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BIBLICAL TEACHING ON DIVORCE AND REMARRIAGE

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This survey of the biblical teaching on divorce and remarriage gives special attention to the meaning of the exception clause in Matthew and preference to the view that it refers to unlawful unions and therefore does not justify divorce for sexual immorality. Since only death, not divorce, breaks the one-flesh relationship, remarriage is permitted only after the death of a mate. Reconciliation is always the goal for those in a troubled marriage.

* * *

DIVORCE and remarriage are biblical doctrines, and like other doctrines must be formulated on the basis of sound exegesis and biblical theology. Sound exegesis furnishes the raw material, the data; biblical theology correlates the results of exegesis in relation to the progress of revelation. The result provides authoritative instruction for this crucial area of life today. Undebatable authoritative truth comes from revelation. Our experience cannot create it; it should conform to it; certainly it must never compromise it.

I. THE TEACHING OF THE OLD TESTAMENT

A. *The Institution of Marriage (Gen 1:26-27; 2:18-25)*

1. The Purpose of Marriage

Marriage was instituted in the context of creation, making it an ordinance that applies to all regardless of the presence or absence of faith. God's purposes in giving marriage to all mankind were (1) to supply the lack a man or woman has alone; (2) to encourage a faithful, monogamous relation for the fabric of society; and (3) to establish the one flesh relationship.

The first relates to the word "helper" in Gen 2:18. It simply means that each alone lacks what the mate can supply so that together they make a complete whole.

The second finds its basis in that God made only one wife for Adam and said that he should "cleave" to that wife (Gen 2:24). Cleaving carries with it the idea

. . . of clinging to someone in affection and loyalty. Man is to cleave to his wife (Gen 2:24). Ruth clave to Naomi (Ruth 1:14). The men of Judah clave to David their king during Sheba's rebellion (11 Sam 20:2). Shechem loved Dinah and clave to her (Gen 34:3) and Solomon clave in love to his wives (1 Kgs 11:2).

Most importantly, the Israelites are to cleave to the Lord in affection and loyalty (Deut 10:20; 11:22; 13:4 [H 5]; 30:20; Josh 22:5; 23:8) if his blessing is to be theirs. . . . In these verses parallel words and phrases that describe this proper attitude to the Lord are: fear, serve, love, obey, swear by his name, walk in his ways, and keep his commandments.¹

The third, to provide the closest relationship, is the meaning of "one flesh." It not only involves physical union but also a unity of spiritual, moral, and intellectual facets of the husband and wife. Furthermore, "this union is of a totally different nature from that of parents and children; hence marriage between parents and children is entirely opposed to the ordinance of God."² Consequently, in the Mosaic legislation sexual relations, whether within or outside the marriage relationship, with close relatives were forbidden (Lev 18:6-18; cf. Deut 22:30; 27:20, 22-23).³ These prohibitions were related not only to literal blood lines but also to "blood" relationships created through marriage (e.g., a brother's or uncle's wife). Marriage not only creates vertical blood relationships in the form of children, but also horizontal "blood" relationships between the couple themselves.⁴ In short, "one flesh" is analogous to kinship.⁵

If these are God's purposes in marriage, then obviously they are thwarted by unfaithfulness, polygamy, and incestuous relationships.

2. The Elements of Marriage

Biblical marriage involves three elements. First, the consent of the partners and of the parents (Gen 21:21; 34:4-6; Judg 14:2-3; Josh

¹Earl S. Kalland, s.v. "dābaq," *Theological Wordbook of the Old Testament* (Chicago: Moody, 1980) 1. 178; cf. Abel Isaksson, *Marriage and Ministry in the New Testament: A Study With Special Reference to Mt. 19:13 [sic] -12 and 1. Cor. 11.3-16* (Lund: Gleerup, 1965) 19.

²Keil and Delitzsch, *The Pentateuch* (Edinburgh: T. & T. Clark, n.d.) 1. 91.

³See also R. K. Harrison, *Leviticus* (Tyndale Old Testament Commentaries; Grove, Ill.: Inter-Varsity, 1980) 186.

⁴Cf. G. J. Wenham, *The Book of Leviticus* (NICOT; Grand Rapids: Eerdmans, 1979) 253-54.

⁵Cf. Isaksson, *Marriage and Ministry*, 20-21; Harrison, *Leviticus*, 186.

15:16; Eph 6:1-3; 1 Cor 7:37-38). Second, the public avowal which could include a marriage contract as well as legal and social customs (Gen 29:25; 34:12). Third, the physical consummation of the union which normally follows. That intercourse alone did not constitute a marriage is evident from the distinction throughout the Old Testament between a person's wife or wives and his concubines (Gen 22:24; Judg 8:30-31; 2 Sam 3:7; 5:13; 1 Kgs 11:3) and the sequence of events involved in Deut 22:28-29 (cf. Exod 22:16-17). The legal/contractual aspect was important and made the period of betrothal binding.

3. The Indissolubility of Marriage

As marriage was originally planned there was no provision for ending it except by death. This concept was behind the Lord's answer to the Pharisees in Matt 19:4-6 where he appeals to Gen 2:24 as the basis of his teaching that marriage is indissoluble.

B. *Divorce and Remarriage in the Mosaic Law*

1. Divorce

The Mosaic Law nowhere provided for divorce, though people who lived during that period practiced it. The importance of this point cannot be overstressed, especially in light of statements by evangelicals who, after discussing Deut 24:1-3, note that "God permitted divorce within stringently defined limits."⁶ In fact the passage only recognizes that divorce was being practiced, but it never prescribes it.⁷

Another passage, Deut 22:13-29, describes two circumstances where divorce is proscribed. One was the case where the husband "turned against" his wife and sought to justify a divorce by accusing her of premarital unchastity. Assuming that the charge was false, the verdict was clear: "And she shall remain his wife; he cannot divorce her all his days" (v 19; *NASB* is cited, unless indicated otherwise). Does this not say something important to the reason for divorce sometimes offered today, namely, that when love dies, the marriage dies and divorce is recommended?

The other circumstance involved intercourse with an unbetrothed virgin. In this instance the man was required to marry the girl and never to divorce her (v 29).

The betrothed couple were legally considered as husband and wife in most respects.

⁶Jay Adams, *Marriage, Divorce and Remarriage in the Bible* (Phillipsburg, N. J.: Presbyterian and Reformed, 1980) 30.

⁷Cf. Isaksson, *Marriage and Ministry*, 21, 25.

At the betrothal, the bridegroom, personally or by deputy, handed to the bride a piece of money or a letter, it being expressly stated in each case that the man thereby espoused the woman. From the moment of betrothal both parties were regarded, and treated by law (as to inheritance, adultery, need of formal divorce), as if they had been actually married, except as regarded their living together.⁸

The story of Hosea and passages like Jer 3:1-8 are used by some to conclude that God Himself is a divorcee (having divorced Israel as Hosea did Gomer) and therefore divorce is sometimes justified.⁹

However, it is far from clear exegetically that Hosea divorced Gomer, so at best this would be a very insecure foundation on which to build a case for legitimate divorce. Dwight Small, who praised Adam's book, has listed ten reasons why it is not possible to conclude that Hosea divorced Gomer.¹⁰ Furthermore, it is even less tenable to conclude from the story of Hosea that God divorced Israel. The question of Isa 50:1 is either a rhetorical one presupposing a negative reply or it should be understood as an allegory like Jer 3:8. If these illustrations are pressed to make God a divorcee, then perhaps he was also a polygamist, since he married both Israel and Judah. Nor should such poetical and metaphorical language be pressed into the service of determining the exact meaning of *πορνεία* in legal passages in Matthew's gospel.¹¹

The point is simply that the story of Hosea and its illustration of God's relation to Israel furnishes no secure basis for concluding that there are sometimes legitimate divorces.

2. Remarriage

Deut 24:1-4 has been used by evangelical Protestants to demonstrate that "the divorce permitted or tolerated under the Mosaic economy had the effect of dissolving the marriage bond," therefore, with reference to our Lord's teaching in Matt 5:32 and 19:9 "we should not expect that remarriage would be regarded as adultery."¹² In reality this is a misuse of the passage.

⁸ Alfred Edersheim, *The Life and Times of Jesus the Messiah* (Grand Rapids: Eerdmans, 1943) I. 354; cf. Roland de Vaux, *Ancient Israel, Vol. 1: Social Institutions* (New York: McGraw-Hill, 1965) 36.

⁹ Adams, *Marriage, Divorce and Remarriage*, 56, 71-75.

¹⁰ "The Prophet Hosea: God's Alternative to Divorce for the Reason of Infidelity," *Journal of Psychology and Theology* 7 (1979) 133-40. See also Francis I. Anderson and David Noel Freedman (*Hosea: A New Translation with Introduction and Commentary* [AB; Garden City, New York: Doubleday, 1980] 124, 220-24) who defend the same conclusion.

¹¹ See Tim Crater, "Bill Gothard's View of the Exception Clause," *Journal of Pastoral Practice* 4:3 [1980] 5-12.

¹² John Murray, *Divorce* (Philadelphia: Orthodox Presbyterian Church, 1953) 41-42; cf. Guy Duty, *Divorce and Remarriage* (Minneapolis: Bethany, 1967) 32-44.

First, notice that

... the legislation relates only to particular cases of remarriage; the protasis contains incidental information about marriage and divorce, but does not legislate on those matters. The verses do not institute divorce, but treat it as a practice already known, . . .¹³

The passage acknowledges the existence of the practice of divorce; it regards the second marriage of the divorced wife as legal; and it forbids the reinstatement of the first marriage even after the death or divorce of the second husband. In particular, it forbids the remarriage of the first husband on the ground that the one flesh bond with that first husband still exists, even though divorce has been effected. Thus the passage teaches exactly the opposite from what Murray claimed. The first marriage is not "dissolved"; otherwise, there would be no basis for prohibiting that remarriage.¹⁴

The indecency which caused the first husband to divorce his wife has been variously explained. It was not premarital unchastity, since the law specifically dealt with such cases (Deut 22:28-29). Likely it was something short of adultery. Isaksson suggests that it meant the voluntary or involuntary exposure of the wife's pudendum, which would arouse his loathing.¹⁵ If the husband chose to divorce his wife, he had to forfeit the dowry and may also have had to pay her a kind of alimony.

Scholars are not agreed on the basis for the prohibition of remarrying the first wife. The suggestion that the entire law was to deter hasty divorces is unlikely. Financial considerations would probably do that. Others suggest that to reconstitute the first marriage would be a type of incest, on the basis of Gen 2:24 and Lev 18:6-18, because the one flesh relationship was never dissolved.¹⁶ One thing is certain: Deut 24:1-4 does not teach a dissolution divorce that breaks the marriage bond as Murray and others have taught and then applied to the teaching of the NT in order to validate remarriage. In fact, the prohibition in v 4 is based on the enduring nature of the one flesh bond of the original marriage. Therefore, a woman cannot return to the first husband even if her second husband dies.

3. Intermarriage (Ezra 9-10; Neh 13:23-31; Mal 2:10-16)

The OT forbade intermarriage with pagan peoples on religious grounds so that Israel's covenant relation with Yahweh might remain

¹³Peter C. Craigie, *The Book of Deuteronomy* (NICOT; Grand Rapids: Eerdmans, 1976) 304-5.

¹⁴See G. J. Wenham, "The Restoration of Marriage Reconsidered [Deut 24:1-4]," *JJS* 30 (1979) 36-40 and *Third Way* 1:21 [November 3, 1977] 7-9.

¹⁵*Marriage and Ministry*, 26.

¹⁶Cf. Wenham, "The Restoration of Marriage."

inviolable. Though only marriages with Canaanite women were explicitly forbidden (Deut 7:1-3), and although some like Joseph, Moses, Mahlon and Chilion did marry foreign wives, the prohibition included other non-Israelitish nations, to prevent idolatry (cf. 1 Kgs 16:31-34).

As a scribe Ezra not only knew of this prohibition but also of the existence of a divorce procedure which he used for these cases of intermarriage. He apparently looked on them as unreal marriages which ought to be nullified, and thought that the consequences of such actions were to be borne by the husbands and fathers who contracted the illicit relationships. As long ago as 1890 George Rawlinson observed: "Strictly speaking, he probably looked upon them as unreal marriages, and so as no better than ordinary illicit connections."¹⁷ More recently Wenham wrote:

In Ezra's eyes this was not a question of breaking up legitimate marriages but of nullifying those which were contrary to the law. It was forbidden for them to marry the people of the land (Deuteronomy 7.3) and the most serious cases of unlawful unions could be punished by death of both parties, just like adulterers (Leviticus 20).¹⁸

But Ezra only demanded divorce, not death (cf. Num 25:6-15).

In order to marry foreign wives, some Israelites had divorced their Jewish wives, a sin Malachi severely denounced. "God hates divorce," he declared, and no exception was made for so-called legitimate divorces.¹⁹ We do well to be reminded of what Malachi said divorce did, namely: (1) it broke fellowship, so that the Lord did not accept the offerings (Mal 2:13); (2) it broke the marriage covenant (v 14); (3) it violated God's original intention for marriage (v 15); (4) it incurred God's hatred (v 16).

In summary, the OT teaches that marriage should be (1) purposeful, (2) pure (free from incest and heathen entanglements), and (3) permanent. Divorce was practiced but not prescribed. It was proscribed in certain instances, as was the remarriage of a previously divorced partner. And God declared his hatred of divorce.

II. THE TEACHING OF THE NEW TESTAMENT

Most agree that the NT permits divorce only in two instances: *πορνεία* (Matt 5:32; 19:9) and desertion by the unbelieving partner in a spiritually mixed marriage, the mixture having occurred after the marriage (1 Cor 7:15). These passages contain difficult problems,

¹⁷ *Ezra and Nehemiah: Their Lives and Times* (New York: Randolf) 42.

¹⁸ *Third Way* 1:21 (1977) 9.

¹⁹ Despite Jay Adams's attempt to play down the absolute nature of this prohibition (*Marriage, Divorce and Remarriage*, 23).

chiefly the meaning of *πορνεία* and the question of whether or not remarriage is permitted in either instance.

A. *The Teaching of Christ*

1. The Summary of His Teaching

When the apostle Paul summarized the Lord's teaching concerning divorce, he did not include any exception to the total prohibition of divorce by Christ (1 Cor 7:11). This seems to say that Christ taught the indissolubility of marriage and that whatever he meant by *πορνεία* was an uncommon meaning. Otherwise, Paul might have been expected to include a commonly understood exception to divorce in his summary.

Furthermore, no exception appears in Mark's (10:11-12) and Luke's (16:18) accounts of our Lord's teaching. Some have attempted to harmonize these accounts with Matthew's inclusion of an exception by saying that Mark and Luke state the general rule while Matthew added the exception (usually understood as sexual immorality).

However, the disciples' reaction to the Lord's teaching when the exception was included (Matt 19:10) was not the kind one would expect if they understood the exception to mean immorality in general, for they were greatly startled by his teaching. They evidently thought he was teaching the indissolubility of marriage so clearly that they suggested it might be wiser not to marry at all. In reply the Lord did not recommend celibacy as the better course of action, but the very fact that the disciples rejected (v 10) this conception of life and marriage shows that they understood his teaching to be different from what they knew in Judaism. And the Lord did not suggest that they had exaggerated or misunderstood his teaching.

Everything points to the exception being something uncommon, certainly nothing as common as adultery or immorality in general.

2. The Background

The Hillel-Shammai debate was certainly in the minds of the Pharisees when they asked the Lord if a Jew could divorce his wife for any cause (Matt 19:3). The school of Hillel interpreted the words *עֲרוּת־דָּבָר* in Deut 24:1 more leniently by disjoining the words and making them read "uncleanness, or anything else." Naturally this interpretation, like the evangelical Protestant view today, enjoyed more popularity than that advanced by the more strict school of Shammai, which allowed divorce only for some immodesty, shamelessness, lewdness, or adultery. By asking the Lord to take sides on this question, the Pharisees hoped to lessen his popularity with the people, whichever side he took.

However, the Lord's response did not deal with the particulars of Deuteronomy 24 at all, but rather with God's original intention for marriage and with an action which would result in one or the other party being involved in committing adultery. The Pharisees were preoccupied with establishing grounds for divorce (and doing the same today is similar to Pharisaism); our Lord was concerned about the indissolubility of marriage.

3. The Interpretations of the Exception Clause

a. The Patristic View. This view states that when one party was guilty of πορνεία, usually understood to mean adultery, the other party was expected to separate but did not have the right to remarry. This was the view of all the Greek and Latin fathers, save one, in the first five centuries of the Church.²⁰ It has recently been defended by Protestant scholar G. J. Wenham.²¹ In this he follows the three Catholic scholars, Henri Crouzel, Jacques Dupont²² and Quentin Quesnell.²³

This view understands marriage to unite both parties until the death of one. The fathers also denied the right to remarry to the Christian deserted by an unbelieving spouse (1 Cor 7:15-16). Ambrosiaster, who wrote between A.D. 366 and 383, was the only exception; he allowed remarriage to the "innocent" husband only and to the deserted believer. Today the Catholic view allows remarriage of the deserted believer.²⁴

Quesnell, who is followed by most recent writers,²⁵ understands the eunuch-saying in v 12 to refer in context to the state of those named in v 9: those who, having put away their wives for πορνεία, would not be able to marry another without committing adultery. They have entered a state of "enforced celibacy" until the partner is reconciled.

²⁰Henri Crouzel, *L'Eglise primitive face au divorce* (Paris: Beauchesne, 1971) and "Remarriage After Divorce in the Primitive Church: A Propos of a Recent Book," *Irish Theological Quarterly* 38 [1971] 21-41.

²¹*Third Way* 1:22 [November 17, 1977] 7-9; 1:25 [December 29, 1977] 17-18; 2:11 [June 1, 1978] 13-15; and "May Divorced Christians Remarry?" *Churchman* 95:2 [1981] 150-61.

²²*Mariage et Divorce dans l'évangile. Matthieu 19, 3-12 et parallèles* (Bruges: Desclée de Brouwer, 1959).

²³"Made Themselves Eunuchs for the Kingdom of Heaven' (Mt 19.12)," *CBQ* 30 [1968] 335-58.

²⁴Though for a Catholic who does not see that privilege in 1 Cor 7:15, see Pierre Dulau, "The Pauline Privilege," *CBQ* 13 [1951] 146-52; also R. L. Roberts, "The Meaning of *Chōrizō* and *Douloō* in 1 Corinthians 7:10-17," *Restoration Quarterly* 8 [1965] 179-84.

²⁵Cf. Wenham, "May Divorced Christians?" 161 n. 16, and G. Bromiley, *God and Marriage* (*Grand Rapids: Eerdmans, 1980*) 40-41.

Very important in this view is that the exception clause qualifies only the verb ἀπολύω and not also the verb γαμέω in the protasis of the general condition in Matt 19:9. Thus, although divorce was permitted for a sexual sin, remarriage was not.²⁶ The fathers clearly understood that when the two events of the protasis occurred, namely, divorce followed by remarriage, then the consequences mentioned in the apodosis resulted, namely, the committing of adultery. This was also Augustine's understanding.²⁷

While this writer does not agree with making πορνεία equal to adultery or any sexual sin, he does agree that the texts do not allow remarriage without committing adultery. This is very important to the current debate, for the construction of the Matthean texts applies the exception, whatever it means, only to divorce, and not to remarriage. Had the exception clause come after "marries another" it would have sanctioned remarriage, but it does not. Therefore, it is an assumption read into the texts to conclude that if there is legitimate ground for divorce then there is automatically permission for legitimate remarriage. Actually, the texts say that such remarriage involves adultery.

b. The Evangelical Protestant View. This view has two variations within it. Some, like Murray, understand πορνεία to be equivalent to μοιχεία.²⁸ Others give it a wider sense to cover a broad range of sexual sins. James B. Hurley understands it to mean illicit sexual relations which would have called for the death sentence in the OT: adultery, homosexuality, and bestiality.²⁹ Richard DeHaan includes premarital sex, incest, adultery, rabbinically unapproved marriage, homosexuality.³⁰ John MacArthur concludes that "fornication is the broad word for any kind of unlawful, shameful sexual activity."³¹ All variations see the exception clause as qualifying both verbs (put away and [re]marry), thus permitting both divorce and remarriage in the case of πορνεία. Of course, divorce is not required, but it is permitted and so is remarriage. By this interpretation of πορνεία almost anyone could justify a divorce, especially if adultery is further defined as the Lord does in Matt 5:28.

²⁶Cf. Bromiley, *God and Marriage*, 45.

²⁷"Adulterous Marriages," trans. by C. T. Huegelmeier, in *Treatises on Marriage and Other Subjects*, The Fathers of the Church, vol. 27 (New York: Fathers of the Church, 1955) 75-76.

²⁸*Divorce*, 21.

²⁹*Man and Woman in Biblical Perspective* (Leicester, England: Inter-Varsity, 1981) 103-4.

³⁰*Marriage, Divorce, and Re-Marriage* (Grand Rapids: Radio Bible Class, 1979) 12; cf. Adams, *Marriage, Divorce and Remarriage*, 54.

³¹Study notes on Tape 2220, p. 28.

To be sure, *πορνεία* does sometimes include adultery. But that does not indicate its meaning in these divorce texts, in a gospel that is concerned with legal niceties in which Matthew clearly distinguishes the two terms. This is evident in 15:19 where *πορνεία* and *μοιχεία* appear side by side. Indeed, Matthew uses *πορνεία* only in chaps. 5, 15, and 19 and *μοιχεία* in 15 where he distinguishes it from *πορνεία*. If he meant adultery in 5 and 19 why did he not use the clear word? The question is not, does *πορνεία* ever mean adultery, but does it *always* mean adultery? Lexical evidence does not require the meaning adultery in the divorce texts unless it can be proved (which it cannot) that the word always means adultery.

No reference in the NT equates *πορνεία* and *μοιχεία* as the proponents of this view require. The oft quoted reference of Sir 23:23 as an example of such an equation in pre-Christian Jewish literature is far from sure. J. Jensen, who has done the most scholarly word study in print on *πορνεία*, translates the passage "she has wantonly committed adultery."³² Isaksson noted already in 1965 that *πορνεία* in Sir 23:23 most likely refers to the "sexual desire" that led the wife to commit adultery.³³ The same is true of *πορνεία* in *Herm. Man.* 4.1.3–8 and Tob 8:7.

Acts 15:20 and 29 furnish clear examples of *πορνεία* used in a restricted sense and certainly not as a broad word for any kind of unlawful sexual activity.

The letter of James to the local churches of Antioch, Syria, and Cilicia forbids, in fact, four things proscribed by the Holiness Code of Lv 17–18, not only for "any man of the house of Israel" but also for "the strangers that sojourn among *them*". . . . These were the meat offered to idols (Lv 17:8–9), the eating of blood (Lv 17:10–12), the eating of strangled, i.e., not properly butchered, animals (Lv 17:15; cf. Ex 22:31), and intercourse with close kin (Lv 18:6–18).³⁴

Here is a clear instance where *πορνεία* does not mean all kinds of unlawful sexual activity, but one kind only.³⁵

The evangelical Protestant view is faced with another problem: the two different meanings simultaneously given to the verb *ἀπολύω*. Though this is not impossible, it is potentially confusing, especially when Matthew is so concerned with legal matters. First, divorce and remarriage is adultery where no instance of *πορνεία* is involved,

³²"Does *Porneia* Mean Fornication? A Critique of Bruce Malina," *NovT* 20 [1978] 172f. He places Matt 5:32 and 19:9 in the category of forbidden marriages.

³³*Marriage and Ministry*, 133.

³⁴J. A. Fitzmyer, "The Matthean Divorce Texts and Some New Palestinian Evidence," *TS* 37 [1976] 209. Also H. J. Richards, "Christ on Divorce," *Scripture* 11 [1959] 29–30.

³⁵Cf. Bromiley, *God and Marriage*, 44–45.

implying that ἀπολύω does not terminate marriage. Second, where πορνεία is involved, Matthew must be using ἀπολύω with the meaning of divorce with the right to remarry because in the evangelical Protestant view the first marriage is terminated.

In summary, there appears to be three major problems with the evangelical Protestant view. First, it cannot substantiate equating πορνεία with μοιχεία.³⁶ Second, if it could, then it would not be able to account for the disciples' reaction in Matt 19:10. Third, the position of the exception clause in the protasis of Matt 19:9 does not lead to the conclusion that it modifies both verbs; therefore, even if divorce is permitted, remarriage is not. These last two matters are further complicated if one presses the dictionary definition of πορνεία into the context of Matt 19:3–12.

c. The Betrothal View. Few evangelicals realize that this view was the subject of a doctoral dissertation at the University of Uppsala in 1965.³⁷ The betrothal view builds on the fact that in Judaism a betrothed or engaged couple were considered "husband" and "wife."³⁸ Jewish betrothal was a legal contract which could only be broken by formal divorce or by death. If the betrothed proved unfaithful during the period of betrothal or was discovered on the first night not to be a virgin, then the contract could be broken. This is why Joseph was going to divorce Mary when he discovered that she was pregnant (Matt 1:19).

According to this view, then, πορνεία means premarital sexual intercourse (possibly John 8:41), and the exception then permits breaking the marriage contract with divorce when unfaithfulness is discovered during the betrothal period. The inclusion of the exception clause in Matthew's gospel only is explained as appropriate to the Jewish makeup of the audience that would have originally read the gospel. Isaksson points out that this is actually not a divorce, but "it was a matter of cancelling an unfulfilled contract of sale, because one of the parties had tricked the other as to the nature of the goods, when the price was fixed."³⁹ This was an exception Jesus had to make if he did not want to side with the swindler instead of the person swindled. Because the marriage would not have been consummated, if unfaithfulness was discovered during the year-long betrothal period, the man would be free to marry someone else.⁴⁰

³⁶See especially Isaksson, *Marriage and Ministry*, 131–35.

³⁷Cf. Abel Isaksson, *Marriage and Ministry*.

³⁸Cf. Alfred Edersheim, *Life and Times*, I, 354 and G. Delling, "πάρθενος," *TDNT*, 5 [1967] 835 n. 59.

³⁹*Marriage and Ministry*, 140.

⁴⁰See James M. Boice, "The Biblical View of Divorce," *Eternity* (December, 1970) 19–21; and J. Dwight Pentecost, *The Words and Works of Jesus Christ* (Grand Rapids: Zondervan, 1981) 354–58.

This view is quite defensible and easily harmonizes with Paul's summary of the Lord's teaching in 1 Cor 7:10-11. No breakup of a marriage is permitted, though dissolving an engagement is, if fornication has occurred. Its weakness lies in the technical meaning given to πορνεία. πορνεία is nowhere else used in the restricted sense of "unchastity during the betrothal period."

d. The Unlawful Marriage View. This view, which is the most defended among scholars over all others, has three variations. The least popular form understands πορνεία to refer to marriages to non-Christians since it would be a form of spiritual idolatry and thus unlawful.⁴¹ Another variation sees πορνεία as a reference to intermarriage between a Jewish Christian and a gentile Christian. This could easily be the meaning in Acts 15:20 and 29 where Jewish Christians, still concerned with obeying the Mosaic law with its prohibition against marrying a gentile (Deut 7:1-3), would be greatly offended if this were happening even between believers of mixed racial backgrounds (cf. *Jub.* 30:7, 11).

More commonly, however, πορνεία is understood by those who hold this view to indicate unlawful incestuous marriages, i.e., marriages within the prohibited degrees of kinship proscribed in Lev 18:6-18. The proponents of this view see the restricted meaning of πορνεία in 1 Cor 5:1 and especially Acts 15:20 and 29 as the key to understanding its meaning in the Matthean exception clause.

This view was published by W. K. Lowther Clarke in 1929,⁴² given preference by me in 1954⁴³ and more recently supported by F. F. Bruce.⁴⁴ Clarke's explanation of the view is this:

The Apostolic Decree of Acts xv. 29 promulgated a compromise. . . . Since the first three articles of the compromise are concerned with practices innocent enough to the Gentiles, the fourth must be of a similar nature. The passage in 1 Corinthians gives us the clue. *Porneia* here means *marriage within the prohibited Levitical degrees*. . . . [This] was a live issue, and *porneia* was the word by which it was known.

Turning to St. Matthew, the problem we have to account for is the obscuring of the plain rule of St. Mark by an exception which seems

⁴¹A. Mahoney, "A New Look at the Divorce Clauses in Mt 5,32 and 19,9," *CBQ* 30 [1968] 29-38.

⁴²*New Testament Problems* (New York: Macmillan) 59-60.

⁴³Published in 1958 in *The Place of Women in the Church* (New York: Macmillan, 1958) 43-48.

⁴⁴*New Testament History* (Garden City, N.Y.: Doubleday, 1969) 287. Also, R. Martin, "St. Matthew's Gospel in Recent Study," *ExpTim* 80 [1969] 136; J. R. Mueller, "The Temple Scroll and the Gospel Divorce Texts," *RevQ* 38 [1980] 247-56; and many more.

inconsistent with the teaching of our Lord even in St. Matthew. If the foregoing argument holds, the reference is to the local Syrian problem. One exception is allowed to the universal rule: when a man who has married within the prohibited degrees puts away his wife the word adultery is out of place. Rather the marriage is null. . . .

. . . There is no divorce, but causes of nullity may be recognized.

In addition to this evidence from the NT itself for this particular meaning of *πορνεία*, Joseph Fitzmyer and James R. Mueller have shown from the Qumran literature that *זנות*, the Hebrew counterpart to *πορνεία*, was used in Palestine in the first century specifically of marriage within those prohibited relationships.⁴⁵ Thus it was a meaning known to the people of the time when our Lord spoke on divorce.

This view seems completely defensible. It does not share the weakness of the betrothal view in that *πορνεία* does have the meaning of incest in passages other than the debated ones both within and outside the NT. It also accounts for the reaction of the disciples and removes any contradiction with the other Gospel accounts and with I Cor 7:10-11.

B. *The Teaching of Paul*

1. Concerning Marriage (Rom 7:1-3)

In this passage Paul develops the concept that death releases the believer from his obligation to the law. He then illustrates this principle with marriage, stating that a woman is bound to her husband as long as he lives (and no exceptions). When and only when he dies is she released from the marriage relationship. If a woman is joined (that is, actual marriage, not illicit intercourse, since the same word is used in both parts of v 3) to another man while her husband is alive, she will be called an adulteress. A second marriage while the first mate is living is adultery.

2. Concerning Divorce (I Cor 7:10-16)

The main point of Paul's counsel is clear: maintain the marriage. If separation occurs (which Paul does not approve of), then only two options remain: remain unmarried or be reconciled to the original partner. In this advice Paul said he was following the teachings of Christ, and he did not mention any exception that would sanction divorce. This reinforces the view that "except for *πορνεία*" means something uncommon and more peculiar to a Jewish audience.

⁴⁵Fitzmyer, "Matthaean Divorce Texts," 213-21; cf. A. Stock, "Matthaean Divorce Texts," *BTB* 8 [1978] 25-28.

In a spiritually mixed marriage Paul's counsel is the same: stay together. His reasons are: (1) for the sake of the family (v 14); (2) for the sake of peace (v 15); and (3) for the sake of personal testimony (v 16).

V 15 is understood in two entirely different ways. Some say that Paul permits remarriage if the unbelieving partner gets the divorce. Others insist he says nothing about the possibility of a second marriage for the deserted believer. The privilege to remarry is the so-called Pauline privilege of the Roman Catholic view, and the evangelical Protestant view agrees with it.⁴⁶

Two things need to be noted. First, the departure of the unsaved spouse is not necessarily a divorce; it may only be a separation which would in no case leave the other party free to remarry.⁴⁷ Second, even if it does refer to a divorce initiated by the unsaved partner, Paul says nothing about a second marriage for the believer. Indeed, both vv 14 and 16 make it clear that remarriage is not the subject of v 15 at all. Paul does not introduce that subject until v 39. What is the bondage which the believer is not under? "All that οὐ δεδουλώται clearly means is that he or she need not feel so bound by Christ's prohibition of divorce as to be afraid to depart when the heathen partner insists on separation."⁴⁸

Like the Lord, Paul disallowed divorce. He did recognize that the unbelieving partner in a spiritually mixed marriage might leave (and subsequently divorce) in which case the believer could not prevent it. But in no case was the believer free to remarry. The legal facet of any marriage may be dissolved, but the one flesh relationship and vows made to God do not become non-existent until the death of one of the partners.

Some attempt to justify the remarriage of divorced persons on a certain interpretation of 1 Cor 7:27-28.⁴⁹ It assumes that the phrase "released from a wife (γυνάικος)" includes divorced from a wife.⁵⁰

⁴⁶See Duty, *Divorce and Remarriage*, 100. Unfortunately Duty, earlier in his work (p. 50) appealed to J. A. Bengel in support of his view that the exception clause qualifies both the divorce and remarriage under the circumstances given. Duty should have noted the brackets around the words that supported his view in the *Gnomen*: they signify that they are the comments not of Bengel, but the annotations of Steudel, the editor of the German edition of the *Gnomen*. If Duty would have looked at Bengel's comments at 1 Cor 7:15 he would have seen that Bengel apparently did not even allow the remarriage of the deserted believer.

⁴⁷D. L. Dungan, *The Sayings of Jesus in the Churches of Paul* (Philadelphia: Fortress, 1971) 96-99.

⁴⁸A. Robertson and A. Plummer, *First Corinthians* (ICC; Edinburgh: T. & T. Clark, 1914) 143.

⁴⁹C. Brown, "chōrizō—Divorce, Separation and Remarriage," *NIDNTT* 3 (1978) 536-37.

⁵⁰Cf. Duty, *Divorce and Remarriage*, 109.

However, in v 25 Paul introduces a new subject, signaling the same by using *περί δε* (cf. 7:1; 8:1; 12:1; 16:1); and the subject introduced is *τῶν παρθένων*, virgins, not divorcees.⁵¹ Furthermore, "released" appears in the perfect tense, referring not to freedom from marriage by divorce, but to a state of freedom, i.e., the single state.⁵²

3. Concerning Remarriage

Since v 15 does not address the question of remarriage, and since v 27 refers to a single person (most likely an engaged couple, *τῶν παρθένων* being the only instance of the genitive plural in the NT, and *παρθένος* in the rest of the chapter refers only to women), the only time in 1 Corinthians 7 Paul deals with the question of remarriage is in v 39. The two restrictions he places on remarriage are (1) the death of the first mate (as also implied in Rom 7:1-3) and (2) the necessity of the new partner being a believer. Later Paul also urged younger widows to remarry (1 Tim 5:14).

C. Summary

In summary, the NT presents a higher standard than the OT. It was our Lord who announced this superior standard by going further in his teaching than the strictest Jews of his day in that he disallowed divorce altogether. Although he did not blame Moses for allowing a bill of divorce, he replaced Jewish law with God's ideal state as announced before the fall of man.

The "exception clause" apparently concerns unlawful unions and is no license to justify divorce for sexual immorality. Even if immorality occurs, forgiveness and reconciliation are the goals, not divorce. Even if a legal divorce should occur, the "one flesh" relationship cannot be severed, and that is why remarriage is disallowed. Even separation, albeit temporary, is not approved, and if it happens, reconciliation is still the goal. Death of a partner alone breaks all that is involved in the "one flesh" relationship.

Paul's teaching is the same. Though recognizing that separations may occur, he does not approve of them, and certainly not of divorce. He included no exception for divorce when he summarized the Lord's teaching, and he only allowed for remarriage after the death of one partner.

The practical problems of applying this teaching must have been present in the first century as they are in ours. The scripture does not

⁵¹For the most satisfactory of the four views of what is taking place in 1 Cor. 7:25-38 see J. K. Elliott, "Paul's Teaching on Marriage in 1 Corinthians: Some Problems Considered," *NTS* 19 [1973] 219-25. Most writers now follow his leading.

⁵²Robertson and Plummer, *1 Corinthians*, 153.

deal with all the cases that can arise, but it does give us the restrictions, the goals, and the reminder of the power of the Holy Spirit. If these were sufficient in those days, they are also sufficient for today.

Doctrine must never be compromised by cases; cases should always conform to doctrine. Let us obey God's word and never adjust it for immediate solutions. This is the only way for anyone to have fellowship and fulfillment according to God's standards. As Bromiley rightly says, people ". . . must be ready to obey God and not remarry after separation even though they might plead, as they often do, that they have a right to happiness or to the fulfillment of natural desires."⁵³

Christian marriage is made an example in the NT of the relation between Christ and his Church. That great mystery is concretized in Christian marriage. Among other things, this surely means showing love, forgiving as often as necessary, and being faithful to the vow of commitment each made to the other until death separates.

⁵³*God and Marriage*, 40-41.

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