

CRITICISMS OF WILLIAM HETH

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28 November, 2008

William A. Heth Jesus on Divorce: How My Mind Has Changed

The format of this engagement with Heth is to give the page and the column (a, b) on which his quote can be found.

4a] “Or should we approach his divorce sayings as rhetorical overstatements intended to emphasize a particular point, but admitting of exceptions?”

LMF] This is a very dangerous way of listening to Jesus. If we adopt this stance to everything He said, there would be nothing certain about anything He taught.

4a] The majority of evangelicals believe that Jesus permits remarriage after divorce for marital unfaithfulness (Matt 5:32; 19:9) and that Paul sanctions remarriage when Christian spouses are abandoned by unbelieving mates (1 Cor 7:15).

LMF] Mt 5:32 says nothing about remarrying. The point Jesus was making here is focusing on the CONSEQUENCES of divorcing a wife. The consequences are that she will sleep with another man, married or unmarried, but the husband will be held responsible before God for her sexual life after he has divorced her. The only exception is where she has committed adultery/fornication within the marriage. In that case SHE will be held responsible for THAT sin, but after she is divorced, the husband is STILL responsible for her sexual life. So Matthew 5:32 should NEVER be used in a discussion about GROUNDS for divorce.

5a] In the chart under the majority view I will substitute some of the more recent arguments related to the OT texts that I have gleaned from G. Hugenberger’s work, *Marriage as a Covenant*, for this is the work that has corrected my understanding of the nature of the marriage covenant encapsulated in Genesis 2:24 and the way all ancient Near Eastern law codes, including the Bible, have always made a distinction between justifiable as opposed to unjustifiable divorces.

8b] MAJORITY VIEW. MARK 10:11-12. Jesus, a prophetic wisdom teacher, uses rhetorical overstatement to drive home a general point to hostile questioners. Thus Mark simply records Jesus’ emphatically stated divorce saying without intending to specify possible exceptions. Jesus cannot be construed as teaching an “exceptionless absolute” based on Mark because both Matthew (5:32; 19:9) and Paul (1 Cor 7:15) qualify Jesus’ prohibition of remarriage after divorce. Alternatively, Jesus’ sayings should be understood as generalizations that admit of exceptions.

LMF] This is a very dangerous way of listening to Jesus. If we adopt this stance to everything He said, there would be nothing certain about anything He taught.

9b] MAJORITY VIEW. MATT 5:32. The exception, applied in a legal way, qualifies Jesus’ prophetic pronouncement (i.e., a wisdom saying that should be read as a prophetic and somewhat hyperbolic summons to an ideal like the preceding sayings about anger and lust).²⁸ The exception reflects the language of Deut 24:1 and identifies a valid divorce. For first-century Jewish readers, a valid divorce by definition included the right to remarry.

LMF] This misunderstands the point Jesus is making in 5:32. He focuses only on the CONSEQUENCES of divorce for the husband. Nothing is said about the grounds for divorce.

9b] MAJORITY VIEW. Matthew sees Jesus as explaining the meaning of the law. Deuteronomy's "some indecency" = Matthew's "sexual immorality." In the OT, divorce for "some indecency" identified a legally valid divorce. Valid divorces always included the right to remarry. Jesus *demotes* Moses' concession in Deuteronomy and subordinates it to Genesis, but valid divorces are God's permissive will for some innocent victims of divorce.

LMF] Jesus, in Mt 19:9, specifically removes 'fornication' as a grounds for divorce.

10b] MAJORITY VIEW. Exceptions are precisely exceptions. That the clause modifies both the divorce action and the remarriage action is determined more by the concept of justifiable divorce than by Greek grammar. The clause, either spoken by Jesus himself (Carson, Blomberg) or supplied by Matthew under the Spirit's inspiration (Stein, Keener, Hawthorne), clearly justifies divorce for immorality and permits remarriage. True, marriage must *not* be dissolved. But if dissolved by persistent sexual immorality, the marriage covenant is violated.

LMF] The grammar does not permit of an exception, therefore there is no exception.

13a] I found my own "no remarriage" understanding of Jesus' teaching on divorce challenged when I first read C. S. Keener's book . . . *And Marries Another* in the fall of 1992. For the first time since 1982—the year I wrote my Th.M. thesis on divorce and remarriage—I began to wonder if the defense for my "no remarriage" position was as exegetically sound as I had thought. [FOOTNOTE: I first met Craig in July of 1992 when *Christianity Today* brought us together at O'Hare Airport for a CT Institute on divorce (see the Dec. 14, 1992 issue, pp. 26-37). Craig gave me a copy of his book at that time.]

13b] About ten years later when I read in Keener's statement that Paul's "not under bondage" (KJV) "distinctly frees the *innocent* party to remarry" and that "If Paul meant that remarriage was not permitted, he said precisely the opposite of what he meant," I found myself initially agreeing with his straightforward analysis of Paul's language. Keener argued that the essential formula in the Jewish bill of divorce, "You are free to marry any man" (*m. Git. 9:3*), functions in precisely the same way as Paul's "not being enslaved" in 1 Corinthians 7:15.

14a] That Keener . . . in his 1999 commentary on Matthew: "Paul's words recall the *exact* language for freedom to remarry in ancient divorce contracts, and his ancient readers, unable to be confused by modern writers' debates on the subject, would have understood his words thus..."

LMF] Paul is not thinking of divorce, but of being free to serve Christ in an unencumbered way. Looked at it from that perspective there is no contradiction between Jesus and Paul.

14a] This meant that if Paul made an exception to Jesus' seemingly absolute prohibition of divorce and remarriage in 1 Corinthians 7:15, then it was certainly possible that one could interpret Jesus' exception clauses in Matthew in similar fashion.

LMF] Once the defense totters, it keeps tottering.

14b] He also makes a telling comment about 1 Corinthians 7:39, one that waves a caution flag in the face of attempts to fill in the answers to nagging interpretive questions by appealing indiscriminately to known first-century cultural backgrounds: "The first statement, 'A woman is bound to her husband as long as he lives,' runs so counter to Jewish understanding and practice at this point in history that it almost certainly reflects Paul's understanding of Jesus' own instructions (see on v. 10). As such it is a final word against divorce and remarriage."

LMF] Paul is working out the new culture of the Church. This is Paul at his best. In the new Christian culture, marriage is for life. It may not have been so in the old life, but things have now changed.

14b] This led me to reconsider again the possibility that Jesus' teaching on divorce involved either generalizations or rhetorical overstatements that were never intended to be understood as exceptionless absolutes.

LMF] This is the danger of entertaining unbiblical views about Jesus' method of teaching.

15a] The sayings in both Mark 10:11-12 and Luke 16:18 give the impression that under no circumstances would divorce or remarriage be possible. However, there are two ways to understand the form of Jesus' divorce saying. It is either an exaggeration (Stein, Keener, Hawthorne, Collins) or "a generalization which admits of certain exceptions." The former view emphasizes that Jesus referred to himself as a prophet (Matt 13:57), taught as a wise man (Matt 12:38-42), and spoke out powerfully against the religious hypocrisy and injustices he observed (Matthew 23). Therefore, if Jesus wanted to drive home a particular point in the midst of a hostile audience, "his omission of any qualification may be understandable."...On the other hand, I would prefer to classify Jesus' sayings as generalizations, even though the exposition is essentially the same under either category. I just think words like "exaggeration," "hyperbole," and "rhetorical overstatement" convey the wrong idea. Based on what I have recently learned. . . .

LMF] Note the avoidance of looking at the possibility, and therefore the consequences, of reading Jesus to mean what He said. Note the escape clauses: "give the impression," it is either an "exaggeration," or a "generalisation," "his omission of any qualification may be understandable." Why not also "what it purports to say"?

16a] I think a good case can be made that Jesus himself uttered the exception clause. I formerly held that the disciples' incredulity (v. 10) in the face of Jesus' saying on divorce in v. 9 could only be explained if Jesus had prohibited all remarriage after divorce, even divorce for sexual immorality.

LMF] The problem is, Jesus added an exclusion clause, not an exception clause in Mt 19:9. Stein is right that "Even in the Matthean account the reaction of the disciples seems best understood in the light of a total prohibition against divorce (see Matt 19:10-12). Such a reaction would be surprising if Jesus had uttered the 'exception clause' since this was essentially the position of the school of Shammai."

16a-b] I think there is a third alternative. . . . If Jewish law *mandated* divorce for sexual unfaithfulness *and prohibited* a wife from ever returning to her husband after she had been unfaithful, Jesus may be countering both of these notions via the exception clause, which would *permit* divorce for immorality and might even *encourage* offended spouses to forgive and take back unfaithful mates.

LMF] Note the uncertainty, like a blanket, thrown over Jesus' teaching, "Jesus may be countering . . ."

16b] Thus the exception clause means that Jewish marriages *may* still be kept together even if divorce for *porneia* occurs (cf. the forgiveness requirement in Matt 18:21-35 and the model of the father in Luke 15:11-32). This would have been shocking to first-century Jews, suggesting that Jesus' view is more strict than Shammai's—the radical love of God does unexpected things—and adequately explains the disciples' horrified reaction to Jesus' teaching in Matthew 19:10.⁵⁸

LMF] Having dug a hole for himself in turning away from the Truth, this has the ring of someone trying to salvage something out of a non-existent exception clause.

16b] "The notion that Jesus was allowing separation, but not divorce, cannot be sustained—as Judaism had no such custom, he would perforce have had to explain it."

LMF] Judaism had many customs that Jesus abolished. Jesus' explanation comes in His teaching of His two commandments.

17b] There was only one problem. I was missing two crucial details about biblical covenants and the nature of that Genesis 2:24 "one flesh" relationship: (1) biblical covenants can be violated and dissolved and (2) the "one flesh" marital-kinship union is not a literal flesh and blood relationship. (I have already incorporated both of these points in the top two boxes in the chart

under the majority view.)

LMF] Unlike human covenants, the one flesh union cannot be dissolved. It cannot be undone. One cannot go back to a pre-covenant position and start all over again as if nothing had happened. Something happens in the 'one flesh' union which is irreversible, and that is the difference between marriage and all other covenants.

17b] what proved most troubling to me all along (though I did have an answer for it) was that Jesus would be labeling as adultery the remarriage of someone whose spouse's unrepentant sexual immorality or subsequent remarriage had made the restoration of the original marriage impossible.

LMF] Impossible or possible, the first marriage is in place until death separates them. That is the point Jesus focuses on. That is why all remarriages are adulterous relationships while both spouses are still alive. The 'leave' and 'cleave' in Gen 2:24 are not covenantal terms in the context. The idea of covenant has to be imported into the context; it is not there on a first or last reading of the text. Gen 2:24 states an historical event relating to the father and son relationship. The son may be in an obedience relationship with his father, but his father does not exercise a love-headship relationship over his son. Every male, due to his creational relationship to God, is under a love-headship relationship with his Creator. This does not apply in the case of the female. She is always, whether through her father or through her husband is always under male supervision all her life. She nowhere has a love-headship over her husband or over her children. Hence the emphasis about the son, but not the daughter, 'leaving' his father. At this 'leaving' point, the son's position regarding his first duty to obey God is asserted for the first time. While under his father's roof, his duty was to obey his father.

20a] it seems most probable that the exception clause in Matthew points to divorce with just cause, a valid divorce that would permit remarriage, and Jesus limits that just cause to *porneia*.

LMF] Unfortunately, there is no exception clause in Mt 19:9, once you remove Erasmus' EI.

20a] What does all of this mean for the application of the biblical teaching on divorce and remarriage now that I have come to believe that Paul's (1 Cor 7:15) and Jesus' (Matt 5:32; 19:9) words point to a just cause for divorce?

LMF] He lumps Mt 5:32 in with 19:9, when 5:32 has nothing to do with an exception to Jesus' teaching of "No divorce for any reason." Mt 5:32 emphasizes that the husband is fully to blame for his wife's fornication with another man, EXCEPT (this is the true exception clause) where the wife committed fornication *while still married to him*. He cannot be blamed for that sin. The issue is: Who is to blame for a wife having sexual relationships with another man? Jesus is not, in Mt 5:32, addressing the issue: On what grounds can a man divorce his wife? This is answered in Mt 19:9.

20a] As I mentioned earlier, under my "no remarriage" view I felt odd about saying that Jesus would forbid remarriage to the innocent person whose spouse's unrepentant sexual immorality or subsequent remarriage had made the restoration of the original marriage impossible. This has now been resolved in my mind.

LMF] A marriage can never be dissolved because you cannot reverse a 'one flesh' union and become two flesh again. Why would it be 'odd' of Jesus to condemn a wife having relations with another male while the first husband was still alive, and vice versa? Only death can sever the 'one flesh' union, as Paul makes clear in Romans 7:1-2. Until that event occurs, no husband or wife can have sexual relations outside that union. They are exclusive to each other until death parts them. This is what it means to turning back 'to the beginning' with Jesus.

20a] Third, if we factor in our own contemporary cultural differences, reflect on the accumulated canonical witness to God's merciful dealings with his people, take seriously the call to model the forgiveness we received from Christ at the cross and the call to imitate our heavenly Father as his beloved children (Eph 5:1- 2), then we should know *not* to apply Jesus' and Paul's exceptions in

exactly the same way their first-century hearers would have applied them. Their culture mandated divorce for sexual immorality. Both Jewish and Roman law, “required a husband who learned of his wife’s affair to divorce her immediately,” and if he did not do so, “Roman law allowed him to be prosecuted for the offense of *lenocinium*— pimping”

LMF] The ethical standards of Jesus do not belong to this world. His Kingdom is not of this world. So irrespective of what Jewish or Roman allowed or did not allow, the Christian’s allegiance must be to Jesus’ teaching first and always. The Christian does not have the luxury of compromising Jesus’ teaching because of suffering or persecution, or being threatened with a burning fiery furnace, or being thrown into a den of lions. The Christian must welcome death before he or she can disobey the Lord’s teaching. This world is totally hostile to Jesus and His standards and every effort will be made by Satan and misguided ‘christians’ to urge the faithful to compromise because they are living in a different century.

21a] Might there be additional legitimate grounds for the dissolution of a marriage? ⁹⁴ Here one must be cautious.

LMF] This is the inevitable extension once you depart from the Truth. The caution is too late. Whatever follows, unless it is an absolute ban on any other ‘cause’, leaves the Christian permanently bound in a disobedient state.

21a] I taught that in a home where a parent was abusing the children or a spouse was being abused, common ethical sense dictates that Jesus would not require the concerned parent to stay.

LMF] Once a ‘christian’ starts bending Jesus to his standard of what is appropriate, then Jesus is no longer his Lord or only guide. The tables are turned.

21a] I agree with Keener [over abuse] that both Jesus and Paul would “would advise the one parent to take the children and leave, at least temporarily.” However, incompatibility and fits of anger would not fit under the banner of *porneia*.

LMF] So ‘porneia’ has its meaning extended to include ‘abuse’. What next?

21b] If we have understood Paul correctly in 1 Corinthians 7:15, willful desertion by an unbelieving spouse who subsequently remarries makes the restoration of that marriage impossible, . . .

LMF] The remarriage is not a marriage. It is fornication, Jesus stated clearly. The two are still married even if they are separated. While a married couple are parted, neither can have sexual relations with a third party. Even if both remarried after desertion, both remarriages can be dissolved legally, if necessary, and the original pair get back together.

21b] But what if the unbelieving deserter does not remarry? In time and with great assurance that the marriage cannot be restored, it would seem that the Christian could remarry.

LMF] The Christian cannot have relations with another human being while their spouse is still alive. The union can only be broken by death. If there is no notice of death, there can be no remarriage. In such a situation, the Christian should use the blessing of being single again to be singly devoted to Christ Jesus.

21b] Just how long one should wait would be determined by one’s theologically informed conscience and whether or not God providentially brings along a Christ-centered believing partner.

LMF] Whether a suitable partner turns up or not, there can be no second marriage while there is a living spouse to be reconciled to. The door to reconciliation must never be closed to satisfy a sexual desire to remarry a suitable partner. Bathsheba was providentially on the roof of her house when David saw her, and was ‘led’ to her by good circumstances (her husband was way fighting the Lord’s battles). A lot can be attributed to ‘God’s providence’ that might be of the Devil. Not tickle but theology should dominant the mind.

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