

## How the Church Redefined Marriage as a Neoplatonic Union Rather Than a Social Contract

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Colin Hamer

### Abstract

The understanding of marriage in Western Christendom developed away from the social contract model of the Hebrew Bible and New Testament to a marriage model based on a sexual sacramental union rooted in a neoplatonic understanding of Genesis 2:23–24 and Ephesians 5:31–32. This understanding of marriage (and thus divorce) survived the Reformation and is retained by many today. When more recent historical and linguistic evidence is employed using the Reformation historical-grammatical approach that underpinned *solā scriptura* such an understanding is not tenable.

### INTRODUCTION

John Witte Jr. (Professor of Law, Emory University, USA) states, “All ... [Western] models of marriage started with several basic assumptions ... inherited from classical Greco-Roman sources.” Witte defines those sources as Plato and Aristotle, the Roman stoics, and classical Roman Law.<sup>1</sup> The term “neoplatonic” will be used to describe them—in particular, their understanding that earthly life is a shadow of a spiritual reality that occupies a different realm.

This article explores how, using these neoplatonic assumptions, a move was made away from the social contract model of the Hebrew Bible, a model that it will be suggested the New Testament endorses, to the sacramental model of the high Middle Ages. Although the Reformers challenged that understanding, preferring the terminology of “ordinance” and “covenant,” they retained the neoplatonic model of marriage—a model not found in Scripture—despite such being embraced by many evangelicals today.

### THE SOCIAL CONTRACT MODEL

In the Hebrew Bible, and in the life of ancient Israel, there is no record of a temple/synagogue ceremony for marriage, no involvement of a priest or elder—not even an agreed *verba solemnia*—that is, no agreed marriage vows.<sup>2</sup> Marriage was a social

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<sup>1</sup> John Jr. Witte, *From Sacrament to Contract: Marriage, Religion, and Law in the Western Tradition* (2d ed.; Louisville, Ky.: Westminster John Knox Press, 2012), 3, 17–30.

<sup>2</sup> Hugenberger fails to find a definitive example of a marriage in Scripture being formed or witnessed under divine sanction: Gordon P. Hugenberger, *Marriage as a Covenant: Biblical Law and*

contract based on the Pentateuchal teaching of asymmetrical gender-based roles.<sup>3</sup> Exodus 21 stated the wife was entitled to a triad of provision: food, clothes, and marital rights; Deuteronomy 24 makes it clear that the wife was not to be sexually immoral.

Divorce was a mutual right based on any failure in those specific contractual duties, although only the husband could issue the certificate to enable the wife to remarry. It was forbidden for her to ever remarry her first husband in any circumstance, but there were no other restrictions.

This understanding came through to New Testament times as is evidenced by the social and literary context.<sup>4</sup> This is demonstrated most clearly by the 10 marriage and divorce contracts contemporary to New Testament times discovered and published in the second half of the 20th century—the academic consensus being that they are representative of the understanding of marriage in first century Jewish Palestine.<sup>5</sup>

### NEOPLATONIC CONCEPTS READ INTO THE SCRIPTURE TEXT

Peter Williams (a leading New Testament scholar) says:

Christianity arose in the cradle of Judaism, and the further back we go in time, the more Jewish all our records of Christianity are.... Scholars disagree on many matters concerning the Gospels, but on one thing they seem almost universally agreed—the Gospels are Jewish.<sup>6</sup>

So why, as John Witte points out, did neoplatonic Greco-Roman ideas come to dominate an understanding of marriage? Richard Hays comments that, “Christian tradition early on lost its vital connection with the Jewish interpretative matrix.”<sup>7</sup> The root of the

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*Ethics as Developed from Malachi* (Grand Rapids, MI: Baker, 1994).

<sup>3</sup> See: Colin Hamer, *Marital Imagery in the Bible: An Exploration of Genesis 2:24 and its Significance for the Understanding of New Testament Divorce and Remarriage Teaching* (London: Apostolos, 2015; repr., Eugene, Oreg.: Wipf and Stock, 2019), §5; §10 —available as a free download at the University of Chester repository: <https://chesterrep.openrepository.com/handle/10034/607240>

<sup>4</sup> See: David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Grand Rapids, MI: Eerdmans, 2002).

<sup>5</sup> For analysis: Hamer, *Marital Imagery*, §8.3; Appendix B.

<sup>6</sup> Peter J. Williams, *Can We Trust the Gospels* (Wheaton, Ill.: Crossway, 2018), 22, 78.

<sup>7</sup> Richard B. Hays, *The Conversion of the Imagination* (Grand Rapids, Mich.: Wm. B. Eerdmans, 2005), 43.

problem appears to lie in the interpretation by the early church of two pairs of verses. The first pair is Genesis 2:23–24.<sup>8</sup>

#### **Genesis 2:23–24**

23 Then the man said, “This at last is bone of my bones and flesh of my flesh; she shall be called Woman, because she was taken out of Man.”

24 Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh.

The understanding developed early in church history that the primal couple union of v. 23 was the model for the subsequent mundane (i.e., non-miraculous) marriages of v. 24 in that both were perceived to be one-flesh unions created by God. It was further understood that the essence of each “one flesh” marital union was sexual intercourse.<sup>9</sup> Such a view was aided by the Septuagint translation of the Hebrew word for “flesh” in Genesis 2:24 as *sarx*, the semantic domain of which embraced sexual connotations.<sup>10</sup>

But the two unions have a different basis. Mundane marriage is a volitional, contractual union formed by the couple themselves when, by means of their vows (stated or implied), the wife comes into her husband’s family. In contrast, Adam and Eve were miraculously created and formed in a marriage by God (typologically illustrating Christ and the church at the eschaton<sup>11</sup>). Furthermore, several scholars point out that “one flesh” would be understood in Israel in this context to mean “one family.”<sup>12</sup> Thus a more secure translation would have been:

24 Subsequently [i.e., after the primal couple] a man shall leave his father and his mother and hold fast to his wife, and they shall become one family.

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<sup>8</sup> See further analysis: Colin Hamer, “Genesis 2:24 and the New Covenant: A Profound Mystery,” *Unio Cum Christo* Vol. 4 No. 2 (2018): 63–80.

<sup>9</sup> Articulated in our modern era by: William R. G. Loader, *Making Sense of Sex: Attitudes towards Sexuality in Early Jewish and Christian Literature* (Grand Rapids, MI: Eerdmans, 2013).

<sup>10</sup> William R. G. Loader, *The New Testament on Sexuality* (Grand Rapids, Mich.: Eerdmans, 2012), 278.

<sup>11</sup> See: Hamer, “Genesis 2:24 and the New Covenant,” f.n. 51.

<sup>12</sup> E.g.: Loader, *The New Testament on Sexuality*, 278.

But the early church conflated the two unions and this understanding has continued down to our day—the overwhelming academic consensus is that when Genesis 2:24 is referred to it is thought to be a reference to Adam and Eve.<sup>13</sup> The second pair of verses is Ephesians 5:31–32.

### **Ephesians 5:31–32**

31 “Therefore a man shall leave his father and mother and hold fast to his wife, and the two shall become one flesh.” 32 This mystery is profound, and I am saying that it refers to Christ and the church.

This is a metaphoric “A is B” statement where “A,” I suggest, is a Genesis 2:24 marriage as understood in ancient Israel, not with its later neoplatonic understanding as a reflex of Adam and Eve. Thus: MUNDANE MARRIAGE IS CHRIST AND THE CHURCH—two conceptual domains are linked, and concepts transferred (or “cross-mapped”) from one to the other on an ongoing basis (in contrast to typology where an event in the past prefigures a later event). There are many other biblical examples, one such being: THE SEED IS THE WORD OF GOD (Luke 8:11) —the seed is not the word of God, but in some way illustrates the word of God.

What is being illustrated in Ephesians 5:31–32? What is the “mystery”? (translated as “sacramentum” in the Latin Vulgate Bible). The previous five references to *mystery* are to the inclusion of the Gentiles (Eph 1:9; 3:3, 4, 6, 9) thus it seems reasonable to suggest that the ‘profound mystery’ of our two verses is the same. Thus, I suggest that the Genesis 2:24 marital affinity union is the basis of the inclusion of the Gentiles—the whole church (Jew and Gentile) is brought into a new, volitional, marital affinity relationship with Jesus Christ, the seed of Abraham, and “counted as offspring” (Rom 9:8) and thus share in the Abrahamic promise.<sup>14</sup>

However, a neoplatonic, and ultimately sacramental understanding of marriage was given impetus when the metaphor outlined in Ephesians 5:31–32 was reversed. Only in the last 70 years or so has it been more fully appreciated how metaphors transfer concepts from A to B by means of a false literalism—in other words, the two conceptual domains are *not* the same.<sup>15</sup> This suggests we should be cautious if we attempt to

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<sup>13</sup> See: Hamer, *Marital Imagery*, §2.3.

<sup>14</sup> See further analysis: Hamer, “Genesis 2:24 and the New Covenant.”

<sup>15</sup> Gilles Fauconnier and Mark Turner, “Rethinking Metaphor,” in *The Cambridge Handbook of Metaphor and Thought*, ed. Raymond W. Gibbs Jr. (Cambridge: Cambridge University Press, 2008), 53;

reverse the transfer of the two domains. For example, can we use the metaphor THE SEED IS THE WORD OF GOD to say that the word of God illustrates the seed—or take the reverse transfer even further and say that properties move from Scripture to seeds—that seeds are themselves holy? Most, I suggest, would say not.

Nonetheless, the marital metaphor in Ephesians 5 is reverse transferred by the author himself—in vv. 22–30 elements of the divine marriage are transferred back to mundane marriage: husbands are to love their wives as Christ does the church, and so on.

It seems that the first step to the marital sacramentalism of the Church of Rome was to go further than the Ephesians author and make a “B to A” reverse transfer in Ephesians 5:31–32. The ‘sacred’ union of Christ and the church brought about by God is thought to illustrate mundane marriage. Thus, mundane marriage is *itself* a sacred union brought about by God.<sup>16</sup> This concept was greatly aided by the understanding that a Genesis 2:24 marriage was built on the same principles as that of Adam and Eve—they did indeed have a divinely created one-flesh union.

But is it valid to reverse a metaphor when Scripture does not? There is a similar case in: THIS BREAD IS MY BODY—two concepts linked by the verb “to be” which the emerging Roman Church reversed. Although studies have been done on whether it is legitimate to read into a verse a *sensus plenior* when such is not articulated, I am not aware of any published study that systematically addresses the legitimacy of reversing Scriptural metaphors. Viewing marriage as sacred is certainly not consonant with the Hebrew Bible social contract model. But the church it seems had no exegetical controls for handling metaphors and thus the stage was set for the subsequent centuries, as both the breaking of bread in the remembrance of Christ, and marriage, were delineated as sacraments.

## FROM NEW TESTAMENT TIMES TO THE REFORMATION

### Neoplatonic Concepts are Adopted by the Church

James Charlesworth makes the point that Philo (c. 20 BCE–c. 50 CE) and Josephus (c. 37–100 CE), “sought to adapt Judaism to the realities of Hellenistic culture ... [they]

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Sam Glucksberg, “How Metaphors Create Categories - Quickly,” in *Gibbs, The Cambridge Handbook*, 67–81.

<sup>16</sup> For e.g.: Stephen Clark, *Putting Asunder: Divorce and Remarriage in Biblical and Pastoral Perspective* (Bridgend: Bryntirion, 1999), 58.

smoothed the boundaries between Judaism and the non-Jewish world.”<sup>17</sup> Dorothy Sly states:

all Philo’s allegorical interpretation of the story is a development of [the] pattern ... [that] Adam is the prototype of man as husband, Eve the prototype of woman as wife.<sup>18</sup>

The church Fathers soon followed Philo’s lead thus the die was cast for the journey through history away from the biblical social contract model. Witte sees that Clement of Alexandria (150–215 CE) was:

particularly well-schooled in Platonism, and he worked hard to show that Christianity was a form of philosophy that was consonant with this ancient Greek philosophy.<sup>19</sup>

However, Witte believes that Augustine of Hippo (354–430 CE) had the greatest influence on Western Christendom’s perception of marriage—specifically that “The Catholic sacramental model [of marriage] began with [his] insights”;<sup>20</sup> Augustine’s *Of the Good of Marriage* states:

But a marriage once for all entered upon in the City of our God, where, even from the first union of the two, the man and the woman, marriage bears a certain sacramental character, can no way be dissolved but by the death of one of them.<sup>21</sup>

The idea that marriage was a sacrament that was a “channel of grace” developed slowly throughout the Middle Ages culminating in the Council of Trent (1545–1563).

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<sup>17</sup> James H. Charlesworth and L. Loren Johns, eds., *Hillel and Jesus: Comparisons of Two Major Religious Leaders* (Minneapolis, Minn.: Fortress, 1997), 21.

<sup>18</sup> Dorothy Sly, *Philo’s Perception of Women* (BJS 209; Atlanta, GA: Scholars, 1990), 95

<sup>19</sup> Witte, *From Sacrament to Contract*, 55.

<sup>20</sup> Witte, *From Sacrament to Contract*, 4.

<sup>21</sup> Philip Schaff, ed., *On the Good of Marriage* (vol. 3 of *Nicene and Post-Nicene Fathers*; Buffalo, N.Y.: Christian Literature Publishing Co., 1887), §6; §7; §17. Cited 11 November 2014. Online: <http://www.newadvent.org/fathers/1309.htm>.

## THE REFORMATION

The Reformers held a wide spectrum of views on marriage, divorce, and remarriage, and individuals would often change their position during their lifetime. I suggest the situation compares with the dilemma of astronomers contemporary to the Reformers. Before the Copernican heliocentric view of the universe prevailed (aided by the newly invented telescope), it was known that the positions of planets did not always correspond to the positions the geocentric model predicted. The various attempts by the Reformers to find a consistent teaching on divorce and remarriage that was true to the New Testament text indicates a similar mistaken model. But in contrast to astronomy, in theology, the tension has continued to this day.

The pre-Copernican models of the universe had relied heavily on the use of the naked eye—no scientist today would use those observations to predict planetary movements. There is no doubt that many of the Reformers were intellectual and spiritual giants, but they knew little of the social and literary context of New Testament marriage and divorce teaching—they, like the astronomers of old, were looking “but through a glass darkly.” The large amount of research done in recent years greatly clarifies the historical context of New Testament teaching—but in the field of marriage and divorce, the church and academy have not reached for this ‘telescope’ to examine the data more carefully.

It is beyond the scope of this article to explore the various Reformation views on marriage/divorce (the Church of Rome has, in contrast, a uniform consistency: marriage is a sacramental union with no divorce). And so, the understanding of marriage of just three Reformers will be briefly considered.

### **Martin Luther**

Luther is perhaps the most radical of the Reformers concerning marriage—this is surely because he repudiated the reversal of the Ephesians 5 metaphor:

Christ then and the Church are a mystery, that is, a great and hidden thing, which may indeed and ought to be figured by matrimony, as in a sort of real allegory; but it does not follow that matrimony ought to be called a sacrament.<sup>22</sup>

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<sup>22</sup> Martin Luther, *On the Babylonian Captivity of the Church* (Ethereal Classics), Vol 8, Ch 6.

“Figured” and “allegory” reference metaphoric concepts. In contrast, Luther was reluctant to accept metaphoric concepts in ‘this bread is my body’ and he reverses that metaphor just as the Church of Rome did.

With Luther’s understanding of Ephesians 5 it logically followed that he saw marriage as a purely social institution and thus sought to break marriage away from church control. Witte claims that *all* Western marriage models followed the Greco-Roman path—but in the case of the Lutheran Reformers such seems to be confined to the fact that they followed, as Witte sees it, Aristotle, the Roman stoics, and Thomas Aquinas in the concept of marital love—which Luther considered to be a “necessary and sufficient good of marriage.”<sup>23</sup> Such is not a concept that features in the contractual biblical model.

### **Martin Bucer**

In contrast, Bucer demonstrates the conflation of Genesis 2:23 with Genesis 2:24 and pushes the primal couple model marriage into mundane marriage:

To become one flesh is to become one person ... In a good marriage the husband and wife become a single personal entity ... Marriage is a total community of life in all matters, divine and human.<sup>24</sup>

### **John Calvin**

At first Calvin seemed to follow Luther. He declared that marriage was an institution of the earthly kingdom alone, “a good and holy ordinance of God, just like farming, building, cobbling, and barbering.”<sup>25</sup> But later he saw marriage as a covenant between a man and woman that mirrors the bond between Christ and the church—there is, he believes, a third party to every marriage.<sup>26</sup> However, Calvin went further in his comments on Genesis 2:18:

in the conjunction of human beings [i.e., sexual intercourse], [the] sacred bond is especially conspicuous, by which the husband and the wife are combined in one body, and one soul; as nature itself taught Plato.<sup>27</sup>

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<sup>23</sup> Witte, *From Sacrament to Contract*, 123–24.

<sup>24</sup> H. Selderhuis J., *Marriage and Divorce in the Thought of Martin Bucer* (Kirksville, Miss: Thomas Jefferson, 1999), 165, 183, 205.

<sup>25</sup> John Calvin, *Institutes*, 4.19.3; 4.19.34.

<sup>26</sup> Witte, *From Sacrament to Contract*, 207.

<sup>27</sup> John Calvin, *Commentary on Genesis*, (Ethereal Classics), 79 (translated from the Latin).



Calvin believed that it is in the coitus of mundane marriage a couple become, as he states, “one body, and one soul.”<sup>28</sup> Thus, he links sexual intercourse with a “one body” union in a manner that reflects the primal couple; furthermore, he sees that such effects a “one soul” union and attributes both understandings to Plato.

In summary, although the Reformers rejected priestly control of marriage and denied that it was a “permanent channel of sanctifying grace”<sup>29</sup> —their understanding of marriage, except for Luther, in essence, was the same as the neoplatonic Church of Rome teaching. The situation is much the same today. Most commentators employ a neoplatonic, Greco-Roman framework of understanding to exegete the marriage/divorce teaching of the New Testament.<sup>30</sup> But I suggest that an exegesis of New Testament teaching can be found consonant with a Hebraic understanding rather than the prevailing neoplatonic framework.

## MARRIAGE AND DIVORCE IN THE GOSPELS

### Matthew 19

- **Husbands Only**

3 And Pharisees came up to him and tested him by asking, “Is it lawful to divorce one's wife for any cause?”

The first assumption derived from a Greco-Roman framework is that Jesus’s teaching in the pericope is for husbands *and* wives (John Murray acknowledges it as an assumption not in the text);<sup>31</sup> but it is made clear no fewer than four times in vv. 3–9 that it is husbands that are being addressed. It seems the Pharisees were querying Deuteronomy 24:1–4 which states that a husband is only allowed to divorce his wife if she is sexually immoral. In other words, husbands had greatly restricted divorce grounds compared with wives. However, the Hebrew of Deuteronomy 24:1 meant a possible interpretation

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<sup>28</sup> Thus: John Jr. Witte, “Between Sacrament and Contract: Marriage as Covenant in John Calvin’s Geneva,” CTJ 33 (1998): 55–56.

<sup>29</sup> Witte, *From Sacrament to Contract*, 130.

<sup>30</sup> See: Hamer, *Marital Imagery*, §2.3.

<sup>31</sup> John Murray, *Divorce* (Phillipsburg, N.J.: Presbyterian and Reformed, 1961), 98.

was that divorce was allowed for “any cause”;<sup>32</sup> unsurprisingly one group of Pharisees (the Hillelites) argued for that view.<sup>33</sup>

- **No Heavenly Counterpart**

4 He answered, “Have you not read that he who created them from the beginning made them male and female, 5 and said, ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh’? 6a So they are no longer two but one flesh.”

Jesus references Genesis 2:24—the etiology for all mundane marriage in Scripture. But for many, he is affirming a primal couple model, and so each earthly marriage is perceived to be but an imperfect reflection of an ideal ‘spiritual’ couple in another realm.<sup>34</sup>

- **A Creation Ordinance**

6b “What therefore God has joined together, let not man separate.”

Also fitting neatly into this neoplatonic thinking is v. 6b—which appears to suggest that each marriage is put together by God, just as Adam and Eve were. But surely this is a reference to the God-given institution of marriage? —as Craig Blomberg (Distinguished Professor of the New Testament at Denver Seminary, USA) argues.<sup>35</sup> Thus a marriage should only be formed, or dissolved, based on God-given rules.

- **Hebrew Bible Teaching Affirmed**

7 They said to him, “Why then did Moses command one to give a certificate of divorce and to send her away?” 8 He said to them, “Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so.

Many believe that here Jesus is distancing himself from the Hebrew Bible social contract model of marriage and divorce and that a new model of marriage is now appropriate for

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<sup>32</sup> For analysis of the Hebrew: David Instone-Brewer, *Techniques and Assumptions in Jewish Exegesis before 70 C.E.* (TSAJ 30; Tübingen: Mohr Siebeck, 1992), 136–38.

<sup>33</sup> Hamer, *Marital Imagery*, §10.3.2.

<sup>34</sup> See: Hamer, *Marital Imagery*, §2.3; §7.7.

<sup>35</sup> Craig A. Blomberg, “Marriage, Divorce, Remarriage, and Celibacy: An Exegesis of Matthew 19:3–12,” *TJ* 11NS (1990), 167–68.

the church age.<sup>36</sup> But the “beginning” seems to be a reference (as in v. 4) to Eden;<sup>37</sup> sin is present in all post-fall humanity, even among the elect (1 John 1:8). Furthermore, Douglas Moo points out that Jesus in the very next verse specifically reaffirms Moses’s teaching for the church age.<sup>38</sup>

- **Divorce Permitted**

9 “And I say to you: whoever divorces his wife, except for sexual immorality, and marries another, commits adultery.”<sup>39</sup>

It seems that most evangelicals do accept that this teaching allows divorce. But—if a believer’s marriage is a sacred one-flesh union created by sexual intercourse, as Calvin believed, it follows for many that if there is to be a divorce it must be because one of the marriage partners has had sexual intercourse with somebody else other than their marriage partner—the (usually unstated) logic being that this creates another union. In other words, the marriage is not to be broken if the contractual conditions are breached as the Hebrew Bible teaches, but on the sole grounds that illicit hetero-sexual intercourse has occurred—in other words, adultery. The debate then becomes focused on what divorce grounds might be permitted *other* than adultery.<sup>40</sup> In this way a “guilty party” is introduced—it is the marriage partner who has committed adultery.

- **Remarriage for Any Divorcee**

Having established the guilty party concept, the logic seems to be that under Pentateuchal law the adulterer would be put to death (e.g., Lev 20:10), it therefore follows that only the “innocent party” could go on to remarry.<sup>41</sup> But there is no record in the Hebrew Bible of the death penalty being enacted for adultery, and Matthew 19:9 teaches, as does Deuteronomy 24:1–4, that divorce is permissible for the much broader “sexual immorality” —which includes acts that would not involve the death penalty.<sup>42</sup>

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<sup>36</sup> E.g.: Clark, *Putting Asunder*, 89.

<sup>37</sup> *Contra* Clark, *Putting Asunder*, 130–1.

<sup>38</sup> D. J. Moo, “Jesus and the Authority of the Mosaic Law,” *JSNT* 6, 20 (January 1984): 20.

<sup>39</sup> Instone-Brewer (with others) posits that Jesus’s reply is an intentional imitation of the Shammaite reading of Deut 24:1 (*contra* the Hillelites): Instone-Brewer, *Divorce and Remarriage*, 156–59.

<sup>40</sup> E.g.: Craig S. Keener, “Remarriage for Adultery or Desertion,” in *Remarriage after Divorce in Today’s Church: 3 Views* (ed. Paul E. Engle and Mark L. Strauss; Grand Rapids, Mich.: Zondervan, 2006).

<sup>41</sup> For an account of the “majority view” that frees only the innocent party to remarry: William A. Heth, “Jesus on Divorce: How My Mind Was Changed,” *SBJT* 6.1 (Spring 2002): 12.

<sup>42</sup> Blomberg argues the sexual immorality of Matt 19:9 includes, “incest, homosexuality, prostitution, molestation, or indecent exposure”: Blomberg, “Marriage,” 177–78.

Bible exegetes usually get around this by taking the “sexual immorality” of Matthew’s divorce pericopae to be adultery—and such adultery is assumed to carry its modern gender-neutral definition and the “guilty party” denied a remarriage.<sup>43</sup> But David Instone-Brewer points out that: “The right to remarry after divorce was the fundamental right that was communicated by the Jewish divorce certificate.”<sup>44</sup> Furthermore, John Murray comments:

it is difficult to discover any biblical ground on the basis of which to conclude that the remarriage of the guilty divorcee is to be considered in itself an act of adultery and as constituting an adulterous relation.<sup>45</sup>

This newly defined adultery is seen to apply to any marriage after an invalid divorce. But David Parker points out that the verses that appear to teach this (Matt 5:32, 19:9; Mark 10:11–12; Luke 16:18) have various manuscript readings—it seems that the early scribes had difficulty making sense of Jesus’s teaching on this issue.<sup>46</sup> But “adultery” in Scripture is often used metaphorically—usually to refer to the fact that Israel had broken the covenant it had with God (e.g. Jer 3:9; Matt 16:4). I suggest that this is the key to unlocking the meaning of these verses—the adultery lies not in the remarriage *per se*, but in the divorce. To elect for a single life would be rare in New Testament times, thus the motivation for an invalid divorce is most likely to be the prospect of “marrying another”—in other words, a more attractive “other.” Such attraction is another form of adultery—a metaphoric ‘adultery of the heart’ (e.g., Matt 5:28) —which leads, if unchecked, in the pericopae we are considering, to the adultery (unfaithfulness to the marriage agreement) of an invalid divorce. Craig Blomberg comments:

The whole debate about whether a second marriage, following a Scripturally illegitimate divorce, is permanently adulterous or involves only an initial act of

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<sup>43</sup> Stephen Clark, unlike many, articulates this redefinition of adultery: Clark, *Putting Asunder*, 58. Adultery in Scripture is when a married woman has sexual intercourse with a man not her husband (e.g., Lev 20:10; Jer 29:23; Rom 7:3) —there are no exceptions in the narrative accounts. A husband could not commit adultery against his own wife, but all sexual relations outside marriage were unlawful, and a wife could initiate a divorce if her expectation of the marriage was not met, as Exod 21:10–11 outlines.

<sup>44</sup> Instone-Brewer, *Divorce and Remarriage*, 211–12.

<sup>45</sup> Murray, *Divorce*, 100.

<sup>46</sup> David M. Parker, “The Early Traditions of Jesus’ Sayings on Divorce Theology.” *Theology* 96 (1993): 372–83.

adultery dissolves. Neither is true; the adultery (faithlessness) occurred at the time of divorce.<sup>47</sup>

### Matthew 5

- **The Mosaic Divorce Rule Belongs in the Church Age**

31 It was also said, “Whoever divorces his wife, let him give her a certificate of divorce.” 32 But I say to you that everyone who divorces his wife, except on the ground of sexual immorality, makes her commit adultery. And whoever marries a divorced woman commits adultery.

Verse 32 is perhaps the most difficult of the divorce/remarriage “adultery” teachings. But in v. 30 Jesus says, “And if your right hand causes you to sin, cut it off and throw it away.” If we take the adultery of v. 32 to be metaphoric, it seems Jesus is again using rhetoric (or, as Craig Keener suggests, ‘hyperbole’<sup>48</sup>) —in that an invalid divorce by a husband involves the wife in his adultery (unfaithfulness), and any new husband is, in effect, a party to that “adultery.” What is clear, is that the teaching of Matthew 5:27–48 is in the form of an antithesis: “You have heard that it was said ... But I say to you.” The antithesis is between the self-righteous keeping of the letter of the law typified by the scribes and Pharisees, and the true meaning of the law—a heart righteousness. In Matthew 5:31–32 the “heart righteousness” in v. 32 is not a cancellation of the Mosaic law, but a clarification of it—such is fully in accord with Matthew 19.

### Mark 10

- **The Wife’s Exception Clause**

The accepted principles of Gospel harmonisation would suggest that Mark 10:2–11 is a truncated account of the encounter in Matthew 19:3–9. Potentially more problematic is Mark 10:12 where no grounds for divorce for the wife are given: “and if she divorces her husband and marries another, she commits adultery.” The assumption made is that the Matthean exception applies—and that such includes both husbands and wives. But it is generally accepted that Mark was written before Matthew, and if that is the case, Mark could not have relied on the fact that Matthew would include that teaching. In any case, both passages in Matthew 19 and Mark 10 make it clear that Jesus was asked to comment on the cause célèbre of the day—could a husband really divorce his wife for any cause? It is the question Jesus answered.

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<sup>47</sup> Blomberg, “Marriage,” 175.

<sup>48</sup> Keener, “Remarriage for Adultery or Desertion: Responses,” in Engle and Strauss, *Remarriage after Divorce in Today’s Church: 3 Views*, 92.

In contrast, there was no dispute about a wife’s grounds for divorce—the Shammaites and Hillelites, the protagonists in the ‘any cause’ debate, were in agreement on this.<sup>49</sup> And the Jewish marriage contracts contemporary to New Testament times that have survived all demonstrate a legally binding commitment on the husband to provide for his bride a ‘triad’ of care. It is thus improbable in the extreme that Jesus’s audience would have assumed in his conversation with the Pharisees that a husband’s exception clause, “except for sexual immorality” was now to be a wife’s (only) grounds for divorce; and it is certain that Mark would not have imagined them making that assumption. It would mean that in the one sentence he wrote in his Gospel, Mark thought that his readership would assume an implicit inclusion of the husband’s exception clause in a wife’s grounds for divorce—and assume a simultaneous implicit exclusion of her own grounds for divorce as outlined in Exodus 21. Both assumptions involve a remarkable *volte face* in first century ethics in Jewish Palestine.

## Luke 16

- **A General Rule**

“Everyone who divorces his wife and marries another commits adultery, and he who marries a woman divorced from her husband commits adultery.” (Luke 16:18)

This appears, as in Mark 10, to allow of no exceptions—but we can surely safely assume that this is the general rule—the exceptions do not need to be stated every time such is repeated.

## 1 CORINTHIANS 7

### Exodus 21:10–11 Applied to the Church Age

Notwithstanding Paul’s Roman citizenship, he declared himself to be a student of Gamaliel (Acts 22:3) and a Hebrew of the Hebrews (Phil 3:5), and several scholars see a link in 1 Corinthians 7: 3–5 to the triad of obligations for the husband outlined in Exodus 21:10.<sup>50</sup> After a comment regarding the single and widows, Paul addresses the issue of separation/desertion and divorce in vv. 10–16. In Israel there was often no formal registration of marriage and if a marriage partner left the marital home it would be deemed a divorce. Consequently, although translations use “separate” and “divorce”

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<sup>49</sup> Instone-Brewer, *Divorce and Remarriage*, 102.

<sup>50</sup> E.g.: David Daube, *The New Testament and Rabbinic Judaism* (Peabody, MA: Hendrickson, 1956), 365.

throughout 1 Corinthians 7, there were more than fifty words used for “divorce” in contemporary Greek marriage and divorce contracts, and it was common to use several in a single document.<sup>51</sup>

- **Setting Out the Principles**

To the married I give this charge (not I, but the Lord): the wife should not separate from her husband (but if she does, she should remain unmarried or else be reconciled to her husband), and the husband should not divorce his wife. (1 Cor 7:10–11)

Paul here applies the same principle as in Matthew 19:4–6 and Mark 10:5–9. Divorce was never the divine intention and he says neither partner should initiate a separation/divorce—if they have, they should seek a reconciliation.

- **Mixed Marriages**

Such are not addressed in the Gospels and it is possible that the Corinthians had specifically asked Paul a question about them (v. 1). He begins in verses 12–14 by pressing home the ‘no divorce’ principle:

To the rest I say (I, not the Lord) that if any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. For the unbelieving husband is made holy because of his wife, and the unbelieving wife is made holy because of her husband. Otherwise your children would be unclean, but as it is, they are holy. (1 Cor 7:12–14)

This might have seemed a surprising position for Paul to take when the teaching in Israel (Deut 23:2) was that, “No one born of a forbidden union may enter the assembly of the LORD. Even to the tenth generation, none of his descendants may enter the assembly of the LORD”—and Ezra’s instruction to the men of Judah had been to divorce their non-Jewish wives (Ezra 10:11). In Israel, you were accepted as being Jewish because you were descended from Jacob—your personal faith in God was incidental. Thus, a mixed marriage was not an unbeliever with a believer, but a person with non-Jewish blood married to a Jew;<sup>52</sup> any children they had were considered, in effect, “unclean” and were not accepted into the congregation.

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<sup>51</sup> Instone-Brewer, *Divorce and Remarriage*, 198–99.

<sup>52</sup> Michael L. Satlow, *Jewish Marriage in Antiquity* (Princeton, N.J.: Princeton University Press, 2001), 259–60.

Some understand from vv. 12–14 that Paul is teaching that the children of mixed-faith marriages, and thus by deduction, the children of all Christians are, in some way, special to God. But I suggest that this is not Paul’s argument here. Instead, he is saying that the understanding of national Israel, whereby children of mixed marriages are excluded from the congregation, does not come through to the Christian faith community. The children of mixed-faith marriages in the church are ‘holy’ (v. 14), that is, *not* ‘unclean,’ and are to be accepted on the same basis as any other children—whether of believers or unbelievers. It follows that any exegesis of the rest of the chapter that understands mixed marriages are less valid, or have different divorce rules to non-mixed marriages, should be treated with caution.

- **Not Bound**

In v. 15 Paul gives a qualification to his principle of ‘no separation’ that he outlined in vv. 10–14:

But if the unbelieving partner separates, let it be so. In such cases the brother or sister is not enslaved. God has called you to peace. (1 Cor 7:15)

He is saying that on desertion that “The brother or the sister is not bound” (NIV). The deserted partner, if a reconciliation is not possible, is free to remarry. Hebrew Bible teaching is that a wife in ancient Israel could initiate a divorce, but she needed a certificate from her husband that stated that she was now “not bound.” This often caused a problem in Israel, and still does today, and in Jewish faith communities in other nations. If a couple decide to separate/divorce, and the husband refuses to release his wife by issuing a divorce certificate she is, as the Jewish community describes it, *agunah* (“bound”).<sup>53</sup>

But Paul’s teaching to the church is clear. If the woman had been deserted, her husband was clearly not providing her with her entitlement, and although she had not received her certificate as outlined in Deuteronomy 24:1–4, she could, ‘for the sake of peace,’ consider herself divorced and free to remarry. Furthermore, Paul seems to be saying that the husband could assume that a deserting wife was in effect divorcing him, so he

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<sup>53</sup> See: Aviad Hachohen and Menachem Elon, *The Tears of the Oppressed: An Examination of the Agunah Problem: Background and Halakhic Sources*, ed. Blu Greenberg (Jersey City, N.J.: KTAV, 2004).



should release her without evidence of sexual immorality—such teaching is consonant with Exodus 21:10–11.

Some have argued that with his comment “not bound” Paul does not mean that a divorce is possible. But contemporary divorce documents show that this very same terminology is used to declare that the marital obligations are terminated—they are, in effect, the certificates as required in Deuteronomy 24 to show that the divorced wife is free to remarry.<sup>54</sup> Paul would have to have *avoided* using the terminology “not bound” if he was not talking about a divorce.

This freedom of the wife to divorce outlined in v. 15 is fully compatible with the rabbinic *qal va-chomer* (light to heavy) argument from the situation outlined in Exodus 21, where even a slave woman was not “enslaved” to her husband—but what *is* new, is that it seems clear that Paul is cancelling the requirement for the Deuteronomy 24 certificate. In so doing he acknowledges that the gospel is not confined to national Israel and that other nation states might legitimately introduce different procedures for handling divorce and remarriage. Accordingly, there is today no concept of *agunah* in the Christian church.

- **Paul’s Teaching Applies to All Marriages**

The teaching of Exodus 21:10–11 and Deuteronomy 24:1–4, nor that of the Gospels, has any reference to the personal faith of the husband or the wife. But Paul will have realised that in the church era mixed-faith marriages would be vulnerable and, in that context, he makes his comment in v. 15 —not, I suggest, meaning to imply that such marriages had different divorce rules. An illustration might clarify this point. All new-build houses in the UK have a 10-year guarantee—you own such a house and the roof leaks. The builder writes to you saying this type of roof has been vulnerable to water ingress but assures you that it is covered by the guarantee. His letter is not meant to be understood as meaning that other roofs are not. Craig Blomberg comments:

desertion was Paul's primary concern; that it was an unbeliever wanting to leave is “accidental” in the technical sense of that term.... Once again, in an age and culture in which divorce almost universally carried with it provisions for remarriage, Paul would have had specifically to exclude this possibility in v. 15 if

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<sup>54</sup> Instone-Brewer, *Divorce and Remarriage*, 202.

he had expected anyone to understand that he was actually forbidding all remarriage.<sup>55</sup>

Although Scripture is against mixed-faith marriages such a marriage is still a valid marriage—this creation ordinance is not made valid (or more valid) by the personal faith of one or both spouses. However, it might be considered that the expectations of the marriages of believers would be greater, and that any separation/divorce would be based on biblical grounds. Nonetheless, I suggest Paul teaches in v. 15 that if a marriage partner has been abandoned by their spouse, whatever the personal faith of either of them, they can take that to be a divorce and are free to remarry.

Those that believe Paul is saying a Christian couple are bound, but if one partner is not a Christian they are not bound (an understanding that underpins the Church of Rome's position)—attribute to him a teaching that has so many novel aspects about it that he would have had to explain more fully what he was saying.

- **Remarriage after Widowhood**

Paul goes to remarriage teaching again at the end of the chapter:

A wife is bound to her husband as long as he lives. But if her husband dies, she is free to be married to whom she wishes, only in the Lord. Yet in my judgment she is happier if she remains as she is. And I think that I too have the Spirit of God.  
(1 Cor 7:39–40)

With his, “A wife is bound to her husband as long as he lives” Paul is restating his general principle of ‘no divorce’ that he outlined in vv. 10–11. Here he says that on her husband's death a widow is free to remarry whoever she wants, provided he is a Christian. He thus frees widows in the church age from any levirate obligation to marry within their deceased husband's family.

## CONCLUSION

The church has adopted a model of marriage that is based on a sexual, sacred union rooted in neoplatonic, Greco-Roman concepts. But I suggest that if any 21st century Bible student were to engage in a Reformed historical-grammatical exegesis of the New Testament marriage/divorce pericopae employing, like the 16th century astronomers, all

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<sup>55</sup> Blomberg, “Marriage,” 188.

the tools available to them, it would soon become clear that the prevailing neoplatonic model of marriage held in the church is not tenable. Any modern exegete has access to the recent linguistic research on the prevalence of metaphors in Scripture and the cross-mapping principles involved—if this understanding had been available to the Reformers, they might have been more radical in their challenge of the sacramental understanding of marriage developed by the Church of Rome.

But, perhaps more importantly, as Brian Blount states, “What is available to text interpreters is never meaning but meaning potential. That potential is accessed culturally.”<sup>56</sup> The cultural milieu of the New Testament marriage and divorce teaching is Jewish, and in our modern era that understanding has been demonstrated in the marriage and divorce contracts that have survived, and in the rabbinic literature. Although the usefulness of the latter for understanding New Testament times is debated, the origin of the rabbinic dispute behind the Pharisees’ question in Matthew 19 and Mark 10 is widely accepted.

This article has looked to employ these tools and has offered an exegesis of New Testament marriage and divorce teaching that is fully compatible with the Hebrew Bible’s social contract model. If this analysis is correct, to press neoplatonic concepts of marriage through the New Testament text gives a basis for misguided pastoral teaching and practice that has impacted thousands of lives in our churches.<sup>57</sup>

Any fault in this does not lie with the Reformers. Rather, I maintain that the fact that the church and academy in this matter have not fully engaged with New Testament historical research, or considered more fully metaphoric concepts, has meant that we have failed to honour the legacy of the Reformers and the historical-grammatical approach that underpinned their concept of *sola scriptura*.

Colin Hamer

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<sup>56</sup> Brian K. Blount, “The Souls of Biblical Folks and the Potential for Meaning,” JBL 1 (2019): Abstract.

<sup>57</sup> For an analysis of pastoral considerations today: Colin Hamer, *God's Divorce: Understanding New Testament Divorce and Remarriage Teaching* (London: Faithbuilders, 2017; repr., Eugene, Oreg.: Wipf and Stock, 2019), §10.