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## ***THE MARRIAGE COVENANT: A BIBLICAL STUDY ON MARRIAGE, DIVORCE, AND REMARRIAGE***

### **Chapter 6**

#### **DIVORCE AND REMARRIAGE IN THE BIBLE**

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Divorce is no longer a disease contracted only by Hollywood movie stars. People from all walks of life, including Christians, are affected by divorce. There is hardly a Christian family that, directly or indirectly, does not know the pain of divorce.

An important factor contributing to the alarming escalation of divorce among Christians is the growing acceptance of the societal view of marriage as a social contract, governed by civil laws, rather than as a sacred covenant, witnessed and guaranteed by God Himself. Instead of promising each other faithfulness "till death do us part," many couples are adopting the modern version of the marriage vow, by pledging to remain together "as long as we both shall love."

The recent "no fault" divorce law makes the dissolution of marriage so easy that some lawyers advertise divorce services for less than \$100.00: "All legal fees and services included in one low price." What a sad commentary on the cheapness of marriage today! What God has united, many will put asunder for less than the price of a good pair of shoes.

We live today in a time of cultural transition when old values are being challenged both within and without the church. "They have been pulled up by the roots, thrown up into the air, and are now beginning to come down like tossed salad."<sup>1</sup> The result is that many Christians today are confused and do not know what to believe, especially in the area of divorce and remarriage. Many are asking, "Are there Biblical grounds for divorce and remarriage? Is a person who remarries guilty of continuous adultery? Why do some denominations prohibit their ministers from marrying divorced persons and yet allow them to receive divorced people into their membership after they have been married by ministers of other denominations? Isn't it better to suffer the pain of divorce than the tragedy of a marriage without love?"

Pastors, teachers, and Christian writers often contribute to the prevailing confusion about divorce and remarriage with their conflicting interpretation of key Bible passages. Some teach, like the ancient Pharisees, that the Bible allows divorce and remarriage for "every cause," while others maintain that the Bible prohibits divorce and remarriage under any circumstance. A reason for such conflicting interpretations is that many interpret the Bible more in the light of their experience in dealing with divorce than in the light of their study of what the Bible actually teaches on this subject.

The time of cultural transition and confusion in which we live offers unprecedented opportunities to seek truly Biblical answers to the questions Christians are asking. We must not allow the extremes of radicalism or liberalism to impede progress in understanding and applying what the Bible teaches on the important subject of divorce and remarriage affecting so many lives. Encouragement for such an effort comes to us from the growing number of conservative Christians who are seeking truly Biblical answers to their questions. My aim in this chapter is to meet the expectations of these Christians by examining the Scriptures in order to come to a more definite and concrete understanding of its teaching on divorce and remarriage. The reader must decide whether or not I have succeeded in "rightly handling the word of truth" (2 Tim 2:15).

**Objectives of Chapter.** The objective of this chapter is to ascertain what the Old and New Testaments teach regarding divorce and remarriage. We shall pursue this investigation by examining all the relevant passages. In the following chapter we shall consider how we can apply the Biblical teachings to concrete situations today.

## **DIVORCE AND REMARRIAGE IN THE BIBLE**

No one knows how divorce began. The Biblical record shows that, unlike marriage, divorce was not instituted by God. There is no indication in the Bible suggesting that God introduced and institutionalized divorce after the Fall as part of His order for human society. Divorce is "man-made," not divinely ordained. It represents human rejection of God's original plan for the indissolubility of the marriage bond.

In His comments on divorce, Jesus explained that divorce represents a change in God's order because

"from the beginning it was not so" (Matt 19:8). He further observed that it was because of the "hardness" of human heart that Moses "allowed" divorce (Matt 19:8). To allow a practice is not the same as instituting it. When divorce first appears in the Bible, the practice was already in existence. What God did through Moses was to regulate divorce in order to prevent its abuse. This does not mean that God winked at divorce. Rather, it means that God acknowledged its existence and regulated it to prevent a bad situation from becoming worse.

The fact that God did not lay down a specific law in the Pentateuch prohibiting divorce reveals His realistic approach to human failure. It shows God's willingness to work redemptively on behalf of those who fail to live up to His ideal for them. Before considering the implications of God's attitude toward divorce in the Old Testament for us today, we want to examine the most explicit Old Testament passages concerning divorce.

### 1. The Teaching of Moses

In the pre-Mosaic period, divorce was common among the heathen nations. A man could divorce his spouse for any reason simply by telling her before witnesses, "You are no longer my wife." The divorced wife would have no recourse but to leave her home with only the few belongings she could carry on her back. This explains why women wore all their rings, jewelry, and coins on their bodies, since these provided a financial resource in the case of divorce.<sup>2</sup>

The practice of easy divorce became common among the Hebrews, encouraged by the absence of regulations restricting it. "Men were divorcing their wives for a 'weekend fling' and then taking them back again when the dirty laundry had piled up and the house needed cleaning."<sup>3</sup> It was this situation that occasioned the legislation found in Deuteronomy 24:1-4. The chief concern of the law is to discourage hasty divorce by preventing remarriage after divorce. The law contains three elements: (1) the grounds for divorce (Deut 24:1a), (2) the process of divorce (Deut 24:1b), and (3) the result of divorce (Deut 24:2-4).

**The Grounds for Divorce.** "When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a bill of divorce . . ." (Deut 24:1a). Note that

the law does not prescribe or encourage divorce. It simply assumes the course of action a husband would take if he found "some indecency in her."

The precise meaning of the phrase "some indecency" (literally, "the nakedness of a thing") is uncertain. Rabbinical interpretation of this phrase was sharply divided. The school of Shammai interpreted it as unchastity, while the school of Hillel as anything displeasing to her husband. Neither of these two views is supported by the evidences. Shammai's view is discredited by the fact that in the Old Testament, divorce was not granted for adultery (Lev 20:10; Deut 20:22-24) or for morally defiling one's wife before marriage (Deut 22:28). This suggests that the "indecency" of Deuteronomy 24:1 must refer to something other than adultery or sexual uncleanness.

Hillel's looser interpretation is also devoid of Biblical support. The Hebrew word *erwath* (generally translated, "indecency" or "uncleanness") is often used to refer to shameful exposure of the human body (Gen 9:22,23; Ex 20:26; Lam. 1:8; Ezek 16:36, 37). In Deuteronomy 23:13-14, the word is used to describe the failure to cover human excrement. We would conclude, then, that according to Deuteronomy 24:1, divorce was allowed for some kind of shameful act or indecency other than illicit sexual intercourse.

**The Process of Divorce.** The procedure required of a man intending to divorce his wife was for him to write out a bill of divorce and give it to her: "he writes her a bill of divorce and puts it in her hand and sends her out of his house . . ." (Deut 24:16). The wording of the bill of divorce was probably similar to the one generally used by the Jews of the Diaspora which reads: "On the \_\_\_\_\_ day of the week, the \_\_\_\_\_ day of the month \_\_\_\_\_, in the year \_\_\_\_\_ from the creation of the world, in the city of \_\_\_\_\_, I, \_\_\_\_\_, the son of \_\_\_\_\_, do willingly consent, being under no restraint, to release, to set free, and to put aside thee, my wife, \_\_\_\_\_, daughter of \_\_\_\_\_, who has been my wife from before. Thus I do set free, release thee, and put thee aside, in order that thou may have permission and the authority over thyself and to go and marry any man that thou may desire. No person may hinder thee from this day onward, and thou art permitted to every man. This shall be for thee from me a bill of dismissal, a letter of release, and a document of freedom, in accordance with the laws of Moses and Israel."

\_\_\_\_\_ the son of \_\_\_\_\_, witness.

\_\_\_\_\_ the son of \_\_\_\_\_, witness."4

The bill of divorce served several purposes. It deterred a hasty action on the part of the husband by restraining frivolous and rash dismissal. It testified to the woman's freedom from marital obligations from the husband who sent her away. It protected the woman's reputation, particularly if she married another man.

The process of divorce that Moses required was not a license to repudiate the wife at will, but rather "a stringent requisition that whoever did so should secure his wife from injury by certifying that she was not chargeable with unchaste conduct, but divorced upon some minor pretext."5

It is important to note that Moses did not require a man to divorce his wife if he found "some indecency" in her. He simply permitted it due to the hardness of the Israelites' hearts (Matt 19:8; Mark 10:5) who had rejected God's original plan for marriage (Mark 10:9; Gen 2:24). What Moses required was that a divorce document be written to discourage hasty divorces and to mitigate the hardship of divorce. Even when the divorce document was given, the way for reconciliation was still open as long as the woman did not form a second marriage.

**The Result of Divorce.** The primary purpose of the divorce procedure was to close the way forever for the man to remarry his former wife once she had remarried: "And if she goes and becomes another man's wife, and the latter husband dislikes her and writes her a bill of divorce and puts it in her hand and sends her out of his house, or if the latter husband dies, who took her to be his wife, then her former husband, who sent her away, may not take her again to be his wife, after she has been defiled; for that is an abomination before the Lord, and you shall not bring guilt upon the land which the Lord your God gives you for an inheritance" (Deut 24:2-4).

The main point of this legislation is to prohibit a man from remarrying his former wife if she had married another man. Even if her second husband divorced her or died, she could not return to her first husband. To do so would be an "abomination before the Lord" (Deut 24:4) on the same level as fornication. The reason is that

if a husband could easily remarry the same woman, divorce would become a "legal" form of committing adultery. Later prophetic writings confirm this truth set forth by Moses. For example, the prophet Jeremiah says: "If a man divorces his wife and she goes from him and becomes another man's wife, will he return to her? Would not that land be greatly polluted?" (Jer 3:1).

Another possible reason for the Deuteronomic ban on the remarriage of divorcees to each other after one of them had married someone else is that such a marriage would constitute an incestuous relationship. From Leviticus 18, we learn that prior to the Israelite conquest, the land of Canaan had been "defiled" by "incest" among the Canaanites (Lev 18:25-26). On the basis of this connection, Heth and Wenham argue that Deuteronomy prohibits the remarriage of a divorced couple after one of them had married someone else, because such a remarriage constituted incest. A blood relationship was formed by the first marriage which made them not only husband and wife but kin relatives as well. Consequently, if they divorced and remarried each other again, that remarriage was akin to the marriage between a brother and sister.<sup>6</sup> If this interpretation is correct, then Deuteronomy 24 supports Genesis 1 and 2 by showing that divorce cannot break the bond established by marriage.

It is significant to note that what the Mosaic legislation strongly condemns is not the remarriage of a divorced woman, but her remarriage to her first husband after the termination of her second marriage. This suggests that remarriage per se in the Old Testament was not stigmatized as adulterous nor was a remarried woman regarded as an adulteress. The Pentateuch did not require that a divorced woman and her second husband be put to death, as was the case with adultery. This consideration should lead us to exercise caution before stigmatizing remarriage as adulterous.

**Conclusion.** Divorce was not instituted by Moses, nor was it approved as an intrinsic right of the husband. Deuteronomy 24:1-4 indicates that Moses sought to curb the evil of divorce by requiring the husband to give a bill of divorcement to his wife to protect her after her marriage to another man. The Mosaic concession does not alter God's original plan for marriage to be a sacred, permanent covenant. It simply provides protection for the divorced wife when sinful hearts violate God's original plan for marriage.

## 2. The Teaching of Malachi

Many of the Jews who returned from the Babylonian exile married unbelieving heathen women living in the land of Judah. Such marriages were strictly forbidden by the Mosaic law because they would inevitably lead to the worship of heathen gods (Deut 7:1-4; Judg 3:5-6; 1 Kings 11:1-8). The problem was met head-on first by Ezra (Ezra 10:2-3) and then by Nehemiah (Neh 13:23-24) during their tenure as governors. They ordered the offenders to separate from their foreign wives (Ezra 10:10-11; Neh 13:30).

It was at this time that God raised up the prophet Malachi to expose the causes of the spiritual decline and to lead the Jewish community into a restored fellowship with God. Malachi exposes not only the sin of hypocrisy (Mal 2:17), neglect of tithes (Mal 3:7-9) and mixed marriages (Mal 2:10-12), but also the sin of divorce: "And this again you do. You cover the Lord's altar with tears, with weeping and groaning because he no longer regards the offering or accepts it with favor at your hand. You ask, 'Why does he not?' Because the Lord was witness to the covenant between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. Has not the one God made and sustained for us the spirit of life? And what does he desire? Godly offspring. So take heed to yourselves, and let none be faithless to the wife of his youth. 'For I hate divorce,' says the Lord the God of Israel and covering one's garment with violence, says the Lord of host. So take heed to yourselves and do not be faithless'" (Mal 2:13-16).

In this passage, Malachi (whose name means "my messenger") clearly identifies and condemns the sin which had caused God to reject the offering and worship of His people, namely, the violation of the marriage covenant with the wife taken in one's youth in order to marry foreign idolatrous women. Here Malachi informs us that God sees marriage as a sacred covenant binding two persons in a permanent relationship before God (Gen 31:50; Prov 2:17). Since "the Lord was witness to the [marriage] covenant," breaking it by divorcing one's wife meant to be faithless not only to one's spouse but also to God.

Verse 15 is difficult to translate and interpret. If one follows the marginal reading of the Revised Standard

Version ("Has he not made one?"), the text would refer to the original institution of marriage when God made and united two beings into one (Gen 2:24). In other words, God intended that marriage be the covenant union of one man to one woman in order for them to raise up godly offspring. Divorce, then, threatens not only the institution of marriage but also the security needed to raise a godly family.

In verse 16, Malachi concludes by expressing God's attitude toward divorce: "For I hate divorce, says the Lord the God of Israel, and covering one's garment with violence, says the Lord of hosts. So take heed to yourselves and do not be faithless." It is noteworthy that God hates *divorce* and not the *divorcée*. As Christians, we should reflect Christ's caring and compassionate attitude toward those who have experienced the trauma of divorce. Christ dealt graciously with the Samaritan woman who had been married five times (John 4:6-26).

Divorce is likened to "covering one's garment with violence." This figurative expression may refer to the custom of spreading a garment of protection over a woman by a man who wanted to claim her as his wife (Ruth 3:9; Ez 16:8). Those Jews who had divorced their wives had acted treacherously, spreading over them a garment of violence rather than of protection. Malachi closes by repeating his plea for faithfulness to the marriage covenant: "So take heed to yourselves and do not be faithless" (Mal 2:16). Three times in four verses (13-16), Malachi speaks of the sin of divorce as faithlessness or, as rendered by the NASV, "treachery."

**Conclusion.** Malachi strongly emphasizes that divorce violates not only God's original plan for marriage but also the sacred marriage covenant to which the Lord Himself is a witness. Divorce is a grievous sin which God hates because it represents a betrayal of life's most intimate companion, a betrayal profoundly affecting the well-being of the family and community.

### 3. The Teaching of Jesus in Mark and Luke

The teaching of Jesus is fundamental to the study of the Biblical view of divorce and remarriage because Jesus clarifies the reason for the Old Testament concession (Deut 24:1) and reaffirms God's creational design for marriage to be a permanent, indissoluble covenant. The two major passages containing the teaching of Jesus on divorce and remarriage are found in Mark 10:1-12 and



Matthew 19:1-12. Both passages report the same incident and are placed in the same geographical setting (Matt. 19:1; Mark 10:1). Both passages record the same questions asked by the Pharisees and the same response given by Christ (Matt 19:3-9; Mark 10:2-9).

In spite of the essential similarities, there is one crucial difference between the two passages, namely the exception found in Matthew 19:9 which teaches that divorce and remarriage "except for fornication" is adultery. Whereas Matthew includes twice what has come to be known as the "exception clause" (Matt 19:9; 5:32), Mark and Luke exclude it entirely. Before examining the possible reasons for the exclusion of the exception clause in Mark and Luke and for its inclusion twice in Matthew, it is helpful to consider the setting of the episode.

**The Setting.** Jesus had concluded His Galilean ministry and was journeying through Perea to Jerusalem for the Passover and His crucifixion when He was approached by the Pharisees with a theological *test* question: "And Pharisees came up to him and tested him by asking, 'Is it lawful to divorce one's wife for any reason?'" (Matt 19:3; cf. Mark 10:2).

The intent of the question was not to learn from Jesus but to get Him into trouble. They were determined to destroy Jesus (Matt 12:14; Mark 3:6) and His travelling through Perea, the territory under the jurisdiction of Herod Antipas, offered them a unique opportunity. After all, Herod Antipas had John the Baptist beheaded for condemning publicly his incestuous marriage to Herodias, who was his niece and the wife of his half-brother Herod Philip (Matt 14:6-12). The Pharisees must have thought that if they could trick Jesus into condemning the illegitimate marriage of Herod of Antipas by means of a "test" question on divorce, this would result in His arrest and execution.

**The Pharisees' Question.** The test question the Pharisees posed to Jesus centered on the significance of the phrase "some indecency" found in Deuteronomy 24:1. There was a major debate among the rabbis over the meaning of this phrase. The Mishna, which contains the oral traditions of Judaism, tells us how the conservative school of Shammai and the liberal school of Hillel interpreted the phrase: "The school of Shammai said: A man may not divorce his wife unless he has discovered something unchaste about her, for it is

written, 'Because he has found some unseemly thing in her' (Deut 24:1). But the school of Hillel said: He may divorce her even if she spoiled a dish for him for it is written, 'Because he has found some unseemly thing in her.'"7

It is remarkable to see how the same Biblical text (Deut 24:1) was interpreted in two radically different ways. The Pharisees wanted to force Christ to choose between the two schools so that they could use His answer to accuse Him either of laxity or narrow rigorism. Jesus, however, chose not to take sides. Instead, He answered by calling attention to God's original plan for marriage: "He answered, 'Have you not read that he who made them from 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. What therefore God has joined together, let not man put asunder" (Matt 19:4; cf. Mark 10:6-9).

Christ's answer is characteristic. He immediately calls attention to God's original plan for marriage, almost chiding them for failing to realize that divorce is totally alien to such a plan. God's original plan consists of a man and a woman being united in a marriage bond so strong that the two actually become one flesh (Gen 2:26; Matt 19:6; Mark 10:8). The "one flesh" unity of the couple is reflected especially in their offspring who partake of the genetic characteristics of father and mother, and the two are absolutely inseparable. Jesus affirms that it is God Himself who actually joins together a couple in marriage and what God has joined together no human being has the right to separate.

**Moses' Permission.** It is significant that Christ answered the Pharisees' question as to whether it is lawful for a man to divorce his wife by affirming the permanence of the God-ordained marriage union. Such an answer, however, provoked another question on the part of the Pharisees: "Why then did Moses command one to give a certificate of divorce, and to put her away?" (Matt 19:7). By this question the Pharisees apparently intended to challenge the position Christ had just enunciated by assuming that Moses did command divorce. The argument of the Pharisees could be paraphrased as follows: if according to its original institution, marriage is a permanent union that cannot be dissolved by human authority, why then did Moses command divorce? Is not Your teaching contradicted by

## Moses' commandment?

Christ's answer is of fundamental importance because it clarifies the whole question of the Old Testament Mosaic provision. "He said to them, 'For your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so'" (Matt 19:8; cf. Mark 10:5-6).

Two features of Christ's reply should be noticed. First, the phrase "for the hardness of your hearts" implies that the Mosaic permission was occasioned by the insubordination and stubbornness of the Israelites. The latter did not invalidate the original institution of marriage as a permanent union. The bill of divorce was intended to regulate a perverse situation and not to abrogate the divine institution of marriage.

A second significant element of Jesus' reply is the distinction between the verb He used to describe Moses' provision and the verb used by the Pharisees. Jesus said that Moses "allowed" divorce while the Pharisees said that Moses "commanded" divorce.<sup>8</sup> The verb Jesus used implies sufferance or tolerance of divorce but not a sanction of its practice. In the Mosaic economy, divorce was permitted because of the hardheartedness of the Israelites, but from the beginning there was no such permission. This means that the Mosaic permission was a departure from the creation ordinance of marriage which no man has the right to put asunder.

Jesus utterly condemns divorce as contrary to the divine institution of marriage. Divorce is the sundering by man of a union God Himself has constituted. As John Murray puts it, "Divorce is the breaking of a seal which has been engraven by the hand of God."<sup>9</sup>

**A Clarification for the Disciples.** Christ's condemnation of divorce as a violation of God's original plan for marriage apparently perplexed the disciples. Presumably they were wondering what would be the moral consequences if a man divorced his wife. Later that day when Jesus had found lodging ("in the house"), the disciples began questioning Him on this subject. And Jesus said to them, "Whoever divorces his wife and marries another, commits adultery against her; and if she divorces her husband and marries another, she commits adultery" (Mark 10:11-12).

The unconditional form of Christ's statement in Mark 10:11-12 (and Luke 16:18) where no exceptions are

allowed for divorce serves to emphasize the abrogation of the Mosaic permission for divorce (Deut 24:1-4). Jesus declares to His disciples in no uncertain terms that, contrary to the Mosaic concession, divorce and remarriage by either the husband or the wife is a sin of adultery clearly condemned by God's law. A man who divorces his wife and marries another woman is sinning not only against God but also against his former wife. He "commits adultery against her" because by marrying another woman, he is violating his covenant of commitment to his wife.

Mark applies the same rule to both the husband and the *wife*, a truth not expressed in Matthew's Gospel (cf. Matt 19:9). The reason is that Matthew was writing for Jews among whom it was most uncommon for a wife to divorce her husband. But what was most uncommon among the Jews was common in the Graeco-Roman world where, in matters of divorce, wives enjoyed equal rights with their husbands. Since Mark writes for a predominantly Gentile readership, he records the application of Christ's teaching to both the husband and the *wife*.

With a few simple words in Mark, Jesus overrides the Mosaic concession and its rabbinic interpretations by pointing back to the great marriage charter of Genesis. In view of the fact that in the beginning when God established marriage, divorce was not permitted, for a husband or a wife to divorce his/her spouse means to act against the will of the Creator for marriage.

Jesus envisions marriage not as a mere social or civil contract that can be terminated through a legal proceeding but as a sacred and lifelong covenant. Those who divorce and remarry are guilty of adultery. Such a radical teaching, as Hugh Montefiore points out, "was revolutionary to Jewish ways of thought. So far as we know, Jesus was alone among Jewish teachers when He asserted that marriage was intended by God to be lasting and permanent."<sup>10</sup>

**The Contribution of Luke 16:18.** In Luke, the teaching of Jesus on divorce is placed in a different context, namely, in the context of the proclamation of the Gospel of the kingdom of God which began with John the Baptist: "The law and the prophets were until John; since then the good news of the kingdom of God is preached, and every one enters it violently" (Luke 16:16). The subject matter that was expanded by the religious

leaders until the beginning of John the Baptist's ministry was the Law and the Prophets. But with the appearance of John, the proclamation of the good news of the kingdom of God began.

Some of the Pharisees mistakenly concluded that John and Jesus taught the termination of the Law and the Prophets. Jesus, however, emphasizes in Luke 16:17 that the inauguration of the kingdom of God does not set aside God's law: "But it is easier for heaven and earth to pass away, than for one dot of the law to become void."

In the following verse Jesus drives home His point using divorce as an illustration. The Pharisees thought they were upholding the letter of the law by arguing about what constituted legitimate grounds for a divorce. Jesus reveals the permanence and true spirit of God's law by condemning divorce and remarriage as a sin of adultery: "Every one who divorces his wife and marries another commits adultery, and he who marries a woman divorced from her husband commits adultery" (Luke 16:18). In this statement, Jesus condemns as adultery not only the act of divorcing one's wife but also the act of marrying a divorced woman. The reason for the latter is that divorce does not destroy the indelible bond formed when a man and a woman enter into a marriage covenant.

The teaching of Jesus in Mark 10:11-12 and Luke 16:18 makes no allowance for divorce and remarriage by either the husband or the wife. Marriage for Jesus is not a mere civil contract that can be terminated but a divinely established covenant relationship that must not be put asunder. God is not interested in divorce but in the permanence of our marital relationship. If we divorce and remarry, we commit adultery.

#### **4. The Teaching of Jesus in Matthew**

**The Contribution of Matthew.** Matthew makes three significant contributions about Jesus' teachings on divorce which are not found in Mark or Luke. Before looking at them, we must understand why Matthew provides some of the Lord's teaching on divorce not found in Mark 10. The apparent reason is the different readership. Mark wrote for Gentile readers while Matthew for Jewish readers. Under the inspiration of the Holy Spirit, each writer recorded those elements of the teaching of Jesus that would apply to their audiences. This is indicated by the fact that Matthew frequently

quotes Old Testament scriptures while Mark cites them only in a few instances, obviously because the Gentiles had little appreciation for the sacred Scriptures. Mark takes pains to explain certain Jewish tradition and terms (cf. Mark 7:2, 11,34; 5:41; 9:43; 14:12, 36) unfamiliar to Gentile readers.

We noted earlier that only Mark mentions the possibility of a woman divorcing her husband (Mark 10:12) because that was common in the Graeco-Roman world. Matthew omits that part of Jesus' teaching because Jewish law made no allowance for a woman to divorce her husband. It is evident, then, that each gospel writer selectively recorded those elements of Jesus' teaching that would apply to his Christian community. Since Matthew is writing to Jewish-Christian readers he mentions three significant aspects of Jesus' teaching on divorce and remarriage which are omitted by Mark and Luke.

The first significant Matthean contribution regarding Jesus' teaching on divorce and remarriage is found in the context of the Sermon on the Mount. Here Jesus encourages living in conformity to the spirit of the law rather than to its letter. Contrary to the Pharisees who allowed divorce by appealing to the letter of the Mosaic concession (Matt 5:31; cf. Deut 24:1-4), Jesus disallows divorce but for one exception (Matt 5:32) by revealing the true intent of God's law.

The second significant Matthean contribution is the response of the disciples to Jesus' teaching: "If such is the case of a man with his wife, it is not expedient to marry" (Matt 19:10). Apparently, the disciples had been following either the rabbinical view of Shammai which allowed divorce only on the ground of adultery or of Hillel which permitted divorce for any reason. When they understood that Jesus in essence made no allowance for divorce, they responded in astonishment, "If one cannot get out of marriage, then it is better not to marry in the first place." Jesus then declared that not all can accept a celibate life (Matt 19:11-12). This brief dialogue between Jesus and the disciples recorded by Matthew reveals, indirectly and yet forcefully, that Jesus taught the permanence of the marriage relationship.

**The Exception Clause.** The third significant Matthean contribution is the exception clause of Matthew 5:32 and 19:9 which teaches that to divorce and to remarry, "except for unchastity [*porneia*]" is adultery: "But I say to

you that every one who divorces his wife, except on the ground of unchastity, makes her an adulteress; and whoever marries a divorced woman commits adultery" (Matt 5:32). "And I say to you: whoever divorces his wife, except for unchastity, and marries another, commits adultery" (Matt 19:9).

The exception clause found in these two texts has been the object of countless studies. A major reason is that many find in this clause the only legitimate grounds for divorce and remarriage. Scholarly opinion on the meaning of the exception clause is divided, reflecting the lack of unanimity among scholars about the precise meaning of the key word of the clause, namely *porneia*. The word is generally translated as "fornication" (KJV), "unchastity" (RSV), and "marital unfaithfulness" (NIV).

The Greek word *porneia*, from which we derive the word "pornography," comes from the root word *pernemi*—"to sell." The original idea was to offer one's body for a price. The word was used especially of slaves and meant "a harlot for hire."<sup>11</sup> Historically, *porneia* has been used with wider and narrower meanings. The wider meaning includes unlawful extra-marital intercourse such as prostitution, fornication, and adultery. The narrower meaning can refer to sexual aberrations such as homosexuality (cf. Rom 1:29), incest (cf. 1 Cor 5:1), and unlawful marriages within the forbidden degrees of relationship (Acts 15:20,29). The question then is, what is the exact meaning of *porneia* in the exception clause (Matt 5:32; 19:9)? Is Jesus using the term in its wider or narrower meaning? Scholarly opinion differs on this matter as indicated by the five major interpretations of the exception clause.

**Adultery or Sexual Misconduct.** The traditional and most popular interpretation of the exception clause takes *porneia* in its wider meaning of sexual misconduct. Thus, Jesus allows divorce when one party has been guilty of marital unfaithfulness. This view is reflected in most translations where *porneia* is translated as "fornication" (KJV), "unchastity" (RSV), or "marital unfaithfulness" (NIV). Advocates of this view maintain that the exception clause allows for the divorce and remarriage of the innocent party, since divorce implies the dissolution of the marriage relationship. In this case, Jesus would be siding with the conservative school of Shammai which allowed divorce when the wife was convicted of serious sexual misconduct.

**Problems with the Sexual Misconduct View.** In spite of its popularity, this interpretation has several problems. In the first place, it contradicts the immediate context where Jesus rejects the Mosaic provision of divorce as being against God's creational plan for the permanence of the marriage union: "What therefore God has joined together, let not man put asunder" (Matt. 19:6). The present imperative of the verb (*kovizeto*) "let not put asunder" enjoins the cessation of a practice in progress, namely, the severing of marriage unions permanently established by God.

In the light of Christ's refusal to accept the Mosaic provision for divorce, it is hard to imagine that He would make allowance for the dissolution of marriage in the case of sexual misconduct. If the latter were true, Jesus would be contradicting what He had just affirmed regarding the permanence of the marriage union. His teaching would represent not a rejection of the Mosaic concession but merely an interpretation essentially similar to that of the Shammaites. But the Pharisees certainly understood Jesus' teaching to be in conflict with Moses ("Why then did Moses command one to give a certificate of divorce, and to put her away?"—Matt 19:7). The clear conflict between Jesus' teaching on the permanence of the marriage union and the Mosaic concession, logically rules out the wider meaning of *porneia* as sexual misconduct.

Would Christ teach that our righteousness must exceed that of the Scribes and Pharisees and then side with one party of the Pharisees by saying that a man should not divorce his wife except for the cause of unfaithfulness? If that were true, where would the superiority of Christ's teaching be? And why would the disciples be astonished at His teaching? They could well have expected Christ to side more with the conservative view of Shammai than with the liberal view of Hillel? In the light of considerations such as these, *porneia* must have a narrower meaning that does not contradict the astonishingly radical and revolutionary teaching of Matthew 19:3-9.

A second problem with interpreting *porneia* as sexual misconduct is posed by the teaching of Jesus in Mark 10:1-12 and Luke 16:18 where divorce and remarriage are condemned as adultery without any exceptions. While today we can bring together the teaching of Jesus on divorce as found in all the three Synoptic Gospels,



the Gentile readers of Mark's or Luke's Gospels, who did not have access to Matthew's Gospel which circulated primarily among the Jewish-Christians, had no way of knowing that Jesus made allowance for divorce and remarriage in the case of marital unfaithfulness.

A third problem with interpreting the exception clause as sexual misconduct is that it contradicts Paul's "no divorce" teaching in 1 Corinthians 7:10-11. In this passage, Paul claims to give Christ's own command by enjoining the wife not to separate from her husband and the husband not to divorce his wife. The total prohibition of divorce by Paul reflects the teaching of Jesus found in Mark and Luke.

A fourth problem with the interpretation of *porneia* as sexual misconduct (adultery) is that this term is not the normal word for adultery, though it may include it. The normal Greek term for adultery is *moicheia*, a term used by Jesus in all the divorce texts to describe the outcome of divorce and remarriage, namely, "commits adultery." If Jesus intended to permit divorce specifically in the case of adultery, He would probably have used the explicit term *moicheia*. The fact that He used another term suggests that *porneia* may refer to something other than adultery.

This conclusion is supported by the fact that there is no provision in the Pentateuch for divorce in the case of adultery. The penalty for proven adultery was death (Lev 20:10; Deut 22:22, 23-27) and not divorce. The same was true in the case of a woman who had engaged in premarital sex before marriage (Deut 22:13-21). She was stoned to death and not divorced. There are no indications in the Pentateuch that divorce was ever allowed for sexual misconduct.

A fifth problem with interpreting the exception clause as sexual misconduct is that it fails to take into account the astonishment of the disciples at the saying of Jesus. As Edward Schillebeeckx points out, "If Matthew 19:9 is taken to mean that Jesus was siding with the followers of the school of Shammai, who permitted divorce on grounds of adultery, then the astonishment expressed in the apostles' answers would be incomprehensible—'then it is not expedient to marry' (19:10). Their astonishment is only explicable if Christ in fact rejected all possibility of the dissolution of marriage. His rejection is reinforced by the statement: 'Not all men can receive this precept, but only those to whom it is given'" (19:11).<sup>12</sup> In the light of

the foregoing considerations, we are bound to conclude that it is most unlikely that by the exception of *porneia*, Jesus meant to allow for divorce and remarriage on the grounds of adultery or sexual misconduct. Respect for the astonishing and radical teaching of Matthew 19:3-9 requires that *porneia* be interpreted in a narrower sense.

**Unfaithfulness During the Betrothal Period.** A second interpretation of the exception clause is that Jesus allowed for divorce and remarriage in the case of sexual immorality during the betrothal period.<sup>13</sup> Unlike modern engagement, the Jewish betrothal was a legal contract that was as binding as marriage (Deut 20:7; 22:24). If the betrothed proved unfaithful prior to the consummation of the marriage, legal action could be taken and divorce could be obtained. Following this custom, when Joseph discovered that Mary was expecting a child while betrothed to him, he planned to divorce her quietly rather than exposing her to public disgrace (Matt 1:18, 19).

According to this view, the exception of *porneia* allows divorce only in the case of unfaithfulness during the betrothal period. By her infidelity, the betrothed girl had broken her agreement to marry, and consequently, the man could be released from his obligation to marry the girl since marriage had not yet been consummated. The exception clause would then apply only to the ancient Jewish betrothal practice and not to modern marriages.

The betrothal interpretation of the exception clause does take into account the Jewish orientation of Matthew's Gospel and finds support in the example of Joseph and Mary (Matt 1:19). The most obvious objection to this interpretation, however, is that the debate between Jesus and the Pharisees centered on *marriage* and not on betrothal. It seems unlikely that Jesus would reply to the Pharisees' question regarding the Mosaic provision for divorce by referring to unfaithfulness during the betrothal period, a situation which is foreign to the Mosaic provision and to the subject under discussion. Moreover, this interpretation does not account adequately for the absence of the exception clause in Mark and Luke, for the betrothal practice was common among the Greeks and the Romans to whom the exception would also apply. Another point to be noted is that the word *porneia* is never used in the New Testament to describe the sin of illicit relations during the betrothal period.

**Refusal of Jesus to Comment.** A third interpretation attempts to explain Matthew's exception clause by concentrating on the sentence as a whole. Some scholars argue that *porneia* is to be equated with "something indecent" of Deuteronomy 24:1 and then suggest that Jesus refused to comment on the meaning of the Deuteronomic phrase. According to this view, the exception clause should be translated as "setting aside the matter of *porneia*."<sup>14</sup>

This view is attractive because it concentrates on the overall meaning of the passage, rather than on a single word. It upholds the fundamental truth affirmed by Jesus that from the beginning God established marriage as an indissoluble, life-long relationship. It also harmonizes the difference between Matthew and Mark/Luke in Jesus' teaching on divorce. Writing to Jewish readers, Matthew refers to their legitimate concern about *porneia* without suggesting that Jesus has made it a ground for divorce. In spite of its attractiveness, this view lacks grammatical support because the Greek words do not allow such a translation.

**Inclusive Meaning of Exception Clause.** A fourth interpretation gives the exception clause an *inclusive* rather than exclusive meaning. A number of modern exegetes have argued that the Greek words translated as "except for unchastity" (RSV), do not have any limiting meaning in this context. In this case, the passage of Matthew 19:9 would read: "Whoever divorces his wife, even if she has committed adultery and marries another, commits adultery."<sup>15</sup>

According to this interpretation, Matthew wanted to impress upon his Jewish readers that not even adultery constituted a valid ground for divorce. This interpretation may be grammatically possible, but it seems rather unusual because it is based on a rather uncommon inclusive usage of the word *parektos*, usually translated "except for." This inclusive interpretation is based upon what Bruce Vawter calls "linguistic acrobatics," which turns "except" into "even including."<sup>16</sup> It must be granted, however, that this interpretation does harmonize with the immediate context where Jesus rejects the Mosaic provision for divorce by pointing back to God's original plan for marriage as a permanent covenant.

**Marriages Unlawful According to Mosaic Law. A fifth**

view is based on a narrower interpretation of *porneia* as referring to marriages which conflicted with the conditions laid down by Leviticus (Lev 18:6-18).<sup>17</sup> In His call to practical holiness, God prohibited His people from marrying near relatives. Such marriages are condemned presumably because they are the result of sexual passion rather than of genuine love.

According to this interpretation, Jesus allows for divorce only where a marriage should not have taken place in the first place, namely, within the degrees of prohibited relationships. Consequently, in Matthew, Jesus does not envisage any exception to the absolute ban on divorce but only allows for the dissolution of a marriage which was validly contracted according to Greco-Roman laws but which was in conflict with the Mosaic law of prohibited relationships.

It may be objected that the Mosaic prohibition against incestuous marriages precludes any provision on the part of Christ for a legitimate divorce. This objection, however, as Carl Laney points out, "does not hold up under close scrutiny, for the Israelites were commanded not to marry foreign women (Deut 7:3-4), but when the command was violated in Ezra 9-10, the unlawful marriages were dissolved. The prohibition would not preclude the possibility of violation and the need to deal with an illegal incestuous situation."<sup>18</sup>

This view appears to me as the most satisfactory and enjoys considerable scholarly support. Among the scholars who advocate this view, mention can be made of J. Bonsirven, H. Cazelles, M. Berrouard, J. Kahmann, W. K. Lowther Clark, and more recently Charles Ryrie and the noted New Testament scholar, F. F. Bruce.<sup>19</sup> Commenting on the use of *porneia* in Acts 15:20,29, Bruce notes: "But fornication could bear a more technical sense of marital union within the prohibited degrees of consanguinity or affinity laid down by the Hebrew 'law of holiness' (Lev 18:6-18). There are one or two other places in the New Testament where fornication may have this technical sense—e.g. the concession 'except on the ground of fornication' added in the Matthean version of Jesus' prohibition of divorce for his followers (Matt 5:32; 19:9)."<sup>20</sup> Four major arguments support this view of the exception clause.

**(1) New Testament Use of *Porneia*.** One of the possible lexical meanings of *porneia* is "incest" or "incestuous marriage."<sup>21</sup> We find this meaning in 1

Corinthians 5:1 where Paul demands the expulsion of a Christian who has married his stepmother, a clear violation of Leviticus 18:8. The same meaning of *porneia* appears in Acts 15:20, 29 where the Jerusalem Council recommends that Gentile converts should abstain from idol sacrifices, blood, meat of strangled animals, and *porneia*. It is significant to note, as Carl Laney points out, "the order suggested first by James (Acts 15:20) and then given by the Council (Acts 15:29):

### James

Idol Sacrifices Lev. 17:8-9

*Porneia* Lev. 18:6-18

Things Strangled Lev. 17:13-14

Blood Lev. 17:10-12

### The Council

Idol Sacrifices Lev. 17:8-9

Blood Lev. 17:10-12

Things Strangled Lev. 17:13-14

*Porneia* Lev. 18:6-18

It is quite apparent that James was thinking of the Leviticus 17-18 restrictions but suggested them in the wrong order (Acts 15:20). Then, when the Council formulated its decision, the restrictions were recorded in their correct order according to Leviticus 17-18 (Acts 15:29)."22

In the light of the correlation existing between the four recommendations of the Jerusalem Council and the regulations of Leviticus 17-18 which appears to be the source of the Council's recommendations, **it seems plausible to conclude that *porneia* refers not to sexual immorality in general, but to the forbidden marriage relationships of Leviticus 18:6-18 in particular.**

There was no need for the Jerusalem Council to require Gentile converts to abstain from sexual immorality in general for they were required to abstain from it anyway. Since the recommendations of the Council were designed to reduce tension between Jewish and Gentile Christians, the requirement to abstain from *porneia* must

be, like the others, based on levitical laws still respected by Jewish Christians. "It is clear from Acts 15," note Bernard Leeming and R. A. Dyson, "that there was, early in Christian history, considerable discussion about the matter [of *porneia*] among Hebrew converts, and the Council of Jerusalem may well have legislated before Matthew's Gospel was written, with full knowledge that Christ had spoken in this sense."<sup>23</sup>

The Jews who became Christians continued to obey the Mosaic laws of prohibited relationships, but Gentile converts did not feel bound to such laws as indicated by the case of a Corinthian Christian who had married his step-mother (1 Cor 5:1). This inevitably led to a conflict which the Jerusalem Council solved by exempting the Gentiles from the law of circumcision while expecting them to obey the laws relating to idol sacrifice, blood, things strangled, and illicit marriage to a near relative.

"Since," as Lowther Clark points out, "the first three articles of the compromise are concerned with practices which were abhorrent to the Jews but seemed innocent enough to the Gentiles, the fourth must be of a similar nature. The passage of 1 Corinthians gives us the clue. *Porneia* here means *marriage within the prohibited Levitical degrees*. In this matter, Gentile Christianity wholly adopted Jewish standards, and the decree became obsolete because there was no longer any difference of opinion. But for a decade or two, especially in places like Antioch, where Jew and Gentile met and where the agitation culminating in the decree arose, *marriage within the prohibited degrees* was a live issue, and *porneia* was the word by which it was known."<sup>24</sup>

Applying this meaning of *porneia* to the exception clause, the Lord in Matthew allows one exception to the universal rule of no-divorce, namely, in the case of an illicit marriage to a near relative.

**(2) Jewish Context of Matthew's Gospel.** Matthew wrote his gospel principally for Jewish converts to Christianity. Jewish-Christians continued to follow the Mosaic marriage laws which prohibited marriage with a near relative (Lev 18:6-18). Gentile converts to Christianity kept the Greco-Roman laws of marriage. This would explain why Matthew, in writing to a Jewish-Christian audience familiar with the prohibitions against marriage to a near relative, includes the exception clause ("except for *porneia*"). Mark and Luke omit the clause presumably because Gentile Christians were less likely than Jewish Christians to marry a near relative.



Gentile people were not as tribally related as Jewish people.

Support for this interpretation of *porneia* in Matthew 5:32 and 19:9 is provided by first century Palestinian literature. Joseph Fitzmyer has shown that *porneia* is the Greek translation of the Hebrew *zenut* (cf. LXX Jer 3:2,9) which is used in the Qumran material to refer to marriage within the forbidden degrees of relationship.<sup>25</sup> The same use is found in later Jewish literature.<sup>26</sup>

**(3) Historical Setting.** The narrower interpretation of the *porneia* exception as referring to incestuous marriages prohibited in Leviticus 18:6-18 is supported also by the historical setting of Christ's dispute with the Pharisees.

Since the dispute occurred in Perea (Matt 19:1; Mark 10:1), the territory governed by Herod Antipas, it is quite likely that the Pharisees wanted to trick Jesus into making a statement against the incestuous marriage of Herod Antipas. John the Baptist was imprisoned and executed for condemning Herod Antipas for divorcing his wife in order to marry the wife of his brother Philip (Matt 14:4). Antipas had violated the Mosaic law which stated, "You shall not uncover the nakedness of your brother's wife; she is your brother's nakedness" (Lev 18:16; cf. 20:21).

The Pharisees presumably hoped that Jesus would follow John in openly condemning the incestuous marriage of Herod Antipas. Jesus, however, chose not to condemn directly Herod Antipas, but rather to state the principle that divorce is only permitted in the case of an unlawful marriage. Thus, the historical and geographical setting of the exception clause supports the interpretation of *porneia* as a reference to marriage within prohibited relationships (Lev 18:6-18).

**(4) Immediate Context.** The immediate context supports the narrower interpretation of the *porneia* exception as a reference to the prohibited relationships of Leviticus 18:6-18. In Matthew 19:4-8, Christ rejects the Mosaic provision for divorce as a mere concession to human rebellion running contrary to God's original plan for marriage. In this context, it would be inconsistent for Jesus to proceed to make a concession of his own for divorce in the case of sexual misconduct.

The whole purpose of Christ's argument which moved from Deuteronomy to Genesis, that is to say, from the Mosaic letter of the law which allowed divorce to the

creational design of the law which excluded divorce, would be nullified if in the end He simply returned to Deuteronomy again. On the other hand, it would be consistent with what Christ had just declared for Him to say that God's plan for marriage allowed for divorce only in the case of an illegally contracted marriage to a near relative. In all other instances, marriage is a lifelong and binding covenant commitment.

The possibility of marrying a near relative was very real in the tribal Jewish society which consisted of large blood-related families. I was made forcefully aware of this fact while teaching in Ethiopia. Students belonging to the same tribe often referred to one another as brothers or sisters because to some degrees they were all related to one another. The situation was not much different in tribal Jewish society where it was relatively easy to marry a near relative. This can explain why Jesus in Matthew—a gospel written for Jewish Christians—would make allowance for divorce in the case of an illegally contracted marriage to a near relative.

Another aspect of the immediate context, which indirectly supports the unlawful marriage view of *porneia*, is the reaction of the disciples: "If such is the case of a man with his wife, it is not expedient to marry" (Matt 19:10). Such a reaction is only explicable if Jesus rejected the possibility of divorce, except in the rare cases of marriage among near relatives where marriage should not have taken place in the first place.

Had Jesus permitted divorce for sexual misconduct, He would have hardly provoked such a reaction on the part of His disciples, since such a view was widely known and promoted by the rabbinical school of Shammai. The astonishment of the disciples indirectly proves that they understood Christ's standard for marriage to be immeasurably higher and more exacting than that of the stricter rabbinical school of interpretation.

**Conclusion.** Our study of the Jewish setting, historical and geographical background, and the immediate context of Matthew 19:1-12 suggests that by the exception clause ("except for *porneia*") Jesus permitted divorce only in the case of an unlawful marriage to a near relative. By means of the *porneia* exception, Christ did not intend to impose the Levitical norms for legitimate marriage, but simply to declare that when such norms were violated, there was a valid reason for



the dissolution of marriage.

This view is consistent with the absolute value that Mark, Luke, and Paul place on the saying of Jesus. We are bound to conclude that by the exception phrase about *porneia*, Jesus did not intend to open the way for divorce and remarriage in the case of sexual misconduct. Rather, He wished to reaffirm the creational principle of the permanence of the marriage union by allowing for divorce only in the case of an unlawful marriage. In the light of this conclusion, Matthew 19:9 would read: "whoever divorces his wife, unless his union with her is illegitimate, and marries another, commits adultery."

The teaching of Jesus in the Gospels can be summarized in two points. First, divorce is forbidden because it violates God's intention that marriage be a permanent union of two persons. Second, remarriage after divorce is adultery because divorce does not dissolve the marriage union.

### 5. The Teaching of Paul in Romans 7:2-3

Next to Jesus no other person influenced early Christian thought and practice as much as Paul. His teaching on divorce and remarriage are most significant since they represent the earliest Christian interpretation and application of Christ's teaching to concrete situations. The two main passages where Paul speaks on marriage and divorce are Romans 7:2-3 and 1 Corinthians 7:10-16.

Paul opens the seventh chapter of Romans by setting forth the principle that death releases a person from the obligation to obey the law. His concern is to show that believers "have died to the law through the body of Christ" (Rom 7:4), who enables them to live not according to the flesh (by the sinful passions condemned by the law), but according to the Spirit (by a righteous life approved by the law—Rom 8:1-4).

To illustrate the principle that the jurisdiction of the law is limited to *living* persons, Paul uses the example of the marriage union: "Thus a married woman is bound by law to her husband as long as he lives; but if her husband dies, she is discharged from the law concerning the husband. Accordingly, she will be called an adulteress if she lives with another man while her husband is alive. But if her husband dies she is free from that law, and if she marries another man she is not an adulteress" (Rom

7:2-3).

In this passage, Paul asserts a basic principle respecting marriage, namely that a woman is bound by the marriage law to her husband as long as he lives, but when he dies, she is released from her marital bond. Death alone releases a spouse from the marriage bond. Paul then applies this principle figuratively to the release of the believer from slavery to the law of sin through his death with Christ (Rom 7:4-6).

Paul's illustration from the marriage relationship sheds light on his view of marriage as a permanent union severed only by death. A woman's obligation to conjugal fidelity continues throughout the whole life of her husband. Any suggestion of exception to such a basic law would be an ethical paradox.

Paul's emphasis upon the binding nature of the marriage law, however, does not exclude the possibility of a woman being released from this law if, for example, her unbelieving husband willfully deserts her. This possibility, as we shall see below, is mentioned in 1 Corinthians 7:15. Such an exceptional case does not invalidate the principle of the sacred and permanent nature of the marriage union. The reason being that the unbelieving spouse by his or her willful and determined desertion has violated the sacredness of the marriage covenant and thus de facto destroyed the marriage union. This situation, however, is not contemplated in Romans 7:2-3 where Paul uses the marriage law simply to illustrate the principle that death releases a person from the obligation to obey the law. The illustration sheds light on Paul's view of marriage as a lifetime union, but does not necessarily imply that *only* death dissolves the marriage bond.

### **6. The Teaching of Paul in 1 Corinthians 7:10-16**

Paul's treatment of the divorce question in 1 Corinthians 7:10-16 is most significant because it reveals how the teaching of Jesus on divorce was understood and applied to certain concrete marital situations in the apostolic church. He begins the chapter by setting forth some general principles about marriage. To avoid the temptation to sexual immorality, "each man should have his own wife and each woman her own husband" (1 Cor 7:2). Both husband and wife should fulfill their respective conjugal rights (1 Cor 7:3-5). The unmarried and the widows who have the gift of celibacy should remain

single as himself (1 Cor 7:7-8). Next Paul discusses three different divorce situations: (1) the divorce of two believers (vv. 10-11), (2) the divorce of a believer and an unbeliever where the unbeliever does not want to divorce, and (3) the divorce of a believer and an unbeliever where the unbeliever wants to divorce.

**Divorce of Two Believers.** Paul first speaks to married believers who might consider divorce as a means to resolve their marital conflicts: "To the married I give charge, not I but the Lord, that the wife should not separate from her husband (but if she does, let her remain single or else be reconciled to her husband)—and that the husband should not divorce his wife" (1 Cor 7:10-11). Appealing to the teaching of Christ (cf. Mark 10:9, 11, 12; Luke 16:18; Matt 19:3-9), Paul declares in absolute terms that a Christian couple should not seek divorce. Twice he affirms the no-divorce principle: ". . . the wife should not separate from her husband . . . and the husband should not divorce his wife" (1 Cor 7:10-11). The basis of Paul's prohibition is Christ's teaching that husband and wife are one flesh and what God has joined together no man should put asunder.

Paul recognizes, however, that human nature is perverse and that even a Christian husband or wife can make marriage intolerable for the other partner. A spouse who is out of fellowship with God can become intolerant, abusive, unfaithful, domineering, inconsiderate. Undoubtedly, Paul had run into situations of this kind and recognizes that sometimes separation may be inevitable. However, if separation becomes a necessity, Paul leaves Christian partners with two options: (1) to remain permanently unmarried, or (2) to be reconciled to one's partner.

It is important to note that Paul appeals to the teaching of Jesus ("not I but the Lord") in ruling against the possibility of divorce for a Christian couple. On this regard, F. F. Bruce comments: "For a Christian husband or wife, divorce is excluded by the law of Christ: here Paul has no need to express a judgment of his own, for the Lord's ruling on this matter was explicit."<sup>27</sup>

To appreciate the revolutionary nature of such teaching, it is important to remember that divorce and remarriage was allowed in both the Jewish and Roman society. Yet Paul affirms the no-divorce principle for Christians as a word of the Lord which will be accepted without

challenge. This goes to show that within twenty-five years of the crucifixion itself, the Apostolic Church believed and taught that Christ had proclaimed the permanence of the marriage union. This belief played an important role in the Christian mission to revolutionize the values of the existing society.

In Paul's day, there was no provision for a wife to be legally separated from her husband without being divorced. Fortunately today, the law provides for legal separation as an alternative to divorce. Legal separation offers to a Christian the protection of the law while leaving the door open for reconciliation. Such a door must be left open because Christians believe that no marital conflict is impossible for God to solve.

Since there was no legal separation in Paul's day, the apostle recommends a legal separation—type of divorce. This is indicated by his use of the verb *koridzo* ("to separate") rather than the normal verb for divorce *apoluo* used by Jesus. By recommending a legal separation-type of divorce, Paul respects the spirit of Christ's teaching while at the same time providing protection for the believing wife until a reconciliation with her husband can be realized.

**Divorce of a Believer Married to an Unbeliever Who Does Not Want a Divorce.** The second situation that Paul addresses is that of a believing spouse married to an unbeliever: "To the rest I say, not the Lord, that if any brother has a wife who is an unbeliever, and she consent to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him" (1 Cor 7:12-13).

Since the Lord had not given instruction concerning marriage between believers and unbelievers, Paul exercises his own apostolic authority and inspiration ("I say, not the Lord") in enjoining again the principle of *no separation*. The personal nature of Paul's instruction does not weaken its binding authority because he speaks as one who had received mercy of the Lord to be faithful (1 Cor 7:25) and one who had the Spirit of God (1 Cor 7:40). Cognizant of this divine mandate, Paul openly declares without fear of presumption: "This is my rule in all the churches" (1 Cor 7:17).

The instruction of Paul is clear: if the unbeliever does not want a divorce, the believer should not seek for it. The

reason given for preserving the marriage union is the sanctifying influence of the believing partner upon the unbelieving spouse and children: "For the unbelieving husband is consecrated through his wife, and the unbelieving wife is consecrated through her husband. Otherwise, your children would be unclean, but as it is they are holy" (1 Cor 15:14).

The reason given by Paul for maintaining the marriage union is pertinent to the fears entertained by Corinthian converts regarding a possible defilement contracted by being married to an unbeliever. Paul puts such fears to rest by revealing the sanctifying power of the Christian faith. The faith of the believing spouse becomes a channel of saving grace to the unbelieving partner. The presence of a believer in the home sets it apart ("sanctifies") and gives to it a Christian influence that can bring the unbelieving partner and children to Christ. As Paul puts in verse 16: "Wife, how do you know whether you will save your husband? Husband, how do you know whether you will save your wife?"

**Divorce of a Believer Married to an Unbeliever Who Wants a Divorce.** The third situation that Paul addresses is that of an unbelieving partner who wants a divorce. His instruction in this case is: "But if the unbelieving partner desires to separate, let it be so; in such a case the brother or sister is not bound. For God has called us to peace" (1 Cor 7:15). Paul is not commanding the unbelieving partner to separate. The permissive imperative "let it be so" (*kopisesto*) presupposes that the unbelieving spouse has already willfully initiated or accomplished the separation. Consequently, Paul advises to let the separation take its course and become an accomplished fact. The believer need not pursue the deserting spouse and is free from all marital obligations. The Greek verb *ou dedoulotai*, literally "no longer enslaved," implies that cohabitation with such a person is slavery for the believing partner. Since Christ has called us to peace, the believer may withdraw from slavery in such a case.

This introduces us to one of the most debated questions in the interpretation of a New Testament passage. The question centers on the exact meaning of the verb "is not bound" or "is not enslaved" (*ou dedoulotai*). Does it mean that the believing party is free in the sense of being permitted to remarry after the separation, or in the sense of being free to separate but not remarry? In other words, is Paul granting to the believing spouse only the

right to separate from bed and board or the right to separate and marry another? Does desertion give to the innocent partner the right of divorce with the liberty to remarry?

Some maintain that Paul grants to the deserted believer only the freedom to separate but not to remarry. They appeal to the fact that "Paul says nothing in verse 15 about a second marriage for the deserted spouse."<sup>28</sup> They interpret the silence of Paul as indicating that he offers to a deserted believer the same two alternatives given to separated believers, namely, reconciliation or lifelong single life (1 Cor 7:11).

This view ignores the striking difference between the conditional separation of believing spouses mentioned in verses 10 and 11 and the unconditional separation caused by the desertion of an unbelieving spouse envisaged in verse 15. In the former case, Paul strictly enjoins the spouse who has separated to remain unmarried or be reconciled. In the latter case, Paul recognizes the finality of the separation caused by the deserting party by saying, "Let it be so." In other words, "let the case be closed and the separation take place."

"In verse 15," as John Murray points out, "we find a terseness and severity of terms which, viewed from the standpoint of the separation envisioned, are indicative of decisiveness and finality—'let him (or her) depart,' that is, 'let him (or her) be gone.'"<sup>29</sup> Because the separation is final, it is unconditional. That is to say, there is no injunction to remain unmarried or be reconciled. Instead, there is the affirmation that the deserted spouse "is not bound" (1 Cor 7:15).

The phrase "not bound" (*ou dedoulota*) presupposes the dissolution of the marriage bond and consequently the freedom of the deserted spouse to remarry. This conclusion is supported by Paul's affirmation in verse 39 of the same chapter that a husband's death releases the wife from the marriage bond and frees her to marry again: "A wife is bound to her husband as long as he lives. If the husband dies, she is free to be married to whom she wishes, only in the Lord" (1 Cor 7:39).

The dissolution of the marriage bond by a willful and obstinate desertion is somewhat similar to the dissolution of the marriage bond by death. In both instances, the marriage relationship is terminated by the permanent departure of a spouse. Whether such a

departure is caused by death or by the obstinate desertion of an unbelieving partner, the outcome is the same. The surviving spouse is released from the marriage bond and is free to remarry.

Some argue that if Paul taught that the desertion by an unbelieving partner dissolved the marriage bond, then he would be setting up a double standard of ethics: one which excludes the dissolution where two believers are involved and one which includes dissolution where an unbelieving partner deserts the believing spouse. This apparent contradiction can be resolved by recognizing the substantial difference that exists between the two cases. In the first case, the initiative in the separation is taken by a Christian who knows that marriage is a sacred, lifelong covenant that can and must be preserved. In the second case, the initiative in the separation is taken by a non-Christian partner who does not accept the Christian view of marriage as a sacred, lifelong covenant.

To a believer, marriage has a deeper and more radical meaning than to an unbeliever. A believer marries "in the Lord" (1 Cor 7:39), that is, according to the will of God who joins together two partners into a sacred, lifelong covenant, enabling them to become "one flesh." An unbeliever marries "in the pagan society" which views marriage as a civil or social contract that can be terminated through a legal proceeding. Since a believing spouse cannot impose his/her Christian view of marriage upon the unbelieving partner, if the latter is obstinately determined to desert his/her believing spouse, then the marriage union is dissolved.

The difference that Paul makes between the marriage of two believers which cannot be dissolved and the mixed marriage of a believer to an unbeliever which can be dissolved, when the latter deserts the believing partner, offers perhaps the strongest biblical evidence for the sacred, permanent nature of the Christian marriage. This does not mean that a mixed marriage is automatically less sacred than a Christian marriage. Paul explains that a believing partner exercises a sanctifying influence upon the marriage relationship (1 Cor 7:14). What it means is that marriage has a special character for two believing partners. Their common faith and commitment to God unites them in a real, objective, and lifelong marriage bond. Such a permanent commitment is possible because their faith in Christ offers them the means for fulfilling God's original design of marriage: the

two shall be one flesh.

**Conclusion.** Paul's teachings on the question of divorce in 1 Corinthians 7:12-16 not only closely reflects Jesus' teachings concerning the permanence of marriage, but also reveals its full depths. It does this by showing how the Christian faith causes the marriage covenant to become a sacred and lifelong relationship. There is for Paul an intimate connection between the permanence of the marriage bond and the Christian faith.

A Christian couple who marries "in the Lord" accepts the responsibility to honor by divine grace their covenant commitment both to God and to one another. It is the sacred and permanent nature of the Christian covenant commitment to God that makes a Christian marriage sacred and permanent. On account of this fact, a Christian couple experiencing marital problems may separate with the hope of reconciliation but may not divorce and remarry. This condition does not apply to a mixed marriage where the unbelieving partner deserts his believing spouse, because by the very act of desertion the unbeliever rejects the Christian view of marriage as a sacred and permanent union.

Summing up, like Jesus the apostle Paul affirms the principle that Christian marriage is a union binding and permanent for life. If a separation should occur, Paul presents only two alternatives to believing partners: be reconciled to one another or remain single.

### **7. The Teaching of Paul on Divorce and Church Leadership**

Paul's view of Christian marriage as a lifelong union which admits no divorce and remarriage, is indirectly supported by the marriage qualifications he sets forth for church leaders: "Now a bishop must be above reproach, the husband of one wife" (1 Tim 3:2; cf. Titus 1:6). "Let deacons be the husband of one wife, and let them manage their children and their households well" (1 Tim 3:12).

The basic qualifications given by Paul for the church office of elder (or overseer) and deacon were designed to enable Timothy in Ephesus and Titus on Crete to appoint church leaders qualified to serve in such offices. The first qualification for the office of elder is that the man must be "above reproach." His blameless lifestyle is to serve as a role model to the congregation and is to



offer no reason for criticism in the community. The first important aspect of his role modeling is his marital status, which Paul defines as "husband of one wife" (1 Tim 3:2; Titus 1:6). This qualification occurs both in 1 Timothy and Titus immediately after the demand for blamelessness thus indicating the prominence Paul gives to the marital status of a church leader.

The Greek words translated "husband of one wife" can be rendered literally as "one-wife-man." This short phrase has been the subject of considerable discussion. Did Paul mean that a church leader should be married only to one woman at a time or only once during his lifetime? Did Paul intend to exclude from church leadership *polygamists*, that is, men married to several wives or *digamists*, that is, men married twice or more legally?

**Exclusion of Polygamists.** Some, as John Calvin, have understood the phrase "husband of one wife" to exclude polygamists from church leadership.<sup>30</sup> This interpretation is discredited by two main considerations. First, there was no need for this qualification since no Christian, whether church leader or not, was allowed to practice polygamy. Second, in New Testament times polygamy was generally outlawed in the empire and thus it hardly needed insistence by Paul.<sup>31</sup>

**Exclusion of Digamists.** The most plausible meaning of the phrase "husband of one wife" appears to be "married only once." This is in fact the rendering of the New Revised Standard Version. According to this view, divorce and remarriage would disqualify a man from the office of elder and deacon. Paul would be stressing the importance of appointing to church leadership only men whose marital status was beyond suspect by having been married only once. Several considerations favor this interpretation.

The priests in the Old Testament were enjoined to uphold a higher marriage standard by marrying only a virgin, and not "a widow, or one divorced, or a woman who has been defiled, or a harlot" (Lev 21:14; cf. 21:7). This Old Testament precedent supports the New Testament higher marriage standards for elders and deacons. Elsewhere I have shown that even the requirement for church leaders to be "abstinent" (1 Tim 3:2) finds its precedent in the Old Testament strict prohibition against the use of alcoholic beverages by the priests (Lev 10:9).<sup>32</sup>

The construction of the phrase without article "*mias gunaikos andra*—one-wife-man" emphasizes the moral character of the individual as being totally committed to one woman. Such a total commitment is best exemplified by faithfulness to one's spouse "till death doeth us part." In an age when the marriage bond was lightly regarded and commonly dishonored, Paul emphasizes that a church leader must be an example of marital fidelity. Such a fidelity would exclude the possibility of divorce and remarriage.

This may be inferred also from the requirement that a woman enrolled in the official order of widows was to have been "the wife of one husband" (1 Tim 5:9). In Greek, the phrase corresponds to "the husband of one wife." Since the widows enrolled in the ministry of the church were to have been married only once, it seems safe to assume that the same qualification applied to the office of elder. The linguistic similarity between the two phrases ("husband of one wife" and "wife of one husband") strongly suggest that in both instances the person was to have been married only once.

**Historical Support.** This view was commonly held in early Christianity. Tertullian, for example, writing at the beginning of the third century says: "Among us the prescript is more fully and more carefully laid down, that they who are chosen into the sacerdotal order must be men of one marriage; which rule is so rigidly observed that I remember some removed from their office for digamy."<sup>33</sup>

Tertullian then argues that the same rule should apply to the laity because in a sense all Christians are priests. While his extension to the laity of the "one marriage" principle may have been influenced by his Montanistic views, his reference to the rigid application of such a principle to the clergy, provides historical support for the "married only once" interpretation of the phrase "husband of one wife" (1 Tim 3:2; Titus 1:6).

Another example can be found in the fourth century collection of ecclesiastical laws, known as *The Apostolic Canons*. The seventeenth canon establishes that "He who has been twice married after his baptism, or has a concubine, cannot be made a bishop, or presbyter, or deacon."<sup>34</sup> The same rule appears in the related work, known as *The Constitutions of the Holy Apostles*, which states: "We have already said, that a bishop, a

presbyter, and a deacon, when they are constituted, must be but once married, whether their wives be alive or whether they be dead."<sup>35</sup> Historical testimonies such as these strongly support the "married only once" interpretation of the Pauline requirement "husband of one wife."

**Objections.** Some object to this interpretation because it reflects a low view of marriage. The prohibition of a second marriage after the death of one's spouse would seem to make marriage almost a necessary evil that can be allowed only once. Such a view of marriage is contradicted by the Scripture which presents marriage as a divinely established, honorable institution. However, this objection ignores that the restriction against a second marriage applies not to Christians in general but to elders and deacons in particular. Their leadership responsibilities place some restrictions on their personal liberty in the area of marriage. While a lay member is permitted to remarry after the death of his or her spouse (1 Cor 7:39; 1 Tim 5:14), a church leader is advised not to remarry.

The reason for the "married only once" requirement could be that a second marriage after the death of one's spouse, would entail additional family responsibilities, especially if children are born to the second marriage. These additional obligations could certainly limit a church leader's opportunities for ministering to the needs of the congregation. A man who prefers to establish a second family through a second marriage at the expenses of greater opportunities for serving Christ may lack the total commitment to Christ required of a church leader.

Another objection to the "married only once" interpretation is that it allegedly makes the *past marital history* more important than *one's present character*. "It is possible," writes Stanley A. Ellisen, "to have a good marital history of a single marriage and have a 'cat-calling' character of wandering affections at the same time. On the other hand, it is also possible to have a sorrowful marital history of a broken marriage while having a personal character that is above reproach."<sup>36</sup>

No one will dispute the truth that the present moral character of a man is more important than his past sorrowful marital history. The problem with this reasoning is that it creates an alternative that is not applicable to a church leader. We have seen that the

qualifications for church leadership require both a good *past* marital history *and* a *present* blameless moral character. The reason for this high standard is that a church leader serves as a living model to insiders and outsiders of Christian principles and practices.

In summary, both the Old and New Testaments uphold the principle of high marriage standards for church leaders (Lev 21:7, 14-15; 1 Tim 3:2, 12; Titus 1:6). In the New Testament church the elders and deacons must stand before the congregation as role models of blameless lifestyle, especially by being the "husband of one wife," that is to say, married only once and totally devoted to one's wife. This excludes the possibility for church leaders to divorce, remarry or to lust after other women. The standard is admittedly high, but God could hardly allow a lesser standard from those who have been called to give spiritual leadership to His church. To allow a man who has been divorced and remarried to serve as the spiritual leader of a congregation means to tempt its members to follow his bad example by divorcing their spouses and remarrying, if the occasion arises.

The foregoing discussion of the marriage qualifications for church leaders has served to corroborate the principle that Christian marriage is a permanent, lifelong union, which admits no divorce and remarriage. This principle is to be upheld especially by church leaders because their lifestyle and teaching serve as role model for many to follow.

## CONCLUSION

In this chapter we have found that both the Old and New Testaments clearly and consistently condemn divorce as a violation of God's original plan for marriage as a lifelong union that enables a man and a woman to become "one flesh." Respect for this fundamental principle demands that a Christian couple experiencing marital conflicts should not seek to resolve them through divorce. If a marriage relationship becomes intolerable, a Christian couple can consider a legal separation. The purpose of the separation should be to provide an opportunity for the couple to work toward a possible reconciliation. It is only when reconciliation is no longer possible that divorce and remarriage are permissible.

## NOTES TO CHAPTER VI

1. Jay E. Adams, *Marriage, Divorce and Remarriage* (Phillipsburgh, New Jersey, 1980), p. xiii.
2. See Fred H. Wight, *Manners and Customs of the Bible Lands* (Chicago: Moody Press, 1953), p. 125.
3. J. Carl Laney, *The Divorce Myth* (Minneapolis, 1981), p. 29.
4. *Encyclopedia Judaica*, 1971 ed., s.v. "Divorce."
5. Joseph Addison Alexander, *The Gospel According to Matthew Explained* (London, 1884), p. 145.
6. William A. Heth and Gordon J. Wenham, *Jesus and Divorce* (London, 1984), pp. 106-110.
7. Talmudic Tract *Gittin* 9:10.

8. There is an apparent discrepancy in the form of the Pharisees' question and of the Lord's reply between Matthew 19:7,8 on the one hand, and Mark 10:3-5 on the other. In Matthew 19:7 the Pharisees ask: "Why then did Moses *command* one to give a certificate of divorce, and to put her away?" In His reply Jesus says: "For your hardness of heart Moses *allowed* you to divorce your wives." But in Mark 10:3-5 the verbs appear in the reverse order. Jesus asks, "What did Moses *command* you?" and the Pharisees reply, "Moses *allowed* a man to write a certificate of divorce and put her away." To which Jesus replies, "For your hardness of heart he wrote you this *commandment*" (Mark 10:5).

The apparent discrepancy between Matthew and Mark can be resolved by considering several points. First, by saying "What did Moses *command* you?" (Mark 10:3), Christ was possibly referring not merely to Deuteronomy 24:1-14 but primarily to the whole Mosaic revelation, including Genesis 2:24. In such a case Christ would have meant, "What are the teaching of Moses on this matter?"

Second, even if Jesus alluded only to Deuteronomy 24:1-4, it does not necessarily follow that Jesus meant that Moses required men to put away their wives. He could have simply meant, "What was the Mosaic legislation on this matter?" The Mosaic legislation did not require divorce, but it did require certain strict procedures if a divorce was given. In that sense it would be a prescription or a command. (Emphasis supplied).

9. John Murray, *Divorce* (Phillisburgh, New Jersey, 1961), p. 33.
10. Hugh Montefiore, "Jesus on Divorce and Remarriage," in *Marriage, Divorce and the Church: The Report of the Archbishop's Commission on the Christian Doctrine of Marriage* (London, 1971), p. 37.
11. Friedrich Hauck and Siegfried Schulz, "*Porne*, *Pornos*, *Porneia*, *Porneuo*, *Ekporneuo*," *Theological Dictionary of the New Testament*, eds. Gerhard Kittel and Gerhard Friedrich, (Grand Rapids, 1968), vol. 6, p. 580.
12. Edward Schillebeeckx, *Marriage, Human Reality and Saving Mystery* (London, 1965), p. 153.
13. For a defense of this view, see Mark Geldard, "Jesus' Teaching on Divorce: Thoughts on the Meaning of *Porneia* in Matthew 5:32 and 19:9," *The Churchman* 92, 2 (1978): 134-143.
14. See, for example, William A Heth and Gordon J. Wenham, *Jesus and Divorce* (London, 1984), p. 181.
15. For an analysis of this view, see Bernard Leeming and R. A. Dyson, "Except it Be for Fornication," *Scripture* 8 (1956): 75-81.
16. Bruce Vawter, "The Divorce Clauses in Matthew 5:32 and 19:9," *Catholic Biblical Quarterly* 16 (1954): 155-167.
17. See Joseph A Fitzmyer, "The Matthean Divorce Texts and Some New Palestinian Evidence," *Theological Studies* 37 (1976): 213-221.
18. J. Carl Laney (n. 3), p. 72.
19. For bibliographic references see Edward Schillebeeckx (n. 12), p. 147, and Carl Laney (n. 3), pp. 71, 72.
20. F. F. Bruce, *Paul: Apostle of the Heart Set Free* (Grand Rapids, 1977), p. 185.
21. Edward Robinson, ed., *Greek and English Lexicon of the New Testament*, new and revised ed., s.v. *Porneia*, p. 609.

22. J. Carl Laney (n. 3), p. 73.
23. Bernard Leeming and R. A. Dyson, "Except it Be for Fornication," *Scripture* 8 (1956): 82.
24. W. K. Lowther Clarke, "The Exceptive Clause in Matthew," *Theology* 15 (1927): 167.
- 24.
25. Joseph A. Fitzmyer (n.18), pp. 213-221.
26. *Testament of Judah* 13:6; *Testament of Reuben* 1:6.
27. F. F. Bruce (n. 20), p. 267.
28. See, for example, J. Carl Laney (n. 3), p. 87.
29. John Murray (n. 9), p. 74.
30. John Calvin, *Commentaries on the Epistles to Timothy, Titus and Philemon*, trans. William Pringle (Grand Rapids, 1948), p. 77.
31. See Will Durant, *The Story of Civilization: Caesar and Christ* (New York, 1944), p. 396.
32. See Samuele Bacchiocchi, *Wine in the Bible* (Berrien Springs, MI., 1989), pp. 206-210.
33. Tertullian, *On Exhortation to Chastity* 7, *The Ante-Nicene Fathers* (Grand Rapids, 1972), vol. IV, p. 54.
34. *The Ecclesiastical Canons of the Holy Apostles* 17, *The Ante-Nicene Fathers* (Grand Rapids, 1970), vol. VII, p. 501.
35. *The Constitutions of the Holy Apostles* 6, 17, *The Ante-Nicene Fathers* (Grand Rapids, 1970), vol. VII, p. 457.
36. Stanley A. Ellisen, *Divorce and Remarriage in the Church* (Grand Rapids, 1980), p. 83.