

BIBLICAL PRINCIPLES CONCERNING DIVORCE

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It is my intention in this paper to take a stroll through the biblical data on divorce and show connections between the Old Testament and the New. The background to Jesus' well known pronouncements on divorce is to be found both in the practices common in his day and in the law of our Lord. Although I differ on this matter with several other well known authors, it is not the intention to engage in an extended polemic with other discussions of this subject. An important theme of this study is to show how we ought to read God's law and the data from the New Testament with respect to divorce. Here and there reference is made to other points of view which I do not share.

It ought to be noted at the outset that although the Lord considers divorce an evil (Mal. 2:16), we may not conclude that every divorce in itself is sinful. Throughout the Bible the Lord shows that there can be legitimate grounds for divorce. These grounds themselves are always connected to sinfulness. If, for example, adultery has taken place then we must view this as sinful. Adultery may also be considered a legitimate ground for divorce. The divorce itself is not sinful, but the actions which have led to the divorce certainly are. We shall then concern ourselves with the question as to the nature of divorce (and per consequence the nature of marriage) and especially the question as to which principles are to be brought into play in considering what may be a legitimate ground for divorce.

Divorce in God's law

That divorce under certain circumstances must be considered permissible, is clear from God's law. Divorced persons are mentioned several times (see Lev. 22:13; Num. 30:9). Priests are not allowed to marry divorced women (Lev. 21:7, 14; Ezek. 44:22). They are given more strict rules by which to live than the people in general (who *are* allowed to marry divorced women).¹ Divorce is always the consequence of sin, and priests—being dedicated to the service of a holy God—may not come into contact with such sin. In two cases the possibility of divorce among God's people is excluded (Deut. 22:19 and 29—see below).

In Deuteronomy 24:1-4 we encounter a specific law concerning divorce:

When a man takes a wife and marries her, and it happens that she finds no favour 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 from his house, and she leaves his house and goes and becomes another man's wife, and if the latter husband turns against her and writes her a certificate of divorce and puts it in her hand and sends her out of his house, or if the latter husband dies who took her to be his wife, then her former husband who sent her away is not allowed to take her again to be his wife, since she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God gives you as an inheritance.

Although this law is formulated for a very specific situation, we can learn a number of things about divorce in general from it.

i) *The intention of this law:*² If a divorced person marries someone else, he or she may never again marry their first marriage-partner. Note that the fact that a divorced person who remarries is not condemned (we have already seen that only priests were restricted to not marrying divorced persons). If remarriage were in and of itself sinful, then this law would have had to view the second marriage as adultery and deal with the punishment accordingly. The person who remarries is defiled *in relation to the first marriage-partner*. A

¹ Even stricter rules were applied to the high priest who was forbidden to marry a widow, a woman who was no longer a virgin, or a foreigner (Lev. 21:14).

² Although this law is formulated from the standpoint of a man who divorces his wife, we ought to understand the principles as applying equally to both sexes (cf. Mark 10:12; 1 Cor. 7:13). In Greco-Roman law both the wife and the husband had the right to sue for divorce. Among the Jews, the wife could write a bill of divorce but needed her husband's permission to make it legal (see (see Mishnah, *Gittin* 2.5, 7; 6.2; L. Blau, *Die jüdische Ehescheidung und der jüdische Scheidebrief: Eine historische Untersuchung* 2 vols [Strassburg: K. J. Trübner, 1911-12] 1,19-21 who cites the Elephantine papyri; J. van Bruggen, *Het huwelijk gewogen: 1 Korinthe 7* (Ton Bolland: Amsterdam, 1978) 123-26; Tal Ilan, *Jewish Women in Greco-Roman Palestine*, Texte und Studien zum Antiken Judentum 44 [Tübingen: J. C. B. Mohr, 1995] 141-47. Ilan mentions the find of a papyrus bill of divorce sent by a woman to her husband, 41, 146).

return to the first marriage-partner after termination of a second marriage is forbidden. This is also the way in which the prophet Jeremiah understood this law and used it to illustrate the relationship between Israel and the Lord (Jer. 3:1-5).³ This law shows us that divorce may not be lightly undertaken. When another marriage has come between you and your former marriage partner there is no way back.

ii) *The grounds for divorce*: We see that this law confirms the fact that divorce, in certain circumstances, must be considered permissible. The grounds for divorce are also mentioned, namely, that “some indecency” has been found in the life of one’s spouse. Literally, the text speaks of “nakedness of a thing” which might suggest that it concerns some kind of sexual offence. However, although sexual offences are surely indicated by this phrase, it may also be used in a metaphorical sense. The only other place where the phrase is found, does in fact use it metaphorically, namely Deuteronomy 23:14 where the reference is to human excrement.

The rabbis interpreted the ground for divorce here in various ways. According to *M. Gittin* 9.10 the school of Shammai emphasised the word “indecency” and restricted divorce to unchastity. The school of Hillel emphasised the words “of a thing” and allowed divorce for anything.⁴ It would seem that even on the stricter view, other grounds for divorce could be possible as *M. Ketuboth* 7.6 shows by allowing for divorce when the law of Moses has been deliberately violated or when Jewish customs for modesty have been transgressed.

We note, then, that divorce may not take place for just any reason. “Some indecency” must have occurred. Jeremiah 3:8 shows us that adultery must come under this category. Sometimes the literature on this subject speaks as if divorce could not possibly occur after adultery.⁵ Wasn’t adultery supposed to be punished with the death penalty? It is true that God’s law ordains the death penalty for adultery, but the law also allows for the possibility of commuting this punishment into a fine, if the plaintiff so desires.⁶ Such bargaining over the punishment / penalty to be applied was only forbidden in cases of murder and a few other crimes (e.g. the cursing of the LORD), see Numbers 35:31-32.⁷ Proverbs does however warn against taking the risk. An angry spouse may not be willing to take money instead of seeing the death penalty executed (Prov. 6:32-35; cf. 13:7-8).

The phrase “some indecency” does, however, remain a vague concept. Is it possible to shed some more light on this from the Scriptures? If we look to two other situations which relate to divorce in the Old Testament we may indeed be able to form a more concrete idea of the kinds of things which may fall under this category, namely, a) the breaking of the bond of marriage through a legally applied death penalty, and b) the divorce regulations applied in Ezra 9-10.

a) The application of the death penalty to a married person necessarily involved the termination of his marriage. We may therefore extrapolate that those crimes for which a death penalty could be legally applied

³ Jeremiah’s point is that Israel (after her adultery) must not now expect that she can just simply return to the arms of the Lord.

⁴ The Alexandrian Jew, Philo (ca. 25 BC – AD 50) also espoused this very liberal view (*De Spec. Leg.* 3,30) as did Josephus (*Ant.* 4,253).

⁵ See, e.g., J. Douma, *Echtscheiding* (Ton Bolland: Amsterdam, 1982) 16; J. Murray, *Divorce* (Presbyterian and Reformed: Philadelphia, 1961) 10.

⁶ The Lord Jesus confirmed this when he said that divorce is sin except in case of adultery. Jesus also presupposes that the death penalty after adultery is not mandatory. This is also the background to Joseph’s action in Matt. 1:19.

⁷ A clear example of the commuting of the death penalty into a monetary fine may be seen in Exod. 21:28-30. In the case of adultery, Prov. 6:32-35 (cf. 13:7-8) warns us that in a court case concerning adultery the plaintiff (the offended spouse) may be so angry that he does not even wish to receive reconciliatory payment instead of the death penalty. The right of allowing the official stated penalty to proceed lay clearly with the plaintiff.

*The one who commits adultery with a woman is lacking sense;
He who would destroy himself does it.
Wounds and disgrace he will find,
And his reproach will not be blotted out.
For jealousy enrages a man,
And he will not spare in the day of vengeance. (i.e. on the day of the courtcase)
He will not accept any ransom,
Nor will he be content though you give many gifts. (i.e. though you offer him a fortune as ransom payment for your life)*

See further my article, “De Doodstraf in Gods Wet,” (<http://anderson.modelcrafts.eu/artikelen>) published in an earlier version in *De Reformatie* 74.14 (9 jan. 1999) 294-97; 74.15 (16 jan. 1999) 317-19.

(whether this penalty was mandatory or only a possible maximum sentence) may also be considered legally acceptable grounds for divorce. This fact helps give us a more concrete idea of what may be considered “some indecency.” If a person has evidence that his spouse is implicated in a capital crime then he is confronted with a choice. He (or she) can choose to file charges against his spouse and require the death penalty, or he can choose to arrange for a bill of divorce. We must presume that capital crimes fall under the category of “some indecency.”

A divorce in this case was of course not compulsory. If the evidence for the crime lies solely in the hands of the innocent partner, then he can choose not to file charges and to reconcile himself to his spouse (assuming forgiveness and any necessary reparation for the sin / crime involved). He could also file charges against his spouse and allow a non-mandatory death penalty to be commuted into a monetary fine (see above). For the sake of clarity I describe a hypothetical case study: A married man arrives home unexpectedly together with his friend. He discovers his wife in bed with another (unmarried) man. She is thus caught in the act of committing a capital offence (Deut. 22:22). There are also two witnesses (the husband and his friend). There are now various options open for the husband. He can i) have the marriage contract annulled by filing adultery charges against his wife (and her lover) and requiring the death penalty; ii) have the marriage contract annulled through a bill of divorce. If he chooses this second course of action, he may still file charges against his wife (and her lover) and commute the death penalty into a monetary fine. iii) He can choose to reconcile himself to his wife and allow the marriage to continue. In this case he may still choose to file charges and commute the death penalty into a monetary fine.⁸

When we consider capital crimes as coming under the category of “some indecency,” then we have, among others, the following possible grounds for divorce: murder (Exod. 21:12; Num. 35:16-18); manslaughter by serious negligence (Exod. 21:29); adultery (Lev. 20:10; Deut. 22:22); incest (Lev. 20:11-12); homosexual intercourse (Lev. 20:13); bestiality (Lev. 20:15-16); public idolatry (Deut. 13; Lev. 20:2); cursing God (Lev. 24:10 ff.; cf. Heid. Cat. q/a 100); functioning as a medium or spiritist (Lev. 20:27; Exod. 22:18); and working on the Sabbath (Exod. 31:15). This gives us guidelines for determining what may validly be categorised as “some indecency.”

Capital crimes involving a mandatory death sentence may also have provided the possibility for arranging a bill of divorce instead of a court case. For the sake of clarity I offer the following hypothetical case study: A married man returns home unexpectedly with one of his clients and discovers that his wife is engaged in calling up the spirit of her deceased sister. She is thus caught in the act of engaging in a capital crime (Lev. 20:27). There are also two witnesses (the husband and his client). If he so desires, the husband may file charges whereupon his wife will be confronted with a death penalty. In such a case there was probably no possibility of commuting the death penalty into a monetary fine (the husband is strictly speaking not the “offended party” here). But his wife is repentant. She admits that it was an act born out of a deep sorrow at the loss of her sister which she has not properly worked through. She had never intended to offend God and she sees now that her attempt to call up her sister’s spirit was very wrong. The husband does not wish to see his wife die for this, and—in company with his client—he decides not to file charges. He may yet arrange a bill of divorce on the ground of “some indecency” (namely, the calling up of the spirit of a dead person). Or he may choose to remain with his wife.

In principle, any capital crime for which there exists sufficient evidence to convict would offer the possibility for arranging a bill of divorce when either a) the plaintiff decides not to file charges, or b) he allows the death penalty to be commuted into a monetary fine.

b) In the second place we can learn a little more from the history of Ezra 9–10. After the return from the exile Ezra discovered at a certain moment that many of the Israelites had contracted marriages with foreign women.⁹ It was decided that all these women should be sent away. Refusal to engage in a divorce would lead

⁸ A wife could be expected to pay her fine from the dowry which she received upon marriage. This money remained her possession and her husband had no right to it.

⁹ The countries from which these women came were not limited to the peoples within the land of Canaan (who had been placed under the ban), Ezra 9:1. We are therefore not able to conclude that the divorces which follow were a special exception due to marriages contracted with people who stood under the ban. We also read that the children of these marriages were sent away which makes it probable that they were not circumcised. The terminology of the ban *is* used at Ezra 10:8, but only for the confiscation and devotion to God of the property of anyone refusing to follow through on the oath made to divorce the foreign

to excommunication from the community of the exiles (Ezra 10:8). These divorces were arranged “according to the law” (Ezra 10:3).

The first point we ought to note here is the fact that these women had *not* converted to the religion of Israel. The divorces were arranged for marriages which had been contracted between believers and unbelievers. This is clear from Ezra 9:1 where the reproach is not so much directed against foreign women as such, but against foreign women who are still very much associated with “the abominations” of their peoples (i.e. practices opposed to God’s law, e.g. idolatry).¹⁰ We may speak of “unfaithfulness” to the Lord (Ezra 9:2, 4).

That marriages with foreigners were not *per se* forbidden is clear from other passages of Scripture, for example Numbers 12. The only person in Israel who was absolutely forbidden to marry a foreign wife (even if she was a believer) was the high priest (Lev. 21:14).

In the second place we should note that these marriages ought never to have been contracted.

Thirdly, if these women still practised the abominations of their peoples, then they were most likely guilty of public idolatry.

This passage shows us not only that marriages between believers and unbelievers ought not to be contracted, but that such marriages ought to be dissolved. Church discipline may be used to effect this since such a marriage brings one’s faithfulness to the LORD into question. This situation (where a believer marries an unbeliever) is completely different to the situation described by the apostle Paul in 1 Corinthians 7:12-16. There Paul gives advice concerning marriages which had been contracted between two unbelievers and where one of the parties has come to faith. In such a case divorce is not necessary, unless the unbelieving partner refuses to live together with the believing partner.

iii) *The prohibition on divorce.* There are also two cases whereby divorce is never permissible: firstly, a marriage where sexual intercourse had taken place before the wedding, Deuteronomy 22:29,¹¹ and secondly a marriage where the husband had falsely accused his wife after the first wedding night of not being a virgin, Deuteronomy 22:19. In these cases, in the worst situation, there may only be a physical separation—not a divorce. The husband remains responsible for the financial support of his wife.¹²

In Deuteronomy 22:13-21 God shows us that he expects that a woman be a virgin upon entering into the marital state (a man too of course, but that is more difficult to prove). If the husband notices on the wedding night that his wife is not a virgin, he may bring a charge to the court and have the marriage annulled, unless there is evidence for the virginity of his wife. This evidence was customarily in the possession of her parents who provided the sheets for the wedding night. In order to prevent misuse of this law, the rabbis forbade unmarried couples ever to be alone with each other, not only to prevent the appearance of unchastity but also to respect this law of God.¹³ The rabbis ruled that if an engaged couple had ever been alone together before their marriage (where they were and what they had done made no difference), the man would lose his right to bring such a charge to the court (in accordance with Deut. 22). The point of this regulation is clear enough. There was a need to prevent a man from bringing a charge concerning the lack of virginity in his newly married wife when he himself was the person who had illicitly taken her virginity away (i.e., before the wedding night).

wives.

¹⁰ Ezra 9:14 speaks literally of “these peoples of abominations,” i.e. (as the NASB) “the peoples who commit these abominations.”

¹¹ Although Deut. 22:28 speaks about two people who are “discovered,” the Bible expects that when there is true repentance, the sinner will voluntarily give himself up and take his punishment, accepting his responsibilities. For more information see my paper *The Consequences of Sex before Marriage* to be found at <http://anderson.modelcrafts.eu/articles>.

¹² A complex question is whether in these cases a spouse may require the death penalty for a crime which carries a possible (but not mandatory) death penalty. I leave this question unanswered. It should be clear that in these circumstances not even a capital crime can be considered a valid ground for divorce.

¹³ For the Jewish regulations, see Mishnah: *Ketuboth* 4:4; 1:5 and *Kiddushin* 4:12.

The Bill of Divorce in the Old Testament

From the law in Deuteronomy 24 we learn that to enact a divorce an official bill of divorce had to be written. This also implies that there had to be witnesses.¹⁴ Divorce is a public contractual matter, just as entering into the state of marriage. Marriage is a *covenant*, an official contract (cf. Mal. 2:14).¹⁵ This means that the person who requests the bill of divorce must be able to prove that his marriage partner is guilty of “some indecency.” How this had to be proved is not clear from the law. We may think of the judgement of the elders at the gate. This is presupposed in Jerermiah 2–3 where the Lord God takes his “wife,” Judah, to court (see Jer. 2:9). He brings evidence of her adultery and cites the law of Deuteronomy 24 (Jer. 3:1). Judah is threatened with divorce. She has already seen the results of adultery when God sent away her sister Israel in exile with a bill of divorce (Jer. 3:8). These chapters confirm the fact that a bill of divorce was a *legal document* and not just a declaration written by a husband upon his own authority. The actual bill of divorce itself does not seem to have mentioned the specific ground. This is understandable, given that it could be used later to prove eligibility for another marriage.¹⁶



Bill of Divorce

Divorce in the New Testament¹⁷

Before we examine what Jesus has to say about divorce, it ought to be stated that Jesus did not occupy himself with writing a new *law*. His intention was to *maintain* God’s good moral law in all its details (Matt. 5:17-20).¹⁸ In His preaching, also concerning the law, he does not make new regulations, but shows how God’s law speaks directly to the human heart.

This is certainly his intention in the Sermon on the Mount. In Matthew 5 Jesus goes through several commandments and drives their message home into the heart in a hyperbolic fashion (i.e., with intentional exaggeration). In doing this he sets himself against the rabbinical traditions of His time.

A couple of examples should suffice: In v.27 he speaks about adultery. Jesus drives this home when he hyperbolically proposes that if our right eye causes us to sin, we should pluck it out. Even though it is true that it would be better for us to lose one of our body parts than to have our whole body thrown into hell, it is not Jesus’ intention to say that we should *literally* pluck out our eyes. If that were the case we would all need to blind ourselves. Jesus speaks in hyperbole, but his point is thereby all the more forcefully made. He reaches into our hearts when he states that even looking at a woman lustfully amounts to adultery. This is hyperbole (exaggeration) in the sense that whilst lusting after a woman is adultery in God’s eyes, it has no civil consequences (the court does not punish sins of the heart, and therefore, for example, lusting after a woman cannot be considered a valid ground for divorce).

In v.33 Jesus speaks about breaking one’s oath. He speaks hyperbolically when he states that one should not make any oath at all (at the same time criticising the Jewish practice of swearing by the name of *things* instead of by the name of God). But Jesus himself was later to accept an oath (Matt. 26:63-64, cf. Gal. 1:20; Hebr. 6:13-18 and LD 37 of the Heidelberg Catechism). Jesus reaches into our hearts when he states that our yes should be yes, and our no, no.

In v.31 he once again quotes the fathers who state: “Whoever sends his wife away, let him give her a certificate of divorce.” The Jewish background here is the fact that in Jesus’ days these words from

¹⁴ On the matter of witnesses in ancient Hebrew bills of divorce, see L. Blau, *Die jüdische Ehescheidung und der jüdische Scheidebrief: Eine historische Untersuchung* 2 vols (K. J. Trübner: Strassburg, 1911-12) 2,54-62. The Mishnah (*Gittin* 9,4) states that to be valid a bill of divorce must have at least two witnesses and a date. Blau (2,86) notes, however, that the necessity of a date was disputed, citing Tosefta, *Gittin* 9,6.

¹⁵ This text speaks literally of one’s “wife by covenant.”

¹⁶ Hebrew bills of divorce extant (which all postdate the Old Testament) do not give any grounds, see L. Blau, *Die jüdische Ehescheidung*, 2,46.

¹⁷ For the special Old Testament case of the treatment of a slave-girl purchased to be a wife, see my commentary on *The Laws of the Book of the Covenant*, Exod. 21:7-11.

¹⁸ Jesus is not speaking here of the ceremonial laws of God which are not dealt with in the sermon on the Mount. For this distinction (between ceremonial and moral) in the Bible see my essay *The use of God’s Law* to be found at:

Deuteronomy 24 could be interpreted very loosely. “Some indecency” was often interpreted in the sense “something that doesn’t please you.”¹⁹ For this reason no ground for divorce is given in Jesus’ quotation. Jesus drives this law home in a hyperbolic manner when he says that whoever divorces his wife for another reason than unchastity,²⁰ causes her to commit adultery.²¹ Again he emphasises his point hyperbolically when he states that a divorced woman who marries, commits adultery.

We ought not to use these rebukes from our Lord in a legalistic manner, turning them into some kind of binding law-code. What we need to do is to let the message of the Lord sink into our hearts, namely, that we pay due attention to the fact that the Lord *hates* divorce and that we need to be very careful when thinking about the grounds for divorce. Further, that we ought not to marry a divorced person until we have ascertained whether the divorce was effected upon *biblical* grounds.

That the Lord Jesus himself frequently spoke on this subject in an exaggerated manner to drive his point home, is clear from Mark 10:9-12 and Luke 16:18 where he does not even mention the condition of “unchastity” for divorce!

In Matthew 19:3-12 (cf. Mark 10:2-12) the Pharisees approach Jesus with a question designed to trap him: “Is it lawful for a man to divorce his wife for any cause at all?” It appears that they had heard that Jesus was against divorce (cf. v.7) and thought that he was, therefore, against the law of Moses. Jesus brings them back to the creation account where God gave man and woman to each other and declared that they be “one flesh.” Why does Moses allow divorce? Because of the hardness of the human heart. But in the beginning it was not this way. Jesus shows that the law allowing divorce is a result of the fall into sin. Before the fall into sin there was no divorce. After the Fall, God’s law must take account of the hardness of the human heart. This means that, although divorce in certain circumstances is permissible (Jesus shows that he agrees with Moses in his permission, v.9), it is always a result of *sin*.²² It is a concession to sin. If we view divorce in this light, then we will be all the more motivated to do our best to avoid it.²³

This passage is often explained as if Jesus wishes to say that, whilst Moses took account of the hardness of the heart of man by *allowing* divorce, this was not really God’s intention. In this interpretation Jesus provides a *new* law which is more strict than that of Moses. The evil that Moses *permitted* is now abolished. But this interpretation, for a number of reasons, cannot be accepted as valid. Firstly, Jesus would then be denying what he had already stated at the beginning of the sermon on the Mount (Matt. 5:17-20), namely, that nothing from God’s moral law has been abolished. Secondly, we cannot say that there is now (after Christ’s coming) no more hardness in the heart of man. Thirdly, Jesus himself takes account of the hardness of the heart of man when he also speaks of the permission for divorce after adultery. Just as in the sermon on the Mount, Jesus shows that the ground of “indecency” in the law of Moses must be taken seriously. Moses’ permission for divorce may not be abused by arranging for a bill of divorce for just any reason. Fourthly, it is not the case that Jesus argues that Moses only *permitted* an evil in Israel. In Mark 10:3 Jesus speaks of the *commandment* of Moses concerning divorce. In Mark it is the Pharisees who use the word “permit.”

Finally, when Jesus says in verse 9 ‘whoever divorces his wife, except²⁴ for unchastity, and marries another commits adultery’, he quite plainly disallows polygamy. Jesus’ point is that a divorce on illegitimate grounds

¹⁹ See above for the explanations of the rabbis. The loose view of the school of Hillel is known to have been the most common in the time of Jesus.

²⁰ The word *porneia* (πορνεία, ‘unchastity’) denotes all forms of forbidden sexual activity (e.g. homosexual, bestial or adulterous relations). It is thus broader than adultery.

²¹ Although it could sound like Jesus puts it this way to cater for polygamy (i.e. the man would *not* commit adultery if he married another woman), Matt. 19:9 makes this interpretation impossible. Jesus is therefore putting the responsibility for what the woman does after the divorce upon the divorcing husband.

²² I do not mean to say that divorce which is effected upon biblical grounds in itself is sin. When there are biblical grounds, divorce is allowed by God. And yet it is a *result* of sin within the marriage. The divorce itself can only be considered sinful if it has been effected upon unbiblical grounds.

²³ We ought also to see the advice of the apostle Peter in this light, 1 Petr. 3:1-2.

²⁴ μή + participle = εἰ μή + part. when the participle can be resolved into a conditional clause, see LSJ s.v. μή B 6. (the meaning is clear from parallel in 5:32). The participle belonging with the clause is also elided, namely ἀπολύων, i.e. “whoever divorces his wife, except divorcing on the grounds of porneia, ...” A parallel (with ellision of the participle) can be found in Plutarch, *Caesar* 7,8.

is no divorce in God's eyes. However, if polygamy is allowed, marrying a second wife without legitimately divorcing the first, would not be adultery. Jesus clearly puts both husband and wife on the same footing. If they are still married in God's eyes, neither party may marry another person. For both wife *and* husband that will be viewed as adultery (i.e. illicit breaking into a marriage) by God.

The last passage in the New Testament which we must examine is 1 Corinthians 7:10-11. Paul refers here to what the Lord Jesus taught in Mark 10:11-12. We have already seen that even within the framework of Jesus' own statements on divorce, this passage must be viewed as deliberate hyperbole (exaggeration for effect). But Paul does not refer to this passage in order to prohibit every possible ground for divorce. We must carefully listen to the context here. Paul is engaged in answering certain questions which the Corinthians had written him about (v.1). From his advice in vs. 1-9 we learn that some Corinthians had in effect annulled their marriages because they thought that God would be better served in this way. They refused to engage in sexual intercourse, probably because they thought that this does not really rhyme with a genuine *spiritual* Christian life. Paul corrects this wrong line of thinking and explains *to those who are already married* that the Lord Jesus has said that a wife must not leave her husband.

That Paul does not mean to say that divorce is *never* permissible, is clear from what he says in verses 12-16 (esp. v. 15). He admonishes those who live in mixed marriages (i.e., marriages which were effected before one of the partners became a Christian) not to divorce. Only if the unbelieving partner leaves, may the believing spouse acquiesce in the situation. The marriage-relationship is in that case *annulled*.²⁵ A divorce has been effected. This implies that the Christian partner is free to remarry. The Lord Jesus made it clear that the possibility of remarriage depends on whether a previous marital relationship was *for just cause* annulled (Matt. 5:32; 19:9).

This passage from 1 Corinthians 7 is further evidence that Jesus' "ground" for divorce (i.e., unchastity) must not be read in a legalistic way. Other cases may arise in which a marriage may be justly annulled (e.g., 1 Cor. 7:15). And yet we ought to take serious account of Jesus' warning that the "indecency" of Deuteronomy 24 must be interpreted in the line of sins such as unchastity which can cause a serious breach of trust within the marriage relationship.

²⁵ We ought to note that Paul permits the acquiescence in this separation for desertion in general. The permission is not restricted to a situation wherein the Christian partner would otherwise be hindered from serving the Lord. It may be that the unchristian partner just feels that his Christian partner is no longer so interesting.