

**Matthew 5:32 on Trial: A Comprehensive Refutation of the Text That Criminalised Marriage to a Divorced Woman, Restricted Exit from a Harmful Marriage, and, through its strict ecclesiastical interpretation, contributed to marital suspension and domestic violence within many Christian communities.**

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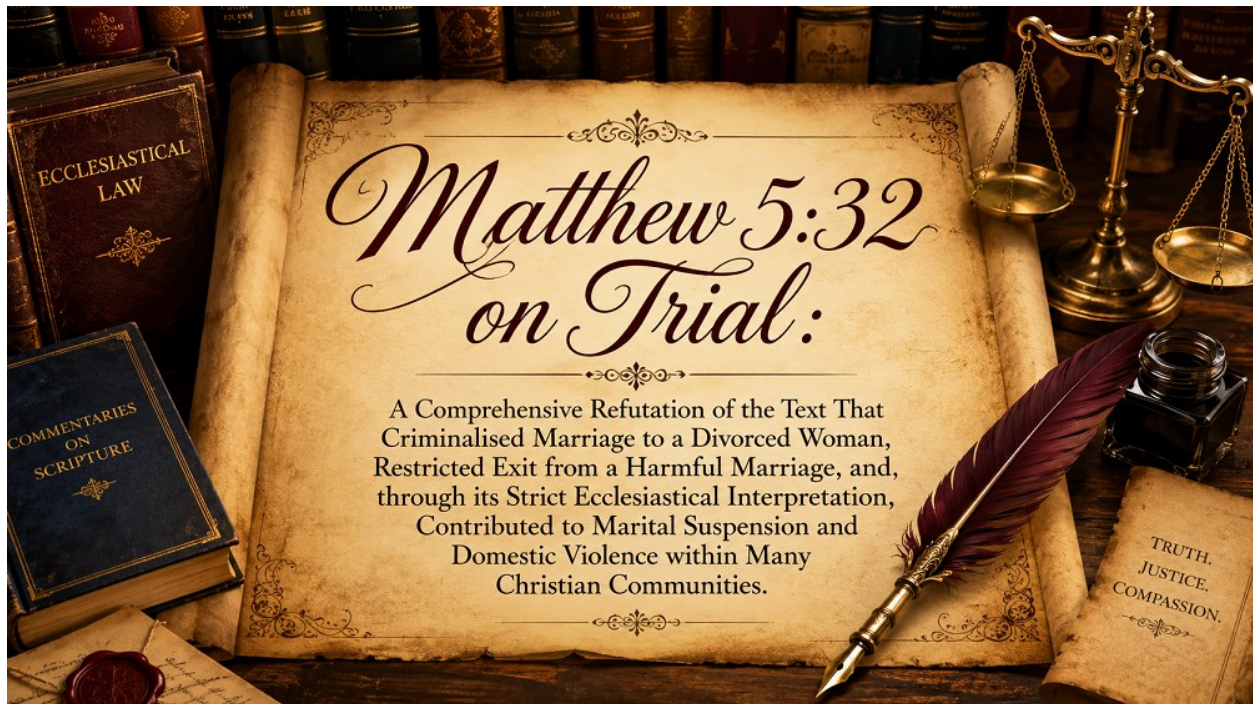
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The text under examination for refutation is what is stated in the Gospel of [Matthew 5:32](#).

[Matthew 5:32](#).

English Standard Version

<sup>32</sup> But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery.



This text, according to its apparent meaning, states that if a man divorces his wife for any reason other than adultery, he causes her to commit adultery, and that whoever marries a divorced woman is an adulterer. This statement is not a mere passing verbal difficulty. Rather, it opens up a vast set of problems: logical, ethical, social, criminal, textual, scriptural, internal theological, and Islamic legal problems.

The statement touches on the concept of moral responsibility, the justice of judgement, the dignity of the divorced woman, the fate of victims of domestic violence, the human right to escape a destructive relationship, and the extent to which such a brief text is suitable to function as a general rule for regulating divorce and remarriage.

At the outset, the point of criticism must be defined carefully so that it is not said that the refutation is exaggerated or unfair. The criticism here does not mean that every Christian applies the text literally with this level of harshness. It does not mean that every church holds one and the same legal understanding of divorce. Nor does it mean that [Matthew 5:32](#) alone is the direct cause of every crime that has occurred in countries with a Christian heritage. That claim is broader than necessary and easy to refute.

The more precise and stronger criticism is that the apparent meaning of the text, or the strict ecclesiastical interpretation of it, if transformed into a culture or law that restricts divorce and makes remarriage always or almost always adultery, may place the victim in a serious moral and legal dilemma: either remain in a harmful relationship, or leave it while carrying religious and social stigma, or enter a new marriage that is described as adultery.

Hence, the refutation does not attack merely the call to respect marriage or to prevent the abuse of divorce. That is, in itself, an understandable objective. Rather, it attacks the flaw that appears when protecting marriage is transformed into protecting the form of marriage even if a person dies within it, and when resisting divorce becomes greater than resisting violence, marital rape, threats, coercive control, and harm to children.

### **First: The purely logical refutation of Matthew 5:32**

#### **1. The text makes the woman bear the consequence of an act she did not choose**

The first logical flaw in [Matthew 5:32](#) is that it says that if a man divorces his wife without the cause of adultery, then he “makes her commit adultery”. The primary

actor in this case is the husband who divorces her. As for the woman, she may be opposed to the divorce, wronged, coerced, or the victim of a decision taken by the man alone. The logic of moral responsibility establishes that a person is not given a morally disgraceful description because of the act of another.

If a man divorces his wife unjustly, then the injustice proceeds from him, not from her. As for the woman being turned into the object of accusation or stigma because of an act done to her, this is a reversal of the principle of justice. Moral responsibility is connected to a voluntary act, not merely to being subjected to the effect of another person's act. Rationally, it is not valid to say that a person has become an adulterer, or is in the legal or moral position of an adulterer, because the act of divorce was imposed upon that person by someone else.

## **2. The text conflates divorce and unlawful sexual intercourse.**

Divorce is one thing, and unlawful sexual intercourse is another. Divorce is the termination of a marital bond, or the claim of terminating it, or the attempt to terminate it according to a particular religious or legal system. By contrast, unlawful sexual intercourse is a prohibited sexual relationship outside the bond of marriage. Divorce is not, in itself, a sexual relationship at all, so that it may be called unlawful sexual intercourse.

A woman may be divorced and then not marry. She may be divorced and then live chastely. She may be divorced and then marry through a public and regulated contract. Divorce may also occur because of the man's wrongdoing or because marital life has become impossible. Therefore, there is no rational necessity that makes divorce lead to unlawful sexual intercourse.

For the statement in [Matthew 5:32](#) to become logical, an unstated premise must be added, namely: "Every divorce without the cause of unlawful sexual intercourse does not truly dissolve the marital bond." However, this premise is not proven within the text itself. Therefore, if this premise is not established, it does not follow that the second marriage is unlawful sexual intercourse.

## **3. The Text Calls Marriage Adultery**

The final phrase says: "And whoever marries a divorced woman commits adultery." This creates an internal tension within the statement itself. The text uses the word marriage, then rules that this marriage is adultery. Marriage, in customary understanding and rational judgement, is a declared and regulated relationship that has

a social, legal, or religious character. Adultery, by contrast, is a prohibited relationship that is not based on a valid marriage contract.

If the woman is truly divorced, then why would marrying her be adultery? And if she is not truly divorced, then why does the text call her divorced? This tension can only be removed through an external interpretation stating that an illegitimate divorce does not make marriage permissible before Allah "Allah", and that the first relationship still remains in force despite the divorce. However, this interpretation is not self-evident from the wording itself. Rather, it is a later theological construction.

#### **4. The text places the divorced woman under a general stigma**

The apparent wording of the statement does not distinguish between one divorced woman and another. It does not distinguish between a woman whom her husband divorced unjustly, a woman who fled from a husband who beat her, a woman whose husband betrayed her, a woman who was abandoned, a woman who lived for years in harm, and a woman whose marriage had in reality ended long ago. All of these women fall under the description of "a divorced woman", and then the ruling comes: "Whoever marries a divorced woman commits adultery."

This is an extremely harsh generalisation. A divorced woman is not, in itself, a negative moral description; rather, it is a social condition resulting from the end of a previous marriage. There is no just logic that makes this condition a permanent barrier to marriage or a reason to describe marrying her as adultery.

#### **5. The text does not distinguish between the offender and the victim**

In many cases, the first husband is the offender: he acts unjustly, beats, abandons, betrays, threatens, exploits, or divorces in order to cause harm. Yet the effect of the ruling is transferred to the divorced woman and to the second man who marries her. Here, the balance of justice is disturbed, because the moral stigma is not directed clearly towards the original source of harm; rather, it extends to the one upon whom the harm fell and to the one who tries to build a new relationship with her.

The logical principle is that the offender bears the consequence of his offence. Therefore, if a man wrongs his wife, it is not right that the outcome should be to deprive her of marriage, to describe her new marriage as adultery, or to make her a source of sin in the eyes of society.

## **6. The text makes fornication or adultery the only apparent ground for divorce**

The text makes one exception only, namely fornication or sexual immorality. However, human reality is far broader than that. There are situations in which continuing a marriage may be more unjust and dangerous than ending it, such as physical violence, threats of murder, strangulation, sexual coercion, coercive control, prolonged abandonment, destructive addiction, severe psychological abuse, financial exploitation, and exposing children to danger.

If the text makes fornication or adultery alone the apparent ground that permits separation, then it reduces all the harms of marriage to one type of harm only. This is unreasonable, because assault is no less dangerous than betrayal, marital rape is no less dangerous than external fornication or adultery, and threatening children is no less serious than sexual immorality.

## **7. The text may make divorce worse than violence**

One of the most dangerous logical consequences of a literal understanding is that divorce becomes, in the eyes of the system, a greater evil than some crimes committed within marriage. Thus, if a woman is beaten, threatened, and raped within marriage, but no “fornication” has occurred in the narrow sense, she may be told: there is no clear path to complete exit. If she leaves and later marries, it may be said that her marriage is fornication or adultery.

Here, ending an abusive relationship becomes more condemnable than the continuation of the crime within that relationship. This is a complete inversion of the moral scale. A just rule does not force the victim to choose between remaining under abuse or leaving with a permanent stigma.

## **8. The text punishes the woman twice or three times**

A woman may be subjected to compounded injustice. First, the first husband wrongs her through an arbitrary divorce or through violence that drives her to separation. Second, she becomes divorced and carries a social stigma. Third, if she wishes to marry again, she is pursued by a ruling that makes marriage to her adultery or makes the man who marries her an adulterer.

Thus, the rule does not merely punish the wrongdoer; rather, it may punish the victim. This is compounded injustice, because it begins with the act of the first husband, then the society or religious institution adds a new stigma to it, and then it closes before the woman a natural path to rebuild her life.

### **9. The text is not capable of fair application without many details**

Any moral or legal rule requires clear conditions of application. However, [Matthew 5:32](#) does not answer dozens of necessary questions:

Who establishes adultery?

What if the husband falsely accuses his wife?

What if the husband is the adulterer?

What if both parties have erred?

What if the divorce was due to beating or threats, not due to adultery?

What if the cause was marital rape, not external adultery?

What if the cause was harm to the children?

What if the marriage has been dead for years?

What if a long de facto separation has occurred?

What if the first marriage was invalid or defective from the outset?

What if the woman or the man repented?

What if the second marriage is more stable, more public, and more just than the first?

The text does not answer these matters. This means that it is not fit on its own to serve as a comprehensive family law.

### **10. The text uses an extremely severe description with vague conditions**

The description of adultery "zina" is among the most severe moral and religious descriptions. Justice requires that severe rulings be based on precise conditions. Here, however, the text uses the description of adultery "zina" in a compound and complex case: divorce, then a subsequent marriage, then a ruling that the second marriage is adultery "zina". Despite that, it does not provide sufficient detail.

The greater the ruling's impact on people's lives, reputations, and dignity, the more necessary it is for it to be clear. Building a ruling of such weight on a brief and ambiguous statement opens the door to injustice.

### **11. The text protects the image of marriage more than the human being within the marriage**

It may be said that the text protects marriage. But the question is: which marriage? Does it protect marriage as a relationship of affection, security, and responsibility, or does it merely protect its outward image?

Marriage is not merely a name, a contract, or a legal status. Real marriage is a relationship founded on tranquillity, mercy, trust, and the preservation of dignity. If it is transformed into beating, threats, rape, humiliation, and domination, then

preserving its image does not mean preserving the marriage. Rather, it means preserving the outer shell after the substance has been corrupted.

### **12. The text produces the problem of permanent suspension**

One of the most dangerous effects of a rigid interpretation of the text is that it may produce a person who is left in suspension. The woman is neither a real wife living in affection and tranquillity, nor is she free to begin a new life. The man likewise may be separated in reality, yet remain religiously and socially bound to a dead marriage. This suspension is not an ethical solution. Rather, it is a prolongation of a dead condition. A marriage that has died in reality does not become alive again merely because the law or the Church refuses to acknowledge its death.

### **13. The text makes the future hostage to the past**

If a woman is divorced and her actual relationship with her husband has ended, then the question is this: does her entire future remain captive to a previous contract? Does her subsequent life become forbidden or morally tainted because of a relationship that has ended? Logically, a person may fail in one marriage and then begin a new life. Making the marital past a permanent constraint on the future is an injustice, especially if the woman or the man was not the wrongdoer.

### **14. The text does not observe the principle of proportionality**

Is marrying a wronged divorced woman after years of separation morally equal to a man betraying his wife in a secret relationship? The outward meaning of the text may group both under the description of adultery "zina". This undermines the principle of proportionality, because actions that differ in intention, circumstance, and harm should not be given the same moral ruling without distinction.

### **15. The text does not take cases of necessity into account**

Sound moral reasoning distinguishes between frivolous divorce and necessary divorce. A man divorcing his wife merely out of desire is not the same as a woman leaving a husband who beats her and threatens her. The text, in its outward meaning, sets a narrow criterion, namely adultery "zina", and does not provide sufficient detail for other cases of necessity. This is a flaw, because moral legislation must take necessities, harms, and consequences into account.

## **Secondly: The Moral, Social, and Criminal Disasters Resulting from Excessively Restricting Divorce**

The discussion here should be carefully framed so that the criticism is both strong and fair. It should not be said that [Matthew 5:32](#) alone is the direct cause of every crime of domestic violence, marital rape, or family homicide in countries with a Christian heritage. That is an inaccurate generalisation. Rather, it should be said that a literalist or rigid ecclesiastical understanding of the text, when it is transformed into a culture or legal framework that restricts divorce and treats every second marriage as adultery, may contribute to weakening the avenues of escape available to victims and prolonging their continued presence within dangerous relationships.

The problem is not only the prohibition of divorce, but the broader structure of a system that may say to the victim: you may separate physically when danger arises, but you cannot establish a new marriage that is religiously lawful, because the first bond remains. In this way, the victim escapes the house of violence, but does not escape suspension.

### **1. The Catholic interpretation and second marriage as always constituting adultery**

Official Catholic teaching holds that divorce is a grave offence against the natural law, and that entering into a new union after divorce, even if it is recognised by civil law, places the person in a state of public and permanent adultery. This statement is not marginal, because it clarifies how the text, or its meaning, can be transformed into a complete theological system that views second marriage after divorce as a continuing state of adultery.

The problem here is that the victim may leave an abusive or dead marriage, but if she wishes to marry again, she encounters a ruling that makes this new marriage a state of adultery. Leaving the home therefore does not mean complete release from the restriction. From here, the problem of religious and social suspension becomes clear.

### **2. Response to the Catholic objection that the Church permits separation**

A Catholic defender may say that the Church does not force a woman to remain with an abusive husband, and that it permits separation in some cases. It may even tolerate civil divorce if it is the only way to protect legal rights, children, or inheritance. This objection is partly correct, and it should be acknowledged so that the refutation is fair.

However, this does not overturn the criticism. The Catholic distinction between separation and the dissolution of marriage means that the victim may distance herself from the abuser, but she remains religiously bound to the first marriage. She does not

necessarily obtain a full right to a new marriage unless she obtains an ecclesiastical annulment declaring that the first marriage was invalid from the outset.

The problem, then, is not only leaving the place of danger, but leaving the condition of permanent suspension. Separation resolves part of the physical danger, but it does not restore to the victim her full right to build a new married life if the system regards the first marriage as still continuing.

### **3. Transforming marriage from a consensual bond into a moral prison**

Marriage, in its original nature, is a bond founded upon consent, responsibility, and security. However, when it becomes practically impossible to dissolve, or when a second marriage becomes stigmatised as adultery, marriage may be transformed into a moral prison. The weaker party does not remain because they are safe, but because they cannot find a complete way out.

More dangerously, the abuser may benefit from this system. He knows that, if the victim leaves, she will face religious and social pressure, that she may remain suspended, and that her new marriage will face condemnation. Thus, the prevention of divorce becomes an instrument of power in the hands of the stronger party.

### **4. Domestic violence is not a marital dispute**

Domestic violence is not merely a disagreement between spouses. It may include beating, strangulation, threats, isolation, phone surveillance, financial deprivation, prevention of medical treatment, blackmail through the children, daily humiliation, sexual coercion, and the destruction of self-confidence. These are not differences in temperament, but patterns of control and harm that may amount to complete criminal offences.

If a religious interpretation states that divorce is not permissible except in the case of adultery, or that a second marriage after divorce is adultery, the victim may find themselves trapped in a deadly dilemma: the relationship is harmful, yet complete exit is prohibited or stigmatised.

### **5. Restricting divorce gives the abuser greater power to control**

The abuser gains greater control whenever the victim's avenues of escape are weakened. If he knows that his wife cannot easily obtain a divorce, or that society will blame her, or that a second marriage will be regarded as adultery, or that she will remain without any legitimate marital future, he becomes bolder in exercising control over her.

In this case, the text or system has not preserved the family, but may instead have provided the abuser with a language of pressure: "You will not be able to leave", "No

one will marry you”, “You will remain suspended”, “Religion is against you”, “Society will blame you.” This is not protection of marriage, but the arming of the abuser with a moral discourse against the victim.

## 6. Crimes of physical violence

The strict understanding that makes adultery the only ground for exit fails when confronted with cases of physical violence. What about a husband who beats his wife? What about strangulation? What about broken bones? What about the use of a knife or a weapon? What about forcing a woman to flee? What about repeated danger to life?

If no adultery has taken place, is the victim then required to remain? If she leaves, does she remain suspended? If she marries afterwards, does her marriage become adultery? This is logically unacceptable, because aggression against the body and life is not a lesser harm than sexual betrayal.

## 7. Crimes of Sexual Violence and Marital Rape

Marital rape exposes the most serious flaw in sanctifying the marriage contract without an exit. Historically, in some Western legal systems, marriage was understood as though it included permanent sexual consent that a wife could not withdraw. The idea of marital immunity in rape was not abolished in England and Wales until the case of *R v R* in 1991, in which the House of Lords rejected the old conception that marriage prevented a husband from being regarded as the rapist of his wife.

This does not mean that [Matthew 5:32](#) explicitly permits marital rape. Rather, the criticism is that the concept of an indissoluble marriage, together with the idea of permanent marital consent, may historically have contributed to making a woman's body less protected within marriage. If marriage becomes a cover that prevents a woman from refusing the sexual relationship, or makes her departure nearly impossible, then marriage has been transformed from a protective contract into a cover for a sexual crime.

## 8. Coercive Control and Psychological Abuse

Not all crimes within marriage are visible on the body. There is coercive control that may be even more destructive in the long term: isolation from family, preventing work, preventing study, confiscation of salary, monitoring communications, threats of exposure and scandal, daily humiliation, threats to take the children, preventing medical treatment, or making the victim feel that she has no worth and no escape. If the text recognises only adultery as a clear ground for separation, then it does not

provide a sufficient exit from this system of harm. This is a major deficiency, because a marriage may be destructive even without external adultery.

### **9. The Effect of Domestic Violence on Children**

It is often said that preventing divorce protects children. This may be true in a marriage involving conflict that is capable of resolution. But it is not true in a violent home. A child who sees his mother being beaten, or hears threats, or lives with a terrifying father or an abusive mother, is not living in a protected family. He is living in an environment of fear.

The continuation of marriage on paper does not protect the child if the home itself is the source of danger. Sometimes a regulated divorce is less harmful than keeping children in a home that raises them upon terror and humiliation.

### **10. The Philippines as a Contemporary Example**

The Philippines is an important contemporary example because it does not provide general civil divorce for the majority of the non-Muslim population. Recent reports have presented cases of women trapped in abusive marriages, including the case of a woman who said that her husband beat her and harmed her children, and that she bears marks from physical assaults. This example does not prove that every instance of violence is caused by the prohibition of divorce, but it does prove that the absence of divorce does not prevent violence. Rather, it may leave victims with limited options.

The criticism here is highly practical: if the relationship is harmful, the absence of divorce does not make it sound. Rather, it makes leaving more difficult and leaves the victim living between danger and suspension.

### **11. Ireland and the Problem of Divorce under Catholic Influence**

Ireland, by virtue of its Catholic history, maintained a constitutional ban on divorce until the 1995 referendum. This experience reveals that the absence of divorce does not mean the absence of marital breakdown. There may be marriages that are effectively dead, actual separation, domestic violence, and a need for legal protection, while the system delays recognising that the relationship has ended.

What becomes clear here is that prohibiting divorce does not necessarily preserve the family. It may only preserve a legal record stating that the relationship still exists, while in reality it has ended.

## **12. Malta and the Late Introduction of Divorce in the European Union**

Malta, a country with a Catholic majority, was the last country in the European Union not to permit divorce before the 2011 referendum and the later enactment of the law. This example is important because prohibiting divorce in a given society does not mean that all marriages are stable or happy. Rather, it means that the legal system refuses to provide a complete exit for some marriages that have already ended.

Legal divorce does not necessarily create marital breakdown. Sometimes it merely recognises a breakdown that has already occurred.

## **13. Prohibiting Divorce Does Not Prevent Marital Breakdown**

If the relationship has died in affection and security, then it has collapsed even if it remains legal. If the wife flees out of fear, then the marriage has practically collapsed. If the children sleep while fearing shouting or beating, then the family is not preserved. If the body becomes a site of coercion, then the marriage is morally corrupt.

Prohibiting divorce does not restore love, stop violence, prevent addiction, remove threats, cure betrayal, or automatically protect children. In dangerous cases, it may only prevent the recognition that the relationship has ended.

## **14. The Relationship Between Restricting Divorce and Familial Homicide**

It should not be exaggerated by claiming that preventing divorce alone causes familial homicide. However, if the victim is trapped with an abuser and has weak avenues of escape, the danger may escalate. Many familial homicide crimes do not begin with killing. Rather, they begin with control, threats, beating, and isolation, and then escalate.

If the religious or legal system makes early exit difficult, it does not create the crime out of nothing, but it may prolong the victim's continued presence within a dangerous trajectory.

## **15. Making Divorce More Heinous Than Abuse**

The more serious defect is that some interpretations may make divorce or a second marriage appear more heinous than the abuse itself. Divorce is treated as a spiritual crime, and second marriage as ongoing adultery, while beating, threats, and rape within marriage may not appear as sufficient cause for complete exit.

This is a deadly moral paradox. Any system that makes ending a harmful relationship worse than the continuation of crime within it is a system that requires radical review.

## 16. The Difference Between Protecting Marriage and Protecting the Abuser

It is necessary to distinguish between protecting marriage and protecting the abuser. Protecting marriage is a noble objective when the marriage is capable of reform. However, if the marriage turns into a means of oppression, then protecting the formal bond no longer amounts to protecting marriage. Rather, it becomes protection of the harmful party or protection of appearances.

Marriage has an objective. If criminal conduct destroys that objective, then clinging to form alone is not a virtue.

## 17. Response to the Claim of the Sanctity of Marriage

A defender may say that strictness protects the sanctity of marriage. The response is that sanctity does not mean abolishing justice. Marriage is not sacred because it is absolutely incapable of dissolution. Rather, it is sacred because it is founded upon trust, mercy, and responsibility. If marriage becomes coercion and humiliation, then true sanctity lies in removing injustice, not in keeping the oppressed under the authority of the oppressor.

Sanctifying the contract while forgetting the human being turns the contract into a social idol. It preserves the form and destroys the objective.

### Third: The textual and documentary criticism of Matthew 5:32

#### 1. Matthew's difference from Mark and Luke

[Matthew 5:32](#) mentions an exception: “except on the ground of sexual immorality” or “except because of sexual immorality”. However, [Mark 10:11-12](#) and [Luke 16:18](#) present the ruling in a more absolute form, without the same exception formula found in Matthew. This creates a major question: is the ruling absolute or subject to an exception? Are divorce and second marriage always prohibited, or are they permissible in a particular case?

The difference is not merely verbal, but highly practical. The presence or absence of the exception changes the ruling on second marriage, the fate of the divorced woman, and the limits of lawful divorce.

#### 2. 1 Corinthians 7 adds another dimension

In [1 Corinthians 7](#), there is another case, namely the separation of the unbelieving spouse from the believing spouse, in which it is said that the believing party is “not bound” in such cases. Some Christian traditions have used this text to construct another exception in addition to the exception of adultery.

Thus, the Christian texts themselves are not framed in one simple and uniform manner. Matthew mentions an exception, Mark and Luke present a stricter absoluteness, and Paul opens a way in the case of desertion or separation. This is a natural reason for the differences among churches regarding divorce and second marriage.

### **3. The response to those who say that the text is a sermon, not a law**

A defender may argue that [Matthew 5:32](#) is not a detailed law, but rather an ethical sermon against manipulation of divorce. This response is important. If the text is a sermon, then it should not be transformed into a comprehensive law that prevents divorce and second marriage in almost all cases. Nor should a brief exhortatory statement be used to condemn every marriage to a divorced woman or to trap victims of violence.

But if it is said that the text is a general law, then the law here is incomplete, because it does not mention maintenance, housing, the waiting period, custody, the protection of children, judicial separation for harm, marital rape, domestic violence, desertion, addiction, or coercive control.

Thus, in both cases, the text faces a problem. If it is a sermon, then it has been misused when it was transformed into a comprehensive restriction. If it is a law, then it is an incomplete law that does not encompass the reality of the family.

### **4. The most dangerous statement is: “And whoever marries a divorced woman commits adultery”**

The most dangerous part of [Matthew 5:32](#) is the final sentence: “And whoever marries a divorced woman commits adultery”. This sentence does not merely criticise the man who divorces, but extends to the divorced woman and the second man. That is, it makes the new marriage itself adultery.

Here the matter becomes very serious, because the ruling does not relate merely to spiritual advice, but to a long-term social and religious stigmatisation. If this statement is textually disputed in some manuscript witnesses, then building a strict rule upon it that affects the lives of divorced women becomes highly problematic.

That does not require, in debate with a Christian, saying that the entire text is invalid. Rather, it is sufficient to say that the most dangerous phrase, and the one with the widest impact, is not free from textual difficulty, and this weakens its suitability as a basis for constructing a severe ecclesiastical or social ruling.

## 5. The ambiguity of the word *porneia*

The exception in Matthew is based on the Greek word *porneia*. This word is sometimes translated as adultery, sometimes as sexual immorality, sometimes as unchastity, and sometimes as a general unlawful sexual relationship. There is also a difference between *porneia* and other more precise terms for marital adultery, such as *moicheia* and its derivatives.

**The problem is not merely linguistic. The meaning of the word changes the entire ruling:**

If it means marital adultery, then the exception relates to betrayal within marriage.

If it means general sexual immorality, then the exception is broader.

If it means a relationship before the completion of marriage, then the text may not be speaking about all ordinary cases of marriage.

If it means a marriage that was unlawful from the outset, then the matter is entirely different.

Therefore, the entire practical ruling is built upon a disputed word. This is not suitable to serve as a sufficient basis for a general law that determines the fate of divorced women and second marriage.

## 6. Tension with the Law of Prophet Moses "Musa"

Matthew 5:31 refers to the giving of a certificate of divorce, then [Matthew 5:32](#) comes and restricts divorce very severely. This opens up a question:

Was the certificate of divorce a recognised procedure or not? If it was recognised, then why does marriage after it become adultery? If it was not recognised, then why did the Law regulate it in the first place?

This tension reinforces that the text is not a self-sufficient detailed law, but rather requires broad interpretation, and every interpretation opens up new objections.

## 7. The text does not provide a personal status system

The text does not provide rulings on maintenance, housing, the waiting period, return in marriage, custody, arbitration, judicial separation on the grounds of harm, protection of victims, or the details of second marriage. Therefore, it cannot by itself be a complete family law system. The most that can be said is that it is a severe admonition against careless abuse of divorce, not a comprehensive social law.

## **8. The disagreement among the churches is evidence that the text is not decisive**

If the text were clear and decisive in itself, this wide disagreement among the churches would not have occurred. The Catholics are strict regarding the indissolubility of a valid and consummated marriage, some Orthodox recognise divorce and second marriage in certain cases while considering that a painful pastoral remedy, and some Protestants permit divorce and second marriage in cases of adultery, abandonment, and sometimes harm. This disagreement does not by itself prove the invalidity of the text, but it does prove that the text is not clear as a comprehensive and decisive law.

### **Fourth: Internal theological criticism from within the Christian conception**

#### **1. The problem of mercy and justice**

If the text is understood in a way that leaves an oppressed woman suspended, or makes her new marriage adultery, this creates tension with the concept of divine mercy. Does mercy require keeping a woman bound to a man who beats her? Does justice require preventing her from entering a new marriage because she failed or was wronged in a previous marriage? If the answer is no, then the text must either be restricted to a specific context, or it has been understood literally in an incorrect manner, or it is not suitable on its own for building a general law.

#### **2. The Problem of the Purpose of Marriage**

In Christian understanding itself, marriage is not merely a legal bond, but is supposed to be love and fidelity. If love and fidelity disappear and the marriage is transformed into abuse, does the mere outward bond remain the only reality? If marriage is a sign of loyalty and love, then what remains of this sign when it is transformed into violence and coercion?

#### **3. The Problem of Making Every Second Marriage Adultery**

Describing a second marriage as ongoing or public adultery places the new relationship, even if it is stable, public, and includes care for children, in the same moral category as fornication. This raises an internal theological question: does every second marriage after a destructive relationship amount to secret sexual betrayal? This is morally difficult to accept without considerable qualification.

#### **4. The Problem of the Extended Punishment**

If one of the spouses was at fault in the first marriage, why should the consequence extend to preventing the other spouse from marital life? And if the other spouse is

innocent, why should that person remain captive to the mistake of someone else? Sound moral theology requires a distinction between the perpetrator and the victim, and between frivolous divorce and necessary divorce.

### **Fifth: The Islamic Critique According to the Methodology of Ahl al-Sunnah wa al-Jama'ah "Ahl al-Sunnah wa al-Jama'ah" and the Understanding of the Salaf "al-Salaf"**

The methodology of Ahl al-Sunnah wa al-Jama'ah in dealing with the texts of the People of the Book is based on a clear principle: the Qur'an is the preserved revelation and the authority over what came before it. Whatever agrees with the Qur'an in meanings of justice, monotheism, and truth is accepted in meaning, whatever contradicts the Qur'an is rejected, and whatever is not known to be true or false is neither affirmed nor denied as binding revelation. The Qur'an states that it was sent down as a guardian over the previous scriptures, meaning a witness and judge over them.

From this perspective, a Muslim does not accept attributing an unjust or inconsistent meaning to Jesus, peace be upon him "alayhi al-salam", the Prophet of Allah and His Messenger, except on the basis of definitive preserved proof. So if a present Gospel text declares in absolute terms that marrying a divorced woman is adultery, or places the divorced woman in the position of adultery because of the action of her husband, then the Muslim rejects it from two angles: first, the lack of proof of preservation according to the methodology of the Qur'an, and second, its contradiction of the foundations of justice and the firmly established law.

#### **1. Islam does not make divorce a crime in and of itself**

Islam does not approve of making light of divorce, nor does it open the door to chaos, but it does not make divorce absolutely prohibited. Rather, the [\(Qur'an 2:229\)](#) states:

“Divorce may be retracted twice, then the husband must retain ‘his wife’ with honour or separate ‘from her’ with grace.” This verse alone establishes a profound balance: either remaining together in a fair manner, or parting with good treatment.

The essential difference is that the outward meaning of [Matthew 5:32](#) turns divorce, when it does not occur for the cause of adultery, into a gateway to adultery, whereas the Qur'an makes it a regulated and lawful procedure. In Islam, divorce is not an obscenity, nor a permanent disgrace, nor adultery. Rather, it is a necessary option when needed.

## **2. Islam does not permit divorce frivolously**

It is important that Islamic criticism should not be presented as though it says: Christianity is strict, while Islam allows divorce without restrictions. This is not correct. Islam does not make divorce a plaything in the hands of desire. Rather, before it, Islam establishes reconciliation, admonition, arbitration, and consideration of the welfare involved, and after it, it establishes the waiting period, rights, maintenance, and housing according to the circumstances, as well as the right of return in a revocable divorce, and release with good treatment when the relationship comes to an end.

The strength of Islam is not merely that it permits divorce, but that it has neither made marriage a prison nor made divorce a chaos. It has made it a painful remedy when needed, not a basic principle with which people toy.

## **3. Islam begins with reconciliation and arbitration**

When discord occurs, the Qur'an prescribes the appointment of an arbiter from the husband's family and an arbiter from the wife's family. This indicates that the Shari'ah "Shari'ah" does not destroy the family at the first dispute, but rather seeks reconciliation. If reconciliation is possible, then that is what is required. However, if it proves impossible, then there is no meaning in confining the two parties within a dead or destructive relationship.

This balance is absent from the outward meaning of [Matthew 5:32](#), because the text provides neither a mechanism of reconciliation, nor arbitration, nor a detailed treatment of the dispute.

## **4. Islam regulates divorce through the waiting period and rights**

Surat al-Talaq "Surat al-Talaq" explains that divorce is neither expulsion nor revenge. There is a waiting period, reckoning of the waiting period, and the woman is not to be turned out of her home during the waiting period except in the case of clear immorality, along with legal limits that regulate conduct. This shows that Islam does not leave divorce to chaos, but rather turns it into a system that takes into account return, rights, and dignity.

## **5. Islam permits the marriage of a divorced woman after the completion of her waiting period "iddah"**

This is one of the strongest points in the Islamic response. The Qur'an affirms the permissibility of a divorced woman marrying after the completion of her waiting period "iddah". It even forbids guardians from preventing women from marrying when they have mutually agreed in a proper manner. In the case of the third divorce, the woman is not lawful for her first husband until she marries another husband in a

genuine marriage. Then, if the second husband divorces her, it is permissible for her to return to the first husband according to its conditions.

Therefore, the marriage of a divorced woman in the Qur'an is not adultery "zina". Rather, it is a valid and lawful marriage if its conditions are fulfilled. Describing marriage to a divorced woman as adultery "zina" completely contradicts Islamic legal reasoning.

#### **6. Islam does not burden a woman with the sin of another**

One of the foundations of justice in Islam is that no one bears the burden of another. If a man divorces his wife unjustly, then the sin is upon him. If the woman is wronged, she does not carry a moral stigma because of the man's action. If she needs a new marriage after the completion of the waiting period "iddah", then this is a lawful right, not an act of immorality "fahishah".

#### **7. Islam opens the door of khul for the woman**

Part of the justice of the Islamic law "shariah" is that it does not make the woman a prisoner in a marriage contract that she cannot endure. The Qur'an mentioned the case in which the spouses fear that they will not maintain the limits set by Allah, and it permitted ransom "fida" in this context. In the Sunnah, the wife of Thabit ibn Qays came to the Prophet, peace and blessings of Allah be upon him "salla Allahu alayhi wa sallam", and requested khul. He instructed her to return the garden and instructed him to divorce her.

This is a great principle: the woman is not confined until adultery "zina" is proven. If she cannot maintain married life and fears that she will not fulfil the rights due within it, Islam opens for her the door of khul, subject to its regulations.

#### **8. Islam addresses harm and does not restrict separation to adultery**

The Islamic law "shariah" does not restrict separation to adultery "zina". Harm is recognised, discord is recognised, inability to maintain the limits set by Allah is recognised, and corruption in marital conduct is recognised. The legal maxim, "There should be neither harm nor reciprocating harm" "la darar wa la dirar", is an established juristic principle, and its meaning is that harm is neither to be accepted nor allowed to continue.

If marriage becomes a vessel of harm, multiple means are then provided: reconciliation, arbitration, divorce "talaq", khul, annulment "faskh", and judicial separation on the basis of harm, according to the juristic detail. This makes Islamic legislation more realistic, because it does not reduce all causes of separation to adultery "zina".

### **9. Islam takes consequences into account**

The methodology of Ahl al-Sunnah in jurisprudence does not look at words in abstraction from their consequences. Rather, it considers the preservation of religion, life, honour, intellect, lineage, and wealth. If the continuation of a marriage leads to beating, threats, harm to children, rape, and corruption, then maintaining that marriage is not a legislatively recognised benefit. The Shariah "al-Shari'ah" came to remove injustice, not to sanctify harm.

### **10. Islam does not turn what is lawful into fornication**

Fornication "zina" in Islam is a prohibited relationship outside the marriage contract. As for a valid marriage after the waiting period has ended, it is a lawful contract. Therefore, it is not valid to reverse concepts and make what is lawful into fornication "zina". Islam opens the door to marriage in order to preserve chastity, and does not close it and then punish people for their need for what is lawful.

### **11. Islam protects the divorced woman from stigma**

In Islam, a divorced woman is not fallen, impure, or forbidden to marry. She is a woman whose marriage has ended for one reason or another. She may be wronged, or she may not be, but divorce itself does not make her a person of immorality. The criterion is God-consciousness, the validity of the new contract, the completion of the waiting period, and the fulfilment of the conditions.

As for the understanding that makes marriage to a divorced woman into fornication "zina", it turns a social status into a permanent moral stigma.

### **12. Islam protects children through balance, not through formalistic confinement**

Islam preserves the family, but it does not make children live in a violent home in the name of preserving the family. Reconciliation is required, but if the home becomes an environment of fear, then regulated divorce may be less harmful. The preservation of the child does not lie in keeping the father and mother under one roof no matter what happens. Rather, it lies in preserving religion, life, intellect, and dignity.

### **13. Islam achieves a balance between preserving the family and preserving the human being**

The Qur'anic phrase, "then retention in a fair manner or release with good treatment" "fa-imsakun bi-ma'ruf aw tasrihun bi-ihsan", summarises the Islamic balance. There is no retention with humiliation, and no divorce with revenge. There is no destruction

of the family without cause, and no imprisonment of the human being in harm. This balance is far more just than a rule that opens the door to separation only in the case of fornication "zina" while leaving the rest of the catastrophes without clarification.

## **Sixth: Expected Christian Responses and the Answer to Them**

### **The first objection: The text intends only to prohibit frivolous divorce**

The answer: If the intention is to prohibit frivolous divorce, that is an understandable objective. However, the problem is that the wording was formulated in a way that may make marriage to a divorced woman adultery by default. Therefore, if the text is an exhortation against frivolity, it must not be turned into a law that prevents the victim from entering a new marriage. If it is a law, then it is deficient because it does not address harm, violence, abandonment, and marital rape.

### **The second objection: The Church permits separation in cases of danger**

The answer: Permitting separation does not resolve the problem fully, because it may remove the victim from the home, but it does not necessarily grant her the right to remarry. She therefore remains suspended religiously and socially. The criticism is not only about physically remaining with the abuser, but also about being left suspended after leaving.

### **The third objection: Marriage is a sacred bond that cannot be dissolved**

The answer: Sacredness does not mean the cancellation of justice. If marriage is transformed into violence, threat, and coercion, then the issue is no longer merely preserving the bond, but protecting the human being. A contract is not sacred if it is used to protect the oppressor.

### **The fourth objection: Divorce leads to the breakdown of the family**

The answer: Frivolous divorce may harm the family, but regulated divorce in cases of harm may save lives and children. The breakdown may already be a reality before the divorce. Divorce does not always destroy the family; rather, it sometimes acknowledges that the destruction has already occurred and seeks to reduce the harm.

### **The fifth objection: Adultery destroys marriage more than anything else**

The answer: Adultery destroys trust, but it is not the only form of harm. Marital rape, beating, threats of killing, harm to children, and coercive control may be even more

destructive. Making adultery alone the apparent exit wrongs the victims of other forms of harm.

**The sixth objection: A second marriage encourages people to divorce.**

The answer: Preventing a second marriage completely, or restricting it so severely that it becomes practically impossible, does not prevent the collapse of marriage. Rather, it may produce secret relationships, permanent suspension, and dead marriages. The solution is not to close the door to what is lawful, but to regulate divorce, prevent frivolity, punish wrongdoing, and protect rights.

**The seventh objection: Islam permits divorce too easily**

The response: Islam permits divorce when needed, but it does not make it a matter of recklessness. It includes a waiting period, rights, reconciliation, arbitration, return, divorce at the wife's request in exchange for compensation, judicial separation on the basis of harm, and release with good treatment. Thus, it is not chaos, but a balanced system.

**Seventh: The final decisive conclusion**

[Matthew 5:32](#), whether in its apparent meaning or in its strict interpretation, faces multiple levels of criticism.

**First, logical criticism;** because it makes the woman bear the consequence of the man's act, conflates divorce with adultery, describes marriage to a divorced woman as adultery, does not distinguish between the offender and the victim, and generalises across very different cases.

**Second, ethical criticism;** because it may turn the wronged divorced woman into an object of stigma, make a new marriage into an act of immorality, and punish the victim instead of the offender.

**Third, social criticism;** because it may produce permanent suspension, lifeless marriages, unstable relationships, and deprive victims of a new beginning.

**Fourth, criminal criticism;** because severely restricting divorce may weaken the available exits for victims of domestic violence, marital rape, coercive control, threats, and harm to children.

**Fifth, textual criticism;** because Matthew differs from Mark and Luke, because Paul adds another case in 1 Corinthians, because the final phrase about marrying a divorced woman is the most dangerous and most consequential, and because the word *porneia* has multiple possible meanings and remains a matter of debate.

**Sixth, legislative criticism;** because the text does not provide a complete personal status system: no waiting period, no maintenance, no housing, no child custody, no arbitration, no divorce at the wife's request in exchange for compensation, no judicial separation on the basis of harm, and no treatment of violence.

**Seventh, Sunni Islamic criticism;** because the Qur'an, as preserved and prevailing revelation, does not accept a ruling that makes marriage to a divorced woman into adultery, nor does it approve of unjust confinement within marriage. Rather, it legislates reconciliation, arbitration, regulated divorce, the waiting period, return, divorce at the wife's request in exchange for compensation, separation where harm exists, release with good treatment, and the marriage of a divorced woman after the end of her waiting period.

The problem is not that [Matthew 5:32](#) calls for respect for marriage or for preventing recklessness in divorce; that is an objective that can be understood. The problem is that its apparent meaning, or its strict interpretation, may turn the prevention of recklessness into the prevention of escape, turn the protection of marriage into the protection of a harmful relationship, turn the wronged divorced woman into an object of stigma, and turn a new marriage into ongoing adultery.

As for Islam, it came with a more precise balance: it does not open the door to divorce for mere desire, nor does it close it in the face of harm. It begins with reconciliation and arbitration, then legislates separation when needed, and regulates it through the waiting period, "iddah", rights, and kind treatment, and opens for the woman the path of divorce in return for compensation, "khul'", and opens for the judge the path of judicial separation in cases of harm according to the juristic detail, then permits a new marriage after the waiting period, "iddah", has ended. In this way, Islam preserves the family when it is capable of being preserved, and preserves the human being when marriage turns into harm.

**The final conclusion** is that any understanding of [Matthew 5:32](#) that makes divorce in absolute terms worse than violence, makes marriage to a divorced woman adultery, and imprisons the victim within a destructive relationship, is an understanding that is invalid intellectually, morally, and religiously.

As for Islam, in accordance with the methodology of Ahl al-Sunnah wa al-Jama'ah "Ahl al-Sunnah wa al-Jama'ah", it came with the complete balance: reconciliation before separation, separation when needed, a waiting period, "iddah", that preserves rights, return during the waiting period when reform is possible, "raj'ah", divorce in return for compensation that opens for the woman a way out, "khul'", honourable release that prevents injustice, and a lawful new marriage that preserves chastity and dignity.

And Allah Knows Best.

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