore, man is master of the sabbath.

Going yet one step further, Bultmann suggested that early Christians used the Davidic incident apart from its present context in controversies of the early church. With this approach, all the units of the composite story have emerged enthymematically. Either, as Bultmann says, vs 27 was the original answer to vs 23-24 (in our terms forming an enthymematic chreia with an underlying syllogism according to the first example above) and vs 28 was a natural continuation of vs 27 (expanding the enthymematic premise into an enthymematic couplet at the end, with the Son of man meaning "man," as in the second example above), or vs 27-28 already existed as an enthymematic couplet prior to their introduction into the Markan context (as in the second example above). At a later stage, kerygmatic impulses brought the enthymematic units together in a composite setting created by the community.⁵¹

This approach to the reconstruction of the tradition presupposes that "enthymematic" (deductive) reasoning will be earlier and more original, and "analogical" (inductive) reasoning will emerge as early Christians preach "Jesus" rather than "Jesus' message." But there are many difficulties with such an approach. Bultmann's analysis begins with an

45. Meyer, *Markus*.

46. Boismard, *Synopse des quatre evangiles*, 116-17.

47. Suhl, *Die Funktion*, 86.

48. Klostermann, *Das Markusevangelium*, 29.

49. See Theon 208,4-10.

50. Bultmann, *History of the Synoptic Tradition*, 16.

51. Bultmann, *History of the Synoptic Tradition*, 16-17.

observation that the Pharisees object to the actions of Jesus' disciples rather than Jesus himself. This feature is a clue, from his perspective, that the situation was created by early Christians. To be sure, early Christians are narrating all of these situations, but there is no substantial reason to doubt that Jesus regularly was attended by disciple-companions, and there could have been an occasion when someone raised a question about the actions of those around him. Second, there is no special reason to suggest that Jesus' response to a question about the activity of his disciple-companions would satisfy the requirements for a decisive rabbinic argument. Our best evidence suggests that Jesus came from a region of Galilee known for Jewish figures like Honi the Circle-Drawer and Hanina ben Dosa whose traditions suggest idiosyncratic activities and statements rather than decisive halakhic arguments, and there is no evidence that Jesus sought the kind of training available in a setting like the Houses of Hillel or Shammai in Jerusalem, or that settings like these were available in Galilee.⁵² Third, it is probably fortuitous, though natural because of the lack of 'logical fit,' to argue that the Davidic example was initially associated with a different setting and transported to the setting of the Plucking of the Grain.⁵³ The kind of tour de force that results from the use of the Davidic example is not unusual in chreiai outside New Testament tradition,⁵⁴ and it is not uncommon in other gospel traditions to depict Jesus responding with aggressive, but less than decisive, remarks.⁵⁵ Fourth, the presence of the Davidic example in every performance of the story available to us suggests that it contained dynamics that gave it good rhetorical strength as a response to the charge against the disciples. Fifth, it would be wrong to suggest that the situation was created for the Davidic example or the sabbath or Son of man sayings, because none of them contains a reference that implies the special circumstances of the plucking situation. Sixth, argumentative use of stories and sayings regularly moves them toward a more enthymematic, deductive form, since this form, as Aristotle observed, is more decisive. To be sure, Aristotle says that the most suitable form of judicial argument is the enthymeme, since demonstration is possible for past fact.⁵⁶ Therefore, it would be better for Jesus to respond with an enthymeme than an example. But just because it would be better does not necessarily make it the key for reconstructing the earliest form of the

52. See, for example, Vermes, *Jesus the Jew*, 69–82 and Vermes, *Jesus and the World of Judaism*, 1–14.

53. See Bultmann, *History of the Synoptic Tradition*, 16 and Taylor, *Formation of the Gospel Tradition*, 81.

54. See, for example, Robbins, "Pronouncement Stories," 56–58.

55. For examples, see Silberman, "Schoolboys and Storytellers," 110–15 and Carson, "Jesus and the Sabbath," 62.

56. Aristotle, *Rhet.* III.xvii–xviii.

tradition. In essence, Bultmann was functioning as his own Aristotle when he accepted the separation of the Davidic example from the plucking situation and reconstructed the history of transmission so that the earliest units were enthymematic in form.

In summary, it is a highly suspect procedure to reconstruct the history of the tradition so that units and forms containing deductive logic, which may depend on features unique to one gospel, are asserted to be earlier, and by this means to argue that a chreia-like situation and response in the unit are "composite" in nature. Rather, the earlier stages of tradition may be expected to reflect "tacit assumption," "unstated premise," and tour de force which are bolstered by various forms of rationale and argumentative strategies in later stages. The earliest form of the tradition, therefore, is likely to be found in the plucking situation, the statement of the Pharisees, and Jesus' response with the Davidic example. At a later stage, the Son of man saying functioned as a conclusion, and various forms of rationale and argumentation were added.

3. The Version in Mark 2:23–28

The Markan version of the story has four distinctive characteristics. First, the opening comment asserts that Jesus was *παραπορεύσθαι διὰ τῶν σπορίμων* ("passing alongside through the grainfields") and that his disciples began *ὁδὸν ποιεῖν τίλλοντες τοὺς στάχυας* ("to make a path [or road] plucking the heads"). In the midst of these comments, there is no statement that the disciples were hungry or were eating the grain. Second, the Pharisees put their statement in the form of a question to Jesus: "Look, why are they doing on the sabbath what is not lawful?" Third, the Davidic example contains the statement that David did this "when he was in need," and it ends with the comment that "he gave also to those who were with him." Fourth, among Jesus' statements to the Pharisees is a saying found nowhere else in the New Testament: "The sabbath was made for the sake of man, not man for the sake of the sabbath" (Mark 2:27).

Scholars have said much about the disciples' "making a path." After the initial attention to the clause by Meyer, B. Murrelstein supported the appropriateness of Jesus' use of the Davidic example not only through rabbinic traditions that presupposed the occurrence of David's action on the sabbath but also through a tradition where the king is allowed to make a road and none may protest against him.⁵⁷ In rhetorical terms, then, the "situation" in the Markan version may be significantly different from the other synoptic versions. In Mark, according to Murrelstein, the disciples may be making a road for the king on the

57. See, for example, BSanh II.4 as discussed in Murrelstein, "Jesu Gang."

sabbath. Thus, the selection of a Davidic example is especially apposite. When David had a special need during the time he was establishing himself as king, the priest at Nob gave him holy food on the sabbath even though the prescriptions for the use of the bread forbade its consumption by anyone but the priests. When Jesus (the provisional messianic king) has a special need on the sabbath, his disciples make a path for him. As long as they do not use a sickle, they are not violating Deut 23:25, and as long as they are serving the needs of Jesus, their action is supported by 1 Samuel 21.

Recently, Derrett has revised Murrelstein's analysis by giving attention to the verb "to pass alongside." For Derrett, this verb refers to "bypassing" a town in order not to violate the quadrilateral sabbath limits. A person would bypass on footpaths that had been sown over during planting but ones that the public had to reopen if they were to remain as paths. The disciples were stripping the heads with their fingers (*τίλλειν*) as they walked along the path, opening it for themselves and Jesus, and they undoubtedly ate some of the grain and even gave Jesus some of it to eat. The Pharisees object, according to Derrett, for three reasons: (a) the disciples' making of a path undoubtedly flattened furrows, which was forbidden on the sabbath, and the Pharisees may even have objected to the principle of "bypassing"; (b) the disciples were simply "wasting" the grain; and (c) the action of the disciples was analogous to threshing.⁵⁸

It is difficult to know what to do with this line of interpretation. On the one hand, the comments in the opening of the Markan story seem to reflect nuances that the interpreter should attempt to uncover. On the other hand, the conclusions of Murrelstein and Derrett leave the impression of "over-interpretation," though they are pursuing an important direction of thought. A suggestion will be made for a possible resolution at the end of this section.

In Mark, the Pharisees state their case against the disciples' action in the form of a question to Jesus: "Look, why are they doing what is not lawful on the sabbath?" This gives the story the nature of a pre-trial inquiry or an initial interrogation, which would be consistent with the legal requirement of M. Sanhedrin VII.8 that a warning be given prior to prosecution for a sabbath violation.⁵⁹ The person who begins an interrogation should ask a question that is advantageous to himself.⁶⁰ This question is advantageous to the Pharisees only if a person has a positive disposition toward them as interpreters of scripture. This is not a

58. Derrett, "Judaica in St. Mark," 6-8.

59. Cf. Lane, *Gospel According to Mark*, 115.

60. Quintilian gives this advice in *Inst. Orat.* V.vii.16.

"gentle" question, but an aggressive question that asserts that the disciples' action is unlawful and demands a rationale.

When Jesus provides a rationale, he emphasizes at the beginning that David did this "when he was in need and he himself was hungry and those with him." Then at the end of the story Jesus emphasizes that David did not only eat the shewbread himself, but "gave some also to those with him." These emphases are surely the clue to the argumentative use of the example in Mark.⁶¹ Interpreters rather uniformly feel that the emphasis upon David's eating of the bread in the example has been the occasion for developing the eating features. What the interpreter must do in addition, however, is pursue the significance of these emphases within the narrative purpose of the Gospel of Mark.⁶² These emphases must be kept in mind, therefore, as we move to the remaining parts of the Markan version.

The Markan version ends with an enthymematic couplet in syllogistic form:

Premise: The sabbath was made for man, not man for the sabbath.

Conclusion: Therefore (*ὥστε*) lord is the Son of man even of the sabbath.⁶³

These sayings provide a new turn in the story, and the introduction of them with *καὶ ἔλεγεν αὐτοῖς* ("and he said to them") indicates the narrator's awareness of this. The shift results from focussing attention upon God's institution of the sabbath and making the Son of man's authority derivative in some way of God's purpose for the sabbath. The question

61. Cf. Lane, *Gospel According to Mark*, 116-17.

62. Interpretation of the Davidic example in Mark regularly focusses attention on the inaccurate reference to Abiathar as highpriest. Wenham ("Mark 2,26," 156) has suggested the statement functions like *ἐπὶ τοῦ βάρου* ("in the passage about the bush") in Mark 12:26 and refers to the passage concerning the burning bush. In accord with this, *ἐπὶ Ἀβιαθάρ* would refer to the section of Samuel dealing with Abiathar's loyalty to David (1 Sam 21:20) that led to his appointment as highpriest by David. Derrett ("Judaica in St. Mark," 9), however, suggests that the statement means "in front of Abiathar" and emphasizes that the crucial person at Nob was Abiathar, the son of Ahimelech, because he saw David do this and never suggested that it was wrong by some later requirement of recompense after David appointed him highpriest. A third possibility could move in a similar direction. The earliest form of the tradition, emerging in oral tradition either with Jesus or some early Christians, or with Mark, simply associated Abiathar with this instance, since he was the famous priest from Nob who became David's highpriest.

63. Roloff (*Das Kerygma*, 58-62) has argued that vs 27 is the premise for vs 28, whereas Schweizer (*Good News According to Mark*, 39-40) has argued that vs 28 originally formed the premise for vs 27. D. Nineham (*Saint Mark*, 116, n. 1) suggests that Mark 2:27 makes explicit the principle implied in the action of David. Suhl (*Die Funktion*, 86) proposes that Mark inserted 2:27, which weakened the sabbath commandment to situations in which people are in need.

then is: How is the Son of man's lordship over the sabbath derivative of God's institution of it for man? Following Roloff's interpretation,⁶⁴ a person might suggest that the Davidic story provides the middle premise in the following way:

- (a) The sabbath was made for man, not man for the sabbath.
- (b) David was lord over the sabbath and gave to those with him [the right to eat the bread].
- (c) Thus, how much more is the Son of man lord of the sabbath [and gave to those with him the right to pluck the grain].

The weakness of this suggestion lies in the lack of assertion that David got the bread on a sabbath. The strength of the suggestion lies in the special Markan emphasis that David gave "also to those with him" (Mark 2:26), which is balanced by the assertion that the Son of man is lord "also of the sabbath" (Mark 2:28). The special role of "the Son of man," then, would be to *transfer to those over whom he has authority rights that belong especially to him*. In this way, the disciple would become like his teacher.

If one pays closer attention to the special emphases in the Markan recitation of the Davidic example, however, a slightly different understanding emerges. The stasis in Mark may be slightly different from what it is in the reconstructed synoptic version or the posited earlier versions when Jesus asserts that David "was in need" (Mark 2:25). This remark may indicate that Jesus is introducing a counterplea (*ἀντίστασις*) that argues that the disciples' act produced a benefit.⁶⁵ The benefit arises because there was a need and the disciples' action met that need. If the counterplea is being pursued in the enthymematic couplet at the end, the underlying syllogism would be something like this:

General Premise: The sabbath was made by God for man.

Presupposed Concrete Premise: The Son of man came with God's authority to serve man with that which God created for man.

Therefore, the Son of man is lord even of the sabbath [so that he has the authority to use it to serve the needs of man].

The missing premise, then, would be amazingly close to Mark 10:45: "For the Son of man came not to be served but to serve. . . ." If the interpreter wishes to pursue this further in the opening verse of the story, he or she may suggest that the disciples' "making a path" produces a benefit for Jesus, because he is able to walk along the path they make. If one pursues this angle, the action of the disciples prior to the triumphal entry

64. *Das Kerygma*, 52–62.

65. See Hermogenes 38, 21–39 and the English translation in Nadeau, "Hermogenes' *On Stases*," 394.

is an interesting parallel, since Jesus tells them that when they are asked, "Why are you doing this" (Mark 11:3: *τί ποιεῖτε τοῦτο*; cf. Mark 2:24), they should respond, "His lord has need of it" (*ὁ κύριος αὐτοῦ χρεῖαν ἔχει*; Mark 11:3; cf. Mark 2:25, 28). In addition, the scene concerning the disciples' action with the colt brings forth not only reference to the title *κύριος* (Mark 11:3 and "Blessed is he who comes in the name of *κύριος*": Mark 11:9) but also reference to David ("Blessed is the coming kingdom of our father David": Mark 11:10). Also, the Markan Jesus asserts in his discussion of the scribes' understanding of the Messiah that "David himself calls him lord" (*κύριος*). If the interpreter looks for premises and conclusions asserted in other parts of the Markan narrative to understand what is presupposed in the middle premise, then, it is possible to suggest that the constellation of references to "David," "having need," "the Son of man," and "lord" may reflect a pattern of thought that is part of Mark's understanding of the Son of man as one who serves, who teaches his disciples to respond to needs, and who has authority grounded in expectations and assertions associated with David.⁶⁶

In relation to this analysis, Lane's emphasis on Mark 2:28 as the conclusion to the preceding action and speech in the Plucking Story is highly suggestive. His final comments on the pericope suggest an underlying syllogism as follows:

General Premise: "God instituted the Sabbath for the sake of man."

Concrete Premise: "Jesus' act and word established the true intention of the Sabbath and expressed the weakness of a human system of fencing the Law with restrictions."

Conclusion: "So then the Son of man is Lord of the Sabbath."⁶⁷

The effect of Lane's proposal is to suggest that there is a gain in the middle premise that comes from reflection on the effect of Jesus' action and speech. This is important for two reasons. First, our probe of underlying syllogisms is not an attempt to reduce the stories and sayings to syllogistic logic and reasoning. Rather, it is an attempt to position the statements so that a person can define more sharply their argumentative force. The base of a syllogism is, after all, tautological. In contrast, moral,

66. I do not agree, then, with interpreters who suggest that Mark considered beliefs associated with David to be "false christology." Rather, Mark supports his point of view through careful use of Davidic example (Mark 2:25–26), through application of the title "Son of David" to Jesus (Mark 10:47, 48), through reference to David's kingdom (Mark 11:10), and through explicit citation of David's speech with interpretation (Mark 12:36–37). It is quite wrong for an interpreter to assert a meaning for the last two clauses in Mark 12:37 which overlooks the premise presupposed by the narrator that "David himself called the Messiah Lord." For further support of this position, see Robbins, "Healing of Blind Bartimaeus."

67. Lane, *Gospel According to Mark*, 120.

ethical, and religious reasoning regularly shows a "gain" between the initial premise and the conclusion.⁶⁸ These "gains" often have been implied by the square brackets and the added phrases that keep the reconstructed forms from being reductions to formal logic. Second, Lane's comments exhibit the creative tension between the rhetoric "in" the story and the rhetoric "of" the story in the Markan narrative.⁶⁹

For the most part, we have attempted to probe the rhetoric "in" the story of the Plucking of the Grain. At the point where we discussed the function of the form "in a Q environment," we probed the possible rhetoric "of" the story in a setting where references to Jesus as "Son of man" and "lord" and sayings about "foxes and birds," "leaving the dead," and "healing by your word" were known and used. At the present point in our analysis, we have moved to the rhetoric "of" the story in the Gospel of Mark. This is also the move Lane has made when he says that "the Son of man" in Mark 2:28 should be interpreted by analogy to Mark 2:10, where the Son of man has authority to forgive sins on earth.⁷⁰ Lane's comments should call to mind that the rhetoric "of" the story occurs in a domain where Jesus has healed a leper and told him to offer for his cleansing "what Moses commanded" (Mark 1:44), a context which establishes a certain credibility (*ῥῆθος*) for Jesus in the realm of Mosaic legislation. Then Jesus has engaged in what might be called "law reform." After forgiving a paralytic's sins and healing him (Mark 2:1-12), and defending his eating with tax collectors and sinners (Mark 2:13-18), he justifies the disciples' failure to fast with an argument that "new wine is for new wineskins" (Mark 2:22; cf. "new" teaching in Mark 1:27). The next story is the account of the Plucking of the Grain, in which, Lane suggests, Jesus' act and word "established the true intention of the Sabbath and exposed the weakness of a human system of fencing the Law with restrictions."⁷¹ In rhetorical terms, Lane is suggesting that the stasis "of" the story in its narrative setting is "legal question."⁷² In other words, the reader of the Markan sequence would grasp that laws are being reformed. In the Plucking Story, then, the "letter" of the law about "reaping" on the sabbath has been reformed according to the "intent" of the law. The basic stasis of the overall story, then, occurs when Jesus asserts that God never meant to deprive people in need when he insti-

68. I am grateful to my graduate assistant Russell Sisson for emphasizing this in our discussions. See Holmer, *Grammar of Faith*, 44-80, 136-58 as well as his *Making Christian Sense*, 98-118.

69. I am indebted to Thomas M. Conley, a specialist in ancient and modern rhetoric in the Department of Speech Communication at the University of Illinois, for this distinction.

70. Lane, *Gospel According to Mark*, 120.

71. Lane, *Gospel According to Mark*, 120.

72. See Kennedy, *New Testament Interpretation*, 19.

tuted the sabbath. This view is surely correct. There is an additional feature, however, that emerges from the saying about the Son of man. After the "intent" of the law has been established through the saying that God instituted the sabbath "for man," the Son of man saying appears to take the stasis yet one step further to "jurisdiction":⁷³ the Pharisees are out of their domain when they attempt to make a judgment in the arena where the Son of man is in charge. In the domain of Jesus' activity, the Pharisees lose their competence to apply scripture appropriately, because their frame of reference does not move beyond the halakhic interpretation of scripture, that amounts to an interpretation of the letter rather than the intent of God's laws in his created order.

The overall rhetoric of the story, then, redefines sabbath law and takes it out of the jurisdiction of Pharisees. This redefinition may serve a deliberative function in early Christianity, guiding people's action in the future, or it may serve a judicial function, guiding people's judgments of actions that other people have performed. Since the action of the disciples is grounded in the purpose for which God instituted the sabbath, there is a broad foundation for deliberation about action on the sabbath in the future. Since a specific judgment is made about a specific action, this story may function as a precedent by which to judge other actions. It is not accidental, then, that this story receives close attention in discussions that use Jesus' view of the sabbath to establish guidelines for advising about appropriate sabbath activity and for judging certain activities to be inappropriate.⁷⁴

4. The Version in Luke 6:1-6

In contrast to the Markan version, the Lukan version does not develop the rhetoric "in" the story with special rhetorical figures. Rather, Luke tells the story with "special touches" in a style characteristic of abbreviated composition in chreiai. At the beginning of the story, Luke makes it clear that the disciples were plucking and eating the heads of grain, and he ends the sentence with an assertion that they were doing this by rubbing the heads "in their hands." The statement about the plucking and eating indicates that the disciples were not wasting the grain, and the emphatic placement of "in their hands" suggests that the narrator is aware of the special provision in Deut 23:25 (LXX: Deut 24:1) for a person to gather *ἐν ταῖς χερσὶ σου σπάχυσ*, "a head in your hands." The composition of this verse, then, emphasizes that the primary issue is sabbath work, that the disciples were not needlessly wasting the grain, and that their action was permitted by law on any day other than the

73. See Kennedy, *New Testament Interpretation*, 19.

74. Cf. Carson, "Jesus and the Sabbath."

sabbath. In accord with this approach to the story, the narrator emphasizes that the issue is sabbath activity by placing "on a sabbath" in an emphatic initial position after ἐγένετο δέ ("and it happened") in the opening verse (Luke 6:1) and "on the sabbath" in an emphatic final position in the Pharisees' question (Luke 6:2). The response to the sabbath issue, then, is skillfully met in the final verse as "of the sabbath" stands between "lord is" and "the Son of man." Only the Lukan version arranges all of these features in this manner. The result is a neatly constructed progression that emphasizes the occurrence of the incident on the sabbath and its justification through the lordship of the Son of man.

Jesus' recitation of the Davidic incident in Luke occurs in response to the Pharisees' query of the disciples rather than Jesus. This is a nice compositional touch, found only in Luke, that emphasizes that the Pharisees hold Jesus responsible for the actions of the disciples in this situation, and not the disciples themselves. When Jesus speaks in defense of his disciples, his opening comment is especially strong when, after the Pharisees have asked the disciples, "Why are you doing . . .?", Jesus intervenes with "This, have you not read, which David did . . .?" As Jesus recites the Davidic incident he states that David "took," "ate," and "gave" the loaves to his companions. Again this is a special touch, emphasizing that David "took" the loaves, rather than being given them, but "having taken them," he gave them to his disciples in a manner that evokes eucharistic imagery which reappears in the feeding of the five thousand (Luke 9:16-17) and the Last Supper (Luke 22:19). Then the recitation of the Davidic incident ends with an emphasis that the loaves were not lawful for anyone to eat "except *only* the priests." This feature, found also in Matthew, emphasizes that a person must realize the weightiness of what David did: David indeed took something that was meant "only" for the priests. The final saying then comes as a quick conclusion: And he said to them, "Lord of the sabbath is the Son of man."

The Lukan version, then, is an excellent example of decisive chreia composition in abbreviated style. The narrator has no interest in elaborating any of the internal features of the story. Rather, the story is to function as a παράδειγμα ("example") that exhibits Jesus' lordship over the sabbath. Any skillful reader will see the care with which the disciples enacted a more humane version of the halakhic law that prohibited reaping on the sabbath. Also, he or she will see how Jesus defended a more humane version of the law with a story in which David used items from the temple for the benefit both of himself and others, rather than allowing them to serve the needs of the priests only. This approach to the story may remind a Hellenistic reader of reforms of

sanctuaries and rituals like those attributed to Apollonius of Tyana.⁷⁵ It also reminds a person of the use of παραδείγματα ("examples") in biographical literature of the first and second centuries C.E. This approach is characterized by an interest in the rhetoric "of" the story as a paradigm of a person's activity rather than internal elaboration of the story. Once the author has carefully established the ethos of the person in whom he is interested through the standard τόποι ("topics") surrounding his birth, youth, and young adulthood (Luke 1-4:13),⁷⁶ the purpose of the person's activity is set forth in a scene that inaugurates his adult career (Luke 4:16-30),⁷⁷ then large units of material featuring παραδείγματα ("examples"), ἀπομνημονεύματα ("reminiscences"), and speeches gradually extend and elaborate the issues as the author carries out the overall goals for the account. For Luke, the Plucking of the Grain is next to last in a series of stories leading up to Jesus' appointment of twelve disciples (Luke 6:12-16) and his Sermon on the Plain (Luke 6:20-49). In this position, it helps to provide the narrative context in which Jesus can conclude a speech to "a great crowd of his disciples and a great multitude" (Luke 6:17) with an appeal which asks: "Why do you call me 'Lord, Lord,' and do not do what I tell you? . . ." (Luke 6:46).

These observations support the general consensus that Luke's version of the story is especially "christological," with its quick movement to the final saying that the Son of man is lord of the sabbath.⁷⁸ The emphasis on the authoritative nature of Jesus' activity makes it difficult to say if the final saying is something the reader should deduce from the story as a conclusion,⁷⁹ or whether the christological assertion is really a premise that allows the narrator to tell the story in such an abbreviated style. If the final saying functions as a premise, the underlying reasoning is something like this:

General Premise: The Son of man is lord of the sabbath.

Presupposed Concrete Premise: The disciples have done what the Son of man permits them to do.

Conclusion: Therefore, the disciples have not violated the sabbath.

The rhetorical function of παραδείγματα ("examples") of this length, however, usually is to restate a premise in the same context in which

75. See Philostratus, *Life of Apollonius* IV.21-30.

76. See Talbert, "Prophecies of Future Greatness."

77. Cf. Plutarch, *Alexander* 14.1-9.

78. Neirynck, "Jesus and the Sabbath," 230; Banks, *Jesus and the Law*, 116; and Carson, "Jesus and the Sabbath," 68.

79. Banks, *Jesus and the Law*, 121; Grundmann, *Das Evangelium nach Lukas*, 135-36; Schmid, *Das Evangelium nach Markus*, 127 and Doeve, *Jewish Hermeneutics*, 165.

they support the premise inductively. Since the internal argumentation is so succinct, the story confirms beliefs that are already held more than it provides a base for specific decisions about future action. The rhetoric "of" the Lukan version, therefore, is noticeably epideictic. By showing that activity associated with Jesus must be accompanied by a new approach to sabbath laws, it confirms the first part of the final comment in the preceding story that "new wine must be put into new wineskins." Also, by showing the Pharisees, who know the old laws, possessing no desire for new laws, it supports the final part of the comment that "no one after drinking old wine desires new; for he says, 'The old is good.'" The contribution of the story, then, is to strengthen views about Jesus, the sabbath, Pharisees, and disciples that have been emerging in the narrative at least since the programmatic opening of Jesus' adult career in the synagogue at Nazareth on a sabbath day (Luke 4:16-30). Its deliberative or judicial qualities are therefore derivative of its epideictic qualities.

5. The Version in Matt 12:1-8

The Matthean version, in contrast to the Lukan version, exhibits extensive internal elaboration. The goal of the elaboration is to destroy any impression that the disciples engaged in, or that Jesus condoned, unlawful activity. The narrator, then, is concerned with the rhetoric "in" the story itself, and he elaborates it so that an almost "complete" argument demonstrates his point of view. The elaborated form in Matthew exhibits a significant number of rhetorical steps that appear neither in Mark nor Luke. A display of these steps looks like the following:

(1) Introduction

At that time Jesus went through the grainfields on the sabbath; his disciples were hungry, and they began to pluck heads of grain and to eat.

(2) Statement of the Case

But when the Pharisees saw it, they said to him, "Look, your disciples are doing what is not lawful to do on the sabbath."

(3) Argument from Example (*ἐκ παραδείγματος*) in Written Testimony

He said to them, "Have you not read what David did, when he was hungry, and those who were with him: how he entered the house of God and ate the bread of the Presence, which it was not lawful for him to eat nor for those who were with him, but only for the priests?"

(4) Argument from Analogy (*ἐκ παραβολῆς*) in the Law

Or have you not read in the law how on the sabbath the priests in the temple profane the sabbath, and are *guiltless*?

(5) Argument from Comparison (*πρὸς τι*): Lesser to Greater

I tell you, something greater than the temple is here.

(6) Argument from Judgment (*ἐκ κρίσεως*) in Syllogistic Form

And if you had known what this means, "I desire mercy, and not sacrifice," you would not have condemned the *guiltless*.

(8) Rationale as Conclusion

For lord of the sabbath is the Son of man.

When comparing the Matthean version with the Markan and Lukan versions, the well-constructed segmentation of the story becomes obvious. The primary device which establishes the segments is the conjunction *δέ* ("and"). In a sequence, *δέ* ("and") is used to introduce the action of the disciples (*οἱ δὲ μαθηταὶ αὐτοῦ*: 12:1), the speech of the Pharisees (*οἱ δὲ Φαρισαῖοι*: 12:2), the opening response of Jesus (*οἱ δὲ εἶπεν*: 12:3), the beginning of the final argument (*λέγω δὲ ὑμῖν*: 12:6), and the syllogism within the final argument (*εἰ δὲ ἐγνώκειτε*: 12:7). This segmentation signals a conscious elaboration of the argument in steps that build upon one another to a conclusion that has great significance to the narrator.

The beginning segments exhibit in stereotypical fashion the procedures associated with *chreia* composition. In contrast to the other versions, the opening verse of the Matthean version explicitly introduces *ὁ Ἰησοῦς* ("Jesus") as the *πρόσωπον* ("character") who is the center of attention. When the Pharisees respond to the action of the disciples, the clause begins in stereotypical *chreia* style: *οἱ δὲ Φαρισαῖοι ἰδόντες εἶπαν αὐτῷ* ("and having seen, the Pharisees said to him"; 12:2). Then, Jesus' response to the Pharisees is introduced according to the simple procedures associated with *chreia* composition: *ὁ δὲ εἶπεν αὐτοῖς* ("and he said to them"; 12:3). Through this approach, the story does not become a narrative (*διήγημα* or *διήγησις*) but maintains the sharp qualities of a *chreia* that features the decisive speech and action of a specific person.

When the narrator introduces the disciples (12:1), he explains not only their actions ("they began to pluck heads and to eat"), but also the reason for the action ("they were hungry"). This feature is present only in Matthew, and it is an excellent rhetorical procedure, showing a legitimate motivation for the action that can be a foundation upon which to build an argument.⁸⁰ The Matthean version introduces the reason first,

80. This feature fulfills Aristotle's advice in *Rhet.* I.x.14-18 to exhibit the good motivations behind the activity of the ones whom the speaker will defend in the speech. It also accords with the practice of introducing "reasons" at the very beginning with the thesis, before expanding the reasons at a later stage. See, for example, *Rhet. ad Her.* IV.xliii.56-57.

so that the sequence is: "his disciples were hungry and began to pluck heads and to eat" (12:1).

In turn, the Pharisees state a case of unlawful activity to Jesus. In contrast to the other versions again, Matthew has them state the case as a declarative accusation rather than an inquiry, and the seriousness of the action: "Behold, your disciples *are doing* what is not lawful *to do* on the sabbath." In Matthew, then, the story comes closer than in the other versions to legal rhetoric in a trial setting. The accusation by the Pharisees functions as a legal charge against the disciples. This calls forth a response from Jesus that has more ingredients of a legal defense than any of the other versions. The implication is that the defense is successful, because it contains the components of a complete rhetorical argument.

Jesus begins his argument against the Pharisees' charge with an authoritative example from scripture. In Hermogenes' terms, this would be the argument *ἐκ παραδείγματος* ("from example"). In the Matthean version, Jesus responds to the Pharisees in terms that balance the explanation in the introduction. The balancing establishes a correspondence between the narration and defense of the act that suggests integrity (*ῥῆθος*) within the person stating the defense. Just as the disciples "were hungry, plucked, and ate," so David "was hungry, entered God's house, and ate."⁸¹ Then this step in the argument ends with a *partitio* (or *divisio*)⁸² that divides the topics into: "it was not lawful (a) for him (David) to eat, (b) nor for those with him, (c) except the priests only." This division establishes the basis for the move to the next step in the argument.

The Matthean argument develops its steps out of the topic of "the house of God" (i.e., the Temple), which was introduced as the locale from which David took the loaves, and "the priests," who are the final group mentioned at the end of the Davidic example. The first step is an argument from analogy (*ἐκ παραβολῆς*) based on sabbath activity of priests in the Temple. This analogy could be found in various portions of scripture, but the argument here is that it is found "in the law." Just as Matthew has carefully worded the argument from the Davidic example to balance the action of the disciples, so the argument from the analogy of the priests' activity counterbalances the statement of the case by the Pharisees. In the Pharisees' statement, repetition of "doing" moved toward an emphasis on "sabbath" at the end:

Behold your disciples *are doing*
what it is not lawful *to do*

on a sabbath.

Repeating the opening words used to introduce the Davidic example "Have you not read" (*οὐκ ἀνέγνωτε*), the narrator resumes attention to written authority and produces an analogy from "the law" to supplement the Davidic example that is insufficient by rabbinic standards to refute the accusation by the Pharisees.⁸³ As a counterbalance, the argument from analogy features repetition of "sabbath" that moves toward an emphasis at the end on the priests' "being guiltless":

on the sabbath *the priests* in the temple
the sabbath desecrate,

and they are guiltless.

This new argument replaces the Pharisees' verb "to perform an act" (*ποιεῖν*) with "to desecrate" (*βεβηλώω*: "to perform an act that violates the sanctity of a custom or place"). This new verb occurs in a setting that places "the priests in the Temple" between two occurrences of "sabbath," and the statement ends with an assertion that the priests have not violated any law through this activity. This argument has moved through the division at the end of the counterproposition (*ἀντίθεσις*) to a strained definition (*βίαιος ὅρος*)⁸⁴ based on a commonplace (*τοπικὴ*), which is a well-known topic or situation.⁸⁵ The straining of (or "violence to": *βίαιος*) the definition is obvious in the reference to the priests' activity as "desecration." The strength of the argument comes from its foundation on the common sabbath activity of priests in the Temple. Referring to this activity, the Matthean Jesus argues that the priests are given the right (indeed the duty) to "desecrate" the sabbath (by sabbath work) and *they are guiltless*.

The nature of this step is to move beyond the initial argument from example, which appeared to admit the unlawfulness of the act, to an argument that moves away from an acceptance of guilt to a plea-of-justification (*ἀντίληψις*) that asserts that the disciples are innocent of any wrongdoing. The key to the argument, from a rhetorician's standpoint, is its foundation on the "commonplace" of priestly activity on the

83. See Daube, *New Testament and Rabbinic Judaism*, 76–78.

84. See Hermogenes 74,2–4 and the English translation in Nadeau, "Hermogenes' *On Stases*," 410.

85. Often a defendant responds with a countercharge (*ἀντέγκλημα*) that claims that the one who suffered deserved to suffer, and it is supported with a commonplace, as Hermogenes 73,2–5 indicates. See Nadeau, "Hermogenes' *On Stases*," 410 for an English translation. Matthew omits a countercharge since it is inappropriate and the strained definition contains the commonplace.

81. There is a textual uncertainty concerning whether "he" or "they" ate. See Metzger, *A Textual Commentary*, 31.

82. See Kennedy, *New Testament Interpretation*, 24, 88.

sabbath in Jewish heritage. This commonplace could be found in virtually any portion of the Bible, but the argument is given decisiveness by pointing to its presence "in the law." With this move, the argument produces a principle deduced from the Torah that would be a significant rabbinic argument.⁸⁶ It is a powerful argument from analogy, based on continuity with the argument from example ("Have you not read . . . the house of God . . . except the priests only; or have you not read . . . the priests in the temple . . . and are guiltless"), citation of a commonplace (sabbath activity of priest in the Temple), location in the law (the basis for halakha), hyperbolic description of the priests' activity as "desecration" (βεβηλόω), and argument that the priests are blameless (something every person would grant). This step moves through the counter-proposition (ἀντίθεσις), which implies that the act was "permissible though unlawful," toward a plea-of-justification that is strong enough to imply that the Pharisees committed a base act of injustice when they brought an accusation of guilt upon innocent people. The argument from analogy, then, supports a strained definition, showing that the law provides for deeds that look like a desecration of the sabbath but are performed every sabbath without guilt.

The remaining steps must secure this turn of affairs, and the Matthean Jesus secures it with a sequence of steps within a final argument introduced with λέγω δὲ ὑμῖν, ("I say to you"). The first rhetorical move is to argue that "greater than the Temple is here." The topic of the Temple provides the continuity, and the topic "lesser/greater" introduces a crucial transition from the disciples' act to Jesus' presence with the disciples. The issue remains whether the benefit provided by the disciples' act was greater than their wrong, since it is obvious that the priests provide a significant benefit to God's people by their sabbath work. Hermogenes suggests that the defendant's argument from comparison (πρός τι) is concerned to show that the service performed by the deed was greater than the wrong.⁸⁷ In this instance, the comparison shifts the attention from the disciples themselves to Jesus, a shifting of blame (μετάστασις) in a setting where there is no admission of wrongdoing and where it is obvious that Jesus has found strong support for the disciples' act in the law. This argument provides the link with the next statement.

After shifting the attention to "something greater than the Temple," the Matthean Jesus introduces a judgment cited from a written authority in the form of a syllogism:⁸⁸

"If you had known what this means, 'I desire mercy and not sacrifice,' You would not have condemned the guiltless."

This is the thesis that follows the strained definition and comparison.⁸⁹ The thesis stands in a contrary-to-fact form that fulfills Hermogenes' recommendation of an argument from the contrary (ἐκ τοῦ ἐναντίου): "If you had known . . . you would not have condemned." An argument from the contrary regularly clarifies the positive thesis. In this instance it implies it. In other words, when Jesus argues "If you had known 'I desire mercy . . .,' you would not have condemned the guiltless," he is implying: "Knowing 'I desire mercy,' I had the responsibility to let my disciples pluck grain and eat it."⁹⁰ The argument in Matthew is similar to the example Hermogenes gives:

The thesis then follows in natural order to the effect that the general must act in the best interests of the state in every way possible, even if the citizens sometimes oppose a policy because of ignorance of their best interests, and that he must do a little damage for the sake of the greater good.⁹¹

In the Matthean argument, the thesis is grounded in a judgment cited from an ancient authority (ἐκ κρίσεως in Hermogenes), namely Hosea 6:6. The quotation is, moreover, a word of the Lord to Israel (Hosea 4:1). Jesus has enacted "mercy" according to the desire of God himself. This principle would have been the basis on which the loaves of presence (a sacrifice to God) were lawful for David to take and give to his companions, and it is the principle that functioned in Jesus' granting of permission to the disciples to pluck grain. With this statement the proofs have been found and the speaker is ready to deliver the final plea-of-justification.

The final statement is a conclusion in the form of a rationale: "For lord of the sabbath is the Son of man." In this position it functions as a plea-of justification (ἀντίληψις) in a form like Hermogenes' example: "I was general and the act was undoubtedly lawful."⁹² At this point, the speaker's defense lies fully in his justification of himself. In Matthew, the narrator has moved the auditor from the rhetoric "in" the story to the rhetoric "of" the story. The previous passage (Matt 11:25-30) ends with the assertion that Jesus brings an "easier yoke" and "lighter burden" (Matt 11:30). This easing of the burden is part of the knowledge the

86. See Daube, *New Testament and Rabbinic Judaism*, 76-79.

87. See Hermogenes 73,14-15 and the English translation in Nadeau, "Hermogenes' *On Stases*," 410.

88. See Theon 208,1-4.

89. See Hermogenes 74,4-9 and the English translation in Nadeau, "Hermogenes' *On Stases*," 410.

90. Cf. Carson, "Jesus and the Sabbath," 67.

91. See Hermogenes 74,4-9 and the English translation in Nadeau, "Hermogenes' *On Stases*," 410.

92. See Hermogenes 74,11-12 and the English translation in Nadeau, "Hermogenes' *On Stases*," 410.

Father has revealed to the Son (Matt 11:25–27). The story of the Plucking of the Grain is linked specifically to this pericope through its occurrence “at that time” (Matt 12:1).⁹³ While the rhetoric “in” the Plucking story exonerates the disciples of any wrongdoing, the rhetoric “of” the story exhibits Jesus’ ability to guide and exonerate according to God’s guidance (Hosea 6:6). Indeed, Jesus’ citation of Hosea 6:6 in Matt 9:13 as well as Matt 12:7 shows that it provides a foundational principle for the activity of the Matthean Jesus. The Plucking of the Grain on the Sabbath is followed by Jesus’ healing of a man with a withered hand (Matt 12:9–14), and in this setting Jesus asserts that “it is lawful on the sabbath to do well (do acts which produce benefit)” (Matt 12:12). This leads, then, to the lengthy quotation of Isa 42:1–4 that argues that Jesus fulfills the expectations for a chosen servant (Matt 12:18) who is a source of hope for the Gentiles (Matt 12:21).

Appeal to written authority plays a role in three steps in the argument: from example, from analogy, and from judgment. The Davidic example stood in the tradition and Matthew only slightly retouches it for his purposes. The argument from analogy in the law, however, is unique to Matthew. For the judgment, Matthew has found an authoritative saying in scripture and couched it in a contrary to fact construction that explores an argument from its contraries. This argument stands in the place of the Markan saying: “The sabbath was made for man, not man for the sabbath.”⁹⁴ In contrast to the Markan saying, the Matthean citation from Hosea achieves two things. First, it brings the authority of explicit words from scripture into the setting. This is preferable to a proverbial saying that has no scriptural status. Second, the saying is placed in a setting of conditional contrary-to-fact logic: “And if you had known what this means . . . , you would not have condemned the guiltless.” This negative form is superb in the setting of a counterattack where a person wishes to introduce a contrary thesis.

In summary, the Matthean version of the story elaborates the rhetoric “in” the story so that it approximates a complete argument against the charge of the Pharisees. Once the Davidic example is introduced, the topics of “the Temple” and “the priests” are the means for developing the arguments. Thus, the Matthean version elaborates the argument from the Davidic incident. Providing the reason for the disciples’ action in the introduction (they were hungry, so they plucked and ate), the Davidic incident is a counterproposition in the form of an argument from example. The argument moves to a strained definition based on analogy followed by a comparison from lesser to greater that shifts the attention from the disciples to Jesus. After this, the Matthean Jesus introduces a

93. See Banks, *Jesus and the Law*, 113.

94. See Banks, *Jesus and the Law*, 120.

thesis in the form of a judgment embedded in an argument from contraries. Then the story ends with a plea-of-justification in the form of a rationale.

Whatever the relationship between Matthew and Mark, Matthew was not satisfied with an argument from one or more sayings in the tradition that left an implication of wrongdoing on the disciples. If he knew the Markan tradition with the saying “the sabbath was made for man,” he recognized that it was not decisive in Jewish circles.⁹⁵ He had to develop a complete argument against the accusation. If Mark knew the Matthean version, he considered the detailed exoneration of the disciples to be beside the point (I consider this order to be much harder to envision) and preferred to leave an implication that the disciples had performed an action considered unlawful by Pharisees and ground a defense in a gnomic saying about God’s institution of the sabbath. Since Mark’s argument admitted that the act violated the law, it stayed in the arena of a counterproposition and counterplea that admitted guilt. Matthew wanted to turn back the implication of guilt. Therefore, he used a strained definition to present a thesis based upon the law and explicit citation of scripture (Hosea 6:6). Then, he could complete the argument with a plea-of-justification grounded in the authority and knowledge of the speaker.

6. Conclusion

No matter how the different versions of the Plucking of the Grain develop the judicial rhetoric, each version contains the basic ingredients of a “synopticized” chreia. The beginning of every version is an implication that Jesus’ situation with his disciples is equal to David’s situation with his companions.

The common synoptic form of the story adds to the argument from Davidic example a conclusion stating that the Son of man is lord of the sabbath. The story with this conclusion contains dimensions that are highly consonant with sayings in the Q tradition. Indeed, minor agreements between Matthew and Luke raise the possibility that a Q version of this story did, in fact, exist. In this form, Jesus admits the unlawful nature of the disciples’ activity but introduces a counterproposition that implies that, although the act was unlawful, it was nevertheless permissible.

Efforts to reconstruct the history of the tradition exhibit a separation

95. If the rabbinic parallel “The sabbath is delivered unto you, but you are not delivered unto the sabbath” existed during the first century (see *Mekilta Shabbata* 1 to Exod 31:14, attributed to R. Simeon ben Menasya; cf. *BYoma* 85B where it is attributed to Jonathan ben Joseph), Matthew will have known it was an argument secondary to scripture itself.

between those interpreters who consider the Davidic argument to be part of the earliest form and those who consider the saying about the institution of the sabbath (that is unique to Mark) to have stood in place of the Davidic argument. From a rhetorical perspective, the attempt to reconstruct the earliest form on the basis of the sabbath saying looks suspicious, since it bypasses a chreia-like form on its way toward a proposal that the earliest stages were enthymematic in form. Chreia transmission outside the New Testament as well as in the gospel tradition suggests that the earliest stages regularly do not have an enthymematic core, but the use of chreiai in argumentative settings often moves them toward a more enthymematic form.

The Markan form of the story shows a development of an enthymematic argument in the final sayings. It is possible that this argument relates to presuppositions held elsewhere in Mark that the Son of man came to serve. For this reason, the reference to David's "having need" (unique to Mark) may indicate the presence of a counterplea based on Jesus' granting of permission to the disciples for the purpose of serving the needs of perhaps both themselves and Jesus.

The Lukan version of the story shows less interest in the rhetoric "in" the story than the rhetoric "of" the story. Thus, the story moves quickly, with special touches, from the inquiry of the Pharisees to the statement that the Son of man is lord of the sabbath. This compositional strategy provides an additional *παράδειγμα* ("example") in a series that leads up to the selection of twelve disciples and the preaching of the Sermon on the Plain. In Luke, then, the narrator achieves his goals through epideictic rhetoric that is primarily interested in the power of the story when it is recited in an abbreviated form.

The Matthean version of the story is concerned to exonerate the disciples of any wrongdoing and to clarify that Jesus enacted a principle from God himself when the disciples plucked the grain on the sabbath. In this version, then, the narrator is highly interested in the rhetoric "in" the story, and he develops that rhetoric into an argument containing most of the rhetorical figures discussed by Hermogenes: argument from example, from analogy, from explicit citation, and from contraries. In the setting of the judicial rhetoric created by the plucking of grain, these rhetorical figures function as a counterproposition, a strained definition, a thesis, and a final plea-of-justification.

Every extant version of the story, therefore, contains the argument from Davidic example. Although some have considered this argument inappropriate, since Jesus' disciples rather than Jesus himself (by analogy to David) pluck the grain, it does exhibit characteristic features of a chreia-like tradition that probably existed at the earliest stage of the form. As we encounter the story in the synoptic gospels, we can see how it could be written in an abbreviated or elaborated form to serve the

argumentative strategies of an individual writer. Since the story contained an argument from example, it contained a potential for elaboration (*ἐργασία*) using a rhetorical syllogism that grounded the serving of needs in God's institution of the sabbath (Mark) or using a sequence of arguments from analogy, comparison, explicit citation, and contraries to exonerate the disciples and Jesus of any wrongdoing (Matthew). Alternatively, Luke could compose the story in an abbreviated form to serve basic epideictic strategies in his narrative. In Mark and Matthew, elaboration signals a complex relation between the rhetoric "in" the story and the rhetoric "of" the story, since the rhetoric in the story has considerable complexity and richness within itself. In Luke, in contrast, the lack of elaboration signals a primary interest in the rhetoric "of" the story, and the reader sees that the story confirmed basic beliefs and attitudes which Luke espoused without a need to reorient or bolster the rhetoric in the basic components of the story.