



The Sermon on the Mount Study
Bible Study Session 8
Matthew 5:31-32 Supplementary

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Greek NT

5.31 Ἐρρέθη δέ, Ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ, δότω αὐτῇ ἀποστάσιον. 5.32 ἐγὼ δὲ λέγω ὑμῖν ὅτι πᾶς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ παρεκτὸς λόγου πορνείας ποιεῖ αὐτὴν μοιχευθῆναι, καὶ ὃς ἐὰν ἀπολελυμένην γαμήσῃ μοιχᾶται.

La Biblia de las Américas

31 También se dijo: “CUALQUIERA QUE REPUDIE A SU MUJER, QUE LE DE CARTA DE DIVORCIO.” 32 Pero yo os digo que todo el que repudia a su mujer, a no ser por causa de infidelidad, la hace cometer adulterio; y cualquiera que se casa con una mujer repudiada, comete adulterio.

NRSV

31 It was also said, “Whoever divorces his wife, let him give her a certificate of divorce.” 32 But I say to you that anyone who divorces his wife, except on the ground of unchastity, causes her to commit adultery; and whoever marries a divorced woman commits adultery.

NLT

31 You have heard that the law of Moses says, ‘A man can divorce his wife by merely giving her a letter of divorce.’ 32 But I say that a man who divorces his wife, unless she has been unfaithful, causes her to commit adultery. And anyone who marries a divorced woman commits adultery.

History of Interpretation:

An important background reading that serves as a helpful foundation is the article “Divorce,” in the Wikipedia online dictionary (<http://en.wikipedia.org/wiki/Divorce>). It serves to define the idea of marriage and divorce in our contemporary world among various cultures and countries. Customs, laws, and attitudes toward divorce differ greatly around the world.

I. Ancient to Modern Jewish Trends

OT Texts:

Deut. 24:1-4 (NRSV):

1 Suppose a man enters into marriage with a woman, but she does not please him because he finds something objectionable about her, and so **he writes her a certificate of divorce**,¹ puts it in her hand, and sends her out of his house; she then leaves his house 2 and goes off to become another man’s wife. 3 Then suppose the second man dislikes her, **writes her a bill of divorce**, puts it in her hand, and sends her out of his house (or the second man who married her dies); 4 her first husband, who sent her away, is not permitted to take her again to be his wife after she has been defiled; for that would be abhorrent to the Lord, and you shall not bring guilt on the land that the Lord your God is giving you as a possession.

Deut. 22:13-30 (NRSV):

13 Suppose a man marries a woman, but after going in to her, he dislikes her 14 and makes up charges against her, slandering her by saying, “I married this woman; but when I lay with her, I did not find evidence of her virginity.” 15 The father of the young woman and her mother shall then submit the evidence of the young woman’s virginity to the elders of the city at the gate. 16 The father of the young woman shall say to the elders: “I gave my daughter in marriage to this man but he dislikes her; 17 now he has made up charges against her, saying, ‘I did not find evidence of your daughter’s virginity.’ But here is the evidence of my daughter’s virginity.” Then they shall spread out the cloth before the elders of the town. 18 The elders of that town shall take the man and punish him; 19 they shall fine him one hundred shekels of silver (which they shall give to the young woman’s father) because he has slandered a virgin of Israel. She shall remain his wife; he shall not be permitted to divorce her as long as he lives. 20 If, however, this charge is true, that evidence of the young woman’s virginity was not found, 21 then they shall bring the young woman out to the entrance of her father’s house and the men of her town shall stone her to death, because she committed a disgraceful act in Israel by prostituting herself in her father’s house. So you shall purge the evil from your midst.

22 If a man is caught lying with the wife of another man, both of them shall die, the man who lay with the woman as well as the woman. So you shall purge the evil from Israel. 23 If there is a young woman, a

¹(Deut. 24:1 LXX, Ἐὰν δὲ τις λάβῃ γυναῖκα καὶ συνοικήσῃ αὐτῇ, καὶ ἔσται ἐὰν μὴ εὖρη χάριν ἐναντίον αὐτοῦ, ὅτι εὗρεν ἐν αὐτῇ ἄσχημον πρᾶγμα, καὶ **γράψει αὐτῇ βιβλίον ἀποστασίου**....)

virgin already engaged to be married, and a man meets her in the town and lies with her, 24 you shall bring both of them to the gate of that town and stone them to death, the young woman because she did not cry for help in the town and the man because he violated his neighbor's wife. So you shall purge the evil from your midst. 25 But if the man meets the engaged woman in the open country, and the man seizes her and lies with her, then only the man who lay with her shall die. 26 You shall do nothing to the young woman; the young woman has not committed an offense punishable by death, because this case is like that of someone who attacks and murders a neighbor. 27 Since he found her in the open country, the engaged woman may have cried for help, but there was no one to rescue her. **28 If a man meets a virgin who is not engaged, and seizes her and lies with her, and they are caught in the act, 29 the man who lay with her shall give fifty shekels of silver to the young woman's father, and she shall become his wife. Because he violated her he shall not be permitted to divorce her as long as he lives.** 30 A man shall not marry his father's wife, thereby violating his father's rights.

The debate among Jewish scribes by Jesus' time centered on:²

1. What did Moses' mean by "something objectionable about her" (ὅτι εὗρεν ἐν αὐτῇ ἄσχημον πρᾶγμα) in Deut. 24:1?
2. Did Moses' permit or command divorce in Deut. 24:1? That is, did the husband have a choice?

Contemporary views in Judaism:³

- Jewish law permits divorce as an unfortunate necessity
- Civil divorce does not dissolve a Jewish marriage
- A man can divorce a woman for any reason or no reason, but rabbinical law requires the woman's consent
- In traditional Jewish law, a woman cannot initiate a divorce

II. Early Christian interpretation of Jesus' teachings

A. The New Testament Texts:

Matthew 19:3-12

(NRSV): 3 Some Pharisees came to him to test him. They asked, "Is it lawful for a man to divorce his wife for any and every reason?" 4 "Haven't you read," he replied, "that at the beginning the Creator 'made them male and female,' 5 and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? 6 So they are no longer two, but one. Therefore what God has joined together, let man not separate." 7 "Why then," they asked, "did Moses command that a man give his wife a certificate of divorce and send her away?" 8 Jesus replied, "Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning. 9 I tell you that anyone who divorces his wife, except for marital unfaithfulness, and marries another woman commits adultery." 10 The disciples said to him, "If this is the situation between a husband and wife, it is better not to marry." 11 **Jesus replied, "Not everyone can accept this word, but only**

¹(λέγω δὲ ὑμῖν ὅτι ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ μὴ ἐπι πορνεία καὶ γαμήσι ἄλλην μοιχᾶται).

Mark 10:2-12

(NRSV): 2 Some Pharisees came, and to test him they asked, "Is it lawful for a man to divorce his wife?" 3 **He answered them, "What did Moses command you?" 4 They said, "Moses allowed a man to write a certificate of dismissal and to divorce her." 5 But Jesus said to them, "Because of your hardness of heart he wrote this commandment for you. 6 But from the beginning of creation, "God made them male and female.' 7 "For this reason a man shall leave his father and mother and be joined to his wife, 8 and the two shall become one flesh.' So they are no longer two, but one flesh. 9 Therefore what God has joined together, let no one separate."** 10 Then in the house the disciples asked him again about this matter. 11 He said to them, "Whoever divorces his wife and marries another commits adultery against her; 12 and if she divorces her husband and marries another, she commits adultery."¹

¹(καὶ λέγει αὐτοῖς, Ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ καὶ γαμήσι ἄλλην μοιχᾶται ἐπ' αὐτήν· καὶ ἐὰν αὐτὴ ἀπολύσασα τὸν ἄνδρα αὐτῆς γαμήσι ἄλλον μοιχᾶται).

²The two most influential scribal schools in the Judaism of Jesus' day were those of Shammai and Hillel. For a helpful discussion see "Hillel and Shammai," Jewish Virtual Library, <http://www.jewishvirtuallibrary.org/jsource/biography/hillel.html>. The School of Shammai tended to be more rigid and unbending, while the School of Hillel was more progressive and lenient in its interpretation of the Law of Moses. The tradition of rabbinic Judaism after the first Christian century onward is preserved in the Babylonian Talmud, in the tractate called Gittin: <http://www.come-and-hear.com/gittin/index.html>. Chapter six is especially relevant to procedures of divorce.

³This is taken from "Judaism 101" (<http://www.jewfaq.org/divorce.htm>), which defines Judaism from an Orthodox Jewish viewpoint. The divorce document, (called a get, Hebrew: גט plural gittin גיטין) must meet required standards and procedures as outlined in contemporary Jewish law, irrespective of the civil law in the country where the couple lives. For more details see "Divorce in Judaism," Wikipedia online, http://en.wikipedia.org/wiki/Divorce_in_Judaism, accessed 16 November 2010. The divorce process must be channeled through a Rabbinical Court for it to be valid. Both Orthodox and Conservative Judaism follow this pattern, while Reform Judaism seeks only the civil court divorce decree. For further details see "Jewish Views on marriage," Wikipedia online, http://en.wikipedia.org/wiki/Jewish_views_on_marriage.

those to whom it has been given. 12 For some are eunuchs because they were born that way; others were made that way by men; and others have renounced marriage because of the kingdom of heaven. The one who can accept this should accept it.”

Luke 16:18

“Anyone who divorces his wife and marries another commits adultery, and whoever marries a woman divorced from her husband commits adultery”¹

¹(Πᾶς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ καὶ γαμῶν ἑτέραν μοιχεύει, καὶ ὁ ἀπολελυμένην ἀπὸ ἀνδρὸς γαμῶν μοιχεύει).

1 Cor. 7:10-17 (1-20, 25-40)

10 To the married I give this command — not I but the Lord — that the wife should not separate from her husband 11 (but if she does separate, let her remain unmarried or else be reconciled to her husband), and that the husband should not divorce his wife. 12 To the rest I say — I and not the Lord — that if any believer has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. 13 And if any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. 14 For the unbelieving husband is made holy through his wife, and the unbelieving wife is made holy through her husband. Otherwise, your children would be unclean, but as it is, they are holy. 15 But if the unbelieving partner separates, let it be so; in such a case the brother or sister is not bound. It is to peace that God has called you. 16 Wife, for all you know, you might save your husband. Husband, for all you know, you might save your wife. 17 However that may be, let each of you lead the life that the Lord has assigned, to which God called you. This is my rule in all the churches.

1 Timothy 3:1-13 (NRSV):

1 The saying is sure: whoever aspires to the office of bishop desires a noble task. 2 Now a bishop must be above reproach, **married only once**, temperate, sensible, respectable, hospitable, an apt teacher, 3 not a drunkard, not violent but gentle, not quarrelsome, and not a lover of money. 4 He must manage his own household well, keeping his children submissive and respectful in every way— 5 for if someone does not know how to manage his own household, how can he take care of God’s church? 6 He must not be a recent convert, or he may be puffed up with conceit and fall into the condemnation of the devil. 7 Moreover, he must be well thought of by outsiders, so that he may not fall into disgrace and the snare of the devil.

8 Deacons likewise must be serious, not double-tongued, not indulging in much wine, not greedy for money; 9 they must hold fast to the mystery of the faith with a clear conscience. 10 And let them first be tested; then, if they prove themselves blameless, let them serve as deacons. 11 Women likewise must be serious, not slanderers, but temperate, faithful in all things. 12 **Let deacons be married only once**, and let them manage their children and their households well; 13 for those who serve well as deacons gain a good standing for themselves and great boldness in the faith that is in Christ Jesus.

Titus 1:5-9 (NRSV):

5 I left you behind in Crete for this reason, so that you should put in order what remained to be done, and should appoint elders in every town, as I directed you: 6 someone who is blameless, **married only once**, whose children are believers, not accused of debauchery and not rebellious. 7 For a bishop, as God’s steward, must be blameless; he must not be arrogant or quick-tempered or addicted to wine or violent or greedy for gain; 8 but he must be hospitable, a lover of goodness, prudent, upright, devout, and self-controlled. 9 He must have a firm grasp of the word that is trustworthy in accordance with the teaching, so that he may be able both to preach with sound doctrine and to refute those who contradict it.

B. Early Post-Apostolic Interpretation of the Biblical Texts:

Beginning with the second Christian century in 100 AD, church leaders laid the foundation for what would become the understanding of marriage and divorce for both Roman Catholic and Eastern Orthodox Christianity extending to the present day. The interpretive patterns that emerged attempted to pull together the divergent scripture texts into a systematic view that served as a foundation for rules and regulations governing marriage and divorce. The Protestant Reformation in the 1500s would create differing interpretations of these texts, and thus laid the foundations for modern Protestant viewpoints found in our day around the world.

Early Church views. Most of the early church fathers, who address this topic, adopted the view that divorce is not possible apart from adultery by the wife.⁴ The Matthean ‘exception’ clause, *παρεκτὸς λόγου πορνείας*, is limited to the wife, and to adulterous actions with another man by her. And if she is guilty of adultery, then she cannot re-marry but the husband may. Gradually, the view emerges that divorce is forbidden completely and only formal separation is possible. The foundations for the infamous “Pauline Pastoral Privilege” from 1 Corinthians 7:10-15 in later Roman Catholic tradition is laid here, where a non-believer can divorce his believing wife, but this does not free the believer to re-marry.

Emerging Roman Catholic views. From the third century onward Western Christianity moved toward a complete denial of the possibility of divorce under any circumstance. Once marriage assumed the level of sacrament, the ‘one flesh’ principle of Genesis one was understood to mean that divorce was impossible. The concession then moved toward an ‘annulment’⁵ of the marriage based on the assumption that impropriety by either partner meant that the marriage

⁴Cf. “Church Tradition,” at http://www.religioustolerance.org/div_rc1.htm

⁵Cf. “Annulment,” Wikipedia: [http://en.wikipedia.org/wiki/Annulment_\(Catholic_Church\)](http://en.wikipedia.org/wiki/Annulment_(Catholic_Church)).

never really existed.⁶ This is usually difficult to prove, and does not grant the possibility of re-marriage subsequent to the annulment. Only the death of a spouse affords the possibility of re-marriage. More contemporary Roman Catholic regulation does allow for 're-marriage' once an annulment has been granted.⁷

From the fourth century onward the connection between civil law and ecclesiastical law has proven to be a thorny issue. The Roman government imposed the priority of civil regulation of marriage and divorce until Christianity became the official religion of the empire in the fourth century. Gradually the government regulations were made to conform to the church's teachings and thus government became an arm of enforcement for the church's rules until the modern era. With the Enlightenment came the resurgence of civil law separate from church law so that today in both Europe and the Americas civil law takes precedence over church law and consistently allows for divorce and re-marriage. The influence of the Roman Catholic Church over civil law varies from country to country, usually being stronger where the RC church is dominant and weak where Protestantism is dominant.

Eastern Orthodox views. Early on not much distinction between eastern and western Christianity can be found on this topic, especially of divorce. Modern Orthodox Christianity, however, allows for divorce and remarriage in some situations.⁸

III. Modern Protestant Views of Marriage and Divorce:

With the reforms of Martin Luther in central Europe during the 1500s, the older Roman Catholic views about marriage and divorce began to change. For Luther, marriage and divorce was solely a civil law matter and RC canon law had no validity. To be sure, civil law should reflect God's principles set forth in scripture, but marriage was a matter for civil regulation, and not by the church. This grew out of Luther's teaching on the "Two Kingdoms."⁹ Divorce then became a matter of civil regulation. With the growing secularization of German society, divorce has become widespread during the past several decades. Similar patterns can be found for the Reformed Church side of Protestantism coming out of Calvin and Zwingli.

So-called Liberal Christianity came to a virtual blanket acceptance of divorce and remarriage decades ago on both sides of the Atlantic with little interaction with scriptural teachings.

Inside Evangelical Christianity, the discussion on marriage and divorce is often heated and intense. Earlier views rejected divorce except for marital unfaithfulness by either partner. Opinion was divided on whether remarriage was possible even with marital infidelity as the cause of divorce. In the past two decades, however, attitudes have been changing.¹⁰ Some of this has been prompted by the divorce (and remarriage) of well known TV preachers inside the Evangelical tradition. A growing conviction is that the scripture intensely upholds the divine ideals of marriage, but also understands the depravity of humanity. Divorce always involves failure of the divine ideal, but remarriage affords a redemptive opportunity to succeed in achieving God's intention of one man and one woman committed to one another for life.

⁶The essence of the Roman Catholic view is summarized as: (http://www.religioustolerance.org/div_rc.htm)

1. Divorce was allowed in Hebrew Scriptures (Old Testament) times. But the permanence of marriage was restored by Jesus in the first century CE.

2. Marriage is a sacrament that is indissoluble. Once a valid marriage has been consummated, It endures until one spouse dies.

3. The church does not issue divorces or recognize divorces issued by other institutions.

4. The church can issue an annulment. However, the couple must first prove to a church tribunal that the marriage was invalid.

⁷"Divorces are not permitted within the Roman Catholic Church, because valid marriages are considered to be indissoluble. Church canon law 1055 states that any marriage that takes place is legally presumed to be a valid sacrament, and is thus permanent. However, if sufficient convincing evidence can be shown which indicates that it was not a valid marriage, then a Declaration of Nullity may be given. This is, in effect, saying that the marriage never existed; it was not an ecclesial reality. Only after an annulment is granted may the couple be free to marry other people. This requirement is not restricted just to Catholics. A Protestant may marry another Protestant, and later divorce. If one of them wants to marry a Catholic, they must first receive an annulment from the Church for their first marriage." "Annulments -- in theory," http://www.religioustolerance.org/div_rc1.htm.

⁸Cf. "Eastern Orthodox," Wikipedia: http://en.wikipedia.org/wiki/Christian_views_on_divorce#Eastern_Orthodox.

⁹"As part of the earthly kingdom, Lutheran reformers argued, marriage was subject to the civil law of the state, not to the canon law of the church. To be sure, marriage was still subject to God's law, but this law was now to be administered by Christian magistrates who were God's vice-regents in the earthly kingdom. Church officials were required to counsel the magistrate about God's law and to cooperate with him in publicizing and disciplining marriage. All church members, as part of the priesthood of believers, were required to counsel those who contemplated marriage, to admonish those who sought annulment or divorce, and to aid in the rearing of all children as their collective baptismal vows prescribed. But principal legal authority over marriage and family life lay with the state, not with the church." [Protestantism - Lutheranism - Family, Marriage, Law, Church, God, Model, and Divorce <http://family.jrank.org/pages/1341/Protestantism-Lutheranism.html>]

¹⁰Cf. "An Evangelical Rethink on Divorce?," *Time Magazine*: <http://www.time.com/time/nation/article/0,8599,1680709,00.html>.