

MARRIAGE AND DIVORCE NOTES

Pre-Torah (Genesis 1—Exodus 19)

- * Gen 2:18-25 Creation of woman, man leaves parents and cleaves to woman and the two become one flesh
- * Gen 29:15-30 Jacob ends up marrying Leah and Rachel
- * Gen 38:8-10 Onan killed for not impregnating his deceased brother's wife

Torah (Exodus 20—Deuteronomy)

- * Exod 21:7-11 21:10-11 has been used to justify divorce on grounds of neglect. However, it is not about marriage as such but how to dismiss a female slave. Since the woman was paired by purchase, if the man becomes unsatisfied and wants another, he must care for her all the same and may not neglect her. If he does neglect her, she must be set free. This parallels the teaching on taking a wife from a conquered territory (Deut 21:10-14). It is not an option to keep and mistreat her; the alternative is that she goes free.
- * Exod 22:16, 17 Man who seduces a virgin has to marry her; if the father of the bride refuses, the man must pay the full bride price anyway [in the ANE, there is a similar law, but the man who rapes a woman must give his wife or daughter to the father of the daughter for her to be raped and she becomes the father's wife].
- * Lev 21:7, 13, 14 Priests cannot marry a prostitute, a woman who has been defiled, a widow, or a divorced woman – he may only marry a virgin
- * Deut 7:1-4 Do not intermarry with the Canaanites so they won't lead you astray.
- * Deut 20:7 An engaged man must not go to battle; he must be with his wife lest another marry her .
- * Deut 21:13 A man who wants to take a captive woman to be his wife “*may go into her and be her husband, and she shall be your wife*”
- * Deut 22:13-29 Test for a new wife accused of not being a virgin; punishments for adultery and rape; in all cases the norm of virginity is upheld; in all cases someone who rapes is responsible to marry the woman; *whenever the unmarried have intercourse, they are required to marry and not divorce*; (although a raped woman does have a way out, cf. Exod 22 above). It is important to note that adulterers are stoned to death – their death releases the innocent spouse who was violated from their marital covenant.
- * Deut 24:1-5 A man who divorces a woman must not take her back after she has been defiled through marriage to another man – this is less about how or why to divorce than it is a statement of the defilement entailed in remarriage. Also, a newlywed must not go to war (cf. Mark 10:4)
- * Deut 25:5-10 “her husband's brother shall *go in to her, taking her in marriage*, and performing the duty of a husband's brother to her” – the brother who refuses to do this is publicly shamed by the woman (cf. Gen 38:8-10)

History & Prophets Before the Return from Exile (Joshua-2 Chronicles & various prophets)

- * Josh 23:12, 13 Israelites must not marry foreigners

- * 1 Kgs 3:1 “Solomon made a marriage alliance with Pharaoh king of Egypt”
- * Jer 3:1-2 Israel plays the whore with multiple partners – “where have you not been lain with?”

Post-Exilic History & Prophets (Ezra-Esther & various prophets)

- * Ezra 10:2-19, 44 Ezra helps the Israelites send away all foreign wives (cf. Deut 7:1-4)
- * Neh 13:23-27 Nehemiah forbids intermarrying; points out Solomon’s sin
- * Mal 2:13-16 God hates divorce, so no one should be faithless to his wife who is a companion to him by covenant (my note: a blood covenant); offspring is affected by the divorce and God wants Godly offspring (cf. 1 Cor 7 about the sanctified spouse); note also that mistreating a spouse makes a man’s offering unacceptable (cf. 1 Pet 3:7 spousal treatment impacts prayers)

What does the OT as a whole teach about this subject?

- * Sex is the marital act
- * Slave-marriage must affirm the dignity of the woman, so if the master rejects his “wife” or adds another, he can either treat the first one with equal provision or must set her free.
- * Laws prohibit sexual activity without marital responsibility
- * Divorce is hated by God and leads to the defilement of remarriage
- * Marriage is a serious covenant that should not be entered with foreigners
- * The land is polluted by the dissolution of the normal order of marriage
- * The only time remarriage is encouraged is to continue the bloodline of a deceased brother

How would the OT’s teaching on this subject be impacted by life in the land but under foreign rule/life in exile?

- * There would be greater temptation to intermarry with foreigners
- * Marrying brothers to keep land in the family would become irrelevant
- * Sexual and marital practices of the nations could eclipse Torah’s teaching on it

Jesus’ Teaching and Example (Matthew—John)

- * Matt 5:31-32 It was said whoever divorces his wife must give a certificate of divorce, but Jesus says that whoever divorces except on grounds of fornication causes her to commit adultery and whoever marries a divorced woman commits adultery. Note, fornication could be detected before the marriage is consummated. Also note, it doesn’t say you can divorce a woman who has been unchaste, but only that one does not cause her to commit adultery – perhaps because she has already made herself an adulteress. Finally, the word “fornication” (*porneia*) here is not the same word as marital unfaithfulness (*moixeia*). Fornication could be referring to sexual relationships that are not maritally viable and thus should be dissolved as an act of repentance (e.g., incest, cf. 1 Cor 5-6 where Paul rebukes one man for having sex with his dad’s wife and another for sex with a prostitute, and does not encourage either one to pursue these relationships as legit marriages – Paul uses *pornei* to describe these acts)
- * Matt 19:1-12 Jesus says Moses allowed divorce only as a concession but this was not how God wants it (citing the two becoming one flesh) and that anyone

“who divorces his wife, except for fornication, and marries another commits adultery.” Jesus then encourages any who can accept it to embrace celibacy.

- * Matt 22:24-30/Mark 12:19-25/Luke 20:28-35 In answer to the Sadducees’ question, Jesus notes that in the resurrection we will not be given in marriage but will be like the angels and not married.
- * Mark 10:2-12 Same as Matt 19, but no exception clause for unchastity
- * Luke 14:26 Those who do not hate their wives cannot be Christ’s disciples
- * Luke 16:18 Anyone who divorces his wife and remarries commits adultery as does one who marries a divorced woman.

Letters to Churches (Romans—Revelation)

- * Rom 7:1-4 The law about marriage shows that the law is only binding while the husband is still alive, which is why a widow can remarry without being an adulteress.
- * 1 Cor 6:12-20 The one who sleeps with a prostitute become one body with her – citing Genesis where the two become one flesh
- * 1 Cor 7:1-40 Married people are encouraged to have intercourse; spouses must not separate from one another; those “who might already be separated” (v. 11) should not remarry (English translations often obscure this); those married to unbelievers must not initiate separation, but may do so if the unbeliever demands it; singleness is preferred, but marriage is okay; those with wives must be as if they had not wives; widows may remarry, but only a believer.
- * 1 Cor 9:5 Apostles have the right to take a believing wife
- * 2 Cor 6:14 Don’t be mismatched with unbelievers
- * Eph 5:21-33 What mutual subjection looks like – quoting the two becoming one flesh as reason why a man must treat his wife as he does his own body
- * 1 Tim 3:2, 12 Bishops and deacons should be the husband of one wife
- * 1 Tim 4:1-5 Some false teachers forbid marriage and demand abstinence from food
- * 1 Tim 5:9-16 A good widow must be married only once; younger widows violate their first pledge (to Christ?) by wanting to remarry, but he encourages them to remarry.
- * Titus 1:5, 6 Elders should be the husband of one wife
- * Heb 13:4 Let marriage be held in honor by all and the let the marriage bed be kept undefiled since God will judge fornicators and adulterers.

What does the NT as a whole teach about this subject?

- * Sex remains the marital act and to be honored and protected among believers
- * Marrying unbelievers is off-limits
- * Divorce is final, so remarriage without prior evidence of fornication causes adultery. Mark and Luke acknowledge no exceptions due to fornication. So either Matthew should be read in light of them or used to supplement them. Regardless, fornication should not be equated with adultery as is too often the case. Adultery and fornication are both off limits but are different sorts of marital violations. Whereas adultery violates one's commitment to one's spouse, fornication violates the institution of marriage as God designed it to function.
- * To marry a widow is not adultery, death breaks the marital bond
- * In the kingdom, marriage is less normative, singleness is encouraged—so much so that to shun full devotion to Christ after being freed from marriage through death is to violate one's pledge to Christ, but is still encouraged for practical purposes.

How does the NT's teaching on this topic shape the life of God's people so that it bears witness to God's Kingdom?

- * Increasing movement toward single-minded devotion to Christ to the exclusion of marriage as it will be in the fullness of the kingdom