

DIVORCE

What did the Lord say about it?

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“Beloved, be not ignorant”

The appearance from time to time in Christian periodicals of articles purporting to show that the Lord permitted divorce when there had been adultery – some even including desertion as well – emphasises the fact that many among us, even if not actually committed to such views, are yet without any firm convictions on the subject. This uncertainty on so vital a matter at a time like the present, when the climate of opinion all around us favours every tendency towards laxity in sexual relationships, is nothing less than a triumph for the Enemy. The Lord would appear to have expressed Himself quite clearly. Surely, then, it behoves every believer both to know what He said, and understand what He meant, and, having bought the Truth to sell it not, but to stand boldly by it; let the laws of this world be what they may.

And it can clearly be shown that what He said amounted to this: that divorce on any ground whatsoever is a defiance of the law of God. He did indeed permit the annulment, forthwith, of a marriage, if it became evident that the contract had been brought about by the concealment of essential facts: but that is something quite different from the breaking up by divorce of an established marriage partnership.

This vagueness and lack of conviction are due, largely, to the fact that it is rare indeed to hear an exposition of our Lord's words upon the subject, unless some case has arisen that renders this imperative. They are seldom studied calmly and objectively, as they should be, in order that, when such cases arise, as they are sadly sure to do, believers may be found instructed in God's will and, therefore, less liable to be swayed by sentiments, either of indignation or compassion which might pervert the judgement. Individual hardship does not alter Divine principles.

But the confusion on this matter seems to have its very source and origin in the widespread ignorance (or failure to appreciate the significance) of a marriage custom, [older than] the Pyramids, which is universal throughout the East; is mentioned, moreover, in the Holy Scriptures; and to which the Lord was manifestly referring when He used the words “*except it be for fornication*” (Matthew 19:9). When this custom is explained, so that what He said may be seen in the light of it, it will become evident that only one construction can be put upon His words; and to all obedient hearts, this sad controversy will be at an end.

Finally, heresy on this point can only exist if one acquiesces in the strange assumption that the Master, when legislating for all times and peoples on the indissolubility of marriage, introduced the word “*fornication*” into His sentence merely for variety’s sake, and without regard to possible difference between the meanings of the words ‘fornication’ and ‘adultery’. It can be shown that this assumption is quite untenable.

It is proposed, therefore, with God’s help, to consider the significance of this custom in relation to what Jesus Christ said; to consider His usage of the two critical words in these, and other passages, and to show that He used them because of their differing signification; and lastly, to attempt a simple exegesis of the verses in which the Lord deals with the putting away of a partner.

“It was a custom in Israel”

Read, please, Deuteronomy 22:13-22, where reference is made to the custom we have to consider (see page 13). It is hard for us of the West to understand the unembarrassed candour of Orientals in regard to some of the physical facts of life as, for example, their custom mentioned in verses 15, 17 and 20 of keeping, and sometimes even exhibiting the linen of the marriage bed, bearing those marks upon it which are found after a woman’s first – but only her first – sexual experience, and here called “*the tokens of her virginity*”.

It should be remembered of this custom, that it was not [introduced] by Moses, the manner of whose reference to it shows it to have been already well established at the time he wrote. In the case of a husband who, having taken a dislike to his wife, cast unjustified aspersions upon her pre-marital chastity, he directs as follows: “*Then shall the father of the damsel and her mother take and bring forth the tokens of the damsel’s virginity unto the elders of the city in the gate*” (Deuteronomy 22:15) herein assuming that, since the custom was always followed, the ‘tokens’ would certainly have been retained, and would be available as evidence to clear the woman of the charge made against her.

There it is, then: a custom spoken about by Moses, referred to by the Master, and still found to be in force [in some parts of the world]. Its purpose is, of course, to demonstrate to all that the bride is clear of every suspicion of fornication, and so to guard her against the possibility of future accusation (cf verses 13 and 14). If, however, the ‘tokens of virginity’ were not forthcoming, this was accepted as proof that she was indeed “*not a maid*”, but had, at some time past “*wrought folly to play the whore* (a word elsewhere translated ‘commit fornication’) *in her father’s house*” and the severest penalty of the law might be called down upon her. At the very least she would be rejected, and sent back to her parents.

It is necessary to remember that, since this custom of the bride’s parents taking and retaining the ‘tokens’ was observed on the occasion of every marriage, it would be as familiar to the Lord’s hearers as wedding cake and confetti are to us. This fact accounts for the manner of the Master’s reference to it in the phrase “*except it be for fornication*”, which at first sight, may seem brief and almost casual for a pronouncement having such great significance. The truth is, He was saying something which to them must have seemed almost too obvious to need mentioning at all.

Should there be any lingering doubt that the use of this phrase was indeed a reference to the custom in question, it should be remembered that the Lord Himself spoke a form of Hebrew. Therefore the word which in Deuteronomy 22 is translated “*played the whore*” would be the **very word** which He would use on this occasion. Thus, Moses: “She hath wrought folly in Israel to play the whore in her father's house” And thus the Lord Jesus: “*And I say unto you, whosoever shall put away his wife, except it be for playing the whore, and shall marry another, committeth adultery*”.

We have read that the penalty under Moses’ law for both fornication and adultery was death by stoning, and was to be suffered equally by both the guilty parties. But that these extreme penalties were often exacted seems very unlikely¹. There is nothing in the history of Israel to suggest that the nation often rose to such austere heights of virtue, and the opening verses of the eighth chapter of John’s Gospel show that, in our Lord’s day, the question of insistence upon them could, in the case of adultery, be propounded as a problem; while Matthew 1:18-19 shows that, in the case of fornication (of which Joseph supposed his espoused wife to be guilty) even the penalty of public disgrace was not always demanded. Nevertheless, the unchaste one was to be put away, though that putting away might be done privily. Notice, however, that the merciful decision to put the supposed fornicatress away ‘privily’ was regarded by the Holy Spirit as being the outcome of a righteous character in the injured bridegroom. Neither here nor elsewhere does the harsh punishment of public disgrace – much less death by stoning – receive New Testament approval.

Now in a community where marriages are arranged by the parents, and the young people do not meet until the actual wedding day (like Isaac and Rebecca), it is but bare justice that a man who finds he has been

¹ Under Mosaic Law, to substantiate a capital charge required the evidence of at least two, who must be actual eye-witnesses of the crime.

deceived in regard to the character of the woman proposed as his life-partner, and the mother of his children, should possess the right to annul the contract, and put away the unchaste bride forthwith. This right the Lord conceded, **and this only**, when, while forbidding the dissolution of marriage on every other ground, He added, “*except it be for fornication*”. If He had intended to make subsequent breaches of chastity, after marriage had been fully established, grounds for divorce, could He not have added the words ‘or adultery’? Since He did not do so, dare we presume that the omission was otherwise than deliberate and intentional? Later it will be shown that adultery, far from being implicitly included, is **explicitly excluded** from the grounds for divorce.

“Keep My Words”

If one reads Matthew 5:31-32, 19:3-9, Mark 10:2-12 and Luke 16:18, every recorded reference by the Lord to the subject of divorce will have been read. Further, if one reads Matthew 15:18-20 and Mark 7:20-23, every recorded use by Him of the word ‘fornication’ will also have been included (see pages 13 – 15). It should be observed that He is mentioned as using this word on only **three** occasions, two of them the incidents where its use occurs being by both Matthew and Mark. On the other hand, He is presented in these and other passages as using the word ‘adultery’ and its cognates ‘adulterous’, ‘commit adultery’, etc, **eleven** times, and always in a **literal** sense.

The word in the New Testament usually translated ‘fornication’ and its counterpart in the Old Testament, which is sometimes so rendered, and sometimes, ‘playing the whore’, ‘playing the harlot’, etc, means literally, ‘prostitution’ – the sordid sex-traffic of the streets. It was, however, as we have seen in Deuteronomy 22, used of any young woman who allowed her passions to overpower her conscience, and ‘played the whore in her father’s house’. The word ‘adultery’, on the

other hand, means a breach of the marriage vow; an immoral act is not strictly adultery unless one or both of the wrongdoers is already married.

It is, however, argued of these words that they have much territory in common, and one may at times include the other, and this is undoubtedly so, especially when the sense does not demand great precision. Christ's usage in the matter is most illuminating. For example, when He spoke of a man who looked at a woman lustfully, He said: "*He has committed adultery already in his heart*" (Matthew 5:28). It was unnecessary for the Lord to add, after 'adultery', 'or fornication as the case may be'. We understand Him perfectly, without the addition. Similarly, when He describes the leaders of the Jewish nation as: "*An evil and adulterous generation*" we are not so simple as to suppose that fornication was unknown amongst them. But notice, please, that in these instances, and indeed in every instance where He needs a word to signify immorality in the general sense, He draws upon 'adultery' and never upon 'fornication'. Why should we suppose that He reversed this habit on the very occasions when absolute precision was most essential?

That He did use these words, on occasion, according to their literal meanings is evidenced by the incident recorded in Matthew 15 and Mark 7, dealing with the question of eating with unwashed hands, which, to the Pharisees, seemed a terrible crime. In burning words He contrasts the minute amount of physical defilement that this might introduce into the system, with the volcanic eruption of spiritual evil that comes out of the heart of unregenerate man. "*Out of the heart*", He says, "*proceed evil thoughts, murders, **adulteries, fornications, thefts...***" (Matthew 15:19), and so forth. An ordinary man, speaking with such fervour as we may suppose the Lord was using, might choose words, less for precision than for effect. But the Master, to show that He intended these words to be understood literally, places them next to one another so that no one might suppose that His meaning was 'murders, adulteries, adulteries, thefts...' and so on.

On the only other two occasions on which He is recorded as using the word ‘fornication’, He is speaking, not so much with fervour, as in the calm dignity that befits the exercise of Divine authority, for He is repealing a law permitting of divorce which He had allowed Moses to give to Israel, because of the hardness of their hearts, and re-enacting that older and better law which He Himself had given in Eden to regulate the relationship of man to woman throughout the ages. And on an occasion as momentous as this, so some would have us believe, He introduced the more uncommon word, not to convey anything different by it, but merely, by avoiding monotony, to improve His sentences!

Seeing, then, that the Lord, on the great occasions we are considering, used the word ‘fornication’, not as synonymous with, but in contrast to the word ‘adultery’, and that He did so because He was referring to an Israelitish custom, the purpose of which was to expose fornication, and had no reference to adultery, we can understand why Matthew, who, as all teachers agree, wrote for Jewish Christians, is led to record the phrase “*except it be for fornication*”, while Mark, writing to Gentile Christians, who had not this custom, is led to omit it.

It needs to be emphasised at some point that the primary purpose of this article is to establish the real nature of the Lord’s enactments in regard to divorce, and not to explore His reasons. We might rest assured, however, that these would be found to be inspired by Divine Wisdom. Some are obvious. Since in this country, adultery is a **ground** for divorce, in thousands of cases it comes to be treated as the **qualification** for it. One party, weary of the other, will resort to adultery, or endeavour to drive or inveigle the other into it, to gain grounds for divorce. Thus the making of adultery ground for divorce has greatly increased immorality; whereas the custom of which the Lord approved, acted as a most powerful deterrent against it.

“I speak unto you”

Should any doubt remain that the Lord’s exclusion of adultery from the grounds for divorce was otherwise than deliberate and intentional, a careful study of His actual words in Matthew 19 and Mark 10 should put the matter beyond question. Both passages, without doubt, refer to the same incident, and are very similar in phraseology, the variations, as might be expected in God’s Word, having considerable significance.

The incident opens with a catch-question by the Pharisees: “*Is it lawful for a man to put away his wife for every cause?*” (Matthew 19:3). Now Moses’ Law permitted a man to put away his wife, stipulating only that she should be given a document to prove that she was regularly divorced and was not running away. One school of Rabbis taught that the man could do this only if he had definite grounds for it, and laid down what they supposed those grounds might include. The other school held that the matter was entirely at the discretion of the husband, who could put away his wife ‘for every cause’.

Mark, writing for Gentile Christians, who knew little of Rabbis and their sects, is led to omit the words ‘for every cause’ from his record, and report just so much of the question as the Lord chose to answer. But the astounding and interesting fact is, that, according to Matthew’s record, equally with Mark’s, He ignored the request to umpire the rabbinical dispute, and going back beyond Sinai, to the very Garden of Eden, restated the principles which He Himself had designed to be the normal marriage relationship for the whole human race. “*For this cause*”, He quotes, “*shall a man... cleave unto his wife, and they twain*” – mark that word **twain** – “*shall be one flesh*” (Matthew 19:5). It was as though He would say, ‘Just as God has joined your head to your body, so has He joined every man and woman who are united in wedlock. You cannot have two heads, nor sever the one you have’, so, “*What therefore God hath joined together let not man put asunder*” (v. 6).

Thus in one mighty sentence He outlaws both polygamy and divorce, making marriage monogamous and permanent. This puts the wife squarely in equality with the husband on this matter, for no oriental woman ever dreamed that she might be permitted to divorce her husband, as he had been to divorce her, and now her tenure was to be as secure as his. Moreover it had been possible for a rival wife to be introduced into the home, but now it was to be so no more. Instead it was to be **‘one husband, one wife, for life’** – surely the soundest basis for family life, and the only possible foundation for a Christian home.

When His hearers object to this sweeping statement, and urge against the Mosaic Law on the subject, He first tells them why that law was allowed, and then, with the *“I say unto you”* of Divine authority, He proceeds forthwith to repeal it, stigmatising the remarriage of any person who has either divorced another, or been divorced, as adulterous.

Here it behoves us to study with care the exact words recorded of the Lord in Matthew 19:9, for many fail to grasp their full significance. They suppose that truth which Jesus Christ expressed in a vigorous negative – saying what we may not do – can, with impunity, be transposed into the corresponding, but not much milder positive – telling us of something that we **may** do. In short, they treat this passage as if the Master had said, ‘If a man shall put away his wife for fornication, he may marry another without the guilt of adultery’.

One has but to add to this true, but incomplete, statement the usual confusion of calling fornication adultery, and the daring presumption so often heard, that what the Lord said regarding a **man** may safely be taken as applying equally to **woman**, and the way is open for the formation in the mind of an ‘innocent’ partner, man or woman, happily remarried, the adulterous partner being righteously put away, and therefore of no

concern to us; thus neatly squaring the Lord's dicta with the laws and customs of today.

Unfortunately for this facile conclusion, the Lord chose to deal with the opposite case, namely that of a man who unjustly puts away a chaste wife "*except for...*" that is to say, 'for some cause other than – fornication', and is then 'married' to another woman. This new union, the master says, is no marriage, but adultery. So the mental picture we may have formed must be exchanged for a very different one, namely that of a man adulterously cohabiting with another woman, while his virtuous wife is cast out, and has become, very decidedly our concern. And what of her? Surely under such circumstances she may marry again, may she not? Let the Lord Jesus Christ answer this question Himself: "...*and whoso marrieth her that is put away committeth adultery*" (Luke 16:18). What, then, about the supposed 'right' of the innocent party to remarry? It simply never existed.

This is all perfectly logical. The man's fresh union is not marriage, but adulterous, because in God's view he is still the husband of his original wife. And since he remains her husband, she **must** also remain his wife. Therefore a further union on her part would be adultery, just as truly as it had been on his. The important fact for us to grasp is, that his adultery had **not** annulled his previous marriage. He ought to leave the new, adulterous union, and be united to his real wife. Adultery was **not** a ground for divorce.

If anyone should doubt the soundness of this conclusion, a study of the similar passage in Matthew 5:32 will put the matter beyond question. Here the Master varies His phraseology, saying that a man who puts away his wife for some cause, other than fornication, "*Causeth her to commit adultery*". Why the word "*causeth*"? Because in the East no career was open to woman save marriage: she must marry, or starve. So this inspired phrase, "*causeth her to commit adultery*", while it emphasises the

woman's previous innocence, and lays the blame for what follows squarely on the man who puts her away, yet leaves no shadow of doubt as to the nature of her subsequent alliance: it is **adultery**.

“Hear the Conclusion”

The concurrence of the Lord Jesus with the eastern custom of taking the failure of a bride to produce ‘tokens of virginity’ as evidence that at some time in her maidenhood she had committed fornication, and that, therefore, a marriage contract entered into on the assumption that she was a chaste virgin might then and there be annulled by the bridegroom, should finally dispel the illusion that He used the words ‘fornication’ and ‘adultery’ as if they were synonymous, or intended to include adultery among the grounds for divorce.

If this be not sufficient, He further declared that a husband who divorced, and thrust out, a chaste wife, and associated, adulterously, with another woman, did not thereby render the divorce effective: the innocent wife might not remarry without herself incurring the guilt of adultery.

Mark, writing for Gentile Christians, who had no customs regarding ‘tokens of virginity’, but among whom, in some countries women had the legal right to institute divorce as well as men, sums up the whole matter perfectly for us in the Lord's own words, “*Whosoever shall put away his wife and marry another committeth adultery against her, and if a woman shall put away her husband and be married to another, she committeth adultery*” (Mark 10:11-12). **To this there is no exception.**

F. Alwyn Adams

“...the same commit thou to faithful men, who shall be able to teach others also.” (2 Timothy 2:2)

SOME RELEVANT SCRIPTURES

“If any man take a wife, and go in unto her, and hate her, And give occasions of speech against her, and bring up an evil name upon her, and say, I took this woman, and when I came to her, I found her not a maid: Then shall the father of the damsel, and her mother, take and bring forth the tokens of the damsel’s virginity unto the elders of the city in the gate: And the damsel’s father shall say unto the elders, I gave my daughter unto this man to wife, and he hateth her; And, lo, he hath given occasions of speech against her, saying, I found not thy daughter a maid; and yet these are the tokens of my daughter’s virginity. And they shall spread the cloth before the elders of the city. And the elders of that city shall take that man and chastise him; And they shall amerce him in an hundred shekels of silver, and give them unto the father of the damsel, because he hath brought up an evil name upon a virgin of Israel: and she shall be his wife; he may not put her away all his days. “But if this thing be true, and the tokens of virginity be not found for the damsel: Then they shall bring out the damsel to the door of her father’s house, and the men of her city shall stone her with stones that she die: because she hath wrought folly in Israel, to play the whore in her father’s house: so shalt thou put evil away from among you. If a man be found lying with a woman married to an husband, then they shall both of them die, both the man that lay with the woman, and the woman: so shalt thou put away evil from Israel.” (Deuteronomy 22:13-22)

“It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery.” (Matthew 5:31-32)

“But those things which proceed out of the mouth come forth from the heart; and they defile the man. For out of the heart proceed evil thoughts, murders, adulteries, fornications, thefts, false witness, blasphemies: These are the things which defile a man: but to eat with unwashen hands defileth not a man.” (Matthew 15:18-20)

“The Pharisees also came unto Him, tempting Him, and saying unto Him, Is it lawful for a man to put away his wife for every cause? And He answered and said unto them, Have ye not read, that He which made them at the beginning made them male and female, And said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder. They say unto Him, Why did Moses then command to give a writing of divorcement, and to put her away? He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.” (Matthew 19:3-9)

“And He said, That which cometh out of the man, that defileth the man. For from within, out of the heart of men, proceed evil thoughts, adulteries, fornications, murders, Thefts, covetousness, wickedness, deceit, lasciviousness, an evil eye, blasphemy, pride, foolishness: All these evil things come from within, and defile the man.” (Mark 7:20-23)

“And the Pharisees came to Him, and asked Him, Is it lawful for a man to put away his wife? tempting Him. And He answered and said unto them, What did Moses command you? And they said, Moses suffered to write a bill of divorcement, and to put her away. And Jesus answered and said unto them, For the hardness of your heart he wrote you this precept. But from the beginning of the creation God made them male and female. For this cause shall a man leave his father and mother, and cleave to his wife; And they twain shall be one flesh: so then they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder. And in the house His disciples asked Him again of the same matter. And He saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall put away her husband, and be married to another, she committeth adultery.” (Mark 10:2-12)

“Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery.” (Luke 16:18)

“There was never any doubt in the Early Church that our Lord had completely forbidden divorce... This present effort to draw out the true meaning of our Lord’s teaching is especially welcome in a day of ever increasing laxity even among Christians. I am certain that the interpretation is correct...”

H. L. Ellison