

**A RETHINKING OF THE TRADITIONAL DIVORCE
EXCEPTION UNDERSTANDING
OF MATTHEW 5:31-32
AND ITS IMPLICATIONS FOR PASTORAL COUNSELING**

By

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A Dissertation Proposal Presented

To the Faculty of

REFORMED THEOLOGICAL SEMINARY

In Partial Fulfillment of the

Requirements for the Degree

Doctor of Ministry

August 2013

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CHAPTER 1

THE PROBLEM

Her eyes were deeply sullen and her complexion pale when she met with me for the first time. “Barbara” was a member of a very conservative Bible church in town where her husband was a deacon. Together since high school, they had been married for over twenty-five years. After years of suffering in silence, Barbara informed the elders of her church that she had been enduring mistreatment throughout her marriage, such as bullying and her husband’s porn infatuation. After some marriage counseling with the pastor, he determined that the husband was repentant, and that Barbara needed to learn to submit to him. He also reminded Barbara that since the Bible only allows divorce in cases of adultery and desertion, separation and/or divorce was not a biblical option, as her husband had committed neither of these sins. According to Barbara, her husband presented a public image of their marriage that was all roses after the counseling sessions, nothing actually changed in the home as a result of the counseling.

“Mary” was a long-time friend of Barbara, and was someone who Barbara had confided in over the years. Mary was the wife of an elder in our local church and asked Barbara if she would like to talk to me to obtain a different perspective on her situation. Barbara had been contemplating suicide because she saw no way out of what she considered an abyss. For years, her five children and her Christian faith had kept her going in the marriage, but she felt that even things dearest to her heart were not enough anymore as she sank into deeper depression. Now, as she sat before me, her sad eyes revealing years of suffering, I reminded Barbara that although she was seeking counsel from a minister other than her own, I would explain to her the counsel that I would give a member of my own church in her situation.

“Joanne’s” husband was a devoted contributor to a religious patriarchal organization. Her husband spent thousands of dollars on tapes, magazines, and paraphernalia from this organization. He was also an alcoholic, spending much of his income on liquor. Joanne and her husband were tens of thousands of dollars in

debt as a result. She pleaded with him to stop spending what they did not have, but to no avail. Joanne's husband also insisted she homeschool their two children, for this was "God's way" of education. She had no say in the matter. Of course, she was forced to use curriculum from this patriarchal organization.

Joanne's husband was fond of bullying. Though he had never hurt her physically, she recounted how he would throw items across the room when he was angry and drunk, and treated her more like a servant than a wife. Joanne was at the end of her rope when the whole family began to attend our church. In a matter of months, she asked me for help, or she did not know how much longer she could take all of this.

I will reveal the outcome of these two real-life scenarios at the end of this book, but these are not the only two scenarios that I, as a pastor, have dealt with over the years. Similar scenarios are common in pastoral ministry.

The Goal

For many years, I have had this section of Matthew's gospel in mind when counseling troubled marriages in the various congregations I have shepherded. Because of this recurring situation, I began exploring the proper interpretation and application of the divorce exception passage in Matthew 5:31-32. Given the difficulty of the wording of this famous passage, I came to some conclusions that were a bit different than usual in conservative circles in our day. I will provide an alternate understanding of this well-known passage in line with both the history of redemption and the context of the Sermon on the Mount.

I hope to present a cogent interpretation of our passage from a biblical and theological point of view (Chapter 2), then an historical point of view (Chapter 3), and provide a biblical critique of each of the common interpretations (Chapter 4). Chapter 5 explores a model and strategy for pastoral counseling using my interpretation of the passage, and Chapter 6 gives practical helps for implementing the strategy suggested.

In conservative churches, Christian spouses who seek counsel for troubled marriages are often told that Jesus was clear on the grounds for divorce, and in fact that divorce is permissible only in the cases of adultery and desertion. As a result,

depressed Christian spouses who are long-term victims of emotional abuse, bullying, psychological manipulation, etc. feel as though they must remain in their marriage situations as long as those two particular sins have not been committed, even if the guilty husband or wife never changes.

What if this common interpretation of the divorce passages in the Bible is not accurate? What if pastors, fueled by a mistaken interpretation of the Bible, have been unnecessarily forcing predominantly women to silently suffer without any recourse besides continuing to live with the men who are destroying their souls? As divorce and abuse become more and more common in culture, and in the church, is it time for those of us who hold to the inerrancy of the Bible to rethink our traditional understanding of the well-known divorce exception passage?

There are basically three views the church has held regarding the meaning of the divorce exception clauses in Matthew 5:31-32. The first view, on the conservative side of the spectrum, is known as the “permanence view” of marriage, which states that there are no biblical grounds for divorce while both spouses are still living.

A second approach, that I will call the “adultery only view,” would state that adultery is the only legitimate ground for divorce, besides desertion.

A third approach defines adultery more broadly and could be labeled as “the sexual immorality view.” This view notes that Jesus uses the word *πορνεία* in Matthew 5:32, which in the Bible refers to broad sexual immorality beyond adultery. This approach grants a biblical divorce in cases where one spouse commits repeated acts of sexual immorality or perversion.

While each view will be critiqued on its merits, it is important to note what these views share in common. While the first view does not allow for divorce, the others view the Matthew 5 divorce passage as a means to know when divorce for Christians is permissible – they just disagree on what these exceptions entail. All three views assume that Scripture offers clear legislation as to the grounds for divorce.

However, what if the whole endeavor to determine exact biblical grounds for divorce is wrong-headed? What if there is a different way of looking at the whole issue: a fourth view, as it may be, that still takes the authority of the Word of God seriously?

Although conservative Christians' defense of the institution of marriage and commitment to Scriptural authority must be commended, as should all views that attempt to take both the Bible and marriage seriously, the three traditional views briefly articulated above concerning what constitutes a biblical divorce need to be challenged and reevaluated. And as we shall see in Chapter 3, even the Puritans applied our passage more broadly than some might assume.

It is not the author's desire to see the holy bonds of marriage weakened, or divorce become more acceptable and commonplace in the church. The goal of this work is to enable ministers to think carefully about the context of our passage in Matthew 5, and to encourage pastors not to place a heavy burden on their people which Scripture itself does not place on them. And as a benefit of reaching that goal through research into historical and biblical evidences, maybe there is more help and hope for those like Barbara and Joanne in our churches than we may have previously believed.

Definitions

The following definitions of commonly used terms will be used throughout this book:

1. Divorce: Divorce is a judicial declaration dissolving a marriage covenant, especially one that releases the marriage partners from all matrimonial obligations. Though some speak of marriage and divorce as viewed through God's eyes and not through man's eyes, I will be using the term with the legal definition above.

2. Redemptive-Historical: A redemptive-historical understanding of the Bible refers to the increasing manifestation and unfolding of God's plan of salvation in the Scriptures of the Old and New Testaments from Genesis to Revelation.

3. Gospel: The gospel is the objective reality that God sent His Son into the world – born a true man, yet still fully God – to live a perfect life in the place of sinful human beings and to die a sinner's death as a substitute, to take the penalty of sin for His people upon Himself; that penalty being the eternal judgment of God against sin. It is also the subjective reality that all who call upon Jesus to save them from their sins will receive forgiveness of sins, everlasting life, and a new nature.

4. Ecclesiastical: Relating to a church as an established institution; what an organized church and/or denomination is and does in her role as a church.

5. Puritan: Referring to the group of English and American Protestants of the late sixteenth and seventeenth centuries who protested the lack of reformation in the Church of England.

Assumptions

I am working from three assumptions:

1. The inerrancy of the Bible. The Old and New Testaments are without error in their original autographs and carry the authority of God with them. This study assumes Westminster Confession 8:1:

The Old Testament in Hebrew (which was the native language of the people of God of old), and the New Testament in Greek (which, at the time of the writing of it, was most generally known to the nations), being immediately inspired by God, and, by His singular care and providence, kept pure in all ages, are therefore authenticable; so as, in all controversies of religion, the church is finally to appeal unto them.

2. The transformational power of the gospel. This study assumes that the difference between believers in Christ and unbelievers is not only assent to certain doctrines, but the possession of a new heart that desires to obey and glorify God.

3. The authority of the church. This study assumes the visible, organized church has been given the keys of the kingdom of heaven, and thus through membership, baptism, and church discipline, possesses the declarative authority to declare who are members of Christ's kingdom of salvation, and has the authority to watch over their souls.

We begin with a theological examination of our passage in Matthew that takes into account both the Old Testament witness and the context of our passage in the Sermon on the Mount.

CHAPTER 2

INTERPRETING MATTHEW 5:31-32

Introduction

When I first attended seminary, I worked the graveyard shift at a brain injury rehab center. Many of the patients could not speak, and the few who could thought and acted at a fourth-grade level. Many of the male patients sustained their head injuries while not wearing a helmet during motorcycle accidents. At times, the wife of a patient would visit her husband at the center. Sadly, the husband would not even recognize the woman who was speaking to him.

I wondered, if this woman were a believer, what would her local church leaders say if she suggested to them that because her husband can no longer recognize or provide for her, she would like to get a divorce and seek a husband who could provide for her and her children? The husband presumably had never committed adultery or purposefully abandoned her. This was certainly a unique situation. It caused me to wonder if the Bible really covered every possible situation concerning divorce, so that the church could confidently declare what sins needed to be committed before the Lord might allow a divorce, even in this unusual situation.

As a pastor, most of my counseling and interactions with failed marriages in the church were in situations that we might call gray areas. These were not situations where physical abuse, adultery, or desertion had taken place, but rather situations where particular attitudes and sins of one spouse pushed the other spouse, over time, into such darkness that divorce seemed the only option. These experiences caused me to reexamine the traditional conservative understanding of the divorce allowances in the Bible, and the fruit of my research and its application will be the subject of this book. It is not the goal of this book to delve into the oft-debated topic of remarriage.

As I stated in the introductory chapter, I will seek to offer an alternative view to the traditional views of the Matthew 5:31-32 divorce exception clause held by the majority in the church throughout history. In practice, my counseling to troubled mar-

riages may seem similar to others who hold more traditional views, but my approach theologically will come from a different place than most conservative pastors.

Given the limits of this book, I will spend the majority of this chapter interpreting Matthew 5:31-32, with the understanding that Matthew 19:3-9, a parallel passage, does not teach anything that would conflict with my interpretation of the Matthew 5 passage.

Most Christians agree on what marriage originally was meant to be when God ordained the institution at creation. Marriage was to be a lifelong commitment between one man and one woman. Adam and Eve were to love each other as their own flesh. Eve was to serve as a helpmate to Adam. Their mutual intimacy would be a picture of God's love and relationship with His image-bearers. After the fall, the husband's love for his wife would come to picture Christ's love for His bride, the church, for whom He died, and the wife's response to her husband would picture the church's love for Christ.

As to how the husband and wife would have related to each other before the fall, there is some debate on how male headship would have been practiced in pre-fall marriage. John Gill expresses the thoughts of earlier commentators in these comments on the forming of Eve from the side of Adam:

It is commonly observed, and pertinently enough, that the woman was not made from the superior part of man, that she might not be thought to be above him, and have power over him; nor from any inferior part, as being below him, and to be trampled on by him; but out of his side, and from one of his ribs, that she might appear equal to him; and from a part near his heart, and under his arms, to show that she should be affectionately loved by him; and always under his care and protection (Online Bible 1999).

Of course, the ideal purpose for marriage was thwarted by the fall of man into sin. Because all humans now possessed a sin nature, marriage, even marriage among professing believers in the Lord would be characterized by the presence of sin, some sin even leading to a break in the marriage relationship. As we shall see below, the Mosaic Law's prescriptions concerning divorce were all written with the underlying principle that sin will damage, even destroy, marriages.

Almost all Bible-believing Christians are in agreement as to the original purpose of marriage. Those holding conservative views on divorce also believe that the Bible reveals God's will as to when divorce is allowed for His people. Disagreements surface in the various interpretations of exactly what constitutes a reason for divorce. What sin must be committed before a Christian can divorce a spouse? What did Jesus mean in Matthew 5:32 when He stated that sexual immorality is the only acceptable cause for divorce?

In this book I am challenging the traditional views. I will argue that the Bible, especially in the New Covenant, does not reveal exactly when divorce is allowed among Christians. Too often the church has ignored the context of Jesus' words on divorce, especially in Matthew 5; as a result, we have missed the purpose of Christ's words on marriage and divorce in our passage. But we must first begin with divorce under the Mosaic Law.

The Mosaic Law on Divorce: Pertinent Old Testament Passages

It is not my intention to get into a detailed analysis of each Old Testament passage on divorce, as many others have done. Rather, I want to highlight some general points from each text that are pertinent to my interpretation of the Matthew 5 divorce passage.

Deuteronomy 24:1-4

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, and if she goes and becomes another man's wife, and the latter man hates 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 man dies, who took her to be his wife, then her former husband, who sent her away, may not take her again to be his wife, after she has been defiled, for that is an abomination before the Lord. And you shall not bring sin upon the land that the Lord your God is giving you for an inheritance.

It is clear from our Lord's comment in Matthew 19:8 that the prescription for divorce in Deuteronomy 24 is not a reflection of God's ideal for marriage. "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.'" According to Jesus, Moses made allowances for divorce because of the reality of a bad situation, because of the hardness of the Israelites' hearts.

It is important to see that Deuteronomy 24 is written from the perspective of protecting the woman in the marriage. The conditional "if" in verse 1 does not state whether the divorce was justified or not; it simply expresses the reality that if a man does divorce his wife, he does not have the right to force her back into a marriage contract once he has terminated the marriage. The hardness of heart Jesus speaks of refers to the husbands in Israel who easily divorced their wives, then decided later to force them back into the marriage, even when a wife had remarried. This law prevented the husband from financially profiting twice in that situation.

Larry Richards wrote:

What do the words "Moses permitted you to divorce because your hearts were hard" imply? Simply, that God, in grace, has taken the warping of humankind into account. He gave His permission in Moses' law for human beings to take a course of action that actually goes against His own ideal. The law's provision for divorce is proof that the Law in which the Pharisees put such trust is in fact a lower standard...that demonstrates God's willingness to accommodate Himself to fallen humanity's weaknesses (1990: 223).

Therefore, when we read Deuteronomy 24 on divorce, we should remember that God granting permission for divorce is not the same as God approving of divorce. In other words, God's holy and perfect will is not revealed in the allowing for divorce in Old Testament Israel, but God's character is revealed as one who is concerned to protect victims of hate and abuse in marriage.

The well-known debates between the rabbinical schools of Shammai and Hillel over the meaning of the Hebrew words translated "matter of indecency" in verse 1 seem to ignore this important point. What does indecency mean here? The problem of finding an exact answer is that Deuteronomy 24:1-4 is not written to prescribe when a

Jewish husband could divorce his wife. The Scripture here does not approve of divorce at all, but is concerned with protecting unprotected women, given the reality of the hard hearts of the men of Israel. The conditional “if” beginning the passage only assumes the reality of the situation, not the approval of the situation.

Both sides of the rabbinical debate agreed that at least adultery was an acceptable reason for divorce under the Law. The school of Shammai tended to limit indecency to adultery, though as David Instone-Brewer points out, “Noteworthy is the point that even the stricter Rabbis understood that a prescription on divorce in one passage can- not be the final word, but other passages on divorce must be taken into account” (2002: 111). This principle is often overlooked when considering Matthew 5:31-32, as we shall see below.

Also noteworthy as we consider this passage is that in the Mosaic Law, only a man could write a divorce certificate, or as we would say, “file for divorce.” A woman might ask a rabbi for help, but the rabbis could only ask the man to consider the wife’s request if she wanted to be granted a divorce. In certain circumstances, the rabbinical court could pressure the man to allow a divorce, but even then, the man was the only one who could end the marriage on his own.

It is important to see that most of the instructions in the Mosaic Law concerning divorce are directed toward protecting the women of Israel, both under a system and within a culture where husbands were granted more rights than wives. The Mosaic Law on divorce did assume the patriarchal culture of the day. John Collins quotes Mishnaic law:

A woman [was] divorced irrespective of her will; a man [divorced] of his own accord...the Mishnah also [recognized] that a woman may have [had] a right to a divorce under certain circumstances, and that she [could] appeal to the courts to require her husband to grant her a divorce. She [did] not, however, have the power to divorce her husband directly (1997: 121).

Finally, this text reveals that even though God established Old Testament ecclesi- astical courts in Israel to decide matters of both the interpretation and application of the Mosaic Law (Exodus 18), matters of divorce were decided by the husband and wife alone. The Israelites were never instructed to take a divorce matter

to the Old Covenant ecclesiastical courts for official decisions. Rarely do New Testament ecclesiastical courts (local church leadership) take this fact into account when they are tempted to determine whether or not a divorce is biblical.

Polygamy, though not in God's original plan for marriage (Matthew 19:4-5), was allowed among the Israelites, though often resulting in negative consequences. 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." In this Mosaic case law, if a husband took to himself a second wife while neglecting his first wife, the neglected first wife was free to ask for divorce without paying the husband anything.

Instone-Brewer notes that the Old Testament rabbis reasoned from this case law that "if a slave wife had the right to divorce a husband who neglected to supply food, clothing and conjugal love, then a free wife would certainly also have this right...if two wives had this right, so did an only wife" (2006: 36). The wife in this circumstance who sought divorce was also not required to return original bride money for seeking a divorce. Again, the divorce allowance is a lesser of two evils. The Lord would rather have the woman free from this terrible marriage than live in such neglect.

Deuteronomy 21:10-14

When you go out to war against your enemies, and the Lord your God gives them into your hand and you take them captive, and you see among the captives a beautiful woman, and you desire to take her to be your wife, and you bring her home to your house, she shall shave her head and pare her nails. And she shall take off the clothes in which she was captured and shall remain in your house and lament her father and her mother a full month. After that you may go in to her and be her husband, and she shall be your wife. But if you no longer delight in her, you shall let her go where she wants. But you shall not sell her for money, nor shall you treat her as a slave, since you have humiliated her.

Here the Lord forbids men to quickly marry and have sexual relations with captured female prisoners of war. The captured woman was to be given one month to

grieve her situation, whether grieving the death of her parents in the war, or the fact that she had been taken from them. Then the Israelite is allowed to marry her and have sexual relations with her. If he no longer desires her as a wife, he can divorce her, but not sell her as a slave or treat her like one. One more time we see that the intent of the Old Testament instructions concerning divorce center on protecting women from men who would mistreat them.

Malachi 2:12-16

Malachi 2:12-16 often serves as a linchpin for those with a stricter view of the divorce exceptions. According to some translations, God declares to the Israelites that He hates all divorce. The NASB offers the common translation of v. 16: “‘For I hate divorce,’ says the Lord, the God of Israel...” As a result, conservatives such as John MacArthur have affirmed unequivocally from this passage, “So God’s utter hatred of divorce is very clear in Scripture” (MacArthur 2014).

To many Bible commentators, the Lord in this verse is making a clear assertion of His own attitude about all divorce. Yet the grammar and context force us to seek a better understanding of Malachi’s point. As for the grammar, the Masoretic Hebrew actually reads, “he hates divorce.” Some translators have amended the Hebrew to make it fit what they believe is the context, that God is communicating that He hates divorce, but it is safer to stick with the original Hebrew, for it also fits the context better.

Beginning in vs. 13, the passage, better translated from the ESV, says:

And this second thing you do. You cover the Lord’s altar with tears, with weeping and groaning because He no longer regards the offering or accepts it with favor from your hand. But you say, “Why does He not?” Because the Lord was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. Did He not make them one, with a portion of the Spirit in their union? And what was the one God seeking? Godly offspring. So guard yourselves in your spirit, and let none of you be faithless to the wife of your youth. “For the man who does not love his wife but divorces her,” says the Lord, the God of

Israel, “covers his garment with violence,” says the Lord of hosts. So guard yourselves in your spirit, and do not be faithless.

The ESV better captures the grammar of verse 16, when instead of using ‘God’ as the subject, it sees ‘the man who does not love his wife’ as the subject. The context is the Israelites complaining that God does not regard their offerings nor visit them with His favor. Some commentators connect this passage with the previous one, where Malachi rebuked the men of Israel for marrying wives who worship idols (v. 11). Often an Israelite would divorce the Israelite wife of his youth to marry a pagan woman. Whether our present passage deals with a separate situation concerning divorce, or is a continuation of the condemnation against marrying foreign women, Malachi rebukes the men for hating and then divorcing their wives for no good reason.

Malachi calls marriage a covenant blessed by God for the purpose of producing godly offspring, which would lend credence to the view that the man God is rebuking divorced his first wife for an unbelieving woman, who would then not be able to produce offspring of a united, godly faith. The larger point is that the Lord is against the man who divorces his wife with no acceptable grounds revealed in the Law. Instone-Brewer explains:

The more traditional interpretation may seem to suggest that God is against divorce of any kind, but the context clearly shows that this is not so. The constantly reiterated theme of these verses is faithlessness to the terms of the marriage covenant. Criticism is not directed at the person who carries out the divorce but at the person who causes the divorce by not being faithful to the marriage covenant (2002: 57).

A Summary of the Mosaic Law Concerning Divorce

Before we move on, there are some final thoughts on the Mosaic Law’s prescriptions for divorce that are pertinent to our study. When one compares the Mosaic Law on marriage and divorce to the well-known laws in the Ancient Near East, it is helpful to take into account the similarities and differences of these divorce laws with the Mosaic code. As for similarities, both the Mosaic laws and the Ancient Near East

laws provided protection to women mistreated in poor marriages. For example, the Code of Hammurabi, dated around 1700 BC, prescribes the following:

131. If her husband accuses his own wife (of adultery), although she has not been seized lying with another male, she shall swear (to her innocence by) an oath by the god, and return to her house.

136. If a man deserts his city and flees, and after his departure his wife enters another's house – if that man then should return and seize his wife, because he repudiated his city and fled, the wife of the deserter will not return to her husband.

138. If a man intends to divorce his first-ranking wife who did not bear him children, he shall give her silver as much as was her bride wealth and restore to her the dowry that she brought from her father's house, and he shall divorce her.

142. If a woman repudiates her husband, and declares, "You will not have marital relations with me" – her circumstances shall be investigated by the authorities of her city quarter, and if she is circumspect and without fault, but her husband is wayward and disparages her greatly, that woman will not be subject to any penalty; she shall take her dowry and she shall depart for her father's house (Roth 1995: 106, 107, 108).

While both the Ancient Near East and Mosaic codes offer some protection to mistreated women, the differences between the two are enlightening. A major difference between the codes lies in the area of responsibility. For example, while Ancient Near East laws approved the death penalty for adulterers, these laws held much stricter penalties for women who committed adultery than for men. Guilty husbands could waive the penalties for adultery, while guilty wives had no such recourse; usually death was the only penalty for them.

Also, Hittite law held differing rules and penalties dependent on class status. For example, in Law 195 it was considered a crime deserving of death for a man to approach his free wife's daughter sexually. But this law did not apply if his wife was a slave (Roth 1995: 235-236).

However, when one considers the Mosaic Law, he sees that in Israel, both married men and women received the same penalties for adultery (Deuteronomy 22:22), and the laws applied to the Jews whether rich or poor, slave or free. So again, the

point needs to be made that the Old Testament Law's divorce allowances do not reveal God's perfect and ideal standard for marriages, but they do reveal aspects of God's holy and loving character even in juxtaposition to the surrounding culture.

Scholars have had some difficulty evaluating the Mosaic Law's view of women. Some moderns have evaluated the Old Testament laws on marriage and divorce and assumed that women were treated only as property. In the words of David Novak, "If one were to look at Scripture alone, it would seem that marriage is a right exercised by a man and that a woman he marries is simply there for his use" (2000: 133).

Other scholars recognize that the Mosaic divorce provisions all seem to have as their theme the protection of abused women. Leo G. Perdue writes:

In ancient Israel, laws governing divorce were designed primarily to protect the economic interests and rights of both the households that had arranged the marriage and the divorced couple themselves.... Yet the wife's interests and rights, along with those of her household, were also guarded. She was protected against slander, which would shame her and her household. She also was provided the legal writ that allowed her to return to her paternal household after her divorce and then to remarry... (1997: 187).

The truth seems to lie somewhere in the middle. On the one hand, the Mosaic Law on divorce was never meant to express God's ideal on marriage, but was given to limit the damage in marriage, so to speak, that comes from a fallen people who were, for the most part, "uncircumcised of heart." Given the Israelites' sinfulness and immaturity, as well as the time in redemptive history, the Israelites were not ready for God's ideal on marriage. The most the Mosaic Law could do was restrain sin – in this sense, to restrain men from treating their wives horribly with no recourse for them.

In a patriarchal culture, God condescended to that culture and allowed men to have more rights concerning divorce than women. The Israelites simply were not able, given the conditions of their hearts, to transcend that culture in order to fulfill God's ideal for marriage relationships. So it is true that the Mosaic Law does reflect the patriarchal rules and ethos of the Ancient Near East, as well as the hardheartedness of the people in general.

On the other hand, the Mosaic Law's allowances for divorce cannot be read without seeing the underlying love and care of God for the weak and helpless among His people. In this case, the weak and helpless were the married women in Israel. Among all the Ancient Near Eastern legal codes, only the Mosaic Law held men equally responsible for adultery, and only the Mosaic Law granted the same rights to slave wives as to free wives.

A question that should be asked as we move on to the New Covenant age is this: if God's love for the victims of neglect and abuse in the Old Testament allowed for divorce as a lesser of two evils, does God's love for such victims lessen in the New Testament, so that the neglected and abused would be required to remain in a situation of continual mistreatment as long as adultery was not committed?

The Mosaic Law was only a shadow of better things to come (Hebrews 10:1). If the Mosaic divorce laws were not God's ideal standard for His people, something better needed to occur – something where the Lord does not simply supply instructions to deal righteously with people in the face of abuse and mistreatment, as the Old Testament law on divorce did. What must occur is a situation where God's ideal for marriage is not only expressed, but also would be followed from a good and pure heart. That gracious “something” that would change everything was the coming of Christ and the inauguration of the New Covenant.

Jesus as the New Moses in the Sermon on the Mount

Old Testament theologians have noted that in the first five chapters of Matthew, Jesus recapitulates the life of Moses and Israel. Christ's birth narrative in Matthew emphasizes Jesus' escape from Herod's decree, just as Moses' birth narrative in Exodus emphasizes Moses' escape from Pharaoh's decree. Both Israel and Jesus were called out of Egypt as sons (Matthew 2:15). Moses received his commission to deliver God's people on Mt. Sinai, a type of heaven. Jesus received His commission from heaven itself to deliver His people. As Israel journeys through the waters of judgment, which the Apostle Paul calls a baptism (I Corinthians 10:2), Jesus is baptized in waters that foreshadow Him taking God's judgment upon Himself. Israel is tempted in the wilderness for forty years to see if she would obey God

(Deuteronomy 8:2). Jesus is tempted in the wilderness for forty days, quoting Deuteronomy 8:3 in response to Satan's assaults concerning the responsibility of Israel to obey the Lord, and demonstrating that He is the perfect Savior who has passed the test where Israel (and Adam) had failed. Finally, as Jesus ascends the mountain to give His sermon in Matthew 5:1, we are reminded of Moses ascending Mt. Sinai to receive the oracles of God and bring them down to God's people.

Jeffrey Niehaus writes in this regard:

Jesus stands as a new and better Moses when he teaches the disciples from the mountainside at the outset of his ministry. As Moses spent years in Midian, where he fled from Pharaoh and learned to be a shepherd, Jesus spent forty days in the wilderness, where he confronted the devil and showed that he was trustworthy enough to be called "the good shepherd." As Moses gave the Torah (God's teaching, instruction) from Mount Sinai (where God had given it to him), so Jesus gave God's teaching from the mountainside (1995: 234).

While many Bible commentators have recognized the connection between Jesus and Moses (and Israel) in the circumstances leading up to and surrounding the Sermon on the Mount, not all are sure what to make of the connection. Is the Moses-Jesus connection one of continuity or discontinuity? Is Jesus' Sermon simply establishing the proper interpretation and understanding of the Old Testament Law, or is He declaring something new and radically different from the Law?

Only when we appreciate the distinction between the Law and the Gospel will we understand the radical nature of Jesus' Sermon on the Mount, and thus understand the context of Jesus' words in the Sermon concerning marriage and divorce. The comparison between Jesus and Moses is thus proved to be one of discontinuity over continuity. Jesus was introducing and explaining the New Covenant in the Sermon, and according to Jeremiah 31:32, the New Covenant is "not like the covenant that I made with their fathers on the day when I took them by the hand to bring them out of the land of Egypt, my covenant that they broke...." How is the New Covenant that Jesus is inaugurating not like the covenant God made with Israel? When the Lord gave the Law on Mt. Sinai, God instructed Moses to come up alone to receive it. The people of Israel were not allowed to approach the mountain, lest they die (Exodus

19:12). The giving of the Law was accompanied by thunder and lightning so that the people were afraid to approach the mountain. God's Law, accompanied by fearful signs and wonders, reminded Israel that God was holy – that He required obedience if they were going to live in His presence. The people were not allowed near the mountain, and thus near God. Because they were sinners, they needed to keep their distance. The giving of the Law was not a happy occasion.

Now, contrast Mt. Sinai with Jesus on the Mount. Our Lord does not warn people to stay away from Him, yet He is God in the flesh. Instead He invites the disciples up the mountain with Him, and the crowds are allowed to follow. There is no thunder and lightning this time.

Why such a stark contrast? Why did the Law of Moses come with such fearful phenomena, yet Jesus' words come with such grace? What do we do with this obvious contrast? One might conclude that God's attitude toward sinners has changed with the coming of Christ. But that would make God mutable in character, and then His character, as well as His word, would not be trustworthy.

The problem of the contrast is solved when we remember what we have seen so far of Jesus. When Jesus was baptized in the Jordan, He was symbolically entering the waters of judgment for the sins of His people. When Jesus was tempted by the devil in the wilderness, He was passing the test of obedience that both Adam and Israel failed. After Jesus showed that He would die for sinners using the symbol of John's baptism, and after demonstrating that He Himself was perfectly righteous by passing the test in the wilderness, He announced that the kingdom of heaven was at hand (Matthew 4:17).

Jesus could bring grace because He came to fulfill the demands of the Law for His people. The Law of God demands perfect obedience. God never changed that demand, for He is holy. But God sent His Son to fulfill that demand in the place of His people. The Law also pronounced a curse on all who broke the Law. Jesus came to take the curse of the Law, that He had not broken, upon Himself. This explains the contrast between Mount Sinai and the Sermon on the Mount.

In essence, the Law said that if you want God's blessings, if you want to live in His presence, you must obey the Law. Jesus came to earth and fulfilled the Law for us (Matthew 5:17), so now He comes to us with grace. As John Calvin affirmed,

“The gospel holds forth salvation to us, not under the harsh, arduous, and impossible terms on which the Law treats us (namely, that those shall obtain it who fulfill all its demands), but on terms easy, expeditious, and readily obtained” (Institutes 2.5.12).

When Jesus begins His Sermon, He does not give a list of laws that must be obeyed in order to receive God’s blessings, as was the case under the Law (Deuteronomy 28). Jesus comes and promises blessings on sinners who cannot keep the Law for themselves. When Jesus finally spoke on the Mount, His Sermon must have shocked the first disciples. They would have expected to hear something like, “Blessed are those who obey me, for they will enter God’s kingdom.” Yet, how does the Sermon begin? “Blessed are the poor in spirit, for theirs is the kingdom of heaven.” Who are the poor in spirit? The poor in spirit are those who confess that they cannot obey God’s Law. The poor in spirit realize they have nothing good to offer God that makes them worthy of His love and grace. The first four blessings, or beatitudes, are granted as free gifts to those who simply admit their need for a Savior.

Redemptive-Historical Context of the Sermon on the Mount

Now that we rightly see the distinction between Law and Gospel as Jesus delivers the Sermon on the Mount, the next question that must be answered as we approach our text on divorce concerns what to do with the imperatives of the Sermon. In other words, if the Gospel comes as a free gift, and the only condition to receive it is faith, unlike the Law that was attended with threats to those who do not obey its commands, then what do we make of the commands in Jesus’ Sermon? Where do the imperatives to be peacemakers (v. 9), to let your light shine before others (v.16), to not take oaths (v. 34), or to love your enemies (v. 44) fit into this picture? Are they Law or Gospel? There is also the unexpected warning of v. 20, that “unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven.” On the surface, this sounds like a contradiction of the beatitude that promises those who are poor in spirit will be blessed.

There have basically been three answers to the question of how to understand the commands of the Sermon (ignoring classic dispensational arguments), though there are slight variations among each view. The first view we might label the “im-

putation view.” This view states that the commands of the Sermon are impossible to keep, and thus the commands of God here are meant to drive the sinner to Christ who obeys them for us. The commands then point to the need for Christ’s imputed righteousness to be added to our account. This view extends the Law-Gospel contrast beyond the distinction between the Old and New Covenants, which I have suggested above, and it classifies the commands in Matthew 5-7 as law that we cannot keep.

This imputation view is common in Lutheran circles. Jeffrey Gibbs, a Lutheran commentator, expresses it this way, “The Sermon contains Law, the commandments of God as Jesus declares them. Sooner or later that Law, when taken seriously by men and women trying to obey it, will rise up to condemn Jesus’ disciples as guilty, as sinful – as poor in spirit” (2006: 256). While I certainly affirm the need for the imputation of Christ’s righteousness, there is a better way to understand the Sermon.

The second view is probably the most common, and what I will label the “correction view.” In this view, Jesus in the Sermon corrected the misunderstandings and misapplications of the Old Testament moral laws for God’s people. This view does not deny the need for the imputed righteousness of Christ for justification, but believes Jesus is declaring the true intent of the Mosaic laws for God’s people that the Pharisees had twisted. Anthony Saldarini comments, “Matthew’s interpretation of biblical law is neither an abrogation nor a surpassing of that law, but a correct understanding and fulfillment of it” (1994: 162).

One of the problems with this view is that the people listening to the Sermon were astonished at Jesus’ teaching (Matthew 7:28). If Jesus were simply correcting wrong interpretations of the Law, this would be nothing radically different from what other rabbis were doing. But Christ was not speaking like the other rabbis. The rabbis would only offer their interpretations of the Law. None of them would have dared to claim that the Law had ended. Jesus was explaining how the Law had now been fulfilled, and thus declaring the end of the Mosaic Law in its Old Testament form. The people are astonished because Jesus, with confident authority, was actually changing the Law of God!

The third view, and the one I am advocating here, is what I call the “redemptive-historical view.” In the Sermon on the Mount, especially in the commands, Jesus is introducing ethics for His New Covenant people, ethics that are only appropriate in

the New Covenant age, grounded in the salvation event itself and focused on Jesus going to the cross for His people. Thus the Sermon, more than the temporary and provisional Old Testament Law, reveals the character of Christ, and calls us to conform to it. We are redeemed so that we might be conformed to His image (Romans 8:29).

So unlike the imputation view, which says that only Jesus can obey these commands in the Sermon, and unlike the correction view, which says these commands in the Sermon are simply the Old Testament Law rightly understood, the redemptive-historical view sees these imperatives as commands that only those who are beneficiaries of the New Covenant can and must fulfill. These commands become a description of how God's New Covenant people will actually fulfill them.

What makes the New Covenant different from the Old is not only the distinction between Law and Gospel, but between the flesh and the Spirit. The giving of the Law at Sinai was not accompanied by the pouring out of the Spirit. Though the Holy Spirit regenerated elect believers within Israel, the Israelites as a whole did not have circumcised hearts. Yet they all were required to obey the Law to remain in Canaan and receive God's blessings.

The commands in the Sermon come to us in the context of a Savior who was to fulfill the Law for sinners and pour His Spirit into those for whom He fulfilled the Law. Though the Holy Spirit is not explicitly mentioned in Matthew's account of the Sermon on the Mount, the rest of the New Testament will exegete the Sermon for us. We will learn that the Holy Spirit will not only draw people to God for salvation (John 6:37), but He will empower and strengthen God's people so that they will be able to follow God's commands (Ezekiel 36:22-28).

This is why Jesus was not making a hypothetical statement in Matthew 5:20 when He said that if you wanted to enter His kingdom, you would need to be more righteous than the Pharisees. The Lord is not suggesting that the Old Testament Pharisees could have fulfilled the Law if they were only sincere in their faith. All New Covenant saints, members of the eschatological kingdom now inaugurated on earth at Pentecost, would indeed possess a righteousness beyond all of the Israelites preceding them, including the Israelites who believed. The advent, death, and resurrection of Jesus Christ inaugurated a new age characterized by the outpouring of

the Spirit, through whom we are granted a new nature and a conformity to Christ, unlike even the Old Testament saints possessed.

G. K. Beale writes, “The overriding idea of New Testament theology, especially in Paul and Revelation, but also in the Gospels and the rest of the New Testament...is this: Christ’s life, and especially death and resurrection through the Spirit, launched the glorious end-time new creation of God” (1997: 20).

Because God’s New Covenant people will be filled with the Spirit, their righteousness will exceed even the scribes and Pharisees. The gift of salvation will not only include forgiveness, but a new nature and heart of flesh produced by the indwelling of the Spirit of God. There is such a radical difference between the giving of the Spirit from the Old Covenant to the New that the Apostle John could actually write, “Now this He said about the Spirit, whom those who believed in Him were to receive, for as yet the Spirit had not been given, because Jesus was not yet glorified” (John 7:39). Donald Hagner rightly states this about the Sermon’s imperatives: “Jesus expects...a newer and higher kind of righteousness that rests upon the presence of the eschatological kingdom He brings” (1993: 109).

In the New Covenant, the power of the kingdom of heaven, the power of the age to come, enters God’s people to enable them to obey God from their hearts, with the sacrifice of Christ as their example of holy living. This new obedience will always be diluted and weakened by sin, as the Westminster Confession states in 16:4, “They who, in their obedience, attain to the greatest height which is possible in this life, are so far from being able to supererogate, and to do more than God requires, as that they fall short of much which in duty they are bound to do.” But sincere, imperfect obedience from a renewed heart will always be present as a result of justification.

This is why in the New Covenant we can be peacemakers, because we have seen (in the cross) and experienced (in the new birth) God making peace with us. We can forgo the need to take oaths to ensure our honesty because we have been given the Spirit of honesty and faithfulness in the New Covenant. As a matter of fact, unless we display this new Spirit-empowered righteousness, we cannot claim to know the Lord (Matthew 7:19, 21, 25).

The Antitheses of Matthew 5:21-48

This redemptive-historical understanding of the commands of the Sermon leads us even closer to our divorce text, but we must first consider the proper understanding of the antitheses of Matthew 5:21-48, where our passage is located. As stated previously, many simply believe Jesus in this section is correcting the misunderstanding and twisting of the Mosaic Law by the scribes and Pharisees. But the phrase “it was said,” or at times “you have heard,” refers to the reception of the Law of God, either originally by the people under Moses or subsequently from the scribes reading the Law. Nothing should be made of any slight variations in language introducing each of the six antitheses.

In verses 27 and 31, Jesus uses direct quotes from the Old Testament Law. In these antitheses, the Lord does not even address misunderstandings of the Law, directly or indirectly. It would hardly be consistent to suggest that in some of the antitheses Jesus is correcting misunderstandings of the Law, while in others He is explaining the proper inward intent of the Law, while yet in others He is increasing the ethical demands of the Law. We should assume, given the repetition of the opening phrase “it was said,” or “you have heard it said,” that we are to understand each of the antitheses in the same way.

Now, it is clear from Scripture that there are overlapping ethics between the ethics of Israel under the Law and the ethics of believers in the New Covenant, for God is an ethical God and He does not change. In their most basic form, the commands to love God and love others cannot be annulled or changed, or else God’s ethical character would change; therefore, both concepts are commanded throughout both testaments.

But Jesus here in the Sermon is contrasting ethics under the Law in Israel’s theocracy with the ethics of His New Covenant people. In other words, the ethics have changed because the eschatological nature of the kingdom has changed. The Mosaic Law enforced outward conduct in the nation of Israel, which was only a picture of heaven. The New Covenant has come and the shadows have disappeared. Jesus is the new lawgiver who introduces a new and better ethic by contrasting the ethics of His kingdom and the Old Testament kingdom.

This is why the theme of “heaven,” or “the kingdom of heaven,” dominates the whole Sermon (Matthew 5:3, 16, 45, 48, 6:1, 9, 19, 20, 7:21). We are not in Old Testament Israel anymore; Christ has come and risen from the dead. There is no more earthly theocracy that would picture the kingdom of heaven; the kingdom of heaven has arrived. There is no more Sanhedrin or Mosaic ecclesiastical court to enforce and mediate penalties for breaking God’s Law by certain outward conduct. Now we deal directly with God in heaven, who sees into the heart. So Jesus will use six antitheses to demonstrate how the ethics of God’s people in the Old Testament theocracy compare with the ethics of the kingdom of heaven He is inaugurating.

Frank Thielman, in his book *The Law and The New Testament*, observed of these six antitheses:

In each case Jesus replaces a Mosaic command with instructions that express the ethical goal toward which the Mosaic law points. In cases where the Mosaic law in question is a pragmatic attempt to legislate a less than ideal situation, Jesus nullifies the command altogether by demanding a change in the situation itself so radical, that if it takes place, the legislation becomes unnecessary (1999: 51).

With the finished work of Christ and the coming of the Spirit, it is fair to say that the ethics in the New Covenant have heightened or increased from the Old, but the underlying connection between all six antitheses is the contrast between the covenant administrations. Sometimes this contrast is expressed in the negative, as in the first an-tithesis in verses 21-26. The Old Testament Law stated that murderers were liable to judgment – there were no civil penalties under the Mosaic Law for hatred, anger, or throwing insults. But now that Christ has come, God no longer rules through an out-ward legal code that only condemns certain outward behaviors.

In this contrast then, Jesus is arguing from the lesser to the greater. If you think the Law was holy in that Old Testament earthly kingdom, what do you think the standards are in God’s heavenly kingdom? If the Law was holy in Israel, an even higher standard exists in heaven. Though God was always concerned with the heart, the Old Testament Law itself did not legislate against inward anger. But what about heaven’s standards? In Christ, you have been raised to the presence of God in heaven. Do you think an- ger and hatred belong in heaven?

An Old Covenant Israelite could legitimately claim to belong to God's kingdom while at the same time still hating his Israelite brothers, for according to the Old Testament Law, he had not committed a crime worthy of being cast out of the nation, or executed. But that thinking will not work in God's kingdom of heaven. Jesus goes on to say that if someone claims to be a member of His kingdom but hates his brother, he is an illegitimate member and thus liable to hell.

The positive nature of the contrast is that in God's New Covenant kingdom, the kingdom of the Spirit's empowering presence, those who belong to Him will have genuine love for their brothers, to the point of making it a priority to reconcile with their brothers they have offended.

The contrast concerning oaths makes a similar point, but only in a positive direction. To guarantee honesty in Israel, God put the ancient Israelites under a system of oaths and vows. The Israelite would swear an oath to guarantee that what he said was true, and to guarantee that he would follow through with something he had promised. The reason the Israelites needed to be placed under a system of oaths was because they were not a very honest people. These oaths forced them to be honest. The reason oaths forced honesty was because an oath was always accompanied with a curse. An Israelite would say something like, "I swear in the Lord's name to do such and such, and if I do not perform this vow, may the Lord bring His curse upon me." God warned the Israelites not to make their vows lightly, because God would bring a curse upon them for lying in His name (Ecclesiastes 5:4-6).

In Numbers 5 we have a great example of how these oaths were used to enforce honesty. If a man became suspicious that his wife was committing adultery and she denied it, he would take her to the priest. The priest would take a cup and mix some holy water with some dirt in the cup. He would then hold the cup up and pronounce an oath over the accused woman. The priest would say something like; "If you have been unfaithful to your husband, when you drink this cup, the water will make you sick." By drinking the cup, she took an oath upon herself. The threat of the curse for lying under oath would force the guilty woman to come clean and confess her adultery. The innocent woman would not be afraid to drink the water.

Jesus contrasts that age with the new age of the Spirit, with the ethics in the New Covenant. Jesus does away with the whole Old Testament system of oath-taking.

Now that Christ has come, you do not need to take oaths anymore to ensure honesty. Jesus came to redeem you and make you honest from your hearts. He filled you with His Spirit to make you reflect God's character. Christians are not honest out of fear of punishment. Christians are honest because they have hearts led by the Holy Spirit that want to please God by being honest. New Covenant believers do not need to take oaths to force them to be honest.

The third example of the Old/New contrast is Matthew 5:43-48, concerning loving your enemies. This antithesis is employed above all others to substantiate the correction theory, for these proponents surmise that the Law never called for the Israelites to hate their enemies, but to love them, so Jesus must be correcting a twisting or mis- understanding of the Law.

Now, there are directives in the Old Testament Law to love those who were once enemies, such as treating kindly the alien that travels through or settles in the Holy Land. For example, Leviticus 19:34 states, "The stranger who resides with you shall be to you as a native among you, and you shall love him as yourself...." But I do not believe this was the specific Old Testament law Jesus was referring to in Matthew 5:43.

The Israelites were to hate their enemies in certain situations – hate, in this sense, being defined as not showing mercy. For example, in Deuteronomy 20:10-18, Moses describes holy warfare against Israel's military enemies, in this case the Canaanites. Israel was not allowed to show any mercy by allowing them to live; even the women and children were to be killed.

In 1 Samuel 15, God commands Israel to "utterly destroy" the Amalekites. To refuse to show any mercy is an act of holy hatred. And in the imprecatory psalms there is a certain hatred of God's enemies that is approved. Psalm 139:21-22 states, "Do I not hate those who hate you, O Lord? And do I not loathe those who rise up against you? I hate them with the utmost hatred; they have become my enemies."

In the Sermon on the Mount, Jesus changes the command to refuse to show mercy: because Christ has not come to condemn the world, but to save it (John 3:17). The shadows of the Israelite theocracy, which called the land "holy" as a picture of heaven and the place of God's presence, have ended. Because Jesus Himself pled for the salvation of His enemies on the cross; and because God has chosen to reserve

judgment before the return of Christ, we are to recognize the new age that Christ brought and be like Him, loving and having mercy on our enemies.

The summary statement in verse 48 of Matthew 5 summarizes the glory of the New Covenant, expressed in the imperative: “You shall be perfect, just as your heavenly Father is perfect.” The Greek word translated “perfect” is *τλεις*, which, according to the Bauer-Danker Lexicon, usually refers to “attaining an end or purpose, complete” (2000: 995). The idea is that if one is a member of God’s New Covenant kingdom, he will exhibit the traits and ethics in the Sermon, those ethics the Old Testament Law only prefigured. As Theilman explains, “Because the scribes and Pharisees refuse to acknowledge Jesus’ approach to the Mosaic Law, they are mired in conformity to a penultimate ethic. Jesus has moved beyond them to an eschatological ethic that expresses the Law’s ultimate concerns. His disciples, He says, must do the same” (1999: 58).

George Ladd comes to similar conclusions:

[The Sermon on the Mount] portrays the ideal of the person in whose life the reign of God is absolutely realized. This righteousness...can be perfectly experienced only in the eschatological kingdom of God. It can nevertheless to a real degree be attained in the present age; insofar as the reign of God is actually experienced... Even as the kingdom has invaded the evil age to bring to people in advance a partial but real experience of the blessings of the eschatological kingdom, so is the righteousness of the kingdom attainable, in part if not in perfection, in the present order. Ethics, like the kingdom itself, stands in the tension between present realization and future eschatological perfection (1993: 126-127).

New Covenant Hyperbole in Matthew 5:21-48

There is one more crucial point to make before approaching our passage on divorce. The six antitheses express the radical contrast between the Old and New Covenants and the glory of the work of the Spirit in the hearts of the redeemed in the New Covenant. To heighten the contrast between the two covenants, our Lord utilizes hyperbole throughout the antitheses. Hyperbole can be defined as “a figure of speech

consisting in an exaggerated or extravagant statement, used to express strong feeling or produce a strong impression, and not intended to be understood literally” (Oxford English Dictionary 2nd ed., s.v. “hyperbole”). Failure to recognize this literary technique has resulted in some very strange interpretations and applications of these passages.

The most obvious example of hyperbole is the saying concerning lust in verse 29: “If your right eye causes you to sin, tear it out and throw it away. For it is better that you lose one of your members than that your whole body be thrown into hell.” Fortunately, I have not met any Christians who have taken these words at their most literal level. Jesus is using hyperbole to demonstrate the commitment to righteousness that He will produce in His New Covenant people. His people would rather suffer than live in sin against God. They will be truly committed to the Lord. They may struggle with lust, but they will fight it instead of letting it permanently dominate them.

Those not recognizing hyperbole in the Sermon have suggested that in verse 24, the Lord is teaching that if you have offended your brother and have not asked forgiveness, you should forgo worship on Sundays until you make it right with that brother – attempting to make a literal connection between the Old Testament temple and Sunday church service. But again, the Lord is using hyperbole to demonstrate the value that true believers in the New Covenant will place on reconciliation. His New Covenant people will not emulate many Old Testament Jews, who believed that they could hurt and malign their Jewish brothers and then worship God at the temple with no repercussions because they had not violated the commandment by committing murder.

Some Christians in church history (The Mennonite Confession of Faith Article 20, for example), not recognizing the use of hyperbole in the Sermon, have suggested from a wooden reading of verses 34 and 36 that the Lord is forbidding the taking of oaths of any kind, including oaths for military service or swearing in a court of law. But again, this fails to do justice to the use of hyperbole in the contrasts.

Craig Keener offers a good reminder of the purpose of hyperbole:

Calling something a hyperbole, of course, is not an excuse to ignore what it says; the exaggeration is used precisely to force us to grapple with the radicalness of what it says, to shake us into changing the way we think and live. But it does warn us not to read everything as literally as if we were reading a report by some scholar or journalist today (1991: 24).

This leads us to the interpretation of our text.

My Interpretation of Matthew 5:31-32

For those not familiar with biblical Greek, the translation of our passage is fairly straightforward from Greek to English. The only major debate is over the meaning of the Greek word *πορνεία*. Some argue that the word in context must mean adultery. The problem with this view is that the Greek word for adultery is *μοιχεία*. Whenever in the New Testament a married person has sexual relations with another outside the marriage, *μοιχεία* is used. Jesus uses the word in our passage twice to refer to adultery; it would be odd for Him to use a different word, one that is rarely used only for adultery, if He wanted us to understand that both terms refer to the same exact sin.

The word *πορνεία* is used two ways in the New Testament. Sometimes the word refers to the act of fornication, as in John 8:3, I Corinthians 6:18, and I Corinthians 7:2. Other times it refers to sexual immorality in general, as long as one understands sexual immorality as sexual intimacy with another. A survey of the use of the word *πορνεία* in the Bible and classical Greek reveals that it always refers to an illicit sexual encounter with another person, or even an animal. Granted that sexual immorality at times is an image for spiritual apostasy, the image there is still one of sexual fornication. So any illicit sexual encounter, whether sex outside of marriage, homosexual intercourse, or bestiality is labeled *πορνεία*. Some want to stretch the meaning of the word to refer to all matters relating to sex, such as masturbation and viewing pornographic material, but I found no reference to these matters in the definition of *πορνεία*.

In the Septuagint, the Hebrew word(s) translated to *πορνεία* give us a fuller understanding of how the word was understood. In Jeremiah 2:20, it is used in

reference to lying down with a prostitute. In Hosea 1:2 and Nahum 3:4, as well as in a number of other verses, it is used for prostitution. Only twice is the word translated “lust” (Ezek. 23:7, 11), but even there, the context concerns prostitutes lusting to commit acts of prostitution.

So, while on the one hand it would be erroneous to suggest πορνεία is simply another word for adultery, on the other hand, ancients would not recognize the word as a description of all sexual matters that included masturbation and viewing illicit material. It is always used in reference to sexual contact with another outside the marriage bed. Thus I take the word to mean what your average person in the Greco-Roman world understood the term to mean: that the exception clause “except for sexual immorality” refers to sexual intercourse of any kind outside the marriage bed.

I should add, as we approach the text, that though the example given in Matthew 5:31-32 is a man divorcing his wife, given the equal status and responsibility of women in the New Covenant (Galatians 3:28), we should assume the same applies to a woman divorcing a man, as Mark 10:12 teaches.

We begin by considering the nature of the antitheses in our text. We have affirmed that the antitheses in the Sermon are contrasts between the Old and New Covenants. So what is the contrast between divorce in the Old Covenant and divorce in the New? A better question may be, what is the contrast between marriage in the Old Covenant and marriage in the New?

In our section on the Old Testament law on divorce, we noted that the laws governing divorce were not expressions of God’s ideal plan for marriage, but restraints to protect women from unrighteous men and their mistreatment and abuse of their wives. The Old Testament divorce laws were given because of hardness of hearts.

We would expect then, now that God has inaugurated His kingdom through the death and resurrection of Christ, that marriage would look different in the New Covenant age than it did in Old Testament Israel. As in the case with murder and hatred, Jesus uses a negative warning to show what is expected in His inaugurated kingdom. God is now presenting His ideal for marriage. It is important to note, though it may be assumed, that this prohibition against divorce excludes polygamy – this passage wouldn’t make much sense if a man were allowed as many wives as he desired.

God's ideal for marriage is a lifelong commitment. But as we shall see, in Christ's kingdom the heart is what really matters. In other words, there are many couples that stay together all of their lives but inwardly hate each other. Obviously, this practice would not be a satisfactory fulfillment of the passage, nor a satisfactory ethic in God's heavenly kingdom.

This injunction against divorce, taken in context with the rest of the Sermon and its concern for inward purity, presupposes a love commitment between man and wife where each will desire to stay together for godly reasons. As Joachim Jeremias has stated, "God joins the wedded couple together...and does not allow men to put apart what He has made one.... Jesus restores to force God's will for paradise as the divine law of the new age, as He declares that marriage is indissoluble" (1971: 225).

Now we must do justice to the hyperbole in the statement "If a man divorces his wife, he 'makes her commit adultery.'" This should cause the reader to be on the alert that something unusual is being said. Just as a hand or an eye cannot actually cause you to lust (vv. 29-30), so a man cannot "cause" another person to commit adultery. Adultery is a willful act.

To discern the purpose of the hyperbolic statement, it is important to remember that under the Old Testament Law, a certificate of divorce was not only an official state-ment that the marriage was legally dissolved, but that the divorced woman was free to remarry. Now Jesus says that even if a man divorces his wife, the wife's remarriage would make an adulterer out of her. What the Lord is saying, which would be a shock to those Jews who had absolutized the Mosaic divorce laws, is that in God's eyes, the marriage relationship is meant to be for life in such a way that even a legal divorce in the eyes of men is not necessarily divorce in the eyes of God. In other words, before men it would seem that a divorce would relinquish your responsibilities as a husband, but before God those obligations and responsibilities remain even after the divorce. The "cause her to commit adultery" statement is not to be taken literally, but to high- light the reality – in a shocking way – that in God's eyes you are still responsible for the marriage if you put her away in unrighteousness, and even if she is remarried!

The second clause reiterates the first: "Whoever marries a divorced woman commits adultery." Again, one could think of all types of situations where this statement

does not make sense if taken literally. There are many situations where a Christian man could marry a divorced Christian woman and not be committing adultery. But again, the hyperbole makes the same case for the view of marriage in heaven's eyes. If a woman is divorced by a sinful husband, the sinful husband is still responsible to her in God's eyes. Thus if another man married her, it's as if he is marrying a woman still married to another. Remember we are dealing with hyperbole, but the point is to emphasize the fact that the guilty party cannot adjudicate himself of responsibility in God's eyes simply by cutting off a spouse legally in man's eyes.

William Heth expresses the struggle in taking this clause literally:

As what proved most troubling to me all along (though I did have an answer for it) was that Jesus would be labeling as adultery the remarriage of someone whose spouse's unrepentant sexual immorality or subsequent remarriage had made the restoration of the original marriage impossible. This just did not sound like the God "who practices steadfast love, justice, and righteousness in the earth" (Jer. 9:24) (2002: 23).

So the point of the hyperbole is not to suggest all divorced Christians who remarry while their former spouse is alive are committing adultery. The hyperbole emphasizes the responsibility of the hardhearted spouse who caused a divorce: God stills holds him responsible for his marriage vows to his wife (or the guilty wife to her husband), even though the earthly courts may not recognize such a responsibility after a divorce.

Let us now consider the exception clause, remembering the overlying purpose of the Sermon on the Mount. Some scholars believe the exception clause is a redaction of Matthew and not the actual words of Jesus, for the parallel passages in Mark 10:11-12 and Luke 16:18 omit the exception clause altogether. While it is possible that Matthew added the exception clause, it does not matter as to its interpretation if it is originally from Jesus or not, especially given our view of inerrancy. But there is no good reason to believe Jesus did not utter the statement Himself.

As a matter of fact, a look at these parallel passages reveals that Jesus can easily change the specifics of the hyperbolic examples and still make the general point. Luke has the man divorcing his wife and marrying another, committing adultery;

Mark has the wife divorcing her husband and marrying another, committing adultery; Matthew has the man forcing his wife, whom he divorced, to commit adultery.

In the exception clause, Jesus sets apart sexual immorality as the one sin where divorce could be allowed in the New Covenant. Sexual immorality strikes at the very heart of the marriage covenant and is the most obvious sin that breaks the marriage bond. As Paul Hugenberger explains, “Clearly sexual union is the indispensable means for the consummation of marriage both in the Old Testament and elsewhere in the Ancient Near East” (1994: 82).

Of course, if one takes these words as legal law and precedent, one might ask about other sins – such as rape, attempted murder, and desertion – that could be equally harmful to a marriage relationship. Sexual immorality is exemplary of serious sin that destroys a marriage bond. The exception clause of sexual immorality is not to be taken as specific legislation, as we shall see below, but as exemplary of serious sin.

In Matthew 5:31-32, Jesus is describing the “already” and the “not yet” of God’s eschatological kingdom that has arrived in the death and resurrection of Christ. In the sense of the “already,” God’s people in the New Covenant will be so filled with the Spirit that marriages of Christians will not only be able to last a lifetime, but will be loving marriages characterized by Christ-like love for one another.

Nevertheless, there is a “not yet” aspect to the kingdom of God before Christ’s return. God’s people still sin. God’s people can fall into serious sin. Even more, there are hypocrites in the church who claim to know God but do not. In essence, the exception of sexual immorality proves this point. In the “already,” God’s redeemed people will not harden their hearts against their spouses, like so many of the Israelites under the Old Covenant. Marriages among believers in the New Covenant will be so strong that it would take something drastic like sexual immorality to break the marriage bond. But at the same time, sin will still break up some marriages.

Given the context of the antitheses of Matthew 5, and given the use of hyperbole to display the glory of the New Covenant, we can understand the general import of Jesus’ words here. On the negative side, whatever the Old Testament Law said about divorce was temporary and needed to yield to a greater law in a greater kingdom, where God’s people would be conformed to the ideal for marriage. Divorce always involves sin at some level, because the ideal is no divorce. Therefore, the one who

seeks to divorce his or her spouse for sinful reasons – or who mistreats her or him in such a way that leads to divorce – cannot justify it by citing the Old Testament Law allowing divorce, as if God was approving of the divorce.

However, the language of the antithesis on divorce cannot be taken in a legal sense, as if God is dictating case law for His New Covenant people. We see in I Corinthians 7 that Paul allows for divorce in a situation not dealt with in the gospel divorce passages: the desertion by an unbeliever. Therefore, Matthew 5:31-32 cannot be used as a legal guide for when to allow divorce, any more than Matthew 5:33-37 can be used to forbid all oath-taking.

Our Lord establishes important truths with His teaching on marriage and divorce in Matthew 5. First, divorce is sinful in God’s eyes, and the one who divorces (or causes the divorce) is guilty in God’s eyes, regardless of what He allowed the Israelites to get away with under the Old Testament Law. We are not under that Law anymore. Now we deal directly with God in heaven.

Second, marriage in God’s eyes is to be a permanent bond until death. Even human divorce proceedings do not take away the responsibility and commitment toward the one who was wrongfully divorced. The “cause to commit adultery” clause is not meant to be taken literally, for that might give the impression that any divorced Christian cannot remarry while the former spouse is still alive, no matter the circumstances. The language of committing adultery is meant to shock the hearers into understanding the seriousness of marriage in God’s eyes, just as the language of plucking out an eye was meant to shock as to the seriousness of lust in God’s eyes.

This means, of course, that Matthew 5:31-32 is not meant to be used as a legal standard for divorce, as if Jesus is either interpreting the Mosaic Law on divorce correctly or prescribing a new, detailed law on divorce for the New Covenant. The Bible does not actually give us specifics on which sins committed in a failed marriage constitute a justifiable divorce in God’s eyes. How this concept plays out in the life of the local church will be the subject of Chapter 5.

Supporting Views

I want to buttress my position with some quotes from theologians who have come to similar conclusions about Matthew 5:31-32, though they may not have arrived there through a redemptive-historical understanding of the Old and New Covenants as I have.

Joe Sprinkle, Professor of Old Testament at Crossroads College, penned an excellent article entitled, “Old Testament Perspectives on Divorce and Remarriage.” Sprinkle believes that too many ignore the Old Testament when attempting a New Testament theology of divorce exceptions:

Without giving full weight to OT teaching, readers of the NT treatment of divorce are too quick to absolutize the words of Jesus, which in my view are no more to be taken literally than His command to gouge out your eye if it causes you to sin (1997: 21).

Sprinkle believes, rather, that we should approach the statements of Jesus from the perspective of the Old Testament, where it was understood that divorce exceptions were given because of the reality of sinful hearts:

It is an approach that is practical in the real, sin-cursed, fallen world in which we live, where hardness of heart is often the rule rather than the exception. Indeed, placing more weight on this OT perspective would more often prevent the real moral evil of death and mayhem caused to some Christian women and their children who have continued to live with violent and abusive husbands because the Bible gave them no permission to divorce.... The OT shows that divorce, although always lamentable and ordinarily generating additional collateral sin and suffering, is tragically prudent under certain circumstances (1997: 21).

Gary D. Collier, professor at Abilene Christian University, wrote an article entitled “Rethinking Jesus on Divorce.” Concerning the statements of Jesus on divorce, he writes:

To read these statements as giving grounds for divorce, or as showing remarriage to be living in adultery, or to say “once married, always married,” not only goes well past the point of the context and imports

current concerns back into the biblical text, it also reads the statements of Jesus in the same way the Pharisees read the Law of Moses.... Whenever divorce occurs it will always be, as it always has been, the result of the hardness of our hearts. Anything short of faithful marriage relationships is a failure before God and, ultimately, a rejection of His creative act. This much is clear and should be our unequivocal mes-sage (1995: 94, 95).

Collier diagnoses that there is a temptation to view Jesus' statements on divorce as casuistic law because we want direct and practical instruction concerning how to treat divorce situations; however, "none of these Gospel accounts on divorce deals with that question" (1997: 95). He suggests that we reevaluate our understanding of what is being communicated in the divorce exceptions:

In the final analysis, the issue for Jesus was not whether it was divorce or remarriage that caused adultery, nor even whether authorizations could be found for divorce; it was, rather, what creation reveals about God's desires and intentions for us as males and females. It is here that we will be able to offer hopeful solutions to the plethora of problems that divorce still presents (1995: 96).

Finally, Larry Richards, former professor at Wheaton College, in the book *Divorce and Remarriage: Four Christian Views*, agrees with my position presented here:

We must guard against using proof texts or developing a legalism that turns biblical principles into inflexible rules.... If Jesus recognizes hardness of heart as the rationale for permitting divorce in Old Testament times, how can we insist there is no rationale for divorce today, even when one spouse persistently sins against his or her partner.... We misconstrue Matthew's exposition of grace and are blind to Jesus' statement that God understands when hardness of heart drives even the most saintly of His people to divorce.... What a travesty to impose on Christians a burden that even the Old Testament Law takes pains to relieve (1990: 223)!

Conclusion

From my exegesis of Matthew 5:31-32, correlating with other biblical teaching, I offer this summary of the passage:

1. God's standard for marriage from the beginning was a lifelong commitment, a covenant of love between one man and one woman.

2. Divorce is the result of sin entering the world. Divorce among professing Christians normally occurs (there are rare accidental desertion exceptions) because one or both parties in the marriage have hardened their hearts against God.

3. Against His ideal for marriage, God allowed for divorce (and remarriage) under the Mosaic Law to protect women from hardhearted men. Divorce was a lesser of two evils: between dissolution of a marriage and the abuse of a woman.

4. In Matthew 5:31-32, the Lord reaffirms the original ideal for marriage by warning the Pharisees that they cannot look to the divorce provisions of the Mosaic Law as an excuse for dissolving the marriage relationship.

5. In Matthew 5:31-32, Jesus uses hyperbolic language of those divorced as committing adultery when remarrying to emphasize that even though the human courts may dissolve a marriage, in the heavenly court the one who caused a divorce is still responsible to the spouse that he sinned against. God will judge the sinner who destroyed the marriage, regardless of how the earthly courts relinquish marriage responsibilities.

6. The passage does not state exactly what must be done when one realizes he has sinned against God in causing a divorce. At the very least, there must be a sincere repentance toward God and the former spouse.

7. The language of Matthew 5:31-32 points to the glory of the New Covenant: that in God's kingdom, Christian spouses, having been filled with the Holy Spirit, will be bound to one another for life. Although sin will always affect the marriage, God will grant genuine, Holy Spirit-empowered, Christ-like love for one another as a result of being justified by faith, so that spouses can fulfill their marriage obligations until death.

8. The exception clause "except for sexual immorality" is not to be taken as specific legislation for New Covenant believers, for even Paul mentions at least one other legitimate reason for divorce in I Corinthians 7; but the hyperbolic exception

clause highlights the fact that marriages in the New Covenant will be lifelong commitments, unless there is hardness of heart and unbelief by at least one of the parties that results in serious sin breaking the marriage bond. Sexual immorality is representative of all serious sins that can break the marriage bond and covenant.

9. There is no clear and fast rule in the Bible of when an innocent party in a failing marriage is allowed to seek divorce.

10. The decision to divorce is ultimately between a man and his wife; it is not a matter for ecclesiastical courts to decide. Nevertheless, ecclesiastical courts are to discipline the hardheartedness of the spouse that refused to fulfill his or her marriage obligations (more later).

11. Barring unusual circumstances, the dissolution of marriages of professing Christians usually points to at least one partner possessing a hardened and unbelieving heart.

12. In considering the divorce exception passages in the New Testament, attention must be paid to the Old Testament witness of how God dealt with hardened hearts in a marriage: God is a protector of the weak and powerless, and in the case of hardheartedness, divorce may still be the lesser of two evils, even in the New Covenant era.

13. The one who hardens his heart and breaks the marriage covenant is not always the one who files for divorce. The onus of repentance is placed upon the one who broke the bond of marriage by serious sin, and not necessarily on the one who seeks a public record of the broken marriage covenant (files for divorce).

In the next chapter, I will consider how our divorce passage has been understood and applied throughout the history of the church.

CHAPTER 3

DIVORCE IN CHURCH HISTORY

Contrary to popular belief, there has been no consistent application of Matthew's divorce exception passage throughout church history. The difficulty of interpreting this passage, as well as the existence of troubled marriages and divorce in the church, has been a reality throughout every age of church history. Even the desire to interpret Matthew 5:31-32 in the strictest sense possible has done little to curtail these marriage troubles. In this chapter, I will offer a brief survey of how the church in different eras has interpreted and applied our passage to the reality of divorce among professing Christians. We begin with the Early Church Fathers.

The Early Church Fathers

The majority of literature on the Early Church Fathers' views of marriage and divorce focuses on the subject of remarriage, and when a divorced Christian can remarry according to the Scriptures. There were many extreme views on remarriage in the early church, but that subject is beyond the purview of this book.

To understand the Early Church Fathers' teaching on divorce, one must also understand the cultural context in which they lived, for the cultural milieu the church finds herself in (in every age) plays a part in how she interprets and applies biblical ethics. We must first consider the practice of divorce in the Roman Empire.

In ancient Roman society, divorce was as easy to secure as marriage. A couple simply had to declare their intent to live together in the presence of witnesses and the marriage was recognized. In certain situations a dowry had to be paid, but marriage was an easy arrangement to secure.

In the same way, through a declaration by one or both parties that they did not wish to remain together any longer, a divorce was legally obtained. Sometimes a wife simply wrote a letter to her husband declaring her desire to be divorced. The law only required that the couple confirm their desire to be divorced before seven witnesses, but even that provision was not usually enforced. Under Roman law, the husband

owned the property and the children, so there was nothing to argue about concerning custody, alimony, and the like. Because divorces were so easy to obtain, divorce was fairly common, especially in the early stages of the republic.

Another reason for the frequency of divorce was that marriage itself in early Rome was not considered an ideal situation, but only a necessary one for the purpose of bearing offspring. The single life was heralded as a more noble life than the married life. Roman military commander Quintus Metellus wrote:

If we could live without wives, fellow citizens...we would be free of much trouble; but since nature has ordained that we cannot manage comfortably without them, nor live in any way without them, we must plan for our lasting preservation rather than for our temporary pleasure (Davis 1925: 61).

This low view of marriage, along with the regularity of divorce, began to worry many in the Roman Republic – especially the new emperor, Augustus. Richard Frank writes:

In the last generation of the Roman Republic, the women of the Roman aristocracy were notable for their divorces, their adulteries, and their reluctance to bear children. There was then a real break with Rome's traditional morality, and it was centered in the upper class. Augustus set himself to reverse the trend (1975: 43).

In A.D. 17-18, Augustus enacted what has become known as the Augustan marriage laws (officially the Lex Julia, and two years later, the Lex Papia Poppaea). To stem the tide of divorce and counter the exaltation of singleness over marriage, men between the ages of twenty-five and sixty, and women between twenty and fifty, were required to be married. If a woman's husband passed away, she was given three years in which to remarry. A divorced woman was allowed eighteen months to find a new husband. And Augustus added strict penalties against adultery. Quoting Lex Julia 2.26:

(1) An adoptive or a natural father is permitted to kill with his own hands an adulterer caught in the act with his daughter in his own house or in that of his son-in-law, no matter what his rank may be.

- (4) A husband cannot kill anyone taken in adultery except persons who are infamous, and those who sell their bodies for gain, as well as slaves. His wife, however, is excepted, and he is forbidden to kill her.
- (5) After having killed the adulterer, the husband should at once dismiss his wife, and publicly declare within the next three days with what adulterer, and in what place he found his wife.
- (7) A husband who surprises his wife in adultery can only kill the adulterer when he catches him in his own house.
- (8) It has been decided that a husband who does not at once dismiss his wife whom he has taken in adultery can be prosecuted as a pimp.
- (14) It has been held that women convicted of adultery shall be punished with the loss of half of their dowry and the third of their goods, and by relegation to an island.
- (16) Sexual intercourse with female slaves, unless they are deteriorated in value or an attempt is made against their mistress through them, is not considered an injury (Lefkowitz and Fant 2005: 104-105).

Augustus amended the divorce laws to stem adultery, which was the foremost cause of divorce. Until Augustus' reforms, adultery was only considered a personal affront against another person. Under Augustus, adultery became a crime against the state, which meant that the state could step in and punish the adulterer.

It was also clear from reading these laws that ancient Rome was still a man's world. The law did not recognize adultery as a crime a husband could commit, only a wife. And a husband was allowed sexual relations with his female slaves with no penalty; no such allowance was offered to wives.

Even with such strict laws to curb divorce and exalt the importance of marriage, a low view of marriage still permeated ancient Roman culture, and it even penetrated the culture of the early church. Patristic scholar Willy Rordorf writes, "The conviction of the superiority of virginity over married life became a mark of the whole patristic tradition, both eastern and western" (1969: 203).

We will now see how this culture affected the Early Church Fathers as they wrestled with our Matthew 5 passage on divorce. We begin chronologically with Hermas.

Hermas (ca. A.D. 125)

All we know for sure about Hermas (likely not his real name) is found in a work attributed to him entitled “Shepherd,” which was regarded very highly in the next few centuries by the Early Church Fathers. In a vision (we are not sure if he is being literal in speaking of a vision or using a vision as a literary technique to convey his message), Hermas asks an angel what should be done in a marriage if a wife who professes faith commits adultery. This is from Commandment 4.1.6, 8:

“Sir, if anyone has a wife who trusts in the Lord, and if he detects her in adultery, does the man sin if he continues to live with her?” And he said to me, “As long as he remains ignorant of her sin, the husband commits no transgression in living with her. But if the husband knows [sic] that his wife has gone astray, and if the woman does not repent, but persists in her fornication, and yet the husband continues to live with her, he is also guilty of her crime, and a sharer in her adultery.... He ought to take back the sinner who has repented. But not frequently. For there is but one repentance to the servants of God” (Instone-Brewer 2002: 240).

Hermas captures some themes that we will see consistent throughout the Early Church Fathers. Note that Hermas only deals with a woman caught in adultery, not a man. The church accepted the male chauvinism associated with patriarchy that was prominent in the Roman world. Adultery is still seen as a more serious offense for wives than husbands. (In my travels throughout Mexico, I have seen the same double standard among evangelicals concerning the adultery prevalent in Latin culture.)

As with Hermas, the Early Church Fathers as a whole failed to recognize the hyperbole in Matthew 5, thus understanding the divorce exception as divine law. Hermas actually taught that failure to divorce an unrepentant adulterous wife made the husband an adulterer.

Outside of desertion, the Early Church Fathers tended to view adultery as the only acceptable justification for divorce – thus interpreting *πορνεία* narrowly as adultery, not broadly as sexual immorality. The “one repentance” in the Hermas quote above refers to the idea (common among the Early Church Fathers) that once a

person truly repented, he would not commit serious, or mortal, sins such as murder and adultery.

Justin Martyr (ca. A.D. 150)

In Justin's famous Apology, 2:1-7, he writes:

A certain woman lived with an intemperate husband.... When she came to the knowledge of the teachings of Christ she...endeavored to persuade her husband likewise.... But he, continuing in the same excesses, alienated his wife from him by his actions. For she, considering it wicked to live any longer as a wife with a husband who sought in every way means of indulging in pleasure contrary to the law of nature, and in violation of what is right, wished to be divorced from him. And when she was over-persuaded by her friends, who advised her still to continue with him, in the idea that some time or other her husband might give hope of amendment, she did violence to her own feeling and remained with him. But when her husband had gone into Alexandria, and was reported to be conducting himself worse than ever, she – that she might not, by continuing in matrimonial connection with him, and by sharing his table and his bed, become a partaker also in his wickednesses and impieties – gave him what you call a bill of divorce, and was separated from him (Instone-Brewer 2002: 242).

Note that the Christian wife assumed that she was allowed to divorce her husband because he had committed adultery, reflecting the common teaching of the Early Church Fathers. However, it is interesting that her friends (assumably Christian friends) persuaded her to remain with her husband, even after multiple adulteries on his part, with the hope that he might change. One wonders if Christian men like Justin Martyr would persuade a Christian husband to do the same with a wife who had committed multiple adulteries.

Clement of Alexandria (ca. 153-217)

Clement was a theologian who taught at a catechism school in Alexandria. Surprisingly little is known about his personal life, but he wrote extensively on biblical ethics. In his *Miscellanies* 2:23, *On Marriage*, he wrote:

“He that taketh a woman that has been put away,” it is said, “committeth adultery; and if one puts away his wife, he makes her an adulteress,” that is, compels her to commit adultery. And not only is he who puts her away guilty of this, but he who takes her, by giving to the woman the opportunity of sinning; for did he not take her, she would return to her husband. What, then, is the law? In order to check the impetuosity of the passions, it commands the adulteress to be put to death.... And the adulterer also is stoned to death, but not in the same place, that not even their death may be in common (Instone-Brewer 2002: 242).

Most of the Early Church Fathers, like Clement, believed adultery was deserving of death. Unfortunately, like the teaching above, the examples used were almost exclusively of the wife committing adultery, not the husband. Clement also took the hyperbolic statement literally about causing a divorced wife to commit adultery if she remarries.

The Canons of Basil (after 370)

The Canons of Basil, composed in Egypt, were one of the main sources for Coptic Church Law. The canons contain some interesting laws dealing with the application of our divorce passage, including a literal interpretation of Matthew 5:31-32. In these edicts, one can clearly discern the discrimination against women in the early church.

If a husband commits adultery, the wife must stay with him; if the wife commits adultery, he can divorce her (Canon 9; Schaff, Wace, and Percival 1994: 605). If the husband is lewd with another woman, it is treated as fornication but not adultery; if the wife is lewd with another man, she can be divorced (Canon 11; Schaff, Wace, and Percival 1994: 606). The woman divorced by a man returning to his first wife commits fornication in marrying another, though ignorantly. The man is allowed

remarriage to his first wife, but the woman is advised not to remarry (Canon 46; Schaff, Wace, and Percival 1994: 607).

John Chrysostom (ca. 344/5-407)

Chrysostom was the Archbishop of Constantinople and a very influential church father, especially among Christians in the East. In his Second Homily on Marriage, he wrote the following concerning divorce:

If then a man wishes to dismiss his wife or the wife wishes to leave her husband, let her remember this saying and that it represents Paul as present and pursuing her, crying out and saying: “The wife is bound by the law.” Just as escaped slaves, even if they have left the house of their master, still carry their chain, so wives, if they have left their husbands, have the law in the form of a chain which condemns them, accusing them of adultery, accusing those who take them, and saying: “Your husband is still living, and what you have done is adultery” (In-stone-Brewer 2002: 253).

Chrysostom seems rather harsh in his treatment of women here, likening marriage to slavery and accusing the women of committing adultery by leaving their husbands, without even knowing the circumstances that led them to do such a thing.

We do see in Chrysostom a slight change in the Early Church Fathers’ view of the divorce exception passage. As time went on, more and more Early Church Fathers taught that even adultery was an insufficient reason for divorce – that only death could break the bonds of marriage.

Augustine of Hippo (354-430)

We end our Early Church Fathers survey with Augustine, whose teachings on marriage lasted well into the Middle Ages. Augustine actually advocated two rules for divorce that on the surface contradict each other. The first is found in his work *On Marriage and Concupiscence*, where he writes in Book I:

It should be unlawful for one consort to be parted from the other, except for the cause of fornication.... So enduring, indeed, are the rights

of marriage between those who have contracted them, as long as they both live, that even they are looked on as man and wife still, who have separated from one another, rather than they between whom a new connection has been formed.... Thus between the conjugal pair, as long as they live, the nuptial bond has a permanent obligation, and can be cancelled neither by separation nor by union with another (Schaff 1994: 268).

While Augustine granted divorce for cases of adultery, he proposed that even separation for fornication does not dissolve the marriage obligation. While I suspect Augustine was agreeing with my understanding of the Matthew passage – that in God’s eyes there are still relational obligations for the one who caused a divorce because of sin – it was taken much more literally by later church fathers, who assumed from Augustine that only death dissolved a marriage.

One does note a more sensitive approach to the equality between men and women in Augustine’s writings, as what is true for the wife is true for the husband. Augustine may also have been sensitive to the hyperbole of Matthew 5:32, that the point of the adultery clause is to demonstrate that marital responsibilities can remain in God’s eyes even though the human courts and parties dissolve a marriage.

Augustine is the first church father to consider marriage a sacrament, as the Latin word for *mysterium* is translated in the Vulgate as *sacramentum*. So, as the Apostle Paul wrote of marriage as a mystery in the way it pictures the bond between Christ and the church, Augustine’s view of marriage takes on this mysterious spiritual quality of an unbreakable bond (Schaff 1994: 268).

Augustine wrote his Recantations around A.D. 427 after reviewing the many works he had written. These are not recantations in the modern sense of the term, as if he were repenting of earlier statements, but more like corrections and clarifications. In 1:18, he wrote the following concerning divorce:

The following question should be considered and examined again and again: what immorality the Lord means to be understood as that for which one may put away his wife? – that which is condemned in licentious acts or that about which the following is said: “Thou destroyest everyone who is unfaithful to Thee,” in which, certainly, the former is included.... But what is to be understood by immorality

and how it is to be limited, and whether, because of it, one may put away his wife is an almost obscure question. Yet there is no doubt that this is permitted because of the immorality committed in licentious acts (Instone-Brewer 2002: 254).

One can certainly discern a difference between this statement and his earlier view on divorce. Augustine now wonders whether *πορνεία* can include all kinds of licentious acts, and whether even unfaithfulness to God (apostasy) is a legitimate cause for divorce.

Of all the church fathers, I believe Augustine is the closest to my own position as it is expressed above. Unfortunately, Augustine's openness to reconsider a stricter interpretation of Matthew 5:31-32 was all but rejected by later church fathers.

Summary of Early Church Fathers on Divorce

In summation, the Early Church Fathers wrote their opinions on the divorce passage with the backdrop of a Roman culture steeped in easy divorce. Even though Emperor Augustus sought to curb divorce with strict laws against adultery, divorce was still common. The Early Church Fathers sought to stem the tide of easy divorce within the church in their multiple writings.

The laws and opinions on divorce that the Early Church Fathers advocated reflected the male superiority that defined the Roman world. They were not often fair in granting the same rights to wives as to husbands in their application of the Scriptures.

The Early Church Fathers as a whole regarded the divorce exception clause in Matthew 5:31-32 as legislation, failing to do justice to the use of hyperbole in the larger context of the passage. They mostly defined *πορνεία* narrowly as adultery. The Early Church Fathers reflected Augustus' strict laws against adultery and considered it among the worst of capital sins.

The Middle Ages

If the bond between Christ and His church is inseparable, so must be the picture of that bond, according to the church in the Middle Ages. Given Augustine's understanding of marriage as a sacrament – that marriage is a spiritual mystery which increases grace, as sacraments do – then by extension, marriage must also be indissoluble. Marriages in the Middle Ages did not need to be conducted by a priest to be valid; an exchange of consent was all that was needed. But once marriage was labeled a sacrament, disputes over marriage and divorce came under the jurisdiction of the church courts.

Thomas Aquinas (1225-1274)

Thomas Aquinas seemed to be in tune with Augustine's sensitivity that the Matthe- an divorce clause is not to be taken in a strictly literal sense, but that sexual immorality there is being used as an example of the hardheartedness of the sinning partner who causes a divorce. He wrote, "One may take steps for procuring a divorce

on account of one act of carnal fornication, not, however, on account of one act of unbelief, but on account of inveterate unbelief which is a proof of obstinacy wherein unbelief is perfected” (ST Suppl. IIIae q. 62, a.1, ad. 3). Aquinas thus included persistent unbelief as a reason a Christian may divorce. Elsewhere he also included homosexuality, “an unmentionable passion,” as a reason for divorce (ST Suppl. IIIae q. 62, a.1, ad. 4).

The church as a whole gave more attention to these words of Aquinas from the Summa: “Now the form of matrimony consists in a certain inseparable union of souls, by which husband and wife are pledged by a bond of mutual affection that cannot be sundered” (ST IIIa q. 29, a. 2, co.).

Aquinas’ teaching on divorce as an inseparable union carried the day during the Middle Ages. He further developed Augustine’s view of marriage as a sacrament, and the church followed him on this. Unfortunately, the church tended to emphasize certain aspects of his teachings on divorce but ignored others, such as his rather open view of what constitutes divorce.

Canon Law

As is always the case, holding a high or even mystical view of marriage did not resolve the problem of sin and hardheartedness that leads to divorce. In those days, the parents arranged many marriages, and a lack of love still characterized many married relationships. There were also marriages where one or both parties married too soon and realized they married the wrong person, or married for the wrong reasons.

To deal with problem marriages and divorces, the church began to develop a rather detailed (and at times contradictory) litany of rules on divorce using its canon laws. There were so many sources for canon law, and so many minute details of who could obtain a divorce and why, that time does not permit me to consider all of these laws, though I will note a few areas of development on divorce in these laws.

Middle Age canon law developed the idea of a mensa et thoro, which in Latin means “from table and bed,” or a separation from bed and board. In medieval canon law, married partners could not refuse to fulfill their conjugal duties. Yet a divorce a mensa et thoro ended this obligation, as well as the obligation to live together. In

modern lingo, this would be called a legal separation. Some would file for this type of separation on grounds of adultery. The church would grant the married couple a *mensa et thoro*, all the while not granting an actual divorce. Those granted a *mensa et thoro* were not allowed to remarry. In the church's eyes, a divorce a *mensa et thoro* resolved the problem of an incompatible marriage while still protecting the sanctity of marriage as a sacrament.

Besides a *mensa*, the church at times granted a divorce *a vinculo*, which is Latin for "from the bond." This would be more like our modern understanding of an annulment. The most common basis for a divorce *a vinculo* was a prior contract: a man was already married to another woman when he made a contract to marry a second woman, making the second contract invalid.

The second most common reason for annulment was from consanguinity, marrying someone of the same ancestry. According to canon law of the time, couples were forbidden from marrying within four degrees of consanguinity.¹ Often a spouse who wanted out of the marriage would try his best to prove consanguinity. For example, Henry VIII initially petitioned Pope Clement VII for a divorce from his first marriage (to Catherine of Aragon) because he claimed that God had cursed his marriage, since Catherine was originally married to Henry's older brother.

One could also petition the church to grant a *vinculo* divorce in cases of impotence, coercion (marrying from outside pressure), or abuse. In some cases, adultery was allowed as a reason for this type of divorce; in other cases it was not. Application of canon law varied from place to place and often was dependent on the views of the local clergy administering those laws; but in general, adultery was not a sufficient cause for obtaining a *vinculo* divorce so that one could then have the right to remarry.

Elevating the institution of marriage to a sacrament, and taking the decision to divorce out of the hands of the married partners and into the ecclesiastical courts, did little to stem the tide of adultery and cruelty within marriage, and most petitions to the clergy to obtain a true divorce were rejected.

There were still other ways to be divorced without the painstaking process of submitting divorce petitions to the church courts. "Clandestine marriages," as they

¹ Canon law had followed the Roman civil law practice of forbidding marriages within four degrees of ancestry. In the ninth century, this was increased to seven degrees, but reduced again to four degrees at the

Fourth Lateran Council in 1215. Cf. Constance B. Bouchard, "Those of My Blood: Creating Noble Families in Medieval Francia" (Philadelphia: University of Pennsylvania Press, 2001), 40-41.

were called, became more and more common: two could marry and move in together with a simple agreement between them and without it being recognized by the church. If it didn't work out, they could separate without penalty. Also, a married partner could simply move away and marry someone else in a new city. Shannon McSheffrey, Professor in the Department of History at Concordia University, reported on this common practice in England:

[M]edieval people probably often practiced self-divorce: unworkable marriages could be dissolved fairly easily, albeit illegally, by simple desertion. Unhappy husbands and wives could move to another part of the country where they and their marital history were unknown and they could marry again in their new place of residence. The records of the ecclesiastical courts show this happened with some frequency, although not always with success.... But many undoubtedly succeeded and were never detected (McSheffrey 1995: 7-8).

Desiderius Erasmus (1466-1536)

One could rightly say that Erasmus, more than any other figure, challenged the medieval view of marriage. Erasmus was a Dutch humanist and Catholic priest who translated the Vulgate Bible into Greek. As the church slowly lost control of the hearts of the people in the days leading to the Protestant Reformation, certain persons possessed the courage to publicly challenge the church on marriage. Historian Reinier Leushuis notes:

Erasmus' writings on marriage should be seen against the major opposition that had dominated the institution of marriage in previous centuries. On one side were ecclesiastical and theological ideas of marriage, which canon law tried to put into practice; on another were the demands of a society in which marriage fulfilled essential economic functions, a point of view reflected in customary law and aristocratic customs (2004: 1281).

Erasmus challenged the prevalent thinking that marriage was a sacrament, as well as the strict rules for obtaining divorces and remarriages established in canon

law. When Erasmus translated Ephesians 5:32, he used the word *mysterium* instead of *sacramentum*. He wrote, “The union of male and female does not actually affect the mystical unions in Christ that I have described, but it represents, by means of a symbol, their archetype, as it were, showing what must be imitated...” (Leushuis 2004: 1285).

Erasmus argued that marriages which do not reflect the love between Christ and His church in their mutual love for one another are not sacramental, and thus could be dissolved. In his view of the Matthean divorce exceptions, Erasmus argued that Christ was not speaking of all divorces there, but only against those desiring divorce for sinful reasons.

Erasmus believed we must look beyond the specific law of any one biblical command to the principle of fairness or justice behind the law. He was concerned that any interpretation of the divorce exception passages must do justice to the character of God, reflecting His fairness. He believed biblical ethics should help support the well-being of where people are, not where ideally they should be. Concerning marriage, he wrote:

Is there even a semblance of fairness in a situation where a husband is forced to live with a wife who is good for nothing, while he is not in any way guilty of contributing to her scandalous manner of life and unable to bring about any improvement in it? To live with such a person is no life at all (Selderhuis 1999: 42).

Now, Erasmus was driven more by charity than a careful interpretation of the biblical text. Nevertheless, he argued for divorced persons to have the right to remarry. To Erasmus, the adultery clause was only used figuratively as an example of sin that destroyed a relationship.

Erasmus’ views on marriage and divorce were so scandalous to the church that the Council of Trent in 1563 officially rejected his position and forbade the reading of his works on marriage. No doubt Erasmus was on the mind of the Roman Catholic clergy when the new canons were penned. Canons 1, 4, 5, 7, 8, and 12 from the Twenty-Fourth Session of the Council of Trent concerning Doctrine on the Sacrament

of Matrimony directly address views espoused by Erasmus (Schaff and Baker 1984: 2:195-198).

Martin Luther (1483-1546)

Though Luther is known as the founder of the Protestant Reformation, since he is a transitional figure I will end the section on the Middle Ages considering his influence. Luther's teachings on divorce are representative of the early reformers in the 1500's. While Luther did not consider marriage a sacrament, he did hold a much more conservative view on the biblical divorce exceptions than Erasmus. Luther took a more traditional approach to our passage in his commentary on the Sermon on the Mount:

But you ask: "Then is there no legitimate cause for the divorce and re-marriage of a man and his wife?" Answer: Both here and in Matthew 19:9 Christ sets down only one, called adultery; and He cites it on the basis of the Law of Moses, which punishes adultery with death (Lev 20:10). Since it is only death that can dissolve a marriage and set you free, an adulterer has already been divorced, not by men but by God Himself, and separated not only from his wife but from this very life. By his adultery he has divorced himself from his wife and has dissolved his marriage (Luther 1956: 96).

What is interesting is that Luther did not see the divorce exception clauses in Matthew as exhaustive. Besides quoting the Apostle Paul on desertion in I Corinthians 7, Luther listed other possible reasons divorce may be allowed among Christians, including refusal of conjugal rights, refusal to live with a marriage partner, and if a marriage partner is "rude, brutal, and unbearable" (Luther 1962: 32).

Luther was certainly not as strict as the medieval church on divorce, but he was not quite as loose as Erasmus either. Opposed to Erasmus, Luther was more concerned to do justice to the actual teaching of the Sermon on the Mount.

Luther did reform the marriage laws of Germany. He did away with the many impediments established by canon law that allowed annulments. He also exposed a mensa et thoro as a silly compromise. In his eyes, a permanent separation is essentially a divorce, and Luther clearly allowed divorce in cases of adultery. Luther also took the issue of marriage and divorce out of the church and put it into the hands of the state, where he thought it belonged. Luther declared, "What is the proper pro-

cedure for us nowadays in matters of marriage and divorce? I have said that this should be left to the lawyers and made subject to the secular government. For marriage is a rather secular and outward thing...” (Luther 1956: 93).

In the same section, Luther also noted the irony of how common divorces were in his day, especially given the strictness of canon law:

He has given every man his spouse, to keep her and for his sake to put up with difficulties involved in married life.... [T]hey tire of it so quickly; and if it does not go the way they would like, they immediately want a divorce and a change (Luther 1956: 95).

Summary of Views in the Middle Ages on Divorce

We have seen that throughout the early church and Middle Ages, the church has wrestled with interpreting and applying the Matthean divorce exception passage. Aquinas held a broad understanding of the passage that the church did not follow. Understanding marriage as a sacrament, the church sought means of maintaining the marriage bond through strict canon law, though not always with consistency. Erasmus and Luther challenged these prevailing views of marriage throughout the Middle Ages, though disagreeing on the meaning of the Matthew 5 passage.

The English Puritans

The Anglican Church followed the same basic teachings on divorce as the Roman Catholic Church, allowing only separation for adultery and no remarriage before death. Thomas Cranmer (1489-1556), the Archbishop of Canterbury throughout the reign of three monarchs beginning with Henry VIII, tried to reform the marriage and divorce laws. He argued for the end of a mensa et thoro, as well as for an allowance for divorced spouses who were victims of adultery or abuse to remarry. His reforms were not accepted in the Anglican Church.

The English Puritans separated themselves from these views. The Puritans considered marriage a social contract, or covenant, that both parties must agree to, chal-

lenging the older ideas of prearranged marriages and marriage as a sacrament. The Puritans thus viewed marriage as a creation ordinance, a divine institution unlike

other institutions (Johnson 1970); that marriage is not a sacrament does not make it any less a divine ordinance. This answered a challenge by the Roman Catholics: if marriage is not a sacrament, but a covenant between two parties, why then couldn't two married partners simply choose to dissolve the covenant, as they can do with other legal covenants?

The Puritans penned many books and treatises on the divine institution of marriage. These books most often presented an ideal account of Christian marriage. One should not assume that Christian marriages in practice matched what was written about them in theory.

When it comes to the divorce exception passage, the Puritans generally taught that Christians could only divorce because of adultery or desertion, though insisting that the litigation of divorce belonged to the civil courts as opposed to the ecclesiastical courts. They also granted both husband and wife equal rights in divorce; there were no separate rules for one over another. But they were not always in full agreement concerning the details. Here are a few examples of the variety of opinions that were found among the English Puritans.

William Perkins (1558-1602)

Perkins represents the common Puritan teaching on the Matthew divorce passage: the view enshrined later in the Westminster Confession of Faith that divorce is normally only allowed in cases of adultery or desertion. Perkins offers this understanding of our passage:

By fornication, Christ meaneth not every sin of that kind, but only the sin of adultery; or that which is greater in that kind, namely incest.... The exception belongs to the whole answer of our savior Christ, denying divorce, save only for adultery; and permitting no marriage after divorcement, save only where divorce is for adultery (PCA 1992: 185).

Again, the Puritans rarely noted the hyperbole in Matthew 5, and instead saw Christ as establishing specific legislation His people. But in spite of attempts to make

the Puritans seem rigid and legalistic, many Puritans were surprisingly sensitive to other reasons a Christian might seek a divorce.

Perkins wrote of another reason a Christian might divorce, which he labeled

“malicious dealings.” Perkins defined malicious dealings as “intolerable conditions” in which a spouse might be living, where “loss of life, or breach of conscience” is imminent if both partners remain together. Under such conditions, if a believing wife leaves, she is not deserting her husband, but it is the intolerable husband who has deserted his wife by his actions (PCA 1992: 191).

Perkins realized that Matthew 5:31-32 – along with I Corinthians 7 – may not grant an exhaustive legal description of when divorce is allowed among Christians. He also understood the real culprit that caused the breach in the marriage is not necessarily the one who leaves, but the one who sins against the other in the marriage.

William Gouge (1575-1653)

Gouge was one of the divines who helped craft the Westminster Confession of Faith. Gouge had such a broad definition of desertion that, like Perkins, desertion could be an action on the part of an unbelieving spouse who lives in obstinate sin, not necessarily the one who physically departs.

Gouge was willing to consider that if one spouse apostatizes from the faith, that spouse has, in effect, deserted his Christian spouse, and after trying to plead with the apostate person to repent, but to no avail, the Christian spouse may seek a divorce (PCA 1992: 197).

Summary of the English Puritans on Divorce

The Puritans were more sensitive to human frailty than many give them credit. They understood that some spouses, in the worst of circumstances, could not abide in a terrible marriage with a false believer, and that divorce in such circumstances could not be forbidden. Even so, the Puritans never developed an orderly system of laws whereby a spouse could file for divorce. J. I. Packer explains:

In England...no such course of proceeding existed, and it is clear that the Puritans did not see this as a bad thing. Their business, after all, was to help couples build marriages that would last, and all their ef-

forts were directed to this end; and they did in fact offer a great deal of wisdom on maintaining love and good will, honor, and respect, peace

and contentment, common purposes and shared commitments, in the married state (1993: 270).

Colonial Period

The American colonialists inherited their divorce laws from British law and customs, yet they developed the divorce laws as would befit the new American enterprise. For example, the Church of England still governed and litigated divorce petitions, but there were no ecclesiastical courts in the American colonies. Thus the churches were content to allow the civil government to litigate divorce cases. Though the Anglicans in the southern colonies maintained the divorce laws of the Church of England, the New England Puritans forged a newer path. Dorothy Mays writes:

The religious dissidents who settled in New England had little respect for the laws of the Church of England. Looking to the spiritual leadership of Martin Luther and John Calvin, the Puritans of the northern colonies viewed marriage as a civil contract, rather than a spiritual sacrament. As such, it could be dissolved for breaches such as adultery, desertion, cruelty, or enmity between the spouses. These actions constituted the breaking of the marriage covenant, and thus the offended party could look to the civil court for relief (2004: 111).

Ironically, the American Puritans still maintained a *mensa et thoro* divorces, even with the lack of Scriptural justification for a such a concept.

Another irony of the early colonial era is that while divorce laws were liberalized from England, this did not result in more divorces. On the contrary, divorces were very rare in Puritan New England. In its seventy-two years as a separate colony, only six divorces were granted at Plymouth (Queen, Habenstein, and Adams 1961: 283). The Massachusetts Bay Colony allowed for divorce in cases of desertion, adultery, or cruelty, yet there are no reported petitions for divorce in the first ten years of the colony's existence. In the following years in Massachusetts (1639-1692), there were only forty petitions for divorce, an average of less than one per year (Queen, Habenstein, and Adams 1961: 283).

There are a number of ways to evaluate the scarcity of divorce during this period.

A positive interpretation would be that, as a whole, the American Puritans were committed believers who truly sought God's ideal for marriage; thus, even with more liberalized laws, the divorce rate was very low.

Some historians have a more negative perspective on the matter. They suggest the low divorce rate can be attributed to the negative social stigma attached to divorce: many would rather live with the pain of a poor marriage than endure the social shame of a failed marriage. These historians also point out that there were limited economic opportunities for divorced women, especially considering that men normally held the rights to children and property upon a divorce. Furthermore, American Puritan divorce statutes did favor the man over the woman, as a woman was required to have more proof of a man's adultery than a man was required to have of a woman's.

Some use the anecdotal evidence of Nancy Shippen Livingston, who was quoted as saying that she was "a wretched slave – doom'd to be the wife of Tyrant I hate" (Norton 1996: 48). If Nancy Shippen Livingston's story is representative of many others, it might help explain the incredibly low divorce rate.

Nancy Shippen Livingston was from a prominent Philadelphia family. Upon the insistence of her father, she consented to marry the wealthy Dr. Henry Livingston in 1781. She soon regretted the arrangement after learning of his harsh character, numerous mistresses, and illegitimate children (Culley 1985: 56). Becoming pregnant within a year, she moved back home. She filed for legal separation and divorce over the coming years, but was rejected each time. In 1791, Henry filed for divorce and won on the grounds of her desertion (Norton 1996: 48-49).

Though Livingston's case is tragic, I imagine that the truth lies somewhere in the middle of the two perspectives offered above. The low divorce rate in Puritan New England is likely the result of the genuine godliness of many Puritans, as well as a result of the patriarchal laws that left abused and mistreated wives with little recourse but to remain married.

During the 1700's, the American colonies continued to liberalize the divorce laws. At the same time, church attendance and interest in religion began to dwindle. By 1776, only about 17% of Americans were members of a local church; by 1800, that number was down to 10%.

As the face of America changed throughout the Civil War and events leading to

it, so also did the definition of a family. In the late 1800's, the church was faced with the crisis of a breakdown of what they considered traditional family values. Divorce laws were tightened, but that did not change what was happening in American family life. Amy Stewart points out:

In the Post-Revolutionary era, the family evolved from a public to a private institution. The law began to regard the family as a separate, self-regulating body composed of individuals with their own rights and identities. Affection, not status, became the basis for marriage, which was viewed as contractual in nature, arising from the consent of both parties and capable of being dissolved. Gender roles within the family became specialized; husbands were responsible for supporting the family, wives for maintaining the home. Reflecting the more emotional and intimate nature of marriage, the Nineteenth Century brought a steady rise in the number of divorces, increasing at a rate of more than seventy percent per year by the end of the century (Stewart 1999: 510).

In the early 1900's, the Protestants in America again sought to stem the tide of easy and prevalent divorces. One of the ways they did this was by taking a very strict approach to the interpretation of our Matthew 5 passage. For example, an article in *The Gospel Advocate* expressed concern about the abundant divorces within society and the churches in the 1930's. The article declared, "There is but one reason for marriage after divorce, and that is adultery.... They who trifle with it are in danger of the flames of hell" (Wolfgang 1990).

In a similar fashion, H. Leo Boles, editor of *The Gospel Advocate* and president of David Lipscomb College, contended:

All Bible students know that God recognizes but one cause for absolute divorce [divorce recognized by God as well as the state]. This is adultery, or fornication.... The words of Jesus, as recorded by Matthew, Mark, and Luke, condemn remarriage of a divorced one, and condemn it in terms which admit of no misunderstanding.... It seems that for some there was given the permission to separate temporarily for other causes than the sin of fornication; but those who were separated were to 'remain unmarried, or else be reconciled' to each

other. These principles should be taught, and all of God's people should abide by their teaching (Wolfgang 1990).

From the 1930's to the present, the conservative Protestant church, for the most part, has held to a strict and legal interpretation of Matthew 5:31-32. The majority has taken πορνεία as narrowly referring to adultery – and as a result, a stigma has been attached to Christians divorcing for any other reason. This attitude was evidenced by the fall from musical grace, so to speak, in the career of Christian musician Amy Grant. At the height of her career, and topping the religious music charts, Grant divorced her husband in 1990. Though no details of what caused the divorce were announced to the general public (the public was not aware if abuse or adultery had taken place), many Christian radio stations banned Grant's music from the radio, and her religious fan base dwindled. Most divorced Christians I have known share similar stories of being treated like second-class Christians in conservative churches, even though people in those churches did not know the details of their divorce.

Conclusion

A survey of church history demonstrates that Christians have not held a unifying view of our divorce exception passage. The majority have interpreted the exception clause in a literal sense, ignoring the use of hyperbole throughout the text; yet many understood that there might be other exceptions that allow for divorce that our Lord does not mention there. Some Protestant fundamentalists in the 1900's took an even stricter approach and saw death as the only viable excuse for divorce. In the next chapter, I will critique the three basic understandings of Matthew's divorce exception passage that have been common in church history and compare them to my own interpretation as presented in the previous chapter.

CHAPTER 4

AN ANALYSIS OF THE PROBLEM

Introduction

As I stated in the introduction to this book, there are basically three ways the church has interpreted and applied the Matthew 5:31-32 divorce passage. In this chapter, I will evaluate each view and attempt to demonstrate why I believe each view is lacking in certain areas. The labels I am giving each view may be open to critique, for there are certainly nuances among the proponents of each view, and the labels themselves are limited, as labels often are. However, my goal is to show that if our Matthew 5 passage is understood as exact legislation, instead of recognizing the non-literal factors that reveal the glory of the New Covenant in comparison to the Old, all three views contain problems.

The Permanence View

The permanence view generally states that there are no biblical grounds for divorce while both spouses are still living. This position, certainly a minority view throughout Protestant history, is gaining a following in the evangelical community (Wingerd et al 2009). This view, as noted earlier, also gained some prominence among American fundamentalists in the 1930's as they reacted to what they considered unprecedented family breakdown.

There are three planks to the permanence view. First, the "one-flesh union" created in marriage is a permanent union until the death of one of the parties. Second, initiating a divorce is never lawful. And third, remarrying after divorce is always an act of adultery if the former spouse is still living.

Maybe the two most well-known American proponents of the permanence view in the evangelical world today are Voddie Baucham and John Piper. Voddie Baucham is the Pastor of Preaching at Grace Baptist Church in Spring, Texas. John Piper is the

chancellor of Bethlehem College and Seminary, and for 33 years served as pastor of Bethlehem Baptist Church in Minneapolis, Minnesota.

John Piper wrote a position paper on divorce and remarriage where he defended the permanence view (Piper 1986). Of interest is his understanding of our Matthew passage. Adherents of the permanence view insist that we can only understand the Matthean exception clause in light of other, clearer passages that affirm the permanence of marriage and sinfulness of divorce. In other words, Matthew 5:32 cannot provide an exception because the general rule of no divorce is clear throughout Scripture. Thus, whatever Matthew 5:32 means, it cannot in any way qualify or explain the clearer truth that marriage only ends at death. Piper writes:

Before we jump to the conclusion that this absolute statement should be qualified in view of the exception clause (“except for un-chastity”) mentioned in Matthew 19:9, we should seriously entertain the possibility that the exception clause in Matthew 19:9 should be understood in light of the absolute statement of Matthew 19:6 (“let no man put asunder”), especially since the verses that follow this conversation with the Pharisees in Mark 10 do not contain any exception when they condemn remarriage (1986).

Piper takes the unusual position that even an innocent party in a divorce commits the sin of adultery by remarrying, based on a literal reading of Matthew 5. He states, “This is a clear statement, it seems to me, that remarriage is wrong not merely when a person is guilty in the process of divorce, but also when a person is innocent” (1986).

While I am avoiding the issue of remarriage in this book, one cannot help but question Piper’s idea of clarity. If the Matthew divorce passages so clearly condemn all remarriage while the former spouse is still alive, why have the majority of Bible-believing Protestants, including the Puritans, failed to see what Piper sees so clearly?

Piper then questions the legitimacy of the Matthean exception clauses:

I began, first of all, by being troubled that the absolute form of Jesus’ denunciation of divorce and remarriage in Mark 10:11-12 and Luke 16:18 is not preserved by Matthew, if in fact his exception clause is a loophole for divorce and remarriage. I was bothered by the simple as-

sumption that so many writers make that Matthew is simply making explicit something that would have been implicitly understood by the hearers of Jesus or the readers of Mark 10 and Luke 16. Would they really have assumed that the absolute statements included exceptions (1986)?

It is not clear if Piper is suggesting that the exception clause in Matthew is not original with Jesus because it does not conform to the absolute statements in Mark and Luke. He may be suggesting the exception clause in Matthew is a gloss from a later scribe, casting doubt on the authenticity of the exception clauses. If so, this seems to be very selective reasoning, given that there are no early manuscript copies of the New Testament that omit the Matthean exception clause.

Piper then explains his understanding of the exception clause, that *πορνεία* must only refer to a situation where a man (or woman) who is engaged to be married finds out that his future partner has committed fornication. He notes that if the Lord wanted to limit the exception to adultery, He would have used the word *μοιχεία*. But instead of accepting the common usage of *πορνεία*, Piper relegates the word to its limited meaning in the story of Mary and Joseph, proposing that the only exception for divorce is a situation like Mary and Joseph's, where an engaged person finds out his betrothed partner committed fornication before the marriage had actually occurred. Piper writes:

In verse 19 Joseph resolves “to divorce” Mary. The word for divorce is the same as the word in Matthew 5:32 and 19:9.... Matthew says that Joseph was “just” in making the decision to divorce Mary, presumably on account of her *porneia*, fornication.... Matthew includes the exception clause in particular to exonerate Joseph, but also in general to show that the kind of “divorce” that one might pursue during a betrothal on account of fornication is not included in Jesus’ absolute prohibition (1986).

There are a number of objections to Piper’s thesis. Since the word *πορνεία* was a common word used for all sexual intercourse outside of marriage, he provides no evidence that Jesus was limiting His meaning to only one example of *πορνεία*: that of fornication among engaged couples. And in the Matthew 19 passage, Jesus is answer-

ing a question on divorce that was clearly not limited to engagements. And there is no evidence from the Matthew 5 passage that the concern of the people Jesus addressed was that they needed a justification for Joseph wanting to divorce Mary, especially since Joseph never actually went through with the divorce.

Phillip L. Leineweber, in his thesis paper on the understanding of πορνεία, writes:

Viewing the Old Testament's usage of the word provides a good background for how an early 1st century Jew would have viewed or understood the Greek word porneia. The LXX use of porneia is both broad and non-specific describing various acts of sexual immorality in different contexts; it nowhere appears to describe a specific adultery or immorality committed only during the betrothal period (2008: 12).

Another option among those in the permanence camp in interpreting the exception clause is to understand πορνεία as exclusively referring to incest. Dr. J. Carl Laney argues that the LXX equivalent for πορνεία in the Old Testament at times can refer to incest. Laney writes:

If porneia were to be interpreted broadly, there is no reason for Mark to have omitted the exception from Jesus' teaching on divorce.... If porneia refers to the prohibited relationships of Leviticus 18:16-18, then Jesus' teaching is consistent with God's ideal for marriage as set forth in Matthew 19:4-6 and Mark 10:6-8. God's plan for marriage does not include divorce, except in the case of what would constitute an illegal, incestuous marriage (1990: 36, 37).

The same criticisms of Piper's view of πορνεία as fornication in engagement can be applied to Laney's incest view. There is simply no evidence that Jesus was restricting the word to incest; one must a priori assume that Jesus would not allow divorce for any other reason.

Piper concludes by explaining the advantage of his interpretation: "It does not force Matthew to contradict the plain, absolute meaning of Mark and Luke and the whole range of New Testament teaching set forth above in sections 1-10, including Matthew's own absolute teaching in 19:3-8" (1986). Piper here has chosen, in an arbi-

trary fashion, to disallow the Matthean statements that include the exception clauses to explain or qualify the verses in Luke and Mark that omit the exceptions.

Proponents of the permanence view are inconsistent in their hermeneutic when it comes to variants among the gospel sayings. For example, when we read in Luke 14:26 that unless one hates his father and mother, he cannot be Jesus' disciple, that statement is usually explained and qualified by the statement in Matthew 10:37 – that whoever loves his father or mother more than Jesus is not worthy to be His disciple. The two statements qualify and clarify each other. Scripture interprets Scripture.

Yet proponents of the permanence view violate this basic rule of hermeneutics when it comes to the Matthean divorce clause. They make an a priori decision that the Matthew divorce passages cannot qualify the Luke and Mark passages, and therefore a theology of divorce must be wrought from the Matthew passages that fit what Luke and Mark already say. This is not good biblical interpretation.

Also, these proponents offer very exclusive and limited interpretations of πορνεία that simply are not supported by the text. There is no evidence that Matthew's readers would have understood such an exclusive use of the word when there are no indications in the passage that Jesus was limiting the common meaning. As Leineweber, citing Craig L. Blomberg, rightly states:

[O]ne can state with confidence that “porneia should therefore be translated ‘adultery,’ possibly including, but not limited to, related sexual sins such as incest, homosexuality, prostitution, molestation, or indecent exposure. This is its typical semantic range...” The Old and New Testament contexts, the normal lexical use, the Matthean context, and all other evidence seems to point to the majority view interpretation. One cannot limit the meaning of a word in a passage merely because it fits his or her doctrine or held belief, especially when the context does not allow for it (2008: 26-27).

Those who hold to the permanence view stress the fact that marriage is to reflect Christ's relationship with His bride, the church, which is a relationship that cannot be broken. In this, they come close to seeing marriage as a sacrament, as was common in the Middle Ages. Yet permanence proponents fail to reckon how God also initiates

divorce with Israel in the Old Testament (see Jeremiah 3:8). As Jay Adams reminds us, “If God Himself became involved in divorce proceedings with Israel, it is surely wrong to condemn any and all divorce out of hand” (1980: 23).

The Adultery View

The second view that must be examined is what I label the adultery view, which sees adultery as the only viable reason for a Christian to divorce (outside desertion), thus limiting the word *πορνεία* to adultery in our Matthew passage. John Murray represents this view. He writes:

It is, of course, implied that such on the part of a married woman is not only fornication but also adultery in the specific sense, for the simple reason that it constitutes sexual infidelity to her spouse. And this is the only case in which, according to Christ's unambiguous assertion, a man may dismiss his wife without being involved in the sin which Jesus proceeds to characterize as making his wife to be an adulteress (Murray 1961: 21).

Unfortunately, Murray, in dealing with the Matthew 5 passage, never once mentions the greater context of the Sermon on the Mount or the antitheses' use of hyperbole throughout the section. His wooden approach to the passage can be seen in his limiting the application of the exception clause to the man whose wife commits adultery: "First, the text deals exclusively with dismissal or divorce on the part of the man; what rights may belong to the woman in the matter of suing out a divorce are not intimated" (Murray 1961: 20). Surprisingly, Murray does not reference Mark 10:12, which applies the exception and warning to wives as well as husbands.

The Westminster Confession of Faith, while avoiding the seemingly male favoritism inherent in Murray's view, seems to support the adultery view:

Although the corruption of man be such as is apt to study arguments, unduly to put asunder those whom God hath joined together in marriage; yet nothing but adultery, or such willful desertion as can no way be remedied by the church or civil magistrate, is cause sufficient of dissolving the bond of marriage... (WCF 24:6).

It is important to remember though, as we saw in the previous chapter, that some of the English Puritans who penned the Westminster Confession were open to other reasons for Christians to divorce, such as cruelty, abuse, and neglect.

One of the weaknesses of taking πορνεία as μοιχεία is that even though the words can overlap in meaning, throughout the New Testament the two words contain distinct meanings when used in the same sentence.

Here are some examples from the King James Version:

I Corinthians 6:9

Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived: neither fornicators (πρῶτος), nor idolaters, nor adulterers (μοιχῆς)...

Galatians 5:19

Now the works of the flesh are manifest, which are these; adultery (μοιχεία), fornication (πορνεία), uncleanness, lasciviousness...

Hebrews 13:4

Marriage is honorable in all, and the bed undefiled: but whoremongers (πρῶτος) and adulterers (μοιχῆς) God will judge.

In all three examples, it would make little sense if πορνεία and μοιχεία were interchangeable in meaning; all three verses would introduce an unusual and unnecessary redundancy.

There is no reason to assume that Jesus was not making a distinction between the two concepts in Matthew 5:31-32, not only because the two words appear in the same sentence, but especially given the fact that the Lord could have erased all the confusion by choosing the common word for adultery if that is what He wanted to communicate.

And even if one defined πορνεία only as adultery, that still leaves some open questions if one takes the exception passage as clearly defined law. For example, what if a husband (forgive my bluntness) has oral sex with another woman, but not intercourse? Has he committed adultery? What if he is having an online relationship with another woman, and participates in what is known as “chat sex” with her? If he refuses to stop his behavior, does the wife have no recourse to divorce because he has not actually had intercourse with the other woman? Even if one restricts the meaning of πορνεία to adultery, this introduces new problems as to its ability to be applied, as we shall see below.

The Broad Sexual Immorality View

This third view allows *πορνεία* to be understood as broad sexual immorality in general, though the view still considers the exception clause as new legislation that Jesus is establishing. Stephen R. Key, a minister with the Protestant Reformed Church, summarizes the view well in a sermon on our passage:

[T]he putting away of one's spouse is forbidden by God, with one exception. In the matter of fornication, the marriage may be brought into such a state of upheaval that it becomes necessary for the two to live separately. And fornication...is any form of sexual sin. It is a very broad term, encompassing a wide realm of perversity (Randolph Protestant Reformed Church 1998).

This view still suffers from the same legal approach to the text that the adultery view suffers from. It also leaves the recipient in more confusion than the adultery view as to its application. If the Lord were providing a well-defined law, a law that was so important that whoever disobeyed it would be committing a great sin, then why did He speak in such general and ambiguous terms?

If *πορνεία* encompasses a wide realm of perversity, then how is a spouse to know when such perversity has been committed so as to allow for divorce? The same type of questions considered for the adultery view can be asked for the sexual immorality view. What if her husband is caught looking at pornography on the Internet? What if he is addicted to masturbation? What if he regularly admits his love for other women, but she has no proof that he has actually slept with these women? What if he is perverse with her in ways that humiliate her but is not sexually active outside the marriage?

Pastors who have been in the ministry for any length of time know that these are real questions and situations they must deal with – questions not answered by simply suggesting that sexual immorality is the one sin allowing a Christian to seek a divorce. Who gets to define perversity?

Larry Richards is careful to allow the context of Matthew 5 to enable him to avoid a legal interpretation of the passage:

Who would be so foolish as to call for laws that apply the penalty for murder to anger or the penalty for adultery to lust? Neither is Christ attempting to impose a new law against divorce and remarriage. It would be inconsistent at best to contend such when the two parallel teachings do no such thing (1990: 235)!

Each of the three views above suffers from the same weakness: they each assume that Christ in Matthew 5:31-32 is establishing new and precise legislation on the grounds for divorce for His New Covenant kingdom. This faulty interpretational assumption has led to innumerable qualifications and confusion. It has also led to some serious damage among God's people, as I shall explain.

The Danger in Faulty Pastoral Divorce Counseling

In my many years of ministry, I have seen much damage caused by pastors and church leaders when it comes to enforcing their legal interpretation of the Matthean divorce exception passage upon members of their churches. I have known certain families in conservative churches in which the wife committed suicide because she could not abide any longer living with a loveless and emotionally abusive husband, yet the church leadership had informed her she must remain with her husband lest she violate God's law, because the husband had not committed adultery.

The church has not done well to take the Old Testament passages on divorce into account when dealing with suffering spouses. As demonstrated in Chapter 2, the Old Testament passages on divorce reveal God as a God who protects suffering and powerless spouses in His kingdom from neglect and abuse, granting a way out for those who are treated cruelly by their husbands. It should seem odd if, in the New Covenant, God forces women in His kingdom to remain in these same terrible situations without recourse in seeking a way out of the marriage.

Some may argue that since the New Covenant reveals the ideal for marriage, which is a lifelong commitment, God therefore expects His ideal to be fulfilled in spite of the difficulties. The problem with this view is that two people remaining

married in a loveless marriage is not fulfilling God's ideal in the least. God's ideal for marriage is not simply marriage until death – it is marriage characterized by Christ-like love for one another.

When church officers seek to impose a strict, legal interpretation of the Matthean divorce passage to enforce the ideal, they are too often tempted to become like the Jewish rabbis of Jesus' day in interpreting the law.

The Mishnah, written in the third century, is the written collection of Jewish oral laws – laws derived from the rabbis' understanding of the Mosaic Law. The rabbis realized that the limited amount of information on divorce in the Old Testament left open many qualifications and applications of when a woman could divorce her husband, or when the rabbis could compel a man to allow his wife to divorce him. Among those laws, Ketubbot 7:10 sets forth some grounds upon which a husband can divorce his wife: “And these are the ones whom they force to put her away: (1) he who is afflicted with boils, or (2) who has a polypus, or (3) who collects [dog excrement], or (4) a coppersmith, or (5) a tanner” (Neusner 1991: 393).

The rabbis believed that if a man became so disgusting in the eyes of his wife that she could not bring herself to have sexual relations with him, he could be impelled by the rabbis to grant his wife a divorce. There are other such laws in the Mishnah that seek to qualify and apply the few Old Testament passages on divorce.

Evangelicals can be quick to criticize the rabbinic propensity for minute rules and requirements that the rabbis assumed from written revelation, yet can often approach the Matthean divorce exception in a similar way. Church leaders, in essence, can end up with their own Mishnah on the biblical grounds for divorce.

We should return to our previous questions that are not specifically addressed by the Matthew text. What if a wife in the church approaches the elders with news that her husband is a porn addict? The husband admitted the weakness in the past, they separated for a few weeks, he got counseling, yet he continues the behavior daily. The elders are tempted to establish rabbinic-type rules on whether or not she should be able to divorce in that situation. Has the man committed the *πορνεία* of Matthew 5:32, or not?

What if the wife caught her husband exposing himself to his elderly neighbor? The wife is so appalled and disgusted that she cannot share a bedroom with him any-

more. She confronts him and he says he will stop, but she catches him exposing himself again the next week. She brings the issue to the elders of her church, but the husband denies it ever happened. She refuses to sleep with him and wants out of the marriage. The elders forbid her to divorce because, according to their understanding of Matthew 5:31-32, she has no biblical grounds for divorce, even if he ends up being excommunicated.

Abusive men often take advantage of church leaders who seek to impose a legalistic interpretation of Matthew 5 on their church members. A bully learns that as long as he does not commit adultery or abandon his wife, the church leaders will admonish his wife that she must remain with him and submit to him, even as they seek to help him become a better husband. He often will deny his bullying, his emotive pressuring her for sex, his insistence that because he is the God-ordained head of the home she ought to do everything his way, and his continual treatment of his wife as less than fully human. When confronted, he portrays himself as the victim of a harsh, fallen world. Meanwhile, the wife becomes convinced there is no help from God or her church to enable her to ever escape this hellish nightmare.

This type of situation I have witnessed countless times, one that leads women (at times men) into a sense of dangerous hopelessness. Hopelessness arises when a person feels there is no way out of a terrible situation, and hopelessness leads to serious depression, which at times leads to suicide.

Depression counselors have noted that the difference between anxiety and depression is that anxiety is being afraid something awful might happen. Depression is when one is convinced that bad things will keep happening and there is no hope of life getting any better.

When church leaders teach that God forbids divorce unless a husband is guilty of sexual immorality (often interpreted as adultery), a Christian woman is given the clear impression that if her husband – no matter how cold, demanding, or cruel – continues in his attitudes and behaviors, she has no recourse for escape unless he commits a physical crime against her. In other words, she has no power to escape the relationship on her own because her husband holds all the power to determine the status of the relationship.

Again, it is ironic that in the Old Testament the Lord responds to the cries of women in His church who are mistreated or neglected by allowing them a way out, yet in the New Testament, many assume there is no such allowance from God.

Now some might argue that victims of hardhearted spouses are given the strength in the New Covenant to persevere – strength not given under the Old Covenant. They may even liken this difficult marital situation to finding out early on in life that one has cancer or diabetes. Christians who find out they have a serious disease must learn to live and suffer with it; there is not necessarily a way out in this life.

But the analogy might be more apropos if one imagines a Christian finding out she has cancer, but her church elders inform her that she is not allowed to take certain medication available that might cure her of the cancer. Most wives in the church I have dealt with in terrible marriage relationships simply lose the strength to persevere in a marriage where the man is always mean and cruel toward her. Over time, some wives may lose all hope and eventually sink into a deep depression, with some even contemplating suicide, all because they are blind to any way out of their situation. Their elders have withheld the treatment needed to help cure the cancer (metaphorically speaking), and have failed to apply the mercy that Christ has graciously given for His kingdom people.

While honorable church leaders usually attempt to address the sin of both parties in the marriage, if they have ruled out divorce as a final option from the beginning (unless specific sins are committed), they have rendered the victim in the marriage powerless to do what it takes to confront her husband with real consequences if he does not change. The abuser learns quickly that he can beat the church system with token apologies and promises to do better.

By ignoring the redemptive-historical context and hyperbole in the Sermon on the Mount, church leaders can end up using the passage to erect bonds that bind victims of hardhearted spouses. As Gary Collier states:

The final statements, “Whoever divorces his wife and marries another,” etc., are not to be understood “casuistically....” To read these statements as giving grounds for divorce, or as showing remarriage to be living in adultery, or to say, “once married, always married,” not

only goes well past the point of the context and imports current concerns back into the biblical text, it also reads the statements of Jesus in the same way the Pharisees read the Law of Moses (1995: 94).

Does the Church Grant Divorce?

Protestant church leaders must be careful not to parallel the Roman Catholic ecclesiastical courts of the Middle Ages by enforcing their interpretation of this difficult passage on those who suffer. They can wrongly assume, along with the church in the Middle Ages, that the final decision on whether a Christian can seek divorce is with the ecclesiastical authority, not with the married persons themselves.

But do the Scriptures grant church officers the authority to determine exactly when a Christian is allowed to divorce? I do not find anywhere in Scripture where that is the case. Church leaders, through the church discipline process laid out in Matthew 18, certainly possess the authority of administering church discipline on the guilty party in a divorce. However, the Scriptures, whether in the Old or New Testament, never place the authority to make divorce decisions into the hands of church leaders, though ecclesiastical authority has an important role to play in the process of counseling and confronting in difficult marriages.

This assumption of ecclesiastical authority determining legitimate divorces often puts elders in the unfortunate position of playing detective. A wife accuses her husband of having a relationship with another woman at work: he stays out all hours of the night, she finds that text messages have been erased, and she even intuitively knows he is cheating on her. All of this has happened in each city where they have lived. The husband, of course, denies her accusations and says it is all in her imagination. If the elders believe they must give final approval on whether the wife can seek a divorce, they need to find demonstrable proof that he is committing adultery. I have actually known elders who secretly followed a man in their church around town after his wife accused him of having an affair. Surely the Lord does not want His elders playing skulking detective to fulfill their duties as elders.

Beyond this, there are simply too many complexities in a failing marriage to reduce divorce to a one-size-fits-all legislation. For example, if a man continually neglects his wife for years, then the wife, in a moment of despair and weakness, she

finds comfort in the arms of another man without actually having sexual relations with him, was she or her husband the offending party? In that instance, who is allowed to file for divorce? Because of such legalistic reasoning, it is not unheard of for a Christian woman in an emotionally abusive and loveless marriage to pray that her husband will slip up and have an affair so that her church will allow her to seek relief through divorce.

A better understanding of the Matthew 5 passage would see sexual immorality as an example of the type of serious sin and hardheartedness that violates a marriage covenant. I appreciate how Joe Sprinkle summarizes our passage:

As in other covenants, if a marriage covenant is consistently violated by one partner, the covenant can be invalidated so that the other partner is no longer obligated morally or legally to keep his or her end of the bargain.... When the notion of marriage as a covenant is applied it becomes clear that any behavior that violates the essence of the marriage covenant could serve as grounds for divorce: wife abuse, a refusal of conjugal rights, lack of support for the wife financially, and so forth (1997: 449-550).

Approaching the Matthean divorce text as legislation has also led to an unfortunate consequence for divorced Christians: in conservative churches, they are often looked upon with suspicion or made to feel like second-class citizens if their divorce did not meet the exact Matthean requirements in the minds of Christians. Every divorced Christian I have known relates stories of this phenomenon occurring to them.

Some conservative denominations and churches do not even allow formally divorced men to hold positions of leadership. It seems in some churches that one can commit a crime, serve time in prison, repent, and later become a church officer; yet if he was in a failed marriage, he is disqualified from office. These churches have elevated divorce as one of the chief sins – even above adultery in some cases.

Those who raise divorce to the worst of sins need to consider how the Apostle Paul handled divorce in the Corinthian church. It seems there was actually pressure to divorce within the early church – both for ascetic reasons (that sexual relations were unspiritual, see I Corinthians 7:3) and for religious reasons (being yoked to an unbeliever, see I Corinthians 7:12).

While the Apostle certainly straightens the Christians out concerning divorce, it is interesting how gently he handles these situations. He does not call for those who are divorced to be excommunicated, as he did with the man sleeping with his father's wife (I Corinthians 5:1-7). He is actually very gentle and reasonable in explaining the will of God on divorce to the Corinthians. Gordon Fee notes:

Along with 11:2-16, this is one of the least combative sections of the letter...this section is altogether placid...one of the least "authority-conscious" sections in all his letters. Some find Paul and Jesus too harsh and try to find ways around the plain sense of the text. Others turn the text into law and make divorce the worst of all sins in the church (1987: 270, 296).

Those who raise divorce to the worst of all sins rarely note how sternly Paul treats schism, pride, and a judgmental spirit in the first half of I Corinthians, compared with how he treats those who were considering divorce in Chapter 7. And when God lists the seven things He hates, divorce is not one of these sins – but haughtiness is:

Proverbs 6:16-19

There are six things that the Lord hates, seven that are an abomination to Him: haughty eyes, a lying tongue, and hands that shed innocent blood, a heart that devises wicked plans, feet that make haste to run to evil, a false witness who breathes out lies, and one who sows discord among brothers.

In the Scriptures, taken as a whole, it is fair to say that the anger of the Lord is against the person who takes on His name but possesses a hard heart: the one who refuses to love the spouse God gave him, even if she is the one who eventually files for divorce because of her partner's sin.

Conclusion

Let me recap the four important truths about marriage expressed in Matthew 5:31-32. First, God's ideal for marriage is a lifelong commitment of sacrificial love between a man and a woman. Second, because of sin, God allowed for divorce in the

Old Testament when one party in the marriage possessed a hard heart and treated the other cruelly. Since the man is normally the stronger of the two, it is the wife who is given a way out in the Old Testament legislation. Third, the Pharisees are being warned that they cannot hide behind the Mosaic Law if they have treated their wives poorly and divorced them. The adultery language, hyperbolic in content, teaches that God will still hold those hardhearted people responsible for their marriage vows, even if they are legally divorced on earth. Finally, the passage demonstrates the glory of the New Covenant, in that when two people are filled with God's Spirit upon believing the gospel, they will be empowered to love each other and stay committed to each other unto death, even as they struggle with sin in this life. God, through the gospel and the Holy Spirit, will accomplish what He desires in His people.

Thus the sexual immorality exception passage should not be taken as legislation on the precise grounds for divorce, but as an example of serious sin that breaks the marriage covenant. There are, of course, other ways to break the marriage covenant besides adultery, and the passage does not rule out these other possibilities, since Jesus in Matthew 5 does not broach the desertion issue raised by Paul in I Corinthians 7.

William Barclay provides a careful reminder of these points:

Let us remind ourselves of the fact that Jesus laid down principles and not laws, and to make His principles into laws is, in fact, to de-Christianize them.... If we are to think in terms of Christian love rather than in terms of Christian law, then there are cases when divorce is justified (Webb 1996).

We are not given in the Bible a list of those particular serious sins that form the grounds for divorce. Christian spouses must be given freedom to do what their consciences dictate they must do, while trying their best to glorify God in the midst of a failing marriage.

In the next chapter, we will see how this might play out in pastoral counseling. I will also present a strategy for pastors and church leaders to deal with troubled and failing marriages in the church.

CHAPTER 5

PASTORAL COUNSELING

Introduction

This chapter represents a practical synthesis of the material from the first four chapters; namely, how my interpretation of the Matthew 5:31-32 divorce passage works itself out in the pastoral counseling of a troubled marriage in the church – a marriage that may be heading toward divorce. The following represents my convictions and approach in applying the Scriptures to the issues of marriage and divorce.

I am writing my pastoral marriage counseling philosophy and strategy with a number of assumptions. My strategy will assume that both spouses are members of my church. Counseling without having the authority and responsibility of pastoral oversight may look different than what I am proposing.

The Apostle Paul's guidance for situations where a believer is married to a professing unbeliever is not to divorce simply because that spouse is an unbeliever (I Cor. 7:12-13). The Apostle does not address other sins an unbeliever may commit that can destroy a marriage. My strategy will be limited to addressing failing marriages among professing Christians.

My approach will assume that adultery has not been committed by one of the parties in the marriage, because I want to aid church leaders in dealing with more common and yet complicated situations. I will address those failing marriages where the sin destroying the marriage is not as clear-cut as adultery, yet nonetheless may be leading toward divorce if the situation does not change.

I am assuming that nothing illegal, such as wife beating or child abuse, is occurring. These activities would call for a very different response than what I propose, including an immediate call to the proper civil authorities and a possible need for immediate separation to protect the victim(s).

I am writing my strategy from the perspective of the woman as the innocent party, if for no other reason, it relieves me from the redundancy of writing “him or her” for every case study. In reality, the large majority of the failed marriages I have dealt with have concerned men who treated their wives harshly. Yet I have also dealt with the opposite. The approach I am proposing would also apply if the man were the innocent party.

Finally, I am assuming in my strategy that there is one guilty party responsible. On rare occasions I have found the problem in a failing marriage is that both parties are false professors of the faith. However, in most cases among professing believers, one guilty party refuses to change in order to save the marriage, and thus demonstrates himself as a false professor. While all Christians struggle with sin, there can be, and usually is, an innocent party and a guilty party in a failed marriage.

Christian Responsibility

A pastor’s theological convictions will govern all of his counseling strategies and efforts. He must begin with a basic understanding of the gospel and of Christian responsibility. When a person places his faith in the death of Christ to save him from his sins, he is justified. This means that God declares him righteous and forgives him of all his sins. As a result of justification, God then infuses that redeemed person with His Holy Spirit, beginning the process of sanctification. The justified sinner now possesses a new nature, with new empowerment and a desire to love, serve, and obey God. He is no longer under the dominion, or power, of sin (Romans 6:14). While he certainly wrestles with sin, he is not constrained by sin.

Thus when a Christian sins, it is because he wants to sin, not because some force constrained him to sin against his will. That is why, after explaining how Christians are no longer under the dominion of sin, the Apostle instructs the saints in Romans 6:13: “And do not go on presenting the members of your body to sin as instruments of unrighteousness; but present yourselves to God as those alive from the dead, and your members as instruments of righteousness to God.” Non-Christians are bound by and under the dominion of sin; but for the Christian, sin is a willful choice. As James

1:14-15a states, “But each one is tempted when he is carried away and enticed by his own lust. Then when lust has conceived, it gives birth to sin.”

This is both good news and bad news for Christians. It is good news in the sense that through the Holy Spirit, we have power to fight against sin. There is no power forcing us to do what we do not want to do. If there were any power or disposition in the Christian that was constraining us to sin against our wills, repentance would be of little value. I cannot repent of that which I have no control over. Because sin is a choice for all Christians, we can repent and take responsibility for our sins and make progress in holiness. We can obey the commands of God to love our spouse because there is no power that can keep us from doing so. God promises in the New Covenant to give us what we need to obey Him.

The good news of our redeemed personal responsibility can also be bad news in the sense that it leaves Christians without excuse. I have heard hundreds of excuses from men in the church as to why they were uncaring and unkind toward their wives. “My parents were bad examples as I was growing up.” “My work gives me so much stress that I take it out on my wife when I come home.” “My previous relationships hurt me and I cannot get over the hurt.” What these and other excuses are suggesting is that the husband is not really responsible for his poor attitudes and behaviors toward his wife, and that there are forces constraining him to act a certain way against his will.

A pastor’s view of sanctification will force him to go one of two ways when he hears these types of excuses. If the pastor accepts these excuses as legitimate – that the man really does want to love his wife but cannot show his love due to past events or present stress – the pastor will focus on either changing the man’s environment (so the circumstances enable him to love his wife) or will attempt some sort of psychoanalysis (to understand what past forces are keeping him from obeying God in loving his wife). If instead, the pastor views these as illegitimate excuses, he can get at the heart of the issue that is destroying the marriage relationship: namely, willful sin. By not accepting illegitimate excuses, the pastor can be free to direct his counseling toward bringing the husband to repent of his sinful attitudes and behaviors, as well as for making excuses for them.

A pastor must have a high view of personal responsibility for Christians. While a difficult job may make coming home and caring for a wife more of a challenge for certain men than others, the Holy Spirit empowers God's people to obey Him even when it is difficult. "No temptation has overtaken you but such as is common to man; and God is faithful, who will not allow you to be tempted beyond what you are able, but with the temptation will provide the way of escape also, so that you will be able to endure it" (I Corinthians 10:13). I will address later a few abnormal situations where such excuses might hold some legitimacy.

The Bible is full of people who were products of terrible environments, yet they were always responsible for their sins. When Paul used the phrase "and such were some of you" in I Corinthians 6:11, he included those who came from less-than-ideal home environments. But the Scriptures assume that the gospel would free them from continuing to be dominated by the sins of their past.

Thus a minister must approach the failing marriage of two professing Christians with the conviction that the inability to offer genuine love to a spouse is a willful choice, not a result of outside or uncontrollable circumstances. We have all known Christians who were victims of terrible tragedies and abuse who also love other people with genuine Christian love while still dealing with the harmful effects of their own past. Genuine Christ-like love is always weak and imperfect in this life, but for believers it is a promise because it is a fruit of the Holy Spirit. When a Christian quenches the Holy Spirit, he is personally and willfully responsible for doing so, and no outside force or dominant inward disposition against his will is responsible.

A pastor should confront the person failing to love by accepting no excuses, but seeking genuine repentance in which the person confesses from a sense of personal responsibility. How often I have heard a wife exclaim, "I just want him to stop justifying his behavior and be genuinely sorry for how he treats me!" This type of repentance, the only repentance that is genuine, is what ministers should expect from professing Christians who are failing to love the spouse God gave them.

Pastoral Counseling Versus Marriage Counseling

A minister should not really offer marriage counseling. He should give pastoral counseling. There is a crucial distinction between the two. Marriage counseling helps couples recognize and resolve conflicts to improve their relationship. Pastoral counseling is spiritual in nature: its goal in dealing with sin is repentance, restoration, and further sanctification of the person before God. The pastor's purpose in counseling is always related to the person's relationship with God. I Timothy 1:5 states, "But the goal of our instruction is love from a pure heart and a good conscience and a sincere faith."

Pastors are not necessarily qualified to be marriage counselors. Marriage counseling focuses on the horizontal aspect of the relationship and tries to help people improve upon it. Non-Christian counselors can offer skills and advice that can improve relationships on the horizontal level. Pastoral counseling deals rather with the vertical aspect of an individual's relationship with God.

Our hope as pastors of course is that the result of our admonition to repentance will be a restoration of human relationships. Yet dealing with a person's sin will not necessarily help marriages improve. It might actually add more tension to a marriage.

Some ministers, when their intervention results in a couple holding off divorce, consider their ministry to the couple a success, when in fact they have not really dealt with the sinful heart problem in one or both parties' relationship with God. Other ministers may consider themselves a failure when their intervention only stirs up more tension in a marriage. In actuality, the latter minister may have been faithful to his calling, regardless of the results in the marriage.

Biblical Hardening

Another important theological conviction for pastoral marriage counseling is the doctrine of hardening. There are constant warnings in Scripture to those who regularly hear the gospel not to harden their hearts, as well as warnings of the consequences for doing so. In the Book of Hebrews alone, we see the following warnings:

3:7-8 Therefore, just as the Holy Spirit says, "Today if you hear His voice, do not harden your hearts as when they provoked Me...."

3:12 Take care, brethren, that there not be in any one of you an evil, unbelieving heart that falls away from the living God.

3:15 As has just been said: “Today, if you hear His voice, do not harden your hearts as you did in the rebellion.”

6:4-6 For in the case of those who have once been enlightened and have tasted of the heavenly gift and have been made partakers of the Holy Spirit, and have tasted the good word of God and the powers of the age to come, and then have fallen away, it is impossible to renew them again to repentance, since they again crucify to themselves the Son of God and put Him to open shame.

10:26-27 For if we go on sinning willfully after receiving the knowledge of the truth, there no longer remains a sacrifice for sins, but a terrifying expectation of judgment and the fury of a fire which will consume the adversaries.

The gospel hardens false believers, as it sanctifies true believers. We see from the Scriptures above that there is a certain line that is crossed (though only God knows when that line is crossed) when a person who hears the gospel for years and professes to believe it, refuses to genuinely repent and believe. He slowly hardens his heart against the truth. There is a point where that line is crossed and his heart is hardened so that there is no salvation available to him, or as the writer to Hebrews states, “It is impossible to renew them again to repentance.” In the famous words of C. H. Spurgeon, “Nothing hardens like the gospel when it is long trifled with” (Online Sermons).

This means that when a pastor approaches a situation where a man has professed the faith for many years but has treated his wife poorly and only used her for his own needs, it is very possible that he has already crossed that line and is beyond repentance. It is not that ministers should assume the worst about a professing Christian – only that the pastor should have his eyes open to the possibility that confronting the husband will not bring about repentance. The divorces I have witnessed in the church usually involve a man who refused to take responsibility for his actions and genuinely repent to God and his wife, thus hardening his heart to the call of God for repentance and faith.

A common cliché as it concerns marriage is that it takes two to ruin a marriage. While it certainly takes two to make a marriage work, it is not theologically accurate to say that it takes two to destroy a marriage. It only takes one. Matthew's divorce passage assumes that someone in the marriage possesses a hardened heart. It does not assume that of both parties. For example, if a man commits adultery, it is very dangerous to suggest that it must automatically be the wife's fault as well, because it takes two to ruin a marriage. A man can certainly cheat on a good wife. So if one spouse has hardened his heart against God, it is destructive to lay guilt upon the other party simply because the marriage is failing.

A Theology of Divorce

This brings us to my final theological conviction that guides my pastoral marriage counseling and concerns my interpretation of Matthew 5:31-32 as presented in this book. With the conviction that the divorce exception passage does not provide a legal guide as to which sins committed allow for divorce, the possibility of divorce should always remain on the table for professing Christians.

Pastors cannot bind the conscience where Scripture is silent. If my interpretation of the Scriptures on divorce is correct, the innocent party may feel, after years of enduring cruelty and indifference, that she cannot emotionally live with her husband anymore, and there is no specific Scripture forbidding her to seek a divorce. Divorce should normally be a last-resort option, simply because we know divorce does not live up to God's ideal for marriage. But I assert that it must be an option that is left on the table for the following reason:

If, as a pastoral counselor, you take divorce off the table from the onset, you immediately take all the power out of the innocent party's hands. The guilty party knows that there will be no serious consequences even if he continues in his behavior. The threat of divorce is often the only accountability power an innocent party possesses. Telling her husband that if he doesn't change, the consequences of his sin could end the marriage relationship may be her final chance to mend the marriage.

With the possibility of divorce on the table, the following scenario may help as I demonstrate how I approach a troubled marriage in the church, beginning with my initial assessment of the situation.

The Initial Assessment

You did not expect the phone call: "Pastor, I can't take it anymore. Nothing ever changes. Last night, I told my husband I was going to live with my best friend in Seattle because I need a break from him. He never has really cared for my needs, and he only lives for himself. He talks a good game at church, but I never see his Christianity lived out at home. I've waited twenty-five years to see change, but I'm

tired of his empty promises and cruelty toward me. I think I will have a nervous breakdown if I do not get away from all this.”

It is time to sit down with the couple. Your first pastoral visit to see the couple should be to make an initial assessment of the situation. It is important not to make any snap judgments of fault, or attempt to provide quick solutions to what ails the marriage. There are many years of history behind any failing marriage, and rarely can a pastor uncover the full history in the initial assessment.

I always make sure if there are children in the home that the children are not present or within earshot of the conversation. I usually do not want children, or even teenagers, to be a part of my discussions with the spouses, regardless of their insights.

On this first visit, pastors must be careful not to promise confidentiality, something that people in these situations often request. Ministers, at least in the Presbyterian system I am a part of, work as a team with the session of elders in the church. It is wrong for pastors to promise to keep things from the session concerning sin committed by members of the church. I usually respond to such a request by saying, "I cannot promise confidentiality; I only ask you to trust that if I choose to share anything said today, it will be with the appropriate people for appropriate reasons." I have never had anyone refuse to speak after affirming this.

Always begin the meeting with prayer, asking God (among other things) to be glorified, the two parties sanctified, and the marriage healed. Then ask them each to tell their story. Be sure to ask them to start at the beginning, from when they met until when the troubles began. Attempt to obtain as broad of an historical perspective as possible on the whole marriage from each person. If one partner interrupts to correct the other, I politely ask him/her to refrain from interrupting and allow the other partner to speak unhindered.

You will likely receive different versions of the problems in their marriage. The wife might complain about the husband's insensitivity to her needs, while the husband might complain about the wife not understanding the burdensome difficulties of his job; he ignores her and gives more attention and care to other women in the church, she nags him too much and other women seem to respect him more than she does; from her perspective, he pressures her to have sex regularly, but from his perspective, she doesn't care about his physical needs. The wise pastor should simply listen and control the impulse to quickly offer advice or assume guilt or innocence.

As the pastor assesses the situation, he must also avoid jumping to conclusions based on personalities. For example, I have dealt with many cases where the wife was angry, accusatory, and unpleasant in the initial visit, while the husband was calm, gentle, and willing to admit his weaknesses. It would be easy in such situations to assume that the woman's powerful and domineering personality is the problem, but it would be a mistake to assume this. It may be that her husband's calm demeanor betrays a lack of caring about his wife or the seriousness of the problem. His openness in admitting his weaknesses may simply be manipulation. Often the guilty party admits to just enough to appear humble without truly repenting of a cold heart toward the other party. The wife's accusatory and violent mannerism could reveal her exasperation after years of being treated poorly and covering it up before others. It can take years for the victim in a marriage to gain the courage to speak the truth to others. When she finally is able to be bold, often she cannot control her emotions, so a pastor must be careful to allow each party to express themselves without premature judgment.

Again, in the assessment it is important to remember that the pastor is not a certified marriage counselor or a psychologist. It is not his calling or expertise to ascertain the root causes of why people are the way they are, nor is it his calling to give practical advice on having a good sex life, how to fight fair, or how to budget your money. If the couple needs help in those areas, you could certainly refer them to the appropriate support. You are there to ascertain the sin that is causing the marriage to fail and needs to be confronted, and to call the appropriate person(s) to repentance.

The pastor must also avoid the generalization that we are all sinners and should learn to live with each other's weaknesses. While this sentiment is true, when a marriage between two professing Christians is failing to the point where there is little love left between them, and at least one party is ready to leave the other, there is more involved than simply the weaknesses that all believers possess. If the Holy Spirit in the New Covenant grants God's people the power and desire to remain married and love one another with Christ-like love, even with attended weaknesses, then a failure to do so reveals that something much more sinful is occurring than simply weakness.

Referrals

I always remind young ministers to avoid being resistant to referring out for help in these problem marriage situations. Excuses from the one failing to love his/her spouse because of how he/she is wired, or how he/she is psychologically predisposed, are usually just that: excuses. These excuses do not explain the inability to fulfill marital obligations – an ability that God promises to all of His redeemed children. However, given the nature of living in a fallen world and the complicated connection between soul and body, if I am offered such excuses, I always suggest the person get evaluated by a clinical professional, just to be safe.

For example, I have known men who suggest that they are mean to their wives and regularly ignore their needs because the men themselves suffer from depression. While I explain that depression is not an excuse for a man to treat his wife poorly, I also encourage the him to get evaluated for clinical depression by a professional. The same would apply to anyone showing signs of a bipolar condition, or a soldier who blames his inability to treat his wife kindly on his post-traumatic stress disorder (PTSD). If a Christian suggests he possesses constant negative feelings toward his spouse for no understandable reason, I ask him if he has received a physical exam to see if there is anything wrong with him that he may not be aware of.

Pastors should make these referrals for two reasons. One, the excuses in certain unique cases may actually have some legitimacy. If a woman has a bipolar condition and has never been put on proper medication, her condition can certainly influence her ability to love her husband well. An aspect of following the Apostle's injunction to "believe all things" (I Corinthians 13:7) is to hold out the possibility that the excuses could possibly be true, while also avoiding the naiveté which forgets that hardhearted professing Christians normally make excuses for their sin.

Secondly, though the laws vary from state to state, a pastor must protect himself, his family, and his church/denomination in avoiding potential lawsuits. For example, if the pastor asserts that the problem is not depression, but willful sin, yet the person actually suffers from clinical depression and later takes his life during a bout of depression, a relative could easily file a lawsuit against a minister or his church. Whether such a suit would be successful under current laws is not the issue; it is

irresponsible for pastors to ignore all possible means for those under their spiritual care to receive help.

And if the couple wants to seek a professional marriage counselor, I would never discourage them. My job as a minister does not end simply because they have begun to receive outside counseling. Since very serious accusations of sin were made at my initial assessment, and I cannot relinquish my responsibility as a shepherd of their souls to an outside party, I must therefore continue to help them deal with those accusations and their responsibilities to each other.

Ending the Assessment

As that initial visit closes, I remind and encourage them on a few matters. I ask them if they can hold off on any decisions of separation or divorce, if for no other reason than the Bible teaches that God's ideal for marriage is a lifelong commitment unto death. If there is any way, with God's help, that we can reach that ideal through my involvement with their situation, then that should be our goal.

I then set up a second visit with them, explaining that this process will take time. I exhort them not to use anything said in this meeting against the other person after I leave. I remind them that if they are interested in glorifying God in this, He has given commands to obey, whether or not they genuinely feel marital love for each other as husband and wife at the moment. They should be reminded of commands such as "be kind to one another" (Ephesians 4:32) and "let your speech always be gracious" (Colossians 4:6).

I usually close in prayer, asking God not only to restore the marriage, but also to bring to light what needs to be brought to light so that His people would be protected and sanctified.

Finally, it is important for ministers to remember that what they hear on this initial visit is usually just the tip of the iceberg. The more embarrassing and heinous aspects of the sins that are destroying the marriage are not usually shared immediately. The innocent spouse has learned to keep such things secret for so long that it will take time and trust to fully reveal them to his/her pastor.

The Counseling

As I stated previously, I do not always like the word “counseling” when it comes to pastoral ministry. The word in our day is more likened to “coaching” in meaning. As a baseball coach instructs his players on how to hit, bunt, swing, and play defense, a marriage counselor instructs couples on how to communicate, argue, set aside date nights, or budget their money.

A minister of the gospel is not a counselor in that sense. There are others in the world, even unbelievers, who are better qualified than ministers in these areas, and there is nothing wrong with ministers referring to these helps when a couple in the church needs that kind of expertise. Ministers are preachers and teachers of the kingdom of heaven. They are called to explain the gospel of God’s kingdom to the lost and build up His redeemed people through the Word of Christ, that they may glorify their Father in heaven through repentance, faith, and obedience. With this definition in place, I will continue to use the word “counseling,” as it is such a common part of our modern evangelical vocabulary.

Since I have laid out my general strategy and philosophy for an initial visit with a couple in the church whose marriage is on the brink of collapsing, I will now explain my approach to addressing their situation during subsequent visits with the couple. Remember, as a pastor, you are entering a minefield when attempting to counsel failing marriages. There are normally many years of abuse, lies, perversity, and pain involved. A pastor needs to tread carefully in these waters, confident not in his own wisdom, but in the truths of Scripture and the power of God to change hearts. It is also important not to handle this volatile marriage situation as a lone wolf. Make sure an elder from your church goes with you on these visits, or at least keep your leadership abreast of what is being communicated.

As I have said, pastors often mistake the fact that since one or both of the spouses have shared revealing information about their marriage in the initial visit, he now has all the information he needs to assess the situation. I find that is rarely the case. Since the victim of hardheartedness in a marriage tends to keep silent about the truth concerning their partner for years, it is unlikely that the victim has given the pastor a complete picture, especially in the presence of his/her spouse.

On the second visit, I usually begin to inquire even more about the problems in the marriage, reminding them that in order to know how to admonish correctly, I need as much information as possible and there can be no purposeful hiding of facts. I ask each spouse about specific sins he/she would like to see their partner repent of. I ask each spouse questions about regrets, such as: “What have you done to/for/with your spouse that you regret doing, or wish that your spouse had not made you do?” I keep probing and ask each spouse about specific bad memories they may have of mistreatment from the other spouse.

Often on this second visit, I discover much more about the real issues than I did in the initial visit. For example, I may learn about the husband’s drinking problem or about sexual pressure. I learn about porn issues. I learn about the husband forcing the wife to do all the difficult work in the backyard while he watches television for hours. I learn about the wife’s unusually close relationship with another man at her place of employment. While listening to their answers, I also look for excuses. Excuses for sinful behavior are a sure sign of a disingenuous person. A genuine Christian eventually takes ownership of his sins.

Mutual Repentance

While I do not hold to the adage that it takes two to destroy a marriage, I always seek repentance from both spouses, even if I suspect one may be the innocent party. Surely we are not venturing into dangerous waters by seeking repentance from all those God has given us charge over. It is simply unfair to the spouse suspected as being the guilty party if I give the other party the complete benefit of the doubt, especially before allowing the full process to play out and giving both parties opportunities to deal with their own sins.

I ask both parties what they need to repent of to enable them to be more Christ-like husbands and wives. I read to them appropriate verses from the Bible on marriage and verses concerning the negative character issues that have been revealed to me. I always remind them of God’s forgiveness in Christ: that God loves to forgive all who call upon Him, trusting in His Son’s work on the cross for their sins. I pray in

their presence that God would grant them each the grace of repentance and strength so that each may glorify Christ in their marriage relationship.

This call for mutual repentance is fraught with danger if not qualified. If there is an innocent party suffering under a hardhearted spouse, as there usually is, the innocent party can walk away from that second meeting feeling despondent and hopeless. After all, her pastor has just informed her that the marriage problems she is suffering under have resulted from the faults of both parties. Now that the husband has agreed (for the thousandth time) to change, she fears that things will go back to the way they were, leaving her no more recourse. For this reason, I usually continue by saying, “Because I seek mutual repentance from each of you, I do not mean that there is not a guilty party with a hardened heart, or an innocent party who has not hardened his/her heart. We are only beginning with mutual repentance; there is more work to be done here. The point is, if you are an innocent party, you will want to look back with a clear conscience on our discussions and know that you did all you could do on your part before God to make this marriage work.”

After this second meeting, I arrange to meet with each party separately. In this way, I can garner more information and call them individually to repentance. I make sure to bring my wife along when I meet with the woman. A pastor should never meet alone with a woman whose marriage is falling apart, for obvious reasons.

The Death of Marital Love

Discerning whether or not marital love has died is a hard call for any minister giving this type of spiritual counseling to married couples in his flock. There is often a misperception among ministers that the feelings of marital love can always be re-kindled, but there is no biblical promise to this regard. We know that the Holy Spirit supernaturally gives Christian love, and thus Christian love cannot be extinguished in a genuine believer. But marital love and Christian love are not identical.

For example, I may have had a best friend with whom I went into business. Perhaps I found out that my friend had been stealing money from me for years and did much damage to my family and me as a result. Even if my friend did repent, the damage might have been so great that we could never be best friends, or work

together, again. The friendship and business partnership we had before are over. My Christian love for him would remain, but it would show itself differently – maybe in prayer for his soul, or in choosing not to return evil with evil. But the relationship we enjoyed previously would have been destroyed.

I have heard many Christian wives tell me that after years of emotional abuse, and year after year of loving their husbands and hoping for the best, the marital love for their husbands died. These women do not necessarily mean that they hate their husbands now, but only that the marital passion and love they held onto for years had completely disappeared. Even with repentance offered from those husbands, women who have been hurt in certain ways could never emotionally give themselves to their husbands in that way again.

If a woman/man has been mistreated long enough, her/his humanity and dignity as a person is taken away. One can normally take this type of dehumanization only for so long until, emotionally, one cannot take it anymore. Pastors need to discern whether the hardhearted spouse has killed marital love in the other spouse, or if there is still hope in rekindling that love. A certain type of disgust can even form in the innocent party with respect to the other party – a disgust born out of seeing some very vile and perverted behavior. If the guilty party does not repent, that disgust can make it very difficult to live under the same roof with a hardhearted, yet professing, Christian.

On the other hand, there are certain Christian women with incredibly resilient personalities who can remain married to the worst of men. Abigail seems like such a woman, with a fool for a husband (I Samuel 25). This is why, apart from physical danger or illegal activity, pastors should never encourage divorce – only support it if absolutely necessary. There are some women who will simply choose to remain with their husbands no matter how they are treated. Most women, in my experience, are not so resilient, and they have a breaking point where they cannot take the emotional abuse and neglect any longer. Pastors must respect the different ways the Lord has made people and not force them into a mold of their own making.

There is one more important point to make concerning counseling troubled marriages: the pastor must be very careful to protect the innocent party. Once the wife has exposed her hardhearted husband to the pastor, the husband's anger can build as if he

is suddenly a cornered animal. He may begin to threaten his wife, pressure her, or manipulate her into remaining silent and accepting his supposed changes and false repentance. For this reason, the pastor must check in frequently with both parties to see how things are going.

The Final Stages

In the majority of cases in which I have provided spiritual counseling, the call for mutual repentance does not resolve the issue of a failing marriage. Simply put, a spouse who has hardened his/her heart for years against the gospel rarely repents. If anything, the exposure of sin and the call for repentance will harden that person's heart even more. Thus it will not be long before I receive a call from the innocent party, saying that nothing has really changed in the relationship and divorce is now on this person's mind more than ever. Emotionally drained and worried about how to maintain their mental and emotional health if they stay in such a situation, they desperately want to end the marriage.

By this time, the pastor should have a good idea of who the guilty party is that is destroying the marriage relationship. Remember, the innocent party is not innocent in the sense that she has no issues to deal with or weaknesses to improve upon. The innocent party is the genuine Christian who desires to glorify God in the marriage. The guilty party only cares about his own needs, and his profession of faith is proving to be hypocritical.

Now that things are spiraling toward divorce, it is time for the pastor to meet with the couple and lay everything on the table. Believing that divorce for a Christian is not limited only to acts of adultery or desertion by the spouse, I warn the guilty party that his behavior and cold heart may eventually destroy his marriage. I warn him that he cannot find security behind a faulty interpretation of Matthew 5:31-32, falsely assured that no matter what he does, his wife cannot leave him. He needs to know that his attitudes and actions are moving toward very serious consequences, including divorce. And even more, I warn him of the danger of hardening his heart against God and professing God's name without truly believing.

What about Separation?

If the innocent party in the failing marriage informs me that all she needs is a break from her husband, I usually take her word for it. Normally I recommend separation before divorce, not only because divorce should be a last resort, but also because God is long-suffering, so the guilty party should have one final chance to repent. Separation, in a sense, is the demonstration that this behavior will not be tolerated any longer and he needs to change; the damage he has done is severe enough to have caused his wife to need to get away from him for a time, simply to care for herself.

At this point, the pastor has to proceed very carefully. I always recommend if the woman is determined to separate for a time that she consults a lawyer first. If the separation proceeds to divorce, the woman can make a mistake that might hinder her chances of receiving proper support for herself and her children (if applicable).

Each state (or nation) has different laws pertaining to separation and divorce. Some states are nonseparation states – thus the state does not recognize separation as a legal category. Other states recognize separation and provide legal protections for those separating. If there are children in the home, a separation needs to take into consideration issues pertaining to the welfare of the children: with whom will they stay, who will take them to school, how will they be provided for, etc.

The final decision to separate is up to the innocent party, not up to the pastor or church leaders. The pastor should not violate the innocent party's conscience in this matter. She knows how much she can bear more than the pastor does. Even if the pastor is convinced that the wife has sincerely tried to maintain the marriage and glorify God, it is not for him to judge her heart with regard to her need to get away for a time.

Separation provides the guilty party with a final chance to demonstrate his love for God and his spouse. In separation, the innocent party is, in effect, saying to the guilty party, "Enough talk. If you truly love God, and me, you will do what it takes to get right with God and win me back." This final call for repentance must come with specific conditions. John the Baptist warned the Pharisees who feigned repentance, "Bear fruit in keeping with repentance" (Matthew 3:8). The wife must provide her

husband with specifics or the call to repentance might seem too difficult a goal to fulfill. For example, if she only states, “I want you to love me more than you love your job,” how does a man measure whether he is doing that when his wife does not give him specifics as to how that might look to her?

For example, if a man has a drinking problem, the wife can legitimately demand he complete a rehab program to prove his love for her. If he is more concerned with the cost of rehab or how rehab would negatively affect his image, then he would be demonstrating that he does not really love his wife at all, since money or image is more important to him than she is. If he is addicted to porn, she can demand that he get counseling and block his computer at home and work. She can demand that he meet regularly with the pastor for more intense discipleship. The pastor can then give him a biblical perspective on what genuine repentance will look like.

It is vital to allow others besides the guilty party to determine genuine repentance. For example, the woman should be able to consult the rehab counselor and pastor for verification that genuine change is taking place, so that she is not at the mercy of a man who has made multiple promises of change over the years without fulfilling those promises.

Those with a stricter interpretation of the divorce exception passages often worry that separation almost always leads to divorce – so by the pastor allowing separation, they believe he is actually encouraging divorce. I would respond that forcing couples to remain under the same roof as tensions are intensifying is often the greater of two evils. Much harm has resulted from such pressure-cooked situations. And we must remember the difference between advising separation and supporting it. If the innocent spouse informs me she needs a break, I can support it without advising it.

As to the fact that separation usually leads to divorce, I grant that point most of the time. The reason for this, however, is not that the divorce was caused by the separation. The divorce was caused by the sin in the evil heart of one of the partners. In a sense, separation is a powerful winnowing fork that separates the truth from the lies. It enables the innocent party to have a clear opportunity to know whether the guilty party truly loves her or not. As American journalist Helen Rowland wrote,

“When two people decide to get a divorce, it isn’t a sign that they ‘don’t understand’ one another, but a sign that they have, at last, begun to” (Rowland 1922: 74).

I have also known some couples who have reconciled after a separation because it took drastic action from the wife to wake the husband up to the damage that his sins and attitude had caused. In those cases, the separation resulted in genuine repentance and demonstrated that the spouse who was confronted had a redeemed heart.

Heading for Divorce

It’s the final phone call. “Pastor, I’m filing for divorce. My husband has not changed. If anything, he’s gotten worse. Though our children are grown and living on their own, he has been seeking to turn them against me by blaming me for the separation. He told them that if I were a sincere Christian, I would never go against God and separate. I’m done. I can’t go back and live with that man. When I’m around him I just want to die and be done with it. I am ready to move on and provide a life for myself without him if possible.”

My conviction of the true meaning of Matthew’s divorce exception clause allows me to offer pastoral counsel to the wife without violating the freedom of her conscience. I usually ask such questions as: “Are you sure about this? Do you want to give it more time? Have you consulted a lawyer to protect your financial interests if you should make this decision?” Or, if applicable, “Have you informed the children?”

After this last communication, it is now incumbent upon me to inform the church leadership team of the wife’s decision. It is assumed I have kept them abreast of the situation to this point. It is also the proper time to offer the leadership team my final assessment of the situation. I inform the elders that after much interaction with the couple and many calls to repentance, the husband has proven himself to possess a hardened heart, and has responded to neither mine nor his wife’s pleas for repentance in order for God to be glorified and for the marriage to work. I remind the elders again that the innocent party seeking a divorce has demonstrated a genuine Christian faith as well as a desire to love her husband, but as she sees no repentance, she feels she cannot live with his cruelty and emotional abuse any longer. I remind them that we

need to minister to and support the wife as she goes through every step of this difficult process.

Church Discipline

A misunderstanding of my view of the Matthew 5 passage is that it essentially leaves church authority toothless in stopping a divorce. However, church authority is mandated to watch over their members' souls and spiritual lives. Church authority cannot control all decisions spouses may make concerning divorce, but church authority can directly address spiritual hypocrisy – i.e., the lack of repentance in the life of a church member. And if a member of the church has demonstrated a desire to serve the Lord but emotionally has no strength left to live with a hardhearted spouse, and she has sought help before making her decision, the elders have no grounds on which to declare her an unrepentant professor of the faith simply because she decided to file for divorce.

Once a decision to file for divorce has been made, the church leadership has an important role to play in the couple's lives. First, the elders will need to make an announcement to the congregation to protect the innocent party. The announcement should wait at least until the papers have officially been filed and received by the other party. The elders might even wait until the other party responds to the divorce papers. Given the fact that this married couple in the church will be living apart, and thus it is not a private sin, something will need to be announced to the congregation.

This announcement not only protects the innocent party from gossip and faulty assumptions, it protects the church leadership from accusations of ignoring the sheep. The church family needs to be assured that the church leadership has been involved with this couple in seeking repentance and reconciliation, and that further action is being considered. Church discipline also protects the integrity of the gospel.

There are a number of methods church authority has utilized in dealing with divorce. The first, and one I obviously reject, is to automatically place under church discipline the one who filed for divorce. For reasons already stated, this is unacceptable. The Lord holds responsible the cold-hearted person who failed to honor

his marriage vows and thus destroyed the marriage relationship, and that is not necessarily the one who legally files for divorce.

Another method often followed is to not to discipline anyone at all. This is also unacceptable. Our Lord laid out in Matthew 18:15-18 the process of church discipline He commanded His people to follow. An unrepentant church member must be confronted, then confronted again with a church officer, and finally, after no demonstration of genuine repentance as called for by the elders of the church, he/she must be “treated as a tax collector” (i.e., declared by the church to be an unbeliever – otherwise known as excommunication). While only God knows the heart perfectly, the church’s declaration makes official that the guilty party’s life is incompatible with his Christian profession. Of course, this discipline process is a long one, and it actually began at the first few meetings when the minister began confronting the guilty party and sought repentance.

Since God is long-suffering, church leaders should be patient with the guilty party and give him much time to demonstrate repentance. But if the one who destroyed the marriage remains unrepentant, excommunication must eventually be pronounced in obedience to our Lord. This discipline is not pronounced only to wake up the false professor and protect the innocent party, but also to protect the teaching of the gospel – that God, through the gospel, gives new hearts to His redeemed people; hearts that can genuinely obey His commands, however imperfectly.

Children

Children are seldom mentioned in biblical passages on divorce. In fact, there is no mention of children in the major passages on divorce, such as Deuteronomy 24:1-4, Matthew 5:31-32, 19:3-12, Mark 10:1-12, John 4:13-18, and I Corinthians 7:1-40.

While Christians often assume that children are always better off with two parents in the home instead of one, there is no biblical evidence for such an assertion. Married partners who argue and treat each other poorly can cause just as much psychological and emotional damage to children as those who divorce. In my experience, the children suffer less when the tension in the home ends and divorced couples learn to treat each other with civility.

It is incumbent upon the pastor to exhort the divorced parents to be amicable and civil to each other, especially in front of their children. And unless information directly affects the life and well-being of the child, pastors should warn the divorced parents never to criticize or slander the other parent in front of the child. Parents should never use their children as pawns in order to make the other parent look bad, or to make him or herself look good. The pastor should assure the children (assuming they are members of the church) of God's love for them, as well as the church's love for them, and confirm that they are not responsible for the breakdown of their parents' marriage relationship (as some children falsely assume).

Conclusion

Not only is divorce ugly, but also the sin leading up to divorce is ugly. Fallen human nature is ugly. Pastors need to be careful not to consider themselves failures if their pastoral counseling efforts do not result in a saved marriage. Marriages are destroyed from the inside, not the outside. Yes, pastors will make mistakes. They will jump the gun with faulty assumptions, and at times offer faulty advice. However, a pastor can- not really destroy or save a marriage. He can only communicate God's truth from the Scriptures, loving and rebuking the couple with compassion.

Though there is a certain emotional investment a pastor makes when entering into the life of a dying marriage, there is a sense in which the pastor must avoid becoming so emotionally involved that he fails to trust God to bring about repentance – or to fur- ther the hardening process, if God sees fit. A pastor can avoid unnecessary guilt in as- sessing his pastoral abilities by remembering the biblical doctrine of personal respon- sibility. It was the guilty party who broke his marriage vows to love his spouse, and in doing so also abrogated his responsibility before God that resulted in a failed mar- riage.

When young pastors feel overwhelmed in the quagmire of trying to deal with matters related to a failing marriage in the church, they must get help and talk to others. These burdens are often too large to carry alone. If God can use my experiences and the strategy recounted above to aid in this difficult matter of pastoral counseling to troubled marriages, then I would be very grateful.

CHAPTER 6

SUMMARY

Divorce is the epitome of our fallen state. Because of our father Adam's sin, all of mankind is alienated from God and from one another. Only God can graciously repair the ugliness of sin through the gospel of Jesus Christ. The marriage vows pledged between today's Christian men and women need the same grace that Adam and Eve needed after their fall into sin.

Living in a fallen world and ministering to Christians still struggling with sin, as well as dealing with false professors within the pale of our churches, we know that divorces will always plague us until the Lord returns and makes all things new. Just as it is incumbent upon gospel ministers to study the Scriptures carefully as to what the Bible does and does not say concerning marriage and divorce, it is also incumbent upon pastors to approach the fallen state of people with compassion and understanding, yet with confidence in the truths of the gospel.

Dealing with divorce among God's people is messy and difficult. While a spouse might commit sins that are obvious and heinous, so as to make divorce seem like the only option, in most cases it is not so clear-cut. Pastors must also remember that psychological and emotional abuse can do just as much damage to people as physical abuse. If we have never experienced such daily treatment from a spouse, we must be

careful not to jump to conclusions and judge a spouse's pleas for escape as being merely self-serving.

The struggling we all undergo in our marriages should teach us to be compassion-ate as we deal with sinful human hearts that are contemplating divorce. At the same time, we as pastors should cling to the clear teaching of Scripture to guide and give hope to people caught in the consequences of their sins. To that end, I have attempted to offer an alternative understanding of Matthew 5:31-32 that does justice to the redemptive-historical setting of the Sermon on the Mount. I have argued that in the Sermon, Jesus appears as the new and better Moses, illuminating the glory of the New Covenant in contrast to the Old. Unlike the giving of the Law, accompanied by terrifying signs whereby God distanced Himself from sinners lest they die, Jesus offers grace in the Sermon and draws physically near to sinners. His grace for sinners will result in devoted and obedient lives as God's Spirit is poured out upon His New Covenant people.

The six antitheses in Matthew 5 highlight the temporary glory and insufficiency of the Old Testament theocracy as set in stark contrast to the heightened sufficiency and permanent glory of the New Covenant kingdom of heaven. Here, Jesus is not simply correcting misunderstandings of the Old Testament Law, but revealing what changes His New Covenant people will undergo and what their character and behavior will be when the Holy Spirit is poured out upon them after their justification. They will begin to be merciful, long-suffering, loving to their brothers and sisters in Christ, loving to their enemies, and involved in fighting the temptations of lust and a vast array of sins.

I have also attempted to demonstrate that in the six antitheses of the Sermon in which our divorce passage is found, Jesus contrasts the glory of the heavenly kingdom that He is establishing to the earthly theocracy established in the Old Covenant. Negatively, God will judge sins in His heavenly court that the Mosaic Law and its courts did not punish under the old theocracy, such as inward hate and lust. If a professing Christian remains unrepentant in a state of hatred toward God's people, God will be his ultimate judge. On the positive side, this heavenly kingdom has dawned in the coming of Christ. In the kingdom, God's New Covenant people will be honest

from their hearts, so they will not need laws – nor the Mosaic system of oaths and vows – to enforce honesty.

I demonstrated that the Lord uses hyperbole to highlight the glory of His work in the lives of those He would redeem on the cross, and that His people would love righteousness from their hearts in such an intense way that they would figuratively cut off a hand rather than succumb to lust. This is a hyperbolic statement that exalts and encourages the work of the Spirit in His people.

When we come to our marriage and divorce passage, we can see that God's Spirit will enable His people to fulfill God's ideal for marriage, even while they struggle with sin and temptation. Through the love and faithfulness given by the Holy Spirit, His people will be enabled to fulfill their marriage commitments of life-long love. Husbands will be able to practice the type of sacrificial love that caused Christ to give His life for His church, and wives will be able to practice respect for their husbands.

However, as in the time of Moses, there will be those who profess the true religion but possess hardened hearts. They will not be renewed by the Holy Spirit and will thus live for themselves. As they continue to hear the gospel with no genuine response, their hardness will only progress into a worsened state. The Lord reveals in the Mosaic Law that His own heart is tender toward victims within marriages who have endured neglect and cruelty from hardhearted spouses who show them no love. The Lord, in His Law, provided escape for the innocent party in such a situation. I demonstrated that the New Covenant does not nullify this general principle, and that the Lord still offers married victims of cruelty an escape if they should desire it.

The famous divorce exception in Matthew 5:31-32 is both a warning to hypocrites and a further exaltation of the work of God's Spirit poured out in the New Covenant. Because the eschatological kingdom of heaven appeared with the advent of Christ, the Old Testament picture of the kingdom – the nation of Israel and her legal code – was being fulfilled and thus was ending. The shadow was giving way to the reality. This passage is a warning to those who will profess Christianity and, at the same time, justify the mistreatment of their spouse on the basis of the provisions for divorce that were stated in the Mosaic Law.

When Jesus refers to divorced wives committing adultery if they should remarry, He again makes His point through hyperbole that divorce can be wrong in God's eyes even if on earth it is legal according to Moses or the state. The point is not that the victim of a cruel husband is literally committing adultery if she has remarried after he divorced her, but that God will hold accountable the man who professed God's name and yet failed to fulfill his marriage obligations. The legal divorce holds no weight with God's high standards for marriage – the same standards that in the New Covenant consider hate (a sin of the heart) as being equal to having committed an actual act of murder.

We have also seen that the sexual immorality exception clause moves from a severe warning, as seen through Old Covenant eyes, to a clause that exalts the glory of God's grace in the power of the New Covenant. God's New Covenant people will be so committed to each other that only such a drastic sin as sexual immorality will destroy their marriages. Sexual immorality is used as an example of the type of sin that can destroy a marriage.

Thus Jesus is not offering new legislation on divorce to replace the old legislation; He is being descriptive rather than prescriptive. For this reason, we cannot look to these verses to show us what specific sins committed by a spouse will make it legal for the innocent party to seek a divorce.

We are always dependent on the power of the Holy Spirit and beholden to the truth contained in Scripture to give spiritual counseling to failing marriages. As the New Covenant interprets the Old Covenant, and the clear passages interpret the cloudy ones, we seek God's guidance and offer it to others. Since a lifelong marriage of love is God's ideal for us, Christian spouses should be encouraged to seek that ideal. Pastors should never recommend divorce. The state may recommend divorce for safety reasons of course. God's ideal, however, is not always realized in a fallen world. In a marriage that is unequally yoked, a sincere believer united to a hardened professing Christian may be doomed to fail.

Recommendations

I would recommend pastors and church leaders take the following actions to give spiritual help to members of their particular churches. These general principles based on God's Word can be gracious helps when dealing with the problem of divorce that is so prevalent, even in the body of Christ.

1. Study Scripture.

In my experience, many pastors, instead of carefully investigating what the Bible teaches on divorce, have simply assumed they know what it says based solely upon the traditional presuppositions of their particular ecclesiastical tradition. By studying the context of Matthew's divorce exception passage and considering that passage in light of the context of the entire Bible, one can better understand specific passages without taking them out of context or misunderstanding their intent.

Such study will lead to firm convictions from the Bible on the doctrines of justification and sanctification. One might ask questions such as: How does the doctrine of sanctification determine the way believers are counseled? What is expected of Christians who have been filled with the Holy Spirit? How will they still struggle with sin? How does your understanding of these doctrines affect your response to a husband's excuses for not loving his wife, or a wife's excuses for not honoring her husband? Ultimately, a pastor's counseling will always be determined by his understanding of what the Scriptures teach on these matters.

2. Read divorce literature

Read about the various aspects of divorce so that you will have a better understanding of what people are going through, especially if you have never experienced a divorce yourself. Pastors can grow in their sensitivity and wisdom by not only understanding the Bible, but also by understanding the experiences people have when suffering through a divorce. Read books on depression, as well as books about other results of a poor or failing marriage. Books on addiction to prescription drugs and alcohol are important also. Knowing about these issues may give you a better understanding of, and sympathy for, why people act the way they do.

3. Seek outside help

Consult experienced pastors to get counsel on handling troubled marriages. Young pastors straight out of seminary are often tempted to prove that they can handle difficult cases on their own simply because they have a knowledge of the Bible. Young pastors should listen to advice from more experienced pastors as they work through marriage issues with their members. One word of caution or wisdom from an experienced pastor can make quite a difference in how the parties seeking the young pastor's counsel will respond to his ministry.

4. Use referrals

Pastors are too often tempted to be (or expected to be) a jack-of-all-trades when it comes to marriage issues. They are not. Have referrals ready to help in areas of life not directly addressed by Scripture. For financial and budgeting problems in a marriage, refer to those in your congregation who might be gifted in this area and would be willing to help. Be ready to recommend a competent sex therapist if that should be the issue. Find a marriage counseling organization you can trust, in case the couple should desire professional counseling. Research a good physician and a psychologist for assessments if necessary. Be willing to delegate responsibility to your other officers and church members in any area that they might be able to help, if the couple is willing to receive such help. Remember, God does not gift pastors and elders to solve every problem.

5. Understand divorce laws

It is very important that pastors not make any recommendations that could hinder the victim's ability in a legal conflict to be provided for or to retain custody of any children. If a wife asks your opinion on moving into her sister's home for a few weeks to get a break from the heightened tensions in the home, you should be aware of your state's laws on separation and divorce. For example, if there are children in the home and the wife leaves her husband to live elsewhere, the husband might subsequently file for divorce. I have seen cases in which the courts consider a wife

leaving her children for only a week as abandonment, affecting the custody decision later on. It is better to do your homework, as far as you are able, to protect yourself and the person you are counseling.

Be very careful in suggesting that the couple handle their divorce without involving lawyers, as if it is sinful to use lawyers. It is very easy for the one with the money to manipulate in such a situation, as the courts might demand that the breadwinner provide much more support to the spouse than they might have agreed to on their own. And if children are involved, pastors should be careful not to interfere with the parents' ability to provide for their children's future through a proper legal process.

6. Recognize financial need

Be ready to provide financial assistance to the innocent party. Most churches have something akin to a diaconal fund to help their members with dire financial needs. Often the innocent party, many times the wife, feels overwhelmed if the husband wants to fight for custody or money through the courts. Our church usually offers to pay for an initial consultation with a good lawyer, and we try to be ready to help with the legal fees, if necessary. I have seen too many women lose out on support for themselves and their children because they were too overwhelmed by the initial legal fees and seemingly unending legal process to hire a competent lawyer who could fight for their legal rights. Churches can help protect the innocent party by guidance, as well as through financial aid. Through these expressions of Christ's love, she may not feel like she is fighting an uphill battle all alone.

7. Inform church officers

Your elders are not likely to have studied the issue of divorce in the way you have, so share with them the results of your biblical investigation, as well as how other pastors and leaders in church history have dealt with the difficult divorce cases among their members. Make sure that they are not holding onto naïve notions or cultural clichés about marriage and divorce. When I entered the ministry, a pastor once told me, "Remember, men are usually predisposed to side with the man over the

woman in a marital conflict.” Warn your men against such a temptation. In fact, taking sides before any counseling has occurred is harmful to the peaceful unity of the body of Christ and can easily prevent biblical imperatives from being heard and obeyed by both parties.

Much patience is needed to deal with these spiritual issues in the leadership meetings dealing with potential divorce in their church. Church can become overly concerned with the image of their church if they agree to support the one who files for divorce and not discipline her. Whether or not a particular church’s image might be damaged or whether others might misunderstand our views is not the issue. We cannot be responsible for the wrong thinking of observers. The first priority is the spiritual well-being of the couple. Remind the elders that official announcements and church discipline do have their place, but there is no rush. Taking things slowly is almost always the wisest course, barring unusual circumstances.

8. Pray

Praying throughout the entire process constantly reminds you that you do not have the power to change hearts. Pray that God would bring the appropriate parties to repentance, and pray for the protection of the innocent party. Pray that God would restrain you from ego, impatience, or anger that would hamper your effectiveness in working through this process.

Case Studies

In Chapter 1, I related the cases of “Barbara” and “Joanne.” Both were women I counseled with my understanding of Matthew’s divorce exception passage.

Barbara’s husband continued to bully her and degrade her privately, while still holding a position of leadership in his church and denying any mistreatment of his wife to his pastor. Their pastor instructed Barbara that she must submit to him since he was not being unfaithful to her with another woman. When she expressed her suicidal thoughts to me, I told her that if she were a member of my church, I would support her in whatever she felt she needed to do to survive, as well as support her

demands that he would truly repent before she would return home. Seeing no response after the separation, she eventually filed for divorce.

Two weeks later, Barbara received a letter in the mail from her church stating that she had been excommunicated, with no opportunity beforehand for her to meet with her elders and explain her actions. She began to attend our church as the divorce battle became ugly. Her husband was not only fighting for majority custody of their children, but seemed to want to provide as little financial help as possible for her. Barbara was not working at the time, and the court finally granted her majority custody of the children and a nice settlement. Barbara has since remarried and continues to serve the Lord.

Joanne moved to her parents' home in another state with her two children. During this time of separation, she gave her husband some clear ultimatums that needed to be met in order for her to live with him in Christian marriage. She demanded that he attend a rehab facility where he could begin to treat his alcoholism. She also demanded that he begin to pay off their extravagant debt, due to his involvement with a certain patriarchal society. She asked him to begin treating her less harshly and more gently. He refused all three demands. He continued to blame her lack of submission as the cause of their marriage's failure.

She filed for divorce and he fought for all the money he could get in the settlement. In the end, the courts granted her custody of the children and enough provision to live on. She had been greatly worried about the emotional well-being of her children, as she saw how the troubled marriage was beginning to affect them. I received a card a year later, thanking me for my support and giving me a good report on the well-being of her children.

I have also received a number of good reports from couples veering towards divorce that I counseled whose marriages are now strong and spiritually healthy. Not every case I have dealt with where divorce was desired by one party has ended in divorce. A few used a time of separation as an opportunity to call the guilty parties to repentance. And find some peace. In these cases, the guilty party changed his life so drastically that the innocent party could return home to an improved marriage. In my experience, barring very unusual circumstances, marriages between two genuine believers last a lifetime, even as they struggle through many difficulties.

My prayer for the readers of this work is that thoughtful consideration of this alternate understanding of the Matthew 5:31-32 divorce exception passage, as well as use of my counseling philosophy and strategy with troubled marriages in the church, could be a help to ministers of various Christian denominations and backgrounds as they wrestle with the unhappy reality of failing and broken marriages among God's people. Even if one does not agree with my interpretation of Matt 5, a knowledge of the history of interpretation can help churches proceed humbly and carefully through the difficult process of helping troubled marriages. Finally, it is helpful to remember, in dealing with such marriage difficulties, that marriage is only a picture of Christ's eternal love for His sheep; and in glory, where all tears will be wiped away, the only marriage that will matter is the church's marriage to the Bridegroom.

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