

Treasure Hunt

- How many commandments are there in Deut 24:1-4?
- What does God think about divorce, according to the Old Testament?
- What is unusual about the word used in the New Testament to describe divorce?
- What is unusual about the exception for fornication?
- What can the word $\alpha\pi\omicron\lambda\upsilon\omega$ mean besides “divorce”?
- How was fornication punished in the Old Testament?
- How can “dismissal” end a marriage?

The Structure of the Sermon

Consequences

Setting	4:25-5:2	7:28-8:1
Blessings & Warnings	5:3-12	7:13-27
Our Mission	5:13-16	
Law & Prophets	5:17-19	7:12b
Toward Man	5:20-48 It was said ... but I say	7:1-12a
Toward God	6:1-18 Be not as the hypocrites	6:19-34

Conduct

The Structure of 5:21-48

The Manward Contrasts

	21 Murder	27 Adultery	31 Divorce	33 Oaths	38 Revenge	43 Love
Ye have heard that	x	x		x	x	x
it was said	x	x	x	x	x	x
to them of old time	x			x		

- “it was said” → The Oral Law (Jewish tradition)
- “it is written” → The Written Law (the OT)

Three-Law Interpretation (KJV)	One-Law Interpretation	Jer 3:1
First Law, 24:1	One Law, 1-4a	
<p>When a man hath taken a wife, and married her, and it come to pass that she find no favor in his eyes, because he hath found some uncleanness in her,</p>	<p>When a man has taken a wife, and married her, and it happens,</p>	If a man put away his wife,
<p>then let him write her a bill of divorcement, and give it in her hand, and send her out of his house.</p>	<p>if she does not find favor in his eyes, because he has found some uncleanness in her, and he writes her a certificate of divorce, and gives it in her hand, and sends her out of his house,</p>	
Second Law, 24:2	<p>and she departs out of his house, and goes and becomes another man's wife,</p>	<p>and she go from him, and become another man's,</p>
And when she is departed out of his house,		
she may go and be another man's wife.		
Third law, 24:3-4a		
And if the latter husband hate her, and write her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house,	and the latter husband hates her, and writes her a certificate of divorce, and gives it in her hand, and sends her out of his house,	
or if the latter husband die, which took her to be his wife,	or if the latter husband dies, who took her to be his wife,	
her former husband, which sent her away, may not take her again to be his wife, after that she is defiled.	then her former husband, which sent her away, may not take her again to be his wife, after that she is defiled.	shall he return unto her again?
The Explanation, 24:4b		
For that is abomination before the Lord, and thou shalt not cause the land to sin, which the Lord thy God giveth thee for an inheritance.	For that is an abomination before the Lord, and you shall not cause the land to sin, the land that the Lord your God gives you for an inheritance.	Shall not that land be greatly polluted?

Regulated

Divorce in the OT

Deu 22:19 she shall be his wife; he **may not put her away** all his days.

Deu 22:29 she shall be his wife; because he hath humbled her, he **may not put her away** all his days.

Deu 24:1 and he writes her a bill of divorcement, and gives *it* in her hand, and **sends her out** of his house... 3 And *if* the latter husband hates her, and writes her a bill of divorcement, and gives *it* in her hand, and **sends her out** of his house;

Hated

Mal 2:14 Because the LORD hath been witness between thee and the wife of thy youth, against whom thou hast dealt treacherously: yet *is* she thy companion, and the wife of thy covenant. ... 16 For the LORD, the God of Israel, saith that **he hateth putting away**: for *one* covereth violence with his garment, saith the LORD of hosts: therefore take heed to your spirit, that ye deal not treacherously.

Regulation does not mean Permission

Lev 21:7 They shall not take a wife *that is* a **whore**, or profane; neither shall they take a woman **put away from her husband**: for he *is* holy unto his God.

Deu 23:17 There shall be **no whore** of the daughters of Israel,

Ambiguity of KJV “Put Away”

Matt 5:31-32 put away = απολυω

- Only 4x in the OT, never of marital separation
- No clear Hebrew root
- Often used in the secular society to describe “divorce”

Old Testament discussions of divorce (e.g., Deut 22, 24; Mal 2:16) put away, send away = נָשַׁח = εξαποστellaω

- Never used in the NT for divorce

Suggestion: translate απολυω “dismiss”

Why is this difference important?

Exo 33:16 For wherein shall it be known here that I and thy people have found grace in thy sight? is it not in that thou goest with us? **so shall we be separated, I and thy people, from all the people** that are upon the face of the earth.

Lev 20:26 And ye shall be holy unto me: for I the LORD *am* holy, and **have severed you from *other* people**, that ye should be mine.

How does the OT Deal with Fornication?

Concealed, premarital impurity (not adultery)

Deu 22:20 But if this thing be true, *and the tokens of virginity* be not found for the damsel: 21 Then they shall bring out the damsel to the door of her father's house, and the men of her city shall **stone her with stones that she die**: because she hath wrought folly in Israel, to play the whore in her father's house: so shalt thou put evil away from among you.

Postmarital infidelity = adultery

22 If a man be found lying with a woman married to an husband, then **they shall both of them die**, *both* the man that lay with the woman, and the woman: so shalt thou put away evil from Israel.

Impurity during betrothal

23 If a damsel *that is* a virgin be betrothed unto an husband, and a man find her in the city, and lie with her; 24 Then ye shall bring them both out unto the gate of that city, and **ye shall stone them with stones that they die**; the damsel, because she cried not, *being* in the city; and the man, because he hath humbled his neighbour's wife: so thou shalt put away evil from among you.

**Fornication
= sexual sin**

**Adultery
= marital
infidelity**

The Fornication Clause

Matt 5:32	Matt 19:9	Mark 10:11-12	Luke 16:18
Whoever dismisses his wife,	Whoever dismisses his wife,	11 Whoever dismisses his wife,	Every one dismissing his wife
except for the cause of fornication	except for fornication		
causes her to commit adultery,			
	and marries another, commits adultery,	and marries another, commits adultery against her,	and marrying another commits adultery,
and whoever marries a dismissed woman commits adultery.	and he who marries a dismissed woman commits adultery.		and every one marrying a woman dismissed from a husband commits adultery.
		12 and if a woman dismisses her husband and is married to another, she commits adultery.	

Understanding the Internal Tension:

What the Lord said:

I say unto you,
whosoever shall dismiss his wife, **saving for the cause of fornication**,
causeth her to commit adultery:
and whosoever shall marry her that is dismissed, committeth adultery.

What the Lord could have said:

I say unto you,
whosoever shall dismiss his wife, **saving for the cause of fornication**,
causeth her to commit adultery:
and whosoever shall marry her that is dismissed, **saving for the cause of fornication**, committeth adultery.

I say unto you, that **saving for the cause of fornication**,
whosoever shall dismiss his wife causeth her to commit adultery:
and whosoever shall marry her that is dismissed committeth adultery.

I say unto you,
whosoever shall dismiss his wife causeth her to commit adultery:
and whosoever shall marry her that is dismissed committeth adultery,
saving for the cause of fornication.

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I say unto you, that **saving for the cause of fornication**,
whosoever shall dismiss his wife causeth her to commit adultery:
and whosoever shall marry her that is dismissed committeth adultery.

I say unto you,
whosoever shall dismiss his wife causeth her to commit adultery:
and whosoever shall marry her that is dismissed committeth adultery,
saving for the cause of fornication.

Revisiting the verb απολυω “dismiss”

It is *not* the OT/LXX verb (εξαποστελλω) for divorce.

How is απολυω used elsewhere?

Gen 15:2 And Abram said, Lord GOD, what wilt thou give me, seeing **I go [middle of απολυω]** childless, and the steward of my house *is* this Eliezer of Damascus?

Num 20:28 And Moses stripped Aaron of his garments, and put them upon Eleazar his son; and Aaron died there in the top of the mount: and Moses and Eleazar came down from the mount. 29 And when all the congregation saw that Aaron **was dead [passive of απολυω]**, they mourned for Aaron thirty days, *even* all the house of Israel.

Luk 2:27-30 and when the parents brought in the child Jesus, to do for him after the custom of the law, 28 Then took he him up in his arms, and blessed God, and said, 29 Lord, now **lettest** thou thy servant **depart [απολυω]** in peace, according to thy word: 30 For mine eyes have seen thy salvation,

Our Lord's Teaching on Divorce

Key insight: there are two ways to “dismiss” απολυω somebody from a marriage.

- Divorce
 - Uniformly forbidden by the Lord
- Stoning
 - Only “in case of fornication”

Text	No Fornication	Fornication
	“Dismiss” = “Divorce”	“Dismiss” = “stone to death”
whosoever shall dismiss his wife, saving for the cause of fornication , causeth her to commit adultery:	When she remarries, she commits adultery...	She cannot remarry, thus no adultery
and whosoever shall marry her that is dismissed, committeth adultery.	...and her new husband commits adultery.	Not applicable—she is dead