

# CRITIQUE OF THE BETROTHAL SOLUTION

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(THE FOLLOWING 42-PAGE CRITIQUE IS PART OF A LARGER WORK (first draft of an e-book) WHICH MAY BE DOWNLOADED FROM MICHAEL WHENNEN'S WEBSITE AT [http://www.wisereaction.org/ebooks/McFALL\\_eBOOK\\_ON\\_DIVORCE\\_1.pdf](http://www.wisereaction.org/ebooks/McFALL_eBOOK_ON_DIVORCE_1.pdf) See the author's website at: <http://lmf12.wordpress.com> for critiques of other views on divorce and remarriage.)

## 6.6. CRITIQUE OF THE BETROTHAL SOLUTION

### 6.6.1. The pros and cons of the betrothal interpretation

The beauty about the betrothal interpretation is that it defends the indissolubility of every lawful, consummated marriage. That cannot be said of very many other solutions.<sup>1</sup> It also defends the infallible nature of God's Word, and that it can be trusted to guide the righteous man and woman into the true knowledge of God, and give them heart to do the will of God through obedience to everything He has revealed in His Word. If we translate Matthew 19:9 to bring out the interpretation of the Betrothal solution it would read:

"Now I say to you that who, for instance, may *have* divorced his wife—except for betrothal fornication *which is punished by death*—and may *have* married another *woman*, he becomes adulterous *by marrying her*. And the *man* having married a divorced *wife*, he becomes adulterous *by marrying her*."

The evil consequence of the betrothal interpretation is that it makes Jesus the administrator of divorce, even though it is given under exceptional circumstances (akin to the Incestuous solution<sup>2</sup>), it is, nevertheless, argue its supporters, a lawful divorce that Jesus thoroughly approved of, because His earthly father contemplated using this exceptional provision when he planned to divorce his espoused wife Mary. This provision of divorce had to go through the Jewish law courts to be valid. So, under special circumstances, divorce is good. God loves this kind of divorce.

We are informed that one of the major reasons for the one-year wait between the betrothal [engagement] and the consummation was to confirm the bride's chastity. Proof of her virginity, in the form of menstrual blood on a cloth, which was usually bright red, was kept by her parents right up to the day she was married. If the proofs were not available or kept, then the contract would be declared null and void; the groom would not go ahead with the marriage. He had to be 100% sure that his bride was a virgin. It was like buying a jar of jam and on opening it at home discover that the seal had been broken and a big spoonful of it had taken out. It was bought in good faith that it had been sealed and was intact. So it was in the case of marrying a virgin. Both goods would be taken back to the

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<sup>1</sup> The exception is the view, propounded by Gordon Wenham, that the exception clause in Mt 19:9 simply states that Christ's prohibition against divorce does not apply in the case of an illegal, incestuous marriage—one that should not even have been consummated in the first place. Jesus, then, is teaching 'no divorce,' save the exceptional situation where marriage has taken place within the prohibited relationships of Leviticus 18:6-18. The meagre arguments for this view are summarised in J. Carl Laney's contribution in H. Wayne House (ed.), *Divorce & Remarriage: Four Christian Views* (Downers Grove, ENG.: Inter-Varsity Press, 1990), pp. 36-7. This view stumbles over the same situation occurring in Greek and Roman cultures, so that the same exception clauses would be required in the gospels of Mark and Luke to meet the same situation. Is it not obvious that in the unique case of unlawful, incestuous unions the prohibition against divorce did not apply? There never was the possibility of obtaining a bill of divorce to undo these unlawful marriages. There are no history cases where a bill of divorce was used to disband these abominable unions. Annulment, not divorce, was the appropriate legal action to take in these cases. It is a sign of desperation to apply Jesus' so-called exceptive clauses to these unlawful unions.

<sup>2</sup> This solution is better known under the title, *Marriage within the prohibited relationships of Leviticus 18*, which is supported by J. Carl Laney, *The Divorce Myth* (Minneapolis: Bethany, 1981), pp. 72-77.

seller and the purchase price refunded to them. End of story. The buyer goes off and buys the same product from a more reputable seller.

Yet, when we examine the work of one of the most able exponents of the betrothal view, he came to the conclusion that the ending of a betrothal contract was not on a par with divorce, but on a par with the annulment of a contract of 'marriage,' even though it had not been consummated to qualify as a full marriage. His words were:

A husband's divorcing such a wife [i.e., one who has been unfaithful during the betrothal period] can equally well be described as the annulment of an unfulfilled contract of sale as a divorce. . . . Although the term divorce was used in these cases, it is more accurate to say that it was a matter of cancelling an unfulfilled contract of sale, because one of the parties had tricked the other as to the nature of the goods. . . . The word divorce is used even when a man divorces his wife because of her premarital unchastity. Actually he does not divorce his wife but is himself relieved by a court order of the need to fulfil his obligations under the marriage contract, since it has been established that the other party has deceived him.<sup>3</sup>

Wenham and Heth agreed that, "This is not actually a divorce, though a legal bill of divorce was required by the Jews in such cases."<sup>4</sup> Given the contractual and conditional nature of the betrothal stage it is surprising to find a defender of the betrothal solution argue that: "Advocates of the betrothal view assert that this practice of nullifying an unconsummated marriage during the betrothal period because of unfaithfulness is the event in view in the Matthean exception clause."<sup>5</sup>

One can understand that Christians who hold to the inerrancy of Scripture would seek out a solution that would allow Jesus to be consistent in His teaching on divorce as stated clearly in Mark 10 and Luke 16. This is highly commendable, but if the exception clause in Matthew 19:9 has been tampered with, and a Greek word added to Jesus' words to make Him allow for divorce for fornication, then it is wrong to defend the tampered text as representing what Jesus taught. The added word must be removed in order to recover the original words that Jesus actually used in conveying His teaching. When the offending word is removed we find Jesus teaching the complete opposite to what the addition produced. For instead of Jesus saying "except for fornication," He said, "not over fornication." The full text of Matthew 19:9 then reads, "Now I say to you that who, for instance, may *have* divorced his wife—not over fornication *which is punished by death*—and may *have* married another *woman*, he becomes adulterous *by marrying her*. And the *man* having married a divorced *wife*, he becomes adulterous *by marrying her*."

Since the days of Moses no Hebrew or Jew had been allowed by God to obtain a divorce for fornication or adultery. God chose the severest penalty available to Him to get rid of such defiled persons. The only grounds that Hebrews and Jews had been using to get a divorce since the time of Moses were for non-fornication issues, but Jesus referred directly to these grounds and declared that all such divorces were now null and void. *Anything outside fornication was no longer a ground for divorce.* He was asked, "Is it lawful . . ." and He answered clearly, "It is not lawful to divorce for a non-fornication issue, and My Father made it unlawful to divorce for a fornication issue." God, in the Person of the Lord Jesus, abolished the practice of divorce on planet Earth for all time to come, and restored the original standard by which all men and women will be judged in the Last Day.

According to the betrothal solution, one cannot say that Jesus banned *all* divorces under *all* circumstances. Jesus has room for this kind of divorce within His teaching. He has given permission to Jews who are in a marriage contract, and whom He regards as husbands and wives, even though the consummation of their marriage is still up to one year in the future, to divorce one another if one of them commits fornication. He does not allow them to divorce on any other grounds. Apart from this single sin, this means that their engagement vows are unbreakable, and they must go through

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<sup>3</sup> Abel Isaksson, *Marriage and Ministry in the New Temple. A Study with Special Reference to Mt. 19.13 [sic]-12 and 1. Cor. 11.3-16*. Trans. Neil Tomkinson with Jean Gray (ASNU 24. Lund: Gleerup; Copenhagen: Munsgaard, 1965), pp. 137, 140. It should be borne in mind that Isaksson assumed that Jesus permitted divorce in Mt 19:9 because he was under the false impression that Erasmus's text represented Jesus' teaching (ibid., p. 139). All advocates of the betrothal solution labour under the same misapprehension, and even by most of their opponents, cf. J. Carl Laney, *The Divorce Myth* (Minneapolis: Bethany, 1981), p. 65f., who advocated the solution *Marriage within the prohibited relationships of Leviticus 18* to account for Erasmus's exception clauses (ibid., p. 72).

<sup>4</sup> Gordon J. Wenham, and William E. Heth, *Jesus and Divorce*. 2nd Edition (Carlisle: Paternoster Press, 2002), p. 170.

<sup>5</sup> David W. Jones, "The Betrothal View of Divorce and Remarriage," *BibSac* 165 (2008) 68-85, esp. p. 76.

with the marriage. That Jesus would put the full weight of His authority behind this special case—this exception to His ‘no divorce on any grounds’ has alarming implications.

**First**, it means that Jesus’ name is associated with divorce *and it has His approval*, albeit it is a special kind of divorce available only to Christians belonging to a certain race.

**Second**, it means that divorce *per se* is not a word to be associated with sin. It is no longer appropriate to infer that ‘divorce’ of any kind is evil. In the betrothal solution Jesus has created a valid divorce which is not a sin. Consequently, there were three stages at which a divorce could be had in Jewish society: divorce *leading up to* the consummation (Matthew 1), divorce *at the moment of* marriage, (Deuteronomy 22), and divorce *well into* a marriage (Deuteronomy 24).

**Third**, on the betrothal interpretation there are now good divorces and there are bad divorces. Jesus is on the side of good divorces. Jesus loves divorce—the good kind. The argument goes that the espoused virgin is truly married, as truly as any married wife is, except for the matter of consummation, so that it is necessary to have a full, and proper divorce, complete with a bill of divorce, *exactly the same as would be given to a married woman*, to dissolve her espoused union. The betrothal view requires, nay, *demand*s, that the term ‘wife’ should apply to a woman before and after consummation for the exception clauses to function. The betrothal vows have got to be as binding as the marriage vows (Deut 20:7; cf. 24:5). *This is absolutely crucial if the exception is to work*. But the more one argues for equality between the betrothal state and the married state, the wider becomes the logical gap in allowing the betrothal ‘wife’ to lose her wifely status for infidelity, but not allowing it in the case of the married wife. If betrothal were the same as marriage then why would the couple still need to be married?

Here the procedure of divorce does do what it claims to do, namely, it dissolves a lawful union of ‘husband’ and ‘wife.’ And Jesus, it is claimed, agreed that the divorce procedure truly dissolves unconsummated marriages *because of unfaithfulness*. Consequently, it is argued, that what God had joined together in holy matrimony in an espousal ‘marriage,’ He can dissolve through the law courts of this world. The question naturally arises, if God does this for unfaithfulness in the pre-consummation period, why would He not do the same in the post-consummation period? This disparity would place faithfulness prior to the marriage on a far higher level than on faithfulness after the marriage. God will not punish a married wife for adultery, or allow her husband to divorce her; he must put up with her all the days of his life. But God does punish the betrothed wife who commits exactly the same sin as the married wife, by allowing her ‘husband’ to divorce her, so that he is not glued to his ‘wife’ all the days of his life. This is an illogical, not to mention, immoral, situation to be in.

We noted above that the betrothal vows have got to be as binding as the marriage vows. *This is absolutely crucial if the exception is to work*. The reason for this insistence by the supporters of the Betrothal solution is this, when Jesus commences His statement He uses the term ‘his wife’ and this must include espousal and married wives. *He is addressing both types of wives*. The term ‘wife’ (γυναικα) is an inclusive term in this context, we are told. Now if we omit the exception clause, the text would apply to both types of wives, and would read, “Now I say to you that who, for instance, may *have* divorced his wife [espousal or married], and may *have* married another *woman*, he becomes adulterous *by marrying her*. And the *man* having married a divorced *wife*, he becomes adulterous *by marrying her*.”

Now, if Jesus had made no distinction between these wives (in different stages of becoming potential mothers), then it logically follows that if, say, Joseph obtained a bill of divorce to dissolve his union with Mary, because of her fornication [loss of virgin status], then no man could marry her without being condemned by Jesus as an adulterer. We are told that it was to allow the innocent espoused husband (in this case, Joseph) to find another wife that Jesus inserted the exception clause.

If so, then we must return to the commencement of Jesus’ words and understand the ‘who’ in 19:9 to be inclusive of betrothed husbands and married husbands.

There is an illogical sequence here. Jesus, we are informed, taught that the exception allows only the espoused husband to divorce his espoused ‘wife.’ Now, if Mary was truly divorced from Joseph, so that whatever bond there had between them as ‘husband’ and ‘wife’ has been truly dissolved, then how can Mary’s next husband be regarded as an adulterer? The charge of being an adulterer can only apply if Mary’s second husband marries a married woman, which Mary was not, if the divorce did what it claimed to do.

The only way out of this situation is to speculate that in the second half of the v. 9 Jesus has mentally put the betrothed couple behind Him, and addresses only the situation that pertained to fully married husbands and wives, as in v. 9a. If so, the text should now read:

“Now I say to you that who [= a married man], for instance, may *have* divorced his [wedded] wife—except for the espoused husband who divorced his espoused wife for betrothal fornication *which is punished by death*—and he [= a married man] may *have* married another *woman*, he becomes

adulterous by marrying her. And the man having married a divorced wife, he becomes adulterous by marrying her.”

The odd thing in this whole set-up is that an espoused wife can be lawfully divorced *on Jesus' express authority*, for the sin of fornication, but when a married wife commits the exact same sin of fornication, she cannot be divorced, yet the theory places great emphasis on the belief that at the betrothal ceremony the two are married in the eyes of the law. And so binding is this union, we are informed, that it takes a divorce certificate to get out of it. Playing up the permanency of the betrothal contract only heightens the nonsensical nature of not allowing married couples to be divorced on the same grounds of a broken contract.

**Fourth**, Jesus hates fornication so much so that when it occurs between two persons who are engaged to be married, the innocent party can sue for a divorce with His full approval and blessing. But if fornication occurs after they have consummated their marriage vows, then the innocent party cannot sue for a divorce, and if he does get a divorce it does not have His approval or blessing. The former is a just divorce, the latter is an unjust divorce. The flaw in this argument is that if the espoused wife is found to have committed *fornication* (note the term) before she consummated the marriage, she is not divorced, but stoned to death (Deut 22:21). There is, therefore no parallel with Joseph's action to 'put away' his wife *privately*. This was an unlawful act on Joseph's part *in the eyes of the rabbis*.<sup>6</sup>

**Fifth**, in order to administer Jesus' 'special case' divorce, Jesus would need to set up the equivalent of the Jewish Sanhedrin *in His Church* to appoint judges to investigate each case. These judges would need a salary or stipend, secretaries, financial boards, and the whole paraphernalia that goes with human law courts. Or, are these privileged Jewish Christians to go to Satan's Gentile law courts to obtain Jesus' special divorce certificates?

**Sixth**, this 'special case' divorce would not be available to Jesus' non-Jewish converts. It is a special privilege which He has granted only to those who are still participating in the traditional Mosaic way of life, and who are living under the same conditions that obtained when the Torah became the established way of life for all Jews. Jesus discriminates between His Jewish followers and His Gentile followers. He cares more for one than the other. One is more highly favoured than the other. There is a class division between His followers. They are unequally yoked together in a single Body.

**Seventh**, in effect the vows that the Christian Jews make at the traditional pre-nuptial stage are the same vows that the Christian Gentiles make on the day of their traditional way of becoming husband and wife, the only difference is that the Christian Jew has a longer period of time between making the vows and consummating the marriage.

In the case of Gentile Christians, bringing forward the pre-nuptial vows to within a few hours of the point at which those vows are consummated, does not allow any time for the bride or groom to commit fornication, but even if, God forbid, one of the parties commits fornication between making the vows in the morning and consummating the marriage in the evening, and it can be proved that fornication has taken place, Jesus does not allow this Gentile couple to sue for divorce on the grounds of fornication, because He discriminates between His Jewish and His non-Jewish followers. It follows from this, that if one of the Gentile parties is guilty of fornication before the marriage is consummated Jesus' attitude toward the innocent Gentile party is to say, 'Hard luck, but you now have to live with your guilty partner for the rest of your life, because I have not given you the option that I have given to my Jewish followers to sue for a divorce, and extricate themselves from a defiled relationship.'

Let us be clear, in the case of Jewish Christian weddings, because there is a longer period of time between making the vows and consummating the marriage, if one of the parties commits fornication in that time, then the innocent party can sue for a divorce, *but only if they are Jewish*, because the exception is found only in the Gospel that was specifically written for the Jews.

In effect, Jesus discriminates between His Jewish converts and His Gentile converts; the latter are second-class converts. If Jesus did make a 'special case' for His Jewish converts then a new batch of legal questions come to the table. What if only one of the parties is Jewish, can they sue for this 'special case' divorce? What is the shortest time that can exist between the pre-nuptial vows and the consummation of the marriage? Can it be a week, or one day? What is Jewish? Is it biological or cultural? If biological, what percentage of the DNA must be 'Jewish' (however defined) to qualify for this 'special case' divorce, approved of by Jesus and having His full imprimatur stamped on the divorce certificate?

**Eighth**, one would have to question the wisdom of Jesus who had the foresight to realise that God's will for marriage pre-dated Moses' approval of severing marriages. He displayed His

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<sup>6</sup> I have elsewhere dealt with the lawfulness of Joseph's action in putting away Mary, which is not the same as legally divorcing her.

supernatural wisdom when He took His disciples back to Genesis 2:24, not to Deuteronomy 24:1-3. This insight is highly commendable, but in the case of His 'special case' divorce, He took up a tradition that Moses did not institute, which has no legal foundation in God's Torah, and which was imposed on God's people by the rabbis, and He goes along with it. Not only does He go along with it, but He actually incorporates it into His set of doctrines. So the rabbis created their own law, with no authority from God, and Jesus meekly fell in behind these rabbis and gave His approval to their new, man-made law.

We are entitled to ask: What was the point of rescuing this man-made, post-Mosaic, Johnny-cum-lately custom *to divorce an unmarried couple*, when His doctrine of forgiveness stated that all adultery and all fornication committed after a marriage had been consummated *had* to be forgiven, and that He would not make any 'special provision' for divorce for sexual sins committed by married persons? The position that the supporters of the betrothal solution have put Jesus in is ludicrous. It makes Him look like a fool, taking His lead from blind leaders of the blind. Elsewhere Jesus had nothing but contempt for the 'tradition of the Elders,' but in this case He was blind-sided and didn't see it coming, if we are to believe that the betrothal solution is the only solution to the so-called exception clauses in Matthew's Gospel

**Ninth**, if the only difference between a Jewish Christian wedding and a Gentile Christian wedding is that in the former there is a nine-month gap, and in the latter a nine-hour gap between full committal to becoming one flesh and the moment of consummation, then why did Jesus not see that this did not constitute a logical ground to deny the Gentile Christian the same right to divorce the guilty party that He gave to the Jewish Christian? How can this discrimination be justified? It is immoral.

**Tenth**, the concession to institute law courts to administer divorce certificates but only to His Jewish converts, and only in the case of fornication occurring in the nine-month gap (or x-months) between making a full, verbal commitment to becoming one flesh and the consummation of that intent, but deny administering divorce certificates to His Gentile followers, especially those who placed a similar *nine-month* engagement gap between promise and fulfilment, is odd. Written above the door of these Christian law courts would be the notice: "Admittance to Jews only."

**Eleventh**, every one can see that an engagement is an engagement and not a one flesh union. Every one can see that if a Gentile Christian puts an engagement ring on the finger of the love of his life that he is set on marrying her, and if she accepts the ring she, too, is fully committed to marrying him. The ring constitutes a promise. They are no longer looking for their life's mate. The promise is embodied in a tangible object. Accompanying that ring is the question, "Will you marry me?" But it is obvious to all her family, and his family, that the engagement does not make them 'husband' and 'wife' though they experience in their hearts that something has happened to their singleness, and this is recognised by God in Scripture, because He treats the engaged virgin differently to the one who is not engaged (Deut 21:13-29).

If one culture wants to capture the earnestness of their intense love for one another by prematurely calling them 'husband' and 'wife' then so be it; calling them does not make them 'husband' and 'wife' in the sense that these terms have in ordinary day usage. One would expect that Jesus would see that the engaged couple were not yet husband and wife. Why, then, does it require a divorce certificate to break off an engagement promise when the two are not yet one flesh? Gentile Christians do not need to go to a law court to get a divorce certificate to end their engagement, and to retrieve the engagement ring. They do what Joseph did to Mary, they put her away *privately*. End of engagement. End of story. Move on. Get another girlfriend.

It was a colossal blunder on the part of Jesus, if the betrothal interpretation is the infallible way to interpret the exception clauses in Matthew, in that He fell for the unbiblical tradition of granting a divorce certificate to break off an engagement. Jesus did not need to do this. It exposes a weakness in His claim to be God's supreme teacher that He would fall for such a noose of a tradition as to regard the engagement to be so binding that it could only be severed or dissolved by using the same divorce certificate, with the same wording, as if the engaged couple were a one-flesh union. How did Jesus allow Himself to be duped by this unnecessary tradition? It constitutes a damaging weakness to Jesus' claim to be God, and to deliver infallibly God's teaching to His people if the supporters of the betrothal solution are right, but are they?

**Twelfth**, Moses never instituted divorce for engaged couples. God never instituted divorce for engaged couples. But Jesus, we are told, instituted divorce for engaged couples. Or, rather, it was done for Him by the rabbis, before He was born, and He, unthinkingly, took up their tradition and incorporated it *permanently* into His body of teaching. Why did Jesus not question the lawfulness of this *new* divorce certificate for engaged persons? Why did He not reject it in the same way, and using the same reasoning process, that He rejected Moses' divorce certificate, saying, "From the beginning it was not so."?

When confronted with the post-Mosaic, new fangled, divorce certificates for engaged couples, why didn't Jesus see through it, and declare, "The rabbis, because they wanted to protect the husband,<sup>7</sup> permitted you to divorce your (engaged) wives, but from the time of Moses it was not so."?

The supporters of the betrothal solution are agreed that Jesus took His lead from the rabbis because the rabbis called the engaged couple 'husband' and 'wife,' before they were married, and Matthew, the Jew, similarly called Joseph and Mary, 'husband' and 'wife.' Jesus also, we are assured, called the engaged girl a 'wife,' because in the very words that He condemned married wives from being divorced, He slipped in an exception for engaged 'wives,' realising that they were not in the same class as married wives. But the fact that He refers to them as 'wives' is said to be proof that He was not including them with the other, *married* wives.

Jesus said, "whoever divorces his wife . . ." Which 'wife' are you referring to? the Pharisees could have asked: 'engaged wives or married wives?' but Jesus continued, "whoever divorces his wife, except for fornication, . . ." The word 'except,' we are told, creates two classes of wives, and the word 'fornication,' we are told, is a sin that only engaged wives (or singles) could commit,<sup>8</sup> so it is obvious, we are informed, that Jesus is talking about *two different kinds of wives*, and that what He says about married wives committing adultery if they remarry, does not apply to the engaged wives. *They* can get a divorce, and *they* can become the (engaged) wife of another man, *while the first 'husband' is still alive*, without committing adultery. We are told that Jesus was siding with the rabbis in order to protect these engaged 'husbands' from the charge of committing adultery after they divorced their 'wives,' which the tradition obliged them to do, using the exact same divorce certificate that was used to divorce a *married* couple.

In effect, the betrothal interpreters hold that what Jesus is doing is robbing the married man of his Mosaic right to divorce his married wife for fornication,<sup>9</sup> but allowing the engaged man his *new rabbinic right* to divorce his engaged wife for fornication, which new right was unlawful, because death, not divorce, was the lawful punishment for her fornication (Deut 22:21).

**Thirteenth**, there is a logical and a moral inconsistency in Jesus giving permission to divorce an (engaged) wife for sexual infidelity *before* she is married, but not *after* she is married. If fornication is wrong before marriage, then it is wrong after marriage. What's the difference? The *act* of fornication, and its heinousness, is exactly the same whether it is carried out before or after the marriage has become a reality.

**Fourteenth**, there is a logical and a moral inconsistency in Jesus punishing an unfaithful (engaged) wife with divorce, and punishing an unfaithful (married) wife with death. Jesus allied Himself fully with the rabbis when He, too, called the engaged woman a 'wife.' However, the rabbis were more consistent than Jesus, because if an engaged wife committed a sexual offence, they did not call it 'fornication,' as Jesus did, but they rightly called it 'adultery,' because she was a 'wife.' Because the sin was adultery, the rabbis rightly demanded the death penalty. Jesus, we are told, reduced their punishment to divorce, when He used the term 'except' in the so-called exception clause in Matthew 19:9, "Whoever divorces his wife . . . except for fornication . . ." This, we are told, gave the engaged husband the right to divorce his engaged wife for fornication. The engaged husband (or her father) should have stoned her, but Jesus gives him permission to reduce it to divorce.

Jesus left Himself open to the charge that "this was not so from the beginning," because God demanded that *both* the engaged wife *and* the married wife, if found guilty of infidelity to their husbands, were to be stoned to death. On what authority, then, did Jesus overrule God and change the death penalty into a divorce penalty in the case of *engaged* wives? The betrothal solution puts Jesus and God on a collision course over the punishment that is to be meted out to the engaged wife. Jesus preferred to side with the rabbis and oppose God. This is an unforeseen, evil consequence of adopting the betrothal solution. It has not been thought through in a rigorous manner.

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<sup>7</sup> A virgin wife was the expectation of every husband. If he engaged her in good faith, and having seen the evidence for her virgin state, the rabbis protected him by giving him the right to divorce her if she lost her virgin status before he married her. She became his property. He did not want to marry 'damaged goods.' WYSIWYG did not apply when it came to Jewish weddings.

<sup>8</sup> This point is the foundation for the betrothal interpretation, namely, that by using the term 'fornication,' which is dogmatically declared to be a sin that is *never* committed by a married woman, Jesus must be addressing two kinds of wives in His condemnation of divorce.

<sup>9</sup> Of course, betrothal supporters would never accept that a married woman can commit fornication; she can only commit adultery. If there is one thing that they will never give up, it is that fornication *always and only* refers to pre-marital sex, committed by unmarried persons. Only by maintaining this distinction can they get their Trojan horse wheeled into Mt 5:32 and 19:9. For inside this Trojan are two different kinds of wives, one married and the other unmarried).

**Fifteenth**, supporters of the betrothal solution to the Matthean exceptive clauses sleep safely in their beds knowing that Jesus instituted divorce only for engaged *Jewish* couples. They feel secure knowing that Christians in the West cannot get their hands on this ‘special case’ divorce certificate. But what they have not realised is that once Jesus made an exception for divorce for engaged Jewish converts that this provision automatically became a *permanent fixture* in His teaching on divorce and remarriage. This means that as more and more Jews turn to Christ and congregate in Messianic churches, and who are determined to carry into those congregations all the trappings of their rich Hebrew/Jewish religion, they will return to their marriage traditions.

Now, if they discover that Jesus, *their* Messiah, has granted them permission to divorce their engaged wives and engaged husbands for sexual immorality during the espousal period, they will be emboldened by the betrothal solution to re-introduce these ‘special case’ divorces into their congregations, because they are the ‘special’ people of God, set apart from their Gentile brothers and sisters in Christ. With a sense of pride in their Jewishness, they can point out that there is an exception clause to be added to Paul’s statement, “that there is neither Jew nor Gentile in Christ; we are all one.” “No,” says the modern Christian Jew, ‘Jesus has given us divorce, which He has not given to you Gentiles.’ And the supporters of the betrothal solution will have to agree with them: we are not all one; Jesus has erected a wall of partition between Jew and Gentile over the issue of divorce during the espousal period. They can get a divorce, but the Gentiles cannot. This is one of the unforeseen consequences of the betrothal solution.

Mark and Luke were written for Gentile Christians, and these Gospels make no provision for the ‘special case’ divorce to be on offer to them; it is only on offer to *Jewish* Christians, and this is why it appears only in Matthew’s Gospel. If this is so, would it not be tempting for Gentile Christians to become converts to *Jewish* Christianity, so that their offspring can be considered ‘Jewish’ and so inherit Jesus’ provision for divorce during the engagement period? By becoming ‘Jewish,’ the infants of Gentiles can be circumcised and be deemed to be within the Body of Christ, and the infant girls could receive baptism as their sign of being ‘in’ the family of God, and not left on the ‘outside,’ in limbo, as obtains in the case of Baptist churches.

**Sixteenth**, the supporters of the betrothal view made themselves hostages to fortune when they declared that the word ‘fornication’ could only mean pre-marital sex, and that no married person could commit fornication. This is based on ignorance of the facts. Married persons can fornicate and be fornicators, as well as be adulterous and adulterers and adulteresses.

**Seventeenth**, the betrothal interpretation is based on the wrong Greek text. It is based on Erasmus’s faulty Greek text. The truth is, that once you remove the Greek word that Erasmus added to God’s Word in Matthew 19:9, the exception clause “except for fornication” disappears, and the *raison d’être*—the reason for the existence of the betrothal interpretation disappears.

**Eighteenth**, the betrothal interpretation gives the same translation to the so-called exceptive clauses in Matthew 5:32 and 19:9, namely, “except for fornication,” despite the fact that the Greek is different in both places. It is different because Jesus was teaching two different points in these two places. Being caught in the headlights of their own theory, has blinded their minds to see the difference. This difference is crucial, because on it hangs the solution to the enigma of these so-called exception clauses.

**Nineteenth**, if, as some scholars hold, the Romans and the Greeks, as well as the Jews, had a similar betrothal period prior to the actual wedding, then this weakens the foundation of the betrothal view.<sup>10</sup> Whether there was a legal commitment to marry at a future date in these non-Jewish cultures, so that there was a true parallel to the Jewish situation is unclear.

**Twentieth**, the supporters of the Betrothal solution would prefer to translate Matthew 19:9 as follows: “Now I say to you that who, for instance, may *have* divorced his wife—except for betrothal fornication *which is punished by death*—and may *have* married another *woman*, he becomes adulterous *by marrying her*. And the *man* having married a divorced *wife*, he becomes adulterous *by marrying her*.” But why would Jesus single out betrothal fornication, when the same death penalty applies to it and to adultery? To justify God’s death penalty the solution requires that the pre-marital fornication be committed *after* the couple have entered the espousal period, but before the marriage is consummated, because only if she can be viewed as a ‘wife’ could she receive the punishment that belongs to adulteresses.

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<sup>10</sup> See J. Carl Laney’s contribution in H. Wayne House (ed.), *Divorce & Remarriage: Four Christian Views* (Downers Grove, ENG.: Inter-Varsity Press, 1990), p. 35.

If a young woman was raped before she was espoused to be married, so that she was not considered to be the 'wife' of any man, then the rapist was not subject to the death penalty (Deut 22:29), but then neither could he ever divorce her all the days of his (or her) life if he married her.<sup>11</sup>

**Twenty-first**, under point three above we noted that the Betrothal solution required the following translation: "Now I say to you that who [= a married man], for instance, may *have* divorced his [wedded] wife—except for the espoused husband who divorced his espoused wife for betrothal fornication *which is punished by death*—and he [= a married man] may *have* married another *woman*, he becomes adulterous *by marrying her*. And the *man* having married a divorced *wife*, he becomes adulterous *by marrying her*."

The switch from focussing on married couples in 19:9a, to addressing betrothed couples in the exception clause, and then switching back to married couples in v. 9b is not good grammar.

The implication of the exception clause is that Jesus taught that if a betrothed husband divorced his betrothed wife it could only be for fornication, *and nothing else*. This means that his betrothal, when once established in law and custom, is a permanent union ('all the days of his life'), and he cannot get out of it on any other grounds, not even using the '*ervat davar*' or the 'hate' option of Deuteronomy 24:1-3. It becomes an indissoluble betrothal bond.

Presumably, if Joseph had divorced Mary for fornication, then she would have been a divorced woman, and no one could marry her, and yet she is not married to anyone! This is unlike the case with married couples, who, after they got *the same bill of divorce* as the espoused couple got, Jesus did not regard their bill of divorce as dissolving their marriage bond.

Surely, if Jesus agreed that Joseph's bill of divorce did dissolve their union, then Mary was a free woman. She was free to remarry. But if she is a divorced woman, how can any man marry a divorced woman and not be an adulterer? The answer must be, according to the Betrothal solution, that Jesus made a further exception to His statement in v. 9b, to allow espoused divorced wives to remarry. So the logic of allowing espoused husbands to divorce their wives is that their divorced wives are free to remarry. So the assumption that all remarriages are adulterous relationships is false; there are some remarriages which are not adulterous affairs. This is what results when you do some joined up thinking.

#### 6.6.2. The way forward to a new solution

What we need is a new solution that:

(1) divorces Jesus from divorce. The betrothal solution does not do that. It presents Jesus holding 'special case' divorce certificates in His hands, and dispensing these through the hands of His bishops and elders *but only to His Jewish converts*. The New Testament Church was predominantly Jewish to begin with, but in the course of time they dwindled to almost nothing. The teaching of Jesus has come round full circle again, or come into vogue once again, in that as more and more modern Jews return to be His disciples, they, but not their Gentile brothers and sisters, can avail themselves of His *permanent* provision of divorce to ensure that their men folk marry only virgins. Gentiles are not given the same protection, and they have to take their chance that they are marrying a virgin. If she is not a virgin, then that is hard luck on them. They have to live with her in a WYSIWYG world (what-you-see-is-what-you-get), with no prospect of ever being released from her (or him).

(2) The new solution must associate every occurrence of the word 'divorce' with sin. In the betrothal view there is a 'good' divorce, which Jesus endorses as a good thing, and there is a 'bad' divorce which He hates. This distinction must be abolished in the new solution.

(3) The new solution must take into account the linguistic evidence that the term 'fornication' cannot be restricted to pre-marital sex. This is the lynch pin that holds the betrothal theory together. The evidence is clear that married persons can be fornicators and fornicate, just as they can be prostitutes and prostitute themselves. The term 'fornicate' and 'prostitute' go back to the same root.

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<sup>11</sup> There are only two occasions when God stepped in to ban divorce. (1) When a man raped a virgin who was not betrothed, and she agreed to marry him (Dt 22:29; Exod 22:16-17), and (2) when a husband wrongly accused his newly married wife of not being a virgin on her wedding night (Dt 22:13-19). Both wives had an ugly beginning to their married lives. The seeds of disaster and the potential for divorce were there from day one. God saw it, and by removing any escape from the union, He forced the husband to come to terms with his 'bound' state. The abolition of divorce in these two cases was a foreshadowing of what was to come when He would send His Son into the world to make it a universal law that once a lawful union had been formed each couple must come to terms with their 'bound' state, because it was one from which there was no escape. Hence the consternation of Jesus' disciples when they learned this, "In that case, it is better not to marry" (Mt 19:10).



(4) The new solution must be based on the Majority (Byzantine) Greek New Testament published by Robinson & Pierpont, which has removed Erasmus's addition of εἰ before μὴ in Matthew 19:9. The removal of this word will remove the exceptive clause altogether in Matthew 19:9.

(5) The new solution must come to terms with the different Greek words used in the so-called exceptive clauses in Matthew 5:32 and 19:9. It is a common failing of works supporting the betrothal solution that they ignore these differences, because behind them Jesus is making two separate points.

(6) The new solution must take into account that Jesus is referring to *one and the same* wife in Matthew 5:32, and *one and the same* wife in Matthew 19:9, in accordance with the grammar of their respective sentences. It is a keystone of the betrothal solution that Jesus is addressing two kinds of wives in both places. This is eisegesis, not exegesis.

(7) The new solution must not manipulate or distort the use of rabbinical material. For example, the rabbis regarded the engaged 'wife' as in the same category as a married wife, whose infidelity is called 'adultery' and the punishment was death. But in the betrothal solution this information is disregarded, and in its place they regard the engaged 'wife' as really a single person, and so her infidelity is called 'fornication' (which it is in Deut 22:21), and her punishment is reduced to divorce (which it is not in Deut 22:21).

Now the Jews never permitted divorce for adultery.<sup>12</sup> This sleight of hand is a dishonest use of the rabbinical sources upon which they claim to find their master key to unlocking the meaning of the exceptive clauses in Matthew 5:32 & 19:9. In any new solution there must be transparent honesty in the use of rabbinical sources. It must be made absolutely clear to the readers where rabbinical sources have been altered, modified, or manipulated to make them support a predetermined goal that is not found in the source documents. The betrothal solution gives the impression that it is based on trustworthy Jewish documents setting out the details and laws pertaining to marriage customs among the Jews in Jesus' day.

(8) We must not present Jesus as taking His theology and ethics from the rabbis, as the betrothal solution does. Jesus despised them and used the harshest terms possible to condemn them and their 'traditions of the Elders,' which Jesus found nauseating and a burden on the people of God. The introduction of a divorce certificate to get out of an engagement was the creation of the rabbis. It has no legal basis in God's Torah, and certainly Moses did not sanction it. We should not present Jesus as a poodle dog jumping through this rabbinic hoop. That is an undignified role to put Jesus in.

(9) The new solution must not create divorce law courts in the Church, as the betrothal solution would require for Jewish Christians to come to, to dissolve their binding engagement commitments.

(10) The new solution must not divide Christ's Church into two distinct groups on the grounds of race between Christian brothers and sisters. Jesus' teaching on divorce and remarriage must be applicable to Jew and Gentile Christians alike.

All the points outlined above are present in the new solution being put forward in this book.

### 6.6.3. The importance of virginity in a bride

Having presented the best and the evil aspects of the betrothal solution, and an outline of a new solution to the so-called exceptive clauses in Matthew's Gospel, it is time to delve more deeply into the betrothal solution, which appears to be the only one on offer to conservative-evangelicals to rally around.

It is wise to have grave reservations about cultures that demand virginity in the bride but not in the bridegroom, and if the bride is not a virgin on her wedding night, then she can be divorced, but not *vice versa*. This is a case of double standards.<sup>13</sup>

Where once in Ancient Near Eastern societies a bride was bought for money and was a possession, much like cattle and goods, one can see that a non-virgin bride would be deemed to be 'spoilt goods,' and returned to her father (the seller). That is a given fact of life in those kinds of cultures, and we can place Hebrew culture within its Near Eastern context in this respect. But with the coming of Christ and the re-introduction of marriage as it was 'in the beginning,' all of these cultures must undergo a complete transformation. 'All things become new,' applies to marriage customs as much as to all other aspects of societal living.

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<sup>12</sup> The case of Joseph *privately* putting away Mary cannot be an example of the Jewish tradition relating to espoused brides, because these had to be public occasions, where possible. There is no legal term in Greek, Aramaic, or Hebrew, that is equivalent to the English word 'divorce.' These languages use common verbs to refer to the act of divorce.

<sup>13</sup> see also section 5.8. How far can Old Testament laws be imposed on the Church?

The reason why a man *had* to marry a virgin in Israel was to ensure that every man's offspring could be traced back to those to whom great promises and covenants were made concerning possession of land in Palestine and future inheritances. Only physical, legitimate descendants could inherit these promises. Illegitimacy disqualified. Illegitimate sons could not be members of the people of God—'the Church in the wilderness' (Acts 7:38) for ten generations of descendants. The need for such purity of descent has long since passed with the coming of Jesus. In Him all genealogies have terminated. Illegitimate children can now inherit the Kingdom of God, as can repentant adulterers and murderers, and all those who formerly committed capital punishment sins while living under the Mosaic law.

So while one would expect every bride and groom to be virgin on their wedding night, anywhere in the world, no exception must be made for Christian Jews. Not to find her a virgin is not a cause for divorce, or to invalidate the union. Young men (Jew and Gentile), as much as young women, are not virgin in their thought-world while they are in an unregenerate state (before conversion).

Those who are keen to make Jesus condone divorce for those brides who are not virgin on their wedding night, and who conceal it from their husband, do so by bringing forward *one* law to do with sexual purity, but conveniently ignore all the other laws, and do not bring these forward into Jesus' teaching and make them an integral part of Christian doctrine. This is picking and choosing in a mix-and-match hotchpotch of Christian doctrine to get what one wants out of the obsolete laws of Moses. If one brings forward one law, namely, Deuteronomy 22:13-19, then he must bring forward all the other laws relating to the same topic. For example, if a man has sexual intercourse while his wife is menstruating, both are to be cut off from the people of God (Lev 20:18). A man is not to disfigure his beard (Lev 19:27).

Those who are keen on insisting that Jesus is referring to Deuteronomy 22:13-19 in the so-called exception clause in Matthew 19:9 realise that if a husband does not find his bride a virgin on her wedding night that he is entitled, using Jesus' exception clause, to divorce her the next morning, and look for another bride, who, hopefully, is a virgin, but if she is not then he can repeat the divorce procedure for as many times as he needs to, until he finds a virgin bride. Faced with this logical outcome to Jesus' exception clause, some Christian writers are advocating that all couples (especially Christian couples) should have a private meeting at which both should confess their sexual histories before the other, and before the wedding takes place. It is thought that this would pre-empt either party divorcing the other because they enter their marriage knowing what they are getting from each other. This situation would never have been tolerated in Hebrew/Jewish culture, as Joseph's reaction demonstrates as soon as he heard that his bride-to-be was not a virgin. It is good for a Christian man not to touch a non-virgin. It is asking for trouble, physical<sup>14</sup> and spiritual.

Jesus made a great contribution to abolishing the evil of divorce in every culture when He made the statement: "But I say to you that whoever looks at a woman to lust for her has already committed adultery with her in his heart" (Mt 5:28). On this standard no young groom would ever reach the altar.

The one thing that can be said of the Hebrew religion is that every male member of the Old Testament Church was born of a virgin mother. God was absolutely strict on this necessity. So strict was He that He required the death penalty for every bride who was not a virgin on her wedding night, and whose parents could not provide proof of her virgin status when they gave her away in marriage (Deut 22:13-29). That is a very high standard of morality to maintain, and a very high price to pay if it was not maintained. But the standard and the penalty were introduced with the sole object of ensuring that the promise made to Adam that from his seed would come his redeemer, would be fulfilled. The same promise is narrowed down to Abraham, then to Isaac, then to Jacob, then to Judah, then to David's line, and so to Christ. It was Satan's purpose to contaminate the line running from Adam to Christ, so that no one would know if God had kept His promise to Abraham and David or not.

It is the fact that the Messiah-Jesus emerged out of Joseph's house, who was 'of the house and lineage of David' (Lk 2:4) that God was able to demonstrate that He *had* kept His word. But if Satan had managed to contaminate the lineage of the Messiah as it passed down the male line from Adam through Seth, through Shem, through Abraham, through David, through Joseph, he could only do so when the seed passed out of the loins of each carrier of the seed into the womb of a virgin mother. Because each male link *had* to pass through the womb of a woman, because the male carriers died, the seed was at its most vulnerable to being lost when it made the transition from husband to wife. If she

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<sup>14</sup> Daniel R. Jennings, *Except for Fornication* (e-book, internet), pp. 36-45.  
[http://www.danielrjennings.org/except\\_for\\_fornication\\_version\\_1.pdf](http://www.danielrjennings.org/except_for_fornication_version_1.pdf).

was not one hundred percent faithful, then her firstborn son may not be her husband's firstborn and heir, and that would cause great confusion.

Now that the Messiah has come, the death penalty has been removed for fornication and adultery. It is highly desirable that a Christian man marry a virgin wife, but if she is not a virgin he can neither kill her or divorce her. Jesus laid His axe to the tree of marriage as an indispensable hoop through which every man had to jump to please his Creator.<sup>15</sup> The era of physical begetting to expand the membership of the Old Testament Church was now a thing of the past, The era of spiritual begetting had arrived in the person and example of Jesus Himself. There is something better to live for than sex, He revealed. The custom of marrying and giving in marrying had to take a back seat in His Kingdom.

#### 6.6.4. Physical begetting has given way to spiritual begetting

We can start off with an analogy. The Holy Spirit did not instruct the Church of God to abolish social realities, such as the master and slave relationship. He transformed the outlook of both classes. The master is the slave of the Lord Jesus (1 Cor 7:22), and Christ is his master (Eph 6:9; Col 4:1); and the slave is the Lord's freedman, and freeman (1 Cor 7:22). Slaves and masters have the same Holy Spirit abiding in them (1 Cor 12:13; Gal 3:28; Col 3:11). The Christian slave and the Christian master are brothers in Christ (Phlm 16), and this is all the more reason that the slaves should submit to their masters in the same manner that they submit to Christ (1 Tim 2:9-10).

At the *spiritual* level 'there is no longer slave or free' *in Christ* (Gal 3:28), because Christ is the master of both; they are all His slaves. They are all one class *in Christ* (Gal 3:28). Those who are born free must not become slaves, because they are already Christ's slaves (1 Cor 7:23). Christian slaves are to obey their masters (Christian and non-Christian) as if they were obeying Christ Himself (Eph 6:5-7), and to do so 'as slaves of Christ' (Eph 6:6).

If slaves can buy their way out of slavery, or become free through legitimate and lawful means, then they should do so, but only with the motive that they can serve Christ *directly* (1 Cor 7:21). The slave serves Christ *through* serving his immediate, physical master. Likewise the wife serves Christ *through* serving her husband (Christian and non-Christian), who is her immediate head. The slave uses his will to do the will of his master. The wife uses her will to do the will of her husband. The master and the husband use their will to do the will of Christ, who uses His will to do the will of God, so that God will be seen to be all in all (1 Cor 14:28).

The husband and the master serve Christ *directly*, not through some human intermediary. The male slave can move from serving Christ indirectly to serving Him directly, if he can become free. The wife can never do this. All her married days she serves Christ indirectly, through her ordained head.

If it is good for a man not to 'touch' a woman, that is, not to become one flesh with her through marriage, so that he can be more devoted to serving Christ, then the same applies to the girl. It is good for a woman not to 'touch' a man, that is, become one flesh with him, so that she can be more devoted to serving Christ in body and in spirit (1 Cor 7:34).

Marriage has a detrimental effect on the level of devotion that can be given to serving Christ. It never adds, it can only subtract, and distract from serving Christ. Where possible, Paul advises, do not marry, not as a command (which some heretical groups made it), but to avoid the avoidable (*cf.* Mt 19:10). Paul's advice would have been, only marry when the physical urge to do so is so great that it, itself, becomes a distraction from serving Christ as a single person (1 Cor 7:9).

The object of every convert to Christ should be to serve Christ as fully and as undistractedly as possible. If the convert is single when called to serve Christ then they (male and female) should stay single for the rest of their lives. This is the best option. This maximises what they can give back to Christ for buying them with His blood.

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<sup>15</sup> Some supporters of the betrothal solution use 1 Cor 7:2, "Nevertheless, to avoid fornication, let every man have his own wife, and let every woman have her own husband," as proof that the use of the term 'fornication,' which is a sin that only unmarrieds can commit, implies that Paul is addressing unmarrieds. If so, then Paul is commanding every unmarried man and every unmarried woman to get out of the unmarried state as soon as they possibly can, to avoid the sin of fornication. This goes against his principle that each person is to remain in the married state in which God called him/her (7:20, 24). "Are you bound to a wife? seek not to be loosed. Are you loosed from a wife? Seek not a wife" (7:27). The solution is that he is addressing married couples, who already have proved that they do not have Paul's gift of continence, so they are more vulnerable to slip into fornication, *a sin which marrieds can commit*, according to Paul's use of the term here.

Those who marry because they *have* to marry, have no choice. They must make the best of their privileged calling to be married, for it is a *charisma* from God (1 Cor 7:7), and within that context to devote as much of their time to serving Christ as is possible, and raising up children (the gift of God) to serve Him. Too often today, the children of Christian parents are lost to the family of Christ, and are attracted by the lures of the world to end up in perdition. It might seem to the Christian parents that they devoted a lot of time and money to no profit for Christ.

God did not create woman in His image and likeness, as He did the man. They are not the same in God's eyes. He created the woman for the man, but He created the man for Himself. The man has been placed over the woman. He has been put in full control over all that God created, and that includes woman. God has created 'sons of God' and these are central to His creation; woman is his helpmeet, not his head, and never to exercise authority over him.

This top-down approach to the relationship between men and women, and husbands and wives, is reflected in Jesus' statement that a man may even give up his wife for the sake of the kingdom of God (Mt 19:29; Mk 10:29; Lk 18:29<sup>16</sup>). But there can be no *vice versa* here, because the woman is subject to the man's headship. Paul has the same outlook as Jesus in that he addresses the men-folk with the advice, "Brothers, the time is short, so that from now on even those who have wives should be as though they had none, . . . for the form of this world is passing away" (1 Cor 7:29-31). Both Jesus and Paul are very conscious that man is central to God achieving His will on this earth, consequently, the unmarried state is preferable because God and Christ benefit most from it. The single man is to think hard before he marries. If he 'binds' himself to a wife, he must live with the consequences of that decision. Likewise the single woman must weigh up the cost to her of losing her glorious opportunity to devote her body and spirit to serving God, and forego marriage, if possible.

Because the 'sons of God' are the focus of God's attention, every man, married or unmarried, must be ever vigilant not to allow any custom or tradition to rob him of his privileged status before God. He was created to be leader of his family, and leader of women in general, such that he must never submit to any woman in any position of authority/leadership in the Church. If she cannot rule over her own husband, then she cannot rule over the husbands of other women. Attempts to get round this ban usually take the form of 'joint-leadership,' such as husband-and-wife teams. These must be rejected as backdoor attempts to strive for equality. It is quality, not equality, that Jesus looks for among the daughters of God.

Given today's multi-media influence on young people and the temptations to indulge in pornography and drugs at a younger and younger age, it is a wonder that any child of Christian parents can shield them from the polluting influences of the world, which appeal strongly to the desires of the flesh. Peer-group pressures outside the family home have more influence on the child than those of the family itself, where the battle rages to establish right from wrong, and true from false values. If there is no 'born again' experience the war is lost, and the child is lost forever. They grow up, and are servants of Satan, to do his will. Is marriage really worth it if this is the majority experience of Christian parents in the modern, electronic era?

The Holy Spirit's teaching through Paul had a profound impact on Christians throughout the first few centuries, where it was recognised that to be free from marriage was the best option *from Christ's perspective*. Christ, Himself, set the standard, by refusing to follow the norm of His day, which was to enter into marriage. Today, marriage is still seen as the norm, and to be unmarried is seen, especially by the non-Christian world, as missing out on the pleasures of the flesh.

Where the motive of the convert is—in refusing to be married—to be totally dedicated to serving Christ, this is of great value in the sight of God and His Christ. Where refusing to be married becomes an end in itself, or a means to earn salvation, it is of no value in the sight of God and His Christ. *The value lies in the motive.*

Under the old dispensation, to have sons was essential to God's plan, who constantly promised Abraham, Isaac, and Jacob a multitude of physical sons so that they could become a multitude without number, as the stars in the sky, or grains of sand on the sea-shore. But with the coming of the Messiah-Jesus all of this came to an end. The goal changed from having physical offspring to having spiritual offspring. Marriage was no longer essential, because that which is born of the flesh is flesh. Conversion to Christ became the essential thing. Spiritual begetting has taken priority over physical begetting with the advent of Christ's coming. Christ shifted the focus and life-goal of each of His converts away from physical begetting to spiritual begetting. Paul delighted to

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<sup>16</sup> Some early transcribers (Codex Vaticanus in Mt & Mk/Codex Sinaiticus in Mk; but Vat. and Sin. retain 'wife' in Lk) saw a contradiction in Jesus' teaching here, that a man is not to desert his wife (1 Cor 7:12), and these scribes deleted the mention of 'wife' from their copies. Men who do such things are not to be trusted, nor their copies.

have spiritual offspring, not physical offspring. His converts were his children, and how he loved and cared for them.

The Lord Jesus reset the compass with the needle always pointing to Himself as the Way, the Truth, and the Life, and away from Moses, who represented the physical world of marrying and giving in marriage, of divorce and remarriage, of endless sacrifices for sin, of hard-heartedness, and the inability to please God in the flesh.

What was said about physical versus spiritual begetting applies equally to physical versus spiritual land. Physical land and physical begetting were left behind with the new era that commenced with the coming of the Messiah-Jesus. What applies to one, applies to the other.

Today, the physical land of Israel is as inessential to God's plan, as is the physical begetting of offspring. The spiritual has superseded the physical in all areas. Truly born-again Christian Jews no longer place any value on the physical land of Israel, or the physical city of Jerusalem, but have set their eyes on inheriting a different country and a different city, a new, spiritual Jerusalem, whose builder and maker is God. Everything has been moved from the physical to its spiritual counterpart in the heavens.

We all, like Abraham, look for a new country and a new city, wherein dwells righteousness and peace. Like spiritual begetting, so with spiritual land, both are experienced in the here and now, and not just in more depth in the distant future. We already tentatively walk the streets of the New Jerusalem, as we walk in the same light that lightens the New Jerusalem that is above. For God is its light, and God is present in the lives of each of His spiritual offspring here on earth, shedding His light on their path. We *have* passed from darkness into light. We *have* passed from the physical Jerusalem to the spiritual Jerusalem. We *have* passed from the kingdom of Satan into the kingdom of God. All things have become new. All things have been changed.

Jesus opened the eyes of the world to see a completely new dimension to life that was kept hidden from the foundation of the world. But once opened and ignored, or glimpsed and turned away, or tasted and rejected, it will be more tolerable for those of Sodom and Gomorrah than for those who had the privilege to encounter Jesus through His new teaching and not become His disciples.

#### 6.6.5. The 'exception of Jonah' in Matthew 16:4 and the parallel in Mark 8:12

Those who hold that the Jewish espousal custom holds the key to the exception clause in Matthew 19:9 are to be commended in that they have arrived at the right conclusion (no divorce for consummated marriages) but from the wrong direction.

One of the strongest arguments used to support the betrothal interpretation is that the exception clause in Matthew 19:9 is not repeated in the parallel account in Mark 10:9 nor in Luke 16:18. Therefore the exception clause must have something to do with something that is unique to the Jews.

Are there any parallels in the Gospels where an exception is made in one Gospel, which is not repeated in another Gospel, but, which must be assumed to carry over into the Gospel that does not record the exception? There is one such example. The pericope Matthew 16:1-4 = Mark 8:11-13 takes place at Magdala, where the Pharisees press Jesus to display His miraculous powers.

Matthew 16:4	Mark 8:12
A wicked and adulterous generation seeks after a sign; and no sign shall be given to it, except (εἰ μὴ) the sign of the prophet Jonah.	Why does this generation seek after a sign? Assuredly, I say to you, no sign shall be given to this generation.

Since the occasion is the same, and the place is the same, and the time is the same, is it not reasonable to conclude that Mark left out the exception clause when he came to edit the material he used to compose his Gospel? If, as some believe (and wrongly), Mark wrote his Gospel first, and Matthew and Luke used it as the basis for their Gospels, where did Matthew get his exception clause from? Could it have been that the 'sign of Jonah' was still fresh in his memory from 12:39-40? Luke does not have a parallel to this particular pericope, but he records the exception clause in Jesus' discourse in Luke 11:29-36. Verse 29 reads, 'This is an evil generation. It seeks a sign, and no sign shall be given to it, except (εἰ μὴ) the sign of the prophet Jonah.'

What would Mark's readers make of his omission to mention the exception in Jesus' apparently absolute statement that the Jews would not be given a single sign. i.e., a demonstration of His miraculous powers? What looks like an absolute statement in Mark turns out not to be absolute after all, because Matthew retained the exception clause, 'except for Jonah the prophet.'

Is this not a parallel to the missing exception clause in Mark 10:9? Matthew retained the exception clause, 'except for fornication,' which Mark omitted. Many pro-divorce writers feel strongly that the exception clause in Matthew 19:9 should be in the mind of the reader who reads Mark 10, Luke 16, Romans 7, and 1 Corinthians 7. On the face of it they have a strong case. Erasmus and the Protestant Reformers argued cogently that all Scripture passages about divorce must be interpreted in the light of the unambiguous exceptions contained in Matthew's exception clauses, and it was very difficult for anyone to escape the logic that enclosed the mind of Europe at that time.

What is damaging to this parallel is that while there is an εἰ μὴ in the Jonah passage, there is no εἰ μὴ in the case of Matthew's so-called exception clause. Here is where the breakdown occurs. However, supporters of the betrothal interpretation arrived at their solution in the distant past, when Erasmus had changed the Greek of Matthew 19:9 to read εἰ μὴ, thus creating a direct parallel with the exception clause in the Jonah passage. The betrothal solution worked on the assumption that Jesus did make an exception for fornication, and they were puzzled to find something in Israel's laws that would allow Jesus to make an exception for 'fornication' and yet allow Him to maintain that no consummated marriage could ever be dissolved. The solution lay in the situation that Mary and Joseph found themselves in. This scenario requires a separate section to unravel, see *Should Mary have been executed?* below.

The point of this section is to show that the betrothal interpretation arose out of a Greek text that was deliberately tampered with by Erasmus in order to get his interpretation of Jesus' teaching on divorce into the New Testament. He was a humanist, and he was determined to get Jesus to allow divorce for fornication. The Reformers did not spot the trickery and were duped into accepting that Jesus permitted divorce for fornication.

Those who support the betrothal solution have been similarly duped by Erasmus into accepting that Jesus did introduce an exception clause into His teaching on divorce. This work has exposed Erasmus's deception, so that those who formerly supported the betrothal solution will quickly see through Erasmus's deception and go back to Matthew and remove Erasmus's exception clause, and take a fresh stand on what Jesus did say about divorce and remarriage.

#### 6.6.6. Did Jesus make an exception for fornication?

Almost all supporters of the betrothal interpretation follow the wording of the *King James Version* (AV) when it comes to the so-called exception clauses. This version followed the Greek text of Erasmus, who added the Greek word εἰ before μὴ at Matthew 19:9, and by this small addition he altered Jesus' exclusion of divorce on all grounds, to one in which Jesus made an exception for fornication. *These supporters never doubted that Matthew included an exception for fornication, but they were wrong. They were not in a position to even question the Authorized Version translation itself, such has been the low level of scholarship among them. Unfortunately, the New King James Version is no better than the old KJV, because it translates the Majority (Byzantine) Text as if it were translating Erasmus's Greek text of 1516. But the Majority Text has rightly discarded Erasmus's addition of εἰ before μὴ, yet the NKJV retains the old exceptive clause, for it reads: "And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery."*<sup>17</sup>

Given that a shift is occurring toward the acceptance of the Majority Greek text of the New Testament, as the nearest thing we are every likely to get to the original autograph text itself, it is disturbing that the *New King James Version* perpetuates the Erasman exception clause, which is not in the Majority Greek text, nor is it in the Nestle-Aland Greek text (28th ed.), which goes back to Westcott & Hort's 1881 Greek text, which was based on two, isolated, Egyptian manuscripts, both of which were in a state of degenerating into oblivion when they were rescued, but not before they lost a considerable portion of their text, which had to be supplied from later manuscripts.<sup>18</sup> Evangelicals

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<sup>17</sup> Unfortunately, almost every evangelical writer on the topic of divorce follows Erasmus's Greek text, and they translate Mt 19:9 as "except for fornication/sexual immorality." This concession to Erasmus wrong foots the lot of them. See, for example, J. Carl Laney's contribution in H. Wayne House (gen. ed.), *Divorce & Remarriage: Four Christian Views* (Downers Grove, ENG.: Inter-Varsity Press, 1990), p. 33.

<sup>18</sup> Codex Sinaiticus was in the process of being burnt when Tischendorf arrived in time to rescue it. Codex Vaticanus was eaten through at both ends, so that bookworms ate almost all of Genesis and from Hebrew 10 to the end of Revelation. After Vaticanus had the missing text restored, and rebound,

urgently need a revision of the NKJV which will be faithful to the underlying Greek text. Even Wilbur Pickering's English translation of his Family 35 Greek text (really von Soden's Kr text), which does not have Erasmus's addition, has not altered the AV text, because his text reads: 'except for fornication.'<sup>19</sup> This shows how embedded the KJV is in the minds of textual scholars.

However, given that the betrothal interpretation came into being on the assumption that the Erasmusian exception clause faithfully represented the mind of Jesus, godly men instinctively sensed that Jesus would never allow divorce for a lawful marriage. They had to find some way that would allow them to retain no divorce on any grounds, and yet allow the exception to stand. The solution was found in the custom of the Jews whereby it was possible to get a divorce before one was married! This custom was unique to the Jews, for the Greeks and Romans had nothing exactly like it. The fact that only Matthew carried the exception, which was written to and for the Jews, lent further credence to their belief that they had stumbled on the key to the exception clauses in Matthew. The fact that Joseph availed himself of this custom to divorce Mary, his espoused wife, clinched the argument in favour of their interpretation, they held.

The question was asked, *Did Jesus make an exception for fornication?* According to the NKJV the answer is Yes, but according to the Greek text behind the NKJV, the answer is No. We need to bring out the meaning in the Greek text if we are to get back to what Jesus really taught on the issue of divorce and remarriage. In what follows, I shall propose a revision of the NKJV at Matthew 5:32 and 19:9.

#### 6.6.7. Does 'fornication' in the New Testament refer only to pre-marital sex?

A search of dozens of web sites supporting the Betrothal solution to the so-called exception clauses in Matthew's Gospel frequently contain the following sentence: "Fornication and adultery are not interchangeable words, otherwise they would not both be listed when sins are categorized as in Matthew 15:19 and Galatians 5:19." This is a false deduction. It betrays ignorance of how language works. This is usually followed by a summary of the Betrothal interpretation such as:

In the Bible, 'fornication' always refers to sexual sin committed by single (engaged, or betrothed included) person and 'adultery' refers to sexual sin committed by those married. Hence, Jesus was not granting permission for the divorce and remarriage of a husband or wife on the grounds of sexual unfaithfulness in contradiction to the other passages cited in Mark, Luke, Romans or 1 Corinthians, but instructing the Jews that an engagement or betrothal could be broken for fornication.<sup>20</sup>

Defenders of the betrothal interpretation believe that if they can show that the term 'fornication' is not interchangeable with, nor is it a synonym for, 'adultery,' but refers *only and exclusively* to pre-marital sex, then this means that no married person can commit fornication. As a consequence, all extra-marital affairs by married persons are adultery, not fornication. They consider it a major linguistic blunder to say (1) that fornication can include adultery, and (2) that a married person cannot commit fornication. On these two presuppositions hang all their other arguments.

Of these two, the lynch pin is (2). The espousal view can be summed up in one writer's words, including the square bracket words, "Remember," he warns, "it was 'except for fornication [pre-marital sex]' during the espousal period, prior to the marriage being consummated, that

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it was again discarded and bookworms began to eat through both ends again, until it was dismantled in the 1890s and has never been put back together again. Yet these two discarded manuscripts became the basis of the Nestle-Aland editions.

<sup>19</sup> Wilbur Pickering, *The Sovereign Creator Has Spoken* (published in USA; Lexington, KY, 04 December 2013).

<sup>20</sup> The earliest reference I could find to this misleading linguistic argument comes from John Ignatius Döllinger, *The First Age of Christianity and the Church*, translated from the German by Henry Nutcombe Oxenham (1st ed; London: Allen, 1866, pp. 222-36; 3rd ed. 1877; 4th ed; London: Gibbings, 1906, pp. 373, 434). In 1866 (vol. 2. pp. 223, 227) he claims that πορνεία "is always applied to the sin of an unmarried person, not to unfaithfulness in a wife, which is constantly described by another word (μοιχεία) both in the Old and New Testament." He accepts that the exceptive clauses only refer to betrothal fornication (p. 227), ". . . Christ carefully distinguishes . . . between the two words, one (πορνεία) referring to unchastity in the single, the other (μοιχεία) to unfaithfulness in the married." In Appendix III. "On Christ's Teaching about Marriage" (pp. 310-316), he repeats his claim "that πορνεία always means incontinence in the unmarried, never, either in the New Testament or in the Septuagint or in the profane authors adultery."

Matthew said one was free to divorce-remarry.” Another writer wrote, “Could the ‘saving for fornication’ be pre-marital sex during the Jewish espousal period, making them free to divorce and remarry because they had not yet consummated the marriage?” What this writer failed to notice was that if Jesus permitted an engaged ‘wife’ to lose her virginity in the espousal period, and was divorced by her prospective husband for her infidelity, how could she be married to another man if she was not a virgin, for every man *had* to marry a virgin? If she was found not to be a virgin on her wedding night then she was stoned to death (Deut 22:20-21; Lev 20:10), not divorced. And Jesus is made to support divorce.

This view makes a fool of Jesus, who is presented as being incapable of working through the logic of His position.

Another writer, having followed the AV of Matthew 5:32, ‘except it be for fornication,’ asked, “What is fornication in this context? It is having pre-marital sexual relations during the Jewish espousal or engagement period.” According to the betrothal view, the primary definition of the word fornication (*porneia*) is unlawful sexual intercourse *by unmarried persons*, and the primary definition of the word adultery (*moicheia*) is unlawful sexual intercourse *by married persons*. That, they claim, is the core distinction between the two terms, and since their solution rests on just two pillars, if this linguistic theory collapses, then the whole edifice also collapses.

However, this rigid distinction between pre- and post-marital fornication, and between married and unmarried persons is not sustainable on linguistic grounds.<sup>21</sup> It is artificial. It is contrived in order to twist the argument in favour of the betrothal interpretation. If anything the distinction is between sex outside marriage and sex inside marriage. Clement of Alexandria stated, “Anyway, there is a distinction between fornication and marriage, as great as separates the devil from God” (*Strom.* III. XII. 84, 4).<sup>22</sup>

Clement quotes Tatian’s view of 1 Corinthians 7:5:

“While agreement to be continent makes prayer possible, intercourse of corruption destroys it. By the very disparaging way in which he [Paul] allows it, he forbids it. For although he allowed them to come together again because of Satan and the temptation to incontinence, he indicated that the man who takes advantage of this permission will be serving two masters, God if there is ‘agreement,’ but, if there is no such agreement, incontinence, fornication [*πορνεία*], and the devil.” (*Strom.* III. XII. 81, 2)

Clement disagrees with Tatian’s view and makes the observation:

The point of the apostle’s addition “And then come together again because of Satan” [1 Cor 7:5] is to stop the husband from ever turning aside after other women. A temporary agreement, although for the moment intercourse is not approved, does not mean that the natural instincts are completely removed. Because of them, he again restores the marriage bond, not so that husband and wife may be incontinent and fornicate [*πορνείαν*] and do the devil’s work, but to prevent them from falling into incontinence, fornication [*πορνεία*], and the devil. (*Strom.* III. XII. 82, 1)

This is how Tatian and Clement expounded 1 Corinthians 7:5, showing that married persons can commit fornication.

A woman can commit fornication during the betrothal period, and after she has been divorced. For the evidence that married persons can commit the sin of fornication,<sup>23</sup> see 5.10. *Vocabulary relating to divorce.*

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<sup>21</sup> See Joseph Jensen, “Does *porneia* Mean Fornication? A Critique of Bruce Malina” *Novum Testamentum* 20 (1978) 161-84; and Ben Witherington, “Matthew 5:32 and 19:9—Exception or Exceptional Situation?” *New Testament Studies* 31 (1985) 571-76.

<sup>22</sup> John Ferguson (translator), *Clement of Alexandria: Stromateis Books One to Three* (Washington, D.C.: The Catholic University of America Press, 1991), p. 309. Another translation reads: “Fornication and marriage are therefore different things, as far apart as God is from the devil.” See Henry Chadwick, ed, *The Library of Christian Classics: Volume II, Alexandrian Christianity* (Philadelphia: Westminster Press, 1954), pp. 40-92. (Transcription by Jay Raskin, 2002; corrected by Lance Owens, 2011.). Available at: (<http://gnosis.org/library/strom3.htm>)

<sup>23</sup> Clement of Alexandria wrote: “At any rate, the man [Phinehas] who speared through the fornicator [Zimri] in Numbers [25:8] is shown to be blessed by God” (*Strom.* III. 4. 32(1)/Ferguson



It takes but one example from the LXX of Jeremiah 3:1 to disprove the assertion that married women cannot fornicate. The LXX reads (my ET):

<sup>1</sup> If, say, a man sent out his wife, and say she departed from him, and became wife to a different man, surely she shall not (μὴ) be returning to him again? [expected answer, No (cf. Dt 24:4)] Shall not (οὐ) that women be defiling defilement? [expected answer, Yes] And you—you have fornicated (ἔξεπόρνευσας) with many shepherds, and are you returning to Me, says the Lord? <sup>2</sup> Lift up now your eyes and see, where have you not been defiled? Upon the roads you sat for them, just like an isolated raven, and you defiled the land with your fornications (πορνείαις), and with your badness. <sup>3</sup> And you are possessing stumbling-stones for yourself with many shepherds. You acquired the face of a prostitute (πόρνης). You acted shamefully toward everybody.

Here Yahweh sees Himself in a marriage metaphor, married to Judah. He divorced her because of her unfaithfulness. She went off and fornicated with many other men, which means that she is not permitted to return to her first husband, but, surprisingly, and brazenly, Judah thinks she can come back to Yahweh, her first husband. The implication of the divorce metaphor is that she has made it impossible for Him to be reconciled to her, because she is a defiled person (cf. Deut 24:4). The metaphor continues in LXX Jeremiah 3:6-8 (my ET):

<sup>6</sup> And the Lord said to me in the days of Josiah the king, You saw what she did to me, the dwelling of Israel. They went up upon every high mountain and under every leafy tree and they fornicated (ἔπορνευσαν) there. And I said after these things—*after the time* of her fornication (πορνεύσαι)—“Turn back to me again.” And she did not turn round again. And faithless Judah observed this faithless one.

<sup>8</sup> I saw therefore concerning all things which she was overtaken by, in which she—the dwelling of Israel—was committing adultery (ἔμοιχάτο), and I divorced her, and I gave to her a bill of divorcement into her hands, and faithless Judah did not fear, and she was fornicating (ἔπορεύθη), and she fornicated (ἔπόρνευσεν), she also. And her fornication (πορνεία) became for nothing, and she committed adultery (ἔμοίχευσεν) with stone and with wood

Now, in Jeremiah 3:1 the scenario that Yahweh describes is of a married woman, who, after her divorce, was fornicating with numerous other males. This is a clear-cut case where a married woman can commit fornication. We see the same picture in 3:6 with regard to Yahweh's other wife, the Ten Tribes of Israel, who were sent into exile. In 3:8 the married wife of Yahweh committed adultery (which is the correct word to use of a married person indulging in extra-marital affairs), so He divorced her (the Ten Tribes). Judah, Yahweh's other wife, saw what He did to his wife Israel, but she paid no heed to it, and committed adultery *and* fornication against Him.

In the case of Tamar, she was the wife of Judah's two sons, Er and Onan, but after she was married to them she remained a virgin and it was as a virgin that Judah, her father-in-law had sex with her, thinking she was a prostitute, but she was, in fact a widow, as he calls her (Gen 38:11). When Tamar was three months pregnant her pregnancy was reported to Judah. He assumed that she had acted the prostitute. The report said, 'Tamar your daughter-in-law has committed fornication [prostitution], and also see, she conceived through fornications.' It would appear that any unlawful sex is fornication, whether it was committed by unmarrieds, marrieds, widows, or virgin widows.

Only by limiting one's search to a small corpus of Greek literature, namely, the New Testament, is it possible to impose the pre- and post-marital distinction, but it has to be imposed.

New Testament Greek was not a special, 'holy' dialect of Greek, confined only to Jews living in Palestine in the time of Jesus. It was Koine Greek which was spoken throughout the Roman Empire as seen in the dispersion of the New Testament writings to all parts of the Empire. Consequently, to be sure one has got a clear definition of what *porneia* meant, one would have to examine its use in the Greek translation of the Old Testament (Septuagint), and then in the writings of those closest to the time of the New Testament writers, such as the Early Church Fathers who wrote in Greek, and then expand the search to include its occurrence in any classical writers. Only by casting the linguistic net as widely as possible is it possible to define the contexts in which the word *porneia* and *moicheia* are used. The smaller a net a researcher uses the less likely is he to come to a definitive decision.

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275). The fornicator was very likely a married man because he was leader of his father's house (cf. Num 25:14).

However, even if we confine ourselves to examining the thirty-two cases of the use of *porneia* in the New Testament it is clear that the pre- versus the post-marital sex position does not hold up. It is not possible to impose on these texts this distinction in every case; there are always texts where the imposition does not fit. For instance in John 8:41, "You do the deeds of your father. Then said they to him, We are not born of fornication; we have one Father, even God." If this is a snide reference to Jesus' virgin birth, then the supporters have overlooked the fact that Mary was the 'wife' of Joseph *before she became pregnant*. Her infidelity, according to the betrothal view, you would think, was one of adultery, not fornication, because she was considered to be the wife of Joseph, and, according to the betrothal view, wives cannot commit fornication. But the supporters of the betrothal view will not say that Mary has committed adultery (but the rabbinic work *Sanhedrin* would), because their theory states that a married woman cannot commit adultery. *The theory is determining the meaning of words, not linguistics or grammar*. The theory is the driving force, not the lexicons, not the dictionaries, and not the grammars.

The supporters of the betrothal solution thought they were on to a good thing when they discovered that a Jewish wife could be divorced before she was married, as well as after she was married! Great pride was taken in unravelling this mysterious tradition before the eyes of ignorant Western Christians, and being assured that Christians did not have to rely on non-canonical writings to prove that this unusual Jewish tradition existed in Jesus' day, because, providentially, there was a record of Joseph actually using this rabbinic divorce to sever his connection with Mary. But the discovery was a two-edged sword. It was not all good news.

The moment a supporter of the betrothal view says that Mary committed *adultery* "before they came together," in that admission, the solution disintegrates into thin air. Supporters are not allowed to say that. They must keep to the party line that she committed *fornication*, not adultery. Only if Joseph got a divorce for *fornication* can the exception clauses be made to apply to his case. If he got a divorce for *adultery* then the exception clauses cannot be restricted to engaged wives. The clauses must then apply to all wives, engaged and married. This is not the outcome that the supporters of the Betrothal solution want to see come about. This would be a disaster for their position. It had to be suppressed at all costs, and the best way to do this was to say nothing, and hope that nobody would notice the inconsistency in their position.

The supporters of the betrothal solution should come clean about the way they are picking and choosing to make their case stand up. First of all, they should acknowledge that rabbinical literature, and Matthew, call an espoused, engaged woman 'his woman.' Second, they should acknowledge that rabbinical literature regarded infidelity in an espoused wife as 'adultery,' and not 'fornication.' They can then place their cards on the table and say, "If we accept that her sin should be called adultery, then our whole theory crashes to the ground. We cannot allow this to happen, so we are going to claim that Jesus decided to re-write rabbinical literature and re-classify Mary's sin as 'fornication.'" If we had honesty to this degree, then the claim that Jesus, off His own bat, decided to re-classify His mother's infidelity as 'fornication' could be examined to see what it was worth, and whether the grammar or syntax or *anything*, could deflect the charge that the supporters of the betrothal interpretation have brought their theory to the text, and imposed it on Jesus, in order to extricate Him, and shield Him, from being a supporter of divorce for *all* cases (married and unmarried) involving fornication.

Supporters of the betrothal solution are against any supporter who claims that "fornication may sometimes include adultery by extension, and adultery may include cases where there is fornication." They point out that this may be so in English usage, but it is definitely not so in Greek. They point out that if the blurring of the semantic fields that obtain in English were to be repeated in Greek then it would no longer be possible to be sure which wife Jesus was referring to in the exception clause itself. They argue that for Jesus to refer to engaged wives then there must be a black and white distinction between fornication (unmarried) and adultery (married), which means that the distinctions are locked in pairs. Fornication and unmarried go together; and adultery and married go together. We are informed that it is because this distinction is frozen solid linguistically in Greek that we are able to discern who Jesus is referring to, just through the vocabulary alone that He employs.<sup>24</sup>

However, in Proverbs 7:10 a wife dresses up as a prostitute [πορνικόν] when her husband has gone on a long journey and she has sex with a perfect stranger whom she finds in the street. She entices the stranger with the information (LXX), "My husband (ὁ ἀνὴρ μου) is not present. He has gone on a long journey. He has taken a bag of money in his hand. At the time of the new moon he will come back." She wins him over with her flattering talk and the enticing seclusion of a luxurious,

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<sup>24</sup> A variant on the Betrothal solution hinges on a similar, rigid distinction in Greek. Here the pairs are 'prostitution' (*porneia*) and 'adultery' (*moicheia*). Mt 5:32 reads, "except for a report of prostitution." Presumably this is to make the exception a difficult category to qualify for a divorce.

scented bedroom, and he falls for her charms, not realising that the sin he is about to commit will cost him his life. If a wife could dress up as a prostitute, then a betrothed 'wife' could also dress up as a prostitute. So prostitutes can be of any age and status, single, married, or divorced. The sin they commit is fornication. In the case of married women, their sin can also be classified as adultery.

Supporters are clear over the consequences if adultery is the exception in Matthew's exception clause, because this would open the flood gates to legitimise the vast majority of all cases of adultery going through the law courts today. Indeed, there would be no law against divorcing your wife every year, if this is what Jesus' exception referred to. A husband would not need to get his wife to be unfaithful to him in order to get rid of her. All he need do is commit adultery with the woman he wants to marry next, and get his divorce that way. Adultery will dissolve every marriage (so the rabbis believed, and their supporters), so that the two become single again. The innocent party can remarry without waiting for the guilty spouse to die. The guilty party will also be able to remarry, but they will have a black mark against them for the adultery that dissolved the marriage, but apart from that black mark they can enjoy marrying a new partner.

If John 8:41, however, is a snide reference to Jesus' virgin birth, which it could be,<sup>25</sup> then Mary, a *married* woman, committed fornication (the term used by the Jews in v. 41) as the 'wife' of Joseph. If Mary was not the intended target of the remark, then the Jews have overlooked the fact that the tribe of Judah had its origin in Judah having sex with a woman he took to be a prostitute, but it turned out to be Tamar, his daughter-in-law.<sup>26</sup> Judah in this case was a widower. He had no intentions of ever marrying her, but he was prepared to sow his wild oats with a proven prostitute (or so he thought), so this can hardly be considered to be pre-marriage sex. It deserves the description of being indiscriminate, promiscuous sex.

It is frequently asserted that if a married man has unlawful intercourse with an unmarried woman this is fornication, not adultery.<sup>27</sup> The rule of thumb among Betrothal supporters appears to be, if any man (married or unmarried) has sex with an unmarried woman it is fornication, and if any man (married or unmarried) has sex with a married woman it is adultery.<sup>28</sup> This does not hold up in Luke 16:18, or Mark 10:11-12. However, it is frequently argued in betrothal circles that the only time a 'wife' could possibly commit 'fornication' would be during the betrothal period, because before the betrothal period she would not be a 'wife' yet, but she would be a single woman. And after the betrothal period she would be 'married,' and therefore she would be committing adultery if she cheated on her husband during the betrothal period.

A study of the Greek translation of the two key terms πορνεία 'fornication' (and its derivatives (Heb. *zenut*) and μοιχεία 'adultery' (and its derivatives)(Heb. *na'af*) in the Hebrew Bible, shows a very consistent equivalent translation of the two terms. They never confuse the translation terms.

	זָנָה ( <i>zanah</i> fornication)	נָאֵף ( <i>na'af</i> adultery)
ἐκπορεύειν	34x Qal/7x Hiphil	
πορνεία	41x	
εμπόριον εἶναι	1x	
πορνεύων	1x	
πόρνη	4x	
μοιχαλῖς		6x
μοιχᾶσθαι		10x
μοιχεία		3x
μοιχεύειν		11x

<sup>25</sup> For the evidence see David W. Jones, "The Betrothal View of Divorce and Remarriage," *BibSac* 165 (2008) 68-85, esp. p. 81 n 40.

p. 79 n 35

<sup>26</sup> Could it be that within the tribe of Judah there was a split into those born of Perez and Zerah (children of fornication), and those born of Shelah (child of a legal wife)? Jesus' branch came from the children of fornication, in that Perez begat Hezron, and down his line came Boaz, who begat Obed, who begat Jesse, who began David, and so his line leads to Joseph and Jesus. If so, then there was no knowledge of Jesus' virgin birth until after He ascended into heaven. The *Toledoth Jesu* was a scurrilous book, written by Jews, and mimicking the opening words of Matthew's Gospel. In this work Jesus is said to have had a Roman soldier as his earthly father, but this work came too late to influence John 8:41.

<sup>27</sup> See M. G. Easton, *Illustrated Bible Dictionary* (London, 1893).

<sup>28</sup>

μοιχός		4x
TOTALS:	88x	34x

E. Lövestam made a study of the Hebrew equivalent to *porneia* and found it was invariably the word *zenut*. He concluded that *zenut* covers all the sexual scenes that *porneia* covers, 'and both can be used about matters which come under the category of adultery.'<sup>29</sup> He wrote:

This is the case in the Old Testament, where in many places *zanah/porneuein* [fornication] (with derivatives) is used side by side with *na'af/moicheuein* [adultery] (with derivatives) to express the same thing (*Hos.* 1:2; 2:4; *Jer.* 3:1ff; *Ezek.* 16:38-41; 23:37, 43ff; etc.). . . . If we turn to the Rabbinic literature the use of *zanah (porneuein)* (with its derivatives) about a wife's unfaithfulness to her husband is well in evidence. In the following passage, *zanah* [fornication] and *na'af* [adultery] are directly related to each other: When a wife "commits fornication (*mezanah*) she is in the first instance false to her husband . . . and in the second place she is false to the Holy One, blessed be He, who has commanded her, "Thou shalt not commit adultery (*tin'af*)" (*Ex.* 20:14) and who says, "Both the adulterer (*hano'ef*) and adulteress (*vehano'affer*) shall surely be put to death" (*Lev.* 20:10" (*Num. Rab.* 9:2, 25a). This statement relates to the instructions about the wife suspected of adultery in *Num.* 5:11ff. In the Rabbinic discussions about the possible unfaithfulness of a wife *zanah* (derivatives) is often used. Here are just a few examples (note that Lövestam has retained the wrong English translation of the Mishnaic Hebrew terms. I have placed the correct ET in square brackets):

"R. Johanan said, Whoever is faithless, his wife is faithless (*mezanenet*) [= fornicating] to him." (*Sot.* 10a).

"What if his wife (is charged with having) committed adultery (*zintah*) [= fornication] on the testimony of one witness, and he (i.e. the husband) is silent?" (*Kid.* 66a).

"If we say that they (scil. the witnesses) come before she drank the water, she is an adulteress (*zonah*) [= fornicator]" (*Sot.* 6a).

"Suppose that she committed adultery (*zintah*) [= fornication] within the Temple precincts" (*Sot.* 6b).

"She committed adultery (*zintah*) [= fornication] with one of these (the priestly) novitiate" (*Sot.* 6b).

R. Jose b. Kipper (ca. 180) does not hold the view that a negative precept is applicable to a *sotah* "even in the case where she had actually committed adultery (*zana'i*) [= fornication]" (*Yeb.* 11b).

(In connection with *Num.* 5:12) A wife "does not commit adultery (*mezanah*) [= fornicating] unless she has lost her reason" (*Num. Rab.* 9:6, 25a).

(About the wife who is suspected but does not drink the bitter water. There is a matter of doubt, "did she or did she not commit adultery (*zana'i*) [= fornicate]?" (*Yeb.* 38b).

The wife who had committed adultery (*zintah*) [= fornication] instantly died when she smelled the bitter water (*Num. Rab.* 9:9, 26a).<sup>30</sup>

Lövestam claims that the verb *zanah* ['fornication'] is used about married wives in similar contexts in the writings of the Rabbis, for example, *Yeb.* 56b; *Ket.* 44b, 46a, 81a, 101a; *Shab.* 88b; *Sanh.* 50b; *Siphra* 21:9 (94c); *Siphre* Deut. 22:21 (118a).

Lövestam concluded: "Against this background the most plausible interpretation is without doubt that *porneia* in the exceptive phrases in *Mt.* 5:32 and 19:9 means sexual unfaithfulness.

<sup>29</sup> See Evald Lövestam, "Divorce and Remarriage in the New Testament," *The Jewish Law Annual* 4:47-65. Ed. B. S. Jackson (Leiden: Brill, 1981), p. 57.

<sup>30</sup> See Evald Lövestam, "Divorce and Remarriage in the New Testament," *The Jewish Law Annual* 4:47-65. Ed. B. S. Jackson (Leiden: Brill, 1981), p. 58.

If the intended meaning was any other the term used would have been highly open to misunderstanding.”<sup>31</sup>

I have omitted Lövestam’s use of the *Testament of Joseph* as evidence here, because it may not be valid. When the terms are viewed from Potiphar’s wife’s point of view it is adultery, but from Joseph’s point of view it was ‘fornication,’ and this helps the reader to recognise the point of view each time these terms are switched around. However, when Jesus said that any man who marries a divorced woman is guilty of adultery, He did not exclude the possibility that she could marry a bachelor. In which case a single man can commit adultery, as well as fornication.

It is clear from the above evidence that it can no longer be claimed that the term ‘fornication’ is the prerogative sin of unmarried persons. In what follows let us change ‘fornication’ into ‘pre-marital sex’ (for the sake of the argument) in the following texts and see what happens.

**First**, at the very first Church Council, held in Jerusalem, the apostle James suggested that the Church should send out a decree to all the churches not to come under the yoke of the Mosaic Law, and suggested— “that we write unto them, that they abstain from pollutions of idols, and from pre-marital sex [fornication], and from things strangled, and from blood” (Acts 15:20). Are we to believe that the Council, in choosing to use the word ‘fornication’ in vv. 20, 29, were addressing only unmarried, young men and women, and asking them to control their sexual urges before they got married? Were they not also addressing married men and women in all the churches? The wording of the decree is repeated in Acts 21:25. The context in Acts 15:20 would suggest that ‘fornication’ was a general word to cover *all* unlawful sexual activity by *all* members of Christ’s Church—married and unmarried.

**Second**, Paul does not seem to abide by the rule that fornication only refers to pre-marital sex by unmarried singles, for as a close observer of human nature he noted, of the wicked men of his day, that “God gave them over to vile passions. For even their women exchanged the natural use for what is against nature. Likewise also the men, leaving the natural use of the woman, burned in their lust for one another, . . . God gave them over to a debased mind, to do those things which are not fitting, being filled with all unrighteousness, pre-marital sex [fornication], wickedness, covetousness, maliciousness; full of envy, murder, debate, deceit, malignity; . . .” (Rom 1:26-29). Paul notes that these wicked men ‘leave the natural use of the women,’ which suggests that they were married. Or if Paul means that they turned their backs on marriage and sought an outlet for their sexual drive in homosexual relations instead, then are we to assume from this narrow definition of ‘fornication’ that all these wicked men were unmarried? *The betrothal definition would exclude married men being in view here.* Greek does not have a word for ‘wife,’ so when Paul says, ‘even their women,’ this could be a reference to their wives, who indulged in perverted sexual behaviour. Were *all* these men and women unmarried?

**Third**, Paul urges the brothers he is writing to in Corinth, “Flee pre-marital sex [fornication]. Every sin that a man does is without the body; but he that commits pre-marital sex [fornication] sins against his own body” (1 Cor 6:18). If the definition holds up, then Paul is addressing only unmarried men, because they alone can indulge in pre-marital sex. Is this how the text is to be exegeted? Or is Paul addressing all the brothers in the church, married and unmarried? The only obstacle to saying that Paul is addressing all the men in the church is the narrow definition that the supporters of the betrothal interpretation have imposed on the word ‘fornication,’ but is that sustainable?

**Fourth**, Paul knew his Bible well, and knew that 23,000 men had been killed by a plague that God sent on them for committing fornication (see Num 25:1-9). Paul refers to this event as follows; “Neither let us commit pre-marital sex [fornication], as some of them committed, and fell in one day three and twenty thousand” (1 Cor 10:8). Is it credible to say that the 23,000 who died were all unmarried men? It is more likely that the majority of these 23,000 were married men.

If fornication refers to indiscriminate sex, then the LXX and Paul wisely chose to throw a blank over the entire 23,000 men, irrespective of their marital status, and refer to what they were doing as ‘fornication.’ Age does not come into the picture, neither does marital status, what does come into the picture are men (single or married) having sex with Moabite women (single or married), and morality also comes into the picture: it is unlawful sex. When Paul addressed the men in the church at Corinth, and said, ‘Neither let *us* . . .’ did he exclude all the married men from his use of ‘us’ in this injunction, and direct his words only to the unmarried brothers? If so, then everywhere where the word ‘fornication’ occurs in Scripture it can only refer to unmarried persons.

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<sup>31</sup> Evald Lövestam, “Divorce and Remarriage in the New Testament,” *The Jewish Law Annual* 4:47-65. Ed. B. S. Jackson (Leiden: Brill, 1981), p. 58.

This is not a credible position to hold. There are too many holes appearing in the dyke to plug all of them, and is a futile attempt to try to hold back the flood of evidence that points in another direction.

**Fifth**, Paul shows his concern for the breakdown of Christian witness in some members of the church in Corinth, and writes, “And lest, when I come again, my God will humble me among you, and that I shall bewail many who have sinned already, and have not repented of the uncleanness and pre-marital sex [fornication] and lasciviousness which they have committed” (2 Cor 12:21). Is it credible to believe that those who sinned in Corinth were *only* unmarried men? If the narrow definition of the betrothal supporters is correct then they can dogmatically assert, as part of their principles of exegesis, that Paul can only have been referring to single men *in this context*, on the grounds that they have empirically analysed the use of the word ‘fornication’ throughout all biblical Greek literature, and they have been unable to find a single example where fornication was committed by a married man or a married woman.

**Sixth**, in his letter to the Ephesian church Paul wrote, “But pre-marital sex [fornication], and all uncleanness, or covetousness, let it not be once named among you, as becomes saints” (Eph 5:3). In 5:5 Paul reminds them, “that no fornicator [one who committed pre-marital sex], an unclean person, nor a covetous man, . . . has any inheritance in the kingdom of Christ and God.” Does ‘fornicator’ in this context not include ‘adulterers’? With this compare 1 Corinthians 5:11 “and now, I wrote to you not to keep company with [him], if any one, being named a brother, may be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner — with such a one not even to eat together.” If a brother is not to keep company with someone who has had pre-marital sex, can he keep company with a brother who is an adulterer? The answer would appear to be No, but the supporter of the betrothal interpretation is adamant that the adulterer and the fornicator are two distinct persons, and must not be confused.

**Seventh**, when writing to the church at Colosse Paul advised the brothers, “Mortify therefore your members which are upon the earth;” then he mentions some of these sins, “pre-marital sex [fornication], uncleanness, inordinate affection, evil concupiscence, and covetousness, which is idolatry” (Col. 3:5). The first item is ‘pre-marital sex’ but this, according to the supporters of the betrothal interpretation, applies only to unmarried persons; it does not apply to married persons. Paul, we are informed, in this instance has only unmarried persons in mind, because he used the word ‘fornication’ which *never* applies to married persons. In reply it could be asked, Why would Paul want to single out unmarried persons, and say nothing to the married couples to mortify the infidelity in their lives? Is it not obvious that the term ‘fornication’ has nothing to do with marital status, but has everything to do with unlawful sex, irrespective of the marital status of the person committing the unlawful sex?

Linguistically, all apples are fruits, but not all fruits are apples. Once again the truth is that all adulterers are fornicators, but not all fornicators are adulterers. The relationship between ‘fornication’ and ‘adultery’ can be likened to two concentric circles, the smaller, inner circle sitting in the middle will represent the sin of adultery. The much larger circle on which the smaller circle rests, will represent the sin of fornication. So in using the term ‘fornicators’ Paul includes *anyone* who had indulged in unlawful sex, and this would include all adulterers, and all fornicators.<sup>32</sup> The fact that in John 8 a woman is said to have been ‘taken in adultery,’ does not rule out the possibility that she was, like Mary, an espoused wife, because in Jewish tradition, such wives could be guilty of adultery. But in the betrothal interpretation such wives could only be charged with fornication during the espousal period.

If we return to his advice again, it reads, “Mortify therefore your members which are upon the earth; fornication, uncleanness, inordinate affection, evil concupiscence, and covetousness, which is idolatry.” The sin of fornication is not confined to the unmarried, because when the fornicator gets married, the sin of fornication is not left at the altar or at the door of the bridal suite, but lies latent in his nature, and when it is indulged in again we call it adultery, but it is still fornication by another name. It is this evil propensity to misuse sex that Paul identifies as fornication; and this propensity runs from youth to old age. It is not found only in the promiscuous youth but lies dormant in any human who is capable of sex.

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<sup>32</sup> It is argued that when Paul told the members of the Corinthian church that to avoid fornication “let each man have his own wife, and let each woman have her own husband” (1 Cor 7:2) that he was addressing unmarried men and women, and that this proves that fornication was the sin of unmarried persons. But it could easily be argued that Paul is addressing married persons and due to the external pressure to take advantage of free sex, for which Corinth was infamous, he was ensuring that they used the natural outlet of their spouses to ‘burn’ toward one another and not with any other available fornicator.

Theologically, let us not play around with words, but get down to substance. The evil impulse to have unlawful sex outside and inside marriage is a result of the fall of Adam, and the degeneration of the spiritual life that he once knew. His fallen, human nature has been transmitted to all men. It is this *misuse* of the sexual drive (good in itself) that is called fornication in Scripture when it is misused. When this misuse is exercised by married spouses inside marriage we call it 'adultery,' but it is no different from its misuse outside marriage. Behind both is the driving, evil impulse that Paul calls 'fornication.' Getting married does not kill off this evil propensity. Paul says, 'Kill . . . fornication,' and this applies to marrieds as much as to unmarrieds. Fornication (= the impulse to have unlawful sex) belongs to our old natures, and he commands all Christians to kill the old man with the lusts and passions that inhere in that nature.

**Eighth**, when writing to the church at Thessalonica Paul is very clear. "For this is the will of God, even your sanctification, that you should abstain from pre-marital sex [fornication]" (1 Thess 4:3). According to the supporters of the betrothal interpretation, and they make no apology for saying so, Paul's advice here is addressed only to half of the congregation, *the unmarried half*, because it is irrelevant to tell married couples to 'abstain from pre-marital sex,' seeing they are already married!

**Ninth**, Jude, when meditating on the overthrow of Sodom and Gomorrah, wrote, "Even as Sodom and Gomorrah, and the cities about them in like manner, giving themselves over to pre-marital sex [fornication], and going after strange flesh, are set forth for an example, suffering the vengeance of eternal fire" (Jude 7). Are we to conclude from the solution's narrow definition of fornication—sin committed before marriage—that none of the men of Sodom and Gomorrah who committed this sin of fornication were married?

**Tenth**, in the book of Revelation there are two significant references (2:14, 20) where the members of the seven churches of Asia are under constant pressure to commit pre-marital sex [fornication], but there are no references to pressure them to commit adultery. Why? Did Satan only target the unmarrieds in these churches?

There are a number of references to the Prostitute [Whore] of Babylon with whom the kings of the earth committed pre-marital sex [fornication], according to the betrothal interpretation (17:2; 18:3, 9). Are we to assume that all these kings of the earth were unmarried men when they committed fornication with her?

In the vision of the Seventh Trumpet, accompanying Revelation 9:20--21, we discover that one-third of mankind were killed, then we learn that "the rest of mankind, who were not killed by these plagues, did not repent of the works of their hands . . . and they did not repent of their murders or their sorceries, or of their pre-marital sex [fornication], or their thefts." Does this mean that two-thirds of the entire population of the world had unlawful sex before they were married? Or does the sin of fornication know no barriers of age, or marital status, or gender, or class? Surely it is the latter.

Jesus analysed the implications of a husband divorcing his wife for any reason, which would be that she would remarry, according to Matthew 5:32. He pointed out that if she did remarry she would be committing adultery, because as far as He was concerned she was still married to her first husband. The bombshell that Jesus dropped at the feet of the first husband was that he would be held responsible for causing his wife to commit adultery. Then Jesus qualified His statement that the first husband would be held responsible for *all* of his wife's infidelity by inserting an exemption clause, and the exemption was that if his wife committed fornication before he divorced her, then obviously her husband did not *cause* her to commit this initial act of infidelity, she did it herself, hence the exemption clause read, 'apart from [her own] fornication.' Here Jesus attributed the sin of 'fornication' to a married woman. So married persons can commit fornication as well as adultery, as Jesus' scenario shows. In His scenario Jesus maps out the consequences of divorce for any husband who divorces his wife. The exemption clause applies to the husband, not to his divorced wife. *The entire scenario is limited to the same couple—one wife and one husband.*

Jesus' scenario in Matthew 5:32 is a real headache for those who support the betrothal interpretation because of Jesus' use of the term 'fornication,' which is always defined as pre-marital sex by unmarried persons, by those who advocate the betrothal solution. To extricate themselves they have to assume that Jesus is referring to two wives, not one wife. One wife is a married wife (consummated), and the other wife is an engaged wife (unconsummated). The betrothal solution is that the exemption clause applies only to the engaged wife, while the rest of the verse applies to the fully married wife. What this solution overlooked was that an engaged wife who loses her virginity faces the death penalty, and she is considered to have committed adultery, not fornication, according to *Sanhedrin* 52, 66.

In this short section, having examined the thirty-two occurrences of the word fornication in the New Testament, and picked out ten of them where the distinction that the betrothal interpretation has given to the term fornication breaks down, it is clear that one cannot restrict the sin of fornication

to unmarried persons indulging in pre-marital sex. This is a real hammer-blow to the betrothal interpretation.

The question was asked, *Does 'fornication' in the New Testament refer only to pre-marital sex?* The linguistic answer is a definite No. The literary answer is also a definite No. An orange is a fruit, but not all fruits are oranges; so likewise, adultery is fornication, but not all fornication is adultery. Both 'orange' and 'adultery' are sub-categories of the general class. It is for this reason that 'adultery' and 'fornication' can exist side by side, in the same way that 'orange' and 'fruit' can exist side by side in any language. Now, just as 'fruit' embraces 'orange' within its broad classification, so likewise, 'fornication' embraces 'adultery' within its broad classification. In both cases 'orange' and 'adultery' are specifics within their broader, umbrella terms of 'fruit' and 'fornication.' The 'orange' is a specific kind of 'fruit,' and 'adultery' is a specific kind of fornication. For the purpose of this section it is worth repeating that all adultery is fornication, but not all fornication is adultery. Linguistically, they cannot be put into two separate, watertight compartments, with no overlap between them, as those who hold to the betrothal interpretation attempt to do, with their restriction of 'fornication' to the specific sin of unlawful, pre-marital sex, and 'adultery' as unlawful, post-marital sex. But once the lid of these artificial boxes have been blown off, the grounds for their specialised use of these terms evaporates. The attempt to impose on words the meaning that best suits one's argument will eventually be found wanting.

It is as nonsensical to restrict fornication to unmarried persons as it would be to do the same with prostitution. There are married and unmarried fornicators and prostitutes (both words come from the same root). Israel was married to Yahweh, but she was a prostitute, who indulged in fornication (Jud 19:2; Jer 3:1, 8; 13:27; Ezek 16:8+15, 16, 28, 31, 33, 35, 41; 23:5-7, 19; Hos 2:5; 3:3; Amos 7:17 ) and adultery. Unmarried daughters committed fornication, not adultery, and married wives committed adultery in Hoshea 4:14.<sup>33</sup> Now, while unmarried daughters may not commit adultery, married wives could commit adultery and fornication. It is clear from this that if a married woman can commit fornication and adultery, but an unmarried daughter can only commit fornication, yet the sex act is exactly the same in both cases, only the status of the females differ, that consequently, fornication is the umbrella term that covers unmarried daughters and married mothers indulging in unlawful sex. When married women are accused of fornication, as opposed to adultery, there is a strong element of wildness and abandonment, of prostitution, associated with the sexual act.

UNMARRIED DAUGHTERS	MARRIED WIVES
FORNICATION	FORNICATION
	ADULTERY

Consequently when Jesus used the term 'fornication' He used it in its normal, non-specialised, general, signification of unlawful sex whether committed by married or unmarried persons. This undermines the betrothal interpretation, which requires that the term 'fornication' can only refer to pre-marital sex. Their solution has demanded that the term 'fornication' lose its general signification and become a sin peculiar to unmarried persons. *Their interpretation has determined the meaning that 'fornication' is to bear.* This should be left up to the dictionaries to determine. And the dictionaries should be subordinate to the literary uses that occur in real life situations as recorded in historical documents. The bottom line is that the dictionary definition should come up from below, from usage, and not imposed on the term from above. The betrothal interpretation is guilty of imposing from above a narrower definition of the term 'fornication' with the specific intention to make it conform to their predetermined interpretation. This is not a healthy linguistic corner to box oneself into.

It has been shown above (§5.10) that the term 'fornication' is used in Greek literature to refer to deviant sexual behaviour by married and unmarried persons. The NKJV translation of Matthew 19:9 reads, "And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery." Armed with the solid, linguistic evidence that 'fornication' is unlawful sex, and can be attributed to married and unmarried persons, then, logically, the Erasmian exception clause means that Jesus taught that divorce was permissible for this sin. In other words, Jesus taught that divorce was permissible for adultery, which is fornication.

This Erasmian conclusion was totally unacceptable to some Christians, and out of their consternation was born the betrothal interpretation which depended on rewriting the dictionary

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<sup>33</sup> In Isa 57:3 the sons of Israel are the seed of adultery and the seed of fornication, suggesting that their mother had sex with married and unmarried men, or else through gay abandonment ("with many lovers" Jer 3:1).



definition to suit their argument. It is truly a sign of desperation when one has to rewrite the dictionary to make 'fornication' refer *only to pre-marital sex, and only performed by unmarried men and women*.

For a while the naïve and the gullible will be taken in with this rewriting of Greek dictionaries, this, plus the doctrine that it seeks to defend, will appeal to the Christian who instinctively knows that divorce is incompatible with the Jesus they have come to know and love, and so they feel bound to defend the betrothal view, because if they abandon this 'rock' what other 'rock' can they stand on? But eventually this redefining of the dictionary definition of 'fornication' will be exposed, to the embarrassment of all those who were taken in by it.

It is the purpose of this section to show that there is another 'rock' that concerned supporters of the betrothal interpretation can flee to, that will give them the reassurance that they crave, namely, that Jesus had no doctrine of divorce, not even one for engaged couples. The interpretation put forward in this work is that Jesus ruled out divorce for all non-fornication causes, and His Father ruled out divorce for all fornication causes, so that together, they ruled out divorce for any cause.

#### 6.6.8. Should Mary have been executed?

The short answer is Yes. Abel Isaksson noted, "As a just man, Joseph should have accused Mary in court and thus have shamed her publicly. . . . When instead he decided to divorce her secretly, i.e. to hand her a bill of divorce in the presence of only two witnesses, this decision is not completely consistent with his being a just man."<sup>34</sup> Unfortunately, Isaksson interpreted 'just' to mean one who abides by the law, and by law he means rabbinic laws. This was an unfortunate assumption.

In Genesis 38:24, we read of Tamar, "Behold she is with child by fornication." This is Mary's case exactly, and Judah used her pregnancy as the incontrovertible *evidence* of her infidelity to have her stoned to death. He acted as a righteous man should.<sup>35</sup> Some condone Joseph's action not to report her fornication to the public authorities on the grounds that he did not have the required 'two or three witnesses' to have her stoned to death.<sup>36</sup> Two or three witnesses may have been required in the case of verbal exchanges, but who could deny that witnesses, in the form of incontrovertible *physical evidence* may not constitute the place of two or three *persons* as witnesses? A very brief interview with Mary by the public authorities would have *proved* that Joseph was not the father of her child. This was not the case when Tamar was interviewed by Judah!

If a man raped a betrothed bride in the countryside (Dt 22:25-27), there would have been no witnesses, yet he was stoned to death on her witness alone, despite the requirement of 'two or three witnesses' as stated in Deuteronomy 17:6. There is a similar case to Joseph and Mary in Genesis 38:24, "Behold she is with child by fornication." Judah used the *evidence* as his witness to have her stoned to death. Witnesses are important where there is no hard, indisputable evidence.

Deuteronomy 22:22 reads, "And if a man be found lying with a woman married to a man, you shall kill them both . . ." If her husband is the sole witness of finding her in a compromising sexual intercourse act, does she escape the death penalty because he is the only witness?

Besides this contextual assumption, there are two other assumptions in Isaksson's actual statement. First, we have no proof that Joseph went through any legal process. The fact that Matthew (writing for Jews) adds 'secretly,' tells us that Joseph avoided any publicity, which two witnesses would negate. Isaksson assumes two witnesses would be needed in Joseph's secret abandonment of Mary. Joseph took unilateral action and backed off from continuing to have any relationship with her. That Joseph never got as far as rejecting her, never mind calling in two witnesses, is clear from the narrative, where he only *planned* to reject her, but an angel of the Lord intervened to stop him. Isaksson assumes that Joseph is divorcing Mary because of presumed fornication, which he believes is specifically alluded to by Jesus in His exceptive clause. This is also an unfortunate assumption. It is from his misunderstanding of Joseph's action that he got the idea that the exception clause could only relate to premarital unchastity, and hence the Betrothal interpretation took hold in his mind.

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<sup>34</sup> Abel Isaksson, *Marriage and Ministry in the New Temple. A Study with Special Reference to Mt. 19.13 [sic]-12 and 1. Cor. 11.3-16* (Trans. Neil Tomkinson with Jean Gray. ASNU 24. Lund: Gleerup; Copenhagen: Munsgaard, 1965), p. 138.

<sup>35</sup> Judah acknowledged that Tamar was 'more righteous' than he (Gen 38:26), but he did not deny that he was a righteous man in executing a sexual offender. Joseph should have followed his distant ancestor's example, because both men were numbered in the 'Righteous Branch' that led directly to the Lord Jesus (Lk 3).

<sup>36</sup> Cf. Deut 19:15; Num 35:30; Mt 18:16; Jn 8:17; 2 Cor 13:1; 1 Tim 5:19; Heb 10:28, for two witnesses.

Secondly, the verb ἀπολύω is an everyday verb and can range from to ‘put out the milk bottles’ to legally put away your wife. The narrative states that Joseph “was not willing to make her an example” (Mt 1:19), which takes it out of the public and legal domain and moves his action into the private and secret domain. It was something he was going to handle personally, and this would be done in secret, or privately, between himself and Mary.

6.6.8.1. *Could Mary have been executed by the Jews without permission from the Roman authorities?*

It is often assumed that the Roman authorities took away the right of the Jewish Sanhedrin to discipline its heretics. This allows pro-divorce writers to assume that Jesus would have acquiesced in the inability of the Jews to comply with God’s set standards. It would have been to the advantage of any occupying force to allow the Jews to do their own in-house disciplining, and if that involved the death penalty they could turn a blind eye to it. But civil matters was another and very different matter. Here, the death penalty for civil disorder would be the preserve of the Roman authorities.

John records in his Gospel numerous occasions where the religious leaders were in total control of the national religion and had the public audacity to seek to kill religious heretics, such as Jesus. They had their own Temple police force. See John 5:16, 18 (Judea); 7:1, 19, 20, 25 (Galilee); 8:22, 37, 40; 11:53; 12:10. These twelve references to assassination attempts on Jesus’ life at the instigation of the highest religious authority had strong, religious backing in the Law of Moses, where law-breakers and blasphemers were to be stoned to death. Paul was one of these zealous defenders of the Law of Moses.

Paul was given authority from the religious leaders in Jerusalem to imprison and kill any of Jesus’ followers, which he did willing out of pure zeal for God, and to preserve the national religion from heretical views.

A woman taken in adultery would have been stoned to death at a nod from Jesus, showing that these men were keeping strictly to the commands of God. If the Roman authorities had tried to control the death penalty for breaking the Law of God they would have been sent packing with the words that Peter uttered before the Sanhedrin, “We ought to obey God rather than man” (Acts 5:29). Every Jew, to a man and boy, had nothing but contempt for every Roman soldier who would keep them from obeying God. It was within this fiercely, nationalistic defence of their religion that Jesus lived and moved and had His being. If the Roman authorities had attempted to change the Law of God and take away from the Sanhedrin their right to discipline its heretics, they would have stirred up a hornet’s nest of protest, and galvanised the entire nation to such a pitch of national anger that it could have sparked off riots nationwide, which the Romans would not have been able to quell. The Romans had to tread very carefully not to offend the religious sensibilities of the people, as represented by the Sanhedrin. So if divorce replaced the death penalty, this would have to come from the religious leaders themselves and not be forced upon them by the Romans.

It is an unproved assumption that the Roman authorities interfered in the internal affairs of the Jewish religion and could prevent the death penalty for adultery from being carried out. God commended any Israelite who took it into his own hands to inflict the death penalty for sins that He had laid down the death penalty for. So those who were prepared to stone the adulteress in John 8 would not have been sinning against God if they had carried out the stoning, because they were still living under the Law, and not under Grace, and death for adultery, Sabbath-breaking, blasphemy, etc. etc., must often have been carried out during the 1,500 years since God gave the law at Mount Sinai.

In any case we do not know when divorce certificates came into use to end a betrothal contract, we cannot be sure what Joseph intended, except that it was to be done well away from the spotlight of publicity. Yet the whole point of issuing a divorce certificate, as Moses envisaged it, was that it *had* to be public knowledge to be effective. A private divorce defeated its purpose. It should not be assumed, therefore, that when Joseph planned to ‘send away’ Mary secretly that this had any legal connotations. His son, Jesus, despised the traditions that the Pharisees added to Moses’s law to keep the people in bondage to them, and divorce for betrothal engagements was one such addition. Should we take Joseph’s action in not going public about Mary’s fornication as his snub to these man-made traditions? Did Jesus get His disdain for the whole corpus of oral material that is now contained in the Mishnah from His putative father? The Mishnah represents the lowest level of spirituality that the Jewish religion descended into. Its pettiness, its triviality, its obsession with minutiae, its lack of respect for the written word of God as shown up by Jesus repeatedly, must have been a pain for the ‘just man’ to put up with. Jesus once said, “Let the dead bury their own dead.” The Mishnah has all the hallmarks of having been written by a dead hand and placed on the shoulders of another dead man to carry out. There is no life in it; just the floundering of a fish out of water, going nowhere.

Given what we know through Josephus of the intense pride that the Jews took in keeping the Law of God, and the eagerness of civilians to implement the death penalty for adultery right under the noses of the occupying Roman authorities, see John 8, would Mary have been executed by civilians if he had made her fornication public knowledge? Is this why he planned to keep her pregnancy a secret? Did Joseph fear mob rule?

6.6.8.2. *When did a divorce certificate become compulsory for betrothal divorce?*

The truth is we do not know. What we do know is that Moses never authorised it. We can trace the origin of Isaksson misunderstanding of the exceptive clause to his understandable assumption that Matthew used the term 'divorce' to describe Joseph's reaction to Mary's pregnant condition as a legal move on his part. He then read back into Joseph's marriage in 7 B.C., something that we have no proof existed, namely, that a divorce certificate was required to extract oneself from a betrothal marriage.<sup>37</sup> We simply have no proof that such a certificate or legal procedure existed in 7 B.C. He concedes that,

Although the term divorce was used in these cases, it is more accurate to say that it was a matter of cancelling an unfulfilled contract of sale, . . . (cf. Ket. 1.6). . . . Actually he does not divorce his [betrothed] wife but is himself relieved by a court order of the need to fulfil his obligations under the marriage contract, since it has been established that the other party has deceived him. . . . an exception which Jesus had to make if he did not wish to side with the swindler instead of the person swindled.<sup>38</sup>

The observation has no force because Mary was three months' pregnant. There was no possibility of Joseph being swindled, therefore there was no necessity for such a law. God had made full provision to ensure that each man had the right to marry only a virgin. It was man who added to God's Word to make it a law that a divorce must be sought to annul a betrothed 'marriage.'

With the introduction of a new era—the Kingdom of God—the Torah passed away into history as an obsolete way of living, and Jesus did not envisage a revised Torah. He made no provision for His male followers to ensure that they married only virgins.

Given the new era that Jesus brought into being, the question arises, Is there no divorce even when a bride is not a virgin on her wedding night? The answer is that in Western culture there is no divorce for a lawful marriage. If in a culture you buy your bride on the understanding that she is virgin, and she is not, she is like damaged goods; you take her back and get your money back. End of story. End of contract. That is not so in the West. Divorce for the breach of the betrothal contract is not scriptural. It post-dates the Torah. It is not lawful, and Joseph did not avail himself of it. In those cultures it is an annulment; the contract was not kept. It is how they view marriage. It is on a par with any other human contract.

In the West, however, all marriages are on a WYSIWYG basis, and it is up to the couple to sort out what they expect of each other, and if the guy expects to marry a virgin, then he must be virgin himself, both in mind and in body. But once the marriage is consummated there is no going back. It is a permanent union which only death can break.

Why insist that Jesus step in and safeguard every man's right to marry a virgin, but not expect Him to include other exception clauses to divorce an incestuous marriage, or divorce a same sex marriage, or divorce any other devious union? Why pick out betrothal marriages? What is so special about them? Jesus is not at our beck and call. He declined to intervene when a man demanded that He order his brother to share the inheritance equally. "And he [Jesus] said to him, Man, who made me a judge or a divider over you?" (Luke 12:14). We could add to this retort of Jesus, "Who made me a divorcer between you and your 'spoil goods of a wife'?"

The tide has turned with regard to marriage. *The era when every Hebrew/Jewish man had to marry a virgin was past once the Messiah had arrived.* Once the Messiah had arrived, the preference in the new era is that every follower of Christ (male and female) should not be married. They are more useful to Christ unmarried, than married, because marriage distracts from full-time devotion to Him.

Jesus did not set Himself up as a Divorcer. His sights were set on bigger, more important goals. So when He looked at the state of marriage among God's Chosen people, He issued a severe warning to the Jews about the *consequences* of using divorce to get rid of their wives. If the reader can

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<sup>37</sup> Isaksson argued that the Talmud taught that Adam was created an androgynous being in Gen 1:27, but he denies that Jesus was influenced by this *contemporary rabbinical exegesis*: "The theory of the androgynous Adam is so weak and is avouched at so late a date that it is a very bold assumption to consider it as known and accepted anywhere in Palestine in Jesus' day" (p. 144). The same could be said of divorcing betrothed marriages!

<sup>38</sup> Isaksson, *ibid.* p. 140.

hold that thought, and place himself in Jesus' sandals, then Matthew 5:32 becomes an 'exemption to blame,' not an 'exception to get a divorce.' The idea of *blame* is uppermost in Jesus' thinking, and being a just Judge, He will not attribute the sin of 'fornication' that a married woman might indulge in while still married, and lay it at the feet of her husband. That would be unjust, and Jesus avoids this injustice in His exemption clause. He is careful not to overstate His warning. He is clear that only when the husband puts her out on the street and he *makes* her commit adultery (through a remarriage) that he becomes culpable for her adultery, but not if she goes off and becomes a prostitute (= fornication), because she knows this is immoral, and God will lay the blame for her prostitution (= fornication) at her feet, not at the feet of her husband. He is culpable for her adultery; she is culpable for her fornication. Jesus gets the balance right every time.

Isaksson defends his betrothal interpretation of the exceptive rule because it allows Jesus to maintain His teaching on the indissolubility of consummated marriages. He gets round the absence of Matthew's exception clause in Mark and Luke by speculating that it "was so self-evident that there was no need to repeat it each time the divorce logion was quoted."<sup>39</sup> In which case, if it was so self-evident why did it need to be given to the Jews of all people? It would be needed among the diverse nations that constituted the 'civilised' world at that time, especially those who also practiced betrothal marriages. Surely, if an exception clause was deemed necessary to endorse divorce for pre-marital fornication, then there ought to be another exception clause to cover the self-evident case of incest marriages, which was widely practised throughout the Gentile world. What about same-sex marriages? Are all these cases so self-evident that it was not necessary for Jesus to issue an exception clause for these unlawful marriages?

Isaksson's second explanation why the exception clause is not in Mark and Luke is to say that "the question of the bride's virginity was not of such significance, . . . since the exception mentioned in it [Matthew's logion] was not interpreted as being equally necessary as in a Jewish environment."<sup>40</sup> This negates his first explanation which argued that the exception was 'self-evident' and therefore it was not necessary to repeat it for the non-Jews. If anything, the exception would not be necessary to spell out to the Jews, for whom it was self-evident. The ones who most needed to know about the exception clause would be the non-Jews, and therefore it should have been in Mark and Luke and omitted in Matthew because it was so self-evident to the Jews.

The betrothal interpretation takes Matthew 19:9 'except for *porneia*' to refer to pre-marital sex during the Jewish espousal period. This presupposes that Jesus is exempting engaged, Jewish couples from His charge of adultery if they 'divorce' on the grounds that one of the engaged parties has had illicit sex before the marriage was consummated.

Apart from the major problem that "except for fornication" is a translation of Erasmus's faulty Greek text, there is a problem with this limitation on Jesus' teaching. If the engaged couples are regarded as married (even though the consummation is still in the future), and they break off their official, and very public engagement (much feasting by both families and friends), as Joseph planned to do with Mary, if this was done privately (or secretly), does this mean that Mary is still technically a 'wife,' and if so, the second half of Jesus' statement in 19:9b, warns that anyone marrying 'a woman having been put away' (i.e., marrying Mary after Joseph has rejected her) is committing adultery by marrying her? The answer would be No; and that the espousal period has been unilaterally terminated. Or, if someone marries Mary after Joseph has rejected her, are they committing fornication, or adultery? If Mary had been guilty of sex with another man while engaged to Joseph, would Jesus have approved of stoning her as an adulteress or as a fornicator? Indeed, was Joseph 'putting her away' as an adulteress or as a fornicator? Most likely as the latter.

God makes a distinction between a virgin who was betrothed to marry a man, and a virgin who was not betrothed to a man. *But nowhere does He call the engaged couple 'husband' and 'wife.'* That was invented later on by the rabbis, and out of which they created the need for a divorce certificate to get out of it. In the case of a betrothed wife, if the virgin was raped in an uninhabited place, and her cry for help was not heard, then only the rapist died (on the strength of her report; Deut 22:25); but if she was raped in an inhabited place and did not cry for help, then she and he had to die. In the case of an unbetrothed virgin, the rapist did not die, but was forced to marry her (Deut 22:29), but only if the father agreed to it (Exod 22:16-17), and to pay her father the bride price, but he was not allowed to divorce her, if they did marry.<sup>41</sup> The different treatment meted out by God would suggest that He

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<sup>39</sup> Ibid. p. 141.

<sup>40</sup> Ibid. p. 141.

<sup>41</sup> The prohibition against divorcing her is not to be taken as evidence that Yahweh approved of divorce among the common people. Rather, it was His opportunity to teach the man a lesson, and so

regarded the betrothed virgin as something special, because He deals with her as He would with a married wife (compare Deut 22:22 with 22:23-24).

An interesting detail is omitted from the case where a betrothed virgin was raped away from human help, and was declared innocent by God, did the espoused husband need a bill of divorce to end the relationship? Each man was entitled to marry a virgin to ensure the purity of his genealogy. It is likely that the espoused husband did what Joseph did, and put her away *privately*, seeing it was not her fault that she lost her virginity during the espousal period. The Western idea of love and romance was absent in arranged marriages.

So the issue in the rape cases boils down to timing. If she had sex between the betrothal event and the marriage event, according to the Law of God she comes under the same category as a married woman, and so Mary should have been stoned to death. The issue of divorce would not have arisen. It would appear that Joseph only *intended* to 'put away' Mary, when God prevented him from doing so. He was duty bound, as a righteous man, to follow the *public* judicial procedure to stone her to death (or burn her if she was of the tribe of Levi, which she probably was<sup>42</sup>), but it is more likely that this duty would have fallen on her father to carry through the courts.

The notice that Joseph decided to put Mary aside *privately* may have been a correct record of his initial reaction to what he had heard, which was a righteous reaction, with a view to investigating the matter further, face to face with Mary. The initial reaction of Joseph to 'put her away privately' is ambiguous. Some, with a knowledge of rabbinic conventions surrounding wedding traditions, would jump to the conclusion that Joseph intended to divorce her. But the word 'privately' rules this out, unless another theory is invented that it was possible to get private divorces! But this smells of a cooked up ploy to remove the objection.

The verb 'to put away' (ἀπολύω) is a very common verb with no technical or legal meaning to it. There is no equivalent to the English word 'divorce' in Greek or Hebrew. The verb literally means what it says *in every instance of its use in the New Testament*. The exact same form of the verb is used (1) when Jesus did not wish to 'send away' the starving crowds (Mt 15:32); (2) when Pilate wished 'to release' Jesus at His trial (Lk 23:20); and (3) when the Roman judges wanted 'to release' Paul from prison. In the others cases of this word they all refer to release from the marriage bond (to divorce). What links all these cases is that someone is in a 'bound condition' from which they are *released*. In the case of Joseph and Mary it means that Joseph would have literally and physically sent Mary away from his presence, if he was allowed to carry out his intention.

The least that we can infer from the use of this common verb, in this context, is that Joseph made the decision to release Mary from her solemn commitment to marry him, by physically putting a distance between him and her. He shows great concern for her welfare in thinking how he might shield her from public humiliation and disgrace. He does not regard her as a slut or a prostitute. He seems to know her well enough to make a sound assessment of her character.

The Greek uses the adverb 'secretly' in conjunction with the infinitive 'to release,' so that he intended to release her, but in a covert manner. Maybe the use of postponement was the cover he needed to extricate himself from his legal commitment to marry her. After all, there was a baby on the way. If he delayed long enough (six months), and the baby was born out of wedlock, then a decision would have to be taken by her parents at that stage. Because Joseph was in direct descent from David, he would not register this child as his own, in the normal course of events.

It is probably best to explain Joseph's action in terms of a looming marriage ceremony, when suddenly on the 'eve' of his wedding day he gets the shocking news that his bride-to-be is pregnant. His immediate reaction is to find an excuse to postpone the wedding day, but before he can call off the well-advanced arrangements for the week-long wedding feast, he is told by God in a dream to go

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prevent others from following his example, for the right to get rid of a wife was highly prized by hard-hearted husbands, and there was very little that God wanted to do to curb this evil. This explains why He did not put a blanket ban on divorce. Better to let the evil come out of them and punish them hard later on, than prevent the evil coming out and unable to punish them as they deserved to be.

<sup>42</sup> The scientific mind of the Western Christian tries to see an organic, DNA, blood connection between Mary and David (Luther's solution), otherwise they cannot see how Jesus could be of the seed of David. Unfortunately, the transmission of the Y-chromosome is only through the male contribution to the conception (cf. Heb 7:10). But in many cases a son-less Israelite could adopt a household slave as his son-in-law and heir (cf. 1 Chr 2:34-41), and it was Joseph's reception of Jesus as his secretly adopted son and heir that Jesus was connected to the Davidic line. In the Temple records Jesus would have been registered as, and assumed to be, the natural son of Joseph, because illegitimate children did not count. Only males can constitute links in a genealogical chain.

ahead with the wedding, much to his relief, I'm sure, and this provides Mary with the cover she needs to hide her three-month pregnancy from the public (and her parents?).

It is a weak argument of those who support the betrothal solution to say Mary could not be stoned because there were no witnesses, so the only option open to Joseph was to divorce her. The evidence for her 'adultery' (rabbinic interpretation of her state) was growing fast in her womb! This is what would lead to her death, not the technicality of there being no witnesses. The only way she could escape the death penalty was to charge her with a non-fornication charge (an *ervat davar* cause). In which case she fell into the category that all fully married wives fell into of being divorced for a non-fornication cause. But it would require Joseph to be dishonest in hiding the true cause behind his action to divorce her. Rather than do that he opted not to divorce her at all, but simply to drop her.

There is a large consensus assumption that the action Joseph took was a legal one. This is not necessarily so. According to the law in Deuteronomy 24, divorce was a *private* matter, and belonged to domestic law/tradition. If Joseph decided to go back to the law as stated in Deuteronomy 24 and follow that law, instead of following the rabbinic law of public divorce, then it might be possible to interpret Joseph's action as seeking an actual divorce. The only snag with this is that Deuteronomy 24:1-3 does not allow divorce for fornication or adultery.

According to Deuteronomy 24:1-3, no man was compelled to get legal authority before he divorced his wife. He was king of his own castle. He could do as he liked. Moses never set up any courts to enforce his new divorce command, nor did any husband have to get a special certificate. Any scrap of papyrus would do to scrawl a few hurried words telling her she was no longer his wife and to clear off for good. That is how easy it was for a husband to divorce his wife in Moses's day. The hard-hearted divorcer was answerable to no one for his actions.

That Joseph did not use the public system to 'divorce' Mary, but sought to put her away privately, shows that he was not using the normal, rabbinic procedure (current in his day?). In any case, he could argue, according to Deuteronomy 24:1-3, the termination of a consummated marriage was a private matter, so how much more so would have been the termination of a marriage that had not yet taken place?

If Joseph had been lawfully 'one flesh' with Mary, as a married couple, then indeed, as a righteous man, he would have had her stoned (or burned), and rightly so. As it was, he knew her character sufficiently well to have doubts about her unfaithfulness toward him, and in this state of shock and disappointment—since he was not married to her—he did the right thing, and had nothing to do with her. It was up to Mary's father, not to Joseph, to demand the death penalty if his daughter was found to be with child once Joseph had nothing to do with her.

While the Jews may have demanded the same divorce document (ἀποστάσιον/גט *get*) and procedure to end a betrothal as well as a consummated marriage, Christian theologians recognise only the latter as constituting the 'one flesh' union. Joseph did not sever a one-flesh union, but only a contemplated one. So we should not have a problem with the break-up of engagements, Jewish or Gentile. They do not constitute a 'divorce' because there is no 'one-flesh' union to 'put asunder.' There is no need to go through the charade of a 'divorce' proceedings, except in those cultures (such as the Jewish) where contracts are in use and are an everyday part of the culture. But Jews and Christians should avoid the term 'divorce' to cover these situations because of its Mosaic associations with the evil and sinful practice of legalising dissolution. (Christians can use the State's divorce laws to dissolve all invalid remarriages, but more on this below.)

Some modern, pro-divorce writers regard a lawfully conducted Gentile marriage to be invalid in God's sight, "after the disclosure or discovery of pre-marital promiscuity *at or before* the time of the marriage." While we might sympathise with the groom, or the bride, being disappointed on their wedding night to find that their partner is not what they had expected, I am at a loss to know where to find this pro-divorce, time-limited criterion in Scripture. Does it apply to Jewish *and* non-Jewish marriages? Where is this standard of purity stated in Scripture?

No provision is made *in Scripture* for a 'divorce' in the situation Joseph found himself in. The fact that he planned to put her away *privately* defeats the whole purpose of issuing a 'roll of severance.' These rolls had to be *public* knowledge, not private knowledge, to function in society. This was the point that Moses made when he commanded that a bill of severance be handed to every divorced wife. So Joseph was not even following the normal, *public* procedure for divorcing Mary. Joseph, obviously, did not regard himself as bound to obey human extensions to Moses's *unrecorded* command, so he spurned the unbiblical, rabbinic addition to the unrecorded command of Moses, and set about to put away Mary privately. Good for him. We should applaud this disdain for man-made ordinances. His son, Jesus, showed the same disdain for rabbinic hoops.

God may not approve of the promiscuous life that precedes marriages in the West, but are we really to go so far as to declare that all marriages which were preceded by promiscuous behaviour and lifestyle are 'invalid in the eyes of God'? What about African tribal marriages before David

Livingstone opened up Africa to Christian influence? Were all or some of these 'one-flesh' unions invalid? Are not all civil marriages by godless persons, communists, atheists, etc., if lawfully entered into, by first-timers, as valid as Christian marriages? The logic of 1 Corinthians 7:15 is that the unbelieving husband who departed from his Christian wife was still validly married to her.

Somewhere, lodged deeply in the mind of untaught Christians is the humanist instinct that divorce does what it says it does, namely, it dissolves marriages. They know of divorced couples among their relations and friends, and divorce is a real fact of life. The one case that confirms this instinct in the untaught Christian is the case of Joseph divorcing Mary. Under Jewish law you can get a divorce before you are married as well as after you are married. This is an odd state of affairs, but that is Jewish culture, whether it pre-dates the coming of Jesus is another matter.

The Torah was given to the Jews, not to the Gentiles. It is inappropriate for Gentiles to reach into the Law and extract bits and pieces that suit them, and incorporate them into Christ's teaching. Those who support the betrothal interpretation are guilty of doing just that if they believe that if a bride is not a virgin on her wedding night then she can be legitimately divorced the next morning.

To avail oneself of this provision, a Gentile would have to become a Jew, and be circumcised, and live as a Jew, and live under the Law, and obey its every precept, and protect the virginity of his daughters up until they are married, and be able to produce the evidence required by Jewish law that his daughters are what they claim to be, then, and only then, would he be in a position to make use of the Law to divorce a non-virgin bride the next morning.

The Western Church cannot pretend to have anything like the protection of its female members in place that obtained under the Law, and parents have no certain knowledge of the virgin status of their teenage daughters or sons. Paul likened the difference between Jew and Gentile Christians to one of a cultivated olive tree, and an uncultivated, or wild olive tree (Rom 11:17, 24), and Gentile Christians are 'wild by nature' (Rom 11:24). When it comes to finding a suitable Christian partner to marry in the Western world it is a case of what-you-see-is-what-you-get (WYSIWYG). Indeed, the spiritual advice of Paul is worth pondering very deeply, 'It is better not to touch a woman.' But if you must, then choose only a Christian partner, who truly bears fruit of being born-again, because once you marry her you are stuck with her for life, and *vice versa*.

It is worth bearing in mind that the custom of regarding an engaged couple as virtually husband and wife was never part of the Torah that God gave to Moses.<sup>43</sup> It is one of those man-made traditions that grew up probably some time before the birth of Jesus. Other traditions also were introduced, such as washing the hands before sitting down to a meal. The Pharisees treated Jesus like a poodle dog when He sat down without washing His hands. They put the hoop of their tradition in front of Him and expected Him to jump through it. Jesus refused to recognise their hoops as having any authority from God, and so He deliberately disdained to play along with their silly rules.

Obtaining a bill of divorce to break off an engagement was another such hoop, which Joseph ignored. When Mary, his espoused wife, was found to be with child, he simply dropped her, as any self-respecting righteous man would do. The verb used is simply he decided to put her away *privately*, something which the holders of the hoops would have been incensed to find he had done, and ignored them, and thereby offended them.

The *Jewish Encyclopaedia* records that after the betrothal ceremony the parties were regarded as man and wife. Their betrothal ceremony bound them on a set course to the marriage ceremony itself. The bond could only be dissolved by death or a formal bill of divorce. If the woman proved to be unfaithful between the time she was betrothed and the wedding night, she was regarded as an adulteress, not as a fornicator, and her punishment was to be stoned to death (Deut 22:22; *Sanhedrin* 66b). She was punished more severely than the unfaithful married wife, who was strangled (Deut 22:22; *Sanhedrin* 52b).<sup>44</sup>

Jerome (AD 396), when replying to an indirect enquiry by a woman whether it was right for a wife to divorce her husband on the ground that he was an adulterer and a sodomite, replied, "Let her read the books of Moses and she will find that if violence is offered to a betrothed virgin in a city and she does not cry out, she is punished as an adulteress."<sup>45</sup> Note that Jerome is aware of the rabbinic class that the betrothed virgin is in: she is considered to be a wife, so if she consents to having sex

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<sup>43</sup> The earliest references to betrothal occur in Deut 22:24 ('the wife of his neighbour') and 2 Sam 3:14 ('my wife whom I have betrothed'). That marriages were arranged between parents is clear from Gen 24; Song of Songs 8:8; and Jud 14:2-7). If the bride was a widow, the betrothal period was reduced to thirty days (Ket. v. 2; Shulhan 'Aruk, Eben ha-'Ezer, 56; cf. also Kid. 13a; Yeb. 52a).

<sup>44</sup> *The Jewish Encyclopedia: A Descriptive Record of the History, Religion, Literature, and Customs of the Jewish People from the Earliest Times to the Present Day* (New York: Funk & Wagnalls, 1925), I.217. Vol. 8.239.

<sup>45</sup> See 6.7.5. *Jerome on divorce and remarriage*.

during the espousal period, she is not guilty of fornication, but of adultery. (Jerome, Letters 55, 58) And if she is guilty of adultery then death, not divorce, awaits her.

Jerome also wrote: "As long as the husband is alive, even though he be an adulterer ...and is deserted by his wife for his crimes, he is still her husband, and she may not take another."

If the supporters of the betrothal interpretation want to make use of the above rabbinic tradition on marriage etiquette, and see it as the key to their solution to the exception clause in Matthew 19:9, then they cannot manipulate, modify, or twist the custom to suit their requirements. It is clear from the custom that the sin that Mary committed was not fornication, but adultery, for which she would have been stoned to death, like the woman taken in adultery in John 8.

If it had been Jesus' intention to cover the case of His mother, then He would have had to reword His exception clause to read, 'except for adultery,' because that was her crime, not fornication.

Whichever route we take, whether the biblical one, or the rabbinic one, Mary, by becoming pregnant before she was married, was to be stoned to death, not divorced. The only thing that could save her from discovery was a gunshot wedding as soon as Joseph took her back again. Only in this way could she escape the death penalty. Hers was a unique situation which called forth unique action on the part of the Holy Spirit to avert public shame coming upon Mary. In every other case in Hebrew and Jewish history a young woman found in her pregnant condition would have been stoned to death. It did not require witnesses. Moses was powerless to command that such pregnant women could be given a bill of divorce and allowed to live on and try for another husband.

That the case of Joseph and Mary could not have been in Jesus' mind when He identified all the causes that the Jews had been in the habit of using to obtain their divorces in the phrase 'not over fornication,' i.e., for non-fornication causes, is plain from Deuteronomy 22:23-27, where we find that if an espoused wife was not a virgin on her wedding day she was to be stoned to death, and the husband was free to marry another virgin. The rabbinic work, *Sanhedrin*, regarded the espoused wife as having committed adultery, not fornication, so if the supporters of the betrothal interpretation use the rabbinic law to make out a case that Jesus was referring to an espousal divorce, as distinct from a marriage that had been consummated, then they have a real obstacle to overcome in that the biblical and the rabbinic law coincide in demanding the death penalty for her. She falls into the category of having committed a capital punishment crime, so that Mary would have been in the same category as if she had become pregnant with Jesus *after* she had been through the marriage ceremony proper. In her case it made no difference whether she became pregnant before or after the marriage ceremony, provided Joseph did not lie with her at any time before she became pregnant with Jesus. There are some things we need to draw attention to.

**First**, if the law of God placed Mary in the same category as a woman who committed adultery with another man, after she consummated her marriage with her own husband, and this is confirmed by rabbinic practice, then there is no escape for her: she cannot be divorced. This means that the 'exception clause' has nothing to do with Mary and Joseph, and Jesus was not shielding her from the death penalty that His Father had laid down for an espoused wife in her pregnant condition.

**Secondly**, the rabbinic law requiring the same bill of divorce to break an espousal agreement as was needed to break a consummated marriage did not come from God, nor did it come from Moses, it was a hoop that the rabbis created. It had no legitimacy. It was a Mickey Mouse certificate, and, like their roll of divorce to end a consummated marriage, its value was no higher than that of a piece of toilet roll. Neither God nor Jesus had anything to do with Moses's command to issue these bills of divorce.

**Thirdly**, we have shown that the attempt to restrict the term 'fornication' to sexual sins committed by unmarried persons has not been proved linguistically. Even within the narrow compass of the New Testament writings, it has been shown above that the betrothal definition of fornication cannot be restricted to unmarried persons. Elsewhere in this work it has been shown that the term cannot be restricted in this way in the literature surrounding the New Testament period. And the wider one extends the search into the huge volume of surviving Greek literature going back to the time of Homer, no one has brought up a single example where the Greeks restricted the meaning of 'fornication' to a crime peculiar to unmarried persons.

It would appear that the betrothal solution has been imposed on Matthew 19:9 to prevent the exception clause being used to dissolve a consummated marriage. The solution came first and then the evidence was 'found' to give it legitimacy. The search for 'evidence' began with the clumsy conclusion that 'nowhere in the New Testament is the term 'fornication' used of a married person.' This was a case of not looking hard enough at the New Testament use of that term, which has been shown above, to apply to every class of society, to married and unmarried persons, to both genders, and to all classes of society. The further out one extends one's research for evidence, especially into



the non-canonical writings of the Early Church Fathers and the Septuagint, the clearer it becomes that to restrict 'fornication' to pre-marital sex is an artificial distinction, imposed on the literature.

In the early days of the betrothal solution, maybe somewhere in the nineteenth century or earlier, this solution gave its supporters the 'evidence' they desperately needed to sustain Jesus' total ban on divorce 'for any cause.' In ignorance they believed that the New Testament use of the term was the bedrock they had been looking for, and on which they could build their case. Unfortunately for this solution, with time has come greater access to the whole of Greek literature on computers, which was denied to the ones who first proposed this solution, and with this extended access to the whole of Greek literature the restriction that this solution required has been undermined and is no longer sustainable.

If one examines the writings of modern supporters of the betrothal solution their case is based on outdated research.<sup>46</sup> They have simply recycled the solution as it was dreamed up a few centuries ago by Daniel Whitby (1638 - 1726),<sup>47</sup> when Erasmus's exceptive clause was accepted as part of the Word of God. In place of fresh research we find dogmatism, and a refusal to budge. In place of interaction with new discoveries, especially linguistic ones, we find withdrawal or ignorance. In place of a willingness to be exposed to a different, but equally biblical, interpretation of the data, we find a defensive posture. In place of opening up to the possibility that they could be wrong, we find a brick wall behind which they sincerely believe that they, and they alone, hold the infallible key to unlock the meaning of the exception clause in Matthew 19:9, because only they hold to the full inspiration of Scripture, whereas all their rivals do not. In the end, it is this latter point that proves to be the dividing line that separates them and their solution from all their rivals and their rival theories. They sincerely believe that they *alone* are standing on the bedrock of Scripture, and everybody who opposes them and their solution, are not standing on it.

Behind one's beliefs lies pride, and pride can blind the eyes to facts that would undermine one or more of those beliefs. The shame of being shown to be wrong humbles the proud man. If he is prepared to acknowledge that he was wrong, he is a true seeker after the truth, and he takes the indignity of shame on the chin. But if his pride kicks in and he cannot bear to suffer shame and humiliation, he will suppress the truth at the expense of his dignity and pride. There are many supporters of the betrothal interpretation who have taught this solution all their lifetime. The shame of having to abandon it would be too much, because of the knock-on effect that this would have on their ministry as a whole. For, it would be argued, if this minister, after forty years of defending it, now tells his congregation that he was wrong, could the same not apply to some of the other doctrines that he preached on for the same number of years? Rather than face the humiliation of a confession to having been duped by Erasmus, such ministers would prefer to end their days leaving their congregations and friends in ignorance of their final position.

While the stand of the supporters of the betrothal interpretation on the question of the full inspiration and infallibility of Scripture is highly commendable, they must not allow themselves to be duped, as were the Reformers, into accepting Erasmus's Greek text as the infallible, inspired Word of God that they want to follow. It is not. It is an interfered with text. It is a text edited by a humanist. It does not convey Jesus' infallible teaching on divorce and remarriage. It must be thrown away, and replaced with the Majority (Byzantine) Text, which has been the only universal text in constant use in Christ's churches. The minority Egyptian text is no better than Erasmus's edited text. Indeed, it has been more heavily edited than Erasmus's Greek text. It has only antiquarian interest. It belongs in a museum, not in the hands of the leaders of Christ's Church.

If the supporters of the betrothal solution can bring themselves to throw away Erasmus's faulty Greek New Testament and move over to the Majority Text, then they also throw away the exception clause that Erasmus imposed on the Lord Jesus' teaching. *And if they lose the exception clause then they do not need the betrothal solution to explain it away.* This would disturb them, because in giving up their pet theory, they would feel that this would be opening the door to divorce, because, they are convinced, it is only *their* interpretation that constitutes the only barrier to the introduction of divorce into the Church.

Now given the fact that the betrothal interpretation was based on the wrong Greek text, where does this leave the betrothal solution?

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<sup>46</sup> A very common fault in the betrothal solution is the failure to note that Jesus is teaching two different things in His use of the so-called exception clauses in Matt 5:32 and 19:9. These two passages are treated as if Jesus is making the *same exception* in both places. Very few supporters of this solution are aware that this failure goes back a long time, especially in nineteenth century and right up to the present day (see §6.4.).

<sup>47</sup> See the Postscript to this section, which gives extracts from his *Paraphrase* on Mt 19:1-9.

### 6.6.9. What is the alternative to the Betrothal solution?

We have challenged the betrothal solution on a number of points. **First**, we have shown that they used the wrong Greek text, when they based their interpretation on Erasmus's Greek text. If a new version of the betrothal solution is to be found it must be based on the Majority (Byzantine) Greek text, which does not differ from the Nestle-Aland text with regard to the wording of the so-called exception clauses. At Matthew 19:9 both Greek texts read: 'not over fornication' (meaning, 'for non-fornication causes').

**Second**, those who first propounded the betrothal solution were duped by Erasmus into believing that Jesus made an exception for divorce in the case of fornication. To be tricked into accepting a Greek text which does not have a single Greek manuscript in support of its reading is a serious blow against any solution. To be duped is a serious and devastating situation to find oneself in. It is embarrassing. It exposes the solution to ridicule and ignominy. It exposes the lack of serious scholarship that should have gone into it.

The first thing any scholar worthy of the name should do is make sure the foundation they are about to erect their house on, is built on rock and not sand. The betrothal solution was built on sand. The Greek word εἰ was added to Matthew 19:9 by Erasmus in 1516, and no one realised what he had done until textual criticism got under way. Apart from the Roman Catholic Complutensian Polyglot in 1522,<sup>48</sup> the first printed text to remove Erasmus's addition was that by Albert Bengel in 1734, who was followed by J. J. Griesbach in 1777,<sup>49</sup> and from that day onwards to the present day no critical text has ever allowed Erasmus's personal addition of εἰ to gain any credence. Indeed, no modern critical apparatus even mentions Erasmus's addition, such is the utter contempt that it is held in today, and rightly so. *But it was on Erasmus's text that the edifice of the betrothal solution was built.* Any modern writer who supports the Betrothal solution is living in ignorance of what Erasmus did, and how cleverly he duped the Protestant Reformers to accept his Greek text as an accurate copy of the original autographs. If the Betrothal solution is to be resurrected in some form, then its supporters must reject Erasmus's text and build their case on a more solid textual foundation, such as the one nominated under the first point.

**Third**, in order to maintain that Jesus never gave permission to dissolve a lawful marriage, through a bill of divorce, the supporters of the betrothal interpretation were forced to restrict the meaning of 'fornication' to unlawful sex performed by unmarried persons. This decision became the lynch pin on which the whole theory would rest. The linguistic argument is seriously flawed.

**Fourth**, they overlooked the fact that Mary's pregnant state before she married Joseph carried the death penalty in Deuteronomy 22:23-27; and this was confirmed in the rabbinic writing called *Sanhedrin*. She should have been executed by her parents, and not put away privately as Joseph intended to do.

**Fifth**, it is constantly said that when Jesus said, 'except for fornication,' He was referring to 'pre-marital sex during the Jewish espousal period "before they came together".' But if so, this means that Jesus overruled His Father's law that such fornicating women were to be stoned, but on the betrothal view Jesus reduced the penalty to divorce in the espousal period. Jesus is made to contradict His Father. The inability of those who support the betrothal view to think through the implications of what they are talking about is astonishing. The ignorance is shocking and only matched by the shallowness of the research that lies behind it.

**Sixth**, and arising out of the above five points, if fornication can be committed by married persons, and the proponents for the betrothal view agree with Jesus that divorce can be had for fornication, then Jesus has permitted married persons to be legitimately divorced. There is no escaping from this conclusion: *Jesus supports good divorces.*

It is to no avail that many defenders of the betrothal interpretation defend their position that the words, 'except it be for fornication,' refers to 'pre-marital sex during the Jewish espousal period "before they [Joseph and Mary] came together."' In other words, they do not regard Mary's sin as a death penalty crime, even though her case would come under Deuteronomy 22:23-27 by the populace, who would be ignorant of the part the Holy Spirit played in making Mary pregnant, and in Deuteronomy 22:22 her crime is punished with death, not divorce.

The defenders of this solution have confused two different scenarios. The first scenario is this. If an engaged couple decided not to go ahead with their marriage, and neither were guilty of pre-

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<sup>48</sup> This text was re-issued by Arias Montanus (1583) and by Joseph Scaliger (1620), with slight modifications.

<sup>49</sup> An English translation of Griesbach text was made by the Unitarian, Samuel Sharpe, *The New Testament, translated from the Text of J. J. Griesbach* (London: John Green, 1840; 2nd ed. 1844; 3rd ed. 1856.)

marital sex, rabbinic custom demanded that they had to get a bill of divorce to end their engagement. It is obvious that in this case both persons were free to marry (not remarry), without being accused of adultery.

The second scenario is this. If an engaged couple decided not to go ahead with their marriage, because one of them was guilty of pre-marital sex (as in Mary's case), rabbinic custom demanded that the wife who committed the sin had to be stoned, because her sin was not fornication, but adultery.<sup>50</sup> This left the innocent partner free to marry another person. It is obvious that in this case only one person was free to marry without being accused of adultery.

The rabbinic procedure was the same whether the couple were getting a divorce as an engaged couple or as a married couple, because both sets of couples were regarded as being married.

What has happened is that the first scenario has been applied to Mary and Joseph, on the grounds that Joseph intended to get a legal bill of divorce. But what they have ignored is that he did not divorce her publicly, or before witnesses, because private divorces were unknown in Israel. The reason why Moses commanded the Israelites to write out a bill of divorce before sending his hated wife out on to the street, was so that everyone knew her new status, that she was no longer the wife of so-and-so. It had to be a public affair, otherwise a man could commit adultery with her out of ignorance.

Now there was no technical term equivalent to the English word 'divorce' in Hebrew, Aramaic, or Greek. Various verbs were used, all of which conveyed the sense of sending someone away from their presence. Consequently when we read that Joseph, "being a just man, and not wanting to make her a public example" (which would have happened had the knowledge of her pregnancy come to the knowledge of the custodians of public decency), "he was minded to put her away privately" (Mt 1:19). He made no fuss. He did not get a public divorce, because that would involve telling the truth about why he wanted to divorce her, which would have meant divulging the fact that she had committed 'adultery' against him ('adultery' because he was deemed to be *already* married to her).

Joseph had a choice. He could go public, or he could go private. If he took the public option then he had to tell lies about the real reason for divorcing her, otherwise she would have been stoned, but Scripture honours him with the reputation of being a righteous man, and righteous men do not tell lies. So he took the private option, and intended to break off his engagement to her in a low key manner, which would allow her to become a single mother, and for her family to 'deal' with her in whatever way they chose. We know from the sequel that he was not permitted to drop her quietly, but was told to take her as his wife, and presumably they got married within a few days so as to cover up the fact that a baby was well on the way.

Other defenders have argued that divorce is not permitted to non-Jews for pre-marital sex *per se*, but is only available to Jews, because only Jews have an espousal period in which the engaged couple are treated *in law* as if they were already married. It is claimed that Jesus knew of the custom of divorcing an engaged couple and He approved of it, and defended it in an aside to His condemnation of divorce for married couples. We have pointed out that this would be inconsistent on His part, because His Father ruled that any Jewish bride who was not a virgin on her wedding day had to be executed, so why is Jesus giving His approval for her engagement to be terminated with a divorce and not with stones?

Now, if Joseph and Mary were considered to be husband and wife 'before they came together,' then if either of them was sexually unfaithful to the other, it would be adultery. Now the Erasmusian translation of Matthew 19:9 reads: "And I say to you, whoever divorces his wife, except for fornication, and marries another, commits adultery." So what is this sin of fornication, which if a married woman commits, her husband is allowed to divorce her? If fornication, in this context, means, 'pre-marital sex during the espousal period by an unmarried person,' then we have confusion, because in the context Jesus is talking about a wife who commits fornication, but this contradicts the betrothal definition of 'fornication,' because Mary and Joseph could not commit fornication because they were regarded as husband and wife. The lack of joined-up thinking behind this solution has contributed to its confused presentation.

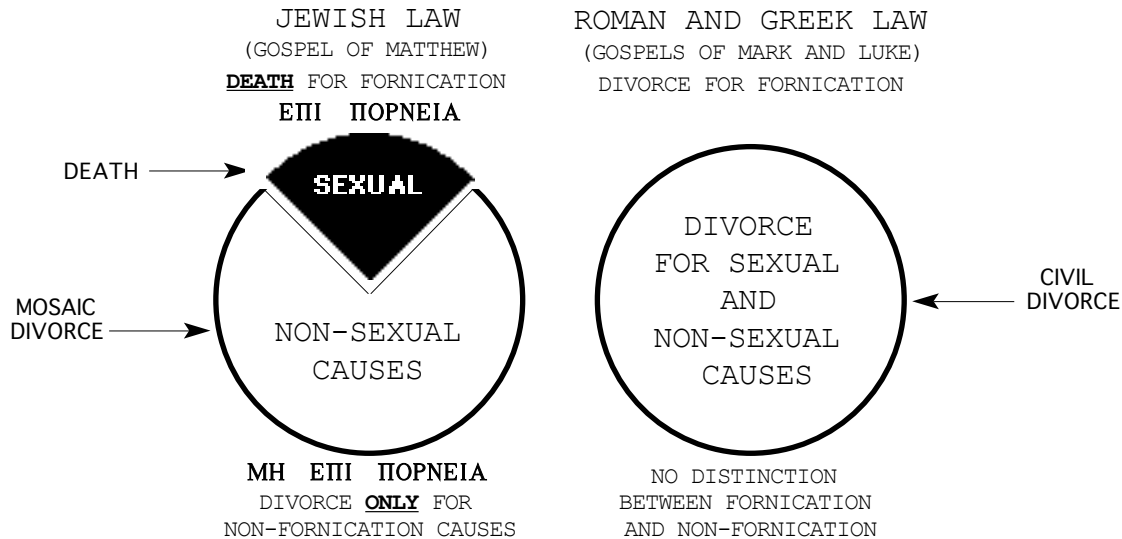
The only reading of Matthew 19:9 that would make an exception possible (and allow Jesus to retain His teaching of no divorce for any consummated marriage) would be the first scenario given above. Now if it was Jesus' intention to take into account that an engaged couple, who are classed as husband and wife, could get a divorce on the grounds of incompatibility, with no sexual impropriety

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<sup>50</sup> It would not make any difference to the punishment whether Mary's pregnancy was due to fornication or adultery, but in terms of how the rabbis viewed her sin it is important to note the terms they used.

present, then it would be possible to allow an engaged 'wife' to get a divorce and be lawfully married to another man (because she was still a virgin). If this was the scenario in the mind of Jesus when He issued His exception, then the text should have read, "And I say to you, that whoever divorces his wife, except for a non-fornication cause, and marries another, he commits adultery." But this is the exact opposite to what Jesus did say in Matthew 19:9.

Since many Christians, who hold that Jesus ruled out divorce for any reason, have latched on to the betrothal interpretation as the one that comes closest to Jesus' teaching condemning divorce and remarriage, it is worthwhile to repeat here (from §5.10) how the so-called exception clauses in Matthew 5:32 and 19:9 should be translated.



#### 6.6.9.1. *The exemption-from-blame clause (exemption from culpability)*

Matthew 5:32, "But I – I say to you, that who, say, may put away his wife makes her to commit adultery—apart from the matter of *her own* fornication—and who, say, may marry her who has been put away commits adultery."

The fornication mentioned here must have been committed *after* the marriage was consummated otherwise the wife would have been stoned to death if she was not a virgin on her wedding night. If her fornication preceded her divorce, the husband cannot be charged with causing her to commit it, which is the focus of the exemption clause. We have seen that all adultery is fornication, but not all fornication is adultery, so Jesus' choice of terms meant that there were no loopholes.

The text is not spelling out an exemption to the verb 'put away' (divorce), as if Jesus said: "But I – I say to you, that who, say, may put away his wife—apart from the matter of fornication—makes her to commit adultery, and who, say, may marry her who has been put away commits adultery."

The text is spelling out an exemption to the verb 'makes' as follows: "But I – I say to you, that who, say, may put away his wife makes her to commit adultery—apart from the matter of *her own* fornication—and who, say, may marry her who has been put away commits adultery." The use of *παρεκτός* makes it clear that the exemption goes with the verb 'makes her commit adultery,' and not with the verb 'puts away.'

#### 6.6.9.2. *The content-identity phrase (if not that, then it must be this)*

Matthew 19:9, "And I say to you that who, say, may put away his wife—not over fornication *which is punished by death*—and may marry another commits adultery; and he who did marry her that has been put away commits adultery."

The phrase, 'not over fornication' was intended to identify all the non-fornication sins that had been used to obtain a divorce. It would make it even clearer if we translated the text as: "And I

say to you that who, say, may put away his wife for a non-fornication cause, and may marry another commits adultery; and he who did marry her that has been put away commits adultery.”

The difference between Matthew 5:32 and 19:9 is that in the former Jesus warns every man divorcing his wife, that if another man sleeps with his wife, he, her husband, is guilty of *making* her commit adultery, unless, and this is where the exemption comes in, unless she commits fornication of her own accord *while still married to him, then* he is not guilty for her sin of fornication *under those circumstances*. But he is guilty, if she remarries, of causing her to commit adultery. The assumption is that she was a virgin when he married her (otherwise she would not still be his wife, but dead), and she committed fornication before he divorced her, which may have been hidden from him, but God sees all sins. What the supporters of the betrothal solution have ignored is that the main verb is ‘makes’ or pressurises her to commit adultery against him. The issue is not one of creating an exception to allow divorce. This is to miss the point entirely of what Jesus was teaching His disciples and the people. Jesus is totally focused on the unintended consequences that will follow anyone who divorces his wife, no matter what excuse he gives.

This criticism applies to every other solution that uses Jesus’ exemption-from-blame clause to turn it into an exception-to-no-divorce clause. This is to seriously distort Jesus’ teaching and to make Him say something that was absolutely abhorrent to Him. Often errors occur when one comes to the text looking for an exception, because that has been the traditional way of interpreting Erasmus’s Greek text, and of course, if one comes looking for an exception, an exception will be found. “Seek and you shall find,” applies to interpreting the text as much as to any other discipline. It is true that,

Wonderful things in the Bible I see,  
some put there by you,  
and some by me.

The exception that allows one to divorce their partner is one of those ‘wonderful things’ that hundreds of thousands, if not millions of people, have been grateful to the Lord Jesus for providing for them (so their religious teachers tell them) to be rid of a troublesome partner. But who put it there? The answer is, it was not the Lord Jesus, but Erasmus.

In the case of Matthew 19:9, Jesus warns all Jewish men that divorce on the grounds of a non-sexual offence is against God’s will. There is no exception under Jesus’ content-identity phrase, because the death penalty covered the sin of fornication and adultery.

**It follows that if Jesus banned divorce for all non-capital offences, and God banned divorce for all capital offences, then this left the Pharisees with no grounds for divorce.**

Jesus answered their question in full, because in essence He said; ‘It is not lawful for a man to divorce his wife for every cause.’”

In Jesus’ reply to the Pharisees He used a phrase that captured every excuse that a Jew could use to get a divorce from his wife, namely, ‘not over fornication.’ He could not have made Himself clearer where He stood in the absolute minimum of words, for it was only three words in Greek (as it is in English).

The way Jesus approached the problem set by the Pharisees was to set the unlimited number of ‘causes’ that the Jews had been using, from the trivial to the serious (but not including anything sexual), on the one side, and to set the sexual causes on the other side. Then He cleverly used simple, arithmetical logic. The case Jesus put to the Pharisees was this: ‘If you cannot get a divorce for fornication, can you get it for a non-fornication cause?’ And the Pharisees’ answer would have been, ‘Yes, according to our pre-Exodus tradition, and approved by Moses, we can only get a divorce for a non-fornication cause.’ ‘Well, then,’ Jesus would have replied, ‘simply subtract the sins that you cannot get a divorce for, from the sins that you cannot get a divorce for, and that will leave you the remainder of causes that you can get a divorce for. When you have done that, I am telling you that if you get a divorce for any of the remainder sins, and you remarry, you are committing adultery.’

The use of ‘remainder’ was a very astute way of referring to all the non-fornication causes that the Jews could think of, and had been using for centuries to obtain their divorces. Jesus referred to this remainder by using the negative to point to these remainder sins when He said, “And I say to you that who, say, may put away his wife—not over fornication *which is punished by death*—and may marry another commits adultery; and he who did marry her that has been put away commits adultery.” The negative phrase ‘not over fornication’ was Jesus’ positive way of referring to the remainder of causes that they had been using traditionally to obtain a divorce. If not this (fornication), then it must be that (non-fornication).

It is a trivial objection to complain that Jesus should not have used a negative to identify a positive category of sins that were unlawful causes to obtain a divorce. But given the countless sins that wives can commit, any one of which could become a cause for divorce, Jesus, with the Pharisees' category of 'every cause' in mind, chose to subtract her sexual sins from her non-sexual sins, and in this way He identified what 'every cause' meant for Him. It meant 'every non-sexual cause,' which is how the Pharisees understood their own words, for they knew it was unlawful to divorce for every sexual cause. So instead of Jesus identifying all the long list of categories of causes, and there were scores of them, that He would rule out as causes for divorce, He did a very simple sum in front of the Pharisees, which was breathtaking in its simplicity, and shows that He had given a lot of thought to this issue.

Despite Western reservations over the manner in which Jesus defined 'every cause' in the Pharisees' question, the mathematical precision and logic of Jesus' position on divorce was instantly recognised and understood by the Pharisees to mean that there were no causes left to get a divorce if (1) they could not get one for fornication or adultery, because God demanded the death penalty for these causes, and (2), if Jesus had just removed getting a divorce for any non-fornication causes.

However, the Pharisees would not be outdone by this 'man from nowhere' telling them what was right and what was wrong. They instantly realised that there was a flaw in Jesus' position because it was different from Moses's position. Moses clearly permitted divorce for 'any cause (except for fornication),' provided they followed his command that they *must* write out a bill of divorce and hand it to the hated wife, and *then* send her out of his house, never to return again.

Now Moses was the supreme teacher and leader of Israel, and it was obvious to all the Jews that he would not do anything that was unlawful in the eyes of Yahweh, their God. By pitting Jesus against Moses they thought that they were on to a winning argument. Jesus was a nobody, whereas Moses was at the nation's top hero. Jesus was a country bumpkin, Moses was the acknowledged friend of God, who spoke face to face with God. God personally handed to Moses His Ten Commandments. God honoured Moses in the sight of all the people, whereas Jesus was an obscure, self-appointed rabbi from Galilee, of all places, for no great leader ever emerged from that backwater place. It looked like a no-win situation for Jesus when He went against Moses, because as the Pharisees quickly pointed out to Jesus, divorce had the backing of none other than Moses's own authority and standing in God's eyes. Now, if no less a person than Moses authorised them to write out a bill of divorce, who was Jesus to say he was wrong? To condemn Moses was to condemn Himself to the contempt of the people, to be ridiculed, to be ostracised as an extremist, and, worst of all, to show disrespect to God's supreme teacher of Israel.

At that moment in history, Jesus stood utterly alone against the massed ranks of the religious establishment in Israel. There were always odd-balls in any community who stepped out of line with the consensus, and Jesus was just another example of such an odd-ball, rabid ranter, calling the establishment figures 'hypocrites,' and 'fools,' and 'blind teachers of the blind.' In the eyes of all who witnessed this confrontation between the Pharisees and Jesus, Jesus had put Himself outside the consensus that dominated Jewish life for the past 1,500 years by challenging the establishment's defence of Moses's position on divorce and remarriage.

On the day the confrontation took place Jesus was the only Jew in Israel who said that Moses was wrong to sanction divorce for any cause. Even His own disciples standing by were not on His side. They had to wait until they got Jesus alone, and out of sight of the Pharisees, before they could question Him over His brand new teaching on divorce and remarriage. Jesus' position of 'not over fornication' clearly ruled out divorce for any non-capital offence, which adultery and fornication clearly were. So if it was not possible to get a lawful divorce on the grounds of adultery or fornication, then what grounds were left to get a divorce, and Jesus' answer was 'None.' The answer He gave behind closed doors was the same that He gave in the public square.

Moses had never given the Jews the right to divorce an espoused wife. This was a 'tradition of the Patriarchs' that pre-dated the Exodus. Moses merely conceded that divorce, like the poor, would always be with Israel. When the Pharisees asked their question, they and Jesus were focused on the issue whether a consummated marriage could be dissolved. Jesus' answer had to come to terms with *that* issue, and not stray off into the legitimacy of broken betrothal contracts.

If the Pharisees had come asking if it was lawful to divorce a woman in the betrothal period, Jesus would have thrown the question back at them, 'What does the law say?' They, and Jesus knew that the law said *absolutely nothing* at all about getting a divorce for such a pre-nuptial, betrothal contract. They all knew that it was a 'tradition of the Elders' that had grown up *apart from the law*. It had no legitimacy from God or from Moses. Such contracts fell into the civil realm of the nation's life, alongside other human contracts, or agreements, or promises, or covenants, even marriage covenants, about whose contents the Bible has nothing to say.

We must be clear in our minds that Moses did not approve of divorce. His sole contribution was to force the husband to write out a bill of divorce when he divorced his wife. Moses was a realist and he knew what he was up against, and to ban divorce altogether was impossible. The best he could do was to sharpen the husband's oral decision to throw out his wife, by forcing him to give her a written form of his oral decision, so that his action would be set in a permanent form for all time to come. Unknown to the divorcer it would become his own spiritual death certificate that he was writing out.

When the Pharisees put their question to Jesus their minds were not on whether it was lawful to divorce a betrothed wife, about which Moses said nothing. Their question was directed at whether it was lawful to divorce a consummated marriage. This is how Jesus understood their question, for He asked, 'What did Moses command you?' Now the command that Moses gave them is not recorded in Scripture. It was an oral command, *but written down at the time*, but not allowed to be included in the Torah. The *effect* of Moses's oral command is recorded by Yahweh Himself, who describes the grounds on which tradition had permitted them to divorce their wives, which grounds were, logically, for non-capital offences. *They could not get a divorce for fornication as this was a death penalty issue.* So tradition restricted the husbands to non-fornication issues to get their divorces, what Yahweh refers to as 'the exposure of a matter' (*ervat davar*), or anything that displeased the husband. That was how easy tradition made it possible to get a divorce. Yahweh also refers to tradition legitimising divorce for hatred in Deuteronomy 24:1-3.

Now Yahweh *described* the effect that Moses's oral command had on His community in Deuteronomy 24, but later Judaism, used the *description* to justify divorcing their wives on these same *recorded* grounds! But the point of Yahweh's description was just a lead up to His condemnation of divorce in Moses's day, which came in the form of a ban on any wife returning to her divorced husband.

Later Judaism did not see this as a condemnation of divorce—they missed the point completely—but, rather, they turned it around and used it as proof that God approved of their divorces provided they did not try to be reconciled to their divorced wives! That was the state of thinking that occupied the minds of the Pharisees who asked Jesus a *lawyer's* question, 'Is it *lawful* to divorce for every cause?' They had in mind that it was *probably lawful* from the way they read Deuteronomy 24:1-4. Jesus does not get into an argument with them over the legitimacy of their exegesis of Deuteronomy, whether it was descriptive or prescriptive. He goes straight to the engine that is the driving force behind all divorces—an unwillingness to forgive others their sins. He calls it hard-heartedness. The logic of His position is, that if hard-heartedness did not exist, then divorce would not exist. They need each other. They feed off each other.

It is a shame to find hard-heartedness in any Christian. It is a denial that Christ lives in them. Hard-heartedness belongs to the old man, to the old nature, which every Christian is called upon to crucify *daily*. Many evangelicals pass this off as an ideal and unrealistic aspiration, and fall back to their pre-'born again' days, and divorce their spouses in the law courts of Satan, having convinced themselves to their own satisfaction that they were left with no other option. By opting to get a divorce they seal themselves in their own sin, which will ultimately eat its way into every fibre of their physical and spiritual bodies, like a cancer. They will walk in darkness for the rest of their lives and be rejected in the Day of Judgment as one of a vast hoard of human beings who did not forgive others their sins, and consequently their sins could not be forgiven them by a righteous God, who is no respecter of persons, be they archbishops or successful missionaries, or professors of theology.

In conclusion, this critique has found the betrothal solution wanting in the following areas. First, the claim that 'fornication' is always committed by unmarried persons is not the defining characteristic of this sin, which is sex for the sake of sex; sex as an end in itself; sex without any thought about the biological consequences; unrestrained and irresponsible sex. While this will most often be found among prostitutes and among those who are unprepared for marriage; the mature and the married are not immune from taking advantage of free sex, as Paul was well aware of when he wrote, "let each [married] man have his own wife, and each [married] woman have her own husband" (1 Cor 7:2).

Second, divorce during the espousal period has no foundation in Scripture. It is a tradition that sought to safeguard the husband's right to expect to marry a virgin. That a divorce certificate was required to end such an espousal makes no sense, because there was no one-flesh union to divorce. In any case, Scripture requires that the bride who is not a virgin on her wedding night could not be divorced, but had to be stoned to death. Consequently, this notional divorce cannot be compared to the divorce of a one-flesh union, which Jesus is focused on in the so-called exception clauses.

**The above issues were the two pillars on which this solution was built, and unfortunately, the foundation of these two pillars rested squarely on the wrong Greek text of Erasmus.**

The instinct of those who put forward this interpretation was correct in that Jesus never permitted divorce on any grounds to dissolve a lawful, consummated marriage. The manner in which they went about it was deeply flawed. It is an embarrassment, and should be consigned to the bin of false leads. Also to be consigned to the bin of history is Erasmus's addition of  $\epsilon\iota$  before  $\mu\eta$  in Matthew 19:9, and the exceptive clauses that they created.

In their place the following translations of the so-called exceptive clauses should be adopted.

*The exemption-from-blame clause (exemption from culpability)*

Matthew 5:32, "But I – I say to you, that who, say, may put away his wife makes her to commit adultery—apart from the matter of *her own* fornication—and who, say, may marry her who has been put away commits adultery."

*The content-identity phrase (or the remind/remainder clause)*

Matthew 19:9, "And I say to you that who, say, may put away his wife—not over fornication *which is punished by death*—and may marry another commits adultery; and he who did marry her that has been put away commits adultery."

These translations bring the teaching of Jesus in Mark and Luke into line with Matthew. All three Gospels are sending out the same message to Jew and Gentile alike, that divorce has been abolished from the face of the Earth for all time to come. To divorce anyone, for any reason, if not repented of, will exclude that person from entering the Kingdom of God.

This critique of the betrothal interpretation shows that it is possible to hold to a high view of the inspiration and infallibility of Scripture, and at the same time to show that Jesus made no exception for divorce on any grounds.

This work sets out a biblical alternative to the betrothal interpretation. It is a biblical alternative to the many competing interpretations that would introduce divorce into Christ's Church on the back of Erasmus's tampering with Jesus' words in Matthew 19:9. It is a biblical alternative to the move to turn back the Church to following the teaching of the rabbis on divorce and remarriage, which some evangelical teachers and writers are pressing for.

#### ADDENDUM<sup>51</sup>

*The exception of Jonah in Matthew 16:4 and the parallel in Mark 8:12*

One could account for the omission of the exception clause in Mark by contextualising the event that Jesus was referring to, namely, His own resurrection, which only believing Jews were privileged to witness, as Jesus never appeared before the general public as He had done before His death. But the *report* of His miraculous resurrection would constitute the 'exception clause' to Mark's absolute statement that no sign would be given to 'this generation.'

Mark's answer would have been to say that what the Jews were looking for was, that Jesus would perform a miracle before their very eyes, which would have them speechless with awe and wonder. This is how Jesus understood the expectation of the Jews *at that time*. Jesus was not prepared to act like a poodle dog and to jump through the hoops that they set in front of Him to jump through. In this sense His statement is absolute: they would not be given one of *those* signs.

However, knowing that His own resurrection was a miracle in its own right, and one that was not what they were looking for, for they killed Him and wanted Him to stay in that condition, He would offer a 'sign' that they did not want to see, which would condemn them. So the exception He offers them is not a concession to show them one of the kind of 'signs' that they were hoping to see Him perform. The exception would be of a different order of miracle altogether. In this sense, Mark read the mind of Christ correctly: Jesus would not be jumping through anybody's hoop.

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<sup>51</sup> This addendum was deliberately displaced to here to allow the force of the argument to sink in to the mind of the reader, that it looked like there could be an exception that is omitted in a parallel account, which ought to be carried over. This addendum is my explanation why it is not necessary to assume that the exception given in Mt 16:4 must be carried over into Mk 8:12.



POSTSCRIPT<sup>52</sup>

The earliest supporter of the betrothal solution appears to have been Daniel Whitby (1638 – 1726), who says that he did not find his interpretation in any other author. In his work, *A Paraphrase and Commentary on the New Testament* (2 vols.; London: W. Bowyer, 1703<sup>53</sup>), on Matthew 19:1-12 he wrote:

*And the Pharisees came unto him, tempting him, and saying, εἰ ἐξεστὶν ἀνθρώπῳ ἀπολῦσαι τὸν γυναῖκα αὐτοῦ κατὰ πάσαν αἰτίαν, Is it lawful for a Man to put away his Wife for every Cause? The School of Hillel taught, That a Man might put away his Wife for any cause, because this Divorce was permitted, if she found not Grace in his Eyes, Deut. 24. 1. and this was suitable to the current Practice and Exposition of these words. For that which we render, The Lord saith, he hateth putting away, Mal. 2. 16. is by the Chaldee and the Septuagint, rendred thus, The Lord saith, εἰ μισῆσας ἐξάποστειλῃς, If thou hatest, thou shouldst put her away. And the Son of Syrach [Ben Sira] saith, chap. 25. 26. If she go not as thou wouldst have her [if she does not do your will], cut her off from thy Flesh, give her a Bill of Divorce, and let her go. And (a)<sup>54</sup> Josephus saith, the Law runs thus, He that would be disjoined from his Wife, καθ' ὅσους δηποτοῦν αἰτίας πολλὰ δ' ἂν τοῖς ἀνθρώποις τοῖς αὐταῖς γίνονται, for any cause whatsoever, as many are,<sup>55</sup> let him give her a Bill of Divorce: And he confesseth, that he himself (b) put away his Wife after she had borne him three Children, μὴ ἀρεσκομένου αὐτῆς τοῖς ἐθεσι, because he was not pleased with her Behaviour.*

The School of Shammai determined on the contrary, that the Wife was only to be put away for Adultery, because it is said, *Because he hath found some Uncleaness in her.* The Pharisees seek the resolution of this Question from Christ, tempting him, i.e. to induce him to decide this Question, either against the Law of Moses, or else, as he must do, against the Determination of one of these two famous Schools, and so to render him offensive to them. . . . [vv. 4-5] . . . and when they have, after a mutual consent to enter into that Relation, done so, they are *no more two, but one Flesh*; and therefore are not to be separated, unless by cleaving so unto another, they have made themselves one Flesh with that other . . . 1 Cor 6: 16 . . . and of whom he [God] hath thus spoken, let no Man put asunder: God himself who binds, may see cause to permit in some cases, the Solution of this Obligation, to prevent Cruelty, and other Mischiefs, as he did to the *Jews*, by reason of the hardness of their Hearts, allowing a Divorce; but, without such Permission, no Man ought to do it. . . .<sup>56</sup> [vv. 7-8] . . . but then he [Moses] acting in this as God's Minister, it must be a Divine Permission. . . . That this Permission excused those *Jews*, who made these Divorces according to the Law, not only from Punishment by Man, but also from Fault before God, and more especially from being guilty of Adultery, is evident (1.) From the Permission given to the Woman thus divorced, to marry with another, Deut. 24. 2. which plainly shews, The Bond of Matrimony must by it be dissolved, since otherwise this must be a Permission to be an Adulteress. (2.) From the Prohibition of the Person thus divorcing her, to receive her again as his wife; which yet he was bound to do, if the Bond of Matrimony still continued, and she was still in truth his Wife. And, (3.) Because otherwise, the whole Commonwealth of *Judea*, by a Divine Permission, must be filled with Adulteries, and with a spurious Offspring. . . .

[v. 9] *And I say unto you, Ὅς ἂν ἀπολύσῃ τὸν γυναῖκα αὐτοῦ εἰ μὴ ἐπὶ πορνείᾳ . . . Whosoever shall put away his Wife, except it be for Fornication, and shall marry another, committeth Adultery*] Here it seems evident, That Christ prescribes a new Law, which had not before obtained among the *Jews*; Divorce being permitted to them for other Causes: For, tho' it be said, Deut. 24. 1. he must find *some Matter of Uncleaness in her*; yet that cannot signifie Fornication or Adultery, seeing for these things, she was by the Law to die *by stoning*, if she committed Fornication before her Marriage was completed, Deut. 22: 24. *by Strangling*, say the *Jews*, in case of Adultery, ver. 22. (2dly,) Because this Divorce was permitted to all, except the Person who falsly pretended, he found her not a Maid; for that Law so peculiar to him, *he may not*

<sup>52</sup> The spelling in the following abstract is as printed.

<sup>53</sup> This was reprinted as *A Critical Commentary and Paraphrase on the Old and New Testament and Apocrypha*, Vol. 4 (Philadelphia: Carey & Hart, 1845), see p. 136 for a different style of this same quote.

<sup>54</sup> This is Whitby's way of referring to his footnotes. I have placed these footnotes below this extract from his *Paraphrase*.

<sup>55</sup> 1760 edition reads: as many Causes there are, . . . (vol. 1. pp. 200-203)

<sup>56</sup> The 1760 edition adds quotations from Greek authors (Hierocles and Plato) that two should become one flesh.

put her away all his Days, Deut. 22:19. shews, that others were permitted to do so: Now Adultery being a Sin against the Law of Nature, could be permitted upon no account. And (3dly.) Any other, excepting only the High Priest, Lev. 21. 7. might marry her who was thus put away, Deut. 24. 2. whereas it could be lawful for no Man to commit Adultery with her. . . . Moreover, whereas all Commentators I have met with, by Fornication here, do understand Adultery, or the defiling of the Marriage Bed: I incline rather to take the word in its proper sense, for Fornication committed before Matrimony, and found after Cohabitation. (1.) Because Christ speaking of this Divorce here and elsewhere, doth never use the word μοιχεία, which signifies Adultery, but always πορνεία, Matth. 5. 32. which word, both among Jews and Gentiles, doth properly import the Sin of unmarried Persons lying one with another, and so being made one Body, 1 Cor. 6. 16. It is not therefore likely, that Christ receded from the known and common acceptation of the Word. (2.) The punishment of Adultery after Marriage, was Strangling; after Sponsalia, Stoning; Divorce not being mentioned in either case; but simple Fornication was not thus punished by the Jews. And, (3.) By this Interpretation, the Law of Marriage is by Christ reduced to its Primitive Institution; that Conjunction with another, makes them both one Flesh: and so the Woman who had thus transgressed, was to be dismissed, because she before was one Flesh with another, and therefore could not be so with the Man to whom she afterwards did marry. Note also hence, that according to either Interpretation, where it is lawful to put away the Wife, it is so to marry again. For (1st,) Such were the Divorces of the Jews, of which Christ speaks. And, (2dly,) Christ by pronouncing such Divorces, as were not for this cause, adulterous in him that married another, doth plainly insinuate, there was no such Crime committed in this case; and then the Marriage must be dissolved by that Act. (Vol. I. pp. 156-8)

(a) Antiq. l.4. c.8.p. 125. G.

(b) In vita sua, p. 1031. F.

In the 1760 edition, the following paragraph was added:

Εἰ μὴ ἐπὶ πορνείᾳ, Except for Fornication.] St. Jerome here saith, that if the Woman hath committeth adultery, Non debet teneri, she ought not to be kept by her Husband, lest he fall under Condemnation; he being pronounced a Fool, and a wicked Person, qui Adulteram tenet, who retains an Adulteress, as the Septuagint reads, Prov. xviii. 27. The Greek Fathers say almost generally it is καλον εκβαλλειν, an honourable thing to cast her out: And (\*) St. Austin having said it was permitted, but not commanded so to do, retracts that Saying, as being contrary to the Words of Solomon. He that retains her, say the Apostolical Constitutions is Φυσεως θεσμου παρανομος, a Transgressor of the Law of Nature. L. 6. c. 14.

Footnote (\*) Retract. l.1.c.19.

Matthew Henry picked up on Whitby's betrothal solution and popularised it in *Matthew Henry's Commentary on the Whole Bible* (London: Marshall, 1706-29; reprint 6 vols in 1, Grand Rapids: Zondervan, 1961, see vol 5:270). Other supporters of the Betrothal Interpretation were Henry Parry Liddon (1829-1890), in *Sermons Preached before the University of Oxford, Second Series 1868-1882* (London: Rivingtons, 1883), pp. 310-12; William Rollinson Whittingham (1805-1879) in Thomas McCord, *The Civil Code of Lower Canada, Second Edition, Book First of Persons, Title Fifth, Chapter Seventh, No. 185* (Montreal: Dawson, 1870), p. 488; John Henry Blunt (1823-1884), *The Sacraments and Sacramental Ordinances of the Church* (London: Rivingtons, 1867), p. 280; Duncan Convers (1851-1929), *Marriage and Divorce in the United States: As They are and as They Ought to be* (J. B. Lippincott Co., 1889), pp. 208-10; Henry Edwin Savage (1855-1939), *The Gospel of the Kingdom* (London: Longmans, Green & Co., 1910), p. 112.; and Frederic H. Chase (1853-1925), *What did Christ Teach about Divorce?* (London: SPCK, 1921), pp. 27-28; Paul Bull (1864-1942), *Marriage and Divorce* London: SPCK, 1924), pp. 8-10.

Stooke-Vaughn suggested that the Syriac translation may be the earliest support for the betrothal interpretation because it translates Matthew 19:9 as 'a writing of breaking a contract,' and this occurs in the Sinaitic Palimpsest in 19:9 and 5:32.<sup>57</sup>

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DR LESLIE McFALL  
13 February 2014

<sup>57</sup> F. S. Stooke-Vaughn, *The Solution of St. Matthew v. 31, 32, and xix. 3-9*. 2nd ed. (Exeter, UK: Eland Bros. 1927). Quoted by David W. Jones, "The Betrothal View of Divorce and Remarriage," *BibSac* 165 (2008) 68-85, esp. p. 84 n 46.

