



The Letter of James  
**Bible Study Session 12**  
**James 4:11-12**  
**“Slander”**

**Study By**  
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**Greek NT**

11 Μὴ καταλαλεῖτε ἀλλήλων, ἀδελφοί. ὁ καταλαλῶν ἀδελφοῦ ἢ κρίνων τὸν ἀδελφὸν αὐτοῦ καταλαλεῖ νόμου καὶ κρίνει νόμον· εἰ δὲ νόμον κρίνεις, οὐκ εἶ ποιητῆς νόμου ἀλλὰ κριτῆς. 12 εἷς ἐστὶν [ὁ] νομοθέτης καὶ κριτῆς ὁ δυνάμενος σῶσαι καὶ ἀπολέσαι· σὺ δὲ τίς εἶ ὁ κρίνων τὸν πλησίον;

**La Biblia  
de las Américas**

11 Hermanos, no habléis mal los unos de los otros. El que habla mal de un hermano o juzga a su hermano, habla mal de la ley y juzga a la ley; pero si tú juzgas a la ley, no eres cumplidor de la ley, sino juez de ella. 12 Sólo hay un dador de la ley y juez, que es poderoso para salvar y para destruir; pero tú, ¿quién eres que juzgas a tu prójimo?

**NRSV**

11 Do not speak evil against one another, brothers and sisters. Whoever speaks evil against another or judges another, speaks evil against the law and judges the law; but if you judge the law, you are not a doer of the law but a judge. 12 There is one lawgiver and judge who is able to save and to destroy. So who, then, are you to judge your neighbor?

**NLT**

11 Don't speak evil against each other, dear brothers and sisters. If you criticize and judge each other, then you are criticizing and judging God's law. But your job is to obey the law, not to judge whether it applies to you. 12 God alone, who gave the law, is the Judge. He alone has the power to save or to destroy. So what right do you have to judge your neighbor?

**The Study of the Text:<sup>1</sup>**

When a church member gets caught up in a quest for power and domination in the life of a congregation, one of the easiest things to do is to ‘trim everyone else down to size’ by deliberately misrepresenting who they are and what they stand for. If their character and/or beliefs can be called into serious question, then the domination of one’s own ideas over the group becomes much easier to accomplish. In this way James continued his emphasis on issues and problems in church life with 4:11-12 in relation to not just 4:1-10 but to the emphases in chapters one through three as well pertaining to speech and words spoken. Yet the emphasis of these two short sentences in Greek in vv. 11-12 targets the distinct topic of slander and false representation of others.

The vital relevancy of this topic to the modern world should be very obvious. Western society today thrives on ‘gossip columns’ and loves to hear about the latest scandalous rumor concerning some well known person in society. Seemingly most societies in the western world seem to be less interested in truth and in respectful disagreement with other people. This, in spite of most countries in the western world having a legal code against the defamation of other people.<sup>2</sup> Although the problem existed



<sup>1</sup>With each study we will ask two basic questions. First, what was the most likely meaning that the first readers of this text understood? This is called the ‘historical meaning’ of the text. That must be determined, because it becomes the foundation for the second question, “What does the text mean to us today?” For any applicational meaning of the text for modern life to be valid it must grow out of the historical meaning of the text. Otherwise, the perceived meaning becomes false and easily leads to wrong belief.

<sup>2</sup>To be sure everyone is understanding what is being emphasized here: “Defamation—also called calumny, vilification, traducement, slander (for transitory statements), and libel (for written, broadcast, or otherwise published words) — is the communication of a statement that makes a claim, expressly stated or implied to be factual, that may give an individual, business, product, group, government, religion, or nation a negative or inferior image. This can be also any disparaging statement made by one person about another, which is communicated or published, whether true or false, depending on legal state.” [“Defamation,” wikipedia.

from the beginning of humanity, it wasn't until the second century AD that defamation come into codification with Romans as a legal principle, with the *Praetorian Edict* in about 130 AD. The intent of Roman law was to provide grounds for discussion of a person's character but to spare the individual from needless insult and pain. Important in the ancient world also was the sense of honor, not just for the individual but primarily for the group whether society or organizations within society. Various cultures in the western world have struggled over the centuries to maintain this balance.<sup>3</sup> All kinds of implications about how to define truth and how to distinguish it from slanderous misrepresentation arise from these legal efforts. In modern western society with the emerging tradition of freedom of speech, maintaining this balance has become more challenging.

Ancient Israel attempted to grapple with this problem but in its own way, long before the Romans sought to incorporate legal defamation into their legal system. Known in modern Hebrew as לשון הרע, literally "the evil tongue," but called in English either *lashon hara* or *loshon hora*, the Jewish legal system that became well systematized beginning also in the second century AD attempted to define different levels and aspects of defamation and slander.<sup>4</sup> Although the Talmud claims to come out of the Hebrew scripture principles, particularly from the legal codes in the Pentateuch, this must be seriously questioned and a sharp distinction should be drawn between the scriptural principles and how they were interpreted later on.

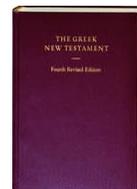
## 1. What did the text mean to the first readers?

### Background:

As is the case always, background considerations can provide crucial understanding of the meaning of the passage within the framework of the first Christian century when the passage was written and the people lived to whom it was first addressed.

### Historical Setting.

**External History.** In the history of the hand copying of the Greek text of this passage, variations of wording do surface. But the editors of *The Greek New Testament* (UBS 4th rev. ed.) considered only one variation to have enough significance to impact the translation of this passage. This variation is found in verse twelve and centers on either the presence or absence of the definite article ὁ before the noun νομοθέτης, law giver.<sup>5</sup> The significance of it being present in the text comes off a basic rule of grammar in ancient Greek. If two nouns are connected by a coordinate conjunction such as καί, and, and the first noun also has the Greek article, then the two nouns are describing one entity from two angles: article noun + noun, ὁ νομοθέτης καὶ κριτής. Thus God is both law giver and judge at the same time. Without the article the two nouns can designate separate entities. But the



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<sup>3</sup>One of the interesting ironies in this western tradition is the impact of the Roman Catholic tradition regarding defamation. This tradition strongly distinguishes between what is legally called *Detraction* (publicly speaking about previously unknown faults) and *Calumny* (publicly making false claims about another person). In countries where the Roman Catholic Church dominates the society, the legal codes on defamation will typically be very different than elsewhere. For details see "Detraction," Wikipedia.org.

<sup>4</sup>The Hebrew term *lashon hara* (or *loshon hora*) (Hebrew לשון הרע; 'evil tongue') is the halakic term for derogatory speech about another person.<sup>1</sup> *Lashon hara* differs from defamation in that its focus is on the use of true speech for a wrongful purpose, rather than falsehood and harm arising. By contrast, *hotzaat shem ra* ('spreading a bad name'), also called *hotzaat diba*, consists of untrue remarks, and is best translated as 'slander' or 'defamation'. *Hotzaat shem ra* is worse, and consequentially a graver sin, than *lashon hara*.<sup>1</sup>

<sup>1</sup>"The act of gossiping is called *rechilus*, and is also forbidden by Jewish law.<sup>1</sup>

"Speech is considered to be *lashon hara* if it says something negative about a person or party, is not previously known to the public, is not seriously intended to correct or improve a negative situation, and is true. Statements that fit this description are considered to be *lashon hara*, regardless of the method of communication that is used, whether it is through face-to-face conversation, a letter, telephone, or email.

"The sin of *lashon hara* is considered to be a very serious sin in the Jewish tradition."

[<sup>1</sup>"Lashon hara," wikipedia.org]

<sup>5</sup>{C} ὁ ⲛ Ⲁ Ψ 33 81 322 323 436 945 1067 1241cvid 1292 1409 1505 1611 1735 1739 2138 2298 2344 2464 Byz [K L] *Lect* cop<sup>sa, bo, ac</sup> eth Didymus<sup>dub</sup> Cyril<sup>7/8</sup> John-Damascus // omit P<sup>74</sup>, 100<sup>vid</sup> B P 1175 1241 \*<sup>vid</sup> 1243 1852 arm geo Cyril<sup>1/8</sup>

[Kurt Aland, Matthew Black, Carlo M. Martini et al., *The Greek New Testament*, Fourth Revised Edition (With Apparatus); *The Greek New Testament*, 4th Revised Edition (With Apparatus) (Deutsche Bibelgesellschaft; Stuttgart, 2000).]

essential meaning remains pretty much the same.<sup>6</sup> The rather evenly balanced evidence for either inclusion or omission of the article is the basis for the UBS Greek text placing the article in brackets, [ὁ], as an indication of uncertainty of the original wording.

The *Novum Testamentum Graece* text (27th rev ed) lists a more complete number of the variations showing up in the wording of these two verses.<sup>7</sup> But most of the variations are cosmetic attempts to update and improve the style. In the last variation, the added words attempt to explain the meaning already implicit in the original words, and this effort comes very late in the copying process.



Thus the adopted reading of the text can be exegeted in full confidence that it represents the original wording of this text in the book of James.

### Internal History.

The internal history in this passage is indirect and pertains to both the cultural perspectives on slander in the ancient world, and the legal structures in relation to how a court judge related to the written legal code. The different perspectives here from the usual perceptions in modern western society are important for understanding in order to gain the full impact of James' words.

James' use of καταλαλέω, *speak evil against*, comes primarily out of his Jewish heritage. It is a part of a group of Greek words used in the NT for the essential idea of slandering or defaming another person.<sup>8</sup> καταλαλέω is used five



<sup>6</sup>“Manuscript evidence for and against the inclusion of the article ὁ before νομοθέτης (lawgiver) is rather evenly balanced, and arguments based on spelling or syntax do not favor one view over the other. The article is therefore put in brackets to indicate uncertainty about the original reading. Without the article, the text may be translated rather literally as “One is lawgiver and judge.” The meaning of both readings is basically the same (Martin, James, p. 158 n.a.)” [Roger L. Omanson and Bruce Manning Metzger, *A Textual Guide to the Greek New Testament: An Adaptation of Bruce M. Metzger’s Textual Commentary for the Needs of Translators* (Stuttgart: Deutsche Bibelgesellschaft, 2006), 476.]

#### <sup>7</sup>Jakobus 4,11

- \* 2 1 Ψ 623. 2464 pc (some manuscripts reverse the sequence of ἀλλήλων ἀδελφοί, while a few also add μου to ἀδελφοί)
  - | αδ. μου αλ. A 33 pc (vgmss)
- \* γαρ 614. 630. 1505. 1852 al l sy bo; Spec (the causal conjunction γάρ is added before καταλαλῶν)
- \* και K L 049. 69. 322. 323 m ff; Spec (και replaces ἠ in some manuscripts)
- \* ουκετι K P Ψ 69. 945. 1241. 1243. 1739. 2298 pc l vg<sup>mss</sup>; Spec (the more emphatic negative οὐκέτι replaces οὐκ)

#### Jakobus 4,12

- \* † P<sup>74</sup>.100<sup>vid</sup> B P 1243. 1852 pc (the article ὁ is omitted in some manuscripts)
    - | txt κ A Ψ 33. 1739 M
  - \* P<sup>74</sup> 049 M (καὶ κριτῆς is omitted in some manuscripts)
    - | txt P100 κ A B P Ψ 33. 81. 323. 614. 630. 1241. 1505. 1739 al lat sy co
  - \*<sup>1</sup> 429. 614. 630. 1505 al sa bo<sup>pl</sup> (δὲ before τίς is omitted in some manuscripts)
  - \* ος κρινεις et eteron M (ετερ. + οτι ουκ εν ανθρωπω, αλλ εν θεω τα διαβηματα ανθρωπου κατευθυνεται K pc) (the participle phrase ὁ κρίνων τὸν πλησίον is replaced by a variety of alternative expressions)
    - | txt P<sup>74</sup>.100<sup>vid</sup> κ A B P Ψ 33. 69. 81. 323. 614. 630. 945. 1241. 1505. 1739 al latt sy co
- [Eberhard Nestle, Erwin Nestle, Kurt Aland et al., *Novum Testamentum Graece*, 27. Aufl., rev. (Stuttgart: Deutsche Bibelstiftung, 1993), 595.]

<sup>8</sup>The Louw-Nida lexicon lists under the category of “**Insult, Slander**” (topics 33:387-33.403) some sixteen groups of words: **33.387 καταλαλέω; καταλαλιά, ἄς** f: to speak against, often involving speaking evil of; **33.388 κατάλαλος, ου** m: (derivative of καταλαλέω ‘to speak evil of,’ 33.387) one who engages in speaking against or insulting; **33.389 ὀνειδίζω<sup>a</sup>; ὀνειδισμός, οὖ** m: to speak disparagingly of a person in a manner which is not justified; **33.390 ὑβρίζω<sup>b</sup>; ἐνυβρίζω**: to speak against someone in an insolent and arrogant way; **33.391 ὑβρις<sup>c</sup>, εως** f: (derivative of ὑβρίζω<sup>b</sup> ‘to insult,’ 33.390) the content of an insulting statement; **33.392 ὑβριστής<sup>b</sup>, οὖ** m: (derivative of ὑβρίζω<sup>b</sup> ‘to insult,’ 33.390) one who insults in an arrogant manner; **33.393 λοιδορέω; λοιδορία, ας** f: to speak in a highly insulting manner; **33.394 ἀντιλοιδορέω**: to answer insults or slander with insulting or slanderous words; **33.395 λοιδορος, ου** m: (derivative of λοιδορέω ‘to slander,’ 33.393) one who engages in slandering; **33.396 ἐκβάλλω τὸ ὄνομα**: (an idiom, literally ‘to throw out the name’) to insult or slander, with a possible implication of a kind of psychological ostracism; **33.397 διάβολος, ου** m and f: (derivative of διαβάλλω ‘to slander,’ not occurring in the NT) one who engages in slander; **33.398 δυσφημέω; δυσφημία, ας** f: to attribute ill repute or bad reputation to; **33.399 κακολογέω**: to insult in a particularly strong and unjustified manner; **33.400 βλασφημέω; βλασφημία<sup>a</sup>, ας** f: to speak against someone in such a way as to harm or injure his or her reputation (occurring in relation to persons as well as to divine beings); **33.401 βλασφημία<sup>b</sup>, ας** f: (derivative of βλασφημέω

times in the NT but it translates some six different Hebrew words in the Old Testament.<sup>9</sup> In the Greek and Roman cultures leading up to the first Christian century, the idea of slander evidently played only a very minor role in society with the sense of being wrong and improper.<sup>10</sup> What seems, however, to be more accurate is that other words were primarily used to convey the idea of malicious gossip and slander against other people.<sup>11</sup> But still the core idea of slander either in the sense of defamation or calumny was not a strongly emphasized point in the Greco-Roman world until after the first century AD.

In Judaism stemming from the Old Testament one finds more emphasis on the wrongness of such actions. But even in the religious tradition of the Jewish people not a lot of emphasis was placed on it.<sup>12</sup> The concept of giving a false witness is incorporated into the Israelite legal system in Lev. 19:16 (You shall not go around as a slanderer among your people, and you shall not profit by the blood of your neighbor: I am the LORD, οὐ πορεύσῃ δόλω ἐν τῷ ἔθνει σου, οὐκ ἐπισυστήσῃ ἐφ' αἷμα τοῦ πλησίον σου· ἐγὼ εἰμι κύριος ὁ θεὸς ὑμῶν); Ex. 20:16 (You shall not bear false witness against your neighbor, οὐ ψευδομαρτυρήσεις κατὰ τοῦ πλησίον σου μαρτυρίαν ψευδῆ). But no specific penalties are imposed on those violating these laws. In popular viewpoint, however, the conviction grew that God despised the slander and would destroy him; cf. Psalm. 105:5<sup>13</sup>; 140:11-12<sup>14</sup>.

‘to blaspheme,’ 33.400) the content of a defamation; **33.402 βλάσφημος, ον:** (derivative of βλασφημέω ‘to blaspheme,’ 33.400) pertaining to being insulting and slanderous; **33.403 βλάσφημος, ου m:** (derivative of βλασφημέω ‘to defame,’ 33.400) a person who defames someone or something

[Johannes P. Louw and Eugene Albert Nida, vol. 1, Greek-English Lexicon of the New Testament: Based on Semantic Domains, electronic ed. of the 2nd edition. (New York: United Bible Societies, 1996), 432-433.]

<sup>9</sup>“In the LXX καταλαλέω is mostly (9 times) a rendering of רב ni and pi in the sense of ‘hostile speaking,’ and in isolated instances of ἡτ pi, ‘to scorn,’ ‘to mock at’ (ψ 43:16 AS2), לל hi, ‘to revile’ (Job 19:3), or של ro, ‘to calumniate’ (ψ 100:5) etc.<sup>4</sup> The main emphasis is on the hostility denoted by κατα-, whether against God (Nu. 21:5, 7; ψ 77:19; Hos. 7:13; Mal. 3:13), his servant Moses (Nu. 12:8), or frequently one’s neighbour (ψ 49:20: κατὰ τοῦ ἀδελφοῦ σου, 100:5: τοῦ πλησίον αὐτοῦ, V 4, p 4 Prv. 20:13; cf. 30:10 Θ).<sup>5</sup> In the first instances the essential element in the hostility is contradiction and rejection, whereas in καταλαλεῖν κατὰ τοῦ ἀδελφοῦ it is malice, slander and calumny.” [Theological Dictionary of the New Testament, ed. Gerhard Kittel, Geoffrey W. Bromiley and Gerhard Friedrich, electronic ed. (Grand Rapids, MI: Eerdmans, 1964-), 4:3-4.]

<sup>10</sup>“The word group is characterised by the fact that it obviously plays no vital role in the ethical exhortation of the non-biblical world. Even the lists of vices in the Stoics and Philo do not contain it, though it might have proved useful. As a warning against malicious or unthinking gossip it occurs first in the Psalms, Proverbs and the Wisdom literature, though even here it occurs only infrequently in admonitions.” [Theological Dictionary of the New Testament, ed. Gerhard Kittel, Geoffrey W. Bromiley and Gerhard Friedrich, electronic ed. (Grand Rapids, MI: Eerdmans, 1964-), 4:4.]

<sup>11</sup>“ In secular Gk. βλασφημία is a ‘abusive speech’ (misuse of words) in contrast to εὐφημία: Demosth., 25, 26: βλασφημίαν ἀντὶ τῆς νῦν εὐφημίας; Democ. Fr., 177 (II, 97, 3 ff., Diels): οὔτε λόγος ἐσθλὸς φαύλην πρῆξιν ἀμαυρίσκει οὔτε πρῆξις ἀγαθὴ λόγου βλασφημίῃ λυμαίνεται. In Eur. Ion, 1189: ἐν χερσὶν ἔχοντι δὲ σπονδὰς μετ’ ἄλλων παιδὶ τῷ πεφνηότῳ βλασφημίαν τις οἰκετῶν ἐφθέγγατο. J. Wackernagel translates βλασφημία as a ‘word of evil sound.’<sup>1</sup> b. The word means further the strongest form of ‘personal mockery and calumny.’ It almost amounts to the same as λοιδορεῖν: Isoc., 10, 45: ἤδη τινὲς ἐλοιδορήσαν αὐτόν, ὧν τὴν ἄνοιαν, ἐξ ὧν ἐβλασφήμησαν περὶ ἐκείνου, ῥάδιον ἅπασι καταμαθεῖν. Mostly, however, it is stronger than λοιδορεῖν and ὀνειδίζειν, e.g., Demosth., 18, 10; 19, 210. The living and the dead can be derided: Demosth., 18, 95: τὰς βλασφημίας, ἃς κατὰ τῶν Εὐβοέων καὶ τῶν Βυζαντίων ἐποιήσατο; Luc. Alex., 4: τὰ χεῖριστα καὶ βλασφημώτατα τῶν ἐπὶ διαβολῇ περὶ τοῦ Πυθαγόρου λεγομένων; Herodian Hist., VII, 8, 9: βλάσφημα πολλὰ εἰπὼν εἰς τὴν Ῥώμην καὶ τὴν σύγκλητον; Demosth., 40, 17: περὶ τεθεωτῶν αὐτῶν βλασφημοῦντες. c. It then means ‘blasphemy of the deity’ by mistaking its true nature or violating or doubting its power. Ps.-Plat. Alc., II, 149c: βλασφημοῦντων οὖν αὐτῶν ἀκούοντες οἱ θεοὶ οὐκ ἀποδέχονται τὰς πολυτελεῖς ταυτασί πομπὰς τε καὶ θυσίας. Plat. Leg., VII, 800c: (εἴ τις) βλασφημοῖ πᾶσαν βλασφημίαν. Myths which presuppose an anthropomorphic form of the gods become βλασφημεῖν εἰς θεοὺς: Plat. Resp., II, 381e. Vett. Val., I, 22 (p.44, 4, Kroll); ibid., II, 2 (p. 58, 12, Kroll): εἰς τὰ θεῖα βλασφημοῦντες; ibid., II, 13 (p. 67, 20, Kroll): πολλὰ βλασφημήσει θεοὺς ἔνεκεν τῶν συμβαινόντων αὐτῷ πραγμάτων.” [Theological Dictionary of the New Testament, ed. Gerhard Kittel, Geoffrey W. Bromiley and Gerhard Friedrich, electronic ed. (Grand Rapids, MI: Eerdmans, 1964-), 1:621.]

<sup>12</sup>“As a warning against malicious or unthinking gossip it occurs first in the Psalms, Proverbs and the Wisdom literature, though even here it occurs only infrequently in admonitions.” [Theological Dictionary of the New Testament, ed. Gerhard Kittel, Geoffrey W. Bromiley and Gerhard Friedrich, electronic ed. (Grand Rapids, MI: Eerdmans, 1964-), 4.]

<sup>13</sup>Psalm 101:5. (NRSV)

One who secretly *slanders* a neighbor

I will destroy.

A haughty look and an arrogant heart

I will not tolerate.

<sup>14</sup>Psalm 140:11 (NRSV)

(LXX 100:5)

τὸν καταλαλοῦντα λάθρα τοῦ πλησίον αὐτοῦ

τοῦτον ἐξεδίωκον

ὑπερηφάνῳ ὀφθαλμῷ καὶ ἀπλήστῳ καρδίᾳ,

τούτῳ οὐ συνήσθιον

(LXX 139:12)

It was Christianity that substantially heightened the emphasis on the wrongness of slander against other people.<sup>15</sup> With some NT writers a strong condemnation against slanders is hurled, for example, in Rom. 1:30 slanders, καταλάλους, are pagans upon whom the wrath of God is coming. Slander, καταλαλιός, is one of those traits that Christians must rid themselves of, if they are to be acceptable to God (1 Pet. 2:1). Engaging in slander (καταλαλοῦσιν; καταλαλεῖσθε) is the lifestyle of the pagan, not the Christian (1 Pet. 2:12; 3:16). As was noted in an above footnote, the wrongness of it centered in the reality that it was an act of hostility, rather than love, toward someone else. Thus James' words must be understood against this backdrop of some Jewish emphasis, little emphasis in the surrounding Greco-Roman world, but a strong condemnation of slander developing in the early church.

The functioning of the legal systems, in particular the connection between a judge and the written legal code, in the first century world needs to explanation as a background to our passage. James makes a strange point in verse twelve that the judge both writes legal code and also stands in authority over it with administration. In western countries where the 'rule of constitutional law' forms the legal system, the role of the courts and the judges is solely to administer the written code justly and to interpret its application correctly. The judge has no authority to write the code, and he is required to stand under the authority of the existing legal code, not over it.

Is James simply portraying the judge as the author of the code and the one with authority over it simply because he is talking about God as the judge? Most western commentators make such an assumption. But is it a correct one? Actually, not! This is assuming a modern western societal structure down on to a first century world -- something that almost always leads to serious misinterpretation of scripture.

**The Roman law** as an official system begins with the *Twelve Tables* (754-449 BCE) and reaches its zenith in 529 AD with the *Corpus Junis Civilis* under emperor Justinian I. This Justinian Code, as it came to be called, remained the essential legal system for western Europe until the end of the eighteenth century largely through the influence of the Holy Roman Empire (963 - 1806). It also laid the foundation for the legal systems established in the colonies of these continental European powers such as Latin America and parts of Africa such as Ethiopia. The concept of law and the emerging legal structures, although in the very early periods had religious connections, fundamentally developed out of social necessity for a structured and harmoniously functioning society. Typically major changes in the laws and sometimes in the legal system itself came about through social unrest and protest action of one group of society against another. The most important lasting contribution of Roman law was "not the enactment of well-drafted statutes, but the emergence of a class of professional jurists (*prudentes*, sing. *prudens*, or *jurisprudentes*) and of a legal science. This was achieved in a gradual process of applying the scientific methods of Greek philosophy to the subject of law, a subject which the Greeks themselves never treated as a science."<sup>16</sup> During the first 250 years of the empire, Roman law reached

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Do not let *the slanderer* be established in the land;  
let evil speedily hunt down the violent!

ἄνθρωπος γλωσσώδης οὐ κατευθυνθήσεται ἐπὶ τῆς γῆς,  
ἄνδρα ἄδικον κακὰ θηρεύσει εἰς διαφθοράν

<sup>15</sup>“In the usage of the NT and the early Church the only emphasis and content of the group [= καταλαλέω, † καταλαλιά, † κατάλαλος] is that of speaking evil against one’s neighbour. Other words are now used for opposing and blaspheming God (→ βλασφημέω etc.). Whether the main stress, as in a word like ‘slander,’ is on the act of spreading a false report is not apparent in the NT passages, though this is naturally included in καταλαλεῖν. The essence of the matter is probably to be sought in the κατα-, i.e., in the hostility and malice of speech directed against one’s neighbour.<sup>6</sup> It violates the early Christian commandment because of its uncharitableness rather than its falsity. The importance of resisting evil-speaking for Christianity (cf. also ψ 100:5, where it is the first individual sin) is shown by the fact that the command to do this is often the first in a general list or occurs individually as a special exhortation.<sup>7</sup> This is particularly so in 1 Pt. 2:1 (along with the more general κακία, δόλος, ὑποκρίσεις, φθόνοι, καταλαλιαί constitute the most concrete evil which the regenerate must avoid), but also in Jm. 4:11 (a special admonition alongside the more general admonitions in vv. 7–10), 2 C. 12:20 (the first special admonition after the general words ἔρις, ζῆλος, θυμοί, ἐριθειάι), also 1 Cl., 30, 1–3 (beginning of the exhortation), and Herm. m., 2, 1 ff. (the first specific demand). When we have regard to the history of the term, it is obvious that the occurrence of κατάλαλος and καταλαλιά in the lists of vices in R. 1:30 and 2 C. 12:20 is not to be explained in terms of literary style<sup>8</sup> but reflects part of the ethical life of early Christianity. καταλαλεῖν is taken for granted in the pagan world (1 Pt. 2:12; 3:16), but it must be put off by the regenerate (1 Pt. 2:1 f.), not just on moral grounds, but for the sake of the new life in God (1 Pt. 2:3: εἰ ἐγεύσασθε ὅτι χρηστὸς ὁ κύριος). καταλαλεῖν is not just an offence against one’s neighbour. It is also a violation of the Law of God and hence a sin against God (Jm. 4:11).” [*Theological Dictionary of the New Testament*, ed. Gerhard Kittel, Geoffrey W. Bromiley and Gerhard Friedrich, electronic ed. (Grand Rapids, MI: Eerdmans, 1964-), 4:4-5.]

<sup>16</sup>“Roman Law,” Wikipedia.org.

its highest point of contribution to life in the empire.<sup>17</sup> The various codes emerged in different streams of legal tradition,<sup>18</sup> During the preceding era of the Roman Republic a basic orally existing Constitution served as a foundation to the legal system, but the idea of a constitution disappeared with the emerging of the empire in the century before Christianity began. The administration of legal system depended in large measure on the whims of the emperor, the Roman senate, and regional governors. The system of local magistrates who handled legal matters flourished across the empire at the beginning of the Christian era.<sup>19</sup>

<sup>17</sup>“The first 250 years of the current era are the period during which Roman law and Roman legal science reached the highest degree of perfection. The law of this period is often referred to as classical period of Roman law. The literary and practical achievements of the jurists of this period gave Roman law its unique shape.

“The jurists worked in different functions: They gave legal opinions at the request of private parties. They advised the magistrates who were entrusted with the administration of justice, most importantly the praetors. They helped the praetors draft their edicts, in which they publicly announced at the beginning of their tenure, how they would handle their duties, and the formularies, according to which specific proceedings were conducted. Some jurists also held high judicial and administrative offices themselves.

“The jurists also produced all kinds of legal commentaries and treatises. Around AD 130 the jurist Salvius Iulianus drafted a standard form of the praetor’s edict, which was used by all praetors from that time onwards. This edict contained detailed descriptions of all cases, in which the praetor would allow a legal action and in which he would grant a defense. The standard edict thus functioned like a comprehensive law code, even though it did not formally have the force of law. It indicated the requirements for a successful legal claim. The edict therefore became the basis for extensive legal commentaries by later classical jurists like Paulus and Domitius Ulpianus. The new concepts and legal institutions developed by pre-classical and classical jurists are too numerous to mention here. Only a few examples are given here:

“\*Roman jurists clearly separated the legal right to use a thing (ownership) from the factual ability to use and manipulate the thing (possession). They also found the distinction between contract and tort as sources of legal obligations.

“\*The standard types of contract (sale, contract for work, hire, contract for services) regulated in most continental codes and the characteristics of each of these contracts were developed by Roman jurisprudence.

“\* The classical jurist Gaius (around 160) invented a system of private law based on the division of all material into personae (persons), res (things) and actiones (legal actions). This system was used for many centuries. It can be recognized in legal treatises like William Blackstone’s *Commentaries on the Laws of England* and enactments like the French *Code civil* or the German BGB.

[“Roman Law,” Wikipedia.org.]

<sup>18</sup>“**ius civile, Jus gentium, and jus naturale** - the *jus civile* (‘citizen law’, originally *jus civile Quiritium*) was the body of common laws that applied to Roman citizens and the *Praetores Urbani*, the individuals who had jurisdiction over cases involving citizens. The *jus gentium* (‘law of peoples’) was the body of common laws that applied to foreigners, and their dealings with Roman citizens. The *Praetores Peregrini* were the individuals who had jurisdiction over cases involving citizens and foreigners. *Jus naturale* was a concept the jurists developed to explain why all people seemed to obey some laws. Their answer was that a ‘natural law’ instilled in all beings a common sense.

“**Jus scriptum and jus non scriptum** - the terms *jus scriptum* and *ius non scriptum* literally mean written and unwritten law, respectively. In practice, the two differed by the means of their creation and not necessarily whether or not they were written down. The *ius scriptum* was the body of statute laws made by the legislature. The laws were known as *leges* (lit. ‘laws’) and *plebiscita* (lit. ‘plebiscites,’ originating in the Plebeian Council). Roman lawyers would also include in the *ius scriptum* the edicts of magistrates (*magistratum edicta*), the advice of the Senate (*Senatus consulta*), the responses and thoughts of jurists (*responsa prudentium*), and the proclamations and beliefs of the emperor (*principum placita*). *Ius non scriptum* was the body of common laws that arose from customary practice and had become binding over time.

“**ius commune and ius singulare** - *Ius singulare* (singular law) is special law for certain groups of people, things, or legal relations (because of which it is an exception from the general principles of the legal system), unlike general, ordinary, law (*ius commune*). An example of this is the law about wills written by people in the military during a campaign, which are exempt of the solemnities generally required for citizens when writing wills in normal circumstances.

“**ius publicum and ius privatum** - *ius publicum* means public law and *ius privatum* means private law, where public law is to protect the interests of the Roman state while private law should protect individuals. In the Roman law *ius privatum* included personal, property, civil and criminal law; judicial proceeding was private process (*iudicium privatum*); and crimes were private (except the most severe ones that were prosecuted by the state). Public law will only include some areas of private law close to the end of the Roman state. *Ius publicum* was also used to describe obligatory legal regulations (today called *ius cogens*—this term is applied in modern international law to indicate peremptory norms that cannot be derogated from). These are regulations that cannot be changed or excluded by party agreement. Those regulations that can be changed are called today *jus dispositivum*, and they are not used when party shares something and are in contrary.

[“Roman Law,” Wikipedia.org.]

<sup>19</sup>“The history of Roman Law can be divided into three systems of procedure: that of *legis actiones*, the *formularium system*, and *cognitio extra ordinem*. The periods in which these systems were in use overlapped one another and did not have definitive breaks,

The official Roman legal system applied to Roman citizens and those considered connected to the empire. Foreigners were excluded from the protection of and the possession of legal rights within the legal system. Generally, the regional governors permitted the continuation of locally existing and functioning legal systems in the conquered territories of the empire. But these would be subject to the veto power of the regional Roman governor. And those connected with the Roman government, including the military, were not subject to any local law.

One important aspect from our concerns in James 4:11-12 concerns the *Praetor's Edict*. At the beginning of his term of office, he was to issue a decree to the citizens under his authority declaring the new legal principles that he intended to follow in administering justice during his term. In effect, he establish the laws he would follow in the cases heard in the courts under his jurisdiction. He could follow the guidelines of his predecessor. Or, he could consult with the jurists in his region and have them draft a set of rules to be followed. The Praetors were politicians and not judges, thus they seldom had any expertise in legal matters. But they possessed authority to write new laws, to choose to follow or not to follow existing Roman laws, etc.

The complexity of **the Jewish legal system** at the beginning of the Christian era is enormous. Unravelling it must begin with understanding the term 'law.'<sup>20</sup> Ancient Israelite understanding of law [Heb *tôrâ* (תּוֹרָה); Gk *nomos* (νόμος)] began with the conviction that it originated in God and His will for covenant Israel. Clearly a *summarizing* expression<sup>21</sup> of their legal code is embedded in three versions in the Pentateuch: the Exodus Code, the Priestly Code, and the Deuteronomic Code. Interpretations of and allusions to different parts of it are scattered throughout the remainder of the Old Testament. Some parts of it share a common legal perspective with other ancient Semitic cultures of the Ancient Near East.<sup>22</sup> Yet the majority of the system

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but it can be stated that the *legis actio* system prevailed from the time of the XII Tables (c. 450 BC) until about the end of the 2nd century BC, that the formulary procedure was primarily used from the last century of the Republic until the end of the classical period (c. AD 200), and that of *cognitio extraordinarem* was in use in post-classical times. Again, these dates are meant as a tool to help understand the types of procedure in use, not as a rigid boundary where one system stopped and another began.[6]

“During the republic and until the bureaucratization of Roman judicial procedure, the judge was usually a private person (*iudex privatus*). He had to be a Roman male citizen. The parties could agree on a judge, or they could appoint one from a list, called *album iudicum*. They went down the list until they found a judge agreeable to both parties, or if none could be found they had to take the last one on the list.

“No one had a legal obligation to judge a case. The judge had great latitude in the way he conducted the litigation. He considered all the evidence and ruled in the way that seemed just. Because the judge was not a jurist or a legal technician, he often consulted a jurist about the technical aspects of the case, but he was not bound by the jurist’s reply. At the end of the litigation, if things were not clear to him, he could refuse to give a judgment, by swearing that it wasn’t clear. Also, there was a maximum time to issue a judgment, which depended on some technical issues (type of action, etc.).

“Later on, with the bureaucratization, this procedure disappeared, and was substituted by the so-called ‘extra ordinem’ procedure, also known as *cognitory*. The whole case was reviewed before a magistrate, in a single phase. The magistrate had obligation to judge and to issue a decision, and the decision could be appealed to a higher magistrate.”

[“Roman Law,” Wikipedia.org.]

<sup>20</sup>“Most generally, ‘law’ meant ‘divine revelation.’ It could refer to the totality of revelation or to any part of it. It included commandments (do not murder), admonitions and advice (treasures gained by wickedness do not profit), theological affirmations (the Lord is one), stories (the Exodus), worship (the Psalms), and more. These examples are all taken from the Bible, the primary (although not the only) expression of the law or revelation of the God of Israel. A proper appreciation of Jewish “nomism” requires that this range of meaning be grasped. The Mosaic code was given after the Exodus from Egypt, and “law” embraces both the story of God’s gracious deliverance of the Israelite people and the requirements that were laid upon them—as well as the subsequent stories of failure and forgiveness.” [E. P. Sanders, “Law: Law in Judaism of the NT Period” In vol. 4, *The Anchor Yale Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992), 254.]

<sup>21</sup>“The biblical law collections, even when considered in toto, fall short of including all of the legal areas operative in ancient Israelite society. There are, first of all, categories which appear in the ANE laws but which are absent or unregulated in the OT law collections. Many of these categories are, however, alluded to in the Bible; thus, it is certain that they were operative in Israelite society. So, for example, robbery (tangentially mentioned in Lev 5:21–26—Eng 6:2–7; 19:13), hire of wet nurses, lease and rental of property, surety (cf. Gen 43:9; Prov 6:1; 20:16), hire of labor (cf. Lev 19:13; Job 7:2), bride-price and dowry (cf. Exod 22:16; 1 Sam 18:25), and sale (e.g., Isa 24:2; 2 Sam 24:24; etc.). In connection with sale, Jer 32:11 mentions the ‘sealed deed of purchase ... and the open copy.’ This custom finds parallels in the Dead Sea Scrolls (DJD 2: 244–46), the Elephantine papyri (Porten 1968: 198–99), and the Mishnah (B. Bat. 10:1).” [Samuel Greengus, “Law: Biblical and ANE Law” In vol. 4, *The Anchor Yale Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992), 243.]

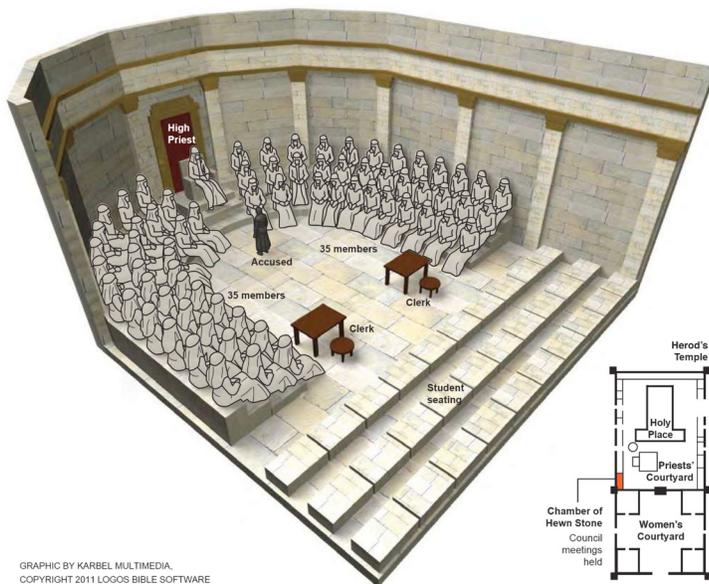
<sup>22</sup>“Archaeology has been significantly more successful in providing knowledge about law in non-Israelite societies, particu-

is distinctively Israelite and focuses on Israel's relationship to its God. Consequently modern categories such as criminal law, civil law, and religious law did not exist in this ancient system. Thus *tôrâ* was foundational to all of life by the Israelites. It governed their relationship with God, with one another, and with neighboring countries. It defined how they worshipped God as well as how they were to behave themselves day by day. Thus by the beginning of the Christian era, the keeping of the law in all of its aspects was at the heart of one's religious experience as a Jew. Grouping the ancient laws into such modern categories then is completely imposing modern classifications on to an ancient system and that would have seemed very strange in the biblical world.

How the law was administered among the Jews depends greatly on the time period being referenced. Moses began with handling the entire responsibility himself, but later at the suggestion of his father in law, he set up a pyramid type structure for administering the legal system among the Israelites. Prior to the establishment of the monarchy by David, administration of the law came out of the core guidelines Moses set up and that were expanded in passages such as Deut. 16:18-20; 17:8-13. Local councils composed of the elders of the city had basic responsibility for administering the laws. Difficult cases could be resolved by appeal to a religious leader such as Samuel who often traveled to place to place rendering decisions about the law. With the coming of the monarchy, the patterns changed in that the king assumed an ultimate responsibility for enforcing the laws of Moses.<sup>23</sup> By the beginning of the Christian era, in Palestine the law and its administration lay primarily in the hands of the high priest in the Jerusalem temple, who functioned as both religious leader and the head of the Jewish government that answered directly to the Roman authorities. The local Jewish councils still did basic legal administration, but the Sanhedrin in Jerusalem functioned as the final authority in both interpreting and establishing laws for the Jewish people.

## The Sanhedrin

The Jewish high court of justice consisted of 71 men and was led by the high priest. The council could decide almost any fate of its people—except the death penalty, which was decided by the Romans. The court was located within the Chamber of Hewn Stone inside Herod's Temple.



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The relevancy of this background is simply to underscore that the idea of a system of laws to be

larly for those ancient communities of people who wrote their records on clay tablets in cuneiform scripts. These ancient cultures, namely the Sumerians, Babylonians, Assyrians, and Hittites, have yielded collections of their laws as well as of contemporary public and private documents describing a full range of legal and economic activities. The major law collections of the ANE [Ancient Near East] are the Codes of Urnammu (CU, see ANET, 523–25), Lipit-Ishtar (LI, see ANET, 159–61), and Hammurapi (CH, see ANET, 163–80); the Laws of Eshnunna (LE, see ANET, 161–63); the Middle Assyrian Laws (AL, see ANET, 180–88); and the Hittite Laws (HL, see ANET, 188–97). They are supplemented by fragments recording additional Sumerian and Neo-Babylonian laws, as well as by scribal textbooks and other legal compositions such as royal edicts and treaties.” [Samuel Greengus, “Law: Biblical and ANE Law” In vol. 4, *The Anchor Yale Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992), 242.]

<sup>23</sup>“The role of the king in law is much disputed. Some scholars deny him any genuine legislative role. But the legal powers he claims are characteristic of kings in states where central authority is only beginning to consolidate: he could require conscription; establish military, judicial, and administrative structures; commandeer labor for his estates, the production of munitions, and the servicing of his household; and confiscate land and levy taxation (1 Sam. 8:11-17). In the last days of the kingdom of Judah, King Zedekiah (597-586 B.C.) is said to have enforced an economic reform to relieve debt-slavery (Jer. 34); but there are grounds to believe that the motivation was more concerned with recruitment into the army than the regulation of purely private law matters. Such practical ordinances as these, unlike the torah whose teaching the king sponsored, were not designed to establish rules that would continue in force unless repealed. Nevertheless, there is one royal ordinance that is reported to have subsisted: David’s law on the distribution of booty, which the author of 1 Sam. 30:25 tells us remained ‘a statute and an ordinance for Israel to this day.’ By contrast, God’s instructions to Moses regarding the distribution of the booty taken from the Midianites are not presented as establishing a general rule (Num. 31).” [Paul J. Achtemeier and Society of Biblical Literature, *Harper’s Bible Dictionary*, 1st ed. (San Francisco: Harper & Row, 1985), 548.]

administered by a judge was a very fluid concept in the first century world. The idea of a law being rigidly established and only to be administered by the judge did not exist in that world. He, in both the Roman and the Jewish systems, had the right to determine law, he clearly sat in authority over it, and could within limits revamp and redefine it according to his own choices. This dynamic worked somewhat differently between the Roman and Jewish systems, but both contained this essential flexibility.

Those who heard James preach about slander in Jerusalem and use the illustration of the judge would have understood it out of the context of their Jewish heritage. But those Jewish Christians in the Diaspora would most likely have also added the background thinking coming out of the Roman traditions which they had to deal with regularly because of living in the empire outside of Palestine.

**Literary:**

**Genre:** These two Greek sentences are a part of the general paraenesis that typifies the majority of the contents of the document. But they do not contain marks of a distinctive sub-genre category. The pattern is simply admonition with a reason.

**Context:** The literary issue discussed at length in the commentaries is this issue of context. There seems to be a phobia of some kind against allowing these two verses to stand alone in the chapter. Granted that any perceived context will influence the interpretation of these verses. But the older views exemplified in Dibelius do have an important point.<sup>24</sup> This pericope treats an aspect of speech; the angle on speech treated also connects to the disruptiveness addressed in 4:1-10. The connection to 4:13-17 is much less clear. This subsequent pericope does center on someone speaking, Ἄγε νῦν οἱ λέγοντες, *come now you who say*. But what they say, v. 13b, has little to do with church life or personal commitment to Christ. Additionally, the link of 4:13-17 to 5:1-6 is much stronger by way of the introductory direct address, Ἄγε νῦν οἱ λέγοντες / Ἄγε νῦν οἱ πλοῦσιοι, and the content of both pericopes.

The literary setting for 4:11-12 is best seen as having a somewhat close connection to 4:1-10, but is distinct from it in emphasis. What we are seeing James do is what he has consistently done through this document. He will gather up bits and pieces of previous emphases and re-frame them with new material in order to make a new point to his readers. Here he touches on speech, clearly inside the Christian community as ἀδελφοί, *brothers*, signals. This continues the periodic emphasis on speech in the document that we have seen in 1:19-21, 26; 2:2-4; 3:1-12.

**STRUCTURAL OUTLINE OF TEXT**

Of James<sup>25</sup>

<b>PRAESCRIPTIO</b>		1.1
<b>BODY</b>	1-194	1.2-5.20
Facing Trials	1-15	1.2-12
God and Temptation	16-24	1.13-18
The Word and Piety	25-37	1.19-27
Faith and Partiality	38-55	2.1-13
Faith and Works	56-72	2.14-26

<sup>24</sup>As was indicated above in the Analysis, vv. 11, 12 can be included as far as their form is concerned within the series of imperatives in 4:7ff. Yet in terms of subject matter, 4:11 introduces something new, as is indicated also by the change in tone: instead of ‘sinners’ (ἁμαρτωλοί) or ‘double-minded’ (δίψυχοι) the address in v. 11 is ‘brothers and sisters’ (ἀδελφοί). The fact that within a series of such general admonitions as those found in vv. 7–10 this specific warning in v. 11 also occurs is understandable if we notice the importance of this prohibition elsewhere in paraenetic material: Slander is mentioned in a number of early Christian catalogues of vices, but particularly in 1 Petr 2:1 where it has a special place alongside the more or less general terms ‘wickedness’ (κακία), ‘guile’ (δόλος), ‘insincerity’ (ὑποκρίσεις), and ‘envy’ (φθόνοι). In 1 Clem. 30.1, 3, slander is condemned at the beginning of a paraenesis which cites the same passage (Prov 3:34) as Jas 4:6\*” [Martin Dibelius and Heinrich Greeven, *James: A Commentary on the Epistle of James*, Hermeneia—a Critical and Historical Commentary on the Bible (Philadelphia: Fortress Press, 1976), 228.]

<sup>25</sup>Taken from Lorin L. Cranford, *A Study Manual of James: Greek Text* (Fort Worth: Scripta Publications, Inc., 1988), 285.

**Statements** indicate core thought expressions in the text as a basis for schematizing the rhetorical structure of the text. These are found in the Study Manual and also at the James Study internet site.

Controlling the Tongue	73-93	3.1-12
True and False Wisdom	94-102	3.13-18
Solving Divisions	103-133	4.1-10
<b>Criticism</b>	<b>134-140</b>	<b>4.11-12</b>
Leaving God Out	141-146	4.13-17
Danger in Wealth	147-161	5.1-6
Persevering under Trial	162-171	5.7-11
Swearing	172-174	5.12
Reaching Out to God	175-193	5.13-18
Reclaiming the Wayward	194	5.19-20

**Structure:**

The block diagram of the scripture text below in English represents a very literalistic English expression of the original language Greek text in order to preserve as far a possible the grammar structure of the Greek expression, rather than the grammar of the English translation which will always differ from the Greek at certain points.

134 <sup>4.11</sup> **Stop slandering one another,**  
brothers,  
he who slanders his brother  
or  
passes judgment on his brother  
135 **slanders the Law**  
and  
136 **passes judgment on the Law;**  
and  
if you pass judgment on the Law,  
137 **you are not a doer of the Law,**  
but  
138 **--- --- a judge.**

139 <sup>4.12</sup> **There is but one Lawgiver**  
and  
**Judge,**  
He who has the power to save  
and  
to condemn;  
but  
140 **who are you**  
who passes judgment on your neighbor?

The rhetorical structure of this very short pericope is well defined and compact. Essentially it revolves around two structures: (1) an admonition [statement 134] and (2) a defense of the admonition [statements 135 - 140].

The admonition in statement 134 is simple and short, although in the interpretation section below we will discover a high level of ambiguity in it.

The defense of the admonition in statements 135 through 140 built on a very tightly formed logic that ends up declaring that the one slandering another person is in reality trying to play God. The unfolding thought structure surfaces in sets of twos (135-139) and ends with a rhetorical question (140).

## Exegesis of the Text.

The most natural approach to interpreting the text is to follow the natural structure already contained inside the passage: admonition and reason for it. Thus our exegesis will be developed around this structure.

### a) **The admonition: stop slandering, v. 11a:**

Μὴ καταλαλεῖτε ἀλλήλων, ἀδελφοί.

Do not speak evil against one another, brothers and sisters.

The use of the verb καταλαλέω here (3X) is limited to this verse and then is only found twice in 1 Peter. 2:12 and 3:16 in reference to non-Christians slandering believers ὡς κακοποιῶν, *as criminals*. Interestingly, Peter argues in both references that the best defense against slander from non-Christians is a honorable life of good deeds (τὴν ἀναστροφὴν ὑμῶν... καλὴν... ἐκ τῶν καλῶν ἔργων, 2:12; ὑμῶν τὴν ἀγαθὴν ἐν Χριστῷ ἀναστροφὴν, 3:16). Whenever the law courts tried to take legal action against believers, this exceptional quality of life would put these accusers to shame καταισχυθῶσιν (3:16), and for certain on the day of judgment these accusers would be forced to praise God for the noble life of the believers they had persecuted through the human courts, δοξάσωσιν τὸν θεὸν, 2:12.

Just these five uses of καταλαλέω do not provide us with enough information to clearly understand what James is forbidding here. The use of the noun καταλαλιά (2 Cor. 2:20; 1 Pet. 2:1) and the adjective κατάλαλος, ον (Rom. 1:30) elsewhere in the New Testament helps develop a more detailed picture of what James is talking about here. Additionally, the connection of this complex of words (καταλαλέω, καταλαλιά, and κατάλαλος, ον) with a series of other word groups in the NT alluding to slander give us even greater insight into James' statement here.

The core meaning of the verb with its noun and adjective derivatives is literally to 'speak against' someone.<sup>26</sup> The nature of such speech is not to take a contrary viewpoint and then to criticize the other person for holding to a different view point. Rather, καταλαλέω is deliberate speech against another person motivated by the desire to harm or injure the individual. Plus this kind of destructive speech employs lies and misrepresentation about the views, character, and integrity of the other individual. This kind of speech is not necessarily made directly to the other individual. Rather, it is speech spoken about the individual to other people.

What surfaces in First Peter's use of the verb καταλαλέω is that such evil speech can be made in a legal process as a part of legal charges being brought against the targeted individual. Non Christians were doing such against Christians where the believers lived in Anatolia with the stated targeted readership of First Peter (cf. 1:1-3). But such slander did not always imply a legal process, as Paul makes clear with the use of the adjective κατάλαλος in Rom. 1:30. Here κατάλαλος is one of the items in a long list of vices that become the basis of God giving up on the paganism of the first century world:

28 And since they did not see fit to acknowledge God, God gave them up to a debased mind and to things that should not be done. 29 They were filled with every kind of wickedness, evil, covetousness, malice. Full of envy, murder, strife, deceit, craftiness, they are gossips, 30 **slanderers**, God-haters, insolent, haughty, boastful, inventors of evil, rebellious toward parents, 31 foolish, faithless, heartless, ruthless. 32 They know God's decree, that those who practice such things deserve to die — yet they not only do them but even applaud others who practice them.

28 Καὶ καθὼς οὐκ ἔδοκίμασαν τὸν θεὸν ἔχειν ἐν ἐπιγνώσει, παρέδωκεν αὐτοὺς ὁ θεὸς εἰς ἀδόκιμον νοῦν, ποιεῖν τὰ μὴ καθήκοντα, 29 πεπληρωμένους πάσῃ ἀδικίᾳ πονηρίᾳ πλεονεξίᾳ κακίᾳ, μεστοὺς φθόνου φόνου ἔριδος δόλου κακοθεΐας, ψιθυριστὰς 30 **καταλάλους** θεοστυγεῖς ὑβριστὰς ὑπερηφάνους ἀλαζόνας, ἐφευρετὰς κακῶν, γονεῦσιν ἀπειθεῖς, 31 ἀσυνέτους ἀσυνθέτους ἀστόργους ἀνελεήμονας· 32 οἵτινες τὸ δικαίωμα τοῦ θεοῦ ἐπιγνόντες ὅτι οἱ τὰ τοιαῦτα πράσσοντες ἄξιοι θανάτου εἰσίν, οὐ μόνον αὐτὰ ποιοῦσιν ἀλλὰ καὶ συνευδοκοῦσιν τοῖς πράσσουσιν.

<sup>26</sup>καταλαλέω fut. 3 pl. καταλαλήσουσιν Mi 3:7; 1 aor. κατελάλησα LXX (s. two next entries and λαλέω; Aristoph.+; Polyb.; Stoic. III 237, 6 al.; SIG 593, 6 [II B.C.]; PHib 151 [c. 250 B.C.]; LXX, En; TestAbr B 12 p. 116, 20 [Stone p. 80]; Test12Patr; Philo [only in connection w. the OT: Leg. All. 2, 66f=Num 12:8 and Leg. All. 2, 78=Num 21:7]) **speaking ill of, speaking degradingly of, speak evil of, defame, slander** τινός someone (Ps 77:19 τοῦ θεοῦ; 100:5 τοῦ πλησίον αὐτοῦ; Test1ss 3:4, Gad 5:4; cp. Diod S 11, 44, 6; τῆς τοῦ θεοῦ δόξης Theoph. Ant. 3, 30 [p. 268, 28]) **Js 4:11ab**; 2 Cl 4:3; Hm 2:2a. ἵνα ἐν ᾧ καταλαλοῦσιν ὑμῶν **1 Pt 2:12** (cp. SIG loc. cit. ἵνα μὴδ' ἐν τούτοις ἔχωσιν ἡμᾶς καταλαλεῖν οἱ ...). Also κατά τινος (so mostly LXX, En) 1 Cl 35:8 (Ps 49:20). Pass. **1 Pt 3:16**.—Fig. (Ps.-Lucian, As. 12 τοῦ λύχνου) νόμου speak against the law **Js 4:11c**.—Abs. ὁ καταλαλῶν one who speaks evil Hm 2:2 (three times).—M-M. TW.

[William Arndt, Frederick W. Danker and Walter Bauer, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 3rd ed. (Chicago: University of Chicago Press, 2000), 519.]

The apostle lists καταλαλιά as an expression of paganism so detestable to God that it prompts Him to walk away from the slander to let him be consumed by the destructiveness of this evil.

Paul, in writing to the church at Corinth, expresses concern that καταλαλιά may be present in the church (2 Cor. 12:20):

For I fear that when I come, I may find you not as I wish, and that you may find me not as you wish; I fear that there may perhaps be quarreling, jealousy, anger, selfishness, **slander**, gossip, conceit, and disorder.

φοβοῦμαι γὰρ μή πως ἐλθὼν οὐχ οἴους θέλω εὔρω ὑμᾶς κἀγὼ εὐρεθῶ ὑμῖν οἷον οὐ θέλετε· μή πως ἔρις, ζῆλος, θυμοί, ἐριθεΐαι, **καταλαλιαί**, ψιθυρισμοί, φυσιώσεις, ἀκαταστασίαι·

Peter, in writing to the churches of Asia Minor, calls on them to rid themselves of any expression of slander (1 Peter 2:1):

Rid yourselves, therefore, of all malice, and all guile, insincerity, envy, and **all slander**.

Ἀποθέμενοι οὖν πᾶσαν κακίαν καὶ πάντα δόλον καὶ ὑποκρίσεις καὶ φθόνους καὶ **πάσας καταλαλιάς**,

In 1 Pet. 2:1-2, slander and the other vices are filthy clothes that must be removed before one can take in the nourishing Word in order to grow spiritually. The references in Second Corinthians and First Peter appear to simply be slanderous criticism of fellow believers, but not something that would lead to legal charges being raised.

What these passages, that collectively make use of the word group καταλαλέω, καταλαλιά, and κατάλαλος, ον, clearly portray is that this kind of speech is a detestable action to a Holy God. It represents a lifestyle of paganism that absolutely has no legitimate place inside Christianity. Whenever it surfaces inside the church, it must be removed quickly and completely.

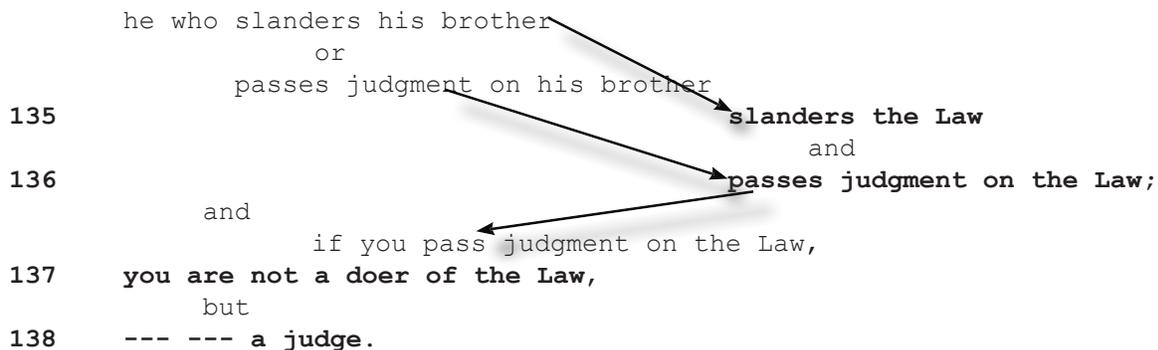
Then, when seen along with related terms in the NT, our understanding of its wrongness grows substantially. These terms include the following words: ὀνειδίζω (9x; **reproach**) and ὀνειδισμός (11x; **reviling**); ὑβρίζω (5x; **insult**), ὑβρις (3x; **insolence**), and ὑβριστής (2x; **insulting person**); ἐνυβρίζω (1x; **insult**); λοιδορέω (4x; **revile**), λοιδορία (3x; **reproach**), and λοιδορος (2x; **reviler**), plus ἀντιλοιδορέω (1x; **reply to an insult with insult**); διάβολος (**slanderer**, 3 of 37x; **Devil**, 34x); δυσφημέω (1x; **slander**) and δυσφημία (1x; **slander**); κακολογέω (4x; **speak evil of**); βλασφημέω (34x; **blaspheme/slander**), βλασφημία (18x; **blasphemy/ slander**), and βλάσφημος (4x; **blasphemous/blasphemer/slanderous/slanderer**). Added to this list is the idiom, ἐκβάλλω τὸ ὄνομα, **throw out the name** in the sense of slander (Lk. 6:22). Almost a hundred times in the NT believers are made aware of the wrongness of slander. Now the picture should be brilliantly clear: Christians must not speak evil against one another! Or, as James puts it: Μὴ καταλαλεῖτε ἀλλήλων.

### **b) The reason to stop slandering, vv. 11b-12:**

ὁ καταλαλῶν ἀδελφοῦ ἢ κρίνων τὸν ἀδελφὸν αὐτοῦ καταλαλεῖ νόμου καὶ κρίνει νόμον· εἰ δὲ νόμον κρίνεις, οὐκ εἶ ποιητὴς νόμου ἀλλὰ κριτῆς. 12 εἷς ἐστὶν [ὁ] νομοθέτης καὶ κριτῆς ὁ δυνάμενος σῶσαι καὶ ἀπολέσαι· σὺ δὲ τίς εἶ ὁ κρίνων τὸν πλησίον;

Whoever speaks evil against another or judges another, speaks evil against the law and judges the law; but if you judge the law, you are not a doer of the law but a judge. 12 There is one lawgiver and judge who is able to save and to destroy. So who, then, are you to judge your neighbor?

A most fascinating aspect of what James says here is the logic behind his words. This can be more easily seen from the block diagram:



Pay close attention to the parallel statements, along with the verbs and their objects. To slander a brother

(καταλαλῶν ἀδελφοῦ) is to slander the Law (καταλαλεῖ νόμου); to pass judgment on a brother (κρίνων τὸν ἀδελφὸν αὐτοῦ) is to pass judgment on the Law (κρίνει νόμον). Next, if you pass judgment on the Law (νόμον κρίνεις), conclusion: you're not doing Law but have become a judge of the Law, οὐκ εἶ ποιητὴς νόμου ἀλλὰ κριτῆς.<sup>27</sup> The assumption is clear: slandering / judging a brother equals slandering / judging the Law of God. To do this means you have set yourself up not under the authority of the Law but in authority above the Law.

James plays off of synonymous parallelism in order to equate slandering a brother to passing judgment on God's Law. In the background of James' thinking here is Lev. 19:18, which James has already used once before in 2:8-9.

καὶ οὐκ ἐκδικᾷται σου ἡ χεὶρ, καὶ οὐ μηνιεῖς τοῖς υἱοῖς τοῦ λαοῦ σου καὶ ἀγαπήσεις τὸν πλησίον σου ὡς σεαυτὸν· ἐγὼ εἰμι κύριος.

You shall not take vengeance or bear a grudge against any of your people, but you shall love your neighbor as yourself: I am the LORD.

To be certain, the prohibition against judging another is clearly marked in the teaching of Jesus at Matt. 7:1-5 and Luke. 6:37-42. Additionally, Paul makes a similar emphasis in Rom. 2:1; 14:4; 1 Cor. 4:5; 5:12.

His next assertion in verse 12 is clear: authority over the Law (= giving laws and judging) belongs exclusively to God alone, who has the power to save and destroy. For a believer to do this is attempting to usurp the sole prerogative of God. In short, slandering a brother is playing God! The framing of this final declaration injects a bit of sarcasm: who do you think you are, when you judge your neighbor? Note that neighbor (τὸν πλησίον) equals brother (τὸν ἀδελφὸν αὐτοῦ). In this logic James asserts that slandering our brother is blaspheming our God.<sup>28</sup> He is the one who told us, "Don't do it!" But when we go ahead and do it, we are telling God to get out of the way; we're taking over now and don't want Him getting in our way. The clear implication is that to make such a gesture to the God who can save and destroy is one of the dumbest actions imaginable!

## 2. What does the text mean to us today?

What is clear from 4:11-12 is that spouting out slanderous lies against a fellow believer to others is a grievous sin that God completely detests. In James' day the Jewish Christian readership evidently was resorting to such tactics in the conflicts and disputes that popped up from time to time in the churches. James reminds them out of the Jewish background, that such action represents a pagan lifestyle completely in opposition to God and His will. In fact, to attempt such is to try to dethrone God in one's life!

*A bishop was invited to dinner. During the meal he was astonished to hear the younger daughter state that a person must be very brave to go to church these days. "Why do you say that?" asked the bishop. "Because," she answered, "I heard Dad tell Mom last Sunday that there was a big shot in the pulpit, the canon was in the vestry, the choir murdered the anthem, and the organist drowned everybody!"*

And that is a recipe for absolute disaster. The early church took Jesus' application of the "Love your neighbor as yourself" from Lev. 19:18 very seriously and saw in that all kinds of implications about how we treat our fellow Christian, and especially what we say about him to others. This text does not suggest that believers were bringing legal charges of slander in a court process -- either Jewish or Roman -- against one another. Instead, they were engaging in malicious gossip about others in the Christian community. No legal authority

<sup>27</sup>“The command not to judge is found elsewhere (Mt. 7:1–5; Lk. 6:37–42; Rom. 2:1; 14:4; 1 Cor. 4:5; 5:12; cf. Jn. 7:24; 8:15–16), but the reason given here, that such judging breaks the law, is unique. While James may well be dependent on the Jesus logia cited above, Lv. 19:18, previously cited in 2:8–9, is probably foremost in his mind (cf. the use of πλησίον in 4:12 and the similar argument in Test. Gad 4:1–2).” [Peter H. Davids, *The Epistle of James: A Commentary on the Greek Text*, New International Greek Testament Commentary (Grand Rapids, MI: Eerdmans, 1982), 170.]

<sup>28</sup>“The law is broken in another sense as well as that in 4:11, for in setting oneself up as judge, one has usurped the role of God. That God is the lawgiver is explicit in the OT (cf. νομοθέτης in Ps. 9:21 LXX) and in later works (cf. νομοθετέω in 2 Macc. 3:15; Heb. 7:11; 8:6). His sole right to judge forms a theme in John and Paul (Jhn. 5 Rom. 14:4). This is because only God has authority over life and death (Gn. 18:25; Dt. 32:39; 1 Sa. 2:6; 2 Ki. 5:7; Ps. 75:7; Is. 33:22; Mt. 10:28; Heb. 5:7; 2 Tim. 4:8; 1QS 10:18; m. Ab. 4:8; Hermas Man. 12.6.3, which also uses δυνάμενον σώσαι καὶ ἀπολέσαι; Sim. 9.23.4; Mek. Amalek 1 on Ex. 17:9; 1 Clem. 59:3); thus usurping his judging authority by judging a person is really a blaspheming of God (so also Test. Gad 4:1–2). It is indeed a breaking of the law and rightly introduces the rhetorical question, “and who are you, you who judge your neighbor?” Who indeed do humans think they are?” [Peter H. Davids, *The Epistle of James: A Commentary on the Greek Text*, New International Greek Testament Commentary (Grand Rapids, MI: Eerdmans, 1982), 170.]

