

16. In verse 11, we have the words *moicheúō* “adultery” and *phoneúō* “murder.” Each has more than one application. The prohibition of adultery includes the mental aspect. One does not unconsciously commit adultery. A thought process precedes the act along with another’s compliance.
17. For overt adultery to occur it requires two people (sometimes three in a ménage à trois) to jointly come up with the idea, then organize the time and place for the tryst, and finally to commit the act.
18. The idea first emerges from a temptation by the sin nature’s agent provocateurs. When positive volition allows it to enter the soul it becomes a mental-attitude sin.
19. Consideration is then given to the idea and the individual begins to consider who might be a target for the overt act. To do so requires another willing individual to join in the act. This involves conversation on the subject resulting in both parties committing verbal sins.
20. The decision to execute the plan requires discussion about where the act might take place adding to the verbal sins already committed. Ultimately, the overt act is, shall we say, consummated.
21. Some may contend that unless the overt act is achieved, then no sin has been committed, however, the Lord clearly disagrees:

Matthew 5:27 “You have heard that it was said, ‘Do not commit adultery’ [**Exodus 20:14**].

v. 28 “But I say to you that whoever looks at a woman to desire her has already committed adultery with her in his heart.” (NET)

22. The next illustration James offers is also from the Ten Commandments, the prohibition against murder. This commandment was so ill translated in the King James Version that untold chaos has followed since its first edition was released in 1611. Here’s how it reads:

Exodus 20:13 Thou shalt not kill [רָצַח]
(*rasah*): “to murder”].

23. The Lord quoted this commandment from Moses in:

Matthew 5:21 “You have heard that the ancients were told, ‘You shall not commit murder’ [φονεύω (*phoneúō*): **Exodus 20:13**], and ‘Whoever commits murder shall be liable to the court [the lower courts in Palestine].’” (NASB)



24. There is a big difference between killing someone and murdering them. The definition of the verb “to kill” is:

Kill: Cause the death of (a person, animal, or other living thing): her father was killed in a car crash.⁴

25. The definition of “murder” is quite different:

Murder: the unlawful premeditated killing of a human being by another.⁵

26. More precisely, we consult a legal dictionary for a precise definition of the act:

The unlawful killing of a human being by another with malice aforethought, either express or implied.

The crime committed where a person of sound mind and discretion kills any human creature in being and in the peace of the state or nation without any warrant, justification, or excuse in law with malice aforethought, express or implied, that is, with a deliberate purpose or a design or determination distinctly formed in the mind before the commission of the act, provide generally that death results from the injury inflicted.⁶

27. That’s the legalese of first-degree murder as defined by our legal system. The Lord informs us that He knows when murder is conjured in the soul of an individual and when it culminates in “malice aforethought”:

A predetermination to commit an act without legal justification or excuse. In the definition of “murder,” malice aforethought exists where a person doing the act which causes death has an intention to cause death or grievous bodily harm to any person (whether that person is actually killed or not) or to commit any felony whatever, or has the knowledge that the act will probably cause the death of or grievous bodily harm to some person.⁷

28. The English word “kill,” in Exodus 20:13, has inspired many Progressives and pacifists to campaign against capital punishment, “assault weapons,” warfare, and the Second Amendment in general.

Amendment II. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

⁴ *The New Oxford American Dictionary*, (2001), s.v. “kill.”

⁵ *Ibid.*, s.v. “murder.”

⁶ Henry Campbell Black, “Murder,” in *Black’s Law Dictionary* (St. Paul: West Publishing Co., 1968), 1170–71.

⁷ *Ibid.*, “Malice Aforethought,” 1110.



Matthew 5:22 “But I say to you that everyone who is angry [ὀργίζω (*orgízō*): to be stirred to anger] with his brother shall be guilty before the court [κρίσις (*krísis*) lower courts⁸]; and whoever says to his brother, ‘You good for nothing’ [ῥακά (*rhaká*): numbskull],’ shall be guilty before the supreme court [Συνέδριον (*Sunédriōn*): Sanhedrin]; and whoever says, ‘You fool’ [μωρός (*mōrós*): moron], shall be guilty enough to go into the fiery hell [γέεννα (*géenna*): lake of fire]. (NASB)

Fundamental for an understanding of the *géenna* passages in the New Testament is the sharp distinction made by the New Testament between ᾗδης and γέεννα. This distinction is a. that Hades receives the ungodly only for the intervening period between death and resurrection, whereas Gehenna is their place of punishment in the last judgment; the judgment of the former is thus provisional but the torment of the latter is eternal. It is then b. that the souls of the ungodly are outside the body in Hades, whereas in Gehenna both body and soul, reunited at the resurrection, are destroyed by eternal fire.

Γέεννα is pre-existent (Matthew 25:41). It is manifested as the fiery abyss only after the general resurrection and the last judgment. Those who fall victim to the divine judgment at the last day (Matthew 5:22).⁹

29. The context of the Lord’s first public address is before the large crowds (Matthew 4:25) and referred to as the Sermon on the Mount. His context is emphasis on the impossibility to keep all the commandments and He illustrates by mentioning two in Matthew 5:21–22.
30. In verse 21, He cites the overt commission of murder, but He expands on that by presenting mental attitude and oral sins that precede murder in verse 22.
31. The first sin in this sequence is *orgízō*: “angry,” the present middle participle means that an unbeliever’s soul is stirred to the mental attitude of anger.

⁸ “The smaller tribunals established in the cities of Palestine and subordinate to the Sanhedrin” (Spiros Zodhiates, ed., “κρίσις,” in *The Complete Word Study Dictionary: New Testament*, rev. ed. [Chattanooga: AMG Publishers, 1993], 890).

⁹ Joachim Jeremias, “γέεννα,” in *Theological Dictionary of the New Testament*, ed. Gerhard Kittel, trans. and ed. Geoffrey W. Bromiley (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1964), 1:658.



32. Such a mental attitude also brews up the sins of hatred, hostility, envy, and implacability that are motivations for oral and ultimately overt sins.
33. The Lord is addressing a progression here. A person may not commit overt murder, but there are mental attitudes and expressions that are sins and unquenched lead to the crime of murder.
34. Such a progression would cause the violator to appear before three systems of jurisprudence: (1) κρίσις (*krísis*) lower courts, (2) Συνέδριον (*Sunédrion*): the Sanhedrin, and (3) and γέεννα (*géenna*): Gehenna or the lake of fire.
35. From the Lord's examples, we are able to develop principles that provide insight into the variety of sins that various people are prone to commit:
 1. There are some sins that a person would never consider committing because it is not his area of strength. Conversely, there are some sins he would commit because it is in his area of weakness.
 2. Any violation of a biblical commandment is classified as a sin. The Law must be kept perfectly in order for a person to conclude that his performance will result in eternal life.
 3. This is the attitude that many Jews had which led to personal legalism. In fact, the scribes were a group of men who developed the Oral Law (the Talmud), a group whose function is important for us to consider because of their impact during the Incarnation.

Scribes. The existence of the law leads necessarily to a profession whose business is the study and knowledge of the law. At the time of Ezra [5th century B.C.] and probably for some time after, this was the chief business of the priests. It was chiefly in the interest of the priestly cult that the most important part of the Pentateuch was written. The priests were therefore also in the first instance the scholars and the guardians of the Law; but in the course of time this was changed. The more highly esteemed the Law became in the eyes of the people, the more its study and interpretation became a lifework by itself, and thus there developed a class of scholars who, though not priests, devoted themselves assiduously to the Law. These became known as the scribes, that is, the professional students of the law. During the Hellenistic period, the priests, especially those of the upper class, became tainted with the Hellenism of the age ... thus neglecting the Law of their fathers more or less and arousing the scribes to opposition.



Thus the scribes and not the priests were now the zealous defenders of the Law, and hence were the true teachers of the people. At the time of Christ, this distinction was complete. The scribes formed a solid profession which held undisputed sway over the thought of the people. In the New Testament they are usually called γραμματεῖς (*grammateis*), i.e. “students of the Scriptures.” Besides this general designation, we also find the specific word νομικοί (*nomikoí*), i.e. “students of the Law,” “lawyers” (Matthew 22:35).¹⁰

- 4, These scribes were considered to be the advanced theologians of the day. How they got this distinction is also important to understand and takes us back to the fifth-century B.C.

Sources and Scope of the Torah. In its written form, Torah (“teaching”) was considered to be especially present in the first five books of the Bible (the Pentateuch), which therefore came to be called Torah. In addition to this written Torah, or “Law,” there were also unwritten laws or customs and interpretations of them, carried down in an oral tradition over many generations, which acquired the status of oral Torah.

The Tálmod (“study” or “learning”) is the literary culmination of this oral tradition, which, according to the rabbis who created the Tálmod, originated at Mt. Sinai as part of the divine revelation vouchsafed to Moses, along with the material recorded in the Pentateuch. In its broadest sense, the Tálmod is a set of books consisting of the Mishna (“repeated study”) and the Gemára (“completion”). The Mishna is a collection of originally oral laws supplementing scriptural laws. The Gemára is a collection of commentaries on and elaborations of the Mishna, which in “the Tálmod” is reproduced in juxtaposition to the Gemára.

The oral tradition interpreted the written Torah, adapted its precepts to ever-changing political and social circumstances, and supplemented it with new legislation. Thus the oral tradition added a dynamic dimension to the written code, making it a self-regenerating, endless source of guidance, a perpetual process rather than a closed system.

Torah in the broad sense included the whole Hebrew Bible, including the prophetic books. In biblical prophecy, God is seen as continuing to be disclosed in the nexus of historical events and as making ethical demands upon the community.¹¹

¹⁰ Frank E. Hirsch, “Scribes,” in *The International Standard Bible Encyclopaedia*, gen. ed. James Orr (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1956), 4:2704.

¹¹ Lou Hackett Silberman, “The Judaic Tradition,” in *The New Encyclopaedia Britannica: Macropaedia*, 15th ed. (Chicago: Encyclopaedia Britannica, 2010), 22:405.



5. By the time of the first century A.D., the scribes had taken legalism to the ultimate level of impossible. The Talmud had not yet been put to print and so the Oral Law was the way they hoped to trick the Lord with their questions.
6. Jesus, instead, debated them by responding with the Mosaic Law, the Prophets, and the Writings which they never could manage to outwit.
7. Legalists usually forget the impact that the sin nature has in the commission of sin. Everyone but Jesus had one then and will have until the end of human history.
8. We have noted a few examples of how legalists think that if they do not commit a sin they are sin free but forget that mental attitude sins and verbal sins produce overt sins.
9. Legalists are prone to impose legalistic criticisms on other people's sin nature functions, but fail to realize that their judgmental attitude toward others is also sinful.
10. For a straight-up denunciation of this behavior pattern, see Matthew 7:1-2.
11. Often the legalist points out the failures of others when it is their particular area of strength. Because they are consistent in their area of strength they often assume they are sinless.
12. What is absolutely overwhelming about the Lord's oratory in His Sermon on the Mount is that no one can keep the Law perfectly since one sin, a mental attitude sin, is equal to breaking all of them.

Romans 3:23 for all have sinned and fall short of the glory of God.

1 John 1:8 If we say we have no sin, we are deceiving ourselves and the truth is not in us.

1 John 1:10 If we say we have not sinned, we make Him a liar and the word is not in us.

13. In the Christian way of life, the issue is not how well you think you manage your sin problem but how efficient you are in confessing them to the Father once done.
14. Getting back in fellowship returns you to the duty you have as a believer in Jesus Christ and that is to fight the good fight of faith.

1 John 1:9 If we confess our sins, He is faithful and righteous to forgive us our sins and to cleanse us from all unrighteousness.

36. This returns us to our study of James 2:11. The NASB translation is fine and needs only minor changes, the final one with the singular noun, **παραβάτης** (*parabátēs*): “violator.”
37. This word was used in verse 9 when the Chazzan showed partiality toward Golden Fingers and bias toward the Poor Beggar.
38. What convicted the Chazzan was his mental attitude. He was in reversionism because of personal problems with Golden Fingers which caused the mental attitude sin of subjectivity.
39. His subjectivity became overt when he showed partiality toward one man and bias toward another thus violating the Royal Law.
40. In verse 11, James gives illustrations of how mental attitude sins are the forerunner to overt sins. The Chazzan developed prejudice toward Golden Fingers but it went overt when the man arrived at the Synagogue.
41. Because you do show partiality to one person but bias toward another means you have an unjust relationship toward others. The Royal Law enables the believer to be consistent toward all.
42. Otherwise you are a “transgressor” although “violator” is the better word:

In the New Testament the **παραβάτης** is one who transgresses a specific divine commandment. James 2:9 castigates respect of persons. The man who is guilty of this sin is shown to be a transgressor by the Law, which establishes deviation from the valid norm.¹² In James 2:11 the man who transgresses one commandment (of the Decalogue) is called **παραβάτης νόμου** [a transgressor (or violator) of the Law].¹³

James 2:11 For He who said, “Do not commit adultery mentally or overtly,” also said, “Do not commit murder mentally or overtly.” Now if you do not commit adultery mentally or overtly, but do commit murder mentally or overtly, you have become a violator of the law. (EXT)

(End JAS2-19. See JAS2-20 for continuation of study at p. 191.)

¹² “παραβάτης knows no degrees. The man who is one is so totally” (Johannes Schneider, “παραβάτης,” in *Theological Dictionary of the New Testament*, 5:741n5.

¹³ Ibid., 741.

