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A Thesis Submitted

To the Teachers and Students of Advanced Apologetics

**The Biblical Stance on Divorce and Remarriage**

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## Introduction

In modern western civilization, marriage is no longer viewed as a Godly covenant, but rather as a temporary legal status. The best estimates of the divorce rate currently in America is around 20-30%, which is a high percentage. However, this is the reality of the world: the foundation of marriage is built upon a romanticized love that quickly extinguishes, and couples proceed to divorce because their no longer happy. Divorce is not a just a modern day issue; during the second temple period, many followed Rabbi Hillel's teachings that people can divorce for any reason— whether it was because of sexual immorality, the man wanted to remarry, or the wife simply spoiled the food. This type of divorce, that requires no specific justifications, has begun to resurface in modern society, where spouses separate on invalid, unbiblical grounds and remarry without seeking biblical approval. The purpose of this thesis is to reestablish the biblical grounds for divorce and remarriage as well as provide a clear insight into the original design of marriage.

The paper opens with a deep historical analysis beginning with the exploration of different ancient societies and their beliefs on marriage, divorce, and remarriage. In order to better understand Paul and Jesus' teachings in the New Testament, one has to take on the mindset of a first-century Jew— therefore, there is an explanation of rabbinic teaching on divorce and remarriage according to the Jewish law, as well as a brief summary of the teachings and practices from two opposing rabbinic groups. Following the summary, there is a synopsis of the Church Fathers' beliefs and attitudes towards divorce and remarriage.

Taking into the historical review into account, the thesis will shift to proving that scripture only allows divorce when abuse, neglect, and/or adultery are present. There are

detailed commentaries on the teachings of Paul and Jesus in the New Testament in order to lay a foundation for establishing the three biblical grounds for divorce, as well as remarriage. After the foundation has been installed, there is an explanation of how a sacred marriage should look, and the purpose that God intended for matrimony. Through reading the thesis, the hope is that readers 1.) understand the purpose of marriage, 2.) seek the truth in God's Word, and 3.) become obedient to God's word.

## Marriage and Divorce in Ancient Near East

### Society

To understand the ancient Near East mindset of marriage and divorce better, it is important to know that this particular society operated under a patriarchal family. This principle was not just created and implemented by society, but it was woven into the laws at the time. For example, there was a mandate that women worship the god of her male protector, whether it be the father or husband.<sup>1</sup>

Men in the Near Eastern societies held all the power: they were in charge of the household, represented their family in court, and maintained their reputation and prosperity within the community. As a result, the head of the household would not tolerate public humiliation or shame upon his name.<sup>2</sup> According to the law of the Code of Hammurabi (CH) a father could punish his children in brutal ways, as it states, ¶195, “If a child should strike his father, they shall cut off his hand.”<sup>3</sup> It is heavily emphasized in laws that women were to fully submit to their husbands or else extreme punishments were brought upon them as well. If a wife was accused of adultery, then according to the CH ¶132, “she shall submit to the divine River Ordeal for her husband.”<sup>4</sup> Male dominance was how this society operated, and therefore this principle was reflected in both marriage and divorce.

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<sup>1</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 1-2. States that this practice is revealed in Genesis 24:50-60 with the story of Rebekah’s betrothal to Isaac and her decision to leave her father's household and practices once the marriage contract was concluded.

<sup>2</sup> Ibid, 1-2

<sup>3</sup> Martha T Ross, *Law Collections from Mesopotamia and Asia Minor* ( Atlanta, Georgia: Scholars Press, 1997) 120.

<sup>4</sup> Ibid, 106. A trial by ordeal was a way to determine the guilt or innocence of a person by subjecting them to dangerous or painful experiences. Survival meant the victim was innocent and death meant the person was guilty of the charges brought upon them.

## Marriage

If a man wanted to marry a woman, there were strict guidelines he was required to follow, and the first step was betrothal. Because it was a patriarchal household, the father or eldest brother would negotiate with the parents of the bride to establish a marriage. While arranging marriages, families had to keep in mind social parity, economic advantage, and expansion of the kinship network. When families married off children, they usually stayed within their social class because marriage did not just result in offspring, but also social ties, economic connections, and a network of association that was designed to benefit both parties.<sup>5</sup> Once both parties agreed on the union, preliminary contracts were constructed because the groom's family had to make a formal request to the prospective bride's family. According to the Code of Eshnunna (CE) ¶ 27, "If a man marries the daughter of another man without the consent of her father and mother, and moreover does not conclude the nuptial feast and the contract for her father and mother, should she reside in his house for even one full year, she is not a wife."<sup>6</sup> Without parental consent, no marriage between a bride and groom could be recognized according to the law.<sup>7</sup> Once the family got permission of betrothal, a *kirrum*<sup>8</sup> would take place where the official announcement of the marriage was given. The betrothal period could last a couple of weeks or a couple of years, depending on the age of the bride, but once the marriage was consummated, it became official.

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<sup>5</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 7.

<sup>6</sup> Martha T Ross, *Law Collections from Mesopotamia and Asia Minor* (Atlanta, Georgia: Scholars Press, 1997) 63.

<sup>7</sup> Ibid, 8.

<sup>8</sup> This word translates into a earthenware vessel used to contain beer, but the word expanded to include the marriage feast ceremony.



The contract of marriage had several parts to it, and one of them was the *terhatum*, which was the giving of the bride-price that insured the groom's right to marry the woman and protected the bride from sexual advances and abuse during the betrothal period.<sup>9</sup> Once the bride-price was accepted, the bride was transferred under the legal control of the groom's household, all sexual rights were legally given to the household of the bridegroom, and any infringement upon these rights, after consummation, was an act of adultery or rape. Between the time of the *terhatum* and the consummation, the bride would go through rituals that marked her physical transformation from a child to an adult.<sup>10</sup> The final step of marriage consisted of the physical consummation, where the bridegroom would enter the bridal room, with an official to witness their sexual joining. Once this took place, the legal status and social standing of the woman were transformed because she would then have the right to compensation in an event of divorce; the right to property if widowed; and the right to marry the man she was betrothed.

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<sup>9</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 8. The gift was typically presented on a tray accompanied with clothing, jewelry, and consumables and the acceptance of this gift was symbolized by the drinking of beer between both parties.

<sup>10</sup> *Ibid*, 10. In one ritual, in Old Babylonian times, on the day of the groom's entrance into his father-in-law's house, the bride was bathed and anointed with oils which marked her incorporation into her husband's household.

### Widows

There are many laws written about the legal rights of widows since death was not uncommon during this time period, and because widows were often victims of economic and physical abuse. If the widow was not written into her husband's will, childless, or neglected, she could face a future of slavery and/or prostitution. One remedy to avoid a desolate future was remarriage, especially if the woman could still bear children, but remarriage was hard to achieve since the previous groom's family did not want to lose the woman's dowry.<sup>11</sup> However, if she was free to marry another man, usually there were financial settlements written into her previous marriage contracts that either encouraged remarriage or allowed widows to live independently. If a woman did not have a settlement from her previous marriage, she would most likely seek security from a man outside of wedlock, or become a prostitute.<sup>12</sup> However, if a woman resided with a man she was not married to, she would be in danger of losing financial protection as written in the Laws of Ur-Nammu ¶11, "If a man has sexual relations with the widow without a formal written contract, he will not weigh and deliver any silver (as a divorce settlement)."<sup>13</sup> It is difficult to make generalizations for the overall fate of a widow, since there are too many variations in the different records and laws.

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<sup>11</sup> Often times to avoid losing the dowry, the family would force the widow to marry one of her brother-in-laws.

<sup>12</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 24.

<sup>13</sup> Martha T Ross, *Law Collections from Mesopotamia and Asia Minor* (Atlanta, Georgia: Scholars Press, 1997) 18.

## Divorce

Divorce was evident during this time period since the grounds of obtaining one were included in different sets of laws. It is clear, when reviewing these laws, that it was easier for a man to divorce his wife rather than a woman divorce her husband.<sup>14</sup> However, the decision of divorce carried legal and social changes, and therefore would not have been used frivolously.

Divorce in the Near East was expressed through symbolism and rituals that reversed the legal forms and ceremonies associated with marriage and betrothal. For example, when a woman was to become a bride she would wear a veil and garment to symbolize her new status; but when a man dissolved the marriage bond, he would cut the hem of her garment to show their dissociation with one another and make it possible to establish new marriage links.<sup>15</sup> As harsh as this action would seem in today's world, it was not interpreted the same in the eyes of Near Eastern societies, but rather it was a social norm. Some men took more drastic measures where they would strip the women naked and throw her out into the streets because she broke social rules or repudiated her husband in public.<sup>16</sup>

The laws of the Near East addressed two different divorce cases: a marriage with children or a childless marriage. If the marriage produced children via the wife or a surrogate, usually the punishment was greater on a man in order to protect the wife and kids from economic and social hardships. The laws confirmed they were not left destitute, and not penalized if the husband remarried and created a new family. Whatever may be the reasoning behind the divorce, whether

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<sup>14</sup> Martha T Ross, *Law Collections from Mesopotamia and Asia Minor* (Atlanta, Georgia: Scholars Press, 1997) 107. This page explains that written in the Laws of Hammurabi, a man could simply divorce his first wife as long he repaid to her the bridewealth and restore to her the dowry that she brought with her into marriage.

<sup>15</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 25.

<sup>16</sup> Ibid

it was due to infertility or because the man wished to pursue a new marriage bond, there was always a penalty tied with divorce. It can be compared to CH ¶159, when a groom, after paying the bride-price, decided to back out of the established marriage contract and was penalized and had to pay double the *terhatum*.<sup>17</sup> However, when the marriage is consummated, and a man decides to end the marriage post-consummation, the punishment becomes more severe and he not only has to pay back the *terhatum*, but also restore her dowry.<sup>18</sup>

In the laws, there were cases in which women were allowed to divorce their husbands, but it probably was not acted upon because of the risky implications. According to CH ¶142, if a husband disparaged his wife publicly she had the right to take him to the courts to be investigated. If the courts ruled in her favor she was allowed to return to her father's house with her full dowry.<sup>19</sup> However, if the courts ruled in her husband's favor, she would be executed through drowning. Therefore, it was unlikely for a wife to divorce her husband since her life was on the line.

Adultery was an obvious ground for divorce in the Near Eastern society and with it came severe punishments. It not only broke the marriage contract, but it was also viewed as disgraceful because it angered the gods; as a result, adultery was not tolerated.<sup>20</sup> Once the bride-price, or the *terhatum*, was paid it gave all sexual rights to the bridegroom, and adultery was a violation of that right. All the blame was usually put on the woman, whether from her husband or by a witness, and if accused, she would have to submit to a trial of ordeal to

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<sup>17</sup> Ibid, 26

<sup>18</sup> CH ¶138,

<sup>19</sup> Victor H. Mathews, *Marriage and Family in the Ancient Near East* (Downers Grove, IL: InterVarsity Press, 2003) 27.

<sup>20</sup> Ibid, 27.

reestablish her husband's honor.<sup>21</sup> There were often three outcomes for the person caught in adultery with a married woman: he was pardoned if the wife did not receive punishment, he was not held liable if it was the woman's fault that she seduced him or hid her marriage, and lastly, the courts decided to pardon him because he was an "entrapped" lover.<sup>22</sup> Adultery was not a simple misdemeanor that resulted in divorce in these Near Eastern societies' minds, but it was a crime that could potentially result in torture or death.

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<sup>21</sup> Ibid, 28. This punishment is laid out in CH ¶131-132.

<sup>22</sup> Ibid, 28-29.

## Marriage and Divorce in Ancient Israel

### Society

Compared to Near Eastern societies, which were governed by sets of laws, Israel was a theocracy that followed God and His laws. Therefore, much of what modern day historians know of their culture can be found in the Old Testament. The nation of ancient Israel was a large, complex, and unified Kinship that had four-levels: the people, the tribe, the clan, and the family. The people of Israel were those who were an Israelite by blood; Israel had a strong ethical cohesion, which is why the Bible uses terms like “the sons of Israel” or the “house/household of Israel.” The people of Israel were divided into twelve tribes, named after the twelve sons of Jacob.<sup>23</sup> Tribal identity was important, and military levies tended to be based on tribal structures.<sup>24</sup> However, what really defined an Israelite was their clan, and more importantly, their family. Clans had their own land and territory in which members formed a community and village, and they played an important role in the social and religious life of an Israelite. Socially, clans were responsible for keeping the integrity of the patrimonial holding and administering justice.

The clan also engaged in religious affairs: they guarded the community against Molech cult rituals,<sup>25</sup> arranged for the Passover celebrations, participated in community sacrifices,<sup>26</sup> mourned the death of members,<sup>27</sup> and in later times, celebrated the Festival of Purim.<sup>28</sup>

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<sup>23</sup> In Deuteronomy 33: 6-25 Moses gives a blessing to the twelve sons of Jacob: Judah, Levi, Benjamin, Joseph, Zebulun, Gad, Dan, Naphtali, and Asher.

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<sup>25</sup> Leviticus 20:5 says, “then I will set my face against that man and against his clan and will cut them off from among their people, him and all who follow him in whoring after Molech.”

<sup>26</sup> 1 Samuel 20:6 says, “If your father misses me at all, then say, ‘David earnestly asked leave of me to run to Bethlehem his city, for there is a yearly sacrifice there for all the clan.’”

<sup>27</sup> Zechariah 12:10-14

<sup>28</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 38.

Finally, the last subdivision of Israel was family, which, in itself, was a large network. Family was not like a modern Western nuclear family, as it consisted of the male and his wife (or wives), his sons and their wives, his grandsons and his wives, occasionally his great grandchildren, any unmarried male and females, unrelated dependents, and slaves or laborers. All families in ancient Israel were patrilineal (official lines of descent were traced through the father's line),<sup>29</sup> patrilocal (married women joined the household of their husband), and patriarchal (the father governed the household), where the man acted as the nucleus of the household. In the mindset of ancient Israel, it was the man's privilege and responsibility to serve the interests of those being led.<sup>30</sup>

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<sup>29</sup> This characteristic can be seen in Genesis 5, 10, and 36.

<sup>30</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 44.

## Marriage

Most marriages were arranged by parents in ancient Israel, which suggests that the institution unified and brought families together instead of simply being a union between a man and a woman. When picking a suitable mate for their kids there were certain parameters parents abided by: they usually picked marriages that were endogamous, meaning they married within the same clan; they could not marry a man to siblings, uncles and aunts, or in-laws;<sup>31</sup> and Canaanites and Israelites could not intermarry.<sup>32</sup> When parents deemed their children of age to be married,<sup>33</sup> the father of the groom would contact the potential spouse's parents and negotiate the terms of marriage, specifically the *mohar*, which was the "marriage present"<sup>34</sup>. The *mohar* was more than just a bride-price, but a deposit that strengthened the links between the families and insured the transfer of authority over the bride from her father's household to her future husband's household. When both families agreed upon the *mohar*, then the engagement, or the betrothal, period began.

The Deuteronomic Laws recognized the purpose of the betrothal for both the bride and the groom. The bride was to keep pure of all sexual relations with men that were not her potential husband.<sup>35</sup> If she did sleep with another man, while she was engaged, she would be stoned and possibly put to death, as it says, "then you shall bring them both out to the gate of that city, and you shall stone them to death with stones, the young woman because she did not cry for help though she was in the city, and the man because he violated his neighbor's wife. So you

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<sup>31</sup> Leviticus 18:1-18 outlines whom the people of Israel should not marry or have sexual relations with.

<sup>32</sup> Exodus 34:10-16, Deuteronomy 7:1-5.

<sup>33</sup> Usually girls would marry at 13 years old, and boys would marry when they were a bit older than that.

<sup>34</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 57.

<sup>35</sup> *Ibid*, 58.



shall purge the evil from your midst.”<sup>36</sup> While the man was betrothed, he was exempted from all military duty<sup>37</sup> as stated in Deuteronomy 20:7: “And is there any man who has betrothed a wife and has not taken her? Let him go back to his house, lest he die in the battle and another man take her.”

The purpose of each command revolved around the idea of progeny. By having sexual relations with someone other than her future husband, a woman could potentially interfere with the patrilineal cohesion of the family if she bore an illegitimate baby. Similarly, if the man were killed in battle before the marriage was consummated, then his family line would die out. The betrothal period also had practical functions that prepared the bride and groom for marriage—the bride would take this time period to practice and learn domestic and childbearing skills from her mother or grandmother; while the male, with the assistance of his father, would build a home to reside in as well as strengthen his economic and social ties.<sup>38</sup>

The Old Testament does not specifically address the rituals and ceremonies attached with a wedding; it only established that marriage is a “covenant of God.”<sup>39</sup> However, when looking at the parabolic description of YHWH’s marriage to Israel in Ezekiel 16:8-13, historians and theologians can determine what actually took place in the ancient Israelite marriage ceremony. First, the groom covered his bride with his garment to symbolize his duty to provide for his wife, then the groom swore an oath of fidelity to his bride.<sup>40</sup> After that, there was a verbal declaration of “I, (insert name), will be your husband, and you, (insert name), will be my wife.” By saying

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<sup>36</sup> Deuteronomy 22:24

<sup>37</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 58.

<sup>38</sup> Ibid

<sup>39</sup> Proverbs 2:17

<sup>40</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 45. When giving the oath the man would gesture his hand towards Heaven, showing that God is his witness and guarantor of the covenant.

this, the groom would enter into the covenant with his bride. The man proceeded to bath and anoint his wife in oils and he dressed her in the finest garments and jewelry he could afford. Finally, he would prepare for her the finest meal and they would feast in his house. After the wedding celebrations, which could last for days, the marriage would be consummated, thus making it official.<sup>41</sup>

Within the marriage, both the bride and the groom gained new roles they had to fulfill. For the man, his responsibilities increased as his household increased; his obligations involved modeling strict personal fidelity to YHWH, instructing the family in the traditions of the Exodus and the Torah, providing food, shelter, clothing, defending the household against external threats, and maintaining the harmonious operation of the family unit. Women had three important roles: to aid her husband in fulfilling the command in Genesis 1:18 (“Be fruitful and multiply”), to maintain the household and contribute to their labor, and lastly, to provide companionship to her husband.<sup>42</sup>

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<sup>41</sup> Deuteronomy 22:13-21 suggest that the family of the bride would keep the blood stained sheet, where the consummation took place, to use as evidence if the groom wear to accuse the bride of not being a virgin on the wedding night.

<sup>42</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 72.

## Divorce

Divorce did exist in ancient Israel, as not every marriage was peaceful and secure, but it is impossible to tell how many occurred, or what the legal procedure of a divorce was, as the Old Testament gives vague hints. It is inferred that a man was usually the one to initiate a divorce because a woman would not pursue one for various reasons. For one, most women could not economically live without a male, and they would risk being abused, or even killed, by her husband's clan if she attempted.<sup>43</sup> However, if a woman was widowed, she would be taken care of by her husband's family and his clan.

From looking at Deuteronomy 24:1-4, which is one of the few passages in the Old Testament that explicitly addresses divorce, historians and theologians have a better understanding of how the Israelites legally dealt with divorce. First of all, divorce was not a decision of the courts, but it belonged to the internal family law. Second, the Bible passage says, "if then she finds no favor in his eyes because he has found some indecency in her", which implies that a man could divorce his wife if she was in a state of uncleanness or had the inability to bear children. Third, to protect the women, the man legally had to give her a severance document as proof of the divorce. If a woman did not receive this document then, the man could reclaim her at any time, and if she remarried, her previous husband could accuse her of adultery.<sup>44</sup>

Deuteronomy 24:1-4 only deals with the legal procedures of divorce, not the moral justifications. However, Malachi 2:10-16 discusses the moral side of ending a marriage, allowing more conclusions to be drawn. According to verse 14, divorce is an act of treachery

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<sup>43</sup> Daniel I. Block, *Marriage and Family in the Ancient Israel* (Downers Grove, IL: InterVarsity Press, 2003) 49.

<sup>44</sup> *Ibid*, 50.

against one's partner and a breach of the covenant of commitment to their wife, and treachery is committed first in the spirit, then in action. When looking at the Old Testament holistically, divorce was not a moral right enjoyed by males, but a moral offense committed by males.<sup>45</sup>

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<sup>45</sup> Ibid, 52.

## Marriage and Divorce in Ancient Greek Society

### Society

Ancient Greek society was composed of hundreds of independent city-states that were unified, not by geography, but by religion and language.<sup>46</sup> The allegiance of individual citizens was directed more to their city-state rather than to the whole Greek nation. For example, if a war was being fought, instead of the whole nation presenting a strong defense, individual city-states would become allies. Religion dominated ancient Greek society—they were polytheistic and devoted to serving their gods; they built large temples and altars to provide sacred spaces for the gods to reside in. Though there were varying degrees of individual religious beliefs, it was widely accepted that, 1.) the gods existed, 2.) they could influence human affairs, and 3.) they welcomed and responded to acts of piety and worship.

Male dominance was apparent in the ancient Greek society, as males defined their families social class. They worked the farms, provided incomes, fought in the state army, were sources of provision and security for women, and were responsible for continuing their household and name. Men who were both citizens and Greek by blood held even more power because they reaped the benefits of being Greek; this included ownership of property, involvement in the state cults, and education. There were other social groups that made up the society as well: women, children, enslaved people, freed people, labourers, and foreigners.

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<sup>46</sup> Ancient Greece was not so much a unified nation, but rather a large network of communities.

### Marriage

A Greek man was required to marry a Greek woman<sup>47</sup> because foreigners were viewed as “barbarians”, whereas Greeks believed that they had sprung from Attic soil, and they did not want to compromise their ancestral religious practices.

The first step in the marriage process began with the father of the bride acting as her representative and finding a respectful male to draw a marriage contract. Once his daughter reached the age of 13 or 14 years old, she was of age to marry, and typically girls would be married to men who were around 30 years old. The father of the bride would negotiate on the girl’s behalf and since the groom was older, he would negotiate for himself. In some cases, a bride-price was given to the bride’s father, but it was not required, in contrast to other societies. Marriage in this time was not for love, but to strengthen family ties and, more importantly, to producing children.<sup>48</sup> Once the official contract was drawn and agreed upon, which was symbolized through a handshake in front of witnesses, the betrothal period began, which insured that the children born from this union would be legitimate ones, entitled to inherit their parents’ citizenship and property.<sup>49</sup> In Greek society, the women had no involvement in the contract or in choosing her groom, especially since the segregation of the sexes in ancient Greece would have provided her with little opportunity to come into contact with men. The next step in the marriage

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<sup>47</sup> It was known that if an Athenian man married a non-Athenian, then their kids would not be able to be Athenian citizens.

<sup>48</sup> John H. Oakly and Rebecca H. Sinos, *The Wedding in Ancient Athens* (Madison, Wisconsin: The University of Wisconsin Press, 1993) 10.

<sup>49</sup> Ibid

was to plan the day of the ceremony, which, depending on the girl's age, would occur within days or years.<sup>50</sup>

The wedding ceremony typically took place over a three day period: the *proteleia*,<sup>51</sup> the *proaulia*,<sup>52</sup> and the *epaulia*;<sup>53</sup> each day had their own special significance.<sup>54</sup> The *proteleia* was a day filled with sacrifices, offerings, and ritual. Sacrifices to the gods were made when a Greek man or woman was about to take on a major undertaking, and marriage was no exception. The reason behind *proteleia* was to propitiate the gods with sacrifices and offerings, as the couples future happiness and safety depended on divine help.<sup>55</sup> It was widely believed that when the bride and groom were at this point of "life fulfillment", they were vulnerable to the envy of the gods and therefore could be killed if they did not pay respect to them. During *proteleia*, the bride would give offerings to the gods to indicate her departure from childhood to becoming an adult.<sup>56</sup> She would dedicate her childhood tokens to a goddess (usually Artemis, the virgin goddess that watched over girls and women in childbirth) to further symbolize the bride's transition from child to adult.<sup>57</sup> Most times, women and men would offer a lock of their hair to the gods, which was a popular coming-of-age ritual. The adjoining rite was the bridegroom took part in the bathing ritual; this included the man and woman being bathed with water drawn from a sacred source, like a particular spring, and carried in adorned jars called *loutrophoros*. This

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<sup>50</sup> Ibid. The authors point out that weddings were desirable to take place in the month of Gamelion (January in present day) because it was when their god Zeus married Hera. The Greeks believed that if they scheduled there weddings for this time, the couple would follow the footsteps of the most prominent divine couple.

<sup>51</sup> Pre-consummation; was a day of preparation and sacrifice.

<sup>52</sup> Was the actual wedding day that ended with consummation.

<sup>53</sup> This was the day after the wedding.

<sup>54</sup> S. M. Baugh, *Marriage and Family in Ancient Greek Society* (Downers Grove, IL: InterVarsity Press, 2003) 110.

<sup>55</sup> John H. Oakly and Rebecca H. Sinos, *The Wedding in Ancient Athens* (Madison, Wisconsin: The University of Wisconsin Press, 1993) 11.

<sup>56</sup> The *proteleia* held more significance to the girl since she was transition to adulthood where her husband, who was usually older, had been considered an adult for quite some time.

<sup>57</sup> S. M. Baugh, *Marriage and Family in Ancient Greek Society* (Downers Grove, IL: InterVarsity Press, 2003) 110.

ritual represented both parties becoming adults, and blessed the couple with fertility since “water was life-giving and productive”<sup>58</sup> To end the day of *proteleia*, both the bride and the groom’s houses were decorated with branches to mark them off as festive spaces, and to begin the actual wedding ceremony.

The wedding ceremony, or the day of *proaulia*, was not like modern civilizations, where there is a member of the clergy officiating the vows, rather, it was one giant celebration because the vows and agreements were already made by the father and the groom during the betrothal period. During the ceremony there was feasting, dancing, and socializing. The feast consisted of a variety of meat from the prenuptial sacrifices and an overflowing amount of wine that was offered to all the attending guests.<sup>59</sup> Often, the size and cost of the gathering overwhelmed the resources of the family, creating financial trouble after the wedding took place. Men and women were divided and kept separate during the ceremony, and would socialize with the same gender. The wedding procession concluded the night, in which the bride and groom were brought to their new home. The bride would accompany the groom on an ox-cart or a chariot, surrounded by the guests holding torches. In the wedding procession, torches were an integral part of the ceremony because they signified it was a legitimate wedding<sup>60</sup> as well as protect the couple from demons when they journeyed to their home. As they walked to the couple’s home, the guests would

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<sup>58</sup> John H. Oakly and Rebecca H. Sinos, *The Wedding in Ancient Athens* (Madison, Wisconsin: The University of Wisconsin Press, 1993) 14.

<sup>59</sup> There was often a large guest list as all the family members and friends from both the groom and the bride sides would attend.

<sup>60</sup> John H. Oakly and Rebecca H. Sinos, *The Wedding in Ancient Athens* (Madison, Wisconsin: The University of Wisconsin Press, 1993) 26.



often repeatedly sing the bridal song over the bridegroom. To finalize the wedding ceremony, the bride and the groom would enter their chamber and consummate the marriage.<sup>61</sup>

The last day, the *epaulia*, would take place at dawn of the next day. It was another event of feasting, dancing, singing, and socializing, but what made this day special was the giving of gifts. The guests would present the couple with gifts like tools, cosmetics, jewelry, sandals, baskets, and garments. However, the outstanding present given on *epaulia* was the dowry entrusted to the new son-in-law from the bride's father. Once all three days were complete, the wedding ceremony officially ended and the couple adopted a new legal and social status.

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<sup>61</sup> This was a major step in a girl becoming a woman; however, the transformation was not complete until she bore her first child.

### Divorce

It is clear that in all of these societies, divorce did exist and was not uncommon, and ancient Greece was no exception. Within the society there were three major grounds for a divorce: the woman was unable to produce children, the bride or groom did not uphold the marriage contract, or the man had an obligation to marry a female heiress within his clan.<sup>62</sup> One thing that is unique about the ancient Greek society was that divorce could be initiated by either party, or by the wife's father, as long as he/she had evidence of what grounds allowed the dissolution of marriage.

From the beginning of the betrothal period, the primary purpose of the marriage was to produce children. Children maintained a line of descent, provided helpmates in the family business, and could grow up to be soldiers for the City-State. However, if a woman could not conceive children, then the man had the right to divorce her and remarry another woman. The same idea went with the breaking of the marriage contract: if basic requirements were not met<sup>63</sup> then either party could initiate a divorce and remarry. Legally, the procedure of a divorce simply consisted of the man sending his wife with her dowry back to her father's house, or vice-versa, with the woman demanding her dowry and returning to the care of her father.<sup>64</sup>

On the issue of adultery, it was treated differently than a mere divorce as it defiled the marriage. In the Greek culture, the woman would always be the one who committed adultery and never the male because girls were supposed to practice sexual purity and keep their virginity until marriage. If a married woman had a sexual liaison with a man that was not her husband,

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<sup>62</sup> S. M. Baugh, *Marriage and Family in Ancient Greek Society* (Downers Grove, IL: InterVarsity Press, 2003) 118.

<sup>63</sup> For example, not providing a house and/or food for the wife and legitimate children.

<sup>64</sup> S. M. Baugh, *Marriage and Family in Ancient Greek Society* (Downers Grove, IL: InterVarsity Press, 2003) 118.

terrible punishments followed. For example, a husband was legally not allowed to live with an adulterous wife or else he could potentially be killed, and the adulteress could no longer attend any public rites; she was cut off from society and shame was brought upon her name. If she did try to participate in society, she would face public shame, abuse, and possibly death.<sup>65</sup>

Men did not face being accused of adultery, as it was culturally appropriate for them to have relations with *hetairai*.<sup>66</sup> As stated before, girls were raised to abstain from sexual relations, however, the same exercise was not practiced by men. Even before marriage, men participated in activities with *hetairai* at various dinner parties or social gatherings, and thus the idea of them becoming faithful to one woman after marriage was an absurd request. Therefore, women could not bring up accusations upon their husband for adulterous acts because the Greek world accepted what men practiced and viewed it as a norm.

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<sup>65</sup> Ibid, 116.

<sup>66</sup> *Hetairai* were girls trained in music, dancing, and conversational skills who would be contracted out to entertain and to provide sexual services at male banquets.

## Marriage and Divorce in Roman Society

### Society

The Roman Empire was believed to be an amalgam with a cultural mix. As the Empire expanded over decades and acquired more land, foreigners were absorbed and enfranchised; both and new and old citizens were forced to submit to the strict Roman law. This submission was how Rome kept a distinct cultural identity despite the fact that there were many ethnicities incorporated into the empire.

Roman citizens were divided into two social classes: the patricians and the plebeians. The patricians were the upper class who formed restricted groups and participated in high positions of government.<sup>67</sup> To be a member of the patrician's "clan", one had to share their common blood line. Everybody who was not a patrician was referred to as a plebeian, and they were not restricted by blood relations.<sup>68</sup> Whatever group a Roman was a part of, it helped develop their identity and the groups they associated themselves with.

Early Rome was a highly patriarchal society, but as it continued to progress, society strayed away from that mindset. In traditional families, The head of the household, which were referred to as the *paterfamilias*, held all the power over his wife, children, and slaves. His paternal power also extended over future generations, depending on how long he lived. Those under his power legally held no property— anything they acquired by their own efforts, gift, purchase, or inheritance, became the property of the *paterfamilias*.<sup>69</sup> Subjects of his rein could only be free of his power if he emancipated them, his daughters married and thus transferred

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<sup>67</sup> Susan Treggiari, *Marriage and Family in Roman Society* (Downers Grove, IL: InterVarsity Press, 2003) 134.

<sup>68</sup> Ibid.

<sup>69</sup> Ibid, 137.

under the control of their husbands, or if the *paterfamilias* died.<sup>70</sup> This was the way the Roman family functioned, but as the Empire developed and progressed, the *paterfamilias* began to slowly lose their power.

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<sup>70</sup> Once the *paterfamilias* died, his property and possessions would be equally divided among his family, unless he wrote a will designating who will inherit what.

## Marriage

It is in Roman Culture there is a shift from traditional procedures of marriage to more freedoms being given to men and women.<sup>71</sup> The *paterfamilias* arranged marriages for their daughters, but the legal consents of both the bride and the groom were necessary for marriage.<sup>72</sup> This allowed women to not be forced into a distasteful marriage set up by her *paterfamilias*. Once consent was given, the couple was betrothed, and betrothal required no prescribed form of words, actions, or written contract.<sup>73</sup> There was no minimum age for betrothal, but the minimum legal age for marriage was twelve for females and fourteen for males.<sup>74</sup> Although consent was given, engagements could still be broken, which commonly happened in Roman society. The betrothal did not end because of moral shortcomings from either side, but simply the person who broke it off found a richer, better-born, or better-looking candidate.<sup>75</sup> The qualities that were highly valued in a husband or wife were birth, wealth, family connections, brains (in a man), and beauty and virtue (in a woman). The driving force behind a marriage was rarely love or affection, but rather procreation and achieving the best possible future for each party.

The consent of both parties created the marriage, but often there was some form of a ceremony to accompany the verbal expression. Usually, the bride and the groom went through a ceremony in front of their family and friends and exchanged several verbal formulae. The groom would then proceed to put a ring on the bride's left hand using his right hand— this is where the

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<sup>71</sup> It was still intact though that the purpose of marriage was to create offspring and to unify families.

<sup>72</sup> Susan Treggiari, *Marriage, Divorce, and children in Ancient Rome* (New York: Oxford University Press, 2004) 32.

<sup>73</sup> *Ibid*, 33.

<sup>74</sup> *Ibid*, 27. However usually females tended to marry men who were around ten years older than them.

<sup>75</sup> Susan Treggiari, *Marriage and Family in Roman Society* (Downers Grove, IL: InterVarsity Press, 2003) 152. When an engagement was ended there were no debts or payments owed, but at the least they had to return presents gifted to them by either side of the family.

modern western weddings ring and vow exchange originates from. The wedding day was then celebrated through feasts, sacrifices, and small customs. What made a Roman marriage ceremony distinct was that consummation was not required to make a marriage valid.<sup>76</sup>

Additionally, the continuance of marriage depended on the bride and groom's continued will to be married; this idea was termed *affectio maritalis*.<sup>77</sup>

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<sup>76</sup> Ibid, 154. Even though it was not required it usually did take place immediately after the ceremony.

<sup>77</sup> Susan Treggiari, *Marriage, Divorce, and children in Ancient Rome* (New York: Oxford University Press, 2004) 33.

## Divorce

If marriage was dependent on consent in Roman culture, then logically, the same rule applied to divorce. There were no legal proceedings that accompanied a divorce, and no authority had to ratify it; rather it was a consensual agreement between the spouses. It was even legal, according to jurisdiction, that divorces were still valid even if the other spouse did not receive a notice of the dissolution of the marriage.<sup>78</sup> However, people typically did inform their spouse, family, and friends of their divorce because it would be socially unacceptable if they did not.<sup>79</sup>

The viewpoint that united Roman thinking about marriage and divorce was that people were not forced to do either out of their will. No one was compelled to divorce or to marry; not even the *paterfamilias* could bring about a divorce for his son or daughter, he only had the power to end the relationship with the son-in-law, not the wife and groom union.<sup>80</sup> Marriage in Roman culture was a joint consent of two qualified individuals.

Considering marriage could end with a consensual agreement between both parties, there were various reasons for receiving a divorce. It could be due to incompatibility that was revealed early on in the marriage, inability to produce children, or simply the fact that one of them did not want to be married. Once the divorce took place, both parties were free to remarry, but if they had children, then the husband and wife were legally responsible for providing for their child.

Adultery was grounds for divorce without bilateral consent. It was common for only women to be accused of adultery as they were required to abide by a vow of chastity whether

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<sup>78</sup> Ibid, 37.

<sup>79</sup> Susan Treggiari, *Marriage and Family in Roman Society* (Downers Grove, IL: InterVarsity Press, 2003) 154.

<sup>80</sup> Ibid, 157.



they were married or not. If a woman was accused or caught in adultery, her adulterer was subject to death, and she would be divorced and prosecuted by either the former spouse or an outside witness. The punishment for her crime would increase if she had an affair with someone of a lower class, like a slave, pimp, or an actor.<sup>81</sup> If the woman's life was spared, she would never be able to reestablish her honor in society.

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<sup>81</sup> Ibid.

## Marriage and Divorce in Second Temple Judaism

### Society

For most Jewish people in the Second Temple period, family formed the central social institution. Families lived in close proximity to each other in order to form large networks in which mutual support could be found. The Jewish society was also patriarchal, in which the father, or the eldest male guardian, represented the family. The patriarch had certain roles to fulfill: providing for the family, educating their youth, making sure shame was not brought upon the family, and caring for their children.

During the Second Temple period there was a large Jewish diaspora, meaning the majority of Jews lived outside the territory of Israel.<sup>82</sup> They were often scattered all around the Roman Empire, in the country or the populated towns, and they formed tight-knit Jewish communities within the state. Their customs were known everywhere and by everybody, even if they were not always regarded favourably. On the other hand, their strict monotheism and high moral standards attracted many, and they often had influential patrons.

The major goal of the Jewish people was to maintain their holiness and cleanliness. The Jewish people were extremely religious, and their faith was the foundation of their society. They strictly followed the Law of Moses, the Torah, and other uncanonized texts (like the book of Tobit or Josephus).<sup>83</sup> Many Jewish people followed the teachings of the Rabbis since most of them were illiterate and uneducated, whereas the Rabbis were capable of reading and interpreting scripture.

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<sup>82</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 183.

<sup>83</sup> *Ibid*, 184.

## Marriage

Jewish marriage was a formal union between a man and a woman that served the purpose of procreation. There were three main steps in the marriage process for the Jewish people: the betrothal, establishment of the marriage contract, and the wedding ceremony.

In the betrothal period, the father of the bride would find a suitable husband, or a man who was in search of a bride, once his daughter was of age (she became eligible once she turned twelve years old, and a man was of age when he was fourteen).<sup>84</sup> According to Rabbinic literature, there were three ways of cementing a betrothal: through an exchange of money, by a writ of betrothal, or by sexual intercourse. The last way was usually practiced if it was a levirate<sup>85</sup> marriage because most virgin couples were required to stay pure until their wedding ceremony.<sup>86</sup> As for the betrothal ceremony itself, it is not clear what exactly took place. In Josephus literature, there were recordings that the couple would join their right hands together,<sup>87</sup> and in the Mishnah<sup>88</sup> there was a brief mention of a feast, but that is as much as historians know.

During the betrothal time, the couple was referred to as husband and wife even though no consummation took place.<sup>89</sup> A woman whose betrothed husband died was referred to as a widow even if she was still a virgin.<sup>90</sup> If either party broke off the betrothal, the rabbis enforced a substantial monetary penalty which would be equal to the payment form of a divorce.

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<sup>84</sup> Ibid, 184. However It was Rabbinic teaching that a man should not have sexual intercourse till he was 20 years old.

<sup>85</sup> A levirate marriage was where a recent widow would be forced to remarry their brother-in-law in order to keep the womans dowry and continue the lineage.

<sup>86</sup> This command is seen the Jewish literature of Josephus Aseneth 21:1

<sup>87</sup> Josephus, *Jewish War* 1.559

<sup>88</sup> Mishnah Pesachim 3:7

<sup>89</sup> This is evident in biblical legislation as in Deuteronomy 22:23-27 the penalty for sexual immorality for a betrothed women is the same penalty for a adulterous married women.

<sup>90</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 187.

Once the engagement was created, the father of the bride and the husband would develop a marriage contract. These contracts were referred to as *ketubah*, and they primarily stipulated the financial terms of the marriage.<sup>91</sup> They were crucial in order to ratify a marriage; the book of Tobit indicated that the marriage between Tobias and Sara was formalized not by the giving of the bride by the father, but also by a sealed written contract.<sup>92</sup>

The Jewish marriage contract followed a strict outline and template. It contained the names of the parties and the date; a message from the bridegroom in the first person to the bride's head of the household<sup>93</sup>; the announcement from the groom that declared, "She is my wife and I am her husband this day forever"<sup>94</sup>; a *mohar*<sup>95</sup> price, along with the monetary value of the wife's dowry; establishment of provisions to the future children and wife in the event the husband dies; and the penalty inflicted on the party if they initiate a divorce. The contract was completed with the naming of the scribe and the listing of witnesses.<sup>96</sup>

The final step to completing in the marriage process was the wedding itself. Ancient texts give modern people little information of what took place in a wedding ceremony, but inferences have been made through observing the literature of Joseph and Aseneth, the book of Tobit, and rabbinic teaching. According to Joseph and Aseneth, a father figure places his hands on the couple, he invokes the Lord's blessing on them, turns them to one another to kiss, and calls for a seven-day-long marriage feast. Once the feast was complete the couple would

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<sup>91</sup> Ibid, 188.

<sup>92</sup> The book of Tobit 7:11-14.

<sup>93</sup> Usually it was the father who was the head of the household, but it could be an older brother if the father had passed.

<sup>94</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 189.

<sup>95</sup> A *mohar* is a payment made to the bride's father from his future son-in-law.

<sup>96</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 189.

consummate the marriage through sexual union.<sup>97</sup> The book of Tobit mentioned other details of the marriage traditions: for example, binding oaths were exchanged between the groom and the bride's father and formalized in written contract. Once completed, the bridal chamber was prepared and decorated, and the consummation would take place. Immediately following consummation was a feast that lasted fourteen days.<sup>98</sup>

According to rabbinic teaching, the wedding ceremony was a four step process: 1) the bride was prepared through bathing and adornment; 2) she was transported on a carriage from her father's house to her husband's;<sup>99</sup> 3) the groom received the bride into his house; and 4) a festival in his home would occur for a week long.<sup>100</sup>

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<sup>97</sup> Joseph and Aseneth 21:5-8

<sup>98</sup> The book of Tobit 7:11-16; 8:4-9, 19.

<sup>99</sup> Usually people sang and danced around here during this journey. If this event occurred during night they would have a torch procession.

<sup>100</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 189.

## Divorce

Divorce was tolerated among the Jewish people in the Second Temple period based upon the rabbinic interpretation of Deuteronomy:1-4, where it specifically says, “Because he hath found her indecency in anything.” There were two popular interpretations of this passage: the School of Shammai and the School of Hillel. Rabbi Hillel argued that this biblical excerpt allowed a man to divorce his wife for any cause, whereas Rabbi Shammai argued that it only allowed divorce if the man found unchastity in her.<sup>101</sup> These two schools of thought would have been a hot topic in the first century C.E., but many historians believe that Rabbi Hillel’s viewpoint was accepted more among the Jews.

Whatever the reason may be for divorcing one's wife or husband, there was a legal procedure to follow. If the divorce was initiated by the man, he would have to forfeit the *mohar* to the bride<sup>102</sup> and if the woman sought the divorce, she would be required to pay the divorce payment of seven and a half shekels. The divorce was then finalized when either party stated in front of a congregation, “I divorce you.”<sup>103</sup> It is a debated issue if divorce was allowed to be initiated by the wife; some believe that they were able to, especially as the Roman-Empire began to progress and give women more freedoms and recognitions. However, most people believe that the power of divorce resided with the man, and the woman could not remarry unless he wrote her a writ of divorce.<sup>104</sup>

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<sup>101</sup> The differing beliefs between the Hillelites and the Shammaites are discussed more in depth on page 43.

<sup>102</sup> David W. Chapman, *Marriage and Family in Second Temple Judaism* (Downers Grove, IL: InterVarsity Press, 2003) 229. If there was no original *mohar* then the man would pay a divorce payment.

<sup>103</sup> Ibid. The original saying translates into “I hate you.”

<sup>104</sup> Ibid, 231. This idea is expressed in the literature of Josephus.

### **Rabbinic Teaching on Divorce and Remarriage**

Many of the Jewish people in the first century C.E strictly followed the teachings of the rabbis; they trusted their opinions and interpretations of scriptures. One area that the rabbis instructed the people on was the grounds for divorce. Rabbis agreed on a common justification for divorce: childlessness, material neglect, emotional neglect, and unfaithfulness.<sup>105</sup>

Infertility was a ground for divorce because the primary purpose of marriage was regarded as procreation. One of the 613 laws in the Torah was, “be fruitful and multiply” (Genesis 1:28), and the rabbis held the Jewish people accountable for fulfilling this law. The only way to avoid marriage was to either dedicate one's life to studying the Torah or due to financial difficulties, but these exceptions were rare.

Rabbis put into law that if children were not produced from the marriage within ten years, then the couple was expected to divorce and remarry someone who was fertile. Many rabbis went against this ten-year law and actively argued against it. Simeon ben Yohai, a devout second-century rabbi, went to great lengths to help a married couple avoid such a divorce<sup>106</sup>, and Philo<sup>107</sup> was sympathetic to couples who struggled with infertility and said that those marriages deserve the rabbi’s pardon. In the New Testament times, a lack of children was a permissible ground for divorce according to rabbinic teaching and literature, however, it was not one that was made compulsively, but there was probably reluctance to enact this form of divorce.

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<sup>105</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 91.

<sup>106</sup> Simeon met with the couple and persuaded them to have an extravagant feast because their marriage began with a feast and therefore should end with one. During this feast the couple reignited their love for each other and ended up bearing a child. They ended up not ending their marriage because they finally had an offspring.

<sup>107</sup> Philo was a Jewish philosopher who lived in Alexandria, a Roman province of Egypt.

The law of Exodus 21:10-11 states, “If he takes another wife to himself, he shall not diminish her food, her clothing, or her marital rights. And if he does not do these three things for her, she shall go out for nothing, without payment of money.” This law was used to apply for a divorce by both Jewish men and women. Using this passage, rabbis categorized two grounds for divorce: marital neglect and emotional neglect. Marital matters referred to food, clothing, and provision. Emotional neglect appears to have widened to include cruelty, humiliation, and loss of conjugal rights.

To establish what marital rights included, the rabbis recorded specific obligations that both men and women had to fulfill; if they did not follow the guidelines, then the rabbis agreed the couple could be granted a divorce. For the women the *Mishnah Ketuboth* described their work as, “These are the kinds of labour which a women performs for her husband: she grinds flour, bakes bread, prepares meals, feeds her child, makes the bed, works with wool.”<sup>108</sup> Almost all these jobs can be classified as preparing food or preparing clothing, except for feeding their child, which deals more with the idea of procreation. Men, according to the *Mishnah Ketuboth*, were expected to provide the amount of food necessary for women to carry out their duties, as well as clothing and shelter for his wife and children. If either party did not provide for one another, then the rabbinic courts would grant a divorce.

Just as there was as much mention of marital rights in the Mishnah, there was an equal amount when discussing emotional and conjugal rights. It is states in the *Mishnah Ketuboth*, “He who takes a vow not to have sexual relations with his wife: The school of Shammai says, for two weeks, and the school of Hillel says, for one week. Disciples go forth for Torah study

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<sup>108</sup> Mishnah Ketuboth 5.5



without consent for 30 days. Workers go for one week. The sexual duty of which the Torah speaks [Exodus 21:10]: those without work, every day; workers, twice a week; ass drivers, once a week; camel drivers, once in their days; sailors, once in six months”<sup>109</sup> Conjugal rights were so crucial in a marriage, according to rabbis, that there was clear guidelines on the time limit a man could abstain from sex.<sup>110</sup> There is no mention in the *Mishnah Ketuboth* that addresses a woman’s conjugal duty, but it can be assumed that they were discouraged from abstaining from sex for a long amount of time. If either party emotionally and/or sexually neglected their spouse, then it was the duty of the rabbinic courts to inflict a penalty on the couple. They usually tried to refrain from handing a divorce certificate to the couple, instead they would increasingly be fined in hopes that the “rebellious” partner would change his or her mind and actions.<sup>111</sup>

Emotional neglect was not just on a sexual basis, but was extended to include humiliation and abuse. Humiliation could be a husband forcing his wife to shame herself in public by forcing her to repeat a private conversation in front of a crowd, or by making her vow not to attend a house of feasting or mourning, which was regarded by the court as virtually making her prisoner. A women could humiliate her husband by serving him unclean food that was not tithed, not warning him that she was on her period, behaving improperly in public, and/or cursing his parents.<sup>112</sup> These acts of cruelty granted divorce according to rabbinic courts and teaching.

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<sup>109</sup> Mishnah Ketuboth 5.6

<sup>110</sup> The amount of time was based on pragmatic reasons, like how a man's occupation limited the amount of attention he could give his wife. If a man was rich they usually were without work and thus he would have a punitive amount of conjugal duty.

<sup>111</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 107.

<sup>112</sup> Ibid, 108-109.

For abuse, beating one's wife would not have been classified as cruelty, but it would rather be treated as a criminal act and assault and therefore a divorce was necessary.<sup>113</sup> In post-talmudic Judaism it is clearly named as a ground for divorce, but there is no record that this was cited for divorce in early Judaism, though it is likely that the courts would look favorably on such cases.<sup>114</sup>

When adultery was present in a marriage, it was treated extremely seriously. During the first century C.E, it was still considered a capital offense, however there is no record of this punishment being applied. Adultery as a reason for divorce was probably rare during this time because it required two eyewitnesses to prove the act happened, so suspected adultery was much more common. To see if an accusation was true, women were required to prove themselves by the deathly rite of Bitter Water. Even Philo assumed that adultery was impossible for men to prove, and that this was why God had provided the rite of the suspected adulteress. Before 70 C.E the rite of Bitter Water was very common, and some argue it was too common. This rite was probably abandoned after 70 C.E, as it could no longer be performed without the temple. Instead, the punishment for adultery, which was enforced by rabbis, was divorce without repayment of the *ketubah*. It was widely accepted that only a women could perform adulterous acts against her husband because the law allowed polygamy for a man, so it was impossible for them to be sexually unfaithful to his wife. Even if he committed sexual fornication with an unmarried woman, the blame was not put upon him but rather the woman's father, because he failed to pursue a contract for the couple.

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<sup>113</sup> Except if it was a minor beating as courts decided it was necessary for disciplining the wife.

<sup>114</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 109.

### Remarriage

Remarriage was normal, and even expected after divorce or widowhood,<sup>115</sup> though some women choose to remain single if their finances were sufficient.<sup>116</sup> Even rabbinic systems encouraged remarriage for both men and women. When going through the marriage process for the second, third, or maybe even fourth time, there were many factors that made it extremely different than the first time they were married.

For one, women were not forced into marriage by their fathers and had a say in who they wanted to marry. The very divorce certificate women received had the statement, “you are free to marry any man you wish.” This right to marry was therefore a personal permission given by the former husband or wife to marry whom he/she wanted. There were only a few restrictions on remarriage: a woman could not marry her adulterer, a man could not remarry his former wife whom he divorced, and a woman could not marry a priest. As long as the woman or man had proof of their divorce or widowhood, they were free to marry whom they wished.

A second marriage was usually treated as a relatively unimportant event and even if the remarried couple divorced it was treated as a less momentous occasion. The wedding ceremony was a less expensive affair with fewer guests, and the price of the *ketubah* was half of a virgin, which was enforced by the rabbis. The man was assumed to be less enthusiastic about the event, and so normally the ceremony was held on Thursday, in order to encourage him to spend at least a long weekend with his new wife rather than return to work immediately.

In some cases, a women would remarry without being properly divorced or widowed, or without being properly married in the first place. Even though these cases were rare, they were

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<sup>115</sup> Especially if they were young because society thought it was shameful if a woman was not married.

<sup>116</sup> Some thought there was more freedom in remaining single as they were not under the consent control of their husbands.

treated seriously because she was technically guilty of adultery or fornication.<sup>117</sup> Therefore, she suffered the same consequences as if she had been deliberately immoral.

Divorce in the rabbinic world of the first century was based on the grounds of infertility, sexual unfaithfulness, or material and emotional neglect. However, if a divorce was legally performed, a women was free to remarry and produce more offspring.

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<sup>117</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 125.

### **Hillelites vs Shammaites**

Two rabbinic groups that argued against each other were the Hillelites and the Shammaites; each followed the teachings of either Rabbi Hillel or Rabbi Shammai. The two main disagreements they had was the interpretation of Deuteronomy 24:1 and the stages involved when getting a divorce. Many of the Jewish people had to pick which teaching they followed, as there was no “gray” or middle ground on this issue.

Deuteronomy 24:1 says, “When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts it in her hand and sends her out of his house, and she departs out of his house.” The school Shammai claimed that a man could only divorce his wife if there was a matter of sexual indecency, whereas the school of Hillel would believe that a man could divorce his wife if there was any manner of indecency (even if she spoiled a dish). The Hillelites suggested that the vagueness of the phrase meant there was a hidden meaning. They concluded that the two phrases, “indecency” and “a matter”, are two separate differences for grounds of divorce. Divorce could occur due to sexual indecency or any matter, which encompassed all other grounds in just one phrase, “any matter.”<sup>118</sup>

The Shammaites believed that when scripture said, “a matter of indecency” it referred to adultery. As mentioned previously, adultery was taken very seriously by the rabbinic courts and would lead to not only divorce, but was a capital offense. When Shammaites presented their opinions, instead of quoting scripture directly, they altered the order of the words to emphasize their cause. So instead of reading it as, “a matter of indecency” the Shammaites would read it as,

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<sup>118</sup> Ibid, 111.

“indecent of a matter.” Even though the Shammaites were firm believers that this text confirmed that adultery granted a divorce, they also agreed upon the three grounds of divorce: childlessness, marital neglect, and emotional neglect.

Hillelites and Shammaites continued to argue against each other into the second century. The debate became more heated when Rabbi Aquiba added on to Rabbi Hillel's teaching that a man may divorce his wife if he finds someone with more beauty because, “if then she finds no favor in his eyes.”<sup>119</sup> However, during the second century, most of the Shammaites died out and the Hillelites’ beliefs gained popularity; thus, Aquiba’s addition to the argument was insignificant.<sup>120</sup>

The second issue that the two groups differed on was the proceedings of a divorce. The Shammaites believed that once a divorce certificate was written, it could be given to the wife at anytime; the Hillelites believed a divorce certificate was to be written immediately before handing it to her, which contained many rules about how it should be given.

The Hillelites believed that the three phrases that accompanied the mention of divorce certificate in Deuteronomy 24:1-4,<sup>121</sup> were separate acts that needed to be complete in order for a divorce to be valid and with each of these three phrases came certain regulations.<sup>122</sup> The Hillelites also believed that divorce was not complete unless all the requirements and conditions in the *ketubah* had been fulfilled. The Shammaites, in contrast, believed that whole process of a

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<sup>119</sup> Ibid, 112.

<sup>120</sup> Ibid.

<sup>121</sup> 1) “Writes her a certificate of divorce,” 2) “puts it in her hand,” 3) and “sends her out of his house.”

<sup>122</sup> For example, if the certificate was given by throwing it at the woman, and landed at her feet but she was standing inside his house, then technically the man had not yet given the certificate to her. However, if she was standing outside the house and the paper landed more towards her than him, then she succeeded at giving the certificate to her.

divorce was encompassed in a man writing a certificate, and that once it was completed the women was officially divorced.<sup>123</sup>

The reason behind the Hillelites' more complex procedure when dealing with a divorce was to ensure that people were not misusing the "any matter" divorce. Unlike a Shammaite court, the Hillelites did not require any evidence to prove that one qualified for the grounds for divorce and therefore people preferred to have a Hillelite judge instead of a Shammaite judge during their trial. The Hillelite interpretation of scripture was favored by common people who wished to avoid going through a gruesome or long trial to receive validation for their divorce.

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<sup>123</sup> Even if the man changed his mind, he never gave her the document, or she was still living in his house, the marriage would still be dissolved.

## **Divorce According to the Church Fathers**

The early Church Fathers generally approached the Gospel traditions about divorce in a straightforward way. Most believed that divorce was wrong, except for cases of adultery, and that remarriage was wrong as well. However, even with similar beliefs, each man still had differing opinions on the topic of divorce.

### Hermas and Justin Martyr

Hermas is the earliest witness of the early church; historians say his writings in Rome date back between 100 and 150 C.E.<sup>124</sup> In one set of writing, Hermas apparently asked a guide, who was called the Shepherd, what a believer should do if his wife committed adultery. His answer was the husband should separate; otherwise the husband is sharing her guilt. Hermes then continued to ask whether one should forgive his wife who committed adultery. The Shepherd answered he should, but he could not do it repeatedly, for Christians have only one chance at repentance.<sup>125</sup> The Shepherd also claimed that a man must not remarry in case the wife ends up repenting of her actions. Justin Martyr was another early Church Father, and his writings date back to 139 C.E.<sup>126</sup> He held the same beliefs on divorce as Hermes, but he took it a step further and claimed that even looking upon a women with lust was committing adultery, and therefore the man was sinning.<sup>127</sup>

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<sup>124</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 240.

<sup>125</sup> Hermes believed, like most Church Fathers, that believers only had one chance at repentance which was through baptism. Any sin committed after baptism would have been deemed unforgivable. That is why most Christians during this time would be baptized on their deathbed.

<sup>126</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 241.

<sup>127</sup> His belief comes from Jesus' teaching in Matthew 5:28.



### Athenagoras

Athenagoras was a converted Athenian Philosopher whose writings date back to 177 C.E. He claimed that Christians usually abstained from sexual activity, unless it was for procreation, and even some were celibate. He challenged believers to choose between remaining single or committing to one marriage. Athenagoras had an extreme stance on remarriage, saying that all forms of remarriage were forbidden, even if the previous spouse had died, for he saw remarriage as equivalent to adultery.<sup>128</sup> His bold stance on remarriage was a way to reinforce his belief that Christians should avoid sexual activity unless it is necessary.

### Clement of Alexandria

Clement of Alexandria, writing around 192 C.E., concluded that marriage was necessary, but the wife and husband should restrain their passions for one another. His views aligned with Athenagoras, as he promoted couples to restrain from sexual activity unless it was for the use of creating offspring. Clement also sided with Hermes, claiming that remarriage should be avoided in order to allow room for reconciliation to take place. Clement sowed the seeds of the Reformers' position that the adulterous partner should be regarded as dead, but the penalty should be reversed when repentance takes place.<sup>129</sup>

### Origen

Origen, who lived between 185- 254 C.E, asked himself many difficult questions, and he never was able to answer some questions. He tried to find the reason why the New Testament teaching was different than what the Old Testament taught. He concluded that Moses' teachings

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<sup>128</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 243.

<sup>129</sup> It is not clear however if Clement allowed remarriage for someone who was formerly "dead" compared to the Reformers' who did.

were wrong and that he was speaking out of his own authority instead of God's. Origen did not discount the Old Testament though— in fact, he still took it seriously, especially when God was displayed as a divorcee of Israel. He was puzzled over the question that when God divorced Israel and then later Christ marries the Church, was that justification for remarriage after divorce. However, Origen concluded that Christ can “remarry” because God was above the law; whereas humans were not above the law, but had to submit to it. Therefore, Origen decided that the divorce was only on the ground of adultery<sup>130</sup> and remarriage was not possible unless a spouse died.

#### Ambrosiaster

Ambrosiaster was a relatively unimportant Church Father in the eyes of some historians and theologians. However, he was the first Church Father who believed that remarriage was allowed after an unbeliever separated from a believing spouse. He considered a marriage to a nonbeliever, who had no devotion to God, as invalid and the marriage resulted in an annulment rather than a divorce. Therefore, remarriage was not possible in this situation because marriage to an unbeliever was not a true matrimony in this Church Father's eyes. Ambrosiaster did argue that remarriage after a divorce was possible, but only for men who had a sexually-sinful wife.

#### Augustine and Aquinas

Augustine wrote on remarriage in 390 C.E. and wrote a two-volume work in 419 C.E. on adulterous marriages. Through these works, he created the theological basis for the teaching that adultery was the only ground for divorce, and such a divorce did not permit remarriage because remarriage was only acceptable if a spouse dies. Augustine argued that the reason why marriage

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<sup>130</sup> Which he believed that a women was not responsible for taking the full blame of adultery; instead Origen believed that it could partially be the husbands fault as well.

was indestructible was due to the sacramental nature of the bond, which made it irreversible. Aquinas added to Augustine's view of marriage as a sacrament; before Aquinas marriage was not considered a cause of grace like other sacraments were, but Aquinas confirmed the full sacramental character of marriage.<sup>131</sup>

The general consensus of the Church Fathers was that marriage was indissoluble, except by death, and wife and husband could separate if either one of them were guilty of adultery. Many of the individual Church Fathers, especially Aquinas, set precedents that would later become canonized law in the Catholic Church.

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<sup>131</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 255.

## Commentary on 1st Corinthians

### Background

Corinth was an ancient Greek city located on the Isthmus of Corinth, and it was a major emporium of Mediterranean trade.<sup>132</sup> In the seventh century B.C., Corinth reached the height of its power because of its commercial appeal and marine commerce under the Greek Empire. In 196 B.C., the Romans seized Greece and granted Corinth to be the leader of the league of cities in the province of Achaia, but fifty years later, under the rule of Lucius Mummius, the city was destroyed. It was later rebuilt by Julius Caesar in 44 B.C. and became a trading and commercial city that attracted much tourism. Within Corinth, most of the population consisted of Greeks and Jews from Israel which increased the population of Corinth, added to its diversity, and strengthened the economy.<sup>133</sup>

The city was well known for their temple of Aphrodite (the goddess of love), which was constantly staffed by 1,000 female sex slaves resulting in Corinth's gaining the reputation of containing a lot of sexual immorality.<sup>134</sup> In fact, many Greek and Roman authors in the centuries before Christianity often referred to Corinth as the city of fornication and prostitution.<sup>135</sup> It is clear that Corinth was known for a place with no morals, as Paul included multiple explicit exhortations to flee sexual immorality in his letter.<sup>136</sup> However, Corinth did not just worship Aphrodite; they allowed many religious groups to practice their faith, and they worshipped

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<sup>132</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 4. The city of Corinth appears in Homer's *Iliad* and thus dates back to the second millennium before Christ.

<sup>133</sup> *Ibid*, 5.

<sup>134</sup> F.F Bruce, *The New Century Bible Commentary for I & II Corinthians*, (Grand Rapids, Michigan: Wm. B Eerdmans Publishing Company, 1980) 18.

<sup>135</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 5.

<sup>136</sup> 1 Corinthians 5:1, 6:9, 15-20, 10:8.

Asclepius, Apollo, Poseidon, Athena, Hera, Hermes, and Egyptian gods Isis and Serapis. Jews were among the various religious groups, and they were allowed to practice their religion as long as they did not retaliate against the Roman government. The Jews had their own synagogue and first invited Paul to preach, but they quickly expelled him and attempted to charge him with teaching a religion contrary to the law. That claim was dismissed however because the charge was an internal religious issue, not a civil one.<sup>137</sup> Corinthian Gentiles more readily converted to Christianity as Paul taught that they needed the Jewish ritual of circumcision, which infuriated the synagogue officials.<sup>138</sup> The Christian church in Corinth continued to expand, despite the backlash from the Jews. For eighteen months, Paul preached and nurtured the church of Corinth, and after he left, his message continued to spread all over the Mediterranean, since Corinth was a major trade city.<sup>139</sup>

Paul wrote First Corinthians because three separate concerned reports were sent to him: one from Chloe's household, another in the form of a letter sent from the Corinthians, and another through the arrival of a delegation from the church of Corinth. Paul treasured the congregation of this city; he wrote that he became their spiritual father through the gospel, but he was there for only a short period, and the diversity in the church led to numerous difficulties.<sup>140</sup>

The congregation had various nationalities and languages, which led to an instability in the Corinthian church. Instead of unity with one another, there was much discord and Paul immediately addressed this in chapter 1 of 1 Corinthians. He appealed to the Corinthians to agree with one another and be united in mind and thought, and to adopt a spirit of meekness.

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<sup>137</sup> Acts 18:12-13.

<sup>138</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 6.

<sup>139</sup> *Ibid*, 10.

<sup>140</sup> *Ibid*.

Within the church there were many leaders who became arrogant and challenged the leadership of Paul and his fellow workers. They were not Gnostics because Gnosticism did not appear in the Church until the second century, but their teachings and beliefs did correlate with Gnostic views.<sup>141</sup> Paul called these leaders back to God's revelation and pointed out that Christ was the power and wisdom of God.

In the Corinth community, a man had sexual relations with his father's wife and this practice was viewed as evil and unacceptable by society. Paul held the entire church for this man's sin and rebuked the members for not being filled with grief. Paul was incensed by this because the believers were to be examples of moral purity within an immoral society. Therefore, Paul demanded that believers flee from sexual immorality and not associate with sexual immoral people.<sup>142</sup> Paul also addressed societal issues within the letter to Corinth, mainly pertaining to married couples, divorced or separated individuals, unmarried people, and widows. The church sent a letter to Paul in which members sought advice on marital issues, and Paul wrote back with an extensive discussion on a subject of universal interest.<sup>143</sup>

Paul also tackled heresies that were circulating throughout the congregation. According to 1 Corinthians 12, there had been some members who denied the resurrection. In many occurrences, Paul put an end to that teaching: he talked of the expectation of Christ's return,<sup>144</sup> provided a lengthy discourse on the physical resurrection of the body,<sup>145</sup> and at the end, encouraged readers to anticipate Jesus' return.

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<sup>141</sup> F.F Bruce, *The New Century Bible Commentary for I & II Corinthians*, (Grand Rapids, Michigan: Wm. B Eerdmans Publishing Company, 1980) 21.

<sup>142</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 11.

<sup>143</sup> *Ibid*, 11-12.

<sup>144</sup> 1 Corinthians 1:8

<sup>145</sup> 1 Corinthians 15:12, 33-34

With all the teachings within this epistle, there were three objectives to Paul's letter. First, he sought to promote unity in the local church while ensuring the readers understood that they were a part of a universal church. Second, Paul corrected a number of erroneous tendencies in the Corinthian community, an example being the man who committed incest. Lastly, Paul answered the questions that the Corinthians asked him through the letter.

Outline

7:1-16:4 ----- III. Paul's Response to Corinthian Concerns

7:1-4 ----- A. Marriage Problems

7:1-7 ----- 1. Proper Conduct

7:8-11 ----- 2. Faithfulness and Marriage

7:8-9 ----- a. Unmarried and Widows

7:10-11 ----- b. Married and Divorced

7:12-16 ----- 3. Believer and Unbeliever

Marriage Problems

In the preceding two chapters of 1 Corinthians (5 and 6), Paul wrote about incest, litigations and sexual immorality. He condemned those who practiced immorality and urged them to lead wholesome lives that glorified God. In Chapter 7, Paul addressed marriage problems and provided advice the Corinthians sought concerning the proper conduct of married couples, abiding faithfulness in matrimony, the etiquette of virgins, and continence. This chapter offered the basic outline for people who were married, those who wished to be married or once were married, and those chose to remain single.



*Proper Conduct*

**1. Now concerning the matters about which you wrote: “It is good for a man not to have sexual relations with a woman.”<sup>146</sup>**

From the very first words of 1 Corinthians, “now concerning the things you wrote” indicates that Paul is making a formal reply to specific inquiries of the Corinthians. The phrase is indefinite, meaning it fails to name the subject of which the inquiry was about. However, by observing Paul's response, it is clear that the Corinthians had questions concerning marriage.

At first, it appears that Paul is advocating celibacy, but he has no authority do so as he would be contradicting Gods utterance that it was not good for a man to be alone.<sup>147</sup> But Paul is not against marriage, which in Ephesians 5:22-33 he compares with the union of Christ and the Church— thus he holds a high view of matrimony. Some theologians speculate that Paul was married at one point in his life because of his keen insight in a married life.<sup>148</sup> Either way, the second part of the verse is most likely a brief summary of the Corinthians statement in their letter, which Paul answers in the following verses.

From the statement in verse one (“it is good for a man not to have sexual relations with a woman”), it can be inferred that there was a group of believers in Corinth who were against sexual immorality taking place in the city. To combat this sin, they advocated celibacy within the church, and not just abstinence within the marriage, but to any man or women. When the verse says “it is good”, it is claiming that celibacy is morally good, pleasing to God, and contributing to salvation.<sup>149</sup>

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<sup>146</sup> 1 Corinthians 7:1

<sup>147</sup> Genesis 2:18

<sup>148</sup> Discussed further in dissection of verse 7.

<sup>149</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 119.

**2. But because of the temptation to sexual immorality, each man should have his own wife and each woman her own husband.<sup>150</sup>**

The first word of Paul's discourse is the adversative *but*, which qualifies the slogan in the preceding verse about not have sexual relations. In verse 2, Paul is trying to exhort his readers to avoid fornication and sexual immorality. Corinth was a city known for their sexual slackness and endorsement of relations outside of marriage, and Paul is directly addressing believers' participation in fornication. Paul endorses the slogan of Corinthians who advocated celibacy and he is being attentive to the problem that Christians faced in Corinth, but his solution to immorality is more realistic than abstinence. If believers are facing problems with the inability to practice continence and are sinning, then Paul prescribes a monogamous marriage to prevent them from sin. In this verse, Paul also stresses equality of the male and female in the state of matrimony, as he intentionally repeats the words *each* and *own* and applies other terms to husband and wife. Even though Paul claims that marriage prevents sexual immorality, he is not stating it is the sole purpose of the covenant, but just simply providing a solution to those who should marry who might have otherwise remained single.<sup>151</sup> In verse 2, Paul means that each man should have his wife sexually, and likewise with the wife, because the verb *to have* is euphemistic for sexual act. This verb sets the tone for the next sentence in Paul's discourse.

**3. The husband should give to his wife her conjugal rights, and likewise the wife to her husband. For the wife does not have authority over her own body, but the husband does. Likewise, the husband does not have authority over his own body, but the wife does.<sup>152</sup>**

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<sup>150</sup> 1 Corinthians 7:2

<sup>151</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 120.

<sup>152</sup> 1 Corinthians 7:3-4

Paul is expressing the importance of intimacy within a marriage, that the husband and wife should fulfill their conjugal responsibilities toward each other. This verse stresses the importance of equality in a marriage as Paul addresses both the wife and husband to not demand their rights, but fulfill the marital obligations. *Fulfill* and *duty* illustrates that each spouse owes a debt to each other, presenting that Paul does not command asceticism in marriage, therefore discouraging the celibacy for Corinthians. In verse 4, he states that the husband has authority over his wife's body, and vice versa. Elsewhere in the Bible, Paul preaches that the woman submits to the husband,<sup>153</sup> but when it pertains to sex, he establishes that there is complete equality.

**5. Do not deprive one another, except perhaps by agreement for a limited time, that you may devote yourselves to prayer; but then come together again, so that Satan may not tempt you because of your lack of self-control.<sup>154</sup>**

Paul indicates in the first clause *do not deprive* that some couples in the Corinthian community are not giving each other their marital and conjugal rights. The Apostle does not have a direct object for the verb, *to deprive*, because either he wants to be modest or he expects the readers to finish his thought.<sup>155</sup> The verb indicates stealing or robbing an individual's possessions, which Paul is equating to a spouse's rights being taken. Indeed, Paul once again goes into personal and intimate matters, but he wants to make sure that celibacy does not apply to married couples.

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<sup>153</sup> Ephesians 11:3, 5:23.

<sup>154</sup> 1 Corinthians 7:5

<sup>155</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 213.

In the second part of verse 4, Paul is allowing abstinence to take place in a marriage as long as it meets three conditions, 1) it should be for a limited duration 2) the purpose should be for time in prayer, 3) there should be mutual consent between the partners.<sup>156</sup> Having mutual consent is important, because it not only reestablishes equality within a marriage, but it also ensures that abstinence is desirable and in the best interest for either party. The importance that Paul places on a limited time period is because he knows that a permanent arrangement of celibacy could lead to a ruined marriage and divorce. Divorce is not only contrary to the institution of marriage, but it defeats the purpose for which abstinence is intended: to lead a holy life.<sup>157</sup>

When the passage says, “then come together again”, translators interpret the verb *to come* as a command in which Paul is directing toward the people in Corinth. Once the period of abstinence has ended, the couple should resume their normal functions, or else the temptation of committing adultery could arise. To pursue permanent restraint within the bounds of matrimony is contrary to God’s gracious provision of marriage and his marvelous gift of sexuality. Marriage is a protective shield, by which God provides against sexual immorality that should be employed against temptation.<sup>158</sup>

**7. I wish that all were as I myself am. But each has his own gift from God, one of one kind and one of another.**<sup>159</sup>

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<sup>156</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 196. The time frame is assumed to be one to two weeks because the School of Hillel argued for one week where the School of Shammai argued for two weeks.

<sup>157</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 213.

<sup>158</sup> *Ibid*, 214.

<sup>159</sup> 1 Corinthians 7:7

Paul expresses a genuine desire for the people of Corinth when he says he wishes that people were as himself. Again, Paul is referring to is being unmarried and celibate; he is not advocating celibacy, for he does recognize that marriage is a good and commendable institute of God. Whether Paul was married at one point at his life or not, it is made clear in this epistle, at the time he is unmarried and enjoying his lifestyle.

When the verse discusses that each has their own unique gift, Paul is referring to marriage as a gift in which some receive. However, when God removes a person's need for marriage, he will endow such a person with the gift of continence.<sup>160</sup> The Greek word *charisma* refers to spiritual gifts such as faith, healing, miracles, prophesy, speaking in tongues, and interpreting tongues.<sup>161</sup> Paul is not referring to these kinds of gifts in this verse; instead, he is referring to the gift of continence and the grace to practice self-control.

We cannot label Paul as someone who belittles and discriminates against marriage because he does speak eloquently about intimate matters within marriage. He is modest in his word choice, but he does express his opinion about the joys he has from practicing restraint. Paul does uphold marriage, encourages people to enter into this matrimony, and argues that the purpose of this covenant fulfills desires God created in man.

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<sup>160</sup> Paul received this gift and rejoices in his condition, and those who do not have his same gift does well to marry.

<sup>161</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 215.

*Unmarried and Widows***8. To the unmarried and the widows I say that it is good for them to remain single, as I am.**

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Paul is addressing two different groups of people in this verse: people who are divorced, and those who are unmarried or widows. Widows were a special class in both Corinth and most Roman societies. The church supported them financially and assigned them particular ministries in the church.<sup>163</sup> Widows needed the protection of the church or of another marriage because they were susceptible to prostitution or a life of slavery. In verse 39-40, Paul continues to discuss widows as he says, “A wife is bound to her husband as long as he lives. But if her husband dies, she is free to be married to whom she wishes, only in the Lord. Yet in my judgment she is happier if she remains as she is. And I think that I too have the Spirit of God.”<sup>164</sup> The words of these verses are very similar to Romans 7:2 as they both describe the law that a married woman is bound to her husband as long as he lives, and likewise for men. Death alone properly sets the spouse free from the marital bond that keeps the husband and wife together. Paul places no restrictions on the widow once her husband dies. In 1 Timothy 5:14 he encourages young widows to remarry and look after the home. During the second and third centuries there was actually a leader who taught that the remarriage of widows is adultery.<sup>165</sup> Paul, however, asserts that widows are free to remarry as long as it meets one condition: her new

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<sup>162</sup> 1 Corinthians 7:8.

<sup>163</sup> 1 Timothy 5:3-16..

<sup>164</sup> 1 Corinthians 7:39-40.

<sup>165</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 255.

husband must be a believer. The life of a Christian and an unbeliever are drastically different, and Paul argues that a husband and wife should be one in the Lord.

Paul encourages widows to remain unmarried because a second marriage during this time meant a wife entered a new family, which potentially brought unforeseen difficulties and could prevent a happy life. Paul ends this statement by revealing that this is his opinion, but he also contains the spirit of God. Paul is inserting his apostolic authority, and illustrating that he is a reliable source and his opinion is backed by the influence of God's spirit; therefore he earns the respect of his audience.<sup>166</sup>

Returning to verse 8, when Paul addresses the unmarried, which includes people who are single, separated, or divorced. Paul confirms that it is good for them to remain single, which Paul continually states throughout 1 Corinthians 7. Nevertheless, he has indicated that the state of matrimony is advisable by himself and, more importantly, by God.

**9. But if they cannot exercise self-control, they should marry. For it is better to marry than to burn with passion.**<sup>167</sup>

Paul is definitely a realist when it comes to sexual immorality; he understands the nature of humans and responds with sensible advice. For those who cannot exercise continence because of lack of self-control, Paul's solution is simple: let them marry. Also, observe how Paul never says that marrying because they cannot control their desires is sinful, instead, he advises marriage. By entering in a state of matrimony they are actually living honorable and pure lives.

The original word for *to burn* in Greek is interpreted by scholars as well as Talmudic rabbis as "burning in hell". Paul connects this verb to the subject of sexual desire, and therefore

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<sup>166</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 256.

<sup>167</sup> 1 Corinthians 7:9.

the verb, in this context, refers to incontinence.<sup>168</sup> With the comparative word *better*, Paul is placing marriage over burning. He advises that one should enter marriage to avoid a state of continual desire.

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<sup>168</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 218.



*Married and Divorced*

**10. To the married I give this charge (not I, but the Lord): the wife should not separate from her husband.<sup>169</sup>**

In verse 10, Paul addresses believers, who are already married, from the authority of Lord Jesus Christ. Many times Paul utters words or commands given to him by Jesus, but in this case, he refers to words spoken by Jesus that were eventually written down in the Gospels or preserved in oral records. Basically, Paul is no longer exerting his own authority in this passage, but Christ's authority.

In this verse, Jesus is commanding believers to not separate or divorce from one another. This aligns with ideas that are also presented in the Gospels of Mark and Matthew, where God discourages divorce. However, Paul is writing to a Greco-Roman world, in which divorce by separation is practiced, meaning a spouse can leave without warning and be considered officially divorced.<sup>170</sup> Through Paul, Jesus combats this type of divorce, because according to Jesus, the unity of the husband and wife should not be broken.

**11. (but if she does, she should remain unmarried or else be reconciled to her husband), and the husband should not divorce his wife.<sup>171</sup>**

Just like in today's world, divorce was not uncommon among Christians in Corinth, as shown in the statement, "but if she does." In the last part of Paul parenthesis, he repeats the teachings of Jesus by permitting no exceptions to the rule of marriage, which Jesus states in Matthew 19:6. By no means is Paul supporting divorce in this verse, but rather he is dealing

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<sup>169</sup> 1 Corinthians 7:10.

<sup>170</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 190.

<sup>171</sup> 1 Corinthians 7:11.

with the reality of life and answering the question of what to do when a couple is already separated. In the last part of the verse, Paul forbids remarriage and advises the wife who initiated the divorce to reconcile with her husband. The term reconciliation is used in reference to an innocent party— for example, God is not reconciled to us, but rather we are to him.<sup>172</sup> If the wife initiates a divorce then she should be the one to exert the most effort in forming a reunion.

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<sup>172</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 222.

*Believer and Unbeliever*

**12-13. To the rest I say (I, not the Lord) that if any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him.**<sup>173</sup>

The phrase “I not the Lord” shows a shift between authorities: Paul is no longer speaking on God’s authority, but rather his own apostolic authority like he does through 1 Corinthians. Paul has to deal with mixed marriages between an unbeliever and believer, and with his judgment he has to make a ruling on this situation. It is clear that Paul has shifted from audiences who are equally yoked to those who are not by saying “to the rest.”

Throughout the Old Testament, God forbade his people to marry Gentiles and this was also applied to the Corinthians. In the situation of a Gentile husband who has accepted the gospels and put his faith in Jesus Christ, while his wife remains grounded in her pagan beliefs, Paul advises Jesus’ principle that marriage should not dissolved. The couple should remain together if the unbelieving wife is content with her believing husband.

In the Greco-Roman world, divorce could be initiated by a woman, unlike in Jewish culture, which is why Paul addresses the wife in verse 13. The same principle applies to a believing woman who is married to an unbelieving man: if they are living harmoniously they should not divorce. In the case of mixed marriages, Christian spouses should do everything in their power to stay with their unbelieving partners and they should never seek a divorce. To put Paul's command more simply: they should stay where they are.

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<sup>173</sup> 1 Corinthians 7:12-13

**14. For the unbelieving husband is made holy because of his wife, and the unbelieving wife is made holy because of her husband. Otherwise your children would be unclean, but as it is, they are holy.**<sup>174</sup>

In the Greco-Roman world of the first century, mixed marriages as a rule meant that Christian wives had pagan husbands, as a believing husband never really had a pagan wife.<sup>175</sup> Due to the harshness Christian wives received, usually from their unbelieving husbands, Paul addresses them first. In this combination, Paul declares that the unbelieving spouse has been sanctified by the believing partner. The question is, what does Paul precisely mean when he says “has been sanctified”? How can an unbelieving spouse be sanctified?

Paul is not saying that an unbelieving husband or wife has been made morally holy through his or her spouse, because sanctification is beyond the power of human beings. Instead, the apostle is implying that the unbelieving spouse within a Christian intimate marriage experiences the influence of holiness. To be sanctified means that a person is influenced by the claims of Christ, just like anyone who is not sanctified is influenced by the lies of the world. Therefore, from the time a spouse becomes a believer, their unbelieving partner comes in contact with holiness.

In Scripture, there are four different meanings to sanctify: 1) to set things aside for sacred functions,<sup>176</sup> 2) to consecrate people by either baptism, a Christian marriage, or atonement for sin, 3) to pay reverence people, names or things, 4) to purify someone from evil.<sup>177</sup> The second

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<sup>174</sup> 1 Corinthians 7:14

<sup>175</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 224.

<sup>176</sup> For example, items relating to worship at the tabernacle.

<sup>177</sup> Simon J. Kistemaker, *New Testament Commentary 1 Corinthians*, (Grand Rapids, Michigan: Baker Books, 1993) 225.

definition best fits the verse and the context, because a wife or husband sanctifying their partner is equivalent to the temple being sanctified by gold. The object is not holy, but was made holy by association.

**15-16. But if the unbelieving partner separates, let it be so. In such cases the brother or sister is not enslaved. God has called you to peace. For how do you know, wife, whether you will save your husband? Or how do you know, husband, whether you will save your wife?**

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The first statement in this verse, “but if the believer departs, let him leave,” is simply Paul expressing reality to the Corinthians. If the unbelieving partner refuses to support their partner's faith and be in a Christian atmosphere, then the believer should grant them a divorce. Once he/she leaves the marriage they are no longer sanctified by their believing spouse. Since the unbelieving spouse holds all the responsibility for the divorce because they separated from their partner, Paul claims that the believer is no longer bound.

When an unbeliever breaks the marriage bond, the couple are no longer in a union together, no longer enslaved. In this verse, the apostle neither advocates nor rebukes remarriage, instead he intentionally leaves it open ended. In the phrase, “God has called you to peace,” Paul is urging Christians to seek peace with their spouse and not show hostility when undergoing a divorce with a nonbeliever, but rather open the doors up for reconciliation.

In verse 16, Paul claims that the continual witness of a believing spouse may prove to be effective in aiding the unbeliever to come to faith in Christ, and that witness remains even if the unbeliever has left. He is trying to emphasize that it is not humans that save humans, for that is

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<sup>178</sup> 1 Corinthians 7:15-16

God's job, but he does use his people as instruments to bring about redemption. The believer must always hope that God will reveal himself to their spouse. To sum up all of Paul's teachings in 1 Corinthians 7: do not break marriage vows.

## Commentary on Matthew 19:1-10

### Background

The Gospel of Matthew was probably written in Antioch, located in modern day Syria, around 60 A.D. Theologians believe it was written during this time period because the temple of Jerusalem was destroyed in 70 A.D by the Romans.<sup>179</sup> Out of the four Gospels, Mark was written first around 55-60 A.D, and Matthew and Luke relied on Mark's writings, so therefore they wrote their accounts of Jesus after 60 A.D. Because of the Jewish focus of Matthew's Gospel, historians are not positive that Matthew was written in Antioch, but instead, in Palestine. However, many of the original disciples had migrated to Antioch according to Acts 11:19-27.

This Gospel was directed at Greek-speaking Jews who believed in Jesus as the Messiah. No one is certain about exactly who Matthew is preaching to, but theologians suspect that it was primarily Jews due to the distinctly-Jewish flavor of the text, as well as many references to the Old Testament.<sup>180</sup> Matthew consistently references the Old Testament prophecies that found fulfillment in statements, circumstances, and actions surrounding Jesus. This Gospel also references many Jewish customs without explanation, like ceremonial cleansing or Passover, which indicates that the audience was familiar with these terms.<sup>181</sup> The readers of Matthew were expected to understand Greek because many texts were written in that language, and Greek was the common language of commerce.

The whole purpose of Matthew was to prove that Jesus is the Messiah; the eternal King. The Gospel does not contain any clues that point to a specific reason that Matthew wrote this

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<sup>179</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) xiv.

<sup>180</sup> Ibid, xv

<sup>181</sup> Ibid

Gospel— early Church Fathers, like Irenaeus and Origen, wrote that Matthew had been written for converts from Judaism to Christianity who had proclaimed Jesus as the Messiah. The new believers needed reassurance that Jesus met all the messianic requirements that were prophesied in the Old Testament, which Matthew's Gospel provided. Matthew also equipped Christians to refute unbelieving Jews who would challenge their beliefs and persecute them. With Matthew being a Hebrew tax collector, he was able to write about Jesus' authority, which appealed to a Jewish mindset.<sup>182</sup>

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<sup>182</sup> Ibid, xvi



### Outline

- 13:54-18:5 ----- V. Rejection, Suffering, and Glory
- 19:1-25:46 ----- VI. The Movement to the Cross
- 19:1-22:46 -----A. Jesus' Deeds: Opposition and Discipleship
- 19:1-20:34 ----- 1. Road to Jerusalem
- 19:1-12 -----a. The Question on Divorce

### Dissection of Matthew 19:1-10

**1-2. Now when Jesus had finished these sayings, he went away from Galilee and entered the region of Judea beyond the Jordan. And large crowds followed him, and he healed them there.**<sup>183</sup>

Verse 1 marks the geographic shift in Jesus' ministry from Galilee to the region of Judea and Jordan. Up to this point, Jesus has spent all of his time in Galilee, except for several trips to Judea for the feast, and now, he begins his final journey.<sup>184</sup> Traveling from Galilee to Judea meant going through Samaria, which was populated with Gentiles, so most Jews avoided this region. Jesus has previously made a trip through Samaria as seen in John 4, but this time he crosses the rivers and goes into the region of Perea. Jesus is well known in this place because John the Baptist had ministered there, which explains the large crowds that greeted him.<sup>185</sup>

**3. And Pharisees came up to him and tested him by asking, "Is it lawful to divorce one's wife for any cause?"**<sup>186</sup>

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<sup>183</sup> Matthew 19:1-2

<sup>184</sup> Grant Osborne, *Exegetical Commentary on the New Testament: Matthew*, (Grand Rapids, Michigan: Zondervan, 2010) 702.

<sup>185</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 367.

<sup>186</sup> 1 Corinthians 7:3.

Divorce was a controversial topic among the Shammai and Hillel schools of the Pharisees. John the Baptist had been in prison and killed, partially because of his public opinions on marriage and divorce.<sup>187</sup> The Pharisees are trying to do the same thing to Jesus by making him choose sides in theological controversy, thus incriminating him in the process.

The debate springs from Moses' teaching on divorce in Deuteronomy 24:1— both schools have different interpretations of the phrase “matter of indecency.” The Hillelites believe it means any matter of indecency, and the Shammai says it is strictly referring to sexual immorality. When the Pharisees asked Jesus this question, they were referring to the widely accepted Hillelites “any matter” divorce. They hoped to put Jesus in a trap which would bring down his popularity or reveal a lack of knowledge of scripture. There were different ways the Pharisees could test him: 1) Jesus could be lax about the issue and depreciate the law of Deuteronomy 24:1-4, 2) he could condemn divorce and lose some of his following, 3) he could support the Pharisees' stance on divorce, which they knew was probably unlikely, 4) he would pick in favor of one of the rabbinic groups, and members of the crowd would dislike his position, or 5) he could oppose divorce completely and present himself as being against Moses' commandments.

**4-6. He answered, “Have you not read that he who created them from the beginning made them male and female, and said, ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh’? So they are no longer two but one flesh. What therefore God has joined together, let not man separate.”<sup>188</sup>**

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<sup>187</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 367.

<sup>188</sup> Matthew 19:4-6.

Jesus responds with a “weighted” quote from Genesis to the Pharisees’ question that they presented in verse 3. In Jewish hermeneutics, the earlier the writings in the Torah were, the more authority it possessed. Therefore, by including the creation principle from Genesis, Jesus trumps the Pharisees’ quote from Deuteronomy.<sup>189</sup> Jesus also begins with the words “have you not read,” implying that the Pharisees, the most religious people in the Jewish culture, have not read their own Scriptures with full understanding. To answer the Pharisee’s quote from Moses, Jesus also referenced Genesis 1:27 and 2:24 about the ideal state of creation and particularly marriage. God created male and female to complement one another. In this pair, God wanted them united, depicted in *one flesh*. God did intend for man and women to be separated, or as it was later termed, divorced. By focusing on Deuteronomy 24, the Pharisees did not grasp the original teaching of the Torah; since creation, God to give union to male and female.<sup>190</sup>

God divinely united the sexes in a bond that no one should be allowed to divide or break. With comparing marriage with the idea of two becoming one flesh, it makes divorce mirror the violence of mutilation, amputation, or dismemberment. When sinful humanity tries to separate what God has joined together, that can only point to sin; the antithesis of what God wants. Instead, people need stop thinking if they have a right to divorce, and start thinking of ways to progress their marriage.<sup>191</sup> Jesus’s reply to the Pharisees’ question of divorce emphasizes the covenantal marriage that God designed, which consists of permanent love and faithfulness.

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<sup>189</sup> Grant Osborne, *Exegetical Commentary on the New Testament: Matthew*, (Grand Rapids, Michigan: Zondervan, 2010) 703.

<sup>190</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 368.

<sup>191</sup> Grant Osborne, *Exegetical Commentary on the New Testament: Matthew*, (Grand Rapids, Michigan: Zondervan, 2010) 704.

**7. They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?”<sup>192</sup>**

In Jewish law, men could simply throw out their wives, which would be officially recognized as divorce, leaving the woman vulnerable to poverty and slavery. Moses’ writing in Deuteronomy was a civil rights step for women because it forced men to write out a certificate so the women could remarry and claim her dowry. Moses’ words made men think twice before sending their wife off, and it gave protection to women from the abuses of divorce.<sup>193</sup> The Pharisees were quickly able to identify that Jesus was denying divorce laws by him claiming, “whoever God has joined together, let no one separate,” which meant Jesus was going against Moses’ legal code of giving a divorce to one’s wife. The Pharisees taught that Moses commanded men to divorce their wives in situations that included adultery, but calling it a command made it sound like it is a part of God’s will. And God’s will was made clear to all in previous verses: divorce is not acceptable, but because of the sinful human nature that made divorce inevitable, Moses instituted laws to help victims.

**8. He said to them, “Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so.”<sup>194</sup>**

There is a change in verbs between verse 7 and 8: The Pharisees are saying Moses commanded divorce whereas Jesus says he allowed it. Once again, Jesus is arguing with a substantial position, that marriage from the beginning was planned to be life long before there

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<sup>192</sup> Matthew 19:7

<sup>193</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 370.

<sup>194</sup> Matthew 19:8.

was a Jewish law concerning this issue.<sup>195</sup> By saying that Moses allowed divorce, Jesus proclaims that divorce is no longer compulsory, not even in extreme cases like adultery, but rather Jesus wants couples to remain together.

Moses allowed divorce because people were so hard-hearted; in other words, they fell short of God's intentions. People today interpret the phrase "hardness of heart" as sinfulness, but the Old Testament reveals that the word "stubbornness" is a closer interpretation according to how a first-century Jew would understand it. Jeremiah 4:4 says "circumcise yourselves to your God and circumcise your hardness of heart." This occurs after the appeal to Judah in chapter 3 to heed the warning of what happened to Israel, who was divorced by God because of her adulteries and because she stubbornly refused to repent.<sup>196</sup> With this context of the phrase "hardness of heart", it is clear that divorce is allowable for adultery if the partner is refusing to repent and is persistent in being unfaithful.

**9. And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.”<sup>197</sup>**

Jesus has clearly explained in the previous verses that divorce dissolves a divinely formed union. Many men during this time period were using the *any matter* divorce in order to validate a divorce so they could remarry. In verse 9, Jesus proclaims that Hillel's doctrine is considered an invalidated divorce, and that in that time period, if one had an invalid divorce and was remarried, they would be considered adulterous. Jesus' statement is most likely hyperbole,

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<sup>195</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 371.

<sup>196</sup> David Instone-Brewer, *Divorce and Remarriage in the Bible* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002) 145.

<sup>197</sup> Matthew 19:9

especially since the Sermon on the Mount contained many other exaggerations<sup>198</sup>, but it is effective to rely on the seriousness of Jesus' message. Divorce is never what God wants because it goes against the original design of marriage, and remarriage is not desirable in God's eyes either. Jesus also interjects one exception to divorce: sexual immorality, because it goes against the sacred union that provides security and stability between a man and a woman.<sup>199</sup>

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<sup>198</sup> For example, he claims it is easier for a camel to walk through the eye of a needle than for a rich person to enter the kingdom or if you look at a woman with lustful eyes you have committed adultery.

<sup>199</sup> Grant Osborne, *The Application Bible Commentary: Matthew*, (Wheaton, Illinois: Tyndale House Publishers Inc, 1996) 372.

### **A Covenant Marriage**

Hollywood, social media, pop music, and romantic novels have ruined the covenant of marriage in modern western civilization. Today, marriage has become overly romanticized, where the only reason people “tie the knot” is because they are emotionally and physically attracted to one another. Hollywood presents “picture perfect” marriages in movies and TV where they are dancing in the moonlight, they utter the basic words of “You're my soulmate”; they never get into one fight, and they end up growing old together. People aspire for this unachievable ideal and they go out in search of happiness, because after all, that is what marriage is for— making someone happy. Wrong! Marriage was created by God in order to fulfill the purpose of making his followers holy.

By observing the different societies from the Near East to the Second Temple time period, it is clear that marriage has a greater purpose than happiness. Marriage is for producing children, strengthening family ties, increasing the family wealth, and/or acquiring more land. In modern western civilization, society has lost the purpose of marriage and has made “romanticized love” the foundation of the relationship. This is most likely why the divorce rate is increasing in America: because once people lose their physical and/or emotional attraction for someone, they have no core to their marriage beyond that.

Marriage is a Godly covenant, a lifelong commitment to a partner in which no one can separate. One misconception about matrimony is that it should be “easy”. Even Paul in 1 Corinthians 7 encourages people to remain unmarried, as he found it easier. However, a covenant marriage makes believers more holy because they are called to reflect Jesus in their relationship.

**22-25. Wives, submit to your own husbands, as to the Lord. 23 For the husband is the head of the wife even as Christ is the head of the church, his body, and is himself its Savior. 24 Now as the church submits to Christ, so also wives should submit in everything to their husbands. 25 Husbands, love your wives, as Christ loved the church and gave himself up for her<sup>200</sup>**

When Paul describes the roles of husband and wives, each characteristic relates back to an attribute of Christ. When he tells wives submit to their husbands, it because Christ is the head of the Church, like the husband is head of the wife. When Paul commands husbands to love their wives, it should model the way Christ loved the church and gave himself up for her. God calls married couples to a holier lifestyle through modeling Christ in their relationship. Christ is forgiving towards people who sin against him, just as couples should with each other. Christ loves those who go against him, just as couples should with each other. Christ humbled himself to the point where he sacrificed his life, just as married couples should do with each other.

Marriage goes beyond happiness and romantic love, and America has no clue of, or has forgotten, the bond of a covenant.<sup>201</sup> A covenant should not be broken, and in a perfect world, divorce should not happen, for it is not the desire of God. However, this world is nowhere near perfect and sin manifests itself in marriage, but it is important to look to the Bible and Jesus' words on when divorce is allowed.

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<sup>200</sup> Ephesians 5:22-33.

<sup>201</sup> Even though happiness should not be the purpose of a marriage, if the matrimony is healthy, it should be a byproduct of the union.



### **Adultery as a Ground for Divorce**

Adultery as a ground for divorce has never been disputed throughout history. In ancient societies, especially when a wife was considered more as property than a human being, someone stealing a wife or husband was always disapproved, and many cruel punishments followed. Societies believed that sexual activity outside of marriage was a defilement to the marriage bed, and shame was not just upon the person who committed the crime, but upon their whole family. People who were suspected of committing adultery received the same backlash from society and from religious leaders.<sup>202</sup> Jesus is very clear in Matthew 19 that adultery is a ground for divorce when he references Deuteronomy 24:1, which discusses sexual immorality. The Old Testament holds true to what Jesus said in Hebrews 13:4— “Let marriage be held in honor among all, and let the marriage bed be undefiled, for God will judge the sexually immoral and adulterous.” Clearly, according to this passage, marriage should be held sacred and if anyone is unfaithful, God holds the responsibility of judging them.

Jesus changed the game through his teaching, and it probably would have been taken as an absurd statement to a first-century Jew when he stated that divorce is not compulsory even in the case of adultery. If someone committed adultery during that time, divorce was mandatory, it was an immediate consequence to the wives’<sup>203</sup> actions. What Jesus said in this passage can still have radical implications in today's world. Instead of divorcing an adulterous spouse, Jesus calls his followers to pursue a holier marriage by practicing forgiveness. Divorce will never be desired by God for a marriage that is meant to last a lifetime. However, Jesus does allow divorce

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<sup>202</sup> In Matthew 1:19, Joseph was going to divorce Mary quietly because it was what law required if a woman was suspected of adultery.

<sup>203</sup> During this time, a husband never could commit adultery, only a wife was guilty of such a crime.

if a partner is unrepentant and continues to remain unfaithful, but that does not necessarily mean it is the right action to take.<sup>204</sup>

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<sup>204</sup> Refer to page 76 for an analysis of the statement “hardness of heart”

### **Divorce on the Grounds of Neglect**

Neglect, in a sexual or provisional sense, is very much a gray area as a biblical reason for divorce. Although Paul does address marital and conjugal obligations in 1 Corinthians 7, he never clearly defines them as grounds for a divorce. It can be assumed that if these obligations are not fulfilled by either spouse, then they have a right to divorce each other, but the tricky question is, what is the line at which obligations are not being fulfilled?

The rabbis were very clear about how much food, clothing, and shelter a husband was to provide for his wife, and they defined how many times intercourse should happen between a couple based on the husband's job. When Paul was referring to such obligations, he probably used the rabbis' commands as the standard for couples, but what about present day standards? What does neglect look like in today's time? Back then, if a husband abandoned his wife or failed to provide provisions, the wife had no way of supporting herself and would often resort to prostitution or working as a slave. That is not the case anymore today— women have increased their rights and achieved the goal of equality, where they no longer have to rely on men for basic necessities. They are able to attend college, work full time, and live independently. So a woman divorcing her husband, or vice versa, for not having provisions or shelter would be uncommon in 2018 because both sexes have the capability of fulfilling marital obligations. This biblical ground would only be used in extreme situations where both spouses are mentally and/or physically incapable of providing for themselves and their family.

However, emotional neglect in marriage still applies to society today. God made sex for marriage, that is clear in the Bible when God made Adam and Eve in the beginning and designed intimacy between one male and one female. Paul even states that within a marriage, the woman's

body is her husband's and the male's body is his wife's, meaning that sex is an obligation within marriage. As mentioned before, rabbis wrote a specific number of times intercourse must take place based on the man's job, but today with a different work system and jobs, it is not as clear as to when emotional neglect surfaces within a marriage. It should be based on the man's job, which is what the rabbis believed—for example, someone who works in the military and is deployed cannot fulfill the same obligation that a spouse who works a nine to five job and lives ten minutes from their house. By looking at rabbinic teaching during Jesus' time, the Hillelites believed that couples should not be abstinent for longer than a week, and Shammaites claimed that it should be no longer than two weeks. Paul even warns couples about having a period of abstinence due to devotion to God, claiming that it leaves room for temptation and could lead to sexual immorality. Therefore, if either spouse withholds conjugal rights from each other, then they do have a biblical ground for divorce.

However, just like any problem in a marriage, divorce should never be the first option, or even the third or fourth, because God does not support divorce. Rabbis actually discouraged people from using neglect as a form of divorce and tried to blackmail the unrelenting spouse into changing his mind.<sup>205</sup> The same principles hold true today that neglect as a ground for divorce should only be used in extreme situations.

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<sup>205</sup> Rabbinic courts would increase a woman's dowry if a man was pursuing a divorce or they would decrease the woman's dowry if the woman was pursuing a divorce.

### **Abuse as a Ground for Divorce**

Some extremists in the world today claim that since the Bible never mentions abuse as a ground for divorce, then people must remain married in an abusive household. However, these heretics fail to look deeper into the context and history of the Jewish customs and laws. Many times Jesus is silent about certain issues in the Bible either because 1.) he is trying to create emphasis, or 2.) it superfluous information that was already practiced in the culture. Jesus never mentioned abuse as a ground for divorce because it was already established according to rabbinic teaching as a crime to abuse one's wife; and Jewish people followed the teachings and commandments of rabbis religiously. Whatever was taught, the Jews followed. So obviously Jesus never mentioned abuse, because society already understood that it was a crime to abuse their spouse, and divorce was granted for abusive situations. In a modern example, not many pastors preach about how murder is wrong, because everyone in the congregation would know and understand that if someone took another person's life, they would go to jail and possibly have the death penalty. The same thing would apply in Jesus' time, it would be redundant information for Jesus to mention that abuse is a ground for divorce, because the crowd he's addressing would already know that.

Even if the rabbis did not allow abuse as a reason for divorce, there is still enough evidence in the Bible that points to Jesus allowing divorce in this situation. Looking at the Bible wholly, God is always on the side of the poor and oppressed— Jesus heals the blind, touches the leper, and God saves Israel from slavery under Egypt. So looking at the Character of God, he is always on the side of the oppressed and the needy, and therefore he would be on the side of a spouse stuck in a verbally or physically abusive relationship.

Even though neglect, adultery, and abuse are accepted reasons for divorce, they should never be the first response to the situation. It is important to remember that divorce is always a tragedy in every circumstance because God created marriage to be lifelong and to make his followers more holy. However, divorce does happen, so now the question is, what is the biblical view on remarriage?

### Remarriage, According to the Bible

Remarriage is more disputed among the Christian church because the Bible is not blunt as to what stance it takes on the issue. Jesus claimed that after an invalid divorce, remarriage should be considered adultery. However, this would be an example of Jesus using extreme language to convey the power of his message, and with this extreme language, Jesus obviously reveals that remarriage after an invalid divorce is not acceptable. An invalid divorce can be defined as one that does not align itself with biblical grounds; for example, a couple divorces because they are no longer happy. Now the question is, how does God view remarriage after a divorce with biblical reasoning behind it?

Jesus and Paul do not address this question as much because if two believers are married, they should not be getting a divorce, but say a women gets out of an abusive relationship— is she then able to get remarried? The answer is no. Since the Bible does not speak much to this situation, the best source is looking at the early Church and the Church Fathers' beliefs<sup>206</sup> because they were the ones striving to set up the Church exactly after Christ's teachings. Therefore, because they aligned their views with Christ, their judgment on remarriage would be accurate to that of Jesus. Most of the Church Fathers agreed that remarriage is not allowed after any type of divorce because it shuts the door to reconciliation.<sup>207</sup> When couples remarry, they are no longer able to be reunited, which is what God would have wanted. God is in favor of reconciliation because reconciliation and redemption are the themes of the entire Bible and are the very reasons why God sent Jesus, and marriages are a way to build God's Kingdom, so divorcing one's spouse and remarrying another would do the complete opposite of advancing the

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<sup>206</sup> Refer to page 44 to see more about the church Fathers.

<sup>207</sup> The idea of the couple reuniting with each other.

Kingdom. If the Church Fathers were truly replicating Christ's actions and beliefs, then remarriage should not be allowed after a divorce.

However, there are cases where remarriage is allowed and still revolves around the idea of reconciliation. If believers divorce, whether it was biblical or unbiblical, and one spouse remarries, he/she has just cut off the possibility of reconciling with their previous spouse. Therefore, the one who remained faithful in staying single is now free to remarry because the possibility of being reconciled to their old spouse is no longer an option. The one who remains unmarried was obedient to God, but the one who cut off reconciliation sinned by going against God's commandments.

Widows are free to remarry whom they wish, as Paul says in 1 Corinthians 7. Marriage was created to be lifelong, and once a spouse dies, they are no longer under their vows to their spouse, and they can marry another person in the Lord. Remarriage is also acceptable if an unbeliever wants to divorce a believer, as the Bible claims the believer must grant them what they wish. Believers in this situation are allowed to remarry, because reconciliation is not an option, for an unbeliever is incapable of obeying God, and therefore holding them accountable for reconciling a marriage is absurd because they do not follow God's commands. Paul even states that believers are no longer enslaved in these situations and they too can remarry another, as long as they are in the Lord.

As harsh as Jesus' commands may be, this is what the Christian life is about. It consists of living a life outside the social norms, where a couple chooses not to divorce even if one is unfaithful, or where spouses refuse to remarry in the hopes of reuniting. It is a challenging life,



but believers are called to build God's kingdom and live in obedience, and that should be replicated in marriages.

## Conclusion

This thesis has sought to establish that: 1.) divorce is always a tragedy in God's eyes and goes against the original design, 2.) God does allow divorce in cases of adultery, neglect, and abuse, but that still does not mean it is the right course of action, 3.) God created marriage to make his followers more holy instead of happy, and 4.) reconciliation is the theme of the Bible and should be replicated within a divorce. In a culture that preaches the doctrine of "do whatever makes you happy", God's word sounds harsh and unfair, but the Christian life is one that should be defined by obedience and response.

However, even though Jesus and Paul lay out strict ideals for divorce, God is a realist and does not ignore the sinfulness of humanity. The question that should naturally arise in readers is what happens if they are already divorced or remarried? Is the Bible asking followers to divorce their new spouses and return to their previous partner? By no means is the Bible nor God commanding his people to do so. In John 8, there is a story about a woman who is caught in adultery and is brought before Jesus to be stoned. Jesus declares that he who has not sinned throw the first stone as a result all the men leave, probably with a bitter attitude. When Jesus is alone with the woman, he gives her one command which is "go and sin no more." This statement should be applied to situations where a believer did get divorced and remarried: they should continue in their new matrimony and abstain from disobeying God again. By following what scriptures declare about marriage, divorce, and remarriage, believers are woven into the ultimate goal of establishing and furthering God's Kingdom.

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