

EXCEPTION

A Study of Jesus' Teachings on Divorce

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Introduction and Methodology

Since 1960, the number of divorces occurring in the United States has more than doubled to nearly 1.2 million per annum.¹ Although "the divorce rate is three times greater for those who never attend religious services than for those who attend at least two or three times a month," the Church of Jesus Christ has not been left untouched by America's epidemic of marital dissolution.² Since new converts "who have already experienced shattered relationships [because of divorce] are coming to Christ daily, broken relationships are an issue we must confront all the time."³ As a result, pastors are called upon regularly by those they shepherd to elucidate a clear Christian ethic as it relates to the issue of divorce. Given that the sayings of Jesus form the groundwork for gaining God's perspective on divorce and remarriage, Christians (especially those in church leadership) would do well to have a thorough grasp of their import and proper application. This paper, then, is concerned with acquiring a better understanding of Jesus' teachings on the subject.

Only the Synoptic Gospels contain commentary from Jesus on divorce and remarriage (Mark 10:1-12; Matthew 5:31-32, 19:1-12; and Luke 16:18). This paper will concentrate first on Mk. 10:1-12 with a verse-by-verse examination, followed by an analysis of Mt. 5:31-32. Historical data which are germane to the topic (e.g., first-century Jewish and Greco-Roman customs concerning divorce and remarriage) will be considered along with an exposition of important Greek words and phrases which are key to understanding Jesus' words as his original hearers would have.

Matthew 19:1-12

1 And it happened that when Jesus finished these words, He departed from Galilee and went into the district of Judea, on the other side of the Jordan.

2 And a large crowd followed him, and He healed them there.

3 And the Pharisees approached Him, tempting Him and saying, "Is it lawful for a man to divorce his wife for any and every reason?"

4 And He answered and said, "Have you not read that the One who created from the beginning made them male and female?"

5 "And for this reason a man shall leave behind his father and mother and he shall be joined to his wife, and the two shall become one flesh.

6 "Therefore they are no longer two, but one flesh. Therefore what God has joined together, let not man separate."

7 They said to Him, "Why then did Moses command to give a certificate of divorce and to divorce her?"

8 He said to them, "Moses permitted you to divorce your wives due to your hardness of heart. But from the beginning, it had not been thus.

9 "And I say to you, whoever should divorce his wife (unless upon sexual immorality) and should marry another, commits adultery."

10 The disciples said to him, "If the relationship of a man with his wife is thus, it is not profitable to marry."

11 But He said to them, "Not all receive this, but those to whom it is given.

12 "For there are eunuchs who were born thus from their mother's wombs, and there are eunuchs who were made eunuchs by men, and there are eunuchs who made themselves eunuchs on account of the kingdom of heaven. He who is able to receive it, let him receive it.

Mark 10:1-12

1 And having arisen, He went from there into the district of Judea, on the other side of the Jordan. And again a crowd flocked to him, and as was His custom, He taught them again.

2 And the Pharisees approached Him, and tempting Him they were asking, "Is it lawful for a man to divorce his wife?"

3 And He answered and said to them, "What did Moses command you?"

4 And they said, "Moses permitted [a man] to write a certificate of divorce and to divorce [his wife]."

5 And Jesus said to them, "He wrote you this commandment due to your hardness of heart.

6 "But from the beginning of creation He made them male and female.

7 "For this reason a man shall leave behind his father and mother

8 "And the two shall become one flesh; therefore there are no longer two, but one flesh.

9 "Therefore what God joined together, let not man separate.

10 And in the house the disciples were asking Him again concerning this.

11 And He said to them, "Whoever should divorce his wife and marry another commits adultery against her,

12 "And if a woman, having divorced her husband, should marry another, she commits adultery."

Luke 16:18

18 "Everyone who divorces his wife and marries another commits adultery; and he who marries one who is divorced from a husband commits adultery."

Matthew 5:31-32

31 "And it was said, 'Whoever should divorce his wife, let him give her a certificate of divorce.'

32 "But I say to you that every one who divorces his wife, except in the matter of sexual immorality, makes her to commit adultery, and whoever should marry (a woman who has been divorced) commits adultery.

Mark 10:1-12

And having arisen, He went from there into the district of Judea, on the other side of the Jordan. And again a crowd flocked to Him, and as was His custom, He taught them again (v. 1).

By this pericope, Jesus and His disciples have traveled through Galilee (Mk. 9:30) and entered "the district of Judea on the other side of the Jordan." Their eventual destination was Jerusalem -- Jesus had already told the Twelve that it was necessary for Him to "go to Jerusalem, and suffer many things from the elders and chief priests and scribes, and be killed, and be raised up on the third day" (Mt. 16:21=Mk. 8:31).

A crowd of people had gathered as He preached and taught them in Judea.

And the Pharisees approached Him, and testing Him, they were asking whether it was lawful for a man to divorce his wife (v. 2).

It was against the backdrop of v. 1 that the Pharisees approached Jesus with a question about "whether it was lawful for a man to divorce a wife." Mark's use of the circumstantial participle *πειράζοντες* ("tempting" or "testing") illustrates that the Pharisees' intent was hostile -- the underlying purpose of their question was to test Jesus "in the hope that He would fail publicly."⁴ The question arises: Why would asking Jesus about divorce have the potential to foster His downfall? There are two possible reasons:

1. The Pharisees probably heard Jesus' earlier pronouncement concerning divorce in Mt. 5, vv. 31-32:

And it was said, "Whoever should divorce his wife, let him give her a certificate of

divorce." But I say to you that everyone who divorces his wife, except for the matter of sexual immorality, makes her to commit adultery, and whoever should marry (a woman who has been divorced) commits adultery.

This is the first statement concerned with divorce among the sayings of Jesus; it includes a quotation of Deuteronomy 24:1, the only provision in the Mosaic Law which speaks directly to divorce and remarriage. In essence, it permits a man to "write [his wife] a certificate of divorce" upon finding "some indecency in her." Having quoted the Law on divorce, Jesus contrasts it with His own pronouncement on the issue (more will be said about this under the treatment of Mt. 5:31-32). In asking Jesus specifically about divorce while He was teaching a crowd in Judea, the Pharisees may have sought to put Him at odds with Moses, "the great giver of God's Law," thereby discrediting Him in the eyes of His hearers.⁵

2. At the time when Jesus spoke, it had only been a few years since Herodias, granddaughter of Herod the Great, divorced her husband (and uncle) Herod Philip in order to marry Herod Antipas (Philip's brother).⁶ While Jewish Law did not prohibit a woman from marrying her uncle, it was certainly unlawful for a man to marry his brother's wife.⁷ John the Baptist was imprisoned and eventually beheaded because he dared to point out the sinfulness of what Herod Antipas and Herodias had done (Mk. 6:17-29). The opportunity to see the same fate befall Jesus was not lost on the Pharisees, who had already taken "counsel with the

Herodians against Him, as to how they might destroy Him" (Mark 3:6, NASB). Herod Antipas was Tetrarch over the region of Judea east of the Jordan River where the events of Mark 10:1-12 took place.⁸ If Jesus' answer to the Pharisees' question resembled His assertion in Mt. 5:32 that "whoever should marry [a woman who has been divorced] commits adultery," Herod would have been publicly implicated as an adulterer within his own jurisdiction. In addition, "the suggestion that [Herodias] was living in adultery [with Herod] . . . would incur her moral resentment as surely as John the Baptist had done," no doubt placing Jesus' life in peril.⁹

And He answered and said to them, "What did Moses command you?" And they said, "Moses permitted [a man] to write a certificate of divorce and to divorce [his wife]." And Jesus said to them, "He wrote you this commandment due to your hardness of heart. But from the beginning He made them male and female. For this reason a man shall leave behind his father and mother and the two shall become one flesh; therefore there are no longer two, but one flesh (vv. 3-8).

In His answer, Jesus deftly points the Pharisees back to the Law by asking what commands Moses had given them concerning divorce. Their response is a reference to Deuteronomy 24:1, whereby a man was permitted "to write a certificate of divorce and to divorce" his wife "because he had found some indecency in her" (Mk. 10:4, Deut. 24:1). Notice the nuance of word choice -- Jesus asks about what is *commanded* (from the verb ἐντέλλομαι), the Pharisees respond with what the Law *permits* (from the verb ἐπιτρέπω). Jesus is con-

cerned with the will of God, whereas the Pharisees "[are] seeking the greatest possible advantage for [themselves] within the limits of what is permissible."¹⁰

His opponents expect Jesus to bring the Law into question. Instead, He alludes to the reason behind its allowance for divorce:

[Moses] wrote you this commandment due to your hardness of heart (Mk. 10:5).

Hardness of heart is of particular concern to Mark, who mentions it more than any of the other evangelists. He expresses it either by using σκληροκαρδία ("hardness of heart") as in Mk. 10:5, or a verbal construct similar to ἡν αὐτῶν ἡ καρδία πεπωρωμένη ("their hearts were hardened") as in Mk. 6:52. For Mark, hardness of heart is the root cause of spiritual blindness and an attitude of hostility towards the work of God. For example:

- Mk. 3:5-6 -- Jesus grieves at the hardness of the Pharisees' hearts because they sought to accuse Him of Sabbath-breaking for healing a man with a withered hand. Immediately after Jesus heals the man's hand, the Pharisees consult with the Herodians and begin to plot Jesus' demise, plainly demonstrating their spiritual imperceptivity and hostility towards the work of God.
- Mk. 6:52 -- The disciples fail to gain "any insight" from the feeding of the 5,000 (Mk. 6:33-44) because "their hearts were hardened."

By attributing the *raison d'être* of the divorce legislation contained in Deut. 24:1-4 to the hardness of men's hearts, Jesus has made a distinction "between that which sets forth the will of God, and those provisions which take account of men's actual sinfulness and are designed to limit and control its consequences."¹¹ Deut. 24:1-4 does not *prescribe* divorce, but by way of concession *admits the existence* of divorce in a sinful world and seeks to check

its proliferation and protect those who are victimized by it.

Next, Jesus contrasts God's ideal for marriage and the divorce-concession of Deut. 24:1 -- He appeals to God's original created order, citing Gen. 1, v. 27 and 2, v. 24:

But from the beginning of creation He made them male and female. For this reason a man shall leave behind his father and mother and the two shall become one flesh; therefore there are no longer two, but one flesh (Mk. 10:6-8).

John MacArthur makes the following observations on Jesus' quotation of Gen. 1, v. 27:

In the Hebrew text . . . both "male" and "female" are in the emphatic position, giving the sense of "the one male and the one female." . . . God did not create a group of males and females who could pick and choose mates as it suited them. There was no provision, or even possibility, for multiple or alternate spouses. There were only one man and one woman in the beginning.¹²

In other words, only Eve was "a helper suitable for [Adam]" (Gen. 2:18, NASB). It is for this precise reason, as Jesus proclaims by quoting Gen. 2:24, that "a man shall leave his father and mother and the two shall become one flesh; therefore there are no longer two, but one flesh." On these grounds, He concludes in Mk. 10:9, "what God has joined together, let not man separate." Thus Jesus advances Adam and Eve as the prototype of God's perfect will for matrimony, reminding the Pharisees that when the world was unmarred by the sin of mankind, "marriage . . . was instituted to create a new unity of persons, and no provision was made for dissolving that unity."¹³ The unity between man and wife is therefore the work of God, and divorce the work of fallen man. Hardness of heart either blinds fallen man to this truth or generates his active refusal to recognize and abide by it.

And in the house the disciples were asking Him again concerning this. And He said to them, "Whoever should divorce his wife and marry another commits adultery against her, and if a woman, having divorced her husband, should marry another, she commits adultery" (vv. 10-12).

Once the disciples are alone with Jesus, they ask him to explain what He has just said to the Pharisees. His reply is more explicit, making two points of application. First, any man who divorces his wife and marries another woman commits adultery against his former wife. Rabbinic law taught that it was possible for a man to commit adultery against another married man; it was also possible for a woman to commit adultery against her husband, "but a husband could not be said to commit adultery against his wife."¹⁴ In going beyond the Rabbinic teachings in this way, Jesus redresses an unequal balance between men and women in the culture.¹⁵ If a woman can commit adultery against her husband, a husband can commit adultery against his wife -- both husband and wife are equally culpable when they forsake their marriage covenant for the sake of seeking another mate, thereby breaking the Seventh Commandment ("Thou shalt not commit adultery," Ex. 20:14). Jesus' assigns precedence to the precepts of the Decalogue over the divorce concession in Deut. 24:1-4; since divorce by definition destroys what God has bonded together in matrimony, the preservation of that bond is paramount.¹⁶

The second half of Jesus' answer "refers to a situation not contemplated in the Old Testament Law," which did not allow a wife to divorce her husband and remarry:

And if a woman, having divorced her husband, should marry another, she commits adultery (Mk. 10:12).¹⁷

Only in Greco-Roman relationships could a woman initiate divorce proceedings against her husband.¹⁸ Jesus could have been alluding to Herodias, who had divorced her first husband Philip under Roman law. Since it is generally accepted that Mark's audience is Gentile (probably Roman), Jesus' comments about women initiating divorce may have been included to instruct Gentile believers in the matter of divorce and remarriage.

Matthew 5:31-32

And it was said, "Whoever should divorce his wife, let him give her a certificate of divorce. But I say to you that everyone who divorces his wife, except for the matter of sexual immorality, makes her to commit adultery, and whoever should marry a woman who has been divorced commits adultery" (Mt. 5:31-32).

Context. This particular saying of Jesus is part of His masterful Sermon of the Mount. He begins in Matthew 5 by asserting that God's kingdom belongs to the poor in spirit, the meek, the merciful, the peacemakers, the pure in heart, etc., thus outlining the "truly repentant, unselfish lifestyle" which his followers must adhere to (Mt. 5:3-12).¹⁹ Those who profess to follow Jesus but do not live in this manner are as impotent as "tasteless salt and invisible light" (Mt. 5:13-16).²⁰ The next paragraph in Jesus' sermon is a primer on how to properly understand the remainder of Matthew 5: "Jesus is going to interpret, not refute, the Law of God" (Mt. 5:17-20).²¹

A series of "antithesis" statements follows. Each of these statements uses the formula, "You have heard it said, but I say to

you," where Jesus cites a rabbinical tradition and contrasts it with his own interpretation and intensification of Old Testament Law. Although some have suggested from these antitheses that Jesus is against the Law of Moses, His hearers would not have understood Him that way. Other Jewish teachers of the day often used similar formulas, such as "one (I or you) might hear (i.e., might interpret a passage in a certain way)," followed by "a different or more complete interpretation."²² By interpreting the Law without "citing any other authorities to confirm His position," Jesus authoritatively demands "an interpretation of the Bible that goes beyond its face-value interpretation and understands the inspired point of the text."²³

Cultural background. In Jesus' day, rabbinic opinion was divided on what grounds a man was permitted to divorce his wife. The controversy centered around the proper interpretation of "some indecency" (from the Hebrew *ervath dabar*) in the divorce legislation of Deut. 24:1-4. The basic "thrust of the passage is this: If a man finds some [indecency] in his wife and divorces her, giving her a certificate of divorce [and sending her out of his house], and she then marries someone else who in time also divorces her [or dies], then her first husband cannot remarry her."²⁴ Over time, the main feature of this provision (which prohibited arbitrary divorce and protected the rights of a divorced woman) was increasingly neglected -- instead, the focus shifted toward the "indecency" which enabled a husband to divorce his wife.²⁵

Rabbinical thought on the subject basically fell into one of two camps: the conservative School of Shammai, and the more liberal School of Hillel. The Jewish Mishnah, a compilation of oral law "developed by rabbis up through the second century [A.D.],"²⁶

provides a glimpse of their opposing views:

The School of Shammai say [*sic*]: A man may not divorce his wife unless he has found unchastity in her, for it is written, Because he hath found in her *indecenty* in anything [Deut. 24:1]. And the School of Hillel say [*sic*]: [He may divorce her] even if she spoiled a dish for him, as it is written, Because he hath found in her *indecenty* in *anything*. Rabbi Akiba says: Even if he found another fairer than she, for it is written, And it shall be if she find no favor in his eyes.²⁷

The Shammaites' position was certainly more stringent. However, "those rabbis who argued that a man could divorce his wife only for the cause of unchastity [i.e., the Shammaites] meant by this any sort of indiscretion or unfaithfulness, including a woman going outside with her hair uncovered (which in that culture meant that she was looking for another husband)."²⁸ In other words, the Shammaites held that *anything* which could be construed as immodest or which "indirectly [led] to a *suspicion* of adultery" was grounds for divorce.²⁹ The Shammaite approach to interpreting and applying Deut. 24:1-4 enjoyed greater prevalence in Jesus' day, but there is no question that husbands could easily divorce their wives on the more liberal grounds espoused by the Hillelites.³⁰ In some instances, rabbinic teaching even *compelled* men to divorce their wives:

Among the Talmudic writings of the rabbis is the statement, "A bad wife is like leprosy to her husband. What is the remedy? Let him divorce her and be cured of his leprosy." Another rabbi wrote, "If a man has a bad wife, it is a religious duty to divorce her."³¹

It is easy to see from the above rabbinic commentary that the "[more] stringent interpretation of the School of Shammai and the liberal interpretation of the School of Hillel were given from the

husband's point of view and were thus for his advantage and convenience."³² For the Shammaites, "it was the *bride's* [chastity] that had to be above suspicion," whereas the *bridegroom's* was never brought into question.³³ The liberal stance of the Hillelites was liberal in the *husband's* favor, since (according to their view) it was well within his right to divorce his wife for as trivial a matter as a spoiled dinner.³⁴

There can be little doubt that first-century Jewish women were often victimized by a system of divorce law which so heavily favored the will and whimsy of men.

Semantics. The exact meaning of the infamous "exception clause" in Mt. 5:32 (παρεκτὸς λόγου πορνείας, "except for the matter of sexual immorality") hinges upon the issues of context and cultural background which have just been explored.

In Mt. 5:17, Jesus has prefaced His series of antithesis statements by saying that He "did not come to abolish [the Law or the Prophets], but to fulfill." He goes on to point out that "whoever . . . annuls one of the least of these commandments, and so teaches others, shall be called least in the kingdom of heaven; but whoever keeps and teaches them, he shall be called great in the kingdom of heaven" (Mt. 5:19, NASB). These statements apply directly to Jesus' quotation of Deut. 24:1 in Mt. 5:31. His purpose, then, it not to annul or debunk the divorce legislation contained in the Law, but to *interpret* and *intensify* the its original inspired point. Although the meaning of *ervath dabar* ("some indecency") in Deut. 24:1 was contested in rabbinical circles and often used to make divorce licit in all sorts of trivial cases, it was originally intended only as an exception. Jesus made this clear in Mk. 10:5-9 when He attributed the existence of Deut. 24:1-4 to hardness of the human heart while contrasting it with

God's ideal for marriage (which made no provision for its dissolution). Thus it is likely that *παρεκτὸς λόγου πορνείας* is "modeled linguistically on the Hebrew formula [*ervath dabar*]" in order to clarify and reinforce the exceptive nature of Deut. 24:1.³⁵

What does *ervath dabar* actually mean? Many people believe that it simply refers to adultery. This is unlikely, because according to the Law the punishment for adultery was not divorce, but death by stoning (Deut. 22:22-24). Others have advanced the theory that it refers to fornication committed by the woman *before* marriage.³⁶ Again, this notion has little to commend itself because once a woman's sin was discovered (even after marriage), the Law prescribed the death penalty (Deut. 22:13-21). Literally, *ervath dabar* means "shame, disgrace, or nakedness."³⁷ The exact phrase "occurs elsewhere only in Deut. 23:14, in reference to human excrement."³⁸ On this basis, some have concluded that *ervath dabar* connotes some indecency or behavioral impropriety.³⁹ John Jefferson Davis makes the following observation:

In Ezekiel 23:18, it is said that a man's soul turns away from the wife who exposes her nakedness. According to the school of Shammai, a wife who went out with her hair unbound, spinning in the street, or talking to a strange man, was guilty of indecent or immodest behavior. This interpretation of . . . *ervath dabar* as "indecent or immodest behavior" seems to fit the text and the general Old Testament outlook on human sexuality and personal modesty.⁴⁰

The Greek transliteration of *ervath dabar* which Matthew employs in Mt. 5:32 (*παρεκτὸς λόγου πορνείας*) supports this view, but has more pronounced sexual overtones. The word *πορνεία* refers to "every kind of unlawful sexual intercourse."⁴¹ In New Testament usage it can mean fornication (Mt. 15:19, Jn. 8:41), or even incest (1 Co. 5:1); it

can also refer metaphorically to unfaithfulness to God in the form of apostasy or idolatry (Re. 14:8).⁴²

Thus *πορνεία* is a general term which *can include* adultery, but in Mt. 5:31 it broadly refers to any sexual impropriety or immorality (e.g., homosexuality, bestiality, incest, rape, perhaps even the persistent, unrepentant pursuit of an extramarital relationship which has not yet culminated in physical adultery) which defiles the bond between man and wife. In all likelihood, this is Jesus' interpretation of what Deut. 24:1 means by "some indecency."

Exposition. At first glance, Jesus' logic in Mt. 5:31-32 appears simplistic: Unless the demands of the exception clause are met (i.e., the woman is guilty of some sexual immorality or impropriety which defiles the marriage bond), a woman who has been divorced by her husband commits adultery if she remarries, and to marry a divorced woman is to commit adultery. A superficial understanding of this text which does not account for the cultural and contextual concerns enumerated above will give rise to dogmatic interpretations which tolerate divorce, but forswear remarriage altogether:

There may be divorce for adultery, . . . but remarriage
never.⁴³

In essence, this view turns Jesus' statement on its head. It has already been shown that His pronouncement on divorce:

1. Was not meant to annul or contradict the divorce legislation contained in Deut. 24:1 (which made provision for the divorcee to remarry), but rather to interpret and intensify its original intended meaning, and
2. Came in the context of a culture where divorce was rampant, and divorce customs based on a twisted interpretation of Deut. 24:1 heavily favored men. As a result, men were free to divorce their wives on highly trivial grounds -- women had little choice but to sub-

mit to such abuse.

If Jesus *is* prohibiting remarriage, He is guilty of a glaring inconsistency -- His claim to uphold a law that permits a divorced woman to remarry (Mt. 5:17) makes little sense if His purpose in Mt. 5:32 is to prohibit remarriage. Moreover, given the patriarchal slant of divorce law at the time and the lack of control women had over divorce proceedings, it seems preposterous that Jesus would have felt compelled to "point a finger" at those who were helpless victims -- after all, a divorced woman was acting within the boundaries of God's Law when she remarried. His focus, rather, is on the one *initiating* the divorce. Hence the use of the passive voice when the divorcee is mentioned; as the one who has been divorced (from ἀπολελυμένην, a perfect passive participle), she is *made* to commit adultery (from μοιχευθῆναι, an aorist passive infinitive) when she remarries. Jesus places the onus on *men* who initiate divorce *unjustly*: Anyone who divorces his wife when the requirements of the exception clause are not met (i.e., she is not guilty of any sexual immorality or impropriety which defiles the marriage) unleashes a cascading tide of sin. Although the Mosaic Law gives a divorced woman the right to remarry, a divorce initiated on invalid grounds by her husband thrusts her and her new mate into a sinful situation because there has been no true breach of their marriage covenant (neither the demands of Jesus' exception clause nor of the Law have been met). This constitutes a brazen violation of the divorce legislation contained in Deut. 24:1-4, and Jesus places the blame for it squarely at the feet of the divorcing husband.

In Mt. 5:31-32, Jesus opposes unlawful divorce, countermands the prevailing rabbinic opinions on the issue, and restores the origi-

nal spirit and intent of the Mosaic Law. Both the School of Sham-mai and (especially) the School of Hillel were guilty of encouraging men to divorce their wives on grounds not sanctioned by the Law. As Jesus stated previously in Mt. 5:19, "Whoever then annuls one of the least of these commandments, and so teaches others, shall be called least in the kingdom of heaven." These words are followed by a call to a higher standard of righteousness, one which "surpasses that of the scribes and Pharisees" (Mt. 5:20). Jesus wants His hearers to fulfill "God's radical requirements for the people of the Kingdom" by going beyond the pontifications and prescriptions of the religious establishment and seeking the will of God in all things, including matters of remarriage divorce.⁴⁴

Legal force. Should Jesus' pronouncement on divorce in Mt. 5:31-32 be taken as a law which is uniformly applicable to all situations? It is immediately apparent that, to a large degree, the antithesis statements in Mt. 5:21-48 make wide use of hyperbole. In order to "grab the attention" of their audience, Jewish teachers in the time of Jesus often used hyperbole, which was a rhetorical exaggeration for effect.⁴⁵ Jesus Himself employs hyperbole in the first antithesis statement, which is His interpretation of the Sixth Commandment (Ex. 20:13):

You have heard it said that the ancients were told, "You shall not commit murder," and, "Whoever commits murder shall be liable to the court." But I say to you that everyone who is angry with his brother shall be guilty before the court; and whoever shall say to his brother, "Raca!" shall be guilty before the supreme court; and whoever shall say, "You fool!" shall be guilty enough to go into the fiery hell (Mt. 5:21-22).

He goes so far as to state that merely calling someone a fool merits punishment in hell. His point is that "the sort of anger or hostility that generates murder is really illegal under God's

[Law]."⁴⁶ Insulting words such as "Raca!" ("Empty-head!") or "You fool!" are merely manifestations of this same kind of anger.⁴⁷

Interestingly, Jesus abrogates His own injunction against insulting words in Mt. 23:13-33 -- in addition to calling the Pharisees hypocrites and blind guides, He actually calls them fools in Mt. 23:17, using the same word (μωρός) He has prohibited in Mt. 5:22. It would be absurd to claim that Jesus contradicted Himself or that He deserved to go to hell for this. The only option is to view Mt. 5:22 as a hyperbolic statement. It does carry *some* legislative force, but it is not meant to be applied in an unqualified manner to all situations with rigid legalism.

The same could be said of Jesus' teaching on divorce in Mt. 5:31-32. Although it is probably more legislative than hyperbolic (owing to the fact that it is an exposition of divorce law contained in Deut. 24:1-4), it is unlikely that Jesus meant it as a strict legal formulation which covered all possible cases of divorce. If there are instances when it is not murderous anger to call someone a fool, is it possible that divorce for reasons other than λόγου πορνείας (e.g., physical abuse, child molestation, alcoholism) can be licit? Such questions invariably generate visceral and emotional responses. Any attempt to answer them apart from taking "the whole counsel of God" into account is inadvisable -- Jesus' teachings, while authoritative and foundational, comprise only a portion of what the Word of God has to say about divorce. One thing is certain: His statements about God's ideal for marriage in Mark 10:1-12 irrefutably nullify a host of reasons which are commonly cited as grounds for divorce today. Excuses such as "We just don't get along," or, "We had irreconcilable differences," are as trivial and invalid as the Hillelite notion that a burned dinner was sufficient cause for a husband to divorce his

wife.

In any case, this author is prepared to prayerfully consider the possibility that there are exceptional circumstances where divorce for reasons other than blatant sexual immorality (such as adultery) is a biblically permissible (but never desirable) option.

Summary

In these two passages (Mk. 10:1-12 and Mt. 5:31-32), both the idealism and the pragmatism of Jesus' teaching on divorce are evident. When the Pharisees approached Jesus with a question about the legality of divorce in Mk. 10:2, He responded with God's ideal for marriage. Divorce (even when permitted by the Law) is the end result of the hardness of the human heart. God never prescribes divorce, but rather He concedes that it will occur in a sinful world. As Jesus says in Mt. 18:7, "Woe to the world because of its stumbling blocks! *For it is inevitable that stumbling blocks come.*" Where there is sin there are hard hearts, and where there are hard hearts the possibility for "the stumbling block" of divorce exists. Moreover, this hardheartedness either dismisses or fails to grasp God's intent for matrimony as seen in the example of Adam and Eve; He fashioned one man and one woman to become united in marriage with no possibility or provision for that union to be broken. "Therefore," Jesus concludes in Mk. 10:9, "what God has joined together, let not man separate." The goal of both husband and wife should be to maintain the bond which God Himself has established between them at all costs. To break this bond merely for the sake of taking a new mate is to commit adultery against the former spouse (Mk. 11-12).

Matthew 5:31-32 affirms the idealism of Mk. 10:1-12 by way of

its appeal to a higher standard of righteousness, but also addresses practical concerns. Before His saying on divorce, Jesus tells His hearers that "unless [their] righteousness surpasses that of the scribes and Pharisees, you shall not enter the kingdom of heaven" (Mt. 5:20). The scribes and Pharisees had twisted the divorce legislation of Deut. 24:1-4 into a loophole which permitted men to divorce their wives for almost any and every reason. Jesus recognizes and upholds the validity of Deut. 24:1-4, but calls his hearers back to its original meaning. Only in cases where a woman is guilty of some sexual immorality or impropriety is a husband allowed to divorce her. Anyone who divorces his wife for "any and every reason," as practiced and taught by some rabbinical factions, is guilty not only of his own sin as a lawbreaker, but also that of his former wife and the man she marries. When the divorced woman exercises her right to remarry (as guaranteed by the Law), her former husband forces her and her new mate into an adulterous situation because there has been no valid breach of their marriage covenant. Whereas Mk. 10:1-12 recognizes the inevitability of "the stumbling block" of divorce in a sinful world, Mt. 5:31-32 indicts the "man through whom the stumbling block" of divorce comes (Mt. 18:7) when it is not lawful.

Although a certain amount of tension exists between the idealistic and pragmatic concerns of these two passages, there is no question that Christians are called to uphold God's values when it comes to divorce and remarriage. Divorce may be permissible under certain exceptional circumstances, but in God's economy it is never desirable. This means that divorce is eminently *preventable* if people will strive to seek His will within a marriage relationship. Together, husbands and wives can "divorce-proof" their marriages as they practice the selfless love, humility, forgiveness,

and patience modeled in the life and teachings of Christ.

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Endnotes

¹ John Jefferson Davis, *Evangelical Ethics: Issues Facing the Church Today* (Phillipsburg: Presbyterian and Reformed Publishing Company, 1993), 81.

² *Ibid.*, 81.

³ Craig S. Keener, *...And Marries Another: Divorce and Remarriage in the Teaching of the New Testament* (Peabody: Hendrickson Publishers, 1991), i.

⁴ John MacArthur Jr., *Matthew 16-23* (Chicago: Moody Press, 1988), 163.

⁵ MacArthur, 163.

⁶ F. F. Bruce, *The Hard Sayings of Jesus* (Downers Grove: InterVarsity Press, 1983), 59.

⁷ Bruce, 60.

⁸ MacArthur, 163.

⁹ Bruce, 60.

¹⁰ Eduard Schweizer, *The Good News According to Mark* (Richmond: John Knox Press, 1970), 203.

¹¹ C. E. B. Cranfield, *The Gospel According to Saint Mark* (London: Cambridge University Press, 1959), 319.

¹² MacArthur, 165.

¹³ Bruce, 58.

¹⁴ Cranfield, 321.

¹⁵ Bruce, 59.

¹⁶ Raymond F. Collins, *Divorce in the New Testament* (Collegeville: The Liturgical Press, 1992), 100.

¹⁷ Bruce, 59.

¹⁸ Schweizer, 204.

¹⁹ Keener, 13.

²⁰ *Ibid.*, 13.

²¹ *Ibid.*, 13

²² *Ibid.*, 119.

²³ *Ibid.*, 118.

²⁴ D. A. Carson, *The Sermon on the Mount: An Evangelical Exposition of Matthew 5-7* (Grand Rapids: Baker Book House, 1978), 45.

²⁵ Carson, 45.

²⁶ Robert H. Gundry, *A Survey of the New Testament* (Grand Rapids: Zondervan, 1994), 72.

²⁷ Keener, 39.

²⁸ Ibid., 32.

²⁹ Ibid., 32.

³⁰ Ibid, 39.

³¹ MacArthur, 172.

³² Bruce, 58.

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³⁸ Davis, 84.

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⁴⁰ Ibid., 84.

⁴¹ William F. Arndt, F. Wilbur Gingrich, and Frederick W. Danker, eds., *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 2d ed., rev., (Chicago: University of Chicago Press, 1979), 693.

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⁴³ Lockyer, 56.

⁴⁴ Keener, 21

⁴⁵ Ibid., 24.

⁴⁶ Ibid., 14.

⁴⁷ Ibid., 14.