

The Meaning of Divorce in Matthew 19:3–9

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It all began in the first century when a group of Jewish legal experts asked the Teacher from Nazareth where he stood on one of the burning issues of their day: divorce (Matt. 19:3). Like modern scholars, the Pharisees saw in Jesus' initial response to their question an outright rejection of Moses' permission for divorce (vv.4–6), and so they shifted their line of attack by quoting Deuteronomy 24:1 (v.7). But Jesus stood by his position. Divorce was an ancient Near-Eastern legal practice conceded by Moses because of Israel's obdurate sinfulness. In other words, divorce was a sin. God did not intend to allow it when He created man: 'from the beginning it was not so' (v.8). Though Jesus' last authoritative remark ('And I say to you', v.9) ended the debate with those Jewish casuists, it started another debate that continues among his followers today.

The Matthean account of this controversy dialogue¹ notes a possible exception permitting divorce (*mē epi porneiāi*; cf. 5:32); but, in its context, does the Matthean form of Jesus' saying hint that we should automatically assume with the marriage laws of the first century that this exception also included remarriage?² The question is an important one because the answer to it will help determine the pastoral care and compassion we extend toward the divorced in our churches. The purpose of this brief inquiry is to examine the semantic content of *apolyō* (divorce) on the lips of Jesus and his opponents, and the nature of the relationship denoted by the term 'one flesh' in an attempt to understand the Matthean teaching on divorce and remarriage.

In a helpful survey of some of the voices involved in the contemporary divorce debate, David Field notes once again the chief argument made against those who believe that Jesus did not permit remarriage after divorce under any circumstances:

... the context of Matthew 19 is the rabbinic dispute about the meaning of Deuteronomy 24. In that debate the divorcee's right to remarry was assumed. As the Mishnah makes plain, an essential part of a bill of divorce was the clause, 'You are free to marry again'. The modern distinction between divorce proper (*a vinculo*) and legal separation (*a mensa et toro*) was not something a Jew would have easily grasped. So if Jesus had used the word 'divorce' in a sense that barred remarriage—without making it crystal clear that he was doing so—he would certainly have been misunderstood.³

To this we could add that the question the Pharisees asked did not concern whether or not remarriage after divorce was allowed, but rather on what grounds was such a complete divorce allowed. Both Hillel and Shammai assumed remarriage, so the natural assumption is that Jesus was speaking on their terms. Furthermore, the word for 'divorce' (*apolyō*) in the synoptic texts 'has now turned up in the clear sense of "divorce" in a Greek document of remarriage from Palestine.'⁴

Yet we must not stop here in our investigation of the meaning of 'divorce' in the Matthean account, for a number of scholars are not persuaded by the above considerations. Geoffrey Bromiley, for example, observes that

... no plain mandate for remarriage occurs in any of the sayings—Matthew 19:9 comes closest—so that even if many circumstances can arise which make separation wise or necessary, divorce in the full sense, with the freedom to remarry during the lifetime of the original partner, does not seem to come unequivocally into the picture.⁵

We must admit, with Bromiley, that what is *clearly* taught in all of the divorce sayings is Jesus' pronouncement that *divorce followed by remarriage* amounts to adultery (Matt. 5:32; 19:9; Mark 10:11-12; Luke 16:18; cf. Rom. 7: 1-3; 1 Cor. 7:10-11, 39). But what about the exception Matthew indicates that Jesus permitted? Is it not logical to assume that if the Matthean texts permit an exception to Jesus' 'no divorce' teaching, then in the case of this genuine exception Matthew intends us to understand that Jesus also permitted the 'innocent' party to remarry? Since Jesus does not appear to be using this standard term for complete divorce any differently from the Jews, how is it possible for someone to claim that Matthew's account permits only separation in the case of the exception, and not also remarriage?⁶

These types of questions deserve careful consideration, for no disciple of Christ would wish to encourage divorcees to remain single if their Lord and Master permitted them to remarry; nor would we want to encourage them to remarry if the Lord calls remarriage adultery. Whatever convictions Christians have about this or any emotionally charged issue, we must remind ourselves that 'Happiness, when it is attained, is a gift from God and it cannot be attained, nor can human life be fulfilled, where there is conflict with God's stated will or a defiant refusal to see that true happiness and fulfilment lie only in a primary commitment to God's kingdom and righteousness.'⁷ So let us move a bit more cautiously and see if the criticisms of a 'no remarriage' understanding of the Matthean exception texts are as weighty as they first appear. In Matthew's account, does Jesus use the Jewish divorce term in the same way the

Pharisees do, or does he invest it with new significance? Does the flow of the argument in Matthew 19:3–9 make it clear that Jesus employs the Jewish divorce terminology with a different meaning? Or should we make the assumption that, in the account as it now stands, Jesus does not make it crystal clear that he was doing so?

First we need to ask a methodological question. Is it accurate to make the assumption that Jesus must have taught the same kind of divorce which was prevalent among the Jews of his day? Or did he break with the Jews of his day and teach a new standard? If the evidence leads the interpreter to the latter, then he should not force the assumption of the former. Almost everyone agrees that the Jesus of Matthew's account restricts the wider Jewish grounds for divorce to one, namely, unchastity (*porneiā*). But does he also introduce the idea of separation without remarriage? This is the question we hope to shed some light on here. Interestingly, if Jesus did not introduce the idea of separation without remarriage, then someone else must have done so. The notion is clear in the Fathers, from Hermas (c. AD 100–140) onwards.⁸ Though we can attribute certain extremes in the Fathers' teaching on marriage and divorce to the sexual asceticism prevalent in the early church, it would be rash simply to dismiss their near unanimous testimony on this subject throughout the first five centuries.⁹ This is especially true when we remember that the socio-cultural environment maintained that every divorce automatically included remarriage.¹⁰ Consider also the argument of tradition critics who accuse Matthew of introducing the exception clause in order to justify the practice of the early church in which Jesus' absolute prohibition of divorce proved too difficult to uphold. How does this fit in with the assertion by others that ascetic practices account for the no-remarriage position of the early Christian writers? At any rate, the testimony of the Fathers can only be secondary support at best for the teaching found in the New Testament.

Perhaps we may elucidate this first point—that it is improper to make the assumption that the Jesus of Matthew's gospel, like the Jews, knew only of a divorce that automatically included remarriage—by reference to another comparable problem of interpretation. Scholars have noted that J. Jeremias, when interpreting the parables of Jesus, adopts as his main presupposition that their original meaning can be recovered only in terms of what they must have meant to Jesus' Jewish hearers. To this G. E. Ladd replies in a manner appropriate to our discussion:

This assumes that the proper *Sitz im Leben* of the parables is Judaism, not the teaching of Jesus. This tends to limit the originality of Jesus. We must make allowance for the possibility that his teachings transcended Jewish ideas. Therefore the proper *Sitz im Leben* of the parables in [*sic*] Jesus' teaching, not Judaism.¹¹

It is obvious that Jesus introduced a new standard of forgiveness that differed from the 'up to the seven times' limit suggested by Peter (Matt. 18:21). Jesus said firmly, 'I do not say to you seven times, but seventy times seven' (v.22). He gave the Jewish concept of 'forgiveness' an entirely new significance. Consider also Jesus' revolutionary attitude toward women. Certainly the assumption that Jesus had to be thinking of the complete divorce allowed by the Jews of his time is an improper one to begin with. But is there anything in the argument of Matthew 19:3-9 that makes it crystal clear how Jesus uses the term 'divorce'?

Before examining the different nuances of 'divorce' in Matthew 19:3-9, there are some basic matters in the study of semantics that we ought to recall in the light of the prevalent opinion that *apolyō* is somehow a technical term that must have the same meaning every place it pops up. James Barr, in his epoch-making book *The Semantics of Biblical Language*, states: 'a term may be technical and still ... require definition in respect of particular occasions.'¹² Words alone are not the basic carriers of meaning. 'The primary units of speaking and understanding are larger, sentence-like groupings of words.'¹³ 'Words or other linguistic signs have no "force", validity, or meaning, independently of the relations of equivalence and contrast which hold between them.'¹⁴ Now it is true that in each word there is usually a hard core of meaning (shared traits), relatively stable, that is only malleable to a certain extent. Yet meaning does not originate with language symbols but with those who use them, and within certain limits the users determine the meaning as precise or general, specific or vague. Those who seek to atomize language and still think that 'sentences convey the exact sum of the semantic values of their verbal components', should keep in mind for our present inquiry that

... the meaning of a word depends not on what it is in itself, but on its relation to other words and to other sentences which form its context. Dictionary-entries about words are rule-of-thumb generalizations based on assumptions about characteristic contexts.¹⁵

In other words, we assume that the reader will agree that it is the context in which a word appears, where it is used on the lips of a particular individual, with a given meaning that he intends to convey, which indicates to us the semantic value of a particular language symbol. We are all aware of the mistake made too often in the exegetical practices of the past, where a single word virtually becomes autonomous and carries a perceived meaning wherever it occurs. In contrast to this, we will see that *apolyō* in Matthew 19:3-9 is used by different individuals with reference to different concepts in the Old Testament, and thus with different nuances.

In returning to the argument that it is unlikely that Jesus used the word 'divorce' with the meaning of separation without the right to

remarry, it is usually pointed out that the Pharisees use 'divorce' in Matthew 19:3,7 with the sense of complete divorce. Then Jesus uses it when he refers to the Mosaic concession which allowed remarriage (v.8), and so he is apparently using the term with the same meaning-content as the Pharisees do. So how can anyone argue that the word 'divorce', in the light of the exception in verse 9, carries the meaning of simple separation?

At first glance these arguments appear attractive and unquestionable. How can *apolyō* mean complete divorce with the right to remarry in one place, and simple separation in another—and that in the same context? This is highly unorthodox from an exegetical standpoint.

But first notice *who* is using the word 'divorce' and *what* is being stated. 'Divorce' is being used for complete divorce, with the right to remarry, on the lips of the Pharisees in Matthew 19:3,7. It also has this meaning on Jesus' lips in verse 8. It is clear, however, that in verse 8 Jesus is referring to the Mosaic concession, which did not legislate against marrying a second time after a man had divorced his wife.¹⁶ Though an extensive discussion of the five different interpretations offered for the legislation found in Deuteronomy 24:(1-4) cannot be entered into here,¹⁷ it is sufficient to say that this widely misunderstood passage does not teach that a legal bill of divorce (nor subsequent relations with another) 'dissolves' the original marriage. As J. D. M. Derrett has observed: 'Where the Jewish law went wrong was in the failure to perceive that the one flesh persisted after divorce ...'¹⁸ Why, then, in Matthew 19, would Jesus have used 'divorced' in verse 9 in the sense of the Mosaic 'dissolution' divorce, as so many interpreters contend, when Jesus himself brushes aside Deuteronomy's concession (24:1-3) in favour of Genesis 2:24 (a text under which every Old Testament lexical tool lists 'one flesh' as a kinship or 'blood' relationship.)? The enduring nature of the 'one flesh' kinship bond, created through marriage,¹⁹ is the very basis for the legislation found in Deuteronomy 24:4. Hence the assumption which many too hastily make from Jesus' use of 'divorce' in verse 8—that Jesus goes on to consider the same 'dissolution' divorce in verse 9 when the exception comes into play—is without foundation.

On the contrary, it is those who believe that Matthew's Jesus allows remarriage after divorce for *porneia* who are faced with a greater problem of changing meanings. 'Divorce' is given two different senses, and this in one verse! Notice:

1) Putting away for unchastity plus remarriage does not equal adultery.

2) Putting away for other reasons plus remarriage equals adultery. In the first case, since remarriage does not constitute adultery, putting away obviously dissolves the marriage completely, as traditional Jewish divorce was believed to do. This means that in statement 1),

‘divorce’ means complete divorce with the right to remarry. In the second case, ‘divorce’ cannot have this significance, for the marriage bond must still exist since remarriage involves adultery. This means that in statement 2), ‘divorce’ means only simple separation. Now if it is allegedly unorthodox to use a single word in two different senses employed by two different individuals (Pharisees versus Jesus) who refer to two different contexts for their concept of ‘divorce’ (Deut. 24:1 versus Gen. 1:27, 2:24), then it is certainly suspect to give two senses to a single word used by Jesus alone in a single context (v.9)! No such confusion arises in the view that ‘divorce’, as used by Matthew’s Jesus, means ‘separate’ without the right of remarriage in both cases. And Jesus derives this understanding from the meaning of the Genesis 2:24 ‘one flesh’ relationship that marital union brings about. To this we will return in a moment.

It may be further conjectured that if Matthew’s readers were still in doubt about the nature of the ‘divorce’ which their Lord taught, the unqualified conditional statement, ‘and whoever marries a divorced woman commits adultery’²⁰ (Matt. 5:32b; 19:9, longer reading;²¹ Luke 16:18b), should have made clear to the readers that legal divorce does not dissolve a previously existing marriage. Jesus does not simply condemn divorce as wrong; he says the legal procedure does not work. Remarriage, despite the legal form of divorce, is adultery. As Jacques Dupont perceptively writes:

Note the way Jesus puts it. He does not say in a general abstract sort of way: ‘divorce does not dissolve the marriage’. He describes a concrete situation, that of a divorced woman, and declares to him who wants to marry her that this marriage is adultery. The affirmation is so much more striking in going right to the consequences. This woman whom divorce has liberated is not free. Contradictory? Not at all, but a way of making us feel more vividly a quite new teaching, which deprives divorce of its essence. Jesus keeps the term, but changes the content. This freed woman is not really free: the dissolved marriage still exists. In speaking as he does, Jesus makes his hearers realise that divorce has no effect on the marriage bond; although separated, the spouses remain united by the marriage. That is why a new marriage would be adultery.²²

The syntax of the protasis of Matthew 19:9 (‘Whoever *divorces* his wife, except for unchastity, *and marries* another’) not only allows for the concept of simple separation, but the word order makes this understanding more probable than the one that also permits remarriage in the exception for unchastity.²³ Most exegetes fail to observe that the particle ‘not’ (*mē*) in ‘not on the grounds of unchastity’ *mē epi porneiāi* is not merely the simple negative particle nullifying ‘on the grounds of’ (*eπi*, often compared with the construction in Matthew 26:5 and used to defend the preteritive or ‘no

comment' view of divorce and remarriage); 'not' in Matthew 19:9 is governed by the introductory conditional formula 'whoever' (*hos an = ean*) and is thus no different from 'if not, unless, except' (*ean mē*).²⁴ Dupont makes it clear that there is only one way of understanding the syntax of Matthew 19:9: it is a double conditional clause in which an elliptical phrase ('except for unchastity') is placed immediately after the *first* condition, 'to put away'.²⁵ In other words, the exception clause does not contain a verb, and one must be supplied from the *preceding* context. The only verb which has already been stated for the reader to understand is the one immediately preceding the exception clause, 'put away'—the verb Matthew's readers just passed over. It would indeed seem grammatically harsh to force another verb, 'marries another', into this elliptical phrase that is by the nature of its position in the protasis linked only to 'put away'.²⁶ If we supply the elided elements in Matthew's text, 19:9 reads: 'Whoever puts away his wife, unless she is put away on the grounds of her unchastity, and marries another woman, commits adultery.'²⁷

To sum up, Matthew 19:9 contains two conditional relative clauses, one that is qualified and one that is unqualified or absolute:

- 1) A man may not put away his wife *unless* she is guilty of unchastity.
- 2) Whoever marries after putting away his wife commits adultery.

Or, to word it another way: *Putting away for reasons other than immorality is forbidden; and remarriage after divorce is adulterous.*²⁸

If the longer reading of 19:9 is authentic, then, like 5:32b, Jesus adds another unqualified conditional statement indicating that even the single man (i.e., previously unmarried) who marries one who has been divorced, for whatever reason, commits adultery. But what Matthew 19:9a may mean in the context of Jewish marriage laws, as yet remains to be specified. Before I make myself clear on this, there is one further argument to be made in favour of the view that, in the case of the genuine exception, Matthew's text does permit divorce *and* remarriage.

There remains the possibility that sexual sin is indeed a *de facto* exception to Jesus' teaching on the indissolubility of marriage. Jesus based his teaching on his exegesis of Genesis 1:27 and 2:24, and in particular on the understanding that 'one flesh' denotes kin or blood relations (cf. Gen 29:12–14; 37:27; Judg. 9:2; 2 Sam 19:13).²⁹ Though 'one flesh' in Genesis 2:24 is not to be equated with sexual intercourse, the kinship relationship it denotes seems to be predicated on the consummation of the marriage through sexual union.³⁰ Is it not possible that, when the genuine exception of sexual sin comes into play, Jesus does use 'divorce' with the meaning of 'divorce with the right of the innocent party to remarry'—the Genesis 2:24 foundation being annulled by a violation of that upon which it is predicated?³¹ This is actually the key argument within evangelical

circles today, where the prevailing view is that the New Testament permits divorce and remarriage in cases of serious sexual sin and desertion by a non-Christian spouse.

The answer to this last question depends on the apparently well-established understanding that 'one flesh' in Genesis 2:24 denotes kin or 'blood' relations. But Genesis 2:24 does not give any indication of whether or not defilement of the 'one flesh' thereby dissolves it. This must be determined from other aspects of Old Testament legislation in which the holy and moral standards of the covenant-keeping God are reflected. We know of at least two other pieces of Old Testament legislation that are based upon the Genesis 2:24 teaching that man and woman become 'one flesh' through marital relations. Neither appears to lend any support to the view that extra-marital relations dissolve or obliterate the original 'one flesh' union, and the kinship relationships that come into being through it.

First, the biblical legislation concerning forbidden unions (Lev. 18:6-18, etc.) are not only predicated on literal blood lines but also on 'blood' relationships created through marriage (cf. Lev. 18:7-8).³² The opening refrain in this passage directs: 'None of you shall approach any one near of kin to him to uncover nakedness. I am the Lord' (v.6). 'Uncover nakedness' in this passage is a euphemism for sexual intercourse, and 'near of kin' or 'blood relative' is literally 'flesh of his flesh' (cf. Gen. 2:23). These regulations interpret relationships of affinity (connection by marriage) in terms of the principle that man and wife are 'one flesh', that is, kin or blood relations.³³ The moment a man married a woman she became an integral part of his family in the same way in which children born into that family do. Similarly he became related to her close female relatives, and should his wife die, or should he divorce her, he could not marry them.³⁴ The relationships that came into being through relations with one's spouse were not dissolved by his divorcing her, or by her death.

Though Leviticus 18 makes it clear that legal divorce does not dissolve 'one flesh', it does not make it perfectly clear that extra-marital relations so defile the original union that it is annulled. The passage in Deuteronomy 24:4 appears to give us some help here.

The most satisfactory explanation for the legislation found in Deuteronomy 24:4 is that the restoration of the first marriage after the intervening one with its concomitant 'defiling' relations, is regarded as a type of incest.

Through her first marriage the woman entered into the closest form of relationship with her husband ... divorce did not terminate this relationship; she still counted as a very close relative. If a divorced couple want to come together again, it would be as bad as a man

marrying his sister. That is why it is described as 'an abomination before the Lord' that 'causes the land to sin'.³⁵

The result is paradoxical. A man may not remarry his wife because his first marriage to her made her into one of his closest relatives. Deuteronomy has taken the theological logic of Leviticus to its limit. It illustrates again the notion that underlies the incest laws and the laws on premarital intercourse. Sexual intercourse not only creates vertical blood relationships through the procreation of children, but horizontal ones as well: the partners to a marriage become one flesh. These horizontal relationships are just as enduring as the vertical ones. Deuteronomy 24 does not teach that legal divorce and subsequent marriage, which 'defiles' the wife, dissolves 'one flesh'. On the contrary, the passage seems to imply that to seek a divorce is to try to break a relationship with one's wife that in reality cannot be broken. Just as we cannot 'divorce' our children from being our own blood relations, no matter how disreputable or immoral they may be, so a man cannot 'divorce' his wife, who is his own flesh and blood through the covenant and consummation of marriage. Thus Deuteronomy 24:1-4 understands the 'one-flesh' bond of marriage to survive legal or customary divorce as well as sexual relations with a third party. Indeed, this 'one flesh' is the very basis for the legislation found in Deuteronomy 24:4.

Why then does the Old Testament not ban divorce altogether (cf. Deut. 22:19,29)? Though we are not told, Gordon Wenham offers a possible answer:

It is true that in ancient times divorce was expensive and infrequent; perhaps it was thought that it would make for greater social peace to allow divorce in a few cases rather than to ban it altogether. The penalties for adultery and divorce constantly reminded men and women that life-long marriage was the norm. It may also be noted that under Old Testament law polygamy was permitted, so a man could have sexual relations with more than one woman perfectly legally. By forbidding remarriage after divorce, Jesus simultaneously forbade polygamy. The Old Testament is therefore not inconsistent in both allowing divorce and holding that a bond still subsists between the original partners. If a polygamous man could have relations with more than one wife, so could a remarried divorcee.³⁶

In the light of the discussion above, we would suggest that further discussion in the divorce debate should pursue the implications of the biblical kinship view of marriage. Certain aspects of the Mosaic legislation appear to be founded upon the 'one flesh' creation ordinance, which transcends the Mosaic system and most probably applies today. A key question to be answered is: Does a man and woman's covenant and consummation in marriage result in a kind of

metaphysical kinship bond that cannot be dissolved, save by death? The incest legislation of Leviticus 18, and Deuteronomy 24:4, both seem to presuppose this. That Jesus based his teaching of the permanence of marriage on the 'one flesh' of the creation ordinance would then be in keeping with the probability that the Matthean account understands 'divorce' in the sense of a simple separation only. It did not permit remarriage even in the case of sexual sin.

It would also seem odd for us to say, as some evangelical writers do, that Jesus *permitted* but did not *demand* separation and remarriage for the *de facto* exception of sexual sin. Sexual sin is either a *de facto* exception to the permanence of marriage, or it is not. If sexual sin only permits divorce *and* remarriage, but does not demand divorce and remarriage, on what basis does one say that the original 'one flesh' relationship has been obliterated? And if it has not been dissolved or obliterated entirely, but only defiled in some way, then how can it be said that Jesus permitted remarriage to another when the God-joined one flesh remains between the original couple? These are the difficulties that must be overcome if one insists that Jesus permitted divorce *and* remarriage in the case of sexual sin.

As for the meaning of the Matthean exceptions, framed in the light of Jewish marriage laws that compelled a man to put away an unfaithful wife,³⁷ at this point I find myself in full agreement with Evald Lövestam's understanding of them: one that neither sanctions divorce for immorality nor permits remarriage should this kind of separation occur.

According to Jewish marital laws the wife could cause the break-up of a marriage by being unfaithful and the man had no say in the matter. If the wife was unfaithful, it was thus she and not the man who was responsible for the divorce. When the teachings in question are intended for people with this background, they relieve the man in this case of the responsibility for the divorce and its consequences. The wife bears it. That is what the exceptive clause means.³⁸

In the light of these considerations, like Abel Isaksson, though with a somewhat different Jewish interpretation, I can find no outstanding reasons why the Matthean exceptions could not reflect the very words of Jesus in his debate with the Pharisees. It is most likely that Jesus, by means of the legally precise exception phrase, is not adopting his culture's mores respecting the need to put away one's unfaithful wife; nor is he giving 'grounds' for divorce in this situation as though they were available to the believer today. In all probability, he is saying that he does not hold his disciples guilty for violating his absolute prohibition of divorce (Matt. 19:4-8) should they be forced willy-nilly by the mores of the community around them to put away such a partner.³⁹ Like Paul, who did not confront head-on the problem of slavery in his day but encouraged believers to

find their freedom in the Lord, Jesus exempts his disciples from the responsibility for the divorce which an unfaithful Jewish wife brings about.⁴⁰ The exception clause does not consider the 'ground' on which a Jewish husband may claim his right to divorce and remarry. Jesus, instead, seems to be reflecting on a situation his disciples would face in a legal and sociological environment that perceived a sexual sin like adultery as first and foremost a sin against God (cf. Exod. 20:14; Prov. 2:16-17).⁴¹ The sin demanded punishment by the community as a whole, and the husband of an unfaithful wife would not be allowed to pardon her.⁴² Jesus says that if a separation is compelled in such cases, he does not hold his disciples guilty for breaking his precept of 'no divorce'. Yet he also states that they must not remarry in the event of this or any separation lest they too commit adultery. A breaking of the conjugal life is one thing, but the attempt to put asunder totally what God has joined together (i.e. by remarrying after divorce) is another. Jesus calls it adultery, and it must be avoided at all costs.

Matthew's inclusion of verses 10-12—the disciples' objection to Jesus' teaching on the permanence of marriage (v.10), Jesus' statement that his disciples have been given the divine resources (cf. Matt. 13:11,23) to realize this discipleship requirement (v.11), and the final saying about eunuchs—is almost certainly an extension and confirmation of Jesus' teaching on indissoluble marriage. And if those eunuchs who 'have made themselves eunuchs for the sake of the kingdom' do not specifically refer to those separated from their wives for *porneia* in verse 9—those who, having put away their wives would not be able to marry without committing adultery⁴³—at least some kind of a connection is being drawn between the two groups. Using a common argument form that moves from the greater to the lesser, Jesus seems to be explaining how and why his teaching in verses 4-9 is not impossible: not only is continence in singleness possible after an unfortunate divorce, but consider those who may never marry because they were born eunuchs or made eunuchs by men; there are even some who have renounced the possibility of marriage altogether for the kingdom.⁴⁴ 'With God all things are possible!' (Matt. 19:26). Whereas Jewish custom declared 'Behold, thou art permitted to any man' after divorce (*m. Git.* 9.3), Matthew 19:10-12 radically counters such a notion by teaching that Jesus' true disciples do not remarry after divorce for any reason, lest they should commit adultery.

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To summarize, this study has attempted to clarify the radically different Old Testament concepts that lie behind Jesus' and his opponents' use of the term *apolyō* in Matthew 19:3-9. The Matthean

account makes it clear that the Pharisees' concept of divorce has its roots in the Mosaic concession in Deuteronomy 24. This remarriage regulation (v.4) states that a divorced woman who has contracted a second marriage may never subsequently seek reconciliation with her first husband. The protasis (vv.1-3) merely contains incidental information about the ancient Near-Eastern practice of remarriage after divorce. (The bill of divorce did not develop within biblical law but was imported.) Where the Jewish casuists found legislation in Deuteronomy 24:1-3 respecting the right to remarry after any divorce, Jesus saw no such thing. Jesus' concept of 'divorce' has its roots in the creation ordinance of marriage: husband and wife become 'one flesh' or 'one kindred' through the covenant and consummation of marriage. This 'one flesh' cannot be obliterated by legal divorce or post-marital relations with a third party. The Matthean exception clauses should probably not be understood as later additions by Matthew, making Jesus' teaching on divorce and remarriage harmonious with the stricter school of Jewish theologians. Nor is the interpretation especially compelling that relates the clauses to the problem of the Gentiles married to close-of-kin in Matthew's church. Caught by Jesus' absolute prohibition of divorce, Matthew solves their dilemma by inserting the clauses which indicated that 'marital' unions within the prohibited degrees (Lev. 18:6-18) were in fact non-marriages and did not come under Jesus' absolute prohibition of divorce where a valid marriage is concerned. On the contrary, the exception clauses seem to be precisely framed in the light of two things: 1) Jesus' absolute prohibition of divorce (Matt. 19:4-6), and 2) a Jewish legal and social environment, hinted at elsewhere in Matthew's gospel (1:18-19), which demanded that a man's unfaithful wife be divorced. The exception clauses thus neither sanction divorce for *porneia*, nor do they permit remarriage should this kind of separation occur. They merely exempt the follower of Jesus from the responsibility of breaking his command not to divorce, should the mores of one's social world dictate otherwise.

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NOTES

- 1 This article is primarily exegetical in nature and will not discuss form-critical matters. Fairly recent discussions of the five main NT divorce texts, and their relation to one another, can be found in the following studies: J. A. Fitzmyer, 'The Matthean Divorce Texts and Some New Palestinian Evidence', *Theological Studies*, 37, 1976, pp.197-226; B. Vawter, 'Divorce and the New Testament', *Catholic Biblical Quarterly (CBQ)*, 39, 1977, pp.528-42; K. Condon, 'Apropos of the Divorce Sayings', *Irish Biblical Studies*, 2, Jan. 1980, pp.40-51. A classic argument for the primacy of the Markan account of this controversy is provided by D. R. Catchpole, 'The Synoptic Divorce Material as a Traditio-Historical

Problem', *Bulletin of the John Rylands Library*, 57, 1974, pp.92–127. However, a more cautious treatment and review of the pros and cons for the priority of either the Markan or the Matthean record is surveyed by D. L. Dungan, *The Sayings of Jesus in the Churches of Paul: The Use of the Synoptic Tradition in the Regulation of Early Church Life* (Fortress Press, Philadelphia 1971), pp.102–31. Dungan adopts 'the position of Lohmeyer-Schmauch that Matthew and Mark are literarily independent of each other at this point ...' (p.122). See also A. Isaksson, 'Marriage and Ministry in the New Temple: A Study with Special Reference to Matthew 19:13–12 [sic] and 1 Corinthians 11:3–16', *ASNU*, 24 (Gleerup, Lund 1965), who surveys the whole debate of form and content (pp.66–74), the Synoptic problem (pp.93–115), the external and internal evidence raised against the authenticity of the Matthean exception clause (pp.75–87), as well as the reasons suggested for why the clause was inserted (pp.87–92), yet concludes that there are no decisive arguments that can be put forward against the authenticity of the clauses: they may well go back to Jesus himself. Fitzmyer's ('Matthean Divorce Texts', p.208) two main reasons why few critical commentators would go along with conclusions like Isaksson's are weak in my opinion. His first one—the problem of explaining 'the more absolute' forms of the prohibition found elsewhere in the NT—does not pertain to the betrothal interpretation as defended by Isaksson (pp.116–42), nor to the interpretation we will mention at the end of this study. Fitzmyer's second reason—that Matthew has a tendency to add things to the sayings of Jesus—is first of all rather subjective; and secondly, even if correct, it does not demonstrate that the exception clause in Matt. 5:32, 19:9 falls into this category. All would agree that 'we must insist upon the right to inquire not only after possible interpolations on the part of Matthew, but also after possible omissions on the part of Mark' (Dungan, *op. cit.*, pp.110–11). Finally, an appeal to the majority opinion is hardly compelling. The majority opinion often changes with time.

- 2 One of the arguments Erasmus used to bolster his view that Matthew's exception permitted both divorce and remarriage, thus breaking with the traditional view of the Church, was that Christ's audience knew only of a divorce with the right to remarry, cf. V. N. Olsen, *The New Testament Logia on Divorce: A Study of their Interpretation from Erasmus to Milton*, BGBE, 10 (J. C. B. Mohr, Tübingen 1971) pp.23, 33. Erasmus' view was adopted by the Protestant reformers, and to this day it remains the dominant view in respectable evangelical circles, though *porneia* is now understood in a broad sense (cf. J. R. W. Stott, 'The Biblical Teaching on Divorce', *Churchman*, 85, 1971, pp.165–74; C. Brown, 'chōrizō: Divorce, Separation and Remarriage', *New International Dictionary of New Testament Theology*, (NIDNTT), 3, 1978, pp.535–43. It appears that the vast majority of critical Protestant commentators never doubted that the Matthean exception texts could mean anything but the right to remarry in the case of the exception, cf. W. C. Allen, *A Critical and Exegetical Commentary on the Gospel according to St Matthew*, 3rd ed. (T. & T. Clark, Edinburgh 1912), pp.52, 202–3; G. Bornkamm, G. Barth and H. J. Held, *Tradition and Interpretation in Matthew* (Westminster Press, Philadelphia 1963), pp.25–6, 94–5, 158; W. D. Davies, *The Setting of the Sermon on the Mount* (CUP, Cambridge 1964), pp.104–6, 387–9. Various Catholic writers are also adopting this 'more natural meaning' of the exception clauses; cf. L. Sabourin, 'The Divorce Clauses (Matthew 5:32; 19:9)', *Biblical Theology Bulletin* (BTB), 2, 1972, pp.80–6.
- 3 D. Field, 'Talking Points: The Divorce Debate—Where Are We Now?' *Themelios*, NS 8:3, 1983, p.29. cf. J. Murray, *Divorce* (Presbyterian & Reformed, Phillipsburg, NJ 1961), pp. 35–43; D. Atkinson, 'A Response to G. Wenham's review of his book, *To Have and To Hold*, *Churchman*, 95, 1981, p.163.
- 4 Fitzmyer, 'Matthean Divorce Texts', pp.212–13.
- 5 G. Bromiley, *God and Marriage* (Eerdmans, Grand Rapids 1980), p.45.
- 6 A. H. McNeile, *The Gospel According to St Matthew* (Macmillan, London 1915), p.274 confidently states: '... in both [Matthew and Mark], and in all the variant

- readings, the verb [*apolyein*] must bear the same meaning; it cannot be confined to a separation *a mensa et toro* as distinct from divorce.' cf. B. Vawter, 'The Divorce Clauses in Matthew 5:32 and 19:9', *CBQ*, 16, 1954, p.158.
- 7 Bromiley, op. cit., pp.40–1.
 - 8 cf. K. Lake, 'The Earliest Christian Teaching on Divorce', *Expositor*, 10, 1910, pp.416–27; J. P. Arendzen, 'Ante-Nicene Interpretations of the Sayings on Divorce', *Journal of Theological Studies (JTS)*, 20, 1919, pp.230–41; A. J. Bevilacqua, 'History of the Indissolubility of Marriage', *Proceedings of the Catholic Theological Society of America*, 22, 1967, pp.253–308; W. Rordorf, 'Marriage in the New Testament and in the Early Church', *Journal of Ecclesiastical History (JEH)*, 20, 1969, pp.193–210; E. Schillebeeckx, *Marriage: Human Reality and Saving Mystery* (Sheed & Ward, New York 1965) p.145.
 - 9 cf. H. Crouzel, *L'Eglise primitive face au divorce du premier au cinquième siècle* (Beauchesne, Paris 1971). An English summary may be found in *Irish Theological Quarterly (ITQ)*, 38, 1971, pp.21–41.
 - 10 This is the most likely reason for Paul's qualifying statement should a divorce take place: 'let her remain single or else be reconciled to her husband' (1 Cor. 7:11a). Both *chōrizō* (1 Cor. 7:10,11,15) and *aphiēmi* (1 Cor. 7:11,12,13) appear in legal papyri in the sense of full divorce and would have been understood that way by Paul's readers. Paul's qualification makes it clear that the Christian, now under a new Master (not just the governmental authority), does not have the right to remarry after divorce in view of the Lord's teaching. Paul uses these two terms interchangeably to mean 'divorce'. The clue that Paul is not using one term to refer to the wife's act of separating and the other to refer to the husband's act of divorcing is Paul's use of *chōrizō* of both the husband or wife who divorces in v.15.
 - 11 G. E. Ladd, *A Theology of the New Testament* (Eerdmans, Grand Rapids 1974), p.93.
 - 12 J. Barr, *The Semantics of Biblical Language* (OUP, Oxford 1961), p.124.
 - 13 E. D. Hirsch, Jr., *Validity in Interpretation* (Yale University Press, New Haven, Conn. 1967), p.85, n.10.
 - 14 A. C. Thiselton, 'Semantics and New Testament Interpretation', in *New Testament Interpretation: Essays on Principles and Methods*, ed., I. H. Marshall (Eerdmans, Grand Rapids 1977), p.82.
 - 15 *ibid.*, pp.78–9, cf. G. B. Caird, *The Language and Imagery of the Bible* (Westminster Press, Philadelphia 1980), ch.2: 'The Meaning of Meaning'.
 - 16 Any suggested interpretation of the legislation found in Deut. 24:1–4 that fails to address the reason for the prohibition of the reunion of the original couple found in v.4 misses the intent of the legislation found in that verse. Vv.1–3 only provide the relevant facts of this case and do not 'legislate' the procedures there, cf. M. Zerwick, *Biblical Greek*, adopted and trans. from the 4th Latin ed. by J. Smith, Rome, 1963, §458. Many writers still fall into the mistaken notion that the details of Deut. 24:1–3 somehow constitute legislation when in fact the only piece of legislation found here occurs in v.4, cf. H. Montefiore, 'Jesus on Divorce and Remarriage', in *Marriage, Divorce and the Church: The Report of a Commission appointed by the Archbishop of Canterbury to prepare a statement on the Christian Doctrine of Marriage* (SPCK, London 1971), pp.79–95. If one thinks that the ancient Near Eastern divorce practice conceded in Deut. 24:1–3 is actually Mosaic legislation, he will not arrive at a proper interpretation of Matt. 5:31–32 in the context of ch.5.
 - 17 cf. Isaksson, op. cit., pp.21–5; R. Yaron, 'The Restoration of Marriage', *Journal of Jewish Studies (JJS)*, 17, 1966, pp.1–11; G. J. Wenham, 'The Restoration of Marriage Reconsidered', *JJS*, 30, 1979, pp.36–40.
 - 18 J. D. M. Derrett, *Law in the New Testament* (Darton, Longman & Todd, London 1970), p.377. D. Atkinson, *To Have and To Hold: The Marriage Covenant and the Discipline of Divorce* (Collins, London 1979), p.105 rejects this notion for shallow reasons.

- 19 R. Le Déaut, 'Targumic Literature and New Testament Interpretation', *BTB*, 4, 1974, p.251, suggests that if a certain Palestinian targumic interpretation of Gen. 1:27 forms the background of Matt. 19, 'then the force of the argumentation appears even more clearly: the institution of the *couple* ..., the union of *one* man and of *one* woman corresponds to the intentions of the Creator and, in addition, for each marriage it is God himself who intervenes for the formation of this new couple'.
- 20 The NIV and NEB translation of Matt. 5:32b 'And anyone who marries a woman so divorced commits adultery' (italics mine), implies that the qualification 'unjustly divorced'—i.e., not for unchastity—is to be understood from v.32a. This is plainly an interpretation and one that seems unjustified in view of the unqualified nature of the statement. cf. AV.
- 21 It is not certain that the longer reading simply arose through harmonization with Matt. 5:32, though most exegetes doubt its authenticity in 19:9. It is supported by p²⁵, B, C, W, f¹, f¹³, the Majority Text, lat, sy^{ph}, bo. See B. Metzger, *A Textual Commentary on the Greek New Testament* (United Bible Societies 1971), p.48, for the argument that homocoteleuton does not account for the longer reading's accidental omission. Most of the early fathers exhibit a reading like 5:32 in the context of 19:9, cf. J. MacRory, 'Christian Writers of the First Three Centuries and St Matt. xix. 9', *ITQ*, 6, 1911, pp.172–85; H. Crouzel, 'Quelques remarques concernant le texte patristique de Matthieu 19:9', *Bulletin de Littérature ecclésiastique*, 82, 1981, pp.83–92.
- 22 J. Dupont, *Mariage et divorce dans l'Évangile: Matthieu 19:3–12 et parallèles* (Desclée de Brouwer, Bruges 1959), p.57. cf. Dungan, op. cit., p.114.
- 23 For a discussion of the three possible positions the exception clause could have occupied in the protasis of Matt. 19:9, see my 'Another Look at the Erasmus View of Divorce and Remarriage', *Journal of the Evangelical Theological Society (JETS)*, 25, 1982, pp.270–2. Prepositional phrases are adverbial and normally qualify the verb which they follow. This is true of Greek word order in general and Matthean style in particular. In an examination of over 250 prep. phrases in chs. 1–7 of Matthew's gospel, it is clear that he usually has a qualifying prep. phrase follow its intended object (ratio 4:1 over those that precede). Those which precede the unit they add further precision to are usually emphatic phrases moved forward (the emphatic position in 19:9 is before 'divorces' and after 'Whoever'), quotes from the LXX or phrases beginning new sections or movements in Matthew's gospel.
- 24 BDF §380,1; 376; BAGD, s.v. 'mē, AIJ; Zerwick, *Biblical Greek*, §442.
- 25 Dupont, op. cit., pp.102–3.
- 26 R. H. Gundry, *Matthew: A Commentary on His Literary and Theological Art* (Eerdmans, Grand Rapids 1982), pp.90–1, writes at Matt. 5:32 that Matthew's 'dropping "and marries another woman" (so Mark and Luke) favours that in 19:9 (where remarriage of the husband does appear) the exceptive phrase applies only to divorce. In the word order of 19:9 the exceptive phrase immediately follows the mention of divorce but precedes the mention of remarriage by the husband. Had Matthew been concerned to establish the right of the husband to remarry under the exception, he would hardly have omitted remarriage here in 5:32 and then put the exception only after the matter of divorce in 19:9.'
- 27 *hos an apolysēi tēn gynaika autou, ean mē apolysēi autēn epi porneiāi, kai gamēsēi allēn, moichātai.*
- 28 Matt. 19:9 is most likely a combination of the common synoptic teaching ('Whoever divorces and remarries commits adultery') and Matthew's special emphasis in 5:32a. There divorce, except for chastity (in which case the unfaithful wife makes herself an adulteress; cf. Gundry, op. cit., p.91), like lust, is tantamount to adultery. Both are understood in context as violations of the seventh commandment (5:27–32). cf. G. J. Wenham, 'Matthew on Divorce: An Old Crux Revisited', *Journal for the Study of the New Testament (JSNT)*, (forthcoming).
- 29 cf. Isaksson, op. cit., pp.19–21.

- 30 The comments on the meaning of 'one flesh' in sections 33-4 of the report *Marriage, Divorce, and the Church* (pp.17-18) imply that the phrase 'they become one flesh' (*wehayu lebasar ehad*) indicates a relationship that develops over time. While it is true that every marriage relationship takes time to develop, there is also that aspect of a relationship which involves its coming into being at a point in time. The latter appears to be the meaning of Gen. 2:24. The prep. *le* with *hayah* here indicates 'Into ..., of a transition into a new state or condition' (Brown, Driver, Briggs [BDB], *Hebrew and English Lexicon of the OT*, s.v. *le*, 4). R. J. Williams, *Hebrew Syntax: An Outline*, 2nd ed. (University Press, Toronto 1976), §278, calls this a *lamed* of product (cf. GKC §117ii; 119t). For example, Gen. 2:7 reads: 'and the man became a living soul/living person ...' This clearly shows that time is *not* involved. BDB (*hayah*, 112e) lists numerous examples of this, the vast majority of which, if not all, refer to a change of state without a reference to development toward that state. This is further confirmed by the *basar ehad* referring to a new family unit, cf. BDB *basar*, 4, 'flesh for kindred, blood-relations'; N. P. Bratsiotis, *basar*, *Theological Dictionary of the Old Testament*, 2, 1977, pp.327-28, which is clearly not a process but a change of state: It happens at the ratification of the marriage covenant *debeq* and its consummation. I owe this observation to my mentor Dale M. Wheeler.
- 31 We will not discuss the problem of allowing the innocent party to remarry but not the guilty one. If post-marital sexual sin 'dissolves' the relationship then it seems there is little basis for saying that only the innocent party can remarry.
- 32 cf. G. J. Wenham, *The Book of Leviticus* (Eerdmans, Grand Rapids 1979), p.255; R. K. Harrison, *Leviticus: An Introduction and Commentary* (IVP, Downers Grove, Ill. 1980), p.186.
- 33 cf. Wenham, op. cit., p.253; E. Neufeld, *Ancient Hebrew Marriage Laws* (Longman's Green, London 1944), pp.191-3.
- 34 Neufeld, op. cit., pp.193-4 writes: 'The prohibitions, with one exception, are unqualified as to their duration, and hence one can only assume that they are permanent and are not terminated by the death of a person who forms a link in a chain of relationships by marriage.' The incest laws are not concerned with prohibiting sexual liaisons with another party when that person is formally married, for this is covered by the prohibition of adultery (Lev. 18:20; Exod. 20:14). Marriage to a spouse's close relatives after her death or after she has been divorced is what is governed here.
- 35 Wenham, 'Restoration of Marriage Reconsidered', p.40. This understanding has since been quoted with approval by A. Phillips, 'Another Look at Adultery', *Journal for the Study of the Old Testament* (JSOT), 20, 1981, p.14.
- 36 W. A. Heth and G. J. Wenham, *Jesus and Divorce* (Hodder & Stoughton, forthcoming).
- 37 It seems almost certain that the *logou porneias* ('thing/matter of unchastity') in Matt. 5:32 is a cryptic reference to the school of Shammai's reading of the '*erwah dabhar* in Deut. 24:1. The school of Shammai transposed these words into *dabhar 'erwah* (*m. Git.* 9.10), which corresponds almost exactly to the wording of Matt. 5:32, cf. I. Abrahams, *Studies in Pharisaism and the Gospels*, 2 vols. in 1; (CUP, Cambridge 1917-24; reprint ed., Ktav, New York 1967), p.71; Vawter, 'Divorce and the New Testament', p.534, n.12. *Porneia* in Matt. 19:9 is most likely an abbreviated form intended to be understood like the earlier statement. I mention this not to reinstate a view I think is highly improbable—that Matthew's Jesus takes the view of the school of Shammai on divorce and remarriage—but to point out 1) the obvious context of Jewish marriage customs; and 2) the fact that all Jews would have agreed that a wife who transgressed Shammai's causes for divorce should be put away, but there could probably be no community consensus strong enough to compel divorce for all of Hillel's causes.
- 38 E. Lövestam, 'Divorce and Remarriage in the New Testament', in *The Jewish Law Annual*, 4, ed., B. S. Jackson (E. J. Brill, Leiden 1981), p.61. Lövestam earlier set

forth this interpretation in his dissertation on marriage in the NT, *Äktenskapet i Nya Testamentet* (Lund 1950). Isaksson, op. cit., pp.89–90, reviews and criticizes Lövestam's reasoning; but it is Isaksson who seems to create the major problems he finds in Lövestam's research. Dungan, op. cit., p.114, like Lövestam, notes that 'All Jesus allows is the obvious (from the point of view of Jewish law) right that a husband not be required to live with an unfaithful wife, but may send her away.' To this I would add that Jesus, in contrast to Jewish marriage law, would require forgiveness and reconciliation if possible.

- 39 cf. F. Hauck and S. Schulz, 'pornē, etc.', *Theological Dictionary of the New Testament* (TDNT), 6, 1968, p.592; D. Hill, *The Gospel of Matthew*, New Century Bible Commentary, (Marshall Morgan & Scott, London 1972), p.125; B. Vawter, 'Divorce and the New Testament', p.531, n.4.
- 40 The same principle—exemption from the responsibility for the divorce—is found in 1 Cor. 7:15. Paul is not, as so many argue, introducing another cause for divorce and remarriage here. The entire context of 1 Cor. 7:10–16 revolves around and does not depart from Paul's and the Lord's command not to divorce. Thus in context Paul's response to an unbeliever's wilful departure, 'in such a case the brother or sister is not bound,' only means that the Christian does not need to feel obliged to prevent the break-up of a mixed marriage (cf. Lövestam, 'Divorce and Remarriage', p.65; A. Robertson and A. Plummer, *A Critical and Exegetical Commentary on the First Epistle of St Paul to the Corinthians* 2nd ed. (T. & T. Clark, Edinburgh 1911), p.143. The Erasmian interpretation of Matt. 5:32; 19:9 and the Pauline 'privilege' view of 1 Cor. 7:15 ought to be removed from those 'proof texts' that supposedly indicate the early church's free handling of the sayings of Jesus.
- 41 cf. H. Reisser, 'moicheuō', *NIDNTT*, 2, 1976, pp.582–3; D. R. Hillers, *Covenant: The History of a Biblical Idea* (John Hopkins University Press, Baltimore 1969), pp.92–4.
- 42 cf. Abrahams, op. cit., pp.70–6; A. Tosato, 'Joseph, Being a Just Man (Matt. 1:19)', *CBQ*, 41, 1979, pp.547–51; Phillips, 'Another Look At Adultery', pp.3–25.
- 43 cf. Dupont, op. cit., pp.161–220; Q. Quesnell, "'Made Themselves Eunuchs for the Kingdom of Heaven" (Matthew 19:12)', *CBQ*, 30, 1968, pp.335–58. The Dupont–Quesnell reading is approved of by R. Scroggs, 'Marriage in the NT', *Interpreter's Dictionary of the Bible* (Supplement), 1976, pp.576–7; Vawter, 'Divorce and the New Testament' p.536; R. F. Collins, 'The Bible and Sexuality II', *BTB*, 8, 1978, p.506; F. J. Moloney, 'Matthew 19:3–12 and Celibacy: A Redactional and Form Critical Study', *JSNT*, 2, 1979, pp.46–8; and others.
- 44 T. Matura, 'Le célibat dans le Nouveau Testament d'après l'exégèse récente', *Nouvelle revue théologique*, 97, 1975, p.491, n.43; p.493, n.48, lists a number of writers who attach v.11 to v.9: H. Baltensweiler, J. M. Lagrange, T. V. Fleming, H. Roux and P. Bonnard. cf. J. Kodell, 'The Celibacy Logion in Matthew 19:12', *BTB*, 8, 1978, p.21.