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Is It Lawful for a Man to Divorce His Wife?

Matthew 19:1-12 and Mark 10:1-12

Is it lawful for a man to divorce his wife DIG: When the Pharisees asked Jesus, “Is it lawful for a man to divorce his wife,” how were they trying to test Messiah with their question? What was their viewpoint on divorce? Instead of answering their question, how does Jesus put them to the test by emphasizing God’s original intent for marriage? What was Moshe’s real intention in allowing divorce? How had the Pharisees twisted this into an excuse to divorce their wives? What was Messiah really condemning? What does Rabbi Sha’ul say about divorcing an unbeliever or marriage after the death of a spouse?

REFLECT: By contrast, in today’s contemporary society (even Jewish culture), how easy is it to get a divorce? How can you apply the principles of marriage stressed here? Do you think the Lord would give the same response to someone in a troubled marriage that asked sincerely: Is it lawful for a man to divorce his wife for any and every reason? Why or why not? What do you need to work on to have the marriage God desires? When divorce does occur, what hope does Jesus offer someone?

When Yeshua had finished telling His parables to the masses (Luke 17:11 to 18:14), He left the Galilee with His talmidim and traveled down the east side of the Jordan River. In modern times since 1948, this has been the territory controlled by the country of **Jordan**. In biblical times, this area east of **the Jordan River** was still part of the tribal inheritance of **Isra’el**. Today, there is still debate over the so-called “west bank” territory west of **the Jordan River**. During the time of **Christ**, however, that area was identified as part of the land of **Isra’el**. Modern political negotiations will no doubt continue, but the biblical promises remain secure. The little messianic band of believers continued southward **until [they] went into the region of Judah (Matthew 19:1; Mark 10:1a CJB).**¹¹⁸⁵

Again large crowds followed Him, and as was His custom, He taught and healed them individually by a demonstration of faith (**Matthew 19:2; Mark 10:1b**). This will account for the different incidents along **Jesus’ way to Jerusalem** and how the different **apostles** may have recorded different material to tell their Gospel message to **their** particular audience.

The introduction to **Christ's** teaching on **divorce** in both **Matthew** and **Mark** may seem rather abrupt until we realize that this was not the first time **He** had dealt with the hostile **Pharisees** in the same part of the country (**Luke 16:14**). **Messiah** had already answered **their** taunts and objections previously by charging **them** with breaking the spirit of **the Torah**, which they supposedly represented, by pointing out **their** corrupted views and teaching on divorce (**Luke 16:17-18**). It seemed to have irritated **them** to no end. **They** probably imagined that it would be easy to highlight the marked differences between the teaching of **Moshe** and the rabbis and the teaching of **Jesus**, thereby turning the masses against **Him**. But **their** plan wasn't working.



Not surprisingly then, when **some Pharisees** encountered **the Lord** again on **His** way to **Judea**, they took up the subject of **divorce** exactly where **they** had left off. **The apostate religious rulers** had to be concerned that **the maverick rabbi** was once again entering **their** own turf. By that time it was obvious that **they** were not sincerely seeking new truth about the possible **Meshiach**, but were only trying to justify **their** own unbelief. Consequently, their purpose was to test **Him** by asking: **Is it lawful for a man to divorce his wife for any and every reason (Matthew 19:3; Mark 10:2)?**¹¹⁸⁶

***Marriage** is not easy. It never has been. When two people are brought together, in a sense it exposes them because they cannot hide. Whoever they really are, for good or for bad, is there for the other person to see. Someone once said that **marriage** is our last and best chance to grow up. And it was no different during the time of **Christ**.*

The issue of **divorce** had been a volatile one among the Jews for centuries. Therefore, the main object of the **Pharisees** here was to involve **Jesus** in a controversy about **divorce** with the two main rabbinic schools in the first century. The school of Rabbi Hillel was the more lenient, often taking a less strict interpretation of social issues. The opposing school of Rabbi Shammai, who often took a more stringent and conservative view. The vast majority of the **Pharisees** embraced the school of Rabbi Hillel and had become the leading advocates

of easy **divorce**.

The controversial question at hand centered on the much-debated verse in **the Torah**. **Suppose a man marries a woman and consummates the marriage but later finds her displeasing, because he has found her offensive in some respect. He writes her a divorce document, gives it to her and sends her away from his house (Deuteronomy 24:1).** The phrase **offensive in some respect** (*ervat davar*) in the Hebrew literally means *a thing of nakedness*. The school of Shammai took a very narrow view of this phrase, interpreting it to mean sexual immorality (as the term *ervat* strongly implies). Therefore, that branch of **the Pharisees** forbade **divorce** in any circumstance except **adultery**. Some of the school of Shammai believed that the penalty for **adultery** was actually death (**Deuteronomy 22:22**).

It seemed that **the Pharisees** asking this particular question favored the more liberal position of the school of Rabbi Hillel, who interpreted *ervat davar* in the broadest sense, allowing **divorce** for anything that would be displeasing to **the husband**. **This could include such disrespectful acts as a wife not having her head covered in public or even at the act of consistently burning her husbands food (Tractate Gittin 90a)!** It is important to understand, however, that Hillel's liberal view was not based on *one* mistake by **the wife**. It required consistent and deliberate acts of disrespect that would undermine the very covenant of **marriage**. The vast majority of the **Pharisees** embraced the theology of Rabbi Hillel and had become the leading advocates of easy **divorce**.¹¹⁸⁷

Those **Pharisees** had obviously spent a lot of time thinking about this question that attacked **Jesus** on two fronts. First, because of **His** previous teaching on **divorce (Matthew 5:32)**, the **Pharisees** knew **Yeshua** had a narrow view of **divorce**. But the right to **divorce** was highly valued by the **Jews**. **They** actually considered it a gift from **God** that was not given to the Gentiles. If **Messiah** denied the **Jews** the right to **divorce**, as **they** suspected **He** might, then **He** would alienate **Himself** from the masses. Secondly, the **Pharisees** were well aware that **Christ** was preaching in Perea, which was under the control of Herod Antipas who had already imprisoned and eventually beheaded John the Baptist for condemning his unlawful **marriage** to his brother's **wife**, Herodias (**Matthew 14:3-12**). Undoubtedly, the **Pharisees** hoped that, by denouncing **divorce because the husband found the wife offensive in some respect, the Galilean Rabbi** would publicly denounce Herod's adulterous relationship just as John had done, and suffer the same fate.

Messiah's response was to ask a question of **His** own: **What did Moses command you?** **He** didn't ask **them** for **their** personal opinion or even **their** rabbinical interpretation

(Mark 10:3). It was not what was heard in rabbinic debate that was important, but what was written in the Torah. **They** said: **Moses permitted a man to write a certificate of divorce** (*sefer khitut*) **and send her away** (**Matthew 19:7; Mark 10:4**). The Hebrew term *sefer khitut* from **Deuteronomy 24:1**, actually means *a document of cutting*, which is a graphic description of what **divorce** really is - a cutting of a relationship and a covenant. The Hebrew word *get* is the rabbinic word for the paperwork for such a religious **divorce** within Judaism. Even when Jews have lived outside of **Isra'el** of the Jewish community, it was not enough to acquire a civil **divorce** from the state authorities. For traditional Jews today, one must still receive a religious **divorce** through a local rabbinic court in the form of a *get*. The implication of **their** question seems obvious. **Divorce** is not even mentioned in **Genesis** and **Moses permitted** it in **Deuteronomy**. So why shouldn't a **man** be able to **divorce his wife** if she is **offensive in some respect**?

Jesus' answer reconciles any conflicting views. **He** declared: **Moses permitted** (not commanded) **you to divorce your wives because your hearts were hard** (**Matthew 19:8a; Mark 10:5**). It wasn't even in **ADONAI's** original intention to even consider **divorce**, but **He** made a concession based on human frailties. **But it was not this way from the beginning. Haven't you read** what **Genesis 1:27** has to say on the subject, **He replied, that at the beginning of creation God "made them male and female"** (**Matthew 19:4, 19:8b; Mark 10:6**). This has always been **God's** perfect will, but fallen human nature (**Romans 3:23**) and the free will **He** has given us, can often derail the beautiful plans of our **Creator**. If **men** and **women** consistently had a soft and yielding heart toward **Ha'Shem**, **divorce** would be unnecessary. But we not only break the commandments, but we often have a hardened heart about our personal choices.

Yeshua continued to quote **the Torah** to justify **the LORD's** original design for **marriage** by saying: **For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh** (**Genesis 2:24**).

Yeshua is portrayed by **Mark** as appealing to both **Genesis 1:27 (God made them male and female)** and **Genesis 2:24** here. **Yeshua**, then, adds the comment: **So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate** (**Matthew 19:5-6; Mark 10:7-9**).

This suggests that, at least in **Mark's** view, **Messiah** accepted the model for marriage and sexual union presented in **Genesis 1-2**. These creation texts authorized only one type of sexual union. It would have been a foregone conclusion for him that homosexual relationships and human-animal unions, both prohibited in **Leviticus**, were unacceptable.

The whole point of **Yeshua's** stance here is not to broaden **the Torah's** openness to alternative forms of sexuality but rather to narrow or constrain **the Torah's** sexual ethic to disallow any sexual union other than a monogamous, lifelong marriage to a person of the opposite sex. In short, there is simply no place in the **Genesis** account to accommodate any grounds for same-sex unions. **Messiah's** unreserved embrace of the creation account and **His** bold appeal to it as a means of ending a concession in **the Torah** establishes **His** commitment to one - and only one - model for sexual union.

The original Hebrew word **ekhad** is often translated **one** but perfectly reflects the concept of unity. In marriage, the two people do not lose their individuality or uniqueness but are united together in the spiritual covenant. **Ekhad** is the same Hebrew word that **ADONAI** uses to describe **His** own character. In the famous **Deuteronomy 6:4** passage: **Sh'ma Isra'el adonai elohaynoo, adonai ekhad**. It tells us that **ADONAI is our God, ADONAI is One!**¹¹⁸⁸ The union of **marriage** is one that **God**, as its **Creator**, never desires to be broken. **Divorce** is a denial of **His** will and a destruction of **His** work.

Upon hearing **Yeshua's** interpretation of the divine commandments of **marriage** and **divorce**, **the apostles** began to draw **their** own disturbing conclusions. **They came to Him** and said: **If this is the situation between a husband and wife, it is better not to marry (Matthew 19:10)**. Judaism has always considered **marriage** both normal and desirable: **The unmarried person lives without joy, without the blessing and without good . . . an unmarried man is not fully a man (Talmud: Yevamot 62b-63a)**. On the other hand, some believers came to grant abnormally high status to celibacy (**First Corinthians 7:1-40**). Depending on the calling and preferences of the individual, **Yeshua** allows that either the **married** or the single life can be one of service to **God** and humanity; and **He** takes care to minimize needless guilt on the part of those making the choice.¹¹⁸⁹

The Roman Catholic Church, on the other hand, demands celibacy. Both priests and nuns are denied normal family life. The practical effects of the monastic system down through the ages show clearly that the forced and unnecessary restrictions are a hindrance, not a help, to personal sanctity. It is based on two false principles, namely, that celibacy is a holier state than marriage, and that total withdrawal from society brings one closer to **God**. Celibacy in the Roman Catholic Church is, of course, merely a church regulation, not a command of Scripture. She refuses to believe that her clergy is following anything but a divinely instituted role. **Christ**, however, imposed no rule against **the marriage** of leadership in the early Church (**1 Tim 3:2**), nor did any of **the apostles**. But, **Peter** was a **married man** and **his wife** accompanied **him** on **his** missionary journeys. The same was true of the other **talmidim** and of the brothers of **Jesus (1 Corinthians 9:5)**.¹¹⁹⁰

Meshiach replied: Not everyone can accept this word, but only those to whom it has been given. For there are eunuchs who were born that way. These are people who are born with congenital deformities that involve undeveloped sexual capacity. **And there are eunuchs who have been made eunuchs by others,** such as were male harem guards of that day. In some ancient religions, castration was considered a way of pleasing and serving a pagan deity, and parents sometimes even had their infant sons castrated for that purpose. **And there are those who choose to live like eunuchs.** Here, **Jesus** is speaking of voluntary celibacy of those to whom that gift has been granted by **God**. In that case, celibacy can indeed be **for the sake of the kingdom of Heaven**. **Messiah** said: **The one who can accept this should accept it.** So those who by **God's** gift are able to **accept** a life of celibate singleness **should accept it** as **His** will for **them** (**Matthew 19:11-12**).¹¹⁹¹ Thus **marriage** is the norm for believers. In fact, it takes a special calling and leading from **God** *not* to marry.

Today, gay theology twists this scripture to meet its own desires. It teaches that, "**Jesus** loved **eunuchs**, who were the early precursors of today's gay community." The quest to find that justification, no matter how dim, leads the gay church into Scriptural assumptions. These lies are so simple to invent and sell that gay pastors just cannot resist the temptation. They declare that those **eunuchs** were really homosexuals all the time and **Yeshua's** love and compassion for **eunuchs** must mean that **He** approved of homosexuals and their lifestyle. They say that because one of the first converts of Phillip was **an Ethiopian eunuch** (**Acts 8:26-40**) that **God** approves of homosexuality. The gay church will invent theological excuses for their sin as long as there are those who buy and live the inventions.¹¹⁹²

When they were in the house again, the Twelve asked Jesus about this. He answered: Anyone who divorces his wife (her husband) **except for sexual immorality, and marries another woman** (man) **commits adultery against her** (him). **And if she** (he) **divorces her husband** (his wife) **and marries another man** (woman), **she** (he) **commits adultery** (**Matthew 19:9; Mark 10:11-12**). **Messiah** is saying that a man who **divorces his wife** exposes **her** to the temptation to remarry, thus committing **adultery**. **The Lord** makes it clear that legal **divorce** does not end a **marriage** relationship as far as **He** is concerned. Since **the marriage** union actually ends with the death of a spouse (**First Corinthians 7:39**), marriage to a **divorced** person violates an existing relationship, resulting in **adultery**.¹¹⁹³

It should be noted that this is not the only place in the Bible that discusses the grounds for **divorce**. Rabbi Sha'ul speaks of other possible grounds for **divorce**. **But if the unbeliever**

leaves, let it be so. **The brother or the sister is not bound in such circumstances; God has called us to live in peace. How do you know, wife, whether you will save your husband? Or, how do you know, husband, whether you will save your wife (First Corinthians 7:15-16).** However, if both spouses are believers and they end up in a **divorce**, then neither one of them is to remarry. The obvious hope is that there may be reconciliation as they both keep faithful to their **marriage** vows and try to rebuild their troubled relationship. **To the married I give this command (not I, but the Lord): A wife must not separate from her husband. But if she does, she must remain unmarried or else be reconciled to her husband. And a husband must not divorce his wife (First Corinthians 7:10-11).** The only other situation for a biblical **divorce** and remarriage is in the case of the death of a spouse. **The Torah binds a married woman to her husband while he is alive; but if the husband dies, she is released from the part of the Torah that deals with husbands. Therefore, while the husband is alive, she will be called an adulteress if she marries another man; but if the husband dies, she is free from that part of the Torah, so that if she marries another man, she is not an adulteress (Romans 7:2-3).**

For those today who believe that **divorce** is *never* acceptable (even for **adultery** and desertion), it is important for them to understand that **God** handed **Isra'el a certificate of divorce Himself** (see my commentary on **Jeremiah, to see link click At - Unfaithful Isra'el**). **Jesus** would not ask anything of us that **He** could not tolerate **Himself**. In the final analysis, **God hates divorce** and its devastating effects on the family (**Malachi 2:16 NASB**), but it's not the unforgivable sin. **If we confess our sins, He is faithful and just and will forgive us our sins and purify us from all unrighteousness (First John 1:9).**

In 1915 Pastor William Barton started to publish a series articles. Using the archaic language of an ancient storyteller, he wrote his parables under the pen name of Safed the Sage. And for the next fifteen years he shared the wisdom of Safed and his enduring spouse Keturah. It was a genre he enjoyed. By the early 1920s, Safed was said to have a following of at least three million. Turning an ordinary event into an illustration of a spiritual truth was always a keynote of Barton's ministry.

Now, after I had planted my Garden, there were certain mornings when I arose early and took my Hoe, and went out, and Watched Things Grow. And my soul was Enlarged.

But as it grew later in the Spring there came nights when I had been out, and the Morning Came Too Soon, and I went not into my Garden. And when I went after a Week or Two, I saw the Weeds had grown Faster than my Plants.

And I toiled with my Hoe till I blistered my Hands, yet I gained very little. And Everything seemed to Happen to my Plants, and nothing to harm the Weeds.

And one day I returned from my Garden, and I was weary. And I ate my bread in the sweat of my face. And I said, O Keturah, I am a Horrible Gardener. And Keturah answered, It would not be becoming of me to Dispute my **husband**. And I said, Look, my fathers before me were Horrible Gardeners. My first Ancestor was a Gardener, and he could not Hold Down his Job.

And Keturah answered, Do not be Discouraged over much. That Ancestor of yours Got some Good Things out of his Garden; surely you can do as well as he. And I answered, Yes, he got some good things out of that Garden, the one of which was Experience; and that is a fruit that has its bitter and its sweet, but is Profitable.

And Keturah answered, You have spoken wisely. Likewise did Adam get a vision of the Eternal Mystery of Life, and beheld the wonder of Nature, that seed thrown to the ground brings out marvelous forms of beauty. Oh, Safed, is that not worth a blistered hand?

And I answered, O you wise **woman**, you speak wisely and well; for Adam and Eve learned how to be workers together with **God**. Then we were silent for a while, for we thought of many strange and wondrous things that we had seen in our Garden.

And I said, Keturah.

And she said, Speak on.

And I said, Adam got one other good thing out of his Garden.

And she said, What was that?

And I said, It was the most Enjoyable, yet the most Troublesome.

And she said, You speak in riddles, Surely you do not mean the serpent?

And I spoke, saying, The fairest flower that blossomed in Eden was no other than Eve.

And Keturah said nothing, and I made as if I had nothing more to say; but she knew that I would say more. Therefore, she was silent.

And I said, Keturah, I have a choice blossom from that same vine. Neither I nor Adam have



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failed wholly in the care of our Garden.¹¹⁹⁴

God of peace and unity, bind affected families together in love. When one member is weak, fill the others with strength and compassion so that the one who falls will have someone to pick him or her up. Help them not to lose patience with each other, attack each other, or in any other way be separated by these tragic circumstances; instead, knit them together in love and strength (**Ecclesiastes 4:9-12; Matthew 19:6**).¹¹⁹⁵