

The Third Triad: Divorce (Matthew 5:31–32)
(Matthew 19:3-12; Mark 10:2-12; Luke 16:18; I Corinthians 7)

Traditional Piety: (Matthew 5:31, ESV) “It was also said, ‘Whoever divorces his wife, let him give her a certificate of divorce.’”

Vicious Cycle: (Matthew 5:32, ESV) “But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.”

Transforming Counsel: (1 Corinthians 7:10–11, ESV) “To the married I give this charge (not I, but the Lord): the wife should not separate from her husband (but if she does, she should remain unmarried or else be reconciled to her husband), and the husband should not divorce his wife.”

The problems of lust are not exhausted by means of radical amputation mentioned in the last triad. There is another sinful behavior driven by lust that must be considered as well: divorce.

Traditional Piety (Matthew 5:31)

(Matthew 5:31, ESV) “It was also said, ‘Whoever divorces his wife, let him give her a certificate of divorce.’”

As I begin to address this, I find that the words of John Stott resonate within my own heart. “I confess to a basic reluctance to attempt an exposition of these verses. This is partly because divorce is a controversial and complex subject, but even more, because it is a subject which touches people’s emotions at a deep level. There is almost no unhappiness so poignant as the unhappiness of an unhappy marriage, and almost no tragedy so great as the degeneration of what God meant for love and fulfillment into a non-relationship of bitterness, discord, and despair. Although I believe that God’s way in most cases is not divorce, I hope I shall write with sensitivity, for I know the pain which many suffer, and I have no wish to add to their distress. Yet it is because I am convinced that the teaching of Jesus on this and every subject is good—intrinsically good, good for individuals, good for society—that I take my courage in both hands and write on.”¹

It was also said.... Let us note that in our context, this passage (Matthew 5:31-32) follows Matthew 5:27-30, which is a discussion on lust. This new discussion follows so closely that the prior pattern “**you have heard**” is replaced here with “**It was also said.**” “The OT not only points toward insisting that lust is the moral equivalent of adultery (vv. 27–30) but that divorce is as well.”² So, we continue with the discussion on unfaithfulness, “Lust is one form of such unfaithfulness; divorce is another.”³

Looking at this section in Matthew 5:21-48, we see Jesus doing a type of comparison, “You have heard.... but I say to you....” To get a fuller idea as to what they heard, we need to look at Matthew 19:3 where it seems that what they heard said was that a person could divorce his wife “*for any cause.*”

Matthew 19

It would be helpful to keep Jesus’ comments in Matthew 19 in mind.

“And Pharisees came up to him and tested him by asking, “Is it lawful to divorce one’s wife for any cause?” He answered, “Have you not read that he who created them from the beginning made them male and female, and said, ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh.’ So they are no longer two but one flesh. What therefore God has joined together, let not man separate.” They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?” He said to them, “Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.” (Matthew 19:3–9, ESV)

Deuteronomy 24

¹ John R. W. Stott and John R. W. Stott, *The Message of the Sermon on the Mount (Matthew 5-7): Christian Counter-Culture*, 92.

² D. A. Carson (1984). Matthew. In F. E. Gaebelin (Ed.), *The Expositor’s Bible Commentary: Matthew, Mark, Luke*, Vol.8, p. 152.

³ Craig S. Keener, *The Gospel of Matthew: A Socio-Rhetorical Commentary*, 189.

The discussion by Jesus and the Pharisees in Matthew 19:3-9 addresses Deuteronomy 24:1.

“When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecent in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house,” (Deuteronomy 24:1, ESV)

However, this verse had been taken out of context by the Pharisees as a command to divorce, “*They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?”*” (Matthew 19:7, ESV). In fact, there was no such “command.”

“A careful reading of Deuteronomy 24:1–4 reveals something quite different. To begin with, the whole paragraph hinges on a long series of conditional clauses. This may be brought out in the following paraphrase: ‘After a man has married a wife, *if* he finds some indecency in her, and *if* he gives her a divorce-certificate and divorces her and she leaves, and *if* she marries again, and *if* her second husband gives her a divorce-certificate and divorces her, or *if* her second husband dies, *then* her first husband who divorced her is forbidden to remarry her....’ The thrust of the passage is to prohibit the remarriage of one’s own divorced partner. The reason for this regulation is obscure. It appears to be that if her ‘indecent’ had so ‘defiled’ her as to be a sufficient ground for divorce; it was also a sufficient reason for not taking her back. It may also have been intended to warn a husband against a hasty decision because once made it could not be rescinded, and/or to protect the wife against exploitation. For our purposes here, it is enough to observe that this prohibition is the only command in the whole passage; there is certainly no command to a husband to divorce his wife, nor even any encouragement to do so. All there is, instead, is a reference to certain necessary procedures *if* a divorce takes place; and therefore at the very most a reluctant permission is implied and a current practice is tolerated.”⁴

Jesus is taking exception to what was commonly believed about this passage, Deuteronomy 24:1–4, in the Old Testament and is now giving his audience an explanation on what was the proper way to understand this material.

From Jesus’ earlier teaching we saw that the righteousness of the scribes and Pharisees was so small that it allowed anger, hate, and murder in their heart. It also enabled them to lust after other women. And now, he shows that it allowed them to divorce their wife for any cause; in other words, it allowed for adultery by the husband. So, Jesus continues to explain how one’s righteousness can and must exceed that of the scribes and Pharisees—by understanding and living the law of God as it was intended to be understood and lived.

Whoever divorces his wife (for any cause) ... “The main area of rabbinic dispute was not the legitimacy of divorce in itself, which everyone seems to have taken for granted, but the permissible grounds of divorce....”⁵ And as a part of that idea, there was an issue here that is not spoken but still a major part of the topic. That would be the phrase “*for any cause*.” This phrase is not in Deuteronomy 24; this is from the arguments of the Pharisees as to what constitutes a proper reason for divorce found in Matthew 19. Such was their self-serving expansion of the text that allowed them to do what was in fact condemned—to get an easy divorce.

So, even though this phrase “*for any cause*” is not a part of our Matthew 5:31-32 context, we can see from Matthew 19:3 that this was prominent in the mind of his audience. It was this type of error of the Old Testament that was common in Jesus’ day and a topic of great interest.

The Pharisaic school of Shammai took the position that only *sexual immorality* was a proper reason for divorce. The school of Hillel took the position that “*any cause*” was an acceptable basis for divorce. “In practice, it seems clear that it was the Hillelite position which prevailed among most Jews....”⁶

In this case, Jesus’ position was much closer to the Shammai school of thought than the Hillel school of thought common to that era—and to our own. The current position of most in Christianity today would be similar to the Hillelite position. In other words, there has been a “pragmatic adaptation by a church which found Jesus’ absolute ethic unworkable in practice, an adaptation which in many modern Christian circles has resulted in something like a Hillelite liberalism.”⁷ Although the observation of this author is disturbing, he does seem to be substantially correct, many people in the Church today divorce *for any cause*.

⁴ John R. W. Stott and John R. W. Stott, *The Message of the Sermon on the Mount (Matthew 5-7): Christian Counter-Culture*, 95.

⁵ R. T. France, *The Gospel of Matthew* (The New International Commentary on the New Testament; Grand Rapids, MI: Wm. B. Eerdmans Publication Co., 2007), 207.

⁶ *Ibid.*, 207–208.

⁷ *Ibid.*, 210.

In Deuteronomy 24, “God instituted a regulation through Moses that was designed to do three things: (1) protect the sanctity of marriage from “indecenty” defiling the marital relationship; (2) protect the woman from a husband who might simply send her away without any cause; (3) document her status as a legitimately divorced woman so that she was not thought to be a harlot or a runaway adulteress.”⁸ In order to accomplish these things:

Let him give.... This “is an imperative, but it is a paraphrase of an OT legal command (Deut 24:1–4).”⁹ Its presence here is because of its Old Testament origins, not because it serves as transforming counsel.

...a certificate of divorce.... Moses “regulated a practice in order to protect women in society by allowing them to remarry. The bill of divorce had to serve as a legal document and contract, and helped to protect the woman’s rights.”¹⁰ In fact, “Divorce in the books of Moses (Lev 21:7, 14; 22:13; Num 30:9) appears as a fact of social life....”¹¹

Vicious Cycle (Matthew 5:32)

Matthew 5:32 “But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.”

Rejecting marriage and divorce as taught by God, the Jews sought to pursue “serial adultery” through a twisting of God’s law allowing for divorce and remarriage at will.

But I say to you... This phrase means that Jesus is taking exception to a commonly held view of the propriety of casual divorces. It appears that this exception was that a “certificate of divorce” could be given “for any cause.”

...except on [besides]¹² the ground of sexual immorality¹³ Our study has brought us to a discussion on “sexual immorality.” It appears that this is the only ground for divorce that is acceptable to him. “Matthew makes it clear that Jesus *restricts the legitimate grounds for divorce to no more than what Moses says: “sexual immorality.”*”¹⁴ The word means “to engage in sexual immorality of any kind, often with the implication of prostitution— ‘to engage in illicit sex, to commit fornication, sexual immorality, fornication, prostitution.”¹⁵ This is the only basis for divorce given by Jesus in this passage.

But, what is the relation of the Greek word for “sexual immorality” to the Hebrew word for “indecenty” found in Deuteronomy 24?

Indecency¹⁶

The Hebrew word for *indecenty* may not relate to adultery. “If that which was offensive had been adultery, according to the law the wife would not simply have been divorced; she would have been stoned

⁸ Michael J. Wilkins, *Matthew*, 246.

⁹ Glen H. Stassen, “The Fourteen Triads of the Sermon on the, 276.

¹⁰ I.J. du Plessis, “The Social and Economic Life of the Jewish People in Palestine in the Time of the New Testament,,” in *The New Testament Milieu* (ed. A.B. du Toit; vol. 2; Guide to the New Testament; Halfway House: Orion Publishers, 1998).

¹¹ Earl S. Kalland, “Deuteronomy,,” in *The Expositor’s Bible Commentary: Deuteronomy, Joshua, Judges, Ruth, 1 & 2 Samuel* (ed. Frank E. Gaebelin; vol. 3; Grand Rapids, MI: Zondervan Publishing House, 1992), 3145.

¹² *except Παρεκτός* “...aside from, except. Out near, out by. Metaphorically, “besides....” Spiros Zodhiates. (2000). *The complete word study dictionary: New Testament* (electronic ed.). Chattanooga, TN: AMG Publishers.

¹³ *sexual immorality πορνεία*

1. *pornē*; (from *pernēmi*, “to sell”) literally means “harlot for hire” (Greek harlots were usually slaves).

2. *pornos* means “whoremonger,” then “male prostitute.”

3. *porneia* means “licentiousness” or “fornication” (rare in classical Greek).

4. *porneūō* means a. “to prostitute” (passive “to prostitute oneself”), and b. “to commit fornication.”

5. *ekporneūō* means “to live licentiously.” Gerhard Kittel, Gerhard Friedrich, and Geoffrey William Bromiley, *Theological Dictionary of the New Testament* (Grand Rapids, MI: W.B. Eerdmans, 1985), 918.

¹⁴ Scot McKnight, *Sermon on the Mount* (ed. Tremper Longman III and Scot McKnight; The Story of God Bible Commentary; Grand Rapids, MI: Zondervan, 2013), 99.

¹⁵ Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic Domains*, 770.

¹⁶ The word under discussion in Deuteronomy 24 is *indecenty* עָרְוָה “(1) nakedness.... (2) pudenda; especially when naked.... (3) shame, filthiness.” Wilhelm Gesenius and Samuel Prideaux Tregelles, *Gesenius’ Hebrew and Chaldee Lexicon to the Old Testament Scriptures* (Bellingham, WA: Logos Bible Software, 2003), 653.

to death (Lev 20:10; Deut 22:22).¹⁷ So, the word here addresses something worthy of divorce but not death.

Some Laws in The Old Testament Which Demand the Death Penalty

Logically, therefore, it would seem that the following violations of the Law were not reasons a person was divorced in ancient Israel. This is because these offenses resulted in death, not divorce.

- Adultery (Lev 20:10-12, (man and woman).
- Lying about virginity. Applies to girls who are still in their fathers' homes, who lie about their virginity, and are presented to their husband as a virgin. (Deut 22:20-21).
- Sex with a virgin pledged to be married to another. Applies to man who has sex with a virgin pledged to be married, and to the virgin if she does not call for help. (Deut 22:23-24).
- The daughter of a priest practicing prostitution (death by fire) (Lev 21:9).
- Rape of someone who is engaged. If she is not engaged, you have to marry her and give her father 50 shekels. (Deut 22:25).
- Practicing bestiality. (Both man and animal die). (Lev 20:15-16)
- Having sex with your father's wife, as distinct from "your mother." (both die). (Lev 20:20).
- Having sex with your daughter in law. (Lev 20:30)
- Incest. (Lev 20:17)
- Male homosexuality. (Lev 20:13).
- Marrying a woman and her daughter. They are all burnt to death (Lev 20:14)
- Sexual activity with a woman who is menstruating: Leviticus 20:18

So, our first thought is that the material in Deuteronomy 24 had to do with issues other than adultery or any of the items on the above list. These were all addressed with capital punishment; *indecent* is not. "Something less than adultery must be meant here, since the punishment for adultery is death (22:22–27; Lev 20:10)."¹⁸ But is this true? It appears that the "solution" to these various forms of sexual immorality may have been open to the husband, either put her to death or give her a certificate of divorce.

There seems to be some degree of clarity here, if "some indecent" was involved either capital punishment or divorce. But still, this, then and now, limited divorce to a very few serious sexual sins. The desire was to divorce a wife "for any cause" allowing a wider range of sexual activity to the men of that society. So, the scribes, Pharisees and Rabies debated what was a proper definition of "**some indecent**" with many concluding that burning a meal met this qualification, hence "*for any cause*." This is the type of casuistry¹⁹ Jesus is confronting in this passage, the use of sophisticated argument to deny what is taught.

The purpose of the Deuteronomy passage was to provide a legitimate means of divorce for sexual immorality using a **certificate of divorce**.²⁰ But Jesus is making the point that the way some were going about divorce "*for any cause*" resulted in nothing more than publicly sanctioned adultery on the part of the men of that society. The very thing the passage is forbidding, sending a wife away for a cause other than indecent, has become the basis for their law on divorce—sending away a wife for something other than indecent.

To clarify, Jesus response to the "*certificate of dismissal*" statement of verse 5:31 is this: "*But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.*" (Matthew 5:32, ESV)

The reason for the "*certificate of dismissal*" in Deuteronomy must be related to the Greek word that Jesus now uses for sexual immorality [porneia, πορνεία].

¹⁷ George Wesley Buchanan, *The Gospel of Matthew*, 261–262.

¹⁸ Earl S. Kalland, "Deuteronomy," in *The Expositor's Bible Commentary: Deuteronomy, Joshua, Judges, Ruth, 1 & 2 Samuel* (ed. Frank E. Gaebelin; vol. 3; Grand Rapids, MI: Zondervan Publishing House, 1992), 3145.

¹⁹ casuistry "...1: a resolving of specific cases of conscience, duty, or conduct through interpretation of ethical principles or religious doctrine 2: specious argument." Merriam-Webster, *Merriam-Webster's Collegiate Dictionary* (Springfield, MA: Merriam-Webster, 1996).

²⁰ *Certificate of divorce ἀποστάσιον* "...a written statement prepared by a husband and given to a wife as evidence of a legal divorce— 'written notice of divorce.'" Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic*, 393.

Of course, the death penalty was no longer possible for these sins even if the husband wanted to use this option. Rome did not allow the use of the death penalty to Israel but reserved it for their own use only. If not the death penalty, then what? The answer to that question is before us, divorce. When Joseph concluded that Mary was sexually unfaithful, he did not consider capital punishment as an option but instead, like this situation before us, looked to a divorce as a solution.

And if a divorce took place without sexual immorality, Jesus is making it clear that this is then not a Scriptural divorce.

Divorce cannot be “*for any cause*” but only for *sexual immorality*. Jesus is closing the book on those that would accept reasons like burning a meal or incompatibility as legitimate reasons for divorce.

In our day, the marriage ends when the “love” ends. Marriage vows, which once said, “as long as we both shall live” now say “as long as we both shall love.” “Our society, including many professing Christians, has rejected biblical conceptions of both love and marriage. Love has become a mixture of physical desire and vague sentimentality; marriage has become a provisional sexual union to be terminated when this pathetic, pygmy love dissolves.”²¹

“Marriage is commitment; and, far from backing out when the going gets rough, marriage partners are to sort out their difficulties in the light of Scripture. They are to hang in there, improving their relationship, working away at it, precisely because they have *vowed* before God and man to live together and love each other for better, for worse, for richer, for poorer, in sickness as in health, until death separates them.”²²

Makes Her Do *What*?

...makes her commit adultery... At this point, one expects to read that because the husband has divorced his wife for reasons other than *porneia* or sexual immorality, the husband thereby “*commits adultery*” and is condemned for doing so. Instead, the passage seemingly goes on to condemn the wife—the innocent party with adultery saying, “***makes her commit adultery.***”²³

In our pursuit to understand this confusing statement, let us again consider Matthew 19.

“And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.” (Matthew 19:9, ESV)

So, from this verse, we see that the husband stands condemned for committing adultery (not the wife) if he divorces his wife for any other cause other than sexual immorality, *porneia* (πορνεία). That makes perfect sense.

Mark also comments and says this:

“And he said to them, “Whoever divorces his wife and marries another commits adultery against her, and if she divorces her husband and marries another, she commits adultery.”” (Mark 10:11–12, ESV)

So, Mark also makes it clear that divorcing one’s wife for no proper cause, makes one guilty of adultery against his wife. And that is what we would think that Jesus would be saying here. However, at first reading, it, in fact, exonerates him and condemns the wife.

Since adultery could only happen if a woman had a sexual relationship with a man, not her husband, the phrase, ***makes her commit adultery***, does not make sense. She, in fact, has not done such a thing, committed adultery. The only person that has done anything wrong is the husband who divorced her even though there was no sexual immorality on her part. Clearly, because her husband divorced her, that does not mean that she has been *made* to have sex with another man.

Let’s draw some conclusions here, “the normal understanding of Mt. 5:32b runs the danger of leaving the woman involved a double victim: she has been divorced by a husband who may well have rejected her at

²¹ D. A. Carson, *Jesus’ Sermon on the Mount and His Confrontation with the World: An Exposition of Matthew 5–10*, 49.

²² *Ibid.*, 49.

²³ [to] *commit adultery μοιχεύω* “...sexual intercourse of a man with a married woman other than his own spouse— ‘to commit adultery, adultery.’ Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic*, 771.

his own whim (as per v. 31) and is now to be barred from any new relationship because she bears the stigma of the 'divorcee'.²⁴ Or worse yet, an adulteress.

So, as we read Matthew 5:32 we find ourselves wondering "... how the act whereby the husband divorces his *innocent* wife could make *her* an adulteress! As if the disgrace of having been unjustly rejected by her husband and being forced to face the struggle of life alone was not enough, must she now, in addition, be branded an "adulteress"?"²⁵

That is our dilemma. There are several explanations given here.

One understanding would be that if one party is guilty of divorce then, Jesus condemns all sides as guilty without distinction to actual fault. This is rather out of touch with the Bible as a whole, however.

A *second* would be to understand that although a woman in a Jewish culture had no right to file for a divorce, yet in fact if she wanted one, she could do the things necessary to force her husband to divorce her if just to save face. As a result, this woman would, in fact, be an adulterer. This is not very satisfying either.

Third, "The husband who divorces his wife causes her to commit adultery because in the culture of that day, unlike ours, a single woman could hardly survive on her own, except through prostitution. She was therefore bound to take another husband and so be made into an adulteress. And the man who married such a divorced woman himself committed adultery in so doing because he has married the wife of another man."²⁶ A lot has been added to the story to make this work, and she was in fact not "bound" to do anything of the kind. This interpretation is therefore not convincing either.

Fourth, according to some, the translation ***makes her commit adultery*** is not particularly a good one and that ***commits adultery against her*** comes much closer to the way the passage should be translated. With this translation, the woman is not being condemned at all but is recognized as the one who is the victim of her husband's adultery.

Let's Talk Grammar

The word ***adultery*** is used twice in this verse. The first use reads, "***makes her commit adultery***" and the second reads, "***marries a divorced woman commits adultery***." There are grammatical differences in these two words that will provide answers to this confusing verse. The first use of the verb in this verse is grammatically in the *Passive Voice*, the second use of the verb in this verse is in the *Middle Voice*. Here are the grammatical definitions of *voices*.

"...**active** — The grammatical voice that signifies that the subject is performing the verbal action or is in the state described by the verb."²⁷

"...**passive** — The grammatical voice that signifies that the subject is being acted upon; i.e., the subject is the receiver of the verbal action."²⁸

"...**middle** — The grammatical voice that signifies that the subject of the verb is being affected by its own action or is acting upon itself."²⁹

Most languages have three voices, the *active voice* is the **doer** of the action, the *passive voice* is the **receiver** of the action, and the *middle voice* is a combination of the two, **he does something to himself**.

In the first use of the word adultery in this verse, ***makes her commit adultery***, the Greek word is in the *Passive Voice*, "the subject is being acted upon; i.e., the subject, the wife, is the receiver of the verbal action." This woman receives the action of the first person, the husband. It is the husband who is the active agent, that is, he is the adulterer. The wife is the passive agent, the victim of his adultery.

²⁴ John Nolland (2005). *The Gospel of Matthew: A Commentary on the Greek text*, 246.

²⁵ W. Hendriksen & S. J. Kistemaker (1953-2001). *Vol. 9: Exposition of the Gospel According to Matthew*. New Testament Commentary (305). Grand Rapids: Baker Book House.

²⁶ D. A. Hagner (1998). *Vol. 33A: Matthew 1–13*. Word Biblical Commentary (125). Dallas: Word, Incorporated.

²⁷ Michael S. Heiser and Vincent M. Setterholm, *Glossary of Morpho-Syntactic Database Terminology* (Lexham Press, 2013; 2013), Active.

²⁸ *Ibid.*, Passive.

²⁹ *Ibid.*, Middle.

So, we conclude from this that the first person, the husband, is culpable for the adultery as he divorced his wife for reasons other than *porneia*, while the second, the wife, is not—she is the *passive victim* of his adultery. In which case, we should translate the passage “...**makes her the victim of adultery.**” Although the words “*the victim*” are not directly in the passage, in fact, the passive voice in the Greek word **μοιχεύω** *moicheúō*, **adultery**, demands it. *She is the recipient of the action, not the doer of the action*; the action is adultery, and this is by her husband. She is in fact “the victim of adultery through the action of her husband...”³⁰ This is because he divorced her on grounds other than “sexual immorality” (5:32). I believe this understanding fully resolves our dilemma.

It would be proper in our era to note the reverse of this logic as well; a woman who divorced her husband for “*any cause*,” something other than fornication (*πορνεία*, *porneía*) would be the one committing adultery, and this would make her husband “**the victim of adultery.**”

Now at this point one might say, that is all good and fine, but do any of the translators agree with this line of thinking? The NIV, 2011 edition, does. It reads:

“But I tell you that anyone who divorces his wife, except for sexual immorality, makes her the victim of adultery, and anyone who marries a divorced woman commits adultery.” (Matthew 5:32, NIV, 2011)

John Nolland in his translation of this passage in his commentary on Matthew says something similar: “*But I say to you that everyone who divorces his wife, except [in relation to] a matter of sexual impurity, causes her to have adultery committed against her; and whoever marries a woman who has gained a divorce [for herself] commits adultery.*”³¹

So, our dilemma is resolved. With this understanding, we are not making the victim of adultery an adulterer; she is, in fact, the victim.

...and whoever marries³² a divorced woman commits adultery³³.... This is the second use of the word adultery in this verse, and it does not use the same Greek word as was used the first time.

There are five variations of the word for adultery in the New Testament; they are:

- 1) μοιχεύω commit adultery
- 2) μοιχάω commit adultery with
- 3) μοιχαλίσ adulteress; adulterous
- 4) μοιχεία adultery
- 5) μοιχός adulterer³⁴

The two words we are working with in this verse are #1, μοιχεύω “commit adultery” and #2, μοιχάω “commit adultery with.” As you can see, the only difference in the definitions is the word “with.” As a result, the last phrase in the verse could be translated: “*whoever marries a divorced woman commits adultery **with (her)**.*” Other than that, the two words mean the same thing. We will get back to this in a moment.

...a divorced woman³⁵.... But who is this divorced woman that if someone marries her he does, in fact, commit adultery? It is the woman who was divorced because of “sexual immorality.” She was not the victim of her husband’s adultery; she was the actual adulterer. She was divorced for a biblically acceptable reason—adultery. And in marrying such a woman, this man also commits adultery.

³⁰ John Nolland, “Preface,” in *The Gospel of Matthew: A Commentary on the Greek Text*, 244.

³¹ *Ibid.*, 240.

³² *marries γαμέω* “...to enter into a marriage relation, applicable either to a man or to a woman— ‘to marry, marriage.’” Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic*, 455.

³³ *adultery μοιχάω commits adultery with* “...sexual intercourse of a man with a married woman other than his own spouse— ‘to commit adultery, adultery.’” Johannes P. Louw and Eugene Albert Nida (1996). *Vol. 1: Greek-English lexicon of the New Testament: Based on Semantic Domains* (electronic ed. of the 2nd edition.) (771). New York: United Bible Societies.

³⁴ Logos Bible Software “Bible Word Study” μοιχάω.

³⁵ *divorced woman ἀπολύω* “...to loose. To let loose from, to loose or unbind a person or thing.” Spiros Zodhiates. (2000). *The complete word study dictionary: New Testament* (electronic ed.). Chattanooga, TN: AMG Publishers.

³⁶ “...to free fully, i.e. (lit.) *relieve, release, dismiss* (reflex. *depart*), or (fig.) *let die, pardon*, or (spec.) *divorce*: —(let) depart, dismiss, divorce, forgive, let go, loose, put (send) away, release, set at liberty.” Strong, J. (2009). *Vol. 1: A Concise Dictionary of the Words in the Greek Testament and The Hebrew Bible* (14). Bellingham, WA: Logos Bible Software.

In addition, the second use of the word adultery is in the Middle Voice. "...middle — The grammatical voice that signifies that the subject of the verb is being affected by its own action or is acting upon itself."³⁷

As a result, the person who marries a divorced woman "is acting upon himself" or doing it to himself. By this marriage, this person is committing adultery *with her*. That is, to marry a woman divorced for the cause of immorality is, in fact, to commit adultery *with her*. As such, it should be translated, "**whoever marries a divorced woman is making himself an adulterer with her.**" Such would be the case if she were herself an adulterer, but if she were not an adulterer, then in marrying her, he would not be one either.

Conclusion: the phrase Jesus is addressing is "except on the ground of sexual immorality." As stated earlier, he appears to be addressing "the elephant in the room," the unstated clause "except for any cause." Jesus is making it clear that "for any cause" is not the way Deuteronomy is to be understood but in fact, "except on the ground of sexual immorality" is the meaning of the Old Testament law.

Common Belief: "Whoever divorces his wife (for any cause), let him give her a certificate of dismissal..." (5:31).

Jesus Correction: "Whoever divorces his wife, except for the cause of unchastity, makes her commit [the victim of] adultery..." (5:32). Or to phrase it another way, no *porneia* (πορνεία), no divorce.

Transforming Counsel (I Corinthians 7:10-11)

The interesting thing about the transforming counsel is that it appears to be missing in Matthew 5. But is it?

Let's look at the prior two triads, "Do not kill" (5:21-26) and "Do not lust" (5:27-30). These passages contribute to the transforming counsel here. I think we might see the prior two triads as providing that same counsel here. The last spoke of the necessity of dealing with immorality using radical amputation. Immorality is still the problem, and this is still transforming counsel. Going back to the first triad, we are confronted with the necessity of reconciliation to deal with anger. Anger is present in this scenario as well, husbands and wives angry with each other.

To this last thought on reconciliation, let's add another passage.

Transforming Counsel: (1 Corinthians 7:10, ESV) "To the married I give this charge (not I, but the Lord): the wife should not separate from her husband (but if she does, she should remain unmarried or else be reconciled to her husband), and the husband should not divorce his wife."

Jesus did address this issue in his ministry; Paul draws that to our attention. When speaking on divorce, Paul calls the couple to "be reconciled." He tells the Corinthians that this counsel is not come from him but "the Lord." If one is to leave a marriage partner for reasons other than fornication, "remain unmarried" or "be reconciled."

So, the transforming counsel for immorality or divorce is the discipline of the eye and hand as well as the reconciliation of the couple—not divorce.

Summary

Traditional Piety: We have identified the traditional piety, the commonly held teachings of the Bible, in 5:31 as "Whoever divorces his wife, let him give her a certificate of divorce."

Vicious Cycle: And in 5:32, we see the vicious cycle produced by their incorrect understanding of marriage, random divorces for any cause resulting in serial adultery.

Transforming Counsel: At this point, it seems that Jesus' transforming counsel, is missing. But, in fact, it already has been discussed in the control of the eye in Matthew 5:29-30 and in the issue of anger with "be reconciled" from Matthew 5:21-30 and I Corinthians 7:11

³⁷ M. S. Heiser (2005). In *Glossary of Morpho-Syntactic Database Terminology*. Logos Bible Software.

In this case the commands, identified by the imperative mood are again: “tear it out”, “throw it”, “cut it off”, and “throw it away” in the second triad and with “go”, “be reconciled”, and “come to terms” in the first triad. The clincher is found in I Corinthians 7, “remain unmarried” and “be reconciled.”

Deprive or Defraud?

But we are not done yet; there are a variety of ways porneia can take place. Paul speaks of sexual immorality (or *πορνεία*, porneia) in I Corinthians 7.

“But because of the temptation to sexual immorality (πορνεία, porneia), each man should have his own wife and each woman her own husband. The husband should give to his wife her conjugal rights³⁸, and likewise the wife to her husband. For the wife does not have authority over her own body, but the husband does. Likewise the husband does not have authority over his own body, but the wife does. Do not deprive one another, except perhaps by agreement for a limited time, that you may devote yourselves to prayer; but then come together again, so that Satan may not tempt you because of your lack of self-control.” (1 Corinthians 7:2–5, ESV)

Paul notes that both the husband and wife have “rights” over the body of the other (v4). He then requires that they do not “deprive”³⁹ the other of that right. The idea that a man or woman have exclusive rights to their own bodies is here denied by Scripture. Now the point is this, from the I Corinthian passage, it is clear that this “depriving” of sexual rights by the other partner amounts to “sexual immorality” or (*πορνεία*, porneia) by the depriving partner; this is not commonly understood by many married couples, but it should be, it is a critical element in marriage as well as in a possible divorce.

One of the purposes of marriage is stated this way by Paul:

“For it is better to marry than to burn with passion.” (1 Corinthians 7:9, ESV)

Depriving a partner of their sexual rights violates one of the purposes of marriage—sexual intimacy. It is here equated with sexual immorality and is, therefore, a legitimate ground for a divorce.

Desertion, Abandonment or Separation

In one other situation, Paul discusses divorce saying:

“But if the unbelieving partner separates⁴⁰, let it be so. In such cases the brother or sister is not enslaved. God has called you to peace.” (1 Corinthians 7:15, ESV)

Here Paul recognizes desertion as a legitimate *reason* for divorce, but he is not making this an additional *basis* for divorce as some think. Instead, Paul here clarifies what the word fornication (*πορνεία*, porneia) includes. I Corinthians 7:15 is similar to I Corinthians 7:9 in that in both cases one partner is “depriving” the other of their sexual rights in the other. The result is “porneia” or fornication in each instance. So, this improper *separation*, desertion, is not a new or different condition for divorce, it is simply another way to *deprive one another* of their sexual rights—and is, therefore, fornication (*πορνεία*, porneia).

At first glance, it seems that Paul is expanding the grounds for divorce by adding separation or desertion to the list of approved reasons. But in fact, he is just expanding our understanding of what fornication (*πορνεία*, porneia) addresses; divorce is still limited to fornication (*πορνεία*, porneia). Such an understanding might also serve as a warning to those that believe that “legal separation” is a proper way to deal with marital problems. “...the Jewish world knew nothing of a legal separation...”⁴¹ Separation, legal or otherwise, is instead a form of desertion, a denial of the sexual rights of the other and as a result a scriptural reason for divorce.

³⁸ *conjugal ὀφειλή* “...that which ought to be done as a matter of duty or social obligation— ‘what one should do, duty.’” Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic Domains*, 670.

³⁹ *deprive ἀποστερέω* “To deprive, wrong, or defraud another of what belongs to him....” Spiros Zodhiates, *The Complete Word Study Dictionary: New Testament* (Chattanooga, TN: AMG Publishers, 2000).

⁴⁰ *Separates, χωρίζω* “...to dissolve the marriage bond— ‘to divorce, to separate.’”

Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic*, 456.

⁴¹ R. T. France, *The Gospel of Matthew* (The New International Commentary on the New Testament), 212.

So, back to our passage in Matthew 5, here Jesus "...recognizes that a *matter of fornication* is a reason for divorce, and tells his hearers that divorce for any other reason is invalid...."⁴²

Exodus 21 and Divorce

In Exodus 21, we have a difficult passage that in some sense addresses divorce.

"When a man sells his daughter as a slave, she shall not go out as the male slaves do. If she does not please her master, who has designated her for himself, then he shall let her be redeemed. He shall have no right to sell her to a foreign people, since he has broken faith with her. If he designates her for his son, he shall deal with her as with a daughter. If he takes another wife to himself, he shall not diminish her food, her clothing, or her marital rights. And if he does not do these three things for her, she shall go out for nothing, without payment of money." (Exodus 21:7–11, ESV)

The context is that of a Jewish girl that is a slave in Israel. As the passage develops, a man takes her as his wife; this is made clear by the statements "*who has designated her for himself*" and "*if he takes another wife.*" In taking a second wife, the man is told that he may not diminish her 1) *food*, 2) *clothing*, or 3) *marital rights*. If he fails to do any of these, she is free to "*go out*" and although he had earlier paid money for her, she was a slave, because of his violation of these rights, he could not now demand "*payment of money.*" Having treated her so poorly, he has lost claim to these funds. To "*go out*" set her free from both slavery and from the marriage.

What are we to make of this? First of all, in denying her "*marital rights*," he is refusing sex; this is considered a basis for ending the relationship. As such, this corresponds to 1 Corinthians 7:2–5, (ESV); he is depriving her of her sexual rights and is, therefore, guilty of fornication *πορνεία* (porneia). It is on these bases that she is free to "*go out*."

So far, there is nothing new here. The problem is found in depriving her of food and clothing and no doubt by legitimate extension, housing; these are also listed as a basis for dissolving this relationship. Granted, she is a slave but if she were not a slave but a free woman, would she thereby lose her rights to food and clothing? Hardly, in fact, it would seem that she would have greater rights in these areas. So, the implications are rather clear, this negligence in food, clothing, and housing does appear to be grounds for divorce—at least in this culture of a slave.

When you consider how many men there are who will not work and support their families but instead live off their wife's labor, this passage appears to open the door to a legitimate, biblical divorce, although one not often considered. His negligence in providing food, clothing, and housing might be called an in-home desertion, living at home but functionally deserting the responsibilities of being a husband.

Violence in the Marriage

One topic has not yet been mentioned in our discussion on divorce is violence in the marriage. In fact, this is nowhere addressed in scripture. Why? Sadly, the reason is no doubt a product of the history and culture of the ancient world.

Conflict and violence in the home are prophesied in Genesis 3. As a result of her sin, Eve is told by God of three evil consequences that will follow.

"To the woman he said, 'I will surely multiply your pain in childbearing; in pain you shall bring forth children. Your desire shall be for [against] your husband, and he shall rule over you.'" (Genesis 3:16, ESV)

Here God explains to Eve the consequence of her sin and, as to be expected, all are negative. A part of that consequence is in the phrase "*Your desire shall be for [against⁴³] your husband....*" The meaning is not that she desires him or is attracted to him, as is often taught; this would make the consequence of her sin into a positive. That is not the point here; her desire is *against* him—she desires to harm him.

⁴² Leon Morris (1992). *The Gospel according to Matthew*. The Pillar New Testament Commentary (121). Grand Rapids, MI; Leicester, England: W.B. Eerdmans; Inter-Varsity Press.

⁴³ *for or against* ἔναντι ('el) unto, into, besides, against, in reference to. Jack B. Scott, "91 לָא," ed. R. Laird Harris, Gleason L. Archer Jr., and Bruce K. Waltke, *Theological Wordbook of the Old Testament* (Chicago: Moody Press, 1999), 41.

The next phrase is a popular one in many Christian circles: *he shall rule over you*. This is either *prescriptive* or *descriptive*. In the Christian church, it is almost universally considered prescriptive, that is, instructions on how the relationship between husband and wife ought to be. In a *real* Christian home, husbands “rule” over their wives! However, that is certainly wrong. Remember, all three of these statements are decidedly negative. The phrase is in fact descriptive on how the relationship will decay in the presence of sin. The woman is no longer a partner in life’s journey, but property to be possessed and ruled. So, the verse paints a dark picture of the fallen relationship of man and woman.

So, we are forced to believe that violence towards women was not addressed in the Bible for the simple reason that few looked upon it as anything other than a “right” a man had instead of a “wrong” he did.

As we move forward in history, we note that as late as the seventeenth century, it was thought that a man had a *right* to *discipline* his wife in this way. Before 1660, it is said that a man in England could beat his wife with a stick as long as that stick was not thicker than his thumb, hence, “the rule of thumb.” However, that explanation is not found in any law book and may, in fact, be false. What is not false is that women have certainly been exposed too much violence over the millennia.

This is the historical and theological context to violence in the home. It is an ugly picture and the reality for the last several thousand years has if anything exceeded the description. It is in this context that we consider our topic, violence in the home.

In recent years, things have begun to change. We may take exception to many things in modern feminism, but we should be grateful that this movement has highlighted the horror of violence in the home and has helped put the spotlight of popular criticism and law on this topic. Unfortunately, the leadership in this area did not come from the Church but from those with little interest in God or the Bible. This fact reminds one of another major failure of the Church, that of slavery in the old South. “By 1861, the slavery issue reached the breaking point. At this point, Presbyterians failed the Protestant church in America by not taking the moral high ground. By default, the theological liberalism of the abolitionist’s movement claimed that ground. The intellectual and moral leadership that Christians had come to expect from Presbyterians was lacking at the critical juncture in history.”⁴⁴ As the theologically liberal abolitionist’s movement took the moral high ground on that issue, so the theologically liberal feminist’s movement has taken the moral high ground on this matter. Both are an embarrassment to the Church, which said little or nothing critical about these abuses. Indeed, both cases of abuse were defended in the pulpits of many churches.

And yet, even the slightest moral sensitivity makes it clear that this is a great evil. So, our modern feminist movement should receive credit where credit is due; this is a topic long overdue for serious thought and action by the Church. Women are dying because of these attacks. The secular State is now acting to protect women; it is time the Church did so as well. One way for the Church to take action would be to address what relief might be available at a Scriptural level for women and not simply a pragmatic level.

So, does the Bible in any way speak to this issue? Is there Scriptural relief for the battered woman? In this situation, one might again contemplate Exodus 21. In considering violence as an element in divorce, might we ask if it is any less offensive than not providing a woman with food and clothing? Failing to provide food and clothing is passive negligence; violence against women is active negligence. The point being, if passive negligence provides a basis for a serious discussion on the possibility of divorce, does not assault and battery do so even more? “Abuse destroys what it means to have shelter because the house is no longer safe; abuse is a legitimate reason for divorce.”⁴⁵ As a result, a divorce for violence in the home can be reasonably and scripturally based on the exceptions found in Exodus 21:7–11, and perhaps other passages as well.

But since divorce is such a horrible outcome in one’s life, what response might a woman consider to violence before divorce?

Two often-overlooked actions are to call the police and tell the church. Make every effort to use the institutions of civil government and church government to shine a light on this abuse. What responses might this elicit?

⁴⁴ Ralph E. Bass, Jr. *Tell Me About Presbyterians*, 20.

⁴⁵ Scot McKnight, *Sermon on the Mount* (ed. Tremper Longman III and Scot McKnight; The Story of God Bible Commentary; Grand Rapids, MI: Zondervan, 2013), 108.

And from the church?

Public censor

Excommunication – bar from the communion table

Put out of the church

From the government?

Jail

Desertion

Repentance and a new commitment to the marriage

In some sense, long-term incarceration provides a solution, that is, a basis for divorce. In this case, Paul's comments about defrauding and abandonment come into play, and a divorce is a reasonable option. But, the real hoped-for response is number three, repentance and a stronger marriage commitment.

But if there is no acceptable response, then one would think that this would fall into the class of food and clothing, discussed earlier, but with even more intensity than those subjects.

In conclusion, to our discussion on divorce, let us remind ourselves that nowhere does the Bible *require* divorce, no matter what the offense. It may be allowed, but it is not always desirable. In fact, offending partners often repent of sin, forgiveness is granted and marriages and homes are saved.

"...If your brother sins, rebuke him, and if he repents, forgive him," (Luke 17:3, ESV)