

Dear colleagues (of DDG),

Attached is a draft of an invited paper to be delivered this July at a theological conference at the Melbourne School of Theology. The theme of this conference is the theology of the Gospel of Matthew. Thanks for taking time to read this paper. Your comments are much appreciated.

Thanks,

David

**Adultery, Divorce, and the Hard-Hearted People of God:
The Function of the Matthean Exception Clause (Matt 19:9)
in Its Literary Context**

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Abstract

While the interpretation of Matt 19:1-12, and the exception clause in particular, has been a topic of great debate among scholars, the literary context of Matthew and the broader prophetic and theological contexts in which he was writing have been largely overlooked. This article argues that Matthew is locating this legal exposition of Deut 24:1-4 within a wider prophetic interpretation of the passage: God's covenant people have been unfaithful to their covenant partner, and therefore God has the right to divorce them. This Matthean divorce text therefore plays a significant role in its literary context where both the issues of the identity of God's renewed people and the rejection of God and his prophet by his own people are addressed. A legal discussion of marital unfaithfulness addressed to those who have "hard hearts" (19:8) becomes an indictment of the "wicked and adulterous generation" (12:39; 16:4).

I. Introduction

Jesus' discussion of divorce in Matt 19:1-12 has attracted substantial scholarly attention. Its location in the midst of the synoptic discussions on divorce (Mark 10:1-12; Luke 16:18; cf. Matt 5:31-32) has generated detailed studies on its tradition history.¹ The uniquely Matthean form of the question concerning whether it is lawful to divorce one's wife "for any reason" (κατὰ πᾶσαν αἰτίαν, 19:3) has also firmly located this discussion within Jewish legal discussions, and this Matthean passage has therefore been examined in light of the debate between the schools of Hillel and Shammai concerning legitimate grounds of divorce.² For those focusing on Matthew's understanding of the Law, this passage has been taken as a direct

¹ E.g. W. Stenger, "Zur Rekonstruktion eines Jesusworts anhand der synoptischen Ehescheidungslogien (Mt 5,32; 19,9; Lk 10,11f [sic]; Mk 10,11f)," *Kairos* 26 (1984) 194-205; H. Hübner, *Das Gesetz in der synoptischen Tradition* (2nd ed.; Göttingen: Vandenhoeck & Ruprecht, 1986) 61-62.

² E.g. M.D. Goulder, *Midrash and Lection in Matthew* (London: SPCK, 1974) 290-291; D. Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Grand Rapids: Eerdmans, 2002) 85-132. Increasing attention has also been directed to other Second-Temple Palestinian sources (e.g. J.R. Mueller, "The Temple Scroll and the Gospel Divorce Texts," *RevQ* 10 [1980] 247-256; P. Sigal, *The Halakah of Jesus of Nazareth According to the Gospel of Matthew* [Lanham, MD: University Press of America 1986] 83-118; J. Kampen, "The Matthean Divorce Texts Re-examined," *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992* [ed. G.J. Brooke and F.G. Martínez; STDJ 15; Leiden: Brill, 1994] 149-167).

challenge to the validity of the Law so that to “obey the commandments of the law” is to “disobey the will of God;”³ others, however, see in this passage an attempt to “rescue” the Mosaic Law “from total abolition.”⁴

Turning to the concluding verses of this passage, the uniquely Matthean reference to the eunuchs (19:10-12) has also produced divergent readings. Many still adhere to the traditional reading that considers this conclusion as pointing to Jesus’ affirmation of a celibate life,⁵ a life that he himself likely lived.⁶ Dissatisfied with this reading, some recent interpreters have seen in these eunuchs a symbol of “shame;” Jesus is therefore calling his disciples to adopt “the values befitting the forthcoming Kingdom” even when they are “stigmatized by others.”⁷

Scholarly attention on Matt 19:1-12 has, however, focused on the exception clause in v. 9: μὴ ἐπὶ πορνείᾳ. Since it only appears in Matthew, this clause is often considered to be a case of Matthean redaction,⁸ although some have suggested that it was found in Matthew’s source(s)⁹ if not coming from the historical Jesus

³ É. Cuvillier, “Torah Observance and Radicalization in the First Gospel. Matthew and First-Century Judaism: A Contribution to the Debate,” *NTS* 55 (2009) 144-159; cf. J.P. Meier, *Law and History in Matthew’s Gospel: A Redactional Study of Mt. 5:17-48* (AnBib 71; Rome: Biblical Institute Press, 1976) 41-56.

⁴ G. Barth, “Matthew’s Understanding of the Law,” in G. Bornkamm, G. Barth, and H.J. Held, *Tradition and Interpretation in Matthew* (trans. P. Scott; Philadelphia: Fortress, 1963) 58-164; cf. D.T. Smith, “The Matthean Exception Clauses in the Light of Matthew’s Theology and Community,” *Studia Biblica et Theologica* 17 (1989) 55-82.

⁵ D.W. Trautman, *The Eunuch Logion of Matthew 19:12: Historical and Exegetical Dimensions as Related to Celibacy* (Rome: Catholic Book Agency, 1966); J. Kodell, “The Celibacy Logion in Matthew 19:12,” *BTB* 8 (1978) 19-23.

⁶ F.J. Moloney, “Matthew 19:3-12 and Celibacy: A Redactional and Form Critical Study,” *JSNT* 2 (1979) 42-60. Some even consider the Matthean Jesus as rejecting the family (e.g. A.J. Dewey “The Unkindest Cut of All?” *Forum* 8 [1992] 113-122).

⁷ C. Bernabé, “Of Eunuchs and Predators: Matthew 19:1-12 in a Cultural Context,” *BTB* 33 (2003) 128-134; cf. J.H. Neyrey, *Honor and Shame in the Gospel of Matthew* (Louisville, KY: Westminster, 1998) 201; L.J. Lawrence, *An Ethnography of the Gospel of Matthew* (WUNT 2.165; Tübingen: Mohr Siebeck, 2003) 275-276. There are also those who consider Jesus using the eunuch-symbol to challenge conceptions of the male-dominated household (e.g. R. Talbott, “Imagining the Matthean Eunuch Community: Kyriarchy on the Chopping Block,” *JFSR* 22 [2006] 21-43) or even traditional sexual identities and boundaries (e.g. J.D. Hester, “Eunuchs and the Postgender Jesus: Matthew 19:12 and Transgressive Sexualities,” *JSNT* 28 [2005] 13-40).

⁸ E.g. D.R. Catchpole, “The Synoptic Divorce Material as a Traditio-Historical Problem,” *BJRL* 57 (1974) 92-127; R.A. Guelich, *The Sermon on the Mount: A Foundation for Understanding* (Waco, Tex.: Word, 1982) 200; J.D.G. Dunn, “How Did Matthew Go About Composing His Gospel,” in *Jesus, Matthew’s Gospel and Early Christianity: Studies in Memory of Graham N. Stanton* (ed. D.M. Gurtner, J. Willitts and R.A. Burridge; LNTS 435; London/New York: T&T Clark) 47.

⁹ H.D. Betz, *The Sermon on the Mount* (Hermeneia; Minneapolis: Fortress, 1995) 249.

himself.¹⁰ The exact meaning of *μὴ ἐπὶ* has also been debated, but most understand this to be an ellipsis for *εἰ/ἐάν μὴ ἐπὶ*; together with *παρεκτός* of 5:32 the phrase acquires an exceptive sense: “except” or “all but.”¹¹ Whether this exception clause is meant to qualify only the act of divorce in the previous clause¹² or also the act of remarrying in the clause that follows¹³ continues to be debated.¹⁴ Even more contentiously debated is the exact meaning of *πορνεία*, although the majority of commentators continue to take this word as referring to certain acts of sexual unfaithfulness within the marital relationship. This debate will be discussed in more detail in the next section.

While this brief survey of scholarship has demonstrated that that much attention has been devoted to the numerous details within the text and the tradition history behind the text, the literary context and the theological import of this passage in general, and the exception clause in particular, has been ignored. After Matthew’s initial treatment of the issue of divorce in 5:31-32 where Jesus’ teaching is juxtaposed with the Mosaic Law (as mediated through first-century Jewish teachers),¹⁵ what is the function of this second lengthier treatment of divorce in 19:1-12? How does this divorce discussion contribute to both its immediate (19:1-20:16) and wider contexts (16:21-18:35; 20:17-23:39) in Matthew’s Gospel?

As Jesus provides a legal exposition of the Mosaic Law found in Deut 24:1-4, we shall suggest that Matthew is locating this exposition within the wider prophetic interpretation of the same Deuteronomy passage where God’s people are accused of being unfaithful to their covenantal partner. As a result of their unfaithfulness, God has the right to divorce them. This Matthean divorce text therefore plays a

¹⁰ D. Warden, “The Word of Jesus on Divorce,” *ResQ* 39 (1997) 141-153.

¹¹ For a recent challenge to this majority reading, see A.R. Guenther (“The Exception Phrases: Except *πορνεία*, Including *πορνεία*, or Excluding *πορνεία*? [Matthew 5:32; 19:9],” *TynBul* 53 [2002] 83-96) who argues that while *παρεκτός* in 5:32 does carry an exceptive force (“except”), *μὴ ἐπὶ* by itself in 19:9 carries the force of exclusion (“excluding the matter”). This, however, ignores the parallel between the two Matthean passages. Moreover, *μὴ ἐπὶ* can indeed be taken as an ellipsis for *εἰ/ἐάν μὴ ἐπὶ*, and Guenther admits that this fuller form does carry an exceptive force (95).

¹² D.E. Holwerda, “Jesus on Divorce: An Assessment of a New Proposal,” *CTJ* 22 (1987) 114-120; P.H. Wiebe, “Jesus’ Divorce Exception,” *JETS* 32 (1989) 327-333.

¹³ A. Feuillet, “L’indissolubilité du mariage et le monde féminin d’après la doctrine évangélique et quelques autres données bibliques parallèles,” *Scripta Theologica* 17 (1985) 415-461; W.A. Heth and G.J. Wenham, *Jesus and Divorce* (Milton Keynes, UK: Paternoster, 2000 [1984]).

¹⁴ Both sides have also appealed to the competing interpretations of this clause in Church Fathers (see J. Moingt, “Le Divorce ‘Pour Motif d’Impudicité,’” *RSR* 56 [1968] 339-44).

¹⁵ The repetitive nature of Jesus’ teaching is well illustrated in the complicated textual history behind the two texts. See the discussions in H. Crouzel, “The Synoptic Divorce Material as a Traditio-Historical Problem,” *BJRL* 57 (1972) 98-119 and M.W. Holmes, “The Text of the Matthean Divorce Passages: A Comment on the Appeal to Harmonization in Textual Decisions,” *JBL* 109 (1990) 651-664.

significant theological role in both its immediate and wider contexts where both the issues of the identity of God's renewed people and the rejection of God and his prophet by his own people are addressed. A legal discussion of marital unfaithfulness addressed to those who have "hard hearts" (19:8) becomes an indictment of the "wicked and adulterous generation" (12:39; 16:4).

Before examining the function of this divorce text within its context, however, we must return to the question of the meaning of πορνεία in 19:9.

II. Πορνεία as Adultery

In New Testament and Early Christian literature, the semantic range of πορνεία includes "unlawful sexual intercourse, prostitution, unchastity, fornication" and the "participation in prohibited degrees of marriage."¹⁶ A similar range of possible meanings has been proposed for the reading of πορνεία in Matt 19:9 (cf. 5:32). Several possible definitions can be readily dismissed. Reading Matt 19:9 in light of Lev 21:7, some consider premarital sex as the meaning of πορνεία.¹⁷ In light of the fact that Jesus is dealing with Deuteronomy 24 and not Leviticus 21 here, the relevance of Lev 21:7 must be questioned. Moreover, since the issue is marriage and grounds for divorce, sexual acts during marriage seem to be in view. Others have proposed the meaning of polygamy,¹⁸ but this would hardly be an issue among the Jews (or Jewish Christians), especially because this exception clause addresses married women, although a prohibition against adultery does effectively rule out polygamy for the men involved.

The remaining three suggestions deserve more serious consideration: incestuous relationships, general sexual immorality, and adultery. First proposed by Joseph Bonsirven,¹⁹ πορνεία as incestuous relationships has gained considerable support among biblical scholars.²⁰ Similar references can possibly be found in the use of this word in other New Testament documents (e.g. Acts 15:20, 29; 21:25; 1 Cor 5:1) as Gentile believers are to avoid sexual relationships among close relatives as noted in Leviticus 18. Further support is claimed to be found in the Qumran material (cf. CD 5.7-10) where the form of incest being targeted could have been

¹⁶ BDAG, s.v. πορνεία 2.

¹⁷ E.g. A. Isaksson, *Marriage and Ministry in the New Temple* (Lund: Gleerup, 1965) 116-152.

¹⁸ E.g. L. Ramaroson, "Une nouvelle interprétation de la 'clause' de Mt 19,9," *ScEs* 23 (1971) 247-251.

¹⁹ J. Bonsirven, *Le divorce dans le Nouveau Testament* (Paris: Desclée, 1948) 46-60.

²⁰ P. Bonnard, *L'Évangile selon Saint Matthieu* (CNT 1; Neuchâtel: Delachaux & Niestlé, 1963) 69-70; Meier, *Law and History in Matthew's Gospel*, 147-150; J. Jensen, "Does *Porneia* Mean Fornication? A Critique of Bruce Malina," *NovT* 20 (1978) 161-184; F.J. Moloney, "Matthew 19:3-12 and Celibacy: A Redactional and Form Critical Study," *JSNT* 2 (1979) 42-60; B. Witherington, III., "Matthew 5.32 and 19.9 – Exception or Exceptional Situation?" *NTS* 31 (1985) 571-576.

translated as πορνεία in Greek.²¹ If so, Matthew might have inserted this exception clause to prevent Gentile converts from remaining in incestuous relationships.

Despite its popularity, this reading is problematic. In its context in Matthew 19, where the legal dispute grounded in the reading of Deut 24:1-4 is addressed, a discussion of incest seems out of place. Moreover, for those in such relationships, a divorce certificate would not have been required because such a marriage would not have been recognized as a valid one.²² The alleged parallels in Acts 15 and 21 are also questionable since the meaning of πορνεία there should not be limited to incest, especially when it is listed with other moral and cultic prohibitions. More importantly, the word πορνεία does not even appear in Leviticus 18 (LXX), and the parallel discussion in the Qumran material is only limited to one or two passages. In terms of historical context, incestuous relationships are rare even among the Gentiles in first-century Mediterranean world,²³ and it is unlikely that it is a prominent concern in the Matthean community if we assume its Syro-Palestinian setting. Finally, this reading relies heavily on the assumption that this is a Matthean insertion that addresses the concern of his community,²⁴ an assumption that remains to be proven.

Instead of narrowing the meaning of πορνεία to incestuous relationships, others have suggested that this term should be understood in its full semantic range in reference to sexual immorality in general.²⁵ Those advocating this reading point to the presence of an explicit reference to adultery (μοιχεία) in the same verse, and therefore πορνεία “must be general, not specific.”²⁶ This reading certainly does full justice to the various uses of πορνεία in contemporary Greek literature, but the meaning of any word must be determined by its own context. In this Matthean discussion of divorce, πορνεία must refer to sexual acts that would break the marriage bond, and any such sexual acts may be grouped together under the term “adultery.” The use of the term “adultery” does not necessarily reduce πορνεία to one kind of sexual act since it can refer to any sexual acts that are deemed to reflect marital unfaithfulness according to the Mosaic (and Jewish) Law. Its most natural reference lies, however, in an explicit sexual act with someone outside one’s legitimate marital relationship.

²¹ J.A. Fitzmyer, “The Matthean Divorce Texts and Some New Palestinian Evidence,” *TS* 37 (1976) 197-226.

²² Cf. Sigal, *Halakah of Jesus of Nazareth*, 100-101.

²³ See, in particular, the helpful discussion in C.S. Keener *A Commentary on the Gospel of Matthew* (Grand Rapids: Eerdmans, 1999) 467-469, who provides detailed evidence that incestuous relationships are widely rejected outside of Egypt, and that “the incest taboo is almost universal” (468).

²⁴ Cf. A. Yarbro Collins, *Mark* (Hermeneia; Minneapolis: Fortress, 2007) 202-203.

²⁵ E.g. E. Lövestam, “Divorce and Remarriage in the New Testament,” *JLA* 4 (1981) 47-65.

²⁶ Betz, *Sermon on the Mount*, 250.

The understanding of πορνεία as adultery continues to receive strong support among commentators.²⁷ Several factors further support this reading. First, adultery as the primary grounds for divorce is well attested in certain groups in pre-Rabbinic Judaism.²⁸ If πορνεία refers to other sexual acts, then Jesus and/or Matthew would have to make this clear. Second, in reference to that which can break the marriage bond, the sexual act(s) involved would by definition be understood as the sin of adultery. Third, since this discussion about divorce is grounded in Deut 24:1-4, and that ערוֹת דָּבָר in Deut 24:1 should best be understood as an illicit sexual act that violates the marital relationship,²⁹ the corresponding term πορνεία in the Matthean divorce texts should carry the same meaning. Finally, the case of Joseph in Matt 1:18-25 provides internal support for this reading since if πορνεία is not understood as referring to adultery, Joseph, who is about “to divorce” (ἀπολῦσαι, cf. 19:9) Mary privately because of her pregnancy, will not be considered as “a righteous/just man” (1:19).³⁰

As to why Matthew would use two different terms (πορνεία, μοιχεία) in reference to the same act of adultery, several explanations are possible. First, the use of these two terms may simply be a case of stylistic variation. A similar case can be identified in Sir 23:23 where the same two word-groups appear in a single sentence: “she committed adultery by an adulterous act” (ἐν πορνείᾳ ἐμοιχεύθη). Even if the two terms have different semantic ranges, in this context, πορνεία can refer to adulterous acts precisely because of its proximity with the μοιχ- word-group. Similar juxtaposition of the two word-groups can also be found in the LXX (e.g. Hos 1:2; 2:4; Jer 3:1, 8-9). Second, it appears that the πορν- word-group is often applied to adulterous acts committed by women, while the μοιχ- word-group by men.³¹ This would fit the uses of the two terms in Matt 19:9. Third, it has also been suggested that the more general term πορνεία may include adulterous acts even during the betrothal period, while μοιχεία specifically refers to adulterous acts during marriage.³² This would also fit the Matthean context well especially in light of Josephs’ act in 1:18-25.

²⁷ T.V. Fleming, “Christ and Divorce,” *TS* 24 (1963) 106-20; J. Gnllka, *Das Matthäusevangelium*, I. Teil (HKNT 1; Freiburg: Herder, 1986) 167-169; W.D. Davies and D.C. Allison, Jr., *Matthew*, vol. I (ICC; Edinburgh: T&T Clark, 1988) 530-31; Keener, *Commentary on the Gospel of Matthew*, 466; C.L. Blomberg, “Matthew,” in *Commentary on the New Testament Use of the Old Testament* (ed. G.K. Beale and D.A. Carson; Grand Rapids: Baker, 2007) 24, 61.

²⁸ M. Bockmuehl, “Matthew 5.32; 19.9 in the Light of Pre-Rabbinic Halakhah,” *NTS* 35 (1989) 291-295.

²⁹ P. Foster, *Community, Law and Mission in Matthew’s Gospel* (WUNT 2.177; Tübingen: Mohr Siebeck, 2004) 110-112.

³⁰ D.C. Allison, Jr., “Divorce, Celibacy and Joseph (Matthew 1.18-25 and 19.1-12),” *JSNT* 49 (1993) 3-10.

³¹ F. Hauck and S. Schulz, “Πόρνη κτλ.,” *TDNT* 6 (1968) 592.

³² Cf. D. Janzen, “The Meaning of *Porneia* in Matthew 5.32 and 19.9: An Approach from the Study of Ancient Near Eastern Culture,” *JSNT* 80 (2000) 66-80.

III. Adultery and Covenantal Infidelity in the Prophetic Traditions

Πορνεία and its related word-groups play an important role in the prophetic traditions, especially in Jeremiah and Hosea, in the depiction of God's unfaithful covenantal partner. Linguistic and thematic parallels will demonstrate that Matthew is aware of the adultery discourses in these two prophets, and these discourses will in turn illuminate the function of the Matthean adultery-divorce discussion in 19:1-12. Significantly, all three authors ground their discussions in the Mosaic stipulations in Deut 24:1-4.

a. *Jeremiah and the Adulterous People of God*

While Matt 19:1-12 is often taken as addressing a legal matter that affects primarily individual households, embedded in this passage is a critique of those among God's people who refuse to respond to the words and deeds of his Messiah. In 19:8, Jesus claims that Moses allows for the possibility of divorce because of their τὴν σκληροκαρδίαν ("hard hearts").³³ In the canonical sections of LXX, σκληροκαρδία appears only in Deut 10:16 and Jer 4:4,³⁴ and an allusion to at least one of these two passages is likely because it is found only in the LXX among Greek literature prior to the New Testament.³⁵ Among the two, the closest in context is Jer 4:4 since both passages (Matt 19:1-12 and Jer 3:1-4:4) deal with the question of divorce and both are grounded in Deut 24:1-4.³⁶ It has even been suggested that Jeremiah 3-4 provides the missing link between Deuteronomy 24 and the Matthean discourses on divorce as both expand and qualify the Mosaic legislation on divorce.³⁷ For this

³³ Here, the singular τὴν σκληροκαρδίαν likely functions as a collective singular.

³⁴ Outside the canonical portions only in Sir 16:10. Other related terms include σκληροκαρδῖος (Prov 17:20; Ezek 3:7) and σκληροτράχηλος (Exod 33:3, 5; 34:9; Deut 9:6, 13; Prov 29:1 [cf. Sir 16:11; Bar 2:30]). See the discussion in K. Berger, "Harthezigkeit und Gottes Gesetz: Die Vorgeschichte des antijüdischen Vorwurfs in Mc 10:5," *ZNW* 61 (1970) 1-47.

³⁵ As confirmed by the *Thesaurus Linguae Graecae* database.

³⁶ Cf. Instone-Brewer, *Divorce and Remarriage in the Bible*, 145. While a small minority of scholars argues that both Jeremiah 3-4 (esp. 3:1) and Deuteronomy 24 (esp. 24:1-4) independently draw from the same tradition (e.g. T.R. Hobbs, "Jeremiah 3.1-5 and Deuteronomy 24.1-4," *ZAW* 86 [1974] 23-29), many do recognize the dependence of Jeremiah 3-4 on Deuteronomy 24 (e.g. J.D. Martin, "The Forensic Background to Jeremiah iii. 1," *VT* 19 [1969] 82-92; J.R. Lundbom, *Jeremiah 1-20* [AB 21a; New York: Doubleday, 1999] 300). The minor differences between Jer 3:1 and Deut 24:1-4 "occur in the hortatory-paraenetic conclusion, not in the technical and operative sections of the legal topos" (M. Fishbane, *Biblical Interpretation in Ancient Israel* [Oxford: Clarendon, 1988] 311).

³⁷ M.I. Gruber, "Jeremiah 3:1-4:2 between Deuteronomy 24 and Matthew 5: Jeremiah's Exercise in Ethical Criticism," in *Birkat Shalom: Studies in the Bible, Ancient Near Eastern Literature, and Postbiblical Judaism Presented to Shalom M. Paul on the Occasion of His Seventieth Birthday*, vol. 1 (ed. C. Cohen et al.; Winona Lake, IN: Eisenbrauns, 2008) 239-240, further suggests that Jeremiah is directly

Gospel writer, who has a special interest in the prophet Jeremiah, this connection is perhaps not surprising,³⁸ even though this teaching is likely rooted in earlier traditions in light of the Markan parallel in 10:5.³⁹ What has not been shown, however, is the significance of this scriptural allusion for the reading of Matt 19:1-12, especially the uniquely Matthean exception clause in 19:9.

Jer 4:4 is the conclusion of a section that begins in 3:1⁴⁰ where the author bases his discussion on the legal material in Deut 24:1-4 concerning the possibility of the return of a divorced wife and then applies such material to God's unfaithful people:

If a man dismisses his wife
and she goes from him
and becomes another man's,
surely, if she returns, she will not return any more to him?
Surely when she becomes polluted,
that woman will be polluted?
And you have played the whore (ἐξέπórνευσας) with many shepherds,
and would you return to me?
says the Lord. (Jer 3:1)⁴¹

In the material that follows, God's people are repeatedly accused of committing adultery. The climax of such accusations comes in Jer 3:8-9 where God threatens to divorce his own people:

And I saw that for everything in which the settlement of Israel was caught,
in which she committed adultery (ἐμοιχᾶτο),
and I sent her away and gave her a document of divorce,⁴²
and faithless Iouda did not fear,

quoting from Deut 24:1-4, and לאמר in Jer 3:1 should be rendered as "it is stated in Scripture."

³⁸ The name "Jeremiah" only appears in Matthew (2:17; 16:14; 27:9) among the New Testament writers. For the wider significance of Jeremiah in Matthew's Gospel, see M. Knowles, *Jeremiah in Matthew's Gospel: The Rejected Prophet Motif in Matthaean Redaction* (JSNTSup 68; Sheffield: JSOT, 1993).

³⁹ Moving beyond traditional redaction-critical concerns, Matthew's theology should not be limited to only the uniquely Matthean material. The next section on Hosea will show, however, that the uniquely Matthean material does support a further development beyond the Markan material.

⁴⁰ One can also trace the beginning of this section to 2:1-9 where the marriage of Israel to her husband YHWH is located in the Sinai event (cf. A. Miglio, "Ordeal, Infidelity, and Prophetic Irony in Jeremiah 2,1-9," *SJOT* 24 [2010] 222-34).

⁴¹ In this article, English translation of the LXX is taken from the *New English Translation of the Septuagint* unless otherwise noted.

⁴² NETS has "a document of dismissal" here, but the word ἀποστασίον in this context should be taken as a technical term for a "notice of divorce" (BDAG, s.v. ἀποστάσιον).

but she too went and played the whore (ἐπόρνευσεν).
And her whoredom (ἡ πορνεία) came to nothing,
and she committed adultery (ἐμοίχευσεν) with tree and stone.

The thematic and linguistic parallels between this passage and Matt 19:9 should not be overlooked. In both one finds both πορν- and μοιχ- word-groups being used to describe adulterous acts. In Jer 3:8-9, the two word-groups are used interchangeably, and this accords well with our explanation of the appearances of these word-groups in Matt 19:9. Furthermore, in the midst of discussing their adulterous acts, the possibility of divorce is raised. When a party commits adultery, the other party has the right to divorce his partner.

This section ends with a final call for God's hard-hearted people to repent:

Be circumcised to your God,
and remove the foreskin of your hard heart (lit., τὴν σκληροκαρδίαν),
O men of Iouda and inhabitants of Ierousalem,
or else my anger goes forth like fire
and will blaze forth, and there will be no one to quench
because of the evil of your doings. (Jer 4:4)

With the use of the same word (σκληροκαρδία), Jesus likewise accuses the unrepentant people of God for being unfaithful to their partner (Matt 19:8).⁴³ In light of Jer 3:1-4:4, Jesus' discussion of divorce with the Pharisees in Matt 19:1-12 takes on added significance. The claim that they are hard-hearted becomes an indictment of their unfaithfulness to their God. The exception clause in Matt 19:9 ("except for adultery," μὴ ἐπὶ πορνείᾳ) would therefore provide the grounds upon which God is able to divorce his own people as it is explicitly stated in Jer 3:8-9. A discussion of the relationship between a husband and a wife is then turned into a description of the relationship between God and his unrepentant covenantal partner. In support of this reading, we must turn to another label that is applied to the God's unrepentant people in Matthew: "evil and adulterous generation."

b. Hosea and the Adulterous People of God

Further support for the understanding of God's unrepentant people in marital terms can be found in the unique Matthean label: γενεὰ πονηρὰ καὶ μοιχαλὶς ("evil and adulterous generation," Matt 12:39; 16:4). As in the label of σκληροκαρδία in 19:9, this label is also applied to the Pharisees and their companions. In the New

⁴³ The motif of hard-heartedness is frequently applied to God's people when they were disobedient to God's commandments (Berger, "Harthezigkeit und Gottes Gesetz," 43). In Matt 19:1-12, while the focus is on the Mosaic stipulations of Deut 24:1-4, this motif is also applied to their rebellion against God's created order (cf. vv. 4-5). Both aspects can also be found in relations to this theme in Second Temple Jewish literature (cf. 1 En. 1:9-54; 5:4; see L. Doering, "Marriage and Creation in Mark 10 and CD 4-5," in *Echoes from the Caves: Qumran and the New Testament* [ed. F.G. Martínez; STDJ 85; Leiden/Brill, 2009] 159-160).

Testament, πονηρός used together with μοιχαλίσ⁴⁴ can only be found in Matthew.⁴⁵ In the LXX, this phrase appears only once in Hos 3:1, in a context identical to that of Jer 3:1-4:4 where God's people are again described as being unfaithful to their covenantal partner:

And the Lord said to me,
"Go again, and love a woman
who loves evil things and is an adulteress (πονηρὰ καὶ μοιχαλίν),
just as God loves the sons of Israel,
but they turn their attention to foreign gods,
and they like cakes with raisins." (Hos 3:1)

Unlike Mark's τῇ γενεᾷ ταύτῃ τῇ μοιχαλίδι καὶ ἀμαρτωλῷ ("this adulteress and sinful generation," Mark 8:38), the Matthean phrase matches both the wording and the word order of Hos 3:1. Therefore, it is unlikely that the Matthean version is simply a variation of the Markan.⁴⁶ Moreover, uniquely Matthean quotations from Hosea (cf. Matt 2:15; 9:13; 12:7) also point to Matthew's knowledge of and interest in this prophet. The fact that this phrase is used twice in Matthew's Gospel (12:39; 16:4) also points to its significance in the depiction of the unfaithful people of God.

Throughout Hosea, πορνεία is used to describe God's unfaithful people (Hos 1:2; 2:4[2], 6[4]; 4:11, 12; 6:10), a people who are described as possessed by πνεῦμα πορνείας (lit. "a spirit of adultery," Hos 5:4). As in the case of Jer 3:1-4:4, the discussion of divorce in Hosea is built on Deut 24:1-4.⁴⁷ Equally important is the likelihood that Jeremiah is dependent on Hosea in his application of the adultery/divorce imagery to God's unfaithful people.⁴⁸ In light of this interrelatedness among the prophets in their use of the Mosaic stipulations in Deut 24:1-4, it should no longer be surprising that Matthew would develop similar themes in his use of the scriptural passages especially in light of his interests in Hosea and Jeremiah.⁴⁹

⁴⁴ Here, the noun μοιχαλίσ ("adulteress") functions as an adjective ("adulterous").

⁴⁵ Our focus in this section is limited to πονηρός and μοιχαλίσ. For a helpful discussion of γενεά, see E. Lövestam, *Jesus and 'This Generation': A New Testament Study* (trans. M. Linnarud; Stockholm: Almqvist & Wiksell, 1995) 18-36, who examines this term against the flood and wilderness typologies.

⁴⁶ Cf. Collins, *Mark*, 411.

⁴⁷ See W.L. Holladay, *Jeremiah 1* (Hermeneia; Philadelphia: Fortress, 1986) 112. See, in particular, Hos 5:4a: "Their deeds do not permit them to return to their God" (cf. Deut 24:4).

⁴⁸ See Fishbane, *Biblical Interpretation in Ancient Israel*, 311-312; M. Schulz-Rauch, *Hosea und Jeremia: Zur Wirkungsgeschichte des Hoseabuches* (CTM A16; Stuttgart: Calwer, 1996). It should be noted, however, that both authors develop this imagery in their unique ways, see S. Moughtin-Mumby, *Sexual and Marital Metaphors in Hosea, Jeremiah, Isaiah, and Ezekiel* (Oxford: Oxford University Press, 2008) 49-116.

⁴⁹ In the prophetic traditions, the understanding of adultery as covenantal infidelity is of course not limited to Hosea and Jeremiah (cf. Isa 50:1; Ezek 16, 23, 43), but it is

c. *Adultery as Covenantal Infidelity*

In the above discussion, the linguistic and thematic parallels between Matthew and certain prophetic traditions have been established. In light of the prevalent use of the adultery imagery to express covenantal infidelity in these prophetic traditions that Matthew uses, it is at least possible that the divorce/adultery discussion in Matt 19:1-12 is also meant to serve as an indictment of God's unfaithful people. As a husband is allowed to divorce his wife because of adultery, God can also divorce his "evil and adulterous" covenantal partner if they continue to have "hard hearts." Whether this is a viable reading of Matt 19:1-12 can only be determined by the context in which it is situated.

Before turning to the literary context of Matt 19:1-12, a word of clarification has to be provided concerning such use of the πορνεία imagery. This use of the πορνεία imagery builds on the definition of πορνεία as adultery. As noted above, this use of the adultery imagery is already present in the unique Matthean phrase, "evil and adulterous generation" (12:39; 16:4). The question as to whether a discourse on (literal) adultery can carry an additional layer of meaning is answered by Matt 5:27-28:

You have heard that it was said:

"Do not commit adultery (οὐ μοιχεύσεις)."

But I say to you that anyone who looks at a woman to lust over her has already committed adultery (ἐμοίχευσεν) with her in his heart.

In this saying, Jesus makes it clear that adultery should never be understood simply as a physical act. In other words, the adultery involved in lusting over a woman refers not only to a "metaphorical" sense of violating the woman, but also an "actual" violation of God's covenant because adultery is "not just a private matter" in the scriptural traditions.⁵⁰ A clear distinction between physical adultery and spiritual adultery therefore often cannot and should not be made.

Moreover, in the Jewish scriptures, marriage itself is often understood in covenantal terms. This is particularly clear in Mal 2:10-16 where the covenantal nature of marriage (and divorce) is most clearly articulated.⁵¹ Marriage (and divorce) can in turn be understood as a "metaphorical" expression of covenantal faithfulness (and unfaithfulness). Within this theological framework, the understanding of adultery as covenantal infidelity can no longer be considered merely as a secondary extension of the physical act of marital infidelity.

IV. **Matthew 19:1-12 within its Literary Context**

primarily in these two works that one finds a clear use of Deut 24:1-4 in the detailed exposition of the possibility of God divorcing his covenantal partner.

⁵⁰ Lövestam, "Divorce and Remarriage in the New Testament," 59.

⁵¹ Cf. G.H. Hugenberger, *Marriage as a Covenant: Biblical Law and Ethics as Developed from Malachi* (VTSup 52; Leiden: Brill, 1994).

Understanding Jesus' discourse on adultery and divorce as addressing also the covenantal infidelity of God's people would explain the function of Matt 19:1-12 in its literary context.

a. *Matthew 19:1-20:16*

Matt 19:1-12 falls within the larger section of 19:1-20:16.⁵² The exact thematic connection among the various passages within this section remains, however, unclear to many. Ulrich Luz readily suggests that "there is no apparent systematic arrangement of the scenes, which themselves are formally different and are of varying lengths."⁵³ Others simply consider this as a transition section with "loosely connected episodes": "it serves as summary of all that has preceded it, and at the same time as introduction to the final events and concluding teaching of the ministry."⁵⁴ For those who see a unifying theme, a general umbrella term such as "everyday existence" has often been applied to this section.⁵⁵ These labels point to the presence of diverse material in this section, but they are insufficient in explaining why it is situated between a section that centers on ecclesiological concerns (16:21-18:35) and a section that depicts Jesus' final approach into Jerusalem (20:17-23:39).

More promising is the proposal of Warren Carter who argues that this section should be read in light of the ancient *Haustafeln*:⁵⁶

19:1-2	Transition
19:3-12	Marriage and Divorce
19:13-15	Children
19:16-30	Wealth
20:1-16	Householder and Laborers ⁵⁷

⁵² We consider statements concerning Jesus' journey to Jerusalem as markers of major sections in the second half of Matthew (cf. 16:21; 17:22; 19:1; 20:17; see Wilhelm Wilkens, "Die Komposition des Matthäus-Evangeliums," *NTS* 31 [1985] 24-38; J. Nolland, *The Gospel of Matthew: A Commentary on the Greek Text* [NIGTC; Grand Rapids: Eerdmans, 2005] 763). Although consensus is lacking as to where exactly our present section ends, this would not affect our present analysis since we will also consider the wider context of Matthew's Gospel below.

⁵³ U. Luz, *Matthew 8-20* (trans. J.E. Crouch; Hermeneia; Minneapolis: Fortress, 2001) 484.

⁵⁴ W.F. Albright and C.S. Mann, *Matthew* (AB 26; New York: Doubleday, 1971) 227.

⁵⁵ W.D. Davies and D.C. Allison, Jr., *Matthew*, vol. III (ICC; Edinburgh: T&T Clark, 1997) 27.

⁵⁶ W. Carter, *Households and Discipleship: A Study of Matthew 19-20* (JSNTSup 103; Sheffield: JSOT, 1994) 56-160; *Matthew and the Margins: A Socio-Political and Religious Reading* (JSNTSup 204; Sheffield: Sheffield Academic Press, 2000) 376-398. Commenting on the Markan parallel in 10:1-31, Anderson (1976) has earlier proposed that the shorter Markan section should also be read in light of the Greco-Roman *Haustafeln*.

This structure corresponds to Aristotle's discussion of the household as he deals with husbands and wives, fathers and children, masters and slaves, and also wealth and possessions (*Pol.* 1.1253b).⁵⁸ This organization not only provides a coherent structure to the diverse material in Matt 19:1-20:16, it also points to the ecclesiological significance of this section since household discussions often carry political overtones when the household in these traditions is considered "the basic unit of a state or kingdom or city, and a microcosm of imperial society."⁵⁹

Although particular aspects of this proposal can be challenged, it does point to the significance of these household relationships for the discussion of the nature of God's household. Carter himself recognizes that the discussions about children, wealth, and slaves are not simply discussions about domestic matters, but they provide a new model for the structure of God's renewed people: "all disciples are children, there are no parents (19:13-15); following Jesus, not procuring wealth and status, defines discipleship (19:16-30); all disciples are slaves like Jesus, there are no masters (20:17-28)."⁶⁰ While the ecclesiological implications for all these relationships are well noted, it is surprising that Carter limits the discussion of marriage and divorce to the domestic level: "Husbands are not to rule over wives but to participate in a 'one-flesh' relationship (19:3-12)."⁶¹

If the discussions on children, wealth, and slaves point further to aspects of the reality of God's renewed people, the section on marriage and divorce (19:1-12) may carry a similar ecclesiological function. Our discussion about divorce and adultery within the covenantal framework would fit well into this context. Matt 19:1-12 is not simply a general challenge to the cultural norms of gender relationships of the day, it provides specific ecclesiological application in the context of Matthew's Gospel. As God's people continue to refuse to respond to the gospel

⁵⁷ Carter, *Household and Discipleship*, 193; *Matthew and the Margins*, 376, who considers this section as ending at 20:34, takes 20:1-16 as dealing with the "Parable of the Householder" and the next dealing with slaves (20:17-28). Taking 20:16 as the conclusion of our present chapter, 20:1-16 can also be understood as dealing with both householders and those serving under them.

⁵⁸ This basic structure survives in the Hellenistic codes (Dio Chrysostom 5.348-51; Seneca, *Ep.* 94.1; Dionysius of Halicarnassus, *Ant. rom.* 2.25.4-26.4).

⁵⁹ Carter, *Matthew and the Margins*, 377. For a further discussion of both the conventional and subversive uses of the Greco-Roman *Haustafel* traditions in the New Testament, see M.Y. MacDonald, "Beyond Identification of the Topos of Household Management: Reading the Household Codes in Light of Recent Methodologies and Theoretical Perspectives in the Study of the New Testament," *NTS* 57 (2010) 65-90.

⁶⁰ Carter, *Matthew and the Margins*, 377. As noted above, Carter considers 20:17-28 to be part of the section that begins with 19:1. Discussion of the attitude of the laborers in 20:1-16 would fit well within the paradigm of ancient *Haustafeln* since, like the slaves, the laborers in the parable can only be obedient to the householder who has the right to determine the reward to be given to them.

⁶¹ Carter, *Matthew and the Margins*, 377.

Jesus is proclaiming, they are threatened to be separated from their covenantal partner, since divorce is indeed possible when γενεὰ πονηρὰ καὶ μοιχαλὶς (12:39; 16:4) is immersed in πορνεία (19:9).

The emphasis on the Jewish leaders as representing the unrepentant people of God appears at the beginning of this section where it is noted that the Pharisees came to Jesus for the purpose of “testing” (πειράζοντες, 19:3) him. This “testing” vocabulary not only ties the work of the Pharisees with that of the devil in 4:1, 3, it also ties this passage with 16:1-4 when “the Pharisees and Sadducees came to Jesus to test (πειράζοντες) him.” In response Jesus labeled them an “evil and adulterous generation” (γενεὰ πονηρὰ καὶ μοιχαλὶς, 16:4). It is precisely to this “evil and adulterous generation” that Jesus issues his accusation against them for their infidelity to their God in 19:1-12.

This reading is also confirmed by the content of 19:1-20:16 where the motif of rebellion against God and his Messiah dominates this section that contains a series of controversy stories.⁶² The ecclesiological import of this section in the sense of a critique against God’s unrepentant people cannot be denied especially with the presence of 19:28: “Truly I tell you: when all things are renewed, when the Son of Man sits on his glorious throne, you who have followed me will also sit on the twelve thrones, judging the twelve tribes of Israel.” In whatever manner this verse is to be taken, it touches on the relationship between Israel and those who are responding to the proclamation of Jesus. The repeated notes on the reversal of “the first” and “the last” in 19:30 and 20:16 provide further coherence to the various episodes in this section as God challenges his people not to rely on their assumed status before him.⁶³

While a complete examination of 19:1-20:16 will not be possible, these few observations are sufficient to highlight the overarching concerns of this section. As God’s unfaithful partner continues to rebel against him, Jesus points forward to the nature of the renewed people of God. It is within this context that 19:1-12 plays a

⁶² D. Patte, *The Gospel According to Matthew: A Structural Commentary on Matthew’s Gospel* (Valley Forge, PA: Trinity Press International, 1987) 262-63.

⁶³ The intended references behind “the first” and “the last” remains unclear. While they can refer to different groups within the church (Luz, *Matthew 8-20*, 536; Nolland, *Gospel of Matthew*, 813) or a general critique against those who are proud (D. Marguerat, *Le Jugement dans l’Evangile de Matthieu* [Genève: Labor et Fides, 1981] 460; K.R. Snodgrass, *Stories with Intent: A Comprehensive Guide to the Parables of Jesus* [Grand Rapids: Eerdmans, 2008] 371), in light of the critique of God’s unrepentant people throughout this section, it is still possible to see this as a reference to those who remain unfaithful to God versus the renewed people of God including both Jews and Gentiles who respond to the gospel (R.A. Gundry, *The Sermon on the Mount: A Foundation for Understanding* [Waco, TX: Word, 1982] 399; B.B. Scott, *Hear Then the Parable: A Commentary on the Parables of Jesus* [Minneapolis: Fortress 1989] 297; D.A. Hagner, *Matthew 14-28* (WBC; Dallas, TX: Word, 1993] 573; R.T. France, *The Gospel of Matthew* [NICNT; Grand Rapids: Eerdmans, 2007] 746). In any case, the theme of reversal is clear, and an implied critique of the Jewish leaders who continue to oppose Jesus cannot be denied.

critical role as it serves as a warning against God's unrepentant people: if they continue to be unfaithful to their God, their God has the right to sever his relationship with them. As in the prophetic traditions, however, this "threat" aims not as a final indictment, but a call for God's people to return (cf. Jer 4:4).

b. *Matthew 16:21-18:35; 20:17-23:39*

This reading of 19:1-20:16 in general and 19:1-12 in particular also fits well within the wider context of Matthew's Gospel. 19:1-20:16 is connected with its context through the travel note at the beginning of this section:

When Jesus finished these sayings, he left Galilee and went to the region of Judea beyond the Jordan River. (19:1)

This note situates this entire section within Jesus' journey to Jerusalem, and the purpose of this journey is stated in the verse that introduces the preceding section (16:21-18:35):

From that time on Jesus began to show his disciples that it is necessary for him to go to Jerusalem and suffer many things at the hands of the elders, chief priests, and teachers of the law, and be killed, and on the third day be raised. (16:21)

In light of this note, Jesus' travel note in 19:1 should not simply be taken as a geographical note, it aims at situating the entire section within Jesus' journey to suffer and be rejected by his own people.

At the beginning of the next section (20:17-23:39), one again finds a travel note that repeats the same theme of suffering and rejection:

As Jesus was going up to Jerusalem, he took the twelve disciples aside privately and said to them on the way, "We are going up to Jerusalem and the Son of Man will be handed over to the chief priests and the teachers of the law. They will condemn him to death." (20:17-18)

Our present section is therefore located between two sections that are framed by references to Jesus' suffering and rejection.

In 16:21-18:35, the christological note on the suffering Messiah (16:1-17:20) provides the context for the ecclesiological discussion on the nature and behavior of God's renewed community (17:22-18:35). These twin emphases continue in 20:17-23:39 where one finds the Messiah rejected by his people as he approaches and enters Jerusalem (20:17-21:22) followed by a lengthy series of controversy stories (21:23-22:46) that climax in the woes against the Jewish leaders (23:1-39). Framed by these two sections, it is only to be expected that 19:1-20:16 likewise contain these two emphases. The *Haustafel* structure highlights the ecclesiological significance of the various passages within this section, but the rejection motif is also present through the consistent application of the reversal principle as explicitly noted in 19:30 and 20:16. As both the previous and following sections begin with a

note on Jesus being rejected by his own people, this section likewise begins with a section that reinforces this motif (19:1-12). In response to the hard-hearted people (19:8) who continue to test him (19:3), Jesus issues a direct challenge that is embedded in the uniquely Matthean exception clause (19:9): as a husband cannot divorce his wife except for adultery, God would not abandon his people unless they continue to be unfaithful to him. 19:1-12 is therefore not simply an expansion of the legal discussion introduced in 5:31-32, it carries an additional force in this part of Matthew's Gospel as Jesus travels to Jerusalem to be rejected by his own people.⁶⁴ A legal discussion becomes an indictment and warning for God's unrepentant people.

V. Conclusion

In light of the linguistic and thematic parallels between Matt 19:1-12 and the prophetic traditions, it is suggested that the uniquely Matthean exception clause in 19:9 should be understood as a warning of the possibility of God divorcing those among his covenantal people who remain unfaithful to him.⁶⁵ This reading is confirmed by an examination of Matt 19:1-12 within its immediate and wider contexts in Matthew's presentation of the story of Jesus. As in the prophetic traditions, however, this warning serves ultimately as a call for God's unfaithful people to repent. Matt 19:1-12 therefore does not simply provide yet another abstract discussion of the details of the Law, it becomes both an indictment against God's unfaithful partner and a call to this partner to provide the proper response to God and his Messiah.

⁶⁴ See, in particular, J.C. Anderson, "Matthew: Sermon and Story," in *Treasures New and Old: Contributions to Matthean Studies* [ed. D.R. Bauer and M.A. Powell; Atlanta: Scholars Press, 1996] 238) who correctly notes that 19:1-12 is not simply concerned with the presentation of the correct interpretation of the law, but it is a presentation of the Jewish leaders aligning with the devil in rejecting Jesus.

⁶⁵ Although Jeremiah does consider the possibility of God divorcing his (entire) people, the remnant motif embedded in the later sections of his writings (cf. Jer 6:6-9; 23:1-8; 31:2-14; 40:1-45:5; 50:21-46) does point to the presence of those who would continue to be God's covenantal partner. In a similar way, one finds a division among God's people in Matthew although a remnant motif is not explicitly developed in this Gospel.