



Divorce and the Teachings of Jesus

By: Byron Fike

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Divorce is easier to obtain in the United States today than in any other Western nation with the exception of Sweden. Since 1980 there have been roughly 3000 divorces granted each day in the U.S. This is a radical change from the 1950's when only 11% of children under age 18 experienced the separation or divorce of their parents. We are living in a culture today that recognizes divorce as an acceptable end to a marriage that is not working.

Divorce was also rampant in Jesus' day. A Jewish man could divorce his wife for any reason. Today we would call this a "no fault" divorce. Divorce was accepted by society in much the same way it is accepted in the U.S. today. Two stories from the first century illustrate this.

A man walked into his home, threw divorce papers at his wife. She cried so loudly the neighbors heard and came to comfort her. The rabbis ruled that a divorce would be tragic but the man had a scriptural right to divorce if he wished to do so. Under their interpretation of scripture a man could divorce his wife for any reason she might displease him.

Herod Antipas was traveling and stayed for awhile with his brother, Philip. While in Philip's home Herod proposed marriage to Philip's wife, Herodias. She consented on the condition that he divorce his present wife. John the Baptist confronted the new couple and was murdered.

These stories set the background for the society to which Jesus addressed his teachings on divorce and remarriage.

Is It Lawful To Divorce?

When Jesus taught on divorce it was primarily to a hostile crowd. The question, "Is it lawful for a man to divorce his wife?" was designed as a test question by Jesus' enemies in order to trap him (Mark 10:2; Matthew 19:3). The hostility came in part because of a fundamental difference in how Jesus read the law of God and how the Pharisees read God's law. This difference is well illustrated in the Sermon on the Mount.

	Pharisees' Concern	Jesus' Concern
Matthew 5:21-26	Murder	Anger
Matthew 5:27-30	Adultery	Lust
Matthew 5:31-32	Proper Divorce Procedure	Commitment to Marriage
Matthew 5:33-37	Proper Oath Procedure	Honesty
Matthew 6:1-18	Being Seen as Religious	God Seeing One's Heart

When we do not understand and appreciate the context to which Jesus was speaking, we will inevitably misunderstand Jesus' teachings. For example, when Jesus said "Anyone who is angry with his brother will be subject to judgment" (5:22) was he thus condemning himself? Jesus became angry on occasion as reported in Mark 3:5. In the sermon on the Mount, Jesus is dealing with a misinterpretation of God's law and is giving the correct interpretation. He is not talking about what we might call "righteous indignation" or anger over the things that make God angry. In the same way Jesus' teaching on divorce in this sermon is directly addressed to those who have misunderstood God's intent and have thus misinterpreted scripture. We must not assume that Jesus would present this same teaching to the divorced woman that he met by the well in Samaria (John 4) or the prostitute who anointed his feet at a Pharisee's house (Luke 7:36ff).

The recorded teachings of Jesus on the subject of divorce (Matthew 5:31-31; 19:1-9; and Mark 10:1-12) addressed a misunderstanding, misapplication, and misinterpretation of God's intent. The Pharisees thought the whole matter rested on the correct understanding of Deuteronomy 24:1-4:

"If a man marries a woman who becomes displeasing to him because he finds **something indecent** about her, and he writes her a **certificate of divorce**, gives it to her and sends her from his house, and if after she leaves his house she becomes the wife of another man, and her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, then her first husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the eyes of the LORD." (Emphasis mine BF)

The Pharisees well illustrate how one can read a passage of scripture and completely miss God's word. They focused with microscopic intensity on two phrases translated, "something indecent" (or "uncleanness") and "certificate of divorce." These words became the basis for an intense battle over God's "law" concerning divorce. This passage came to be understood as God's instructions for divorce. The Rabbis thus taught that God permitted divorce under certain conditions but disagreed on the conditions. Two schools of thought developed around two prominent rabbis.

"The School of Shammai say: A man may not divorce his wife unless he has found unchastity in her, for it is written, because he hath found in her **indecency** in anything. And the School of Hillel say: He may divorce her even if she spoiled a dish for him, as it is written, because he hath found in her indecency in **anything**." (From the Mishnah. Emphasis mine BF)

As with many disagreements over Scripture, the words one underlines make all the difference in concluding what the passage is saying.

The Pharisees brought up Deuteronomy 24:1-4 in order to answer the question asked by Jesus, "What did Moses command you?" Jesus responded that they were looking at the wrong scripture. He then directed their attention to Genesis 2:24 which gives God's intention for marriage, "*For this reason a man will leave his father and mother and be united to his wife, and*

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they will become one flesh.”

Divorce was never God’s idea or intention for his creation. It was permitted by God because of “hardness of heart.” Whenever there is a divorce, sin is involved. God never has anything good to say about divorce. Jesus thus says that divorce breaks the seventh commandment, “Do not commit adultery.” Jesus is not giving a legal code to enforce. He is giving us God’s ideal. In these passages, Jesus does not give us an answer for every possible problem that is created when people do not live as God directs.

Is Divorce Ever Permitted?

If one were only to read Mark 10:11 and Luke 16:18 their answer to the question, “Is divorce ever permitted?” would have to be “no.” However, if one were to read Matthew 5:31-32 and 19:9 they might answer, “only in the case of marital unfaithfulness.” If one continues to read and discovers 1 Corinthians 7:15, they would find yet another reason: desertion of an unbelieving spouse. What are we to do with all these seemingly contradictory passages? Should we combine them all together and conclude that there are only two scriptural reasons to divorce? What about situations where physical abuse is involved, or where one’s children are in danger? What if one’s mate is involved in illegal activity such as drugs, child pornography, or murder? We will make the same mistake the rabbis did if we try to legislate every situation.

Theologians have struggled with this issue for centuries. The Roman Catholic Church teaches that marriage cannot be dissolved for any reason. However, they teach that it can be annulled, which means that the marriage never existed in the first place. Protestant Reformers taught that there were reasons for divorce but could not agree on the reasons. Luther said that divorce was a last resort in cases of infidelity, impotency, refusal of marital relations, or desertion. Calvin said there were only two acceptable reasons for divorce: adultery and desertion. The Anabaptists recognized adultery as a valid reason but did not allow divorced people to remarry. Zwingli taught that adultery was an example of a valid reason but said there could be other legitimate causes such as abandonment, endangerment of life and insanity.

The Bible teaches that it is sometimes justifiable to divorce but does not list every possible situation where it would be acceptable. It is very clear from Jesus’ teaching that divorce is not God’s ideal will. It is God’s will that one man marry one woman and they live in a covenant relationship until separated by death. Divorce thus destroys God’s intention for marriage. To give a physical parallel: it is God’s will that every person have two legs. There may be some valid reasons to amputate one or both legs. Amputation, however necessary, destroys God’s ideal.

Theologian F. F. Bruce gives wise counsel when he writes the following concerning Jesus’ teachings on divorce:

“Is it wise to take Jesus’ rulings on this or other practical issues and give them legislative force? Perhaps not. The trouble is that, if they are given legislative force, exceptive clauses are bound to be added to cover special cases, and arguments will be prolonged about the various situations which are, or are not, included in the terms of those exceptive clauses. It is better, probably, to let his words stand in their uncompromising rigour as the ideal at which his followers ought to aim. Legislation has to make provision for the hardness of men’s hearts, but Jesus showed a more excellent way than the way of legislation and supplies the power to change the human heart and make his ideal a practical possibility.” (From *The Hard Sayings of Jesus*)

What About Remarriage?

What did Jesus mean when he said, “whoever marries the divorced woman commits adultery” (Matthew 5:32)? Again, one must keep in mind the situation Jesus is addressing. The focus of Jesus’ statement is the husband who is divorcing his wife. Under Jewish law the husband is the only one able to divorce. The husband is thus the focus of everything Jesus says in this context. Moses had permitted a certificate of divorce so that the divorced woman would have a legal right to remarry (Deuteronomy 24:1-4). With her certificate, she could not be charged with adultery. Her second marriage would thus be a legitimate marriage.

By Jesus’ day this passage from Deuteronomy was used as a loophole enabling men to divorce their wives for any reason – something God had never approved. To properly interpret Jesus’ statement we must recognize that Jesus is focusing on the actions of the man who is sinning against his wife. Unless the wife has already broken the marriage covenant, the man must not divorce her. If he does, he is guilty of breaking the covenant and thus causes his innocent wife to be a party to covenant breaking as well as the next man who will marry her. The remarriage is not the problem: that was the reason for the certificate in the first place. The problem is with the man who is sinning against his wife.

Jesus is not here giving a new law, or changing God’s law; rather he is giving a challenge and a condemnation. The challenge is given to those who approach Scripture as though it were an intellectual puzzle to be solved. Jesus challenges them to move their examination from the text to their own sinful hearts. Further, Jesus is condemning those who seek loopholes in God’s plan for the permanency of marriage.

With these things in mind we are in a better position to look more deeply at the text. Matthew 5:32 contains seven verbs, all of which are either in the **active** or **passive** voices. An active voice describes the subject as *producing the action* (“I wash”). The passive voice denotes the subject as *receiving the action* (“I am being washed”). Below is the NIV translation of Matthew 5:32 with each verb in bold type and its appropriate voice in brackets. *But I tell (Active) you that anyone who divorces (Active) his wife, except for marital unfaithfulness, causes (Passive) her to become an adulteress (Passive), and anyone who marries (Active) the divorced (Passive) woman commits adultery (Passive).*

What these “active” verbs tell us is that the subject produces the action: Jesus *says* something, the man *divorces* his wife and the second man *marries* the woman. What the “passive” verbs tell us is that the subject receives the action but does not produce it. The woman,

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through no action of her own, is caused to *commit adultery* and be a *divorced* woman. The second man, through no action of his own, *commits adultery*. For this reason the term *adulterated* would be an accurate description of what is happening to the woman and the second man. They are forever affected by the actions of the woman's first husband.

John Edwards thus translates the passage, "It has been said, 'Anyone who divorces his wife must give her a certificate of divorce.' But I tell you that anyone who divorces his wife, except for fornication, makes her adulterated, and anyone who marries the divorced woman is adulterated." Edwards adds, ". . . the man who marries a woman so defiled and discarded partakes of her defilement. The passive voice incriminates the first husband who divorces his faithful wife. The passive voice also indicates that the woman discarded, and the man who marries her, bears no guilt but they are the ones who are wronged." (*Marriage and Divorce*)

Conclusion

As followers of Jesus we must take his word seriously. Marriage is a gift from God to his human creation and is to be regarded as a lifelong covenant between a man and a woman. This is God's ideal. Because of sin divorce may sometimes be necessary, but it is never good. It is like an amputation of one's arm or leg. It may be necessary but is certainly not something to celebrate.

Each of us must make decisions about our own personal lives and then live with the consequences. We will often disagree with the decisions others are making. This is especially true in this area of divorce and remarriage. While we may have an obligation to approach another in love to help them think through their decisions, we must ultimately accept the fact that each person will answer to God for their own actions. Our job is not to judge the actions (past or present) of another person, as though we know all the relevant facts and issues surrounding their situation. Our job is to love them.