part 1

In later years I’ve become convinced that divorce and remarriage is now the primary problem both in the Western churches and the whole Western civilization. The consequences of rampant divorce and remarriage are not only dissolution and destruction of the family, which are especially harmful to the children, but this has also opened the door to denial of Scripture in other important areas. When you first start explaining away the Bible’s very clear instruction on divorce and remarriage, it gets much easier to explain or interpret away other matters. One might say that the reformers’ acceptance of the Catholic humanist Erasmus’ view of remarriage was a time bomb hidden through the centuries, to explode in our time. A true understanding of this issue requires not only an impartial examination of relevant Scripture, with a side view to how the early church understood it, but also a challenge to the view which most of the reformers, including Luther, accepted.

Life without father
This is worst on the children. Today the majority of Norwegian children are born out of wedlock. In northern Norway I heard of a girl coming home from her first day at school, saying that “in my class there’s only me and one other girl who has a daddy.” What are the consequences of such a situation for our children’s lives - in childhood, and also later, as adults? We have for may years been fed massive propaganda about how a happy divorce doesn’t hurt anyone, that the children quickly get over it, and so on. Only in later years have some begun to protest against this glossy image. If life in this world continues for another 20-30 years, our descendants might well look back in horror and disgust at a time that allowed so much human destruction in the name of freedom and self-realization.

Protecting marriage
From a social-psychological point of view, there is no doubt that a ban on remarriage was and still is the only effective defense against the wholesale destruction of marriages. All marriages run into problems, and with remarriage as a seductive possibility, it is hard to take the difficulties seriously, and try to solve them - or endure them. It is far easier to let the problems grow until they seem insurmountable, determine that “we weren’t compatible” and file for divorce, hoping for a new and better start. The grass is always greener on the other side of the fence. However: If the only alternative to continued marriage is lifelong sexual abstinence and a life without being part of a couple or a nuclear family, the motivation for saving the marriage is far stronger. With a ban on remarriage some would get a divorce anyway, but many more would continue in their marriages - albeit some in an unhappy one - and many would be able to work through their problems. This in itself should be enough for secular governments to ban or limit the possibility of remarriage. In addition we as Christians and Christian churches...
have another and even more important reason: Jesus’ own and very clear prohibition on remarriage.

Plain prohibition

The ban on remarriage was plain to the early church. It was, and still is, clear to the Catholic church.

In the last two years I have therefore had to work through this scriptural material again. In Norway we have seen few examples of anyone abiding by the early church view, but it can be mentioned that professor Ole Hallesby, who originally followed Erasmus and Luther, in his ethics textbook of 1951 had come back to early church teaching: that separation in some cases may be necessary, but remarriage under no circumstances is allowed.

Legal fiction

Why did most of the reformers accept Erasmus’ interpretation? And why did Luther and the Lutherans break with the basic principle of their Book of Concord; that they only returned to the initial teaching of the church, and that everything must be supported by the early church fathers? To the reformers’ honor it must be said that they took the issue very seriously. There was absolutely no question of remarriage for others than those who innocently had been the victims of adultery. They took adultery so seriously that they thought the authorities should introduce the death penalty for it, as in Old Testament law. With this, a legal fiction was constructed as “grounds” for Erasmus’ exegesis: Even if the authorities did not execute the guilty as they ought, the church could still regard them as dead and thereby allow their spouse to remarry. (And what about the guilty? Luther says more or less: “Let them marry, so they don’t have to be in hell both here and in the hereafter.”) Luther also suggests that another reason might be the Catholic church’s attitude: The ban on remarriage was suspect because the pope approved of it.

The main issue

What then about the one who is divorced or remarried? That is as clear as it is painful: Live without marriage (and without sex) or be reconciled with one’s spouse. This answer may seem especially painful in our time, when most people are programmed to think that a successful life as a couple, including sex, is the greatest good we can achieve in life. There is good reason to remind ourselves that Jesus consistently requires that we place him before all the other good things of life. He is himself the treasure of heaven. Fellowship with him is that pearl of great price.

Painful answer

What then about the one who is divorced and remarried? That is more painful.

Differing traditions

Even though the Lutherans accepted Erasmus’ new interpretation, the Anglicans didn’t. My own Church of Pakistan has followed the Anglican tradition, and in our statutes it says that anyone who remarries as long as the first spouse is alive, shall be under church discipline. This rule has held until recently, when Western influence gained access also in our church.

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What then must one do, if separated or divorced? The Bible’s answer is as clear as it is painful: Live without marriage (and without sex) or be reconciled with one’s spouse. This answer may seem especially painful in our time, when most people are programmed to think that a successful life as a couple, including sex, is the greatest good we can achieve in life. There is good reason to remind ourselves that Jesus consistently requires that we place him before all the other good things of life. He is himself the treasure of heaven. Fellowship with him is that pearl of great price.

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and regard the situation as polygamy, having more than one wife (or more than one husband.) But it is hardly unproblematic to call remarriage polygamy when Jesus himself unambiguously calls it adultery.

**For the children’s sake**
Another objection is consideration for the children. Which is a legitimate concern, and may be even more important than we understand today. Even now we begin to see how damaging a broken home is for children, and this may become much more obvious in the future. In a home where one or both parents are divorced and thereafter have children together, the solution may be to continue living together - sharing board but not bed, living together as brother and sister, until the children are grown.

**Forgiveness?**
In our time we are often confronted with the question: “Didn’t Jesus come to atone for our sins, isn’t there forgiveness?” In other words, can’t we be forgiven for committing remarriage? The problem is that the sin is not the remarriage. Remarriage is not a one-time sin that breaks the first marriage. The sin is adultery. Jesus says clearly that he who remarries commits constant adultery against his first wife. In the Greek grammar this is very clear, as we shall see in part 2.

**Repentance**
Forgiveness presupposes repentance. The gospel is the message of forgiveness for sins, but it starts with the call to repentance. The same call to do penance, turn away from sin, is heard from John the Baptist, Jesus, Peter and Paul. He who knowingly and willingly continues to live in a sinful relationship, is not forgiven. There is a difference between falling in sin and living in sin. Adultery has more serious consequences that “lesser” sins such as tax evasion or other kinds of theft, but in both cases the condition is to turn away from the sin. If you steal, then stop. If you live in a relationship that Jesus calls adultery, then stop. The difference is that to turn away from stealing is relatively simple, while turning away from a marriage relationship necessarily is much harder.

**A holy people**
The gospel of forgiveness for sin is also the gospel of liberation from sin. (John 8.34-36. This is also the main thrust of John 13.34-17.26.) The aim of the gospel - indeed, the primary aim of Jesus' coming and all his work - is to create a holy people who obey his commandments and live to the glory of God (Eph. 1.4, 1. Peter 1.15-16 and 2.9.) But for the one who won't repent, who won't turn away from sin, Jesus makes the situation very clear in the conclusion of the Sermon on the Mount (Matt. 7.21-23): “Away from me, you evildoers!” (or rather, as a better translation: “you who keep breaking the law!”)

**Is it written?**
This requires documentation. Is Jesus’ prohibition so clear? Is it absolute? What about the exception for “adultery”? We will look at these issues in parts 2 and 3.
What Jesus said about divorce and remarriage

by
Bishop Arne Rudvin
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part 2

When we look at what Jesus says about divorce and remarriage, we cannot limit ourselves to viewing him as savior. In such a hard and difficult question it may be tempting to “throw ourselves at his mercy” and disregard “the law,” but we must remember that our Savior also is our Maker, our Lord and our Judge. All Scripture is his word. JAHWEH of the Old Testament is not only the Father, but the triune Father, Son and Spirit, and in Malachi 2.16 he says: “I hate divorce.” But Jesus’ plainest and hardest words on divorce and remarriage we hear from his own mouth, as reported in the gospels. Just as it is Jesus himself who speaks plainest and hardest on eternal damnation. We may have a hard time understanding that it is our loving, gracious savior who speaks so hard words, but both life and salvation depends on holding fast to what he actually said, not what we wish he had said.

As Lutherans we have a tendency to divide between the law and the gospel, between God’s requirements and God’s glad tidings, in a way which doesn’t account for all of what Jesus said. Let me just mention that in the gospel of John Jesus five or six times says: “He who loves me, will obey my commands. He who does not love me, will not obey my commands.” (John 14.15-24, 15.10+14). The main theme of St. John’s gospel - all the way from the prologue: “...and the Word was God,” etc. - is the divine nature of Jesus, with Thomas’ confession as its climax: “My Lord and my God!” And the main conclusion we find in John 21.15-19: “Peter, do you truly love me more than you love these?” It is Jesus himself we shall love “with all your heart and with all your soul and with all your mind.” How? By obeying his commandments. How do we keep his commands? Doing what he commands is the Holy Spirit’s work in us - it is a holiness we receive, in the same way as faith is a gift from God. A holiness which is the fruit of the Holy Spirit, not our own achievement. But even though we cannot keep his commandments in our own strength, neither can we turn away from them and say that we neither can, shall or will keep them. If we do that, we do not love him.

What is good?
There is also a seeming contradiction between God being good, and Jesus’ uncompromising words on divorce and remarriage. But regardless of how hard his words may seem from our point of view, applied to a difficult situation, we must remember that not only are his thoughts higher than ours, but he has created us. He knows his creation. He created us man and woman. He knows what we are meant to be, and he knows what in the end is good for us. Even though keeping his commands in a given situation may to us look like a tragedy. And he knows what is bad and destructive for us, even that which in our time may be regarded as good.

Against his contemporaries
Jesus was even in his own time in opposition to the commonly accepted ethics and practice. His commands on divorce and remarriage flew in the face of orthodox Jewish teaching and understanding of Old Testament law. (Which tells us that Jesus and Paul in other questions too, for instance the ordination of women, were not bound or influenced by the views of their time.) Jesus spoke into a time which in many ways was (almost) as corrupt as the West today, and his words on divorce and remarriage met strong reactions, even among his closest disciples. It is only to be expected that they should meet comparably strong reactions today - also within the church.

The foundation
In Matthew 19.6 and Mark 10.9 Jesus says: “What God has joined
together, let no man separate.” Here he is referring to his own order of creation - not to any Christian wedding ritual. This applies to all men, Christian or not. For all men and in all cultures there are three things which together constitute a legitimate marriage: the marriage vow, the public announcement and the consummation. A marriage between non-Christians, or before one becomes Christian, is just as binding as between Christians.

Six statements
The main message about “what God has joined together” is repeated, substantiated and explained in six commands/statements of Jesus (plus 2 duplicates) on divorce and remarriage in the New Testament. I will quote all six, and try to give the meaning of the Greek text as accurately as possible. The translation is a bit clumsy, because the words we normally use in translating don’t fully correspond to the meaning of the Greek (and Hebrew.) Among other things I’m using the word adultery and deliberately avoiding the term “breach of marriage,” as one in Norwegian (or German) could assume the implication that the marriage thereby may be broken, and stopped. Such a meaning is not found in the Greek word “moixeia”/”moixeuei”, “na’af” in Hebrew, as used by Jesus.

I. Mark 10.11: “He who divorces his wife and marries another, he keeps on committing adultery again st her.” (This is said at the same occasion as Matthew 19.9, but is a separate statement.) And 16.18: “Anyone (all) who divorces his wife and marries another, keeps on committing adultery.” (This is not said at the same occasion as Mark 10.11).

II. Mark 10.12: “If she (a wife) divorces her husband and marries another, she keeps on committing adultery.”

III. Matthew 5.32b: “He who marries a divorced woman keeps on committing adultery.” and Luke 16.18b: “He who marries a woman who is divorced from her husband, keeps on committing adultery.”

IV. Matthew 5.32: “Anyone (all) who divorces his wife for any other reason than “adultery,” (“porneia”, whatever that word means), he causes her to commit adultery.”

V. 1. Cor. 7.10: “A woman shall not separate from her husband. But if she does, she shall live unmarried, or be reconciled to her husband.” Here it is Jesus who speaks through Paul, and Paul himself emphasizes his words in the strongest way possible: “not I, but the Lord.”

VI. 1. Cor. 7.11: “A man shall not divorce his wife.”

The present tense
“Keeps on committing adultery” is more or less the correct translation of the present tense “moixatai” or “moixeuei”. Present tense in Greek usually describes a continuous activity, in contrast to the aorist tense which normally describes the activity as such. In a few cases the Greek present tense also can describe an action as one-off, especially historic present tense, and a couple other special cases - most especially verbs which in their root meaning are one-off - but there is nothing in our texts to show that this may be possible here. Compare Matthew 5.28, where the aorist is used, with Matthew 5.32c, Matthew 19.9, Mark 10.11 +12 and Luke 16.18, where the present tense is used.

Absolute prohibition
In Mark and Luke and in 1. Cor. 7.10-11 the ban on divorce and remarriage is absolute. There is no trace of any exception for what often is called the innocent party. This is clear in the texts which above are listed as I, II, V and VI. But what about the gospel of Matthew? Let us first look at Matthew 5.32: “Anyone (all) who divorces his wife for any other reason than “adultery”, (“porneia”, whatever the word means), he causes her to commit adultery.”

Also the innocent
The first part of verse 32 may also be translated: “He who divorces his wife who has not committed “porneia,” he causes her to commit adultery.” The exception for any other reason than “porneia” clearly means only that the man does not cause her to commit adultery. The sentence unambiguously says that an innocent divorced woman commits adultery (if she remarries.) This is confirmed just as clearly in the next sentence in verse 32: “He who marries a divorced woman commits adultery.” That many (also the reformers) have taken Matthew 5.32 to mean that the innocent party in a divorce is free to remarry, is an interpretation, not an interpretation of the text. Regardless of how one interprets Matt. 19.9, Matt. 5.32 clearly says that a woman who is thrown out by divorce, is driven to adultery (implied: if she has to remarry) and it says just as plainly that he who marries a divorced woman, commits adultery.

The early church
What then does Jesus say in Matthew 19.9? Does Matthew 19.9 give the man the right to remarry, if he is the innocent party in a divorce, if his wife has committed “porneia”? There are several attempts at interpretation which will take too long to discuss, but we know that the early church did not understand this verse to give the innocent man the right of remarriage. Church tradition and practice in the first centuries is very clear. We could mention several well-known names from the early church, but Hermas is of special interest. According to Hermas the man has an absolute duty to forgive and take back a wife who has been unfaithful in the very worst way - the text implies that she has become a prostitute - but then
repents. Here Hermas gives the
correct and in the early church
accepted interpretation of Matthew
19.9., and since then the Roman
Catholic Church has never left the
tradition and interpretation of the
early church and the apostolic
fathers - that a legitimate marriage
is indissoluble.

A single word
What then does Matthew 19.9
say? There are many interpretat-
ions, but the main issue is always
what the word “porneia” means.
In fact the whole argument for
that remarriage may be accepted
for the innocent party, rests on
this one word. So what is the most
probable meaning of “porneia”? We
shall take closer look in part 3.
Does the word “porneia” really mean “adultery” or “marital unfaithfulness,” as it often has been translated? Without this one word, or rather this translation of the word, there are absolutely no grounds for accepting remarriage for anyone. If not for this interpretation of “porneia,” the whole Christian church would have adhered to the ban on remarriage.

Therefore we must look carefully at this one word - at this special interpretation, but also at what may well be the most likely meaning of “porneia.”

The translation that the reformers took over from the Catholic humanist Erasmus, that “porneia” means “adultery,” was and still is defended primarily by the theory that “porneia” is a generic word, covering many forms of sexual immorality. But this theory is at best doubtful. Even though it is often claimed in superficial commentaries, it cannot be clearly shown that “porneia” is used as a generic term. Possibly it may be said as cautiously as in Nidas lexicon: “Porneia” may be more generic than “moixeia.” Neither can it be shown that “porneia” is used with the direct meaning “adultery” in the Old or the New Testament. Only indirectly, in special cases, does “porneia” - implicitly - mean adultery. And in Hebrew the word may be used with a special preposition to express adultery.

**Different words**

In both Hebrew and Greek, as in English, there are different words for adultery and other forms of sexual immorality. If Jesus here meant adultery, why didn’t he use the normal word for marital unfaithfulness, “na’af”? Or “bagad”, the generic word for being unfaithful?

**Prostitution, incest**

It is possible that in the New Testament “porneia” is used to mean sexual relations between unmarried people - which is not the same as adultery - but “porneia” and the corresponding Hebrew “zanah,” with derivative forms, is most often used about prostitution. When “zanah” in the Old Testament is used of Israel worshiping other gods and turning away from JAHWEH, it us used as a metaphor, expressly saying that Israel is acting like a prostitute. (But an unusual prostitute, who pays her customers instead of taking payment from them - see Ezekiel 16.30-35). In the New Testament and in the Apocrypha “porneia” is also used once or twice about incest or prohibited marriages. If this meaning is to be understood in the gospels, the context may then be taken to refer to Herod and Herodias. Some Catholic translators have used this translation, and it can be defended, but it is an unusual meaning of the word.

**The reformers’ defense**

As already mentioned, the reformers defended Erasmus’ interpretation by referring to the Old Testament death penalty for marital unfaithfulness. Luther writes in a commentary to the Sermon on the Mount that an unfaithful husband should be killed, but when the government doesn’t fulfil its duty to execute the adulterer, he still may be seen as dead in the eyes of God, and therefore the innocent party may be considered a widow (or widower), who then may remarry. But this theory collides head-on with what Jesus himself said to the woman who had been caught in adultery (John 8.3-11), and also with the present tense in Greek. You can’t go on committing adultery if you are dead.

**German is not Greek**

A modern version of the Erasmian solution says instead that the marriage is broken, i.e. invalidated, by adultery, and that the innocent party therefore is free to remarry. It is possible that the Germanic word for adultery, literally “breach of marriage,” has led people to think in this direction. But also this version of Erasmus’ interpretation is ruled out by Matthew 5.32, and by the present tense “keeps on committing” adultery.

**Jewish context**

What then is the most probable meaning of “porneia”? Many Bible translators say - probably rightly so - that the gospel of Matthew was written for a primarily Jewish audience - Jews and Jewish Christians. In general all of Jesus’ statements in the New Testament should more often be read with close
correlation to the Old Testament (see among others Dodd: “According to Scripture”). If we read the gospel of Matthew in its Old Testament and Jewish context, it is highly probable that 19.9 concerns a special theme in Deuteronomy.

“An indecent thing”
We must also read Matthew 19.9 in its immediate context: 19.3-12. The Pharisees’ question to Jesus in verse 3: “Is it lawful for a man to divorce his wife for any and every reason?” refers to Deuteronomy 24.1, where it says: “If a man marries a woman and goes in to her and she is displeasing to him because he (then) finds in her an indecent thing and he then writes her a certificate of divorce” etc. At the time there was a running debate about how “an indecent thing” should or could be interpreted. The rabbis Hillel and Shammai disagreed: Could it mean anything the husband didn’t like, or was a serious offence required?

Hillel or Shammai?
The Pharisees’ question was which view, Hillel’s or Shammai’s, Jesus would assent to. To everyone’s, also the disciples’ great surprise, Jesus upheld neither one of them, but maintained a far stricter interpretation. To understand what this interpretation was, and where Jesus found evidence of it in Scripture, i.e. the Old Testament, we must read Deuteronomy 24.1-4 in context with the “parash” (partition) to which it belongs: 21.10-25.19, where a primary theme is marriage with complications.

Virgin or not?
Deuteronomy 24.1-4 is about what a man may do when he has married a virgin, and paid or pledged to pay 200 dirham, which was the price if the bride was a virgin. If on the wedding night it turned out that she wasn’t a virgin after all, and he therefore divorced her, he should know that he could never get her back if she later married another, neither as a widow or again divorced. The same issue is treated from another perspective in 22.13-21, which includes bringing the issue to trial. In Old Testament times the trial could result in the death penalty for the woman. (We find a parallel to 24.1 in Matthew 1.19, where Joseph, being a righteous man, was going to divorce Mary quietly when he discovered that she was with child.)

Wednesday wedding
That this really was a current issue among the Jews in Jesus’ time, we see in Mishnah (the Jewish authoritative interpretation of the law) where the subject is treated in several places. Here it is determined that a wedding with a virgin shall be held on a Wednesday. Why? Because the local tribunal was in session on Thursday, and there the groom could bring his complaint if it turned out that the bride wasn’t a virgin (the Ketuboth tract 1.1). In other tribes (e.g. the Baluchi tribes in Pakistan) we also see that it is very important that a woman should be wed as a virgin. The women pride themselves on being married as virgins, and boast that they can provide proof thereof.

Family fraud
The Mishnah also says that if the girl wasn’t a virgin at the time of betrothal - when the marriage contract was written, in which it was stated that she was a virgin - then both the betrothal and the marriage could be annulled with no certificate of divorce and without any payment of the bridal price. (Ketuboth 7.7-8 and 1.6). The reasoning was that if the betrothal and the marriage was based on deceit or fraud by the girl’s family, then they were not legally binding and could be annulled.

Shocked disciples
On this background it is overwhelmingly probable that Jesus with “porneia” meant exactly that which in Deuteronomy is an unambiguous judicial expression for the bride not being a virgin - and that the shocked disciples immediately understood that this was what he meant. For if Jesus had meant what Erasmus said he meant, he simply would have agreed with Shammai, that adultery was reason for divorce. And there would have been no reason for the disciples to react as they did.

Objections
Some theologians, like Heth and Wenham (“Jesus and Divorce”, page 176) reject that “porneia” means sexual relations with others before marriage or betrothal, because they cannot find the word used this way. But they have overlooked that it is exactly this word which is used in Deuteronomy 22.21, where it says that the girl has committed “zenot”/”porneia” in, or “against,” her father’s house.

Probable meaning
The conclusion must be that if we read Matthew 19.9 in context, both in the gospel, with the disciples’ reaction, and with Deuteronomy 21.10-25.19 - especially 22.21, where “porneia” is a legal expression with a clear meaning - then we have an understanding of Matthew 19.9 which from both semantic, historic and Old Testament points of view is very probable, and which is not in conflict with Jesus’ words as reported by Mark, Luke, Paul or in Matthew 5.32. And this understanding of Matthew 19.9 does not give the innocent party in a divorce (in a legitimate marriage) permission to remarry.

Invalid marriage
Matthew 19.9 then is about the annulment of a marriage which is based on fraud and therefore not valid. Annulment of marriages which - for various reasons - are not valid, have always been known in canon law, and has not been considered divorce. Such an annulment has therefore not been an obstacle to remarriage.
Indissoluble marriage
In Matthew 19.9 Jesus thus gives his authoritative interpretation of “an indecent thing” in Deuteronomy 24.1. He says that a divorce or an annulment of a marriage is only permissible when the marriage was based on false grounds and therefore not valid. On the other hand, a marriage legitimately entered into cannot be dissolved, and to divorce and remarry after a legitimate first marriage is to keep on committing adultery against the first spouse (even if both spouses do the same.) This is what the Christian church has taught from the beginning.

Erasmus’ heresy
Erasmus’ interpretation of Matthew 19.9 must therefore be considered a new teaching, which is to say a heresy, without basis in Scripture or apostolic tradition - a heresy which arose to satisfy a human need in its time. A need it still satisfies today, more than ever.

Further debate
Much more may be said, both deeper and wider, about this serious issue. And for every Western Protestant theologian who defends the biblical ban on remarriage, there probably are ten who hold the opposite view. There must necessarily be further debate about this, a debate I stand ready to contribute to. But I would ask that objections be based on the original text. Exegesis based on translations is at best a waste of time. And all of us must look to our own motives: Is our motivation to interpret Scripture correctly, or to defend later views or traditions?

Anyone who - consciously or not - uses Scripture to defend a tradition, at least in such a serious matter, is in danger of being the object of Jesus’ dire warning in Mark 9:42.

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