Towards the end of last session I began talking about the peculiar way Matthew portrays the Pharisees: the way he replaces other actors in Mark’s story, such as the scribes, with the Pharisees, or how he accords to them more power than we know the Pharisees had in Judean society prior to the fall of Jerusalem in 70 C.E.

You’ll recall that both Matthew and Luke mention the Pharisees more frequently than Mark. And even though Luke has a similar number of appearances by Pharisees as Matthew, he does not paint them as harshly as Matthew. The Pharisees are certainly flawed and Luke’s Jesus point out those flaws; but they are not the odious figures Matthew casts them as.

Especially significant for perceiving the sort of villains the Pharisees are in Matthew is the evangelist’s expanded polemics against them. Recall, for example, this incident in Mark: “14 Now the disciples had forgotten to bring any bread; and they had only one loaf with them in the boat. 15 And he cautioned them, saying, “Watch out – beware of the yeast of the Pharisees and the yeast of Herod.” 16 They said to one another, “It is because we have no bread.” 17 And becoming aware of it, Jesus said to them, “Why are you talking about having no bread? Do you still not perceive or understand? Are your hearts hardened? 18 Do you have eyes, and fail to see? Do you have ears, and fail to hear? And do you not remember? 19 When I broke the five loaves for the five thousand, how many baskets full of broken pieces did you collect?” They said to him, “Twelve.” 20 And the seven for the four thousand, how many baskets full of broken pieces did you collect?” And they said to him, “Seven.” 21 Then he said to them, “Do you not yet understand?”

In Matthew, as in Mark, the disciples conclude that Jesus is upset because they haven’t brought along enough bread. But whereas Mark’s narrative concludes with Jesus asking incredulously, “Do you not yet understand?” Matthew lightens the reprimand slightly and has Jesus repeat his warning: “Beware of the yeast of the Pharisees and Sadducees!” Without further prompting, the disciples get it: “Then they understood that he had not told them to beware of the yeast of bread, but of the teaching of the Pharisees and Sadducees.” – Notice, Jesus’ warning here pertains to “the teaching of the Pharisees and Sadducees.”

And notice that Jesus paints the Pharisees and the Sadducees with a single brush. Indeed, whereas Mark’s Jesus warns against the yeast of the Pharisees and the yeast of Herod, in Matthew his warning concerns the yeast of “the Pharisees and Sadducees,” as if they were a unified body, in spite of the fact that the Pharisees and Sadducees were not merely different groups, but held very different opinions. In fact, the only time Matthew mentions the Sadducees without the Pharisees is in 22:23, a passage he inherited from Mark, in which they debate resurrection with Jesus, inasmuch as they (in contrast to the Pharisees) considered resurrection a pipe
Accordingly, it is of interest that Matthew introduces the Sadducees 5 times on his own and each time portrays them as something like the Pharisees’ sidekicks, which they certainly were not.

In fact, it isn’t just the Pharisees and Sadducees that Matthew lumps together. In a similar way, in chapter 23 Matthew unites the scribes and the Pharisees as teachers of the Torah: “The scribes and the Pharisees sit on Moses’ seat; therefore, do whatever they teach you and follow it; but do not do as they do, for they do not practice what they teach.” – Throughout the rest of chapter 23, Jesus pronounces a series of woes on the scribes and the Pharisees, suggesting that their differences had become blurred for Matthew.

However, Matthew’s skewed portrayal is intelligible in light of his writing his gospel after the fall of Jerusalem, given the fact that in the post-70 era, the Pharisees became a leading force in forging a Judaism without temple, one that concentrated on study of the Torah (as Saldarini reports). Matthew’s fixation on the Pharisees as Jesus’ leading opponents, and his portrayal of their teaching as the main strain of thought with which Jesus has to contend is likely due to the role they played in Matthew’s own day. That's why the Pharisees feature so large in Matthew.

But what’s the nature of Jesus’ (and thus Matthew’s) opposition to the Pharisees? Jesus insists on obedience to the Torah, but rejects the Pharisees’ interpretation of it. In fact, just how categorically he does so, and just how profound the rift between Matthew’s community and the other synagogues in Matthew’s region had become is evident from the 23rd chapter, distinctive to Matthew.

When we explore why Matthew’s Jesus faults the scribes and Pharisees in chapter 23, it is for what amounts to heretical observance of the Torah. The epithet Matthew’s Jesus applies to them most is “hypocrite,” a word that occurs 13x in Matthew, only once in Mark, and just 3 times in Luke. It appears 6x in Jesus’ attacks on the Pharisees and the scribes in chapter 23, as well as in two other places we’ll look at before turning to chapter 23.

In chapter 15 Jesus lambastes the scribes and Pharisees for the way they prioritize Torah requirements: “Why do you break the commandment of God for the sake of your tradition? For God said, ‘Honor your father and your mother,’ and, ‘Whoever speaks evil of father or mother must surely die.’ But you say that whoever tells father or mother, ‘Whatever support you might have had from me is given to God,’ then that person need not honor the father. So, for the sake of your tradition, you make void the word of God. You hypocrites! Isaiah prophesied rightly about you when he said: This people honors me with their lips, but their hearts are far from me; in vain do they worship me, teaching human precepts as doctrines.’”
For us the word “hypocrite” designates a person whose behavior is not in sync with their claims; it invariably carries a negative connotation. The Greek word ὑποκριτής denoted an actor, someone who played a role, which is how it gained its connotation of projecting a false image. However, in Jewish literature, beginning with the Septuagint, ὑποκριτής simply designates an ungodly person, without necessarily implying pretense. And that’s how we find it used here and often in Matthew.

What Jesus takes the scribes and Pharisees to task for is not secretly knowing they should be giving to their parents the money they’re dedicating to the Temple, but for misjudging which responsibility takes precedence. That’s why Jesus’ quotes Isaiah’s castigation of those who honor God with their lips, but whose hearts are distant. – While this attacks a disparity between behavior and motivation that we associate with “hypocrite,” what Jesus faults them for is “teaching human precepts as doctrines.” He doesn’t reject the teachings of the scribes and the Pharisees for lack of sincerity. In fact, his use of the term “hypocrites” comes closer to something like “you infidels!”

The same sense turns up in chapter 22: “15 Then the Pharisees went and plotted to entrap him in what he said. 16 So they sent their disciples to him, along with the Herodians, saying, “Teacher, we know that you are sincere, and teach the way of God in accordance with truth, and show deference to no one; for you do not regard people with partiality. 17 Tell us, then, what you think. Is it lawful to pay taxes to the emperor, or not?” 18 But Jesus, aware of their malice, said, “Why are you putting me to the test, you hypocrites?”

There is nothing particularly “hypocritical” about the Pharisees’ behavior here: they aren’t claiming one thing and doing another. Rather, they’re crafting their words maliciously to entrap him. Even if Jesus is exposing their subterfuge, his emphasis is on their malice, so that an epithet like “infidels” might more closely represent the term in this context.

And so in looking at the series of seven attacks by Jesus on the scribes and Pharisees in chapter 23, we need to keep in mind this broader sense for the word ὑποκριτής.

All but one of these statements opens with the exclamation, “Woe to you, scribes and Pharisees, infidels,” followed by the reason they can expect doom, introduced with the word “for” (= “because”). The saying that doesn’t fit this pattern is v. 16, which pronounces woe on “blind guides” who discriminate between oaths that carry weight and ones that don’t. And yet, given that Jesus calls the Pharisees “blind” numerous times, there is no doubt that the “blind guides” and their errant judgment applies to the scribes and Pharisees.

A few of these woes form pairs addressing the same subject. E.g. the first two concern their actions as Jewish “evangelists,” as we might call them: “13 But woe
to you, scribes and Pharisees, infidels! For you lock people out of the kingdom of heaven. For you do not go in yourselves, and when others are going in, you stop them. Woe to you, scribes and Pharisees, infidels! For you cross sea and land to make a single convert, and you make the new convert twice as much a child of hell as yourselves.”

By the way, you might have noticed that we jumped straight from v. 13 to v. 15; i.e. there is no v. 14 in the NRSV. Needless to say, v. 14 appears in some Greek manuscripts and reads, “Woe to you, scribes and Pharisees, hypocrites! For you devour widows’ houses and for the sake of appearance you make long prayers; therefore you will receive the greater condemnation.” – This verse stands in a few manuscripts in this position, while in others it stands before v. 13. However, the best and most important manuscripts lack it, which is why it is omitted in the NRSV. Undoubtedly, this verse was inserted by a scribe in order to harmonize Matthew with Mark and Luke, both of whom have this sentence.

In any case, the pair of woes that stand together without a parallel in either Mark or Luke, reveal little about what Matthew objects to in the scribes and Pharisees’ teaching, but do show how sharply he rejects their Torah interpretation.

The third woe visits an issue Jesus addressed also in the Sermon on the Mount: “Woe to you, blind guides, who say, ‘Whoever swears by the sanctuary is bound by nothing, but whoever swears by the gold of the sanctuary is bound by the oath.’ You blind fools! For which is greater, the gold or the sanctuary that has made the gold sacred? And you say, ‘Whoever swears by the altar is bound by nothing, but whoever swears by the gift that is on the altar is bound by the oath.’ How blind you are! For which is greater, the gift or the altar that makes the gift sacred?” – The question is what kind of oath validates one’s word. There was a reticence about swearing by God’s name, and so oaths were taken by things related to the temple. But not all the temple’s features were considered of equal worth, so that swearing by some features was considered binding, while oaths based on others were not. This sort of reasoning Jesus considers base. By describing them as “blind,” Matthew’s Jesus accuses them of having misread the Torah, while his derision of them as “fools” signals the degree of contempt Matthew has for the kind of hair-splitting engaged in by his opponents who, in his view, side-step the real issue: telling the truth.

The inability to get to the bottom of the issue is again addressed in the next woe: “Woe to you, scribes and Pharisees, infidels! For you tithe mint, dill, and cummin, and have neglected the weightier matters of the law: justice and mercy and faith. It is these you ought to have practiced without neglecting the others. You blind guides! You strain out a gnat but swallow a camel!” – Again these teachers of the Torah are described as “blind,” a metaphor applied to Jesus opponents only in the Gospel of Matthew. Their “blindness” in these matters is not
an oversight, but something culpable, as is clear from the verb “neglected.”

Moreover, Matthew’s Jesus accentuates the absurdity of their Torah interpretations in the concluding charge, “You strain out a gnat but swallow a camel!” I.e. they are absorbed with the minutiae (although Jesus doesn’t fault them for this), that they overlook the larger issues. The punch of this saying comes not only from the fact that both camels and gnats were prohibited fare (as Nickel mentions) but even more so from the contrast between what they strain out of their drink and what they wind up swallowing, with the extremes between a gnat and a camel meant to underscore the absurdity of their Torah interpretation.

And the sarcasm runs even deeper, because this contrast involves a play on words in Aramaic, in which “gnat” is “qalma,” while the word “camel” is “gamla.” I.e. these interpreters, who make such fine distinctions in the Torah, can’t distinguish the difference between a qalma and a gamla, even though any rational observer recognizes a large difference!

The next two woes form another pair, aimed at the opponents’ moral character:

“25 Woe to you, scribes and Pharisees, infidels! For you clean the outside of the cup and of the plate, but inside they are full of greed and self-indulgence. 26 You blind Pharisee! First clean the inside of the cup, so that the outside also may become clean. 27 Woe to you, scribes and Pharisees, infidels! For you are like whitewashed tombs, which on the outside look beautiful, but inside they are full of the bones of the dead and of all kinds of filth. 28 So you also on the outside look righteous to others, but inside you are full of infidelity and lawlessness.”

These woes form a matched set, in that the language of the first – which is based on the practice of ritual washings we’ve encountered previously – becomes intelligible only in the second, where Jesus makes it clear that the Pharisees are the ones full of greed and self-indulgence, even as they are full of infidelity and lawlessness. The real slap in the face, however, comes with the comparison of their inner motivations to a tomb that looks beautiful on the outside, but inside is “full of the bones of the dead and of all kinds of filth.” By equating their inner life with corpses, Matthew introduces the specter of ritual uncleanness that the Pharisees were, above all, intent on avoiding.

The final woe plays off of this imagery of finely maintained tombs: “29 Woe to you, scribes and Pharisees, infidels! For you build the tombs of the prophets and decorate the graves of the righteous, 30 and you say, ‘If we had lived in the days of our ancestors, we would not have taken part with them in shedding the blood of the prophets.’ 31 Thus you testify against yourselves that you are descendants of those who murdered the prophets. 32 Fill up, then, the measure of your ancestors.” – One might think that decorating the tombs was an attempt to honor the prophets – and that was doubtless the idea. However, Matthew’s Jesus says that their implicit oath that they wouldn’t have treated the prophets as their ancestors did is an admission
of the guilt of their ancestors (and thus their own), while their decoration of the tombs is seen as tantamount to saying, “thank goodness they’re dead and buried! Let’s keep them in there!”

In fact, Jesus’ final command, “fill up, then, the measure of your ancestors,” is explicated two verses later by the assertion, “Therefore I send you prophets, sages, and scribes, some of whom you will kill and crucify, and some you will flog in your synagogues and pursue from town to town.” – They will repeat their ancestors’ crimes.

There is every reason to think that Matthew reformulated this Q saying (found in Luke 11.49) with a view to the Christian prophets, sages and scribes who had been mistreated by those addressed as “Scribes and Pharisees.” Not only has Matthew transformed this into a statement by Jesus, rather than a quotation of wisdom’s words, but he also expands Luke’s verb “persecute” in terms of floggings in their synagogues and pursuit “from town to town.”

Substantiating this perception is another passage where Matthew injects the theme of being flogged in synagogues. Matt 10.19 & 20 shares with Luke 12.11-12 instruction about what to do when brought to trial: “When they hand you over, do not worry about how you are to speak or what you are to say; for what you are to say will be given to you at that time; for it is not you who speak, but the Spirit of your Father speaking through you.”

Standing just prior to this in Matthew are words not found in Luke, Mark or John. They begin with Jesus warning his disciples that he is sending them out “like sheep into the midst of wolves” and, thus, admonishing them to “be wise as serpents and as innocent as doves.” Then he advises, “Beware of them, for they will hand you over to councils and flog you in their synagogues; and you will be dragged before governors and kings because of me, as a testimony to them and the Gentiles.”

Matthew derived and expanded this from Q (|| Luke 12.11), even as Luke derived the statement about the Holy Spirit’s role from the Q material Matt has in v. 20, incorporating it into the heart of the statement about knowing what to say at the hour of trial.

Matthew’s expansion of this Q material includes the transformation of Q’s simple phrase “the synagogues” into “flog in their synagogues,” just as we find such flogging uniquely mentioned in 23.34. Equally significant is that just as 10:17 warns of flogging in “their synagogues,” 23.34 tells the scribes and Pharisees that they will flog some who are sent “in your synagogues.” That this attests treatment Matthew was familiar with in his day corresponds well to the way he has Jesus characterize these floggers in v. 16: they’re like wolves that seek to attack lambs (i.e. Jesus’ disciples).

Equally intriguing for its similarity is a statement later in Matt 10: “When they
persecute you in one town, flee to the next; for truly I tell you, you will not have
gone through all the towns of Israel before the Son of Man comes.” – Again, this
lacks a parallel in any other gospel, but the advice about fleeing from town to town
correlates with what 23.34 says about pursuing “from town to town” the prophets,
sages and scribes who will be sent.

We know that as early as the late thirties such persecutions were occurring,
because the book of Acts portrays such pursuit of disciples by Saul the Pharisee, as
described in chapter 8: “Saul was ravaging the church by entering house after
house; dragging off both men and women, he committed them to prison,” while the
beginning of chapter 9 says that Saul continued “breathing threats and murder
against the disciples of the Lord” and sought authorization to seek out members of
the new sect in synagogues elsewhere. It is likely this same sort of situation that
was faced by Matthew and his community.

This blatant rejection of the scribes and the Pharisees by Matthew, and the
persecution of his group by those of the synagogue raises a couple of questions.
First, why are some called “scribes” numbered among those who will be sent and
persecuted, since elsewhere in chapter 23 the scribes are joined with the Pharisees
as enemies?

To understand this we need to take note of another statement unique to Matthew.
At the conclusion of Matt’s collection of parables in chapter 13, Jesus poses this
question to the disciples: “Have you understood all this?” They answered, “Yes.”
And he said to them, “Therefore every scribe who has been trained for the
kingdom of heaven is like the master of a household who brings out of his treasure
what is new and what is old.”

Clearly, then, not all scribes are bad; there are scribes “trained for the kingdom
of heaven.” Doubtless Matthew would have considered himself one such scribe,
and his Jesus speaks of multiple scribes who would be persecuted by the “scribes
and Pharisees.”

The larger question this dispute raises is why, at the beginning of Matthew 23,
Jesus says of those he so roundly rejects and disparages throughout the chapter,
“Sit on Moses’ seat; therefore, do whatever they teach you and follow it; but do not do as they do, for they do not practice what they teach.”

Note that Jesus lodges no objection to their teaching of the Torah; to the
contrary, he commands that his hearers follow it, which seems odd in light of his
admonition to “Beware of the yeast of the scribes and Pharisees,” which they take
as a warning about “the teaching of the Pharisees and Sadducees.” Moreover, in
23.15 Jesus accuses them of making converts “twice as much children of hell as
themselves.” Certainly this implies some form of instruction. So how can Jesus
endorse their teaching in v. 2?
The answer seems to go back to Jesus’ charge that the scribes and Pharisees have an inadequate righteousness, a righteousness that falls short of what is required. It’s not that what they teach about the Torah’s requirements is wrong – tithing mint, dill and cummin is expected by the Torah – but it’s that they neglect the weightier, more important matters of the Torah. Notice, in fact, how Jesus continues his characterization of the scribes and Pharisees in v. 4 of chapter 23: “They tie up heavy burdens, hard to bear, and lay them on the shoulders of others; but they themselves are unwilling to lift a finger to move them.” – Their demands are stringent enough, but they don’t fulfill them or help anyone else to do so; they find ways to avoid the bite of the commandments.

So what constitutes a profound enough righteousness to enter the kingdom? What is an adequate interpretation of the Torah and an adequate practice? To begin answering this, let’s turn to chapter 5, where Matthew’s Jesus states his attitude towards the Torah: “5.17 Do not think that I have come to abolish the law or the prophets; I have come not to abolish but to fulfill. 18 For truly I tell you, until heaven and earth pass away, not one letter, not one stroke of a letter, will pass from the law until all is accomplished.” – This is about as clear an affirmation of the abiding validity of the Torah as one could find: As long as the earth and heavens stand, so also will the Torah. Least of all does Jesus intend to do anything that would abrogate it. Indeed, he says that he has come to “fulfill it.” But what is meant by his assertion that he will “fulfill” it?

One possibility is he means his life and work will realize the Torah’s expectation of a messianic figure. As you know, Matthew often cites scripture he finds fulfilled by Jesus in this sort of sense.

And yet, if that’s what is meant by fulfilling the Law, then one might well assert that Torah is no longer relevant, since it has been fulfilled. Jesus, by contrast, speaks of “fulfilling” the Torah over against getting rid of it and emphasizes its ongoing validity: “19 Therefore [i.e. because the Torah remains in force], whoever breaks one of the least of these commandments, and teaches others to do the same, will be called least in the kingdom of heaven; but whoever does them and teaches them will be called great in the kingdom of heaven.”

Obedience even to “the least of these commandments” is expected of those in the kingdom.” Most likely, then, when Jesus says he has come to fulfill the Law, he means that, far from declaring it null and void, he has come to fulfill it in some more pragmatic way, such as obeying it.

In fact, throughout Matthew there is marked emphasis on Jesus’ obedience to God’s commands. E.g., you’ll recall that in contrast to Mark’s report of Jesus’ baptism by John, with no questions asked, Matthew’s John demurs: “13 Then Jesus came from Galilee to John at the Jordan, to be baptized by him. 14 John would have prevented him, saying, “I need to be baptized by you, and do you come to me?”
But Jesus answered him, “Let it be so now; for it is proper for us in this way to fulfill all righteousness.” Then he [John] consented.”

Notice that what convinces John is Jesus’ statement, “it is proper for us in this way to fulfill all righteousness.” Given how the word “righteousness” is employed elsewhere in Matt (for whom it is a favorite term), the sense of this is “my submission to baptism fulfills what God requires of us.” And note the word “fulfill” in connection with “all righteousness.”

Accordingly, when Jesus speaks of having come to “fulfill the Law,” he means that he intends to observe it scrupulously. And it is clear from chapter 5 that he expects his followers to do the same, in contrast to the scribes and Pharisees: “For I tell you, unless your righteousness [i.e. your obedience to what God requires] exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven.” – And let’s recall that such talk of superior righteousness comes in the context of affirming the enduring validity of the Torah and the need to observe even “the least of these commandments.” In effect Jesus says, “you’re going to have to do a better job of keeping the commandments than the scribes and Pharisees if you expect to enter the kingdom!”

Recall that Jesus does not fault the Scribes and the Pharisees for neurotic attention to the most minute details of the Torah, but for neglecting the “weightier matters of the Law.” Jesus sets as the standard for superior righteousness a more thoroughgoing obedience to the weightier mandates in the Torah, while not neglecting the lesser mandates.

In fact, those indicted even more directly than the scribes and Pharisees (although not as harshly) are those who soft-peddle the Torah’s demands: “Therefore, whoever breaks one of the least of these commandments, and teaches others to do the same, will be called least in the kingdom of heaven; but whoever does them and teaches them will be called great in the kingdom of heaven.” — Those breaking the “least of these commandments and teaching others to do the same” cannot be the scribes and the Pharisees, for they (according to the next verse) are already excluded from the kingdom, whereas those who break “one of the least of the commandments” are within it, but will be ranked “least in the kingdom.”

So again, what is the “righteousness surpassing that of the scribes and the Pharisees” that Matthew’s Jesus asserts is required for entrance into the Kingdom of Heaven?

Let’s review what we’ve seen: Jesus has just spoken of the importance of observing and promoting the observance of “the least of these commandments.” And given that he has just spoken of the abiding and inviolable validity of the Torah, there is little doubt that the “least commandments” to be kept are mandates in the Torah. Recall also his accusation of the scribes and Pharisees for neglecting
the *weightier* matters of the Torah, at the same time he denied he meant they should “neglect the others” – i.e. “the lesser commandments.”

In the context of 5.17-20, then, where Matthew’s Jesus is concerned to uphold the Torah and its requirements – even the *least* of its commandments – Jesus’ statement that entrance into the kingdom of God requires a righteousness superior to that of the scribes and the Pharisees likely means, “unless your obedience to the Torah runs deeper than that of the scribes and Pharisees” – or, to use the language from chapter 23, “unless you attend to the ‘weightier matters of the law’ they neglect – you will not enter the kingdom of God.”

This sort of ranking of some commandments as more weighty than others was common in Jewish discussions of the Torah. In fact, in Matthew 22 a Pharisee asks Jesus, “Teacher, which commandment in the law is the greatest?”, to which Jesus responds, “37 You shall love the Lord your God with all your heart, and with all your soul, and with all your mind.’ 38 This is the greatest and first commandment. 39 And a second is like it: ‘You shall love your neighbor as yourself.’ 40 On these two commandments hang all the law and the prophets.”

Isolation of the commands to love God and love others as the heart of the Torah is not unique to Jesus – e.g. we find it also in the first century Jewish philosopher, Philo of Alexandria. This identification of the heart of the Torah’s requirements is central to some of Jesus’ disputes with the Pharisees, as in this encounter in chapter 12: “9 He left that place and entered their synagogue. 10 A man was there with a withered hand – [in the context, the pronoun “their” refers to the Pharisees, Jesus’ opponents in the preceding story; again likely reflecting the breech between Matthew’s community and their opponents; these surrogate foes of Matthew’s community ask Jesus] “Is it lawful to cure on the sabbath?” [Matt says their motivation was to find grounds to accuse him.] 11 He said to them, “Suppose one of you has only one sheep and it falls into a pit on the sabbath; will you not lay hold of it and lift it out? 12 How much more valuable is a human being than a sheep! So it is lawful to do good on the sabbath.” – Jesus’ response embodies his conviction that the command to love others is weightier than the command to keep the Sabbath. Even if healing can be considered a type of work (and thus a violation of Sabbath), it is justified because it involves care of another. What Jesus attacks here is a way of prioritizing the Torah’s commandments.

It’s worth noting, though, that Jesus’ pronouncement of what takes priority stands equally *outside* the Torah. That is, the Torah itself does not indicate which commandment takes precedence when they are in competition. When Matthew’s Jesus rejects the “righteousness” of the scribes and Pharisees, he has in view interpretations of Torah demands that do not meet the standard of what he sees as the Torah’s true intent. It is such judgments that make Jesus’ interpretation of the Torah distinctively his own.
A textbook case of Jesus identifying which passage in the Torah takes priority is in what he says about divorce in Matthew 19: “Some Pharisees came to him, and to test him they asked, “Is it lawful for a man to divorce his wife for any cause?”’

He answered, “Have you not read that the one who made them at the beginning ‘made them male and female,’ and not read that the one who made them at the beginning ‘made them male and female,’ and said, ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.”

They said to him, “Why then did Moses command us to give a certificate of dismissal and to divorce her?” He said to them, “It was because you were so hard-hearted that 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 unchastity, and marries another commits adultery.”

This dispute has its roots in a debate in first century Judaism. That debate turned on how to interpret the phrase in Deut 24.1 “something objectionable.” As Riches reports, one school of rabbinic tradition (Hillel) said anything a man found displeasing gave grounds for divorce, whereas the other leading school (Shammei) asserted that only adultery offered legitimate grounds.

This debate stands behind the wording of the Pharisees’ question, “Is it lawful for a man to divorce his wife for any cause?” This phrasing alludes to one side of the debate: is Hillel correct to say any cause is just grounds for divorce, or is Shammei’s pronouncement correct?

Jesus’ response is to declare the whole debate invalid by appealing to Genesis 3: “Have you not read that the one who made them at the beginning ‘made them male and female,’ and said, ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.” – I.e., Jesus trumps Deut 24.1 by appealing to a passage that stands prior to it both logically and chronologically. When the Pharisees counter by pointing out that Deut 24.1 is still in the Torah and authorizes divorce, Jesus’ dismisses that by saying that Moses gave permission for divorce only as a concession to the people’s hard hearts. And then he restates what for him is the crucial issue: “from the beginning it was not so,” exactly what he emphasized in quoting Genesis 3: there, he contends, God’s initial intent is clear: viz., the permanence of marriage.

So here we find Jesus invalidating the whole discussion of proper grounds for divorce by appealing to what he identifies as a “weightier” matter of the Torah. But he can do so only from outside the Torah. Indeed, his judgment that Moses allowed divorce only because of the “hardness” of the people’s hearts finds no justification within the Torah itself.

But let’s notice something still more intriguing. Matthew derives this dispute
from Mark 10. And while there are differences in the order of arguments, the most significant is that whereas in Mark the Pharisees ask whether Jesus thinks divorce is permissible – period – in Matthew they ask if divorce is permissible for any cause – i.e. are there no illicit grounds for divorce. And thus, while in both Mark and Matthew Jesus appeals to what he considers a weightier standard, in Mark his final word on the subject is the final verse he quotes from Gen 3: “Therefore what God has joined together, let no one separate.” I.e. no divorce.

In Matthew, on the other hand, his final word is, “whoever divorces his wife, except for unchastity, and marries another commits adultery.” Matthew’s Jesus winds up siding with Rabbi Shammai’s school in the debate over Deut 24.1. That side of the debate transposed the Hebrew words translated “something objectionable,” producing the meaning, “a matter of indecency,” understood as adultery.

In Matthew’s portrayal, Jesus rejects the “anything goes” interpretation of Rabbi Hillel in favor of the interpretation offered by Shammai. And in the process, as Riches notes, Matthew effectively overrides the radical nature of Jesus’ argument; it’s no longer an absolute rejection of divorce, but acceptance of it on the terms urged by Shammai. This is another sign of Matthew’s Jewish context. Even with Jesus’ words in hand, Matthew finds it impossible to escape the horns of the dilemma in this Jewish debate. In his portrayal, Jesus' demand is simply the more rigors of the two debated positions.

The parade examples of Jesus offering a more penetrating analysis of the Torah’s requirements are the contrasts that follow his pronouncement about the eternal validity of the Torah, in chapter 5. The first of those is: “21You have heard that it was said to those of ancient times, ‘You shall not murder’; and ‘whoever murders shall be liable to judgment.’ 22But I say to you that if you are angry with a brother or sister, you will be liable to judgment; and if you insult a brother or sister, you will be liable to the council; and if you say, ‘You fool,’ you will be liable to the hell of fire.”

The contrast between what the people have heard and what Jesus says is central to each of the six pronouncements in this last half of chapter 5, and is part of the basis for the report at the end of this discourse that “the crowds were astounded at his teaching, because he taught them as one having authority, and not as their scribes.” In this case the topic is the Torah’s prohibition of murder and the way Jesus deepens it.

Jesus’ approach has affinities to a common rabbinic device, known as “building a fence around the Torah.” The idea is that if you prohibit not only what the Torah prohibits, but also behavior that might lead to violating the Torah, you will keep people from breaking the Torah. However, the demands Jesus lays down seem to be more concerned with a deeper obedience than the Torah demands, not simply
protection against Torah-breaking. Thus he prohibits even anger with one’s
neighbor, making it as serious a crime as murder so that one who hates his brother
becomes “liable to judgment,” just as if they had committed murder.

The “equals sign” Jesus places between murder and anger indicates that for him,
abuse of one’s neighbor in any form is a violation of God’s will. In this contrast
one can again perceive Jesus’ conviction that the command to love one’s neighbor
is central to the Torah. That demand is not met if one merely avoids the act of
murder; the righteousness that exceeds that of the scribes and Pharisees demands
that one refrain from any hostility.

Thus, Matthew contrasts Jesus teaching to that of “the scribes and Pharisees” as
a more penetrating interpretation of the Torah, since Jesus looks not for the
minimum required, but for the deepest intent of the Torah’s demands. It is
compliance with the deepest intent of the Torah that Matthew’s Jesus demands of
his disciples.

But if these, then, are Jesus’ demands, then who is Jesus for Matthew? That’s
the question we’ll take up next time in concluding our study of his gospel.